

EXECUTIVE SUMMARY

Recommendation to approve the Davis – Radio Commercial Subdistrict small-scale amendment to the Collier County Growth Management Plan, Ordinance 89-05, as Amended, and to transmit to the Florida Department of Economic Opportunity. (Adoption Hearing) (PL20150002541/CPSS-2015-4) [Companion to Rezone Petition -PL20140002642].

OBJECTIVE: For the Board of County Commissioners (BCC) to approve (adopt) the proposed small-scale Growth Management Plan (GMP) amendment and to approve said amendment for transmittal to the Florida Department of Economic Opportunity.

CONSIDERATIONS: The subject petition is submitted as a small-scale comprehensive plan amendment. As such, per Florida Statutes, the request is heard once only by the Collier County Planning Commission (CCPC) and the BCC. If approved by the BCC, the petition is transmitted to the Florida Department of Economic Opportunity (DEO). If denied by the BCC, the petition is not transmitted to the DEO.

Per Chapter 163.3187, Florida Statutes, there are limitations to qualify for this type of small-scale amendment, as identified below, followed by staff comments in *[brackets]*.

- 1.(a) The proposed amendment involves a use of 10 acres or fewer. *[The proposed amendment pertains only to ±4.81 acres.]*
 - (b) The cumulative annual effect of the acreage for all small scale development amendments adopted by the local government does not exceed a maximum of 120 acres in a calendar year. *[By the date of this hearing, one small scale GMP amendment, totaling ±4.69 acres, may have been adopted in calendar year 2016 (Conditional Uses Subdistrict: Golden Gate Parkway Special Provisions for the Naples Bridge Center, scheduled for May 10, 2016 BCC hearing).]*
 - (c) The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government's comprehensive plan, but only proposes a land use change to the future land use map for a site-specific small scale development activity. However, text changes that relate directly to, and are adopted simultaneously with, the small scale future land use map amendment are permissible under this section. *[This amendment is for a site-specific Future Land Use Map change and directly related text change.]*
 - (d) The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s. 420.0004(3), and is located within an area of critical state concern designated by s. 380.0552 or by the Administration Commission pursuant to s. 380.05(1). *[The subject property is not within an Area of Critical State Concern.]*
4. Comprehensive plans may only be amended in such a way as to preserve the internal consistency of the plan pursuant to Ch. 163.3177, F.S. *[Internal consistency will be maintained between and among elements if the amendment is approved.]*

Statutory review criteria for GMP amendments are contained in Chapter 163.3177(1)f. and Sections 163.3177(6)(a)2. and 8., F.S. (see CCPC staff report for full analysis).

Note: Because the support materials are voluminous, and some exhibits may be oversized, the Agenda Central system does not contain all of the related documents pertaining to this GMP amendment petition. The entire Executive Summary package, including all support materials, is included in the binder that is

available for review in the Comprehensive Planning Section office at 2800 North Horseshoe Drive, Naples, as well as in the Clerk of Courts/Minutes and Records office at 3299 Tamiami Trail East, Suite 401, Naples.

This petition seeks to amend the Future Land Use Element (FLUE) of the Collier County Growth Management Plan to:

- a. Establish the new Davis – Radio Commercial Subdistrict on the subject 4.81-acre site to allow for uses allowed in the C-3 (Commercial Intermediate) zoning district, and for air conditioned, mini-self-storage warehousing, as allowed in the C-4 (General Commercial) zoning district;
- b. Revise the Countywide Future Land Use Map (FLUM) to reflect this new map designation; and,
- c. Create the new Davis – Radio Commercial Subdistrict inset map, part of the FLUM Series, to reflect the new designation of the subject site.

The proposed Subdistrict text and maps are depicted on Ordinance Exhibit A.

FINDINGS AND CONCLUSIONS: Based on the review of this petition, including the supporting data and analysis, staff makes the following findings and conclusions. More analysis is provided in the Staff Report to the CCPC.

