

**Collier County  
Affordable Housing Advisory Committee (AHAC)**



**AGENDA**

Growth Management Community Development Department  
Conference Rooms 609/610  
2800 N. Horseshoe Dr., Naples, FL 34104

**May 21, 2024, 9:00 AM**

**AHAC MEMBERS**

Steve Hruby, Chair  
Jennifer Faron, Vice Chair  
Mary Waller, Member  
Gary Hains, Member  
Hannah Roberts, Member  
Andrew Terhune, Member

Commissioner Chris Hall, BCC Liaison  
Arol Buntzman, Member  
Todd Lyon, Member  
Paul Shea, Member  
Thomas Felke, Member

**COLLIER COUNTY STAFF**

Jamie French, Department Head, GMCD  
Michael Bosi, Director, Planning & Zoning  
Jaime Cook, Director, Development Review  
Cormac Giblin, Director, Housing Policy & Economic Development  
Sarah Harrington, Planning Manager, Housing Policy & Economic Development  
Derek D. Perry, Assistant County Attorney, County Attorney's Office  
Donna Guitard, Management Analyst I, GMCD

NOTE: ALL PERSONS WISHING TO SPEAK ON ANY AGENDA ITEM MUST REGISTER PRIOR TO SPEAKING. ALL REGISTERED SPEAKERS WILL RECEIVE UP TO THREE (3) MINUTES UNLESS THE TIME IS ADJUSTED BY THE CHAIRMAN. DURING COMMITTEE DISCUSSION, COMMITTEE MEMBERS MAY ASK DIRECT QUESTIONS TO INDIVIDUALS. PLEASE WAIT TO BE RECOGNIZED BY THE CHAIRMAN AND STATE YOUR NAME AND AFFILIATION FOR THE RECORD BEFORE COMMENTING.

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS MEETING, YOU ARE ENTITLED, AT NO COST TO YOU, THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE COLLIER COUNTY FACILITIES MANAGEMENT DEPARTMENT. ASSISTED LISTENING DEVICES FOR THE HEARING IMPAIRED ARE AVAILABLE IN THE COUNTY COMMISSIONER'S OFFICE.

- 1. CALL TO ORDER & PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL OF COMMITTEE MEMBERS AND STAFF**
- 3. APPROVAL OF AGENDA AND MINUTES**
  - a. Approval of today's agenda
  - b. Approval of March 19, 2024, AHAC Meeting minutes.
- 4. INFORMATIONAL ITEMS AND PRESENTATION**
  - a. Impact Fees (Ian Barnwell)
- 5. PUBLIC COMMENT**
  - a. Persons wishing to speak must register prior to speaking. All registered speakers will receive up to three (3) minutes unless the time is adjusted by the Chairman.
- 6. DISCUSSION ITEMS**
  - a. LDCA Updates (M. Bosi; E. Johnson)
  - b. Affordable Housing Yearly Income Qualification (C. Giblin)
- 7. STAFF AND COMMITTEE GENERAL COMMUNICATIONS**
  - a. Milano Lakes Email re Essential Service Personnel Employer (C. Giblin)
  - b. 2024 SHIP Incentives Report timeline (S. Harrington)
  - c. AHAC Policy Statement
  - d. Release of New 2024 Income Limits (C. Giblin)
  - e. DSAC Update (H. Roberts)
  - f. Upcoming Public Meetings (C. Giblin & M. Bosi)
  - g. LGAO (S. Harrington)
- 8. NEW BUSINESS**
- 9. ADJOURN**
- 10. NEXT AHAC MEETING DATE AND LOCATION: July 16<sup>th</sup>, 2024, at 9:00 AM  
Conference Room 609/610 - Growth Management Community Development  
Department**



# Collier County Government

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May 14, 2024

## FOR IMMEDIATE RELEASE

### **Notice of Public Meeting Affordable Housing Advisory Committee Collier County, Florida**

**May 21, 2024  
9:00 A.M.**

Notice is hereby given that the **Affordable Housing Advisory Committee** will meet on **Tuesday, May 21, at 9:00 a.m.** in Conference Room 609/610 located at 2800 North Horseshoe Dr. Naples, FL 34104.

About the public meeting:

Two or more members of the Board of County Commissioners may be present and may participate at the meeting. The subject matter of this meeting may be an item for discussion and action at a future Board of County Commissioners meeting. Two or more members of the Collier County Planning Commission (CCPC) may be present and may participate at the meeting. The subject matter of this meeting may be a future item for discussion and action at a future CCPC meeting.

All interested parties are invited to attend, and to register to speak. All registered public speakers will be limited to three minutes unless permission for additional time is granted by the chairman.

Collier County Ordinance No. 2004-05 requires that all lobbyists shall, before engaging in any lobbying activities (including, but not limited to, addressing the Board of County Commissioners, an advisory board or quasi-judicial board), register with the Clerk to the Board at the Board Minutes and Records Department.

Anyone who requires an auxiliary aid or service for effective communication, or other reasonable accommodations in order to participate in this proceeding, should contact the Collier County Facilities Management Division, located at 3335 Tamiami Trail E., Suite 101, Naples, Florida 34112, or (239) 252-8380, as soon as possible, but no later than 48 hours before the scheduled event. Such reasonable accommodations will be provided at no cost to the individual.

For more information, call Cormac Giblin (239) 252-2460 or Sarah Harrington at (239) 252-4211

March 19, 2024

MINUTES OF THE COLLIER COUNTY  
AFFORDABLE HOUSING ADVISORY COMMITTEE

Naples, Florida, March 19, 2024

LET IT BE REMEMBERED, the Collier County Affordable Housing Advisory Committee, in and for the County of Collier, having conducted business herein, met on this date at 9 a.m. in REGULAR SESSION at the Collier County Growth Management Community Development Department Building, Conference Room #609/610, 2800 Horseshoe Drive N., Naples, Florida, with the following members present:

Chairman: Steve Hruby  
Vice Chair: Jennifer Faron  
Arol Buntzman (absent)  
Thomas Felke  
Gary Hains  
Commissioner Chris Hall (absent)  
Todd Lyon  
Hannah Roberts  
Paul Shea  
Andrew Terhune  
Mary Waller (excused)  
Bob Mulhere (DSAC liaison, non-voting)

**County Staff Members Present:**

James French, Department Head, GMCD  
Cormac Giblin, Dir., Housing Policy & Economic Development, GMCD  
Lincoln Price, Economic Research Analyst, Housing Policy & Econ. Development, GMCD  
Heidi Ashton, Managing Assistant County Attorney  
Mike Bosi, Director, Zoning & Planning Department, GMCD  
Donald Luciano, Assistant Director, Community & Human Services Division, PSD  
Rey Torres Fuentes, Operations Support Specialist I, GMCD  
Louise Jarvis, Executive Assistant to Commissioner Chris Hall

*Any persons in need of a verbatim record of the meeting may request a copy of the audio recording from the Collier County Growth Management Department.*

**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE**

**Chairman Hruby** called the meeting to order at 9 a.m. and the committee recited the Pledge of Allegiance. He then detailed the rules for speakers to address the AHAC on topics.

**2. ROLL CALL OF COMMITTEE MEMBERS AND STAFF**

**Mr. Giblin** called the roll call. A quorum of eight was present in the boardroom, in addition to a non-voting DSAC liaison. He noted that Ms. Waller was excused and said 7.g should be moved to the beginning of the meeting so AHAC members don't have to wait for the introduction of Bob Mulhere, the DSAC liaison.

*[7.e. was then heard]*

**3. APPROVAL OF AGENDA AND MINUTES**

**a. Approval of today's agenda**

*Mr. Terhune made a motion to accept the agenda. Second by Ms. Roberts. The motion passed unanimously, 8-0.*

**b. Approval of the January 16, 2024, AHAC meeting minutes**

*Mr. Terhune made a motion to approve the January 16, 2024, meeting minutes. Second by Ms. Roberts. The motion passed unanimously, 8-0.*

**c. Approval of the February 20, 2024, AHAC Subcommittee meeting minutes**

**Vice Chair Faron** said she didn't attend that meeting due to a conflict so she won't vote.

**Chairman Hruby** noted that the preamble on the title page, p. 1, should say subcommittee and the chair and vice chair should say subcommittee chair and subcommittee vice chair. On p. 4, under Mr. Puchalla's comments, The Housing Alliance (THA) should not have an "Inc." after Alliance.

*Ms. Roberts made a motion to approve the January 16, 2024, meeting minutes. Second by Planning Commissioner Shea. The motion passed unanimously, 7-0; Ms. Faron abstained because she didn't attend that meeting.*

*[Ms. Faron turned in a Form 8B for that reason.]*

**4. INFORMATIONAL ITEMS AND PRESENTATION**

**a. Land Trust Presentation (M. Puchalla)**

*Mr. Puchalla, executive director of Housing Development Corp. of Southwest Florida dba Collier County Land Trust, detailed a PowerPoint presentation:*

- The Housing Alliance's work as a non-profit parallels the AHAC's objectives.
- HELP is the only HUD-approved local housing counseling agency in Collier County. Certified since 2009, experienced the flows in the marketplace, the recession, foreclosures, hurricanes, a pandemic, etc.
- Meet with individuals and households within the community to help with housing

- suitability and sustainability issues. Providing a navigator concept.
- Noticed no matter how much education and preparation they did, without inventory, it didn't make a difference.
  - In 2020, received funding to incorporate and launch the Collier County Community Land Trust. The goal is to acquire land and hold it in long-term renewable ground leases for development of both rental and home-ownership opportunities and serve as a nonprofit partner in development deals.
  - The community land trust model removes the land cost from the equation for someone who wants to purchase and hopefully helps to find a subsidy, like the SHIP (State Housing Initiatives Partnership) downpayment assistance program.
  - First deal: Phase One is Ekos Allegro, partnering with McDowell Housing Partners. A 160-unit affordable senior rental development. 62-plus independent living community with 10% of the units for extremely low-income residents at 30% of AMI and 90% of the units capped at 60% of AMI. Phase Two is Ekos Cadenza, a sister future project with another 160 senior units with the same income and rent restrictions, six to eight months behind Ekos Allegro.
  - Connected with Healthcare Network of Southwest Florida to bring the mobile unit and offer immunizations and basic medical services.
  - "Senior residents" was one of the major preferences the bank was looking for Ekos was one of 28 developments funded nationwide. Only two in Florida.
  - Affordability component secured through a 50-year, land-use restrictive agreement so there are 50 years of affordability. Role is the non-profit general partner. HELP helps the developer access resources through the Homes for the Aged Program, which requires a non-profit general partner. That includes funding and a property-tax exemption on this property, which is available through Florida Statutes.
  - All monitoring will be done through the property management company. This is a Low-Income Housing Tax Credit (LIHTC) development, so there will be state and federal monitoring.
  - The Community Land Trust will try to help with development and land preservation, real estate. The Community Land Trust's mission is to provide permanent affordable housing opportunities in Collier County. HELP will be dealing with housing assistance and counseling and people in the community. HELP's mission statement is to provide home-ownership opportunities and financial strength through education and counseling. That's the counseling piece, the people entity. The Housing Alliance will focus on education, advocacy, and philanthropic opportunities. The Housing Alliance is new, but it will be more about uniting resources to drive the other two missions, so it all funnels back to helping people get to more permanently affordable housing.
  - The Housing Navigators concept fits the AHAC's objectives, such as contacting employers. Already contacted Collier County Public Schools and NCH, which have conducted workforce housing surveys.

*Discussion ensued between Mr. Puchalla and the AHAC members regarding impact fees and low-income housing tax credits.*

**Chairman Hruby** shared Low-Income Housing Tax Credits usually sunset after about

15 years. That's where they balance out, they sunset so if you give a waiver for 10 years, it doesn't follow the alignment with their funding source, the Low-Income Housing Tax Credit.

*Discussion ensued between Mr. Puchalla, the AHAC members, and County Staff regarding impact fees, low-income housing tax credits, philanthropic endeavors, Collier County Community Foundation, impact fee waivers, impact fees relation to the cost of constructing housing more affordable.*

**Mr. Giblin told the AHAC:**

- There's been frustration with the ESP (essential services personnel) renters and reaching out to new developments coming online. How do they get notified?
- This is an issue that staff has been dealing with since the Planning Commission and the board started putting ESP-preference clauses into the new PUDs because no two ESP definitions are identical.
- The Division put together a list of all ESP contacts, including NCH's and Physicians Regional's HR managers, and HR managers for the city of Naples, the Sheriff's Office, etc. For all the employers on the list contact information includes names, addresses, phone numbers.
- Once a unit is available, a developer can use the list to mass email information. The AHAC is on the list so when there's an availability, the AHAC can announce that at a public meeting to get the word out.

**5. PUBLIC COMMENT**

**John C. Johnson, who is running for District 3 county commissioner, told the AHAC:**

- Affordable housing is not affordable. Desires to think outside the box and build condominiums.

*[Mr. Terhune left the meeting at 9:56 a.m.]*

**Jessica Turner, who represents the Southwest Florida Home Coalition, told the AHAC:**

- Represent: Collier, Lee, Charlotte, Hendry, and Glades. Collier is doing the best work.
- The coalition is working on a regional housing study. Data collection is done. Getting deliverables before the final report in November. Final report will be available on the website.
- Group focused on policy "encouragement" more friendly than "recommendations" with partners including The Salvation Army and Michael Overway from the Hunger & Homeless Coalition (of Collier and Lee counties).
- Working on evictions prevention. Regional effort was too large. broke it down because each county is different. Partners include Legal Aid, county clerks, nonprofit agencies and Human Services agencies. Collier County has a fund to help people at risk of eviction.
- Working on trying to get people to accept more housing choice vouchers.

**Chairman Hruby** thanked her for the update.

## 6. DISCUSSION ITEMS

### a. Subcommittee Recap

Two different strategic planning documents, annual report and AHAC action plan. To make a more streamlined approach, decided to have one, the annual report, and incorporate everything AHAC is working on.

*A discussion ensued about combining the annual report and the AHAC action plan.*

*A discussion ensued and the AHAC decided to hold off on sunseting the subcommittee.*

### b. AHAC Policy Statement

*Mr. Giblin reported:*

- In November, the County Affordable Housing Fact Sheet was prepared and contained data on need, affordability, and recent policy-based actions. The goal was to assist the AHAC and others in the community to describe the county's housing affordability situation.
- The committee asked for this to be simplified, make it the size of an index card so the AHAC can have a clear, concise mission statement and some bullets to describe housing affordability and our division's and the AHAC's actions over the past couple years.

*Ms. Roberts made a motion to ask Mr. Giblin to move forward with making a summary of the County Affordable Housing Fact Sheet. Second by Planning Commissioner Shea. The motion passed unanimously, 7-0.*

*Action Item: Mr. Giblin will prepare a summary of the County Affordable Housing Fact Sheet.*

## 7. STAFF AND COMMITTEE GENERAL COMMUNICATIONS

### a. Timeline for 2024 SHIP Incentives Report (C. Giblin)

(Completed during the last item.)

### b. DSAC Update (H. Roberts)

**Ms. Roberts** said Mr. Mulhere knows more about the sidewalk discussion.

*Mr. Mulhere reported:*

- The DSAC discussion focused on building sidewalks where there is no connectivity in the rural Golden Gate Estates. Doesn't matter whether you build a sidewalk as long as you pay the county the money that's required.
- There were some LDC amendments a few years ago that provided some relief to those standards and those are in place.

**Ms. Roberts** said they also discussed the event for the rollout of The Housing Alliance.

### c. 2024 Apartment Survey (C. Giblin)

*Mr. Giblin reported:*

- The county used to perform a quarterly survey of every apartment complex in



Collier. Stopped for about a year. Decided to resume after the new GMCD division was created. Completed in January in partnership with CHS.

- The survey is included in agenda packet and is on the website.
- It's a phone call to every apartment complex countywide to ask how many units are available; how many one bedrooms, two bedrooms and three bedrooms are available; what is the charge for a one-, two- and three-bedroom apartment?
- It's a snapshot in time with several years of data in the same format.
- Shows trends evolving: From the January 2023 survey to January 2024, prices decreased a few percent. The vacancy rate improved again marginally. There were no units available for low-income apartment seekers. Almost 400 units available in the moderate-income section for Naples. There's another section for Immokalee. Immokalee increased a lot more than Naples.
- The data is listed at: CollierCountyHousing.com in the tab that says "I need housing."
- The data is only as good as the date that we made the call, but there's contact information.

**Action Item: Mr. Giblin will send Vice Chair Faron an Excel spreadsheet of the apartment survey.**

**d. Collier County Developments Approved Since 2017 (C. Giblin)**

***Mr. Giblin told the AHAC:***

- Enhancements made to the list: This is a list of every development approved by county commissioners since 2018 that include an affordability component.
- Reviewed the information in the header columns for each development on the list. (the name; address; if they're open; the rental rate for a 2-2; shows whether it's approved; the total units in the development; the number of affordable units; what percentage of the development affordable units comprise; and the number built and opened to date, breaks down affordable units by income level targeted: 30%-140% of AMI, ESP preference only, financial contributions to the counties Affordable Housing Trust Fund.
- Various boards, the community, Clerk of Courts, and County Manager's Office have asked for this information to determine progress and targeting of our units.
- The board has been good at targeting units in 80%-120% of AMI.

**Action Item: Mr. Giblin will email the revised apartment survey to AHAC members.**

***A discussion ensued and the following points were made:***

- The University of Florida Shimberg Center is the state's housing data clearinghouse, which provides the County's need numbers when drafting the housing element.
- On the list, 4,500 developments were approved, but only 734 have been built so far and some are under construction. Need to know how many units will be coming in the next several years, not just number that were approved.
- A couple developments are rural towns and villages with 20- or 30-year horizons.
- Use CityView software to track from the building permits to the Certificate of Occupancy.

- Gap housing goes up to 140% and are only available to homeownership.
- When “Gap” was established, the median income was a lot lower than it is now.
- The majority of our workforce is well under 80% median income. There’s a median income and then the actual workforce income, which is lot lower.
- Collier County’s economic profile is pulled from LiCast.

**Action Item: Staff was asked to specify how many units will be built in five, 10, 12, 15 years from now once that information is available.**

**e. Introduction of DSAC member/liason (C. Giblin)**

**Chairman Hruby** asked Bob Mulhere, who will be the DSAC liaison to the AHAC, to introduce himself:

**Mr. Mulhere told the AHAC:**

- Shared his professional work experience.
- DSAC is the Development Services Advisory Committee. Much of the cost for the Growth Management Department is paid for through permit fees, zoning fees and others, which are placed into an enterprise fund. Only activities more broadly not directly related to developments, such as Code Enforcement, etc., would be paid for by taxpayer dollars.
- When the Board of County Commissioners adopted the current Land Development Code in 2001, the Board created the DSAC to look at issues that impact the development community, including impact fees and regulations so the development community’s perspective on new regulations and other issues could be represented.

*Discussion ensued about the purpose of the AHAC-DSAC cross pollination because many of the discussions on the DSAC involve land development and costs and the future growth of the county.*

*[Agenda item 3.a was then heard.]*

**f. Upcoming Public Meetings (C. Giblin)**

**Mr. Giblin reported:**

- There is one public meeting: the Fiddler’s Creek PUD amendment, the Section 29 addition. Scheduled to go to the Planning Commission on April 18. The NIM occurred.
- JLM Living and Mattson at Vanderbilt PUD were continued by the applicant.

**8. NEW BUSINESS**

**Chairman Hruby reported:**

- For a half-day tomorrow, the Housing Alliance and ULI are jointly hosting an initiative that the AHAC kicked off last June or July: What are the opportunities that Live Local provides Collier County, what are the obstacles to implementing it, and how can we make it applicable to Collier?
- There will be a discussion and no presentations. Invitation only.

**Mr. Bosi reported:**

- During tomorrow's Board of County Commissioners meeting, planning to describe applying the Live Local Act, the associated densities, the height restrictions and how it's being applied by County Staff.

**Mr. French reported:**

- The County Attorney's Office spoke about this at the last Planning Commission meeting. Reanalyzing the approach taken in 2023 due to this glitch bill.
- Attorney Ashton added the April 7 executive summary will address the original bill.
- Also seeing an insurance gap. One of the news stations this morning featured a woman who lost her home and is now homeless because she can't afford the cost of insurance and her mortgage.
- Starting to see this due to Risk Rating 2.0, a 14%-18% increase in flood insurance alone. That will create big issues on the affordable housing front.
- Provided updates related to a disconnect between the developer, the architect, the GC, and what is being submitted to the County resulting in more reviews and greater costs. Lower the number of reviews and the savings can be passed on to the residents.
- Need to talk more about accomplishments, what is the County doing with DSAC, the Planning Commission and the BCC and start celebrating some of those staff successes with the community to show that we have made advancements.

