

LAND DEVELOPMENT CODE AMENDMENT

| PETITION PL20210001 | 033 | | SUMMARY OF AMENDMENT This land development code (LDC) amendment updates LDC section | | | | | | |
|---------------------------------------|-------------|--------------------------------------|---|-----------------------------------|--|--|--|--|--|
| ORIGIN Board of Cou Commissione | • | Bayshore density po qualifying | 4.02.16 by creating limited bonus density pool allocation provisions for the Bayshore Gateway Triangle Redevelopment Area (BGTRA). The bonus density pool allocation program, which grants additional dwelling units to qualifying projects, was originally established for the BGTRA in 2006. This LDC amendment also proposes changes to the Administrative Code. | | | | | | |
| HEARING I | DATES | LDC SECTION TO BE AMENDED | | | | | | | |
| BCC | 03/08/2022 | 01.08.01 Abbreviations | | | | | | | |
| CCPC | 11/18/2021 | 04.02.16 | Design Standards for Development in the Bayshore Gateway | | | | | | |
| DSAC | 08/04/2021 | | Triangle Redevelopment A | rea | | | | | |
| DSAC-LDR | 06/15/2021 | 10.02.15 | Requirements for Mixed | Use Projects within the Bayshore | | | | | |
| | | | Gateway Triangle Redevelo | opment Area | | | | | |
| | | 10.03.06 | Public Notice and Required | l Hearings for Land Use Petitions | | | | | |
| | I | ADVISOR | Y BOARD RECOMMEND | DATIONS | | | | | |
| DS | SAC-LDR | | DSAC CCPC | | | | | | |
| Approval wit | th Recommen | dations | Approval Approval with Recommendati | | | | | | |

BACKGROUND

The Collier County Community Redevelopment Agency (CRA) was established on March 14, 2000, to focus on the rehabilitation, conservation, or redevelopment of two different geographic areas in the County, one of which being the Bayshore/Gateway Triangle Redevelopment Area described in Resolution 2000-83. The Board adopted the Collier County Community Redevelopment Plan (Redevelopment Plan) on June 13, 2000. Later that year, the Board adopted two ordinances, described as follows:

Ordinance 2000-87

This was an amendment that established the Bayshore/Gateway Triangle Overlay (B/GTRO) in the GMP. A maximum of 388 dwelling units was approved for the B/GTRO for density bonuses purposes. These dwelling units were derived from the then-anticipated rezoning of the botanical gardens property, which subsequently occurred in 2003, pursuant to Ordinance 2003-29.

Ordinance 2000-92

This was an amendment to the LDC that established the Bayshore Drive Mixed Use Overlay District (BMUD). In 2006, the LDC was amended to include the bonus density pool allocation provisions, pursuant to Ordinance 2006-08. These 388 bonus density units were to be used in the BMUD and the newly created Gateway Triangle Mixed Use Overlay District (GTMUD), through the mixed use project (MUP) approval process.

On May 28, 2013, the Board approved a Growth Management Plan (GMP) amendment to the B/GTRO, stipulating that no project could utilize more than 97 units or 25% of the total density pool available. Almost six years later, a major amendment to the Redevelopment Plan was made, reflecting the current conditions of the Bayshore Gateway Triangle area (Exhibit A) and updating the vision and approach to redevelopment in that area. One of the sub-issues of the Redevelopment Plan is that the built density of the BGTRA is "far below approved density" for the RMF-6 residences in the Gateway Triangle area (see Exhibit B). The Redevelopment Plan contains the density bonus pool for the purpose promoting urban-style development. The bonus density pool can be increased through allocation of residential units that are not developed. When residentially-zoned properties



are rezoned to a non-residential district, those undeveloped dwelling units can be dedicated to the bonus density pool allocation via a legally recorded instrument, restricting the property from developing dwelling units in the future. The total number of dwelling units in the program was once 388; however, as of the date of this publication, only 122 remain. The number of available units is monitored by the CRA. The proposed provisions for limited density bonus allocation units will be applicable to mixed use projects as well as multi-family residential projects.

The purpose of this LDC amendment is threefold: to replenish the pool of units, address smaller multi-family or mixed-use sites seeking one to four bonus units, and to refine eligibility criteria to provide for bonus units to provide for public realm improvements. It should be noted that an amendment to the GMP (PL20210000603) is currently being processed to ensure the Redevelopment Plan will be consistent with the GMP. As such, this LDC amendment will ensure the LDC will be consistent with the contemplated changes to the GMP by providing for the limited density bonus pool allocation provisions.

DSAC-LDR Subcommittee Recommendation: The DSAC-LDR Subcommittee recommended approval with the following changes, which have been incorporated into the amendment:

- Delete the word "approved" where it indicates "approved criteria" in LDC section 4.02.16 C.11.
- Delete the following paragraph in LDC section 4.02.16 C.12.a.iv.: Where no engineer's Opinion of Probable Cost is available at time of SDP or plat approval, the architects estimate of value will be reviewed and approved by the County Manager or designee.
- Get clarification from County Attorney's Office regarding LDC section 4.02.16 C.12.b.ii.

