

ORDINANCE NO. 2011- 27

**AN ORDINANCE AMENDING ORDINANCE NO. 89-05, AS AMENDED, THE COLLIER COUNTY GROWTH MANAGEMENT PLAN FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA BY PROVIDING FOR: AN AMENDMENT, SPECIFICALLY AMENDING THE FUTURE LAND USE ELEMENT AND FUTURE LAND USE MAP AND MAP SERIES, TO REMOVE IN ITS ENTIRETY, THE DAVIS BOULEVARD/COUNTY BARN ROAD MIXED-USE SUBDISTRICT AND FURTHERMORE RECOMMENDING TRANSMITTAL OF THE ADOPTION AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

2011 SEP 29 09:11 AM  
CLERK

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

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

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

WHEREAS, Collier County Staff requested amendment to the Future Land Use Map and Future Land Use Map and Map Series to modify the Davis Boulevard/County Barn Road Mixed Use Subdistrict by deleting the Subdistrict in its entirety; the Subdistrict is located at the southeast corner of Davis Boulevard (SR 84) and County Barn Road in Section 8, Township 50 South, Range 26 East, containing 22.83± acres; and

WHEREAS, Collier County did submit these Growth Management Plan amendments to the Department of Community Affairs for preliminary review on March 31, 2011; and

WHEREAS, the Department of Community Affairs did review the amendments to the Future Land Use Element and Future Land Use Map and Map series, to the Growth Management

Words ~~struck through~~ are deletions; words underlined are additions

\* \* \* \* indicate page breaks\* \* \* \*

Plan and transmitted its findings in writing to Collier County within the time provided by law; and

WHEREAS, Collier County has 60 days from receipt of the Objections, Recommendations and Comments Report from the Department of Community Affairs to adopt, adopt with changes or not adopt the proposed amendments to the Growth Management Plan; and

WHEREAS, the Board of County Commissioners of Collier County did take action in the manner prescribed by law and did hold public hearings concerning the adoption of the Future Land Use Element and Future Land Use Map and Map Series to the Growth Management Plan on September 13, 2011; and

WHEREAS, Collier County has gathered and considered additional information, data and analysis supporting adoption of these amendments, including the following: the Collier County Staff Report; the documents entitled Collier County Growth Management Plan Amendments, and other documents, testimony and information presented and made a part of the record at the meetings of the Collier County Planning Commission held on July 21, 2011 and August 4, 2011, and the Collier County Board of County Commissioners held on September 13, 2011; and

WHEREAS, all applicable substantive and procedural requirements of law have been met.

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

SECTION ONE: ADOPTION OF AMENDMENTS TO THE GROWTH MANAGEMENT PLAN.

The Board of County Commissioners hereby adopts these amendments to the Future Land Use Element and Future Land Use Map and Map Series in accordance with Section 163.3184, Florida Statutes. The text and maps of the amendments are attached hereto as Exhibit "A" and are incorporated by reference herein.

SECTION TWO: SEVERABILITY.

If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

Words ~~struck through~~ are deletions; words underlined are additions  
\* \* \* \* indicate page breaks\* \* \* \*

SECTION THREE: EFFECTIVE DATE.

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this 13<sup>th</sup> day of Sept., 2011.

ATTEST:  
DWIGHT E. BROCK, CLERK

BOARD OF COUNTY COMMISSIONERS  
COLLIER COUNTY, FLORIDA

*Dwight E. Brock*  
Attest as to Chairman's  
Signature only.

BY: Fred W. Coyle  
FRED W. COYLE, Chairman

Approved as to form and  
legal sufficiency:

*Heidi Ashton-Cicko*  
Heidi Ashton-Cicko  
Assistant County Attorney  
Section Chief, Land Use/Transportation

CP11-CMP-00792 37

This ordinance filed with the  
Secretary of State's Office the  
23<sup>rd</sup> day of September, 2011  
and acknowledgement of that  
filing received this 2<sup>nd</sup> day  
of October, 2011  
By [Signature]  
Deputy Clerk

Words ~~struck through~~ are deletions; words underlined are additions  
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**EXHIBIT "A"**

**FUTURE LAND USE ELEMENT**

**IMPLEMENTATION STRATEGY**

**GOALS, OBJECTIVES AND POLICIES**

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

**OBJECTIVE 1:**

Unless otherwise permitted in this Growth Management Plan, new or revised uses of land shall be consistent with designations outlined on the Future Land Use Map. The Future Land Use Map and companion Future Land Use Designations, Districts and Sub-districts shall be binding on all Development Orders effective with the adoption of this Growth Management Plan. Standards and permitted uses for each Future Land Use District and Subdistrict are identified in the Designation Description Section. Through the magnitude, location and configuration of its components, the Future Land Use Map is designed to coordinate land use with the natural environment including topography, soil and other resources; promote a sound economy; coordinate coastal population densities with the Regional Hurricane Evacuation Plan; and discourage unacceptable levels of urban sprawl.