*Discussion ensued between the AHAC members and Mr. French about private providers not helping to move agendas faster and the review process being more efficient without the private provider, the County not doing the inspections while still taking staff time to track-monitor- and deal with- issues when they arise. As a result of private providers, building official and staff have more conversations with the County Attorney's Office than ever before. Specifying an instance from a recent example between private provider and contractors where County staff had to go to the job site because the plans submitted by and the reviews completed by the private provider did not make sense. Provided another instance with the County having zero visibility on this instance because the owner believed the County was holding up the permit/ CO, only to realize it's the private provider and GC.*

**9. ADJOURN**

*Vice Chair Faron made a motion to adjourn the meeting. Second by Mr. Hains. The motion passed unanimously, 7-0.*

**10. NEXT MEETING DATE**

**9 a.m. May 21, 2024**

**Conference Room 609/610**

**Growth Management Community Development Department**

**There being no further business for the good of the county, the meeting was adjourned by the order of the chair at 10:42 a.m.**

March 19, 2024

**COLLIER COUNTY  
AFFORDABLE HOUSING ADVISORY COMMITTEE**

\_\_\_\_\_  
Stephen Hruby, Chairman

*These minutes were approved by the committee on \_\_\_\_\_,  
(check one) as presented \_\_\_\_\_, or as amended \_\_\_\_\_.*



## LAND DEVELOPMENT CODE AMENDMENT

<p><b>PETITION</b> PL20210001291</p> <hr/> <p><b>ORIGIN</b> Board of County Commissioners (Board)</p> <hr/> <p><b>HEARING DATES</b> BCC           TBD CCPC         TBD DSAC         <u>06/07/2023</u> DSAC-LDR    <u>01/19/2022</u>                   06/15/2021</p>	<p><b>SUMMARY OF AMENDMENT</b> This Land Development Code (LDC) 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), and to create Strategic Opportunity Sites.</p> <p><b>LDC SECTION TO BE AMENDED</b></p> <p>1.08.01   Abbreviations 1.08.02   Definitions 2.03.03   Commercial Zoning Districts 2.05.01   Density Standards and Housing Types <u>2.06.03</u>   <u>AHDB Rating System</u> 2.07.00   Mixed-Income Housing Program for Housing that is Affordable (NEW) 2.07.01   Purpose and Intent (NEW) 2.07.02   Program Criteria (NEW) 4.02.01   Dimensional Standards for Principal Uses in Base Zoning Districts 4.02.38   Specific Design Criteria for Mixed Use Development within C-1 through C-3 Zoning Districts 4.02.40   Housing that is Affordable <b>by Right</b> 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 <b>D</b>evelopment (TOD) Design Standards (NEW)</p>
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### ADVISORY BOARD RECOMMENDATIONS

<b>DSAC-LDR</b>	<b>DSAC</b>	<b>CCPC</b>
Approval with <u>recommendations</u>	<u>Approval with recommendations</u>	TBD

**BACKGROUND:** After much public discussion regarding the housing situation in Collier County (see Exhibit A), an Urban Land Use Institute Panel Report in 2017 concluded that Collier County has a “housing affordability problem,” and its recommendation centered upon six core strategies (see Exhibit B). On October 25, 2017, the Board accepted a Community Housing Plan (CHP) and authorized staff on February 27, 2018 to begin its implementation. As a follow up to that item, the Board reviewed an LDC amendment (PL20180002172) on February 12, 2019. Ordinance 2019-02 approved new affordable housing definitions and the Affordable Housing Density Bonus Program (AHDB Program), which increased the affordable housing density bonus from eight extra units per acre to up to 12 extra units per acre.

At an earlier meeting, on October 9, 2018, the Board directed staff to move forward with the final recommendations of the CHP. Staff was tasked with preparing Growth Management Plan (GMP) and LDC amendments to address five initiatives identified in the CHP. Those initiatives are identified in Exhibit C.

Initiative 1 was addressed when staff presented an LDC amendment (PL20200001703) to the Board on February 9, 2021. The Board adopted Ordinance 2021-05, providing relief from specified processes, to better ensure cost certainty and savings for projects containing housing that is affordable.

The proposed LDC amendment addresses Initiative 2 through 5. The proposed provisions include the following: (2) streamlining conversion of commercial zoning to residential zoning when providing for housing that is affordable; (3) increasing density within Activity Centers from 16 units per acre to 25 units per acre when providing for housing that is affordable; (4) creation of Strategic Opportunity Sites as an identified subdistrict within the GMP to allow for mixed use development that provides for residential density up to 25 units per acre which is integrated with non-residential land uses with a high degree of employment opportunities, such as corporate headquarters or business campuses; and (5) increasing density opportunities along bus/transit lines. In developing these initiatives, staff has worked with consultants, stakeholders, the development industry, non-profit agencies, and various other interested parties over the course of the last 18 months. This LDC amendment represents the implementing regulations and companion item to a GMP amendment to incorporate Initiative 2 through 5 within the GMP to advance opportunities for housing that is affordable. The purpose and intent of the Mixed-Income Program for Housing that is Affordable is to incentivize affordable housing and implement the GMP, § 163.3161 et seq. Florida Statutes, and the Florida Administrative Code.

One change that has occurred since DSAC-LDR is that staff added a minimum size to Table 2. Building Dimension Standards for Principal Uses in Base Zoning Districts in LDC section 4.02.01, to account for the residential units that are now proposed throughout the C-1, C-2, C-3, C-4, and C-5 zoning districts. The sizes are consistent with the minimum sizes required in the RMF-12 and RMF-16 zoning districts.

The LDC amendment also proposes to modify the Affordable Housing Density Bonus Rating System table in LDC section 2.06.03 by changing the footnote that restricts the Gap income levels (i.e., >120 to ≤140) to owner-occupied only. Staff anticipates that modifying the footnote in this manner to allow rental projects within this income level may provide developers with more options at the lever income levels, resulting in fewer requests for small-scale amendments to the GMP.

*DSAC-LDR Subcommittee Recommendation:* On June 15, 2021, the DSAC-LDR Subcommittee discussed deleting the word “inner” from the definition of Transit Core. The DSAC-LDR recommended approval of the LDC amendment with the following changes, which have been incorporated into the amendment:

- The provision for mixed use development (residential with housing that is affordable and commercial) that is currently proposed in the C-1, C-2, and C-3 zoning districts should also be carried forward to the C-4 and C-5 zoning districts as well with edits made to LDC section 4.02.38 accordingly.

The LDC amendment returned to the Subcommittee on January 19, 2022, because numerous changes had been made since their last review in 2021. The Subcommittee recommended approval with a request that staff review and approve their suggested changes, including requiring a vegetative buffer when a residential or mixed-use project is adjacent to a single-family development.

DSAC Recommendation: On June 7, 2023, the DSAC recommended approval of the LDC amendment, including the changes presented by staff, and contingent upon requiring 14-foot tall trees within the required buffers when a housing that is affordable project contains building heights greater than 40 feet and is adjacent to single-family

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residential.

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**FISCAL & OPERATIONAL IMPACTS**

There are no anticipated fiscal or operational impacts to the County's stakeholders. There is a slight increase in the maintenance cost to Collier Area Transit for new bus stops associated with the TOD provisions, but they are anticipated to be minimal.

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**GMP CONSISTENCY**

The proposed LDC amendment has been reviewed by Comprehensive Planning staff and may be deemed consistent with the GMP.

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**EXHIBITS:** A) Background; B) ULI Advisory Services Panel Report; and C) CHP Initiatives

# DRAFT

Text underlined is new text to be added  
~~Text strikethrough is current text to be deleted~~

Amend the LDC as follows:

## 1.08.01 – Abbreviations

\* \* \* \* \*

TND	Transitional Neighborhood Design
<u>TOD</u>	<u>Transit Oriented Development</u>
TP	Turtle Permit

# # # # # # # # # # # # #

## 1.08.02 – Definitions

*Abut or abutting:* To share a common property line or boundary at any one point.

\* \* \* \* \*

Affordable housing specifically includes the following income level targets for Collier County, based on the income categories as determined by the Secretary of the U.S. Department of Housing and Urban Development:

a. *Very-low-income:* Households whose incomes do not exceed 50 percent of the median income.

b. *Low-income:* Households whose incomes are greater than 50 percent but do not exceed 80 percent of the median income.

c. *Median-income:* Households whose incomes are greater than 80 percent but do not exceed 100 percent of the median income.

~~d.~~ *Moderate-income:* Households whose incomes are greater than ~~100~~ 80 percent but do not exceed 120 percent of the median income.

~~e.~~ *Gap-income:* Households whose incomes are greater than 120 percent but do not exceed 140 percent of the median income.

\* \* \* \* \*

*Approved affordable housing:* Affordable housing that includes a long-term affordability restriction wherein the cost of housing and income of the household are known and monitored, for a specific period of time. This includes housing that meets the criteria of LDC section 2.06.00 Affordable Housing Density Bonus and LDC section 2.07.00 Mixed-Income Housing Program for Housing that is Affordable.

*Transit Core:* The area within a quarter-mile radius around a Collier Area Transit stop, shelter, or station. This is measured as a radial distance from the perimeter of the building or structure footprint of the transit stop, shelter, or station.



Transit Oriented Development (TOD): A project or projects, in areas identified in the GMP, that is or will be served by existing or planned Collier Area Transit service. TODs are subject to standards that require the development to be compact, interconnected with other land uses, and pedestrian oriented, and dwelling units are required to be multi-family.

# # # # # # # # # # # # #

**2.03.03 – Commercial Zoning Districts**

A. Commercial Professional and General Office District (C-1). The purpose and intent of the commercial professional and general office district C-1 is to allow a concentration of office type buildings and land uses that are most compatible with, and located near, residential areas. Most C-1 commercial, professional, and general office districts are contiguous to, or when within a PUD, will be placed in close proximity to residential areas, and, therefore, serve as a transitional zoning district between residential areas and higher intensity commercial zoning districts. The types of office uses permitted are those that do not have high traffic volumes throughout the day, which extend into the evening hours. They will have morning and evening short-term peak conditions. The market support for these office uses should be those with a localized basis of market support as opposed to office functions requiring inter-jurisdictional and regional market support. Because office functions have significant employment characteristics, which are compounded when aggregations occur, certain personal service uses shall be permitted, to provide a convenience to office-based employment. Such convenience commercial uses shall be made an integral part of an office building as opposed to the singular use of a building. Housing may also be a component of this district as provided for through the provisions for housing that is affordable or through conditional use approval or as a permitted use as housing that is affordable in commercial zoning districts in accordance with LDC sections 2.06.00 and 2.07.00. The maximum density ~~permissible or permitted~~ in a district shall not exceed the density ~~permitted permissible~~ under the density rating system as provided in the Collier County Growth Management Plan (GMP) or except as otherwise provided.

1. The following uses, as identified with a number from the Standard Industrial Classification Manual (1987), or as otherwise provided for within this section are permissible by right, or as accessory or conditional uses within the C-1 commercial professional and general office district.

a. Permitted uses.

1. Accounting (8721).

\* \* \* \* \*

16. Direct mail advertising services (7331).

17. Dwellings (i.e., multi-family, ~~single family attached,~~ or townhouse), provided such use contains housing that is affordable in accordance with LDC section 4.02.40. If mixed use, see 28. below.

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~~1817.~~ Educational plants and public schools subject to LDC section 5.05.14.

~~1918.~~ Engineering services (8711).

~~2019.~~ Essential services, subject to LDC section 2.01.03.

~~2120.~~ Group care facilities (category I and II, except for homeless shelters); care units, except for homeless shelters; nursing homes; assisted living facilities pursuant to § 429.02 F.S. and ch. 59A-36 F.A.C.; and continuing care retirement communities pursuant to ch. 651 F.S. and ch. 69O-193 F.A.C.; all subject to LDC section 5.05.04.

~~2224.~~ Health services, offices and clinics (8011—8049).

~~2322.~~ Insurance carriers, agents and brokers (6311—6399, 6411).

~~2423.~~ Landscape architects, consulting and planning (0781).

~~2524.~~ Legal services (8111).

~~2625.~~ Loan brokers (6163).

~~2726.~~ Management services (8741 and 8742).

28. Mixed residential and commercial uses, provided that such residential use (i.e., multi-family, ~~single-family attached, or townhouse~~) contains housing that is affordable in accordance with ~~LDC section 4.02.40~~ and complies with the design criteria contained in LDC section 4.02.38.

~~2927.~~ Mortgage bankers and loan correspondents (6162).

*- Remainder of list to be renumbered accordingly -*

~~4341.~~ Any other commercial use or professional service which is comparable in nature with the foregoing uses including those that exclusively serve the administrative as opposed to the operational functions of a business and are associated purely with activities conducted in an office, as determined by the Hearing Examiner or CCPC, pursuant to LDC section 10.02.06 K.

\* \* \* \* \*

B. Commercial Convenience District (C-2). The purpose and intent of the commercial convenience district (C-2) is to provide lands where commercial establishments may be located to provide the small-scale shopping and personal needs of the surrounding residential land uses within convenient travel distance except to the extent that office uses carried forward from the C-1 district will expand the traditional neighborhood size.

1 However, the intent of this district is that retail and service uses be of a nature that can be  
 2 economically supported by the immediate residential environs. Therefore, the uses should  
 3 allow for goods and services that households require on a daily basis, as opposed to those  
 4 goods and services that households seek for the most favorable economic price and,  
 5 therefore, require much larger trade areas. It is intended that the C-2 district implements  
 6 the Collier County GMP within those areas designated agricultural/rural; estates  
 7 neighborhood center district of the Golden Gate Master Plan; the neighborhood center  
 8 district of the Immokalee Master Plan; and the urban mixed use district of the future land  
 9 use element permitted in accordance with the locational criteria for commercial and the  
 10 goals, objectives, and policies as identified in the future land use element of the Collier  
 11 County GMP. Housing may also be a component of this district as provided for through  
 12 conditional use approval or as a permitted use as housing that is affordable in commercial  
 13 zoning districts in accordance with LDC sections 2.06.00 and 2.07.00. The maximum  
 14 density permissible in the C-2 district and the urban mixed use land use designation shall  
 15 be guided, in part, by the density rating system contained in the future land use element  
 16 of the Collier County GMP. The maximum density permissible or permitted in a district  
 17 shall not exceed the density permissible under the density rating system as provided in  
 18 the GMP or as except as otherwise provided.

19  
 20 1. The following uses, as identified with a number from the Standard Industrial  
 21 Classification Manual (1987), or as otherwise provided for within this section are  
 22 permissible by right, or as accessory or conditional uses within the C-2 commercial  
 23 convenience district.

24  
 25 a. Permitted uses.

26  
 27 1. Accounting (8721).

28 \* \* \* \* \*  
 29 \* \* \* \* \*

30  
 31 23. Direct mail advertising services (7331).

32  
 33 24. Dwellings (i.e., multi-family, ~~single-family attached,~~ or townhouse),  
 34 provided such use contains housing that is affordable in accordance  
 35 with LDC section 4.02.40. If mixed use, see 47. below.

36  
 37 2524. Eating places (5812, except contract feeding, dinner theaters,  
 38 institutional food service, and industrial feeding) with 2,800 square  
 39 feet or less of gross floor area in the principal structure).

40  
 41 2625. Educational plants and public schools subject to LDC section  
 42 5.05.14.

43  
 44 2726. Engineering services (8711).

45  
 46 2827. Essential services, subject to section 2.01.03.

47  
 48 2928. Food stores (groups 5411 - except supermarkets, 5421—5499)  
 49 with 2,800 square feet or less of gross floor area in the principal  
 50 structure.

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- ~~30~~29. Funeral services (7261, except crematories).
- ~~31~~30. Garment pressing, and agents for laundries and drycleaners (7212).
- ~~32~~31. Gasoline service stations (5541, subject to section 5.05.05).
- ~~33~~32. General merchandise stores (5331—5399) with 1,800 square feet or less of gross floor area in the principal structure.
- ~~34~~33. Glass stores (5231) with 1,800 square feet or less of gross floor area in the principal structure.
- ~~35~~34. Group care facilities (category I and II, except for homeless shelters); care units, except for homeless shelters; nursing homes; assisted living facilities pursuant to § 429.02 F.S. and ch. 59A-36 F.A.C.; and continuing care retirement communities pursuant to ch. 651 F.S. and ch. 69O-193 F.A.C.; all subject to LDC section 5.05.04.
- ~~36~~35. Hardware stores (5251) with 1,800 square feet or less of gross floor area in the principal structure.
- ~~37~~36. Health services, offices and clinics (8011—8049).
- ~~38~~37. Home furniture and furnishings stores (5713—5719) with 1,800 square feet or less of gross floor area in the principal structure.
- ~~39~~38. Home health care services (8082).
- ~~40~~39. Insurance carriers, agents and brokers (6311—6399, 6411).
- ~~41~~40. Landscape architects, consulting and planning (0781).
- ~~42~~41. Laundries and drycleaning, coin operated — self service (7215).
- ~~43~~42. Legal services (8111).
- ~~44~~43. Libraries (8231, except regional libraries).
- ~~45~~44. Loan brokers (6163).
- ~~46~~45. Management services (8741 and 8742).
- 47. Mixed residential and commercial uses, provided that such residential use (i.e., multi-family, ~~single-family attached, or townhouse~~) contains housing that is affordable in accordance with ~~LDC section 4.02.40, and complies with the design criteria contained in~~ LDC section 4.02.38.

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~~4846~~. Mortgage bankers and loan correspondents (6162).

- Remainder of list to be renumbered accordingly –

~~7775~~. An existing lawful structure over 1,800 sq. ft. as of July 14, 2014 may be occupied by any C-2 permitted use with a 1,800 sq. ft. or greater limitation.

\* \* \* \* \*

C. Commercial Intermediate District (C-3). The purpose and intent of the commercial intermediate district (C-3) is to provide for a wider variety of goods and services intended for areas expected to receive a higher degree of automobile traffic. The type and variety of goods and services are those that provide an opportunity for comparison shopping, have a trade area consisting of several neighborhoods, and are preferably located at the intersection of two-arterial level streets. Most activity centers meet this standard. This district is also intended to allow all of the uses permitted in the C-1 and C-2 zoning districts typically aggregated in planned shopping centers. This district is not intended to permit wholesaling type of uses, or land uses that have associated with them the need for outdoor storage of equipment and merchandise. A mixed-use project containing a residential component is permitted in this district subject to the criteria established herein. The C-3 district is permitted in accordance with the locational criteria for commercial and the goals, objectives, and policies as identified in the future land use element of the Collier County GMP. Housing may also be a component of this district as provided for through conditional use approval or as a permitted use as housing that is affordable in commercial zoning district in accordance with LDC sections 2.06.00 and 2.07.00. The maximum density permissible in the C-3 district and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County GMP. The maximum density permissible or permitted in the C-3 district shall not exceed the density permissible under the density rating system as provided in the GMP or as otherwise provided.

1. The following uses, as identified with a number from the Standard Industrial Classification Manual (1987), or as otherwise provided for within this section are permissible by right, or as accessory or conditional uses within the commercial intermediate district (C-3).

a. Permitted uses.

1. Accounting (8721).

\* \* \* \* \*

30. Drug stores (5912).

31. Dwellings (i.e., multi-family, ~~single-family attached,~~ or townhouse), provided such use contains housing that is affordable in accordance with LDC section 4.02.40. If mixed use, see 60. below.

~~3234~~. Eating places (5812 only) with 6,000 square feet or less in gross floor area in the principal structure. All establishments engaged in

- 1 the retail sale of alcoholic beverages for on-premise consumption  
2 are subject to locational requirements of section 5.05.01.  
3  
4 ~~33~~32. Educational plants and public schools subject to LDC section  
5 5.05.14.  
6  
7 ~~34~~33. Engineering services (8711).  
8  
9 ~~35~~34. Essential services, subject to section 2.01.03.  
10  
11 ~~36~~35. Federal and federally-sponsored credit agencies (6111).  
12  
13 ~~37~~36. Food stores (groups 5411—5499) with 5,000 square feet or less of  
14 gross floor area in the principal structure.  
15  
16 ~~38~~37. Funeral services (7261, except crematories).  
17  
18 ~~39~~38. Garment pressing, and agents for laundries and drycleaners  
19 (7212).  
20  
21 ~~40~~39. Gasoline service stations (5541, subject to section 5.05.05).  
22  
23 ~~41~~40. General merchandise stores (5331—5399) with 5,000 square feet  
24 or less of gross floor area in the principal structure.  
25  
26 ~~42~~41. Glass stores (5231) with 5,000 square feet or less of gross floor  
27 area in the principal structure.  
28  
29 ~~43~~42. Group care facilities (category I and II, except for homeless  
30 shelters); care units, except for homeless shelters; nursing homes;  
31 assisted living facilities pursuant to § 429.02 F.S. and ch. 589A-36  
32 F.A.C.; and continuing care retirement communities pursuant to ch.  
33 651 F.S. and ch. 69O-193 F.A.C.; all subject to LDC section  
34 5.05.04.  
35  
36 ~~44~~43. Hardware stores (5251) with 1,800 square feet or less of gross floor  
37 area in the principal structure.  
38  
39 ~~45~~44. Health services, offices and clinics (8011—8049).  
40  
41 ~~46~~45. Home furniture and furnishings stores (5712—5719) with 5,000  
42 square feet or less of gross floor area in the principal structure.  
43  
44 ~~47~~46. Home health care services (8082).  
45  
46 ~~48~~47. Household appliance stores (5722) with 5,000 square feet or less  
47 of gross floor area in the principal structure.  
48  
49 ~~49~~48. Insurance carriers, agents and brokers (6311—6399, 6411).  
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- ~~5049~~. Labor unions (8631).
- ~~5150~~. Landscape architects, consulting and planning (0781).
- ~~5251~~. Laundries and drycleaning, coin operated — self service (7215).
- ~~5352~~. Laundries, family and commercial (7211).
- ~~5453~~. Legal services (8111).
- ~~5554~~. Libraries (8231).
- ~~5655~~. Loan brokers (6163).
- ~~5756~~. Management services (8741 and 8742).
- ~~5857~~. Marinas (4493), subject to section 5.05.02.58.Membership organizations, miscellaneous (8699).
- ~~5958~~. Membership organizations, miscellaneous (8699).
- 60. Mixed residential and commercial uses, provided that such residential use (i.e., multi-family, ~~single-family attached, or townhouse~~) contains housing that is affordable in accordance with ~~LDC section 4.02.49~~ and complies with the design criteria contained in LDC section 4.02.38.
- ~~6159~~. Mortgage bankers and loan correspondents (6162).
- Remainder of list to be renumbered accordingly -
- ~~9997~~. An existing lawful structure over 5,000 sq. ft. as of July 14, 2014 may be occupied by any C-3 permitted use with a 5,000 sq. ft. or greater limitation.

