

ORDINANCE NO. 2025-03

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 CHANGING THE LAND USE DESIGNATION OF PROPERTY FROM URBAN, URBAN MIXED USE DISTRICT, URBAN COASTAL FRINGE SUBDISTRICT TO COMMERCIAL DISTRICT, BAREFOOT WILLIAMS COMMERCIAL SUBDISTRICT TO ALLOW 11,000 SQUARE FEET OF GROSS FLOOR AREA OF COMMERCIAL USES, OF WHICH A CAR WASH MAY BE 5,000 SQUARE FEET OF GROSS FLOOR AREA. THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF TAMiami TRAIL EAST 350 FEET EAST OF THE INTERSECTION OF TAMiami TRAIL AND BAREFOOT WILLIAMS ROAD IN SECTION 33, TOWNSHIP 50 SOUTH, RANGE 26 EAST, CONSISTING OF 1.92± ACRES; AND FURTHERMORE, DIRECTING TRANSMITTAL OF THE ADOPTED AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMERCE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. [PL20220005822]

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, 11760 Property, LLC requested an amendment to the Future Land Use Element and Future Land Use Map and Map Series to create the Barefoot Williams Commercial Subdistrict; 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 a rural area of opportunity; and

WHEREAS, the Collier County Planning Commission (CCPC) on November 7, 2024 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 January 14, 2025; 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 Board adoption. 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.



PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this 14th day of January, 2025.

ATTEST:
CRYSTAL K. KINZEL, CLERK

By: [Signature]
Deputy Clerk

Attest as to Chairman's
signature only

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: [Signature]
Burt L. Saunders, Chairman

Approved as to form and legality:

[Signature] HFAC
Heidi Ashton-Cicko 1-6-25
Managing Assistant County Attorney

This ordinance was filed with the
Secretary of State's Office the
17 day of January, 2025
and acknowledgement of that
filing received this 20 day
of January, 2025.
By: [Signature]
Deputy Clerk

Attachment: Exhibit A – Proposed Text Amendment & Map Amendment

Exhibit A**BAREFOOT WILLIAMS COMMERCIAL SUBDISTRICT****FUTURE LAND USE ELEMENT**

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II. IMPLEMENTATION STRATEGY

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FUTURE LAND USE MAP SERIES

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*Collier Boulevard / Interstate 75 Innovation Zone Overlay Map

*Airport Carlisle Mixed Use Subdistrict Map

*Belle Meade Hydrologic Enhancement Overlay Map

*Barefoot Williams Commercial Subdistrict Map

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Policy 1.5:

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

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C. URBAN-COMMERCIAL DISTRICT

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1. Mixed Use Activity Center Subdistrict
2. Interchange Activity Center Subdistrict

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19. Ivy Medical Center Subdistrict
20. Barefoot Williams Commercial Subdistrict

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**FUTURE LAND USE DESIGNATION
DESCRIPTION SECTION**

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I. URBAN DESIGNATION

*** *** *** *** *** *** *** *** *** *** *** ***

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, Goodlette/Pine Ridge 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, Meridian Village Mixed-Use Subdistrict, Vanderbilt Beach Road Mixed Use Subdistrict; Isles of Capri Mixed Use Infill Subdistrict, Creekside Commerce Park East Mixed Use 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, Orange Blossom/Airport Crossroads Commercial Subdistrict, Logan Boulevard/Immokalee Road Commercial Infill Subdistrict, East Tamiami Trail Commercial Infill Subdistrict, Seed to Table Commercial Subdistrict, Vanderbilt Beach Commercial Tourist Subdistrict, Germain Immokalee Commercial Subdistrict, Greenway–Tamiami Trail East Commercial Subdistrict, Bay House Campus Commercial Subdistrict, in the Bayshore/Gateway Triangle Redevelopment Overlay; Radio Road Commercial Infill Subdistrict; Ivy Medical Center Subdistrict; Barefoot Williams Commercial Subdistrict; and as allowed by certain FLUE policies.

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C. Urban Commercial District

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20. Barefoot Williams Commercial Subdistrict

The Barefoot Williams Commercial Subdistrict is approximately 1.92 acres and is located on the south side of Tamiami Trail East (U.S. 41), approximately 350 feet east of Barefoot Williams Road, in Section 33, Township 50 South, Range 26 East. It is depicted on the Barefoot Williams Commercial Subdistrict Map. The purpose of this Subdistrict is to allow commercial intermediate uses and a car wash. Development in this Subdistrict is subject to the following requirements and limitations:

- a. The rezone Ordinance shall include development standards and buffers to ensure compatibility with the surrounding properties.
- b. Allowable uses shall be limited to:
1. Uses permitted by right in the C-3, Commercial Intermediate, zoning district as listed in the Collier County Land Development Code (LDC), Ordinance No. 04-41, as amended.

2. Car wash (Standard Industrial Classification 7542).
- c. Development is limited to a maximum intensity of 11,000 square feet of gross floor area, of which a car wash shall not exceed 5,000 square feet.
- d. The car wash shall be subject to the following conditions in addition to other applicable LDC requirements:
 1. The minimum side yard setback shall be 10 feet when adjacent to a commercially zoned property.
 2. A sound attenuation wall shall be: a) a minimum height of two feet higher than the entrance to the car wash tunnel, but not exceed 12 feet in height above grade; and b) provided twenty-five (25) feet from the rear property line along the entire width of the car wash facility, including the drive aisles that serve the car wash.
- e. The following standards apply to establishments with drive-through facilities (Group 5812 Eating Places and 5813 Drinking Places) in addition to other applicable LDC requirements:
 1. A maximum of 6,000 square feet of gross floor area in the principal structure.
 2. In addition to satisfying design standards of LDC section 5.05.08 F.6., vehicular stacking lanes and drive through lanes shall not be located closer to the US 41 right-of-way than the principal building.
- f. No building or structure shall exceed a zoned building height of thirty-five (35) feet, and an actual height of forty-two (42) feet.
- g. Parking lots, vehicular use areas, and service function areas shall be located to the sides or rear of buildings, no closer to US 41 than the principal building except that a maximum of one double loaded drive aisle of parking is permitted in the front yard.
- h. Landscaping for parking lots, vehicular use areas, and service function areas shall be designed in accordance with LDC section 4.06.03, except that interior parking lot plantings shall be a maximum of twenty-five (25) percent turf grass. The balance shall be shrubs or groundcover in planting areas.
- i. Landscape buffers shall be designed in accordance with LDC section 4.06.00, except for the following:
 1. The 15-foot-wide Type 'B' front yard landscape buffer easement (LBE) shall be enhanced by:
 - a) Planting canopy shade trees (understory trees and palm trees may not be substituted for canopy trees) spaced twenty-five (25) feet on center with trees having a minimum average mature canopy spread of twenty (20) feet and an eight-foot vertical clearance for pedestrians, if applicable, as determined by the County Manager or designee.
 - b) Planting only native vegetation, grass, ground cover, or other landscape treatment in accordance with LDC section 4.06.00.
 2. The 20-foot-wide Type 'B' rear yard LBE shall be enhanced with a minimum of five canopy trees (understory and palm trees may not be substituted for canopy trees) per 100 linear feet.

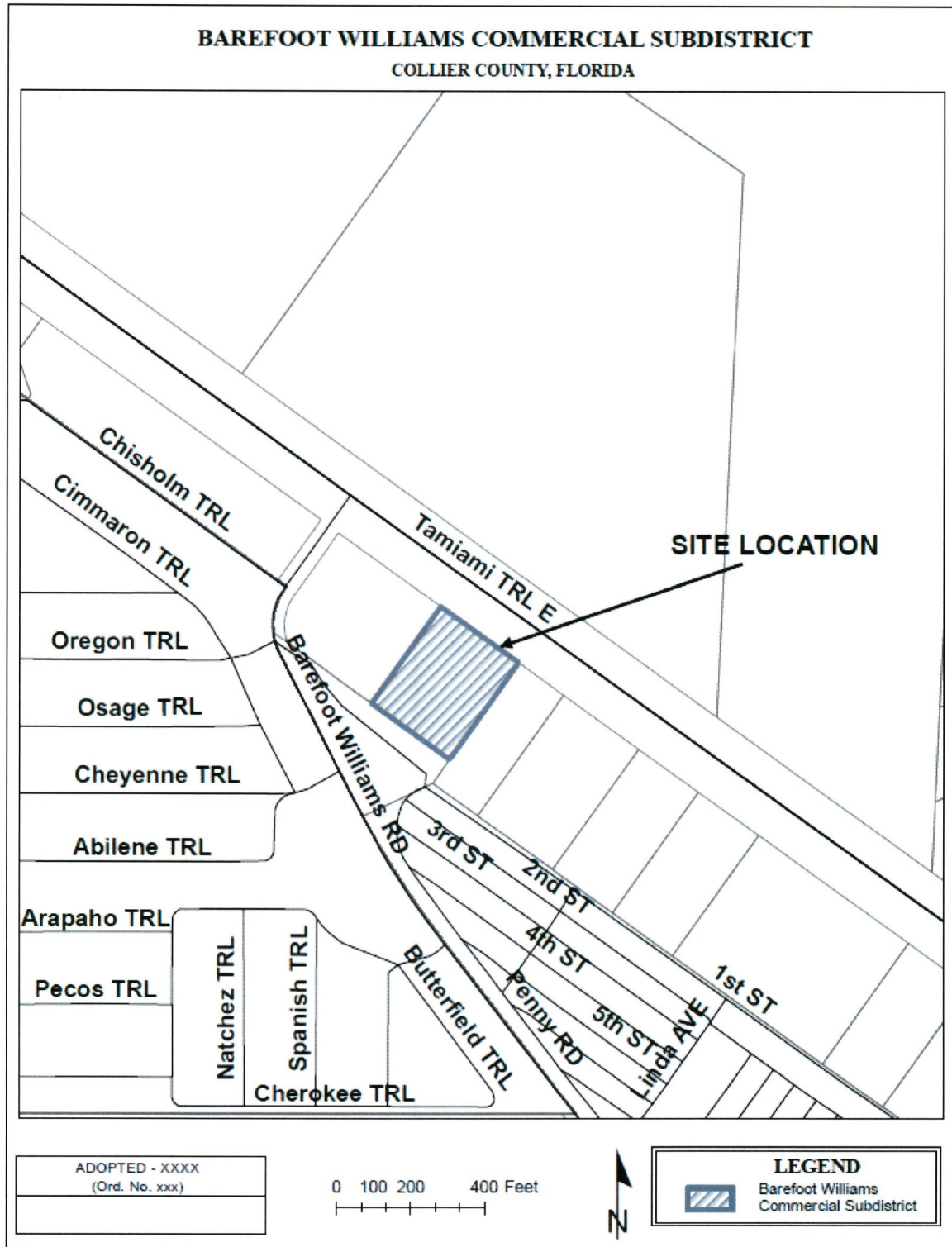


Words underlined are additions; Words ~~struck through~~ are deletions
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DRAFT

EXHIBIT A

PL20220005822





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

January 20, 2025

Crystal K. Kinzel
Clerk of Court
Collier County
3329 Tamiami Trail E, Suite #401
Naples, FL 34112

Dear Crystal Kinzel,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Collier County Ordinance No. 2025-03, which was filed in this office on January 17, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

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