



LAND DEVELOPMENT CODE AMENDMENT

PETITION

PL20180003473

SUMMARY OF AMENDMENT

This Land Development Code amendment (LDCA) represents the implementation of the Board’s direction to study the proliferation of self-storage facilities on U.S. 41, between the intersection of Palm Street/Commercial Drive and Price Street/Triangle Boulevard.

ORIGIN

Board of County Commissioners (Board)

HEARING DATES

Board	TBD
CCPC	TBD
DSAC	TBD
DSAC-LDR	TBD

LDC SECTIONS TO BE AMENDED

1.08.02	Definitions
2.03.03	Commercial Zoning Districts
5.05.16	Self-Storage Facilities (New Section)
10.03.06	Public Notice and Required Hearings for Land Use Petitions

ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR
TBD

DSAC
TBD

CCPC
TBD

BACKGROUND: A segment of the U.S. 41 corridor, generally located between the intersection of Airport-Pulling Road and Collier Boulevard, has been under much scrutiny in recent years. In April of 2010, the East Naples Foundation completed *Vision for the East Trail* (“Vision”), which was a privately-initiated planning effort that resulted in the completion of a strategic plan for an approximately 14-mile stretch of the U.S. 41 corridor (see Exhibit A).

On December 13, 2016, the Board expressed a concern over certain uses (e.g., self-storage facilities) from proliferating on U.S. 41 in this area of the U.S. 41 corridor (see Exhibit B). The Board considered adopting a one-year moratorium for all new applications, including self-storage facilities, from developing on the commercial properties along U.S. 41, from the Palm Street/Commercial Drive intersection to the Price Street intersection. However, rather than adopting a moratorium, the Board instead directed staff on February 14, 2017 to begin the process of developing a corridor study with the goal of obtaining community input and creating incentives for the desired development types.

In April of 2018, Johnson Engineering, Inc. completed the *U.S. 41 Corridor Study-Summary of Findings and Recommendations to the Board* (“Corridor Study”) on behalf of the County (see Exhibit C). The length of U.S. 41 that was studied was 6.8 miles, which is shorter than the geographic area used in Vision. With respect to this geographic area, the intersection of U.S. 41 and Palm Street was the western extent in the Corridor Study, whereas in Vision, it was longer—the intersection of U.S. 41 and Airport-Pulling Road. The Corridor Study’s eastern extent was the intersection of U.S. 41 and Price Street. Vision extended farther (to County Road 92). The public input portion of the Corridor Study included three stakeholder outreach meetings and four public input meetings. When reviewing image preference surveys, 67 percent of the public outreach meetings attendees did not support self-storage facilities. As such, one of the recommendations of the Corridor Study was aimed at further regulating this use (see pages 23-24 of Exhibit C). The Corridor Study was presented to and accepted by the Board on April 24, 2018 (see Exhibit D). One recommendation suggested having a minimum distance separation between new self-storage facilities. For this LDCA and in keeping with the Corridor Study, the proposed language requires a separation of 1,320 feet between new and existing self-storage facilities. A distance



waiver may be approved if an adequate supply of neighborhood goods and services are available within a quarter-mile radius of a new facility. A quarter-mile radius is equal to a half-mile diameter—the same width of the study area in Vision, which was chosen, in part, to “evaluate walkability in the form of pedestrian sheds.” The waiver may also be approved for a self-storage facility if at least 25 percent of its gross floor area is dedicated to a different principal use that is permitted in the C-1 or C-2 zoning district. Staff utilized the International Council of Shopping Centers (ICSC) as a guide to determine the appropriate types of principal uses and related intensities that most closely aligns with the desired businesses. One ICSC category, *neighborhood center*, includes convenience shopping for day-to-day needs with intensities that are less than 125,000 square feet, which generally translates to any permitted use in the C-1 or C-2 zoning district. Both the Urban Land Institute (ULI) and ICSC are recognized resources that staff uses when evaluating market studies in connection with GMP amendments (to commercial). Petitioners submit a commercial needs analysis, and part of staff’s evaluation is to compare the market studies with the ULI and ICSC. Both these resources utilize 30,000 square feet as the low threshold for what constitutes a neighborhood shopping center. Staff construes neighborhood shopping centers as a logical place for C-1 through C-3 uses. The geographic area subject to this LDCA does not include the properties located within the Bayshore Gateway Triangle Community Redevelopment Area and this LDCA is only applicable where self-storage facilities are currently allowed as a permitted use—the C-5 zoning district.

