ORDINANCE NO. 19-_____

AN ORDINANCE 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 TO REVISE THE VANDERBILT BEACH/COLLIER BOULEVARD COMMERCIAL SUBDISTRICT OF THE URBAN MIXED USE DISTRICT AS TO LOTS 5 AND 6 OF THE VANDERBILT COMMONS SUBDIVISION TO REMOVE THE REQUIREMENT TO PROVIDE COMMERCIAL USES ON THE FIRST FLOOR WITH RESIDENTIAL UNITS ON THE UPPER STORIES AND ALLOW BUILDINGS TO BE ALL RESIDENTIAL USES ON LOTS 5 AND 6; AND DIRECTING TRANSMITTAL OF THE ADOPTED AMENDMENTS TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. LOTS 5 AND 6 COMprise 2.51 ACRES WITHIN THE 47.94± ACRE SUBDISTRICT LOCATED ON THE NORTH SIDE OF VANDERBILT BEACH ROAD AND APPROXIMATELY ¼ MILE WEST OF COLLIER BOULEVARD IN SECTION 34, TOWNSHIP 48 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA. [PL20180003372]

WHEREAS, Collier County, pursuant to Section 163.3161, et. seq., Florida Statutes, the Community Planning Act, formerly 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, Petitioner, Vanderbilt Commons, LLC has initiated this amendment to the Future Land Use element; and

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

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Vanderbilt Commons Lots 5&6 SSGMPA
7/10/19
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WHEREAS, the Collier County Planning Commission (CCPC) on ________________
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 __________________________; and

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

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

SECTION ONE: ADOPTION OF AMENDMENTS 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 and map are 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 commenced 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 ______________________ 2019.

ATTEST:  
CRYSTAL K. KINZEL, CLERK

BOARD OF COUNTY COMMISSIONERS  
COLLIER COUNTY, FLORIDA

__________________________  Deputy Clerk  

BY: ________________________  William L. McDaniel, Jr., Chairman

Approved as to form and legality:

__________________________ 
Heidi Ashton-Cicko  
Managing Assistant County Attorney

Attachment: Exhibit A – text and map
EXHIBIT A
FUTURE LAND USE ELEMENT

FUTURE LAND USE DESIGNATION
DESCRIPTION SECTION

*** *** *** *** text break *** *** *** ***

I. URBAN DESIGNATION

*** *** *** *** text break *** *** *** ***

A. Urban Mixed Use District

*** *** *** *** text break *** *** *** ***

9. Vanderbilt Beach/Collier Boulevard Commercial Subdistrict

This Subdistrict is located in the northwest quadrant of the intersection of Vanderbilt Beach Road and Collier Boulevard, consisting of approximately 47.94 acres, comprised of 33.45 acres of land for the existing area and 14.49 acres of land for the expansion area, as depicted on the Vanderbilt Beach/Collier Boulevard Commercial Subdistrict Map. The intent of the Vanderbilt Beach/Collier Boulevard Commercial Subdistrict is to provide convenient shopping, personal services and employment for neighboring and Golden Gate Estates residential areas, as well as to promote mixed-use development (residential uses over commercial uses). The Vanderbilt Beach/Collier Boulevard Commercial Subdistrict will reduce driving distances for neighboring and Golden Gate Estates residents, assist in minimizing the road network required, and reduce traffic impacts in this part of Collier County. This Subdistrict is further intended to create a neighborhood focal point and any development within this Subdistrict will be designed in a manner to be compatible with the existing and future residential and institutional development in this neighborhood.

To encourage mixed use projects, this Subdistrict also permits residential development when located in a mixed-use building (residential uses over commercial uses). Such residential development is allowed at a maximum density of sixteen (16) dwelling units per acre; the gross acreage of the project is used in calculating residential density.

Retail uses shall be limited to single-story. Financial services and offices shall be limited to three (3) stories. A combination of these uses in a single building – financial services and/or offices over retail uses – shall be limited to three (3) stories. Also, mixed-use buildings, containing residential uses over commercial uses, shall be limited to three (3) stories. All principal buildings shall be set back a minimum of one (1) foot from the Subdistrict boundaries for each foot of building height. Development within each project or yet to be established Planned Unit Development (PUD) District shall be required to have common site, signage and building architectural elements. Each project or PUD District shall provide for both pedestrian and vehicular interconnections with abutting properties, where feasible.

For Lots 5 and 6 of the Vanderbilt Commons Subdivision only, as depicted on the Vanderbilt Beach/Collier Boulevard Commercial Subdistrict map, the following provisions apply: residential-only buildings are allowed; both residential-only and mixed use buildings shall be limited to three (3) stories, including parking; in mixed use buildings, commercial uses are limited to the first floor.
Rezonings are encouraged to be in the form of a PUD zoning district, which must contain development and design standards to ensure that all commercial uses will be compatible with neighboring residential and institutional uses. In addition to retail uses and other uses permitted in the Plan, financial institutions, business services, and professional and medical offices shall be permitted.

A total of 400,000 square feet of gross leasable floor area is permitted within this Subdistrict as follows:

Development intensity for the existing area (Mission Hills Planned Unit Development) of this Subdistrict shall be limited to a maximum of 200,000 square feet of gross leasable floor area.

Within the 14.49-acre expansion area, 200,000 square feet of gross leasable floor area for commercial land uses is permitted. The following land uses shall not be permitted: gas stations, convenience stores with gas pumps, fast food restaurants with drive-through lanes, and tire stores.