**Policy 1.1:**

The URBAN Future Land Use Designation shall include Future Land Use Districts and Subdistricts for:

**A. URBAN - MIXED USE DISTRICT**

- 1. Urban Residential Subdistrict
- 2. Urban Residential Fringe Subdistrict
- 3. Urban Coastal Fringe Subdistrict
- 4. Business Park Subdistrict
- 5. Office and Infill Commercial Subdistrict
- 6. PUD Neighborhood Village Center Subdistrict
- 7. Residential Mixed Use Neighborhood Subdistrict
- 8. Orange Blossom Mixed-Use Subdistrict
- 9. Vanderbilt Beach/Collier Boulevard Commercial Subdistrict
- 10. Henderson Creek Mixed-Use Subdistrict
- 11. Research and Technology Park Subdistrict
- 12. Buckley Mixed-Use Subdistrict
- 13. Commercial Mixed Use Subdistrict
- ~~14. Davis Boulevard/County Barn Road Mixed-Use Subdistrict~~
- ~~15. 14. Livingston/Radio Road Commercial Infill Subdistrict~~
- ~~16. 15. Vanderbilt Bach Road Neighborhood Commercial Subdistrict~~
- ~~17. 16. Collier Boulevard Community Facility Subdistrict~~

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**I. URBAN DESIGNATION**

Urban designated areas on the Future Land Use Map include two general portions of Collier County: areas with the greatest residential densities, and areas in close proximity, which have or are projected to receive future urban support facilities and services. It is intended that Urban designated areas accommodate the majority of population growth and that new intensive land uses be located within them. Accordingly, the Urban area will accommodate residential uses and a variety of non-residential uses. The Urban designated area, which includes Immokalee, Copeland, Plantation Island, Chokoloskee, Port of the Islands, and Goodland, in addition to the greater Naples area, represents less than 10% of Collier County's land area.

The boundaries of the Urban designated areas have been established based on several factors, including: patterns of existing development; patterns of approved, but unbuilt, development; natural resources; water management; hurricane risk; existing and proposed public facilities; population projections and the land needed to accommodate the projected population growth.

Urban designated areas will accommodate the following uses:

- a. Residential uses including single family, multi-family, duplex, and mobile home. The maximum densities allowed are identified in the Districts, Subdistricts and Overlays that follow, except as allowed by certain policies under Objective 5.
- b. Non-residential uses including:

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- 12. Commercial uses subject to criteria identified in the Urban - Mixed Use District, PUD Neighborhood Village Center Subdistrict, Office and Infill Commercial Subdistrict, Residential Mixed Use Neighborhood Subdistrict, Orange Blossom Mixed-Use Subdistrict, Buckley Mixed Use Subdistrict, Vanderbilt Beach/Collier Boulevard Commercial Subdistrict, Commercial Mixed Use Subdistrict, Henderson Creek Mixed Use Subdistrict, ~~Davis Boulevard/County Barn Road Mixed Use Subdistrict~~, Livingston/Radio Road Commercial Infill Subdistrict, Vanderbilt Beach Road Neighborhood Commercial Subdistrict; and, in the Urban Commercial District, Mixed Use Activity Center Subdistrict, Interchange Activity Center Subdistrict, Livingston/Pine Ridge Commercial Infill Subdistrict, Livingston Road/Eatonwood Lane Commercial Infill Subdistrict, Livingston Road Commercial Infill Subdistrict, Commercial Mixed Use Subdistrict, Livingston Road/Veterans Memorial Boulevard Commercial Infill Subdistrict, Goodlette/Pine Ridge Commercial Infill Subdistrict; Orange Blossom/Airport Crossroads Commercial Subdistrict, in the Bayshore/Gateway Triangle Redevelopment Overlay; and, as allowed by certain FLUE policies.

