

LAND DEVELOPMENT CODE AMENDMENT

PETITION

PL2020002505

ORIGIN

Growth Management
Department

HEARING DATES

BCC 07-13-21
CCPC 06-03-21
DSAC 02-03-21
DSAC-LDR 12-15-20

SUMMARY OF AMENDMENT

This amendment shall increase 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 implements the GGAMP and requires an amendment to the Administrative Code regarding public notice procedures for land use petitions.

LDC SECTION TO BE AMENDED

10.03.05-Required Methods of Providing Public Notice

ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR

Approval with recommendation

DSAC

Approval

CCPC

Approval with change

BACKGROUND

On September 24, 2019 the Board adopted two GGAMP policies, 4.2.4 of the Rural Golden Gate Estates Sub-Element and 3.2.4 of the Urban Golden Gate Estates Sub-Element. These policies stipulate the County shall initiate a review of written public notification to homeowners for land use petitions in the Rural and Urban Golden Gate Estates area in the LDC and Administrative Code. Recognizing the low-density characteristics of the Urban and Rural Golden Gate, the policies objectives are to consider increasing the notification distance with particular attention to be given to properties located on dead-end Estates streets or avenues. Further, the GGAMP restudy 2017 white paper suggested the notice requirements be extended the length of any dead-end street or avenue where a direct transportation or aesthetic impact can be anticipated.

Currently, mailed notices for land use petitions are sent to property owners within 500 feet of the property lines of the subject property for areas in the urban designated area of the future land use element of the GMP and within 1,000 feet for all other areas. For the Rural and Urban Golden Gate Estates area, the mailed notice requirement for land use petitions has been 1,000 feet from the subject property.

To evaluate different notification distances and compare the percentage of parcel notifications captured within the prescribed areas, staff performed an analysis of four areas. The notification distances utilized were 1,000 feet, 1,500 feet, 2,000 feet and 2,500 feet from the subject properties. The four GGAMP Estates designations studied were; the Randall Boulevard Commercial Subdistrict (56.50 acres), Wilson Blvd./Golden Gate Blvd. Neighborhood Center (18.34 acres), Golden Gate Parkway Institutional Subdistrict (16.30 acres) and Golden Gate Blvd/Everglades Blvd. Neighborhood Center (18.34 acres). Abutting transitional conditional use parcels, which are areas located between an existing non-residential and residential area, were also included. All notification distances intersect several dead-end streets or avenues which typically stop due to a perpendicular canal or drainage flow way. Exhibit A illustrates the number and percentages of dead-end street or avenue parcels captured by each of the notification distances.

Based on the selected areas, staff is recommending the public notification distance be extended from 1,000 feet to 2,500 feet. This notification distance had captured more the half of the parcels on dead end streets and in one case 94.8 percent of the dead-end street parcels. By adopting this notification distance, staff is able to automate the notification to property owners without having to perform a manual review of all parcels on each intersecting

dead-end street. It shall minimize the level of effort and added expense of staff time to manually identify each dead-end street parcel outside of the increased notification distance.

DSAC Recommendation

The subcommittee unanimously recommended approval with the following change:

- The mailed notice distance should remain 2,500 feet for the designated areas of the Rural Golden Gate Estates Sub-Element of the GGAMP and change to 1,500 feet in the designated areas of the Urban Golden Gate Estates Sub-Element of the GGAMP. The recommended change to the mailed notification distance for the Urban Golden Estates area was determined to be excessive and consistent with the same distance requirement of 1,500 feet for a golf course conversion to a non-golf course use public notice.

CCPC Recommendation

After DSAC's recommendation of approval, staff was asked to evaluate and assess the effect of public notification distances at one-mile, three-miles, and five miles for the Rural and Urban Golden Gate Estates designated areas and check other Florida communities' public notification distance requirements.