\* \* \* \* \*

D. General Commercial District (C-4). The general commercial district (C-4) is intended to provide for those types of land uses that attract large segments of the population at the same time by virtue of scale, coupled with the type of activity. The purpose and intent of the C-4 district is to provide the opportunity for the most diverse types of commercial activities delivering goods and services, including entertainment and recreational attractions, at a larger scale than the C-1 through C-3 districts. As such, all of the uses permitted in the C-1 through C-3 districts are also permitted in the C-4 district. The outside storage of merchandise and equipment is prohibited, except to the extent that it is associated with the commercial activity conducted on-site such as, but not limited to, automobile sales, marine vessels, and the renting and leasing of equipment. Activity centers are suitable locations for the uses permitted by the C-4 district because most activity centers are located at the intersection of arterial roads. Therefore the uses in the C-4 district can most be sustained by the transportation network of major roads. The C-4

district is permitted in accordance with the locational criteria for uses and the goals, objectives, and policies as identified in the future land use element of the Collier County GMP. Housing that is affordable in commercial zoning districts may also be a component of this district as a permitted use if proposed as a development containing a mix of residential and commercial uses. The maximum density permissible or permitted in a district shall not exceed the density permissible under the density rating system as provided in the GMP or except as otherwise provided.

1. The following uses, as defined with a number from the Standard Industrial Classification Manual (1987), or as otherwise provided for within this section are permissible by right, or as accessory or conditional uses within the general commercial district (C-4).

a. Permitted uses.

1. Accounting (8721).

\* \* \* \* \*

47. Drug stores (5912).

~~48. Dwelling (i.e., multi-family, single-family attached, or townhouse), provided such use contains house that is affordable in accordance with LDC section 4.02.40. If mixed use, see 88. below.~~

4948. Eating and drinking establishments (5812 and 5813) excluding bottle clubs. All establishments engaged in the retail sale of alcoholic beverages for on-premise consumption are subject to the locational requirements of LDC section 5.05.01.

- Remainder of list to be renumbered accordingly -

87. Membership sports and recreation clubs, indoor (7997).

88. Mixed residential and commercial uses, provided that such residential use (i.e., multi-family, ~~single-family attached,~~ or townhouse) contains housing that is affordable in accordance with LDC section 4.02.40 and complies with the design criteria contained in LDC section 4.02.38.

- Remainder of list to be renumbered accordingly -

1442. Any other general commercial use which is comparable in nature with the list of permitted uses and consistent with the purpose and intent statement of the district, as determined by the Hearing Examiner or CCPC, pursuant to LDC section 10.02.06 K.

\* \* \* \* \*



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1 E. Heavy Commercial District (C-5). In addition to the uses provided in the C-4 zoning district,  
2 the heavy commercial district (C-5) allows a range of more intensive commercial uses and  
3 services which are generally those uses that tend to utilize outdoor space in the conduct  
4 of the business. The C-5 district permits heavy commercial services such as full-service  
5 automotive repair, and establishments primarily engaged in construction and specialized  
6 trade activities such as contractor offices, plumbing, heating and air conditioning services,  
7 and similar uses that typically have a need to store construction associated equipment  
8 and supplies within an enclosed structure or have showrooms displaying the building  
9 material for which they specialize. Outdoor storage yards are permitted with the  
10 requirement that such yards are completely enclosed or opaquely screened. The C-5  
11 district is permitted in accordance with the locational criteria for uses and the goals,  
12 objectives, and policies as identified in the future land use element of the Collier County  
13 GMP. Housing that is affordable in commercial zoning districts may also be a component  
14 of this district as a permitted use if proposed as a development containing a mix of  
15 residential and commercial uses. The maximum density permissible or permitted in a  
16 district shall not exceed the density permissible under the density rating system as  
17 provided in the GMP or except as otherwise provided.  
18

19 1. The following uses, as identified with a number from the Standard Industrial  
20 Classification Manual (1987), or as otherwise provided for within this section are  
21 permissible by right, or as accessory or conditional uses within the heavy  
22 commercial district (C-5).

23 a. Permitted uses.

24 1. Accounting (8721).

25 \* \* \* \* \*

26 55. Drug stores (5912).

27 ~~56. Dwelling (i.e., multi-family, single-family attached, or townhouse),~~  
28 ~~provided such use contains housing that is affordable in accordance~~  
29 ~~with LDC section 4.02.40. If mixed use, see 109. below.~~

30 ~~57~~<sup>56</sup>. Eating and drinking establishments (5812 and 5813) excluding  
31 bottle clubs. All establishments engaged in the retail sale of  
32 alcoholic beverages for on-premise consumption are subject to the  
33 locational requirements of LDC section 5.05.01.

34 - Remainder of list to be renumbered accordingly -

35 ~~108~~<sup>107</sup>. Membership sports and recreation clubs, indoor (7997).

36 109. Mixed residential and commercial uses, provided that such  
37 residential use (i.e., multi-family, single-family attached, or  
38 townhouse) contains housing that is affordable in accordance with  
39 LDC section 4.02.40 and complies with the design criteria contained  
40 in LDC section 4.02.38.

- Remainder of list to be renumbered accordingly –

1853. Any other heavy commercial use which is comparable in nature with the list of permitted uses and consistent with the purpose and intent statement of the district, as determined by the Hearing Examiner or CCPC, pursuant to LDC section 10.02.06 K.

# # # # # # # # # # # # #

**2.05.01 - Density Standards and Housing Types**

A. Where residential uses are allowable, the following density standards and housing type criteria shall apply.

Housing Type: Zoning District:	Single-family	Duplex	Townhouse	Multifamily	Mobile Home	Cluster	Guest House	Caretaker Units (number allowed)	Timeshare	Recreational vehicles <sup>1</sup>	Maximum Density <sup>2</sup> :  (units per gross acre)
GC								Two			
A	✓				S		✓				0.2 (1 unit per 5 acres)
E	✓						✓				0.44 (1 unit per 2.25 acres)
RSF-1	✓					✓	✓				1
RSF-2	✓					✓	✓				2
RSF-3	✓					✓	✓				3
RSF-4	✓					✓	✓				4
RSF-5	✓					✓	✓				5
RSF-6	✓					✓	✓				6
RMF-6	✓	✓	✓	✓		✓	✓				6
RMF-12	S	✓	✓	✓							12
RMF-16			✓	✓							16
RT <sup>3</sup>									✓		26
RT <sup>4</sup>			✓	✓					✓		16
RT <sup>5</sup>			✓	✓					✓		16
VR <sup>6</sup>	✓				✓	✓					7.26
VR <sup>7</sup>		✓				✓					8.71
VR <sup>8</sup>				✓		✓					14.52
MH <sup>9</sup>					✓			One			7.26
TTRVC								One		✓	12
C-1 <sup>10</sup>			✓	✓				One			16
C-2 <sup>10</sup>			✓	✓				One			16
C-3 <sup>10</sup>			✓	✓				One			16
C-4 <sup>12, 13</sup>			✓	✓				One			16

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C-5 <sup>12, 13</sup>			✓	✓					One			16
I									One			
BP									One			
CON <sup>14, 16</sup>	✓											0.2 (1 unit per 5 acres) 0.33 (1 unit per 3 acres) Big Cypress
BMUD <sup>12, 17</sup>	S	S	S	S								12
GTMUD <sup>12, 17</sup>	S	S	S	S								12
R-1	✓	✓	✓	✓								
R-2	✓	✓	✓	✓								
GZO	Per underlying zoning district											
VB-RTO <sup>17, 22</sup>			✓	✓						✓		16 for timeshare mf & townhses; 26 for hotels and motels
GGPOD			✓	✓								Per the GMP
RFMU <sup>13, 18</sup>	✓					✓ <sup>16, 21</sup>						0.025 (1 unit per 40 acres)
RFMU <sup>14, 19</sup>	✓	✓	✓	✓	✓ <sup>16</sup>	✓	✓	✓				0.2 (1 unit per 5 acres)
RFMU <sup>15, 20</sup>	✓	✓	✓	✓	✓ <sup>16, 21</sup>	✓	✓	✓		✓		0.2 (1 unit per 5 acres)
MHO					✓							0.2 (1 unit per 5 acres)

1

2 Legend:

3 S = permitted subject to supplemental standards

4 <sup>1</sup> Recreational vehicles include travel trailers, park models, pickup coaches, and motor homes.

5

6 <sup>2</sup> Density is calculated as the number of residential dwelling units per gross acre (see definition of  
7 density, residential). Generally, in all zoning districts except for A, E and CON, this indicates the  
8 maximum allowable density, ~~including any applicable density bonuses per the density rating system  
9 in the growth management plan, and housing that is affordable may be developed at densities of  
10 up to 25 units per acre as provided in the FLUE and LDC sections 4.02.38, 4.02.40, 4.02.41, and  
11 4.02.42. However, density~~ Density may be restricted by the board of county commissioners at the  
12 time of rezoning to something less than the maximum, as indicated parenthetically on the official  
13 zoning atlas maps. For example, "RMF-6(4)" allows all uses and development standards of the  
14 RMF-6 zoning district but density is limited to 4 dwelling units per acre.

15

16 <sup>3</sup> A maximum of 26 dwelling units per acre are allowed for hotels and motels. A hotel or motel in Port  
17 of the Islands may offer timeshare units and retain the density of 26 units per acre. Outside of Port  
18 of the Islands, a hotel or motel or multi-family structure including a condominium which offers  
19 timeshare units is permitted a density of up to 16 units per acre.

20

DRAFT

Text underlined is new text to be added

Text strikethrough is current text to be deleted

1 4 For RT zoning located inside Activity Centers as designated on the Growth Management Plan's  
2 Future Land Use Map, residential units (including those for timeshares and multifamily uses) are  
3 allowed at a maximum of 16 dwelling units per acre. Similarly for RT zoning not located within  
4 Activity Centers but in existence at the time of adoption of the LDC (October 30, 1991), residential  
5 units are allowed at a maximum of 16 units per acre.  
6

7 5 For RT zoning not located within Activity Centers and not in existence at the time of adoption of  
8 this LDC (October 30, 1991), allowed density is per the density rating system up to 16 dwelling  
9 units per acre. The calculation of density shall be based on the land area defined by a lot(s) of  
10 record.  
11

12 6 Density for single-family and mobile home, with or without clustering.  
13

14 7 Density for duplex, with or without clustering.  
15

16 8 Density for multi-family, with or without clustering.  
17

18 9 In the MH district, modular homes are allowable.  
19

20 10 Properties zoned C-1 through C-3 may have associated residential densities, through conditional  
21 use approval, in instances of mixed-use development through conditional use approval pursuant to  
22 the Future Land Use Element of the Growth Management Plan.  
23

24 11 For mixed use development on properties zoned C-1 through C-3, within the Urban Coastal Fringe  
25 Subdistrict and Urban Residential Subdistrict in the FLUE, when located within the CHHA, the  
26 maximum density is 4 DU/A, and when located outside of the CHHA, the maximum density is 16  
27 DU/A, as provided for in the Commercial Mixed Use by Right Subdistrict in the FLUE.  
28

29 12 This density applies to mixed use development within the Urban Coastal Fringe Subdistrict and  
30 Urban Residential Subdistrict in the FLUE, and found Consistent by Policy as identified in FLUE  
31 Policies 5.11 – 5.13, as provided for in the Commercial Mixed Use by Right Subdistrict in the FLUE.  
32

33 13 This density applies to mixed use development within the Urban Mixed Use Subdistrict in the  
34 GGAMP – Golden Gate City Sub-Element, and found Consistent by Policy as identified in FLUE  
35 Policies 5.12 and 5.13, as provided for in the Commercial Mixed Use by Right Subdistrict in the  
36 Golden Gate City Sub-Element.  
37

38 14 This density applies to by-right residential development within the Urban Coastal Fringe Subdistrict  
39 and Urban Residential Subdistrict in the FLUE, for property zoned commercial that has been found  
40 Consistent by Policy as identified in FLUE Policies 5.11 – 5.13, and when located outside the  
41 boundaries of the East Naples Community Development Plan (accepted by the Board of County  
42 Commissioners on October 27, 2020), as provided for in the Conversion of Commercial by Right  
43 Subdistrict in the FLUE.  
44

45 15 This density applies to by-right residential development within the Urban Mixed Use Subdistrict in  
46 the GGAMP – Golden Gate City Sub-Element, for property zoned commercial that has been found  
47 Consistent by Policy as identified in FLUE Policies 5.12 and 5.13, as provided for in the Conversion  
48 of Commercial by Right Subdistrict in the Golden Gate City Sub-Element.  
49

50 16 14 The density of 1 dwelling unit per 3 gross acres only applies to private in-holdings within the Big  
51 Cypress National Preserve that were in existence prior to October 14, 1974.  
52

- 1 ~~17~~ <sup>12</sup> Maximum allowable density in the BMUD and GTMUD overlays is attained through the Mixed Use  
2 Project (MUP). Approval Process pursuant to the regulations in the Overlays.
- 3
- 4 ~~18~~ <sup>13</sup> One dwelling unit per 40 acres is the maximum density permitted in RFMU Sending Lands (see  
5 LDC section 2.03.08).
- 6
- 7 ~~19~~ <sup>14</sup> One dwelling unit per 5 acres is the maximum density permitted in RFMU Neutral Lands (see LDC  
8 section 2.03.08).
- 9
- 10 ~~20~~ <sup>16</sup> One dwelling unit per acre is the maximum density permitted in RFMU Receiving Lands located  
11 outside of a Rural Village with redemption of Transfer of Development Rights (TDR) credits; 0.2  
12 units per acre is the maximum density permitted in RFMU Receiving Lands without redemption of  
13 TDR credits; 3 dwelling units per acre is the maximum density per acre in RFMU Receiving Lands  
14 located within a Rural Village with the redemption of TDR credits (see LDC section 2.03.08).
- 15
- 16 ~~21~~ <sup>16</sup> Only if Mobile Home Overlay exists.
- 17
- 18 ~~22~~ <sup>17</sup> Lock-off unit: Where the floor area of a timeshare unit or hotel room contains lock-off  
19 accommodations, which can be occupied separately from the main living unit, each lock-off  
20 accommodation shall be counted as a full timeshare unit when computing the allowable density.

21 # # # # # # # # # # # # #

**2.06.03 - AHDB Rating System**

- 26 A. The AHDB rating system shall be used to determine the amount of the AHDB which may  
27 be granted for a development, based on household income level, type of affordable  
28 housing units (owner-occupied or rental, single-family or multi-family), and percentage of  
29 affordable housing units in the development. To use the AHDB rating system, Table A  
30 below, shall be used. Table A shall be reviewed and updated, if necessary, on an annual  
31 basis by the BCC or its designee.

Table A. Affordable Housing Density Bonus  
(Additional Available Dwelling Units Per Gross Acre)

Maximum Allowable Density Bonus by Percent of Development Designated as Affordable Housing <sup>1, 2, 3</sup>										
Product (% of MI)	10 %	20%	30%	40%	50%	60%	70%	80%	90%	100%
Gap (>120—≤140) <sup>4 5</sup>	1	2	3	4	5	6	7	8	<del>n/a</del> <sup>9</sup>	<del>n/a</del> <sup>10</sup>
Moderate (> <del>100</del> <sup>80</sup> —≤120) <sup>4</sup>	2	<del>4</del> <sup>3</sup>	<del>5</del> <sup>4</sup>	<del>6</del> <sup>5</sup>	<del>7</del> <sup>6</sup>	<del>8</del> <sup>7</sup>	<del>9</del> <sup>8</sup>	<del>10</del> <sup>9</sup>	<del>11</del> <sup>10</sup>	<del>12</del> <sup>11</sup>
<u>Median</u> (>80—≤100)	<del>2</del> <sup>5</sup> <del>3</del>	<del>5</del> <sup>4</sup>	<del>6</del> <sup>5</sup>	<del>7</del> <sup>6</sup>	<del>8</del> <sup>7</sup>	<del>9</del> <sup>8</sup>	<del>10</del> <sup>9</sup>	<del>11</del> <sup>10</sup>	<del>11.5</del> <sup>11</sup>	<del>12</del> <sup>12</sup>
Low (>50—≤80)	<del>3</del> <sup>7</sup>	<del>6</del> <sup>8</sup>	<del>7</del> <sup>9</sup>	<del>8</del> <sup>10</sup>	<del>9</del> <sup>11</sup>	<del>10</del> <sup>12</sup>	<del>11</del> <sup>12</sup>	12	12	12
Very-Low (≤50)	<del>7</del> <sup>9</sup>	<del>8</del> <sup>10</sup>	<del>9</del> <sup>11</sup>	<del>10</del> <sup>12</sup>	<del>11</del> <sup>12</sup>	12	12	12	12	12

36

1 1 Total Allowable Density = Base Density + Affordable Housing Density Bonus. In no event  
2 shall the maximum gross density exceed that which is allowed pursuant to the GMP.

3  
4 2 Developments with percentages of affordable housing units which fall in between the  
5 percentages shown on Table A shall receive an AHDB equal to the lower of the two  
6 percentages it lies between, plus 1/10 of a residential dwelling unit per gross acre for each  
7 additional percentage of affordable housing units in the development.

8  
9 3 Where more than one type of affordable housing unit (based on level of income shown  
10 above) is proposed for a development, the AHDB for each type shall be calculated  
11 separately. After the AHDB calculations for each type of affordable housing unit have been  
12 completed, the AHDB for each type of unit shall be added to those for the other type(s) to  
13 determine the maximum AHDB available for the development. In no event shall the AHDB  
14 exceed 12 dwelling units per gross acre.

15  
16 4 May only be used in conjunction with at least 20% at or below 120% MI ~~Owner-occupied only.~~

17  
18 5 ~~May only be used in conjunction with at least 20% at or below 120% MI.~~

19  
20 **2.07.00 –Mixed-Income Housing Program for Housing that is Affordable**

21  
22 **2.07.01 – Purpose and Intent**

23  
24 A. This section is intended to incentivize developments that provide a mix of housing  
25 affordability, including units that are affordable to gap-, moderate-, low-, or very-low-  
26 income levels through the use of bonus density bonuses, which allows for an increase in  
27 the number of residential dwelling units per acre on property proposed for development,  
28 thereby decreasing the per unit cost of land and development.

29  
30 B. This objective is accomplished by implementing a Mixed-Income Housing Program, which  
31 consists of a commitment by an agreement or ordinance to provide for housing that is  
32 affordable. The purpose of the Program is to provide increased residential densities to  
33 developers who guarantee that all or a portion of their housing development will provide  
34 units that are affordable at gap-, moderate-, median-, low-, or very-low-income levels,  
35 thus expanding housing opportunities for households throughout the county, as specified  
36 in LDC section 4.02.38, LDC section 4.02.40, LDC section 4.02.41, and LDC section  
37 4.02.42.

38  
39 **2.07.02 – Program Criteria**

40  
41 The following conditions shall apply to all developments associated with the Mixed-Income  
42 Housing Program.

43  
44 **A. Mixed-Income Housing Program Eligibility.**

45  
46 1. The rental price or sales price for all units designated as Housing that is Affordable  
47 within the project must be affordable to households at income levels identified in  
48 the below chart to qualify for the allowable bonus density bonuses outlined in LDC  
49 section 4.02.38, LDC section 4.02.40, LDC section 4.02.41, and LDC section  
50 4.02.42:

51  

<u>Income Level as a percent of Median Income</u>
---

Gap	(>120 to ≤140)
Moderate	(>80 to ≤120)
Median	(>80 to ≤100)
Low	(>50 to ≤80)
Very Low	(≤50)

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45

- 2. At the time of application for the **Development Order**, the developer must identify the total number of housing units within the development and the total number of units that are affordable, categorized by level of income, type of unit (i.e., single-family or multifamily, owner-occupied or rental), and number of bedrooms per unit.
- 3. The **ratio of the** number of bedrooms per unit **for housing** that is affordable shall in general be equal to **or greater than** the number of bedrooms per unit for the **market rate housing within an** entire project.
- 4. The units that are affordable shall be intermixed with, and not segregated from, the market rate units in the development.
- 5. In order to qualify for the **density** bonus **density** through the Mixed-Income Housing Program, the developer must comply with the provisions of this section and record a Mixed-Income Housing Commitment by agreement or ordinance.

B. **Mixed-Income Housing Commitment.** The commitment to provide Housing that is Affordable through the Mixed-Income Housing Program will be by agreement or ordinance approved by the County **Manager or designee and** Attorney and shall include at a minimum, the following provisions:

- 1. Units committed as affordable through the Mixed-Income Housing Program shall be affordable for 30 years from the initial date of sale or rent.
- 2. The conditions contained in the agreement or ordinance shall constitute covenants, restrictions, and conditions which shall run with the land and shall be binding upon the property and the owner's successors and assigns. This commitment must be agreed **to** by the owner for an owner-occupied unit or by the developer for renter-occupied units, in a lien instrument to be recorded with the Clerk of the Circuit Court of Collier County, Florida.
- 3. No unit that is committed as affordable through the Mixed-Income Housing Program shall be rented to a tenant whose household income has not been verified and certified in accordance with this section. Such verification shall be the responsibility of the developer and shall be submitted to the County Manager or designee for certification.
- 4. No unit that is committed as affordable through the Mixed-Income Housing Program shall be sold, leased with option to purchase, or otherwise conveyed to a buyer whose household income has not been verified and certified in accordance with this section. Such verification shall be the responsibility of the developer and shall be submitted to the County Manager or designee for certification. It is the intent of this section to keep housing affordable; therefore, any person who buys a Mixed-Income Housing Program unit must agree, in a lien instrument to be

1 recorded with the Clerk of the Circuit Court of Collier County, Florida, that if the  
2 property is sold (to a non-income qualified buyer, including the land and/or the unit)  
3 within 30 years after the original purchase at a sales price in excess of five percent  
4 per year of the original purchase price that he/she will pay to the Collier County  
5 Affordable Housing Trust Fund an amount equal to one-half of the sales price in  
6 excess of the five percent increase per year. The lien instrument may be  
7 subordinated to a qualifying first mortgage.