The DSAC-LDR Subcommittee did not object to any of staff's edits that were presented at the meeting. They understood that future changes to administrative code may be forthcoming and advised that those changes could be brought directly to the DSAC.

CCPC Recommendation: The CCPC recommended approval with the following changes, which have been incorporated into the amendment:

- Insert the term "contiguous" into several sections of the amendment, as discussed at the hearing; and
- With respect to the names/abbreviations of the overlays, the CCPC reserves the right to retroactively apply to this LDC amendment any changes that are made to the companion LDC amendment (PL20210001222), which will be heard later at 5:05 p.m.

| FISCAL & OPERATIONAL IMPACTS | GMP CONSISTENCY |
|--|---|
| No fiscal impacts are anticipated. However, | The proposed LDC amendment has been reviewed by |
| the workload of the Office of the Hearing | Comprehensive Planning staff and may be deemed |
| Examiner can potentially increase due to the | consistent with the Future Land Use Element, |
| Limited Bonus Density Pool Allocation | B/GTRO, of the GMP. This determination is based |
| application process, resulting in an | on an expectation that the companion GMPA |
| operational impact. | (PL20210000603) will be adopted by the Board, along |
| | with a companion administrative code amendment |
| | providing specifics of when a TIS or consistency with |
| | access management would be required for this new |
| | nrocess |

EXHIBITS: A) CRA Study Area in Redevelopment Plan; B) Table 5-2-1 of Redevelopment Plan; and C) Administrative Code Changes

Amend the LDC as follows:

| 1 08 | .01 – A | | as lollow | | | | | | | | | | | |
|------|----------------|-----------------|---------------------------------------|-------------------|---------------------------|--|---------------------------|---------------------------|-------------------|------------------------|----------------------|--|--|--|
| * | .01 – A | * | * | * | * | * | * | * | * | * | * | * | | |
| ICB | | | Immok | | entral Ri | Isiness | Subdis | trict | | | | | | |
| | BPA | | Limited Density Bonus Pool Allocation | | | | | | | | | | | |
| LD | | | Collier County Land Development Code | | | | | | | | | | | |
| | <u> </u> | | Comor | County | Lana | | | 040 | | | | | | |
| # | # | # | # | # | # | # | # | # | # | # | # | # | | |
| 4.02 | .16 - | Desig | n Stand | dards | for De | evelop | ment i | n the | Baysh | ore G | ateway | Triangl | | |
| Red | evelopr | nent A | Area | | | | | | | | | | | |
| * | * | * | * | * | * | * | * | * | * | * | * | * | | |
| C. | conti their | nued, desigi | and/or e | expande operat | ed prov ion. The | ided the | ey mee nditions | t certaiı ensure | n mitiga compa | ting sta tibility b | andards between | nstructed specific land use | | |
| * | * | * | * | * | * | * | * | * | * | * | * | * | | |
| | <u>10.</u> | | <u>elopmer</u> Purp <u>deve</u> | ose a | <u>wo cont</u> nd Inte | iguous ent. ⁻ o incen | <u>acres o</u> The lim | <u>r less.</u> hited d | ensity | <u>bonus</u> | pool fo | <u>mixed us</u> or smalle nvestmer | | |
| | | <u>b.</u> | | | | | | | | | are allo hrough a | | | |
| | | | | | | | quireme | | | | | | | |
| | | | <u>i.</u> | | | | omply w O as ap | | | onal an | <u>d design</u> | standarc | | |
| | | | <u>ii.</u> | <u>distr</u> | | t perm | | | | | | lay zonin nixed us | | |
| | | | <u>iii.</u> | The An | propert allocatio | <u>y shall l</u> on requ | | all not | be gra | nted fo | or prope | <u>ous acre</u> rty_that | | |
| | | | <u>iv.</u> | | <u>maxim</u> tional u | <u>um nur</u> | nber of | additio | nal unit | ts shall | | ed to for | | |