As presented to the CCPC, Exhibit B illustrates the results of parcels captured within the Golden Gate Estates Rural designated areas for each of the increased notification distances and the various notification distances to seven Florida counties. Staff has included a summary table of the current and recommended distances by Staff, DSAC and the CCPC for Board consideration. <

The CCPC recognized the majority of dead-end streets in Golden Gate Estates area, are "nine tenths of a mile or greater" in length and accordingly a greater distance than 2,500 feet should be considered. Further, the cost of mailing the notices would be at the expense of the petitioner and not the County. After discussion, the CCPC unanimously recommended approval to increase the public notification distance to one mile for both the Urban and Rural Golden Gate Estates designated areas.

The CCPC's recommendation has been incorporated in the amendment.

FISCAL & OPERATIONAL IMPACTS

There will be an added expense to notify additional properties by the petitioner.

GMP CONSISTENCY

The proposed amendment has been reviewed by the Comprehensive Planning staff and may be deemed consistent with the Rural Golden Gate Estates Sub-Element and Urban Golden Gate Estates Sub-Element of the Golden Gate Area Master Plan.

EXHIBITS: A) Estates Dead-End Street Parcel Notification Table

Amend the LDC as follows:

10.03.05 – Required Methods of Providing Public Notice

This section shall establish the required methods of providing public notice. Chapter 8 of the Administrative Code shall establish the public notice procedures for land use petitions.

A. Neighborhood Information Meetings (NIM). Neighborhood Information Meetings, where required, shall be held prior to the first public hearing and noticed as follows:

- 1. Mailed Notice shall be sent prior to the NIM and shall be pursuant to LDC section 10.03.05 B.
- 2. Newspaper Advertisement prior to the NIM.

B. Mailed Notice.

1. Where required, Mailed Notice shall be sent to property owners in the notification area as follows:

a. For areas in the urban designated area of the future land use element of the Growth Management Plan notices shall be sent to all property owners within 500 feet of the property lines of the subject property.

b. For all other areas, except areas designated in the Rural Golden Gate Estates Sub-Element or Urban Golden Gate Estates Sub-Elements of the Golden Gate Area Master Plan, notices shall be sent to all property owners within 1,000 feet of the property lines of the subject property.

c. For areas designated within the Rural and Urban Golden Gate Estates Sub-Element of the Golden Gate Master Plan, notices shall be sent to all property owners within one mile of the subject property lines.

~~e. d.~~ Notices shall also be sent to property owners and condominium and civic associations whose members may be impacted by the proposed land use changes and who have formally requested the county to be notified. A list of such organizations must be provided and maintained by the county, but the applicant must bear the responsibility of insuring that all parties are notified.

