ORDINANCE NO. 18-____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA AMENDING ORDINANCE NO. 89-05, AS AMENDED, THE COLLIER COUNTY GROWTH MANAGEMENT PLAN FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA, SPECIFICALLY AMENDING THE FUTURE LAND USE ELEMENT AND FUTURE LAND USE MAP AND MAP SERIES BY ADDING THE SEED TO TABLE COMMERCIAL SUBDISTRICT TO THE URBAN—COMMERCIAL DISTRICT AND CHANGING THE DESIGNATION OF PROPERTY FROM URBAN RESIDENTIAL SUBDISTRICT TO SEED TO TABLE COMMERCIAL SUBDISTRICT TO ALLOW OFF-SITE EMPLOYEE PARKING FOR THE SEED TO TABLE COMMERCIAL DEVELOPMENT IN THE CARLTON LAKES PLANNED UNIT DEVELOPMENT AND ALLOW COLLIER AREA TRANSIT (CAT) PARK & RIDE AND COUNTY UTILITY FACILITIES; AND FURTHERMORE, RECOMMENDING TRANSMITTAL OF THE ADOPTED AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. THE SUBJECT PROPERTY CONSISTING OF ±6.33 ACRES IS LOCATED NORTH OF THE TERMINUS OF PIKER BOULEVARD AT THE NORTHWEST CORNER OF THE INTERSECTION OF LIVINGSTON ROAD AND IMMOKALEE ROAD, IN SECTION 24, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA. [PL20170003768]

WHEREAS, Collier County, pursuant to Section 163.3161, et seq., Florida Statutes, the Florida Local Government Comprehensive Planning and Land Development Regulation Act, was required to prepare and adopt a comprehensive plan; and

WHEREAS, the Collier County Board of County Commissioners adopted the Collier County Growth Management Plan on January 10, 1989; and

WHEREAS, the Community Planning Act of 2011 provides authority for local governments to amend their respective comprehensive plans and outlines certain procedures to amend adopted comprehensive plans; and

WHEREAS, Oakes Farms, Inc. requested an amendment to the Future Land Use Element and Future Land Use Map and Map Series to create the Seed to Table Commercial Subdistrict; and

Words underlined are added, words struck-through have been deleted.

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WHEREAS, pursuant to Subsection 163.3187(1), Florida Statutes, this amendment is considered a Small Scale Amendment; and

WHEREAS, the Subdistrict property is not located in an area of critical state concern or an area of critical economic concern; and

WHEREAS, the Collier County Planning Commission (CCPC) on August 16, 2018 considered the proposed amendment to the Growth Management Plan and recommended approval of said amendment to the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners of Collier County did take action in the manner prescribed by law and held public hearings concerning the proposed adoption of the amendment to the Future Land Use Element and Future Land Use Map and Map Series of the Growth Management Plan on _______________, 2018; and

WHEREAS, all applicable substantive and procedural requirements of law have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

SECTION ONE: ADOPTION OF AMENDMENT TO THE GROWTH MANAGEMENT PLAN

The Board of County Commissioners hereby adopts this small scale amendment to the Future Land Use Element and Future Land Use Map and Map Series in accordance with Section 163.3184, Florida Statutes. The text amendment is attached hereto as Exhibit “A” and incorporated herein by reference.

SECTION TWO: SEVERABILITY.

If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION THREE: EFFECTIVE DATE.

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development
permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this ______ day of ______________________, 2018.

ATTEST:
CRYSTAL K. KINZEL, INTERIM CLERK
COLLIER COUNTY, FLORIDA

Deputy Clerk

BY: ANDY SOLIS, Chairman

Approved as to form and legality:

Heidi Ashton-Cicko,
Managing Assistant County Attorney

Attachment: Exhibit A – Proposed Text Amendment & Map Amendment
Exhibit “A”

FUTURE LAND USE ELEMENT

Policy 1.5:

The URBAN Future Land Use Designation shall include Future Land Use Districts and Subdistricts for:

B. URBAN COMMERCIAL DISTRICT
   1. Mixed Use Activity Center Subdistrict
   2. Interchange Activity Center Subdistrict
   12. Davis – Radio Commercial Subdistrict
   13. Logan Boulevard/Immokalee Road Commercial Infill Subdistrict
   14. Seed to Table Commercial Subdistrict