FISCAL & OPERATIONAL IMPACTS

Staff anticipates additional fiscal and operational impacts to petitioners requesting a waiver from the minimum distance requirement.

GMP CONSISTENCY

To be provided by Comprehensive Planning Staff subsequent to first review.

EXHIBITS: A – Vision for the East Trail Corridor; B – Collier County Self Storage Facility Map (as of June 11, 2018); C – U.S. 41 Corridor Study; and Exhibit D – Executive Summary and BCC Minutes (04-24-2018)

DRAFT

Text underlined is new text to be added

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Amend the LDC as follows:

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2 # # # # # # # # # # # # #
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1.08.02 Definitions

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8 *Self-storage buildings* (applicable to Section 5.05.08 and 5.05.16 only): Buildings where
9 customers lease space to store and retrieve their goods; see NAICS 531130.

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11 # # # # # # # # # # # # #
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2.03.03 – Commercial Districts

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17 E. Heavy Commercial District (C-5). In addition to the uses provided in the C-4 zoning district,
18 the heavy commercial district (C-5) allows a range of more intensive commercial uses and
19 services which are generally those uses that tend to utilize outdoor space in the conduct
20 of the business. The C-5 district permits heavy commercial services such as full-service
21 automotive repair, and establishments primarily engaged in construction and specialized
22 trade activities such as contractor offices, plumbing, heating and air conditioning services,
23 and similar uses that typically have a need to store construction associated equipment
24 and supplies within an enclosed structure or have showrooms displaying the building
25 material for which they specialize. Outdoor storage yards are permitted with the
26 requirement that such yards are completely enclosed or opaquely screened. The C-5
27 district is permitted in accordance with the locational criteria for uses and the goals,
28 objectives, and policies as identified in the future land use element of the Collier County
29 GMP.

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31 1. The following uses, as identified with a number from the Standard Industrial
32 Classification Manual (1987), or as otherwise provided for within this
33 section are permissible by right, or as accessory or conditional uses within
34 the heavy commercial district (C-5).

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36 a. Permitted uses.

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40 111. Motor freight transportation and warehousing (4225, mini-
41 and self-storage warehousing only), subject to section
42 5.05.16 for minimum separation requirements between
43 buildings).

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5.05.16 – Separation of Self-Storage Facilities

A. Purpose and Intent. The purpose of this section is to discourage the proliferation of self-storage buildings along the segment of U.S. 41 defined in section B. The intent is to encourage a broad mix of principal uses that will provide goods and services at the neighborhood level to the residents living adjacent to the defined area.

B. Applicability. This section shall apply to all new self-storage buildings proposed on real property zoned C-5 and located adjacent to U.S. 41, between the east side of the intersection of U.S. 41 and Airport-Pulling Road to the west side of the intersection of U.S. 41 and Price Street/Triangle Boulevard. All outparcels within shopping centers that are adjacent to U.S. 41 within this area shall be included. A self-storage building is considered existing when it has been constructed or an SDP has been approved.

C. Minimum Separation. A new self-storage building shall be located no closer than a quarter-mile (1,320 feet) to an existing self-storage building, as measured from property line to property line, unless a waiver to the separation requirement is granted in conformance with subsection D. below.