*	*	*	*	*	*	*	*	*	*	*	*	*
#	#	#	#	#	#	#	#	#	#	#	#	#

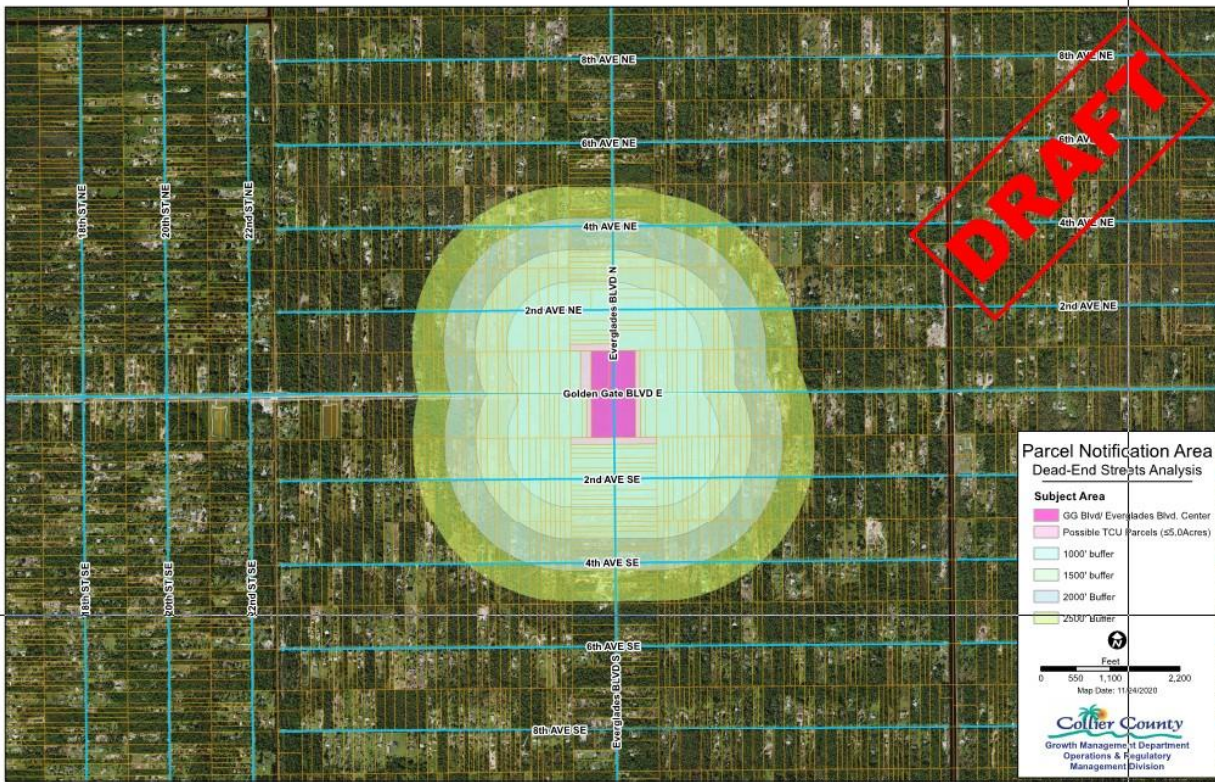
Exhibit A – Estates Dead-End Street Parcel Notification Table

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Parcel Notification Distances By Subdistricts-Limited to Intersecting Dead End Streets
Data Provided by GIS/Addressing Section(11-24-20)

Golden Gate Estates Area Designation	Dead End Street Name	1,000 feet		1,500 feet		2,000 feet		2,500 feet		Total of All Parcels on Dead End Street	All Parcels Within Each Notification Area (Including Subject Area)
GG Blvd. and Everglades Blvd. Center (18.34 acres)	2nd AVE NE (2 segments)	25	20.7%	40	33.1%	53	43.8%	66	54.5%	121	1,000' Parcels: 145 Owners: 145 1,500' Parcels: 239 Owners: 239 2,000' Parcels: 353 Owners: 353 2,500' Parcels: 471 Owners: 471
	2nd AVE SE (2 segments)	44	27.3%	62	38.5%	82	50.9%	102	63.4%	161	
	4th AVE NE (2 segments)	0	0.0%	0	0.0%	31	25.4%	54	44.3%	122	
	4th AVE SE (2 segments)	0	0.0%	0	0.0%	50	33.8%	77	52.0%	148	
	Totals	69	12.5%	102	18.5%	216	39.1%	299	54.2%	552	