8  
9 C. Income Verification and Certification. Evidence of income must be verified and certified  
10 by the County Manager or designee on a form approved by the County Attorney prior to  
11 issuance of certificate of occupancy for each unit that is committed as affordable through  
12 the Mixed-Income Housing Program.

13  
14 1. For owner-occupied units, an income verification form must be submitted by the  
15 developer, and a certification letter must be obtained from the County Manager or  
16 designee stating that the household income meets the applicable income level  
17 threshold required for the unit prior to issuance of certificate of occupancy for that  
18 unit.

19  
20 2. For rental units, an income verification form must be submitted by the developer  
21 or its successor once prior to the issuance of the certificate of occupancy for the  
22 unit and submitted annually thereafter at year six (6) and year eleven (11) following  
23 the initial certificate of occupancy. A certification letter must be obtained from the  
24 County Manager or designee stating that the household income meets the  
25 applicable income level threshold required for the unit in order for the certificate of  
26 occupancy to be issued and to remain in effect at time of re-certification for that  
27 unit.

28  
29 D. Violations and Enforcement.

30  
31 1. It is a violation of LDC section 2.07.00 to rent, sell or occupy, or attempt to rent,  
32 sell or occupy, a unit that is committed as affordable through the Mixed-Income  
33 Housing Program except as specifically permitted by the terms of LDC section  
34 2.07.00, or to knowingly give false or misleading information with respect to any  
35 information required or requested by the County Manager or designee or by other  
36 persons pursuant to the authority which is delegated to them by LDC section  
37 2.07.00.

38  
39 2. The County Manager or designee shall have full power to enforce the terms of this  
40 section and any developer agreements, rezoning conditions or stipulations, and  
41 PUD conditions and stipulations, pursuant to this section and the rights, privileges,  
42 and conditions described herein, by action at law or equity. In the event that it is  
43 determined that a violation has occurred and has not or will not be corrected within  
44 60 days, the CO for the unit subject to the violation shall be withdrawn and the  
45 sanctions or penalties provided in the Mixed-Income Housing Program affordability  
46 commitment shall be pursued to the fullest extent allowed by law.

47  
48 # # # # # # # # # # # # # #

49  
50 **4.02.01 – Dimensional Standards for Principal Uses in Base Zoning Districts**



1 \* \* \* \* \*  
 2 \* \* \* \* \*

3  
 4 **Table 2. Building Dimension Standards for Principal Uses in Base Zoning Districts.**

5 \* \* \* \* \*  
 6 \* \* \* \* \*  
 7

Zoning District	Maximum Building Height (feet)	Minimum Distance Between Buildings	Minimum Floor Area of Buildings (square feet)	Floor Area Ratio (%)
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8 \* \* \* \* \*  
 9 \* \* \* \* \*

C-1	35	None <u>or E</u>	<u>Efficiency: 450</u> <u>1 Bedroom: 600</u> <u>2+ Bedroom: 750</u> <u>For all other uses: 1,000 (ground floor)</u>	None
C-2	35	A <u>or E</u>	<u>Efficiency: 450</u> <u>1 Bedroom: 600</u> <u>2+ Bedroom: 750</u> <u>For all other uses: 1,000 (ground floor)</u>	None
C-3	50	None <sup>‡</sup> <u>or E</u>	<u>Efficiency: 450</u> <u>1 Bedroom: 600</u> <u>2+ Bedroom: 750</u> <u>For all other uses: 700 (ground floor)</u>	None
C-4	75	A <u>or E</u>	<u>Efficiency: 450</u> <u>1 Bedroom: 600</u> <u>2+ Bedroom: 750</u> <u>For all other uses: 700 (ground floor)</u>	Hotels .60 Destination resort .80
C-5	35	A <u>or E</u>	<u>Efficiency: 450</u> <u>1 Bedroom: 600</u> <u>2+ Bedroom: 750</u> <u>For all other uses: 700 (ground floor)</u>	Hotels .60 Destination resort .80

10  
 11 ~~<sup>‡</sup> For Housing that is Affordable by Right in Commercial Zoning Districts, minimum distance~~  
 12 ~~between structures of 10 feet is required per LDC section 4.02.40 A.4.~~  
 13

14 \* \* \* \* \*  
 15

Overlay Districts	See table of special design requirements applicable to overlay districts.
-------------------	---

16  
 17 A = 50% of the sum of the heights of the buildings, but not less than 15 feet.  
 18 B = 50% of the sum of the heights of the buildings.  
 19  
 20 C = Buildings within 100 feet of an adjoining district are limited to the height of the most  
 21 restrictive of an adjoining district.  
 22  
 23 D = 50% of the sum of the heights of the buildings, but not less than 25 feet.

24  
 25 E = The minimum distance between structures for housing that is affordable by right in  
 26 commercial districts shall be in accordance with LDC section 4.02.40.  
 27

F = The maximum height shall be restricted to 50 feet for housing that is affordable by right in the C-4 district.

1. Principal Structure Minimum Yard (Setback) Requirements: Table 2.1, below, provides the minimum yard requirements for principal structures on conforming lots of record in base zoning districts. The following shall apply for all other lots:
  - a. Corner Lots: Corner lots shall have front yards along each street frontage. The other yards shall be considered side yards. See LDC section 2.03.01 for Estates setbacks.
  - b. Nonconforming Lots of Record: Minimum yard requirements for nonconforming lots of record are provided in LDC section 9.03.03 A.

Table 2.1 - TABLE OF MINIMUM YARD REQUIREMENTS (SETBACKS) FOR BASE ZONING DISTRICTS

Note as to setback line measurement: minimum setback lines are typically measured from the legal boundary of a lot, regardless of all easements burdening a lot, with the exception of easements that comprise a road right-of-way where the minimum setback line is to be measured from the road right-of-way easement line.

Zoning district	Minimum Front Yard (feet)	Minimum Side Yard (feet)		Minimum Rear Yard (feet)	Public School Requirements
-----------------	---------------------------	--------------------------	--	--------------------------	----------------------------

\* \* \* \* \*

C-1	25	Residential 25 <u>or g</u>	Non-residential 15	Residential 25 <u>or g</u>	Non-Residential 15	x
C-2	25	25 <u>or g</u>	15	25 <u>or g</u>	15	x
C-3 <sup>3</sup>	c	25 <u>or g</u>	a	25 <u>or g</u>	a	x
C-4 <sup>4</sup>	d	25 <u>or g</u>	a	25 <u>or g</u>	a	x
C-5 <sup>4</sup>	25	25 <u>or g</u>	15	25 <u>or g</u>	15	x

\* \* \* \* \*

- 1 MH District - additional yard requirements: side yard setback from a public road that is external to the boundary of the park = 50 ft.; the minimum setback on any side from the exterior boundary of the park = 15 ft.
- 2 TTRVC District - additional yard requirements: setback from exterior boundary of park = 50 ft.; setback from an external street = 50 ft., setback from an internal street = 25 ft.; setback from any building or other structure = 10 ft.
- 3 C-3 District - minimum setback on any side that is waterfront = 25 ft.; setback for marinas = none.
- 4 C-4, C-5 and I Districts - minimum setback on any side that is waterfront = 25 ft.; setback for marinas = none; setback on any side adjacent to a railroad right-of-way = none

1  
2 5 Any non-conforming platted lot of record in the CON District that existed before November  
3 13, 1991 will be subject to the following standards:

4  
5 Front yard: 40 feet.

6  
7 Side yard: ten percent of the lot width, but no more than 20 feet on each side.

8  
9 Rear Yard: 30 feet.

10  
11 a = 50% of the building height, but not less than 15 feet.

12  
13 b = 50% of the building height, but not less than 30 feet.

14  
15 c = 50% of the building height, but not less than 25 feet.

16  
17 d = 50% of the building height, but not less than 25 feet. Structures 50 feet or more in height = 25  
18 feet plus one additional foot of setback for each foot of building height over 50 feet.

19  
20 e = the total of all side yard setbacks shall equal 20% of the lot width, with a maximum of 50 feet.  
21 No side yard shall be less than 10 feet. Alternative dimensions may be possible when approved  
22 through a unified plan of development involving one or more lots under common ownership where  
23 the yard requirements are met for the unified site but not necessarily for each parcel within the  
24 unified site.

25  
26 f = the yard requirements shall be equal to the most restrictive adjoining district.

27  
28 g = The minimum setback for housing that is affordable by right in commercial districts where  
29 abutting any property occupied by or zoned to allow a single family dwelling unit shall be in  
30 accordance with LDC section 4.02.40.

31  
32 x = for principal structures: 50 feet from all property lines; for accessory structures: 25 feet from all  
33 property lines.

34  
35 # # # # # # # # # # # # #

36  
37 **4.02.38 – Density Standards, Housing Affordability, and Specific Design Criteria for**  
38 **Commercial Mixed Use Development within C-1 through ~~C-5~~C-3 Zoning Districts**

39  
40 A. *Purpose and Scope.* The Commercial Mixed Use design criteria are to encourage the  
41 development and the redevelopment of commercially zoned properties with a mix of  
42 residential and commercial uses. Such mixed-use projects developments are intended to  
43 be developed at a human-scale with a pedestrian orientation, interconnecting with  
44 adjacent project, whether commercial or residential. A Commercial Mixed Use Projects  
45 Development is allowed as provided in the Urban Mixed Use District contained within the  
46 FLUE and subject to the standards and criteria set forth under the Commercial Mixed Use  
47 by Right Subdistrict in the Urban-Commercial District Future Land Use Element (FLUE)  
48 and Golden Gate Area Master Plan (GGAMP) – Golden Gate City Sub-element, and  
49 subject to the regulations contained herein. Also, a Commercial Mixed Use Development  
50 is allowed by conditional use in the C-1, C-2, and C-3 districts, and are not subject to the  
51 section 4.02.38.

1 B. *Applicability.* ~~All properties zoned C-1, C-2 and C-3, excluding where located in the~~  
 2 ~~GGPOD. These regulations shall apply to all mixed-use projects proposed within these~~  
 3 ~~zoning districts, subject to the design criteria set forth in this section. The design criteria~~  
 4 ~~address the relationship of buildings, parking, vehicular, and pedestrian movement to~~  
 5 ~~create a pedestrian-oriented experience. Buildings are encouraged to be built close to the~~  
 6 ~~vehicular and pedestrian way to create a continuous active and vibrant streetscape~~  
 7 ~~utilizing the architecture, landscaping, lighting, signage, and street furnishings. Vehicular~~  
 8 ~~travelways support two-way traffic and on-street parking. A logical pedestrian pathway~~  
 9 ~~system is provided throughout that connects the pedestrian movements from one use to~~  
 10 ~~another or within use areas. Building arcades and awnings are allowed to extend over the~~  
 11 ~~sidewalk to create shade and encourage pedestrian activity. Signage design shall be~~  
 12 ~~carefully integrated with site and building design to create a unified appearance for the~~  
 13 ~~project. Creativity in the design of signs is encouraged in order to emphasize the unique~~  
 14 ~~character of the project. Projects utilizing these design criteria will be developed in~~  
 15 ~~compliance with the LDC, except as specified herein.~~

17 1. For mixed use development on properties zoned C-1 through C-3, within the Urban  
 18 Coastal Fringe Subdistrict and Urban Residential Subdistrict in the FLUE, and  
 19 utilizing the Affordable Housing Density Bonus pursuant to LDC section 2.06.00,  
 20 shall be subject to the regulations and design criteria set forth in this section except  
 21 that they shall be exempt from LDC sections 4.02.38 E. and F., and other criteria  
 22 as noted. The applicability of section 4.02.38 will sunset 5 years from [the adoption  
 23 date of the related GMP amendment], unless extended by the Board of County  
 24 Commissioners.

26 2. For mixed use development on properties zoned C-4 and C-5, within the Urban  
 27 Coastal Fringe Subdistrict and Urban Residential Subdistrict in the FLUE, and  
 28 found Consistent by Policy as identified in FLUE Policies 5.11 – 5.13, and utilizing  
 29 the Mixed Income Housing Program pursuant to LDC 2.07.00, shall be subject to  
 30 the regulations and design criteria set forth in this section, except that they shall  
 31 be exempt from LDC sections 4.02.38 E. and F., and other criteria as noted. This  
 32 section will sunset 5 years from [the adoption date of the related GMP  
 33 amendment], unless extended by the Board of County Commissioners.

35 3. For mixed use development on properties zoned C-1 through C-5, within the Urban  
 36 Mixed Use Subdistrict in the GGAMP – Golden Gate City Sub-Element, and found  
 37 Consistent by Policy as identified in FLUE Policies 5.12 and 5.13, and utilizing the  
 38 Mixed Income Housing Program pursuant to LDC 2.07.00, shall be subject to the  
 39 regulations and design criteria set forth in this section except that they shall be  
 40 exempt from LDC sections 4.02.38 E. and F., and other criteria as noted. This  
 41 section will sunset 5 years from [the adoption date of the related GMP  
 42 amendment], unless extended by the Board of County Commissioners.

44 C. *Density Standards and Housing Affordability.* ~~Commercial Mixed Use Design Criteria.~~  
 45 ~~Projects utilizing the Commercial Mixed Use option within a C-1, C-2, or C-3 C-4, or C-5~~  
 46 ~~zoning district Zoning District shall comply with the following standards and criteria:~~

47  
 48 1. All mixed use development on properties zoned C-1, C-2, or C-3, as provided for  
 49 in the Commercial Mixed Use by Right Subdistrict of the FLUE, shall be subject to  
 50 the following density limits ad housing affordability requirements:

- 1
- 2 ~~1. These design criteria are applicable to the C-1 through C-3 zoning districts,~~
- 3 ~~excluding where located in the GGPOD;~~
- 4
- 5 ~~2. Commercial uses and development standards shall be in accordance with the~~
- 6 ~~commercial zoning district on the subject property, unless modified within these~~
- 7 ~~regulations.~~
- 8
- 9 ~~3. Residential density is calculated based upon the gross commercial project~~
- 10 ~~acreage. For property in the Urban Residential Fringe Subdistrict, density shall be~~
- 11 ~~as limited by that subdistrict. For property not within the Urban Residential Fringe~~
- 12 ~~Subdistrict, but within the Coastal High Hazard Area, both as identified on the~~
- 13 ~~countywide Future Land Use Map (FLUM), density shall be limited to 4 dwelling~~
- 14 ~~units per acre; density in excess of 3 dwelling units per acre must be comprised of~~
- 15 ~~affordable-workforce housing that is affordable in accordance with LDC section~~
- 16 ~~Section 2.06.00 of the Land Development Code, Ordinance No. 04-41, as~~
- 17 ~~amended. For property not within the Urban Residential Fringe Subdistrict and not~~
- 18 ~~within the Coastal High Hazard Area, both as identified on the countywide FLUM,~~
- 19 ~~density shall be limited to 16 dwelling units per acre; density in excess of 3 dwelling~~
- 20 ~~units per acre and up to 11 dwelling units per acre must be comprised of affordable-~~
- 21 ~~workforce housing that is affordable in accordance with LDC section 2.06.00 of the~~
- 22 ~~Land Development Code, Ordinance No. 04-41, as amended. In case of residential~~
- 23 ~~uses located within a building attached to a commercial building or in the case of~~
- 24 ~~a freestanding residential building, square footage and acreage devoted to~~
- 25 ~~residential uses shall not exceed 70 percent of the gross building square footage~~
- 26 ~~and acreage of the project.~~
- 27
- 28 2. All mixed use development on properties zoned C-4 and C-5, as provided for in
- 29 the Commercial Mixed Use by Right Subdistrict of the FLUE, shall be subject to
- 30 the following density limits and housing affordability requirements:
- 31
- 32 a. For property within the Urban Coastal Fringe Subdistrict and Urban
- 33 Residential Subdistrict in the FLUE, both as identified on the countywide
- 34 Future Land Use Map (FLUM), and found Consistent by Policy as identified
- 35 in FLUE Policies 5.11 – 5.13, eligible density is limited to 16 dwelling units
- 36 per acre and must be comprised of housing that is affordable in accordance
- 37 with LDC section 2.07.00., and as noted below.
- 38
- 39 i. An affordability commitment by Agreement or Ordinance pursuant
- 40 to LDC section 2.07.00 shall be recorded.
- 41
- 42 ii. For units that are to be sold, at least one-half of the units must be
- 43 sold at a price point affordable to either the low- or very-low-income
- 44 level households identified in LDC section 2.07.02 A. The
- 45 remaining units can be sold at a price point that is affordable to any
- 46 income levels identified in LDC section 2.07.02 A.
- 47
- 48 iii. For units that are for rent, all units must be at a price points
- 49 affordable to low- and very-low-income level households.
- 50

1 3. All mixed use development on properties zoned C-1 through C-5, as provided for  
2 in the Commercial Mixed Use by Right Subdistrict of the GGAMP – Golden Gate  
3 City Sub-element, shall be subject to the following density limits and housing  
4 affordability requirements:

5  
6 a. For property within the Urban Mixed Use District in the GGAMP – Golden  
7 Gate City Sub-element, and found Consistent by Policy as identified in  
8 FLUE Policies 5.12 and 5.13, eligible density is limited to 16 dwelling units  
9 per acre and must be comprised of housing that is affordable in accordance  
10 with LDC section 2.07.00., and as noted below.

11  
12 i. An affordability commitment by Agreement or Ordinance pursuant  
13 to LDC section 2.07.00 shall be recorded.

14  
15 ii. For units that are to be sold, at least one-half of the units must be  
16 sold at a price point affordable to either the low- or very-low-income  
17 level households identified in LDC section 2.07.02 A. The  
18 remaining units can be sold at a price point that is affordable to any  
19 income levels identified in LDC section 2.07.02 A.

20  
21 iii. For units that are for rent, all units must be at a price points  
22 affordable to low- and very-low-income level households.

23  
24 D. Commercial Mixed Use Design Criteria.

25  
26 1. Commercial uses and development standards shall be in accordance with the  
27 commercial zoning district on the subject property, unless modified within these  
28 regulations, and as provided in subparagraphs a.- c. below.

29  
30 a. The minimum distance between structures shall be 10 feet.

31  
32 b. The minimum setback from the common boundaries shall be equal to the  
33 project’s proposed zoned building height when the proposed project abuts  
34 any property occupied by, or zoned to allow, a single family dwelling unit.

35  
36 c. Housing that is affordable by right shall be restricted to a maximum height  
37 of 50 feet in the C-4 zoning district.

38  
39 2. Mix of Uses. Mixed use developments shall promote a combination of land uses  
40 within a project in accordance with certain land use mix percentages.

41  
42 a. All mixed use development on properties zoned C-1, C-2, or C-3, as  
43 provided for in the Commercial Mixed Use by Right Subdistrict of the FLUE  
44 shall be subject to the following mix of use limits:

45  
46 i. In the case of residential uses located within a building attached to  
47 a commercial building or in the case of a freestanding residential  
48 building, square footage and acreage devoted to residential uses  
49 shall not exceed 70 percent of the gross building square footage  
50 and acreage of the project.

1  
 2 **b.** All mixed use development on properties zoned C-4 and C-5, as provided  
 3 for in the Commercial Mixed Use by Right Subdistrict in the FLUE, and  
 4 properties zoned C-1 through C-5, as provided for in the Commercial Mixed  
 5 Use by Right Subdistrict of the GGAMP – Golden Gate City Sub-element,  
 6 shall be subject to the following mix of use limits: In the case of residential  
 7 uses located within a building attached to a commercial building or in the  
 8 case of a freestanding residential building, square footage and acreage  
 9 devoted to residential uses shall not exceed 75 percent of the gross  
 10 building square footage and acreage of the project.

11  
 12 **34.** The project shall provide street, pedestrian pathway and bike lane interconnections  
 13 with adjacent properties, where possible and practicable. For projects subject to  
 14 architectural design standards, see LDC section 5.05.08 F. for related provisions.

15  
 16 **45.** The project shall, to the greatest extent possible, use a grid street system, or  
 17 portion thereof, so as to afford maximum opportunity for interconnections with  
 18 surrounding properties and to provide multiple route alternatives.

19  
 20 **E D.** *Pedestrian Pathways.*

- 21  
 22 1. This design criteria is only applicable to streets internal to commercial mixed use  
 23 projects, it is not applicable to project portions fronting on existing collector or  
 24 arterial roadway.
- 25  
 26 2. The pedestrian pathways along the main streets shall be a minimum of 21 feet in  
 27 width. (See diagram below.)
- 28  
 29 3. Pedestrian pathways shall be provided pursuant to Collier County LDC Section  
 30 4.02.38 D. and shall include: street furnishings, a street tree planting zone, and a  
 31 pedestrian travel zone. (This is not applicable to internal parking lots.)
- 32  
 33 4. Overhead arcades, awnings or canopies, may extend over the dining and display  
 34 zone, as well as, the pedestrian travel zone at a minimum height of 8 feet.  
 35 Furnishings or other obstructions shall be kept out of the pedestrian travel zone.
- 36  
 37 5. Outdoor dining at building arcades or outdoor areas may be enclosed by planters,  
 38 decorative fencing, or comparable moveable barriers. The dining area shall not  
 39 encroach into the pedestrian travel zone.
- 40  
 41 6. Building elements in the form of arcades, overhangs, signage, marquees, bay  
 42 windows, and structural supports shall be allowed to extend over the pedestrian  
 43 travel zone. These allowable overhead encroachments shall ~~be~~ have a minimum  
 44 clearance of 8 feet height above the sidewalk.

