



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 13, 2015

Honorable Dwight E. Brock
Clerk of the Circuit Court
Collier County
Post Office Box 413044
Naples, Florida 34101-3044

Attention: Anne P. Jennejohn, Deputy Clerk

Dear Mr. Brock:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Collier County Ordinance No. 15-22, which was filed in this office on March 12, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

AN ORDINANCE AMENDING ORDINANCE 89-05, AS AMENDED, THE COLLIER COUNTY GROWTH MANAGEMENT PLAN OF THE UNINCORPORATED AREA OF COLLIER COUNTY FLORIDA, SPECIFICALLY AMENDING THE IMMOKALEE AREA MASTER PLAN ELEMENT AND IMMOKALEE AREA FUTURE LAND USE MAP TO ADD APPROXIMATELY 24.99 ACRES TO THE SR-29 AND JEFFERSON AVENUE COMMERCIAL SUBDISTRICT OF THE URBAN-COMMERCIAL DISTRICT, TO ALLOW FOR THE DEVELOPMENT OF UP TO 162,000 SQUARE FEET OF C-1 (COMMERCIAL PROFESSIONAL AND GENERAL OFFICE DISTRICT), C-2 (COMMERCIAL CONVENIENCE DISTRICT), C-3 (COMMERCIAL INTERMEDIATE DISTRICT), AND C-4 (GENERAL COMMERCIAL DISTRICT) COMMERCIAL USES AS DESCRIBED IN THE LAND DEVELOPMENT CODE (LDC); TO EXEMPT DEVELOPMENT ON THE SUBJECT SITE FROM THE ARCHITECTURAL AND SITE DESIGN STANDARDS OF LDC SECTION 5.05.08, AND THE SIGN STANDARDS OF LDC SECTION 5.06.00; AND TO PROVIDE THAT ARCHITECTURAL, SITE DESIGN AND SIGN STANDARDS BE ESTABLISHED THROUGH THE REZONING OF THE SUBJECT SITE; PROVIDING FOR TRANSMITTAL OF THE ADOPTION AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. THE SUBJECT PROPERTY IS LOCATED ON THE NORTHWEST CORNER OF WESTCLOX STREET AND STATE ROAD 29 IN SECTION 29, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA. [PL20130001345/CP-2013-8]

WHEREAS, Collier County, pursuant to Section 163.3161, *et. seq.*, Florida Statutes, the Community Planning Act, formerly 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, Petitioner, Barron Collier Investments, Ltd., has initiated this amendment to the Immokalee Area Master Plan Element and Immokalee Area Future Land Use Map; and



WHEREAS, Collier County transmitted the Growth Management Plan amendments to the Department of Economic Opportunity for preliminary review on July 3, 2014, after public hearings before the Collier County Planning Commission and the Board of County Commissioners; and

WHEREAS, the Department of Economic Opportunity reviewed the amendments to the Future Land Use Map to the Growth Management Plan and transmitted its comments in writing to Collier County within the time provided by law; and

WHEREAS, Collier County has 180 days from receipt of the 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, 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 public hearings of the Collier County Planning Commission held on January 15, 2015, and the Collier County Board of County Commissioners held on March 10, 2015; and

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

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

SECTION ONE: ADOPTION OF AMENDMENTS TO THE GROWTH MANAGEMENT PLAN

The amendment to the Immokalee Area Master Plan Element and Immokalee Area Future Land Use Map, attached hereto as Exhibit "A" and incorporated herein by reference, is hereby adopted in accordance with Section 163.3184, Florida Statutes, and shall be transmitted to the Florida Department of Economic Opportunity.

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 commenced 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 10th day of March 2015.

ATTEST:
DWIGHT E. BROCK, CLERK

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

by: Dwight E. Brock
Deputy Clerk
Attest as to Chairman's
signature only.

BY: T. Nance
TIM NANCE, Chairman

Approved as to form and legality:

Heidi Ashton-Cicko
Heidi Ashton-Cicko
Managing Assistant County Attorney

MFAC
2-5-14

Attachment: Exhibit A – Text and Map Amendment

This ordinance filed with the
Secretary of State's Office the
12th day of March, 2015
and acknowledgement of that
filing received this 13th
day of March, 2015.
By: Dwight E. Brock
Deputy Clerk



URBAN DESIGNATION

B. Urban – Commercial District

1. Commercial Subdistrict – S.R. 29 and Jefferson Avenue

The purpose of this Subdistrict is to provide for retail and office uses, transient lodging facilities and highway commercial uses that serve the needs of the traveling public. Commercial uses allowed within the Subdistrict are generally similar to the C-1 through C-4 Commercial Zoning Districts, as identified in the Collier County Land Development Code. These commercial uses must be located on a major arterial or collector roadway.

A. The development criteria contained in Section 2.03.07.G.1 of the Collier County Land Development Code must be met for future development within the Commercial Subdistrict along SR-29, as identified on Zoning Maps: 6932N; 6932S; 6933N; 6933S; 7904N; and 7905N; and, 6929.

B. The development criteria contained in Section 2.03.07.G.2 of the Collier County Land Development Code must be met for future development within the Commercial Subdistrict along Jefferson Avenue as identified on Zoning Map 6933S.

C. That portion of the Subdistrict located at the northwest quadrant of the intersection of Westclox Street and S.R. 29 shall be rezoned in the form of a Planned Unit Development (PUD). The PUD shall include an appropriate list of commercial land uses designed to serve the needs of the Immokalee community. Development within this portion of the Subdistrict shall not be required to meet the specific architectural and site design standards for commercial development required for PUDs, identified in Section 5.05.08, and the signage requirements of Section 5.06 of the Collier County Land Development Code; however, the PUD shall include specific site design and building architectural and signage standards for the commercial development.

Non-commercial Uses

In addition to those mixed-uses permitted within the Commercial Designations, uses such as parks, open space and recreational uses, churches, libraries, cemeteries, public and private schools, day-care centers and those essential services as defined in the Land Development Code.

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