| 1 2 | | | <u>v.</u> | Development must comply with eligibility criteria in LDC section 4.02.16 C.12. |
|--|---------|-----------------|--------------|---|
| 3 | | | | 1.02.10 0.12. |
| 4 | | | vi. | The Administrative Code shall establish the process and submittal |
| 5 | | | | requirements for an LBDPA application. |
| 6 | | | | |
| 7 | | с. | Public | notice. Public notice, notice to property owners, and an advertised |
| 8 | | | public | hearing, is required and shall be provided in accordance with the |
| 9 | | | applica | able provisions of LDC section 10.03.06 R and Chapter 6 of the |
| 10 | | | Admin | istrative Code. |
| 11 | | | | |
| 12 | | <u>d.</u> | | ation criteria. The application shall be reviewed by the Hearing |
| 13 | | | <u>Exami</u> | ner or CCPC for compliance with the following standards of approval: |
| 14 | | | | |
| 15 | | | <u>i.</u> | The proposed development is consistent with the GMP. |
| 16 | | | | |
| 17 | | | <u>ii.</u> | The development shall have a beneficial effect upon the |
| 18 | | | | neighborhood and advance a Goal, Objective, or Strategy of the |
| 19 | | | | adopted Bayshore Gateway Triangle Community Redevelopment |
| 20 | | | | Plan. |
| 21 | | | | |
| 22 | | | <u>iii.</u> | Internal driveways, utilities, drainage facilities, recreation areas, |
| 23 | | | | building heights, yards, architectural features, vehicular parking, |
| 24 | | | | loading facilities, sight distances, landscaping and buffers shall be |
| 25 | | | | adequate for the particular use involved. |
| 26 | | | | |
| 27 | | | <u>IV.</u> | Vehicular access to the project shall not be gated. |
| 21 22 23 24 25 26 27 28 29 | | | | The second data is the second deal is second divide the second second second second second second second second |
| 29 | | | <u>V.</u> | The petition has provided compatibility enhancements by |
| 30 | | | | exceeding minimum buffer requirements or incorporating |
| 31 32 | | | | streetscape enhancements. |
| 32 33 | | | vi | Compliance with the public realm improvement requirements in |
| 33 34 | | | <u>vi.</u> | Compliance with the public realm improvement requirements in LDC section 4.02.16 C.12. |
| 34 35 | | | | LDC Section 4.02.16 C.12. |
| 36 | 11. | Donsit | | Allocation for developments over two contiguous acres. LDC section |
| 37 | <u></u> | | | rovides for the process for a development to utilize the Density Pool. |
| 38 | | | | those criteria, the application shall also provide for: |
| 39 | | <u>III auui</u> | | tilose citteria, the application shall also provide for. |
| 40 | | a. | Comm | nitment that the project shall not be gated. |
| 41 | | <u>a.</u> | Comm | nument that the project shall not be gated. |
| 42 | | b. | Contril | bution to the public realm improvements in LDC section 4.02.16 |
| 43 | | <u>v.</u> | <u>C.12.</u> | |
| 44 | | | <u></u> | |
| 45 | 12. | Public | realm i | mprovements. Any project that receives an allocation of Density |
| 46 | | | | nits requires an improvement or contribution to the public realm within |
| 47 | | | | at time of SDP or Plat approval. |
| 48 | | | | |
| | | | | |

| 1 | <u>a.</u> | Monetary Contributions will be made to CRA for the CRA's Public Art Fund |
|----|-----------|---|
| 2 | | or Capital Project Fund, or County Capital Project fund for projects within |
| 3 | | the BGTCRA boundary as follows: |
| 4 | | |
| 5 | | i. For projects that receive one to four units from the Density Bonus |
| 6 | | Pool, the amount will be three percent of the engineer's Opinion of |
| 7 | | Probable Cost, to be provided at time of each SDP or PPL for the |
| 8 | | project; |
| 9 | | |
| 10 | | ii. For projects that receive five to nine units from the Density Bonus |
| 11 | | Pool, the amount will be five percent of the engineer's Opinion of |
| 12 | | Probable Cost, to be provided at time of each SDP or PPL for the |
| 13 | | project; |
| 14 | | |
| 15 | | iii. For projects that receive ten or more units from the Density Bonus |
| 16 | | Pool, the amount will be five percent of the engineer's Opinion of |
| 17 | | Probable Cost, to be provided at time of each SDP or PPL for the |
| 18 | | project, plus an additional one percent of the engineer's Opinion of |
| 19 | | Probable Cost for each increment of 10 Density Bonus Pool units |
| 20 | | allocated over nine units; for example for 20-29 Density Bonus Pool |
| 21 | | units, the calculation is five percent + one percent + one percent = |
| 22 | | <u>seven percent; or</u> |
| 23 | | |
| 24 | b. | As an alternative or offset to the monetary contribution of LDC section |
| 25 | | 4.02.16 C.12., physical improvements within the project and land or |
| 26 | | easement dedications may be made to the County or the CRA provided the |
| 27 | | improvement and/or land or easement is identified as a need in the adopted |
| 28 | | CRA Redevelopment Plan, Public Art Pilot Plan, CRA Capital Improvement |
| 29 | | Plan or County Capital Improvement Plans, and in accordance with the |
| 30 | | following: |
| 31 | | |
| 32 | | i. The applicant's physical contribution and/or dedication of land or |
| 33 | | easement will be approved by the CRA advisory board or CRA staff |
| 34 | | and stated in a condition of approval as part of the public hearing |
| 35 | | process required for projects seeking units from the Density Bonus |
| 36 | | Pool, as a condition of approval of the SDP or plat or in a |
| 37 | | developer's agreement. |
| 38 | | ii The value of the land or accompate dedication shall be the fair |
| 39 | | ii. The value of the land or easement dedication shall be the fair |
| 40 | | market value determined by a real estate appraisal approved by the |
| 41 | | County Manager or designee. The cost of physical improvement |
| 42 | | shall be determined according to an engineer's Opinion of Probable |
| 43 | | Cost, or where no engineer's Opinion of Probable Cost is available |
| 44 | | the architect's estimate of value, which must be approved by the |
| 45 | | County Manager or designee, and |
| 46 | | iii If the value of the land or opportunit conversion and the east of the |
| 47 | | iii. If the value of the land or easement conveyance and the cost of the |
| 48 | | physical improvement is less than the required monetary |
| 49 | | contribution in LDC section 4.02.16 C.12.a., then the applicant will |
| 50 | | pay the difference as a monetary contribution to CRA for the CRA's |

