

## LAND DEVELOPMENT CODE AMENDMENT

**PETITION**

PL2040005299

**ORIGIN**

Board of County  
Commissioners (Board)

**HEARING DATES**

Board	TBD
CCPC	TBD
DSAC	TBD
DSAC-LDR	07/29/2024 05/21/2024

**SUMMARY OF AMENDMENT**

This Land Development Code (LDC) amendment proposes to define transit stop and major transportation hub. LDC amendments are reviewed by the Board of County Commissioners (Board), Collier County Planning Commission (CCPC), Development Services Advisory Committee (DSAC), and the Land Development Review Subcommittee of the DSAC (DSAC-LDR Subcommittee).

**LDC SECTION TO BE AMENDED**

1.08.02 Definitions

### ADVISORY BOARD RECOMMENDATIONS

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

**BACKGROUND**

On April 9, 2024, the Board was asked to review and approve staff’s administrative application process for projects intending to utilize the provisions of Florida Statutes section 125.01055(7)(a) through (e), commonly known as SB 102 or the Live Local Act. The Live Local Act preempts local government from regulating specific development standards for certain projects providing affordable housing.

One topic that the Board discussed, is the requirement for the County to consider a reduction of parking requirements for a proposed development located within one-half mile of a “*major transit stop*.” The Live Local Act specifically stated:

“A county must consider reducing parking requirements for a proposed development authorized under this subsection if the development is located within one-half mile of a major transit stop, as defined in the county’s land development code, and the major transit stop is accessible from the development.”

During the Board’s discussion, concern was raised with this requirement because the County’s LDC does not currently define “major transit stop” and therefore, the application of this provision has been left to staff’s interpretation. Staff’s initial interpretation of a “major transit stop” included all bus stops along Collier Area Transit (CAT) bus routes that include a covered bench structure. However, after discussing the matter at the meeting and disagreeing with staff’s interpretation, the Board unanimously voted to define “major transit stop” as a public transit stop that would be represented by three existing CAT transfer stations located at: 1) Government Center Transfer Station (3355 East Tamiami Trail, Naples); 2) Radio Road Transfer Station (CAT Headquarters) (8300 Radio Road, Naples); and 3) Florida Department of Health Immokalee Office (419 N 1<sup>st</sup> Street, Immokalee). These three transfer stations include public transportation services for four or more bus routes and include public parking facilities for passengers to utilize.

While staff was drafting the proposed definition for “major transit stop,” SB 328 was approved by the Florida

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Senate and the Florida House of Representatives. SB 328 is an amendment to the Live Local Act and revises several sections of the Act. One revision includes removal of “major” from “major transit stop”, and incorporation of a new term “major transportation hub” which is defined in the bill text as:

“Any transit station, whether bus, train, or light rail, which is served by public transit with a mix of other transportation options.”

SB 328 was signed by the Governor on May 16, 2024.

Due to the revisions of the Live Local Act through SB 328, staff prepared a definition for “transit stop” and “major transportation hub.”

*DSAC-LDR Subcommittee Recommendation:*

On May 21, 2024, the DSAC-LDR Subcommittee recommended that staff change the requested definition from “major transit stop” to “transit stop” and “major transportation hub” and recommended the following:

1. Provide a definition for “transit stop” that includes a reference to “publicly funded transportation agency” as opposed to naming CAT specifically.

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**FISCAL & OPERATIONAL IMPACTS**

There are no anticipated fiscal or operational impacts anticipated with this amendment.

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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:** None

Amend the LDC as follows:

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**1.08.02 – Definitions**

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*Lot of record:* A lot of record is (1) a lot which is part of a subdivision recorded in the public records of Collier County, Florida; or (2) a lot, parcel, or the least fractional unit of land or water under common ownership which has limited fixed boundaries, described by metes and bounds or other specific legal description, the description of which has been so recorded in the public records of Collier County, Florida, on or before the effective date of this LDC; or (3) a lot, parcel, or the least fractional unit of land or water under common ownership which has limited fixed boundaries, for which an agreement for deed or deed was recorded prior to October 14, 1974, if within the former Coastal Area Planning District, and January 5, 1982, if within the former Immokalee Area Planning District.

Major transportation hub: Any transit station, whether bus, train, or light rail, which is served by public transit with a mix of other transportation options. In the context of Florida Statutes sections 125.01055 and 166.04151, three major transportation hubs located within the County are as follows: Government Center Transfer Station, Radio Road Transfer Station, and Immokalee Transfer Station.

*Marina:* A boating facility, chiefly for recreational boating, located on navigable water frontage, and providing all or any combination of the following: boat slips or dockage, dry boat storage, small boat hauling or launching facilities, marine fuel and lubricants, marine supplies, bait and fishing equipment, restaurants, boat and boat motor sales, and rentals. Does not include dredge, barge, or other work-dockage or service, boat construction or reconstruction, or boat sales lot.

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*Transfer of development rights:* The transfer of development rights from one parcel to another parcel in a manner that allows an increase in the density or intensity of development on the receiving property with a corresponding decrease in the remaining development rights on the sending property.

Transit stop: A designated area along a fixed, transit route where buses of a local, publicly funded transportation agency stop to load and unload passengers.

*Vegetation, Category I Invasive Exotic:* Invasive exotic vegetation that alters native vegetation communities by: displacing native plant species, changing the structure or ecological functions of native plant communities, or hybridizing with native species; which includes all species of vegetation listed on the 2003 Florida Exotic Pest Plant Council's List of Invasive Species, under Category I.

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