I. URBAN DESIGNATION

Urban designated areas will accommodate the following uses:

a. Residential uses including single family, multi-family, duplex, and mobile home. The maximum densities allowed are identified in the Districts, Subdistricts and Overlays that follow, except as allowed by certain policies under Objective 5.

b. Non-residential uses including:

12. Commercial uses subject to criteria identified in the Urban - Mixed Use District, PUD Neighborhood Village Center Subdistrict, Office and Infill Commercial Subdistrict, Residential Mixed Use Neighborhood Subdistrict, Orange Blossom Mixed-Use Subdistrict, Buckley Mixed Use Subdistrict, Vanderbilt Beach/Collier Boulevard
Commercial Subdistrict, Commercial Mixed Use Subdistrict, Henderson Creek Mixed Use Subdistrict, Livingston/Radio Road Commercial Infill Subdistrict, Vanderbilt Beach Road Neighborhood Commercial Subdistrict, Vincentian Mixed Use Subdistrict, Davis – Radio Commercial Subdistrict; and, in the Urban Commercial District, Mixed Use Activity Center Subdistrict, Interchange Activity Center Subdistrict, Livingston/Pine Ridge Commercial Infill Subdistrict, Livingston Road/Eatonwood Lane Commercial Infill Subdistrict, Livingston Road Commercial Infill Subdistrict, Commercial Mixed Use Subdistrict, Livingston Road/Veterans Memorial Boulevard Commercial Infill Subdistrict, Goodlette/Pine Ridge Commercial Infill Subdistrict; Orange Blossom/Airport Crossroads Commercial Subdistrict, Logan Boulevard/Immokalee Road Commercial Infill Subdistrict, Seed to Table Commercial Subdistrict, in the Bayshore/Gateway Triangle Redevelopment Overlay; and, as allowed by certain FLUE policies.

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C. Urban Commercial District

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14. Seed to Table Commercial Subdistrict

The Seed to Table Commercial Subdistrict consists of +/- 6.33 acres and is located on the west side of Livingston Road, just north of the terminus of Piper Boulevard. The purpose of this subdistrict is to allow for the development of a parking lot and Collier County utility facilities and services.

Development in this subdistrict shall be subject to the following:

a. Allowable uses are limited to the following: parking lot; Collier County utility facilities and services.
b. The parking lot is only to be used by employees of the commercial development located immediately east across Livingston Road (Carlton Lakes PUD, Planned Unit Development, commercial tract) and by patrons of the Collier Area Transit (CAT) Park and Ride Program.
c. No LDC-required parking shall be allowed for the commercial development immediately east across Livingston Road or any other off-site use.
d. Use of the parking lot by any person or entity for truck unloading or parking, deliveries, offsite storage, or overnight parking is prohibited.
e. The subdistrict shall be rezoned to PUD.
f. The implementing PUD shall include:
1. Provisions of ingress and egress to accommodate CAT buses;
2. Provisions for pedestrian access to the existing crosswalk at the intersection of Livingston Road and Immokalee Road;
3. Design measures to discourage pedestrians from crossing Livingston Road other than at the designated crosswalk located at Livingston Road and Immokalee Road; and,
4. Provisions for adequate buffering and screening around the parking lot and along Livingston Road.

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Future Land Use Map Series
Future Land Use Map
Activity Center Index Map
Mixed Use & Interchange Activity Centers Maps

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Davis – Radio Commercial Subdistrict Map
Logan Boulevard/Immokalee Road Commercial Infill Subdistrict Map
Mini Triangle Mixed Use Subdistrict Map
Seed to Table Commercial Subdistrict Map

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SEED TO TABLE COMMERCIAL SUBDISTRICT
COLLIER COUNTY, FLORIDA

SUBJECT SITE

Willoughby Drive EXT
Piper BLVD
Immokalee RD
Saint Croix LN

LEGEND

SUBDISTRICT
2012-2025 FUTURE LAND USE MAP
Collier County, Florida

DETAILS OF THE RLSA OVERLAY AREA ARE SHOWN ON THE FUTURE LAND USE MAP TITLED "COLLIER COUNTY RURAL & AGRICULTURAL AREA ASSESSMENT STEWARDSHIP OVERLAY MAP."