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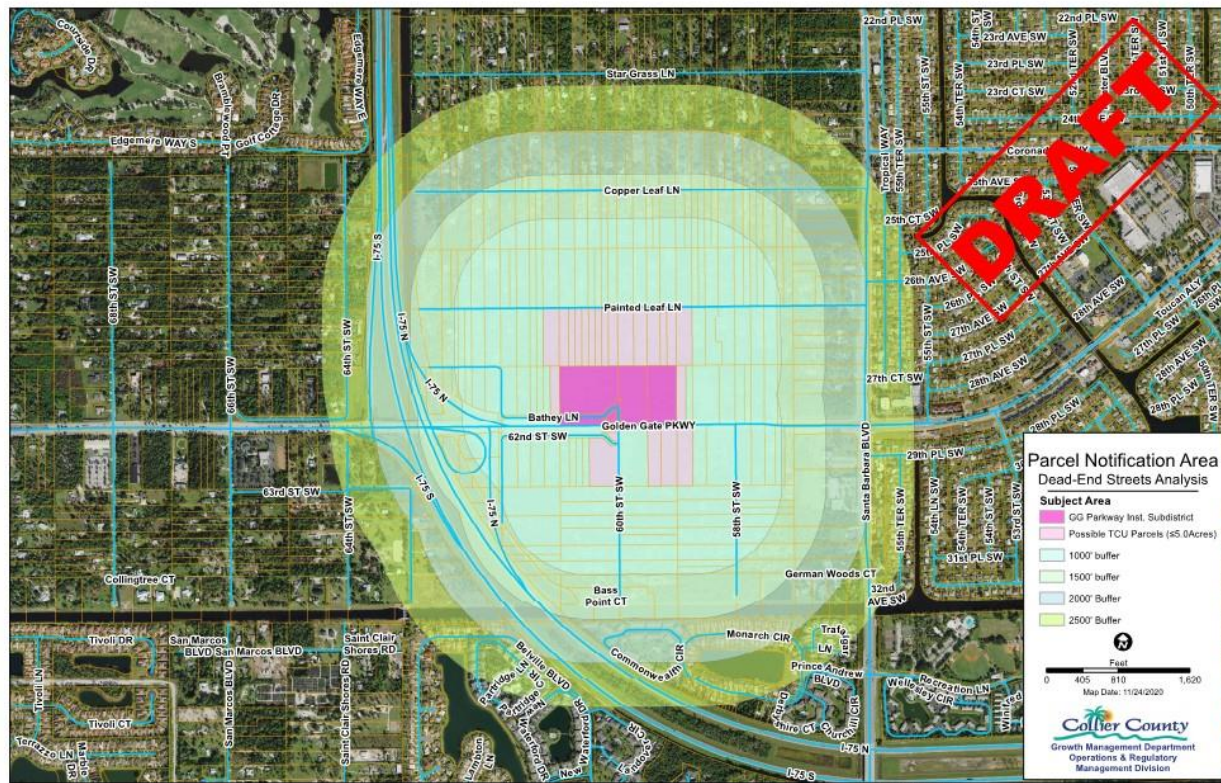


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Exhibit A – Estates Dead-End Street Parcel Notification Table

Golden Gate Estates Area Designation	Dead End Street Name	1,000 feet		1,500 feet		2,000 feet		2,500 feet		Total of All Parcels on Dead End Street	All Parcels Within Each Notification Area (Including Subject Area)	
Golden Gate Parkway Institutional Subdistrict (16.30 acres)	Bathey LN (1 segment)	19	73.1%	26	100.0%	26	100.0%	26	100.0%	26		1,000' Parcels: 173 Owners: 173 1,500' Parcels: 257 Owners: 257 2,000' Parcels: 376 Owners: 768 2,500' Parcels: 619 Owners: 1,625
	Painted Leaf LN (1 segment)	57	87.7%	64	98.5%	65	100.0%	65	100.0%	65		
	58th ST SW (1 segment)	17	94.4%	18	100.0%	18	100.0%	18	100.0%	18		
	60th ST SW (1 segment)	17	94.4%	18	100.0%	18	100.0%	18	100.0%	18		
	62nd ST SW (1 segment)	17	77.3%	22	100.0%	22	100.0%	22	100.0%	22		
	Bass Point CT (1 segment)	0	0.0%	2	100.0%	2	100.0%	2	100.0%	2		
	Copper Leaf LN (1 segment)	0	0.0%	59	84.3%	70	100.0%	70	100.0%	70		
	German Woods CT (1 segment)	0	0.0%	0	0.0%	6	100.0%	6	100.0%	6		
	63rd ST SW (1 segment)	0	0.0%	0	0.0%	9	90.0%	10	100.0%	10		
	64th ST SW (3 segments)	0	0.0%	0	0.0%	0	0.0%	37	71.2%	52		
Totals		127	43.9%	209	72.3%	236	81.7%	274	94.8%	289		

