



2022 Land Development Code Amendments

- Public Meeting -

Development Services Advisory Committee - Land Development Review Subcommittee

Wednesday, January 19, 2022
3:00 p.m. – 5:00 p.m.

2800 N. Horseshoe Dr., Naples, FL – GMD Building
Conference Room 609/610

Agenda:

1. Call to Order
2. Approve Agenda
3. Old Business
 - a. LDC Amendments
 - i. PL20200001291 – CHP Initiatives 2 through 5
4. New Business
 - a. LDC Amendments
 - i. PL20210001560 – Golden Gate Estates Lot Divisions
 - b. Confirm Remaining 2022 meeting dates:
 - i. March 09, 2022
 - ii. June 15, 2022
 - iii. September 21, 2022
 - iv. December 14, 2022
5. Public Comments
6. Adjourn



LAND DEVELOPMENT CODE AMENDMENT

<p>PETITION PL20210001291</p> <hr/> <p>ORIGIN Board of County Commissioners (Board)</p> <hr/> <p>HEARING DATES</p> <table border="0"> <tr><td>BCC</td><td>TBD</td></tr> <tr><td>CCPC</td><td>TBD</td></tr> <tr><td>DSAC</td><td>TBD</td></tr> <tr><td>DSAC-LDR</td><td>01/19/2022 06/15/2021</td></tr> </table>	BCC	TBD	CCPC	TBD	DSAC	TBD	DSAC-LDR	01/19/2022 06/15/2021	<p>SUMMARY OF AMENDMENT This Land Development Code (LDC) amendment implements several initiatives from Collier County Community Housing Plan (CHP). The new provisions are intended to streamline the process for converting commercial zoning to residential zoning, increase density within Activity Centers and along bus/transit lines in connection with Transit Oriented Development (TOD), and to create Strategic Opportunity Sites.</p> <p>LDC SECTION TO BE AMENDED</p> <table border="0"> <tr><td>1.08.01</td><td>Abbreviations</td></tr> <tr><td>1.08.02</td><td>Definitions</td></tr> <tr><td>2.03.03</td><td>Commercial Zoning Districts</td></tr> <tr><td>2.05.01</td><td>Density Standards and Housing Types</td></tr> <tr><td>2.07.00</td><td>Mixed-Income Housing Program for Housing that is Affordable (NEW)</td></tr> <tr><td>2.07.01</td><td>Purpose and Intent (NEW)</td></tr> <tr><td>2.07.02</td><td>Program Criteria (NEW)</td></tr> <tr><td>4.02.01</td><td>Dimensional Standards for Principal Uses in Base Zoning Districts</td></tr> <tr><td>4.02.38</td><td>Specific Design Criteria for Mixed Use Development within C-1 through C-3 Zoning Districts</td></tr> <tr><td>4.02.40</td><td>Housing that is Affordable by Right in Commercial Zoning Districts (NEW)</td></tr> <tr><td>4.02.41</td><td>Housing that is Affordable within Activity Centers or Interchange Activity Centers (NEW)</td></tr> <tr><td>4.02.42</td><td>Transit Oriented development (TOD) Design Standards (NEW)</td></tr> </table>	1.08.01	Abbreviations	1.08.02	Definitions	2.03.03	Commercial Zoning Districts	2.05.01	Density Standards and Housing Types	2.07.00	Mixed-Income Housing Program for Housing that is Affordable (NEW)	2.07.01	Purpose and Intent (NEW)	2.07.02	Program Criteria (NEW)	4.02.01	Dimensional Standards for Principal Uses in Base Zoning Districts	4.02.38	Specific Design Criteria for Mixed Use Development within C-1 through C-3 Zoning Districts	4.02.40	Housing that is Affordable by Right in Commercial Zoning Districts (NEW)	4.02.41	Housing that is Affordable within Activity Centers or Interchange Activity Centers (NEW)	4.02.42	Transit Oriented development (TOD) Design Standards (NEW)
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ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR	DSAC	CCPC
Approval with condition	TBD	TBD

BACKGROUND: After much public discussion regarding the housing situation in Collier County (see Exhibit A), an Urban Land Use Institute Panel Report in 2017 concluded that Collier County has a “housing affordability problem,” and its recommendation centered upon six core strategies (see Exhibit B). On October 25, 2017, the Board accepted a Community Housing Plan (CHP) and authorized staff on February 27, 2018 to begin its implementation. As a follow up to that item, the Board reviewed an LDC amendment (PL20180002172) on February 12, 2019. Ordinance 2019-02 approved new affordable housing definitions and the Affordable Housing Density Bonus Program (AHDB Program), which increased the affordable housing density bonus from eight extra units per acre to up to 12 extra units per acre.

At an earlier meeting, on October 9, 2018, the Board directed staff to move forward with the final recommendations of the CHP. Staff was tasked with preparing Growth Management Plan (GMP) and LDC amendments to address five initiatives identified in the CHP. Those initiatives are identified in Exhibit C.

Initiative 1 was addressed when staff presented an LDC amendment (PL20200001703) to the Board on February 9, 2021. The Board adopted Ordinance 2021-05, providing relief from specified processes, to better ensure cost certainty and savings for projects containing housing that is affordable.

The proposed LDC amendment addresses Initiative 2 through 5. The proposed provisions include the following: (2) streamlining conversion of commercial zoning to residential zoning when providing for housing that is affordable; (3) increasing density within Activity Centers from 16 units per acre to 25 units per acre when providing for housing that is affordable; (4) creation of Strategic Opportunity Sites as an identified subdistrict within the GMP to allow for mixed use development that provides for residential density up to 25 units per acre which is integrated with non-residential land uses with a high degree of employment opportunities, such as corporate headquarters or business campuses; and (5) increasing density opportunities along bus/transit lines. In developing these initiatives, staff has worked with consultants, stakeholders, the development industry, non-profit agencies, and various other interested parties over the course of the last 18 months. This LDC amendment represents the implementing regulations and companion item to a GMP amendment to incorporate Initiative 2 through 5 within the GMP to advance opportunities for housing that is affordable. The purpose and intent of the Mixed-Income Program for Housing that is Affordable is to incentivize affordable housing and implement the GMP, § 163.3161 et seq. Florida Statutes, and the Florida Administrative Code.

One change that has occurred since DSAC-LDR is that staff added a minimum size to Table 2. Building Dimension Standards for Principal Uses in Base Zoning Districts in LDC section 4.02.01, to account for the residential units that are now proposed throughout the C-1, C-2, C-3, C-4, and C-5 zoning districts. The sizes are consistent with the minimum sizes required in the RMF-12 and RMF-16 zoning districts.

DSAC-LDR Subcommittee Recommendation

The DSAC-LDR Subcommittee discussed deleting the word “inner” from the definition of Transit Core. The DSAC-LDR recommended approval of the LDC amendment with the following changes, which have been incorporated into the amendment:

- The provision for mixed use development (residential with housing that is affordable and commercial) that is currently proposed in the C-1, C-2, and C-3 zoning districts should also be carried forward to the C-4 and C-5 zoning districts as well with edits made to LDC section 4.02.38 accordingly.

The LDA amendment will return to the Subcommittee due to the various changes that have been made to the text as recommended by the County Attorney’s Office.

FISCAL & OPERATIONAL IMPACTS

There are no anticipated fiscal or operational impacts to the County’s stakeholders. There is a slight increase in the maintenance cost to Collier Area Transit for new bus stops associated with the TOD provisions, but they are anticipated to be minimal.

GMP CONSISTENCY

The proposed LDC amendment has been reviewed by Comprehensive Planning staff and may be deemed consistent with the GMP.

EXHIBITS: A) Background; B) ULI Advisory Services Panel Report; and C) CHP Initiatives

DRAFT

Text underlined is new text to be added

~~Text strikethrough is current text to be deleted~~

Amend the LDC as follows:

1.08.01 – Abbreviations

* * * * *

TND	Transitional Neighborhood Design
<u>TOD</u>	<u>Transit Oriented Development</u>
TP	Turtle Permit

#

1.08.02 – Definitions

Approved affordable housing: Affordable housing that includes a long-term affordability restriction wherein the cost of housing and income of the household are known and monitored, for a specific period of time. This includes housing that meets the criteria of LDC section 2.07.00 Mixed-Income Housing Program for Housing that is Affordable.

Transit Core: The area within a quarter-mile radius around a Collier Area Transit stop, shelter, or station. This is measured as a radial distance from the perimeter of the building or structure footprint of the transit stop, shelter, or station.

Transit Oriented Development (TOD): A project or projects, in areas identified in the GMP, that is or will be served by existing or planned Collier Area Transit service. TODs are subject to standards that require the development to be compact, interconnected with other land uses, and pedestrian oriented, and dwelling units are required to be multi-family.

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2.03.03 – Commercial Zoning Districts

A. Commercial Professional and General Office District (C-1). The purpose and intent of the commercial professional and general office district C-1 is to allow a concentration of office type buildings and land uses that are most compatible with, and located near, residential areas. Most C-1 commercial, professional, and general office districts are contiguous to, or when within a PUD, will be placed in close proximity to residential areas, and, therefore, serve as a transitional zoning district between residential areas and higher intensity commercial zoning districts. The types of office uses permitted are those that do not have high traffic volumes throughout the day, which extend into the evening hours. They will have morning and evening short-term peak conditions. The market support for these office uses should be those with a localized basis of market support as opposed to office functions requiring inter-jurisdictional and regional market support. Because office functions have significant employment characteristics, which are compounded when aggregations occur, certain personal service uses shall be permitted, to provide a convenience to office-based employment. Such convenience commercial uses shall be made an integral part of an office building as opposed to the singular use of a building. Housing may also be a component of this district as provided for through the provisions

1 for housing that is affordable or through conditional use approval. The maximum density
2 permissible or permitted in a district shall not exceed the density permissible under the
3 density rating system.

4
5 1. The following uses, as identified with a number from the Standard Industrial
6 Classification Manual (1987), or as otherwise provided for within this section are
7 permissible by right, or as accessory or conditional uses within the C-1 commercial
8 professional and general office district.