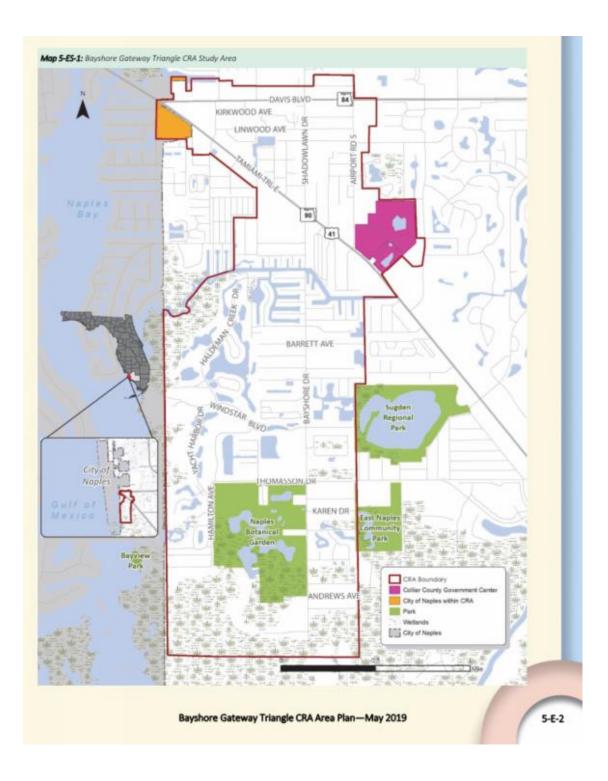
| 1 2 | | | | Public Art Fund or Capital Project Fund, or County Capital Project fund for projects within the BGTCRA boundary. | | | | | | | | | | | |
|---|-------|---|--------------------|--|------------|---------|-----------------|----------|----------|----------|----------|--------|---------------------------------------|--|--|
| 3 4 5 6 7 8 9 10 11 | | | <u>C.</u> | c. Prior to the issuance of the first certificate of occupancy for the project, applicant shall provide evidence that the required monetary contribut has been deposited within the appropriate CRA fund, the land or put easement conveyance has been accepted by the County or CRA a recorded in the Public Records of Collier County, and/or the public re improvement has been installed or constructed as required by develop agreement or condition of development order approval. | | | | | | | | | | | |
| 11 12 13 14 | | 13. Expiration. All Density Bonus Pool allocations shall expire five years from date of approval if building permits for the allocated units have not be issued. U expiration, the units shall revert to the Density Bonus Pool. | | | | | | | | | | | | | |
| 15 16 | # | # | # | # | # | # | # | # | # | # | # | # | # | | |
| 17 18 19 20 | | | Require nent Ar | | for Mi | xed Us | se Proj | jects wi | ithin th | e Bays | hore G | ateway | / Triangle | | |
| 20 21 22 | * | * | * | * | * | * | * | * | * | * | * | * | * | | |
| 23 24 25 26 27 28 | C. | Bonus Density Pool Allocation. Under the Collier County Future Land Use Element, bon density units are available for reallocation within the Bayshore/Gateway Triang Redevelopment Overlay. The County Manager or designee will track the Bonus Dens Pool balance as the units are used. These bonus density units may be allocated betwee the <u>BZO and GTZO overlays and shall only be allocated through a public hearing approvencess</u> . | | | | | | | | | | | y Triangle us Density d between | | |
| 29 30 31 32 | | criter | | densit | y of up | to 12 d | | | | | | | e following the bonus | | |
| 33 34 | * | * | * | * | * | * | * | * | * | * | * | * | * | | |
| 35 36 37 38 39 | | 5. | their | | / is limit | | | | | | | | increase, applicable | | |
| 40 41 42 43 | | <u>6.</u> | appro | | building | permit | <u>ts for t</u> | | cated u | nits hav | ve not l | | <u>the date of</u> ed. Upon | | |
| 44 | # | # | # | # | # | # | # | # | # | # | # | # | # | | |
| 45 46 47 | 10.03 | 3.06 - | Public I | Notice | and Re | equired | Hearin | ngs for | Land U | se Peti | tions | | | | |

