

ORDINANCE NO. 12- ____

AN ORDINANCE AMENDING ORDINANCE NUMBER 89-05, AS AMENDED, THE COLLIER COUNTY GROWTH MANAGEMENT PLAN FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA, BY AMENDING THE HOUSING ELEMENT TO PROVIDE FOR 2011 EVALUATION AND APPRAISAL REPORT (EAR) BASED AMENDMENTS TO THE GROWTH MANAGEMENT PLAN; BY PROVIDING FOR SEVERABILITY; AND BY PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, Collier County has held public hearings to provide for and encourage public participation throughout the 2011-12 plan amendment process; and

WHEREAS, Collier County did submit the 2011-12 Growth Management Plan amendments to the Department of Economic Opportunity for preliminary review on May 03, 2012; and

WHEREAS, the Department of Economic Opportunity did review and did not make written objections to the amendments to the Growth Management Plan and transmitted the same 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 Economic Opportunity to adopt, adopt with changes or not adopt the proposed amendments to the Growth Management Plan; and

WHEREAS, the Collier County Planning Commission held a public hearing on the adoption of the amendments to the Growth Management Plan on October 30, 2012; 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 amendments to the Growth Management Plan on December 11, 2012; and

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

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

Approved as to form and
legal sufficiency:

Heidi Ashton-Cicko
Managing Assistant County Attorney

HAC
1/19/12

Attachment: Exhibit "A"

2011 EAR-BASED ADOPTION - HOUSING ELEMENT
Rev. 9/24/12

CP\12-CMP-00848\30

Exhibit "A"

As approved by CCPC on 10-30-12
Housing Element – to BCC for Adoption

EAR-based GMP amendments

12-11-12

GOAL 1: [Goal provided for contextual purposes only; no change proposed, page 3]
TO CREATE AN ADEQUATE SUPPLY OF DECENT, SAFE, SANITARY, AND AFFORDABLE HOUSING FOR ALL RESIDENTS OF COLLIER COUNTY.

OBJECTIVE 1: [Revised text, page 3]
~~The number of Provide new affordable-workforce housing units shall increase by at least fifteen percent of the units approved to be built in the County per year, but not less than 1,000 units per year averaged over a five-year period in order an effort to continue meeting the current and future housing needs of legal residents with very-low, low, and moderate and affordable workforce incomes, including households with special needs such as rural and farmworker housing in rural Collier County.~~

JOINT CITY OF NAPLES/COUNTY POLICIES

Policy 1.1: [New Policy, page 3]
By January 14, 2014, the Department of Housing, Human and Veteran Services shall establish a method of Indexing the demand for very-low, low, moderate and affordable workforce housing.

Policy 1.2: [New Policy, page 3]
By January 14, 2014, the Department of Housing, Human and Veteran Services shall establish a method of Indexing the availability and costs of very-low, low, moderate and affordable workforce housing.

Policy 1.3: [New Policy, page 3]
By January 14, 2014, the Department of Housing, Human and Veteran Services shall develop methods to predict future need, based on the Indexes established in Policies 1.1 and 1.2 above.

Policy 1.4: [New Policy, page 3]
By January 14, 2015, the Department of Housing, Human and Veteran Services shall establish necessary strategies, methods and tools to support this Objective.

Policy 1.5: [New Policy, page 3]
On an annual basis, beginning in June 2014, the Department of Housing, Human and Veteran Services shall provide a report to the Board of County Commissioners on the status of affordable housing in each Commission District within the County.

Policy 1.4 6: [Renumbered and revised text, page 3]
~~Collier The County shall pursue maintain an interlocal agreements with the City of Naples, the City of Marco Island, and Everglades City to that requires that each the eCity to provide their proportionate share of affordable-workforce housing units (or provide the financial equivalent to the County). (Each city's The City's proportionate share and financial equivalent will be evaluated and substantiated by the most current data, studies, and methods available to the County.)~~

Policy 1.7: [New Policy, page 3]
The interlocal agreement referenced within Policy 1.1 shall be re-evaluated every three years.

Words underlined are added; words ~~struck through~~ are deleted.

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EAR-based GMP amendments

12-11-12

Policy 1.28: [Renumbered and revised text, page 3]
~~Collier~~ The County shall, with and the City of Naples, ~~will~~ work together to accomplish the community wide goal of supporting a sufficient supply of market rate and below market rate housing. This effort may include the consolidation of the City of Naples and the County housing programs and activities, including, but not limited to, state and federally funded programs such as SHIP and CDBG, in an effort to provide greater efficiency.