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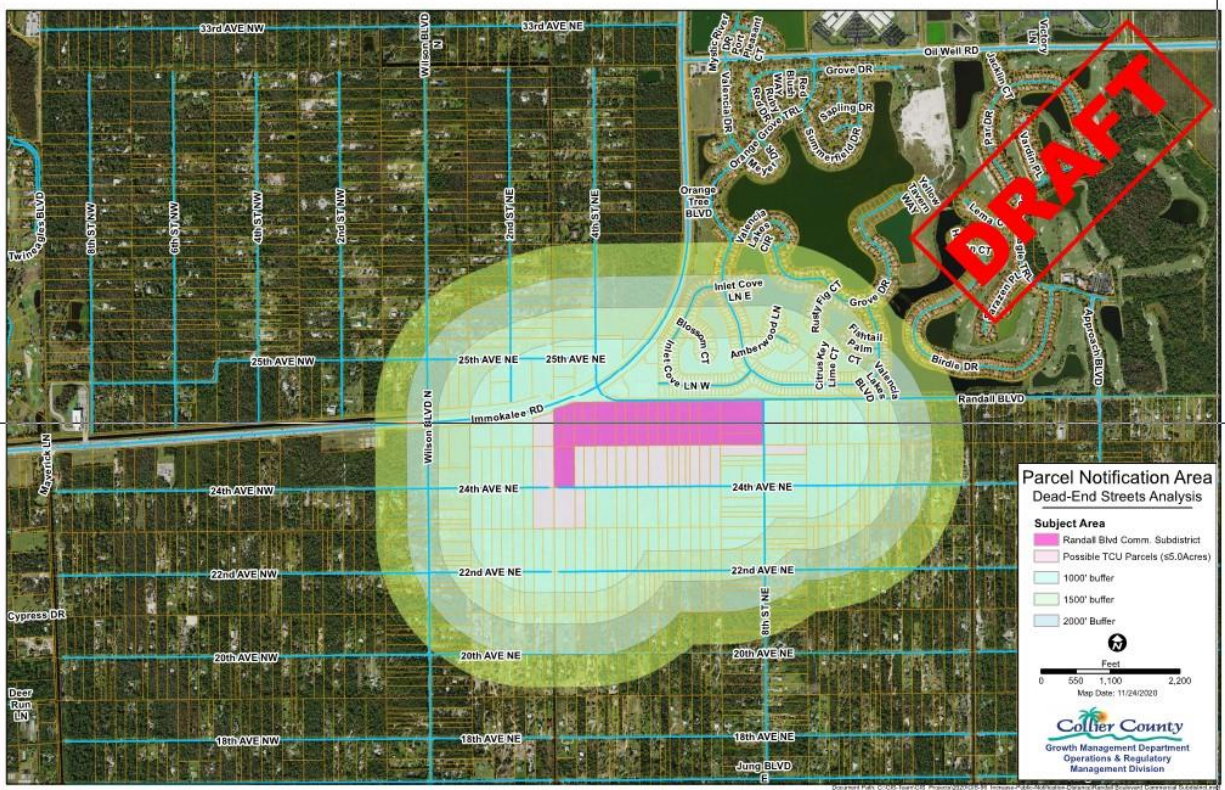


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Exhibit A – Estates Dead-End Street Parcel Notification Table