This section shall establish the requirements for public hearings and public notices. This section
 shall be read in conjunction with LDC section 10.03.05 and Chapter 8 of the Administrative Code,

50 which further establishes the public notice procedures for land use petitions.

| 1 | | | | | | | | | | | | | | |
|----|----|------|--------|---|----------|----------|----------|-----------|----------|----------|---------|----------|------------|--|
| 2 | * | * | * | * | * | * | * | * | * | * | * | * | * | |
| 3 | | | | | | | | | | | | | | |
| 4 | R. | Site | Plan w | ith Dev | viations | for Re | edevelo | opment. | pursuar | nt to L | DC se | ction 10 | 0.02.03 F. | |
| 5 | | | | | | | | • | | | | | _ | |
| 6 | | | | is in the GGPOD, pursuant to LDC section 4.02.26 E., and the LBDPA, pursuant ection 4.02.16 C.10. | | | | | | | | | | |
| 7 | | | | | | | | | | | | | | |
| 8 | | 1. | The | followin | q advei | tised p | ublic he | earings a | re requi | ired: | | | | |
| 9 | | | | | 0 | • | | 0 | • | | | | | |
| 10 | | | a. | One | Plannir | ng Com | missior | n or Hear | ing Exa | aminer l | nearing | 1. | | |
| 11 | | | | | | 0 | | | U | | 0 | | | |
| 12 | | | b. | If he | ard by t | he Plar | nning C | ommissi | on, one | BZA h | earing. | | | |
| 13 | | | | | | | · · | | | | • | | | |
| 14 | | 2. | The | followin | g notice | e proce | dures a | re requir | ed: | | | | | |
| 15 | | | | | - | | | | | | | | | |
| 16 | | | a. | New | spaper | Adver | tisemer | nt prior | to the | adver | tised p | oublic h | nearing in | |
| 17 | | | | acco | rdance | with F. | S. § 12 | 5.66. | | | | | | |
| 18 | | | | | | | | | | | | | | |
| 19 | | | b. | Maile | ed Notio | ce prior | to the a | advertise | d public | c hearir | ng. | | | |
| | | | | | | | | | | | | | | |

Exhibit A – CRA Study Area in Redevelopment Plan



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Exhibit B – Table 5-2-1 of Redevelopment Plan

| Main Issue | Sub-Issue | Specific Locations Mentioned |
|--|---|--|
| | Inadequate street layout and design (including sub-standard street widths) | Shadowlawn DrThomasson DrMost local streets |
| | Commercial parking problems | Davis Blvd Airport Rd Bayshore Rd US 41 |
| Predominance of defective or inadequate street layout | Lack of streetlights along major arterial and most local streets | Major arterialsMost local streetsDavis Blvd |
| | Lack of sidewalks | Shadowlawn Dr Bayshore Rd south of Thomasson Rd Most local streets |
| | Lack of neighborhood connections | Residential neighborhoods |
| Faulty lot layout in relation to size, | Commercial lots | US 41 Davis Blvd Between Pine St and US 41 |
| adequacy, accessibility, or usefulness | Built density far below approved density | RMF-6 residences in Gateway Triangle area |
| | Not meeting lot standards in at least one respect | RMF-6 residential propertiesBayshore area residences |
| | Disproportionate lack of plumbing | |
| Unsanitary or unsafe conditions | Disproportionate overcrowding | |
| | 2 unsafe structures | |
| Deterioration of site or other improvements | Lack of sidewalks and streetlights Poor drainage of local roads, surface water management problems | |
| | Lack of right-of-way for improvements along Shadowlawn Dr | |
| Other problems | No public transportation provided in CRA area | |
| | Housing affordability noted as an issue in the county and as an issue that could get worse in the CRA area | |
| Table 5-2-1: Findings of Blighted Conditions in | n CRA Area | |
| | | |

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Collier County Land Development Code | Administrative Procedures Manual

Chapter 3 | Quasi-Judicial Procedures with a Public Hearing

Chapter 3. Quasi-Judicial Procedures with a Public Hearing

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E. Mixed Use Project (MUP) – Public Hearing for use of Bonus Density Pool and/or other Deviations

Reference LDC sections 4.02.16 C.8, 10.02.15 and LDC Public Notice subsection 10.03.06 N.

- ApplicabilityThis procedure applies to a request for a mixed use project (MUP) within the BayshoreGateway Triangle CommunityRedevelopment Area which seeks to utilize the BonusDensity Pool and/or other deviations.
 - **Eligible Property owners** in the following zoning districts:
 - Applicants
 1. Bayshore Zoning Overlay Mixed Use District, Neighborhood Commercial (BZOBMUD-NC) Subdistrict
 - 2. Bayshore Zoning Overlay Mixed Use District, Waterfront (<u>BZOBMUD</u>-W) Subdistrict
 - Gateway Triangle <u>Zoning</u> Mixed Use District (<u>GTZO</u>GTMUD-MXD) Subdistrict
- **Pre-application** A pre-application meeting is required.
 - Initiation The applicant files a "Mixed Use Project Plan (MUP) with Deviations- Public Hearing," with the Planning & Zoning Division.
 - ApplicationMUPs that require a public hearing shall follow the applicable submittal requirements of aContentsConditional Use in Chapter 3 C. of the Administrative Code. In addition, pursuant to LDCsubsection 10.02.15 A.2., the applicant shall prepare a conceptual plan depicting mixeduse development and noting all deviations.