D. Waiver of Separation Requirements.

1. The Office of the Hearing Examiner (or whomever is appointed by the BCC) may grant a waiver of part or all of the minimum separation requirements set forth herein if it can be demonstrated there is sufficient opportunity for accessing other existing or future principal uses that are permitted in the C-1 or C-2 zoning districts within a quarter-mile (1,320-foot) radius of the proposed self-storage building, or if a minimum of 25 percent of the floor area of the proposed self-storage building is dedicated to a different principal use or uses that is/are permitted in the C-1 or C-2 zoning districts. For purposes of this section, the term “future principal uses” shall mean currently vacant or partially-developed land that can be developed with C-1 or C-2 uses at a time in the future.

2. The Administrative Code shall establish the submittal requirements for a self-storage building distance waiver request.

3. Additional conditions and considerations. The BCC or their appointee shall have the right to impose additional conditions or requirements to its approval of a distance waiver to ensure that the self-storage building will be compatible with the surrounding areas and will not have a deleterious effect on the current supply or future availability of neighborhood commercial goods and services within the subject area.

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10.03.06 – Public Notice and Required Hearings for Land Use Petitions

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R. Separation of Self-Storage Facilities, pursuant to LDC section 5.05.16 and Site Plan with Deviations for Redevelopment, pursuant to LDC section 10.02.03 F.

1. The following advertised public hearings are required:
 - a. One Planning Commission or Hearing Examiner hearing.
 - b. If heard by the Planning Commission, one BZA hearing.
2. The following notice procedures are required:
 - a. Newspaper Advertisement prior to the advertised public hearing in accordance with F.S. § 125.66.
 - b. Mailed Notice prior to the advertised public hearing.

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L. Self-Storage Facility Separation Waiver

Reference LDC subsection 5.05.16, LDC section 8.10.00, and LDC Public Notice subsection 10.03.06 R.

Applicability This establishes a process to waive part or all of the minimum separation requirements for self-storage facility sites from other self-storage facility sites located within the area as prescribed by LDC subsection 5.05.16 B.

Pre-Application A pre-application meeting is required.

Initiation The applicant files a "Petition for Waiver from Separation Requirements for Self-Storage Facilities" with the Planning & Zoning Department.

Application The application must include the following:

Contents

1. **Applicant contact information.**
2. **Property information, including:**
 - Legal description;
 - **Property identification number;**
 - Section, township and range;
 - Subdivision, unit, lot and block, or metes and bounds description; and
 - Address of subject site.
3. **Zoning information, including:**
 - Current zoning of subject property; and
 - Zoning and land use of all properties within the quarter-mile radius.
4. **The extent of the waiver being requested (in linear feet) from the required separation.**
5. **A narrative that describes how the application demonstrates that there is sufficient opportunity for accessing other existing or future principal uses that are permitted in the C-1 or C-2 zoning districts within a quarter-mile (1,320-foot) radius of the proposed self-storage building, or if a minimum of 25 percent of the floor area of the proposed self-storage building is dedicated to a different principal use or uses that is/are permitted in the C-1 or C-2 zoning districts.**
6. **A site plan (measuring no larger than 24 in. x 36 in.) along with a conceptual site plan measuring 8½ in. x 11 in., that indicates the following:**
 - The dimensions of the subject property;
 - All vehicular points of ingress and egress and their relationship to the parking area and site circulation;
 - Demonstration of compliance with all requirements of the LDC including the location of the structures on site, landscaping, off-street parking, site circulation, architectural design guidelines, and signage;
 - The location of all proposed buffer areas and their dimensions; and

Collier County Land Development Code | Administrative Procedures Manual
Chapter 6 | Waivers, Exemptions, and Reductions

- [The layout of road\(s\) on which the proposed station fronts or to which access is provided, including the type of road\(s\), the number of lanes, and the location of intersections and turn lanes, median locations and median widths, for a 1,320-foot distance from the subject parcel.](#)
7. [Environmental Data Requirements.](#) ⇔ [See LDC subsection 3.08.00 A.](#)
 8. [An Aerial photographs \(taken within the previous 12 months at a minimum scale of 1 in. = 200 ft.\), showing FLUFCS Codes, legend, and project boundary.](#)
 9. [Addressing checklist.](#)
 10. [Pre-application meeting notes.](#)
 11. [Warranty Deed.](#)
 12. [Owner/agent affidavit as to the correctness of the application.](#)
 13. [Electronic copy of all documents.](#)

