

LAND DEVELOPMENT CODE AMENDMENT

PETITION

PL20240008157

ORIGIN

Growth Management
Community Department
(GMCD)

SUMMARY OF AMENDMENT

In compliance with F.S. 177. 073, this amendment updates the process for issuing building permits for residential subdivisions or planned communities before a final plat is recorded with the clerk of circuit court. It allows for an applicant to request up to 50 percent of planned homes or number of building permits when associated with a master building permit process. It also requires a companion amendment to the Administrative Code for Land Development. LDC amendments are reviewed by the Board of County Commissioners (Board), Collier County Planning Commission (CCPC), Development Services Advisory Committee (DSAC), and the Land Development Review Subcommittee of the DSAC (DSAC-LDR).

HEARING DATES

Board	TBD
CCPC	08/15/2024
DSAC	08/07/2024
DSAC-LDR	07/29/2024

LDC SECTION TO BE AMENDED

01.08.01	Abbreviations
02.03.01	Agricultural Districts
02.03.02	Residential Zoning Districts
02.03.07	Overlay Zoning Districts
02.08.08	Rural Fringe Zoning Districts
03.05.07	Preservation Standards
04.03.03	Subdivision Exemptions
04.06.02	Buffer Requirements
05.04.04	Model Homes and Model Sales Centers
06.01.02	Easements
06.05.01	Water Management Requirements
06.06.01	Street System Requirements
10.02.01	Pre-Application Conference Required
10.02.04	Requirements for Preliminary and Final Subdivision Plats
10.02.14	Landscape Plans
10.08.00	Conditional Use Procedures

ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR Approval	DSAC Approval	CCPC TBD
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BACKGROUND

The 2024 Florida legislature adopted Senate Bill 812 and created F.S. 177.073: Expedited approval of residential building permits before final plats, which became law effective May 29, 2024. See Exhibit B. It requires by no later than October 1, 2024, local governments to expedite and update the building permit process so an applicant may request up to 50 percent of planned homes or the number of building permits that will be issued for a residential subdivision or planned community before a final plat is recorded. It stipulates that a local government may not alter or restrict an applicant from receiving the number of building permits, so long as the request does not exceed 50 percent. It provides for an applicant to contract to sell, but not transfer ownership of, a residential structure or building located in a preliminary plat before the plat is approved by local government but not obtain the final certificate of occupancy until the final plat is approved by the Board and recorded in public records. It further requires local governments to update the expedited building permit program with certain increased percentages (up to 75%) by December 31, 2027.

In accordance with F.S. 553.794, local government residential master building permit program, the County has an existing process for the application of single-family, two-family, and multi-family master building permits. This amendment seeks to modify the LDC and administrative code to allow an applicant to identify the percentage of planned homes or number of building permits that the County will issue at the time of preliminary plat approval. The proposed LDC changes are necessary and consistent with the Florida Statutory requirements.

DSAC-LDR Subcommittee Recommendation: On July 29, 2024, the DSAC-LDR subcommittee met and recommended approval.

DSAC Recommendation: On August 07, 2024, the DSAC met and recommended approval..

FISCAL & OPERATIONAL IMPACTS

There are no anticipated fiscal impacts to the County, except for the cost of advertising an ordinance amending the LDC. The cost associated with advertising the Ordinance is estimated at \$1,008.00. Funds are available within the Unincorporated Area General Fund (111), Zoning & Land Development Cost Center (138319).

GMP CONSISTENCY

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

EXHIBITS: A) Administrative Code Amendment B) Florida Statutory References

1 Amend the LDC as follows:

3 1.08.01 Abbreviations

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CON	Conservation Zoning District
<u>CPD</u>	<u>Conceptual Plat with Deviations</u>
CRD	Compact Rural Development

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PSP	Preliminary Subdivision Plat
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13 2.03.01 - Agricultural Districts.

16 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.

29 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).

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34 b. *Accessory Uses.*

36 * * * * * * * * * * * * *

38 6. Recreational facilities that serve as an integral part of a residential development and have been designated, reviewed and approved on a site development plan or ~~preliminary~~ subdivision plat for that development. Recreational facilities may include but are not limited

to golf course, clubhouse, community center building and tennis facilities, parks, playgrounds and playfields.

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2.03.02 - Residential Zoning Districts

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

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 residential single-family districts (RSF).

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b. *Accessory ~~U~~uses.*

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4. Recreational facilities that serve as an integral part of a residential development and have been designated, reviewed and approved on a site development plan or preliminary subdivision plat for that development. Recreational facilities may include, but are not limited to, golf course, clubhouse, community center building and tennis facilities, parks, playgrounds and playfields.

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c. *Conditional uses.* The following uses are permissible as conditional uses in the residential single-family districts (RSF), subject to the standards and procedures established in LDC section 10.08.00.\

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9. Recreational facilities intended to serve an existing and/or developing residential community as represented by all of the properties/lots/parcels included in an approved preliminary subdivision plat, or site development plan. The use of said recreational facilities shall be limited to the owners of property or occupants of residential dwellings units and their guests within the area of approved preliminary subdivision plat, or site development plan.

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B. Residential Multi-Family-6 District (RMF-6). The purpose and intent of the residential multi-family-6 district (RMF-6) is to provide for single-family, two-family and multi-family residences having a low profile silhouette, surrounded by open space, being so situated that it is located in close proximity to public and commercial services and has direct or convenient access to collector and arterial roads on the county major road network. The RMF-6 district corresponds to and implements the urban mixed use land use designation on the future land use map of the Collier County GMP. The maximum density permissible in the RMF-6 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 RMF-6 district shall not exceed the density permissible under the density rating system, except as permitted by policies contained in the future land use element.

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 RMF-6 district.

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a. Accessory uses.

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3. Recreational facilities that serve as an integral part of a residential development and have been designated, reviewed and approved on a site development plan or preliminary subdivision plat for that development. Recreational facilities may include, but are not limited to, golf course, clubhouse, community center building and tennis facilities, playgrounds and playfields.

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C. Residential Multi-Family-12 District (RMF-12). The purpose and intent of the residential multi-family 12 district (RMF-12) is to provide lands for multiple-family residences having

1 a mid-rise profile, generally surrounded by lower structures and open space, located in
2 close proximity to public and commercial services, with direct or convenient access to
3 collector and arterial roads on the county major road network. Governmental, social, and
4 institutional land uses that serve the immediate needs of the multi-family residences are
5 permitted as conditional uses as long as they preserve and are compatible with the mid-
6 rise multiple-family character of the district. The RMF-12 district corresponds to and
7 implements the urban mixed use land use designation on the future land use map of the
8 Collier County GMP. The maximum density permissible in the RMF-12 district and the
9 urban mixed use land use designation shall be guided, in part, by the density rating system
10 contained in the future land use element of the Collier County GMP. The maximum density
11 permissible or permitted in the RMF-12 district shall not exceed the density permissible
12 under the density rating system, except as permitted by policies contained in the future
13 land use element.

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15 1. The following subsections identify the uses that are permissible by right and the
16 uses that are allowable as accessory or conditional uses in the residential multi-
17 family-12 district (RMF-12).

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21 b. *Accessory uses.*

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25 1. Recreational facilities that serve as an integral part of a residential
26 development and have been designated, reviewed and approved
27 on a site development plan or preliminary subdivision plat for that
28 development. Recreational facilities may include, but are not
29 limited to, golf course, clubhouse, community center building and
30 tennis facilities, playgrounds and playfields.

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35 D. Residential Multi-Family-16 District (RMF-16). The purpose and intent of the residential
36 multi-family-16 district (RMF-16) is to provide lands for medium to high density multiple-
37 family residences, generally surrounded by open space, located in close proximity to
38 public and commercial services, with direct or convenient access to arterial and collector
39 roads on the county major road network. Governmental, social, and institutional land uses
40 that serve the immediate needs of the multiple-family residences are permitted as
41 conditional uses as long as they preserve and are compatible with the medium to high
42 density multi-family character of the district. The RMF-16 district corresponds to and
43 implements the urban mixed use land use designation on the future land use map of the
44 Collier County GMP. The maximum density permissible in the RMF-16 district and the
45 urban mixed use land use designation shall be guided, in part, by the density rating system
46 contained in the future land use element of the Collier County GMP. The maximum density
47 permissible or permitted in the RMF-16 district shall not exceed the density permissible
48 under the density rating system, except as permitted by policies contained in the future
49 land use element.

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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 residential multi-family-16 district (RMF-16).

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b. *Accessory uses.*

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3. Recreational facilities that serve as an integral part of a residential development and have been designated, reviewed and approved on a site development plan or preliminary subdivision plat for that development. Recreational facilities may include, but are not limited to, golf course, clubhouse, community center building and tennis facilities, playgrounds and playfields.

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E. Residential Tourist District (RT). The purpose and intent of the residential tourist district (RT) is to provide lands for tourist accommodations and support facilities, and multiple family uses. The RT district corresponds with and implements the urban mixed use district and the activity center district in the urban designated area on the future land use map of the Collier County GMP.

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 residential tourist district (RT).

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b. *Accessory uses.*

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4. Recreational facilities that serve as an integral part of a residential development and have been designated, reviewed and approved on a site development plan or preliminary subdivision plat for that development. Recreational facilities may include, but are not limited to, golf course, clubhouse, community center building and tennis facilities, playgrounds and playfields.

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F. Village Residential District (VR). The purpose and intent of the village residential district (VR) is to provide lands where a mixture of residential uses may exist. Additionally, uses

1 are located and designed to maintain a village residential character which is generally low
2 profile, relatively small building footprints as is the current appearance of Goodland and
3 Copeland. The VR district corresponds to and implements the mixed residential land use
4 designation on the Immokalee future land use map of the Collier County GMP. It is
5 intended for application in those urban areas outside of the coastal urban area designated
6 on the future land use map of the Collier County GMP, though there is some existing VR
7 zoning in the coastal urban area. The maximum density permissible in the VR district and
8 the urban mixed use land use designation shall be guided, in part, by the density rating
9 system contained in the future land use element of the Collier County GMP. The maximum
10 density permissible or permitted in the VR district shall not exceed the density permissible
11 under the density rating system, except as permitted by policies contained in the future
12 land use element, or as designated on the Immokalee future land use map of the GMP.

14 1. The following subsections identify the uses that are permissible by right and the
15 uses that are allowable as accessory or conditional uses in the village residential
16 district (VR).

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18 b. *Accessory Uses*

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20 3. Recreational facilities that serve as an integral part of a residential
21 development and have been designated, reviewed and approved
22 on a site development plan or preliminary subdivision plat for that
23 development. Recreational facilities may include, but are not limited
24 to, golf course, clubhouse, community center building and tennis
25 facilities, playgrounds and playfields.

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27 c. *Conditional uses.* The following uses are permissible as conditional uses
28 in the residential single-family districts (RSF), subject to the standards and
29 procedures established in LDC section 10.08.00.

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31 9. Recreational facilities intended to serve an existing and/or
32 developing residential community as represented by all of the
33 properties/lots/parcels included in an approved preliminary
34 subdivision plat, or site development plan. The use of said
35 recreational facilities shall be limited to the owners of property or
36 occupants of residential dwellings units and their guests within the
37 area of approved preliminary-subdivision plat, or site development
38 plan.

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G. Mobile Home District (MH). The purpose and intent of the mobile home district (MH) is to provide land for mobile homes and modular built homes, as defined in this Land Development Code, that are consistent and compatible with surrounding land uses. The MH District corresponds to and implements the urban mixed-use land use designation on the future land-use map of the Collier County GMP. The maximum density permissible in the MH 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 MH district shall not exceed the density permissible under the density rating system, except as permitted by policies contained in the future land use element, or as identified in the Immokalee future land use map of the GMP.

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 mobile home district (MH).

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b. *Accessory Uses.*

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3. Recreational facilities that serve as an integral part of a residential development and have been designated, reviewed and approved on a site development plan or preliminary subdivision plat for that development. Recreational facilities may include, but are not limited to, golf course, clubhouse, community center building and tennis facilities, playgrounds and playfields.

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c. *Conditional uses.* The following uses are permissible as conditional uses in the residential single-family districts (RSF), subject to the standards and procedures established in LDC section 10.08.00.

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5. Recreational facilities intended to serve an existing and/or developing residential community as represented by all of the properties/lots/parcels included in an approved preliminary subdivision plat, PUD or site development plan. The use of said recreational facilities shall be limited to the owners of property or occupants of residential dwellings units and their guests within the area of approved preliminary subdivision plat, or site development plan.

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2.03.07 - Overlay Zoning Districts

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D. Special Treatment Overlay (ST).

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4. Transfer of Development Rights (TDR).

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b. Transfer of development rights from urban areas to urban areas. An owner of land located within areas designated as urban on the Future Land Use Map, including agriculturally zoned properties, which may or may not be identified with the ST overlay, may elect to transfer some or all of the residential development rights from one parcel of land to another parcel, as an alternative to the development of the sending lands. The lands to which the development rights are to be transferred shall be referred to as receiving lands and those lands from which development rights are transferred shall be referred to as sending lands, as provided herein and shall be located within the urban designated areas of the county.

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vii. Procedure for obtaining transfer of residential development rights. Any owner of eligible land may apply for a transfer of development rights either separately or concurrently with rezoning, zoning ordinance amendments, preliminary subdivision plat or development plan. Prior to the approval of any transfer of development rights or the issuance of any building permits in connection with the use of any transfer of development rights, the petitioner shall submit the following information and data, as applicable to the petition, to the development services director for his review and subsequent action by the Board of County Commissioners.

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E. Historical and Archaeological Sites (H). It is the intent of these regulations to recognize the importance and significance of the County's historical and archaeological heritage. To that end, it is the county's intent to protect, preserve, and perpetuate the County's historic and archaeological sites, districts, structures, buildings, and properties. Further, the BCC, finds that these regulations are necessary to protect the public interest, to halt illicit digging or excavation activities which could result in the destruction of prehistoric and historic archaeological sites, and to regulate the use of land in a manner which affords the maximum protection to historical and archaeological sites, districts, structures, buildings, and properties consistent with individual property rights. It is not the intent of this LDC to deny anyone the use of his property, but rather to regulate the use of such property in a manner which will ensure, to the greatest degree possible, that historic and archaeological

1 sites, districts, structures, buildings, and properties are protected from damage,
2 destruction, relocations, or exportations.

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6 2. Applicability during development review process; county projects; agriculture;
7 waiver request.

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11 e. ~~Preliminary subdivision plat. Submittal for a preliminary subdivision plat~~
12 ~~within an area of historical/archaeological probability but not subject to~~
13 ~~subsections b through c shall include a historical/archaeological survey~~
14 ~~and assessment prepared by a certified archaeologist. The preservation~~
15 ~~board shall review the recommendations derived from the survey and~~
16 ~~assessment and submit their recommendations to the Collier County~~
17 ~~Board of County Commissioners for consideration for incorporation into~~
18 ~~the local **development order**.~~ Reserved.

19
20 f. Final subdivision plat or site development plan (SDP). Submittal for a final
21 subdivision plat, including construction documents or site development
22 plan (SDP) within an area of historical/archaeological probability but not
23 subject to subsections b, c, or e of this section shall include a
24 historical/archaeological survey and assessment prepared by a certified
25 archaeologist. The preservation board shall review the recommendations
26 derived from the survey and assessment which shall be incorporated into
27 the final subdivision plat and construction document or local development
28 order.

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32 L. Vanderbilt Beach Residential Tourist Overlay Zoning District (VBRTO).

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34 5. *Development criteria.* The following standards shall apply to all uses in this overlay
35 district.

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39 b. *Accessory uses.*

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43 iv. Recreational facilities that serve as an integral part of a
44 residential development and have been designated,
45 reviewed and approved on a site development plan or
46 preliminary subdivision plat for that development.
47 Recreational facilities may include, but are not limited to,
48 golf course, clubhouse, community center building and
49 tennis facilities, playgrounds and playfields.

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2.03.08 - Rural Fringe Zoning Districts

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

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

a. Outside rural villages.

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(3) Allowable ~~U~~uses.

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(b) *Accessory uses.*

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 38 iii. Recreational facilities that serve as an integral part
 39 of a residential development and have been
 40 designated, reviewed, and approved on a site
 41 development plan or preliminary-subdivision plat for
 42 that development. Recreational facilities may
 43 include, but are not limited to clubhouse,
 44 community center building, tennis facilities,
 45 playgrounds and playfields.

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1 3. Neutral lands. Neutral lands have been identified for limited semi-rural residential
2 development. Available data indicates that neutral lands have a higher ratio of
3 native vegetation, and thus higher habitat values, than lands designated as RFMU
4 receiving lands, but these values do not approach those of RFMU sending lands.
5 Therefore, these lands are appropriate for limited development, if such
6 development is directed away from existing native vegetation and habitat. Within
7 neutral lands, the following standards shall apply:
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9 a. Allowable uses. The following uses are permitted as of right:

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13 (2) Accessory uses. The following uses are permitted as accessory to
14 uses permitted as of right or to approved conditional uses:

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17 (b) Recreational facilities that serve as an integral part of a
18 residential development and have been designated,
19 reviewed, and approved on a site development plan or
20 preliminary subdivision plat for that development.
21 Recreational facilities may include, but are not limited to
22 clubhouse, community center building, tennis facilities,
23 playgrounds and playfields.
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29 **3.05.07 - Preservation Standards**

30 All development not specifically exempted by this ordinance shall incorporate, at a minimum,
31 the preservation standards contained within this section.
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33 H. Preserve standards.

34 1. Design standards.

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37 d. Preserve mechanisms. All preserve areas shall be designated as
38 preserves on all site plans.
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40 On-site County required preserves shall be dedicated to the County as
41 non-exclusive conservation **easements** without placing on the County
42 the responsibility for maintenance of the preserve area, and the
43 **easement** conveyance to the County shall include the right of **access**
44 from existing road **right-of-way**. The **easement** shall dedicate the
45 responsibility of maintenance to a property owners association or similar
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1 entity, and it shall contain allowable uses and limitations to protect the
2 preserve. All preserve areas shall be shown on the ~~preliminary and final~~
3 subdivision plats in accordance with section 10.02.04, with language
4 similar to Section 704.06 F.S.

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6 No individual residential or commercial lot, parcel lines, or other
7 easements including, but not limited to, utility or access easements that
8 are not compatible with allowable uses in preserve areas, may project
9 into a preserve area.

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11 State and federal parks and preserves shall not be required to place their
12 preserves in a conservation easement.

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14 Any conservation easement or other document restricting uses in a
15 preserve area shall contain the following statement (consistent with
16 CCME GMP Policy 1.1.6):

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18 "Oil extraction and related processing operations are uses which are
19 exempt from the restrictions herein and shall remain allowed uses on the
20 lands described herein."

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25 **4.03.03 - Subdivision Exemptions**

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27 Before any property or development proposed to be exempted from the terms of this section may
28 be considered for exemption, a written request for exemption shall be submitted to the County
29 Manager or designee. After a determination of completeness, the County Manager or designee
30 shall approve, approve with conditions, or deny the request for exemption based on the terms of
31 the applicable exemptions. Procedures for application, review, and decision regarding
32 exemptions from these subdivision requirements are set forth in the Administrative Code. To the
33 extent approved, the following may be exempted from these subdivision requirements.

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35 A. *Active agricultural uses.* Agriculturally related development as identified in the permitted
36 and accessory uses allowed in the rural agricultural district A and located within any area
37 designated as agricultural on the future land use map of the Collier County GMP and the
38 Collier County official zoning atlas, except single-family dwellings and farm labor housing
39 subject to LDC sections 5.05.03 and 2.03.00 shall be exempt from the requirements and
40 procedures for ~~preliminary~~ subdivision plats and construction plans; provided, however,
41 nothing contained herein shall exempt such active agricultural uses from the requirements
42 and procedures for final subdivision plats, and where required subdivision improvements
43 are contemplated, the posting of subdivision performance security.

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45 B. *Cemeteries.* The division of land into cemetery lots or parcels shall be exempt from the
46 requirements and procedures for ~~preliminary~~ subdivision plats and improvement plans;
47 provided, however, nothing contained herein shall exempt such division of land into
48 cemetery lots or parcels from the requirements and procedures for final subdivision plats
49 and, where required subdivision improvements are contemplated, the posting of

subdivision performance security; and provided, further, that such division of land into cemetery lots or parcels shall be subject to and comply with the requirements and procedures for site development plans as set forth in the Administrative Code and Chapter 10, and shall obtain site development plan approval for the entire property proposed for such division of land into cemetery lots or parcels.

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F. The division of property, occurring prior to July 15, 1998, meeting the definition of rural subdivision shall not require the subdivider to record a final plat nor comply with the subdivision regulations provided in LDC section 4.03.00. Nor shall the division of property occurring after July 15, 1998, in the rural area require the property owner to record a final plat nor comply with the subdivision regulations provided in LDC section 4.03.00, if the property so divided has been the subject of a rezoning hearing by the BCC within the 24 month period preceding July 15, 1998. The subdivision of properties occurring after July 15, 1998 shall not be exempt from platting and filing a ~~preliminary subdivision plat (PSP)~~ construction plans and final subdivision plat (PPL). However, the applicability of all required subdivision improvements and standards as set forth in section LDC 4.03.00, required improvements, of this LDC shall be determined by the County Manager or designee on a case by case basis. The applicant, through the ~~preliminary subdivision plat (PSP)~~ conceptual plat with deviations (CPD) process may request waivers from certain "required improvements". The subdivider and purchaser of property meeting definition (a) of rural subdivision shall comply with section 4.03.03 of this LDC. The division of property not meeting the definition of rural subdivision is required to comply with all requirements of section 4.03.00.

G. *Rural area subdivision requirements.*

1. Deeds and other conveyances. All deeds and other conveyances for properties shall include in ten-point type the following statement: "NO GOVERNMENTAL AGENCY, INCLUDING COLLIER COUNTY, SHALL EVER BE RESPONSIBLE FOR THE MAINTENANCE, UPKEEP OR IMPROVEMENT OF ANY PRIVATE DRIVES, ROADS, STREETS, EASEMENTS OR RIGHTS-OF-WAY PROVIDING INGRESS AND EGRESS TO THE PROPERTY HEREIN CONVEYED."

2. Building permits for rural subdivisions. Building permits will not be issued until the final subdivision plat is recorded except when issued pursuant to F.S. 177.073 .

* * * * *
#

4.06.02 – Buffer Requirements

B. Methods of determining buffers. Where a property adjacent to the proposed use is: (1) undeveloped, (2) undeveloped but permitted without the required buffering and screening required pursuant to this Code, or (3) developed without the buffering and screening required pursuant to this Code, the proposed use shall be required to install the more opaque buffer as provided for in table 2.4. Where property adjacent to the proposed use

1 has provided the more opaque buffer as provided for in table 2.4, the proposed use shall
2 install a type A buffer.

3
4 Where the incorporation of existing native vegetation in landscape buffers is determined
5 as being equivalent to or in excess of the intent of this Code, the planning services director
6 may waive the planting requirements of this section.

7
8 Buffering and landscaping between similar residential land uses may be incorporated into
9 the yards of individual lots or tracts without the mandatory creation of separate tracts.
10 If buffering and landscaping is to be located on a lot, it shall be shown as an easement for
11 buffering and landscaping.

12
13 The buffering and screening provisions of this Code shall be applicable at the time of
14 planned unit development (PUD), ~~preliminary~~ subdivision plat (CPDPSP) or site
15 development plan (SDP) review, with the installation of the buffering and screening
16 required pursuant to LDC section 4.06.05 H. If the applicant chooses to forego the optional
17 CPD PSP process, then signed and sealed landscape plans will be required on the
18 final subdivision plat. Where a more intensive land use is developed contiguous to a
19 property within a similar zoning district, the planning services director may
20 require buffering and screening the same as for the higher intensity uses between those
21 uses.

22
23 Landscape buffering and screening standards within any planned unit development shall
24 conform to the minimum buffering and screening standards of the zoning district to which
25 it most closely resembles. The planning services director may approve alternative
26 landscape buffering and screening standards when such alternative standards have been
27 determined by use of professional acceptable standards to be equivalent to or in excess
28 of the intent of this Code.

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32
33 **5.04.04 - Model Homes and Model Sales Centers**

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35 * * * * *

36
37 B. Model homes and model sales centers located within residential zoning districts, a
38 residential component of a PUD, the estates (E) zoning district, or the agricultural (A)
39 zoning district, shall be restricted to the promotion of a product or products permitted within
40 the zoning district in which the model home or model sales center is located and further
41 subject to the following:

42
43 * * * * *

44
45 5. Temporary use permits for model homes or model sales centers to be located
46 within a proposed single-family development prior to final plat approval may be
47 requested by the applicant and require:

48
49 * * * * *

- 1
- 2 f. The boundaries depicted on the preliminary subdivision plat shall be
- 3 depicted on the SDP in order to ensure compliance with the applicable
- 4 development standards in effect on the subject property.
- 5
- 6 g. Final lot grading and drainage conveyance shall be in conformance with
- 7 the master grading plan for the project as depicted on the preliminary
- 8 subdivision plat submittal documents.
- 9

10 * * * * *

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6.01.02 – Easements

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

21 * * * * *

22

23 C. Protected/preserve area and easements. A nonexclusive easement or tract in favor of

24 Collier County, without any maintenance obligation, shall be provided for all

25 "protected/preserve" areas required to be designated on the ~~preliminary and final~~

26 ~~subdivision plats or only on the final~~ subdivision plat ~~if the applicant chooses not to submit~~

27 ~~the optional preliminary subdivision plat~~. Any buildable lot or parcel subject to or abutting

28 a protected/preserve area required to be designated on the ~~preliminary and final~~

29 ~~subdivision plats or only on the final~~ subdivision plat ~~if the applicant chooses not to submit~~

30 ~~the optional preliminary subdivision plat~~, shall have a minimum setback as required by the

31 LDC, or other setback that may be approved as a deviation through the PUD approval

32 process by the Board of County Commissioners from the boundary of such

33 protected/preserve area in which no principle structure may be constructed. The required

34 preserve principal structure setback line and the accessory structure setback lines shall

35 be clearly indicated and labeled on the final plat where applicable. Further, the ~~preliminary~~

36 ~~and final subdivision plats, or only on the final~~ subdivision plat ~~if the applicant chooses not~~

37 ~~to submit the optional preliminary subdivision plat~~, shall require that no alteration, including

38 accessory structures, fill placement, grading, plant alteration or removal, or similar activity

39 shall be permitted within such setback area without the prior written consent of the County

40 Manager or designee; provided, in no event shall these activities be permitted in such

41 setback area within ten feet of the protected/preserve area boundary. Additional

42 regulations regarding preserve setbacks and buffers are located in Chapters 4 and 10,

43 and shall be applicable for all preserves, regardless if they are platted or simply identified

44 by a recorded conservation easement. The boundaries of all required easements shall be

45 dimensioned on the final subdivision plat. Required protected/preserve areas shall be

46 identified as separate tracts or easements having access to them from a platted right-of-

47 way. No individual residential or commercial lot or parcel lines may project into them when

48 platted as a tract. If the protected/preserve area is determined to be jurisdictional in nature,

49 verification must be provided which documents the approval of the boundary limits from

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

11
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13

14 **6.05.01 - Water Management Requirements**

15
16 A complete stormwater management system shall be provided for all areas within the subdivision
17 or development, including lots, streets, and alleys.

18
19 A. The system design shall meet the applicable provisions of the current County codes and
20 ordinances, SFWMD rules and regulations pursuant to Florida Statutes, and the Florida
21 Administrative Code, and any other affected state and federal agencies' rules and
22 regulations in effect at the time of ~~preliminary~~ subdivision plat submission. Water
23 management areas will be required to be maintained in perpetuity according to the
24 approved plans. Water management areas not maintained will be corrected according to
25 approved plans within 30 days.

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30 **6.06.01 - Street System Requirements**

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32 * * * * *
33

34 B. The street layout of all subdivisions or developments shall be coordinated with the street
35 systems of the surrounding areas, adjacent properties shall be provided with local street
36 interconnections unless topography, other natural features, or other
37 ordinances/regulations do not allow or require said connections. All arterial or collector
38 streets shall be planned to conform to the GMP. collector and arterial streets within a
39 development shall not have individual residential driveway connections. Their location and
40 right-of-way cross-section must be reviewed and approved by the County Manager or
41 designee during the ~~preliminary~~ subdivision plat review process. All subdivisions shall
42 provide rights-of-way in conformance with the GMP and the right-of-way cross-section
43 contained in Appendix B. All streets shall be designed and constructed to provide for
44 optimum vehicular and pedestrian safety, long service life, and low cost of maintenance.

45
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48 P. Street names.
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3 3. All street names shall be subject to approval by the County Manager or designee
4 during the ~~preliminary~~ subdivision plat approval process.

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10.02.01 - Pre-Application Conference Required

10

11 A. Subdivision review procedures.

12

13 1. Preapplication conference. Prior to formal filing of a ~~preliminary~~ subdivision plat,
14 an applicant shall confer with the County Manager or his designee to obtain
15 information and guidance. The purpose of such a conference is to permit the
16 applicant and the County Manager or his designee to review informally a proposed
17 development and determine the most efficient method of development review
18 before substantial commitments of time and money are made in the preparation
19 and submission of the ~~preliminary subdivision plat~~, improvement plans, ~~final~~
20 subdivision plat, and related documents.

21

22 a. *Preapplication.* A written preapplication shall be submitted to the County
23 Manager or his designee at any time prior to the review of a proposed
24 ~~preliminary or final~~ subdivision plat. The written application shall contain
25 the following:

26
27 * * * * *

28

29 i. *Written statement.* Ten copies, unless otherwise specified by the
30 County Manager or his designee, of a written statement generally
31 describing the condition of the property and the proposed
32 development of the entire subdivision. This statement shall include
33 but is not necessarily limited to data on existing covenants or
34 restrictions, location of utility facilities and public facilities, general
35 soil characteristics, and other information describing the subdivision
36 proposed, such as number of parcels, lots, or tracts; typical lot or
37 other parcel configuration; water retention areas; public areas;
38 anticipated utility sources; zoning classifications; and any other
39 information needed for preparation and review of the ~~preliminary~~
40 subdivision plat.

41
42 * * * * *

43

44 b. *Issues of discussion.* Issues that shall be discussed at the preapplication
45 conference shall include but are not limited to the following:

46
47 * * * * *

48

1 iv. *Application contents.* In conformance with the requirements of this
2 section, the County Manager or his designee shall establish the
3 contents of the ~~preliminary or final~~ subdivision plat required to be
4 submitted for the proposed development. This shall include
5 descriptions of the types of reports and drawings required, the
6 general form which the ~~preliminary or final~~ subdivision plat shall
7 take, and the information which shall be contained within the
8 ~~preliminary or final~~ subdivision plat and supporting documentation.
9

10 * * * * *
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12
13 **10.02.04 - Requirements for ~~Preliminary and Final~~ Subdivision Plats**

14
15 This section shall be read in conjunction with subdivision design standards, in particular, LDC
16 Chapters 3, 4, and 6.

17
18 A. *Requirements for ~~Preliminary Subdivision Plats (PSP)~~ Conceptual Plat with Deviations*
19 *(CPD).* A ~~preliminary subdivision~~ conceptual plat with deviations provides an overall
20 scheme of development for a subdivision. It may be used when only one phase of a multi-
21 phased development is to be constructed. Except for an integrated phased development,
22 a ~~preliminary subdivision~~ conceptual plat with deviations is optional while a final
23 subdivision plat is mandatory.

- 24
25 1. Generally.
- 26
27 a. Approved zoning. No ~~preliminary subdivision~~ conceptual plat with
28 deviations shall be approved prior to final approval of the zoning or planned
29 unit development for the proposed subdivision. However, the zoning
30 application and the ~~preliminary subdivision~~ conceptual plat with deviations
31 may be processed concurrently by the County Manager or designee at the
32 request of the applicant.
 - 33
34 b. No development shall be allowed prior to approval of the construction plans
35 and final subdivision plat, except for the early work authorization (EWA)
36 permit and early construction authorization (ECA) permit pursuant to
37 pursuant to LDC section 10.02.00.
 - 38
39 c. Integrated phased developments. A ~~preliminary subdivision~~ conceptual plat
40 with deviations application shall be submitted in accordance with this
41 section for any integrated phased development.
- 42
43 2. Application for ~~preliminary subdivision~~ conceptual plats with deviations.
- 44
45 a. The Administrative Code shall establish the process and submittal
46 requirements for a ~~preliminary subdivision~~ conceptual plat with deviations.
 - 47
48 b. A ~~preliminary subdivision~~ conceptual plat with deviations shall include the
49 entire property to be subdivided and recorded.

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- c. The ~~preliminary subdivision~~ conceptual plat with deviations shall be prepared by the applicant's professional engineer and professional surveyor and mapper.
- d. The boundary survey for the ~~preliminary subdivision~~ conceptual plat with deviations shall be signed and sealed by a professional surveyor and mapper registered in the State of Florida.
3. Review by County Manager or designee. County Manager or designee shall approve, approve with conditions, or deny the ~~preliminary subdivision~~ conceptual plat with deviations utilizing the standards established in LDC chapters 3, 4, 6, and other provisions of the LDC. The decision to approve with conditions, or deny the ~~preliminary subdivision~~ conceptual plat with deviations may be appealed to the Board of County Commissioners pursuant to Code of Laws and Ordinances section 250-58. If the County Manager or designee should deny the ~~preliminary subdivision~~ conceptual plat with deviations, ~~he~~ it shall be stated in writing the reasons for such denial, ~~including and shall cite~~ the applicable code or regulatory basis for the conditions or denial.
4. Amendments. Any amendment to the approved ~~preliminary subdivision~~ conceptual plat with deviations submitted by the applicant shall be reviewed according to the standards established in LDC chapters 3, 4, 6, and other provisions of the LDC. The County Manager or designee shall have the authority to approve amendments to the approved ~~preliminary subdivision~~ conceptual plat with deviations provided those amendments are based on generally accepted, sound, professional engineering principles and practices in the state. Amendments shall be made prior to the processing of the construction plans and final subdivision plat. Requests for amendments shall be in writing in the form of an amended ~~preliminary subdivision~~ conceptual plat with deviations and shall provide clear and convincing documentation and citations to professional engineering studies, reports or other generally accepted professional engineering services in the state to substantiate the amendment requested.
5. Conditions. The County Manager or designee has the authority to approve requests for substitutions to the design standards contained in the LDC provided those requests are based on generally accepted, sound and safe, professional engineering principles and practices. Requests for substitutions shall be made in writing and shall provide clear and convincing documentation and citations to professional engineering studies, reports or other generally accepted professional engineering sources to substantiate the substitution requested.
6. Timing of development. Within 2 years after the date of written approval or approval with conditions of the ~~preliminary subdivision~~ conceptual plat with deviations, the applicant shall prepare and submit to the County Manager or designee the construction plans and final subdivision plat for at least the first phase of the proposed subdivision. Each subsequent phase of the ~~preliminary subdivision~~ conceptual plat with deviations shall be submitted within 2 years after the date of written approval of the immediately preceding phase of the proposed subdivision.

1
2 a. Extensions. Two, 2-year extensions to submit the construction plans and
3 final subdivision plat shall be granted for good cause shown upon written
4 application submitted to the County Manager or designee prior to expiration
5 of the preceding approval. When granting an extension the County
6 Manager or designee shall require the ~~preliminary subdivision~~ conceptual
7 plat with deviations be modified to bring the project into compliance with
8 the LDC at the time of the extension request.
9

10 7. No vested rights. It is hereby expressly declared that the intent of this section is to
11 create no vested rights in the applicant or owner of property which obtains approval
12 of a ~~preliminary subdivision~~ conceptual plat with deviations, and the County shall
13 not be estopped to subsequently deny approval of the construction plans and final
14 subdivision plat based on changes in federal, state, or local laws or regulations, or
15 upon any other facts or circumstances subsequently arising or considered which
16 would adversely affect the feasibility or desirability of the ~~preliminary subdivision~~
17 conceptual plat with deviations, nor shall the County be estopped to deny any
18 rezoning in which a ~~preliminary subdivision~~ conceptual plat with deviations is
19 submitted in support of such rezoning.
20

21 B. Construction Plans and Final Subdivision Plats (PPLs). Construction plans and final
22 subdivision plats are commonly referred to as "plans and plat."
23

24 1. Generally. Final subdivision plat approval by the Board of County Commissioners
25 is required before a final subdivision plat can be recorded.
26

27 a. No final subdivision plat shall be approved by the Board until the
28 construction plans have been reviewed and accepted by the County
29 Manager or designee, except for a minor final subdivision plat pursuant to
30 LDC section 10.02.04 D.
31

32 b. The review and approval of construction plans does not authorize the
33 construction of required improvements which are inconsistent with existing
34 easement(s) of record.
35

36 c. The required improvements shall be completed prior to recordation of the
37 final subdivision plat unless the applicant files a subdivision performance
38 security as identified in LDC section 10.02.04 F with the County.
39

40 d. Where approval of construction plans and final subdivision plats will lead
41 to the level of service for any public facility being reduced below the level
42 established by the growth management plan for Collier County, the County
43 shall deny approval to proceed with development until the requirements of
44 LDC section 10.02.07 have been met.
45

46 2. Application for Construction Plans and Final Subdivision Plats.
47

48 a. The Administrative Code shall establish the process and the submittal
49 requirements for construction plans and final subdivision plats. For projects

- 1 incorporating townhouse development on fee simple lots, additional
- 2 submittal requirements are required and identified in the Administrative
- 3 Code. All requirements established in this section shall also apply to
- 4 townhouse development on fee simple lots.
- 5
- 6 b. Construction plans for all of the improvements required by this section shall
- 7 be signed and sealed by the applicant's professional engineer, licensed to
- 8 practice in the State of Florida.
- 9
- 10 c. Final subdivision plats shall be signed and sealed by a professional
- 11 surveyor and mapper registered in the State of Florida. The final
- 12 subdivision plat shall be prepared in accordance with the provisions of F.S.
- 13 ch. 177, as may be amended, and shall be clearly and legibly drawn with
- 14 black permanent drawing ink or a photographic silver emulsion mylar to a
- 15 scale of not smaller than 1 inch equals 100 feet.
- 16
- 17 d. The final subdivision plat shall conform to the approved ~~preliminary~~
- 18 ~~subdivision~~ conceptual plat with deviations and shall constitute only that
- 19 portion of the approved ~~preliminary-subdivision~~ conceptual plat with
- 20 deviations which the applicant proposes to construct.
- 21
- 22 e. Improvements for construction plans and final subdivision plats are
- 23 identified in the LDC section 10.02.04 C, and are required in conjunction
- 24 with the subdivision and development of any and all property pursuant to
- 25 LDC section 10.02.03 within the unincorporated areas of the County. All
- 26 required improvements shall be designed and constructed in accordance
- 27 with the design requirements and specifications of the entity having
- 28 responsibility for approval, including all federal, state, and local agencies.
- 29 Construction plans for final subdivision plats shall include at a minimum:
- 30
- 31 i. Streets, sidewalks, paving, grading, and stormwater management
- 32 (drainage);
- 33
- 34 ii. Bridges and culverts;
- 35
- 36 iii. Water and sewerage systems, including, where applicable, water
- 37 reuse/irrigation pumping, storage and transmission/distribution
- 38 systems;
- 39
- 40 iv. Street lighting. Plans for streetlights shall bear the approval of the
- 41 utility authorities involved. If the street lighting system is to be
- 42 privately owned and maintained by a property owners' association
- 43 or similar entity, it shall be designed by the applicant's engineer;
- 44
- 45 v. Landscaping within public rights-of-way, parks, recreational areas;
- 46 and
- 47
- 48 vi. Parking areas.
- 49

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3. County Manager review of construction plans and final subdivision plats.
- a. The County Manager or designee shall review and evaluate the construction plans and final subdivision plat in conformance with the LDC, in particular sections 10.02.04 B and 10.02.04 C, and F.S. ch. 177. The County Manager or designee shall review and evaluate the construction plans and final subdivision plat in light of the requirements established in the LDC and Administrative Code. Based on the review and evaluation, the County Manager or designee shall approve, approve with conditions, or deny the construction plans and final subdivision plat. If the construction plans and final subdivision plat is denied, then the final subdivision plat shall not be submitted to the Board until the construction plans and final subdivision plat have been approved or approved with conditions by the County Manager or designee. The approval of the County Manager or designee is subject to Board approval, noted below.
 - b. If the constructions plans and final subdivision plat are approved or approved with conditions by the County Manager or designee, the County Manager or designee shall recommend that the Board approve, approve with conditions, or deny the final subdivision plat. If the County Manager or designee denies or places conditions on the construction plans or recommends denial or conditions on the final subdivision plat, he shall state reasons and cite the applicable code or regulatory basis for the decision.
 - c. Once the construction plans and final subdivision plats are submitted by the applicant for review by the County Manager or designee, they will remain under review so long as a resubmittal in response to a county reviewer's comments is received within 270 days of the date on which the comments were sent to the applicant. If a response is not received within this time, the application for construction plans and final subdivision plat review will be considered withdrawn and cancelled. Further review of the project will require a new application and the appropriate fees paid by the applicant.
 - d. Digital submission. After the final subdivision plat has been approved by the County Manager or designee for compliance with the LDC, as provided in this section, the applicant shall resubmit 5 certified sets of the approved construction plans along with approved copies of all required county permits. The applicant's professional engineer shall also submit a set of digitally created construction/site plan documents, 1 disk (CDROM) of the master plan file, including, where applicable, easements, water/wastewater facilities, and stormwater drainage system. The digital data to be submitted shall follow these formatting guidelines: All data shall be delivered in the state plane coordinate system, with a Florida East

1 Projection, and a North American Datum 1983/1990 (NAD83/90
2 datum), with United States Survey Feet (USFEET) units; as
3 established by a Florida registered professional surveyor and
4 mapper. All information shall have a maximum dimensional error of
5 +0.5 feet. Files shall be in an AutoCAD (DWG) or Digital Exchange
6 File (DXF) format; information layers shall have common naming
7 conventions (i.e. right-of-way—ROW, centerlines—CL, edge-of-
8 pavement—EOP, etc.). For a plan to be deemed complete, the
9 layering scheme must be readily understood by county staff. All
10 property information (parcels, lots, and requisite annotation) shall
11 be drawn on a unique information layer, with all linework pertaining
12 to the property feature located on that layer. Example: parcels—All
13 lines that form the parcel boundary will be located on 1 parcel layer.
14 Annotations pertaining to property information shall be on a unique
15 layer. Example: lot dimensions—Lottxt layer.

- 16
- 17 4. Board approval of the final subdivision plat.
- 18
- 19 a. Following approval or approval with conditions by the County
20 Manager or designee, the County Manager or designee shall place
21 the final subdivision plat on the consent agenda for its next available
22 regularly scheduled Board hearing. The Board shall consider
23 approval of the final subdivision plat together with the approval of
24 standard form, Construction Maintenance Agreement, and approval
25 of the amount of performance security for the required
26 improvements based on the estimate of probable cost.
- 27
- 28 b. If all members of the Board consent to the recommendation of the
29 County Manager or designee, then the recommendation of the
30 County Manager or designee on the final subdivision plat shall
31 remain on the consent agenda and the final subdivision plat shall
32 be approved. If any member of the Board objects to the
33 recommendation of the County Manager or designee or otherwise
34 requests discussion on the recommendation, then the
35 recommendation shall be taken off the consent agenda and may be
36 discussed or scheduled for a subsequent hearing date. After due
37 notice of the hearing to the applicant, the Board shall hold a hearing
38 on the final subdivision plat. At the hearing, the Board shall consider
39 the County Manager or designee's recommendation and shall take
40 evidence and testimony in regard to the final subdivision plat
41 requirements identified in LDC sections 10.02.04 B and 10.02.04 C,
42 and other provisions of the LDC. The Board shall approve, approve
43 with conditions, or deny the final subdivision plat. If the Board of
44 denies or places conditions on the final subdivision plat, it shall state
45 reasons for such denial or conditions.
- 46
- 47 c. Approval of the final subdivision plat shall not constitute acceptance
48 of public dedicated facilities. Acceptance of any such dedicated
49 public facilities and responsibility for their maintenance shall be by

1 separate resolution of the Board of County Commissioners. See
2 LDC section 10.02.05 C.3.

3
4 d. After Board approval of the final subdivision plat, building permits
5 may be issued for a percentage of planned homes in accordance
6 with the Florida Building Code and pursuant to F.S. 177.073.
7 Subdivision performance security shall be in accordance with LDC
8 section 10.02.04 F.2.b.i., and the construction and maintenance
9 agreement shall be in accordance with LDC section 10.02.04 F.3.e.
10 when utilizing F.S. 177.073.

11
12 5. Insubstantial changes and amendments to construction plans and final
13 subdivision plats.

14
15 a. Insubstantial Changes to Construction Plans (ICP). Following
16 approval by the County Manager or designee of the construction
17 plans, the applicant may request insubstantial changes to the
18 construction plans.

19
20 i. Application. The Administrative Code shall establish the
21 process and the submittal requirements for an insubstantial
22 change to the construction plans. Construction plans shall
23 be prepared pursuant to LDC section 10.02.04 B.

24
25 b. Following approval by the Board of the final subdivision plat, but
26 prior to recordation, the County Manager or designee may approve
27 minor insubstantial changes to the final subdivision plat.
28 Insubstantial changes are insignificant to the project, such as a
29 correction or change on the cover sheet.

30
31 c. Following approval by the Board of the final subdivision plat, but
32 prior to recordation, the Board may approve amendments to the
33 final subdivision plat. This is commonly referred to as a "PPLA".

34
35 i. .Application. The Administrative Code shall establish the
36 process and the submittal requirements for the final
37 subdivision plat amendment. The final subdivision plat shall
38 be prepared pursuant to LDC section 10.02.04 B.

39
40 6. Relationship of Final Subdivision Plats to Site Development Plans. No site
41 development plan may be accepted for concurrent review with a
42 ~~preliminary subdivision~~ conceptual plat with deviations. Once the
43 ~~preliminary subdivision~~ conceptual plat with deviations has been approved,
44 site development plans may be submitted for review concurrent with the
45 submittal of the final subdivision plat. No site development plan may be
46 approved until the final subdivision plat receives administrative approval,
47 and no building permits may be issued until the final subdivision plat is
48 recorded, unless otherwise provided for in the LDC.

49

- 1 7. Timing of recording and development.
- 2
- 3 a. Recording. Within 18 months of the date of approval of the final
- 4 subdivision plat by the Board, the applicant shall submit the final
- 5 subdivision plat to the County Manager or designee for recording.
- 6
- 7 b. Required improvements to be completed. The improvements
- 8 required for the final subdivision plat shall be completed within 18
- 9 months from the date of approval by the Board unless a written
- 10 extension request is approved by the County Manager or designee.
- 11
- 12 c. Integrated phased development. Each subsequent phase of the
- 13 project shall be submitted within 2 years following the date of written
- 14 approval of the most recently approved final subdivision plat in
- 15 accordance with LDC section 10.02.04 A.6.

16 * * * * *

17
18
19 D. *General Requirements for a Minor Final Subdivision Plat (FP).*

- 20
- 21 1. Generally. Minor final subdivision plat approval may be requested as an alternative
- 22 to construction plans and final subdivision plat if the following criteria are met:
- 23
- 24 a. No ~~preliminary~~ subdivision plat is submitted or approved.
- 25
- 26 b. Required improvements are not required for the subdivision.
- 27
- 28 c. No security performance bond is required for the subdivision.
- 29
- 30 d. No phasing is required or proposed for the subdivision.

31 * * * * *

32
33
34 F. *Recordation of the Final Subdivision Plat.*

- 35
- 36 1. Generally. No building permits for habitable structures shall be issued prior to
- 37 approval by the Board of County Commissioners and recordation of the final
- 38 subdivision plat, except as provided in LDC sections ~~5.04.04~~ and, LDC section
- 39 10.02.04 B.6., and LDC section 10.02.04 B.4.d., as applicable.
- 40
- 41 2. Posting of subdivision performance security at the time of recording or at Board
- 42 approval when utilizing F.S. 177.073.
- 43
- 44 a. The final subdivision plat shall not be recorded until a subdivision
- 45 performance security for the construction of the required improvements,
- 46 both on-site and off-site, has been posted by the applicant and approved
- 47 and accepted by the Board or the County Manager or designee on behalf
- 48 of the Board.

- 1 b. The applicant's professional engineer shall prepare an opinion of the
- 2 probable construction cost or the actual contractor's bid price, which
- 3 includes the cost of all required improvements, to determine the amount of
- 4 the subdivision performance security.
- 5
- 6 i. If no construction of the required improvements has begun at the
- 7 time of posting of the subdivision performance security, the security
- 8 shall be an amount equal to 110 percent of the sum of construction
- 9 costs for all on-site and off-site required improvements based on
- 10 the applicant's professional engineer's opinion of the probable
- 11 construction costs or contract bid price.
- 12
- 13 ii. If construction of the required improvements has begun at the time
- 14 of posting the subdivision performance security, the security shall
- 15 be in an amount equal to 10 percent of the applicant's professional
- 16 engineer's opinion of the probable construction cost or contract bid
- 17 price, plus 100 percent of the required improvements to be
- 18 completed, such as the final lift of asphalt and uncompleted
- 19 sidewalks.
- 20
- 21 iii. If construction of all required improvements has been completed
- 22 and accepted by the Board at the time of recording, only a
- 23 performance maintenance guarantee at an amount equal to 10
- 24 percent of the applicant's professional engineer's opinion of the
- 25 probable construction cost or contract bid price shall be provided.
- 26
- 27 iv. No subdivision performance security shall be required where
- 28 improvements are to be constructed by a general-purpose
- 29 government such as a county or municipality, a local school district,
- 30 or state agency. A subdivision performance security shall be
- 31 required of an independent special-purpose government such as a
- 32 community development district (CDD).
- 33
- 34 c. The subdivision performance security shall be prepared pursuant to
- 35 Appendix A of the LDC and shall be one of the following forms:
- 36
- 37 i. Construction, maintenance, and escrow agreement, or
- 38
- 39 ii. Construction Maintenance Agreement and one of the following:
- 40
- 41 (a) Cash deposit agreement with the County, or
- 42
- 43 (b) Irrevocable standby letter of credit, or
- 44
- 45 (c) Surety bond.
- 46
- 47 d. Once the form of a subdivision performance security has been approved
- 48 and accepted by the Board, alternate securities, in a format approved by

1 the County Attorney, may be approved by the County Manager or
2 designee, on behalf of the Board.

3
4 3. Recordation Procedure. After approval of the final subdivision plat by the Board,
5 but prior to the recording of the final subdivision plat with the clerk of the circuit
6 court, the following shall occur:

7
8 a. The applicant shall obtain all of the signatures on the original plat cover
9 sheet(s) that are associated with the applicant's obligations and shall
10 submit the original final subdivision plat, and any separate consents, or
11 opinions or certifications of title, to the County Manager or designee.

12
13 b. The applicant shall provide 3 copies and 1 mylar of the recorded final
14 subdivision plat and accompanying documents to the County Manager or
15 designee.

16
17 c. Simultaneously with the submission of the executed final subdivision plat
18 to the County Manager or designee, the applicant shall also submit in
19 accordance with F.S. ch. 177, at no expense to the County, either a title
20 opinion from an attorney licensed to practice in the State of Florida or
21 certification from a title company. The effective date of the title opinion or
22 certification must be no more than 30 days prior to the submission of the
23 final subdivision plat to the County Manager or designee and must contain
24 all of the following:

25
26 i. A legal description of at least the lands being platted;

27
28 ii. A statement that the attorney is licensed to practice in the State of
29 Florida and that the attorney has examined title to the subject real
30 property, if a title opinion is being provided;

31
32 iii. Identification of the exact name of any person who is the record
33 owner of the subject real property and a specific citation to the
34 official records book and page, where each record legal owner
35 obtained title to the subject real property. The title information shall
36 include a copy of said instrument(s) of conveyance; and

37
38 iv. Identification of liens, encumbrances, easements, or matters shown
39 or that should be shown as exclusions to coverage on a title
40 insurance policy. As may be applicable, the title information shall
41 include in a neatly bound fashion and make citation to the recording
42 information of all referenced liens, encumbrances, easements, or
43 exclusions. The title information shall include a copy of any such
44 instruments.

45
46 d. Payment of recording and copy fees. Upon compliance with this section
47 and payment of fees by the applicant, the County Manager or designee
48 shall record the final subdivision plat with the clerk of the circuit court in the
49 official records of Collier County, Florida.

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- e. Construction and Maintenance Agreement. The applicant shall enter into a construction and maintenance agreement with the County, in a form acceptable to the County Attorney, which establishes the terms and conditions for the construction and maintenance of the improvements required during the 18-month construction period or a time frame established in an approved extension request by the County Manager or designee. This agreement shall be submitted with the final subdivision plat for review and approval and shall be executed by all parties at the time of ~~recording of the final subdivision plat~~ Board approval, if building permits are issued when utilizing F.S. 177.073 or at the time of recording the final plat.
- f. Recording of other documents. If any dedications, grants, conveyances, easements, consents (including mortgagee consents), reservations, covenants, or other like instruments are to be recorded by separate instrument simultaneously with the final subdivision plat, appropriate fees and original documentation must be provided by the applicant to the County Manager or designee for processing and recording by the clerk of court. All documents shall be submitted prior to or at the time of recording of the final subdivision plat.
- g. Supporting "gap" title information. Within 60 days of recordation of the final subdivision plat in the official records of Collier County, Florida, the applicant, at no expense to the County, shall submit to the County Manager or designee final supporting "gap" title information. The final supporting title information must meet all of the requirements of 10.02.04 F.3.c, except as to the effective date. Receipt and approval of the "gap" title information is a condition precedent to preliminary acceptance of subdivision improvements by the Board.
- h. The effective date of the supporting "gap" title information must be through the date of recordation of the final subdivision plat and must, at a minimum, cover the "gap" between the time the effective date of the information required by 10.02.04 F.3.c above, when submitted and the date of recording of the final subdivision plat. The final supporting "gap" title information must include a copy of any required instruments not previously provided in connection with submittals for the recording of the final subdivision plat.

* * * * *
#

10.02.14 - Landscape Plans

- 44
 - 45
 - 46
 - 47
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 - 49
- A. *Landscape plan required.* Prior to the issuance of any ~~preliminary~~ subdivision plat, final site development plan, or building permit, an applicant whose development is covered by the requirements of this section must submit a landscape plan to the County Manager or his designee. The landscape plan must bear the seal of a Landscape Architect registered in the State of Florida. The landscaping required for single-family, two family, and mobile

1 home dwelling units must be shown on the building permit plot plan. This plan is not
2 required to bear the seal of a landscape architect.

3
4 * * * * *
5 # # # # #

6
7 **10.08.0 - CONDITIONAL USE PROCEDURES**

8
9 * * * * *

10
11 I. *Conditional uses for school or religious purposes.* A use which has been approved as part
12 of a ~~preliminary~~ subdivision plat or a planned unit development for schools, religious or
13 eleemosynary uses shall be exempt from the provisions of this section. Such uses must
14 comply with the provisions of LDC section 10.02.03, site development plan approval, as
15 applicable, and all other zoning requirements.

16
17 * * * * *
18 # # # # #

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- 1
- 2 C. ~~Preliminary Subdivision~~ Conceptual Plat with Deviations ~~(PSP)~~ (CPD)
- 3 C.1. ~~Preliminary Subdivision~~ Conceptual Plat with Deviations – Standard
- 4

Reference LDC section 10.02.04 A, F.S. 177.073, and other provisions of the LDC.

Applicability The ~~preliminary subdivision plat (PSP)~~ Preliminary Subdivision conceptual plat with deviations process is required for integrated phased developments but is otherwise an optional procedure for subdivision development. If an **applicant** chooses to submit a ~~PSP~~ CPD, the **applicant** shall provide all of the submittal requirements.

The ~~PSP~~ CPD application shall be submitted for the entire property to be subdivided.

Pre-application A pre-application meeting is required.

Initiation The **applicant** files a "~~Preliminary Subdivision~~ Conceptual Plat with Deviations Petition" with the Development Review Division.

↔ See Chapter 1 D. for additional information regarding the procedural steps for initiating an application.

Application Contents The application must include the following:

1. **Applicant contact information.**
2. **Addressing checklist.**
3. Property information, including:
 - a. Legal description;
 - b. Address of subject site and general location;
 - c. Metes and bounds description;
 - d. Section, township and range;
 - e. Size of plat in acres;
 - f. Number of lots and minimum lot size;
 - g. Name of development;
 - h. Zoning petition number (Rezone, Conditional Use, and Site Development Plan), if applicable;
 - i. Source of utilities.
4. Cover letter explaining the project or proposed changes.
5. PUD Monitoring Schedule, if applicable.
6. Aerial photograph(s), taken within the previous 12 months at a minimum scale of 1 in. = 200 ft., illustrating existing conditions and any site improvements.
7. Environmental Data Requirements. ↔ See LDC section 3.08.00 A.

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8. Traffic Impact Study, if applicable. ⇔ See Chapter 7 B. of the Administrative Code.
9. Original petition number (PUD name and ordinance, rezone, conditional use, site development plan, etc.), if applicable.
10. Owner/agent affidavit as to the correctness of the application.
11. Historical/Archeological Survey or waiver, if applicable.
12. Conditional Use application, if applicable.
13. If substitutions are requested, pursuant to LDC section 10.02.04 A.5, justification based on sound engineering principles and practices shall be provided for each substitution.
14. Generalized statement of subsurface conditions on the property, location, and results of tests made to ascertain subsurface soil conditions and groundwater depth.
15. The zoning classification of the tract and all contiguous properties.
16. For residential projects subject to the provisions of LDC section 10.04.09, a completed School Impact Analysis (SIA) application, location map and review fee.
17. **Electronic copies of all documents.**
18. Affidavit of Authorization.

Requirements for **Preliminary Subdivision Conceptual Plat with Deviations**

Submittal Credentials: The ~~preliminary subdivision~~ conceptual plat with deviations shall be prepared by the **applicant's engineer** and professional surveyor and mapper. The boundary survey shall be signed and sealed by a professional surveyor and mapper registered in the State of Florida.

Sheet size: The ~~preliminary subdivision~~ conceptual plat with deviations shall be submitted on standard size 24-inch by 36-inch sheets, drawn to scale.

1. A cover sheet, including a location map, showing the location of the tract in reference to other areas of the county with a north arrow, graphic scale, and date.
2. The name of subdivision or identifying title which shall not duplicate or closely approximate the name of any other subdivision in the incorporated or unincorporated area of Collier County.
3. Boundary survey, with bearings and distances as a written description with a reference to section corners.
4. The location and names of adjacent subdivisions and plat book and page reference, if any.
5. A land plan with the following information identified:
 - a. Location, dimensions, and purpose of all existing and proposed streets, alleys, property lines, easements, and rights-of-way of record;
 - b. Existing streets and alleys of record adjacent to the tract including name, right-of-way width, street or pavement width and established centerline elevation. Existing streets shall be dimensioned to the tract boundary;

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- c. Location of existing and proposed sidewalks and bike paths;
 - d. Location of all existing and proposed utilities and related easements;
 - e. Location and purpose of existing drainage district facilities and their right-of-way requirements;
 - f. Location of existing and proposed watercourses, drainage ditches, bodies of water, marshes and wetlands;
 - g. Location of existing possible archaeological sites and other significant features;
 - h. The proposed layout of the lots and blocks;
 - i. The plan shall indicate whether the streets are to be public or private. Proposed street names shall be identified on all public and private thoroughfares;
 - j. Location of proposed sites for parks, recreational areas, and school sites or the like, in accordance with any existing ordinances requiring such a dedication;
 - k. Location of buffer areas required by **LDC** section **4.06.01** shall be illustrated and the dimensions provided, if appropriate at this time; and
 - l. Typical right-of-way and pavement cross sections shall be graphically illustrated on the plans and shall include but not be limited to the location of sidewalks, bike paths, and utilities.
6. Interconnectivity of local streets between developments shall be consistent with **LDC** section **6.06.01 B** and GMP Objective 9.
7. Access Management Plan. All access provisions to the nearest public street(s) shall be identified, including all existing and proposed driveways.
8. Water Management Plan. The master water management plan shall outline the existing and proposed surface watercourses and their principal tributary drainage facilities needed for proper drainage, water management, and development of the subdivision. All existing drainage district facilities and their ultimate right-of-way requirements as they affect the property to be subdivided shall be identified on the plan. The Engineer’s Report with Assumptions and Explanations signed and sealed by a Florida registered professional **engineer** shall include drainage data, assumed criteria, and hydraulic calculations, consistent with the criteria and design method established by the SFWMD in addition to the following information:
- a. For all developments, the following Stormwater related information:
 - i. Completed calculations used to design the facilities, such as: road, water management systems, and all accessory facilities, public or private;
 - ii. Drainage calculations, including 10-year 1-day; 25-year 3-day; 100-year 3-day storm routings;
 - iii. Detailed hydraulic grade line pipe design calculations utilized to design the stormwater management facilities for the subdivision or development; and

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- iv. Status of all other required permits including copies of information and data submitted to the appropriate permitting agencies.
 - b. If within Collier County Public Utilities Service Area, the Report must also contain the following:
 - i. Estimated cost of utilities construction, Water and Sewer calculations;
 - ii. Sewer Hydraulics;
 - iii. Lift station hydraulics to first downstream master station;
 - iv. Lift station buoyancy calculations;
 - v. Chloramine Dissipation Report; and
 - vi. Detailed hydraulic design calculations utilized to design water and sewer facilities regulated by the County.
- 9. Lot configurations. Typical lot configurations shall be illustrated and the minimum area of the lots required by the approved zoning classification shall be referenced by note.
 - a. For fee-simple residential lots, the illustration shall portray the type of unit identified by LDC definition and developer's description to be placed on each lot (i.e., Lots 1-20, single-family attached (patio home), and show a typical unit on typical interior and corner lots, depicting setbacks (including preserve setbacks, if applicable) and/or separation of structures. In addition, for fee simple residential lots the illustration shall portray the location of typical units on atypical lots, such as cul-de-sac, hammerhead, and all irregular lots.
 - b. For non-residential lots (i.e., multi-family amenity lots or parcels, commercial/industrial lots), the illustration shall portray setbacks and building envelope. Setbacks required by the approved zoning classification shall be provided verbatim on the plan in matrix form.
 - c. A table shall be provided showing lot area and lot width for each irregular lot. Regular corner and interior lots may show only typical width and area.
 - d. Where there is more than one type of dwelling unit proposed (i.e., single-family detached, single-family attached, zero lot line), lots must be linked to the type, or types of unit which they are intended to accommodate.
- 10. Master utilities. Utilities such as telephone, power, water, sewer, gas, and the like, on or adjacent to the tract including existing or proposed water and sewage treatment plants.
 - a. The plans shall contain a statement that all utility services shall be available and have been coordinated with all required utilities.
 - b. Evidence of such utility availability shall be provided in writing from each utility proposed to service the subdivision.

Completeness and Processing of Application

↔ See Chapter 1 D.5 for the acceptance and processing of an application.

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Notice	No notice is required.
Public Hearing	No public hearing is required.
Decision Maker	The County Manager or designee.
Review Process	The Development Review Division will review the application, identify whether additional materials are needed and review the application based on the criteria in LDC section 10.02.04 A and other provisions of the LDC and shall approve, approve with conditions, or deny the preliminary subdivision <u>conceptual</u> plat <u>with deviations</u> .
Updated	<u>Resolution 2024-XX</u>

1
2 **C2. ~~Preliminary Subdivision~~ Conceptual Plat with Deviations Amendment ~~(PSPA)~~**
3 **(CPDA)**
4

Reference	LDC section 10.02.04 A.4 and other provisions of the LDC .
Applicability	This process applies to an amendment to an approved preliminary subdivision <u>conceptual</u> plat <u>with deviations</u> .
Initiation	The applicant files an “Amendment to Preliminary Subdivision <u>Conceptual</u> Plat <u>with Deviations</u> (PSPA) <u>(CPDA)</u> ” application with the Development Review Division. ↔ See Chapter 1 D. for additional information regarding the procedural steps for initiating an application.
Pre-Application	A pre-application meeting is not required.
Application Contents and Requirements for Preliminary Subdivision Conceptual Plat with Deviations Amendments	A preliminary subdivision <u>conceptual</u> plat <u>with deviations</u> amendment application must include the following, in addition to the Application Contents and Requirements for Preliminary Subdivision Plan, as applicable. ↔ See Chapter 5 C.1 of the Administrative Code. Submittal Credentials: The preliminary subdivision <u>conceptual</u> plat <u>with deviations</u> amendment shall be prepared by the applicant’s engineer and professional surveyor and mapper. The boundary survey shall be signed and sealed by a professional surveyor and mapper registered in the State of Florida. Sheet size: The preliminary subdivision <u>conceptual</u> plat <u>with deviations</u> amendment shall be submitted on standard size 24-inch by 36-inch sheets, drawn to scale. The application must include the following: <ol style="list-style-type: none">1. Applicant contact information.2. Addressing checklist.3. Name of development.4. Amendment to PSP <u>CPD</u> Number (original PSP <u>CPD</u> number).5. Cover letter describing the proposed changes.

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Completeness and Processing of Application	↔ See Chapter 1 D.5 for the acceptance and processing of an application.
Notice	No notice is required.
Public Hearing	No public hearing is required.
Decision Maker	The County Manager or designee.
Review Process	The Development Review Division will review the application, identify whether additional materials are needed and review the application for compliance with LDC section 10.02.04 A.4 and shall approve, approve with conditions, or deny the amendment to the preliminary subdivision <u>conceptual</u> plat <u>with deviations</u> .
Updated	<u>Resolution 2024-XX</u>

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D. Construction Plans and Final Subdivision Plat (PPL) **D.1. Construction Plans and Final Subdivision Plat - Standard**

Reference	LDC sections 10.02.04 B and 10.02.04 C and other provisions of the LDC .
Applicability	The procedure applies to Construction Plans and Final Subdivision Plats (PPL) which is a required process prior to development and recording of a subdivision where improvements are required. ↔ See Chapter 5 F. of the Administrative Code to submit a Minor Final Plat (FP) – when improvements are not required. ↔ See Chapter 5 E. of the Administrative Code to submit Construction Plans (CNSTR) – when there are only improvements and no platting or recording is required.
Pre-Application Meeting	A pre-application meeting is required for a Construction Plans and Final Subdivision Plat application. The following information is beneficial to bring for discussion at the pre-application meeting: Written and mapped information describing: <ol style="list-style-type: none">1. A brief description of the land subject to the application and existing conditions.2. Existing and proposed zoning classifications.3. The proposed development – include the property subject to the application and any future phases.4. Existing covenants or restrictions.5. Location of utility facilities, public facilities, and anticipated utility sources.6. Water retention areas.7. Public areas.8. General soil characteristics.

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9. Proposed number of parcels, lots, or tracts.
10. Typical lot or other parcel configuration.
11. Current aerial photograph with a clear film overlay with the proposed subdivision configuration superimposed on the aerial photograph. Aerials and overlay information must be legible at the scale provided.
12. Any other information needed to prepare and review of the application.
13. A map, at a scale of at least 1 in. =200 ft., identifying the following:
 - a. Location of the subject property and identification of adjacent lands;
 - b. Approximate acreage;
 - c. Date of map;
 - d. North arrow and scale;
 - e. Natural features such as native habitat identified by vegetative cover and depicted in aerial imagery; low or swampy areas; water bodies, streams, lakes, canals or the like;
 - f. Streets and layout of all adjoining streets;
 - g. General lot and block layout;
 - h. Zoning classification of the property subject to the application and adjacent properties;
 - i. Location of existing improvements; and
 - j. Any other significant features.

Initiation The **applicant** files a “*Subdivision Construction Plans and Plat Application*” with Development Review Division.

Pursuant to **LDC 10.02.04 B.6**, site development plans may be submitted for review once the first review comments of the construction plans and final subdivision plat are posted. No site development plans may be approved until the final subdivision plat is approved by the County Manager or designee.

↔ *See Chapter 1 D. for additional information regarding the procedural steps for initiating an application.*

Application Contents The application must include the following:

1. **Applicant contact information.**
2. **Addressing checklist.**
3. Property information, including:
 - a. Zoning district;
 - b. **Property identification number;**
 - c. Project name;

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- d. Section, township and range;
 - e. Subdivision, unit, lot and block; and
 - f. General location and cross streets.
4. Zoning designation of subject property.
 5. PUD Monitoring Schedule and Report, if applicable.
 6. Digital file of conditional use or PUD application, if applicable.
 7. Cover letter explaining the project.
 8. **PUD Ordinance and Development Commitment Information**, as applicable.
 9. Affidavit of Authorization.
 10. Opinion of title.
 11. Letter of intent as to the timeline for construction and platting.
 12. Home Owner Association documents, if applicable.
 13. An aerial photograph. All information must be legible at the scale provided.
 14. Certificate of Public Facility Adequacy application.
 15. Fire Flow test.
 16. Zoning Data Sheet, including:
 - a. Name of Plat (and PUD, if applicable);
 - b. Development Standards per **LDC** or PUD;
 - c. Overall subdivision layout;
 - d. Table showing lot area and lot width for regular, interior and irregular lots;
 - e. Density, as allowed by zoning district;
 - f. For Residential lots:
 - i. Type of unit identified by **LDC** definition and description of what is permitted on each lot;
 - ii. Drawing of typical unit or typical interior and corner lots, showing setbacks, including preserve setbacks) and separation from structures; and
 - iii. Lot layout and setbacks, particularly for the unique lots.
 - iv. For projects with a plat per F.S. 177.073, include the number and percentages of proposed homes to receive building permits prior to plat recording.
 - g. For Non-Residential lots:
 - i. Identification of setbacks and building envelopes.
 17. Historical/Archeological Survey or waiver, if applicable.

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18. Environmental Data Requirements. ⇔ See *LDC section 3.08.00 A.*
19. Traffic Impact Study. ⇔ See *Chapter 7 B. of the Administrative Code.*
20. School Impact Analysis, for residential projects only.
21. Information and data relating to previous zoning actions affecting the project site.
22. Utility letters of availability and plat easement approval letter for utility easements, if applicable.
23. The Engineer's Report with Assumptions and Explanations signed and sealed by a Florida registered professional **engineer** shall include the following:
 - a. For all developments, the following Stormwater related information:
 - i. Completed calculations used to design the facilities, such as: road, water management systems, and all accessory facilities, public or private;
 - ii. Drainage calculations, including 10-year 1-day; 25-year 3-day; 100-year 3-day storm routings;
 - iii. Detailed hydraulic grade line pipe design calculations utilized to design the stormwater management facilities for the subdivision or development; and
 - iv. Status of all other required permits including copies of information and data submitted to the appropriate permitting agencies.
 - b. If within Collier County Public Utilities Service Area, the Report must also contain the following:
 - i. Estimated cost of utilities construction, Water and Sewer calculations;
 - ii. Sewer Hydraulics;
 - iii. Lift station hydraulics to first downstream master station;
 - iv. Lift station buoyancy calculations;
 - v. Chloramine Dissipation Report; and
 - vi. Detailed hydraulic design calculations utilized to design water and sewer facilities regulated by the County.
24. Vegetation Removal and Site Filling permit (VRSFP), if requested.
 - a. Provide separate acreage calculations for each phase of clearing requested;
 - b. If clearing or filling lots and building sites, with or without stockpiling, a separate VRSFP application shall be submitted, pursuant to **LDC section 4.06.04.A.2**; and
 - c. A site clearing plan. ⇔ See *Requirements for Construction Plans for more information.*
25. Property Ownership Disclosure Form.
26. Permits: All Federal, State and local permits, including but not limited to the following, shall be submitted prior to construction and before the pre-construction

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meeting. If approved by the County Manager or designee, an **applicant** may submit Federal, State and local agency permits at the pre-construction meeting.

- a. SFWMD Permit, Permit Modification, or waiver, including staff report exhibits;
- b. DEP utility installation permits, water/sewer; and
- c. US Army Corps of Engineers permit and exhibit, if applicable.

27. Electronic copies of all documents.

28. For projects with a plat per F.S. 177.073, proposing homes to receive building permits prior to plat recording:

- a. Provide the number or percentage of proposed homes to be permitted prior to plat recording;
- b. Construction and Maintenance Agreement; and
- c. Performance bond in accordance with LDC section 10.02.04 F.3.e.

29. Engineer’s Opinion of Probable Cost (Paving, grading, and drainage).

Requirements for Construction Plans

Submittal Credentials: The construction plans shall be signed and sealed by the **applicant’s** professional **engineer** licensed to practice in the State of Florida.

Sheet size: The construction plans shall be submitted on standard size 24-inch by 36-inch sheets, drawn to scale.

The following are required to identify and provide on the construction plans:

1. A cover sheet, including a location map, showing the location of the tract in reference to other areas of the county. The map shall include a north arrow, graphic scale, and date.
2. Construction plans with specifications detailing/showing:
 - a. Complete configurations of all required improvements including, but not limited to, all water, sewer, roads, water management systems, and all appurtenant facilities, public or private;
 - b. Complete calculations used to design these facilities shall be included with the plans; and
 - c. If the development is phased, each phase boundary shall be clearly delineated.
3. Soil Erosion and Sediment Control Plan. ⇔ *See Chapter 7 D. of the Administrative Code.*
4. Additional plans included in the construction plans packet:
 - a. Streetlight plans signed and sealed by a professional **engineer** licensed to practice in the State of Florida or the utility provider; and
 - b. Landscape plans.

⇔ *See Chapter 4.P of the Administrative Code for Landscape Plan submittals.*

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5. Preserve Management Plan, including a Native Vegetation Retention/Mitigation Plan, if requested by **applicant**.
6. Boundary and topographic survey, less than six months old.
7. Site Clearing Plan, including a vegetation inventory.

Areas where improvements are to be constructed with a maximum limit of 10 feet beyond any approved rights-of-way line or 5 feet beyond any easement line.

8. Design sections, i.e., cross sections of roads, lakes, berms, and lots.
9. Construction details showing compliance with applicable federal, state, and local standards.
10. For required improvements which will be constructed within an existing easement, the existing easement and facilities and the proposed easement and facilities shall be illustrated.

The **applicant** shall provide copies of the plans to the holder of the easement(s) simultaneously with its submission of the application to the county.

11. Plan and profile sheets, showing roads, water, sewer, conflict crossings, drainage, utilities, sidewalks, bike paths, and any unique situations.
12. Benchmark, based on NOAA datum NAVD.
13. Locations of test borings of the subsurface condition of the tract to be developed.
14. The construction plans and attachments shall address special conditions pertaining to the subdivision in note form on the construction plans, including statements indicating:
 - a. Compliance with federal, state, and local standards as currently adopted;
 - b. Source of water and sewer service; and
 - c. Required installation of subsurface construction such as water lines, sewer lines, public utilities and storm drainage prior to compaction of subgrade and roadway construction.

Requirements for Water Management for Construction Plans Submittal Credentials: The water management plans and specifications in report form shall be signed and sealed by the applicant's professional engineer licensed to practice in the State of Florida. The Water Management plans and specifications shall include, but not be limited to, the following:

1. A topographic map of the land development related to NAVD with sufficient spot elevations to accurately delineate the site topography, prepared by a professional surveyor.
2. A drainage map of the entire basins within which the development or subdivision lies. This map may be combined with the above topographic data in a manner acceptable to the County Manager or designee. All ridges lying within the basins and the area of the basins stated in acres, of all the existing and proposed drainage areas shall be shown and related to corresponding points of flow concentration.
3. Flow paths shall be indicated throughout including final outfalls from the development and basins, existing water elevations, all connected and isolated

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wetlands, recurring high water elevations, proposed design water elevations, and other related hydrologic data.

4. Drainage data, assumed criteria and hydraulic calculations, consistent with the criteria and design method established by the SFWMD. This includes routings for the 10-yr, 25-yr and 100 -yr storm events.
5. Pipe sizing calculations for the site.
6. Plans showing proposed design features and typical sections of canals, swales and all other open channels, storm sewers, all drainage structures, roads and curbs, and other proposed development construction.
7. Plans and profiles of all proposed roads. Where proposed roads intersect existing roads, elevations and other pertinent details shall be shown for existing roads. Where additional ditches, canals or other watercourses are required to accommodate contributory surface waters, sufficient right-of-way shall be provided by the developer or subdivider to accommodate these and future needs.
8. For projects that require a construction permit to be issued by the SFWMD, work shall not commence until the **applicant** has provided the County Manager or designee a copy of the permit.
9. The master drainage plan shall include the drainage plans and details for all lots. The master drainage plan shall show proposed finished grade elevations at all lot corners and breaks in grade. The **engineer** shall state on the water management calculations the basis for wet season water table selection.
10. Construction plans for all subdivisions shall include a general note stating that all off-site drainage improvements associated with the current phase of development, including perimeter berms, swales, stormwater outfall systems and on-site perimeter swales shall be completed and operational prior to commencement of construction of on-site improvement.
 - a. This requirement shall be established at the mandatory pre-construction meeting. Failure to comply with completion of the required offsite improvements will result in a stop work order being issued until such time as the project is brought into compliance with this requirement; and
 - b. The **Engineer** of record prior to final acceptance shall provide documentation from the stormwater maintenance entity that it has been provided information on how the stormwater system works and their responsibility to maintain the system.

Requirements for Final Subdivision Plats

Submittal Credentials: The final subdivision plat shall be signed and sealed by a professional surveyor and mapper registered in the State of Florida.

Sheet size: The final subdivision plat shall be submitted on standard size 24-inch by 36-inch sheets of mylar or other approved material in conformance with F.S. Ch. 177, drawn to scale.

The final subdivision plat shall include at a minimum the following requirements:

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1. The final plat shall be prepared in accordance with the provisions of F.S. Chapter 177, as may be amended.
2. The plat shall be clearly and legibly drawn with black permanent drawing ink or a photographic silver emulsion mylar to a scale of not smaller than 1 inch equals 100 feet.
3. Name of subdivision. The plat shall have a title or name acceptable to the County Manager or designee. When the plat is a new subdivision, the name of the subdivision shall not duplicate or be phonetically similar to the name of any existing subdivision. When the plat is an additional unit or section by the same developer or successor in title to a recorded subdivision, it shall carry the same name as the existing subdivision and as necessary a sequential numeric or alphabetic symbol to denote and identify the new plat from the original plat. A note shall be added to the plat cover sheet which identifies the zoning action name and ordinance number which approved such action.
4. Title. The plat shall have a title printed in bold legible letters on each sheet containing the name of the subdivision. The subtitle shall include the name of the county and state; the section, township and range as applicable or if in a land grant, so stated; and if the plat is a replat, amendment or addition to an existing subdivision, it shall include the words "section," "unit," "replat," "amendment," or the like.
5. Description. There shall be lettered or printed upon the plat a full and detailed description of the land embraced in the plat. The description shall show the section, township and range in which the lands are situated or if a land grant, so stated, and shall be so complete that from it without reference to the map the starting point can be determined and the boundaries identified.
6. Index. The plat shall contain a sheet index on page 1, showing the entire subdivision on the sheet indexing the area shown on each succeeding sheet and each sheet shall contain an index delineating that portion of the subdivision shown on that sheet in relation to the entire subdivision. When more than 1 sheet shall be used to accurately portray the lands subdivided, each sheet shall show the particular number of that sheet and the total number of sheets included as well as clearly labeled match lines to each sheet.
7. Survey data. The final plat shall comply with F.S. Ch. 177, and shall show the length of all arcs together with central angles, radii, chord bearing, chord length and points of curvature. Sufficient survey data shall be shown to positively describe the boundary of each lot, block, right-of-way, easement, required conservation or preserve area and all other like or similar areas shown on the plat or within the boundary of the plat as shown in the description. The survey data contained on the plat shall also include:
 - a. The cover sheet or first page of the plat shall show a location plan, showing the subdivision's location in reference to other areas of the county;
 - b. The scale, both stated and graphically illustrated, on each graphic sheet;
 - c. A north arrow shall be drawn on each sheet that shows the geometric layout and the configuration of the property to be platted. The north direction shall be at the top or left margin of the map where practicable;
 - d. The minimum size for any letter or numeral shall be 1/10 inch;

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- e. The points of beginning and the commencement shall be boldly shown for any metes and bounds description;
 - f. All intersecting street right-of-way lines shall be joined by a curve with a minimum radius of 25 feet;
 - g. All adjoining property shall be identified by a subdivision title, plat book and page or if unplatted, the land shall be so designated;
 - h. Permanent reference monuments shall be shown in the manner prescribed by F.S. Ch. 177, as amended, and shall be installed prior to recording of the final plat;
 - i. There shall be reserved a space in the upper right-hand corner of each sheet for the words "Plat Book _____" and "Page _____" with the minimum letter size of ¼ inch. On the line directly below, a space for "Sheet _____ of _____";
 - j. The map shall mathematically close and when practical shall be tied to all section, township and range lines occurring within the subdivision by distance and bearing where applicable; and
 - k. All line and curve tables are to be shown on the same sheet as the graphic drawing they relate to. When possible, dimensions shall be shown directly on the map.
8. Lot and block identification. Each lot, block, or other like or similar parcel, however described, shall be numbered or lettered. All lots shall be numbered or lettered by progressive numbers or letters individually throughout the subdivision or progressively numbered or lettered in each block, not necessarily starting with the number "1" or letter "A." Parcels and blocks in each incremental plat shall be numbered or lettered consecutively throughout a subdivision.
9. Protected/Preserve easements. All parcels which constitute a protected/preserve area shall be labeled as an easement or tract. All protected/preserve area easements or tracts shall be dedicated on the final subdivision plat to Collier County without the responsibility for maintenance and to a **property owners'** association or similar entity with maintenance responsibilities.
10. Street names. The plat shall contain the name of each street shown on the plat in conformance with the design requirements of this section.
11. Utilities. The construction plans for required improvements which will be constructed within an existing easement must illustrate the existing easement and existing facilities, and the proposed easement and the proposed facilities.
- Copies of the construction plans shall be provided by the **applicant** to the holder of the easement(s) simultaneously with its submission to the county.
12. Outparcels. All interior excepted parcels shall be clearly indicated and labeled "Not a Part of this Plat."
13. Rights-of-way and easements. All right-of-way and easement widths and dimensions shall be shown on the plat. All lots must have frontage on a public or private right-of-

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way in conformance with the LDC. Exceptions to lot frontage requirements are identified in LDC section 4.03.04.

14. Restrictions, reservations, and restrictive covenants. Restrictions pertaining to the type and use of water supply, type and use of sanitary facilities; use, responsibility of maintenance and benefits of water or water management areas, canals, preserve and conservation areas, and other open spaces; odd-shaped and substandard parcels; restrictions controlling building lines; establishment and maintenance of buffer strips and walls; and restrictions of similar nature shall require the establishment of restrictive covenants and the existence of such covenants shall be noted on the plat by reference to official record book and page numbers in the public records of Collier County. Documents pertaining to restrictive covenants shall be submitted with the final plat.
15. Location. The name of the section, township, range, and if applicable city, town, village, county and state in which the land being platted is situated shall appear under the name of the plat on each sheet. If the subdivision platted is a resubdivision of a part or the whole of a previously recorded subdivision, the fact of its being a resubdivision shall be stated as a subtitle following the name of the subdivision wherever it appears on the plat.
16. Basis of bearings. The basis of bearings must be clearly stated, i.e., whether to "True North," "Grid North" as established by the National Oceanic Society (NOS), "Assumed North," etc., and must be based on a well-defined line.
17. Existing or recorded streets. The plat shall show the name, location, and width of all existing or recorded streets intersecting or contiguous to the boundary of the plat, accurately tied to the boundary of the plat by bearings and distances.
18. Private streets and related facilities. All streets and their related facilities designed to serve more than 1 **property owner** shall be dedicated to the public use; however private streets shall be permitted within property under single ownership or control of a property Home Owners' Association a condominium or cooperative association or other like or similar entity. Where private streets are permitted, ownership and maintenance association documents shall be submitted with the final plat and the dedication contained on the plat shall clearly dedicate the roads and maintenance responsibility to the association without responsibility to the county or any other public agency. The rights-of-way and related facilities shall be identified as tracts for roads and other purposes under specific ownership. All private streets shall be constructed in the same manner as public streets and the submission of construction plans with required information shall apply equally to private streets.
19. Preserve Setbacks. The required preserve principal structure setback line and the accessory structure setback lines shall be clearly indicated and labeled on the final plat where applicable. The boundaries of all required easements shall be dimensioned on the final subdivision plat. Required protected/preserve areas shall be identified as separate tracts or easements having access to them from a platted right-of-way. No individual residential or commercial lot or parcel lines may project into them when platted as a tract. If the protected/preserve area is determined to be jurisdictional in nature, verification must be provided which documents the approval of the boundary limits from the appropriate local, state or federal agencies having

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jurisdiction and when applicable pursuant to the requirements and provisions of the Growth Management Plan. ⇔ See **LDC** section **6.01.02** for further information.

- 20.** Certification and approvals. The plat shall contain, except as otherwise allowed below, on the first page (unless otherwise approved by the County Manager or Designee and office of the county attorney prior to submittal) the following certifications and approvals, acknowledged if required by law, all being in substantially the form set forth in Appendix C to the **LDC**. The geometric layout and configuration of the property to be platted shall not be shown on the page(s) containing the certifications, approvals and other textual data associated with the plat when practical.
- a.** Dedications. The purpose of all dedicated or reserved areas shown on the plat shall be defined in the dedication on the plat. All areas dedicated for use by the residents of the subdivision shall be so designated and all areas dedicated for public use, such as parks, rights-of-way, easements for drainage and conservation purposes and any other area, however designated, shall be dedicated by the owner of the land at the time the plat is recorded. Such dedication and the responsibility for their maintenance shall require a separate acceptance by resolution of the Board of County Commissioners. No dedication items shall be included in the general note for the plat;
 - b.** Mortgagee's consent and approval. Identification of all mortgages and appropriate recording information together with all mortgagees' consents and approvals of the dedication shall be required on all plats where mortgages encumber the land to be platted. The signature(s) of the mortgagee or mortgagees, as the case may be, must be witnessed and the execution must be acknowledged in the same manner as deeds are required to be witnessed and acknowledged. In case the mortgagee is a corporation, the consent and approval shall be signed on behalf of the corporation by the president, vice-president or chief executive officer. At the **applicant's** option, mortgagee's consents do not have to be included on the plat to be recorded, so long as they are provided as fully executed and acknowledged separate instruments along with the plat recording submittal;
 - c.** Certification of surveyor. The plat shall contain the signature, registration number and official seal of the land surveyor, certifying that the plat was prepared under his responsible direction and supervision and that the survey data compiled and shown on the plat complies with all of the requirements of F.S. ch. 177, part I, as amended. The certification shall also state that permanent reference monuments (P.R.M.), have been set in compliance with F.S. chapter 177, part I, as amended, and this section, and that permanent control points (P.C.P.s) and lot corners will be set under the direction and supervision of the surveyor prior to final acceptance of required improvements. Upon installation of the P.C.P.s, the surveyor must submit to the County Manager or designee written certification that the installation work has been properly completed. When required improvements have been completed prior to the recording of a plat, the certification shall state the P.C.P.s and lot corners have been set in compliance with the laws of the State of Florida and ordinances of Collier

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County. When plats are recorded and improvements are to be accomplished under performance security posted as provided for by this section, the required improvements and performance guarantee shall include P.C.P.s;

- d. Surveyor's seal. The surveyor of record shall sign and seal copies of the plat submitted for approval;
- e. Signature block for county attorney. The plat shall contain the approval and signature block for the county attorney;
- f. Signature block for Board of County Commissioners and clerk of circuit court. The plat shall contain the approval and signature block for the Board of County Commissioners and the acknowledgement and signature block of the clerk of circuit court;
- g. Evidence of title. A title certification or opinion of title complying with section 177.041, F.S., must be submitted with the plat. The evidence of title provided must state or describe: (1) that the lands as described and shown on the plat are in the name, and record title is held by the person, persons or organization executing the dedication, (2) that all taxes due and payable at the time of final plat recording have been paid on said lands, (3) all mortgages on the land and indicate the official record book and page number of each mortgage. The evidence of title may, at the **applicant's** discretion, be included on the first page of the plat, so long as the information required by section 177.041, F.S., and this paragraph is clearly stated, an effective date is provided, and the statement is properly signed; and
- h. Instrument prepared by. The name, street and mailing address of the natural person who prepared the plat shall be shown on each sheet. The name and address shall be in statement form consisting of the words, "This instrument was prepared by (name), (address)."

Completeness and Processing of Application ⇔ See Chapter 1 D.5 for the acceptance and processing of an application.

Notice No notice is required.

Public Hearing The BCC shall hold at least 1 advertised public hearing.

Decision Maker The BCC.

Review Process The Development Review Division will review the application, identify whether additional materials are needed and review the application for compliance with **LDC** sections **10.02.04 B** and **10.02.04 C** and other provisions of the **LDC**.

Once submitted for review, the construction plans and final subdivision plat application will remain under review so long as a resubmittal in response to a county reviewer's comments is received within 270 days of the date on which the comments were sent to the **applicant**. If a response is not received within this time, the application will be considered withdrawn and cancelled. Further review of the project will require a new application together with appropriate fees.

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The County Manager or designee will provide a recommendation to the Board of County Commissioners to approve, approve with conditions, or deny the final subdivision plat.

For applicants requesting building permits before plat recording, the county will stamp the final plat as "Preliminary Plat for Building Permit Issuance" after Board approval of the plat and receipt of the fully executed construction and maintenance agreement and performance security after County Attorney approval.

Pre-Construction Meeting A pre-construction meeting shall be scheduled with the Development Review Division prior to the commencement of construction.

↔ See Chapter 1 D.9 for additional information regarding the pre-construction meeting requirements.

Re-submittal of Construction Plans and Final Subdivision Plats Upon re-submittal of construction plans and final subdivision plat, the **engineer** shall identify all revisions to the construction plans by lettering or numbering; the surveyor shall identify all revisions to the plat by highlighting the current revisions. The **applicant** shall also provide a written response to the county's comments, responding to each comment individually.

Digital Submittal Requirements After the construction plans and final subdivision plat has been approved by the County Manager or designee for compliance, the **applicant** shall submit the following:

1. The **applicant's** professional **engineer** shall submit a digitally created construction/site plan documents; and
2. 1 CDROM of the master plan file, including, where applicable, easements, water/wastewater facilities, and stormwater drainage system. The digital data to be submitted shall follow these formatting guidelines: All data shall be delivered in the state plane coordinate system, with a Florida East Projection, and a North American Datum 1983/1990 (NAD83/90 datum), with United States Survey Feet (USFEET) units; as established by a Florida registered surveyor and mapper. All information shall have a maximum dimensional error of +0.5 feet. Files shall be in an AutoCad (DWG) or Digital Exchange File (DXF) format; information layers shall have common naming conventions (i.e. right-of-way—ROW, centerlines—CL, edge-of-pavement—EOP, etc.). For a plan to be deemed complete, the layering scheme must be readily understood by county staff. All property information (parcels, lots, and requisite annotation) shall be drawn on a unique information layer, with all linework pertaining to the property feature located on that layer. Example: parcels—All lines that form the parcel boundary will be located on 1 parcel layer. Annotations pertaining to property information shall be on a unique layer. Example: lot dimensions—Lottxt layer. All construction permits required from local, state and federal agencies must be submitted to the County Manager or designee prior to commencing development within any phase of a project requiring such permits.

Recording Process The final subdivision plat shall be recorded pursuant to **LDC** section **10.02.04 F**.

↔ See Chapter 5 G. of the Administrative Code.

Updated [Resolution 2024-XX](#)

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1 F. Minor Final Subdivision Plat (FP) 2

Reference LDC section 10.02.04 D.

Applicability This procedure applies to a minor final subdivision plat. A minor final subdivision plat generally does not require improvements, a construction maintenance agreement, a security performance bond, or phasing.

Pre-application A pre-application meeting is required unless waived by the County Manager or designee.

Initiation The **applicant** files a “*Minor Subdivision Plat Application*” with the Development Review Division.

↔ *See Chapter 1 D. for additional information regarding the procedural steps for initiating an application.*

Application Contents The application must include the following:

1. **Applicant contact information.**
2. **Addressing checklist.**
3. **PUD Ordinance and Development Commitment Information.**
4. Property information, including:
 - a. Legal description;
 - b. **Property identification number;**
 - c. Project name;
 - d. Section, township and range;
 - e. Subdivision, unit, lot and block; and
 - f. Total acreage.
5. Current zoning designation of subject property.
6. Cover letter briefly explaining the project.
7. PUD Monitoring Schedule, if applicable.
8. Owner/agent affidavit as to the correctness of the application.
9. Signed and sealed Plat, less than 6 months old.
10. Signed and sealed boundary survey, less than 6 months old.

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11. Affidavit of Authorization.
12. Zoning Data Sheet.
13. Certificate of Adequate Public Facilities application, if applicable.
14. School Impact Analysis application, if applicable.
15. Property Ownership Disclosure Form.
16. For projects with a plat per F.S. 177.073, proposing homes to receive building permits prior to plat recording:
 - a. Provide the number or percentage of proposed homes to be permitted prior to plat recording;
 - b. Construction and Maintenance Agreement; and
 - c. Performance bond in accordance with LDC section 10.02.04 F.3.e.

Final Subdivision Plat Requirements ⇔ *See Chapter 5 D.1 - "Requirements for Final Subdivision Plat" within the Construction Plans and Final Subdivision Plat section of the Administrative Code.*

Submittal Credentials: Minor final plats shall be signed and sealed by a professional surveyor and mapper registered in the State of Florida.

Sheet size: The final subdivision plat shall be submitted on standard size 24-inch by 36-inch sheets, drawn to scale.

Completeness and Processing of Application ⇔ *See Chapter 1 D.5 for the acceptance and processing of an application.*

Notice No notice is required.

Public Hearing The BCC shall hold 1 public hearing.

Decision Maker BCC with an approval from the County Manager or designee.

Review Process The Development Review Division will review the application, identify whether additional materials are needed and review the application for compliance with and shall approve, approve with conditions, or deny the minor final subdivision plat.

Once submitted for review, the minor final subdivision plat application will remain under review so long as a resubmittal in response to a county reviewer's comments is received within 270 days of the date on which the comments were sent to the **applicant**. If a response is not received within this time, the application for review will be considered withdrawn and cancelled. Further review of the project will require a new application together with appropriate fees.

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The County Manager or designee will provide a recommendation to the BCC to approve, approve with conditions, or deny the minor final subdivision plat.

Digital Submittal Requirements After the minor final subdivision plat has been approved by the County Manager or designee for compliance the **applicant** shall submit the following:

1. The **applicant's** professional **Engineer** shall submit a digitally created construction/site plan documents; and
2. 1 CDROM of the master plan file, including, where applicable, easements, water/wastewater facilities, and stormwater drainage system. The digital data to be submitted shall follow these formatting guidelines: All data shall be delivered in the state plane coordinate system, with a Florida East Projection, and a North American Datum 1983/1990 (NAD83/90 datum), with United States Survey Feet (USFEET) units; as established by a Florida registered surveyor and mapper. All information shall have a maximum dimensional error of +0.5 feet. Files shall be in an AutoCad (DWG) or Digital Exchange File (DXF) format; information layers shall have common naming conventions (i.e. right-of-way—ROW, centerlines—CL, edge-of-pavement—EOP, etc.). For a plan to be deemed complete, the layering scheme must be readily understood by county staff. All property information (parcels, lots, and requisite annotation) shall be drawn on a unique information layer, with all linework pertaining to the property feature located on that layer. Example: parcels—All lines that form the parcel boundary will be located on 1 parcel layer. Annotations pertaining to property information shall be on a unique layer. Example: lot dimensions—Lottxt layer. All construction permits required from local, state and federal agencies must be submitted to the County Manager or designee prior to commencing development within any phase of a project requiring such permits.

Recording Process The minor final subdivision plat shall be recorded pursuant to **LDC** section **10.02.04 F**.

↔ See Chapter 5 G. of the Administrative Code.

Updated [Resolution 2024-XX](#)

1
2 **G. Plat Recording**
3

Reference **LDC** section **10.02.04 F**.

Applicability This procedure is to ensure proper legal description, identification, documentation, and recording of real estate boundaries. This procedure occurs after approval of the final subdivision plat by the BCC.

No building permit for habitable structures shall be issued prior to approval by the BCC and recordation of the final subdivision plat, except as identified in **LDC** sections ~~5.05.04 5.04.04, and 10.02.04 B.6~~, and 10.02.04 B.4.

Pre-Application A pre-application meeting will have occurred at the time of submittal of the construction plans and final subdivision plat or minor final subdivision plat.

Initiation The **applicant** files an “*Application for Plat Recording (PR)*” with the Development Review Division.

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↔ See Chapter 1 D. for additional information regarding the procedural steps for initiating an application.

Application Contents

The application must include the following:

1. **Applicant contact information.**
2. Original PPL number.
3. Construction and Maintenance Agreement.
4. Original sepia mylar of the final subdivision plat, with surveyor’s certification that the mylar contains no revisions from the most recent submittal of the final subdivision plat to the Development Review Division.
5. Pursuant to **LDC** section **10.02.04 F.3**, an original title opinion from an attorney licensed to practice in the State of Florida, which contains the following:
 - a. A legal description of at least the lands being platted;
 - b. A statement that the attorney is licensed to practice in the State of Florida and that the attorney has examined title to the subject real property, if a title opinion is being provided;
 - c. Identification of the exact name of any person who is the record owner of the subject real property and a specific citation to the official records book and page, where each record legal owner obtained title to the subject real property. The title information shall have attached thereto a copy of said instrument(s) of conveyance; and
 - d. Identification of liens, encumbrances, easements, or matters shown or that should be shown as exclusions to coverage on a title insurance policy. As may be applicable, the title information shall include in a neatly bound fashion, and make citation to the recording information of, all referenced liens, encumbrances, easements, or exclusions. The title information shall have attached thereto a copy of any such instruments.
6. Joinder and consent of mortgagee, if applicable.
7. If any dedications, grants, conveyances, easements, consents (including mortgagee consents), reservations, covenants, or other like instruments are to be recorded simultaneously with the final subdivision plat, appropriate fees and original documentation must be provided to the County Manager or designee for processing and recording by the Clerk of Courts prior to, or simultaneously with, the recording of the final subdivision plat.
8. Home Owner Association Documents, if applicable.
9. Affidavit by surveyor.

Supporting “gap” title information

1. Pursuant to **LDC** section **10.02.04 F.3**, within 60 days of recordation of the final subdivision plat the **applicant** shall submit to the County Manager or designee final supporting "gap" title information.
2. The final supporting title information must meet all of the requirements in the above (Plat Recording – Application Contents).

Exhibit A – Administrative Code Amendment

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Collier County Land Development Code | *Administrative Procedures Manual*

Chapter 5 / Subdivision Procedures

3. The effective date of the supporting "gap" title information must be through the date of recordation of the final subdivision plat and must, at a minimum, cover the "gap" between the time the effective date of the information required above (Plat Recording – Application Contents) and the date and time of recording of the final plat.
4. The title information must identify and provide copies of any recorded documentation of the holders of any estates, liens, encumbrances, or easements not properly included or joined in the dedication or consents on the final subdivision plat. The supporting "gap" title information must have attached a copy of any required instruments not previously provided in connection with submittals for the final plat's recording.

Completeness and Processing of Application

↔ See Chapter 1 D.5 for the acceptance and processing of an application.

Notice No notice is required.

Public Hearing No public hearing is required.

Decision Maker The County Manager or Designee.

Review Process The Development Review Division will review the application and identify whether additional materials are needed pursuant to **LDC** section **10.02.04 F**.

The Development Review Division will submit the final subdivision plat materials to the Collier County Clerk of Courts for recording.

Digital Submittal Requirements

After the final subdivision plat has been approved by the County Manager or designee for compliance the **applicant** shall submit the following:

1. The **applicant's** professional **Engineer** shall submit a digitally created construction/site plan documents; and
2. 1 CDROM of the master plan file, including, where applicable, easements, water/wastewater facilities, and stormwater drainage system. The digital data to be submitted shall follow these formatting guidelines: All data shall be delivered in the state plane coordinate system, with a Florida East Projection, and a North American Datum 1983/1990 (NAD83/90 datum), with United States Survey Feet (USFEET) units; as established by a Florida registered surveyor and mapper. All information shall have a maximum dimensional error of +0.5 feet. Files shall be in an AutoCad (DWG) or Digital Exchange File (DXF) format; information layers shall have common naming conventions (i.e. right-of-way—ROW, centerlines—CL, edge-of-pavement—EOP, etc.). For a plan to be deemed complete, the layering scheme must be readily understood by county staff. All property information (parcels, lots, and requisite annotation) shall be drawn on a unique information layer, with all linework pertaining to the property feature located on that layer. Example: parcels—All lines that form the parcel boundary will be located on 1 parcel layer. Annotations pertaining to property information shall be on a unique layer. Example: lot dimensions—Lottxt layer. All construction permits required from local, state and federal agencies must be submitted to the County Manager or designee prior to commencing development within any phase of a project requiring such permits.

Exhibit A – Administrative Code Amendment

Text underlined is new text to be added.
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Collier County Land Development Code | *Administrative Procedures Manual* Chapter 5 / *Subdivision Procedures*

Updated Resolution 2024- XX

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Exhibit A – Administrative Code Amendment

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Collier County Land Development Code | *Administrative Procedures Manual*

Chapter 12 / Acronyms

1 Chapter 12. Acronyms

- 2
- 3 A – Rural Agricultural Zoning District
- 4 AAB – Architectural Arbitration Board
- 5 ACOE – Army Corps of Engineers
- 6 ACP – Agricultural Clearing Permit
- 7 ACSC – Area of Critical State Concern
- 8 ADT – Average Daily Trips
- 9 AFW – Administrative Fence Waiver
- 10 APR – Administrative Parking Waiver
- 11 ASI – Area of Significant Influence
- 12 AVA – Administrative Variance
- 13 BCC – Board of Collier County Commissioners
- 14 BD – Boat Dock Petition
- 15 BMUD – Bayshore Drive Mixed Used District
- 16 BOAA – Building Board of Adjustment and Appeals
- 17 BP – Business Park District
- 18 BZA – Board of Zoning Appeals
- 19 C-1 – Commercial Professional General Office District
- 20 C-2 – Commercial Convenience District
- 21 C-3 – Commercial Intermediate District
- 22 C-4 – General Commercial District
- 23 C-5 – Heavy Commercial District
- 24 CCME – Conservation and Coastal Management Element
- 25 CCPC – Collier County Planning Commission
- 26 CCSL(P) – Coastal Construction Setback Line (Permit)
- 27 CDD – Community Development District
- 28 CEB – Code Enforcement Board
- 29 CF – Community Facility
- 30 CIE – Capital Improvement Element
- 31 CIP – Capital Improvement Program
- 32 CMO – Corridor Management Overlay
- 33 CNSTR – Construction Plans
- 34 C.O. – Certificate of Occupancy
- 35 COA – Certificate of Public Facility Adequacy
- 36 CON – Conservation Zoning District
- 37 CPD – Conceptual Plat with Deviations
- 38 CPDA – Conceptual Plat with Deviations Amendment
- 39 CRD – Compact Rural Development
- 40 CSP – Conceptual Site Plan
- 41 CU – Conditional Use
- 42 DBH – Diameter at Breast Height
- 43 DC – Department of Commerce
- 44 D.O. – Development Order
- 45 DRI – Development of Regional Impact
- 46 DSWT – Dry Season Water Table
- 47 E – Estates Zoning District
- 48 EAC – Environmental Advisory Council
- 49 EIS – Environmental Impact Statement

Exhibit A – Administrative Code Amendment

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Collier County Land Development Code | *Administrative Procedures Manual*

Chapter 12 / Acronyms

- 1 EPA – Environmental Protection Agency
- 2 EWA – Early Work Authorization
- 3 EXP – Excavation Permit
- 4 FAC – Florida Administrative Code
- 5 FDEP – Florida Department of Environmental Protection
- 6 FDOT – Florida Department of Transportation
- 7 FFWCC – Florida Fish & Wildlife Conservation Commission
- 8 FIAM – Financial Impact Analysis Module
- 9 FIHS – Florida Interstate Highway System
- 10 FLUCFCS - Land Use Cover and Forms Classification System
- 11 FLUE – Future Land Use Element
- 12 FLUM – Future Land Use Map
- 13 FP – Minor Final Plat
- 14 FS – Florida Statutes
- 15 FSA – Flow way Stewardship Area
- 16 GC – Golf Course
- 17 GGAMP – Golden Gate Area Master Plan
- 18 GGPPOCO – Golden Gate Pkwy Professional Office Commercial Overlay District
- 19 GMCD – Growth Management Community Development Department
- 20 GMP – Growth Management Plan
- 21 GPCD – Gallons Per Capita per Day
- 22 GT – Gopher Tortoise
- 23 GWP – Ground Water Protection Zone
- 24 GZO – Goodland Zoning Overlay
- 25 HAPB – Historic Archaeological Preservation Board
- 26 HSA – Habitat Stewardship Area
- 27 I – Industrial Zoning District
- 28 ICBSD – Immokalee Central Business Subdistrict
- 29 LDC – Land Development Code
- 30 LOS – Level of Service
- 31 LPA – Local Planning Agency
- 32 LDBPA- Limited Density Bonus Pool Allocation
- 33 LSPA – Littoral Shelf Planting Area
- 34 M/F – Multi-family Use or Zoning
- 35 MH – Mobile Home
- 36 MHO – Mobile Home Overlay
- 37 MLW – Mean Low Water
- 38 MPP – Manatee Protection Plan
- 39 MUP – Mixed Use Project
- 40 NBMO – North Belle Meade Overlay
- 41 NC – Neighborhood Commercial District
- 42 NIM – Neighborhood Information Meeting
- 43 NRPA – Natural Resource Protection Area
- 44 NAVD – North American Vertical Datum
- 45 NGVD – National Geodetic Vertical Datum
- 46 O.C. – On Center
- 47 P – Public Use District
- 48 PDI- PUD Insubstantial Change
- 49 PPL – Plans and Plat
- 50 PSI – Pounds Per Square Inch

Exhibit A – Administrative Code Amendment

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Collier County Land Development Code | *Administrative Procedures Manual*

Chapter 12 / Acronyms

- 1 ~~PSP – Preliminary Subdivision Plat~~
- 2 PUD – Planned Unit Development
- 3 RSF – Residential Single-Family Districts
- 4 RCW – Red Cockaded Woodpecker
- 5 RFMU – Rural Fringe Mixed Use District
- 6 RLS – Request for Legal Service
- 7 RLSA(O) – Rural Lands Stewardship Area (Overlay)
- 8 RMF – Residential Multi-Family Districts
- 9 RNC – Residential Neighborhood Commercial Subdistrict
- 10 R.O.W. – Right of Way
- 11 RSF – Residential Single-Family
- 12 SBCO – Santa Barbara Commercial Overlay District
- 13 SBR – School Board Review
- 14 SDP – Site Development Plan
- 15 SDPA – Site Development Plan Amendment
- 16 SDPI – Site Development Plan Insubstantial Change
- 17 S/F – Single Family Use/Zoning
- 18 SFWMD – South Florida Water Management District
- 19 SIP – Site Improvement Plan
- 20 SIPI – Site Improvement Plan Insubstantial Change
- 21 SLR – Sound Level Reduction
- 22 SRA – Stewardship Receiving Area
- 23 SSA – Stewardship Sending Area
- 24 ST – Special Treatment Zoning Overlay
- 25 ST-NAR – Special Treatment-Natural Aquifer Recharge
- 26 SWFRPC – Southwest Florida Regional Planning Council
- 27 TCEA – Transportation Concurrency Exception Areas
- 28 TCMA – Transportation Concurrency Management Areas
- 29 TDR – Transfer of Development Rights
- 30 TP – Turtle Permit
- 31 TTRVC – Travel Trailer Recreational Vehicle Campground
- 32 UMAM – Uniform Mitigation Assessment Method
- 33 USFWS – United States Fish & Wildlife Service
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Exhibit B – Statutory References

CHAPTER 2024-210

Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill No. 812

An act relating to expedited approval of residential building permits; creating s. 177.073, F.S.; providing definitions; requiring certain governing bodies, by a date certain, to each create a program to expedite the process for issuing residential building permits before a final plat is recorded; requiring the expedited process to include a certain application; prohibiting the application or local government final approval from altering or restricting the number of building permits requested under certain circumstances; requiring certain governing bodies to update their program in a specified manner; providing applicability; requiring a governing body to create certain processes for purposes of the program; authorizing applicants to use a private provider to expedite the process for certain building permits; requiring a governing body to establish a registry of qualified contractors for a specified purpose; prohibiting such qualified contractors hired to review an application from having a conflict of interest with the applicant; defining the term “conflict of interest”; authorizing a governing body to issue addresses and temporary parcel identification numbers for specified purposes; requiring a governing body to issue a specified number or percentage of building permits requested in an application when certain conditions are met; setting forth certain conditions for applicants who apply to the program; providing that an applicant has a vested right in an approved preliminary plat when certain conditions are met; prohibiting a governing body from making substantive changes to a preliminary plat without written consent; requiring an applicant to indemnify and hold harmless certain entities and persons; providing an exception; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 177.073, Florida Statutes, is created to read:

177.073 Expedited approval of residential building permits before a final plat is recorded.—

(1) As used in this section, the term:

(a) “Applicant” means a homebuilder or developer who files an application with the local governing body to identify the percentage of planned homes, or the number of building permits, that the local governing body must issue for a residential subdivision or planned community.

(b) “Final plat” means the final tracing, map, or site plan presented by the subdivider to a governing body for final approval, and, upon approval by the appropriate governing body, is submitted to the clerk of the circuit court for recording.

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Exhibit B – Statutory References

(c) “Local building official” has the same meaning as in s. 553.791(1).

(d) “Plans” means any building plans, construction plans, engineering plans, or site plans, or their functional equivalent, submitted by an applicant for a building permit.

(e) “Preliminary plat” means a map or delineated representation of the subdivision of lands that is a complete and exact representation of the residential subdivision or planned community and contains any additional information needed to be in compliance with the requirements of this chapter.

(f) “Qualified contractor” includes, but is not limited to, an engineer or engineering firm licensed under chapter 471; a surveyor or mapper or a surveyor’s or mapper’s firm licensed under chapter 472; an architect or architecture firm licensed under part I of chapter 481; a landscape architect or landscape architecture firm registered under part II of chapter 481; or any other qualified professional who is certified in urban planning or environmental management.

(2)(a) By October 1, 2024, the governing body of a county that has 75,000 residents or more and any governing body of a municipality that has 10,000 residents or more and 25 acres or more of contiguous land that the local government has designated in the local government’s comprehensive plan and future land use map as land that is agricultural or to be developed for residential purposes shall create a program to expedite the process for issuing building permits for residential subdivisions or planned communities in accordance with the Florida Building Code and this section before a final plat is recorded with the clerk of the circuit court. The expedited process must include an application for an applicant to identify the percentage of planned homes, not to exceed 50 percent of the residential subdivision or planned community, or the number of building permits that the governing body must issue for the residential subdivision or planned community. The application or the local government’s final approval may not alter or restrict the applicant from receiving the number of building permits requested, so long as the request does not exceed 50 percent of the planned homes of the residential subdivision or planned community or the number of building permits. This paragraph does not:

1. Restrict the governing body from issuing more than 50 percent of the building permits for the residential subdivision or planned community.

2. Apply to a county subject to s. 380.0552.

(b) A governing body that had a program in place before July 1, 2023, to expedite the building permit process, need only update their program to approve an applicant’s written application to issue up to 50 percent of the building permits for the residential subdivision or planned community in order to comply with this section. This paragraph does not restrict a

Exhibit B – Statutory References

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governing body from issuing more than 50 percent of the building permits for the residential subdivision or planned community.

(c) By December 31, 2027, the governing body of a county that has 75,000 residents or more and any governing body of a municipality that has 10,000 residents or more and 25 acres or more of contiguous land that the local government has designated in the local government's comprehensive plan and future land use map as land that is agricultural or to be developed for residential purposes shall update their programs to expedite the process for issuing building permits for residential subdivisions or planned communities in accordance with the Florida Building Code and this section before a final plat is recorded with the clerk of the circuit court. The expedited process must include an application for an applicant to identify the percentage of planned homes, not to exceed 75 percent of the residential subdivision or planned community, or the number of building permits that the governing body must issue for the residential subdivision or planned community. This paragraph does not:

1. Restrict the governing body from issuing more than 75 percent of the building permits for the residential subdivision or planned community.

2. Apply to a county subject to s. 380.0552.

(3) A governing body shall create:

(a) A two-step application process for the adoption of a preliminary plat, inclusive of any plans, in order to expedite the issuance of building permits under this section. The application must allow an applicant to identify the percentage of planned homes or the number of building permits that the governing body must issue for the residential subdivision or planned community.

(b) A master building permit process consistent with s. 553.794 for applicants seeking multiple building permits for residential subdivisions or planned communities. For purposes of this paragraph, a master building permit is valid for 3 consecutive years after its issuance or until the adoption of a new Florida Building Code, whichever is earlier. After a new Florida Building Code is adopted, the applicant may apply for a new master building permit, which, upon approval, is valid for 3 consecutive years.

(4)(a) An applicant may use a private provider pursuant to s. 553.791 to expedite the application process for building permits after a preliminary plat is approved under this section.

(b) A governing body shall establish a registry of at least three qualified contractors whom the governing body may use to supplement staff resources in ways determined by the governing body for processing and expediting the review of an application for a preliminary plat or any plans related to such application. A qualified contractor on the registry who is hired pursuant to this section to review an application, or any part thereof, for a preliminary

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Exhibit B – Statutory References

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plat, or any part thereof, may not have a conflict of interest with the applicant. For purposes of this paragraph, the term “conflict of interest” has the same meaning as in s. 112.312.

(5) A governing body may work with appropriate local government agencies to issue an address and a temporary parcel identification number for lot lines and lot sizes based on the metes and bounds of the plat contained in the application.

(6) The governing body must issue the number or percentage of building permits requested by an applicant in accordance with the Florida Building Code and this section, provided the residential buildings or structures are unoccupied and all of the following conditions are met:

(a) The governing body has approved a preliminary plat for each residential subdivision or planned community.

(b) The applicant provides proof to the governing body that the applicant has provided a copy of the approved preliminary plat, along with the approved plans, to the relevant electric, gas, water, and wastewater utilities.

(c) The applicant holds a valid performance bond for up to 130 percent of the necessary improvements, as defined in s. 177.031(9), that have not been completed upon submission of the application under this section. For purposes of a master planned community as defined in s. 163.3202(5)(b), a valid performance bond is required on a phase-by-phase basis.

(7)(a) An applicant may contract to sell, but may not transfer ownership of, a residential structure or building located in the residential subdivision or planned community until the final plat is approved by the governing body and recorded in the public records by the clerk of the circuit court.

(b) An applicant may not obtain a temporary or final certificate of occupancy for each residential structure or building for which a building permit is issued until the final plat is approved by the governing body and recorded in the public records by the clerk of the circuit court.

(8) For purposes of this section, an applicant has a vested right in a preliminary plat that has been approved by a governing body if all of the following conditions are met:

(a) The applicant relies in good faith on the approved preliminary plat or any amendments thereto.

(b) The applicant incurs obligations and expenses, commences construction of the residential subdivision or planned community, and is continuing in good faith with the development of the property.

(9) Upon the establishment of an applicant’s vested rights in accordance with subsection (8), a governing body may not make substantive changes to the preliminary plat without the applicant’s written consent.

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(10) An applicant must indemnify and hold harmless the local government, its governing body, its employees, and its agents from liability or damages resulting from the issuance of a building permit or the construction, reconstruction, or improvement or repair of a residential building or structure, including any associated utilities, located in the residential subdivision or planned community. Additionally, an applicant must indemnify and hold harmless the local government, its governing body, its employees, and its agents from liability or disputes resulting from the issuance of a certificate of occupancy for a residential building or structure that is constructed, reconstructed, improved, or repaired before the approval and recordation of the final plat of the qualified project. This indemnification includes, but is not limited to, any liability and damage resulting from wind, fire, flood, construction defects, bodily injury, and any actions, issues, or disputes arising out of a contract or other agreement between the developer and a utility operating in the residential subdivision or planned community. However, this indemnification does not extend to governmental actions that infringe on the applicant's vested rights.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor May 29, 2024.

Filed in Office Secretary of State May 29, 2024.

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