CompletenessThe Planning & Zoning Division will review the application for completeness. Afterand Processing of
ApplicationSubmission of the completed application packet accompanied with the required fee, the
applicant will receive a mailed or electronic response notifying the applicant that the
petition is being processed. Accompanying that response will be a receipt for the payment
and the tracking number (i.e., XXX201200000) assigned to the petition. This petition
tracking number should be noted on all future correspondence regarding the petition.

- **Notice** Notification requirements are as follows: ⇔ *See Chapter 8 of the Administrative Code for additional notice information.*
 - NIM: The NIM shall be completed at least 15 days before the advertised Planning Commission hearing. The NIM shall be advertised and a mailed written notice shall be given to property owners in the notification area at least 15 days prior to the NIM meeting.

Collier County Land Development Code | Administrative Procedures Manual

Chapter 3 | Quasi-Judicial Procedures with a Public Hearing

- 2. Mailed Notice: Written notice shall be sent to property owners in the notification area at least 15 days before the advertised Planning Commission hearing.
- **3.** Newspaper Advertisements: The legal advertisement shall be published at least 15 days before each advertised public hearing in a newspaper of general circulation. The advertisement shall include at a minimum:
 - Date, time, and location of the hearing;
 - Description of the proposed land uses; and
 - 2 in. x 3 in. map of the project location for the BZA advertisement.
- **4. Sign:** (see format below) Posted at least 15 days before the advertised Planning Commission hearing date.

| PUBLIC HEARING REQUESTING MIXED USE PROJECT APPROVAL |
|---|
| |
| PETITION NUMBER: |
| TO ALLOW: |
| (Request-Sufficiently clear to describe the project) |
| LOCATION: |
| DATE: TIME: |
| CONTACT: |
| |
| THE ABOVE TO BE HELD IN THE BOARD OF COUNTY |
| COMMISSIONERS CHAMBERS, THIRD FLOOR, COLLIER |
| COUNTY GOVERNMENT CENTER, 3299 TAMIAMI TRAIL |
| EAST, NAPLES, FLORIDA, 34112. |

- Public Hearing 1. The EAC shall hold at least 1 advertised public hearing, if required.
 - 2. The Planning Commission shall hold at least 1 advertised public hearing.
 - 3. The BZA shall hold at least 1 advertised public hearing.

Decision maker The BZA, following recommendations from both the EAC, if required, and the Planning Commission.

Review Process The Planning & Zoning Division will review the application, identify whether additional materials are needed, prepare a Staff Report, and schedule a hearing date before the EAC, if required, and Planning Commission to present the petition for review.

Following the recommendation by the Planning Commission, the Planning & Zoning Division will prepare an Executive Summary and schedule a hearing date before the BZA to present the petition for review.





Collier County Land Development Code | *Administrative Procedures Manual Chapter 4 | Administrative Procedures*

| Chapter 4. A | dministrative Procedures | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|
| * * * | * * * * * * * * * * | | | | | | | | | | |
| F. Mixed U | se Project – Administrative Approval | | | | | | | | | | |
| Reference | LDC sections 10.02.15 and 4.02.16. | | | | | | | | | | |
| Applicability | This procedure applies to a request for a mixed use project (MUP) within the Bayshore Gateway Triangle Redevelopment Area that is not seeking a Density Bonus and/or is eligible for administrative deviations pursuant to LDC subsections 10.02.15 A.1 and 10.02.15 B. | | | | | | | | | | |
| Eligible Applicants | Property owners in the following zoning districts: | | | | | | | | | | |
| | Bayshore <u>Zoning Overlay</u> | | | | | | | | | | |
| | Bayshore <u>Zoning Overlay</u> Mixed Use District , Waterfront (<u>BZO</u> BMUD-W) Subdistrict | | | | | | | | | | |
| | Gateway Triangle <u>Zoning Mixed Use District</u> Overlay, Mixed Use District (<u>GTZO<mark>GTMUD</mark>-MXD) Subdistrict.</u> | | | | | | | | | | |
| Pre-application | A pre-application meeting is required. | | | | | | | | | | |
| Initiation | The applicant files a " <i>Mixed Use Project Plan (MUP</i>) – Administrative Approval" application with the Development Review Division. | | | | | | | | | | |
| Application Contents | Pursuant to LDC subsection 10.02.15 A.1.b, MUPs that may be administratively approved shall follow the applicable submittal requirements of a site development plan. \Leftrightarrow See Chapter 4 I. of the Administrative Code for additional information. | | | | | | | | | | |
| Completeness and Processing of Application | The Planning & Zoning Division will review the application for completeness. After submission of the completed application packet accompanied with the required fee, the applicant will receive a mailed or electronic response notifying the applicant that the petition is being processed. Accompanying that response will be a receipt for the payment and the tracking number (i.e., XXX201200000) assigned to the petition. This petition tracking number should be noted on all future correspondence regarding the petition. | | | | | | | | | | |
| Notice | No notice is required. | | | | | | | | | | |
| Public Hearing | No public hearing is required. | | | | | | | | | | |
| Decision maker | The County Manager or designee. | | | | | | | | | | |
| Staff Review Process | The Development Review Division will review the application, identify whether additional materials are needed and prepare a letter of approval or denial utilizing the criteria identified in the LDC subsection 10.02.15 A.1. and 10.02.15 B. | | | | | | | | | | |
| Appeals | Administrative appeals shall be in accordance with the Code of Laws and Ordinances section 250-58. 12 | | | | | | | | | | |