9
10 a. Permitted uses.

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12 1. Accounting (8721).

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15
16 16. Direct mail advertising services (7331).

17
18 17. Dwelling (i.e., multi-family, single family attached, or townhouse),
19 provided such use contains housing that is affordable in accordance
20 with LDC section 4.02.40. If mixed use, see 28. Below.

21
22 ~~1817.~~ Educational plants and public schools subject to LDC section
23 5.05.14.

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25 ~~1918.~~ Engineering services (8711).

26
27 ~~2019.~~ Essential services, subject to LDC section 2.01.03.

28
29 ~~2120.~~ Group care facilities (category I and II, except for homeless
30 shelters); care units, except for homeless shelters; nursing homes;
31 assisted living facilities pursuant to § 429.02 F.S. and ch. 59A-36
32 F.A.C.; and continuing care retirement communities pursuant to ch.
33 651 F.S. and ch. 69O-193 F.A.C.; all subject to LDC section
34 5.05.04.

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36 ~~2221.~~ Health services, offices and clinics (8011—8049).

37
38 ~~2322.~~ Insurance carriers, agents and brokers (6311—6399, 6411).

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40 ~~2423.~~ Landscape architects, consulting and planning (0781).

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42 ~~2524.~~ Legal services (8111).

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44 ~~2625.~~ Loan brokers (6163).

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46 ~~2726.~~ Management services (8741 and 8742).

47
48 28. Mixed residential and commercial uses, provided that such
49 residential use (i.e., multi-family, single-family attached, or
50 townhouse) contains housing that is affordable in accordance with

LDC section 4.02.40 and the design criteria contained in LDC section 4.02.38.

~~2927~~. Mortgage bankers and loan correspondents (6162).

- Remainder of list to be renumbered accordingly -

~~4341~~. Any other commercial use or professional service which is comparable in nature with the foregoing uses including those that exclusively serve the administrative as opposed to the operational functions of a business and are associated purely with activities conducted in an office, as determined by the Hearing Examiner or CCPC, pursuant to LDC section 10.02.06 K.

* * * * *

B. Commercial Convenience District (C-2). The purpose and intent of the commercial convenience district (C-2) is to provide lands where commercial establishments may be located to provide the small-scale shopping and personal needs of the surrounding residential land uses within convenient travel distance except to the extent that office uses carried forward from the C-1 district will expand the traditional neighborhood size. However, the intent of this district is that retail and service uses be of a nature that can be economically supported by the immediate residential environs. Therefore, the uses should allow for goods and services that households require on a daily basis, as opposed to those goods and services that households seek for the most favorable economic price and, therefore, require much larger trade areas. It is intended that the C-2 district implements the Collier County GMP within those areas designated agricultural/rural; estates neighborhood center district of the Golden Gate Master Plan; the neighborhood center district of the Immokalee Master Plan; and the urban mixed use district of the future land use element permitted in accordance with the locational criteria for commercial and the goals, objectives, and policies as identified in the future land use element of the Collier County GMP. Housing may also be a component of this district as provided for through provisions for housing that is affordable or through conditional use approval. The maximum density permissible in the C-2 district and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County GMP. The maximum density permissible or permitted in a district shall not exceed the density permissible under the density rating system.

1. The following uses, as identified with a number from the Standard Industrial Classification Manual (1987), or as otherwise provided for within this section are permissible by right, or as accessory or conditional uses within the C-2 commercial convenience district.

a. Permitted uses.

1. Accounting (8721).

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- 23. Direct mail advertising services (7331).
- 24. Dwelling (i.e., multi-family, single-family attached, or townhouse), provided such use contains housing that is affordable in accordance with LDC section 4.02.40. If mixed use, see 47. below.
- ~~25~~24. Eating places (5812, except contract feeding, dinner theaters, institutional food service, and industrial feeding) with 2,800 square feet or less of gross floor area in the principal structure).
- ~~26~~25. Educational plants and public schools subject to LDC section 5.05.14.
- ~~27~~26. Engineering services (8711).
- ~~28~~27. Essential services, subject to section 2.01.03.
- ~~29~~28. Food stores (groups 5411 - except supermarkets, 5421—5499) with 2,800 square feet or less of gross floor area in the principal structure.
- ~~30~~29. Funeral services (7261, except crematories).
- ~~31~~30. Garment pressing, and agents for laundries and drycleaners (7212).
- ~~32~~31. Gasoline service stations (5541, subject to section 5.05.05).
- ~~33~~32. General merchandise stores (5331—5399) with 1,800 square feet or less of gross floor area in the principal structure.
- ~~34~~33. Glass stores (5231) with 1,800 square feet or less of gross floor area in the principal structure.
- ~~35~~34. Group care facilities (category I and II, except for homeless shelters); care units, except for homeless shelters; nursing homes; assisted living facilities pursuant to § 429.02 F.S. and ch. 59A-36 F.A.C.; and continuing care retirement communities pursuant to ch. 651 F.S. and ch. 69O-193 F.A.C.; all subject to LDC section 5.05.04.
- ~~36~~35. Hardware stores (5251) with 1,800 square feet or less of gross floor area in the principal structure.
- ~~37~~36. Health services, offices and clinics (8011—8049).
- ~~38~~37. Home furniture and furnishings stores (5713—5719) with 1,800 square feet or less of gross floor area in the principal structure.
- ~~39~~38. Home health care services (8082).

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~~4039~~. Insurance carriers, agents and brokers (6311—6399, 6411).

~~4140~~. Landscape architects, consulting and planning (0781).

~~4244~~. Laundries and drycleaning, coin operated — self service (7215).

~~4342~~. Legal services (8111).

~~4443~~. Libraries (8231, except regional libraries).

~~4544~~. Loan brokers (6163).

~~4645~~. Management services (8741 and 8742).

47. Mixed residential and commercial uses, provided that such residential use (i.e., multi-family, single-family attached, or townhouse) contains housing that is affordable in accordance with LDC section 4.02.40, and the design criteria contained in LDC section 4.02.38.

~~4846~~. Mortgage bankers and loan correspondents (6162).

- Remainder of list to be renumbered accordingly -

~~7775~~. An existing lawful structure over 1,800 sq. ft. as of July 14, 2014 may be occupied by any C-2 permitted use with a 1,800 sq. ft. or greater limitation.

* * * * *

C. Commercial Intermediate District (C-3). The purpose and intent of the commercial intermediate district (C-3) is to provide for a wider variety of goods and services intended for areas expected to receive a higher degree of automobile traffic. The type and variety of goods and services are those that provide an opportunity for comparison shopping, have a trade area consisting of several neighborhoods, and are preferably located at the intersection of two-arterial level streets. Most activity centers meet this standard. This district is also intended to allow all of the uses permitted in the C-1 and C-2 zoning districts typically aggregated in planned shopping centers. This district is not intended to permit wholesaling type of uses, or land uses that have associated with them the need for outdoor storage of equipment and merchandise. A mixed-use project containing a residential component is permitted in this district subject to the criteria established herein. The C-3 district is permitted in accordance with the locational criteria for commercial and the goals, objectives, and policies as identified in the future land use element of the Collier County GMP. Housing may also be a component of this district as provided for through provisions for housing that is affordable or through conditional use approval. The maximum density permissible in the C-3 district and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County GMP. The maximum density permissible or permitted in the C-3 district shall not exceed the density permissible under the density rating system.

1 1. The following uses, as identified with a number from the Standard Industrial
2 Classification Manual (1987), or as otherwise provided for within this section are
3 permissible by right, or as accessory or conditional uses within the commercial
4 intermediate district (C-3).

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6 a. Permitted uses.

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8 1. Accounting (8721).

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12 30. Drug stores (5912).

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14 31. Dwelling (i.e., multi-family, single-family attached, or townhouse),
15 provided such use contains housing that is affordable in accordance
16 with LDC section 4.02.40. If mixed use, see 60. below.

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18 ~~32~~31. Eating places (5812 only) with 6,000 square feet or less in gross
19 floor area in the principal structure. All establishments engaged in
20 the retail sale of alcoholic beverages for on-premise consumption
21 are subject to locational requirements of section 5.05.01.

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23 ~~33~~32. Educational plants and public schools subject to LDC section
24 5.05.14.

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26 ~~34~~33. Engineering services (8711).

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28 ~~35~~34. Essential services, subject to section 2.01.03.

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30 ~~36~~35. Federal and federally-sponsored credit agencies (6111).

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32 ~~37~~36. Food stores (groups 5411—5499) with 5,000 square feet or less of
33 gross floor area in the principal structure.

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35 ~~38~~37. Funeral services (7261, except crematories).

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37 ~~39~~38. Garment pressing, and agents for laundries and drycleaners
38 (7212).

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40 ~~40~~39. Gasoline service stations (5541, subject to section 5.05.05).

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42 ~~41~~40. General merchandise stores (5331—5399) with 5,000 square feet
43 or less of gross floor area in the principal structure.

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45 ~~42~~41. Glass stores (5231) with 5,000 square feet or less of gross floor
46 area in the principal structure.

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48 ~~43~~42. Group care facilities (category I and II, except for homeless
49 shelters); care units, except for homeless shelters; nursing homes;
50 assisted living facilities pursuant to § 429.02 F.S. and ch. 589A-36

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Text underlined is new text to be added

~~Text strikethrough is current text to be deleted~~

F.A.C.; and continuing care retirement communities pursuant to ch. 651 F.S. and ch. 69O-193 F.A.C.; all subject to LDC section 5.05.04.

~~4443.~~ Hardware stores (5251) with 1,800 square feet or less of gross floor area in the principal structure.

~~4544.~~ Health services, offices and clinics (8011—8049).

~~4645.~~ Home furniture and furnishings stores (5712—5719) with 5,000 square feet or less of gross floor area in the principal structure.

~~4746.~~ Home health care services (8082).

~~4847.~~ Household appliance stores (5722) with 5,000 square feet or less of gross floor area in the principal structure.

