

December 15, 2020

MINUTES OF THE COLLIER COUNTY DEVELOPMENT SERVICES
ADVISORY COMMITTEE LAND DEVELOPMENT REVIEW
SUBCOMMITTEE

Naples, Florida, December 15, 2020

LET IT BE REMEMBERED, the Collier County Development Services Advisory Committee – Land Development Review Subcommittee in and for the County of Collier, having conducted business herein, met on this date at 2:00 PM in a REGULAR SESSION at the Growth Management Department Building, Room 609/610 2800 N. Horseshoe Drive, Naples, FL with the following persons present:

Chairman: Clay Brooker
Blair Foley (via Zoom)
Robert Mulhere (via Zoom)
Jeff Curl
Mark McLean (via Zoom)

ALSO PRESENT: Jeremy Frantz, LDC Manager
Richard Henderlong, Principal Planner
Eric Johnson, Principal Planner
Sean Kingston, Senior Planner

Any persons in need of the verbatim record of the meeting may request a copy of the audio recording from the Collier County Growth Management Division – Planning and Regulation building. The meeting was held via Zoom and attendance in the conference room.

1. Call to order

Chairman Brooker called the meeting to order at 2:00 p.m. and a quorum was established.

2. Approve agenda

Mr. Curl moved to approve the Agenda. Second by Mr. Brooker. Carried unanimously 5 – 0.

3. Old Business

None

4. New Business

a. LDC Amendments

i. PL20200002482 – TDR Base Credit Change in Rural Fringe Mixed Use District (RFMUD)

LDC Section to be Amended: 2.03.07 Overlay Zoning Districts

Mr. Johnson presented the proposed amendment noting it eliminates the \$25,000 minimum value of the TDR Base Credit for the Rural Fringe Mixed Use District.

Committee discussion occurred noting:

- It would be beneficial to cite the work undertaken by the Growth Oversight Management Committee in the narrative for the proposed amendment.
- It is anticipated the proposed amendment is a forerunner to other proposed amendments for the RFMUD to be brought forward following an extensive restudy of the area.
- The goal is for the credits to be market valued increasing the ability for those landowners in the program to exercise their rights under the requirements of the District.

Mr. Mulhere moved for the Development Services Advisory Committee to recommend the Board of County Commissioners adopt the proposed amendment subject to adding language on the Growth Management Oversight Committee's involvement in the restudy of the District. Second by Mr. Curl. Carried unanimously 5 – 0.

ii. PL2020000XXXX - Golf Course Conversions – Soil & Groundwater Testing

LDC Section to be Amended: 3.08.00 Environmental Data Requirements

5.05.15 Conversion of Golf Courses

Mr. Kingston presented the proposed amendment noting it clarifies when soil and groundwater sampling is required in the development review process for the conversion of golf courses to non-golf course uses. It is intended to grant an applicant flexibility in the process by deferring the required soil and/or groundwater sampling to the time of the early work authorization, site development plan (SDP), and subdivision plat (PPL) submittal. It also modifies the required timing of all soil and/or groundwater sampling in LDC section 3.08.00 A.4.d.ii to the time of the EWA, SDP, or PPL. Since the amendment was distributed to the Subcommittee, a couple of minor typos have been corrected and the Administrative Code was changed to reference the Land Development Code as necessary.

During Subcommittee discussion, the following was noted:

- Consideration should be given to developing a fee schedule to be used as a guideline for those involved in the process, so they are aware when certain payments are due.
- Although the requirement defers the timing for the testing, it does not preclude those involved in the process from performing the tests at any time.
- It is beneficial to applicants and landowners given the ability to defer the timing to a time after the “Intent to Convert” process has been completed.
- Other types of conversions of uses such as those in Agricultural Land utilize the same process as proposed.
- The proposed amendment was driven by private landowner activities, not the County’s involvement in activities associated with the Golden Gate Golf Course conversion.
- The Pollution Control Department reviewed the proposal and did not voice an objection.

Mr. Mulhere stated he would be abstaining due to a conflict of interest stemming from a project he is working on.

Mr. Foley moved for the Development Services Advisory Committee to recommend the Board of County Commissioners adopt the proposed amendment as presented by staff. Second by Mr. McLean. Motion carried unanimously 4 – 0. Mr. Mulhere abstained.

iii. PL20200002400 – Collier Blvd./I-75 Interchange Zoning Overlay (CBIIZO)

LDC Section to be Amended: 1.08.01 Abbreviations
2.03.07 Overlay Zoning Districts
4.02.37 Specific Design Standards for Development in the Collier Boulevard/Interstate 75 Innovation Zone Overlay (new section)

Mr. Foley left the meeting at 3:03 p.m.

