

ORDINANCE NO. 2015-26

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 64 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.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this 14th day of April, 2015.

ATTEST
DWIGHT E. BROCK, CLERK

[Signature]
Deputy Clerk
Attest as to Chairman's
signature only

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

BY: *[Signature]*
TIM NANCE, Chairman

Approved as to form and legality:

[Signature]
Heidi Ashton-Cicko,
Managing Assistant County Attorney
*HMC
3/11/15*

Attachment: Exhibit A – Proposed Text Amendment & Map Amendment

This ordinance filed with the
Secretary of State's Office the
17th day of April, 2015
and acknowledgement of that
filing received this 20th
day of April, 2015
By *[Signature]*
Deputy Clerk

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 64 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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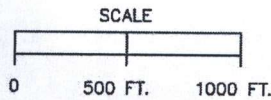
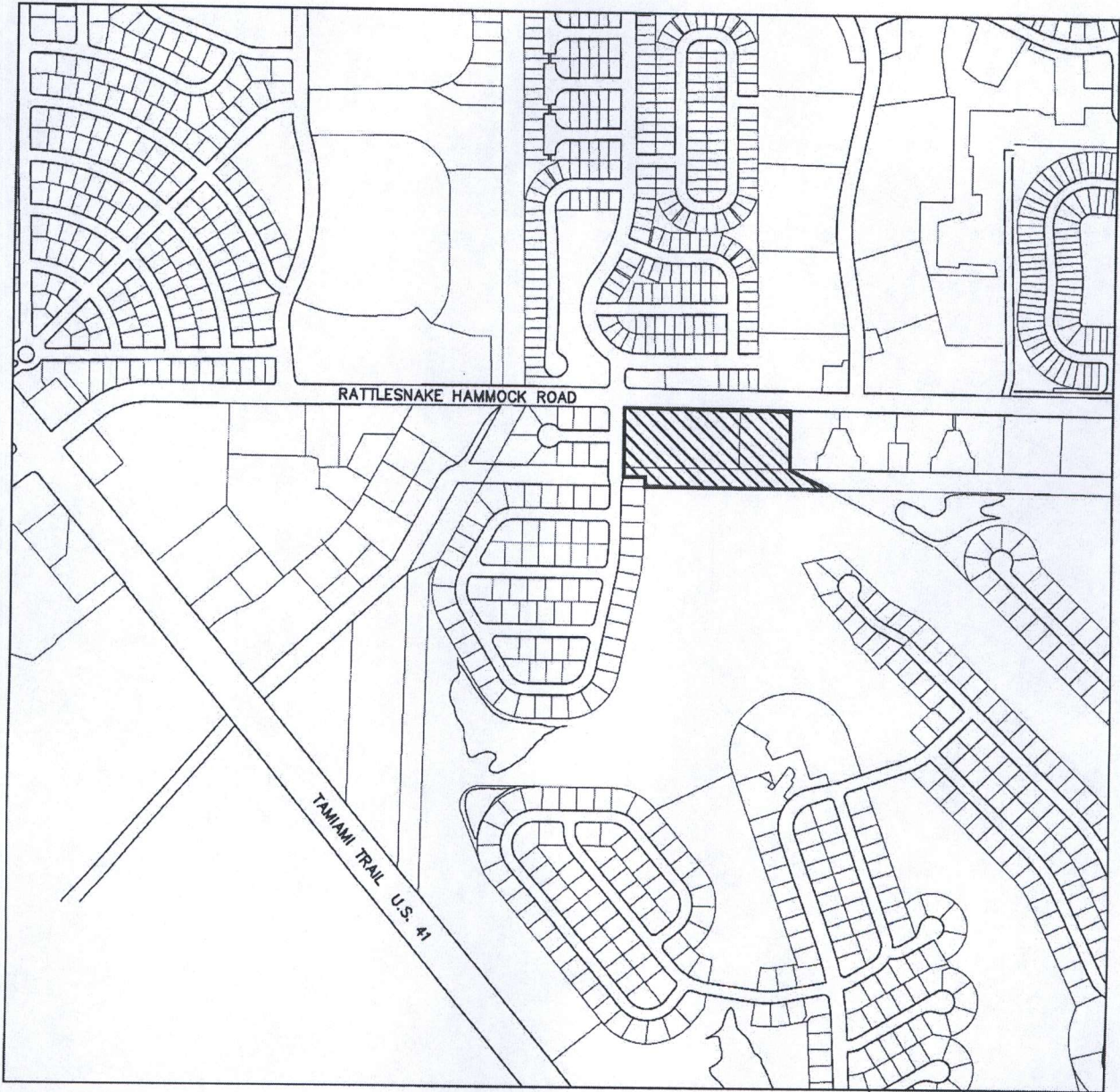
Hibiscus Residential Infill Subdistrict


