

**LAND DEVELOPMENT CODE AMENDMENT**

<b>PETITION</b>	<b>SUMMARY OF AMENDMENT</b>
PL20220005067	This amendment corrects scrivener’s errors and updates cross-references related to various Land Development Code (LDC) sections.

**ORIGIN**  
 Growth Management  
 Community Development  
 Department (GMCDD)

<b>HEARING DATES</b>	<b>LDC SECTION TO BE AMENDED</b>	
BCC	02/27/2024	1.08.01 Abbreviations
	01/23/2024	1.08.02 Definitions
CCPC	12/07/2023	2.02.02 District Nomenclature
DSAC	11/01/2023	2.03.01 Agricultural Districts
	11/02/2022	2.03.02 Residential Zoning Districts
DSAC-	10/17/2023	2.03.03 Commercial Zoning Districts
LDR	08/24/2022	2.03.07 Overlay Zoning Districts
		2.03.08 Rural Fringe Zoning Districts
		4.02.14 Design Standards for Development in the ST and ACSC-ST Districts
		4.03.03 Subdivision Exemptions
		4.06.04 Trees and Vegetation Protection
		5.05.15 Conversion of Golf Courses
		6.01.02 Easements
		10.02.04 Requirements for Preliminary and Final Subdivision Plats
		10.02.08 Requirements for Amendments to the Official Zoning Atlas
		Appendix C FINAL SUBDIVISION PLAT, REQUIRED CERTIFICATIONS AND SUGGESTED TEXT AND FORMATS FOR OTHER REQUIRED INFORMATION

**ADVISORY BOARD RECOMMENDATIONS**

<b>DSAC-LDR</b>	<b>DSAC</b>	<b>CCPC</b>
Approval	Approval	Approval

**BACKGROUND**

This LDC amendment corrects scrivener’s errors and updates various citations/references throughout the LDC. This staff-led effort required collaboration between Zoning and Development Review divisions in the GMCDD. These changes are necessary to keep citations current and text appropriate. Research to relevant codes was applied for validity. This amendment makes corrections in the following LDC sections:

- LDC section 1.08.01.:* Update the C-1 Zoning District title.
- LDC section 1.08.01.:* Removal of abbreviation for Residential Neighborhood Commercial Subdistrict.
- LDC section 1.08.01.:* The “s” in “Village Residential Zoning Districts” should be removed.
- LDC section 1.08.02.:* This is an editorial correction to correct punctuation.
- LDC section 1.08.02.:* LDC section 2.05.02 is referenced when the correct reference should be LDC section 2.05.01.

*LDC section 2.02.02 D.:* Addition of “BP” to include the Business Park District.

*LDC section 2.03.01 B.1.c.5.:* The reference to LDC subsection 2.03.01 B.3.f. is incorrect, and the correct reference is LDC subsection 2.03.01 B.1.c.6. The reference to Florida State Statute 429.402 is incorrect, and the correct reference is 429.02.

*LDC section 2.03.02 A.1.c.7.:* The reference to LDC subsection 2.03.02 3.h. is incorrect. The correct reference is LDC subsection 2.03.02 A.1.c.8.

*LDC section 2.03.03 B.1.c.8.:* The word “principle” should read “principal” since the word has a different meaning.

*LDC section 2.03.03 C.1.a.42.:* The chapter citation of the Florida Administrative Code (F.A.C.) is cited incorrectly. There is no chapter 589A-36. Chapter 59A-36 is appropriate, it being entitled “Assisted Living Facility,” with this LDC section referring to this subject.

*LDC section 2.03.07 F.2.b.:* LDC section 4.02.06 is referenced as it pertains to the design standards for the GGPOD zoning overlay. This citation is incorrect. The GGPOD zoning overlay should cite LDC section 4.02.26. These design standards have been in this section since their adoption in the LDC.

*LDC section 2.03.07 G.6.d.:* LDC section 2.03.06 G.6.c.i. is referenced, however section 2.03.06 G.6.c.i. does not exist. The section should read 2.03.07 G.6.c.i.

*LDC section 2.03.07 I.3.a.:* This section of the LDC references section V.F. from the Future Land Use Element (FLUE). This is an incorrect citation. The FLUE was updated and the referenced V.F. section changed to V.G.

*LDC section 2.03.07 N.3.a.:* The Future Land Use Element citation is incorrect and has been updated from V.F. to V.G.

*LDC section 2.03.07 N 4.b.iii.:* LDC section 5.05.04 is referenced for guesthouse regulations, however, it should be LDC section 5.03.03.

*LDC section 2.03.08 A.2.b.(1)(C):* The reference to LDC section 2.03.02(E) is incorrect. The correct reference for the C-4 zoning district is LDC section C-4 is 2.03.03(D).

*LDC section 2.03.08 B.1.a.(5):* The LDC section citation for 2.03.08 C. is incorrect and has been updated to 2.03.08 B.

*LDC section 2.03.08 B.1.b.:* The typo, “eth” has been corrected to the intended word “the”.

*LDC section 4.02.14 B.:* Update the reference to State of Florida “Department of Economic Opportunity” to “Department of Commerce”.

*LDC section 4.03.03 G.3.k.:* Update the reference to State of Florida “Department of Economic Opportunity” to “Department of Commerce”.

*LDC section 4.06.04. A.3.e.:* This is an editorial correction, the removal of the word “and”.

*LDC section 5.05.15 C.2.a.:* This is an editorial correction to correct the labeling from “b.” to “a.”

*LDC section 6.01.02 C.:* The word “principle” should read “principal.” The word has a different meaning. This section is referring to the primary structures located on a lot.

*LDC section 10.02.04 E.2.c.:* This is an addition to LDC section 10.02.04 E.2.c. as “B.3 and” was added. Construction plans are reviewed, and approval is pursuant on LDC section 10.02.04 B.3. and B.4., not 10.02.04 B.4. alone.

*LDC section 10.02.08 B.1. thru B.3.:* This is an editorial correction, the capitalization of proper nouns.

*Appendix C A.7.:* This is an editorial correction to correct grammar punctuation.

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*DSAC-LDR Subcommittee Recommendation:*

On October 17, 2023, the DSAC-LDR Subcommittee recommended approval of the LDC amendment.

*DSAC Recommendation:*

On November 1, 2023, the DSAC recommended approval of the LDC amendment.

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**FISCAL & OPERATIONAL IMPACTS**

There are no anticipated fiscal or operational impacts associated with this amendment.

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**GMP CONSISTENCY**

The proposed LDC amendment has been reviewed by Comprehensive Planning staff and may be deemed consistent with the GMP.

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# DRAFT

Text underlined is new text to be added  
~~Text strikethrough is current text to be deleted~~

Amend the LDC as follows:

## 1.08.01 – Abbreviations

\* \* \* \* \*

C-1	<del>Commercial Districts</del> <u>Commercial Professional and General Office District</u>
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\* \* \* \* \*

<del>RNG</del>	<del>Residential Neighborhood Commercial Subdistrict</del>
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\* \* \* \* \*

VR	Village Residential Zoning Districts
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## 1.08.02 – Definitions

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*Family care facility:* A residential facility designed to be occupied by not more than 6 persons under care, plus staff as required by rule 59A-36.010, F.A.C., and constituting a single dwelling unit (i.e., adult congregate living facility for: aged persons; developmentally disabled persons; physically disabled or handicapped persons; mentally ill persons; and persons recovering from alcohol and/or drug abuse). Foster care facilities are also included, but not the uses listed under group care facility (category II). This use shall be applicable to single-family dwelling units and mobile homes.

\* \* \* \* \*

*Guesthouse:* An accessory dwelling structure which is attached to or detached from, a principal dwelling located on the same residential parcel and which an accessory dwelling serves as an ancillary use providing living quarters for the occupants of the principal dwelling, their temporary guests or their domestic employees and which may contain kitchen facilities. Guesthouses are not permitted in development that is receiving an AHDB. See LDC sections 4.01.02, 5.03.03 and 2.05.02<sup>1</sup> for additional information.

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## 2.02.02 – District Nomenclature

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D. Where the phrases "industrial districts," "zoned industrially," "industrially zoned," "industrial zoning," or phraseology of similar intent, are used in this LDC, the phrases shall be construed to include: I, BP, and industrial components in PUDs.

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**2.03.01 – Agricultural Districts**

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B. Estate District (E). The purpose and intent of the estates district (E) is to provide lands for low density residential development in a semi-rural to rural environment, with limited agricultural activities. In addition to low density residential development with limited agricultural activities, the E district is also designed to accommodate as conditional uses, development that provides services for and is compatible with the low density residential, semi-rural and rural character of the E district. The E district corresponds to and implements the estates land use designation on the future land use map of the Collier County GMP, although, in limited instances, it may occur outside of the estates land use designation. The maximum density permissible in the E district shall be consistent with and not exceed the density permissible or permitted under the estates district of the future land use element of the Collier County GMP as provided under the Golden Gate Master Plan.

1. The following subsections identify the uses that are permissible by right and the uses that are allowable as accessory or conditional uses in the estates district (E).

\* \* \* \* \*

c. *Conditional uses.* For Estates zoning within the Golden Gate Estates subdivision, the Golden Gate Area Master Plan in the GMP restricts the location of conditional uses. The following uses are permissible as conditional uses in the estates district (E), subject to the standards and procedures established in LDC section 10.08.00:

\* \* \* \* \*

5. Group care facilities (category I); care units, subject to the provisions of LDC subsection 2.03.01 B.~~3-f~~1.c.6.; nursing homes; assisted living facilities pursuant to § ~~429.402~~ 429.02 F.S. and ch. 59A-36 F.A.C.; and continuing care retirement communities pursuant to ch. 651 F.S. and ch. 69O-193 F.A.C.; all subject to LDC section 5.05.04.

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**2.03.02 – Residential Zoning Districts**

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3 A. Residential Single-Family Districts (RSF-1; RSF-2; RSF-3; RSF-4; RSF-5; RSF-6). The  
4 purpose and intent of the residential single-family districts (RSF) is to provide lands  
5 primarily for single-family residences. These districts are intended to be single-family  
6 residential areas of low density. The nature of the use of property is the same in all of  
7 these districts. Variation among the RSF-1, RSF-2, RSF-3, RSF-4, RSF-5 and RSF-6  
8 districts is in requirements for density, lot area, lot width, yards, height, floor area, lot  
9 coverage, parking, landscaping and signs. Certain structures and uses designed to serve  
10 the immediate needs of the single-family residential development in the RSF districts such  
11 as governmental, educational, religious, and noncommercial recreational uses are  
12 permitted as conditional uses as long as they preserve and are compatible with the single-  
13 family residential character of the RSF district[s]. The RSF districts correspond to and  
14 implement the urban mixed use land use designation on the future land use map of the  
15 Collier County GMP. The maximum density permissible in the residential single-family  
16 (RSF) districts and the urban mixed use land use designation shall be guided, in part, by  
17 the density rating system contained in the future land use element of the Collier County  
18 GMP. The maximum density permissible or permitted in the RSF district shall not exceed  
19 the density permissible under the density rating system, except as permitted by policies  
20 contained in the future land use element.

21  
22 1. The following subsections identify the uses that are permissible by right and the  
23 uses that are allowable as accessory or conditional uses in the residential single-  
24 family districts (RSF).  
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28 c. *Conditional uses.* The following uses are permissible as conditional uses in  
29 the residential single-family districts (RSF), subject to the standards and  
30 procedures established in LDC section 10.08.00.  
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34 7. Group care facilities (category I); care units subject to the provisions  
35 of LDC subsection 2.03.02 ~~3-h~~A.1.c.8.; nursing homes; assisted  
36 living facilities pursuant to § 429.02 F.S. and ch. 59A-36 F.A.C.; and  
37 continuing care retirement communities pursuant to ch. 651 F.S.  
38 and ch. 69O-193 F.A.C.; all subject to LDC section 5.05.04.  
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43 **2.03.03 – Commercial Zoning Districts**  
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47 B. Commercial Convenience District (C-2). The purpose and intent of the commercial  
48 convenience district (C-2) is to provide lands where commercial establishments may be  
49 located to provide the small-scale shopping and personal needs of the surrounding  
50 residential land uses within convenient travel distance except to the extent that office uses

1 carried forward from the C-1 district will expand the traditional neighborhood size.  
 2 However, the intent of this district is that retail and service uses be of a nature that can be  
 3 economically supported by the immediate residential environs. Therefore, the uses should  
 4 allow for goods and services that households require on a daily basis, as opposed to those  
 5 goods and services that households seek for the most favorable economic price and,  
 6 therefore, require much larger trade areas. It is intended that the C-2 district implements  
 7 the Collier County GMP within those areas designated agricultural/rural; estates  
 8 neighborhood center district of the Golden Gate Master Plan; the neighborhood center  
 9 district of the Immokalee Master Plan; and the urban mixed use district of the future land  
 10 use element permitted in accordance with the locational criteria for commercial and the  
 11 goals, objectives, and policies as identified in the future land use element of the Collier  
 12 County GMP. The maximum density permissible in the C-2 district and the urban mixed  
 13 use land use designation shall be guided, in part, by the density rating system contained  
 14 in the future land use element of the Collier County GMP. The maximum density  
 15 permissible or permitted in a district shall not exceed the density permissible under the  
 16 density rating system.

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 18 1. The following uses, as identified with a number from the Standard Industrial  
 19 Classification Manual (1987), or as otherwise provided for within this section are  
 20 permissible by right, or as accessory or conditional uses within the C-2 commercial  
 21 convenience district.

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 25 c. Conditional uses. The following uses are permissible as conditional uses  
 26 in the commercial convenience district (C-2), subject to the standards and  
 27 procedures established in LDC section 10.08.00.

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 31 8. Personal services, miscellaneous (7299 - not listed as ~~principle~~  
 32 principal uses and limited to babysitting bureaus; birth certificate  
 33 agencies; car title and tag services; computer photography or  
 34 portraits; dating service; diet workshops; dress suit rental; tux  
 35 rental; genealogical investigation service; hair removal; shopping  
 36 service for individuals only; wardrobe service, except theatrical;  
 37 wedding chapels, privately operated) with 1,800 square feet or less  
 38 of gross floor area in the principal structure.

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 42 C. Commercial Intermediate District (C-3). The purpose and intent of the commercial  
 43 intermediate district (C-3) is to provide for a wider variety of goods and services intended  
 44 for areas expected to receive a higher degree of automobile traffic. The type and variety  
 45 of goods and services are those that provide an opportunity for comparison shopping,  
 46 have a trade area consisting of several neighborhoods, and are preferably located at the  
 47 intersection of two-arterial level streets. Most activity centers meet this standard. This  
 48 district is also intended to allow all of the uses permitted in the C-1 and C-2 zoning districts  
 49 typically aggregated in planned shopping centers. This district is not intended to permit  
 50 wholesaling type of uses, or land uses that have associated with them the need for outdoor

storage of equipment and merchandise. A mixed-use project containing a residential component is permitted in this district subject to the criteria established herein. The C-3 district is permitted in accordance with the locational criteria for commercial and the goals, objectives, and policies as identified in the future land use element of the Collier County GMP. The maximum density permissible in the C-3 district and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County GMP. The maximum density permissible or permitted in the C-3 district shall not exceed the density permissible under the density rating system.

1. The following uses, as identified with a number from the Standard Industrial Classification Manual (1987), or as otherwise provided for within this section are permissible by right, or as accessory or conditional uses within the commercial intermediate district (C-3).

\* \* \* \* \*

a. Permitted uses.

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42. Group care facilities (category I and II, except for homeless shelters); care units, except for homeless shelters; nursing homes; assisted living facilities pursuant to § 429.02 F.S. and ch. ~~589A-36~~ 59A-36 F.A.C.; and continuing care retirement communities pursuant to ch. 651 F.S. and ch. 69O-193 F.A.C.; all subject to LDC section 5.05.04.

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**2.03.07 – Overlay Zoning Districts**

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F. Golden Gate Parkway Overlay District (GGPOD)

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2. Applicability.

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b. Property owners within the GGPOD may establish uses, densities, and intensities in accordance with the underlying zoning classification of the GGPOD. The design standards of the GGPOD pursuant to LDC section 4.02.~~06-26~~ shall apply.

\* \* \* \* \*

# DRAFT

Text underlined is new text to be added

~~Text strikethrough is current text to be deleted~~

1 G. Immokalee Urban Overlay District. To create the Immokalee Urban Overlay District with  
2 distinct subdistricts for the purpose of establishing development criteria suitable for the  
3 unique land use needs of the Immokalee Community. The boundaries of the Immokalee  
4 Urban Overlay District are delineated on the maps below.

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8 6. Nonconforming Mobile Home Site Overlay Subdistrict. Establishment of special  
9 conditions for these properties which by virtue of actions preceding the adoption  
10 of Ordinance No. 91-102, on October 30, 1991, were deemed to be nonconforming  
11 as a result of inconsistencies with the land development code, and are located  
12 within the Immokalee Urban Boundary as depicted on the Immokalee Area Master  
13 Plan.

14 \* \* \* \* \*  
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17 d. Density. Once the existing conditions site improvement plan is approved,  
18 owners may replace mobile home units with an approved building permit  
19 at sites shown on the site plan. Replacement units may be larger than the  
20 removed unit, so long as the minimum separation standards established in  
21 LDC section 2.03.067 G.6.c.i are met.

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24  
25 I. Bayshore Zoning Overlay District (BZO). This section provides special conditions for the  
26 properties adjacent to Bayshore Drive as identified by the designation "BZO" on the  
27 applicable official Collier County Zoning Atlas Map or map series.

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31 3. Relationship to the Underlying Zoning Classification and the GMP.

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33 a. The purpose of the BZO is to fulfill the goals, objectives and policies of the  
34 GMP, as may be amended. Specifically, the BZO implements the  
35 provisions of section V.FG, Bayshore Gateway Triangle Redevelopment  
36 Overlay, of the FLUE. Portions of the BZO coincide with Mixed Use Activity  
37 Center #16 designated in the FLUE. Development in the activity center is  
38 governed by requirements of the underlying zoning district and the mixed  
39 use activity center subdistrict requirements in the FLUE, except for site  
40 development standards as stated in LDC section 4.02.16.

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42 N. Gateway Triangle Zoning Overlay District (GTZO). This section contains special  
43 conditions for the properties in and adjacent to the Gateway Triangle as identified by the  
44 designation "GTZO" on the applicable official Collier County Zoning Atlas Map or map  
45 series.

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49 3. Relationship to the Underlying Zoning Classification and Collier County Growth  
50 Management Plan.

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a. The purpose of the GTZO is to fulfill the goals, objectives and policies of the GMP, as may be amended. Specifically, the GTZO implements the provisions of section V.FG., Bayshore Gateway Triangle Redevelopment Overlay, of the Future Land Use Element. Portions of the GTZO that coincide with Mixed Use Activity Center #16 as designated in the FLUE of the GMP. Development standards in the activity center is governed by requirements of the underlying zoning district requirements and the mixed use activity center subdistrict requirements in the FLUE, except for site development standards as stated in LDC section 4.02.16.

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4. Gateway Triangle Zoning Overlay District (GTZO) Subdistricts.

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b. Use Categories and Table of Uses.

\* \* \* \* \*

iii. Table of Uses.

Table 2. Table of Uses for the GTZO Subdistricts

USE TYPE	GTZO SUBDISTRICTS		ADDITIONAL STANDARDS
	RESIDENTIAL	MIXED USE	
a) RESIDENTIAL			

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7) Guesthouse	A	A	<del>5.05.04</del> <u>5.03.03</u> and 4.02.16 C.2.
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**2.03.08 – Rural Fringe Zoning Districts**

A. Rural Fringe Mixed-Use District (RFMU District).

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2. RFMU receiving lands. RFMU receiving lands are those lands within the RFMU district that have been identified as being most appropriate for development and

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to which residential development units may be transferred from RFMU sending lands. Based on the evaluation of available data, RFMU receiving lands have a lesser degree of environmental or listed species habitat value than RFMU sending lands and generally have been disturbed through development or previous or existing agricultural operations. Various incentives are employed to direct development into RFMU receiving lands and away from RFMU sending lands, thereby maximizing native vegetation and habitat preservation and restoration. Such incentives include, but are not limited to: the TDR process; clustered development; density bonus incentives; and provisions for central sewer and water. Within RFMU receiving lands, the following standards shall apply, except as noted in LDC subsection 2.03.08 A.1 above, or as more specifically provided in an applicable PUD.

\* \* \* \* \*

b. Rural villages. Rural villages, including rural villages within the NBMO, may be approved within the boundaries of RFMU receiving lands, subject to the following:

\* \* \* \* \*

(1) Allowable Uses:

\* \* \* \* \*

(c) All permitted and accessory uses listed in the C-4 General Commercial District, section 2.03.023 (~~ED~~), subject to the design guidelines and development standards set forth in this Section.

\* \* \* \* \*

B. Natural resource protection area overlay district (NRPA).

1. Purpose and intent. The purpose and intent of the Natural Resource Protection Area Overlay District (NRPA) is to: protect endangered or potentially endangered species by directing incompatible land uses away from their habitats; to identify large, connected, intact, and relatively unfragmented habitats, which may be important for these listed species; and to support State and Federal agencies' efforts to protect endangered or potentially endangered species and their habitats. NRPA's may include major wetland systems and regional flow-ways. These lands generally should be the focus of any federal, state, County, or private acquisition efforts. Accordingly, allowable land uses, vegetation preservation standards, development standards, and listed species protection criteria within NRPA's set forth herein are more restrictive than would otherwise be permitted in the underlying zoning district and shall to be applicable in addition to any standards that apply in the underlying zoning district.

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a. NRPA overlay areas. NRPA's are located in the following areas:

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(5) South Golden Gate Estates.

The NRPA lands within the Rural Fringe Mixed Use District to which the Section 2.03.08 ~~C.B.~~ regulations apply (i.e. - numbers 3 and 4 above) are depicted by the following map:

\* \* \* \* \*

b. NRPAS designated as RFMU sending lands within the RFMU district. NRPA's located in the RFMU district are identified as RFMU sending lands and are further subject to the provisions, conditions and standards set forth in section 2.03.08 (A)(4). Private property owners within these NRPA's may transfer residential development rights from these important environmentally sensitive lands to other identified "receiving" lands pursuant to ~~eth~~the specific provisions set forth in section 2.01.03 of this Code.

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**4.02.14 – Design Standards for Development in the ST and ACSC-ST Districts**

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B. All development orders issued for projects within the ACSC-ST shall be transmitted to the State of Florida, Department of ~~Economic Opportunity~~ Commerce, for review with the potential for appeal to the administration commission pursuant to Florida Administrative Code, development order Requirements for Areas of Critical State Concern.

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**4.03.03 – Subdivision Exemptions**

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G. *Rural area subdivision requirements.*

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3. Access agreement. The owner of property applying for a building permit shall execute a release and waiver agreement which shall be executed and recorded at the applicant's expense in the official records of Collier County. The release and waiver agreement shall be in a form approved by the county attorney or designee, and shall include, at a minimum, the following provisions and a copy of the recorded agreement submitted with the property owner's building permit application:

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4 k. An acknowledgment that the Department of Economic  
5 Opportunity Commerce (DEO) may review and appeal any development  
6 order issued by Collier County within the Big Cypress Area of Critical State  
7 Concern. Also, confirmation that the applicant will execute, prior to  
8 issuance of any development order by Collier County, a statement of  
9 understanding of the ~~DEO~~ Department of Commerce review requirements  
10 in the form approved by the ~~DEO~~ Department of Commerce; and

11 \* \* \* \* \*  
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4.06.04 – Trees and Vegetation Protection

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17 A. Vegetation Removal and Site Filling. Unless exempted by Section 3.05.02, clearing and  
18 filling for Site Development Plans (SDP), Site Improvement Plans (SIP), Plans and Plat  
19 (PPL) and Vegetation Removal and Site Fill Permits (VRSFP) shall be in accordance  
20 with Section 3.05.05 and the following criteria. The following shall not apply to the Golden  
21 Gate Estates subdivision.

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24

3. Stabilization:

25 \* \* \* \* \*  
26 # # # # #  
27 # # # # #  
28

29 e. For subdivisions and VRSFPs within subdivisions, excluding VRSFPs for  
30 clearing and filling of 5 lots or less or for temporary access pursuant  
31 to 4.06.04 A.2.a, b and c (above), a vegetation bond in the form of a  
32 performance bond, letter of credit, or cash bond ~~and~~ in the amount of  
33 \$5,000.00 per acre must be posted. Bonds shall be released to  
34 the applicant on a prorated basis based upon issuance of building permits  
35 or stabilization of fill.

36 \* \* \* \* \*  
37 # # # # #  
38 # # # # #  
39

5.05.15 – Conversion of Golf Courses

40 \* \* \* \* \*  
41 # # # # #  
42 # # # # #  
43

C. Application process for conversion applications.

44 \* \* \* \* \*  
45 # # # # #  
46 # # # # #  
47

48 2. Developer's Alternatives Statement requirements. The purpose of the  
49 Developer's Alternatives Statement (DAS) is to serve as a tool to inform  
50 stakeholders and the County about the applicant's development options

1 and intentions. It is intended to encourage communication, cooperation,  
2 and consensus building between the applicant, the stakeholders, and the  
3 County.

4  
5 ~~b.~~a. Alternatives. The DAS shall be prepared by the applicant and shall clearly  
6 identify the goals and objectives for the conversion project. The DAS shall  
7 address, at a minimum, the three alternatives noted below. The alternatives  
8 are not intended to be mutually exclusive; the conceptual development plan  
9 described below may incorporate one or more of the alternatives in the  
10 conversion project.

11  
12 \* \* \* \* \*  
13 # # # # #

14  
15 **6.01.02 – Easements**

16  
17 If applicable, easements shall be provided along lot lines or along the alignment of the  
18 improvements requiring easements in accordance with all design requirements so as to provide  
19 for proper access to, and construction and maintenance of, the improvements. All such  
20 easements shall be properly identified on the preliminary subdivision plat and dedicated on the  
21 final subdivision plat.

22  
23 \* \* \* \* \*  
24

25 C. Protected/preserve area and easements. A nonexclusive easement or tract in favor of  
26 Collier County, without any maintenance obligation, shall be provided for all  
27 "protected/preserve" areas required to be designated on the preliminary and final  
28 subdivision plats or only on the final subdivision plat if the applicant chooses not to submit  
29 the optional preliminary subdivision plat. Any buildable lot or parcel subject to or abutting  
30 a protected/preserve area required to be designated on the preliminary and final  
31 subdivision plats, or only on the final subdivision plat if the applicant chooses not to submit  
32 the optional preliminary subdivision plat, shall have a minimum setback as required by the  
33 LDC, or other setback that may be approved as a deviation through the PUD approval  
34 process by the Board of County Commissioners from the boundary of such  
35 protected/preserve area in which no ~~principle~~principal structure may be constructed. The  
36 required preserve principal structure setback line and the accessory structure setback  
37 lines shall be clearly indicated and labeled on the final plat where applicable. Further, the  
38 preliminary and final subdivision plats, or only on the final subdivision plat if the applicant  
39 chooses not to submit the optional preliminary subdivision plat, shall require that no  
40 alteration, including accessory structures, fill placement, grading, plant alteration or  
41 removal, or similar activity shall be permitted within such setback area without the prior  
42 written consent of the County Manager or designee; provided, in no event shall these  
43 activities be permitted in such setback area within ten feet of the protected/preserve area  
44 boundary. Additional regulations regarding preserve setbacks and buffers are located in  
45 Chapters 4 and 10, and shall be applicable for all preserves, regardless if they are platted  
46 or simply identified by a recorded conservation easement. The boundaries of all required  
47 easements shall be dimensioned on the final subdivision plat. Required  
48 protected/preserve areas shall be identified as separate tracts or easements having  
49 access to them from a platted right-of-way. No individual residential or commercial lot or  
50 parcel lines may project into them when platted as a tract. If the protected/preserve area

1 is determined to be jurisdictional in nature, verification must be provided which documents  
 2 the approval of the boundary limits from the appropriate local, state or federal agencies  
 3 having jurisdiction and when applicable pursuant to the requirements and provisions of  
 4 the growth management plan. All required easements or tracts for protected/preserve  
 5 areas shall be dedicated and also establish the permitted uses for said easement(s) and/or  
 6 tracts on the final subdivision plat to Collier County without the responsibility for  
 7 maintenance and/or to a property owners' association or similar entity with maintenance  
 8 responsibilities. An applicant who wishes to set aside, dedicate or grant additional  
 9 protected preserve areas not otherwise required to be designated on the preliminary  
 10 subdivision plat and final subdivision plats, or only on the final subdivision plat if the  
 11 applicant chooses not to submit the optional preliminary subdivision plat, may do so by  
 12 grant or dedication without being bound by the provisions of this section.

13  
 14 \* \* \* \* \*  
 15 # # # # #

**10.02.04 – Requirements for Preliminary and Final Subdivision Plats**

16  
 17  
 18 \* \* \* \* \*

E. General Requirements for Construction Plans (CNSTR).

19 \* \* \* \* \*

2. Application and process.

20  
 21  
 22 \* \* \* \* \*

23  
 24  
 25 c. Construction plans shall be reviewed and approved pursuant to LDC  
 26 section 10.02.04 B.3 and B.4, as applicable.

27 \* \* \* \* \*  
 28 # # # # #

**10.02.08 – Requirements for Amendments to the Official Zoning Atlas**

29 \* \* \* \* \*

B. Amendment of the zoning atlas. A zoning atlas amendment may be proposed by:

- 30 1. Board of ~~e~~County ~~e~~Commissioners.
- 31 2. Planning ~~e~~Commission.
- 32 3. Board of ~~z~~Zoning ~~a~~Appeals.

33 \* \* \* \* \*  
 34 # # # # #

**APPENDIX C – FINAL SUBDIVISION PLAT, REQUIRED CERTIFICATIONS AND SUGGESTED TEXT AND FORMATS FOR OTHER REQUIRED INFORMATION**

35

# DRAFT

Text underlined is new text to be added

~~Text strikethrough is current text to be deleted~~

1 \* \* \* \* \*  
2  
3 A. DEDICATE TO THE (insert homeowners' association or legal entity):  
4 \* \* \* \* \*  
5  
6  
7 7. All conservation/preserve areas/easements as follows:  
8 ALL (CONSERVATION or PRESERVE) (TRACTS or EASEMENTS) ARE  
9 DEDICATED AS COMMON AREAS WITH PERPETUAL RESPONSIBILITY FOR  
10 MAINTENANCE. THE (CONSERVATION or PRESERVE) (TRACTS or  
11 EASEMENTS) MAY IN NO WAY BE ALTERED FROM THEIR NATURAL OR  
12 PERMITTED STATE. ACTIVITIES PROHIBITED WITHIN THE (CONSERVATION  
13 or PRESERVE) AREAS INCLUDE, BUT ARE NOT LIMITED TO:  
14 CONSTRUCTION OR PLACING OF BUILDINGS ON OR ABOVE THE GROUND;  
15 DUMPING OR PLACING SOIL OR OTHER SUBSTANCES SUCH AS TRASH;  
16 REMOVAL OR DESTRUCTION OF TREES, SHRUBS, OR OTHER  
17 VEGETATION WITH THE EXCEPTION OF EXOTIC/NUISANCE VEGETATION  
18 REMOVAL; EXCAVATION, DREDGING OR REMOVAL OF SOIL MATERIAL  
19 DIKING OR FENCING; ANY OTHER ACTIVITIES DETRIMENTAL TO  
20 DRAINAGE; FLOOD CONTROL, WATER CONSERVATION, EROSION  
21 CONTROL, OR FISH AND WILDLIFE HABITAT CONSERVATION OR  
22 PRESERVATION.  
23  
24 \* \* \* \* \*  
25 # # # # #  
26