- The infrastructure needed to serve the development can be provided without related levels of service concerns.
- The impact from the development on the environment does not pose adverse impact concerns.
- This amendment affects no known historic or archaeological sites.
- The site is presently designated in the GMP for non-commercial development but the GMP does allow this undeveloped site to be developed per its existing C-3 zoning.
- The CAT (Collier Area Transit) facility, which lies adjacent to the west of the subject site, presently serves as a boundary of use intensity along both Davis Boulevard and the Radio Road corridors – with more-intense uses zoned and/or developed to the east and less-intense uses zoned and/or developed to the west.
- The submitted data and analysis is complete and adequate to support this amendment.
- Based on data and analysis submitted for the supply of existing and potential self-storage facility development within the study area for the subject site, the need for the more-intense commercial use contemplated by this amendment to serve the surrounding residential areas has been demonstrated.
- A companion rezone petition has been submitted concurrent with this GMPA application.
- The petition allows uses generally compatible with surrounding properties.
- Subdistrict provisions include a building floor area limitation for the self-storage use (see CCPC staff report for explanation).

FISCAL IMPACT: The cost to process, review and advertise this petition was borne by the petitioner via application and advertisement fees. Therefore, there are no fiscal impacts to Collier County as a result of the adoption of this amendment.

LEGAL CONSIDERATIONS: This Growth Management Plan (GMP) amendment is authorized by, and subject to the procedures established in, Chapter 163, Part II, Florida Statutes, The Community

Planning Act, and by Collier County Resolution No. 12-234, as amended. The Board should consider the following criteria in making its decision: “plan amendments shall be based on relevant and appropriate data and an analysis by the local government that may include but not be limited to, surveys, studies, community goals and vision, and other data available at the time of adoption of the plan amendment. To be based on data means to react to it in an appropriate way and to the extent necessary indicated by the data available on that particular subject at the time of adoption of the plan or plan amendment at issue.” 163.3177(1)(f), FS. In addition, s. 163.3177(6)(a)2, FS provides that FLUE plan amendments shall be based on surveys, studies and data regarding the area, as applicable including:

- a. The amount of land required to accommodate anticipated growth.
- b. The projected permanent and seasonal population of the area.
- c. The character of undeveloped land.
- d. The availability of water supplies, public facilities, and services.
- e. The need for redevelopment, including the renewal of blighted areas and the elimination of non-conforming uses which are inconsistent with the character of the community.
- f. The compatibility of uses on lands adjacent to or closely proximate to military installations.
- g. The compatibility of uses on lands adjacent to an airport as defined in s. 330.35 and consistent with s. 333.02.
- h. The need to modify land uses and development patterns with antiquated subdivisions.
- i. The discouragement of urban sprawl.
- j. The need for job creation, capital investment and economic development that will strengthen and diversify the community’s economy.

And FLUE map amendments shall also be based upon the following analysis per Section 163.3177(6)(a)8.:

- a. An analysis of the availability of facilities and services.
- b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.
- c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.

This item is approved as to form and legality. It requires an affirmative vote of four for approval because this is an Adoption hearing of the GMP amendment. [HFAC]

GROWTH MANAGEMENT IMPACT: Adoption of the proposed amendment by the BCC for transmittal to the Florida DEO will commence the thirty-day (30) challenge period for any affected person. Provided the small-scale development amendment is not challenged, it shall become effective thirty-one days (31) after BCC adoption.

COMPREHENSIVE PLANNING STAFF RECOMMENDATION: That the BCC not adopt and not transmit this small-scale GMP amendment, as submitted, to the Florida Department of Economic

Opportunity. However, staff would recommend adoption and transmittal with an additional text revision as follows: “The maximum commercial intensity of the air conditioned, mini- self-storage warehousing use shall be limited to 105,000 square feet of gross floor area.” (Note: At the CCPC hearing, the petitioner agreed to the staff-recommended text.)

COLLIER COUNTY PLANNING COMMISSION RECOMMENDATION: The CCPC heard this petition at their May 5, 2016 meeting. There were no public speakers at the CCPC meeting. The CCPC voted unanimously to forward the subject petition to the BCC with a recommendation to adopt and transmit to the Florida Department of Economic Opportunity, with the additional staff-recommended text included, as reflected in the proposed Ordinance.

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Attachments:

- 1) CCPC Adoption Staff Report
- 2) Ordinance and Exhibit “A” text and maps
- 3) Project application and documentation - available at:
http://apps3.colliergov.net/agenda/ftp/2016BCCMeetings/AgendaMay2416/GrowthMgmt/PL20150002541_CPSS-2015-4_COMPLETE_BCC_PETITION.pdf