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

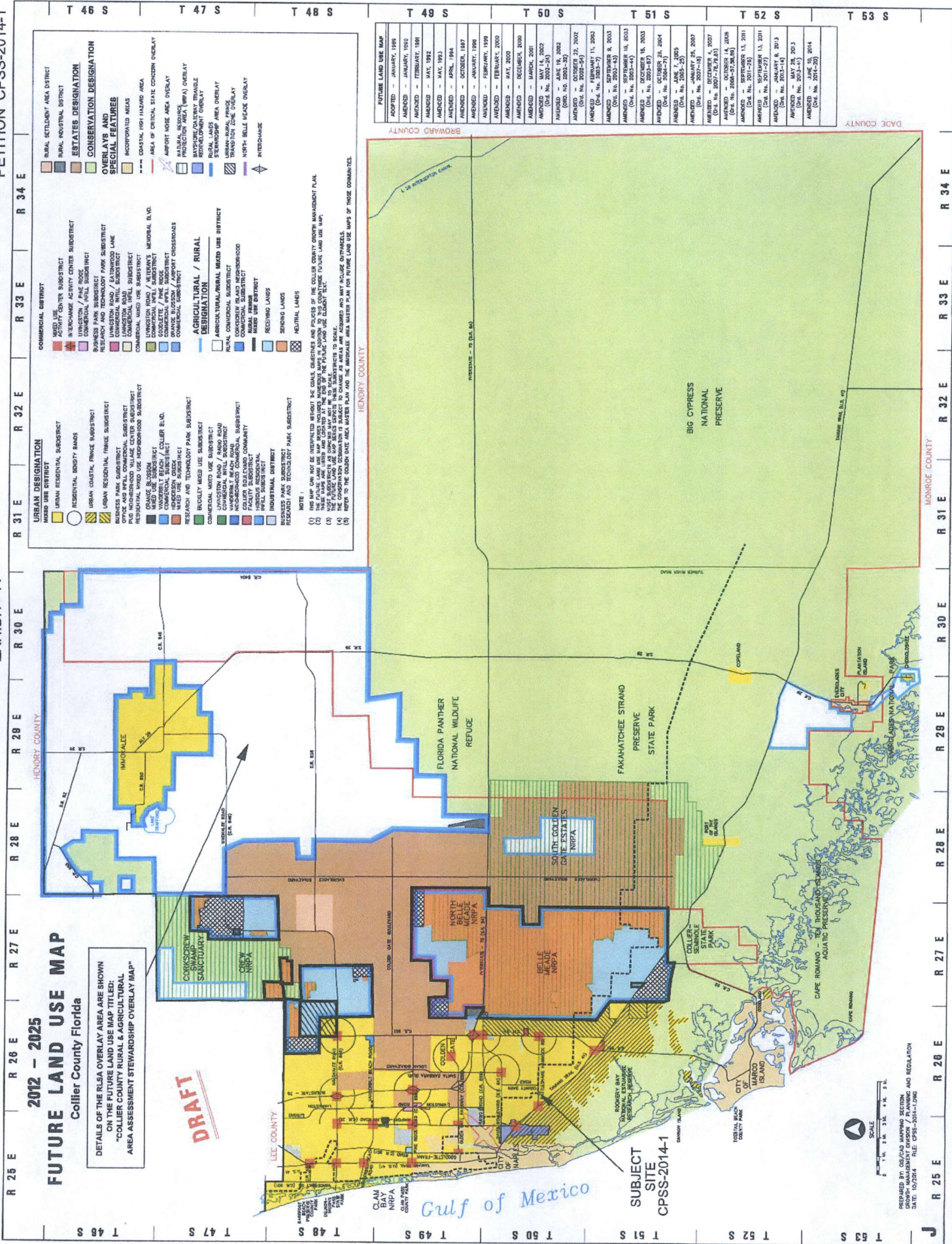
DETAILS OF THE RLSA OVERLAY AREA ARE SHOWN ON THE FUTURE LAND USE MAP TITLED: "COLLIER COUNTY RURAL & AGRICULTURAL AREA ASSESSMENT STEWARDSHIP OVERLAY MAP"

DRAFT

SUBJECT SITE CPSS-2014-1



PREPARED BY: GSD/2010 HARRISON DESIGN GROUP
GROUPING MANAGEMENT DIVISION / PLANNING AND REGULATION
DATE: 10/2014 FILE: CPSS-2014-1.DWG