Golden Gate Estates Area Designation	Dead End Street Name	1,000 feet		1,500 feet		2,000 feet		2,500 feet		Total of All Parcels on Dead End Street	All Parcels Within Each Notification Area (Including Subject Area)
Randall Blvd. Commercial Subdistrict (56.50 acres)	2nd ST NE (2 segments)	5	8.3%	11	18.3%	18	30.0%	24	40.0%	60	
	4th ST NE (1 segment)	4	9.8%	7	17.1%	10	24.4%	12	29.3%	41	
	22nd AVE NE (3 segments)	45	43.3%	74	71.2%	85	81.7%	96	92.3%	104	
	24th AVE NE (3 segments)	63	71.6%	70	79.5%	81	92.0%	88	100.0%	88	
	25th AVE NE (2 segments)	10	71.4%	14	100.0%	14	100.0%	14	100.0%	14	
	20th AVE NE (2 segments)	0	0.0%	0	0.0%	33	62.3%	48	90.6%	53	
	22nd AVE NW (1 segment)	0	0.0%	0	0.0%	2	2.9%	4	5.8%	69	
	24th AVE NW (1 segment)	0	0.0%	0	0.0%	2	4.3%	4	8.7%	46	
	25th AVE NW (1 segment)	0	0.0%	0	0.0%	2	6.5%	6	19.4%	31	
	Wilson BLVD N (1 segment)	0	0.0%	0	0.0%	7	10.8%	17	26.2%	65	
Totals		127	22.2%	176	30.8%	254	44.5%	313	54.8%	571	1,000' Parcels: 341 Owners: 341 1,500' Parcels: 502 Owners: 502 2,000' Parcels: 675 Owners: 675 2,500' Parcels: 849 Owners: 849

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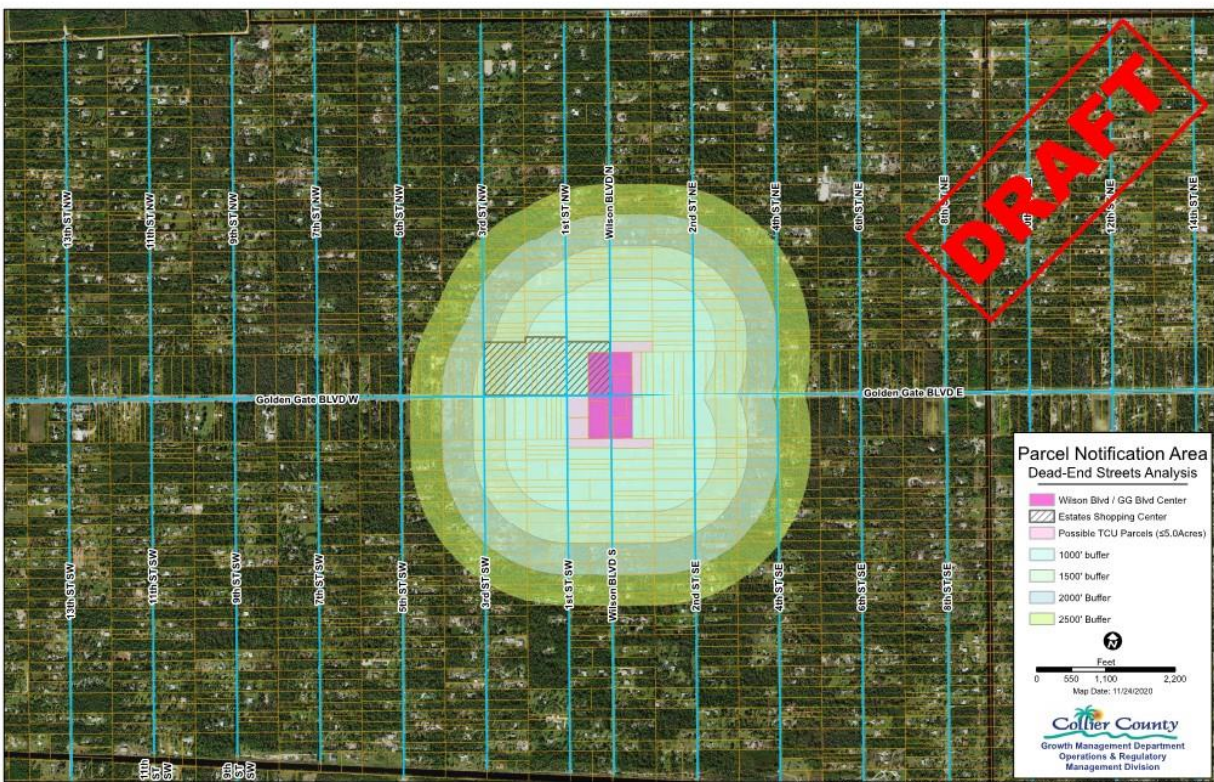