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A. Urban Mixed Use District

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~~14. Davis Boulevard/County Barn Road Mixed Use Subdistrict~~  
 This Subdistrict comprises approximately 22.83 acres and is located at the southeast corner of the Davis Boulevard/County Barn Road intersection. The intent of the Subdistrict is to provide for a development that incorporates traditional neighborhood and mixed-use neighborhood design features, as well as recommendations of the Collier County Community Character Plan. These include: pedestrian-friendly and bicycle-friendly streets; a park, small plazas and other

open spaces; and, a mix of residential and neighborhood commercial uses. Integration of residential and commercial uses in the same building is encouraged.

The commercial component shall be interconnected with the residential component, and the commercial component shall be conveniently located to serve residents in the nearby surrounding area. Pedestrian and bicycle access will be provided so as to afford access from neighboring communities to the commercial uses, residential neighborhood(s), and open spaces and paths within the Subdistrict.

Projects within this Subdistrict shall comply with the following standards and criteria:

a. Commercial Component

1. The commercial component shall front County Barn Road and Davis Boulevard.
2. The frontage of the commercial component shall be no greater than twice its depth.
3. The commercial component shall be no larger than 5 acres in size and shall not exceed 45,000 square feet of gross leasable floor area.
4. No single commercial use in the commercial component shall exceed 15,000 square feet of gross leasable floor area, except that a grocery store or supermarket shall not exceed 20,000 square feet of gross leasable floor area.
5. Allowable commercial uses in the commercial component shall be limited to those uses permitted in the C-1, C-2, and C-3 zoning districts as contained 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 27, 2005).
6. A common architectural theme shall be used for all commercial buildings.
7. Pedestrian connections shall be provided between all buildings.
8. Residential uses are allowed and may be located above commercial uses in the same building or within an attached building. Residential density within the commercial component is allowed at 4 dwelling units per acre and shall be calculated based upon the gross acreage in the Subdistrict.
9. The maximum floor area ratio for commercial uses is 0.25.

b. Residential Component

1. Acreage to be used for calculating residential density in the residential component of the Subdistrict is exclusive of the commercial component and of any acreage for a use with a residential equivalency, such as an ALF-Adult Living Facility. Eligible density shall be as determined by application of the Density Rating System.
2. Service roads and alleys shall be integrated into the residential component of the Subdistrict.

c. General Criteria

1. Rezoning is encouraged to be in the form of a PUD.
2. Parking areas shall be internal to the site and be screened from County Barn Road and Davis Boulevard.
3. Common stairs, breezeways or elevators may join individual buildings.
4. Trails and boardwalks may be provided in preservation areas for hiking and educational purposes, if consistent with applicable local, state and federal environmental protection regulations.
5. The Subdistrict shall include a park, small plazas and other types of open space.

- ~~6. The number and type of access points shall be limited, as deemed appropriate during review of subsequent development orders, so as to minimize disruption of traffic flow on Davis Boulevard and County Barn Road.~~
- ~~7. Development within the Subdistrict shall be encouraged to use a grid street system, or portion thereof, so as to provide multiple route alternatives.~~
- ~~8. Vehicular, pedestrian and bicycle access to the Subdistrict shall be provided.~~
- ~~9. A vehicular interconnection shall be provided between the residential and commercial components of the Subdistrict.~~
- ~~10. Both pedestrian and bicycle interconnections shall be provided between the residential and commercial components of the Subdistrict.~~
- ~~11. A minimum of 91 residential units shall be developed in the Subdistrict (this reflects the Density Rating System's base density of four dwelling units per acre, applied to the total site acreage). For the project's total density—whether it is the minimum of 91 dwelling units, or a greater amount as allowed by the Density Rating System density bonus provisions and approved via rezoning—a minimum of ten percent (10%) must be affordable workforce housing units provided for those earning less than or equal to 80% of the median household income for Collier County and another minimum of ten percent (10%) must be affordable workforce housing units provided for those earning greater than 80%, but no greater than 100%, of the median household income for Collier County.~~
- ~~12. The rezone ordinance implementing this Subdistrict shall set forth a provision to insure construction of this minimum number of dwelling units, and type of units, such as a cap on the commercial floor area that may be issued a certificate of occupancy prior to construction of the minimum number, and type, of residential units.~~