Mr. Frantz presented the proposed amendment noting it creates the Collier Boulevard/I75 Innovation Zone Overlay (CBIIZO), implementing the economic development goals of the Interchange Activity Center No. 9 Innovation Zone recently approved by the County (2018). The CBIIZO is a new zoning overlay adding several industrial, manufacturing, and movie production uses as permitted uses.

The following was noted during Subcommittee discussions:

- The allowed uses prescribed area as identified by the North American Industry Classification System.
- Some uses allowed within the classifications have been excluded, while others will require permitting as a conditional use.
- Concern over the amount of heavy truck traffic serving the landfill and it may be advantageous to investigate the feasibility of creating a separate access road for the landfill operation – *staff noted this is out of the scope of the amendment or GMD operations.*

- Another option may be to develop a separate access road (where feasible) off the main road to help improve traffic flow and the facilitate traffic movements for the large trucks needing to access the proposed uses.
- Concern on allowing 0.5-foot candle adjacent to property lines creating the potential for light spillover onto neighboring lands.
- Consideration should be given to allowing the uses with shared buffer zones to reduce the required widths of each from 10-feet to 5-feet.
- The uses permitted in the underlying district will still be allowed to be developed in conformance with those design standards outlined for the underlying district. The proposed amendment is intended to promote conformity of uses and operations as opposed to design standards.
- Consideration should be given to improving the various location maps in the proposed amendment to ensure they are easier for the user to identify the areas in question.
- The uses identified for the overlay zone are only allowed on lands where the underlying zoning district does not permit residential development.
- It would be beneficial to review the cross-referenced code sections cited to ensure they are easy for a user to identify when searching for the specific details intended to be referenced.

Mr. Curl moved for the Development Services Advisory Committee to recommend the Board of County Commissioners adopt the proposed amendment as presented by staff. Second by Mr. McLean. Carried unanimously 4 – 0.

**iv. PL20200002505 – Public Notice Distance – Urban & Rural Golden Gate Estates
LDC Section to be Amended: 10.03.05 - Required Methods of Providing Public Notice**

Mr. Mulhere left the meeting at 3:35 p.m.

Mr. Henderlong presented the proposed amendment noting it increases the written public notification distance to property owners for land use petitions within the Rural and Urban Golden Gate Estates of the Golden Gate Area Master Plan (GGAMP). It also requires an amendment to the Administrative Code regarding public notice procedures for land use petitions.

The following was noted during Subcommittee discussions:

- Concern expressed by Mr. McLean on the notifications to adjacent property owners given many of those notified are not impacted by the proposal yet may raise issues related to the application.
- The proposed amendment seeks to ensure those property owners on dead end streets fall within a notification distance.
- Although the owners in question may not receive written notice, they generally drive by the area in question repeatedly which is required to post signage on changes in use, effectively providing them notice on the activity.
- Concern the notification distance for the Urban area is too great given the likelihood of notifying a large number of property owners, many of those unaffected by the proposal.

- It would be beneficial to divide the Urban and Rural area notifications requirements into separately identified distances given the nature the properties have been developed over the course of time.

Mr. Curl moved for the Development Services Advisory Committee to recommend the Board of County Commissioners adopt the proposed amendment subject to amending the provisions to a notification distances to 1,500 lineal feet for the Urban Sub Element and 2,500 lineal feet for the Rural Sub Element of the Golden Gate Area Master Plan. Second by Mr. McLean. Carried unanimously 3 – 0.

b. Discussion of County's LDC amendment website

Mr. Frantz noted the website is being revamped and if Subcommittee Members have any recommendations, they should contact staff.

The Subcommittee noted it would be advantageous to review the links in the CityView portal to make sure they are up to date.

c. 2021 Schedule (March 16, June 15, September 21, and December 21)

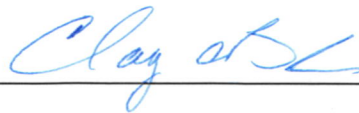
Mr. Frantz updated the Subcommittee on the 2021 meeting schedule. During discussions it was noted the December meeting may be rescheduled to earlier in the month due to the scheduled date's proximity to the Christmas Holiday.

5. Public comments

None

There being no further business for the good of the County, the meeting was adjourned by the order of the Chair at 3:56 P.M.

**COLLIER COUNTY DEVELOPMENT SERVICES
ADVISORY COMMITTEE - LAND DEVELOPMENT
REVIEW SUBCOMMITTEE**



These Minutes were approved by the Committee on FEB 3, 2021, as presented X, or as amended _____.