~~4948.~~ Insurance carriers, agents and brokers (6311—6399, 6411).

~~5049.~~ Labor unions (8631).

~~5150.~~ Landscape architects, consulting and planning (0781).

~~5251.~~ Laundries and drycleaning, coin operated — self service (7215).

~~5352.~~ Laundries, family and commercial (7211).

~~5453.~~ Legal services (8111).

~~5554.~~ Libraries (8231).

~~5655.~~ Loan brokers (6163).

~~5756.~~ Management services (8741 and 8742).

~~5857.~~ Marinas (4493), subject to section 5.05.02.58.Membership organizations, miscellaneous (8699).

~~5958.~~ Membership organizations, miscellaneous (8699).

60. Mixed residential and commercial uses, provided that such residential use (i.e., multi-family, single-family attached, or townhouse) contains housing that is affordable in accordance with LDC section 4.02.40 and the design criteria contained in LDC section 4.02.38.

~~6159.~~ Mortgage bankers and loan correspondents (6162).

- Remainder of list to be renumbered accordingly -

1 ~~9997.~~ An existing lawful structure over 5,000 sq. ft. as of July 14, 2014
2 may be occupied by any C-3 permitted use with a 5,000 sq. ft. or
3 greater limitation.
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7 D. General Commercial District (C-4). The general commercial district (C-4) is intended to
8 provide for those types of land uses that attract large segments of the population at the
9 same time by virtue of scale, coupled with the type of activity. The purpose and intent of
10 the C-4 district is to provide the opportunity for the most diverse types of commercial
11 activities delivering goods and services, including entertainment and recreational
12 attractions, at a larger scale than the C-1 through C-3 districts. As such, all of the uses
13 permitted in the C-1 through C-3 districts are also permitted in the C-4 district. The outside
14 storage of merchandise and equipment is prohibited, except to the extent that it is
15 associated with the commercial activity conducted on-site such as, but not limited to,
16 automobile sales, marine vessels, and the renting and leasing of equipment. Activity
17 centers are suitable locations for the uses permitted by the C-4 district because most
18 activity centers are located at the intersection of arterial roads. Therefore the uses in the
19 C-4 district can most be sustained by the transportation network of major roads. The C-4
20 district is permitted in accordance with the locational criteria for uses and the goals,
21 objectives, and policies as identified in the future land use element of the Collier County
22 GMP. Housing may also be a component of this district as provided for through provisions
23 for housing that is affordable. The maximum density permissible or permitted in a district
24 shall not exceed the density permissible under the density rating system.
25

26 1. The following uses, as defined with a number from the Standard Industrial
27 Classification Manual (1987), or as otherwise provided for within this section are
28 permissible by right, or as accessory or conditional uses within the general
29 commercial district (C-4).

30 a. Permitted uses.

31 1. Accounting (8721).

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35 47. Drug stores (5912).

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38 48. Dwelling (i.e., multi-family, single-family attached, or townhouse),
39 provided such use contains house that is affordable in accordance
40 with LDC section 4.02.40. If mixed use, see 88. below.

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43 ~~4948.~~ Eating and drinking establishments (5812 and 5813) excluding
44 bottle clubs. All establishments engaged in the retail sale of
45 alcoholic beverages for on-premise consumption are subject to the
46 locational requirements of LDC section 5.05.01.

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48 - Remainder of list to be renumbered accordingly -

49 87. Membership sports and recreation clubs, indoor (7997).
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88. Mixed residential and commercial uses, provided that such residential use (i.e., multi-family, single-family attached, or townhouse) contains housing that is affordable in accordance with LDC section 4.02.40 and the design criteria contained in LDC section 4.02.38.

- Remainder of list to be renumbered accordingly –

~~1442.~~ Any other general commercial use which is comparable in nature with the list of permitted uses and consistent with the purpose and intent statement of the district, as determined by the Hearing Examiner or CCPC, pursuant to LDC section 10.02.06 K.

* * * * *

E. Heavy Commercial District (C-5). In addition to the uses provided in the C-4 zoning district, the heavy commercial district (C-5) allows a range of more intensive commercial uses and services which are generally those uses that tend to utilize outdoor space in the conduct of the business. The C-5 district permits heavy commercial services such as full-service automotive repair, and establishments primarily engaged in construction and specialized trade activities such as contractor offices, plumbing, heating and air conditioning services, and similar uses that typically have a need to store construction associated equipment and supplies within an enclosed structure or have showrooms displaying the building material for which they specialize. Outdoor storage yards are permitted with the requirement that such yards are completely enclosed or opaquely screened. The C-5 district is permitted in accordance with the locational criteria for uses and the goals, objectives, and policies as identified in the future land use element of the Collier County GMP. Housing may also be a component of this district as provided for through provisions for housing that is affordable. The maximum density permissible or permitted in a district shall not exceed the density permissible under the density rating system.

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

a. Permitted uses.

1. Accounting (8721).

* * * * *

55. Drug stores (5912).

56. Dwelling (i.e., multi-family, single-family attached, or townhouse), provided such use contains housing that is affordable in accordance with LDC section 4.02.40. If mixed use, see 109. below.

1 5756. Eating and drinking establishments (5812 and 5813) excluding
2 bottle clubs. All establishments engaged in the retail sale of
3 alcoholic beverages for on-premise consumption are subject to the
4 locational requirements of LDC section 5.05.01.

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6 - Remainder of list to be renumbered accordingly –

7
8 108107. Membership sports and recreation clubs, indoor (7997).

9
10 109. Mixed residential and commercial uses, provided that such
11 residential use (i.e., multi-family, single-family attached, or
12 townhouse) contains housing that is affordable in accordance with
13 LDC section 4.02.40 and the design criteria contained in LDC
14 section 4.02.38.

15
16 - Remainder of list to be renumbered accordingly –

17
18 1853. Any other heavy commercial use which is comparable in nature with
19 the list of permitted uses and consistent with the purpose and intent
20 statement of the district, as determined by the Hearing Examiner or
21 CCPC, pursuant to LDC section 10.02.06 K.

22
23 # # # # # # # # # # # # # #

24
25 **2.05.01 - Density Standards and Housing Types**

26
27 A. Where residential uses are allowable, the following density standards and housing type
28 criteria shall apply.

Housing Type: Zoning District:	Single-family	Duplex	Townhouse	Multifamily	Mobile Home	Cluster	Guest House	Caretaker Units (number allowed)	Timeshare	Recreational vehicles ¹	Maximum Density ^{2, 17} (units per gross acre)
GC								Two			
A	✓				S		✓				0.2 (1 unit per 5 acres)
E	✓						✓				0.44 (1 unit per 2.25 acres)
RSF-1	✓					✓	✓				1
RSF-2	✓					✓	✓				2
RSF-3	✓					✓	✓				3
RSF-4	✓					✓	✓				4
RSF-5	✓					✓	✓				5
RSF-6	✓					✓	✓				6
RMF-6	✓	✓	✓	✓		✓	✓				6
RMF-12	S	✓	✓	✓							12
RMF-16			✓	✓							16

DRAFT

Text underlined is new text to be added

~~Text strikethrough is current text to be deleted~~

RT ^{3, 17}									✓		26
RT ^{4, 17}			✓	✓					✓		16
RT ^{5, 17}			✓	✓					✓		16
VR ⁶	✓				✓	✓					7.26
VR ⁷		✓				✓					8.71
VR ⁸				✓		✓					14.52
MH ⁹					✓			One			7.26
TTRVC								One	✓		12
C-1 ¹⁰								One			16
C-2 ¹⁰								One			16
C-3 ¹⁰								One			16
C-4								One			
C-5								One			
I								One			
BP								One			
CON ¹¹	✓										0.2 (1 unit per 5 acres) 0.33 (1 unit per 3 acres) Big Cypress
BMUD ¹²	S	S	S	S							12
GTMUD ¹²	S	S	S	S							12
R-1	✓	✓	✓	✓							
R-2	✓	✓	✓	✓							
GZO	Per underlying zoning district										
VB-RTO ¹⁷			✓	✓					✓		16 for timeshare mf & twnhses; 26 for hotels and motels
GGPOD			✓	✓							Per the GMP
RFMU ¹³	✓				✓ ¹⁶						0.025 (1 unit per 40 acres)
RFMU ¹⁴	✓	✓	✓	✓	✓ ¹⁶	✓	✓	✓			0.2 (1 unit per 5 acres)
RFMU ¹⁵	✓	✓	✓	✓	✓ ¹⁶	✓	✓	✓		✓	0.2 (1 unit per 5 acres)
MHO					✓						0.2 (1 unit per 5 acres)

- 1
- 2 Legend:
- 3 S = permitted subject to supplemental standards
- 4 ¹ Recreational vehicles include travel trailers, park models, pickup coaches, and motor
- 5 homes.
- 6

1 2 Density is calculated as the number of residential dwelling units per gross acre (see
2 definition of density, residential). Generally, in all zoning districts except for A, E and CON,
3 this indicates the maximum allowable density, including any applicable density bonuses
4 per the density rating system in the growth management plan, and housing that is
5 affordable may be developed at densities of up to 25 units per acre as provided in the
6 FLUE and LDC sections 4.02.38, 4.02.40, 4.02.41, and 4.02.42. Density may be restricted
7 by the board of county commissioners at the time of rezoning to something less than the
8 maximum, as indicated parenthetically on the official zoning atlas maps. For example,
9 "RMF-6(4)" allows all uses and development standards of the RMF-6 zoning district but
10 density is limited to 4 dwelling units per acre.

11
12 # # # # # # # # # # # # #

13
14 **2.07.00 –Mixed-Income Housing Program for Housing that is Affordable**

15
16 **2.07.01 – Purpose and Intent**

17
18 A. This section is intended to incentivize developments that provide a mix of housing
19 affordability, including units that are affordable to gap-, moderate-, low-, or very-low-
20 income levels through the use of density bonuses, which allows for an increase in the
21 number of residential dwelling units per acre on property proposed for development,
22 thereby decreasing the per unit cost of land and development.