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~~15. 14. Livingston/Radio Road Commercial Infill Subdistrict~~

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~~16. 15. Vanderbilt Bach Road Neighborhood Commercial Subdistrict~~

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~~17. 16. Collier Boulevard Community Facility Subdistrict~~

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FUTURE LAND USE MAP SERIES

- Future Land Use Map
- Mixed Use & Interchange Activity Center Maps
- Properties Consistent by Policy (5.9, 5.10, 5.11) Maps
- Collier County Wetlands Map
- Collier County Wellhead Protection Areas and Proposed Wellfields and ASRs Map
- Future Land Use Map Rivers and Floodplains
- Future Land Use Map Estuarine Bays

Future Land Use Map Soils  
 Existing Commercial Mineral Extraction Sites Map  
 Bayshore/Gateway Triangle Redevelopment Overlay Map  
 Stewardship Overlay Map  
 Rural Lands Study Area Natural Resource Index Maps  
 North Belle Meade Overlay Map  
 Existing Schools and Ancillary Facilities Map  
 Future Schools and Ancillary Facilities Map  
 Plantation Island Urban Area Map  
 Copeland Urban Area Map  
 Railhead Scrub Preserve – Conservation Designation Map  
 Lely Mitigation Park – Conservation Designation Map  
 Margood Park Conservation Designation Map  
 Urban Rural Fringe Transition Zone Overlay Map  
 Orange Blossom Mixed Use Subdistrict Map  
 Vanderbilt Beach/Collier Boulevard Commercial Subdistrict Map  
~~Davis Boulevard/County Barn Road Mixed Use Subdistrict Map~~  
 Goodlette/Pine Ridge Commercial Infill Subdistrict Map  
 Henderson Creek Mixed-Use Subdistrict Map  
 Buckley Mixed-Use Subdistrict Map  
 Livingston/Pine Ridge Commercial Infill Subdistrict Map  
 Vanderbilt Beach Road Neighborhood Commercial Subdistrict Map  
 Livingston Road/Eatonwood Lane Commercial Infill Subdistrict Map  
 Livingston Road Commercial Infill Subdistrict Map  
 Orange Blossom/Airport Crossroads Commercial Subdistrict  
 Livingston Road/Veteran’s Memorial Boulevard Commercial Infill Subdistrict Map  
 Corkscrew Island Neighborhood Commercial Subdistrict Map  
 Collier Boulevard Community Facility Subdistrict Map