Completeness and Processing of Application

[The Planning & Zoning Department will review the application for completeness. After submission of the completed application packet accompanied with the required fee, the **applicant** will receive a mailed or electronic response notifying the **applicant** that the petition is being processed. Accompanying that response will be a receipt for the payment and the tracking number \(i.e., XXX-PL2012000000\) assigned to the petition. This petition tracking number should be noted on all future correspondence regarding the petition.](#)

Notice [Notification requirements are as follows.](#) ⇔ [See Chapter 8 of the Administrative Code for additional notice information.](#)

1. **Newspaper Advertisements:** [The legal advertisement shall be published at least 15 days before the advertised Hearing Examiner hearing in a newspaper of general circulation. The advertisement shall include at a minimum:](#)
 - [Date, time, and location of the hearing; and](#)
 - [Description of the proposed land uses.](#)

Public Hearing 1. [The Hearing Examiner shall hold at least one advertised public hearing.](#) ⇔ [See Chapter 9 of the Administrative Code for the Office of the Hearing Examiner procedures.](#)

Decision maker [The Hearing Examiner.](#)

Review Process [The Planning & Zoning Department will review the application and identify whether additional materials are needed. Staff will prepare Staff Report, utilizing the criteria established in LDC section 5.05.16, to present to the Office of the Hearing Examiner for a decision.](#)

Item 6.c Petition # - PL20180003473
 Separation Requirements for Storage Facilities on U.S. 41

Exhibit A – Vision for the East Trail Corridor

Exhibit B – Collier County Self Storage Facility Map (as of June 11, 2018)

Exhibit C – U.S. 41 Corridor Study

Exhibit D – Executive Summary and BCC Minutes (04-24-2018)

To access the above documents, please click the below link:

<http://cvportal.colliergov.net/CityViewWeb/Planning/Status?planningId=27652>

DIRECTIONS TO ACCESS PETITION DOCUMENTS

Separation Requirements for Self-Storage Facilities on U.S. 41 (PL20180003473) as an example

1. Access CityView Portal here: <http://cvportal.colliergov.net/cityviewweb>
2. Under Planning Department, click on "Status and Fees"



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The County's new web portal is now online. Through this portal you can submit applications/revisions, submit corrections, pay fees, monitor statuses, and schedule meetings or inspections for Building and/or Planning applications - all from the comfort of your home or office.

REMINDER: YOU MUST BE LOGGED IN USING YOUR COLLIER COUNTY PORTAL REGISTERED USER ACCOUNT TO VIEW BUILDING PERMIT AND PLANNING REVIEW COMMENTS.

The CityView Portal is the first step in the County's plan to improve its service offerings for citizens. Watch for more updates, or contact us with suggestions as we are always trying to improve!



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Planning Department

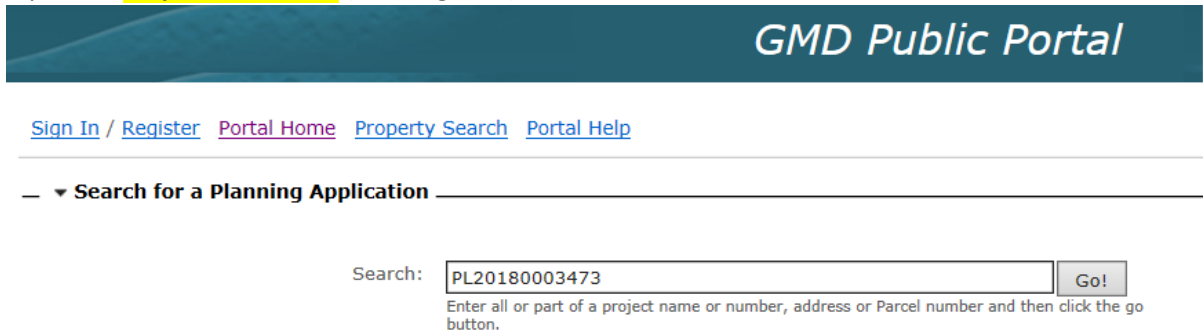
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Contractor Licensing

