

DRAFT

ORDINANCE NO. 15- _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA AMENDING ORDINANCE NO. 89-05, AS AMENDED, THE COLLIER COUNTY GROWTH MANAGEMENT PLAN FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA, SPECIFICALLY AMENDING THE FUTURE LAND USE ELEMENT AND FUTURE LAND USE MAP AND MAP SERIES BY ADDING THE HIBISCUS RESIDENTIAL INFILL SUBDISTRICT TO ALLOW A MAXIMUM OF 84 RESIDENTIAL UNITS. THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF RATTLESNAKE HAMMOCK ROAD AT THE INTERSECTION OF HIBISCUS DRIVE IN SECTION 19, TOWNSHIP 50 SOUTH, RANGE 26 EAST, CONSISTING OF 7.9 ACRES; AND FURTHERMORE, RECOMMENDING TRANSMITTAL OF THE ADOPTED AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. [PL20140000193 / CPSS-2014-1]

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, Nassif Golf Ventures LLC requested an amendment to the Future Land Use Element and Future Land Use Map and Map Series to create the Hibiscus Residential Infill District; and

WHEREAS, pursuant to Subsection 163.3187(1), Florida Statutes, this amendment is considered a Small Scale Amendment; and

WHEREAS, the Subdistrict property is not located in an area of critical state concern or an area of critical economic concern; and

WHEREAS, the Collier County Planning Commission (CCPC) on February 19, 2015 considered the proposed amendment to the Growth Management Plan and recommended approval of said amendment to the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners of Collier County did take action in the manner prescribed by law and held public hearings concerning the proposed adoption of the amendment to the Future Land Use Element and Future Land Use Map and Map Series of the Growth Management Plan on April 14, 2015; 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 AMENDMENT TO THE GROWTH MANAGEMENT PLAN

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

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.

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.

DRAFT

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this _____ day of _____, 2015.

ATTEST:
DWIGHT E. BROCK, CLERK

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

Deputy Clerk

BY: _____, Chairman

Approved as to form and legality:

Heidi Ashton-Cicko,
Managing Assistant County Attorney

Attachment: Exhibit A – Proposed Text Amendment & Map Amendment

CP\14-CMP-00933\43

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PL20140000193/CPSS-2014-1 – Hibiscus Residential Infill Subdistrict
Small Scale Adoption Amendment – rev. 1/7/15

Words underlined are added; words ~~struck-through~~ have been deleted;

EXHIBIT A

FUTURE LAND USE ELEMENT

Policy 1.1:

The Urban Future Land Use Designation shall include Future Land Use District and Subdistricts for:

A. URBAN – MIXED USE DISTRICT

*** **

17. Hibiscus Residential Infill Subdistrict

I. URBAN DESIGNATION

*** **

A. Urban Mixed Use District

*** **

17. Hibiscus Residential Infill Subdistrict

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The Hibiscus Residential Infill Subdistrict is located on the south side of Rattlesnake Hammock Road, at the intersection of Hibiscus Drive; consists of approximately 7.9 acres; and, comprises Lots 1 and 2, and Tract "R" of the Hibiscus Golf Course Subdivision. The purpose of this Subdistrict is to allow development of up to 84 residential units on this infill property. Buildings shall be limited in height to a maximum of three stories and the rezoning is encouraged to be in the form of a Planned Unit Development.