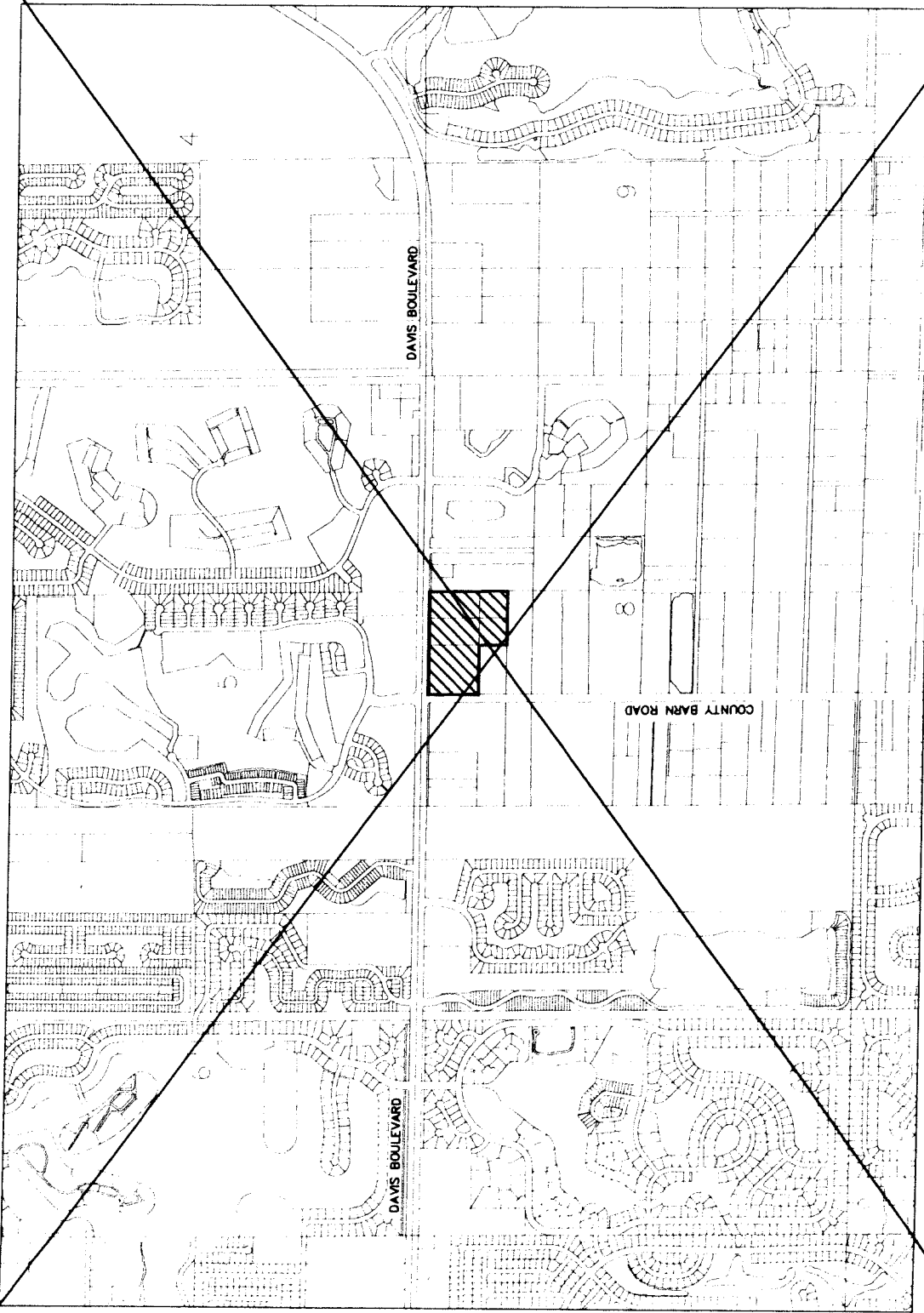
Exhibit A text alt. 2 DRAFT

G:\CDES Planning Services\Comprehensive\COMP PLANNING GMP DATA\Comp Plan Amendments\2009-2010 Combined Cycles petitions\2010 Cycle  
 Petitions\CPSP-2010-5, Revamp Davis Blvd.-Co. Barn Rd. MU Sub dw/1-10-11

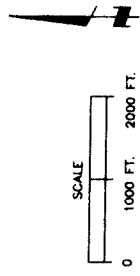


DAVIS BOULEVARD / COUNTY BARN ROAD MIXED USE SUBDISTRICT  
COLLIER COUNTY, FLORIDA

**DRAFT**



ADOPTED - JUNE 7, 2005 (Ord. No. 2005-25)