23
24 B. This objective is accomplished by implementing a Mixed-Income Housing Program, which
25 consists of a commitment by an agreement or ordinance to provide for Housing that is
26 Affordable. The purpose of the Program is to provide increased residential densities to
27 developers who guarantee that a portion of their housing development will provide units
28 that are affordable at gap-, moderate-, low-, or very-low-income levels, thus expanding
29 housing opportunities for households throughout the county, as specified in LDC section
30 4.02.40, LDC section 4.02.41, and LDC section 4.02.42.

31
32 **2.07.02 – Program Criteria**

33
34 The following conditions shall apply to all developments associated with the Mixed-Income
35 Housing Program.

36
37 A. Mixed-Income Housing Program Eligibility.

38
39 1. The rental price or sales price for all units designated as Housing that is Affordable
40 within the project must be affordable to households at income levels identified in
41 the below chart to qualify for the allowable density bonuses outlined in LDC section
42 4.02.40, LDC section 4.02.41, and LDC section 4.02.42:

<u>Income Level as a percent of Median Income</u>	
<u>Gap</u>	<u>(>120 to ≤140)</u>
<u>Moderate</u>	<u>(>80 to ≤120)</u>
<u>Low</u>	<u>(>50 to ≤80)</u>
<u>Very Low</u>	<u>(≥50)</u>

44

1 2. At the time of application for the DO, the developer must identify the total number
2 of housing units within the development and the total number of units that are
3 affordable, categorized by level of income, type of unit (i.e., single-family or
4 multifamily, owner-occupied or rental), and number of bedrooms per unit.

5
6 3. The number of bedrooms per unit that is affordable shall in general be equal to the
7 number of bedrooms per unit for the entire project.

8
9 4. The units that are affordable shall be intermixed with, and not segregated from, the
10 market rate units in the development.

11
12 5. In order to qualify for the density bonus through the Mixed-Income Housing
13 Program, the developer must comply with the provisions of this section and record
14 a Mixed-Income Housing Commitment by agreement or ordinance.

15
16 B. Mixed-Income Housing Commitment. The commitment to provide Housing that is
17 Affordable through the Mixed-Income Housing Program will be by agreement or ordinance
18 approved by the County Attorney and shall include at a minimum, the following provisions:

19
20 1. Units committed as affordable through the Mixed-Income Housing Program shall
21 be affordable for 30 years from the initial date of sale or rent.

22
23 2. The conditions contained in the agreement or ordinance shall constitute
24 covenants, restrictions, and conditions which shall run with the land and shall be
25 binding upon the property and the owner's successors and assigns. This
26 commitment must be agreed by the owner for an owner-occupied unit or by the
27 developer for renter-occupied units, in a lien instrument to be recorded with the
28 Clerk of the Circuit Court of Collier County, Florida.

29
30 3. No unit that is committed as affordable through the Mixed-Income Housing
31 Program shall be rented to a tenant whose household income has not been verified
32 and certified in accordance with this section. Such verification shall be the
33 responsibility of the developer and shall be submitted to the County Manager or
34 designee for certification.

35
36 4. No unit that is committed as affordable through the Mixed-Income Housing
37 Program shall be sold, leased with option to purchase, or otherwise conveyed to a
38 buyer whose household income has not been verified and certified in accordance
39 with this section. Such verification shall be the responsibility of the developer and
40 shall be submitted to the County Manager or designee for certification. It is the
41 intent of this section to keep housing affordable; therefore, any person who buys
42 a Mixed-Income Housing Program unit must agree, in a lien instrument to be
43 recorded with the Clerk of the Circuit Court of Collier County, Florida, that if the
44 property is sold (to a non-income qualified buyer, including the land and/or the unit)
45 within 30 years after the original purchase at a sales price in excess of five percent
46 per year of the original purchase price that he/she will pay to the Collier County
47 Affordable Housing Trust Fund an amount equal to one-half of the sales price in
48 excess of the five percent increase per year. The lien instrument may be
49 subordinated to a qualifying first mortgage.

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C. Income Verification and Certification. Evidence of income must be verified and certified by the County Manager or designee on a form approved by the County Attorney prior to issuance of certificate of occupancy for each unit that is committed as affordable through the Mixed-Income Housing Program.

1. For owner-occupied units, an income verification form must be submitted by the developer, and a certification letter must be obtained from the County Manager or designee stating that the household income meets the applicable income level threshold required for the unit prior to issuance of certificate of occupancy for that unit.

2. For rental units, an income verification form must be submitted by the developer or its successor once prior to the issuance of the certificate of occupancy for the unit and at year six (6) and year eleven (11) following the initial certificate of occupancy. A certification letter must be obtained from the County Manager or designee stating that the household income meets the applicable income level threshold required for the unit in order for the certificate of occupancy to be issued and to remain in effect at time of re-certification for that unit.

D. Violations and Enforcement.

1. It is a violation of LDC section 2.07.00 to rent, sell or occupy, or attempt to rent, sell or occupy, a unit that is committed as affordable through the Mixed-Income Housing Program except as specifically permitted by the terms of LDC section 2.07.00, or to knowingly give false or misleading information with respect to any information required or requested by the County Manager or designee or by other persons pursuant to the authority which is delegated to them by LDC section 2.07.00.

2. The County Manager or designee shall have full power to enforce the terms of this section and any developer agreements, rezoning conditions or stipulations, and PUD conditions and stipulations, pursuant to this section and the rights, privileges, and conditions described herein, by action at law or equity. In the event that it is determined that a violation has occurred and has not or will not be corrected within 60 days, the CO for the unit subject to the violation shall be withdrawn and the sanctions or penalties provided in the Mixed-Income Housing Program affordability commitment shall be pursued to the fullest extent allowed by law.

#

4.02.01 – Dimensional Standards for Principal Uses in Base Zoning Districts

* * * * *

Table 2. Building Dimension Standards for Principal Uses in Base Zoning Districts.

Zoning District	Maximum Building Height (feet)	Minimum Distance Between Buildings	Minimum Floor Area of Buildings (square feet)	Floor Area Ratio (%)
C-1	35	None	<u>Efficiency: 450</u> <u>1 Bedroom: 600</u> <u>2+ Bedroom: 750</u> 1,000 (ground floor)	None
C-2	35	A	<u>Efficiency: 450</u> <u>1 Bedroom: 600</u> <u>2+ Bedroom: 750</u> 1,000 (ground floor)	None
C-3	50	None ¹	<u>Efficiency: 450</u> <u>1 Bedroom: 600</u> <u>2+ Bedroom: 750</u> 700 (ground floor)	None
C-4	75	A	<u>Efficiency: 450</u> <u>1 Bedroom: 600</u> <u>2+ Bedroom: 750</u> 700 (ground floor)	Hotels .60 Destination resort .80
C-5	35	A	<u>Efficiency: 450</u> <u>1 Bedroom: 600</u> <u>2+ Bedroom: 750</u> 700 (ground floor)	Hotels .60 Destination resort .80

¹ For Housing that is Affordable by Right in Commercial Zoning Districts, minimum distance between structures of 10 feet is required per LDC section 4.02.40 A.4.

4.02.38 - Specific Design Criteria for Mixed Use Development within C-1 through ~~C-5~~C-3 Zoning Districts

B. Applicability. All properties zoned C-1, C-2, and C-3, excluding where located in the GGPOD and properties zoned C-1 through C-5 with mixed residential and commercial uses and designed in accordance with LDC section 4.02.40. These regulations shall apply to all mixed-use projects proposed within ~~these C-1, C-2, and C-3~~ zoning districts and to qualifying mixed-use development designed in accordance with LDC section 4.02.40, subject to the design criteria set forth in this section. The design criteria address the relationship of buildings, parking, vehicular, and pedestrian movement to create a pedestrian oriented experience. Buildings are encouraged to be built close to the vehicular and pedestrian way to create a continuous active and vibrant streetscape utilizing the architecture, landscaping, lighting, signage, and street furnishings. Vehicular travelways

support two-way traffic and on street parking. A logical pedestrian pathway system is provided throughout that connects the pedestrian movements from one use to another or within use areas. Building arcades and awnings are allowed to extend over the sidewalk to create shade and encourage pedestrian activity. Signage design shall be carefully integrated with site and building design to create a unified appearance for the project. Creativity in the design of signs is encouraged in order to emphasize the unique character of the project. Projects utilizing these design criteria will be developed in compliance with the LDC, except as specified herein.

C. Commercial Mixed Use Design Criteria. Projects utilizing the Commercial Mixed Use option within a ~~C-1, C-2, or C-3~~ C-4, or C-5 zoning district Zoning District shall comply with the following standards and criteria:

- 1. These design criteria are applicable to mixed use projects governed by this section ~~the C-1 through C-3 zoning districts, excluding where located in the GGPOD.~~

* * * * *

- 3. Residential density is calculated based upon the gross commercial project acreage.

a. For mixed residential and commercial use projects developed on property zoned C-1 through C-5 in accordance with LDC section 4.02.40, density shall be limited to 16 units per acre subject to the provisions of LDC section 4.02.40 and LDC section 2.07.00.

b. The following density limits apply to all other mixed use projects on properties zoned C-1, C-2 and C-3, excluding where located in the GGPOD: For property in the Urban Residential Fringe Subdistrict, density shall be as limited by that subdistrict. For property not within the Urban Residential Fringe Subdistrict, but within the Coastal High Hazard Area, density shall be limited to 4 dwelling units per acre; density in excess of 3 dwelling units per acre must be comprised of ~~affordable-workforce~~ housing that is affordable, in accordance with ~~LDC sections Section 2.06.00 and 2.07.00 of the Land Development Code, Ordinance No. 04-41, as amended.~~ For property not within the Urban Residential Fringe Subdistrict and not within the Coastal High Hazard Area, density shall be limited to 16 dwelling units per acre; density in excess of 3 dwelling units per acre and up to 11 dwelling units per acre must be comprised of ~~affordable-workforce~~ housing that is affordable, in accordance with ~~LDC sections 2.06.00 and 2.07.00 of the Land Development Code, Ordinance No. 04-41, as amended.~~ In case of residential uses located within a building attached to a commercial building or in the case of a freestanding residential building, square footage and acreage devoted to residential uses shall not exceed 70 percent of the gross building square footage and acreage of the project.

