

ORDINANCE NO. 16- 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 DAVIS-RADIO COMMERCIAL SUBDISTRICT TO ALLOW C-3 INTERMEDIATE COMMERCIAL DEVELOPMENT, AND MINI AND SELF STORAGE WAREHOUSING. THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF RADIO ROAD, 650 FEET WEST OF THE DAVIS BOULEVARD AND RADIO ROAD INTERSECTION IN SECTION 3, TOWNSHIP 50 SOUTH, RANGE 26 EAST, CONSISTING OF 4.81 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. [PL20150002541 / CPSS-2015-4]

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, Davis-Radio Road LLC requested an amendment to the Future Land Use Element and Future Land Use Map and Map Series to create the Radio Road Commercial Subdistrict; 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 May 5, 2016 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 May 24, 2016; 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 27th day of May, 2016.

ATTEST:
DWIGHT E. BROCK, CLERK

[Handwritten signature of Dwight E. Brock]

Attest as to Chairman's signature only.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

BY: *[Handwritten signature of Donna Fiala]*
DONNA FIALA, Chairman

Approved as to form and legality:

[Handwritten signature of Heidi Ashton-Cicko]
Heidi Ashton-Cicko,
Managing Assistant County Attorney

[Handwritten initials: H/FAC 5/16/16]

Attachment: Exhibit A – Proposed Text Amendment & Map Amendment

This ordinance filed with the Secretary of State's Office the 27th day of May, 2016 and acknowledgement of that filing received this 27th day of May, 2016

By: *[Handwritten signature of Dwight E. Brock]*
Deputy Clerk



EXHIBIT "A"

FUTURE LAND USE ELEMENT

FUTURE LAND USE MAP SERIES
Davis – Radio Commercial Subdistrict

[page iv]

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Policy 1.1:

[Page 10]

The URBAN Future Land Use Designation shall include Future Land Use Districts and Subdistricts for:

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- 16. Collier Boulevard Community Facility Subdistrict
- 17. Hibiscus Residential Infill Subdistrict
- 18. Vincentian Mixed Use Subdistrict
- 19. Davis – Radio Commercial Subdistrict

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I. URBAN DESIGNATION

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12. Commercial uses subject to criteria identified in the Urban - Mixed Use District, PUD Neighborhood Village Center Subdistrict, Office and Infill Commercial Subdistrict, Residential Mixed Use Neighborhood Subdistrict, Orange Blossom Mixed-Use Subdistrict, Buckley Mixed Use Subdistrict, Vanderbilt Beach/Collier Boulevard Commercial Subdistrict, Commercial Mixed Use Subdistrict, Henderson Creek Mixed Use Subdistrict, Livingston/Radio Road Commercial Infill Subdistrict, Vanderbilt Beach Road Neighborhood Commercial Subdistrict, Vincentian Mixed Use Subdistrict, Davis – Radio Commercial Subdistrict; and, in the Urban Commercial District, Mixed Use Activity Center Subdistrict, Interchange Activity Center Subdistrict, Livingston/Pine Ridge Commercial Infill Subdistrict, Livingston Road/Eatonwood Lane Commercial Infill Subdistrict, Livingston Road Commercial Infill Subdistrict, Commercial Mixed Use Subdistrict, Livingston Road/Veterans Memorial Boulevard Commercial Infill Subdistrict, Goodlette/Pine Ridge Commercial Infill Subdistrict; Orange Blossom/Airport Crossroads Commercial Subdistrict, in the Bayshore/Gateway Triangle Redevelopment Overlay; and, as allowed by certain FLUE policies.

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C. Urban – Commercial District

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12. Davis – Radio Commercial Subdistrict

The Davis – Radio Commercial Subdistrict comprises approximately 4.81 acres, is located on the north side of Davis Boulevard (SR 84), the south side of Radio Road (CR 856), immediately east of the Collier Area Transit (CAT) Facility, and is depicted on the Davis – Radio Commercial Subdistrict Map. This Subdistrict is intended primarily to promote convenience and intermediate commercial development to serve existing and future residential development in the immediate area.

The development of this Subdistrict shall comply with the following restrictions, limitations and standards:

- a. Allowable uses are those permitted by right and by conditional use in the C-3, Commercial Intermediate, zoning district, as listed in the Collier County Land Development Code, and motor freight transportation and warehousing (SIC Group 4225, air conditioned, mini- self-storage warehousing only).
- b. 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.