<b>LEGEND</b>
 SUBJECT AREA

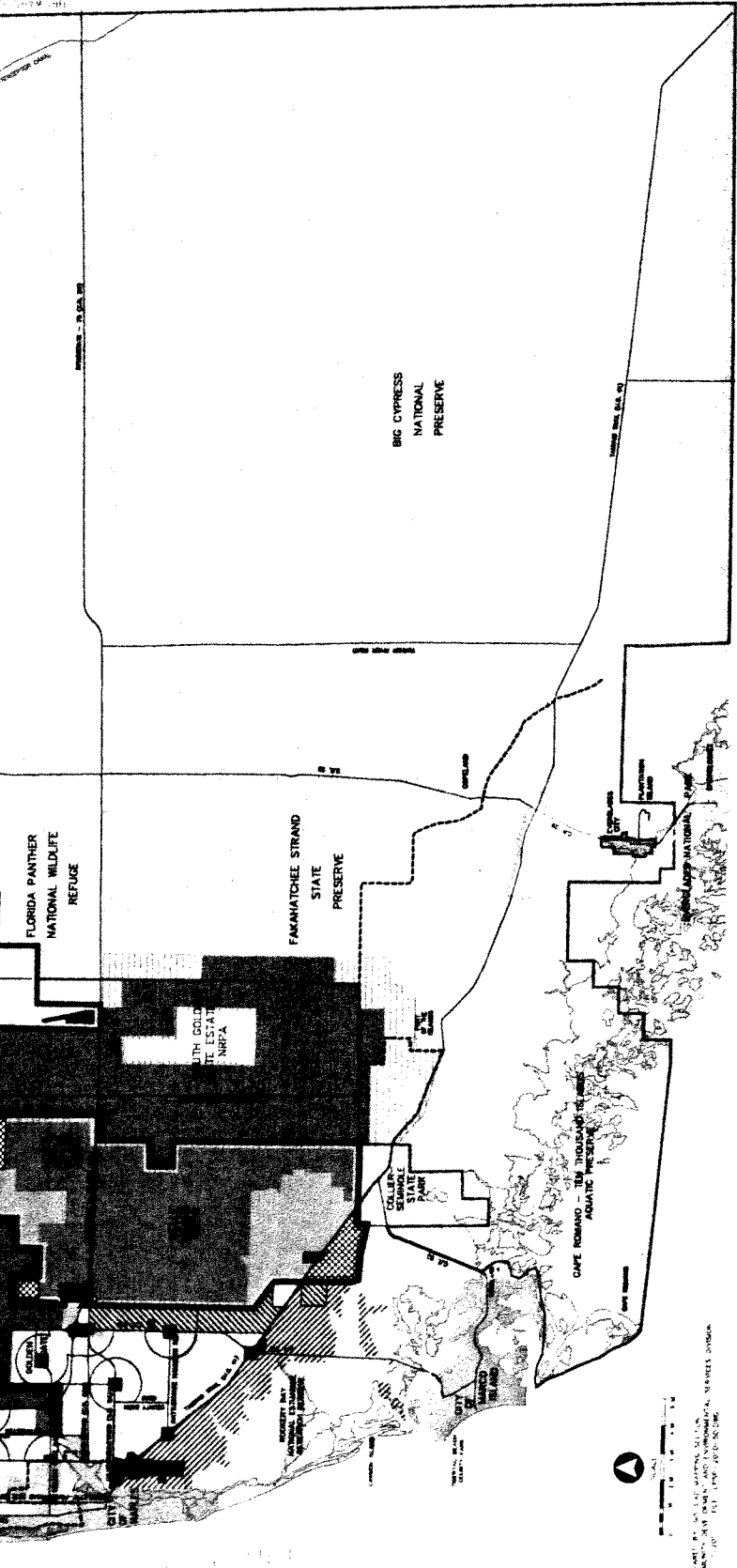
2006 - 2016
FUTURE LAND USE MAP
Collier County Florida

DETAILS OF THE RLSS OVERLAY AREA ARE SHOWN
ON THE FUTURE LAND USE MAP TITLED
'COLLIER COUNTY RURAL & AGRICULTURAL
AREA ASSESSMENT STEWARDSHIP OVERLAY MAP'