Policy 1.39: [Renumbered and revised text, page 3]
The County shall, with the City of Naples, ~~and Collier County~~ shall explore the development of a fair share affordable-~~workforce~~ housing ordinance that shall require commercial and residential developments to address the lack of affordable-~~workforce~~ housing. The local jurisdictions will evaluate a broad range of options including the development of an affordable-~~workforce~~ housing impact fee, the requirement that a percentage of units developed will be "set aside" for below market rate housing, an option whereby land could be donated to a nonprofit entity and/or placed in a land bank, or other alternatives that will assist in mitigating the rising need for affordable-~~workforce~~ housing as the population increases.

Policy 1.410: [Renumbered and revised text, page 3]
~~Collier~~ The County shall create or preserve affordable housing to minimize the need for additional local services and avoid the concentration of affordable housing units only in specific areas of the jurisdiction seek to distribute affordable workforce housing equitably throughout the county where adequate infrastructure and services are available. Programs and strategies to encourage affordable-~~workforce~~ housing development may include, but are not limited to, density by right within the Immokalee Urban area and other density bonus provisions, impact fee deferrals, expedited permitting (fast tracking), public-private partnerships, providing technical assistance and intergovernmental coordination.

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COUNTY POLICIES

Policy 1.511: [Renumbered and revised text, page 3]
~~Collier~~ The County shall maintain an inventory of all approved affordable-~~workforce~~ housing units within the county. The inventory shall contain the location, structure type, number of bedrooms, and target income range for each housing unit.

OBJECTIVE 2: [Revised text, page 3]
~~The Collier County Board of County Commissioners aided in the establishment of the Collier County Housing Development Corporation in 2003. The mission of the Housing Development Corporation is to serve as a non-profit agency, with an executive board made up of representatives from business, government, housing advocates, and the community at large, which along with other not for profit agencies shall assist Collier County and its municipalities in achieving a goal of increasing the number of affordable-~~workforce~~ housing units, by the methods contained in Objective 1 and subsequent Policies, at least fifteen percent of the units approved to be built in the County per year, but not less than 1,000 units per year averaged over a five-year period for very-low, low, and moderate and affordable workforce income residents with the assistance of for-profit and not-for-profit providers of affordable housing, within the of Collier County and its municipalities.~~

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JOINT CITY OF NAPLES/COUNTY POLICIES

Policy 2.1: [Revised text, page 4]
~~Not-for-profit agencies, such as the Collier County Housing Development Corporation~~ shall assist the County in reaching its annual affordable-workforce housing goal by holding workshops and fairs to raise awareness and understanding of housing issues in the County; working together to purchase and develop parcels; and, contributing funds towards the purchase of land for affordable-workforce housing projects.

Policy 2.2: [Revised text, page 4]
Partnerships shall be encouraged between private developers, non-profit entities, local governments and other interested parties to ensure the development of housing that meets the needs of the County's very-low, low, ~~and moderate~~ and affordable workforce income residents.

Policy 2.3: [Revised text, page 4]
~~Collier~~ The County shall, with ~~and~~ the City of Naples, ~~staff will~~ continue to provide community organizations with brochures and up-dates on various housing programs, grant opportunities, technical assistance and other information that will promote affordable-workforce housing opportunities for very low, low, ~~and moderate~~ and affordable workforce income residents.

Policy 2.4: [Revised text, page 4]
~~Collier~~ The County shall, with ~~and~~ the City of Naples, ~~shall~~ continue to review existing codes and ordinances and amend them as needed to allow for flexible and innovative residential design that encourages mixed use development with a variety of housing designs, styles, and price ranges.

Policy 2.5: [Revised text, page 4]
~~Collier~~ The County shall, with ~~and~~ the City of Naples, ~~shall~~ continue to review its existing permit processing systems in an effort to reduce the processing time and cost of affordable-workforce housing and continue to identify areas that can be streamlined.

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Policy 2.7: [Revised text, page 4]
~~Collier~~ The County shall increase the utilization of existing impact fee ordinances to facilitate the development of affordable-workforce housing through the provisions of deferrals.

CITY OF NAPLES POLICIES [Revised text, page 5]
None

Policy 2.8: [Revised text, page 5]
The City of Naples continues to provide financial, technical and support assistance to the residents of the Carver/River Park neighborhood through continued coordination with property owners, property managers and renters.

Words underlined are added; words ~~struck-through~~ are deleted.

COUNTY POLICIES

Policy 2.9:

[Revised text, page 5]

The County shall review ~~the County's~~ its Affordable-workforce Housing Density Bonus Ordinance every ~~two~~ three years or sooner, as necessary, and revise the Ordinance, as necessary, to reflect changing community needs and market conditions. (The purpose of the Affordable-workforce Housing Density Bonus Ordinance shall be to encourage the blending of affordable-workforce housing density bonus units into market rate developments as well as to support developments exclusively providing affordable-workforce housing.)