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4.02.40 – Housing that is Affordable by Right in Commercial Zoning Districts

A. To develop housing that is affordable by right as a permitted use within the respective commercial zoning district, the property must have been found to be "Consistent by Policy" through the Collier County Zoning Re-evaluation Program (Ordinance 1990-23) and all units within the project must be affordable, up to a density of 16 units per gross acre, subject to the following requirements that must be satisfied prior to final development order approval:

1. A public facilities impact analysis must be submitted and comply with the adequate public facilities requirements identified in LDC section 6.02.00. The analysis must demonstrate the proposed affordable housing project's number of vehicular trips generated and water and wastewater demand will be equal to or reduced from those impacts that would be generated by other permissible uses within the applicable commercial zoning district.

2. A School Impact Analysis per LDC section 10.04.09 shall be required.

3. An affordability commitment by Agreement or Ordinance pursuant to LDC section 2.07.00 or an agreement pursuant to LDC section 2.06.04 shall be recorded.

a. For units that are to be sold, at least one-half of the units must be sold at a price point affordable to either the low- or very-low-income level households identified in LDC section 2.07.02 A. The remaining units can be sold at a price point that is affordable to any income levels identified in LDC section 2.07.02 A.

b. For units that are for rent, all units must be at a price points affordable to low- and very-low-income level households.

4. A Housing that is Affordable by Right in Commercial Zoning Districts project must satisfy the dimensional standards of the underlying commercial zoning district, except that the minimum distance between structures shall be 10 feet. In addition, when the proposed project is abutting any property occupied by, or zoned to allow a single family dwelling unit, the following shall be applicable:

a. The minimum setback from the common boundaries shall be equal to the proposed zoned building height; and

b. A Type "B" buffer shall be provided along the common boundaries.

4.02.41 – Housing that is Affordable within Activity Centers or Interchange Activity Centers

A. To increase density beyond 16 units per acre within an Activity Center or an Interchange Activity Center, additional units per acre are required to be affordable for specified income levels, as identified in the chart within LDC section 2.07.02 A. Additionally, the following are required:

1 1. The project shall be submitted as a Planned Unit Development or Planned Unit
2 Development Amendment; and

3
4 2. Affordability commitments by Agreement or Ordinance pursuant to LDC section
5 2.07.00 or an agreement pursuant to LDC section 2.06.04 shall be recorded.

6
7 B. The following commitments are required for Housing that is Affordable within Activity
8 Centers, including Interchange Activity Centers.

9
10 1. For units that are to be sold, at least two-thirds of the first six units per acre above
11 16 units per acre (for example, four of six units per acre of bonus density) must be
12 sold at a price point that is affordable to low- and/or very-low-income level
13 households identified within the chart in LDC section 2.07.02 A. Two-thirds of the
14 final three units per acre (for example, two of three units per acre of bonus density)
15 shall be sold at a price point affordable to households of any of the income levels
16 identified within the chart in LDC section 2.07.02 A.

17
18 2. If the proposed project is to be a rental community, two-thirds of the bonus density
19 (for example, six of nine units per acre of bonus density) must be made available
20 at a price point that is affordable to low- and/or very-low-income level households
21 as identified within the chart in LDC section 2.07.03 A.1.

22
23 C. When the proposed project is adjacent to any property occupied by, or zoned to permit, a
24 single family dwelling unit:

25
26 1. The minimum setback from the common boundaries shall be equal to the proposed
27 zoned building height; and

28
29 2. A Type “B” buffer shall be provided along the common boundaries.

30
31 **4.02.42 –Transit Oriented Development (TOD) Design Standards**

32
33 A. As expressed in Policy 12.10 of the Transportation Element and the Density Rating
34 System of the Future Land Use Element within the GMP, higher density multi-family
35 projects are prioritized along Collier Area Transit routes.

36
37 B. All proposed multi-family projects that front on an existing Collier Area Transit fixed route
38 or on a proposed route as identified for funding on the Transit Development Plan and
39 designated Urban Mixed Use District on the FLUM are eligible for a maximum base density
40 of 13 units per acre, subject to compliance with the design standards identified in LDC
41 section 4.02.42 C.

42
43 C. Design Standards for TOD.

44
45 1. The residential component of the project must be multi-family and submitted as a
46 Planned Unit Development or Planned Unit Development Amendment.

47
48 2. A minimum of 50 percent of all units within the project shall be located within a
49 transit core, which is within one-quarter of a mile of an existing or proposed transit
50 stop, shelter, or station, measured as a radial distance from the perimeter of the

1 existing or proposed building or structure footprint of the transit stop, shelter, or
2 station.

3
4 3. The requirement for internal interconnection among major project phases,
5 sections, or types of uses as outlined in LDC section 4.04.02 B.2 applies to TOD
6 project phases, sections, or types of uses. During the development or
7 redevelopment of TOD projects, the requirement for shared access and
8 interconnection as outlined in LDC section 4.04.02 B.3 shall also apply.

9
10 4. Setback for Principal Structures to project boundaries and buffer requirement.

11
12 a. Front Yard - Minimum 10 feet, maximum 25 feet.

13
14 b. Side and Rear Yard – Minimum 50 percent of actual building height, except
15 where adjacent to any property occupied by, or zoned to permit, a single
16 family dwelling, then the minimum setback must be provided at a minimum
17 of one-foot (setback) per one-foot (of actual building height).

18
19 5. Where a TOD is proposed along an existing Collier Area Transit (CAT) fixed route
20 or on a proposed route as identified for funding on the Transit Development Plan
21 and no transit stop, shelter, or station exists, the petitioner must provide a
22 commitment in the PUD to construct a permanent transit stop, shelter, or station in
23 accordance with the Transit Development Plan to be eligible for the TOD density.
24 The location shall be approved by CAT staff.

25
26 6. Eligible density.

27
28 a. Baseline TOD: a maximum of 13 units per acre.

29
30 b. Housing that is Affordable TOD: a maximum of 25 units per acre.

31
32 D. Additional requirements for a Housing that is Affordable Transit Oriented Development.

33
34 1. Affordability commitments by Agreement or Ordinance pursuant to LDC section
35 2.07.00 or an agreement pursuant to LDC section 2.06.04 shall be recorded.

36
37 2. For units that are to be sold, at least two-thirds of the first nine units per acre of
38 bonus density (six units per acre) in excess of 13 units per acre must be sold at a
39 price point affordable to low- and/or very-low-income level households identified
40 within the chart in LDC section 2.07.02 A. Two-thirds of the final three units per
41 acre of bonus density (two units per acre) shall be sold at a price point affordable
42 to households at any of the income levels identified within the chart in LDC section
43 2.07.02 A.

44
45 3. For units that are for rent, two-thirds of all units in excess of 13 units per acre must
46 be made available at a price point affordable to low- and/or very- low-income level
47 households as identified in the chart in LDC section 2.07.02 A.

48
49 # # # # # # # # # # # # #

Exhibit A – Background

After holding two affordable housing workshops, the Board of County Commissioners voted on June 14, 2016, to establish the Collier County Workforce Stakeholder Ad Hoc Committee (Stakeholder Committee) and to develop a short- and long-term housing plan, pursuant to Resolution 2016-135. In early 2017, the Urban Land Institute (ULI) performed a panel review of the housing situation in Collier County, resulting in the creation of a report titled *A ULI Advisory Services Panel Report Collier County, Florida, January 29-February 3, 2017*. The ULI Panel Report concluded “that Collier County absolutely has a housing affordability problem” and its recommendations centered upon six core strategies. Later, the Stakeholder Committee, Affordable Housing Advisory Committee, and staff developed a Community Housing Plan (CHP), which was accepted by the Board on October 25, 2017.

Exhibit B – Excerpt of ULI Advisory Services Panel Report

Implementation

THE PANEL IS IMPRESSED WITH the planning and study that has already been completed regarding housing affordability in Collier County. The panel's recommendations reflect and endorse much of the work that has already been completed. However, *what is abundantly clear to the panel is that action and implementation are crucial to creating sustainable solutions.* Implementation of the panel's recommendations will require sincere action, tremendous political will, and strong leadership. For additional reference, the panel has created a proposed implementation schedule to provide a blueprint for how to move forward on the recommendations described throughout this section in the short, medium, and long term. (See appendix A.)

The panel's major recommendations are organized around the following six core strategies to address housing affordability:

- Increase supply;
- Maintain supply;
- Regulate and govern;
- Enhance transportation options;
- Enhance wages; and
- Engage, market, and educate.

Increase Supply

How can Collier County meet its current and future housing needs? One approach to achieving the goals is by adding housing that is affordable to households with a wide range of income levels. *There is good news to share: several strategies include simply making improvements to existing procedures and vehicles rather than creating new*

programs entirely. There is no need to reinvent the wheel when existing structures already support the development of more affordable housing.

The Housing Trust Fund

The housing trust fund (HTF) is an example of a national best practice that Collier County currently has at its disposal but does not use. More than 700 HTFs exist nationwide, and they are often a critical element of a jurisdiction's overall housing policy.

Collier County's HTF should be sustainable and predictable, given the long planning process involved in housing development. The county should keep in mind that what can make an HTF challenging is finding viable revenue sources. Other jurisdictions have funded their trust funds through sales taxes, real estate transfer taxes, linkage fees as part of the zoning ordinance, inclusionary zoning in-lieu fees, condominium conversion fees or demolition fees, and hotel and motel taxes. The best and most common revenue source for a county HTF is a document recording fee, which is a fee paid upon filing various types of official documents with a state or local government. This fee is one of the few revenue sources that most counties can commit to, and the panel recommends Collier County consider this approach.