45  
 46 **E E.** *Street Furnishings & Street Plantings.*

- 47  
 48 1. This design criteria is only applicable to streets internal to commercial mixed use  
 49 projects, it is not applicable to project portions fronting on existing collector or  
 50 arterial roadways.

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2. Street furnishings shall be provided in conjunction with the street tree planting zone. Street furnishings shall include benches per LDC Section 4.06.03B.8, one waste/recycling receptacle per 300 lineal feet of street frontage, and bike racks per LDC Section 4.05.08. Street furnishings may also include bus shelters, information kiosks, and similar furnishings.
  3. Site furnishings (not associated with an individual business) shall be coordinated and fabricated of compatible materials.
  4. Visual obstructions shall not be allowed within sight triangles/spaces at street intersections pursuant to 4.06.01 D.1 of the LDC.
  5. The street tree planting zone shall have a minimum width of 5 feet and a minimum length of 10 feet and be located parallel to the curb. Root barriers are required to protect sidewalks and utilities.
    - i. Within the street tree planting zone, street trees shall be spaced at a rate of 40 feet on center and may be clustered. The street tree pattern may be interrupted by overhead arcades, utilities, and pedestrian access. Trees shall have a minimum height at the start of branching of 8 feet and have an overall planting height of 16 feet. Palm trees are allowed as a substitute to canopy trees where building elements (reference LDC 2.03.06.G.3.e, and LDC 2.03.06G.7.b.i. and ii.) are closer to the street and the amount of space for landscaping, the pedestrian travel zone, and street furnishings will not allow canopy trees. Areas for canopy trees should be included at plazas, street intersections, and other areas where buildings are set back and space will allow.
    - ii. Plantings shall include a variety of tree and shrub species with at least 50 percent of the required trees and 35 percent of the required shrubs being plants native to Florida.
    - iii. Planting zones at the ground plane shall include turf grass; groundcover, low shrubs or flowering plants.

**GF.** *Landscape.*

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1. This design criteria is only applicable to streets internal to commercial mixed use projects, it is not applicable to project portions fronting on existing collector or arterial roadway.
  2. Provide a variety of tree and shrub species with at least 50 percent of the required trees and 35 percent of the required shrubs being plants native to Florida.
  3. Canopy trees used in open landscape areas (other than street trees) shall be a minimum of 10 feet in height, having a 4-foot diameter spread and a minimum caliper of 1¾ inches.



- 1 4. Plantings shall be a maximum of 25 percent turf grass. The balance shall be
- 2 groundcover, low shrubs and/or flowers located in planting areas appropriate to
- 3 the design.
- 4
- 5 5. Irrigation shall be provided for all planting areas. Irrigation control boxes and
- 6 appurtenances shall be located away from direct public view.
- 7
- 8 6. Landscape buffers per section 4.06.02 of the Code "buffer requirements" shall only
- 9 apply to the external boundaries of the mixed use development. Landscape buffers
- 10 shall not be required internal to the mixed use development project. A Type "B"
- 11 buffer shall be provided along the common boundaries when the proposed project
- 12 abuts a property occupied by, or zoned to allow, a single family dwelling unit. The
- 13 trees within such buffer shall be a minimum of 14 feet in height at the time of
- 14 installation if the buildings are greater than a zoned height of 40 feet and are
- 15 adjacent to property occupied by or zoned to allow single family dwellings.

**H.G.** *Parking Lot Landscaping.*

- 17
- 18
- 19 1. Up to 30 percent of the landscape islands shall have a minimum width of 5 feet
- 20 inside planting area and may be planted with a palm tree equivalent.
- 21
- 22 2. Minimum tree size shall be 1-3/4" caliper and a minimum of 10 feet in height.
- 23
- 24 3. The perimeter of all parking lots fronting on public rights-of-way shall be screened
- 25 to a minimum height of 24 inches using walls, fences, landscaping or any
- 26 combination thereof.
- 27
- 28 4. Parking lot perimeter landscaping areas shall be a minimum of eight (8) feet in
- 29 width. Shrubs shall be arranged in a staggered pattern with a minimum size of 3
- 30 gallons at the time of planting to provide year-round screening. Trees shall be
- 31 included in the perimeter landscape area at a minimum spacing of one tree/palm
- 32 per 25 feet of linear frontage. Street trees planted within the right-of-way may be
- 33 used to meet this requirement.


**I.H.** *Building Foundation Plantings.*

- 34
- 35
- 36
- 37 1. Building foundation plantings shall be required per section 4.06.05 of the Code,
- 38 except as follows. The building regardless of its size, shall provide the equivalent
- 39 of 10 percent of its ground level floor area, in building foundation planting area. A
- 40 continuous building foundation planting width is not required per section 4.06.05
- 41 of the Code. However, the foundation plantings shall be located within 21 feet of
- 42 the building edge in the form of landscaped courtyards and seating area
- 43 landscaping.


**J.I.** *Building Architectural Standards.*

- 44
- 45
- 46
- 47 1. The Mixed Use Projects shall include architectural features that provide visually
- 48 interesting building design at a scale appropriate for pedestrian and automobile.
- 49

- 1 a. Building façades shall be designed to reduce the mass and scale of the
- 2 building, by providing arcades, windows, entry features, and other design
- 3 treatments in compliance with section 5.05.08 of the LDC except as follows;
- 4
- 5 b. Covered pathways and arcades shall be constructed with columns a
- 6 minimum width of 12 inches, if masonry and 10 inches wide, if constructed
- 7 of finished steel products.
- 8
- 9 c. For buildings 3 stories or more, pedestrian scale at the street level shall be
- 10 maintained by incorporation of façade variations such as massing, texture,
- 11 color or material on the primary façades between the first and subsequent
- 12 stories.
- 13
- 14 d. The following architectural options are in addition to the list of required
- 15 design features identified in subsection 5.05.08 D.2.:
- 16
- 17 i. Open arcade or covered walkway with a minimum depth of 8 feet
- 18 and a total minimum length of 60 percent of the façade.
- 19
- 20 ii. A building recess or projection of the first floor with minimum depth
- 21 of 8 feet and total minimum length of 60 percent of the façade
- 22 length.
- 23
- 24 iii. Architectural elements such as balconies and bay windows with a
- 25 minimum depth of 3 feet and that cover a minimum of 30 percent of
- 26 the façade above the first floor. (Storm shutters, hurricane shutters,
- 27 screen enclosures or any other comparable feature, if applied as
- 28 part of the structure, must also comply with the required minimum
- 29 depth).
- 30

31  Sign Types and Definitions shall be as provided for in section 5.06.00 the Collier County  
 32 Sign Code.

33

34  *Parking Requirements.* Mixed-use developments have the opportunity to provide a variety  
 35 of parking options to residents and patrons. Mixed-use projects reduce vehicular trips, and  
 36 the number of required parking spaces by utilizing pedestrian-oriented design and  
 37 reducing the distance between residential and commercial uses.

- 38
- 39 1. Definitions.
- 40
- 41 a. On-street parking—Parking spaces located adjacent to, and accessed
- 42 directly from the roadway.
- 43
- 44 b. Off-street parking—Parking spaces located within parking lots or parking
- 45 structures and accessed off the roadway.
- 46
- 47 c. Parking lot—A ground-level area utilized for parking spaces accessible
- 48 from the road and usually adjacent to the use it serves.
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- d. Parking structure—A multi-level parking area utilized for parking spaces that serve establishments within walking distance of the structure. The structure may or may not be adjacent to the establishments it serves.
- 2. Design Criteria and Dimensional Requirements On-street Parking.
    - a. Design criteria only applicable to streets internal to commercial mixed use project, not applicable to project portion fronting on existing collector or arterial roadway.
    - b. Parallel parking shall be a minimum of 9 feet wide by 23 feet long. For every 4 on-street parking spaces provided a landscape island that is 8 feet wide and 15 feet long and is surrounded by Type D concrete curbing, shall be provided in addition to the pedestrian clear zone landscape requirement. The corners adjacent to the travel lane shall be angled at least 45 degrees away from perpendicular with the curb in order to provide adequate ingress and egress from each parallel parking space. Each island shall be planted with hedges, groundcover and/or grasses less than 36 inches high and shall contain at least one small to medium ornamental tree that is a minimum of 8 feet tall at the time of planting.
    - c. Angled parking may be 45 degrees or 60 degrees from the travel lane. Spaces must be a minimum of 9 feet wide and 18 feet long. For every 4 on-street parking spaces provided a landscape island that is 12 feet wide and 15 feet long and is surrounded by Type D concrete curbing, shall be provided in addition to the pedestrian clear zone landscape requirement. The island shall be planted with hedges, groundcover, and/or grasses less than 36 inches high and shall contain at least one small to medium ornamental tree that is a minimum of 8 feet tall at the time of planting.
  - 3. Design Criteria and Dimensional Requirements Off-street Parking.
    - a. Location—Parking lots or parking structures shall be located to the rear of buildings located on the main street, or the along the secondary/side streets. Off-street parking shall not occur in front of the primary façade. These standards shall not apply to projects utilizing the Mixed Income Housing Program with mixed use development by right, in accordance with LDC section 4.02.40.
    - b. Lots shall be designed to keep all circulation between aisles internal to the lot. Driveways to parking areas shall be a minimum of 24 feet wide.
    - c. Ninety degree parking spaces shall have a minimum drive aisle width of 24 feet and stall size of 9 feet by 18 feet.
    - d. Sixty degree angled parking shall have a minimum drive aisle width of 20 feet, if one-way, and 24 feet, if two-way. Parking stall size shall be a minimum of 9 feet x 18 feet.

- 1           4.     Handicap Parking. Handicap parking shall be located to facilitate the most direct
- 2                     and safest route to building entries and meet all applicable codes.
- 3
- 4           5.     Parking Structures.
- 5
- 6           a.     Parking structure façades shall be designed to screen views of automobiles
- 7                     by the general public from adjacent streets and driveways.
- 8
- 9           b.     Parking structures without ground floor retail or residential uses along the
- 10                    front façade shall have a minimum 10-foot wide. Building Foundation
- 11                    Landscaping pursuant to section 4.06.00 of the Code. Where the parking
- 12                    structure is attached to the building or adjacent to preserve area, and the
- 13                    preserve area meets the otherwise required landscaping, no additional
- 14                    landscaping is required.
- 15
- 16           i.     All structures with uncovered parking on the top level shall have
- 17                     rooftop planters around the perimeter that is a minimum of 5 feet
- 18                     wide located around a minimum of 80 percent of the perimeter of
- 19                     the parking integral to the structure, or suitable architectural
- 20                     features to soften the building edge.
- 21
- 22           ii.    Parking structure lighting shall be a maximum of 20 feet in height.
- 23                    Lighting shall incorporate full shield cut-offs to contain light to the
- 24                    surface of the deck only.
- 25
- 26           iii.   Parking structures are also allowed to be located below grade and
- 27                    below habitable space. These structures must be accessed from
- 28                    the rear of the building.
- 29
- 30           c.     General Requirements and Shared Parking Agreements.
- 31
- 32           i.     Design criteria only applicable to streets internal to commercial
- 33                    mixed use project, not applicable to project portion fronting on
- 34                    existing collector or arterial roadway.
- 35
- 36           ii.    The total number of parking spaces provided in a mixed-use project
- 37                    shall be determined by the intended uses as required by section
- 38                    4.05.00 of the Code, Off-street Parking and Loading unless
- 39                    modified herein.
- 40
- 41           iii.   Commercial areas (with streets internal to the project) must utilize
- 42                    on-street parking to meet at least a portion of the parking
- 43                    requirement. These standards shall not apply to projects utilizing
- 44                    the Mixed Income Housing Program with mixed use development
- 45                    by right, in accordance with LDC section 4.02.40.
- 46
- 47           iv.    One-half of the on-street parking spaces located within one block
- 48                    or 0.125 mile, whichever is less, may contribute toward an individual
- 49                    establishment's parking requirement.
- 50

- 1 v. If a commercial area is developed in one phase with one site
- 2 development plan application the on-street parking may be utilized
- 3 to meet parking requirements in a one-to-one (1:1) ratio.vi.The
- 4 overall parking requirement may be reduced at the time of site
- 5 development plan approval by consideration of a shared parking
- 6 analysis. The analysis shall demonstrate the number of parking
- 7 spaces available to more than one use or function, recognizing the
- 8 required parking will vary depending on the multiple functions or
- 9 uses in close proximity which are unlikely to require the spaces at
- 10 the same time. The shared parking analysis methodology will be
- 11 determined and agreed upon by County staff and the applicant
- 12 during the pre-application meeting, or during ongoing discussion,
- 13 during the site development plan review process.
- 14
- 15 vii. Establishments providing valet parking services may not utilize
- 16 parking areas designated for shared use for the storage of vehicles
- 17 parked by this service, unless allowed by a shared parking
- 18 agreement.
- 19
- 20 viii. Residential areas that are within a block or 0.125 mile of a
- 21 commercial area but are not directly accessible by a vehicle due to
- 22 gating or lack of vehicular interconnection may not utilize on-street
- 23 parking in the commercial area to meet the residential parking
- 24 requirement.
- 25
- 26 ix. Residential areas may utilize on-street parking that is abutting a
- 27 residential unit to meet the parking requirement in a one to one (1:1)
- 28 ratio. If parking spaces are used to meet a residential parking
- 29 requirement they may not then be utilized to meet any of the
- 30 commercial requirement.
- 31

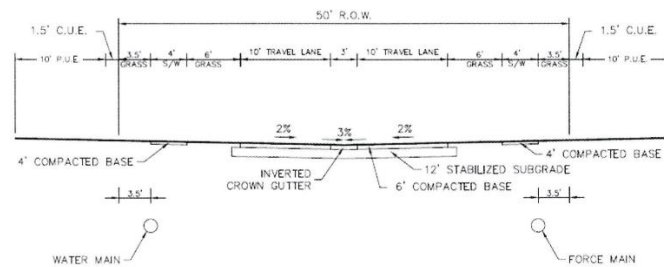
**M L.** *Service Areas.*

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- 33
- 34 1. Loading docks, solid waste facilities, recycling facilities and other services
- 35 elements shall be placed to the rear or side yard of the building in visually
- 36 unobtrusive locations with minimum impacts on view.
- 37
- 38 2. Refuse containers and facilities shall be hidden by an opaque wall or fencing of
- 39 sufficient height to screen the bin and any appurtenances, but not less than 6 feet
- 40 in height. Chain link fencing, wood fencing and chain link gates are not allowed.
- 41 Walls shall be constructed of a material compatible with the principal structure it is
- 42 serving. Landscaping with vines or other plants is encouraged. Enclosures shall
- 43 include solid, latching gates to avoid blowing refuse.
- 44
- 45 3. Service area recesses in the building and/or depressed access ramps should also
- 46 be used where applicable.
- 47
- 48 4. Businesses are encouraged to consolidate and share refuse areas and equipment.
- 49

**4.02.39 - Alternative Design for Housing that is Affordable**

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- A. The intent of this section is to provide incentives for housing that is affordable and applies to residential only projects, and residential portions of PUDs. Vertical mixed-use projects are not eligible for the alternative designs identified within this section.
- B. Affordable housing projects may use the following design alternatives, subject to compliance with section 4.02.39 C.
  - 1. Section 3.07.02 E. - Local/internal roads that are privately maintained may be designed to the elevation required to meet the 5-year, 1-day storm event, and the perimeter berm shall be designed so that surrounding properties will not be adversely impacted by the project's influence on stormwater sheet flow up to the elevation during the 25-year, 3-day design storm.
  - 2. Section 4.06.05 A.1. - Single-family developments lots which are adjacent to preserve areas or perimeter berms are exempt from providing one canopy tree per 3,000 square feet of pervious open space per lot. For all other lots, the required one canopy tree may be relocated to common areas or to a street tree program.
  - 3. Sections 6.06.01 S., 10.02.02 A.11. and Appendix B - For all local/internal roads that are privately owned and maintained, an inverted crown design, shall be allowed.



TYPICAL INTERNAL INVERTED CROWN ROADWAY DESIGN

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- 4. Sections 6.06.02 A.2. and 6.06.02 F. - For local/internal sidewalks that are privately maintained, the minimum sidewalk width shall be four feet, which can be of concrete or asphalt material and shall be constructed over a compacted subgrade. Asphalt shall also require a minimum of 4 inches of compacted limerock base, in addition to the compacted subgrade.
- 5. Section 10.02.03 A.3. - Three-family housing structures proposed on a lot(s) of record are exempt from the Site Development Plan provisions of LDC section 10.02.03 A.2.
- 6. Section 10.02.04 C. - For single-family developments, the clubhouse facility may be included within the construction plans and final subdivision plats. The clubhouse facility shall commence construction when fifty percent of the lots have received a Certificate of Occupancy.

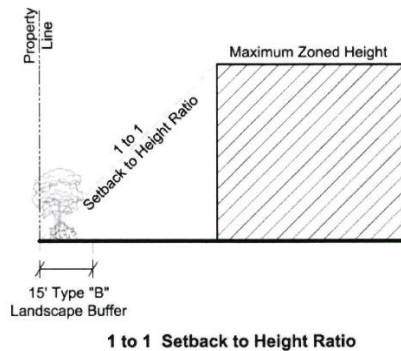
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7. Section 10.02.08 I.2. - The set-aside of land or dedication of land for a public water well at time of rezoning is not required, unless the site is located within a quarter-mile of a future raw water transmission main identified in the latest Board-adopted Collier County 10-Year Water Supply Facilities Work Plan Update and in such a way that the quantity of affordable housing units would not be impacted.

C. Criteria for design alternatives for housing that is affordable. The alternatives described in section 4.02.39 B. will be allowed when the following criteria are met:

1. Compatibility.

a. Setbacks from all project boundaries that abut property zoned or developed for single family residential use shall be a minimum of one foot (setback) per one foot maximum zoned height for principal structures.



b. For projects of more than three units, the required buffer for all project boundaries that abut property zoned or developed for single family residential use shall be a 15 foot wide Type "B" landscape buffer per LDC section 4.06.02.

2. Affordability. To qualify for the design alternatives of this section a project shall commit to one of the following agreements or commitments to provide a minimum of 20 percent of the overall units as housing that is affordable:

- a. Affordable Housing Density Bonus (AHDB) Agreement per section 2.06.00; or
- b. Affordable Housing Impact Fee Deferral Agreement per Code of Ordinances article IV of chapter 74; or
- c. PUD commitment or Developer's Agreement (DA) for units that serve households at the income levels (very-low, low, moderate, or gap) identified in section 2.06.00, or units that are priced within the limits established in the Collier County Housing Demand Methodology, as updated yearly or Board approved Table of Rental Rates, as updated yearly.

# # # # # # # # # # # # # #

4.02.40 – Housing that is Affordable ~~by Right~~ within C-1 through C-3 Commercial Zoning Districts

A. Purpose and Scope. This section will sunset 5 years from [the adoption date of the related GMP amendment], unless extended by the Board of County Commissioners.

B. Applicability.

1. By-right residential development within the Urban Coastal Fringe Subdistrict and Urban Residential Subdistrict in the FLUE, when located outside the boundaries of the East Naples Community Development Plan (accepted by the Board of County Commissioners on October 27, 2020), and when located on property zoned commercial that has been found Consistent by Policy as identified in FLUE Policies 5.11 – 5.13, as provided for in the Conversion of Commercial by Right Subdistrict in the FLUE, shall be subject to subparagraphs a.– f. below.

By-right residential development within the Urban Mixed Use Subdistrict in the GGAMP – Golden Gate City Sub-Element, when located outside the boundaries of the Downtown Center Commercial Subdistrict, and when located on property zoned commercial that has been found Consistent by Policy as identified in FLUE Policies 5.12 and 5.13, as provided for in the Conversion of Commercial by Right Subdistrict in the GGAMP – Golden Gate City Sub-Element, shall be subject to subparagraphs a.– f. below.

a. The maximum density permitted is 16 dwelling units per gross acre.

b. A public facilities impact ~~comparative~~ analysis must be submitted and comply with the adequate public facilities requirements identified in LDC section 6.02.00. The ~~comparative~~ analysis must demonstrate that the proposed affordable housing project would have the same or lesser public facility impact with respect to vehicle trips, water consumption, and wastewater generation compared with the highest intensity permitted use within the commercial zoning district of the subject property, as approved by staff.

c. A School Impact Analysis per LDC section 10.04.09 shall be required.

d. An affordability commitment by Agreement or Ordinance pursuant to LDC section 2.07.00 or an agreement pursuant to LDC section 2.06.04 shall be recorded.

e. All units within the project must be affordable, and are subject to the following:

i. For units that are to be sold, at least one-half of the units must be sold at a price point affordable to either the low- or very-low-income level households identified in LDC section 2.07.02 A. The remaining units can be sold at a price point that is affordable to any income levels identified in LDC section 2.07.02 A.