Policy 2.10:

[Revised text, page 5]

The ~~Collier County Operations Support and Housing,~~ Human and Veteran Services Department shall continue to ~~operate~~ administer affordable-workforce housing programs, in cooperation with public and private sponsors, to provide safe, affordable-workforce housing to residents of the County's urban designated areas and rural areas. Programs ~~operated~~ administered by the Department will continue to include, but are not limited to:

- Impact fee deferrals
- Housing rehabilitation and emergency repairs
- Down payment and closing cost assistance
- Acquisition (exclusive of Collier County Government) and rehabilitation program

Policy 2.11:

[Revised text, page 5]

The ~~Collier County Operations Support and Housing Department~~ in coordination with for-profit and not-for-profit providers of affordable housing development ~~will~~ shall continue to coordinate with local utility providers to ensure that the necessary infrastructure and facilities for new housing developments are in place, consistent with the County's Concurrency Management System.

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OBJECTIVE 3:

[Revised text, page 5]

~~Collier County shall~~ eContinue to support and adequately fund housing programs to promote the preservation and protection of existing, stable residential neighborhoods. This will be accomplished through the utilization of State Housing Incentives Partnership (SHIP) and CDBG programs including, but not limited to, down payment/closing cost assistance, rehabilitation and emergency repair, demolition with new construction, and impact fee deferrals.

JOINT CITY OF NAPLES/COUNTY POLICIES

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Policy 3.2:

[Revised text, page 6]

~~Collier~~ The County ~~will~~ shall support applications from for-profit and not-for-profit organizations that apply for state and federal funding for the purpose of constructing and/or rehabilitating affordable-workforce housing.

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12-11-12

Policy 3.3:

[Revised text, page 6]

~~Collier~~ The County shall continue to utilize SHIP resources and other funds to leverage the number and amount of loans provided by local lending institutions to very low, low, ~~and~~ moderate and affordable workforce income residents for home improvements, rehabilitation and first time homebuyer's assistance.

CITY POLICIES

Policy 3.4:

[Revised text, page 6]

Through the Neighborhood Planning Process, the City of Naples continues to ~~will~~ identify local housing issues and develop programs as needed to address these concerns.

Policy 3.5:

[Revised text, page 6]

The City of Naples continues to implement incentive policies, where practical, ~~will initiate a study of the Old Naples area to determine architectural and development standards~~ to protect and preserve historic structures, and maintain the existing residential character of the area.

Policy 3.6:

[Revised text, page 6]

The City of Naples ~~will~~ continues to study and make recommendations to amend the Code of Ordinances to address impacts of larger homes on smaller lots within the City of Naples. These changes will be reviewed to determine their effectiveness.

Policy 3.7:

[Revised text, page 6]

The City of Naples ~~will implement their housing maintenance code to~~ continues to address the conservation of housing stock and the preservation and protection of residential neighborhoods through its Neighborhood Action Plans.

COUNTY POLICIES

Policy 3.8:

[Revised text, page 6]

~~Collier~~ The County ~~will~~ shall continue to maintain its Community Development Block Grant (CDBG) urban entitlement county status with the U.S. Department of Housing and Urban Development, which will continue to result in an annual allocation of federal funding available to assist very-low, low, and moderate and affordable workforce income households.

OBJECTIVE 4:

[Revised text, page 7]

~~Collier County and the City of Naples will~~ eConduct a ~~comprehensive~~ housing surveys, every three years or sooner, for the purpose of identifying substandard dwelling units. Through continued enforcement of ~~County~~ housing codes, and the provision of housing rehabilitation or replacement programs, the number of substandard units (associated with a lack of plumbing and/or kitchen facilities) throughout the County shall be reduced by 5% per year through rehabilitation or demolition.

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12-11-12

JOINT CITY OF NAPLES/COUNTY POLICIES

Policy 4.1:

[Revised text, page 7]

The County shall, with the City of Naples, Utilize the most recent comprehensive housing inventory to develop and implement new programs to reduce substandard housing. Reduction of the number of substandard units will be accomplished by employing existing methods such as, but not limited to, housing code inspections, rehabilitation programs, and demolition of substandard units and their replacement with new construction.

Policy 4.2:

[Revised text, page 7]

The County shall, with the City of Naples, Require the demolition of dilapidated, unsafe or unsanitary housing that does not meet the housing code or, which cannot economically be rehabilitated.