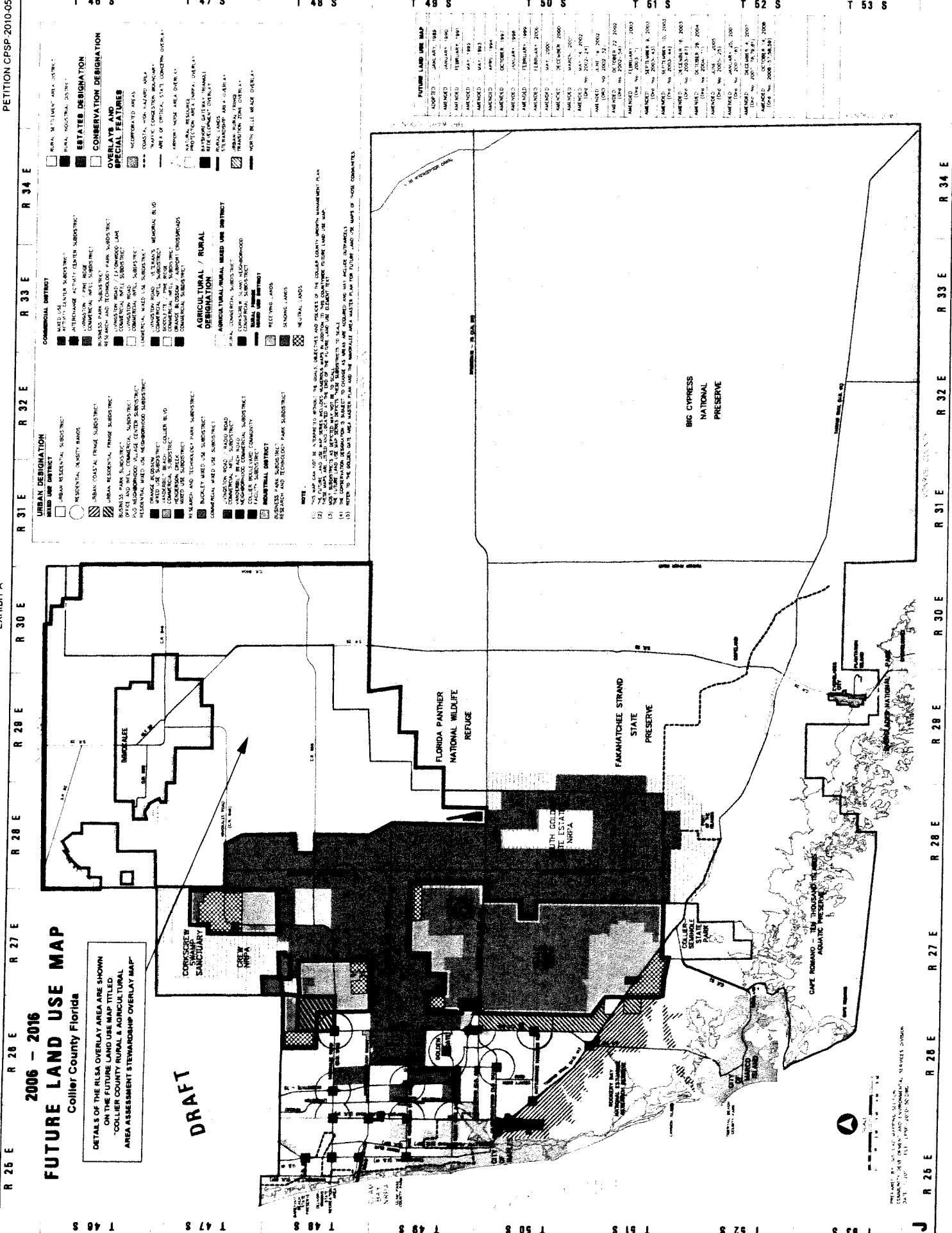
DRAFT

Legend section containing:
URBAN DESIGNATION
MIXED USE DISTRICT
RESIDENTIAL, INDUSTRIAL, BUSINESS, COMMERCIAL, AGRICULTURAL/RURAL, etc.
ESTATE DESIGNATION
CONSERVATION DESIGNATION
OVERLAYS AND SPECIAL FEATURES
FUTURE LAND USE MAP
ADOPTED, AMENDED dates and descriptions.

- NOTE:
(1) THE RLSS OVERLAY AREA IS SHOWN IN THE RURAL AND AGRICULTURAL DISTRICTS OF THE COLLIER COUNTY ZONING MANAGEMENT PLAN.
(2) THE FUTURE LAND USE MAP SHOWS THE RURAL AND AGRICULTURAL DISTRICTS OF THE COLLIER COUNTY ZONING MANAGEMENT PLAN.
(3) THE FUTURE LAND USE MAP SHOWS THE RURAL AND AGRICULTURAL DISTRICTS OF THE COLLIER COUNTY ZONING MANAGEMENT PLAN.
(4) THE FUTURE LAND USE MAP SHOWS THE RURAL AND AGRICULTURAL DISTRICTS OF THE COLLIER COUNTY ZONING MANAGEMENT PLAN.
(5) REFER TO THE ZONING DISTRICT MAP AND THE FUTURE LAND USE MAP FOR THE RURAL AND AGRICULTURAL DISTRICTS OF THE COLLIER COUNTY ZONING MANAGEMENT PLAN.



PREPARED BY: G.T. APPROPRIATE, INC.
DATE: 10/20/10



STATE OF FLORIDA)

COUNTY OF COLLIER)


I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true and correct copy of:

**ORDINANCE 2011-27**

Which was adopted by the Board of County Commissioners on the 13th day of September, 2011, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 21st day of September, 2011.

DWIGHT E. BROCK  
Clerk of Courts and Clerk  
Ex-officio to Board of  
County Commissioners

  
By: Martha Vergara,  
Deputy Clerk