- 1                    ii. For units that are for rent, all units must be at a price points
- 2                    affordable to low- and very-low-income level households.
- 3
- 4                    f. Housing that is affordable by Right in commercial zoning districts project
- 5                    must satisfy the dimensional standards of the underlying commercial
- 6                    zoning district, except that the minimum distance between structures shall
- 7                    be 10 feet. In addition, when the proposed project is abutting any property
- 8                    occupied by, or zoned to allow a single family dwelling unit, the following
- 9                    shall be applicable:
- 10
- 11                    i. The minimum setback from the common boundaries shall be equal
- 12                    to the project's proposed zoned building height; and
- 13
- 14                    ii. A Type "B" buffer shall be provided along the common boundaries.
- 15                    The trees within such buffer shall be a minimum of 14 feet in height
- 16                    at the time of installation if the buildings are greater than a zoned
- 17                    height of 40 feet and are adjacent to property occupied by or zoned
- 18                    to allow single family dwellings.
- 19

**4.02.41 – Housing that is Affordable within Mixed Use Activity Centers and Interchange Activity Centers**

- 20
- 21
- 22
- 23 A. To increase density beyond what is otherwise allowed 16 units per acre within a Mixed
- 24 Use Activity Center or an Interchange Activity Center, additional units per acre are
- 25 required to be affordable for specified income levels, as identified in the chart within LDC
- 26 section 2.07.02 A. ~~Additionally, the following are required:~~
- 27
- 28 1. For residential only projects:
- 29
- 30                    a. In the Urban Residential Fringe Subdistrict, projects are eligible for 1.5
- 31                    DU/A without the use of TDR Credits or up to 2.5 DU/A with the use of TDR
- 32                    Credits or up to 25 DU/A with the Mixed-Income Housing Program.
- 33
- 34                    b. In the Urban Coastal Fringe Subdistrict, projects are eligible for up to 4
- 35                    DU/A or up to 25 DU/A with the Mixed-Income Housing Program only if
- 36                    located outside of the CHHA.
- 37
- 38                    c. In the Urban Residential Subdistrict, projects are eligible for up to 16 DU/A
- 39                    or up to 25 DU/A with the Mixed-Income Housing Program only if located
- 40                    outside of the CHHA.
- 41
- 42                    d. The Mixed Income Housing Program is not applicable in the
- 43                    Bayshore/Gateway Triangle Redevelopment Overlay.
- 44
- 45 2. For mixed use projects:
- 46
- 47                    a. In the Urban Residential Fringe Subdistrict, projects are eligible for 1.5
- 48                    DU/A without the use of TDR Credits or up to 2.5 DU/A with the use of TDR
- 49                    Credits or up to 25 DU/A with the Mixed-Income Housing Program.
- 50

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b. In the Urban Coastal Fringe Subdistrict and in the Urban Residential Subdistrict and not within the CHHA, projects are eligible for up to 16 DU/A or up to 25 DU/A with the Mixed-Income Housing Program only if located outside of the CHHA.

c. In the Urban Coastal Fringe Subdistrict and in the Urban Residential Subdistrict if located within the CHHA, projects are eligible for up to 4 DU/A. The Mixed- Income Housing Program is not applicable in the CHHA.

d. The Mixed-Income Housing Program is not applicable in the Bayshore/Gateway Triangle Redevelopment Overlay.

B. The project shall be submitted as a Planned Unit Development or Planned Unit Development Amendment; and

~~2. Affordability commitments by Agreement or Ordinance pursuant to LDC section 2.07.00 or an agreement pursuant to LDC section 2.06.04 shall be recorded.~~

C. The following commitments are required for housing that is affordable within Mixed Use Activity Centers and Interchange Activity Centers.

1. Affordability commitments by Agreement of Ordinance pursuant to LDC section 2.07.00.

2. For units that are to be sold, at least two-thirds of the first six units per acre above 16 units per acre (for example, four of six units per acre of bonus density) must be sold at a price point that is affordable to low- and/or very-low-income level households identified within the chart in LDC section 2.07.02 A. The remaining one-third of this increment shall have no required commitment for housing that is affordable. Two-thirds of the final three units per acre (for example, two of three units per acre of bonus density) shall be sold at a price point affordable to households of any of the income levels identified within the chart in LDC section 2.07.02 A. The remaining one-third of this increment shall have no required commitment for housing that is affordable. The maximum density shall not exceed 25 dwelling units per acre.

3. If the proposed project is to be a rental community, two-thirds of the bonus density (for example, six of nine units per acre of bonus density) must be made available at a price point that is affordable to low- and/or very-low-income level households as identified within the chart in LDC section 2.07.03 A.1. The remaining one-third of this increment shall have no required commitment for housing that is affordable. The maximum density shall not exceed 25 dwelling units per acre.

D. When the proposed project is abutting to any property occupied by, or zoned to permit, a single family dwelling unit:

1. The minimum setback from the common boundaries shall be equal to the project's proposed zoned building height; and

2. A Type “B” buffer shall be provided along the common boundaries. The trees within such buffer shall be installed a minimum of 14 feet height if the buildings within the housing that is affordable project are greater than 40 feet in height.

**4.02.42 –Transit Oriented Development (TOD) ~~Design Standards~~**

A. ~~As expressed in Policy 12.10 of the Transportation Element and the Density Rating System of the Future Land Use Element within the GMP,~~ Higher density multi-family projects are prioritized along existing and proposed Collier Area Transit routes within portions of the Urban designated areas of the County.

B. ~~All proposed multi-family~~ Projects that front on an existing Collier Area Transit fixed route or on a proposed route as identified for funding on the Transit Development Plan that are consistent with the Transit Oriented Development Subdistrict in the GMP are eligible for a base density of up to 13 dwelling units per acre, subject to compliance with the design standards identified in LDC section 4.02.42 F. Projects are eligible for an additional 12 DU/A when providing housing that is affordable pursuant to LDC section 4.02.42 D. and designated Urban Mixed Use District on the FLUM are eligible for a maximum base density of 13 units per acre, subject to compliance with the design standards identified in LDC section 4.02.42 C.

C. The project shall be submitted as a Planned Unit Development or Planned Unit Development Amendment

D. The residential component of the PUD shall be limited to multifamily units only.

E. Eligible Density.

a. Baseline TOD: a maximum of 13 units per acre.

b. Housing that is affordable TOD: a maximum of 25 units per acre.

F. Design Standards for TOD.

~~1. The residential component of the project must be multi-family and submitted as a Planned Unit Development or Planned Unit Development Amendment.~~

1. A minimum of 50 percent of all units within the project shall be located within a transit core, which is within one-quarter of a mile of an existing or proposed transit stop, shelter, or station, measured as a radial distance from the perimeter of the existing or proposed building or structure footprint of the transit stop, shelter, or station.

2. The requirement for internal interconnection among major project phases, sections, or types of uses as outlined in LDC section 4.04.02 B.2 applies to TOD project phases, sections, or types of uses. During the development or redevelopment of TOD projects, the requirement for shared access and interconnection as outlined in LDC section 4.04.02 B.3 shall also apply.

3. Setback for Principal Structures to project boundaries and buffer requirement.

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a. Front Yard - Minimum 10 feet, maximum 25 feet.

b. Side and Rear Yard – The minimum setback shall be 50 percent of the building height, except that when abutting any property occupied by or zoned to permit a single-family dwelling unit, the minimum setback shall be equal to the project’s proposed building height. In these instances, a Type “B” buffer shall be provided along the common boundaries.

4. Where a TOD is proposed along an existing Collier Area Transit (CAT) fixed route or on a proposed route as identified for funding on the Transit Development Plan and no transit stop, shelter, or station exists, the petitioner must provide a commitment in the PUD to construct a permanent transit stop, shelter, or station in accordance with the Transit Development Plan to be eligible for the TOD density. The location shall be approved by CAT staff.

~~6. Eligible density.~~

~~a. Baseline TOD: a maximum of 13 units per acre.~~

~~b. Housing that is Affordable TOD: a maximum of 25 units per acre.~~

G. Additional requirements for a housing that is affordable Transit Oriented Development.

1. Affordability commitments by Agreement or Ordinance pursuant to LDC section 2.07.00 and ~~or an agreement pursuant to LDC section 2.06.04~~ shall be recorded.

2. For units that are to be sold, at least two-thirds of the first nine units per acre of bonus density (six units per acre) in excess of 13 units per acre must be sold at a price point affordable to low- and/or very-low-income level households identified within the chart in LDC section 2.07.02 A. Two-thirds of the final three units per acre of bonus density (two units per acre) shall be sold at a price point affordable to households at any of the income levels identified within the chart in LDC section 2.07.02 A. The remaining one-third of this increment shall have no required commitment for housing that is affordable.

3. For units that are for rent, two-thirds of all units in excess of 13 units per acre must be made available at a price point affordable to low- and/or very- low-income level households as identified in the chart in LDC section 2.07.02 A. The remaining one-third of this increment shall have no required commitment for housing that is affordable.

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## Exhibit A – Background

After holding two affordable housing workshops, the Board of County Commissioners voted on June 14, 2016, to establish the Collier County Workforce Stakeholder Ad Hoc Committee (Stakeholder Committee) and to develop a short- and long-term housing plan, pursuant to Resolution 2016-135. In early 2017, the Urban Land Institute (ULI) performed a panel review of the housing situation in Collier County, resulting in the creation of a report titled *A ULI Advisory Services Panel Report Collier County, Florida, January 29-February 3, 2017*. The ULI Panel Report concluded “that Collier County absolutely has a housing affordability problem” and its recommendations centered upon six core strategies. Later, the Stakeholder Committee, Affordable Housing Advisory Committee, and staff developed a Community Housing Plan (CHP), which was accepted by the Board on October 25, 2017.

# Exhibit B – Excerpt of ULI Advisory Services Panel Report

## Implementation

**THE PANEL IS IMPRESSED WITH** the planning and study that has already been completed regarding housing affordability in Collier County. The panel's recommendations reflect and endorse much of the work that has already been completed. However, *what is abundantly clear to the panel is that action and implementation are crucial to creating sustainable solutions.* Implementation of the panel's recommendations will require sincere action, tremendous political will, and strong leadership. For additional reference, the panel has created a proposed implementation schedule to provide a blueprint for how to move forward on the recommendations described throughout this section in the short, medium, and long term. (See appendix A.)

The panel's major recommendations are organized around the following six core strategies to address housing affordability:

- Increase supply;
- Maintain supply;
- Regulate and govern;
- Enhance transportation options;
- Enhance wages; and
- Engage, market, and educate.

### Increase Supply

How can Collier County meet its current and future housing needs? One approach to achieving the goals is by adding housing that is affordable to households with a wide range of income levels. *There is good news to share: several strategies include simply making improvements to existing procedures and vehicles rather than creating new*

*programs entirely.* There is no need to reinvent the wheel when existing structures already support the development of more affordable housing.

### The Housing Trust Fund

The housing trust fund (HTF) is an example of a national best practice that Collier County currently has at its disposal but does not use. More than 700 HTFs exist nationwide, and they are often a critical element of a jurisdiction's overall housing policy.

Collier County's HTF should be sustainable and predictable, given the long planning process involved in housing development. The county should keep in mind that what can make an HTF challenging is finding viable revenue sources. Other jurisdictions have funded their trust funds through sales taxes, real estate transfer taxes, linkage fees as part of the zoning ordinance, inclusionary zoning in-lieu fees, condominium conversion fees or demolition fees, and hotel and motel taxes. The best and most common revenue source for a county HTF is a document recording fee, which is a fee paid upon filing various types of official documents with a state or local government. This fee is one of the few revenue sources that most counties can commit to, and the panel recommends Collier County consider this approach.

### Development Incentives

The county's existing developer incentives have clearly failed to transform existing development patterns and allow for greater production of housing that is affordable to a broad range of low- to moderate-income households. Any developer incentives need to be reasonable, be flexible, and allow for creative partnerships to produce new, affordable homes. The panel strongly recommends that the county put increased emphasis on multifamily rental

## EXHIBIT C – CHP Initiatives

1. Provide regulatory relief to certain housing applications.
2. Allow for commercial-to-residential conversion via the Hearing Examiner.
3. Develop guidelines to incentivize mixed-income residential housing.
4. Develop a process to designate certain Strategic Opportunity Sites allowing for increased density.
5. Provide an increase in density to the Community Redevelopment Agency areas and along transit corridors.

### **Tennant Retention Policy**

Recognizing the need for affordable housing and balancing a tenant's incremental increase in income associated with their primary source of income, over time as the tenant resides in a unit, the tenant will not be required to income verify annually as a recertification so long as the tenant does not change residences, and does not obtain a secondary source of income, and experiences no change in living status.

The intent of this policy is to not penalize the tenant who met the initial income verification and through an incremental increase in income over time would no longer qualify within the percentage of AMI.

Example: The tenant initially qualified for the 60-80% AMI affordable housing and over the duration of employment now exceeds the 80% AMI threshold. Rather than having this tenant no longer qualify for the affordable unit and have to either move out of the residence or begin paying market-rate rent, the tenant would be permitted to remain in the residence paying the rent at the 80% AMI level.



## Milano Lakes Email re Essential Service Personnel Employer

Milano Lakes participates in an Essential Service Personnel (ESP) affordable housing program with Collier County. ESPs may qualify for reduced and affordable rents at Milano Lakes, depending on the income and household size. ESPs are also able to prequalify for affordable housing at Milano Lakes. If you or a potential ESP would like more information, please email: [Melody.Bradshaw@livebh.com](mailto:Melody.Bradshaw@livebh.com) or call: (239-732-0017).

Milano Lakes currently has availability in 1, 2, and 3 bedroom apartments. Some units allow for a rental discount, others allow for a reduction off the application and administrative fees due upon applying.

- Reduced rents are starting as low as \$936 for one bedroom.
- Currently running an additional special; anyone who moves in before 5/31/24 will receive the application and admin fees completely free. This is based on approved applications. The fees will be paid up front then credited toward their first month's rent.

Please contact Melody Bradshaw for more details. ESPs can also stop by our leasing office to fill out an application.

## Cormac Giblin

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**From:** Melody Bradshaw <Melody.Bradshaw@livebh.com>  
**Sent:** Thursday, May 2, 2024 9:58 AM  
**To:** Collier County Veteran Services; Cormac Giblin; Cynthia Kemner; EMS Admin; erandeni.romero-garnelo@svdpdisaster.org; george.harvey@fsw.edu; glassdoctorcharlotte@gmail.com; housing@nchmd.org; hr@immfire.com; hr@naplesgov.com; hrhumanresources@nchmd.org; HR Operations; jenniferheart@nchmd.org; karoney@cityofmarcoisland.com; kshelmerdine@avemarialaw.edu; Leslie Sanford; Maria Gonzalez; Michael Puchalla; nchesser@gnfire.org; staffingccps@collierschools.com  
**Subject:** Milano Lakes ESP availability

**EXTERNAL EMAIL:** This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

Dear Essential Service Personnel Employer,

Milano Lakes participates in an Essential Service Personnel (ESP) affordable housing program with Collier County. ESPs may qualify for reduced and affordable rents at Milano Lakes, depending on their income and household size. ESPs are also able to prequalify for affordable housing at Milano Lakes. If you or a potential ESP would like more information, please me at this email address or by phone (239-732-00017).

We currently have availability in 1, 2 and 3 bedroom apartments. Some units allow for a rental discount, others allow for a reduction off the application and administrative fees due upon applying. Reduced rents are starting as low as \$936 for one bedrooms. Please contact me for more details. ESPs can also stop by our leasing office to fill out an application.

Thank you,

\*\*Currently we are running an additional special; anyone who moves in before 5/31/24 will receive the application and admin fees completely free. This is based on approved applications. The fees will be paid up front then credited toward their first month's rent.

**Melody Bradshaw**  
Community Manager



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**T:** (239) 732-0017  
Milano Lakes  
3713 Milano Lakes Circle Naples FL 34114  
**Prop Code:** 2073  
livebh.com



## Sarah Harrington

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**From:** Melody Bradshaw <Melody.Bradshaw@livebh.com>  
**Sent:** Tuesday, May 14, 2024 10:54 AM  
**To:** Sarah Harrington; Cormac Giblin  
**Subject:** Re: Affordable Housing Advisory Committee- May 21 Agenda

**EXTERNAL EMAIL:** This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

Sarah,

Thank you for sending this. I wanted to update you since we are a topic of discussion in the upcoming meeting. We have 4 different categories for the ESP program. Two of the categories do not offer any discounted rent (there is an option for ½ off app and admin fees). The other two categories (50 and 80% of the median income) do offer discounted rent. Unfortunately, we do not have any of those units currently available. The next one I will have is a one bedroom in Sept. I will keep you posted on any changes.

Thank you,

**Melody Bradshaw**  
Community Manager



**T:** (239) 732-0017  
Milano Lakes  
3713 Milano Lakes Circle Naples FL 34114  
**Prop Code:** 2073  
livebh.com



**From:** Sarah Harrington <Sarah.Harrington@colliercountyfl.gov>  
**Sent:** Tuesday, May 14, 2024 10:47 AM  
**To:** Cormac Giblin <Cormac.Giblin@colliercountyfl.gov>  
**Subject:** Affordable Housing Advisory Committee- May 21 Agenda

### This Message Is From an External Sender

This message came from outside your organization.

Good evening,

Please see attached agenda for the AHAC Meeting on **Tuesday, May 21<sup>st</sup>, 2024 at 09:00 am** in the Growth Management Community Development Building, Conference Room 609/610.

Please let me know if there are any questions. Hope you have a nice day. Thank you!

Sarah Harrington  
Manager - Planning  
Economic Development & Housing

Office: [239-252-4211](tel:239-252-4211)

[Sarah.Harrington@colliercountyfl.gov](mailto:Sarah.Harrington@colliercountyfl.gov)



Collier County



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Under Florida Law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by telephone or in writing.

SHIP Incentive Strategies Report 2024 Timeline

**February 20** – AHAC Subcommittee Meeting: Layout Incentive Strategies Report schedule

**March 19** – AHAC Meeting: Layout Incentive Strategies Report schedule to AHAC

**May 21** – AHAC Meeting: Bring 2023 Incentive Strategies Report & Executive Summary to AHAC

Bring Combined 2023 Incentive Strategies Report & Action Plan to AHAC as 2024 First Draft

**July 16** – AHAC Meeting: Review 2024 *First Draft* Incentive Strategies Report to AHAC

**September 7** – AHAC Meeting: *Review/Approval* of Incentive Strategies Report

**October 8** – Staff Deadline to Upload Incentive Strategies Report into County's Agenda system for Nov. 12 BCC Meeting

**November 12** – BCC Meeting Approval of Incentive Strategies Report

**December 31** – Incentive Strategies Report Due to State

## EXECUTIVE SUMMARY

**Recommendation to approve and submit the 2023 State Housing Initiatives Partnership Incentive Strategies Report to Florida Housing Finance Corporation and Florida Housing Coalition as required by section 420.9076, Florida Statutes.**

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**OBJECTIVE:** To comply with section 420.9076, Florida Statutes, and provide an annual report that evaluates the implementation of affordable housing incentives in eleven (11) required areas.

**CONSIDERATIONS:** Collier County, as a State Housing Initiatives Partnership (SHIP) program recipient, must prepare an annual report that reviews established policies, procedures, ordinances, land development regulations, and the local Comprehensive Plan. At a minimum, the Affordable Housing Advisory Committee (AHAC) shall submit a report to the local governing body, the Board of County Commissioners (BCC), that evaluates the implementation of the eleven (11) required affordable housing incentives required by statute. The report is a joint effort between Housing Policy and Economic Development staff, Community and Human Services Division (CHS) staff, and the AHAC. This required incentives strategies report was due to the Florida Housing Finance Corporation (FHFC) every three (3) years, until 2020 House Bill 1339 made this an annual requirement of the SHIP program.

The eleven (11) incentives required to be reviewed are:

1. Expedited Permitting (for housing that is affordable)
2. Modification of Impact Fees
3. Flexible Densities
4. Reservation of Infrastructure Capacity
5. Parking and Setback Requirements
6. Accessory Dwelling Units
7. Flexible Lot Configurations
8. Modification of Street Requirements
9. Process of Ongoing Review (provisions that could impact housing affordability)
10. Public Land Inventory and
11. Development Near Transportation.

The AHAC may also explore and report on other incentives as directed by the Board.

The AHAC meets monthly and reviews the required eleven (11) incentives. Some of these eleven (11) required areas of incentives were addressed through the 2017 Collier County Community Housing Plan (CHP). Based upon the recommendations in the 2017 CHP, some of the required incentives are either recently completed or are in the process of being implemented or already reviewed and evaluated by County staff, the Development Services Advisory Committee (DSAC), and forwarded to the Planning Commission and the BCC for review and approval.

A draft SHIP Incentives Strategies Report was presented at a public hearing of AHAC on September 19 and October 17, 2023. An advertisement and summary of the SHIP Incentives Strategies Report and the AHAC meeting notice were published in the Naples Daily News on October 13, 2023. In addition, the SHIP Incentives Strategies Report was also made available on the Collier County website.

No public comments were received at the October 17, 2023, public hearing or before the meeting. The SHIP Incentives Strategies Report was reviewed and discussed by AHAC with unanimous approval to forward the report to the BCC for acceptance and submittal to FHFC.

The BCC has ninety (90) days from the submittal of the SHIP Incentives Report to act on the recommendations and amend the Local Housing Assistance Plan (LHAP) to include any new or amended incentives.

**FISCAL IMPACT:** Costs associated with the SHIP Incentives Strategies Report include advertising fees of \$329.28, along with staff time and resources for compiling the Report. Execution of this report will ensure that Collier County continues to participate in and receive future funding for the SHIP Program, which is budgeted in the SHIP Fund (1053). The SHIP Incentives Strategies Report outlined in the Report may assist in the development of future housing initiatives which may budgeted in the Affordable Workforce Housing Fund (1075).

**LEGAL CONSIDERATIONS:** This item is approved for form and legality and requires a majority vote for Board action. -DDP

**GROWTH MANAGEMENT IMPACT:** The State Housing Initiatives Partnership (SHIP) program assists Collier County in addressing goals and objectives in the Housing Element of the Growth Management Plan.

**RECOMMENDATION:** To approve and submit the 2023 State Housing Initiatives Partnership Incentive Strategies Report to Florida Housing Finance Corporation and Florida Housing Coalition as required by section 420.9076, Florida Statutes.