Development Incentives

The county's existing developer incentives have clearly failed to transform existing development patterns and allow for greater production of housing that is affordable to a broad range of low- to moderate-income households. Any developer incentives need to be reasonable, be flexible, and allow for creative partnerships to produce new, affordable homes. The panel strongly recommends that the county put increased emphasis on multifamily rental

EXHIBIT C – CHP Initiatives

1. Provide regulatory relief to certain housing applications.
2. Allow for commercial-to-residential conversion via the Hearing Examiner.
3. Develop guidelines to incentivize mixed-income residential housing.
4. Develop a process to designate certain Strategic Opportunity Sites allowing for increased density.
5. Provide an increase in density to the Community Redevelopment Agency areas and along transit corridors.



LAND DEVELOPMENT CODE AMENDMENT

PETITION

PL20210001560

ORIGIN

Growth Management Department (GMD)

SUMMARY OF AMENDMENT

This amendment establishes design requirements for when existing Golden Gate Estates (GGE) tracts of land are subdivided into three or more lots. It requires an access driveway, utility and drainage easement when a GGE tract that isn't located on an existing right-of-way is subdivided. It further allows a GGE tract to be subdivided without any subdivision improvements when all of the lots front on an existing right-of-way or road easement.

HEARING DATES

BCC TBD
 CCPC TBD
 DSAC TBD
 DSAC-LDR 01/19/22

LDC SECTION TO BE AMENDED

4.03.06 Golden Gate Estates Lot Divisions
 Appendix B Typical Street Sections and Right-of-Way Design Standards

ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR
TBD

DSAC
TBD

CCPC
TBD

BACKGROUND

This amendment seeks to clarify and require an access driveway and improvements' to other lots when vacant GGE tracts, that are not located on an existing roadway, are subdivided into lots which must connect through an existing roadway frontage lot.

Currently, when subdividing a GGE platted tract into three or more lots, the Land Development Code (LDC) requires construction plans and plat approval (PPL) for the re-plat of a Golden Gate Estates land tract. In GGE, Casthely Place and Chesser Subdivisions are examples of a subdivision re-plat that did not require any subdivision or infrastructure improvements for the replat of a portion of Tract 8 and Tract 3 of Golden Gate Estates, Unit 1. Rustling Pines and McCarthy Subdivisions are an example of subdividing a tract into 3 lots from the front of the tract to the back of the tract which does require an access easement and driveway and cul-de-sac or turnaround improvement between the second and third lot or solely on the third lot. (See Exhibit A-Subdivisions and Minor Replats).

The replating of a tract or subdivision for the landowner is an expensive, time consuming process and requires Board approval prior to recording the replat. This amendment shall exempt certain GGE tracts of land from Construction Plan and Final Subdivision Plat (PPL), the "plans and plat" process, when there are no required subdivision or infrastructure improvements. However, for those GGE tracts of land that are subdivided from the front of the tract into additional lots that are behind the front lot abutting an existing right-of-way, it shall require an access, utility and drainage easement, a constructed driveway and cul-de-sac or turnaround improvement. The Golden Gate Estates tract landowner shall benefit by not having the added expense of a replat in one case and in the other, the future lot owners shall have the subdivider's assurance of a perpetual access, utility and drainage easement with the benefit of the construction of a driveway improvement in accordance with the design standards stipulated in Appendix B-7.

Currently, the Collier County Public Utilities Department as a matter of policy, for the Estates (E) zoned lots has no mandatory utility connections regardless of the main size. Estates zoned lots are prohibited from connection to transmission mains.

The design requirements shall be implemented through the process and procedure set forth in LDC section 10.02.04 D. and Chapter 5 F of the Administrative Code. An applicant would request a pre-application meeting unless waived by the County Manager or his designee and file a “Minor Subdivision Plat Application” with the Development Review Division. In general, a minor final subdivision plat (FP) does not require improvements, a construction maintenance agreement, a security performance bond, a landscape buffer, or phasing.

FISCAL & OPERATIONAL IMPACTS

There are no anticipated fiscal or operational impacts associated with this amendment.

GMP CONSISTENCY

The proposed LDC amendment has been reviewed by Comprehensive Planning staff and may be deemed consistent with the GMP.

EXHIBITS: A) Subdivisions and Minor Replats

DRAFT

Text underlined is new text to be added
~~Text strikethrough is current text to be deleted~~

Amend the LDC as follows:

4.03.06 Golden Gate Estates Lot Divisions

A. Applicability: Lot Divisions for Residential Use in Golden Gate Estates.

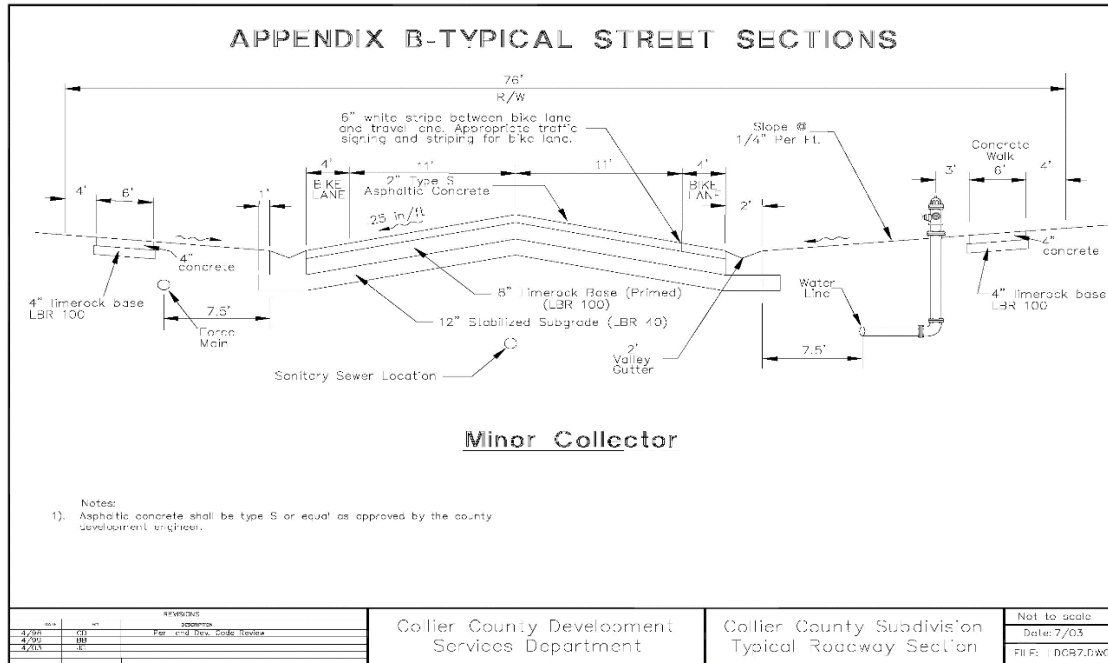
1. When a 5 acre parcel in Golden Gate Estates is subdivided into 2 lots, where one of the lots is not on the existing right-of-way, the owner may create an access easement to and through the parcel which is not on the right-of-way. The easement must be at least 20 feet in width and extend at least 150 feet into the otherwise landlocked lot and shall serve as an access, utility, and drainage easement. The easement shall provide for access to the lot and satisfy the frontage requirement.
2. When Golden Gate Estates tracts are subdivided into three or more lots from front to back and are not on an existing right-of-way, the owner or subdivider of the tract shall be responsible for constructing a 20 feet wide driveway with a minimum 6 inches compacted lime rock over 12 inches stabilized subgrade and a minimum 3 inches of dust-free gravel surface course within a 30-foot wide access, utility and drainage easement (See Appendix B-7) and a cul-de-sac or turnaround acceptable to the local fire district. The easement shall provide for access to the rear lots and satisfy the frontage requirement. When the requirements of this subsection are met, there shall be no required subdivision improvements.
3. When Golden Gate Estates tracts are subdivided into three or more lots, all of which front on an existing right-of-way, there shall be no required subdivision improvements.

#

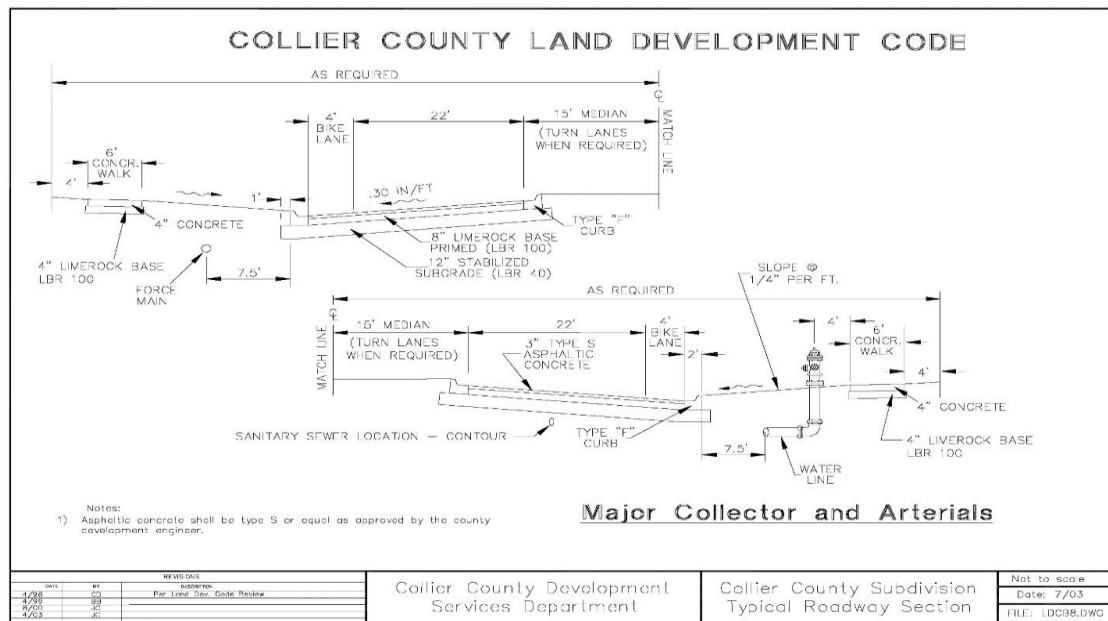
APPENDIX B- TYPICAL STREET SECTIONS AND RIGHT-OF-WAY DESIGN STANDARDS

Cul-De-Sac	B-2
Local Street	B-3
Commercial/Industrial	B-4
Minor Collector	B-5
Major Collector	B-6
<u>Dustless Gravel Driveway-GGE Access Easement</u>	<u>B-7</u>

* * * * *

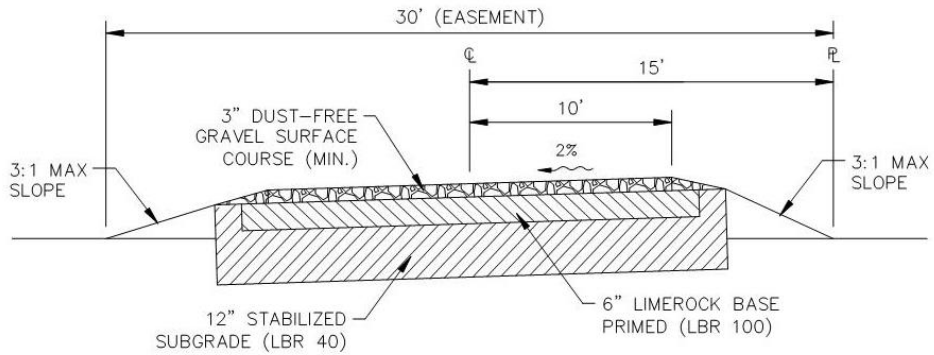


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2

**COLLIER COUNTY LAND DEVELOPMENT CODE
 APPENDIX B - TYPICAL STREET SECTIONS**



20' Dustless Gravel Driveway
Golden Gate Estates Access Easement

Notes:

- 1) Extend stabilized subgrade 6" beyond limerock base primed.
- 2) Extend limerock base primed 6" beyond edge of dust-free gravel.
- 3) If 3:1 MAX. slope extends further into the lot, an additional easement shall be required.

DRAFT

REVISIONS			Collier County Development Services Department	Collier County Subdivision Typical Roadway Section	Not to scale
DATE	BY	DESCRIPTION			Date: 12/21
12/21	WF	Per Land Dev. Code Review			FILE: LDCB7.DWG

1
 2
 3 # # # # # # # # # # # # #

Exhibit A – Subdivisions and Minor Replats

CASTHELY PLACE

A REPEAT OF A PORTION OF TRACT 9 OF GOLDEN GATE ESTATES, UNIT NO. 1, A SUBDIVISION AS RECORDED IN PLAT BOOK 4, PAGES 73 AND 74 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA AND BEING A PART OF SECTIONS 3 AND 10, TOWNSHIP 49 SOUTH, RANGE 28 EAST, MAPLES, COLLIER COUNTY, FLORIDA.

NOTICE: THIS PLAT AS RECORDED IN ITS GRAPHIC FORM IN THE OFFICIAL DEPARTMENT OF THE SUBDIVISIONS AND RECORDS DIVISION AND WILL BE SO CHANGED AS TO BE SUPPLEMENTED BY AUTHORITY BY THE PUBLIC RECORDS DIVISION OF COLLIER COUNTY, FLORIDA. IF THERE BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

GENERAL NOTES

- ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
- THE DISTANCE FROM THE CENTERLINE OF THE HIGHWAY TO THE CENTERLINE OF THE ROAD IS 15.00 FEET.
- THE DISTANCE FROM THE CENTERLINE OF THE HIGHWAY TO THE CENTERLINE OF THE ROAD IS 15.00 FEET.
- THE DISTANCE FROM THE CENTERLINE OF THE HIGHWAY TO THE CENTERLINE OF THE ROAD IS 15.00 FEET.
- THE DISTANCE FROM THE CENTERLINE OF THE HIGHWAY TO THE CENTERLINE OF THE ROAD IS 15.00 FEET.

LEGAL DESCRIPTION

A PART OF THE SOUTH-EAST QUARTER OF SECTION 5 AND THE NORTH-EAST QUARTER OF SECTION 10, TOWNSHIP 49 SOUTH, RANGE 28 EAST, COLLIER COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF WHICH BEING THE EAST 1/4 PART OF SECTION 5 AND THE EAST 1/4 PART OF SECTION 10, TOWNSHIP 49 SOUTH, RANGE 28 EAST, COLLIER COUNTY, FLORIDA.

DEDICATIONS

TO THE PUBLIC RECORDS DIVISION OF COLLIER COUNTY, FLORIDA:

WE HEREBY DEDICATE TO THE PUBLIC RECORDS DIVISION OF COLLIER COUNTY, FLORIDA, THE FOLLOWING:

- THE RIGHT OF THE PUBLIC RECORDS DIVISION OF COLLIER COUNTY, FLORIDA, TO RECORD AND INDEX THIS PLAT.
- THE RIGHT OF THE PUBLIC RECORDS DIVISION OF COLLIER COUNTY, FLORIDA, TO REPRODUCE AND PUBLISH THIS PLAT.
- THE RIGHT OF THE PUBLIC RECORDS DIVISION OF COLLIER COUNTY, FLORIDA, TO WITHDRAW THIS PLAT FROM THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, AT ANY TIME.
- THE RIGHT OF THE PUBLIC RECORDS DIVISION OF COLLIER COUNTY, FLORIDA, TO REVOKE THIS PLAT AT ANY TIME.
- THE RIGHT OF THE PUBLIC RECORDS DIVISION OF COLLIER COUNTY, FLORIDA, TO REVOKE THIS PLAT AT ANY TIME.

OWNER'S ACKNOWLEDGMENT

THE UNDERSIGNED, THE SIGNERS OF THIS PLAT, HEREBY ACKNOWLEDGE THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THIS PLAT AND THAT WE HAVE EXECUTED THIS PLAT FOR THE PURPOSES AND IN THE MANNER SET FORTH HEREIN.

OWNER'S ACKNOWLEDGMENT

THE UNDERSIGNED, THE SIGNERS OF THIS PLAT, HEREBY ACKNOWLEDGE THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THIS PLAT AND THAT WE HAVE EXECUTED THIS PLAT FOR THE PURPOSES AND IN THE MANNER SET FORTH HEREIN.

ENGINEERING REVIEW SERVICES

THIS PLAT HAS BEEN REVIEWED BY THE ENGINEERING REVIEW SERVICES DIVISION OF COLLIER COUNTY, FLORIDA, AND IS IN FULL COMPLIANCE WITH THE REQUIREMENTS OF SECTION 218.01, F.S. AND CHAPTER 218, F.A.C.

COUNTY LAND SURVEYOR

STATE OF FLORIDA, COUNTY OF COLLIER, I, _____, COUNTY LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT IS IN FULL COMPLIANCE WITH THE REQUIREMENTS OF SECTION 218.01, F.S. AND CHAPTER 218, F.A.C.

COUNTY ATTORNEY

STATE OF FLORIDA, COUNTY OF COLLIER, I, _____, COUNTY ATTORNEY, DO HEREBY CERTIFY THAT THIS PLAT IS IN FULL COMPLIANCE WITH THE REQUIREMENTS OF SECTION 218.01, F.S. AND CHAPTER 218, F.A.C.

COUNTY COMMISSION APPROVAL

STATE OF FLORIDA, COUNTY OF COLLIER, I, _____, COUNTY COMMISSION APPROVAL, DO HEREBY CERTIFY THAT THIS PLAT IS IN FULL COMPLIANCE WITH THE REQUIREMENTS OF SECTION 218.01, F.S. AND CHAPTER 218, F.A.C.

FILING RECORD

THIS PLAT WAS FILED IN THE PUBLIC RECORDS DIVISION OF COLLIER COUNTY, FLORIDA, ON _____, 2022, AT _____ O'CLOCK _____.

SURVEYOR'S CERTIFICATE

THE UNDERSIGNED, THE SIGNERS OF THIS PLAT, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THIS PLAT AND THAT WE HAVE EXECUTED THIS PLAT FOR THE PURPOSES AND IN THE MANNER SET FORTH HEREIN.

EXISTING ROW

EXISTING ROW

Exhibit A - Subdivisions and Minor Replats

PLAT BOOK 32 PAGE 39
SHEET 1 OF 1

CHESSEY SUBDIVISION

BRING A REPLAT OF TRACT 3, LESS THE EAST 198 FEET,
GOLDEN GATE ESTATES UNIT NO. 1, AS RECORDED IN
PLAT BOOK 4, PAGES 73 & 74 OF THE PUBLIC RECORDS OF
COLLIER COUNTY, FLORIDA, BEING IN SECTION 10,
TOWNSHIP 49 SOUTH, RANGE 26 EAST.

DESCRIPTION OF LANDS PLATTED

SECTION 10, TOWNSHIP 49 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA, BEING THE EAST 198 FEET OF TRACT 3, LESS THE EAST 198 FEET, GOLDEN GATE ESTATES UNIT NO. 1, AS RECORDED IN PLAT BOOK 4, PAGES 73 & 74 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

DEDICATION

TO THE COUNTY OF COLLIER

FOR THE PURPOSES OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

Charles Mackay
Charles E. Fowler
Leslie Mackay
Christy Fowler
Leslie Mackay
Christy Fowler

Donald L. Olson
James Chasney

DEDICATION

TO THE COUNTY OF COLLIER

FOR THE PURPOSES OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

Charles Mackay
Charles E. Fowler
Leslie Mackay
Christy Fowler

COUNTY APPROVALS

Charles Mackay
Charles E. Fowler
Leslie Mackay
Christy Fowler

COUNTY COMMISSION APPROVAL

Charles Mackay
Charles E. Fowler
Leslie Mackay
Christy Fowler

NOTICE: THIS PLAT, AS DESCRIBED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS, AND SHALL BE CONSIDERED AS SUCH BY ANY OTHER GRAPHIC FORM OF DIGITAL OR ANALOGUE FORM OF THIS PLAT, WHETHER GRAPHIC OR DIGITAL. ANY REVISIONS TO THIS PLAT THAT MAY BE MADE SHALL BE RECORDED IN THE PUBLIC RECORDS OF THIS COUNTY.

