RESOLUTION NO. 2020-___

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS PROPOSING AMENDMENT TO THE COLLIER COUNTY GROWTH MANAGEMENT PLAN, ORDINANCE 89-05, AS AMENDED, SPECIFICALLY AMENDING THE FUTURE LAND USE ELEMENT TO EXTEND THE AVAILABILITY OF THE EARLY ENTRY TRANSFER OF DEVELOPMENT RIGHTS BONUS FOR PROPERTY WITHIN THE RURAL FRINGE MIXED USE DISTRICT-SENDING LANDS, AND FURTHERMORE RECOMMENDING TRANSMITTAL OF THE AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY. [PL20190002635]

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, RJH II, LLC, requested an amendment to the Future Land Use Element and Future Land Use Map and Map Series to add the Ventana Pointe Residential Overlay to the Rural Fringe Mixed Use District-Receiving Lands; and

WHEREAS, on January 16, 2020, the Collier County Planning Commission considered the proposed amendment to the Growth Management Plan pursuant to the authority granted to it by Section 163.3174, F.S., and has recommended approval of said amendment to the Board of County Commissioners; and

WHEREAS, on February 25, 2020, the Board of County Commissioners at a public hearing approved the transmittal of the proposed amendment to the state land planning agency in accordance with Section 163.3184, F.S.; and

WHEREAS, upon receipt of Collier County’s proposed Growth Management Plan Amendment, various State agencies and the Department of Economic Opportunity (DEO) have thirty (30) days to review the proposed amendment and DEO must transmit, in writing, to Collier County its comments within said thirty (30) days pursuant to Section 163.3184, F.S.; and

WHEREAS, Collier County, upon receipt of the written comments from DEO must adopt, adopt with changes or not adopt the proposed Growth Management Plan Amendment within one hundred and eighty (180) days of such receipt pursuant to Section 163.3184, F.S.; and
WHEREAS, the DEO, within five (5) days of receipt of Collier County’s adopted Growth Management Plan Amendment, must notify the County of any deficiencies of the Plan Amendment pursuant to Section 163.3184(3), F.S.

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

The Board of County Commissioners hereby approves the proposed Growth Management Plan Amendment, attached hereto as Exhibit "A" and incorporated by reference herein, for the purpose of transmittal to the Department of Economic Opportunity and other reviewing agencies thereby initiating the required State evaluation of the Growth Management Plan Amendment prior to final adoption.

THIS RESOLUTION ADOPTED after motion, second and majority vote this ______ day of ______________, 2020.

ATTEST:                    BOARD OF COUNTY COMMISSIONERS
CRYSTAL K. KINZEL, CLERK  COLLIER COUNTY, FLORIDA

________________________________________
Deputy Clerk

BY: ___________________________, Chairman

Approved as to form and legality:

Heidi Ashton-Cicko
Managing Assistant County Attorney

Attachment: Exhibit A – Proposed Text Amendment
EXHIBIT “A”
FUTURE LAND USE ELEMENT

FUTURE LAND USE DESIGNATION DESCRIPTION SECTION

I. URBAN DESIGNATION

II. AGRICULTURAL/RURAL DESIGNATION

A. Agricultural/Rural Mixed Use District

B. Rural Fringe Mixed Use District

1. Transfer of Development Rights (TDR), and Sending, Neutral, and Receiving Designations:

A) Receiving Lands:

B) Neutral Lands:

C) Sending Lands:

1. Sending Lands are located entirely within the Rural Fringe Mixed Use ...

2. Base Severance Rate:

3. Conditions Applicable to Base and Bonus TDR Credits:

4. Environmental Restoration and Maintenance TDR Bonus:

5. Conveyance TDR Bonus:

6. Early Entry TDR Bonus: An Early Entry TDR Bonus shall be available in the form of an additional one TDR Credit for each base TDR Credit severed from Sending Lands from March 5, 2004 until September 27, 2022. Early Entry TDR Bonus Credits may be used after the termination of the bonus period.