Prepared by: Sarah Harrington, Planning Manager, Housing Policy, and Economic Development Division

**ATTACHMENT(S)**

1. 2023 State Housing Initiatives Partnership Incentive Strategies Report 101723-1151 (PDF)

**COLLIER COUNTY**  
**Board of County Commissioners**

**Item Number:** 16.A.15**Doc ID:** 26940**Item Summary:** Recommendation to approve and submit the 2023 State Housing Initiatives Partnership Incentive Strategies Report to Florida Housing Finance Corporation and Florida Housing Coalition as required by section 420.9076, Florida Statutes.**Meeting Date:** 11/14/2023**Prepared by:**

Title: – Development Review

Name: Sarah Harrington

10/16/2023 9:57 AM

**Submitted by:**

Title: Department Head - GMD – Growth Management Community Development Department

Name: James C French

10/16/2023 9:57 AM

**Approved By:**

## Review:

Corporate Business Operations	Diane Lynch	Stage 1 Review	Skipped	10/16/2023 10:21 AM
Development Review	Cormac Giblin	Additional Reviewer	Skipped	10/17/2023 12:07 PM
Development Review	Cormac Giblin	Additional Reviewer	Completed	10/17/2023 12:08 PM
Development Review	Kelly Green	Stage 1 Review	Completed	10/17/2023 12:17 PM
Operations & Regulatory Management	Michael Stark	Additional Reviewer	Completed	10/17/2023 1:00 PM
Transportation Management Operations Support		Evelyn Trimino	Additional Reviewer	Completed 10/17/2023 2:16 PM
Growth Management Community Development Department	Diane Lynch		Growth Management Department	Completed 10/24/2023 11:48 AM
Corporate Business Operations	Diane Lynch	Executive Director - Corp Bus Ops	Skipped	10/17/2023 1:29 PM
County Attorney's Office	Derek D. Perry	Level 2 Attorney Review	Completed	10/27/2023 1:33 PM
Growth Management Community Development Department	James C French		Growth Management	Completed 11/01/2023 1:01 AM
Grants	Erica Robinson	Level 2 Grants Review	Completed	11/02/2023 8:47 AM
Office of Management and Budget	Debra Windsor	Level 3 OMB Gatekeeper Review	Completed	11/02/2023 8:53 AM
County Attorney's Office	Jeffrey A. Klatzkow	Level 3 County Attorney's Office Review	Completed	11/02/2023 9:00 AM
Grants	Therese Stanley	Additional Reviewer	Completed	11/02/2023 5:42 PM
Office of Management and Budget	Christopher Johnson	Additional Reviewer	Completed	11/06/2023 12:14 PM
County Manager's Office	Ed Finn	Level 4 County Manager Review	Completed	11/08/2023 12:49 PM
Board of County Commissioners	Geoffrey Willig	Meeting	Pending	11/14/2023 9:00 AM



# Incentive Strategies Report

Affordable Housing Advisory Committee  
Report to Board of County Commissioners  
SHIP Affordable Housing Incentive Strategies

SUBMITTED TO: COLLIER COUNTY BOARD OF COUNTY COMMISSIONERS

SUBMITTED TO: ROB DEARDUFF  
FLORIDA HOUSING FINANCE CORPORATION

DATE SUBMITTED: 12/\_\_\_\_/2024

PREPARED BY: HOUSING POLICY & ECONOMIC DEVELOPMENT DIVISION,  
COMMUNITY & HUMAN SERVICES DIVISION, and AHAC

## BACKGROUND

As a recipient of State Housing Initiatives Partnership funds, Collier County established an Affordable Housing Advisory Committee in 1993 (Ord 93-19) and repealed and replaced early versions with Ord.2013-27, further amended by Ord.2020-27 as required by the Florida Statutes, Sec. 420.9076.

The AHAC is responsible for reviewing and evaluating local plans, policies, procedures, land development regulations, the Comprehensive Plan, and other aspects of County housing activities that affect the production of affordable housing. Further, the AHAC is specifically directed by the SHIP Statute to consider and evaluate the implementation of the incentives set out at Florida Statutes, Sec. 420.9076 (4)(a)-(k).

Based on the AHAC evaluation, it may recommend to local government that it make modifications of, exceptions to, or creation of new plans, policies, procedures, and other governing vehicles which would encourage production of affordable housing.

As approved by the Collier County Board of County Commissioners, the recommendations are then used to amend the Local Housing Assistance Plan (LHAP) and the local Comprehensive Plan Housing Element.

## COMMITTEE COMPOSITION

The Board of County Commission appointed or re-appointed members to the Committee via Ordinance 2020-27 recognizing the requirement to appoint an elected official and on December 13, 2022, appointed a new Board Elected Official. On June 13, 2023, three (3) new members were appointed. Florida Statutes, Sec. 420.9076 (2) lists the categories from which committee members must be selected. Each AHAC must have a locally elected official from the county or municipality participating in the SHIP program. The locally elected official must be from the County or

municipality. The elected official will count as a member of the AHAC for purposes of meeting the number of members requirements.

There must be at least eight committee members but no more than eleven committee members with representation from at least six of the following categories:

- (a) A citizen who is actively engaged in the residential home building industry in connection with affordable housing.
- (b) A citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- (c) A citizen who is a representative of those areas of labor actively engaged in homebuilding in connection with affordable housing.
- (d) A citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.
- (e) A citizen who is actively engaged as a for-profit provider of affordable housing.
- (f) A citizen who is actively engaged as a not-for-profit provider of affordable housing.
- (g) A citizen who is actively engaged as a real estate professional in connection with affordable housing.
- (h) A citizen who actively serves on the local planning agency pursuant to s. 163.3174. If the local planning agency is comprised of the governing board of the county or municipality, the governing board may appoint a designee who is knowledgeable in the local planning process.
- (i) A citizen who resides within the jurisdiction of the local governing body making the appointments.
- (j) A citizen who represents employers within the jurisdiction.
- (l) A citizen who represents essential services personnel, as defined in the local housing assistance plan.

The currently appointed AHAC Committee members are included here, along with their category affiliation.

<b>Category Represented</b>	<b>Name</b>	<b>Date Appointed</b>	<b>Term Expiration Date</b>
Elected Official	Chris Hall	12/13/2022	01/1/2024
Residential Home Building Industry	Stephen J. Hruby	11/08/2022	10/1/2025
Non-Profit Provider	Arol I. Buntzman	11/08/2022	10/1/2024
Labor Engaged in Home Building	Gary Hains	12/14/2021	10/1/2024
Advocate for Low Income Persons	Thomas P. Felke	06/13/2023	10/1/2024
Employers within Jurisdiction	Andrew Terhune	06/13/2023	10/1/2026
Essential Services Personnel	Todd Lyon	11/08/2022	10/1/2025
Member of the Collier County Planning Commission	Paul Shea	03/08/2022	10/1/2026
Resident in Jurisdiction	Mary Waller	10/27/2020	10/1/2026
Employers within Jurisdiction	Hannah Roberts	06/13/2023	10/1/2026
Real Estate Professional	Jennifer L. Faron	11/08/2022	10/1/2025

## **AFFORDABLE HOUSING RECOMMENDATIONS**

The AHAC has reviewed local government plans, policies, and procedures, ordinances, regulations, statutes, and the comprehensive plan, among other documents applicable to affordable housing, for evaluation of their impacts on affordable housing.

Further, the AHAC has specifically considered and evaluated the strategies set out in Florida Statutes, Sec. 420.9076 (4)(a)-(k).

Based on this review and evaluation, the AHAC has formulated recommendations to the County Commission that it incorporate into its housing strategy certain changes designed to encourage production of affordable housing.

The AHAC, from its review, consideration, evaluation, and recommendations, drafts and submits this report to the County Commission and to Florida Housing Finance Corporation, which details the scope of its work and the resulting recommendations.

From the review and evaluation of the local government documents, the AHAC makes these recommendations to the County Commission that it incorporate into its housing strategy the following:

### **RECOMMENDATION 1: Complete the Implementation and Adoption of four (4) Regulatory Relief Initiatives previously approved through the Collier County Community Housing Plan. These Initiatives include:**

- (a) Permit housing that is affordable by right in Commercial Zoning Districts**
- (b) Increase allowed density in Activity Centers from 16 units per acre (upa) to 25 upa**
- (c) For any properties designated as Strategic Opportunity Sites (SOS) allow a maximum density of 25 upa**
- (d) Establish a policy to encourage higher density along transit corridors.**

Meeting Synopsis: The County's Affordable Housing Advisory Committee (AHAC) has reviewed various staff and consultant (Johnson Engineering) recommendations to provide development standards and regulatory relief for housing that is affordable. AHAC has reviewed and provided input on four (4) additional initiatives during 2023 and will continue to work to bring forward development standards providing regulatory relief for housing that is affordable.

Existing Strategy: These four (4) initiatives were recommended for adoption by the Collier County Planning Commission on October 5, 2023, and the Board of County Commissioners (BCC) on November 14, 2023.

Schedule for Implementation: The Zoning Division is finalizing the Land Development Code (LDC) to implement the recommended changes in these four (4) initiatives.

**RECOMMENDATION 2: AHAC encouraged and is working with the staff to create a transparent publicly accessible data base with corresponding GIS map to identify, locate and provide data and long-term monitoring results for all housing that is affordable in Collier County.**

Meeting Synopsis: The County's Affordable Housing Advisory Committee (AHAC) determined a need for citizens to locate information pertaining to affordable housing within Collier County.

Existing Strategy: From April through August 2023, staff compiled and verified a database of active affordable housing commitments in Collier County. The database's information was then presented in a visually concise map to the AHAC at the August 2023 AHAC meeting. Feedback from the AHAC meeting was incorporated and the final map brought back to AHAC.

Schedule for Implementation: On-going annual review and update of the database's information and corresponding updates to the affordable housing map will be completed by staff and AHAC.

**RECOMMENDATION 3: AHAC recommends consolidation of the work plan matrix identifying actions, timeframes, and outcome goals into the SHIP Incentives Plan.**

Meeting Synopsis: The County's Affordable Housing Advisory Committee (AHAC) determined a need to identify areas of action with associated timelines as a roadmap for AHAC's guidance.

Existing Strategy: AHAC formed a sub-committee to create the work plan with assistance from staff. From April through August 2023, the workplan was completed and brought to the AHAC for review and approval.

Schedule for Implementation: The AHAC will continue to Promote, Recommend, Review the incorporation of affordable housing. On-going discussion in 2024 to include reviewing the SHIP Incentives Report every other month at an AHAC meeting to assess progress and update associated timelines.

**To Promote: AHAC will seek to promote substantive and impactful policies and program through active participation and engagement in the community.**

- **Promote support by the community for projects under consideration at Neighborhood Information Meetings. Zoning Division; HP&ED Division. AHAC members will volunteer to participate in NIMS and report back to AHAC at next meeting.**
- **Promote publication on websites of incentives available to developers of affordable/workforce housing. CHS Website; HP&ED Division will request updates to the website through an email to CHS requesting the website vendor (Quest) perform the updates. Continue to monitor & update website as needed.**
- **Promote understanding of local employer needs and plans for workforce housing. HP&ED Division will meet with local employers and report back to AHAC after the meeting. Request employers share their need for Affordable Housing to AHAC**

- Promote construction of workforce housing by positively engaging developers in official and unofficial communications. After a developer is identified: HP&ED Division will coordinate with the Developer to bring forward the proposed project to AHAC. Request Developers to present projects for Affordable Housing to AHAC

To Recommend: AHAC will encourage and positively support the consideration of policies, plans and programs by the BCC that will encourage the development and preservation of affordable housing.

- Recommend and approve updates to the required annual Housing Incentives Strategy report. HP&ED Division. (\*This report will be updated in the spring of 2024. Provide timeline of completion based upon AHAC meeting every other month.) Complete updates and present to AHAC during September Meeting; Finalize and approve at November AHAC meeting; Take to BCC after AHAC November meeting
- Recommend approval of LDC changes. Zoning Division; HP&ED Division. Changes were approved by the BCC on March 28, 2023, with revisions. Coordinate with Florida Department of Commerce; Review and approval by the State of FL and BCC.
- Recommend approval of RF MUD Transfer of Development Right changes. Zoning Division; HP&ED Division. 12.2 DU/A. Adopted GMPA and moving forward with LDCA. On going.
- Recommend approvals for Accessory Dwelling Units (ADUs). Zoning Division; HP&ED Division. Current Status: In Process. Next Steps: In Process. Update last provided at July meeting and future updates provided as applicable.
- Recommend approval for a non-voting member of the Development Services Advisory Committee (DSAC). HP&ED Division. Current Status: In Process. Bring DSAC-AHAC liaison. July AHAC meeting.
- Recommend consideration of new affordable housing projects. After a developer submits a proposed project to HP&ED Division, HP&ED will coordinate with the Developer to bring forward the proposed project to AHAC. LGAO Applicants invited to present at August AHAC meeting. Request Developers to present projects for Affordable Housing to AHAC. Timeline based upon proposed project.
- County Level: Recommend consideration of changes to impact fee policies to promote construction of more affordable units. Zoning Division; HP&ED Division. State unable to support County's increased density within the CHHA. Complete updates and present to AHAC during future Meeting. Projected Timeline: No Change.
- Recommend consideration of changes to parking requirements for affordable housing projects. Zoning Division; HP&ED Division. Current Status: No Change. Next Steps: On going. Projected Timeline: No Change.
- Recommend policy to dispose of Surplus Land. HP&ED Division.

To Review: AHAC will review its work by evaluating the number of newly completed and ongoing projects to build affordable housing and incorporate those findings into its future work plans.

- Review on a quarterly basis the list of ongoing projects. HP&ED Division. Due to staffing issues, this report will be delayed and most likely moved to a semi-annual basis. Complete updates and present to AHAC during future Meeting. August AHAC meeting.
- Review on a quarterly basis the number of available and occupied rental units. CHS; PUD Monitoring. Annual Monitoring. Complete updates and present to AHAC during future Meeting. Timeline based upon proposed project.
- Review impact of affordable housing projects that have been completed and are open and make recommendations on any changes to plans, programs, policies and incentives that will improve outcomes in the future. CHS; HP&ED Division. Due to staffing issues, this report will be delayed and most likely moved to a semi-annual basis. Complete updates and present to AHAC during future Meeting. Timeline based upon proposed project.
- Monitoring. CHS; HP&ED Division. Annual Monitoring. Complete updates and present to AHAC during future Meeting. Timeline based upon proposed project.
- Compliance. CHS; HP&ED Division. Annual Monitoring. Complete updates and present to AHAC during future Meeting. Timeline based upon proposed project.

**RECOMMENDATION 4: AHAC recommends staff identify challenges and opportunities presented through the State’s recent adopting of the Live Local Act (LLA), including:**

- a) **Identify parcels eligible for use with the Live Local Act.**
- b) **Identification of areas where the Live Local Act conflicts with existing local development regulations.**
- c) **Development of solutions to resolve these conflicts, while ensuring all life/safety regulations are appropriately adhered to and unintended detrimental impact is mitigated.**
- d) **Participate in a public forum with all stakeholders to brainstorm the issues developers are facing in relation to implementing the Live Local Act.**

Meeting Synopsis: The County's Affordable Housing Advisory Committee (AHAC) determined a need to evaluate the Live Local Act (LLA). LLA offers certain benefits regarding maximum densities and building height within a one-mile radius, to developers who agree to abide by the 30-year affordability restriction and other requirements. AHAC requested a mapping of the commercial properties that would potentially fall under the LLA provisions. The LLA went into effect July 1, 2023, and since then, staff shared with AHAC observed difficulties developers are experiencing associated with implementation of the LLA. AHAC is working with staff to evaluate the impact and practicality of the LLA, as well as to identify what obstacles exist in our present codes that will hinder the use of LLA.

Existing Strategy: Staff compiled and provided to AHAC during 2023 a map of all properties zoned commercial, industrial, and mixed-use eligible for LLA. The County and AHAC identified areas where the LLA benefits cannot be maximized due to conflicts with other existing regulations such as parking, setback, and street requirements.

Schedule for Implementation: During the first quarter of 2024, AHAC will participate in a forum

with all stakeholders to brainstorm the issues developers are facing in relation to implementing the LLA. On-going discussion in 2024 to include reviewing and evaluating proposed regulations and developments on a rolling and as requested basis.

**RECOMMENDATION 5: Use of Collier County Surtax Funding for Affordable Housing Land Acquisition, including the development and use of evaluation criteria for reviewing parcels and proposed developments.**

Meeting Synopsis: Ordinance 2018-21 imposed a countywide local government infrastructure surtax of one percent (1%) (commonly referred to as the Surtax funds) collected on all authorized taxable transactions occurring within Collier County as authorized by F.S. 212.055(2). The tax was authorized to begin on January 1, 2019 and continue for a period of seven years or until the aggregate funds of \$490 million were collected, whichever was sooner. Of the aggregate \$490 million dollars, \$20 million dollars is allocated for land acquisition specifically for affordable housing.

In 2023 oversight of the Surtax Affordable Housing Land Acquisition program was transferred to the Growth Management and Community Development Department, and the Department engaged with AHAC to establish a process to expend the funding including creation of review criteria. In the first quarter of 2023, AHAC convened a sub-committee to draft criteria to be used in acquiring parcels through the utilization of the one percent surtax fund. These evaluation criteria were adopted by the Board of County Commissioners in March 2023 and the Infrastructure Surtax Citizen Oversight Committee in June 2023. An application for developers to request surtax funds was created in September 2023 by the Housing Policy and Economic Development Division.

Existing Strategy: Evaluation criteria for acquiring lands using surtax funds was created in 2023 and is comprised of a multifaceted approach including reviews conducted by multiple divisions within the Growth Management and Community Development Department. An

application review team was created including the following divisions within the Growth Management and Community Development Department: Housing Policy and Economic Development; Zoning; Development Review; and Coastal Resiliency and Community Development; Community and Human Services within the Public Services Department; and the Real Property Division and the Impact Fees Division within the County Manager’s Office. The Surtax Fund sunset on December 31, 2023.

Schedule for Implementation: On a rolling and as requested basis, the review team reviews and evaluates proposed developments. Proposed acquisitions are brought to the AHAC and the Surtax Oversight Committee for recommendations, and ultimately to the Board of County Commissioners for approval.

### **Statute Required Incentives**

The AHAC has reviewed, considered, and evaluated the following required strategies provided in the SHIP Statute at Florida Statutes, Sec. 420.9076(4):

- (a) The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects, as provided in s. 163.3177(6)(f)3.
- (b) All allowable fee waivers provided for the development or construction of affordable housing.
- (c) The allowance of flexibility in densities for affordable housing.
- (d) The reservation of infrastructure capacity for housing for very low-income persons, low-income persons, and moderate-income persons.
- (e) Affordable accessory residential units.
- (f) The reduction of parking and setback requirements for affordable housing.
- (g) The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.
- (h) The modification of street requirements for affordable housing.
- (i) The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.
- (j) The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
- (k) The support of development near transportation hubs and major employment centers and mixed-use developments.

### **420.9076(4)(a) EXPEDITED PERMITTING**

Meeting Synopsis: No meetings.

Existing Strategy: Collier County has had an Expedited/Fast Track permitting process in place for housing that is affordable since 2007. Based upon AHAC and community stakeholders' input during the development of the 2017 Community Housing Plan (CHP), the Expedited Permitting



process was reviewed and updated with the adoption of Resolution 2018-40 on February 27, 2018.

**AHAC Recommendation: Existing program and policies working as intended, no changes recommended at the present time.**

Schedule for Implementation: Resolution 2018-40 has been implemented and affordable housing developers have successfully utilized the improved process.

#### **420.9076(4)(b) ALLOWABLE FEE WAIVERS**

Meeting Synopsis: Impact Fees were discussed during various meetings since 2023. Some members were aware of communities that base impact fees on the square footage of each home, thereby having a lower impact fee for housing that is affordable. Other members indicated that discounting impact fees would be helpful for reduction of the total cost of homes that are affordable. However, eliminating impact fees can lead to a structure which does not provide enough revenue to provide the basic infrastructure necessary to cover the cost of streets, water, sewer, etc. Some believe that homes that are affordable should contribute to the infrastructure of the community. Other members have noted that the current Impact Fee Deferral system does not work well for affordable rental housing development and should be modified to better match the financing timeframes of Low-Income Housing Tax Credit (LIHTC) properties and other affordable rental developments.

Existing Strategy: Collier County has had an Impact Fee Deferral program in place for housing that is affordable since the late 1980s. Based upon recommendations from the 2017 Community Housing Plan, the Impact Fees Deferral program was modified and improved via Ordinance #2018-28 on February 27, 2018.

**AHAC Recommendation: In 2024, explore an Impact Fee Deferral Pilot Program utilizing approximately \$4 million in American Rescue Plan funds received from the United States Treasury through the State and Local Fiscal Recovery Funds to support long term affordable rental housing.**

**Further, it is recommended that the County should review opportunities to increase the length of deferral period available for rental housing to align with various financing sources.**

Schedule for Implementation: Collier County Board of Commissioners approved \$4,114,137 in funds under project CC4.4 in the American Recovery plan to support developments principally financed with Low-Income Housing Tax Credit Projects, Tax Exempt Bond Financing, or other qualifying affordable housing developments. In 2024, AHAC will consider rental housing developer needs related to the existing Impact Fee Deferral program.

#### **420.9076(4)(c) FLEXIBLE DENSITIES**

Meeting Synopsis: Densities have been discussed by AHAC since 2023. Many in Collier County have come to the realization that increased density is needed to produce more housing that is affordable. The Collier County Land Development Code has recently been amended to allow for greater density bonuses for affordable developments. Continued implementation of the Housing Plan recommendations will explore additional density opportunities.

