STAFF REPORT
COLLIER COUNTY PLANNING COMMISSION

FROM: GROWTH MANAGEMENT DEPARTMENT, ZONING DIVISION, COMPREHENSIVE PLANNING SECTION

HEARING DATE: OCTOBER 18, 2018

SUBJECT: 2018 STAFF-PROPOSED OUT-OF-CYCLE GROWTH MANAGEMENT PLAN AMENDMENT [ADOPTION HEARING]

ELEMENTS: FUTURE LAND USE ELEMENT (FLUE), GOLDEN GATE AREA MASTER PLAN (GGAMP), HOUSING ELEMENT (HE) AND IMMOKALEE AREA MASTER PLAN (IAMP)

PROPOSED AMENDMENT

PL20180001205/CPSP-2018-4, a staff-proposed petition for related, individual Growth Management Plan amendments to the Future Land Use Element, the Golden Gate Area Master Plan, Housing Element and the Immokalee Area Master Plan components, providing for changes to Affordable Housing Density Bonuses available by the Density Rating System, including individual changes which serve to standardize Affordable-Workforce Housing terminology; increase the density bonus from 8 to 12 units per acre, and revise a specific percentage figure associated with the overall changes being made to the Affordable Housing program; remove specific references to other source documents; and, general formatting changes, and housekeeping revisions, as have been directed previously by the Board intended to add clarity, correct text errors or omissions, and provide harmony and internal consistency among components of the GMP – as authorized or directed by the Board of County Commissioners.

Within CCPC materials provided are Ordinances with Exhibit “A” texts for the petition. These exhibits reflect the text of each of the four Elements as approved by the Board for Transmittal, however, that approved text is divided into separate Future Land Use (FLUE), Golden Gate Area Master Plan (GGAMP), Housing (HE) and Immokalee Area Master Plan (IAMP) elements for adoption by Ordinance.

Transmittal hearings on the subject amendment were held on June 7, 2018 Collier County Planning Commission (CCPC), and on July 10, 2018 Board of County Commissioners (Board). The Transmittal recommendations/actions are presented further below.

Within CCPC materials provided you will find the Transmittal Executive Summary from the Board hearing, plus the Transmittal CCPC staff report for the petition, which provides staff’s analysis of the petition.
These amendments qualify for the Expedited State Review Process set forth in Chapter 163.3184(3), F.S., in that they do not trigger the provisions of Chapter 163.3184(2)(c), F.S., i.e., they are not: in an area of critical state concern, proposing a rural land stewardship area, proposing a sector plan or an amendment thereto, evaluation and appraisal-based, DRI-related, and are not pertaining to a new municipality. Further, these amendments do not qualify as a small-scale amendment as set forth in Chapter 163.3187, F.S.

In accordance with Chapter 163.3184(3), F.S., pertaining to the Expedited State Review Process, this Transmittal package was provided to the Florida Department of Economic Opportunity (DEO) and other reviewing agencies on July 20, 2018.

**REVIEW AGENCY COMMENT LETTERS**

After review of the Transmitted amendment within each reviewing agency’s authorized scope of review, the DEO, as well as the other reviewing agencies, rendered their comment letters indicating “no comment” or “no adverse impacts found” or the agency did not respond. Comment letters received are located within materials provided to the CCPC. The remaining reviewing agencies did not provide comments.

**TRANSMITTAL**

**STAFF RECOMMENDATION:** To Transmit to DEO.

**CCPC RECOMMENDATION:** Transmit to DEO (vote: 7/0) per the staff recommendation.

**BOARD ACTION:** Transmitted to DEO (vote: 5/0), per CCPC recommendation [and as now reflected in County Resolution No. 18-127].

**ADOPTION**

Following Transmittal, Exhibit “A” text, approved by Resolution No. 18-127, was separated into individual exhibits for each of the four Elements involved, and for use with individual adoption Ordinances.

**STAFF RECOMMENDATION:** That the CCPC forward the single, Out-of-Cycle GMP amendment (in four parts) to the Board with a recommendation to adopt and transmit to the Florida Department of Economic Opportunity and reviewing agencies that provided comments.

**LEGAL CONSIDERATIONS**

This Growth Management Plan (GMP) amendment is authorized by, and subject to the procedures established in, Chapter 163, Part II, Florida Statutes, The Community Planning Act, and by Collier County Resolution No. 12-234, as amended. The Board should consider the following criteria in making its decision: “plan amendments shall be based on relevant and appropriate data and an analysis by the local government that may include but not be limited to, surveys, studies, community goals and vision, and other data available at the time of adoption of the plan amendment. To be based on data means to react to it in an appropriate way and to the extent necessary indicated by the data available on that particular subject at the time of adoption of the plan or plan amendment at issue.” 163.3177(1)(f), FS In addition, s. 163.3177(6)(a)2, FS provides that FLUE plan amendments shall be based on surveys, studies and data regarding the area, as applicable including:
a. The amount of land required to accommodate anticipated growth.
b. The projected permanent and seasonal population of the area.
c. The character of undeveloped land.
d. The availability of water supplies, public facilities, and services.
e. The need for redevelopment, including the renewal of blighted areas and the elimination of non-conforming uses which are inconsistent with the character of the community.
f. The compatibility of uses on lands adjacent to or closely proximate to military installations.
g. The compatibility of uses on lands adjacent to an airport as defined in s. 330.35 and consistent with s. 333.02.
h. The need to modify land uses and development patterns with antiquated subdivisions.
i. The discouragement of urban sprawl.
j. The need for job creation, capital investment and economic development that will strengthen and diversify the community’s economy.

This item is approved as to form and legality. It requires an affirmative vote of four for approval because this is an Adoption hearing of the GMP amendment. [HFAC]
DEO no. 18-1RLS

Staff Report for the October 18, 2018 CCPC Meeting.

NOTE: This single staff-proposed Out-of-Cycle GMPA has been scheduled for the December 11, 2018 Board Meeting.