[Status and Fees](#)
[Submit a Complaint](#)
[Check Status of Complaint](#)

3. Input the **Project # or Name** (from Agenda)



GMD Public Portal

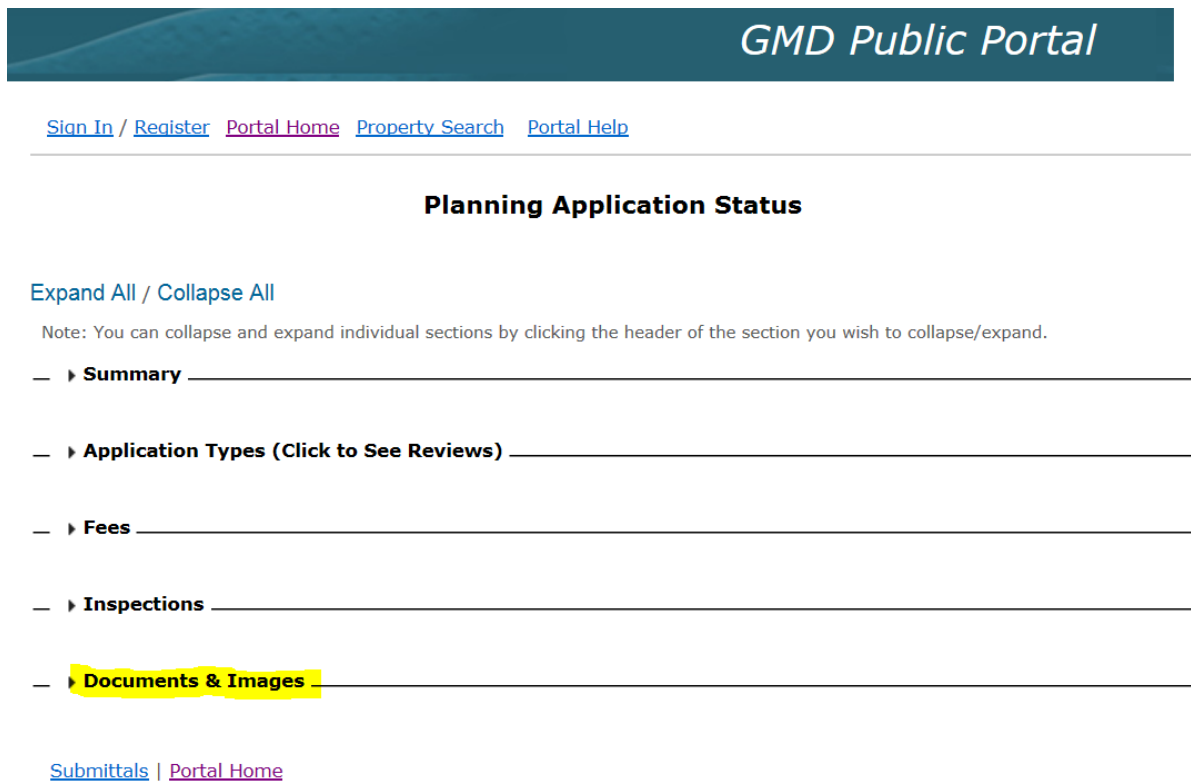
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Date Uploaded	File Type	Document Name
11/20/2018	Applications	Application Form (LDCA Application - Prepared.pdf)
11/20/2018	Document	Submittal 1-LDC Amendment Request
11/20/2018		Submittal 1-Exhibit A - Vision for the East Trail Corridor
11/20/2018		Submittal 1-Exhibit B - Collier County Self Storage Map
11/20/2018		Submittal 1-Exhibit C - US 41 Corridor Study
11/20/2018	Letter	Submittal 1-RLS
12/04/2018		Exhibit D - Executive Summary and BCC Minutes (04-24-2018).pdf

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