Existing Strategy: Throughout most of Collier County, residential zoning has a base density of 4 units per acre. Collier County has had an affordable housing density bonus program since 1990 Ord.#90-89. As a result of the 2017 Community Housing Plan and AHAC, Collier County amended its Land Development Code to increase density for units that are affordable through Ordinance #2019-02 adopted February 12, 2019. The Affordable Housing Density Bonus (AHDB) program now provides up to 16 units per acre.

Applicants that have requested additional density above base residential zoning and which require a Growth Management Plan Amendment have been recommended by the Collier County Planning Commission and required by the Board of County Commissioners to set aside a minimum number of units in proposed developments to made affordable for a minimum of 30 years to households earning at or below 120% of the Area Median Income. This process has allowed for the approval of several hundred new affordable units this year alone.

**AHAC Recommendation: Recommend approval of the proposed regulatory relief initiatives to increase density in Collier County for Housing that is Affordable.**

**AHAC further supports CPCC and Board policy that negotiates a public good for those applicants requesting density with a minimum of 30% of units developed be provided to households at or below 100% of the Area Median Income and encourages the development of a written policy formalizing this requirement.**

Schedule for Implementation: The proposed increases in density were heard by the Planning Commission and the BCC in the fourth quarter of 2023 and throughout 2024 on a requested basis.

#### **420.9076(4)(d) RESERVATION OF INFRASTRUCTURE CAPACITY**

Meeting Synopsis: Collier County does not reserve infrastructure capacity. Collier County is not experiencing any capacity limitations.

Existing Strategy: Collier County does not need to reserve infrastructure capacity at this time.

**AHAC Recommendation: No changes recommended at the present time.**

Implementation: None

#### **420.9076(4)(e) PARKING AND SETBACK REQUIREMENTS**

Meeting Synopsis: These topics have been regularly discussed by AHAC since the development of the Community Housing Plan (CHP) in 2017.

Existing Strategy: The County currently has two processes where developers can request a reduction of parking and setback requirements. Deviations from existing requirements can be requested through the Site Development Plan (SDP) process or the rezoning to Planned Unit Development (PUD) process. Recommendations to modify some setback requirements for housing that is affordable were included in Ordinance 2021-05 amending the Land Development Code, adopted February 9, 2021.

**AHAC Recommendation: The evaluation of the Live Local Act may require additional parking and setback relief for developments seeking to use benefits of the Act.**

Schedule for Implementation: On-going discussion in 2024. Reduction of parking and setback requirements are on a rolling and as requested basis.

#### **420.9076(4)(f) AFFORDABLE ACCESSORY DWELLING UNITS**

Meeting Synopsis: Accessory Dwelling Units (ADUs) were discussed at multiple meetings since 2023 by AHAC members. In 2023 County staff were directed by the Board of County Commissioners to determine the feasibility of ADUs in the Urban Golden Gate Estates area. County staff are evaluating this option, developing a program to seek the input from area residents to see if residents are interested in building ADUs on their property, and determining how the ADUs would be incorporated into the LDC and monitored for affordability. AHAC and County staff discussed whether having income restrictions on the ADUs would be a benefit or hinderance to the program. County staff have developed survey questions to be sent to this pilot area of residents to seek their feedback. The date and location for public meetings are anticipated to occur in late 2023 with postcards announcing the request for feedback. Feedback and information will be collected and used to develop a recommendation for ADUs.

Existing Strategy: Collier County does not allow for the rental of Accessory Dwelling Units (ADUs) LDC Section 5. 03.03. The County only allows construction of "Guesthouses" on large single family lots of with a minimum lot size of 43,560 square feet. Furthermore, the LDC prohibits the rental of any guesthouse as they are to be used for personal reasons only.

**AHAC Recommendation: AHAC supports the efforts of County Staff and the Board of County Commissions (BCC) to determine whether ADUs would be accepted by residents and a meaningful source of additional attainable housing or a source that frees up other attainable housing units. AHAC encourages the County and BCC to fully explore this option and recognizes that feedback from residents is an important part of this issue. AHAC recommends allowing ADUs to be built on Urban Golden Gate Estates properties and recommends the use of ADUs as affordable housing to increase the affordable housing rental inventory.**

Schedule for Implementation: On-going discussion in 2024.

#### **420.9076(4)(g) FLEXIBLE LOT CONFIGURATIONS**

Meeting Synopsis: This strategy was discussed extensively with the adoption of the 2017 Community Housing Plan. At that time, it was recommended that the County consider adopting some elements of "smart code". Through this process, amendments were made to the Land Development Code in February 2021 with the adoption of Ord. 2021- 05.

Existing Strategy: Zero lot line development is allowed in Planned Unit Development (PUDs) and as a Conditional Use under Cluster Housing. Recently Ordinance 2021-05 clarified that Cluster Development of affordable housing does not require a Conditional Use in the RMF-6 Zoning District but is allowed by right.

**AHAC Recommendation: No changes recommended at the present time.**

Schedule for Implementation: None

#### **420.9076(4)(h) MODIFICATION OF STREET REQUIREMENTS**

Meeting Synopsis: As part of the regulatory relief proposed in the 2017 Community Housing Plan, modifications to street requirements have been discussed in 2019-2021.

Existing Strategy: Historically, street requirements for affordable housing developments are considered, on a case-by-case basis, as deviations in the PUD approval process or variances in the conventional zoning process. In February 2021, Ordinance 2021-05 added a new section to the LDC to allow design deviations for housing that is affordable, including modifications to internal, privately maintained roadways and sidewalks.

**AHAC Recommendation: No changes recommended at the present time.**

Schedule for Implementation: On-going discussion in 2024. Modification of street requirements are on a rolling and as requested basis.

#### **420.9076(4)(i) PROCESS OF ONGOING REVIEW**

Meeting Synopsis: Previous AHAC discussions on this topic included the following comments: Ongoing implementation and enforcement for new processes and Land Development Code (LDC) regulation require permanent, dedicated County staff. Any changes made will require monitoring to ensure the rules continue to be followed. Monitoring uses resources both from the County and the developers. In addition, educating and promoting a favorable environment for developers and builders will draw more partners into working in the County. Closer coordination between growth management planning, zoning, development review, housing policy and economic development, and the Community & Human Services (CHS) is critical for the success of process changes and approval for developments. New coordination created will reduce or eliminate many of the

repeated review cycles which are required today.

Existing Strategy: Housing Policy responsibilities previously located within the Community & Human Services (CHS) Division under the Public Services Department was transitioned and elevated as its own division under the Growth Management Community Development Department (GMCDD) as the Housing Policy and Economic Development Division. This move enables closer collaboration and communication between housing policy staff and planners within areas such as zoning, comprehensive planning, and coastal resiliency. Long term monitoring will remain with CHS and CHS will remain included in and privy to affordable housing commitments drafted by the Housing Policy and Economic Development Division.

**AHAC Recommendation: No changes recommended at the present time.**

Schedule for Implementation: None

#### **420.9076(4)(j) PUBLIC LAND INVENTORY**

Meeting Synopsis: Public lands discussion has occurred regularly at AHAC meetings since 2018. In 2023, AHAC members reviewed the list of County Owned lands.

Existing Strategy: The County's Real Property office maintains a list of county owned properties as required by F.S. 125.379. This inventory is circulated to County Departments for review and determination if properties are needed to implement Department operations or program mandates. Available properties are presented to the Board of County Commissioners (BCC) and advertised for sale in the local newspaper.

The BCC adopted Resolution 2018-39 to encourage the co-location of public facilities and housing that is affordable. In 2018, two County owned parcels known as Bembridge, and Manatee were part of a Request for Information (RFI) process with multiple developers submitting proposals for the development of the 5-acre Bembridge site. In 2019, through an Invitation to Negotiate (ITN) process, the County selected McDowell Housing Partners to construct 82 units of affordable rental housing. This project, formerly known as The Harmony, now called Ekos on Santa Barbara, will be completed in late 2023 and is governed by a Developer Agreement with a 99-year ground lease ensuring long term affordability. During 2018-2019, the BCC decided not to move forward with proposals for the Manatee site.

In 2019, the County acquired the defunct Golden Gate Golf Course. In 2020 through an ITN process, the County selected Rural Neighborhoods, Inc to develop a portion (25+ acres) of this publicly owned property for affordable rental housing for seniors, veterans, and Essential Service Personnel (ESP).

AHAC discussed during various meetings in 2023 the need for a clearer policy and procedures on the sale or transfer of public lands with greater public transparency.

**AHAC Recommendation: AHAC recommends an annual review of the County Owned lands**

**list. AHAC recommends promotion and advertisement of the County Owned lands eligible for constructing affordable housing to developers such as the Manatee property and the Port of the Islands property.**

Schedule for Implementation: Annual review of County Owned lands list was implemented. Promotion and advertisement of the County Owned lands eligible for construction of affordable housing to developers was implemented and is on-going.

#### **420.9076(4)(k) SUPPORT OF DEVELOPMENT NEAR TRANSPORTATION HUBS**

Meeting Synopsis: Discussed during the spring and summer of 2021 as part of the Community Housing Plan, regulatory relief, and development standards modifications to the Land Development Code (LDC).

Existing Strategy: This issue was reviewed during the development of the 2017 Community Housing Plan (CHP) with recommendations for the County to consider integration of bus routes (Collier Area Transit, CAT) with affordable housing locations, development of Strategic Opportunity Sites and higher housing densities in existing Activity Centers.

**AHAC Recommendation: Approve the recommended new policy for the Transportation Element to prioritize higher density along transit corridors ranging from 13 units per acre (upa) to 25 upa.**

Schedule for Implementation: This recommendation was heard and recommended of adoption by the Planning Commission on October 5, 2023, and scheduled for presentation to the Board of County Commissioners during the fourth quarter of 2023.

## Collier County Affordable Housing Data \*updated May 2024\*

### NEED:

**51,638** households in Collier County are Cost-burdened (spend more than **30%** of their income on housing expenses); they are currently living here UN-affordably

Source: University of Florida Shimberg Center for Housing Studies and The Bureau of Economic and Business Research, 2022

Nearly half of those (**25,687** households) are Severely Cost-burdened (meaning they spend more than **50%** of their income on housing expenses)

Source: University of Florida Shimberg Center for Housing Studies and The Bureau of Economic and Business Research, 2021

**51,196** people commute to work every day from outside of Collier County: Almost **30%** are now coming from East Coast Counties

Source: FGCU Lutger College of Business Regional Economic Research Institute and Lightcast, 2022

Housing Affordability is the Greater Naples Chamber of Commerce's **#1** Public Policy Priority

Source: Greater Naples Chamber of Commerce Website, 2023

The Collier County Community Foundation's 2023 Community Assessment Survey lists "The Cost of Housing and Controlling Housing Costs" as the **#1** Priority with a **65%** response rate (compared to **45%** in 2018)

Source: Collier County Community Foundation Community Assessment, Richard M. Schulze Family Foundation, Q-Q Research Consultants, 2023

### AFFORDABILITY:

Definition of Affordable Housing- Housing that does not cost more than **30%** of a household's gross monthly income.

Source: HUD and Collier County Land Development Code, 2023

The Median Monthly Rent in Collier County increased **28%** between 2020 to 2021, and an additional **25%** between 2021 to 2022, for a total increase of more than **50%** in the last two years. Highest increase in the United States, and now the highest in Florida.

Source: University of Florida Shimberg Center for Housing Studies and Apartment List Methodology, 2023

The Median Rent in Collier County is now **\$1,796** and Market Rent is **\$3,008**.

Source: University of Florida Shimberg Center for Housing Studies, Zillow Research, and Apartment List Methodology, Feb 2024

The Median home sales price in Collier County is **\$649,000** (Single Family Homes- **\$768,750**, Condos- **\$525,000**). Prices in Naples have increased **90%** from pre-COVID prices. **63%** of sales are cash deals.

Source: NABOR Market Report, March 2024

**35%** of the jobs in Collier County pay less than **\$35,000/yr**; **58%** of jobs pay less than **\$45,000/yr**. A \$45,000 salary can afford a housing payment of **\$1,125/mo**.

Source: Florida Department of Economic Opportunity, Occupational Employment Statistics and Wages, 2021

### 2023 REPORT CARD:

A total of **20** new developments were approved by the BCC containing a total of **8,961** new residential units in 2023.

**TEN** developments approved in 2023 addressed Housing Affordability (9 included affordable set-aside units, 1 included a monetary contribution to the Housing Trust Fund of \$400,000).

Of the 8,961 new residential units approved in 2023, **6,871** were market rate units (76.7%) and **2,090** were affordable set-aside units (**23.3%**).

### ACTIONS:

In 2017 Collier County approved the Collier County Community Housing Plan, which contained over **35** individual actions that have been adopted to improve Housing Affordability.

Since 2018, **4,410** NEW affordable units have been approved by the Collier County Board of County Commissioners to be built; **2,135** of those in the Urban Area and **2,275** in the Rural Areas & Immokalee. **734** of those units have already been constructed and occupied, with an additional **440** units scheduled to be ready for occupancy later this year.

The Collier County Board of County Commissioners dedicated the 5-acre County-Owned Bembridge PUD site on Santa Barbara Blvd for affordable housing and contracted to have **82** affordable family rental units built (Harmony Apartments- opened December 2023)

The Board purchased and dedicated 22-acres of the Golden Gate Golf Course property for affordable housing and contracted for **252** affordable rental apartments and **120** affordable senior housing units to be built (Renaissance Hall at Old Course- groundbreaking Feb 2024)

The Board directed the purchase of 7.2-acres using Surtax Funding for the construction of **160** affordable units on Collier Blvd. (Jan 2024)

## 2024 Collier County Income & Rent Limits for Affordable Housing

2024			Income Limit by Number of People in Unit				Rent Limit by Number of Bedrooms in Unit			
	Percentage Area Median Income	Category Name	1	2	3	4	Eff	1	2	3
Collier County Median Household Income \$104,300	30%	Extremely Low	\$ 21,930	\$ 25,050	\$ 28,170	\$ 31,290	\$ 548	\$ 587	\$ 704	\$ 813
	50%	Very Low	\$ 36,550	\$ 41,750	\$ 46,950	\$ 52,150	\$ 913	\$ 978	\$ 1,173	\$ 1,356
	60%	n/a	\$ 43,860	\$ 50,100	\$ 56,340	\$ 62,580	\$ 1,096	\$ 1,174	\$ 1,408	\$ 1,627
	80%	Low	\$ 58,480	\$ 66,800	\$ 75,120	\$ 83,440	\$ 1,462	\$ 1,566	\$ 1,878	\$ 2,170
	100%	Median	\$ 73,100	\$ 83,500	\$ 93,900	\$ 104,300	\$ 1,828	\$ 1,958	\$ 2,348	\$ 2,713
	120%	Moderate	\$ 87,720	\$ 100,200	\$ 112,680	\$ 125,160	\$ 2,193	\$ 2,349	\$ 2,817	\$ 3,255
	140%	Gap	\$ 102,340	\$ 116,900	\$ 131,460	\$ 146,020	\$ 2,558	\$ 2,740	\$ 3,286	\$ 3,797

Source: HUD 2024 Median Income; Florida Housing Finance Corp. Income and Rent Limits



Planner or PM Name (full name)	Project Number	Project Name	Commissioner District	Time	Date of NIM Meeting	HOA Meeting	Date of PIM Meeting	Meeting Location
Parker Klopf, Laura DeJohn	PL20230016211 (GMPA) PL20230016212 (PUDR)	5396 Myrtle Ln (GMPA) & (PUDR)	1	5:30 PM	5/6/2024			South Regional Library, Meeting Room A (8065 Lely Cultural Pkwy, Naples, FL 34113)
Michele Mosa, Nancy Gundlach	PL20230007471 (GMPA) PL20230007470 (PUDZ)	Tamiami 58 Acres (GMPA) & (PUDZ)	1	5:30 PM	5/7/2024			Collier County Southern Regional Library, Meeting Room A (8065 Lely Cultural Pkwy, Naples, FL 34113)
Eric Ortman	PL20230011384 (CU)	EMS Communications Tower Ochopee (CU)	5	5:30 PM	5/9/2024			Everglades City Hall (203 Buckner Ave, Everglades City, FL)
Sean Sammon	PL20230018418 (PDI)	VW Naples (PDI)	4	5:30 PM	5/13/2024			Norris Center, Art Room (755 8th Avenue South   Naples, Florida 34102)
Nancy Gundlach	PL20210002929 (RZ)	Polly Avenue Rezone (RZ)	1	5:30 PM-7:00 PM	5/14/2024			South Regional Library, Room A (8065 Lely Cultural Pkwy, Naples, Florida, 34113)
Timothy Tinn	PL20240000770 (PDI)	Hammock Park MPUD (PDI)	1	5:30 PM	5/20/2024			Shepherd of Glades Church (6020 Rattlesnake Hammock Road, Naples, FL 34122)
Eric Ortman	PL20230016103 (PDI)	Hacienda Lakes MPUD (PDI)	1	5:30 PM	5/21/2024			Shepherd of Glades Church (6020 Rattlesnake Hammock Road, Naples, FL 34122)
Stephenne Barter, Nancy Gundlach	PL20230018187 (GMPA) PL20230017803 (PUDA)	Immokalee Road – Estates Commercial Subdistrict (GMPA) & BCHD I CPUD and Immokalee Road – Estates Commercial Subdistrict (PUDA)	3	5:30 PM	5/22/2024			UF/IFAS Extension office (14700 Immokalee Rd, Naples, FL 34120)

**COLLIER COUNTY BOARD OF COUNTY COMMISSIONERS  
NOTICE OF FUNDING AVAILABILITY &  
REQUEST FOR APPLICATIONS  
LOCAL GOVERNMENT SUPPORT LOANS  
FOR DEVELOPMENTS APPLYING FOR FHFC HOUSING CREDITS  
SEEKING THE LOCAL GOVERNMENT AREA OF OPPORTUNITY FUNDING  
Loans Made in Conjunction with FHFC RFA 2024-102  
Application Opens: May 16, 2024  
Applications Due: 12:00PM June 7, 2024**

The Collier County Board of County Commissioners (the “County”) announces the availability of funds and is requesting applications for the consideration of providing local government support for qualified multifamily housing developments that meet the goals of the County and comply with applicable federal and state law. The County has adopted the following guidelines to set forth the general requirements and procedures that apply to the financing of multifamily housing developments. The County may waive specific provisions of these guidelines where good cause is shown and adequate supporting documentation is provided. Any waiver is at the sole discretion of the County. In addition, these guidelines may be amended, revised, repealed, or otherwise altered by the County with or without notice. The County specifically welcomes requests for proposed alternative resident programs or development/unit features.

All applications submitted will be reviewed by the County’s Affordable Housing Advisory Committee, which will make recommendations to the County Manager. The County Manager will then decide whether or not to support commitment letters and loans providing Local Government Support for developments applying for FHFC funding and who are seeking the Local Government Area of Opportunity Funding, pursuant to Resolution No. 2019-207. Submission of an application does not entitle the Applicant to financing, even if sufficient funds remain.

The County will not consider issuing commitment letters to provide financing for any development unless the applicant has satisfied the general requirements set forth in these guidelines, submits a timely, complete, and acceptable application, and complies with all of the procedures and requirements contained within the County’s application procedures and program guidelines.

The County reserves the right to impose additional requirements on any particular development. Compliance with these guidelines does not and shall not create any right by an applicant to a commitment or assurance that the County will provide the requested financing.

The County provides local government support to assist in the construction, rehabilitation, and permanent financing of multifamily housing developments. The County anticipates sufficient funds to be available to fund one applicant.

**The maximum amount of the Local Government Support loans that may be applied for pursuant to this Notice of Fund Availability (NOFA) is the amount that will allow local projects to score the maximum points or preference for the Local Government Area of Opportunity Funding.**

**THE COUNTY RESERVES THE RIGHT, AT ITS SOLE DISCRETION, TO NOT FUND ANY APPLICANT AT A LEVEL REQUIRED FOR THE LOCAL GOVERNMENT AREA OF OPPORTUNITY FUNDING. THE COUNTY ALSO RESERVES THE RIGHT TO MODIFY THIS NOFA PRIOR TO THE APPLICATION DEADLINE BASED UPON CHANGES TO FHFC RFA 2023-201 OR DECISIONS MADE BY THE COUNTY.**

All applications received will compete with each other and be selected by the County for the available funding. Applications will be reviewed against the criteria listed below and, if selected, each loan will be subject to the minimum loan terms stated below.

**NO CONTACT WITH BOARD OF COUNTY COMMISSIONERS AND/OR AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC) MEMBERS AFTER THE DATE THE NOFA IS ISSUED UNTIL THE AHAC MAKES ITS RECOMMENDATION TO THE COUNTY MANAGER.** During this period, no Applicant, Applicant Agent and/or Representative may contact members of the Collier County Board of County Commissioners and/or AHAC members concerning their application, any other applicant's application, the merits of their firm, or any other aspect of the application and selection process. Violation of this prohibition will result in the disqualification of the Applicant and all of their developments.

Applications related to FHFC RFA 2024-102 are due no later than 12:00 PM, Eastern Daylight Time, June 7, 2024. Application requirements may be found at:

<https://www.colliercountyhousing.com/developer-incentives-and-applications/#lgao-funding>). For more information, contact Kristi Sonntag, Director, of the Community and Human Services Division.

#### **SUBMISSIONS:**

**An original and one (1) hard copy of the entire application, and a PDF of the application to:**

Collier County Government  
c/o Community and Human Services Division  
Kristi Sonntag, Director

3339 East Tamiami Trail, Building H., Suite 213

Naples, FL 34112

Email: [Kristi.Sonntag@colliercountyfl.gov](mailto:Kristi.Sonntag@colliercountyfl.gov)