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Exhibit A – Estates Dead-End Street Parcel Notification Table

Golden Gate Estates Area Designation	Dead End Street Name	1,000 feet		1,500 feet		2,000 feet		2,500 feet		Total of All Parcels on Dead End Street	All Parcels Within Each Notification Area (Including Subject Area)
Wilson Blvd. and GG Blvd. Center (18.34 acres)	1st ST NW (1 segment)	19	27.5%	28	40.6%	36	52.2%	44	63.8%	69	
	1st ST SW (1 segment)	21	38.2%	24	43.6%	28	50.9%	35	63.6%	55	
	2nd ST NE (1 segment)	18	26.5%	25	36.8%	32	47.1%	39	57.4%	68	
	2nd ST SE (1 segment)	17	26.2%	26	40.0%	31	47.7%	38	58.5%	65	
	Wilson BLVD S (1 segment)	20	30.3%	26	39.4%	31	47.0%	38	57.6%	66	
	3rd ST NW (1 segment)	0	0.0%	13	21.7%	24	40.0%	32	53.3%	60	
	3rd ST SW (1 segment)	0	0.0%	16	23.5%	27	39.7%	35	51.5%	68	
	4th ST NE (1 segment)	0	0.0%	0	0.0%	16	24.6%	27	41.5%	65	
	4th ST SE (1 segment)	0	0.0%	0	0.0%	20	28.6%	29	41.4%	70	
Totals	95	16.2%	158	27.0%	245	41.8%	317	54.1%	586	1,000' Parcels: 141 Owners: 141 1,500' Parcels: 217 Owners: 217 2,000' Parcels: 310 Owners: 310 2,500' Parcels: 411 Owners: 411	

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Exhibit B – Additional Notification Distances and Other Florida Communities

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Golden Gate Estates Area Designation	Notification Distances							
		1,000'	1,500'	2,000'	2,500'	1 mile	3 miles	5 miles
Golden Gate Blvd and Everglades Blvd Center (18.34 acres)	Parcels	145	239	353	471	1,376	7,923	16,963
	Owners							17,186
Randall Blvd Commercial Subdistrict (56.50 acres)	Parcels	341	502	675	849	2,186	10,937	23,025
	Owners						11,280	25,227
Wilson Blvd and Golden Gate Blvd Center (18.34 acres)	Parcels	141	217	310	411	1,153	6,841	20,647
	Owners							21,897

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Note: Multi-Units are greater when the parcels includes condominiums. Owner Count is equivalent to the required mailed notices.

Other Florida Communities- Mailed Notice Distances			
Community	Distances		
Lee County	500' (1,000' for wireless communications facilities)	<10 property owners notified, 750' (1,250' for wireless communications facilities)	
Sarasota County	750'	Rural/semi-rural 1,500'	
Sarasota County – Mangrove Trimming and Preservation	Variances: 500'		
Sarasota County – Myakka River Protection Code	Variances: 750'		
Miami-Dade County	DRI: one mile	Applications other than DRIs except itemized in the next cell: one-half mile	Residential uses of less than 10 units, etc.: 500'
Alachua County	All property owners within 500'	Designated rural agriculture: within 1,320'	
Charlotte County	Variances: 1,000'	Special Exceptions: 1,000'	Amendments: 1,000'
Palm Beach County	Certified mail for those within 0-300' for all	Regular mail for those within 301-500' for all minus Type 1 Variance or Type 2 Variance	Regular Mail for those within 301-1000' for properties in Glades, Exurban, or Rural Tiers

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Summary Table of Recommendations				
GG Estates Designated Area	Current (Feet)	Staff (Feet)	DSAC (Feet)	CCPC (Mile)
Urban	500	2,500	1,500	One
Rural	1,000	2,500	2,500	One

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