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FUTURE LAND USE MAP SERIES

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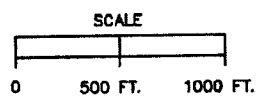
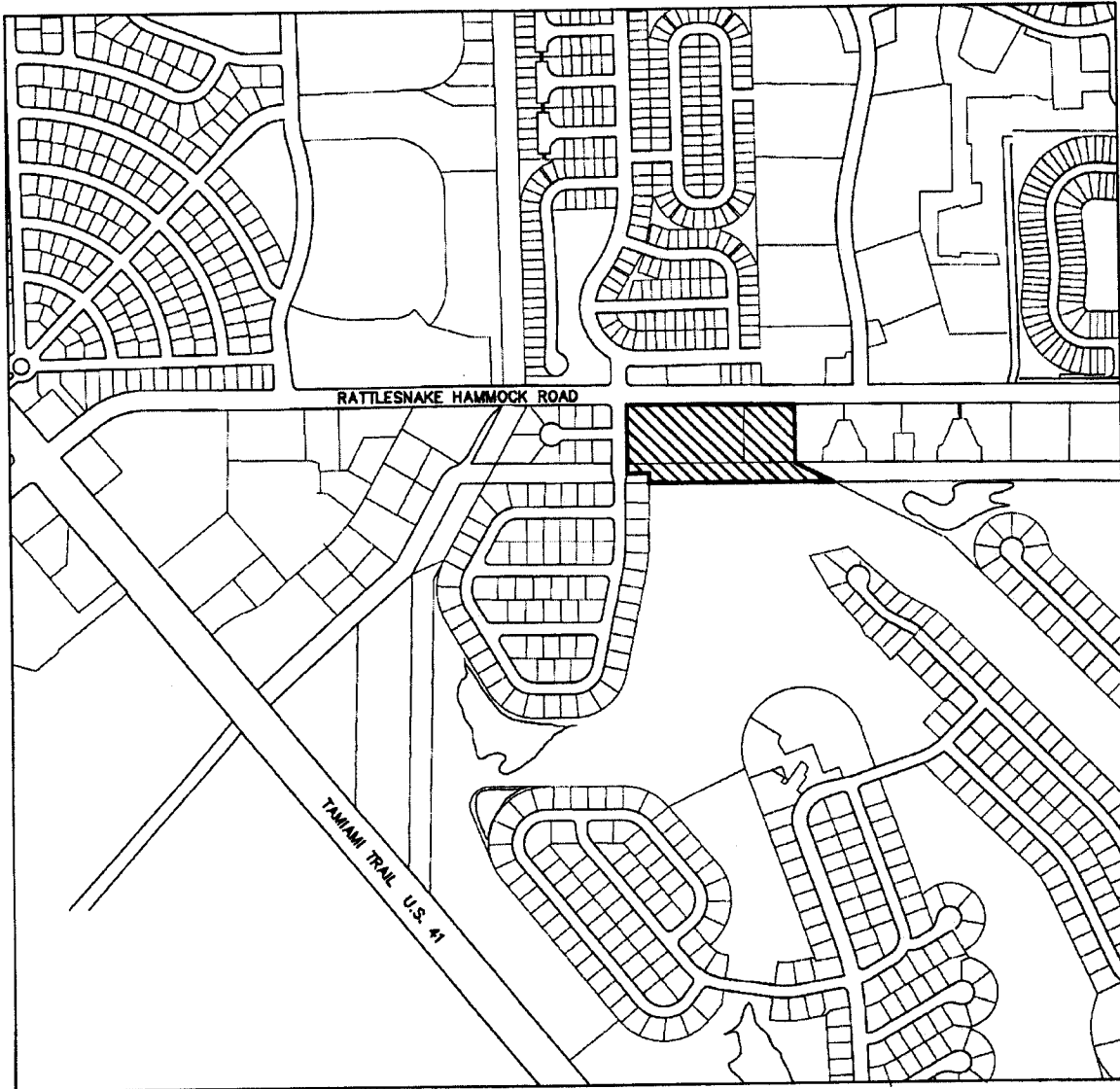
Hibiscus Residential Infill Subdistrict


1

Words underlined are added; words ~~struck through~~ are deleted.
Row of asterisks (***) denotes break in text.

DRAFT

**HIBISCUS RESIDENTIAL INFILL SUBDISTRICT
COLLIER COUNTY, FLORIDA**



LEGEND	
	HIBISCUS RESIDENTIAL INFILL SUBDISTRICT

PREPARED BY: GIS/CAD MAPPING SECTION
COLLIER COUNTY GROWTH MANAGEMENT DIVISION
DATE: 7/2014 FILE: CP-2013-10A.DWG

2012 - 2025 FUTURE LAND USE MAP Collier County Florida

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

DRAFT

URBAN DESIGNATION

- URBAN RESIDENTIAL SUBDISTRICT
- RESIDENTIAL BOUNDARY BANDS
- URBAN COASTAL PRINCE SUBDISTRICT
- URBAN RESIDENTIAL PRINCE SUBDISTRICT
- BUSINESS PARK SUBDISTRICT
- OFFICE AND RETAIL COMMERCIAL SUBDISTRICT
- PLU HIGH-DENSITY VILLAGE CENTER SUBDISTRICT
- RESIDENTIAL MIXED USE HIGH-DENSITY SUBDISTRICT
- ORANGE BLOSSOM MIXED USE SUBDISTRICT
- VANDERBILT BEACH / COLLIER BLVD. COMMERCIAL SUBDISTRICT
- INDONESIA CREEK MIXED USE SUBDISTRICT
- RESEARCH AND TECHNOLOGY PARK SUBDISTRICT
- MULLY MIXED USE SUBDISTRICT
- COMMERCIAL MIXED USE SUBDISTRICT
- UNIVESTION ROAD / RADIO ROAD COMMERCIAL RETAIL SUBDISTRICT
- VANDERBILT BEACH ROAD HIGH-DENSITY COMMERCIAL SUBDISTRICT
- COLLIER SQUARE COMMUNITY FACILITY SUBDISTRICT
- UNIVERSITY RESIDENTIAL INFRA SUBDISTRICT
- INDUSTRIAL DISTRICT
- BUSINESS PARK SUBDISTRICT
- RESEARCH AND TECHNOLOGY PARK SUBDISTRICT

COMMERCIAL DISTRICT

- MIXED USE ACTIVITY CENTER SUBDISTRICT
- ACTIVITY CENTER SUBDISTRICT
- UNIVESTION / PINE ROAD COMMERCIAL MIXED USE SUBDISTRICT
- BUSINESS PARK SUBDISTRICT
- RESEARCH AND TECHNOLOGY PARK SUBDISTRICT
- UNIVESTION ROAD / EASTWOOD LANE COMMERCIAL RETAIL SUBDISTRICT
- UNIVESTION ROAD COMMERCIAL INFRA SUBDISTRICT
- COMMERCIAL MIXED USE SUBDISTRICT
- UNIVESTION ROAD / VETERAN'S MEMORIAL BLVD. COMMERCIAL INFRA SUBDISTRICT
- COQUETTE / PINE HILLS COMMERCIAL INFRA SUBDISTRICT
- UNIVERSITY BLVD / AIRPORT CROSSROADS COMMERCIAL SUBDISTRICT

AGRICULTURAL / RURAL DESIGNATION

- AGRICULTURAL/RURAL MIXED USE DISTRICT
- RURAL COMMERCIAL SUBDISTRICT
- EDUCATION ISLAND HIGH-DENSITY COMMERCIAL SUBDISTRICT
- RURAL VILLAGE MIXED USE DISTRICT
- RECREATING LANDS
- SEMI-RURAL LANDS
- NEUTRAL LANDS

RURAL SETTLEMENT AREA DISTRICT

- RURAL INDUSTRIAL DISTRICT

ESTATES DESIGNATION

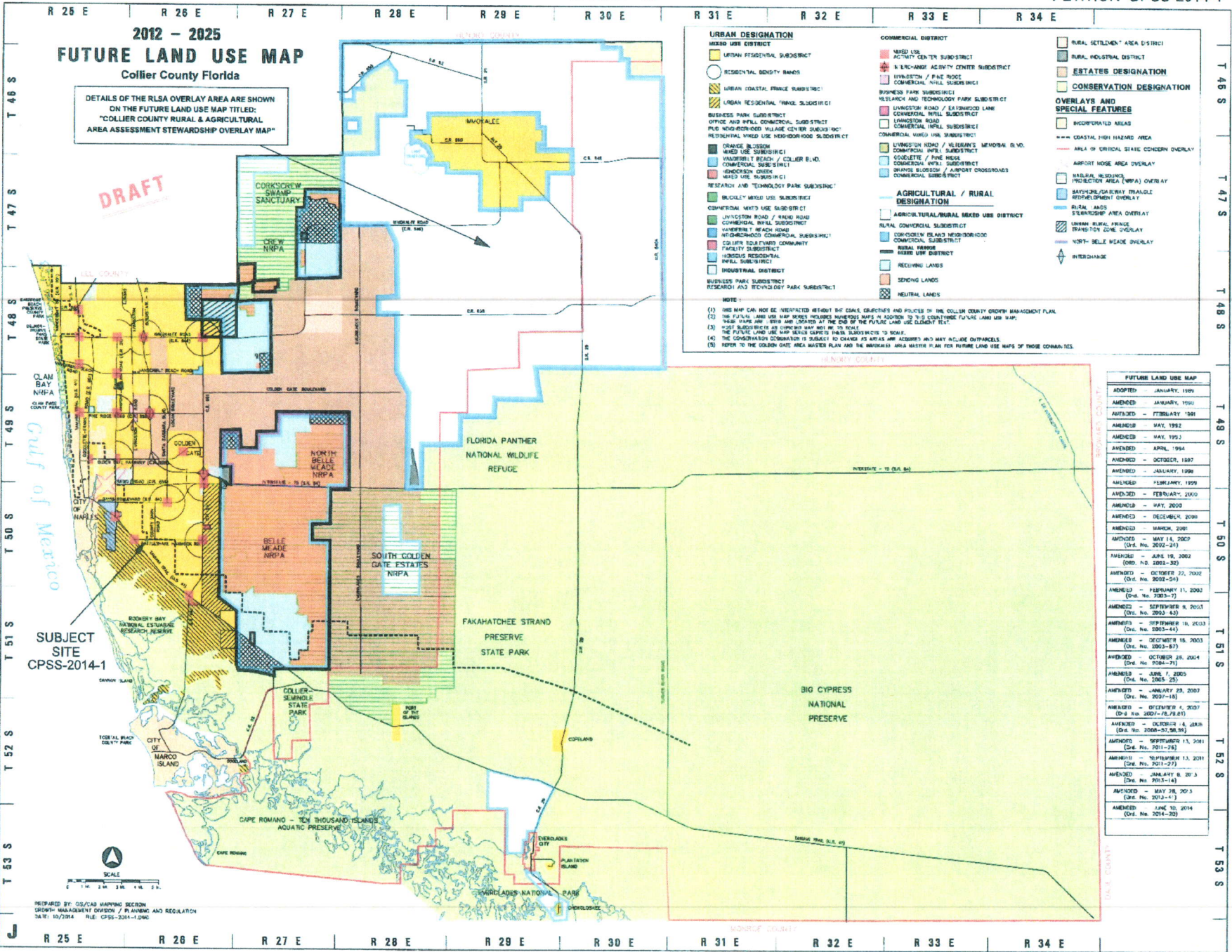
- CONSERVATION DESIGNATION

OVERLAYS AND SPECIAL FEATURES

- INCORPORATED AREAS
- COASTAL HIGH HAZARD AREA
- AREA OF CRITICAL STATE CONCERN OVERLAY
- AIRPORT NOISE AREA OVERLAY
- NATURAL RESOURCES PROTECTION AREA (NRPA) OVERLAY
- STATE/LOCAL/STATE TRAIL/RAIL REDEVELOPMENT OVERLAY
- RURAL LANDS STEWARDSHIP AREA OVERLAY
- UNWARRANTED RURAL AREA OVERLAY
- TRANSITION ZONE OVERLAY
- NORTH BELLE MEADE OVERLAY
- INTERCHANGE

NOTE:

- THIS MAP CAN NOT BE INTERPRETED WITHOUT THE GOALS, OBJECTIVES AND POLICIES OF THE COLLIER COUNTY GROWTH MANAGEMENT PLAN.
- THE FUTURE LAND USE MAP SHOWS NUMEROUS MAPS IN ADDITION TO THIS COUNTY-WIDE FUTURE LAND USE MAP. THESE HAVE ADOPTED AND OPERATED AT THE END OF THE FUTURE LAND USE CLOSURE PERIOD.
- THIS SUBJECT SITE AT COLLIER MAY NOT BE IN THE FUTURE LAND USE MAP BECAUSE IT IS IN A SUBDISTRICT TO BE DELETED.
- THE CONSERVATION DESIGNATION IS SUBJECT TO CHANGE AS AREAS ARE ACQUIRED AND MAY INCLUDE OUTPARCELS.
- REFER TO THE COLLIER COUNTY AREA WATER PLAN AND THE UNWARRANTED RURAL AREA WATER PLAN FOR FUTURE LAND USE MAPS OF THOSE CORRELATES.



FUTURE LAND USE MAP	
ADOPTED	JANUARY, 1999
AMENDED	JANUARY, 1999
AMENDED	FEBRUARY, 1999
AMENDED	MAY, 1999
AMENDED	MAY, 1999
AMENDED	APRIL, 1999
AMENDED	OCTOBER, 1997
AMENDED	JANUARY, 1999
AMENDED	FEBRUARY, 2000
AMENDED	MAY, 2000
AMENDED	DECEMBER, 2000
AMENDED	MARCH, 2001
AMENDED	MAY 11, 2002 (Ord. No. 2002-21)
AMENDED	JUNE 19, 2002 (Ord. No. 2002-20)
AMENDED	OCTOBER 20, 2002 (Ord. No. 2002-21)
AMENDED	FEBRUARY 11, 2003 (Ord. No. 2003-7)
AMENDED	SEPTEMBER 8, 2003 (Ord. No. 2003-43)
AMENDED	SEPTEMBER 18, 2003 (Ord. No. 2003-44)
AMENDED	DECEMBER 18, 2003 (Ord. No. 2003-87)
AMENDED	OCTOBER 28, 2004 (Ord. No. 2004-71)
AMENDED	JUNE 7, 2005 (Ord. No. 2005-25)
AMENDED	JANUARY 23, 2007 (Ord. No. 2007-18)
AMENDED	OCTOBER 18, 2007 (Ord. No. 2007-18, 19, 20)
AMENDED	OCTOBER 1, 2008 (Ord. No. 2008-57, 58, 59)
AMENDED	SEPTEMBER 15, 2009 (Ord. No. 2009-78)
AMENDED	SEPTEMBER 15, 2009 (Ord. No. 2009-77)
AMENDED	JUNE 14, 2013 (Ord. No. 2013-18)
AMENDED	MAY 28, 2013 (Ord. No. 2013-17)
AMENDED	JUNE 10, 2014 (Ord. No. 2014-20)

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PREPARED BY: GIS/CAD MAPPING SECTION
GROWTH MANAGEMENT DIVISION / PLANNING AND REGULATION
DATE: 10/28/14 FILE: CPSS-2014-1.DWG