Policy 4.3:

[Revised text, page 7]

~~Review and amend the existing relocation policy of the~~ The County shall, with the City of Naples, and the County and create ~~one~~ a single uniform relocation housing policy, consistent with the U.S. Department of Housing and Urban Development requirements.

Policy 4.4:

[Revised text, page 7]

In the event of a natural disaster, the County shall, with the City of Naples, require that replacement housing shall comply with all applicable federal, state and local codes and shall consider factors such as, but not limited to, commercial accessibility, public facilities, places of employment, and housing income.

Policy 4.5:

[Revised text, page 7]

The County shall, with the City of Naples, require ~~All~~ dwelling units will be maintained in a safe and sanitary condition, including adequate light, ventilation, sanitation and other provisions, as required by the County and the City of Naples minimum housing codes. This task will be accomplished through housing code inspections and code enforcement actions, and housing rehabilitation programs supported through state, federal, local and/or private resources.

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OBJECTIVE 5:

[Revised text, page 7]

~~Collier County and the City of Naples will~~ Annually monitor all identified historically significant homes in order to promote the determine if these structures are being conservationed, maintenanceained, and/or rehabilitationed of those structures.

JOINT CITY OF NAPLES/COUNTY POLICIES

[New text, page 7]

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Policy 5.2:

[Revised text, page 8]

~~Collier~~ The County and shall, with the City of Naples, will review their land development regulations, building code, FEMA regulations, and other requirements every five years, and amend these as

Words underlined are added; words ~~struck through~~ are deleted.

necessary to encourage the conservation, maintenance and rehabilitation of historically significant structures.

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Policy 5.4: [Revised text, page 8]
By 2019 ~~2008~~, ~~Collier~~ the County and ~~shall with the City of Naples will~~ study potential incentives to encourage the conservation, maintenance and rehabilitation of historic homes and ~~will~~ shall make recommendations to the City Council and to the Board of County Commissioners as to which incentives should be adopted.

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Policy 5.6: [Revised text, page 8]
By 2001~~8~~, the Board of County Commissioners shall commission a new Historical Survey for all of unincorporated Collier County. The Survey shall review the current status of all previously identified historical structures and sites within the unincorporated County and shall make recommendations as to which of these sites or structures should be nominated to the National Register. The Survey shall also review and make similar recommendations regarding any previously unidentified historic structures or sites.

Policy 5.7: [Revised text, page 8]
By 2001~~9~~, the Historical/Archaeological Preservation Ordinance shall be updated to include the results of the Historical Survey and ~~to include~~ any relevant changes in State or Federal regulations concerning historical properties.

OBJECTIVE 6: [Revised text, page 8]
~~Collier County shall m~~Monitor changes to state and federal regulations pertaining to group housing and Continuing Care Retirement Centers ~~care facilities~~, and, as necessary, amend ~~its~~ the Land Development Code to ensure compliance.

Policy 6.1: [Revised text, page 9]
The County shall, with the City of Naples, ~~P~~provide non-profit group housing and Continuing Care Retirement Center ~~care facility~~ organizations with information on federal, state and local housing resources that will assist them in the provision of special needs housing. On an annual basis, or as needed, provide technical assistance and support as organizations apply for funding assistance.

Policy 6.2: [Revised text, page 9]
~~Collier~~ The County shall, with the City of Naples, review the County and the ~~City's of Naples~~ Fair Housing ordinances and procedures with regard to group housing and Continuing Care Retirement Centers ~~care facility~~ and shall seek to consolidate local fair housing implementation in order to promote consistency and coordination in the siting of such facilities between the jurisdictions.

Policy 6.3: [Revised text, page 9]
The County shall, with the City of Naples, ~~R~~review their ~~respective existing County and City of Naples~~ land development regulations and building codes, and amend as necessary, to ensure compliance with

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12-11-12

State and Federal regulations to provide for group housing and Continuing Care Retirement Centers, and foster care facilities licensed by the State of Florida.

Policy 6.4:

[Revised text, page 9]

The County shall, with the City of Naples, Collier County may allow group housing and Continuing Care Retirement Centers care facilities in residentially zoned neighborhoods where adequate infrastructure, services and resources are available. The location of these facilities will be in compliance with local land use regulations and will be consistent with Chapter 419, Florida Statutes.