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Chapter 4 | Administrative Procedures

| | Upd | ated <mark>F</mark> | Resolution 2022-### | | | | | | | | | |
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Chapter 6 | Waivers, Exemptions, and Reductions

Chapter 6. Waivers, Exemptions, and Reductions

- * * * * * * * * * * * *
- N. Limited Density Bonus Pool Allocation (LDBPA)
 - Reference LDC section 4.02.16 C. and LDC section 10.03.06 R.
 - ApplicabilityProperty Owners in the Bayshore Zoning Overlay District (BZO) and Gateway Triangle
Zoning Overlay District (GTZO), which are zoned as either multi-family or mixed use, 2
contiguous acres or less are allowed to add 2 units per acer when satisfying the criteria of
LDC section 4.02.16.C.10.
 - Initiation The applicant files a "Limited Density Bonus Pool" application with the Planning & Zoning Division.
 - Pre-Application <u>A pre-application meeting is required.</u>
 - ApplicationA limited density pool application must include the following, in addition to the ApplicationContentsContents and Requirements for an SDP, SDPA, or SIP. ⇔ See Chapter 4 1.2 1.4 of the
Administrative Code.
 - Submittal Credentials: Pursuant to LDC section 10.02.03, the engineering plans shall be signed and sealed by the applicant's professional engineer licensed to practice in the State of Florida. For projects subject to LDC section 5.05.08, architectural drawings, shall be signed and sealed by a licensed architect, registered in the State of Florida. Landscape plans shall be signed and sealed by licensed landscape architect, registered in State of Florida.
 - Sheet size: The site improvement plan and the coversheet shall be prepared on a maximumsize sheet measuring 24 inches by 36 inches, drawn to scale showing the areasaffected by the amendment. The sheet must clearly show the change "clouded"and clearly delineate the area and scope of the work to be done.
 - The application must include the following:
 - 1. A narrative of the redevelopment project and how it is consistent with the standards for approval, LDC section 4.02.16.C10.
 - 2. Submittal of a Traffic Impact Statement.
 - 3. Demonstrated compliance with the County's access management policies.
 - Notice Notification requirements are as follows. ⇔ See Chapter 8 of the Administrative Code for additional notice information.
 - 1.Mailed Notice: Written notice shall be sent to property owners in the notificationarea at least 15 days before the first advertised hearing.
 - 2. Newspaper Advertisement: The legal advertisement shall be published at least 15 days before each advertised hearing in a newspaper of general circulation. The advertisement shall include at a minimum:

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Chapter 6 | Waivers, Exemptions, and Reductions

| | | | | a. | Date, tir | me, and lo | ocation o | f the hea | ring; | | | | |
|---|------------------|---------------|---|---|-----------|------------|----------------|-----------|------------|---|---|---|--|
| | | | | <u>b.</u> | Applicat | ion num | per and p | roject na | <u>me;</u> | | | | |
| | | | | c. 2 in. x 3 in. map of project location; and | | | | | | | | | |
| | | | | <u>d.</u> | Descript | tion of lo | <u>cation.</u> | | | | | | |
| | <u>Public He</u> | <u>earing</u> | The Hearing Examiner or Planning Commission shall hold at least 1 advertised public hearing. ⇔ See Chapter 9 of the Administrative Code for the Office of the Hearing Examiner procedures. If the petition is heard by the Planning Commission, one BZA hearing is required. | | | | | | | | | | |
| | Decision n | <u>naker</u> | The Hear | | | | | | | | | - | |
| | <u>Review Pr</u> | ocess | The Zoning Division will review the application and identify whether additional materials are needed. Staff will prepare a Staff Report utilizing the criteria established in LDC section 4.02.16 C.10.d. to present to the decision maker. | | | | | | | | | | |
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Chapter 12. Acronyms

