

## 2010 GMP Amendment Cycle – Transmittal

### February 17, 2011 CCPC Consent Agenda Review

[Text in ~~double strike through~~/double underline format and/or shaded denote changes made by CCPC at the January 20, 2011 hearings.]

#### 1. **January 20, 2011 CCPC Agenda Item #9.E: CP-2010-1, Vanderbilt Beach Road Neighborhood Commercial Subdistrict**

##### 16. **Vanderbilt Beach Road Neighborhood Commercial Subdistrict**

The purpose of this Subdistrict is to provide primarily for neighborhood commercial development at a scale not typically found in the Mixed Use Activity Center Subdistrict.

The intent is to provide commercial uses to serve the emerging residential development in close proximity to this Subdistrict, and to provide employment opportunities for residents in the surrounding area. Allowable uses shall be a variety of commercial uses as more particularly described below, and mixed use (commercial and residential). Prohibited uses shall be gas stations and convenience stores with gas pumps, and certain types of fast food restaurants.

This Subdistrict consists of two parcels comprising approximately 17 acres, located on the north side of Vanderbilt Beach Road and east of Livingston Road, as shown on the Subdistrict Map. For mixed-use development, residential density shall be limited to sixteen dwelling units per acre. Residential density shall be calculated based upon the gross acreage of the Subdistrict parcel on which it is located (Parcel 1 or Parcel 2). Rezoning of the parcels comprising this Subdistrict is encouraged to be in the form of a PUD, Planned Unit Development. At the time of rezoning, the applicant must include architectural and landscape standards for each parcel.

##### a. **Parcel 1**

This parcel is located at the intersection of Livingston Road and Vanderbilt Beach Road. A maximum of 100,000 square feet of gross leasable floor area for commercial uses may be allowed. Allowable uses shall be the following, except as prohibited above: retail, personal service, restaurant, office, and all other uses as allowed, whether by right or by conditional use, in the C-1 through C-3 zoning districts as set forth in the Collier County Land Development Code, Ordinance 04-41, as amended, in effect as of the date of adoption of this Subdistrict (Ordinance No. 2005-25 adopted on June 7, 2005); other comparable and/or compatible land uses not found specifically in the C-1 through C-3 zoning districts, limited to: general and medical offices, government offices, financial institutions, personal and business services, limited indoor recreational uses, and limited retail uses; mixed-use development (residential and commercial uses). The maximum floor area for any single commercial user shall be 20,000 square feet, except for a

grocery/supermarket, physical fitness facility, craft/hobby store, home furniture/furnishing store, or department store use, which shall not exceed a maximum of 50,000 square feet.

In addition to the prohibited uses applicable to both parcels, the following list of uses shall also be prohibited on Parcel 1.

0742 – Veterinary services for Animal Specialties – Horses are prohibited, other animals are allowed

0752 – Animal specialty services, except Veterinary (dog grooming is allowed)

5261 – Retail nurseries, lawn and garden supply stores

5499 – Poultry dealers – retail and egg dealers – retail

5531 – Auto and home supply store, except automobile accessory and parts dealers – retail (no on-site installation)

5813 – Drinking places (alcoholic beverages)

5921 - Liquor stores exceeding 5,000 square feet

5932 – Used merchandise stores

5962 – Automatic merchandising machine operators

7211 – Power laundries, family and commercial

7215 – Coin-operated laundries and drycleaning

7216 – Drycleaning plants, except rug cleaning

7299 – Miscellaneous personal services, not elsewhere classified:

Coin operated service machine operations

Comfort station operation

Escort service

Locker rental

Massage parlors (except those employing licensed therapists)

Rest room operation

Tattoo parlors

Turkish baths

Wedding chapels, privately operated

7389 – Business services, not elsewhere classified, except Appraisers

7623 – Refrigeration and air-conditioning service and repair shops

7629 – Electrical and electronic repair shops, not elsewhere classified

7641 – Re-upholstery and furniture repair

7692 – Welding repair

7694 – Armature rewinding shops

7699 – Repair shops and related services, not elsewhere classified

7841 – Adult oriented video tape rental

7993 – Coin operated amusement devices

8641 – Civic, social and fraternal associations

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The Applicant shall enter into a restrictive covenant with the applicable surrounding property owners to ensure that the prohibited uses contained within the Subdistrict text are adhered to by the existing/future property owner(s).

2. **January 20, 2011 CCPC Agenda Item #9.F: CPSP-2010-2**

**FUTURE LAND USE ELEMENT**

**Policy 5.1:**

All rezonings must be consistent with this Growth Management Plan. For properties that are zoned inconsistent with the Future Land Use Designation Description Section but have nonetheless been determined to be consistent with the Future Land Use Element, as provided for in Policies 5.9 through 5.13, the following provisions apply:

- a. For such commercially-zoned properties, zoning changes will be allowed provided the new zoning district is the same or a lower intensity commercial zoning district as the existing zoning district, and provided the overall intensity of commercial land use allowed by the existing zoning district, except as allowed by Policy 5.11, is not exceeded in the new zoning district. The foregoing notwithstanding, such commercial properties may be approved for the addition of residential uses, in accordance with the Commercial Mixed Use Subdistrict, though an increase in overall intensity may result. A zoning change of such commercial-zoned properties to a residential zoning district is allowed as provided for in the Density Rating System of this Future Land Use Element.
- b. For such industrially-zoned properties, zoning changes will be allowed provided the new zoning district is the same or a lower intensity industrial, or commercial, zoning district as the existing zoning district, and provided the overall intensity of industrial land use allowed by the existing zoning district is not exceeded in the new zoning district.
- c. For such residentially-zoned properties, zoning changes will be allowed provided the authorized number of dwelling units in the new zoning district does not exceed that authorized by the existing zoning district, and provided the overall intensity of development allowed by the new zoning district does not exceed that allowed by the existing zoning district.
- ~~d. For property deemed to be consistent with this Element pursuant to one or more of policies 5.9 through 5.13, said property may be combined and developed with other property, whether such other property is deemed consistent via those same policies or is deemed consistent with the Future Land Use Designation Description Section. For residential and mixed use developments only, the accumulated density between these properties may be distributed throughout the project, as provided for in the Density Rating System or the Commercial Mixed Use Subdistrict, as applicable.~~
- d. Any property deemed consistent may be combined and developed with other **abutting** property provided the density and intensity of development derived from the property deemed consistent is not increased.
- e. Overall intensity of development shall be determined based upon a comparison of public facility impacts as allowed by the existing zoning district and the proposed zoning district.

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Words underlined are added; words ~~struck through~~ are deleted, as proposed by applicant/staff.  
Row of asterisks (\*\*\*) denotes break in text.

## **FUTURE LAND USE MAP – MAP SERIES**

### **Collier County Wellhead Protection Areas and Proposed Wellfields and ASRs Map**

Replace existing map with proposed map that reflects the latest hydrologic modeling, as required by Objective 1 of the Natural Groundwater Aquifer Recharge Sub-Element and subsequent policies, and Objective 3.3 of the Conservation and Coastal Management Element and subsequent policies. **ADDED Marco Lakes to the Map**

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