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OBJECTIVE 7:

[Revised text, page 9]

~~Although mobile home developments currently exist within the coastal areas of Collier County, as a result of the coastal community's susceptibility to flooding and storm surges, no Restrict new rezoningse to permit for mobile home development to areas outside of the will be allowed within the Coastal High Hazard Area, as depicted on the countywide Future Land Use Map, due to area's susceptibility to flooding and storm surge.~~

CITY OF NAPLES POLICIES

Policy 7.1:

[Revised text, page 9]

The City of Naples continues to formally recognized the existence of one mobile home park in the city limits through a Planned Development rezone process. This rezone process recognized that the Naples Mobile Home Park does provide affordable housing opportunities to those living in the 141 mobile homes and 31 recreational vehicle spaces within this complex.

Policy 7.2:

[Revised text, page 9]

The City of Naples continues to disallow ~~A~~additional mobile home developments ~~will not be permitted~~ within the city limits due to the City's low elevation, susceptibility to flooding, storm surges and high winds in hurricane and tropical storms, and ~~that mobile homes are particularly vulnerabilitye~~ to damage.

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OBJECTIVE 8:

[Revised text, page 10]

~~Collier County shall continue to u~~Utilize SHIP, CDBG, or other funding sources and, in partnership with Federal, State and non-profit housing agencies, will seek to provide in concert with Objective 1, a number of minimum of 50 rehabilitated or new residential units per year for very low, low, and moderate and affordable workforce income residents, based on identified need of the Immokalee Urban Area, Rural Fringe Mixed Use District, and within the Rural Lands Stewardship Area. (Families benefiting from such housing will include, but are not be limited to, farmworkers and other populations with special housing needs.)

Words underlined are added; words ~~struck through~~ are deleted.

COUNTY POLICIES

Policy 8.1: [Revised text, page 10]
Collier ~~The~~ County shall continue to identify ~~pursue the policy of requiring all non-conforming or~~ sub-standard residences, of any type, within the Immokalee Urban Area and require that those residences to be either rehabilitated to current housing code standards or demolished.

~~**Policy 8.2:** [Deleted text, page 10]
By 2008, Collier County shall complete a review of the residential density caps established within the Immokalee Area Master Plan Element of this Growth Management Plan. Based upon this review, the County shall determine if and where it may be appropriate to increase such caps, so as to encourage the development of new affordable workforce housing units for farmworkers, very low, low and moderate income residents.~~

Policy 8.23: [Revised text, page 10]
During 2004, the County ~~completed a housing assessment survey of single family, multi-family, and mobile home units and mobile home parks in the Immokalee Urban Area, in order to determine the number of units that do not meet the County's current health, safety and minimum housing codes. The~~ County shall continue to target affordable ~~workforce~~ housing and code enforcement programs to correct the ~~conditions~~ deficiencies identified in the 2004 Immokalee Urban Area housing assessment survey.

Policy 8.34: [Renumbered and revised text, page 10]
Funding for rehabilitation of both owner and rental units ~~within the Immokalee Urban and Rural Lands Stewardship Areas will~~ shall be provided through USDA funding, State SHIP finding, CDBG funding, or other appropriate funding sources, and leveraged with additional funding sources to the maximum degree possible.

Policy 8.45: [Renumbered text, page 10]

Policy 8.56: [Revised text, page 11]
Collier ~~The~~ County will shall ~~continue to~~ utilize CDBG funds to provide farmworker-housing opportunities, including ~~In addition to housing units that currently qualify for assistance under SHIP program guidelines, special consideration of CDBG funds will be aimed at those units that current SHIP program guidelines prohibit from assistance (i.e., mobile home units). Farmworkers will also be encouraged, through the use of multi-lingual outreach programs, to take advantage of any other CDBG, SHIP, Local, State, Federal and private programs for which they may qualify.~~

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OBJECTIVE 9: [New text, page 11]
Support housing programs that encourage the development of energy efficient and environmentally sensitive housing.

JOINT CITY OF NAPLES/COUNTY POLICIES [New text, page 11]
None

Words underlined are added; words ~~struck through~~ are deleted.

CITY POLICIES

[New text, page 11]

None

COUNTY POLICIES

[New text, page 11]

Policy 9.1:

[New text, page 11]

The County shall encourage the construction of energy efficient housing by exploring innovative regulations that promote energy conserving and environmentally sensitive technologies and design.

Policy 9.2:

[New text, page 11]

The County shall educate the public about the economic and environmental benefits of resource efficient design and construction.

Policy 9.3:

[New text, page 11]

The County shall expedite plan review of housing projects that promote energy conservation and design.

Policy 9.4:

[New text, page 11]

The County shall continue to encourage the development of mixed housing types near employment centers in order to reduce Green House Gas emissions and minimize carbon footprints.

Policy 9.5:

[New text, page 11]

The County shall promote the incorporation of US EPA Energy Star Building and Appliances programs into construction and rehabilitation practices.