A – Rural Agricultural Zoning District ACOE - Army Corps of Engineers ACP – Agricultural Clearing Permit ACSC - Area of Critical State Concern ADT – Average Daily Trips ASI – Area of Significant Influence BCC - Board of Collier County Commissioners **BD** – Boat Dock Petition BZOBMUD – Bayshore Zoning Overlay Drive Mixed Used District **BP** – Business Park District BZA – Board of Zoning Appeals C-1 – Commercial Professional General Office District C-2 – Commercial Convenience District C-3 – Commercial Intermediate District C-4 – General Commercial District C-5 – Heavy Commercial District CCME - Conservation and Coastal Management Flement CCPC – Collier County Planning Commission CCSL(P) - Coastal Construction Setback Line (Permit) CDD – Community Development District CEB - Code Enforcement Board **CF** – Community Facility CIE – Capital Improvement Element CIP – Capital Improvement Program CMO – Corridor Management Overlay C.O. – Certificate of Occupancy **CON** – Conservation Zoning District CRD - Compact Rural Development CSP – Conceptual Site Plan CU - Conditional Use DBH - Diameter at Breast Height DEO – Department of Economic Opportunity D.O. - Development Order DRI – Development of Regional Impact DSWT – Dry Season Water Table **E** – Estates Zoning District EAC – Environmental Advisory Council **EIS – Environmental Impact Statement** EPA – Environmental Protection Agency **EXP** – Excavation Permit FAC – Florida Administrative Code FDEP – Florida Department of Environmental Protection FDOT – Florida Department of Transportation

FFWCC – Florida Fish & Wildlife Conservation Commission FIAM – Financial Impact Analysis Module FIHS – Florida Interstate Highway System FLUCFCS - Land Use Cover and Forms Classification System FLUE – Future Land Use Element FLUM – Future Land Use Map FP – Final Plat FS – Florida Statutes FSA – Flow way Stewardship Area GC – Golf Course GGAMP – Golden Gate Area Master Plan GGPPOCO – Golden Gate Pkwy Professional Office **Commercial Overlay District** GMP – Growth Management Plan GPCD – Gallons Per Capita per Day GT – Gopher Tortoise GTZO – Gateway Triangle Zoning Overlay District GWP – Ground Water Protection Zone GZO – Goodland Zoning Overlay HSA – Habitat Stewardship Area I – Industrial Zoning District ICBSD – Immokalee Central Business Subdistrict LDC – Land Development Code LOS - Level of Service LPA – Local Planning Agency LSPA – Littoral Shelf Planting Area M/F – Multi-family Use or Zoning MH – Mobile Home MHO – Mobile Home Overlay MLW – Mean Low Water MPP - Manatee Protection Plan NBMO - North Belle Meade Overlay NC – Neighborhood Commercial District NRPA - Natural Resource Protection Area O.C. – On Center P – Public Use District PPL – Plans and Plat PSI – Pounds Per Square Inch PSP – Preliminary Subdivision Plat PUD – Planned Unit Development **RSF** – Residential Single-Family Districts RCW – Red Cockaded Woodpecker RFMU – Rural Fringe Mixed Use District RLS – Request for Legal Service RLSA(O) – Rural Lands Stewardship Area (Overlay)

| RMF – Residential Multi-Family Districts | | | | | | | SWFRPC – Southwest Florida Regional Planning | | | | | |
|--|---|---|---|---|---|---|---|---|---|---|---|--|
| RNC – Residential Neighborhood Commercial | | | | | | Council | | | | | | |
| Subdistrict | | | | | | TCEA – Transportation Concurrency Exception Areas | | | | | | |
| R.O.W. – Right of Way | | | | | | TCMA – Transportation Concurrency Management | | | | | | |
| RSF – Residential Single-Family | | | | | | Areas | | | | | | |
| SBCO – Santa Barbara Commercial Overlay District | | | | | | TDR – Transfer of Development Rights | | | | | | |
| SBR – School Board Review | | | | | | TP – Turtle Permit | | | | | | |
| SDP – Site Development Plan | | | | | | TTRVC – Travel Trailer Recreational Vehicle | | | | | | |
| S/F – Single Family Use/Zoning | | | | | | Campground | | | | | | |
| SFWMD – South Florida Water Management District | | | | | | USFW | USFWS – United States Fish & Wildlife Service | | | | | |
| SIP – Site Improvement Plan | | | | | | | VOB – Vehicle on the Beach Permit | | | | | |
| SLR – Sound Level Reduction | | | | | | VR – Village Residential Zoning District | | | | | | |
| SRA – Stewardship Receiving Area | | | | | | VRP – Vegetation Removal Permit | | | | | | |
| SSA – Stewardship Sending Area | | | | | | VRSFP – Vegetation Removal & Site Fill Permit | | | | | | |
| ST – Special Treatment Zoning Overlay | | | | | | W – Waterfront District | | | | | | |
| ST-NAR – Special Treatment-Natural Aquifer | | | | | | WRA – Water Retention Area (within RLSA) | | | | | | |
| Recharge | | | | | | | | | | | | |
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