TITLE CERTIFICATION

Charles Mackay
Charles E. Fowler
Leslie Mackay
Christy Fowler

GENERAL NOTES

- ALL DIMENSIONS ARE IN FEET AND DECIMAL FRACTIONS.
- THE SURVEYOR HAS BEEN ADVISED THAT THE LANDS DESCRIBED IN THIS PLAT ARE BEING OFFERED FOR SALE TO THE PUBLIC BY THE DEVELOPER, AND THAT THE DEVELOPER HAS REPRESENTED THAT THE LANDS ARE TO BE USED FOR RESIDENTIAL PURPOSES.
- THE SURVEYOR HAS BEEN ADVISED THAT THE LANDS DESCRIBED IN THIS PLAT ARE BEING OFFERED FOR SALE TO THE PUBLIC BY THE DEVELOPER, AND THAT THE DEVELOPER HAS REPRESENTED THAT THE LANDS ARE TO BE USED FOR RESIDENTIAL PURPOSES.
- THE SURVEYOR HAS BEEN ADVISED THAT THE LANDS DESCRIBED IN THIS PLAT ARE BEING OFFERED FOR SALE TO THE PUBLIC BY THE DEVELOPER, AND THAT THE DEVELOPER HAS REPRESENTED THAT THE LANDS ARE TO BE USED FOR RESIDENTIAL PURPOSES.
- THE SURVEYOR HAS BEEN ADVISED THAT THE LANDS DESCRIBED IN THIS PLAT ARE BEING OFFERED FOR SALE TO THE PUBLIC BY THE DEVELOPER, AND THAT THE DEVELOPER HAS REPRESENTED THAT THE LANDS ARE TO BE USED FOR RESIDENTIAL PURPOSES.

FILING RECORD

THIS PLAT WAS FILED FOR RECORD IN THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, ON 05/28/2022.

SURVEYOR'S CERTIFICATE

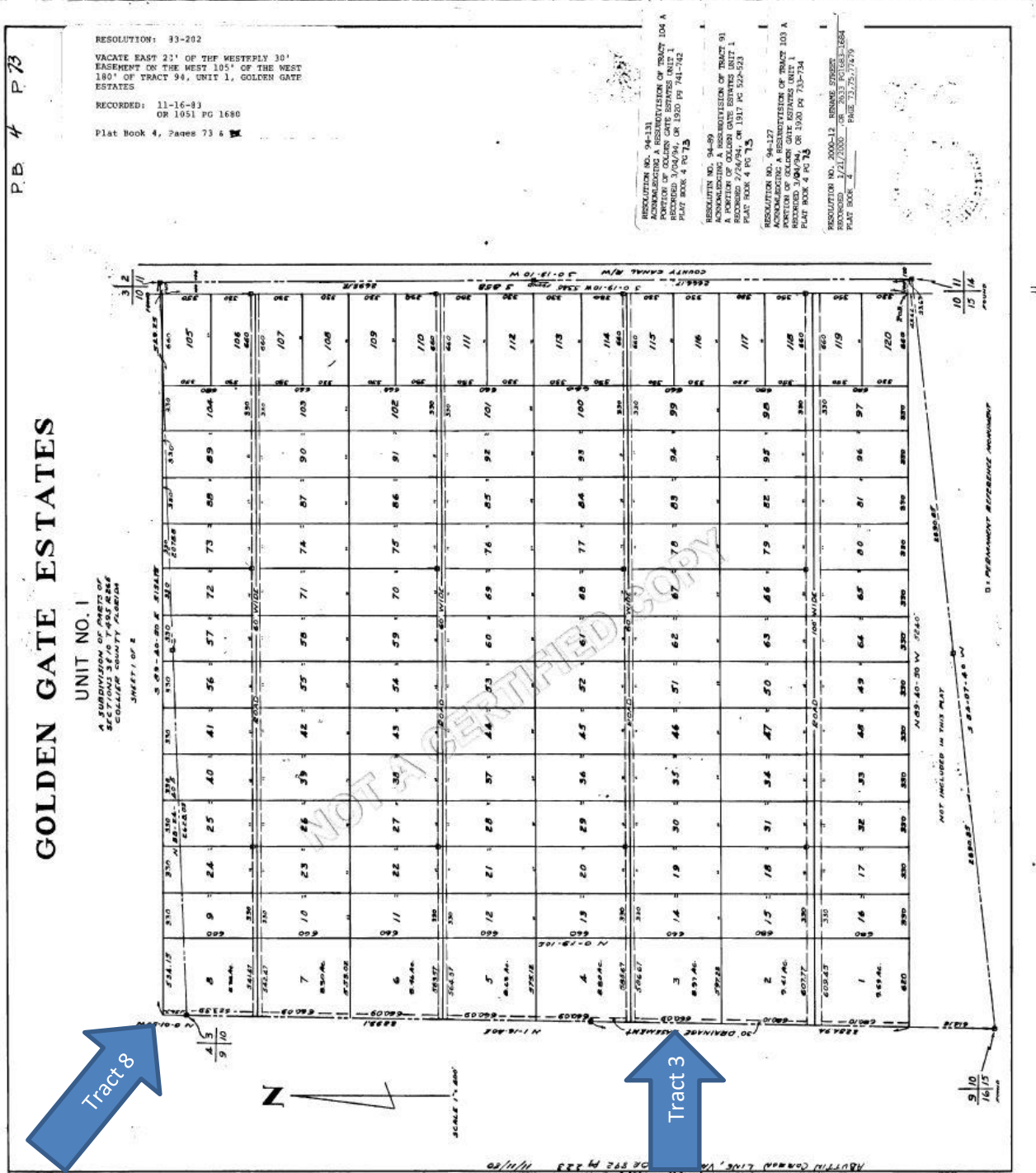
I, the undersigned, have personally supervised the surveying work shown on this plat, and I hereby certify that the same is a true and correct representation of the facts as shown on the ground, and that the same conform to the requirements of the laws of Florida relating to the recording of surveys.

Charles Mackay
Charles E. Fowler
Leslie Mackay
Christy Fowler

PROJECT SITE

LOCATION MAP

Exhibit A – Subdivisions and Minor Replats



PLANNED DEVELOPMENT
RESUBDIVISION

DRAWING NUMBER
PG 73

DRAWING NUMBER
PB 4

PLANNED DEVELOPMENT
RESUBDIVISION

Exhibit A – Subdivisions and Minor Replats

PLAT BOOK 41 PAGE 68
SHEET 1 OF 1

McCARTY SUBDIVISION

BEING A RE-SUBDIVISION OF TRACT 65, GOLDEN GATE ESTATES, UNIT NO. 32,
AS RECORDED IN PLAT BOOK 7, PAGES 21 AND 22, PUBLIC RECORDS,
COLLIER COUNTY, FLORIDA; BEING A PART OF SECTION 9, TOWNSHIP 49
SOUTH, RANGE 26 EAST.

PROPERTY DESCRIPTION
TRACT 65, GOLDEN GATE ESTATES, UNIT NO. 32,
AS RECORDED IN PLAT BOOK 7, PAGES 21 AND 22, PUBLIC RECORDS,
COLLIER COUNTY, FLORIDA.

DEDICATION
STATE OF FLORIDA
COUNTY OF COLLIER
I, [Signature], being the true and lawful owner of the above described property, do hereby dedicate to the public use of the people of the State of Florida, for the purpose of a public highway, the roadway shown on the plat hereof and the right therein.

ACKNOWLEDGMENT AS TO DEDICATION
COUNTY OF COLLIER, FLORIDA
I, [Signature], County Clerk, do hereby certify that the foregoing is a true and correct copy of the original as recorded in my office.

ENGINEERING REVIEW SERVICES
COUNTY LAND SURVEYOR
COUNTY ATTORNEY
COUNTY COMMISSION

FILING RECORD
COUNTY CLERK
DATE RECORDED
BY WHOM

SURVEYOR'S CERTIFICATION
I, [Signature], a duly licensed and sworn surveyor of the State of Florida, do hereby certify that I have examined the plat hereof and find that it is a true and correct copy of the original as recorded in my office.

VICINITY MAP
A small map showing the location of the subdivision within the Golden Gate Estates area.

PLAT BOOK 41 PAGE 68
SHEET 1 OF 1

Exhibit A – Subdivisions and Minor Replats

FOR REFERENCE USE ONLY:

LDC section 1.08.02 Definitions.

Tract: An area of land, public or private, occupied or intended to be occupied, by or for a lawful purpose, including a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, storm drainageway, water main, sanitary or storm sewer main, canal, landscape buffer, or for similar use. The term "tract," when used for land platting purposes, means an area separate and distinct from platted lots or parcels and not included within the dimensions or areas of such lots or parcels. Unless otherwise expressly stated, the dedication of a tract on a plat reflects an intention of the dedicator(s) to dedicate such tract as a fee simple interest in land, subject to any easement(s) stated on the plat or otherwise of record.

Right-of-way (ROW): Land in which the state, a county, or a municipality owns the fee simple title or has an easement dedicated or required for a transportation or utility use.

Subdivision: The division of land, whether improved or unimproved, into 3 or more contiguous lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land any of which do not equal or exceed 10 acres, for the purpose, whether immediate or future, of transfer of ownership or development; or any division of land if the extension of an existing street or the establishment of a new street is involved to provide access to the land. The term includes resubdivision, the division of land into 3 or more horizontal condominium parcels or horizontal cooperative parcels, and the division or development of residential or nonresidential zoned land, whether by deed, metes and bounds description, devise, intestacy, map, plat, horizontal condominium parcels, horizontal cooperative parcels, or other recorded instrument, and, when appropriate to the context, means the process of subdividing or to the lands or areas subdivided