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FUTURE LAND USE MAP SERIES

[Page 140]

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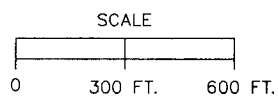
- Gordon River Greenway Conservation Area Designation Map
- Hibiscus Residential Infill Subdistrict Map
- Vincentian Mixed Use Subdistrict Map
- Davis – Radio Commercial Subdistrict Map


Words underlined are added.
Row of asterisks (****) denotes break in text.



DAVIS - RADIO COMMERCIAL SUBDISTRICT
COLLIER COUNTY, FLORIDA

DRAFT



LEGEND	
	SUBDISTRICT



2012 - 2025 FUTURE LAND USE MAP Collier County Florida

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

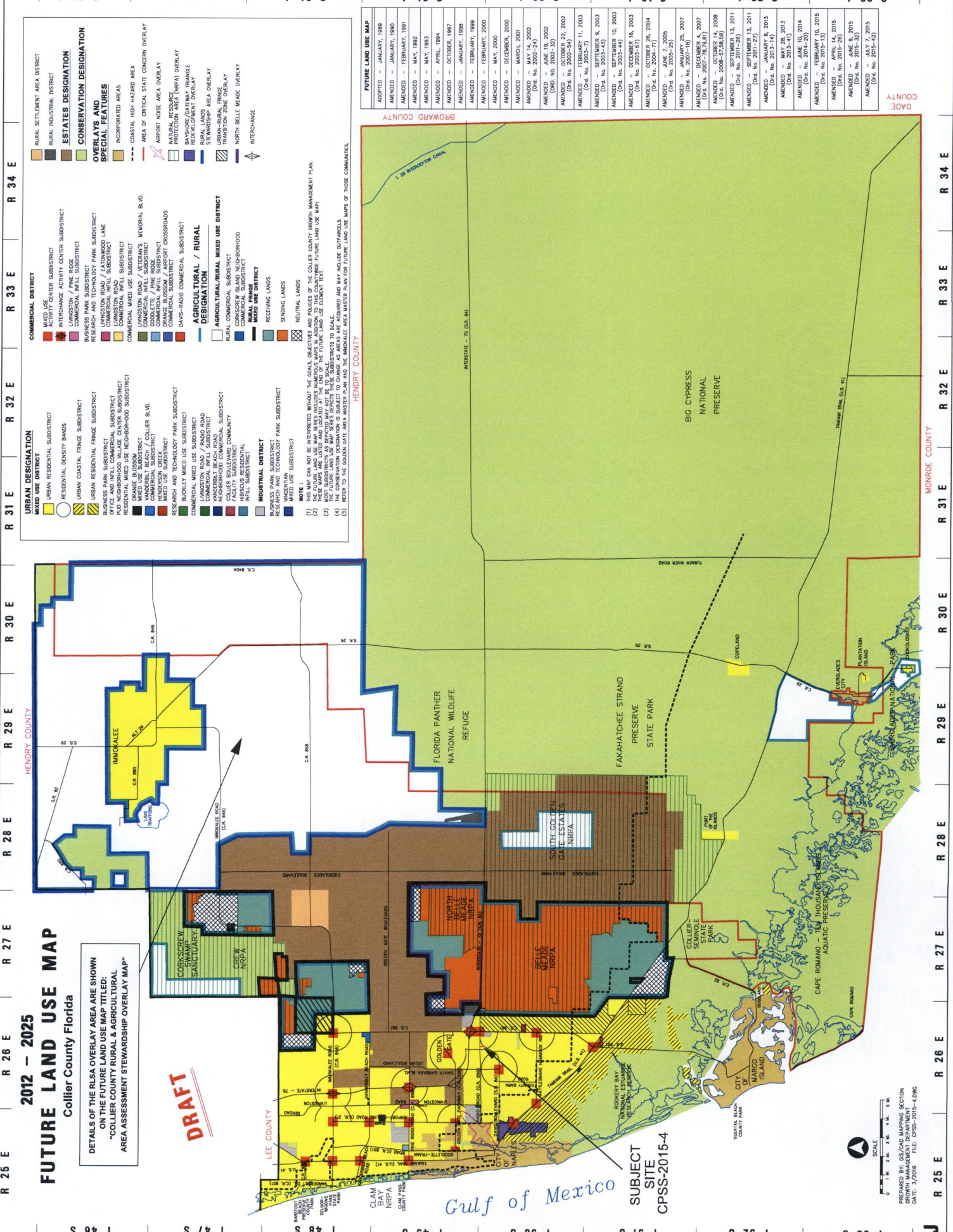
DRAFT

URBAN DESIGNATION	COMMERCIAL DISTRICT	CONSERVATION DESIGNATION	STATES DESIGNATION
<ul style="list-style-type: none"> URBAN RESIDENTIAL SUBDISTRICT RESIDENTIAL DENSITY BANDS URBAN COASTAL FRINGE SUBDISTRICT URBAN RESIDENTIAL FRINGE SUBDISTRICT OFFICE AND INTEL COMMERCIAL SUBDISTRICT POP NEIGHBORHOOD MIXED USE CENTER SUBDISTRICT POP NEIGHBORHOOD SUBDISTRICT MIXED USE SUBDISTRICT ORANGE BLOSSOM NEIGHBORHOOD SUBDISTRICT WINDY HARBOR CROSSROADS WINDY HARBOR CROSSROADS (W/ HAWAIIAN BLVD) RESEARCH AND TECHNOLOGY PARK SUBDISTRICT BUCKLEY MIXED USE SUBDISTRICT COMMERCIAL MIXED USE SUBDISTRICT LIVINGSTON ROAD / RANDO ROAD SUBDISTRICT VANDERBELT BEACH ROAD SUBDISTRICT NEIGHBORHOOD COMMERCIAL SUBDISTRICT FACILITY SUBDISTRICT HIBISCUS RESIDENTIAL INTEL SUBDISTRICT INDUSTRIAL DISTRICT BUSINESS PARK SUBDISTRICT TECHNOLOGY PARK SUBDISTRICT VINCENTIAN SUBDISTRICT MIXED USE SUBDISTRICT 	<ul style="list-style-type: none"> MIXED USE ACTIVITY CENTER SUBDISTRICT LIVINGSTON / FINE RIDGE RESEARCH AND TECHNOLOGY PARK SUBDISTRICT LIVINGSTON ROAD / EATONWOOD LAKE SUBDISTRICT COMMERCIAL INTEL SUBDISTRICT COMMERCIAL MIXED USE SUBDISTRICT LIVINGSTON ROAD / VETERAN'S MEMORIAL BLVD SUBDISTRICT ORANGE BLOSSOM / AIRPORT CROSSROADS COMMERCIAL SUBDISTRICT DAVIS-HAUG COMMERCIAL SUBDISTRICT AGRICULTURAL / RURAL DESIGNATION AGRICULTURAL/RURAL MIXED USE DISTRICT RURAL COMMERCIAL SUBDISTRICT CONGRESS ISLAND SUBDISTRICT MIXED USE DISTRICT RECEIVING LANDS SENDING LANDS NEUTRAL LANDS 	<ul style="list-style-type: none"> INCORPORATED AREAS COASTA, HIGH HAZARD AREA AREA OF CRITICAL STATE CONCERN OVERLAY AIRPORT NOISE AREA OVERLAY NATURAL RESOURCES (NRPA) OVERLAY BACKSHORE/ATLANTA TRIANGLE REDEVELOPMENT OVERLAY RURAL LANDS STEWARDSHIP AREA OVERLAY WINDY HARBOR CROSSROADS OVERLAY NORTH BELLE MEADE OVERLAY INTERCHANGE 	<ul style="list-style-type: none"> RURAL SETTLEMENT AREA DISTRICT RURAL INDUSTRIAL DISTRICT ESTATES DESIGNATION

NOTE:

- THIS MAP CAN NOT BE INTERPRETED WITHOUT THE GOALS, OBJECTIVES AND POLICIES OF THE COLLIER COUNTY ASSETS MANAGEMENT PLAN.
- THE FUTURE LAND USE MAP INCLUDES NUMEROUS MAPS IN ADDITION TO THIS CONTINGENTIAL FUTURE LAND USE MAP.
- MOST SUBDISTRICTS AS SHOWN ON THIS MAP ARE SUBJECT TO SCALE. SUBDISTRICTS TO SCALE ARE: URBAN RESIDENTIAL, URBAN COASTAL FRINGE, URBAN RESIDENTIAL FRINGE, OFFICE AND INTEL COMMERCIAL, POP NEIGHBORHOOD MIXED USE CENTER, POP NEIGHBORHOOD, MIXED USE, ORANGE BLOSSOM NEIGHBORHOOD, WINDY HARBOR CROSSROADS, WINDY HARBOR CROSSROADS (W/ HAWAIIAN BLVD), RESEARCH AND TECHNOLOGY PARK, BUCKLEY MIXED USE, COMMERCIAL MIXED USE, LIVINGSTON ROAD / RANDO ROAD, VANDERBELT BEACH ROAD, NEIGHBORHOOD COMMERCIAL, FACILITY, HIBISCUS RESIDENTIAL INTEL, INDUSTRIAL, BUSINESS PARK, TECHNOLOGY PARK, VINCENTIAN, AND MIXED USE.
- THE CONSERVATION DESIGNATION IS SUBJECT TO SCALE. CONSERVATION DESIGNATIONS TO SCALE ARE: INCORPORATED AREAS, COASTA, HIGH HAZARD AREA, AREA OF CRITICAL STATE CONCERN OVERLAY, AIRPORT NOISE AREA OVERLAY, NATURAL RESOURCES (NRPA) OVERLAY, BACKSHORE/ATLANTA TRIANGLE REDEVELOPMENT OVERLAY, RURAL LANDS, STEWARDSHIP AREA OVERLAY, WINDY HARBOR CROSSROADS OVERLAY, NORTH BELLE MEADE OVERLAY, AND INTERCHANGE.
- REFER TO THE GOLDEN GATE AREA MASTER PLAN AND THE MARSHALEE AREA MASTER PLAN FOR FUTURE LAND USE MAPS OF THOSE COMMUNITIES.

FUTURE LAND USE MAP	DATE
ADOPTED	JANUARY, 1988
AMENDED	JANUARY, 1990
AMENDED	FEBRUARY, 1991
AMENDED	MAY, 1992
AMENDED	MAY, 1993
AMENDED	APRIL, 1994
AMENDED	OCTOBER, 1997
AMENDED	JANUARY, 1998
AMENDED	FEBRUARY, 1999
AMENDED	FEBRUARY, 2000
AMENDED	MAY, 2000
AMENDED	DECEMBER, 2000
AMENDED	MARCH, 2001
AMENDED	MAY 14, 2002
AMENDED	(Ord. No. 2002-24)
AMENDED	JUNE 19, 2002
AMENDED	(Ord. No. 2002-54)
AMENDED	OCTOBER 22, 2002
AMENDED	FEBRUARY 11, 2003
AMENDED	(Ord. No. 2003-7)
AMENDED	SEPTEMBER 9, 2003
AMENDED	(Ord. No. 2003-20)
AMENDED	SEPTEMBER 10, 2003
AMENDED	(Ord. No. 2003-40)
AMENDED	DECEMBER 16, 2003
AMENDED	(Ord. No. 2003-97)
AMENDED	OCTOBER 26, 2004
AMENDED	(Ord. No. 2004-7)
AMENDED	MAY 17, 2005
AMENDED	(Ord. No. 2005-20)
AMENDED	JANUARY 23, 2007
AMENDED	(Ord. No. 2007-18)
AMENDED	DECEMBER 4, 2007
AMENDED	(Ord. No. 2007-40)
AMENDED	OCTOBER 14, 2008
AMENDED	(Ord. No. 2008-57,58,59)
AMENDED	SEPTEMBER 13, 2011
AMENDED	(Ord. No. 2011-26)
AMENDED	SEPTEMBER 13, 2011
AMENDED	(Ord. No. 2011-26)
AMENDED	JANUARY 8, 2013
AMENDED	(Ord. No. 2013-14)
AMENDED	MAY 26, 2013
AMENDED	(Ord. No. 2013-41)
AMENDED	JUNE 10, 2014
AMENDED	(Ord. No. 2014-10)
AMENDED	FEBRUARY 10, 2015
AMENDED	(Ord. No. 2015-13)
AMENDED	APRIL 14, 2015
AMENDED	(Ord. No. 2015-28)
AMENDED	JUNE 9, 2015
AMENDED	(Ord. No. 2015-28)
AMENDED	MAY 7, 2015
AMENDED	(Ord. No. 2015-42)



SCALE: 0 1/4" = 1/4 MILE

PREPARED BY: GIS/ADM MAPPING SECTION
DATE: 3/2016 FILE: CPSS-2015-4.DWG





FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

May 27, 2016

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

Attention: Teresa L. Cannon, 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. 16-15, which was filed in this office on May 27, 2016.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb