

Collier County Land Development Code | Administrative Procedures Manual
Chapter 3 | Quasi-Judicial Procedures with a Public Hearing

G. Planned Unit Developments (PUD)

G.1. Rezoning to a PUD

Reference LDC subsection 10.02.13 A – F, LDC Public Notice subsection 10.03.06 B and F.S. § 163.3202.

Applicability This procedure applies to a request to rezone to a PUD.

Pre-Application A pre-application meeting is required. The pre-application meeting with the Planning & Zoning Department may address, but is not be limited to, the criteria set forth in LDC subsection 10.02.13 B.1. The **applicant** is encouraged to bring an aerial, proposed product type, and land uses to discuss.

Initiation The **applicant** files an "Application for Public Hearing for a PUD Rezone" with the Planning & Zoning Department.

Application Contents The application must include the following information:

- ✓ 1. Applicant contact information.
- ✓ 2. Addressing checklist.
- ✓ 3. A PUD Master Plan. ⇔ See Master Plan Contents below.
- ✓ 4. Name of project.
2. ✓ 5. The name and mailing address of all registered Home Owners Association's that could be affected by the application.
- ✓ 6. Disclosure of ownership.
- ✓ 7. The date the subject property was acquired or leased (including the term of the lease). If the **applicant** has an option to buy, indicate the date of the option, the date the option terminates, and anticipated closing date.
- ✓ 8. Property information, including:
 - ✓ • Legal description;
 - ✓ • **Property identification number;**
 - ✓ • Section, township and range;
 - ✓ • Subdivision, unit, lot and block, or metes and bounds description;
 - ✓ • Address of subject site and general location;
 - ✓ • Size of property in feet and acres; and
 - ✓ • PUD district.
9. If the **property owner** owns additional property contiguous to the subject property, then the following information, regarding the contiguous property, must be included:
 - Legal description;
 - **Property identification number;**
 - Plat book and page number;

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- Section, township and range; and
- Subdivision, unit, lot and block, or metes and bounds description.

✓ 10. Detail of rezone request.

X 11. A narrative statement describing the rezone request with specific reference to the criteria pursuant to **LDC** section 10.02.13.

N/A 12. List of exhibits which are proposed to be included in the ordinance of adoption.

✓ 13. Completed Statement of Utility Provisions.

X 14. Statement of compliance with all elements of the Growth Management Plan.

✓ 15. General location map drawn to scale, illustrating north point and relationship of the site to external facilities such as highways, shopping areas, cultural complexes and the like.

✓ 16. Property ownership and general description of site (including statement of unified ownership).

X 17. Description or narrative of project development, including a description of the relationship of the proposed land uses to each other within the PUD and to land uses abutting/surrounding the project.

No, per Kayask Kay 18. Boundary survey (no more than 6 months old) and legal description.

✓ 19. Proposed and permitted land uses within each tract or increment which shall be incorporated into the ordinance of adoption.

✓ 20. A dimensional standards table for each type of land use proposed within the PUD. Dimensional standards shall be based upon an established zoning district that most closely resembles the development strategy, particularly the type, density, and intensity of each proposed land use. All proposed variations or deviations from dimensional standards of the most similar zoning district shall be clearly identified. No deviations from the fire code will be permitted, except as otherwise allowed by that code. This table shall be incorporated into the ordinance of adoption.

X 21. The proposed timing for location of, and sequence of phasing, or incremental development within the PUD.

N/A 22. The proposed location of all roads and pedestrian systems, with typical cross sections, which will be constructed to serve the PUD and shall be attached as exhibits to the ordinance of adoption.

ENV 23. Habitats and their boundaries identified on an aerial photograph of the site. Habitat identification will be consistent with the Florida Department of Transportation Florida Land Use Cover and Forms Classification System (FLUCFCS) and shall be depicted on an aerial photograph having a scale of 1 inch equal to at least 200 feet when available from the county, otherwise, a scale of at least 1 inch equal to 400 feet is acceptable. Information obtained by ground-truthing surveys shall have precedence over information presented through photographic evidence. Habitat, plant, and animal species protection plans as required by the **LDC** section 3.04.00 shall apply.

ENV 24. Environmental Data Requirements. ⇔ See **LDC** subsection 3.08.00 A.

ENV 25. Environmental Data Requirements for PUD zoning ⇔ See Chapter 7 of the *Administrative Code*.

- ENV ✓ 26. Information about existing vegetative cover and soil conditions in sufficient detail to indicate suitability for proposed structures and uses.
- X 27. The location and nature of all existing public facilities, such as schools, parks and fire stations that will service the PUD.
- Util 28. A plan for the provision of all needed utilities to serve the PUD; including (as appropriate) water supply, sanitary sewer collection and treatment system, stormwater collection and management system, pursuant to related county regulations and ordinances.
- ✓ 29. **Electronic copy of all documents.**
- ✓ 30. Owner/agent affidavit as to the correctness of the application.
- N/A 31. Historical/Archeological Survey or Waiver.
- ✓ 32. Traffic Impact Study. ⇔ *See Chapter 7 of the Administrative Code.*
- CAD 33. Agreements, provisions, or covenants which govern the use, maintenance, and continued protection of the PUD and any of its common areas or facilities.
- ? 34. Development commitments for all infrastructure and related matters.
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email 7/18 35. When determined necessary to adequately assess the compatibility of proposed uses to existing or other proposed uses, relationship to open space, recreation facilities, or traffic impacts, or to assess requests for reductions in dimensional standards, the Planning & Zoning Department Director may request schematic architectural drawings (floor plans, elevations, perspectives) for all proposed structures and improvements, as appropriate.
- X 36. Deviations to sections of the **LDC** other than to dimensional standards related to building placement such as yard requirements, lot area requirements, and building height, shall be identified in the PUD application by citing the specific section number of the regulation and indicating the proposed modification to such regulation. The list of deviations shall be incorporated into the ordinance of adoption.
- X 37. School Impact Analysis (SIA) application for the School District's review for a determination of school capacity, if the PUD has a residential component.
- PUD Mater Plan Contents Pursuant to **LDC** subsection 10.02.13 A, the PUD Master Plan will graphically illustrate the development strategy, using *The Community Character Plan For Collier County, Florida* (April 2001) as a guide for development and redevelopment. The PUD Master Plan shall be prepared by a **planner** who possesses the education and experience to qualify for full membership in the American Institute of Certified Planners; and/or a **landscape architect** who possesses the education and experience to qualify for full membership in the American Society of Landscape Architects, together with either a practicing civil **engineer** licensed by the State of Florida, or a practicing **architect** licensed by the State of Florida.
- The Master Plan shall include the following:
- ✓ 1. The title of the project and name of the developer.
- ✓ 2. ~~Scale~~, date, north ~~arrows~~.
- ✓ 3. Boundaries of the subject property. Indicate all existing streets and pedestrian systems within the site, watercourses, easements, and land uses and zoning districts of abutting property. Include book and page numbers of platted parcels, section lines, and other

important physical features within and adjoining the proposed development.

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4. Boundaries and dimensions of all proposed tracts or increments with an indication of the proposed land use category, including but not limited to:

- Residential (for multiple single-family lots, only the overall area reserved for this land use category shall be indicated);
- Office;
- Retail;
- Commercial;
- Industrial;
- Institutional;
- Conservation/preservation;
- Lakes and/or other water management facilities;
- Common open space;
- Buffers, by type – include a cross-section for any buffer that deviates from LDC requirements;
- Community and/or public use – designate the location and function (e.g., common open space), and whether they are dedicated or reserved; and
- Recreational uses including golf courses and related facilities – include provisions for ownership, operation, and maintenance.

✓ N/A

5. Identify all proposed and permitted land uses, pursuant to LDC section 2.03.06, within each tract or increment describing:

- For residential Development:
 - Acreage;
 - Number of dwelling units;
 - Density; and
 - Percentage of total development represented by each type of use.
- For commercial, industrial, institutional or office:
 - Percentage of the total development represented by each type of use;
 - Acreage (each tract or increment);
 - Maximum gross leasable floor area (each tract or increment);
 - Outline of the proposed building footprint (each tract or increment); and
 - Building height for each structure (each tract or increment).

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6. The relationship of the proposed land uses to each other within the PUD and to the land uses abutting and surrounding the project.

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7. The location and size (as appropriate) of all existing drainage, water, sewer, and other

utilities.

- Existing* 8. The location of all proposed major internal thoroughfares and pedestrian accessways, including interconnecting roadways within the PUD as well as with abutting uses.
- Existing* 9. Typical cross sections of all major, collector, and local streets, public or private, within the proposed development.
- Existing* 10. The location of proposed and existing roads, rights-of-way, and pedestrian systems within 1,500 feet of the proposed development.
- Existing* 11. Information on previous and recent uses of land within the proposed development.
- Existing* 12. Proposed vehicular ingress and egress points.
13. Any other relevant information determined to be necessary by the Planning & Zoning Department Director.

Completeness and Processing of Application The Planning & Zoning Department will review the application for completeness. After submission of the completed application packet accompanied with the required fee, the **applicant** will receive a mailed or electronic response notifying the **applicant** that the petition is being processed. Accompanying that response will be a receipt for the payment and the tracking number (i.e., XX201200000) assigned to the petition. This petition tracking number should be noted on all future correspondence regarding the petition. After the application is filed, pre-hearing conferences may be held between the **applicant**, the **applicant's** agents, county officials, and county staff prior to the public hearing.

Notice Notification requirements are as follows. ⇔ *See Chapter 8 of the Administrative Code for additional notice information.*

1. **NIM:** The **NIM** shall be completed at least 15 days before the advertised Planning Commission hearing. The **NIM** shall be advertised and a mailed written notice shall be given to **property owners in the notification area** at least 15 days prior to the **NIM** meeting.
2. **Mailed Notice:** Written notice shall be sent to **property owners in the notification area** at least 15 days before the advertised Planning Commission hearing.
3. **Newspaper Advertisements:** The legal advertisement shall be published at least 15 days before each advertised public hearing in a newspaper of general circulation. The advertisement shall include at a minimum:
 - Date, time, and location of the hearing;
 - Description of the proposed land uses;
 - 2 in. x 3 in. map of the project location; and
 - Name and application number.
4. **Sign:** (see format below) Posted at least 15 days before the advertised Planning Commission hearing date.

<p>PUBLIC HEARING REQUESTING PLANNED UNIT DEVELOPMENT (PUD) APPROVAL</p> <p>PETITION NUMBER: _____</p> <p>TO ALLOW: _____ (Request-Sufficiently clear to describe the project)</p> <p>LOCATION: _____</p> <p>DATE: _____ TIME: _____</p> <p>CONTACT: _____</p> <p>THE ABOVE TO BE HELD IN THE BOARD OF COUNTY COMMISSIONERS CHAMBERS, THIRD FLOOR, COLLIER COUNTY GOVERNMENT CENTER, 3299 TAMIAMI TRAIL EAST, NAPLES, FLORIDA, 34112.</p>

- Public Hearing
1. The EAC shall hold at least 1 advertised public hearing, if required.
 2. The Planning Commission shall hold at least 1 advertised public hearing.
 3. The BCC shall hold at least 1 advertised public hearing.

Decision maker The BCC, following recommendations from both the EAC, if required, and the Planning Commission.

Review Process The Planning & Zoning Department will review the application and identify whether additional materials are needed. Pursuant to **LDC** subsection 10.02.13 B.3, Staff will prepare a Report utilizing the PUD criteria identified in **LDC** section 10.02.13 and the rezone criteria identified in **LDC** section 10.02.08.

Staff will schedule a hearing date before the Planning Commission to present the petition. Following the Planning Commission's review, Staff will prepare an Executive Summary and will schedule a hearing date before the BCC to present the petition.

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