URBAN DESIGNATION	COMMERCIAL DISTRICT	CONSERVATION DESIGNATION	OVERLAY AREAS AND SPECIAL FEATURES
MIXED USE DISTRICT	ADULT USE CENTER SUBDISTRICT	RURAL SETTLEMENT AREA DISTRICT	OPEN SPACE AND SPECIAL FEATURES
RESIDENTIAL DENSITY BANDS	INTERCHANGE ACTIVITY CENTER SUBDISTRICT	RURAL INDUSTRIAL DISTRICT	INCORPORATED AREAS
URBAN COASTAL PRINCE SUBDISTRICT	UNIVERSITY / PALE RIDGE	AGRICULTURAL / RURAL DESIGNATION	AREA OF CRITICAL STATE CONCERN OVERLAY
URBAN RESIDENTIAL TRINITY SUBDISTRICT	RESEARCH AND TECHNOLOGY	RURAL	APPORT HOSE AREA OVERLAY
BUSINESS PARK SUBDISTRICT	UNIVERSITY BEACH / COLLIER BLVD.	AGRICULTURAL / RURAL MEDIUM USE DISTRICT	AVIATION / AIRPORT OVERLAY
PLG NEIGHBORHOOD VILLAGE CENTER SUBDISTRICT	UNIVERSITY BEACH / COLLIER BLVD.	RURAL	BIWAYSIDE / WATERWAY TRAVEL DEVELOPMENT OVERLAY
RESIDENTIAL WOOD USE NEIGHBORHOOD SUBDISTRICT	UNIVERSITY BEACH / COLLIER BLVD.	AGRICULTURAL / RURAL MEDIUM USE DISTRICT	STANDARD AREA OVERLAY
UNIVERSITY BEACH / COLLIER BLVD.	UNIVERSITY BEACH / COLLIER BLVD.	RURAL	URBAN-RURAL PRINCE TRANSITION ZONE OVERLAY
UNIVERSITY BEACH / COLLIER BLVD.	UNIVERSITY BEACH / COLLIER BLVD.	RURAL	NORTH BELLE MEADE OVERLAY
UNIVERSITY BEACH / COLLIER BLVD.	UNIVERSITY BEACH / COLLIER BLVD.	RURAL	INTERCHANGE

FUTURE LAND USE MAP
ADOPTED - JANUARY, 1989
AMENDED - JANUARY, 1990
AMENDED - FEBRUARY, 1981
AMENDED - MAY, 1982
AMENDED - MAY, 1993
AMENDED - OCTOBER, 1997
AMENDED - JANUARY, 1999
AMENDED - FEBRUARY, 2000
AMENDED - MAY, 2000
AMENDED - DECEMBER, 2000
AMENDED - MARCH, 2001
AMENDED - MAY 15, 2002 (Ord. No. 2002-24)
AMENDED - JUNE 16, 2002 (Ord. No. 2002-29)
AMENDED - OCTOBER 27, 2002 (Ord. No. 2002-33)
AMENDED - FEBRUARY 15, 2003 (Ord. No. 2003-7)
AMENDED - MAY 15, 2003 (Ord. No. 2003-13)
AMENDED - SEPTEMBER 10, 2003 (Ord. No. 2003-14)
AMENDED - OCTOBER 16, 2003 (Ord. No. 2003-17)
AMENDED - OCTOBER 16, 2004 (Ord. No. 2004-11)
AMENDED - JUNE 7, 2005 (Ord. No. 2005-25)
AMENDED - OCTOBER 10, 2007 (Ord. No. 2007-18)
AMENDED - OCTOBER 4, 2007 (Ord. No. 2007-18.8A)
AMENDED - OCTOBER 18, 2008 (Ord. No. 2008-20)
AMENDED - SEPTEMBER 13, 2011 (Ord. No. 2011-20)
AMENDED - SEPTEMBER 13, 2011 (Ord. No. 2011-27)
AMENDED - OCTOBER 18, 2013 (Ord. No. 2013-14)
AMENDED - MAY 28, 2013 (Ord. No. 2013-11)
AMENDED - JUNE 20, 2014 (Ord. No. 2014-22)

NOTE: 1. THIS MAP CAN NOT BE INTERPRETED WITHOUT THE ZONING ORDINANCES AND POLICIES OF THE COLLIER COUNTY GROUP MANAGEMENT PLAN.
 2. THE FUTURE LAND USE MAP DOES NOT INCLUDE AMENDMENTS TO THE COLLIER COUNTY ZONING ORDINANCES.
 3. THE FUTURE LAND USE MAP DOES NOT INCLUDE AMENDMENTS TO THE COLLIER COUNTY FUTURE LAND USE MAP.
 4. THE FUTURE LAND USE MAP DOES NOT INCLUDE AMENDMENTS TO THE COLLIER COUNTY FUTURE LAND USE MAP.
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FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

April 20, 2015

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

Attention: Martha S. Vergara, BMR Senior 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. 2015-26, which was filed in this office on April 17, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb