

Chapter 1, General Provisions

- 1.01.00** TITLE: This code shall be known as the “Collier County Land Development Code”...
- 1.02.00** AUTHORITY: The BCC has the authority to prepare, adopt...
- 1.03.00** RULES OF CONSTRUCTION:
 - 1.03.01** GENERALLY
 - 1.03.02** MEANING OF TEXT AND GRAPHICS: Definition of written, in writing, shall, may, and ...
 - 1.03.03** DETERMINATION OF TIME: Definition of day, month, week and year.
 - 1.03.04** DELEGATION OF AUTHORITY: County Manager or his designee has the authority and responsibility of implementation.
- 1.04.00** APPLICABILITY
 - 1.04.01** GENERALLY
 - A. The provisions of this LDC shall apply to all land, property and development in the total unincorporated area of Collier County...
 - B. The regulations established in this LDC and within each zoning district shall be minimum or maximum limitations...
 - C. This LDC shall apply to all division of land and all subdivisions...
 - 1.04.02** APPLICABILITY TO PREVIOUSLY ESTABLISHED TIME LIMITS
 - A. Any time limits on any D.O. approved prior to adoption of this LDC shall continue...
 - B. This subsection shall not apply to FPs approved prior to Feb. 17, 1976.
 - C. Any time limits on nonconforming signs shall continue...
 - 1.04.03** EXCEPTIONS
 - A. Previously issued building permits...
 - B. Previously approved D.O.s
 - 1.04.04** REDUCTION OF REQUIRED SITE DESIGN REQUIREMENTS
 - A. No part of a required yard, open space, or parking space provided in connection with one building shall be included as meeting the requirements for any other building.
 - B. No lot existing at the effective date of this LDC shall be reduced in size or area below the minimum requirements herein, except...
 - C. Required off-street parking shall not be reduced or changed to another use unless the permitted use it serves is discontinued.
 - 1.04.05** RELATIONSHIP TO GROWTH MANAGEMENT PLAN
 - The adoption of this LDC is consistent with the GMP and implements its goals.

1.05.00 FINDINGS, PURPOSE, AND INTENT

1.05.01 PURPOSE AND INTENT

- A.** It is the purpose of the BCC to establish the standards, regulations and procedures for review and approval of all proposed development of property...
- B.** It is the intent of the LDC that the development process be efficient and equitable...
- C.** The BCC deems it in the best public interest for all property and development to be built and used with good planning and design practices and the min. standards set forth in the LDC.
- D.** It is the intent and purpose of this LDC to establish and adopt comprehensive zoning regulations governing the use of land...
- E.** This LDC intends to accomplish and to provide for efficiency and economy in the process of future development...
- F.** In order to ensure that all development is consistent with the GMP, it is necessary to establish a series of zoning districts...

1.06.00 RULES OF INTERPRETATION

1.06.01 RESPONSIBILITY FOR INTERPRETATIONS

- A.** The county manager shall have the authority to make all interpretations of this LDC on matters related to the boundaries of zoning districts...
- B.** The county manager shall have the authority to make all interpretations on matters related to the Building Code...
- C.** The county manager shall be authorized to make a final determination if an applicant and staff are unable to concur on the application of a specific provision...

1.06.02 RULES FOR INTERPRETATION OF BOUNDARIES

- A.** District regulations extend to all portions of districts surrounded by boundaries, except...
- B.** Where uncertainty exists as to the boundaries of land use districts, the following rules apply:

1.06.03 INTERPRETATIONS NOT COVERED IN 1.06.02: The interpretation shall be in accordance with the purpose and intent of the GMP and LDC.

1.06.04 CONTINUITY OF ZONING: In the event any unincorporated territory shall become incorporated...

1.07.00 LAWS ADOPTED BY REFERENCE: The following ordinances and laws are incorporated into this LDC by reference...

1.08.00 DEFINITIONS

1.08.01 ABBREVIATIONS

1.08.02 DEFINITIONS

Chapter 2, Zoning Districts and Uses

2.01.00 GENERALLY

- A. Parking and storage of vehicles without current license plates.
- B. Parking, storage or use of major recreational equipment and exceptions.
- C. Parking of commercial vehicles or equipment in residential areas.
- D. Boats or other floating equipment used as dwelling units.
- E. Condominiums shall be subject to this code as any other form of ownership.
- F. This code shall not be affected by deed restrictions...

2.01.01 PURPOSE: To establish and adopt zoning districts to govern the use of land...

2.01.02 MISCELLANEOUS STRUCTURES PERMITTED: School bus shelters, bicycle racks, telephone booths...advertising signs...newspaper, mail boxes.

2.01.03 ESSENTIAL SERVICES: are hereby defined as.... And subject to the following conditions:

- A. Permitted essential services in all zoning districts **except** CON, RFMU Sending, NRPA's, HSAs and FSAs.
- B. Permitted essential services in CON, RFMU Sending, NRPA's, HSAs and FSAs.
- C. Additional permitted essential services in Commercial and Industrial districts.
- D. Additional permitted essential services in Agricultural and Estate districts.
- E. Additional permitted essential services in Agricultural districts.
- F. Additional permitted essential services in Residential districts.
- G. Conditional essential services
 - 1. Conditional essential services in all zoning districts **except** CON, RFMU Sending, NRPA's, HSAs and FSAs.
 - 2. Conditional essential services in CON, RFMU Sending, NRPA's, HSAs and FSAs
 - 3. Additional conditional uses in Residential and Estate districts.
 - 4. Conditional uses that include the installation of structures.

2.02.00 ESTABLISHMENT OF ZONING DISTRICTS

2.02.01 ESTABLISHMENT OF OFFICIAL ZONING ATLAS

- A. Location and boundaries of the zoning districts shall be set forth in the Official Zoning Atlas...
- B. Each page of the Zoning Atlas shall be identified by the chairman of the BCC...
- C. A copy shall be located in the office of the County Manager and the clerk to the BCC.
- D. Changes shall be made in accordance with this LDC.
- E. If amendments are made to the districts; they shall be entered on the zoning atlas within 20 days after amendment.
- F. The zoning atlas located in the office of the clerk shall be the final authority...
- G. If the official zoning atlas becomes damaged, lost, destroyed...
- H. Maps or atlases in effect prior to the adoption of this zoning code...

2.02.02 DISTRICT NOMENCLATURE

2.02.03 PROHIBITED USES: Any use not identified in a zoning district as permitted, conditional or accessory shall be prohibited in such zoning district.

2.02.04 CONTINUATION OF PROVISIONAL USES: Any provisional use approved by the BCC prior to the effective date of this LDC shall be treated as follows...

2.03.00 ZONING DISTRICTS

2.03.01 RESIDENTIAL ZONING DISTRICTS: The following zoning districts are hereby established:

A. Rural Agricultural District "A": The purpose and intent...

B. Estate District "E": The purpose and intent...

1. Min. yard requirement exceptions to the table in Ch. 2.07.00 for conforming and non-conforming lots.

C. Residential Single-Family "RSF-1, RSF-2, RSF-3, RSF-4, RSF-5, RSF-6": The purpose and intent...

D. Residential Multiple-Family-6 "RMF-6": The purpose and intent...

E. Residential Multiple-Family-12 "RMF-12": The purpose and intent...

F. Residential Multiple-Family-16 "RMF-16": The purpose and intent...

G. Residential Tourist "RT": The purpose and intent...

H. Village Residential "VR": The purpose and intent...

I. Mobile Home "MH": The purpose and intent...

J. PROHIBITED ANIMALS IN RESIDENTIAL DISTRICTS: The following animals are considered farm animals and not permitted in residential districts...

2.03.02 COMMERCIAL ZONING DISTRICTS

A. Commercial Professional and General Office "C-1": The purpose and intent...

B. Commercial Convenience "C-2": The purpose and intent...

C. Commercial Intermediate "C-3": The purpose and intent...

D. General Commercial "C-4": The purpose and intent...

E. Heavy Commercial "C-5": The purpose and intent...

F. Travel Trailer-Recreational Vehicle Campground "TTRVC"

1. The purpose and intent...

2. Plan approval requirements...
3. Required internal park street system...
4. Required facilities for campsites and TTRV lots...
5. Sanitary waste disposal...
6. Off-street parking as required in section 4.05.00.
7. Permanent location of TTRV vehicles...
8. Compliance...
9. Flood program requirements...
10. Anchoring/sewer, water and electrical connections...
11. Building permit requirement...
12. Signs as required in 5.06.00.

2.03.03 INDUSTRIAL ZONING DISTRICTS

- A. Industrial "I": The purpose and intent...
- B. Business Park "BP": The purpose and intent...

2.03.04 CIVIC AND INSTITUTIONAL ZONING DISTRICTS

- A. Public Use "P": The purpose and intent...
- B. Community Facility "CF": The purpose and intent...

2.03.05 OPEN SPACE ZONING DISTRICT

- A. Golf Course "GC": The purpose and intent...
- B. Conservation "CON": The purpose and intent...
 1. Permitted uses, accessory uses and conditional uses in the CON district...
 2. Design Criteria: Dimensional standards and maximum density and intensity

2.03.06 PLANNED UNIT DEVELOPMENT DISTRICTS

- A. Purpose and intent...
- B. PUD process is intended to accomplish...
- C. PUDs shall be defined by the following districts:
 1. Residential PUD district: this district is intended to...
 2. Community Facilities PUD district: this district is intended to...
 3. Commercial PUD district: this district is intended to...
 4. Industrial PUD district: this district is intended to...
 5. Airport Operations PUD district (AOPUD): this district is intended...
 6. Mixed Use PUD district (MPUD): this district is intended to...
 7. Research and Technology PUD district: this district is intended to...

D. Permissible uses in the Research and Technology Park PUD...

E. Permissible commercial uses in PUDs...

F. Special requirements for public school facilities within a PUD...

2.03.07 OVERLAY ZONING DISTRICTS

- A. Corridor Management Overlay "CMO": The purpose and intent...
- B. Mobile Home Overlay "MHO": this district is intended to...

C. Airport Overlay “APO”: The purpose and intent is to...

D. Special Treatment Overlay “ST”

1. The purpose and intent...
2. ST overlay district is hereby established...
3. “P-ST” designation...

4. TRANSFER OF DEVELOPMENT RIGHTS (TDR)

a. Purpose, intent and applicability...

b. TDRs FROM URBAN AREAS TO URBAN AREAS

- i. The development rights shall be considered as interests in real property...
- ii. TDRs shall be subject to all the requirements of the basic zoning district...
- iii. The minimum area of land eligible for TDRs...
- iv. Lands must be dedicated in fee simple...
- v. The max. number of residential units which may be transferred...
- vi. The max. number of residential units which eligible lands may receive...
- vii. *Procedure for obtaining TDRs*: the following information and data shall
be submitted prior to approval of any TDRs...
- viii. Time limitations on BCC approval of TDRs...
- ix. Sequential use of residential units approved for transfer by BCC...

c. TDR CREDITS FROM RFMU SENDING LANDS general provisions:

- i. Creation of TDR credits...
- ii. Receipt of TDR credits from RFMU Sending Lands.
- iii. Prohibition of transfer of fractional TDRs.
- iv. Prohibition of TDRs

d. TDRs FROM RFMU SENDING LANDS TO NON-RFMU RECEIVING AREAS

- i. Transfers to Urban Areas
- ii. Transfers to the Urban Residential Fringe

e. TDRs FROM RFMU SENDING LANDS TO RFMU RECEIVING LANDS

- i. Max. density on RFMU Receiving Lands when TDR credits are transferred from RFMU Sending Lands...
- ii. Remainder uses after TDR credits are transferred from RFMU Sending Lands...

f. PROCEDURES APPLICABLE TO THE TRANSFER OF TDR CREDITS FROM RFMU SENDING LANDS

- i. General...
- ii. County maintained central TDR Registry...

g. PROPORTIONAL UTILIZATION OF TDR CREDITS

5. Big Cypress Area of Critical State Concern “ACSC”: The purpose of these regulations ...

E. Historical and Archaeological Sites “H”: It is the intent of these regulations...

F. Golden Gate Parkway Professional Office Commercial Overlay “GGPPOCO”

G. Immokalee Overlay

1. State Road 29 Commercial Overlay Subdistrict “SR29COSD”
2. Jefferson Avenue Commercial Overlay Subdistrict “JACOSD”
3. Farm Market Overlay Subdistrict “FMOSD”
4. Agribusiness Overlay Subdistrict “AOSD”
5. Main Street Overlay Subdistrict “MSOSD”
6. Nonconforming Mobile Home Park Overlay Subdistrict
 - a. Purpose and intent...
 - b. Required site improvement plan application...
 - c. The SIP shall illustrate the way existing buildings are laid out...

H. Santa Barbara Commercial Overlay District “SBCO”

I. Bayshore Drive Mixed Use Overlay District “BMUD”

1. Purpose and intent of this district...
2. These regulations shall apply to...
3. Garages and driveways...
4. Neighborhood Commercial Subdistrict: Purpose of this subdistrict...
5. Waterfront Subdistrict: Purpose of this subdistrict...
6. Residential Subdistrict 1 (R1): Purpose of this subdistrict...
7. Residential Subdistrict 2 (R2): Purpose of this subdistrict...
8. Residential Subdistrict 3 (R3): Purpose of this subdistrict...
 - a. Min. lot width...
 - b. Yard requirements
9. Residential Neighborhood Commercial Subdistrict “RNC”: Purpose of this subdistrict...

J. Goodland Zoning Overlay “GZO”: Purpose of this subdistrict...

1. Permitted uses...
2. Conditional uses...
 - a. Clam nursery, subject to the following restrictions...
3. Parking/storage of major recreational equipment...
4. Storage sheds...
5. Sign requirements...

K. Activity Center #9 Overlay: Purpose of this subdistrict...

L. Vanderbilt Beach Residential Tourist Overlay Zoning District “VBRTO”

1. Purpose and intent...
2. Applicability...
3. Geographic boundaries
4. Figures in this section are intended to...
5. Development criteria:
 - a. Permitted uses...
 - b. Accessory uses...
 - c. Conditional uses...
6. Dimensional standards...
7. Preservation of view corridors...

8. Vested rights...

M. Restricted Parking (RP) Overlay District

1. Purpose and intent...
2. Establishment of zoning classification...
3. Procedure for establishing district...

2.03.08 EASTERN LANDS/RURAL FRINGE ZONING DISTRICTS

A. RURAL FRINGE MIXED-USE DISTRICT (RFMU DISTRICT)

1. Purpose and Scope...
 - a. Establishment of RFMU Zoning Overlay District...
 - b. Exemptions...
2. RFMU RECEIVING LANDS. RFMU receiving lands are those lands...

a. OUTSIDE RURAL VILLAGES

- (1) NBMO Exemption
- (2) Max. Density
- (3) Allowable Uses
- (4) Design Standards
- (5) Native vegetation retention per 3.05.07.
- (6) Usable Open Space

b. RURAL VILLAGES

- (1) Allowable uses...
- (2) Mix of neighborhood types...
- (3) Density
- (4) Other design standards...
- (5) Native vegetation preserved per 3.05.07.
- (6) Greenbelt
- (7) Open space
- (8) Process of approval for a Rural Village
 - (a) EIS
 - (b) Demonstration of Fiscal Neutrality

3. NEUTRAL LANDS

a. ALLOWABLE USES

- (1) Uses permitted as of right...
- (2) Accessory uses...
- (3) Conditional uses...

b. DENSITY

- (1) Max. gross density...
- (2) Residential Clustering...

c. DIMENSIONAL AND DESIGN STANDARDS

- (1) Development that is not clustered...
- (2) Development that is clustered...
- (3) Height Limitations...

- (4) Floor area...
- (5) Parking per Ch. 4
- (6) Landscaping per Ch. 4
- (7) Signs per 5.06.00

d. NATIVE VEGETATION RETENTION per 3.05.07

e. USABLE OPEN SPACE...

4. RFMU SENDING LANDS

a. ALLOWABLE USES WHERE TDR CREDITS HAVE **NOT** BEEN SEVERED

- (1) Uses permitted as of right
- (2) Accessory uses
- (3) Conditional uses

b. USES ALLOWED WHERE TDR CREDITS HAVE BEEN SEVERED

- (1) Uses permitted as of right
- (2) Conditional uses

c. DENSITY

d. NATIVE VEGETATION RETENTION per 3.05.07.

e. OTHER DIMENSIONAL DESIGN STANDARDS

5. SPECIFIC VEGETATION STANDARDS FOR THE RFMU DISTRICT per 3.05.07 (C)

C. NATURAL RESOURCE PROTECTION AREA (NRPA)

1. Purpose and intent.

a. NRPA OVERLAY AREAS

- (1) Clam Bay Conservation Area
- (2) CREW
- (3) North Belle Meade
- (4) South Belle Meade
- (5) South Golden Gate Estates

b. NRPAs DESIGNATED AS RFMU SENDING LANDS WITHIN THE RFMU.

c. DEVELOPMENT STANDARDS.

D. NORTH BELLE MEADE OVERLAY (NBMO)

1. Purpose and intent.

2. General location.

3. Applicability

- a. NBMO RECEIVING LANDS
- b. NBMO NEUTRAL LANDS
- c. NBMO SENDING LANDS

4. GENERAL PLANNING AND DESIGN CONSIDERATIONS

- a. Transportation
- b. Buffering
- c. Greenway

5. ADDITIONAL SPECIFIC AREA PROVISIONS

a. RECEIVING LANDS

- (1) Density
- (2) Earth mining operation uses currently existing...
- (3) Greenbelt
- (4) NBMO Rural Village

b. NEUTRAL LANDS per 2.03.08 (A)(3)

2.03.09 DISTRICTS UNDER MORATORIUM: *RESERVED*

2.04.00 PERMISSIBLE, CONDITIONAL AND ACCESSORY USES IN ZONING DISTRICTS

2.04.01 RULES FOR INTERPRETATION OF USES

2.04.02 EFFECT OF APPROVALS UNDER THE ZONING REEVALUATION ORDINANCE

2.04.03 TABLE OF LAND USES IN EACH ZONING DISTRICT

Table 1. *Permissible Land Uses in Each Zoning District*

Table 2. *Land Uses that May be Allowable in Each Zoning District as Accessory or CUs*

2.05.00 DENSITY STANDARDS

2.05.01 DENSITY STANDARDS AND HOUSING TYPES

- A. Where residential uses are allowable, the following density standards and housing type criteria shall apply...
- B. Acreage associated with historical/archaeological resources...

2.05.02 DENSITY BLENDING

- A. Purpose.
- B. Conditions and Limitations
 1. Properties straddling RFMU Receiving or Neutral Lands.
 2. Properties straddling RFMU Sending Lands.
 3. Properties straddling the Immokalee Urban Area and the RLSA District.

2.06.00 AFFORDABLE HOUSING DENSITY BONUS

2.06.01 Generally

- A. Within most of the Coastal Urban Designated Areas...
 - Within most of the Immokalee Urban Area...
 - Within the RLSA of the Agricultural/Rural Area...
- B. In order to qualify for the AHDB for a development...
 1. Preapplication conference...
 2. Application
 3. Determination of completeness
 4. Review and recommendation by the Housing and Urban Improvement director
 5. Review and recommendation by the Planning Commission
 6. Review and determination by the BCC

2.06.02 PURPOSE AND INTENT

- A. This section is intended to implement and be consistent with the GMP and the Stipulated Settlement Agreement in DOAH...
- B. The objective is accomplished by implementing an AHDB program...

2.06.03 AHDB RATING SYSTEM

- A. The AHDB rating system shall be used to determine...
 - 1. Determine the AHDB rating...
 - 2. Determine the additional available dwelling units...
 - 3. Where more than one type of affordable housing unit is proposed...
- B. The min. number of affordable housing units...

2.06.04 LIMITATIONS ON AFFORDABLE HOUSING DENSITY BONUS

- A. Affordable housing density bonus development agreement required.
- B. Compliance with GMP and LDC regulation.
- C. Minimum number of affordable housing units.
- D. The AHDB is not transferable between developments or properties.
- E. Phasing

2.06.05 AFFORDABLE HOUSING DENSITY BONUS MONITORING PROGRAM

- A. Annual progress and monitoring report.
- B. Income verification and certification
 - 1. Eligibility.
 - 2. The developer shall be responsible for accepting applications from buyer or tenants
 - 3. Application.
 - 4. Income verification.
 - 5. Income certification.

2.06.06 VIOLATIONS AND ENFORCEMENT

- A. Violations.
- B. Notice of Violation.
- C. Criminal Enforcement.
- D. Civil Enforcement.

2.07.00 TABLE OF SETBACKS FOR BASE ZONING DISTRICTS

Chapter 3, Resource Protection

3.01.00 GENERALLY: *RESERVED*

3.02.00 FLOODPLAIN PROTECTION

3.02.01 FINDINGS OF FACT

- A. Flood Hazard Areas are subject to periodic inundation...
- B. These flood losses are caused by the cumulative effect...

3.02.02 PURPOSE

- A. To promote human life and health
- B. To minimize expenditure of public money...
- C. To minimize the need for rescue and relief efforts...
- D. To minimize prolonged business interruptions...
- E. To minimize damage to public facilities and utilities...
- F. To help maintain a stable tax base...
- G. To ensure that potential home buyers are notified...
- H. To ensure that those who occupy the areas assume responsibilities...

3.02.03 APPLICABILITY

3.02.04 EXEMPTIONS. Mobile homes to be placed within existing MH park...

3.02.05 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD. The Areas of Special Flood Hazard are identified by the Federal Insurance Administration...

3.02.06 GENERAL STANDARDS FOR FLOOD HAZARD REDUCTION. In all Areas of Special Flood Hazards, the following provisions are required:

- A. All new construction and substantial improvements shall be anchored...
- B. New construction and substantial improvements in the 'A' zones ...
- C. Residential construction....
- D. Non-residential construction...
- E. All new construction and substantial improvements shall be constructed with service facilities located so as to prevent water from entering...
- F. All new construction or substantial improvements shall be by methods and practices that will minimize flood damage.
- G. Openings – all new construction and substantial improvements with fully enclosed areas below the lowest floor...
- H. All new and replacement water supply systems...
- I. New and replacement sanitary sewage systems...
- J. On-site waste disposal systems...
- K. Emergency generators for standpipe systems...
- L. Electrical transformer and/or switching vaults...
- M. All meter enclosures for self-contained electric kilowatt-hour meters...

3.02.07 STANDARDS FOR CONSTRUCTION WITHIN COASTAL HIGH HAZARD AREAS

- A. Coastal High Hazard Areas in Areas of Special Flood Hazard shall apply these provisions:
1. All new construction and substantial improvements in the Coastal High Hazard Area shall be elevated...
 2. All new construction and substantial improvements in the Coastal High Hazard Area shall have the space below the lowest floor...
 3. All swimming pools shall be anchored...
 4. It is prohibited to use fill for structural support of buildings...

3.02.08 REGULATIONS WITHIN THE FLOODWAYS

- A. When Floodways are designed within Areas of Special Flood Hazard, the following provision shall apply:
1. Encroachments are prohibited...

3.02.09 REGULATIONS WITHIN MOBILE HOMES AND RVs

- A. No MH shall be placed in a Floodway or Coastal High Hazard Area, except...
- B. All MH placed on individual lots in expansion to existing MH parks must meet all the requirements for new construction...
- C. All MH placed on individual lots in expansion to existing MH parks must be elevated...
- D. All MH parks must develop a plan for evacuating...
- E. All RVs placed on sites within Zones AI-30, AH and AE on the community's FIRM shall...
- F. A RV is ready for highway use if it is on its wheels...

3.02.10 STANDARDS FOR SUBDIVISION PLATS

- A. All subdivision plats shall be consistent with the need to minimize flood damage.
- B. All subdivision plats shall have public utilities and facilities...
- C. All subdivision plats shall have adequate drainage...
- D. Base flood elevation data shall be shown on the Master Subdivision Plan.
- E. All FPs shall clearly indicate the finished elevation...

3.03.00 COASTAL ZONE MANAGEMENT

3.03.01 PURPOSE

3.03.02 APPLICABILITY

- A. New and existing development shall be in compliance with the CCME of the GMP...
- B. In addition to these regulations, all development activities on shorelines shall comply with the LDC environmental regulations.

3.03.03 PRIORITY FOR LOCATION OF STRUCTURES, DEVELOPMENT & SITE ALTERATIONS

- A. Any proposed structure or site alteration on a shoreline shall be located within the most impacted areas based on the following priority:
1. Areas presently developed
 2. Disturbed uplands
 3. Disturbed freshwater wetlands
 4. Disturbed brackish water and marine wetlands
 5. Viable unaltered uplands
 6. Viable unaltered freshwater wetlands
 7. Viable unaltered brackish water and marine wetlands

- B. #1 above should be the preferred site, if not present, then #2, and so on....
- C. In the event that the proposed development or site alteration requires a larger area...

3.03.04 PROCEDURES. Proposed development shall be shown on PSP or FP or SDP per Ch. 10.

3.03.05 SEA LEVEL RISE. An analysis shall be required...

3.03.06 NATIVE VEGETATION RETENTION ON COASTAL BARRIERS per 3.05.07.

- A. Native vegetation shall be preserved to the max. extent possible...
- B. All beachfront development projects shall be required to revegetate...
- C. All development projects shall provide 100% native species...
- D. Appropriate coastal dune or strand vegetation shall be required as the stabilizing...

3.03.07 UNDEVELOPED COASTAL BARRIERS. In addition to the regulations in 3.03.02, the following standards shall apply to construction within all undeveloped coastal barriers:

- A. The County shall not approve any plan of development of an undeveloped coastal barrier...
- B. The following development activities shall be prohibited...
- C. Filling and excavations are prohibited, except...

3.04.00 PROTECTION OF ENDANGERED, THREATENED, OR LISTED SPECIES

3.04.01 GENERALLY

- A. The purpose of this section...
- B. Applicability and exemptions...
- C. EIS and Management Plan
 - 1. Exemption.
 - 2. EIS
 - 3. Management Plans
- D. *Protective Measures*. All developments subject to this section shall:
 - 1. General
- E. Single-family platted lots, 7 ½ acres or less in size...

3.04.02 SPECIES SPECIFIC REQUIREMENTS. On property where the wildlife survey establishes listed speciesthe following species management and protection plans shall be applicable:

- A. Gopher Tortoise
- B. Sea Turtle Protection
- C. Florida Scrub Jay
- D. Bald Eagle
- E. Red-cockaded Woodpecker
- F. Florida Black Bear
- G. Panther
- H. West Indian Manatee per 5.05.02

3.04.03 PENALTIES FOR VIOLATION: RESORT TO OTHER REMEDIES

3.05.00 VEGETATION REMOVAL, PROTECTION AND PRESERVATION

3.05.01 GENERALLY

- A. The purpose of this section....

B. It shall be unlawful to remove or destroy vegetation...

3.05.02 EXEMPTIONS FROM REQUIREMENTS FOR VEGETATION PROTECTION & PRESERV.

- A. NBMO Exemption
- B. Seminole and Miccosukee Tribe exception.
- C. Agricultural Exemption
- D. Pre-existing Uses
- E. Exempt Mangrove Alteration Projects.
- F. Conditions for a VRP exemption for parcels under 1 acre...
- G. A VRP is not required for the following situations...

3.05.03 PROCEDURES. Requirements for submittals and application review per Ch. 10.

3.05.04 VEGETATION REMOVAL AND PROTECTION STANDARDS.

- A. During construction, all reasonable steps necessary to prevent destruction...
- B. During construction, no excess soil, additional fill...
- C. No attachments or wires shall be attached...
- D. No soil is to be removed from the dripline...
- E. A continuous barrier around the perimeter of area to be preserved...
- F. When the retention of a single tree is required...
- G. Protective barriers shall be installed...
- H. The VRP applicant shall designate a representative...

3.05.05 CRITERIA FOR REMOVAL OF PROTECTED VEGETATION. A VRP may be issued under the following conditions:

- A. If protected vegetation is a safety hazard...
- B. Diseased or otherwise unhealthy vegetation...
- C. A final D.O. has been issued...
- D. Compliance with other codes...
- E. Replacement of non-native vegetation shall be with native...
- F. On a parcel of land zoned RSF, VR, E or other non-agricultural, non-commercial...
- G. The proposed mangrove alteration has a DEP permit...
- H. Removal of vegetation for approved mitigation bank sites...
- I. Vegetation Relocation Plan...
- J. Landscape plant removal or replacement...

3.05.06 MANAGEMENT PLAN REQUIRED for all individual areas of mangrove trees and areas of preserved plant communities larger than ½ acre in area...

3.05.07 PRESERVATION STANDARDS. All development not specifically exempted by this ordinance shall incorporate the pres. standards of this section.

A. General standards and criteria...

B. Specific standards applicable outside the RFMU and RLSA districts...
1. Required Preservation
2. Exceptions...

C. Specific standards for the RFMU district
1. RFMU Receiving Lands outside the NBMO

2. Neutral Lands
 3. RFMU Sending Lands
 4. General Exceptions
- D. Specific standards for RLSA District are set forth in 4.08.00.
- E. Density Bonus Incentives
1. Outside Rural Villages
 2. Inside Rural Villages
- F. Wetland Preservation and Conservation
1. Purpose
 2. Urban Lands
 3. RFMU District
 4. Mitigation requirements and incentives
 5. Estates, Rural-settlement Areas and ACSC
 6. RLSA District wetlands shall be preserved pursuant to 4.08.00.
 7. Submerged Marine Habitats.
- G. Natural Reservation Protection and Conservation
1. Purpose and applicability
 2. Review process
 3. RFMU District only requirements
- H. Preserve Standards
1. Design standards
 - a. Identification
 - b. Min. dimensions
 - c. Protection of wetland hydroperiods
 - d. Protective covenants
 - e. Created preserves
 - f. Allowable supplemental plantings
 - g. Preserve management plans
 - h. Allowable uses within preserve areas
 2. Inspections and maintenance
 3. Required setbacks to preserves
 4. Exemptions

3.05.08 REQUIREMENTS FOR REMOVAL OF PROHIBITED EXOTIC VEGETATION

Earleaf acacia (*Acacia auriculiformis*)
 Australian pine (*Casuarina* spp.)
 Melaleuca (*Melaleuca* spp.)
 Catclaw mimose (*Minosa pigra*)
 Downy rosemyrtle (*Rhodomyrtus tomentosa*)
 Brazilian pepper (*Schinus terebinthifolius*)
 Java plum (*Syzygium cumini*)
 Women's tongue (*Albizia lebbek*)
 Climbing fern (*Lygodium* spp.)
 Air potato (*Dioscorea bulbifera*)

Lather leaf (*Colubrina asiatica*)
Carrotwood (*Cupaniopsis anacardioides*)

A. General

1. Removal shall be in accordance with each local D.O.
2. Native vegetation shall be protected...
3. Prohibited Exotic Vegetation shall be removed from the following...
4. In the case of discontinuance of use...
5. Verification of prohibited exotic vegetation removal...
6. Herbicides utilized shall have been approved...

B. Exotic Vegetation Maintenance Plan

C. Applicability to new structures and to additions on single-family and 2-family lots.

3.05.09 DESIGNATION OF SPECIMEN TREE

3.05.10 LITTORAL SHELF PLANTING AREA (LSPA). The purpose and intent...

A. Design Requirements

1. Area Requirements
 - a. Rural Fringe Mixed Used District
 - b. All other areas
2. Location Criteria
3. Shelf Elevation
4. Shelf Configuration
5. Plant Selection and Specifications
6. Posted Area
7. Planting Plan Required Information

B. Operational Requirements

1. 80% vegetative coverage of the LSPA...
2. Prohibited exotics and nuisance species shall be removed...

C. Application to existing lakes

1. Projects approved and constructed according to previous standards...
2. For amendments to approved excavations...

D. Exemptions.

3.06.00 GROUNDWATER PROTECTION

3.06.01 PURPOSE AND INTENT

- A. The purpose of this section is to establish standards....
- B. It is the intent of the BCC...
- C. In order to protect the County's potable groundwater resources...

3.06.02 PROTECTED PUBLIC WATER SUPPLY WELLFIELDS

- A. The public water supply wellfields are identified as protected...
- B. There are hereby created wellfield risk management special treatment overlay zones...

- 3.06.03** DESCRIPTION AND BASIS OF WELLFIELD RISK MANAGEMENT SPECIAL TREATMENT OVERLAY ZONES.
- A. Wellfield Risk Management Special Treatment Overlay zone W-1
 - B. Wellfield Risk Management Special Treatment Overlay zone W-2
 - C. Wellfield Risk Management Special Treatment Overlay zone W-3
 - D. Wellfield Risk Management Special Treatment Overlay zone W-4
- 3.06.04** GROUNDWATER PROTECTION
- A. There are hereby created groundwater protection special treatment overlay zones...
 - B. Wellfield Risk Management ST Overlay zones, high natural aquifer recharge ST zones (ST-NAR) and groundwater protection ST overlay zones (GWP) shall be supplemental to existing and future regulations and zoning...
 - C. The ST-NAR and the GWP are based upon...
 - D. ST-NAR areas have not yet been defined...
 - E. GWP
- 3.06.05** ANNUAL REVIEW OF ZONES. Shall be reviewed by the BCC upon the occurrence of:
- A. Changes in technical knowledge...
 - B. Changed in the permitted withdrawals...
 - C. Reconfiguration of identified wellfields.
 - D. The designation of new wellfields...
 - E. Availability of another technical information...
- 3.06.06** REGULATED WELLFIELDS.
- A. East Golden Gate Wellfield
 - B. Coastal Ridge (Goodlette Rd) Wellfield
 - C. Collier County Utilities Wellfield
 - D. Everglades City Wellfield
 - E. Florida Governmental Utility Authority Golden Gate Water Treatment Plant Wellfield.
 - F. The Orange Tree Wellfield
 - G. Immokalee Water and Sewer District Wellfields...
- 3.06.07** UNREGULATED WELLFIELDS: Port of the Islands Wellfield
- 3.06.08** DETERMINATION OF LOCATION WITHIN WELLFIELD RISK MANAGEMENT ZONES
- A. Regulated development located wholly within a single wellfield risk management zone...
 - B. Where a boundary between 2 adjacent wellfield risk management zones passes through the structure of a regulated development...
 - C. Where the site of a regulated development lies within 2 or more wellfield risk management zones...
- 3.06.09** PROTECTION OF FUTURE WELLFIELDS
- A. Wellfield risk management zones shall be established around those future public water...
 - B. Future public water supply wellfields with SFWMD permitted withdrawals...
 - C. Wellfield risk management zones shall not be established for those future public water...
 - D. All regulated development within the wellfield risk management zones of the future public...
- 3.06.10** EFFECT OF SETBACKS AND BUFFERS from Sanitary Hazards as Promulgated and Adopted in the Florida Administrative Code
- A. Domestic wastewater treatment plant outfall...

- B. Application of sludge...
- C. The edge of the wetted area used for the application and reuse of reclaimed water...
- D. The edge of the pond, basin, or trench embankment used for a rapid rate land application...
- E. The edge of a reuse absorption field...
- F. The edge of the wetted area uses for effluent disposal...
- G. Domestic wastewater residuals land application...
- H. Dairy farms...
- I. Disposal of solid waste...
- J. Any other applicable setback and buffer...

3.06.11 EXEMPTED DEVELOPMENT. The following legally existing and future development is deemed by the BCC to be exempt from the prohibitions...

- A. A wellfield exemption for a particular development shall not automatically expire...
 1. The transportation of any hazardous product or waste shall be exempt...
 2. The use of any petroleum product...
 3. The use of fertilizers containing nitrates...
 4. The activities of constructing, repairing or maintaining any facility...
 5. Application of pesticides, herbicides, fungicides and rodenticides...
 6. Emergency generators that accessory to a public utility...
 7. Retail sales establishments that store and handle for resale hazardous products...
 8. Electrical power transformers that are necessary equipment...
- B. The continued wellfield exemption status of a regulated development shall be dependent upon compliance of this section....

3.06.12 REGULATED DEVELOPMENT

- A. Generally
 1. Unless otherwise exempted, it shall be unlawful to modify...
 2. All existing regulated development shall have been constructed and permitted....
 3. All existing regulated development not constructed and permitted...
- B. Existing Solid Waste Disposal Facilities
 1. All existing solid waste disposal facilities shall have met the state-mandated setbacks...
 2. In zones W-1 and W-2, the owner/operator of lawful nonconforming solid waste disposal facility shall...
 3. In zones W-3, W-4 and GWP, existing solid waste disposal facilities are not regulated under this section.
- C. Future solid waste disposal facilities...
- D. Existing solid waste transfer stations.
 1. In zones W-1, W-2, W-3 and W-4 the continued operation of a lawful nonconforming solid waste transfer station shall be allowed...
 2. In the GWP zone, existing solid waste transfer stations are not regulated under this section.
- E. Future solid waste transfer stations.
 1. In zones W-1, W-2 and W-3, future solid waste transfer stations are prohibited.
 2. In zones W-4 and GWP, future solid waste transfer stations shall operate pursuant to...
- F. Existing and future solid waste standard containers and solid waste bulk containers.

1. In zones W-1 and W-2, all solid waste standard containers shall be constructed of...
2. In zones W-3, W-4 and GWP, solid waste standard containers are not regulated under this section.
3. In zones W-1, W-2, W-3, W-4 and GWP, all solid waste bulk containers shall be constructed of...

G. Future solid waste storage, collection and recycling facilities

1. In zones W-1, W-2, W-3, W-4 and GWP, storage collection and recycling facilities...
2. In zones W-1, W-2 and W-3, future solid waste storage...
3. In zones W-4 and GWP, future solid waste storage...

H. Disposal of hazardous waste.

I. Existing and future nonresidential use, handling, storage, generation, transport or processing of hazardous products.

1. In zones W-1, W-2 and W-3, future nonresidential development and continued operation...
2. In zone GWP, all future and existing nonresidential development...

J. Existing and future residential use, handling, storage, generation, transport or processing of hazardous products.

K. Existing and future non-residential generation or storage of hazardous waste.

1. Existing nonresidential regulated development shall implement a containment plan...
2. Future nonresidential regulated development shall implement a containment plan...
3. Existing and future nonresidential regulated development shall comply with...
4. In zones W-1, W-2 and W-3, all future and existing nonresidential development involving the generation or storage of hazardous waste below the thresholds...

L. Existing and future residential generation or storage of hazardous wastes.

M. Existing and future domestic wastewater treatment plants.

1. All future and existing domestic wastewater treatment plants...
2. In zone W-1, all future domestic wastewater treatment plants are prohibited.
3. In zones W-2, W-3, W-4 and GWP, future domestic wastewater treatment plants...

N. Existing land disposal systems for domestic wastewater treatment plant effluent.

1. All existing land disposal systems for application of domestic wastewater treatment plant effluent shall have been constructed and permitted...
2. In zone W-1, the continued operation of all land disposal systems...

O. Future land disposal systems for domestic wastewater treatment plant effluent.

1. All future land disposal systems for application of domestic wastewater treatment plant effluent shall be constructed and permitted...
2. In zone W-1, future land disposal systems for the application of domestic wastewater treatment plant effluent shall operate pursuant to...

P. Future industrial wastewater treatment plants or facilities required to obtain an industrial wastewater permit.

1. All future industrial wastewater treatment plants shall be constructed and permitted...
2. In zones W-1, W-2, W-3, W-4 and GWP, future industrial wastewater plants and facilities

subject to pretreatment standards...

3. In zones W-1, W-2, W-3, W-4 and GWP, future industrial wastewater plants and facilities subject to effluent limits...
4. In zone W-1, any discharge from an industrial wastewater treatment plan...

Q. Existing and future collection and transmission systems.

1. All future and existing domestic and industrial collection and transmission systems...
2. All existing and future collection and transmission systems located within zone W-1...

R. Existing and future domestic residual disposal sites.

1. All existing legal nonconforming and future domestic residual disposal sites shall...
2. Existing domestic disposal sites not meeting the criteria for a legal nonconforming use...
3. In zone W-1, land application of class A domestic residuals...
4. In zone W-1, land application of class B and class C domestic residuals...
5. In zones W-1, W-2 and W-3, land application of domestic residual shall comply...
6. Min. frequency of groundwater monitoring criteria...

S. Existing on-site sewage disposal systems

1. In zones W-1, W-2, W-3, W-4 and GWP, existing on-site sewage disposal systems...
2. Existing on-site sewage disposal systems serving existing residential structures...
3. At such times as any repairs are required...
4. On-site sewage disposal systems requiring a certificate to operate...

T. Future on-site sewage disposal systems

1. In zone W-1, future on-site disposal systems requiring a soil absorption area...

U. Existing and future concentrated animal feeding operations, high intensity use areas, dairy farm storage and treatment facilities and land application of egg wash wastewater.

1. All existing and future concentrated animal feeding operations...
2. In the event the DEP requires an industrial wastewater permit...

V. Existing Stormwater management systems.

W. Future Stormwater management systems.

1. In zones W-1, W-2, W-3, W-4 and GWP, all existing wells...
2. In zones W-1, W-2, W-3, W-4 and GWP, all permitted wells temporarily inactive...
3. In zones W-1, W-2, W-3, W-4 and GWP, all other un-permitted, inactive wells...
4. In zones W-1, W-2, W-3, W-4 and GWP, existing monitoring wells...
5. In zones W-1, W-2, W-3, W-4 and GWP, hazardous waste shall not be disposed...

Y. Future wells and subsurface exploration.

1. In zones W-1, W-2, W-3, W-4 and GWP, all new wells...
2. In zones W-1, W-2, W-3, W-4 and GWP, hazardous waste may not be disposed...

Z. Existing and future excavations and mining operations.

1. In zones W-1, W-2, W-3, W-4 and GWP, all future and existing excavation and mining...
2. In zones W-1, W-2, W-3, W-4 and GWP, future excavation and mining operations...

AA. Existing and future petroleum exploration and production facilities.

1. In zones W-1 and W-2, future petroleum exploration or production facilities...

2. In zones W-3 and W-4, the siting of future petroleum exploration and production...
3. In zone GWP, future petroleum product exploration shall be prohibited...

3.06.13 COUNTYWIDE GROUNDWATER PROTECTION STANDARDS

A. Groundwater classification and criteria.

B. Recharge of aquifers

1. The BCC finds the criteria and standards of the SFWMD basis of review...
2. In zones W-1, W-2, W-3, W-4 and GWP, all new or substantially modified development...

C. Inspections.

1. Reasonable notice.
2. Inspection warrants
3. Identification
4. General prohibitions.

Chapter 4, Site Design and Development Standards

4.01.00 GENERALLY

4.01.02 ELEVATION REQUIREMENTS FOR ALL DEVELOPMENTS: The elevation of all building sites and public or private roadways...

4.01.02 KITCHENS IN DWELLING UNITS

4.02.00 SITE DESIGN STANDARDS

4.02.01 DIMENSIONAL STANDARDS FOR PRINCIPLE USES IN BASE ZONING DISTRICTS

A. The following tables describe the dimensional standards pertaining to base zoning districts.

Table 1. Lot design Requirements for Principle Uses in Base Zoning Districts

Table 2. Building Dimension Standards for Principle Uses in Base Zoning Districts

B. Usable open space shall include...

1. In residential developments...
2. In commercial, industrial and mixed use...
3. Historical/archaeological resources that are to be preserved...

C. Specific requirements for uses involving shopping carts.

D. Exemptions and exclusions from design standards.

1. The height limitations contained in Ch. 2 do not apply to...
2. In instances where off-street parking is provided...
3. Every part of every required yard shall be...
4. Sills and other architectural and design treatments shall not...
5. Movable awnings shall not...
6. Window or wall-mounted air conditioning units, chimneys, bay windows shall not...
7. Fire escapes, stairways and balconies which are unroofed shall not...
8. Hoods, canopies or roof overhangs shall not...
9. Fences, walls and hedges are permitted in...
10. Cornices, eaves or gutters shall not...
11. When lots on both sides of an undeveloped recorded lot contain a residential structure...
12. In commercial, industrial and multi-family developments, carports may...

4.02.02 DIMENSIONAL STANDARDS FOR CONDITIONAL USES AND ACCESSORY USES IN BASE ZONING DISTRICTS

A. GC District

1. Accessory uses:
2. Conditional uses:

B. A. District

1. Accessory uses:

- 2. Conditional uses – lot area requirements:
- 3. Conditional uses – design requirements:

- C. E District. Extraction or earthmining and related processing may...

- D. RT District. Conditional uses shall not exceed 125' in height.

- E. VR District. Min. lot area, lot width, front yard, side yard, rear yard and max. height.

- F. MH District. Accessory uses shall not exceed 20' in height.

- G. C-1 District.
 - 1. Conditional use – mixed residential and commercial use, subject to the following:

- H. C-2 District
 - 1. Accessory uses – where play areas are constructed as an accessory use, the following conditions shall apply...
 - 2. Conditional use – mixed residential and commercial use, subject to the following...

- I. C-3 District. Mixed residential and commercial use may...

- J. C-5 District. Child day care may be allowable as a conditional use, subject to:
 - 1. All areas and surfaces readily accessible to children shall be...
 - 2. It shall not be located within...
 - 3. It shall not be located on...
 - 4. It shall have a min. lot area of...
 - 5. It shall provide a min. usable open space of...
 - 6. It shall provide that all open spaces to be used by children will...
 - 7. It shall provide a landscape buffer in accordance with 4.06.00.
 - 8. It shall comply with the State of Florida Department of Health...
 - 9. Where a child care center is proposed in conjunction with...

- K. I District.
 - 1. Conditional Uses. Adult day care and child day care are subject to...

4.02.03 SPECIFIC STANDARDS FOR LOCATION OF ACCESSORY BUILDINGS AND STRUCTURES.

- A. In order to determine yard requirements...
 - Table 3. Dimensional standards for accessory buildings and structures on non-waterfront lots and non-golf course lots.*
 - Table 4. Dimensional standards for accessory buildings and structures on waterfront lots and golf course lots.*

- B. Accessory buildings shall not occupy an area greater than...

4.02.04 STANDARDS FOR CLUSTER RESIDENTIAL DESIGN

- A. The purpose of cluster development is to provide...
- B. This section shall apply to...

C. Conditional uses approved for cluster development may...

1. The max. allowable gross density in any cluster development...
2. The following site design and dimensional standards shall apply to cluster dev.

Table 5. Table of design standards for cluster development.

D. Requirements for zero lot line developments:

1. The zero lot line portion shall be...
2. Where the nature of the construction of a residence has provided for zero side yard...
3. Roof overhangs shall be prohibited over...

E. Common open space.

1. All reductions in the min. lot area, lot width and yard requirements...
2. Common open space shall be reserved for recreational uses.
3. Any commercial use recreational facility subject to membership shall not...
4. The sale, lease or other disposition of common open space shall be prohibited except...
5. Access rights to common open space for all residents...
6. Land utilized for common open space shall be restricted to...

F. Additional reduction to the development standards may be approved...

1. The architectural style shall be...
2. The residential project shall have...
3. Street materials, signage and lighting shall be...

4.02.05 SPECIFIC DESIGN STANDARDS FOR WATERFONT LOTS

A. It is the intent and purpose of this section to...

B. Principal structures shall not be erected...

1. For waterfront lands along which a bulkhead line has been established...
2. For waterfront lands along which an offshore building limit has been established...
3. For waterfront lands along which neither a bulkhead nor a building limit line...

C. There shall be no use permitted under this section which is not permitted...

4.02.06 STANDARDS FOR DEVELOPMENT IN AIRPORT ZONES

A. There are hereby created and established certain surfaces which include...

B. *Primary Surface*. An area longitudinally aligned along the runway centerline...

C. *Primary Surface Height*. No structure or obstruction will be permitted...

D. The width of each primary surface is as follows:

Table 6. Primary Surface Width.

E. *Horizontal Zone*. A horizontal plane 150' above the established airport elevation...

Table 7. Horizontal Zone Rules

F. *Horizontal Zone Height*. No structure or obstruction will be permitted...

G. *Conical Zone*. The conical zone is the area extending outward and upward from...

- H. *Approach Zone*. The approach zone is the area longitudinally centered on...
1. *Approach Zone Width*. The inner edge of the approach zone is the...
Table 8. Approach Zone Width
 2. *Approach Zone Lengths*. The approach zone extends as follows...
Table 9. Approach Zone Length
 3. *Approach Zone Height*. Permitted height limitation within the approach zone shall not...
Table 10. Approach Zone Height.
 4. Precision Instrument Runway.
 5. Non-precision Instrument Runways.
 6. Visual Runways.
- I. *Transitional Zones*. The area extending outward from the sides of the primary surface...
- J. *Heliport Primary Zones*. The area of the primary zone coincides in size and shape with the...
1. *Heliport Approach Zone*. The approach zone begins...
 2. *Heliport Transitional Zone*. These zones extend outward and upward from the...
- K. *Other Areas*. In addition to the height limitations imposed...
1. Except as provided, no structure or object of natural growth shall be allowed to a height...
 2. Obstruction to air navigation shall not be of a height greater than the following...
- L. *Exemptions*. Development of Marco Shores Golf Course...
1. The agreement between Johnson Bay Development...
 2. Prior issuance of a Federal Aviation Administration...
- M. *Airport Land Use Restrictions*. The following special requirements shall apply to each use:
1. All lights or illumination used in conjunction with street, parking, etc, shall...
 2. All flood lights, spot lights shall be...
 3. No operations of any type shall produce smoke, glare or other...
 4. No operations of any type shall produce electronic interference with...
 5. Land within runway clear zones shall be prohibited from...
 6. Based on the possibility that solid waste management facilities may attract birds...
 7. Any type of tethered dirigible, balloon or other which exceeds...
 8. No structure of any height, type or material shall be...
- N. Naples Municipal Airport noise zones, land use restrictions, SLR for buildings or structures and SLR design requirements.
1. The purpose of this section...
 2. In addition to the prior 3 noise zones, there is hereby created a 4th noise zone...
 3. Noise zone boundaries...
 4. Where boundaries of a described noise zone are shown to extend over a platted lot...
 5. Land use restrictions...
 6. Sound Level Requirements (SLR) for buildings or structures...

4.02.07 STANDARDS FOR KEEPING ANIMALS

4.02.08 OUTSIDE LIGHTING REQUIREMENTS

- A. Lights on golf courses shall be...
- B. Specific height requirements in zoning districts.
1. GC – 25'

2. C-1 – 25'
3. CF – 25'

4.02.09 DESIGN REQUIREMENTS FOR SHORELINES. The use of vertical seawalls as a method of protecting shorelines and lands adjacent to waterways shall be...

4.02.10 DESIGN STANDARDS FOR RECREATION AREAS WITHIN MH RENTAL PARKS

- A. The following amount of land or water shall be set aside...
 1. 300 sq. ft. for each lot for the first 100 lots
 2. 200 sq. ft. for each lot in excess of 100 lots
 3. ½ of the water surface within the park may be credited...

4.02.11 DESIGN STANDARDS FOR HURRICANE SHELTERS WITHIN MH RENTAL PARKS

All new or existing MH subdivisions in the process of expanding...

- A. The min. shelter size shall be determined by the following formula...
- B. The shelter shall be elevated to a min. height equal to...
- C. The design and construction of the shelters shall be guided by...
- D. All shelters shall provide the following...
- E. A MH park developer or owner may provide a cash contribution in lieu of...
 1. The cash contribution will be computed by the formula...
 2. Said monies shall be placed in a special account...

4.02.12 DESIGN STANDARDS FOR OUTDOOR STORAGE

- A. Outdoor storage yards may be permissible in the C-4 District, provided that...
- B. Within the C-5 District...
- C. All permitted or CUs allowing for outdoor storage shall be required to...

4.02.13 DESIGN STANDARDS FOR DEVELOPMENT IN THE BP DISTRICT.

- A. Business parks shall be a min. of 35 contiguous acres.
- B. Business parks shall be permitted to develop with a max. of 30% commercial uses.
- C. Business parks within the Urban-Industrial District of the FLUE Map shall have...
- D. Access shall be in accordance with the GMP.
- E. Business parks shall have central water and sewer and shall not...
- F. Business parks located within Interstate Activity Center quadrants that permit I uses...
- G. A 25' wide landscape buffer shall be provided around the boundary...
- H. No outside storage or display shall be permitted...
- I. Motor freight transportation and warehousing are subject to the following criteria:
 1. The use of metal roll-up garage doors...
 2. Access to individual units whether direct or indirect must be...
 3. No building shall exceed 100' in length when...
 4. No outdoor storage is permitted.
 5. Storage units shall be utilized for storage purposes only.

4.02.14 DESIGN STANDARDS FOR DEVELOPMENT IN THE ACSC-ST DISTRICT.

- A. All development orders issued within the ACSC-ST area shall...
- B. All development orders issued within the Big Cypress ACSC shall...
- C. Site Alteration.

1. Site alteration shall be limited to...
2. Any nonpermeable surface greater than 20,000 sq. ft...
3. Soils exposed during site alteration shall be...
4. No mangrove trees or salt marsh grasses shall be destroyed...
5. Fill areas and related dredge or borrow ponds shall be aligned...
6. Manmade lakes, ponds, or other containment works shall be constructed with...
7. Finger canals shall not be constructed in the ACSC-ST area.
8. This rule shall not apply to site alterations undertaken in connection with...
9. *Drainage*. Existing and new drainage facilities shall...
10. Transportation...
11. Structure Installation...

D. Port of the Islands, Copeland and Plantation Island MH sites.

E. Site alteration plan or site development plan approval required...

F. Procedures for site alteration plan or site development plan approval for development in ST or ACSC-ST designated land.

1. Preapplication Conference.
2. Review and recommendation by the County Manager, CCPC and EAC.
3. Final action by the BCC
4. Other permits required.
5. Commencement of site alteration or site development.

G. Submission requirements for site alteration plan or site development plan approval for development in ST or ACSC-ST designated land.

1. Submission and approval of a SDP shall contain the following...
2. Tabulation of total gross acreage in the project...
3. Architectural definitions for types of buildings...
4. Computation sheet including the following data...

H. Exceptions from public hearing requirements.

1. The area of the proposed is 5 acres or less...
2. Temporary site alteration for oil and gas geophysical surveys and testing...
3. Where a CU has been approved with an EIS or exemption...
4. Site alteration or development around existing communication towers...
5. All other site alteration or SDP approvals shall be...

I. Exemptions.

1. Removal and control of exotic vegetation as defined in Ch. 3...
2. Prescribed fires and associated firebreaks...
3. Removal of non-native vegetation pursuant to Ch. 3.

J. Modification of site alteration plan or SDP.

4.02.15 DESIGN STANDARDS FOR DEVELOPMENT IN THE SBCO DISTRICT.

A. The standards in this section apply to all uses in this overlay district.

1. Where specific development criteria and standards also exist in the GGAMP...
2. Existing residential uses must cease to exist no later than 10 years after...

- B. In support of the purpose and intent of the SBCO, all structures within the district shall...
- C. Projects shall be encouraged to be in the form of a PUD...
- D. Min. project area: 1 acre.
- E. Max. height: 2 stories.
- F. Transportation System Standards.
 - 1. Access via a rear property ROW shall be required...
 - 2. Projects shall be required to provide off-street parking and...
 - 3. Projects shall provide deceleration lanes as may be determined...
 - 4. Projects shall provide sidewalks so as to encourage...

4.02.16 DESIGN STANDARDS FOR DEVELOPMENT IN THE BMUD – NEIGHBORHOOD COMMERCIAL SUBDISTRICT

- A. The purpose and intent of this subdistrict...
- B. Special requirements for accessory uses.
 - 1. Uses and structures that are accessory and incidental to the permitted uses...
 - 2. Properties immediately adjacent to Haldeman Creek may engage in boat rental operations.
 - 3. Lots adjacent to the Neighborhood Commercial (NC) and Waterfront (W) subdistricts...
- C. The following regulations govern the outdoor display and sale of merchandise:
 - 1. No automatic food and drinking vending machines or public pay phones are permitted...
 - 2. Newspaper vending machines will be limited to...
 - 3. Outdoor display and sale of merchandise within front yards on improved properties...
- D. Dimensional Standards.

Table 11. Design Standards for the BMUD Neighborhood Commercial Subdistrict.
- E. Parking Standards.
 - 1. 3 spaces per 1,000 sq. ft. of floor area...
 - 2. Min. 1 parking space per residential unit.
 - 3. Outdoor café areas shall be exempt from parking calculations.
 - 4. Access to the off-street parking facility must be from...
 - 5. Should the property owner develop on-street parking spaces...
 - 6. On-street parking on local streets requires an agreement...
 - 7. Lots adjacent to the NC and W subdistricts may be used for...
 - 8. On-street parking on Bayshore Dr. shall...
 - 9. Construction or renovation of any building must occur within 90 days...
 - 10. The off-site parking requirements of 4.05.02 (K) shall apply...
 - 11. Shared parking requirements shall be consistent with 4.05.02 except that...
- F. Design standards for awnings, loading docks and dumpsters.
 - 1. Retractable awnings shall be exempt from...
 - 2. Loading docks and service areas shall not be allowed on the frontage line.
 - 3. All dumpsters must be located in the rear yard and not visible from Bayshore Dr.
- G. Architectural Standards.
 - 1. All buildings shall meet the requirements in section 5.05.08.
 - 2. All buildings adjacent to Bayshore Dr. will have the principal pedestrian entrance...
 - 3. 35% of the building façade that faces Bayshore Dr. will be clear glass.

4. Clear glass windows between 3' and 8' above sidewalk grade are required...
5. Attached building awnings may encroach over the setback line by a max. of 5'.
6. Neon colors shall not be used as accent colors.

4.02.17 DESIGN STANDARDS FOR DEVELOPMENT IN BMUD – WATERFRONT SUBDISTRICT.

A. Special conditions for marinas.

1. Repair and storage areas shall not be visible from the local street.
2. Boats available for rental purposes shall be located in the water or...
3. All boat racks shall be enclosed.
4. Height of structures may be increased to a max. height of 50'...
5. Outdoor displays of new boats for sale on properties fronting Bayshore Dr. shall...
6. Outdoor displays of boats on properties fronting Haldeman Creek shall...
7. 1 parking space per 5 dry boat storage spaces.
8. On-site traffic circulation system shall be provided that will...

4.02.18 DESIGN STANDARDS FOR DEVELOPMENT IN THE BMUD – RESIDENTIAL SUBSITRICT (R1)

A. Dimensional and Design Standards

Table 12. Design Standards in the BMUD Residential Subdistrict R1.

B. Specific Design Requirements

1. There shall be no visible parking area from the frontage road.
2. Buildings and their elements shall adhere to the following...
3. Buildings shall adhere to the following elevation requirements...
4. Front porches that adhere to the following standards may encroach...
5. Garage and driveways...
6. An accessory unit is a separate structure located at the rear of the property...
7. Fencing forward of the primary façade of the structure is permitted subject to...

C. Specific standards for bed and breakfast lodging as a CU:

1. A SDP pursuant to Ch. 10.
2. Min. number of guest rooms or suites is...
3. No cooking facilities shall be allowed in guest rooms.
4. Separate toilet facilities for the exclusive use of guests must be provided...
5. All automobile parking areas shall provide....
6. One sign with a max. sign area of...
7. An on-site manager is required.
8. The facility shall comply with all...

4.02.19 DESIGN STANDARDS FOR DEVELOPMENT IN THE BMUD – RESIDENTIAL SUBDISTRICT (R2)

A. Development standards for the subdistrict are the same as for R1 except:

Table 13. Setback Standards for BMUD Residential Subdistrict (R2)

4.02.20 DESIGN STANDARDS FOR DEVELOPMENT IN THE BMUD-RESIDENTIAL SUBDISTRICT (R3)

- A. The purpose of this district is to...
- B. Min. lot width...
- C. Yard requirements...

4.02.21 DESIGN STANDARDS FOR DEVELOPMENT IN THE BMUD – RESIDENTIAL NEIGHBORHOOD COMMERCIAL SUBDISTRICT (RNC)

- A. Home occupation in section 5.02.00 shall apply unless specified otherwise below.
- B. The home occupations permitted include...
- C. The home occupation shall meet the following conditions:
 - 1. There shall be a min. of 1 residential dwelling unit.
 - 2. The resident of the home shall be the owner/operator of the home occupation.
 - 3. The home occupation shall not occupy more than 30% of the primary structure.
 - 4. The home occupation shall not employ more than 2 employees.
 - 5. One wall sign shall be permitted provided it does not exceed...
 - 6. A total of 2 parking spaces shall be provided...
 - 7. Parking areas shall consist of a dust free surface such as...
 - 8. There shall be no additional driveway to serve such home occupation.
 - 9. There shall be no outdoor storage of materials or equipment...

4.02.22 DESIGN STANDARDS FOR THE GZO DISTRICT.

- A. These regulations are intended to supplement the existing LDC regulations.
- B. Dimensional Standards
 - Table 14. Design and Dimensional Standards in the GZO District.*
- C. Specific design standards
 - 1. Within the VR and RSF-4 zoning districts, recreational equipment may be stored...
 - 2. Within the VR and RSF-4 zoning districts, fishing equipment maybe stored...

4.02.23 DESIGN STANDARDS FOR DEVELOPMENT IN THE ACTIVITY CENTER #9

- A. All buildings and projects within Activity Center #9 shall be developed in accordance with...
- B. Buildings within the Activity Center #9 shall be limited to 3 character themes...
- C. In addition to the requirements of section 5.05.08, buildings shall include these elements...
 - 1. All primary facades of a building shall feature one or more of the following elements...
 - 2. Roof Treatment.
- D. Lighting fixtures and signage within the Activity Center #9 shall be designed to...

4.02.24 CORRIDOR MANAGEMENT OVERLAY DISTRICT (CMO) – Special regulations for properties abutting Golden Gate Pkwy. west of Santa Barbara Blvd. and Goodlette-Frank Rd. south of Pine Ridge Rd.

- A. Required setbacks.
 - 1. Goodlette-Frank Rd.: 50'
 - 2. 50' for the first floor of all commercial development...
 - 3. As building height increases, the front yard setback shall be increased by...
- B. 2-way ingress and egress shall be a min. of 330' from the nearest street...
- C. Golden Gate Pkwy. Property identification signs shall not be higher than...

4.02.25 MOBILE HOME OVERLAY DISTRICT (MHO) – Special regulations for MHO in Rural Agricultural (A) Districts. The min. area that may be petitioned for rezoning...

4.02.26 GOLDEN GATE PARKWAY PROFESSIONAL OFFICE COMMERCIAL OVERLAY DISTRICT (GGPPOCO) – Special conditions for the properties abutting Golden Gate Parkway east of Santa Barbara Blvd. as referenced in the Golden Gate Parkway Professional Office Commercial District Map (Map 2) of the Golden Gate Area Master Plan.

- A. The following standards apply to all uses in this overlay district...
- B. In support of the purpose and intent of the GGPPOCO a common architectural style...
- C. Projects shall be encouraged in the form of a PUD...
- D. Min. project area shall be 2 acres.
- E. Buildings shall be set back from Golden Gate Pkwy. a min. of 40' and...
- F. Buildings shall have a max. height of 25' plus...
- G. Transportation.
 - 1. Access to projects shall be provided exclusively via Golden Gate Pkwy and...
 - 2. Projects shall be required to provide off-street parking and may...
 - 3. Projects shall provide deceleration and acceleration lanes as may be determined...
 - 4. Projects shall encourage pedestrian traffic by...
- H. Each project shall be limited to one sign not to exceed...
- I. Landscaping.
 - 1. Projects shall provide a 10' buffer between...
 - 2. A min. of 10% of the gross vehicular use area shall be landscaped to provide...
- J. Central water and sewer facilities shall be available prior to development.

4.02.27 SPECIFIC DESIGN STANDARDS FOR THE IMMOKALEE – STATE ROAD 29 A COMMERCIAL OVERLAY SUBDISTRICT

- A. Access points to SR-29 shall comply with FDOT permitting regulations...
- B. Owners of lots having less than the required street frontage may...
- C. Building design standards.
 - 1. Buildings shall be set back from SR-29 a min. of 25'...
 - 2. Projects with a building sq. ft. of less than or equal to 5,000, shall provide a landscape...
 - 3. Projects with a building sq. ft. of less than or equal to 5,000, shall provide vehicular...
 - 4. Projects with a building sq. ft. exceeding 5,000 shall provide a landscape buffer...
 - 5. Buildings shall have a max. height of 50'.
- D. Transportation.
 - 1. Shared parking arrangements between adjoining developments shall be encouraged.
 - 2. Deceleration and acceleration lanes shall be provided.
 - 3. Pedestrian traffic shall be encouraged by providing sidewalks...

4.02.28 SPECIFIC DESIGN STANDARDS FOR THE IMMOKALEE – JEFFERSON AVE COMMERCIAL OVERLAY SUBDISTRICT

- A. Building Design Standards.
 - 1. Projects with a total building sq. ft. less than or equal to 5,000, shall provide 10' buffer...
 - 2. Projects with a total building sq. ft. exceeding 5,000 shall provide a landscape buffer...
 - 3. Commercial buildings shall be set back from Jefferson Ave. a min. 25'.
 - 4. Commercial buildings shall have a max. height of 50' excluding...
- B. Transportation.

1. Access points for future commercial development shall be limited to...
2. Owners of lots having less than the 150' frontage may...
3. Provisions for shared parking arrangements with adjoining developments...

4.02.29 SPECIFIC DESIGN STANDARDS FOR THE IMMOKALEE – FARM MARKET OVERLAY

- A. Dimensional standards shall be as required for the C-5 zoning, except...
- B. The following uses are exempt from 5.05.08:
 1. Agricultural Services (0723)
 2. Wholesale Trade (5148)
 3. Agricultural Outdoor Sales
- C. Outdoor sales of agricultural products are permitted provided the applicant address...
 1. Vehicular and pedestrian traffic safety measures.
 2. Parking for undeveloped properties will be calculated at a rate of...
 3. Limited hours of operation.
 4. Fencing, lighting.
 5. Fire protection measures.
 6. Sanitary facilities.
 7. The applicant shall provide a notarized letter from the property owner granting...
 8. The placement of one sign a max. of 32 sq. ft...
 9. Agricultural products may be sold from a vehicle provided that...
 10. Agricultural products may be displayed within any front yard provided it does not...
 11. A min. 5' landscape buffer shall be required adjacent to any road ROW.

4.02.30 SPECIFIC DESIGN STANDARDS FOR THE IMMOKALEE – AGRIBUSINESS OVERLAY The following uses are exempt from the provisions of 5.05.08...

4.02.31 SPECIFIC DESIGN STANDARDS FOR THE IMMOKALEE – CENTRAL BUSINESS OVERLAY SUBDISTRICT (ICBSD). Parking within this subdistrict shall meet the following standards:

- A. Lots, parcels, or uses which have frontage on SR 29 or CR 846 shall...
 1. Uses in existence as of the date of this LDC are exempt from the min. parking...
 2. The expansion of any use shall require parking at 50% the min. requirement...
 3. A change of any use shall be exempt from the min. parking...
 4. Any use in a building constructed after the effective date of the LDC...
- B. Lots, parcels or uses which do not have frontage on SR 29 or CR 846 shall...
 1. Uses in existence as of the date of this LDC are exempt from the min. parking...
 2. The expansion of any use shall require an addition to any parking of the min. number...
 3. A change of any use shall be exempt from the min. parking...
 4. Any use in a building constructed after the effective date of the LDC...
- C. In no way shall the provisions of the ICBSD be construed so as to prevent off-site parking...

4.02.32 SPECIFIC DESIGN STANDARDS FOR THE IMMOKALEE – MAIN STREET OVERLAY

- A. Dimensional standards.
 1. Front Yard...
 2. Side Yard...
 3. Rear Yard...
 4. Yard abutting residential...

5. Structures shall be no more than 35' in height except that...
- B. Min. off-street parking and loading...
 1. Outdoor café areas shall be exempt from parking calculations.
 2. All properties within the Main Street Overlay having frontage on Main St...
 - C. Signs.
 1. Projecting signs are permitted in addition to permitted signs provided...
 2. Sandwich boards are permitted...
 - D. Development shall be subject to the provisions of 5.05.08 except...
 1. Properties having frontage on Main St., 1st St. or 9th St. are required to...
 2. Reflective or darkly tinted glass is prohibited on ground floor windows.
 3. Properties with less than 50' road frontage shall only require one roof change.
 4. Commercial projects 5,000 sq. ft. or less shall require a min. of 2 design features...
 5. To encourage redevelopment within the Main St...
 6. The min. commercial design criteria shall be applicable to projects with a sq. ft. of...
 - E. To encourage redevelopment, the following landscape criteria shall apply to...
 1. Properties adjacent to residentially zoned lots/parcels shall provide 10' landscape...
 2. Properties adjacent to commercially zoned lots shall provide 5' landscape...
 3. A min. 5' buffer with at least 2 trees per lot or...
 4. Lots that are unable to meet the above min. landscape criteria shall...
 - F. Special requirements for outdoor display and sale of merchandise.
 1. Outdoor display within front and side yards on improved properties...
 2. Outdoor display within the sidewalk area only shall be permitted in conjunction...

4.02.33 SPECIFIC DESIGN STANDARDS FOR THE MH PARK OVERLAY SUBDISTRICT

- A. Dimensional Standards.

Table 15. Dimensional Standards for the Mobile Home Park Overlay.
- B. Where a public water line is available, a hydrant will be required to...
- C. A dumpster or enclosure for individual containers is required...
- D. Private roads leading to and serving the MH park or lots must be...

4.02.34 SPECIFIC STANDARDS FOR SHOPPING CENTERS.

- A. A shopping center must consist of 8 or more retail businesses containing a min. total of...
- B. For specific standards regarding parking, see 4.05.04.

4.03.00 SUBDIVISION DESIGN LAYOUT

4.03.01 GENERALLY. The purpose of this section is to establish procedures and standards...

4.03.02 APPLICABILITY. It shall be unlawful for any person to transfer, sell or other use of a plat of a subdivision of land without having submitted a FP...

4.03.03 EXEMPTIONS. The following may be exempted with a written request...

- A. Agriculturally related development as identified in...
- B. A minor subdivision for SF detached and duplex residential development shall be exempt...
- C. A minor subdivision for MF residential and nonresidential development shall be exempt...
- D. An integrated phased development which has been previously approved shall be exempt...
- E. The division of land into cemetery lots shall be exempt...
- F. The division of land which could be created by any court in this state pursuant to...
- G. The division of land which creates an interest in oil, gas or minerals...
- H. All division of land occurring prior to the effective date of this LDC shall be exempt...
- I. The division of property, prior to July 15, 1998, of a rural subdivision shall not require...
- J. The division of property of Chokoloskee Island shall not require the recording of...

4.03.04 LOT LINE ADJUSTMENTS. An adjustment of a lot line under separate ownership...

- A. It is demonstrated that the request is to correct engineering or surveying error...
- B. Both landowners whose lot lines are being adjusted provide written consent...
- C. Instrument evidencing the lot line adjustment shall be filed in the...
- D. It is demonstrated that the lot line adjustment will not affect the development rights...

4.03.05 SUBDIVISION DESIGN REQUIREMENTS.

- A. *Blocks.* The length, width and shape of blocks shall be with due regard to:
 1. Zoning requirements as to lot size and dimensions.
 2. Need for convenient access, circulation, control and safety of vehicular/pedestrian traffic.
 3. Limitations and opportunities of topography, including all natural and preserved features.
 4. Where special topographical conditions exist, block lengths greater than 660' shall be...

4.03.06 GOLDEN GATE ESTATES LOT DIVISION. When a 5-acre parcel in Golden Gate Estates is subdivided into 2 lots where one of the lots is not on the existing ROW...

4.03.07 MONUMENTS. The design and location of permanent reference monuments shall be...

4.03.08 FACILITY AND SERVICE IMPROVEMENT REQUIREMENTS. The following improvements in this section are required in conjunction with...

- A. *Street System.* The design and construction of all subdivision streets shall...
 1. Access to lots within a subdivision shall be designed to accomplish...
 2. Intermittent access points to the marginal access road shall be a min. of...
 3. In the case of commercial or industrial subdivisions separated by common parking...
 4. The street system of a subdivision approved pursuant to this section shall be...
- B. *Water Management System.* An adequate water management system shall be required...
 1. The water management system shall comply with the design requirements of Ch. 6...
 2. Any navigable canal or waterway designed as part of a development...
- C. *Potable Water System.* A complete water distribution and transmission system shall be...
 1. The design and construction of the water facilities shall comply with...
 2. If County central water facilities are not available for connection...
 3. When County central water facilities become available for connection...
- D. Sewage collection, treatment, and disposal facilities.
 1. The design and construction of the sewage collection shall comply with...

2. A complete sewage collection and transmission system shall be...
3. If County central sewer facilities are not available to connect with...
4. In the event individual sewage facilities designed in accordance with F.A.C....
5. On-site sewage disposal systems may be utilized if permitted by...

4.04.00 TRANSPORTATION SYSTEM STANDARDS

4.04.01 GENERALLY

- A. All development shall comply with street system design standards in 6.06.00.
- B. Every building hereafter erected or moved shall be on a lot adjacent to a public street...
- C. No lot or parcel which is residentially zoned or designated shall be used for driveway...
- D. On a corner lot in all zoning districts, no fence, wall, hedge, etc. shall obstruct vision...

4.04.02 ACCESS MANAGEMENT.

A. Purpose and Intent

1. This section pertains to transportation access within mixed-use activity centers...
2. Nothing in this section shall preclude Collier County from enforcing conditions...
3. Access points, median openings, etc., on state controlled roads are subject to FDOT.

B. Regulations.

1. Future DOs within mixed-use activity centers can only be approved if the access...
2. For the purposes of this section, mixed-use refers to a project with...
3. During development or redevelopment of commercial lots, shared access shall be...
4. The County Manager may improve or impose a variation in ingress/egress points...

4.05.00 OFF-STREET PARKING AND LOADING

4.05.01 GENERALLY

A. Purpose and Intent.

B. General Applicability.

1. Wherever in any zoning district off-street facilities are provided for...
2. Off-street parking and loading facilities shall be provided for as set forth...
3. Where a conforming building or use existed as of the effective date of the LDC...
4. Where a use and building existed at the effective date of the LDC and the use is changed...
5. Unless otherwise provided, areas designated as the central business district shall not...

4.05.02 DESIGN STANDARDS.

A. Parking lots and spaces shall be identified as to purpose and location when not evident.

B. Parking lots and spaces shall meet the following standards:

1. Be surfaced with asphalt, bituminous, concrete or dustless material and maintain...
2. Up to 70% of the parking spaces for houses of worship and schools may be surfaced...
3. Spaces that are not paved shall be compacted, stabilized and well drained with...
4. Driveways, handicapped spaces and access aisles shall be paved.

C. Parking lots shall be drained and sloped as not to cause any nuisance to adjacent...

D. Parking lots shall be so lighted as to shield streets and adjacent properties from glare...

E. Access shall meet the following standards:

1. Be arranged for convenient and safe access of pedestrians and vehicles.

2. Off-street parking areas must be accessible from a street, ally or public ROW.
 3. Access via a rear property ROW shall be required if available in lieu of direct access.
 4. For any nonresidential development which abuts an alley, a max. of 10 spaces...
- F. Be arranged so that no vehicle shall be forced onto any street to gain access...
- G. Whenever the number of off-street parking spaces required is 5 or more...
- H. Be constructed so that interior portions of the off-street facilities not used shall be paved...
- I. Off-street parking areas shall be designed so as not to create dead-end aisles except...
- J. All off-street parking facilities shall be located on the same lot they serve...
- K. Exemptions to location requirements.
1. Off-site parking on non-contiguous lots under same ownership...
 2. Off-site parking on lots under different ownership...
 3. Parking Exemption
- L. Min. aisle widths shall be as follows:
Table 16. Min. Aisle Width in Parking Lots
- M. Each parking space shall be a min. of 9'x18' or 16' in depth measured from...

4.05.03 SPECIFIC PARKING REQUIREMENTS FOR RESIDENTIAL USES IN MIXED USE URBAN RESIDENTIAL LAND USE. The parking of automobiles in connection with residential dwelling units shall be regulated as follows:

- A. Single-family dwelling units...
- B. 2-family dwelling units...
- C. Multi-family dwelling units...
- D. Where multi-family structures consist of single-family attached dwelling units...
- E. Automobiles parked in connection with residential shall be owned by...
- F. No other portion of a front yard may be used to park or store automobiles including...

4.05.04 PARKING SPACE REQUIREMENTS.

- A. Requirements for off-street parking for uses not specifically mentioned...
- B. *Measurement.* Where the LDC requires off-street parking the following rules apply:
 1. Floor area means...
 2. In hospitals, bassinets do not count as beds.
 3. In stadiums and other places of public assembly where benches or similar are used...
 4. Where the parking requirements are based on number of employees...
 5. When units of measurements determining number of spaces results in a fraction...
- C. Developers of commercial projects which require a min. 80 spaces...
- D. Developers providing parking lots in excess of 200 spaces....
- E. Required off-street parking shall be located so that no automotive vehicle shall have...
- F. Min. requirement.
 1. Irrespective of any other requirement, each business shall be provided with at least...
 2. County manager may determine the min. parking requirements for a use not referenced...
- G. Spaces Required.
Table 17. Parking Space Requirements.

4.05.05 PARKING VIOLATION IN THE P DISTRICT. As required in 4.05.04 provided that...

4.05.06 LOADING SPACE REQUIREMENTS

- A. Generally.

1. Off-street loading facilities are required by this LDC so that vehicles engaged in...
 2. Off-street loading facilities supplied to meet the needs of one use may not...
 3. When the use of a structure or land is changed to a use requiring off-street loading...
 4. Each off-street loading space shall be directly accessible from a street or alley...
 5. Areas reserved for required off-street loading shall not be reduced in area or...
 6. Collective, joint or combined provisions for off-street loading for 2 or more...
- B. Requirements.
1. Each retail store or similar use which has an aggregate floor area of...
Table 18. Required Loading Spaces.
 2. For each multi-family dwelling facility having at least 20 units but not over 50...
 3. For each auditorium, convention hall, museum, hotel, etc., 2 or more uses may combine...
 4. For facilities not of sufficient size to meet the min. requirements, each shall provide...
 5. For any use not specifically mentioned, the requirements...
- C. Each loading space shall be a min. of 10'x20' in size.

4.05.07 HANDICAPPED PARKING REQUIREMENTS.

- A. Generally. Any business, firm which operates or maintains a building which is used by the public shall provide specially designed and marked motor vehicle parking spaces...
- B. *Requirements.* A parking lot servicing any building shall have a number of level spaces...
Table 19. Required Handicapped Parking Spaces.
- C. Location.
1. Parking spaces provided for the exclusive use of physically disabled persons...
 2. In parking facilities that do not serve a particular building, parking shall...
 3. All spaces shall have accessibility to a curb ramp or curb cut...
- D. Design.
1. Diagonal or perpendicular parking spaces shall be a min. of 12'x18' and provide...
 2. Each such parking space shall be conspicuously outlined in blue paint and shall...

4.05.08 BICYCLE PARKING REQUIREMENTS.

- A. *Number.* Provisions for the safe and secure parking of bicycles shall be furnished at...
- B. Design.
1. A bicycle parking facility suited to a single bicycle shall be of a stand-alone inverted...
 2. Each parking space shall have a min. of 3' of clearance on all sides of the bike rack.
 3. Bicycle spaces shall be surfaced with the same or similar materials approved for...
 4. Extraordinary bicycle parking designs which depart from the bike rack standard...

4.05.09 STACKING LANE REQUIREMENTS. Where stacking is required, the amount listed does not include the first vehicle being stacked. A min. of 5 spaces...

4.06.00 LANDSCAPING, BUFFERING, AND VEGETATION RETENTION

4.06.01 GENERALLY

- A. Purpose and Intent.
1. Landscape Code purpose and intent is to...
 2. Buffering and Screening purpose and intent is to...
- B. Effect of Collier County Streetscape Master Plan

C. Relationship to Subdivision Regulations.

1. *Plantings, trees and grass.* All ROW and street easements shall be planted with trees...
2. *Streets and access improvements.* All existing ROW shall be separated by a buffer...

D. Landscape with Sight Design Triangles.

1. Safe sight distance triangles at intersection and access points.

E. Landscaping Plans Required.

1. Landscape summary in matrix form shall include...
2. Illustrative information consisting of the following shall be on the landscape plan...

4.06.02 BUFFER REQUIREMENTS.

A. Applicability of Buffer Requirements.

1. To separate residential from commercial, etc. and adjacent ROW except where...
2. To separate commercial, community use, industrial and public use from residential.
3. To separate subdivisions of residential property that does not result in SDP.

B. Methods of Determining Buffers.

C. Table of buffer yards. Types of buffers.

1. Alternative A.
2. Alternative B.
3. Alternative C.
4. Alternative D.

Table 2.4. Table of Buffer Requirements by Land Use Classifications

5. Business Parks
6. Buffering and screening standards.

D. Standards for retention and detention areas in buffer yards.

1. Water management systems must not exceed 50% of the sq. ft. of any required...
2. Water management systems must not exceed 70% of the buffer width...
3. Exceptions to these may be granted on a case-by-case basis...
4. Sidewalks and other pervious areas must no occupy any part of a buffer except when...
5. Natural and manmade bodies of water including retention areas are subject to...

4.06.03 LANDSCAPING REQUIREMENTS FOR VEHICULAR USE AREAS AND ROWs

A. *Applicability.* The provisions of this section shall apply to all...

B. Standards for landscaping in vehicular use areas

1. Landscaping required in interior of vehicular use areas...
2. All rows of parking spaces shall contain no more than ten spaces...
3. All rows of parking spaces shall be bordered on each end...
4. Interior landscaping areas shall be provided within the interior of all vehicular use areas...
5. Required landscape islands and perimeter planting beds shall be graded to provide...
6. Interior landscaping areas shall meet the requirements of...
7. Vehicular overhang of landscape areas...
8. Green space required in shopping centers and freestanding retail establishments...
9. Landscaping required for section 5.05.08 buildings over 20,000 sq. ft.

- C. Landscaping standards for rights-of-way and median strips.
 - 1. Median strips which are part of the publicly dedicated ROW shall not be utilized...
 - 2. Subdivision or land development entranceways consisting of structures are not permitted...

4.06.04 TREES AND VEGETATION PROTECTION

- A. Vegetation Removal and Site Filling.
 - 1. Clearing of woody vegetation requires a VRP or VRSFP unless exempted...
 - a. Permitted removal of vegetation or site fill with VRSFP, SDP or PPL...
 - i. For individual single-family lots or blocks...
 - ii. To allow for safety during removal, if a developer owns contiguous lots...
 - iii. A developer will be permitted to clear up to 25 acres...
 - a). Plat and Construction Plans...
 - b). SDP and SIP.
 - c). A portion of the 25 acres may be used to bring building lots...
 - iv. No VRSFP will be issued without copies of approved agency permits...
 - v. When a VRSFP authorizing up to 25 acres is nearing capacity...
 - vi. A VRSFP will be issued to authorize greater than 25 acres when...
 - vii. *Revegetation*: for VRSFPs within subdivisions, a revegetation bond...
 - 2. BCC approved VRSFP Procedures
 - B. Protection of Native Vegetation on Coastal Barriers.
 - 1. Native vegetation shall be preserved to the max. extent possible...
 - 2. All beachfront land development shall be required to...
 - 3. All land development projects shall provide 100% native...
 - 4. Appropriate coastal dune or strand vegetation shall be required...
 - D. Credit of Tree Preservation. Existing trees may be credited towards meeting the min. tree...
Table 4.06.04 (D) Calculation of Tree Preservation Credits
 - 1. Trees excluded from preservation credit...

4.06.05 GENERAL LANDSCAPING REQUIREMENTS

- A. *Landscaping requirement for residential development.* Landscaping for all new development shall include, at a min., the number of trees set forth below...
 - 1. Residential developments...
 - 2. Multifamily developments...
- B. Landscaping requirements for industrial and commercial development.
 - 1. Industrial and commercial developments...
 - 2. Communication towers...
 - 3. Littoral Shelf Planting Area...
 - 4. Building foundation planting areas...
 - 5. Building foundation planting requirements for tall buildings greater than 35'...
- C. Plant Material Standards
 - 1. Quality.
 - 2. Trees and Palms.
 - 3. Tree species mix.
 - 4. Shrubs and hedges.

5. Ground covers.
6. Organic mulch requirements.
7. Lawn grass.
8. Site-specific plant material.
9. Non code trees
10. Control species.
11. Plants used for mitigation...

D. Existing Plant Communities.

1. *Existing plant material.* In meeting the requirements of landscaping, use of existing...
2. All new development shall retain existing native vegetation to the maximum...
3. During construction, all reasonable steps necessary to prevent the destruction of existing...
4. Protective barriers shall be installed and maintained beyond the dripline...

E. Prohibited Plant Materials

1. Prohibited species shall not be planted...
2. Prohibited exotic species shall not be grown, offered for sale...
3. Prohibited exotic plants shall be removed during each phase of construction...
4. *Native habitats.* Developments shall identify, protect, conserve....

F. Requirements to remove prohibited plant materials, per 3.05.08.

G. Installation and selection requirements for plant materials.

1. Prior to the issuance of any C.O. for a use requiring landscaping...
2. Limerock located within planting areas shall be removed and replaced...
3. Trees shall not be planted in areas that retain excessive quantities of water...
4. All trees and palms shall be property guyed, braced or stakes at the time of planting...
5. All required landscaping shall be installed in accordance with plans approved per Ch. 10...
6. All required landscaping shall be maintained in a healthy condition in perpetuity...
7. In instances where an act of God or condition outside the control of the applicant...

H. Location requirements for plant materials.

1. Signage located within/adjacent to landscape buffer area.

I. Standards for Landscape Berms.

1. Landscape berms located adjacent to I-75 ROW.

J. Maintenance of landscaping.

1. Pruning.
2. Maintenance.

K. Irrigation System Requirements.

1. Cultivated landscapes.

4.06.06 SPECIAL BUFFER REQUIREMENTS FOR THE TTRVC ZONING DISTRICT

A. *Required buffers.* Visual screens are required in the following areas:

1. TTRVC parks fronting on a highway shall provide and maintain a clear area...
2. TTRVC parks abutting lands zoned other than for such parks shall be screened...

4.07.00 DESIGN STANDARDS FOR PLANNED UNIT DEVELOPMENTS

4.07.01 UNIFIED CONTROL

- A. All land included for purpose of rezoning to a PUD shall be owned or under the control...
- B. The applicant shall present competent substantial evidence of the unified control...
 - 1. Notify the County Manager in writing of any changes in ownership...
 - 2. Do so in accordance with...
 - 3. Provide written agreements, contracts, etc. in accordance with the PUD master plan...
 - 4. Bind his successors in title to any commitments made under 2.03.06, 4.07.00 and 10.02.13.

4.07.02 DESIGN REQUIREMENTS. In addition to all general provisions in this section, the following specific requirements, limitations and standards shall apply to all PUD districts except...

A. Minimum area.

- 1. The min. area required for a PUD shall be 10 contiguous acres except...
- 2. For infill parcels, the min. area required for a PUD shall be...

B. External relationships.

- 1. Development within a PUD district shall be compatible with uses of surrounding...
- 2. The PUD shall provide protection of the development from potentially adverse...
- 3. In all cases, screening shall be designed to protect first floor occupant window levels.
- 4. Off-street parking areas for 5 or more cars, service areas for loading or unloading...

C. *Internal relationships.* The development plan for a PUD district shall provide...

D. Residential density.

- 1. The overall max. residential density permissible or permitted in a PUD shall be...
- 2. The max. density permissible or permitted in a PUD shall not exceed...
- 3. The BCC may lessen density or intensity of development when...

E. Minimum dimensional standards.

- 1. Dimensional standards within any tract of the proposed PUD shall conform to...
- 2. Variation from these min. dimensional standards may be approved if...
- 3. Submission of schematic architectural drawings, etc., shall show the proposed reduction...
- 4. Where required yard setbacks are permitted to be zero...

F. Off-street parking and loading requirements shall be as for comparable type density...

G. Open Space Requirements.

- 1. Usable open space shall include active and passive recreation areas such as...
- 2. Within PUD districts composed entirely of residential dwelling units and accessory uses...
- 3. Within PUD districts containing commercial, industrial and mixed use...
- 4. An appropriate percentage of the gross project area shall be required to be dedicated to...

H. The desirable natural, historic or archaeological features of the site shall be preserved...

I. Within the residential portion of a PUD district, all utilities shall be installed underground...

J. Streets, drives, parking and service areas.

1. Streets, drives, parking and service areas shall provide safe and convenient access to...
2. Streets shall be laid out and constructed so as not to require excessive cuts or fills...
3. In addition, all major arteries as shown on the master plan shall be limited access...
4. Principal vehicular access points shall be designed to encourage smooth traffic flow...
5. All streets or roads within the PUD shall be public unless specifically identified...

4.07.03 SPECIAL REQUIREMENTS FOR INDUSTRIAL PLANNED UNIT DEVELOPMENTS.

- A. Industrial PUDs are intended to implement the industrial under criteria subdistrict...
 1. The boundaries of the proposed PUD must be transitional...
 2. The project must have direct access to an arterial or collector level street...
 3. The PUD must have central water and sewer and shall not generate light...

- B. In industrial PUDs, no building or structure shall be erected for other than described below:
 1. Permitted principal uses and structures...
 2. Permitted accessory uses and structures...

- C. Development standards.
 1. The land area requirements are shown in the following table:
Table 20. Land Area Requirements for Industrial PUDs.
 2. The minimum lot width is 150'.
 3. Min. yard requirements are shown in the following table:
Table 21. Setback Requirements for Industrial PUDs.
 4. The max. height of structures is 65' except when abutting residential, then 35'.
 5. When required, a fence shall be of masonry, wood, concrete block or decorative iron/steel.
 6. No outside storage or display shall be permitted...
 7. 30% of the gross PUD area shall be usable open space.
 8. Environmental controls, soundproofing, lighting and emission controls shall be required...

4.07.04 SPECIAL REQUIREMENTS FOR MIXED USE PLANNED UNIT DEVELOPMENTS CONTAINING A COMMERCIAL COMPONENT.

- A. Applicability
 1. When a mixed use PUD containing a commercial tract or increment is located outside of an activity center and is intended as a neighborhood village center...
 2. In addition to the commercial uses in 2.03.06 (E), the neighborhood village center may...

- B. Design standards
 1. The gross acreage of the neighborhood village center shall be sized in proportion to the...
Table 22. Maximum Land Area in Neighborhood Village Center
 2. The max. floor area ratio for the commercial component is 0.25.
 3. The neighborhood village center shall be unified and architecturally integrated...
 4. The following location criteria and functional operating characteristics shall...
 5. The number of off-street parking spaces shall only be 50% of that required by...
 6. The neighborhood village center shall be subject to the design guidelines in 5.05.08...
 7. *Signs.* A unified sign plan shall be submitted and made a part of the approval of the SDP...
 8. No commercial building construction in the village center shall be allowed until...

4.07.05 SPECIAL REQUIREMENTS FOR RESEARCH AND TECHNOLOGY PARK PUDs. Development in research and technology parks shall comply with the following:

Table 23. Dimensional Standards for Research and Technology Park PUDs

4.07.06 PROVISION OF POLLING PLACES.

- A. At the time the BCC approves a zoning request to PUD or residential development of more than 100 dwelling units, shall be required to provide polling places...
- B. If a residential PUD or project is a private development with restricted entrance...
- C. This commitment shall be guaranteed through the following mechanism...
- D. The supervisor of elections is responsible for arranging use of said community...
- E. Access to the polling place shall be provided to all individuals arriving to vote...

4.08.00 RURAL LANDS STEWARDSHIP AREA ZONING OVERLAY DISTRICT STANDARDS AND PROCEDURES

4.08.01 SPECIFIC DEFINITIONS APPLICABLE TO THE RLSA DISTRICT. As used in the RLSA District regulations, the terms below shall have the following meanings, set forth below...

4.08.02 ESTABLISHMENT OF RLSA ZONING OVERLAY DISTRICT. In order to implement the RLSA District regulations an RLSA District (RLSAO) is hereby established.

- A. The lands included in the RLSA District are depicted in the following map...
- B. Within the RLSA District, additional lands may be designated to implement...
 - 1. Establishment of SSA designations.
 - 2. Establishment of SRA designations.

4.08.03 ESTABLISHMENT OF LAND USES ALLOWED IN THE RLSA DISTRICT. Land uses allowed within the RLSA are of two types...

4.08.04 IMPLEMENTATION OF STEWARDSHIP CREDITS.

- A. Establishment of a Stewardship Credit Database...
- B. Authorization to establish a stewardship credit trust...
- C. *Density*. Except as provided herein, there shall be no change to the underlying density...
- D. Creation of stewardship credits/general.
- E. Transfer of stewardship credits/general.
- F. Allocation of stewardship credits/general.
- G. Five year comprehensive review.
 - 1. Many of the tools of the RLSA Overlay are new and have yet to be tested. Consequently...
 - 2. Subsequent to the June 2008 review, the RLSA overlay & regulations may be amended...
 - 3. The value, exchange rate and use of stewardship credits shall be governed by the...

4.08.05 LANDS WITHIN THE RLSA DISTRICT PRIOR TO SSA OR SRA DESIGNATION. All lands within the RLSA district have been delineated. Until designated as an SSA or SRA lands within the district shall remain subject to Baseline Standards.

- A. Baseline Standards shall apply until...
- B. No increase in density or intensity within the RLSA is permitted beyond the baseline except...
- C. Lands within the RLSA not designated SSA or SRA subject to environmental concerns...

4.08.06 SSA DESIGNATION. Lands within RLSA may be designated as SSA subject to:

- A. Lands within RLSA that can be designated as SSAs...
 - 1. May be within an SRA boundary...
 - 2. FSA Delineated Lands...
 - 3. HSA Delineated Lands...
 - 4. WRA Delineated Lands...

- B. SSA Credit Generation – Stewardship Credit System. Stewardship credits are created...
 - 1. Early entry bonus credits are hereby established...
 - 2. The Stewardship Credit Worksheet sets out the mathematical formula...
 - 3. Natural Resource Indices and Values...
 - 4. Land Use Layers to be Eliminated...
 - 5. *Matrix Calculation*. The max. number of credits generated through designation...

- C. SSA Designation Application Package. An SSA application package shall include:
 - 1. SSA designation application...
 - 2. Application fee...
 - 3. Natural Resource Index Assessment...
 - 4. Support documentation...
 - 5. SSA credit agreement...
 - 6. Public hearing for credit agreement...
 - 7. Recording of SSA memorandum...
 - 8. Stewardship easement agreement or deed...

- D. SSA Application Review Process.
 - 1. Pre-application conference with county staff...
 - 2. Application package submittal and processing fees...
 - 3. Application deemed sufficient for review...
 - 4. Review by county reviewing agencies...
 - 5. Designation review...
 - 6. Designation report...

- E. SSA Application Approval Process.
 - 1. Public hearing...
 - 2. Legal description...
 - 3. Update the RLSA Overlay map and official zoning atlas.

- F. SSA Amendments.

4.08.07 SRA DESIGNATION. SRA designation is intended to encourage uses that enable economic...

- A. Lands within the RLSA district that can be designated as SRAs...
 - 1. Suitability criteria...
 - 2. SRAs within the ACSC.

- B. Establishment and Transfer of Stewardship Credits...
 - 1. Transfer of credits...
 - 2. Stewardship credit exchange...
 - 3. Public benefit uses...

4. Mixed Land use entitlements...
- C. Forms of SRA Developments...
1. *Towns*. Towns are the largest and most diverse form of SRA...
 2. *Villages*. Villages are primarily residential communities with...
 3. *Hamlets*. Hamlets are small rural residential areas with primarily single-family...
 4. *Compact rural developments (CRDs)*. CRD is a form of SRA that will provide...
 5. Proportion of Hamlets and CRDs to Villages and Towns...
 6. SRAs as part of a Development of Regional Impact (DRI)...
- D. SRA Designation Application Package...
1. SRA Designation application...
 2. Application Fee...
 3. Natural Resource Index Assessment...
 4. Natural Resource Index Assessment Support Documentation...
 5. SRA Master Plan...
 6. SRA Development Document...
 7. SRA Public Facilities Impact Assessment Report...
 8. SRA Economic Assessment Report...
 9. Stewardship Credit Use and Reconciliation Application.
 10. Conditional SRA Designation...
 11. SRA Credit Agreement...
- E. SRA Application Review Process...
1. Pre-application conference with county staff...
 2. Application package submittal and processing fees...
 3. Application deemed sufficient for review...
 4. Review by county reviewing agencies...
 5. Staff review...
 6. Staff report...
- F. SRA Application Approval Process...
1. Public Hearings Required...
 2. Update Stewardship Credits Database...
 3. Update the official Zoning Atlas and the RLSA Overlay map...
 4. SRA Amendments...
- G. Master Plan. To address the specifics of each SRA, a master plan will be prepared...
1. Master plan requirements...
 2. Master plan content...
- H. Development document...
1. The document shall be prepared by an urban planner who possesses...
 2. The document shall identify, locate and quantify the full range of uses...
- I. *DRI Master Plan*. If applicable, the DRI master plan shall be included as part of the SRA...
- J. *Design Criteria*. Criteria are hereby established to guide the design and development...
1. SRA Characteristics...
 2. Town Design Criteria...

3. Village Design Criteria...
 4. Hamlet Design Criteria...
 5. Compact Rural Development Criteria...
 6. Design Criteria Common to SRAs...
 7. Infrastructure Required...
 8. Requests for Deviations from the LDC...
- K. *SRA Public Facilities Impact Assessments*. Impact assessments are intended to identify...
1. Transportation...
 2. Potable Water...
 3. Irrigation Water...
 4. Wastewater...
 5. Solid Waste...
 6. Stormwater Management...
- L. *SRA Economic Assessment*...
1. Demonstration of Fiscal Neutrality...
 2. Monitoring Requirement...
 3. Imposition of Special Assessments...
 4. Special Districts Encouraged in SRAs...

4.08.08 BASELINE STANDARDS

- A. Purpose and Intent...
- B. Applicability of code...
- C. Allowable uses...
1. Residential uses, general conditional uses, earth mining and processing uses...
 2. Conditional use essential services and governmental essential services...
 3. Directional-drilling techniques and/or previously cleared or disturbed areas...
 4. Asphalt and concrete batch making plants shall be prohibited in areas...
- D. Standards applicable inside the ACSC...
- E. Standards applicable outside the ACSC...
1. A wildlife survey shall be required for all parcels when...
 2. A min. of 40% of the native vegetation on the project site...
 3. If the wildlife survey indicates that listed species are utilizing the site...
 4. On property where the wildlife survey establishes that listed species are...
- F. Golf Course Standards...
1. Golf courses shall be designated, constructed and managed in accordance with...
 2. To ensure water conservation, golf courses shall incorporate the following...
 3. Stormwater management ponds shall be designed to mimic the functions of...
- G. Standards applicable in FSAs, HSAs and WRAs that are outside of the ACSC...
1. Site clearing and alteration shall be limited to...
 2. Except for roads and lakes, any nonpermeable surface greater than...
 3. Roads shall be designed to allow the passage of surface water flows through...

4. Revegetation and landscaping of cleared areas shall be accomplished with...
- H. Standards applicable to wetlands outside of FSAs, HSAs, WRAs and the ACSC...
1. The vegetative preservation requirement set forth above shall first be met through...
 2. Wetlands utilized by listed species or serving as corridors for the movement of...
 3. Wetland flowway functions through the project shall be maintained.
 4. Ground water table drawdowns or diversions shall not adversely change the...
 5. All direct impacts shall be mitigated for as required by applicable federal...
 6. Single-family residences shall follow the requirements contained within...
 7. Appropriate buffering shall be provided to separate preserved wetlands from...
 8. Mitigation requirements...
 9. Prior to issuance of any final development order that authorizes site alteration...
 10. Wetland preservation, buffer areas and mitigation areas shall be identified or...

Chapter 5, Supplemental Standards

Uses and Structures that are Accessory, Temporary or have Special Design Requirements

5.01.00 GENERALLY (*RESERVED*)

5.02.00 HOME OCCUPATIONS

5.02.01 APPLICABILITY. Home occupations shall be allowed in any zoning district which...

5.02.02 ALLOWABLE HOME OCCUPATION USES. There shall be no retail sale of materials...

5.02.03 STANDARDS. The home occupation shall be clearly incidental to the use of the dwelling...

A. An allowable home occupation shall be conducted by an occupant of the dwelling.

B. There shall be no on-site or off-site advertising signs.

C. The use shall not generate more traffic than would be associated with the...

D. There shall be no receiving of goods or materials other than normal delivery of...

E. Parking or storage of commercial vehicles or equipment shall be allowable only in...

F. The on-site use of any equipment or materials shall not create or produce excessive...

G. The on-site use of any equipment or tools shall not create any amount of vibration...

H. No on-site use or storage of any hazardous material shall be kept in such an amount...

I. There shall be no outside storage of goods or products, except plants...

J. A home occupation shall be subject to all applicable county occupational licenses and ...

5.03.00 ACCESSORY USES AND STRUCTURES

5.03.04 CANOPY TENTS AND SHADES.

A. Canopy tents and shades shall be permitted in all areas zoned...

1. The canopy tent shall meet the side and rear setbacks for the applicable zoning district.

2. These structures are expressly prohibited on the street side of...

3. A building permit shall be obtained...

4. Only one structure shall be permitted per residential lot.

5. A principal structure shall be in place on the lot prior to permitting a canopy tent.

6. These structures shall consist of metal pole supports with canopy tops and no sides.

7. The max. size of these structures shall be 300 sq. ft.

8. The canopy structure shall not exceed 15' in height.

9. The use of these structures shall be for the storage or parking of recreational vehicles...

10. The canopy tent shall not be permitted with electrical or other utility connections...

5.03.02 FENCES AND WALLS

A. All districts.

1. Whenever a property owner elects to erect a chain link fence...

2. All fences and walls shall be of sound construction and not detract...

3. All fences and walls shall be maintained in a manner that will not detract...

4. Barbed wire is authorized within agricultural, commercial and industrial districts...
 5. No fence or wall within any district shall block the view of passing motorists...
 6. Fences and walls shall be constructed of conventional building materials such as...
 7. Fences and walls shall be constructed to present the finished side of the fence to the...
 8. When determined to be beneficial to the health, safety and welfare of the public...
 9. Existing ground levels shall not be altered for the purpose of increasing the height...
- B. *Fence height measurement for all districts.* The height of a fence or wall shall be measured...
- C. Residential zoning districts shall include...
1. Fences or walls on all lots greater than one acre in area may...
 2. For non-waterfront interior lots one acre or less in area...
 3. For waterfront lots one acre or less in area...
 4. For corner lots one acre or less in area...
 5. Barbed wire, razor wire, spire tips, sharp objects, or electric fences shall be prohibited...
- D. *Agricultural Districts.* Fences and walls within A districts shall be exempt from height and...
- E. Commercial and industrial districts.
1. *Industrial districts.* Fences or walls shall be limited to 8' in height.
 2. Whenever a nonresidential development lies contiguous or opposite a residential district...
 3. If located on a contiguous property, the wall and fence shall be a min. of 6' and a max...
 4. If located on a property opposite a residentially zoned district but fronting on a local...
 5. On properties which front on more than one street, a 6' high wall or fence shall be...
- F. At the applicant's request, the county manager may determine that a masonry wall/fence...
- G. Vegetative plantings shall be located external to the wall or fence such that 50% of the wall...
- H. These regulations shall not be construed to require a masonry wall or fence for commercial...
- I. A wall or fence shall be constructed following site plan approval but prior to any vertical...

5.03.03 GUESTHOUSES. Where a guesthouse is an allowable use, the following standards apply:

- A. No guest accommodation facility in a single-family residential district may be...
- B. Leasing or renting a guest accommodation facility shall constitute a violation of this LDC.
- C. If a main residence is leased or rented, a guest accommodation facility...
- D. The following site design standards apply to all guest houses:
 1. Min. lot area shall be 1 acre.
 2. Min. lot width shall be 105'.
 3. The max. floor area shall be 40% of the...
 4. Detached guest houses shall not be closer than 20' to the principal dwelling.
- E. A guesthouse may be constructed prior to a principal dwelling, provided...

5.03.04 DUMPSTERS. Solid waste disposal shall be required in the form of bulk container service...

- A. Trash container location requirements:
 1. All trash or recycle receptacles shall be located...
 2. Dumpsters and their enclosures may be located within...

3. For multi-family residential developments having more than one structure...
 4. All projects subject to the provisions of 5.05.08 shall...
- B. Access to trash containers...
 - C. Container quantities...
 - D. Enclosure dimensions...
 - E. Container screening...
 1. In I zoning...
 2. In A zoning...
 3. During construction in all zoning districts...
 - F. Compactors...
 - G. Curbside pickup...
 - H. Non-compliance...
 1. The process for requesting an administrative variance...
 - I. If the county manager and the property owner are unable to resolve the conflict...

5.03.05 CARETAKER RESDIENCES. The construction of a caretaker's residence in...

- A. The residence shall be constructed as an integral part of the principal structure...
- B. The caretaker's residence shall be an accessory use and shall be...
- C. Off-street parking shall be as required for a single-family residence in 4.05.00.
- D. Any other requirement which the county manager determines necessary...

5.03.06 DOCK FACILITIES

- A. *Generally.* Docks and the like are primarily intended to adequately secure...
- B. Allowable uses.
 1. Individual or multiple private docks.
 2. Mooring pilings.
 3. Davits or lifts.
 4. Boathouses.
- C. Measurement of dock protrusions and extensions.
 1. Measurement is made from the most restrictive of the following...
 2. On manmade waterways less than 100' width...
 3. On manmade canals 60' or less in width, which are not reinforced...
 4. The allowable protrusion of the facility into the waterway shall be based on...
- D. Determination as principal or accessory use.
 1. On unbridged barrier islands, a boat dock shall be considered a permitted...
 2. Boathouses and dock facilities proposed on residentially zoned properties...
 3. Any covered structure erected on a private boat dock shall be considered...
- E. Standards for dock facilities...
 1. For lots on a canal or waterway that is 100' or greater...
 2. For lots on a canal or waterway that is less than 100'...
 3. On manmade canals 60' or less in width...
 4. For lots on unbridged barrier islands located within state aquatic preserves...
 5. All dock facilities on lots with water frontage of 60' or greater shall have a side setback...
 6. All dock facilities on lots with less than 60' of water frontage...

7. All dock facilities on lots at the end or side end of a canal...
8. Riparian lines for lots at the end or side end of a waterway...
9. Riparian lines for all other lots shall be established by...
10. All dock facilities, regardless of length or protrusion shall have...
11. Multi-slip docking facilities with 10 or more slips...

F. Standards for boathouses...

1. Min. side setback requirement...
2. Max. protrusion into waterway...
3. Max. height...
4. Max. number of boathouses or covered structures per site...
5. All boathouses and covered structures shall be completely open...
6. Roofing material and roof color shall be...
7. The boathouse or covered structure must be so located as to minimize...

G. Dock facility extension...

1. Primary criteria...
2. Secondary criteria...

H. Procedures for approval of docks, dock facilities and boathouses.

1. Procedures for the issuance of permits for docks, dock facilities, etc. are in Ch. 10.
2. All dock facilities are subject to all federal and state requirements...
3. Nonresidential dock facilities shall be subject to all the provisions of 5.03.06, except...

I. *Protection of seagrass beds.* Seagrass within 200' of any proposed dock shall...

1. The location and presence of seagrass beds within 200' shall be identified...
2. All proposed docks shall be located and aligned to stay at least 10' from seagrass...
3. Where a continuous bed of seagrasses exist...
4. The petitioner shall be required to demonstrate how negative impacts...

5.04.00 TEMPORARY USES AND STRUCTURES

5.04.01 GENERALLY (TO BE PROVIDED)

5.04.02 INTERIM AGRICULTURAL USES

A. It is the intent of this section...

1. No land authorized as an interim A use shall be rezoned for 10 years...
2. The inclusion of buildings and structures for conservation and drainage protection is...
3. The interim agricultural use which invites access and use of the public is prohibited...

B. The following criteria apply to all interim agricultural uses:

1. Interim ag. uses may be permitted in any zoning district, except...
2. The grant of the interim ag. use shall be in harmony with the intent and purpose...
3. Compliance with all elements of the GMP.
4. Compliance with all environmental regulations...
5. Ingress and egress to property and proposed structures...
6. Off-street parking and loading areas...
7. Refuse and service areas...
8. Utilities...

9. Screening and buffering...
10. Signs and proposed exterior lighting...
11. Required yards and other open space.
12. General compatibility with adjacent properties...
13. Any special requirements established in Ch. 2...
14. Any interim ag. use shall expire one year from the date...

C. A mobile home may be used as a temporary residence subject to the following:

1. Receipt of a temporary use permit.
2. Assurance that the temporary use permit will expire at the same time as the building...
3. Proof that prior to the issuance of a C.O. for the single-family dwelling...
4. The mobile home must be removed at the termination of the permitted period.

D. Use of a mobile home as a residence in conjunction with bona fide ag. activities subject to:

1. Receipt of a temporary use permit.
2. The receipt of all local, state and federal permits required for the ag. use...
3. The use of the mobile home shall be permitted on a temporary basis only...
4. The initial temporary use permit may be issued for a max. of 3 years...
5. The applicant utilizing a tract of land a min. of 5 acres in size...
6. A mobile home shall not be located closer than 100' from any county highway...

5.04.03 TEMPORARY USES DURING CONSTRUCTION...

- A. Temporary offices to be used for construction and administrative functions...
- B. Permits for temporary offices for single-family residential developments may be issued...
- C. Temporary administrative offices to be used in conjunction with an agricultural use...
- D. Temporary classrooms on the site for existing nonprofit organizations...
- E. On-site storage of equipment and construction materials...
- F. On-site mobile home used as a temporary office...
- G. On-site mobile radio and television equipment and antennae.
- H. On-site mobile home for the use of a watchman or caretaker only.
- I. On-site temporary use of structures and equipment for the building of roads...
- J. Off-site temporary parking on property located contiguous to the subject development...
- K. Other on-site uses similar to the foregoing uses...
- L. Proposed temporary structures identified above require the submission of...

5.04.04 MODEL HOMES AND MODEL SALES CENTERS

- A. Model homes and model sales centers are intended to facilitate...
- B. Model homes and sales centers located within residential zoning districts shall be restricted...
 1. Model homes shall only be permitted for dwellings that have not...
 2. A model home or sales center is not intended to allow the full scope...
 3. Model homes may be "wet" or "dry"...
 4. Model sales centers may be located in either a temporary structure or a permanent...
 5. Temporary use permits for model homes to be located within single-family development...
 6. Temporary use permits for model units in multi-family projects shall...
 7. All other temporary use requests for model homes shall require...
 8. Temporary use permits for a model sales center within an existing subdivision...
 9. Temporary use permits for model homes to be located within proposed single-family...
 10. Temporary use permits for occupied model homes following subdivision approval...

- C. All model home site plans shall adequately address the following:
1. Traffic circulation and safety...
 2. Min. parking requirements...
 3. Screening, buffering and landscaping to reduce potential impacts on adjacent...
 4. Vehicular use areas shall be set back a min. of 10' from the property line.
 5. Lighting.
 6. Sanitary facilities
 7. Fire protection.
 8. Environmental impacts.
 9. Stormwater management.
 10. Any other requirements determined by the county manager...

5.04.05 TEMPORARY EVENTS

- A. Temporary Sales.
1. In the case of temporary sales, the county manager may grant nonrenewable permits...
 2. Temporary sales permits may include the placement of one sign...
 3. Temporary sales permits may be issued to the owner or a tenant of the commercial...
 4. Temporary sales permits shall be restricted to those zoning districts in which...
 5. The county manager may issue temporary use permits for satellite locations...
 6. The county manager may grant a temporary use permit to facilitate the sale...
 7. The applicant shall demonstrate that provision will be made to address the following...
 8. Garage sales...
- B. Temporary seasonal sales...
1. Temp. use permits may be issued for the following holiday items...
 2. Temp. use permits for seasonal sales may be issued on improved or unimproved...
 3. The applicant shall provide a notarized letter from the property owner...
 4. Temporary use permits for seasonal sales may include the placement of one sign...

5.04.06 ANNUAL BEACH EVENTS PERMIT

- A. The owner of beach front commercial hotel-resort property shall apply for an annual beach...
- B. For the purposes of this, a beach event shall mean...
1. The event involves the use of dining/picnic tables and chairs...
 2. The event involves the use of staging equipment, amplified music...
 3. The event is attended by 25 or more people...
- C. Notice of scheduled events:
1. On or before the 25th day of each calendar month...
 2. If a beach event is scheduled after the monthly notification...
 3. All notices or documents furnished to the county shall be sent to...
- D. Event cancellations and postponements:
1. If a scheduled beach event is canceled or postponed, the property owner shall...
 2. If a beach event is canceled or postpones and no other events are scheduled...
- E. Sea turtle nesting season.
1. All required FDEP permits shall be obtained...

2. Consistent with 10.02.06 and the Code of Laws, no structure set up or beach raking...
3. Prior to all scheduled beach events, every permit holder is required to rope off an area...
4. Use of vehicles on the beach is prohibited, except...
5. Consistent with 10.02.06, all materials placed on the beach must...
6. All lights that are visible from the beach and cast a shadow...
7. Identification of sea turtle nests on the beach may cause the beach event to...
8. Pole lighting and any other object or structure designed to penetrate the beach...
9. A copy of all notices required by a permit must also be provided...

F. Penalties...

1. Violations which do not occur during sea turtle nesting season...
2. Violations which do occur during sea turtle nesting season...

5.05.00 SUPPLEMENTAL STANDARDS FOR SPECIFIC USES...

5.05.01 BUSINESSES SERVING ALCOHOLIC BEVERAGES

A. Sale of alcoholic beverages.

1. No such use shall be located within 500' of any established school...
2. No such use shall be located within 500' of any existing alcoholic...
3. The erection of any school, child care, etc. within 500' shall not cause...
4. The county manager or designee approval shall expire after the following...
5. The procedures for approval of a site for the sale of alcoholic beverages per Ch. 10.
6. The BZA may grant a waiver of part or all of the distance requirements...
7. The following uses shall be exempt from the requirements of 5.05.01...
8. Any owner or operator of an establishment approved shall make a statement...

5.05.02 MARINAS

A. The following standards are for the purpose of manatee protection and are applicable to...

B. The developer will submit a manatee awareness and protection plan to address the following:

1. Education and public awareness
2. Posting and maintaining manatee awareness signs.
3. Information on the type and destination of boat traffic that will be generated...
4. Monitoring and maintenance of water quality to comply with state standards.
5. Marking of navigational channels...

C. A rating system is established to evaluate proposed marina facilities...

1. A preferred rating is given to a site that has...
2. A moderate ranking is given to a site where...
3. A protected ranking is given to a site where...
4. The exact areas will depend on site specific data gathered during the...
5. Table of Siting Criteria...

D. Allowable wet slip densities.

1. Preferred sites...
2. Moderate development sites...
3. Protected sites...

E. If a potential boat facility site is ranked as moderate or protected due to proximity to...

F. Existing facilities and facilities which had state or federal permits prior to adoption...

5.05.03 FARM LABOR HOUSING.

A. This section is intended to apply to those agricultural situations where housing is...

B. The following housing types are permitted as farm labor housing...

1. Single-family dwellings
2. Mobile homes
3. Duplexes
4. Multiple-family dwellings
5. TTVRCs

C. In addition to uses and structures that are accessory and incidental to farm labor...

1. Caretakers' residences
2. Child care centers

D. No construction for the housing of farm labor shall be erected until a SDP has been approved.

E. Standards.

1. Farm labor housing shall be set back a min. of 1,000' measured from...
2. No on-site farm labor housing shall exceed in land area 3% of the gross...
3. Streets shall be surfaced with a hard dustless material.
4. At least 300 sq. ft. shall be provided for each lot...
5. Certification required by F.A.C. as a migrant labor camp shall be required.
6. Table of Dimensional Standards...

5.05.04 GROUP HOUSING

A. All group housing structures shall meet the following requirements...

B. A family care facility shall be treated as a single-dwelling unit for the purpose of...

C. Table of site design standards for category I and II group care facilities...

D. All other care housing environments...

1. The max. floor area ratio shall not exceed 0.45.
2. No structure shall be erected within 20' of any abutting lot which is zoned residential...
3. Parking spaces required...
4. The procedures for applications and review of proposed group care facilities...

5.05.05 AUTOMOBILE SERVICE STATIONS

A. The purpose of this section is to ensure that automobile service stations do not adversely...

B. Table of site design requirements...

C. Building architecture shall meet the requirements of 5.05.08.

D. The following landscape requirements are in addition to 4.06.00.

1. ROW buffer landscaping...
2. Landscaping adjacent to all other property lines...

E. Service station sites shall be separated from adjacent residential by a masonry wall...

1. The BZA may grant a waiver of the separation requirements...

F. Lighting.

1. All lighting facilities shall be directed away from adjoining properties.
2. On-site luminaries shall be of low level, indirect diffuse type, and shall not exceed...
3. Lighting located underneath a canopy shall be of low level...

- G. All restrooms shall be located inside or...
- H. A 6' high enclosed trash area...
- I. Storage tanks shall be located below grade.
- J. There shall be no outside displays of products...
- K. No automobile service station shall have an entrance or exit within 200' of a school...
- L. Color accent banding on gasoline canopy structures and all others is prohibited...
- M. Each service station shall provide the necessary infrastructure...
- N. In addition to the retail dispensing of automobile fuels and oil...
- O. Procedural requirements are set forth in Ch. 10.

5.05.06 PRIVATE AIRPORTS

- A. The applicant must control the airspace within 700' from the ends of the primary...
- B. The setback for the primary surface shall be 200'.
- C. Other structures must conform with setbacks of the underlying district, however...

5.05.07 TOWNHOUSE DEVELOPMENT

- A. Table of site design standards...

5.05.08 ARCHITECTURAL STANDARDS AND SITE DESIGN STANDARDS

A. Purpose and Intent.

1. The purpose of these standards is to...
2. Among the recurring details that are present in the architecture of the county include...
3. Building design contributes to the uniqueness of the project area...
4. While architectural embellishments are not discouraged, emphasis on scale...
5. These standards and guidelines are intended to result in a comprehensive plan for...
6. To maintain and enhance the attractiveness of the streetscape and the existing...

B. Applicability.

1. To all new projects submitted on or after Nov. 10, 2004 in these zoning districts...
2. To non-residential PUD districts and non-residential components of any PUD district.
3. To all renovations and redevelopment, including applicable additions of a building...
4. Abandonment or discontinuance of use...

C. Building Design Standards.

1. Building façades...
2. Primary façade standards...
3. Façade/wall height transition elements...
4. Variation in massing...
5. Project standards...
6. Window standards...
7. Overhead doors...
8. Detail features...
9. Outparcels and freestanding buildings in a PUD and common ownership developments...
10. Roof treatments...
11. Awning standards...
12. Entryway/customer entrance treatment...
13. Materials and colors...

D. Design Standards for Specific Building Uses.

1. Standardized design buildings must meet the provision of this code.
 2. Self-storage buildings...
 3. Mercantile...
 4. Automobile service stations...
 5. Hotel/motel...
 6. Warehousing/distribution...
 7. Industry/factory buildings...
 8. Parking structures...
- E. Site Design Standards...
1. Off-street parking design...
 2. Pedestrian pathways...
 3. Service function areas and facilities...
 4. Fencing standards...
 5. Drive-through facilities standards...
 6. Lighting...
 7. Water management areas...
- F. Deviations and Alternate Compliance...
1. Review and approval procedure...
 2. Review criteria...
 3. Submittal requirements...
 4. Applicability...
 5. Appeal and assistance procedure...
- G. Exceptions.
1. Exceptions to the provisions of this code may be granted by the BCC in the form of a...

5.05.09 COMMUNICATION TOWERS

- A. Purpose and intent...
- B. Definitions unique to communications towers...
- C. Migratory birds and other wildlife considerations.
1. Ground mounted towers.
 2. Bird diverter devices...
 3. Habitat loss...
 4. Security lighting...
- D. Shared use of towers...
1. The applicant shall contact the owner of all old and approved towers within...
 2. Lesser effective radius...
 3. If an approved tower within the effective radius may have capacity available...
 4. The applicant shall contact the owner of each possibly available approved tower...
- E. Shared use of tower sites...
1. The applicant shall contact the owner of all other conforming old sites and approved...
 2. For each such possibly available tower site, the application for a new tower shall include...
 3. If the site owner asserts that the site cannot accommodate the applicant's needs...

4. No controlling document shall provide that the site is exclusive to one tower, unless...

F. Required sharing...

1. Shared use plans...
2. Reservation of capacity...
3. Reservation of site capacity...
4. Height bonus for sharing...
5. Filing shared use plans...
6. Shared use plans for old towers and old tower sites...
7. Transmitting and receiving equipment serving similar kinds of uses shall...
8. Once a shared use plan for a tower is approved...
9. For each tower with a height in excess of 185'...
10. For each new shared use tower site that is approved...
11. Each new tower owner shall agree to respond in writing to each request for information...
12. The tower owner shall negotiate in good faith for shared use of tower or site space...
13. All conditions of approval regarding a tower shall run with the ownership of the tower...

G. Development standards for communication towers.

1. No new tower of any height shall be permitted in...
2. Permitted ground-mounted towers...
3. Essential services – specified conditional uses...
4. New towers shall be installed only on rooftops in the RMF-12, RMF-16 and RT zoning...
5. Ground-mounted monopole communication towers up to 150' may be allowed as...
6. Rooftop towers, antenna structures and antennas...
7. Each new communication tower shall meet the following separation requirements...
8. All owners of approved towers are jointly and severally liable and responsible...
9. Placement of more than one tower on a land site is preferred and encouraged...
10. Any accessory buildings or structures shall meet the min. yard requirements for...
11. For new commercial towers exceeding 185', a min. of two parking spaces shall...
12. All new tower bases, guy anchors, outdoor equipment, accessory structures shall be...
13. Tower lighting...
14. All guyed towers, including old towers, exceeding 185' shall be inspected every 2 years...
15. A copy of each inspection report shall be filed with the county manager no later than...
16. Any tower that is voluntarily not used for communications for a period of one year...
17. For all ground-mounted guyed towers in excess of 75' in height, the site shall be...
18. All new metal towers shall comply with the standards of the...
19. Within the proposed tower's effective radius, information that specifies the physical...
20. No communication tower shall be located on any land or water if it creates harm...
21. Any existing native vegetation on the site shall be preserved and used to meet...
22. As to communications towers and antennas, the height provisions of this section...

H. Alligator Alley communication towers.

1. Two new communication towers shall be permitted within the I-75 ROW east of...
2. Each tower shall be constructed in accordance with the standards of this section...
3. Min. Yard requirements...
4. Access...
5. Parking...
6. Landscape buffer...
7. A SDP and construction plans shall be submitted to the county manager...
8. Tower lighting...

9. The communication towers and accessory facilities are lawful uses if located within...
10. The tower and related facilities shall be subject to CU approval whenever the tower...

I. Wireless emergency telephone service...

1. These facilities are essential services.
2. Each applicant for these permits is required to clearly inform county staff...
3. Applicants for these permits need not provide staff with evidence that...
4. Co-located facilities...
5. New towers or antennas...
6. Sufficiency notice...
7. Default approval...
8. Waiver...

5.05.10 TRAVEL TRAILER AND RECREATIONAL VEHICLE PARK DESIGN STANDARDS

A. The following amount of land or water shall be set aside and developed within TTRVC...

1. 200 sq. ft. for each travel trailer...
2. 150 sq. ft. for each lot or designated space...
3. One half of the water surface within the park may be credited toward the required...

B. All lots/spaces within a TTRVC park shall have direct access from an internal street...

C. Required facilities for campsites and TTRV lots.

1. Sanitary facilities, including flush toilets, and showers within 300' walking distance...
2. Potable water supply as approved by the county manager...
3. A trash container such as a dumpster shall be located in areas easily accessible and not...
4. An enclosed space shall be open at all times wherein a portable fire extinguisher in...
5. One parking space per campsite or TTRV lot.
6. Unless every travel trailer site has a sanitary waste outlet, a central pump-out station...
7. TTRV vehicles may be permanently located on a lot; however, no permanent...
8. Every proprietor, manager or association of a TTRV park shall maintain a register of...
9. Park model travel trailers must be anchored in accordance with the standards set forth...
10. Accessory uses...
11. Conditional uses – camping cabins subject to the following standards...

5.05.11 CARWASHES ABUTTING RESIDENTIAL ZONING DISTRICTS

A. Carwashes designed to serve vehicles exceeding a capacity rating of one ton shall not...

B. Min. yards.

1. Front yard setback...
2. Side yard setback...
3. Rear yard setback...

C. A carwash shall not be located on a lot with less than 150' of frontage...

D. Min. lot size is 18,000 sq. ft.

E. If a carwash abuts a residential district, a masonry wall constructed with a...

F. The building shall maintain a consistent architectural theme along each building façade.

G. A carwash shall be subject to the county noise control ordinance...

H. The washing and polishing operations for all car washing facilities shall be enclosed...

I. Carwashes abutting residential districts shall be closed from 10 p.m.-7 a.m.

5.06.00 SIGNS

5.06.01 GENERALLY

- A. *Purpose and intent.* It is the intent and purpose of the sign code...
 - 1. Compatible with their surroundings.
 - 2. Designed, constructed, installed and maintained in a manner which does not endanger...
 - 3. Appropriate to the type of activity to which they pertain.
 - 4. Are large enough to convey sufficient information about the owner...
 - 5. Reflective of the identity and creativity of the individual occupants.
- B. Signage Table - a graphic representation of the permitted residential and commercial...

5.06.02 PERMITTED SIGNS

- A. Signs within residential districts and as applicable to residential portions of PUDs.
 - 1. Development standards: max. allowable height and min. setback...
 - 2. Real estate signs shall be permitted in residential districts subject to the following...
 - 3. Model home signs...
 - 4. Construction signs...
 - 5. Residential directional or identification signs...
 - 6. On-premises signs within residential districts...
 - 7. Conditional uses within the residential and agricultural districts...
- B. Signs within non-residential districts...
 - 1. Design criteria and unified sign plan...

5.06.03 DEVELOPMENT STANDARDS FOR SIGNS

- A. Development standards.
 - 1. The max. size limitation shall apply to each structure...
 - 2. Spot or floodlights shall be permitted only where it is non-revolving and shines...
 - 3. Official address numbers shall be posted within the upper third portion of the sign face...

5.06.04 SIGN STANDARDS FOR SPECIFIC SITUATIONS

- A. Real estate signs shall be permitted in non-residential districts subject to the following...
 - 1. For each parcel or lot less than one acre in size...
 - 2. For each parcel or lot one to ten acres in size...
 - 3. For each parcel or lot in excess of 10 acres in size...
 - 4. Real estate signs shall not be located closer than 10' from any property line...
 - 5. Real estate signs shall be removed when an applicable temporary use permit has...
 - 6. A sign advertising that a property has been sold or lease shall not be displayed...
- B. Construction Signs.
 - 1. For each parcel or lot less than one acre in size...
 - 2. For each parcel or lot one to ten acres in size...
 - 3. For each parcel or lot in excess of 10 acres in size...
 - 4. Regardless of parcel size...
 - 5. All construction signs must be removed prior to issuance of a C.O.
- C. On-premise signs...
 - 1. Pole or ground signs...

2. Outparcels...
3. Directory signs...
4. Wall, mansard, canopy or awning signs...
5. Menu Boards...
6. Projecting signs...
7. Under-canopy signs...
8. Signage for automobile service stations.
9. Signs within PUDs...
10. Flags...
11. Temporary signs...
12. Special purpose signs (on-site)...
13. Commercial, business park and industrial directional or identification signs.
14. On-premise signs within agricultural districts...
15. Off-premises directional signs...
16. Illuminated signs...

5.06.05 SIGNS EXEMPT FROM THESE REGULATIONS...

- A. Signs required to be maintained or posted by law or governmental order, rule or regulation.
- B. On-premise directional signs, not exceeding 6 sq. ft. in area and 4' in height...
- C. One identification sign, nameplate for each professional office, not to exceed...
- D. Memorial plaques and similar types of commemorative signs...
- E. "No Trespassing," "No Dumping," or other prohibitory or safety type signs...
- F. One ground sign or similar per street frontage for each parcel...
- G. One on-premises sign for model homes...
- H. One on-premises open house sign not to exceed...
- I. Bulletin boards and identification signs for public, charitable, educational...
- J. Signs located on fences or walls surrounding athletic fields...
- K. Traffic control and safety signs or other municipal...
- L. Window merchandise displays which are changed on a regular basis...
- M. Non-electrical, non-illuminated and non-reflective window signs not exceeding...
- N. Signs located at the entrance drive of residences located upon 2.25 acre lots or greater...
- O. Flags, insignias of governmental, religious...
- P. Advertising and identifying signs located on taxicabs, buses...
- Q. Religious displays that do not constitute advertising.
- R. Painting, repainting or cleaning without modifying the existing sign copy or design...
- S. Copy changes for shopping centers, theaters, billboards...
- T. Construction sign for parcels less than 10 acres in size...
- U. Temporary signs in conjunction with an approved temporary use permit.
- V. One sign indicating only the business' or establishment's operational status...
- W. Internal directory signs for institutional or governmental facilities that cannot be seen...

5.06.06 PROHIBITED SIGNS...

- A. Signs which are in violation of the building or electrical code...
- B. Abandoned signs.
- C. Animated or activated signs, except...
- D. Flashing signs or electronic reader boards.
- E. Rotating signs or displays, except barber pole signs complying with 5.06.04.
- F. Illuminated signs in any residentially zoned or used district, except...

- G. Signs located upon, within, or encroaching upon public ROW, except...
- H. Billboards.
- I. Strip lighted signs.
- J. Neon type signs, except...
- K. Roof signs.
- L. Portable signs.
- M. Signs which resemble any official sign or marker erected by any governmental agency...
- N. Signs commonly referred to as snipe signs, made of any material whatsoever and attached...
- O. Wind signs, except...
- P. Any sign located adjacent to a county ROW within the unincorporated areas of the county...
- Q. Any description or representation of nudity, sexual conduct, when it...
- R. Beacon lights.
- S. Any sign which emits audible sound, vapor, smoke...
- T. Any sign which obstructs, conceals, hides or obscures from view any official traffic sign...
- U. Any sign which employs motion, has visible moving parts or gives the illusion of motion...
- V. Any sign which is erected so as to obstruct any firefighting equipment...
- W. Any sign which constitutes a traffic hazard or detriment to traffic safety...
- X. Signs mounted on a vehicle where it is intended to attract or distract attention of motorists...
- Y. Any sign which uses flashing or revolving lights or contains the words...
- Z. Any sign which advertises an activity not conducted on the premises...
- AA. No sign shall be placed as a principal use on any property...
- BB. Inflatable signs.
- CC. Accent lighting...
- DD. Illuminated signs, neon or otherwise...
- EE. Human directional signs...
- FF. Attachments to signs, such as balloons or streamers.
- GG. Banner signs.
- HH. Pennants.
- II. Bench signs.
- JJ. Signs that due to brilliance of the light being emitted, impairs vision of motorists.
- KK. All signs expressly prohibited by this section shall be removed within 30 days of...

Chapter 6, Infrastructure Improvements and Adequate Public Facilities Requirements

6.01.00 GENERALLY

6.01.01 UTILITIES REQUIRED TO BE INSTALLED UNDERGROUND...

- A. Appurtenances such as “on the ground” facilities may be placed above ground but shall...
- B. Public Utility Easements shall be coordinated with the appropriate public utility providers...
- C. The installation/relocating of underground utilities shall be in conformance with...
- D. *Utility casings*. Subdivisions or developments providing water services shall install...

6.01.02 EASEMENTS...

- A. Utility easements.
 - 1. Utility easements no less than 10’ wide, shall be provided to accommodate...
 - 2. All utility easements for water and sewer facilities that will be conveyed...
- B. Drainage easements.
 - 1. Drainage easements shall be provided to accommodate open drainage facilities...
 - 2. Where underground drainage structures are installed...
 - 3. When a subdivision or development includes or requires access across canals...
- C. Protected/preserve area and easements...

6.01.03 SOILS. The construction plans shall show the location and results of test borings of...

6.01.04 REMOVAL OF EXOTIC PLANTS REQUIRED. All prohibited exotic plants shall be removed during each phase of construction from development areas...

6.02.00 ADEQUATE PUBLIC FACILITIES REQUIREMENTS

6.02.01 GENERALLY

- A. This section is intended to implement and be consistent with the GMP...
 - 1. Establishing a management and monitoring system that ensures each public...
 - 2. Establishing a regulatory program that ensures that each public facility is available...
 - 3. No approval of the final subdivision plat, improvement plans shall require the county...
- B. Procedures for determinations of vested rights for adequate public facilities are in Ch. 10.
- C. Procedures for application for certificates of public facility adequacy are in Ch. 10.
- D. The following terms are defined for this purposes of this section only...

6.02.02 MANAGEMENT AND MONITORING PROGRAM

- A. *Generally*. In order to implement the mandate of the GMP, the BCC establishes...
- B. *Annual update and inventory report on public facilities*. The County manager shall complete an annual update and inventory report on public facilities (AUIR)...
- C. *Annual determination of adequate “Category A” public facilities (concurrency)*. The county manager will annually present the AUIR to the BCC...

- D. The findings of the AUIR will form the basis for the preparation for the next annual...
- E. Recommendations on the annual CIE update and annual budget...
- F. Designation of deficient and constrained roadway segments...
- G. Regulation of growth along roadway segments designated constrained...
- H. Regulation of growth along deficient roadway segments...
- I. Transportation concurrency exemption area designated...
 - 1. Any proposed development that would reduce the LOS on FIHS roadways within the county by more than 5% of the capacity...
 - 2. Any proposed development that would reduce the LOS on FIHS roadways within the county by less than 5% of the capacity...
 - 3. Commercial developments that choose to obtain an exception...
 - 4. Residential developments that choose to obtain an exception...
- J. Transportation concurrency management areas designated...
 - 1. Northwest TCMA...
 - 2. East Central TCMA...
- K. Concurrency standards for TCMA...
- L. Proportionate share payments for impacts to constrained or deficient roadways in a TCMA...
 - 1. Proportionate share payments shall be calculated using the formula established...
 - 2. Proportionate share payments shall be utilized to add trip capacity and enhance...
 - 3. No impact will be de minimis if it exceeds the adopted LOS...
 - 4. Proportionate share payments under this section are determined subsequent to a...
 - 5. In order to be exempt from link specific concurrency, new commercial development...
 - 6. In order to be exempt from link specific concurrency, new residential development...
- M. Significance test.
 - 1. On those roadway segments directly accessed by the project where traffic is...
 - 2. For those roadway segments immediately adjacent to segments which are directly...
 - 3. For all other adjacent segments where the project traffic is greater than...
 - 4. This significance test is applicable to projects inside and outside TCEAs and TCMAs.
- N. Establishment of an ASI for deficient road segments.
- O. Standards in establishing an ASI.
 - 1. After receipt of the proposed boundaries of a potential ASI, the BCC shall...
 - 2. A map showing the deficient roadway segment within each ASI shall be kept...
 - 3. Once the boundaries are approved by the BCC, they are valid for one year...
 - 4. No final local development order for development directly accessing deficient roadway...

6.02.03 TRANSPORTATION LEVEL OF SERVICE REQUIREMENTS.

- A. If the proposed land development will generate traffic volumes in excess of 1,000 ADT...

- B. The analysis shall show the impact on the proposed internal streets of the development and...
- C. Level of service calculations for road facilities means calculations for peak hour traffic...
- D. In assessing the capacity of a county road segment, the county shall consider:
 1. Current roadway facilities...
 2. Capital road improvements under construction...
 3. Any improvements that are guaranteed in an enforceable development agreement...
 4. Construction of the required capital improvement is included in the 1st or 2nd year...
 5. The BCC has made an express finding that the 5-year capital improvement schedule...
 6. The final local development order is for a project located within a TCEA or TCMA...
 7. The necessary facilities are the subject of a binding commitment with the developer...
- E. Potentially deficient road segments.
 1. When a county or state road whose LOS standard is LOS "C" or LOS "D"...
 2. A potentially deficient road segment may operate at...
 3. When a county or state road whose LOS standard is LOS "E"...
 4. In determining the capacity of a road to determine if it is a potentially deficient segment...
- F. The LOS for capital road facilities on the major road network system are set forth in...
- G. Determination of public facility adequacy for the road component shall be based on...
 1. For development outside a designated ASI...
 2. For development within a designated ASI...

6.02.04 DRAINAGE FACILITY LEVEL OF SERVICE REQUIREMENTS.

- A. The LOS for capital drainage facilities varies among new or existing...
 1. For those capital drainage facilities in existence on the effective date of this section...
 2. For new capital drainage facilities owned or operated by private persons...
- B. Determination of public facility adequacy for drainage facilities shall be granted if...

6.02.05 PARK AND RECREATION FACILITY LEVEL OF SERVICE REQUIREMENTS.

- A. The LOS for capital park and recreation facilities means 2.9412 acres per 1,000 persons...
- B. Determination of public facility adequacy for park and recreation shall be based on:
 1. The required public facilities are in place at the time a SDP, FP or building permit...
 2. The required public facilities are under construction at the time of a SDP, FP...
 3. The required public facilities are the subject of a binding contract executed for the...
 4. The required public facilities are guaranteed in an enforceable development agreement...

6.02.06 POTABLE WATER FACILITY LEVEL OF SERVICE REQUIREMENTS.

- A. The LOS for capital potable water facilities varies between public and private water systems.
 1. For the Collier water and sewer district, the LOS is 185 GPCD.
 2. For the Goodland water district, the LOS is 163 GPCD.
 3. For the City of Naples service area, the LOS is 163 GPCD.
 4. For the Everglades City service area, the LOS is 163 GPCD.
 5. For independent districts and private potable water systems, the LOS is the sewage flow...
- B. Determination of public facility adequacy for potable water facilities shall be based on...
 1. The required public facilities are in place at the time a SDP, FP or building permit...
 2. The required public facilities are under construction at the time of a SDP, FP...
 3. The required public facilities are guaranteed in an enforceable development agreement...

6.02.07 SANITARY SEWER FACILITY LEVEL OF SERVICE REQUIREMENTS.

- A. The LOS for capital sanitary sewer facilities varies between public and private...
- B. The LOS for independent districts and private systems is the sewage flow design...
- C. The determination of public facility adequacy for sanitary sewer facilities shall be based on...
 - 1. The required public facilities are in place at the time a SDP, FP or building permit...
 - 2. The required public facilities are under construction at the time of a SDP, FP...
 - 3. The required public facilities are guaranteed in an enforceable development agreement...

6.02.08 SOLID WASTE FACILITY LEVEL OF SERVICE REQUIREMENTS.

- A. The LOS for capital solid waste disposal facilities is 2 years of constructed lined cell...
- B. The determination of public facility adequacy for solid waste shall be based on...
 - 1. The required public facilities are in place at the time a SDP, FP or building permit...
 - 2. The required public facilities are under construction at the time of a SDP, FP...
 - 3. The required public facilities are guaranteed in an enforceable development agreement...

6.03.00 WASTEWATER SYSTEMS AND IMPROVEMENTS STANDARDS.

6.03.01 CENTRAL SEWAGE SYSTEM REQUIREMENTS. A complete central sewer system and interim wastewater treatment facility shall be designed and constructed to provide...

6.03.02 INDIVIDUAL SEWAGE SYSTEM REQUIREMENTS. No subdivision or development shall be constructed using individual sewage disposal systems for each lot or parcel...

6.04.00 POTABLE WATER SYSTEMS AND IMPROVEMENTS STANDARDS.

6.04.01 CENTRAL WATER SYSTEM REQUIREMENTS. A complete central water system and interim water supply treatment facility shall be designed and constructed to provide...

6.04.02 INDIVIDUAL WATER SYSTEM REQUIREMENTS. An individual water system shall be designed in conformance with...

6.04.03 FIRE HYDRANTS.

- A. All hydrants shall be connected to water systems having sufficient storage to provide...
- B. Hydrants shall be installed and placed in a manner complying with the requirements set...
 - 1. Residential land development...
 - 2. Commercial, industrial and multifamily developments...
 - 3. Fire hydrants shall be provided at no cost to the county in all subdivisions...

6.05.00 WATER MANAGEMENT SYSTEMS AND DRAINAGE IMPROVEMENTS STANDARDS

6.05.01 STORMWATER MANAGEMENT SYSTEM REQUIREMENTS.

- A. The system design shall meet the current codes...
- B. Where Stormwater runoff from outside the subdivision historically passes over the...
- C. Any structure with an outside wall which is closer than 10' from a side property line...
- D. In-ground percolation type retention systems such as rock trenches etc....

E. Any canal which forms a part of the public water management system shall be dedicated...

6.05.02 SEAWALLS AND BULKHEADS.

A. The water side of the concrete seawall cap shall be constructed landward of the property...

B. The applicant shall obtain the requisite approval and permit from FDEP and COE...

C. The construction of seawalls or bulkheads shall be in compliance with...

6.06.00 TRANSPORTATION SYSTEM STANDARDS.

6.06.01 STREET SYSTEM REQUIREMENTS.

A. The arrangement, character and location of all streets shall conform to the GMP...

B. The street layout of all developments shall be coordinated with the street systems...

C. Every development shall have legal and adequate access to a street dedicated for public...

D. The arrangement of streets in subdivisions or developments may be required to make...

E. Rural type roadway cross-sections shall only be considered for permitting on a case...

F. All public and private streets requiring a design capacity which exceeds the roadway...

G. Use of local streets by cut-through traffic shall be discouraged using methods...

H. The installation of turn lanes, storage lanes, etc...shall be required.

I. Alleys may be provided in industrial, commercial and residential subdivisions...

1. Industrial, commercial, and residential alleys along the rear lot lines shall have a...

2. The alley edge of pavement radius shall be a min. of 15' and shall be designed for...

3. Alley grades shall not exceed 5% or be less than 0.3%.

4. All alleys created shall be owned and maintained by a property owner's association...

J. Dead-end streets shall be prohibited except when designed as a cul-de-sac...

K. Where a development abuts or contains existing limited access...

L. Half or partial streets shall not be permitted except where...

M. Limited access strips controlling access to streets on adjacent parcels shall be prohibited...

N. Where a development includes or requires access across canals or the like, bridges or...

O. The min. ROW widths to be utilized shall be as follows...

P. Landscaping and buffers:

1. All existing and future public and private ROW designed parallel to each other...

2. All ROW and easements for streets and the like, shall be planted with trees...

3. Median strips which are part of the public ROW shall not be utilized for any purpose...

4. Development entranceways consisting of habitable or uninhabitable structures...

5. Landscape buffers shall be in addition to the required ROW width and shall be...

Q. Street names.

1. Street name markers and traffic control devices shall be provided by the developer...

2. Proposed streets which are in alignment with other existing and named streets...

3. All street names shall be subject to approval by the county manager during the PSP...

R. Pavement painting and striping shall be provided by the developer as required by...

S. Traffic control devices shall be provided by the developer when the engineering study...

6.06.02 SIDEWALKS AND BIKE LANE REQUIREMENTS.

A. The developer must construct sidewalks and bike lanes as described below...

1. Bike lanes must be provided on both sides of collector and arterial streets.

2. Sidewalks 6' in width must be provided on both sides of collector and arterial streets.

3. Sidewalks 5' in width must be provided on both sides of local streets.

4. For multi-family SDP and SIP projects...

5. All sidewalks and bike lanes along public and private roadways must be...
6. All bicycle lanes must have signage and be marked in accordance with...
- B. Developments providing interconnections to existing and future developments must...
- C. Where planned ROW improvements by the county scheduled in the CIP would cause...
- D. Sidewalk construction/materials. All sidewalks shall be constructed of Portland cement...
 1. Concrete sidewalks shall be 4" thick Portland cement concrete with a 28-day...
 2. All bike lanes shall be designed in accordance with...

6.06.03 STREETLIGHTS.

- A. Streetlights shall be designed and installed utilizing the guidelines of the IES standards...
 1. A min. of 1.4' candles at the center of each internal project intersection is required.
 2. A min. of 1.4' candles along internal roadways is recommended but not required.
- B. At the entry/exit of any subdivision located on a county collector or arterial:
 1. At the points where the edges of pavement meet the ROW...
 2. At the centerline of the entrance road and a min. of ROW line, the illumination level...
- C. All light levels shall be measured at a min. of approx. 4' above the pavement...
- D. Wherever a dangerous condition is created by sharp curves, irregularities in street...
 1. Where streetlights are to be installed on private streets...
 2. Where streetlights are to be installed on public streets...

6.06.04 BRIDGES.

- A. Bridges shall be designed in accordance with current FDOT practices...
- B. At a min., the width of all bridges shall be required to incorporate a clear roadway width...

6.06.05 CLEAR SIGHT DISTANCE.

- A. Where an accessway intersects a ROW...
- B. Where an accessway enters a ROW...
- C. Where a property abuts the intersection of two ROW...
- D. The developer shall comply with all of the provisions of the applicable landscape codes...
- E. On a corner lot in all zoning districts, no fence, wall...shall obstruct vision between...

Chapter 7, [*RESERVED*]

Chapter 8, Decision-making and Administrative Bodies

8.01.00 GENERALLY (*RESERVED*)

8.02.00 BOARD OF COUNTY COMMISSIONERS.

8.02.01 POWERS AND DUTIES

- A. To initiate, hear, consider and adopt amendments to the GMP and LDC.
- B. To initiate, hear, consider and adopt amendments to the FLUM or the zoning atlas.
- C. To designate and appoint hearing officers to make decisions as the BCC may deem...
- D. To act to ensure compliance with development orders or permits as approved and issued.
- E. To establish reasonable fees to be paid by applicants to recoup the county's expenses...
- F. To take such other action not delegated to the CCPC, BZA, heads of departments...

8.03.00 PLANNING COMMISSION

8.03.01 ESTABLISHMENT; POWERS AND DUTIES

- A. To serve as the LPA and land development regulation commission...
- B. To prepare the GMP and submit to BCC an annual report recommending amendments to...
- C. To prepare the LDC to implement the GMP and submit an annual report recommending...
- D. To initiate, hear, consider and make recommendation to the BCC on amendments to LDC...
- E. Initiate review, hear and make recommendations to the BCC on amendments to the FLUE...
- F. To hear, consider and make recommendations to the BCC on applications for CU permits.
- G. To make its special knowledge and expertise available upon written request to any official...
- H. To recommend to the BCC additional or amended rules of procedure not inconsistent with...
- I. To perform those functions, powers and duties of the Planning Commission as set forth in...
- J. To consider and take final action regarding PSPs processed pursuant to 4.03.00.

8.03.02 MEMBERSHIP

- A. Qualifications
 - 1. Members of the CCPC shall be permanent residents and qualified electors of Collier.
 - 2. Consideration shall be given to applicants who have experience in the area of planning...
 - 3. The appointment of all members to the CCPC shall be by resolution of the BCC...
 - 4. A representative of the school district, appointed by the school board, shall serve as a...
- B. *Appointment.* The CCPC shall be composed of 9 members to be appointed by the BCC...
 - 1. One member: District No. 4
 - 2. Two members: District No. 1
 - 3. Two members: District No. 2
 - 4. Two members: District No. 3
 - 5. Two members: District No. 5 (one from Immokalee)
 - 6. One member: appointed by the school district
- C. *Term.* Each appointment or reappointment shall be for a term of 4 years...
- D. *Reappointment.* A member may be reappointed by the BCC for only one successive term...
- E. Removal from office.
 - 1. Any member of the CCPC may be removed from office by a 4/5 vote of the BCC...
 - 2. If any member of the CCPC fails to attend 2 consecutive meetings without cause...
- F. *Officers.* The membership of the CCPC shall elect a chairman and vice-chairman from...

- 8.03.03** QUORUM AND VOTING. The presence of 5 or more members shall constitute a quorum...
- 8.03.04** RULES OF PROCEDURE
- A. The CCPC shall by a majority vote of the entire membership adopt rules of procedure...
 - B. The CCPC may adopt and amend bylaws and rules of procedure not inconsistent with...
- 8.03.05** COMPENSATION. The members of the CCPC shall serve without compensation, but...
- 8.03.06** MEETINGS.
- A. Meetings shall be held in the Immokalee area when matters pending before the CCPC are of concern to the Immokalee area...All other meetings shall be at the C.C. Gov't Center...
 - B. All meetings and hearings of the CCPC shall be open to the public.
- 8.03.07** STAFF. The CDES shall be the professional staff of the CCPC.
- 8.04.00** BOARD OF ZONING APPEALS
- 8.04.01** ESTABLISHMENT; POWERS AND DUTIES
- A. To hear, review, approve or deny zoning variances, CUs, nonconforming use amendments...
 - B. To hear, review, approve or deny appeals from interpretations made by the county manager...
 - C. To make its special knowledge and expertise available upon written request...
 - D. To recommend to the BCC additional or amended rules of procedure not inconsistent with...
 - E. To perform those functions, powers and duties of the BZA as set forth in...
- 8.04.02** MEMBERSHIP.
- A. *Qualifications.* Members of the BZA shall be qualified electors in Collier and residents of ...
 - B. *Appointment.* The BCC may appoint a BZA for its planning areas or may act as such board...
 - C. *Terms.* Terms of office of members of the BZA shall be for not less than 2 or more than 4...
 - D. *Removal.* Any member of a BZA may be removed for just cause by 4/5 vote of the full...
 - E. *Vacancy.* Wherever a vacancy occurs reducing membership to below 5 members, the BCC...
 - F. *Officers.* The BZA shall elect a chairman and vice chairman from among the members...
- 8.04.03** QUORUM AND VOTING. No meeting of the BZA shall be called to order without a quorum...
- 8.04.04** RULES OF PROCEDURE.
- A. BZA shall adopt rules for the transaction of business and shall keep a record of resolutions...
 - B. BZA may employ such experts, technicians and staff as may be deemed proper...
 - C. The BCC is hereby authorized and empowered to make such appropriations as it may see...
 - D. The BZA may adopt and amend bylaws and rules of procedure not inconsistent with...
- 8.04.05** COMPENSATION. Members of the BZA may receive such travel and other expenses while...
- 8.04.06** MEETINGS.
- A. Meetings of the BZA shall be held as needed to dispose of matters properly...
 - B. The location of meetings shall be in county offices in Naples...
 - C. All meetings and hearings of the BZA shall be open to the public.
- 8.05.00** BUILDING BOARD OF ADJUSTMENTS AND APPEALS

8.05.01 ESTABLISHMENT AND PURPOSE.

- A. There is hereby established a Building Board of Adjustments and Appeals (Building Board).
- B. The purpose of the Building Board is to provide a decision-making body through which...

8.05.02 POWERS AND DUTIES

- A. To review and approve or deny an appeal from a decision of the building official with...
- B. To accept appeals and render decisions pursuant to interlocal agreements between...
- C. To recommend to the BCC additional or amended rules of procedure not inconsistent with...
- D. To make its special knowledge and expertise available upon reasonable written request...

8.05.03 MEMBERSHIP

- A. *Qualifications.* The Building Board shall be composed of 5 regular members appointed by...
- B. *Term.* The members shall serve for a term of 4 years, except for initial appointees...

8.05.04 QUORUM. Three members of the Building Board shall constitute a quorum...

8.05.05 RULES OF PROCEDURE.

- A. The Building Board shall establish rules and regulations for its own procedure...
- B. The building official shall act as secretary of the Building Board and make a detailed...

8.06.00 ENVIRONMENTAL ADVISORY COUNCIL

8.06.01 ESTABLISHMENT. There is hereby established an EAC...

8.06.02 PURPOSE.

- A. Advise on the preservation, conservation, protection, management ...of natural resources...
- B. Advise and assist staff and the BCC toward developing the purpose, intent of ordinances...
- C. Provide written and oral reports directly to the BCC regarding recommendations on matters...
- D. Review and recommend stipulations addressing the preservation....of natural resources...

8.06.03 POWERS AND DUTIES.

- A. Identify, study, evaluate and provide technical recommendations to the BCC...
- B. Advise the BCC in establishing goals and objectives for the environmental programs...
- C. Advise the BCC in developing and revising local rules, ordinances, regulations...
- D. Advise the BCC in the implementation and development of the GMP...
- E. Advise the BCC in identifying and recommending solutions to environmental issues...
- F. Serve as technical advisory committee in the development of the environmental resource...
- G. Implement the water policy pursuant to this LDC..
- H. Provide an opportunity for public comment on environmental issues, ordinances...
- I. Implement the provisions of the CCME of the GMP during the review process for petitions...
- J. Participate in the review and recommendation process for excavations over 500,000 c.y.
- K. Assist in the implementation of any new programs, ordinances or policies...
- L. Provide an appellate forum and process to hear disputes between staff and applicants...
- M. Function as an EIS review board pursuant to Ch. 10.
- N. To review all PSP and SDP submissions on a shoreline or undeveloped coastal barrier...
 - 1. An applicant aggrieved by action of the EAC may appeal to the BZA...

8.06.04 MEMBERSHIP

- A. *Appointment.* 9 members of the EAC shall be appointed by the BCC...
- B. *Vacancies.* Vacancies on the EAC shall be publicized in a publication of general circulation...

- C. *Qualifications*. Members shall be permanent residents and electors of the county and...
- D. *Removal*. Any member of the EAC may be removed from office by a majority vote.
- E. *Officers*. The officers shall be a chairman and vice-chairman. Officers' terms shall be for...

8.06.05 QUORUM AND VOTING. A simple majority of the EAC shall constitute a quorum...

8.06.06 RULES OF PROCEDURE.

- A. The EAC shall, by majority vote, adopt rules of procedure for the transaction of business...
- B. The following standing subcommittees comprised solely of the EACs membership shall...
 - 1. *Growth management*. The EAC may establish other subcommittees to facilitate...

8.06.07 COMPENSATION. Members of the EAC shall serve without compensation...

8.06.08 MEETINGS. Regular meetings of the EAC shall be held on the first Wed. of each month...

8.06.09 EVALUATION OF THE EAC. The EAC shall be reviewed for major accomplishments...

8.07.00 HISTORIC/ARCHAEOLOGIC PRESERVATION BOARD

8.07.01 ESTABLISHMENT. There is hereby created a Historic/Archaeological Preservation Board...

8.07.02 POWERS AND DUTIES.

- A. To propose rules and procedures to implant the provisions of this section to the BCC.
- B. To create a map delineating the areas of archaeological and historical significance...
- C. Maintain and update the map of Areas of Historical Archaeological Probability...
- D. To designate specific sites, structures, districts, buildings and properties...
- E. To seek assistance and advice on technical related matters required professional expertise.
- F. To maintain a master file of sites, districts, structures, buildings and properties...
- G. To prepare and recommend to the BCC financial and technical incentive programs...
- H. To increase the awareness of historic and archaeological preservation...
- I. To apply for grant assistance from state, federal or private sources...
- J. To review the appropriateness of applying for the designation as a certified local gov't...
- K. To review and make recommendations concerning Nat'l Register of Historic Places...
- L. To identify criteria for determining the potential location of historical archaeological sites...
- M. To design an application for the certificate of appropriateness.
- N. To issue certificates of appropriateness based on criteria outlined in the U.S. Secretary of...
- O. To design an application for a historical archaeological survey and assessment waiver request.
- P. Review appeals for historical archaeological survey and assessment requests denied by...
- Q. To design an application for designation of specific areas, districts, structures, buildings...
- R. To perform any other function or duty assigned by the BCC.

8.07.03 MEMBERSHIP

- A. *Appointments*. The Preservation Board shall consist of 7 members appointed by the BCC...
- B. *Qualifications*. The BCC shall appoint one member from each of the following categories:
 - 1. History
 - 2. Archaeology
 - 3. Real estate, land development or finance
 - 4. Architecture, engineering, building construction or landscape architecture
 - 5. Law or urban planning
 - 6. The 2 remaining positions shall be filled by citizens at large.

- C. *Term*. All appointments shall be made for 3 years...
- D. *Officers*. The members shall elect a chairman and vice-chairman for one year term each...
- E. *Removal*. A member may be removed by a majority vote of the BCC...
- F. *Vacancy*. The BCC shall fill the vacancy by appointment.

8.07.04 COMPENSATION. Members of the Preservation Board shall serve without compensation.

8.07.05 MEETINGS.

- A. The Preservation Board shall meet at least once per month...
- B. All meetings shall be open to the public.
- C. A public record of the minutes and resolutions shall be maintained and made available...
- D. The meeting agenda shall be published the Sunday prior to the scheduled meeting...

8.08.00 CODE ENFORCEMENT BOARD

A. *General*. The provisions of this code shall be enforced by the C.C. Code Enforcement Board...

1. The term "county manager" used in this code shall mean the county manager or his designee.

B. *Violation*. When the performance of any act is required, a failure to comply shall be a violation of the Code.

C. *Complaints regarding violations*. When a violation occurs, any person may file a complaint...

D. *Liability*. Any owner, tenant or occupant who violates the code shall be held responsible...

E. Procedures upon discovery of violations.

1. The county manger shall send written notice by registered mail to violator...
2. The written notice shall state the action the county intends to take if violation is not corrected.
3. Before a violation of the code is prosecuted before CEB, written notice by registered mail...
4. If the violation is of a nature that it can be corrected by an official zoning atlas amendment...
5. In cases where delay would seriously threaten the effective enforcement or pose danger...

F. Criminal penalties and remedies.

1. A person who violates the code shall be subject to prosecution in the same manner as...
2. Each day that a violation continues after receipt of notice shall be a separate violation...
3. The county manager may take appropriate actions to prevent, restrain, or correct a violation...

G. Civil penalties and remedies.

1. *Cease and desist orders*. The county manager is authorized to issue cease and desist orders...
2. *Revocation of building permits, CO or other D.O., permits or approval*. The county manager may revoke any building permit, CO, DO, permit, etc., in those cases where false statements existed in the application or plans upon which permit approval was based.
3. *Suspension of building permits, CO or other DO*. The county may suspend any permit, etc., where an error on the applicant or the county existed in the issuance of the permit...
4. *Stop work order*. For any violation which constitutes a threat to life or public property...

H. Other remedies.

1. Injunctive relief to enjoin and restrain any person from violating the code and recovery of...
2. Prosecution by the state attorney's office...
3. Prosecution before the CEB.

4. Revocation of any permit or changing conditions of any permit.
5. Withholding the issuance of any construction plan approval, building permit, C.O....
6. Requiring replacement by the property owner of any vegetation removed...
7. Recovery of attorneys' fees, expert witness fees and costs incurred by the county...

I. *Notice and appeal.* All administrative decisions for a pending violation shall be reduced to...

J. *Prosecution under previous regulations.* Prosecution arising from a violation of prior code...

8.09.00 COMMUNITY DEVELOPMENT AND ENVIRONMENTAL SERVICES DIVISION

8.09.01 CREATION AND APPOINTMENT OF THE CDES ADMINISTRATOR

The CDES admin. shall be the agency head of the CDES division and appointed by the BCC.

8.09.02 JURISDICTION, AUTHORITY AND DUTIES.

A. To provide the BCC, DSAC, CCPC, BZA, CEB, etc., with reports and recommendations...

B. To administer and manage Planning Services, Pollution Control, Env. Services, etc....

C. The phrases Development Services Director, etc., shall mean the CDES admin or designee...

Chapter 9, Variations from Code Requirements

- 9.01.00** GENERALLY. This chapter is intended to provide mechanisms for obtaining relief from the provisions of the LDC where it is necessary to vary from the requirements of the LDC.
- 9.02.00** VESTED RIGHTS AND TAKING DETERMINATIONS
- A. Landowners claiming that their property rights have been vested or unlawfully taken...
 - B. Claims or suits against the county which allege vested rights or challenge the denial...
 - C. The provisions of this code are expressly intended to regulate landowners' rights...
- 9.02.01** APPLICATIONS FOR VESTED RIGHTS DETERMINATIONS.
- A. Applications for determination of claimed vested rights must be submitted with application...
 - 1. Name, address and phone number of the landowner and authorized agent.
 - 2. Street address, legal description and acreage of subject property.
 - 3. All facts, documents, records or other info considered to be relevant...
 - 4. All legal arguments in support of the claims alleged.
 - 5. Any relief or remedies proposed to resolve the claims alleged.
 - 6. The signature of the landowner or any attorney for the landowner...
 - B. Applicants may include such information under 9.02.10. B.3.a-g.
 - C. A landowner and any attorney for the landowner have a continuing obligation to amend...
- 9.02.02** DETERMINATION OF COMPLETENESS. After receipt of a fully paid application for determination of vested rights, the county manager will determine if it is complete...
- 9.02.03** REVIEW OF APPLICATION BY COUNTY MANAGER AND COUNTY ATTORNEY; DETERMINATION OR RECOMMENDATION. Applications deemed sufficient for review...
- A. If the county manager and the county attorney agree that the application clearly demonstrates that the relief should be granted...
 - B. If the county manager and the attorney do not agree after their review that the application clearly demonstrates the requested relief shall be granted...
- 9.02.04** HEARING OFFICER REVIEW AND VESTED RIGHTS DETERMINATIONS
- A. In the event that all of a landowner's claims are not fully resolved by the process of 9.02.03...
 - B. After 30 days from receipt of the official record, the hearing officer is to conduct a public...
 - C. Affected persons intending to participate in any hearings held as part of the vested rights...
- 9.02.05** CRITERIA FOR VESTED RIGHTS DETERMINATIONS.
- A. This section is intended to establish criteria for vested rights determinations that strictly...
 - B. The provisions of Code of Laws may be used as an additional guide for consideration...
- 9.02.06** REQUIRED NOTICES FOR VESTED RIGHTS DETERMINATION PROCESS
- A. Within 15 days of the date of receipt by the county of a completed application...
 - B. Public notice for vested rights determination hearings must be provided by publication of...
 - C. For those claims not resolved under 9.02.03, the landowner must provide the type of mailed...
 - D. For those claims not resolved under 9.02.08 the appealing party must provide the type of...

- 9.02.07** ISSUANCE OF A VESTED RIGHTS DETERMINATION BY HEARING OFFICER. Within 15 days after the completion of the hearing officer's public hearing he will render a determination...
- 9.02.08** APPEAL OF HEARING OFFICER'S VESTED RIGHTS DETERMINATION. Within 30 days after the hearing officer's written determination of vested rights being rendered...
- 9.02.09** EXPIRATION OF VESTED RIGHTS DETERMINATIONS. Any relief granted by a vested rights determination will be presumed abandoned and expire if not utilized within 2 years...
- 9.02.10** PROCESS FOR REVIEW AND REMEDY OF TAKING CLAIMS
- A. Scope
 1. A landowner's claim which would otherwise arise in a court of competent jurisdiction...
 2. Persons denied a claimed remedy sought as part of a vested rights determination...
 3. Any aggrieved or adversely affected party meeting the standard for "standing"...
 4. This section does not apply to takings claims arising as part of a condemnation...
 - B. Administrative procedures for filing and documentation of taking claims.
 1. All takings claims must be filed with the county manager with the required fee...
 2. Persons filing a takings claim must affirmatively demonstrate the validity of the claim...
 3. The applicant's evidence should also provide information to fashion a remedy...
 4. The claimant is required to provide a list of names/addresses of witnesses...
 5. The claimant should consider submitting the following information...
 6. The signature of the claimant on any document submitted will constitute certification...
 7. If the BCC makes a determination that the sworn statement submitted is...
 - C. Review, hearing and standards for taking claims.
 1. Within 5 working days of filing a sworn statement as part of a takings claim...
 2. Once a statement is complete, the county manager will timely review the application...
 3. At the scheduled public hearing, sworn testimony and relevant evidence which meets...
 4. Within 30 days after the BCC closes the public hearing, the board will report a final...
 5. The BCC should be guided by advice from the county attorney regarding interpretations...
 6. Any relief to be provided a claimant will be limited to the min. necessary to provide a...
 - D. Appeal of takings claim. Any claimant aggrieved by the decision of the BCC may seek...
- 9.03.01** GENERALLY
- A. *Intent*. Within the zoning districts there may exist lots etc. that were lawful before the LDC...
 - B. *Declaration*. Nonconforming uses are declared by this section to be incompatible with...
 - C. *Vested projects*. To avoid undue hardship, nothing in the LDC shall be deemed to require...
 - D. Casual, temporary or illegal use of land or structures shall not be sufficient to establish...
 - E. *Uses under CU provisions not nonconforming uses*. All uses lawfully existing on the effective date of the LDC which are permitted as a CU in a district under terms of the LDC shall not...
 - F. Change to conforming use requires future conformity with district regulations...
 - G. Nonconformities not involving the use of a principal structure.
 - H. Safety of nonconformities
 1. If a nonconforming structure becomes physically unsafe due to lack of repairs it shall not be restored...
 2. If a nonconforming structure becomes physically unsafe for reasons other than lack of repairs, nothing herein shall be deemed to prevent the strengthening or restoring...
- 9.03.02** REQUIREMENTS FOR CONTINUATION OF NONCONFORMITIES. Where at the effective date of adoption, lawful use of lands exists which would not be permitted under the LDC, the use may be continued so long as it remains lawful, provided:

- A. No such nonconforming use shall be enlarged, increased, intensified, or altered than was occupied at the effective date of adoption except a...
- B. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the effective date of adoption...
- C. There may be a change in tenancy or ownership of nonconforming use provided...
- D. If no structural alterations are made, any nonconforming use of a structure may be changed...
- E. No such nonconforming use shall be moved in whole or in part to any portion of the lot...
- F. Discontinuance or destruction.
 - 1. If any such nonconforming use ceases for a period of more than 180 consecutive days...
 - 2. Where the use of land, water or structure has ceased for more than 90 consecutive days...
 - 3. Destruction of a nonconforming structure eliminates the nonconforming status of the land.
- G. On any nonconforming structure work may be done in any period of 12 months on ordinary repairs...
- H. No land in nonconforming use shall be subdivided, nor structures added, except for...

9.03.03 TYPES OF NONCONFORMITIES

- A. Nonconforming Lots of Record.
 - 1. The min. yard requirements in any residential district shall be as for the most similar...
 - 2. The min. side yard requirement in any commercial or industrial district shall be equal...
 - 3. Nonconforming through lots which are nonconforming due to inadequate lot depth...
 - 4. The nonconforming through lot utilizing the reduced frontage shall establish...
 - 5. When 2 or more adjacent legal nonconforming lots of record are either combined or...
- B. Where a structure lawfully exists at the effective date of adoption that could not be built under the LDC by reason of restrictions of lot area, coverage, height, yards...
 - 1. No such nonconforming structure may be enlarged or altered in a way to increase...
 - 2. Should a nonconforming structure be destroyed more than 50% of its replacement cost...
 - 3. Should such structure be moved it shall conform to the regulations of the district...
 - 4. Nonconforming residential structures may be altered/expanded upon recommendation of...
 - 5. Any residential structure in any residential zone district may be rebuilt after destruction...
- C. Requirements for improvements or additions to nonconforming mobile homes.
 - 1. Improvements or additions to nonconforming mobile homes containing confirming uses...
 - 2. Issuance and reissuance of building permits when multiple mobile homes are located...
 - 3. Prior to issuance of a building permit for replacement of a MH, the property owner...
 - 4. Prior to issuance of a building permit for any additional MHs the applicant shall obtain...
 - 5. In no case shall the issuance or reissuance of building permits cause the density to...
- D. Nonconforming signs.
 - 1. The following signs shall be removed or made to conform to this code within 90 days...
 - 2. All nonconforming off-premises signs and structures having an original cost or value of \$100 or more may be maintained for...
 - 3. A nonconforming sign may be continued and shall be maintained but shall not be...
 - 4. Nonconforming status shall not be afforded to any sign erected without permits...

9.04.00 VARIANCES

9.04.01 GENERALLY

- A. *Purpose.* In specific cases, variance from the terms of the LDC may be granted where...
- B. *Historic Places.* Variances may be issued for the reconstruction of structures listed on the National Register of Historic Places without regard to procedures set forth...

- 9.04.02** TYPES OF VARIANCES AUTHORIZED. A variance is authorized for any dimensional development standard, including...
- A. *Variances for signs.* The BZA should determine if the granting of the variance will have a detrimental effect on the public interest...and may prescribe the following:
 - 1. Appropriate conditions and safeguards in conformity with this code...
 - 2. A reasonable time limit within which the action for which the variance required shall be begun or completed.
- 9.04.03** CRITERIA FOR VARIANCES.
- A. There are special conditions and circumstances existing which are peculiar to the location...
 - B. There are special pre-existing conditions relative to the property...
 - C. A literal interpretation of the LDC regulation work unnecessary hardship on the applicant...
 - D. The variance will be the min. variance that will make possible the reasonable use of land...
 - E. Granting the variance requested will not confer on the petitioner any special privilege...
 - F. Granting the variance will be in harmony with the intent and purpose of the LDC...
 - G. There are natural conditions or physically induced conditions that ameliorate the goals...
 - H. Granting the variance will be consistent with the GMP.
- 9.04.04** SPECIFIC REQUIREMENTS FOR MINOR AFTER-THE-FACT YARD ENCROACHMENTS
Minor after-the-fact yard encroachments may be approved administratively...
- A. Structures for which a building permit has been issued, but the CO has not been granted...
 - B. Structures for which a building permit and CO or final DO has been granted...
 - C. S/F, duplex and 2-family dwelling units only for which no building permit record is found...
 - 1. The encroaching structure was constructed prior to the purchase by the current owner.
 - 2. Evidence is presented showing that the encroachment was constructed 2 yrs prior to...
 - 3. The encroaching structure is an addition of living area of at least 200 sq. ft...
 - 4. The encroachment presents no safety hazard or adverse affect on the public welfare.
 - 5. An after-the-fact building permit is issued prior to the application for variance...
 - D. Under no circumstances shall any admin. variance be approved allowing a reduction of the separation between structures to less than 10'...
- 9.04.05** SPECIFIC REQUIREMENTS FOR VARIANCES TO FLOOD HAZARD PROTECTION REQUIREMENTS
- A. General requirements.
 - 1. Variances shall only be issued upon a determination that it is the min. necessary...
 - 2. Variances shall only be issued upon...
 - 3. In passing upon a variance, the BZA shall consider all technical evaluations...
- 9.04.06** SPECIFIC REQUIREMENTS FOR VARIANCE TO THE CCSL
- A. The CCSL shall be that CCSL established by the DEP...
 - B. Setback lines per this LDC shall be reviewed upon petition of affected riparian upland...
 - C. It shall be unlawful for any person, firm, etc., to construct, or change existing structures...
 - D. If in the immediate contiguous or adjacent area a number of existing structures have...
 - E. The BCC may authorize the construction of pipelines or piers extended outward from the...
 - F. Certain activities that may temporarily alter ground elevations such as artificial beach...
 - G. Procedures for obtaining variance.
 - 1. A written petition requesting a variance from the established setback line shall be filed...
 - 2. An application for CCSL variance shall be considered by the BCC
 - 3. The BCC shall notify petitioner in writing of its decision within 15 days of the hearing.
 - 4. Any person aggrieved by a decision of the BCC granting/denying a variance may apply...

- H. Exemptions shall be reviewed administratively and not heard by BCC...
 - 1. The removal of any plant defined as exotic vegetation by the code.
 - 2. Modification or repair to existing structure within the existing foundation or footprint...
 - 3. Any structures that do not constitute a fixed structure, do not require building permit...

9.04.07 SPECIFIC REQUIREMENTS FOR WAIVER OF AUTOMOBILE SERVICE STATION DISTANCE REQUIREMENTS

- A. The BZA may grant a waiver of the min. separation requirements set forth in 5.05.05...
 - 1. Whether or not the nature and type of natural or manmade feature lying between...
 - 2. Whether or not the service station is only engaged in servicing or also sells foods, gas...
 - 3. Whether or not the service station is located within a shopping center accessed by a...
 - 4. Whether or not the granting of the distance waiver will have an adverse impact on...
- B. The request for a service station waiver shall be based on the submittal of the application...
 - 1. The dimensions of the subject property.
 - 2. All vehicular points of ingress and egress.
 - 3. Compliance with all requirements of this code including the location of the structures...
 - 4. All proposed buffer areas.
 - 5. The site plan shall indicate the layout and type of land uses surrounding the property...
- C. The BZA shall have the right to add additional conditions or requirements to its approval...

Chapter 10, Application, Review and Decision-Making Procedures

- 10.01.00** GENERALLY
- 10.01.01** PURPOSE AND INTENT [*RESERVED*]
- 10.01.02** DEVELOPMENT ORDERS REQUIRED [*RESERVED*]
- 10.01.03** APPLICABILITY AND EXEMPTIONS [*RESERVED*]
- 10.01.04** FEES REQUIRED
 - A. Fees and administrative surcharge for wellfield permits
 - 1. *Fees*. The board shall establish by resolution...
 - 2. *Administrative surcharge*. The board may impose by resolution a surcharge on...
 - 3. Fee schedule...
- 10.02.00** APPLICATION REQUIREMENTS
- 10.02.01** PRE-APPLICATION CONFERENCE REQUIRED
 - A. Subdivision Review Procedures
 - 1. Preapplication conference...
- 10.02.02** SUBMITTAL REQUIREMENTS FOR ALL APPLICATIONS
 - A. Environmental impact statements
 - 1. Purpose...
 - 2. *Applicability; EIS required*. Without first obtaining approval of an EIS it shall be unlawful and no building permit, CU, zoning change, subdivision plat, etc., shall be issued to cause the site alteration of...
 - 3. *Submission and review of EIS*. A completed EIS shall be submitted for review...
 - 4. Information required for application...
 - a. Applicant information...
 - b. Mapping and support graphics...
 - c. Project description and GMP consistency determination...
 - d. Native vegetation preservation...
 - e. Wetlands...
 - f. Surface and ground water management...
 - g. Listed species...
 - h. Other...
 - 5. *Additional data*. The county manager may require additional data...
 - 6. In any instance where the proposed project requires both an EIS and DRI, their data may be embodied in one report...
 - 7. Exemptions.
 - a. single-family or duplex uses...
 - b. Agricultural uses...
 - c. non-sensitive areas...

- d. All lands lying within all incorporated municipalities in Collier County.
- e. All NBMO Receiving Lands
- 8. Fees...
- 9. Appeals...

B. *Subdivision Exemptions*. The following shall be exempt from the applicability of this section:

- 1. Active agricultural uses...
- 2. Minor subdivisions for S/F detached and duplex residential development...
- 3. Minor subdivisions for multi-family residential and nonresidential development...
- 4. Integrated phased developments...
- 5. Cemeteries...
- 6. Eminent domain or operation of law...
- 7. Oil, gas, and mineral rights...
- 8. Lot line adjustment/reconfiguration...
- 9. Prior subdivision...
- 10. Rural area subdivision requirements...
- 11. Chokoloskee Island Subdivision requirements...

C. Soil erosion and sediment control plan required for new and existing development...each plan shall be prepared in accordance with the following standards:

- 1. The Florida Development Manual...
- 2. Turbidity values surrounding discharge from projects shall not violate water...
- 3. Any irrigation system utilized to implement an erosion control plan shall...

D. *Review by EAC*. The procedures for reviewing PSP or SDP for shoreline and undeveloped coastal barrier are in 8.06.03 N of this code.

E. Restrictions on issuance of approved site plans and COs.

- 1. Prohibitions.
 - a. No site plan or other development permit shall be issued...which would allow violation of the standards of this section.
 - b. Site plans and other final development permits issued in violation are deemed to be invalid...

F. Requests for interpretations.

- 1. *Initiation*. An interpretation may be requested by any affected person, developer...
- 2. Procedures.
 - a. Submission of request for interpretation...
 - b. Determination of completeness...
 - c. Rendering of interpretation...
- 3. *Form*. The interpretation shall be in writing and sent to the applicant certified...
- 4. *Official record*. The county manager shall maintain an official record of all...
 - a. Notice of interpretation...
 - b. Effective time limits of an interpretation...
- 5. Appeal to BZA or building board of adjustments and appeals.
 - a. Within 30 days after receipt by the applicant of a written interpretation, the applicant may appeal the interpretation to the building board...
 - b. A request for appeal shall be filed in writing...

c. *Time limitations on appeals.* Appeals not acted upon within 6 mos. will...

10.02.03 SUBMITTAL REQUIREMENTS FOR SITE DEVELOPMENT PLANS

A. Generally.

1. Purpose...

2. *Applicability.* All development except the following are subject to the provisions of this section...

- a. Single-family detached and 2-family housing on lots of record...
- b. Underground construction; utilities, communications...
- c. Accessory and ancillary facilities for golf course such as restrooms...
- d. Construction trailers and storage of equipment...
- e. Model homes and sales centers, except as provided for in 5.04.04.
- f. Project entryway signs, walls, gates and guardhouses.
- g. Neighborhood parks, subject to the approval of a conceptual site plan...

Under certain circumstances with neighborhood parks, there may be underlying health, safety and welfare concerns that necessitate deviation from the buffering required in 4.06.02....depending on the following factors:

- a. The geographic location of the neighborhood park.
- b. The effects that a lack of buffering will have on neighboring uses.
- c. The need to ensure that the public safety is maintained by...

3. *Exemptions.* Due to its location or minimal impact on surrounding properties and probable minimal impacts under the SDP review standard, application requirements may be waived for agriculturally related development...

- a. School Board Review (SBR) application contents...
- b. The expedited site plan for SBR will consist of the following areas...
 - i. Collier County Utilities Standards and Procedures...
 - ii. Compatibility review...
 - iii. Landscaping and buffering...
 - iv. Environmental regulations for compliance with the GMP...
 - v. All state fire code regulations as they relate to the site plan...
 - vi. Collier County Stormwater management policies as follows...
 - vii. Public education plans and ancillary plants are deemed to be...
 - viii. Min. yard setback requirements shall be 50' from all...
 - ix. Off-site impacts...

c. SBR process

- i. The SBR application will be reviewed per 10.02.03 A.3.a.
- ii. The SBR application must be in accordance with 10.02.03...
- iii. The parties will develop a checklist that defines the items...
- iv. The school district shall request a pre-app meeting...
- v. At least 120 days before commencing, the SBR plan shall be submitted to the county for approval...
- vi. *Letter of compliance.* After the expedited review and the county's determination of compliance, the county manager shall issue a letter of compliance...
- vii. The parties agree that the school district shall not request reviews for the following...
- viii. Should the school board place temp. classrooms on a site...
- ix. SBR and consistency review fees...

6. Resubdivision...

B. Final plat (FP) requirements.

1. Protected/preserve area and easements...
2. Improvement plans...
3. General requirements for FP...
4. FP submission requirements...

10.02.05 SUBMITTAL REQUIREMENTS FOR IMPROVEMENT PLANS

A. Procedures for improvement plans and FP

1. *Initiation.* Within 2 years after the date of written approval of PSP...
2. Review, determination and recommendation by county manager...
3. Consent to FP by BCC. Within 30 days after approval...
4. Recordation of FP...
5. Relationship and amendments to PSP...
6. Model sales centers, model homes, review and determination...

B. Construction of required improvements.

1. Construction specifications...
2. Administration of construction...
3. Observation of construction...
4. Construction schedule...
5. Construction inspections by the engineering services director...
6. All required inspections shall require notice to the engineering director...
7. From time to time, the engineering services director shall inspect the progress...
8. Routine spot inspections by the engineering services director may be carried out...
9. Design modification...
10. Measurements and tests...
11. Expiration...
12. County completion of required improvements...
13. Failure to complete unrecorded subdivision...

C. Completion, approval and acceptance of required improvements.

1. General...
2. Acceptance of required improvements...
3. Procedures for acceptance of required improvements...
4. Recordation of final subdivision plat required...
5. Inspections...
6. Preliminary approval...
7. Final approval and acceptance...
8. Conditional final acceptance...

D. Vacation and annulment of subdivision plats...

E. Improvement plan requirements

1. General requirements...
2. Improvement plans submission requirements...
3. Required improvements...
4. Design requirements for water management...

- F. SIP requirements for the Nonconforming Mobile Home Park Overlay Subdistrict
 - 1. Pre-application meeting requirements...
 - 2. SIP submission requirements, preparation standards and notes...
 - 3. Landscaping...
 - 4. Implementation time frame...

10.02.06 SUBMITTAL REQUIREMENTS FOR PERMITS.

A. Generally.

- 1. Relation to state and federal statutes...
- 2. No approval of the FP, improvement plans or authorization to proceed if issuance will result in a reduction in the level of service...

B. Building permits

- 1. Building or land alteration permit and C.O. compliance process.
 - a. Zoning action on building or land alteration permits...
 - b. Application for building or land alteration permit...
 - c. Construction and use to be as provided in applications; status of permit issued in error...
 - d. Improvement of property prohibited prior to issuance of building permit...
 - e. Zoning and land use approval required prior to or simultaneously with issuance of building or land alteration permit...
- 2. Building permit applications for signs...
 - a. General...
 - b. Permit fees...
 - c. Form...
 - d. Application contents...
 - e. Expiration of permit...
 - f. Adherence to the unified sign plan...

C. Vegetation Removal permit requirements.

- 1. Other permits required...
- 2. Application contents...
- 3. Review procedures...
- 4. Vegetation removal permit exceptions...

D. Agricultural land clearing

- 1. Land clearing permit...
 - a. Application...
 - b. Determination of completeness...
 - c. Criteria for review of application...
 - d. Issuance of permit...
 - e. Renewal of agricultural clearing permit...
 - f. Exemptions for agricultural clearing permit...
- 2. Land clearing notice...

E. Enforcement and penalties.

- 1. Fines...
- 2. Restoration standards...

3. Corrective measures for environmental violations.
 - a. Mitigation...
 - b. Requirements for a mitigation plan...
 - c. Site-specific review criteria...
 - d. County review of mitigation plan...
 - e. Monitoring and replanting...
 - f. Donation of land or funds...
4. Appeal from enforcement...
5. Suspension of permit required...

F. Wellfield conditional use permit and standards...

1. Petition...
2. Criteria...
3. Conditions of wellfield conditional use permit...
4. Prohibited wellfield conditional use permits...
5. Administrative review of wellfield conditional use permit petition...
6. Approval by the board...
7. Wellfield conditional use permit for public or quasipublic development...

G. Temporary use permit requirements and issuance...

1. Purpose and intent...
2. General...
3. Film Permit...
 - a. Permit required...
 - b. Application for permit; contents...
 - c. Insurance requirements...
 - d. Indemnification...
 - e. Permit fee...
 - f. Issuance of permit...
 - g. Suspension of permit...
 - h. Costs for extraordinary services...
 - i. Surety bond...
4. Temporary sports events, religious events and community events...

H. Coastal Construction Setback Line permits...

1. Construction of a dune walkover...
2. Creation, restoration, re-vegetation or repair of a dune or natural area...
3. Penalty and civil remedies...

I. Vehicle on the beach regulations.

1. Unlawful to drive on sand dunes or beach or to disturb sand dune...
2. Exceptions; permit...
 - a. Sheriff, city, state and federal police, emergency services...
 - b. Vehicles in connection with environmental maintenance...
 - c. Baby buggies, toy vehicles, wagons, wheel chairs...
 - d. Vehicle on the beach permits in conjunction with special events...
 - e. Permit for construction (excluding beach renourishment...)
 - f. Beach raking and mechanical beach cleaning...
 - g. Vehicles associated with beach nourishment and inlet maintenance...
3. Operation of vehicles during marine turtle nesting season...

4. Penalties...

J. Cultivated Tree Removal Permit

1. Cultivated tree removal permit...
2. Applicability...
3. Criteria for removal of cultivated landscaping...
4. Application requirements...
5. Permit conditions...

10.02.07 SUBMITTAL REQUIREMENTS FOR CERTIFICATES OF PUBLIC FACILITY ADEQUACY...

A. General...

B. Exemptions...

1. All valid, unexpired final DRI development orders issued prior to 1/10/89...
2. Construction of public facilities that are consistent with the GMP.
3. Temporary construction and development permits and any renewals...
4. D.O.s permitting replacement, reconstruction or repair of existing development...
5. Temporary use permits and any subsequent renewals not to exceed one year...
6. Developments that claim vested status from the GMP and its regulations...

C. Certificate of public facility adequacy.

1. General.
 - a. A certificate of public facility adequacy shall be issued concurrently with the approval of the next to occur final local D.O...
 - b. Annual traffic/PUD monitoring report...
 - c. Where the proposed development has been issued FP or SDP approval...
 - d. Estimated transportation impact fees for a development shall be paid...
 - e. Assessment and application of transportation impact fees and surrender...
2. Rules of general applicability for certificate of public facility adequacy...
 - a. Timing...
 - b. Impact fees...
 - c. Consolidated application...
 - d. Assignability and transferability...
 - e. Expiration...
3. Effect of development agreement in conjunction with a certificate of public facility adequacy...
4. Procedure for review of application.
 - a. Submission of applications and fees...
 - b. Application contents...
 - c. Determination of completeness and review...
 - d. Appeal of public facilities determination...
 - e. Approval of certificate; payment for, and cancellation of certificates...
 - f. Traffic capacity reservation for all or part of the proposed development...
 - g. Proportionate share payments...
5. Standards for review of application...
 - a. Potable water facilities...
 - b. Sanitary sewer facilities...
 - c. Solid waste facilities...

- d. Drainage facilities...
- e. Park and recreation facilities...
- f. Road facilities...

10.02.08 SUBMITTAL REQUIREMENTS FOR AMENDMENTS TO THE OFFICIAL ZONING AND LDC

- A. Purpose and intent...
- B. Initiation of proposal for amendment...
- C. Amendments to this code may be made not more than 2 times during a year...
 - 1. Any amendments to the access management plan maps...
 - 2. Amendments to the Code...

10.02.09 SUBMITTAL REQUIREMENTS FOR TEXT AMENDMENTS TO THE LDC.

Amendments to this code may be made not more than 2 times during a year...

- A. Amendments to this code may be made more often than twice during the year if...

10.02.10 SUBMITTAL REQUIREMENTS FOR AMENDMENTS TO DOs [*RESERVED*]

10.02.11 SUBMITTAL OF STREETLIGHT PLANS

- A. All street lighting plans shall be prepared by an electrical engineer.

10.02.12 BUILDING OR LAND ALTERATION PERMITS

- A. Building or land alteration permit and CO compliance process.
 - 1. Zoning action on building or land alteration permits...
 - 2. Application for building or land alteration permit...
 - 3. Construction and sue to be as provided in applications; status of permit issued in error...
 - 4. Adequate public facilities required...
 - 5. Improvement of property prohibited prior to issuance of building permit...
 - 6. Zoning and land use approval required prior to or simultaneously with issuance of building or land alteration permit...

10.02.13 PLANNED UNIT DEVELOPMENT PROCEDURES

- A. Application and PUD master plan submission requirements...

- 1. PUD master plan...
- 2. PUD document...
- 3. Deviations from master plan elements...

- B. Procedures for PUD zoning...

- 1. Preapplication conference...
- 2. Prehearing conference...
- 3. Staff review and recommendation...
- 4. Hearing before the CCPC...
- 5. CCPC recommendation...
- 6. Action by BCC...

- C. Effect of PUD zoning...

- D. Time limits for approved PUDs...
 - 1. For PUDs approved prior to 10/24/01 the landowner shall...
 - 2. For PUDs approved on or after 10/24/01 the landowner shall...
 - 3. Infrastructure improvements as required above shall be located on site and shall...
 - 4. PUD sunseting...
 - 5. BCC action on PUDs which have sunsetted...
 - 6. PUD time limit extensions...
 - 7. Retention of existing PUD status...

- E. Changes and amendments...
 - 1. Substantial/insubstantial changes...
 - 2. Procedure for substantial/insubstantial change determination...
 - 3. Substantial changes procedures...
 - 4. Insubstantial changes procedures...
 - 5. Language changes...
 - 6. Minor changes not otherwise provided for...
 - 7. Educational and ancillary plants exception...
 - 8. The county manager shall also be authorized to allow minor changes to the PUD master plan during its subdivision improvements plan or SDP process...

- F. Monitoring requirements...

- G. Change of ownership...

- H. Violations...

- I. Interpretations of PUD documents...

- J. Applicability...
 - 1. All applications for a PUD rezoning or an amendment to an existing shall comply with the processing time procedures...

- K. Planned unit development districts application processing...

- L. Dedication of the public facilities and development of prescribed amenities...
 - 1. The BCC may, as a condition of approval of a PUD rezone, require that suitable areas for streets, public ROW, schools, parks etc., be set aside, improved...
 - 2. Land set aside to be improved as committed in the PUD document shall be deeded or dedicated to Collier County within 90 days...
 - 3. Should said dedication of land also include agreed upon improvements...

- M. Common open space or common facilities...
 - 1. The PUD shall provide for and establish an organization for the ownership and maintenance of any common open space or common facilities...
 - 2. In the event the organization established to own and maintain common space shall fail to meet condition in accordance with the adopted master plan...
 - 3. The cost of such maintenance by such agency shall be assessed...

- 10.02.14** LANDSCAPE PLANS.
 - A. Landscape plan required...
 - 1. Public educational facilities and plan, ancillary plant and auxiliary facility...
 - a. Procedure...
 - b. Exemption...
 - B. Irrigation plan required...
 - C. Existing plant communities...
- 10.03.00** NOTICE REQUIREMENTS
- 10.03.01** GENERALLY [*RESERVED*]
- 10.03.02** POSTING SIGNS REQUIRED [*RESERVED*]
- 10.03.03** MAILED NOTICE REQUIREMENTS [*RESERVED*]
- 10.03.04** PUBLISHED NOTICE REQUIREMENTS [*RESERVED*]
- 10.03.05** NOTICE REQUIREMENTS FOR PUBLIC HEARINGS BEFORE THE BCC, CCPC, BZA, EAC AND HISTORIC PRESERVATION BOARD
 - A. Notice and public hearing where proposed amendment would not change zoning classification of land...
 - 1. The CCPC shall hold one advertised public hearing on the proposed ordinance...
 - 2. The BCC shall hold at least one advertised public hearing on the proposed...
 - B. Notice and public hearing where proposed amendment would change zoning classification of land and for conditional uses and variances, and PUD rezoning extensions...
 - 1. Applications for a PUD extension shall only be heard by the BCC...
 - 2. In the case of PUD extensions a sign shall be posted at least 15 days prior...
 - 3. A sign shall be posted at least 15 days prior to the date of public hearing...
 - C. Development of Regional Impact Procedures
 - 1. Purpose...
 - 2. Notice of CCPC hearing...
 - 3. CCPC hearing...
 - 4. Notice of BCC hearing...
 - 5. BCC hearing...
 - 6. Statutory requirements...
 - D. Notice and public hearing where proposed amendment initiated by the BCC would change the zoning map designation of parcels less than 10 contiguous acres of land...
 - 1. The CCPC shall hold one advertised public hearing...
 - 2. A notice advising of the hearing by the BCC to consider rezoning properties...
 - 3. The BCC shall hold one advertised public hearing...
 - E. Notice and public hearing requirements where proposed amendment initiated by the BCC would change the zoning map designation of parcels 10 acres or more of land...
 - 1. The CCPC shall hold at least one advertised public hearing unless...
 - 2. The required advertisements for the CCPC public hearings shall be no less than...

3. The advertisement shall also contain a geographic location map which clearly...
4. The BCC shall hold two advertised public hearings...
5. The required advertisements shall be no less than 2 columns wide...
6. In lieu of publishing the advertisement, the BCC may mail a notice...

F. Public participation requirements for rezoning, PUD amendments, CUs, variances or parking exemptions.

1. Applicants requesting a rezoning, PUD amendment or CU approval must conduct at least one neighborhood informational meeting...
2. As a result of mandated meetings with the public, any commitments made by the applicant shall be reduced to writing and made part of the record...
3. Any applicant requesting variance approval or parking exemption must provide documentation indicating property owners within 150' of site have been advised...
4. Where it has been determined that a property owner has made formal request to be so notified, the applicant must notify them as well...

G. CCPC hearing and report to the BCC

1. Time limits...
2. Presentation of evidence...

H. Nature of requirements of CCPC report. The report and recommendations shall show...

1. Whether the proposed change will be consistent with the FLUE and GMP...
2. The existing land pattern.
3. The possible creation of an isolated district unrelated to adjacent districts...
4. Whether existing district boundaries are illogically drawn in relation...
5. Whether changed/changing condition make the passage of the proposed necessary.
6. Whether the change will adversely influence neighborhood living conditions.
7. Whether the proposed change will create or increase traffic congestion...
8. Whether the proposed change will create a drainage problem.
9. Whether the proposed change will seriously reduce light and air to adjacent areas.
10. Whether the proposed change will adversely affect property values...
11. Whether the proposed change will be a deterrent to the improvement of adjacent...
12. Whether the proposed change will constitute a grant of special privilege...
13. Whether there are substantial reasons why the property cannot be used...
14. Whether the change is out of scale with the needs of the neighborhood...
15. Whether it is impossible to find other adequate sites in the county for the use...
16. The physical characteristics of the property and the degree of site alteration...
17. The impact of development on the availability of adequate public facilities...
18. Such other factors, standards or criteria that the BCC shall deem important...

I. *Adequate public facilities.* The petitioner may provide all required community and public facilities and services for the requested rezone needs in any of the following...

1. Petition for a rezone at such time as all required community and public facilities have been provided at public expense...
2. Petition for a rezone at such time as all required facilities have been provided at the private expense of the petitioner...
3. Post a surety in lieu of completed improvements...
4. Facilities for parks and school through land dedication or fee...
5. Other method acceptable to the BCC.

J. *Other proposed amendments.* When pertaining to other proposed amendments, the CCPC shall consider and study:

1. The need and justification for the change.
2. The relationship of the proposed amendment to the purposes and objectives...

K. *Restrictions, stipulations and safeguards.* The CCPC may recommend that a petition to amend, supplement or establish a zoning district be approved subject to stipulations...

1. Restrictions, stipulations and safeguards attached to an amendment may include...
2. Dedication of public facilities and development of prescribed amenities.
 - a. Public facility dedication...
 - b. Land set aside or to be improved as committed as part of the approval...
 - c. Should the dedication of land also include agreed upon improvements...

L. *Status of CCPC report and recommendations.* The report shall be advisory only...

M. *BCC: action on CCPC report.*

1. Upon receipt of the CCPC report, the BCC shall hold a 2nd public hearing...
2. In the case of all proposed changes, they shall not be adopted except by the affirmative vote of 4 members of the BCC.

N. *Failure of the BCC to act.* If a CCPC recommendation is not legislatively decided...

O. *Limitations on the rezoning of the property.*

1. No change in the zoning classification or property shall be considered which involves less than 40,000 sq. ft. of area...
2. Whenever the BCC has denied an application for the rezoning of property...
3. All zoning approvals for which D.O. has not been granted within the 5th year...

P. *Applications for rezone to a specific use...*

Q. *Waiver of time limits...*

R. *SDP time limits...*

S. *Rezoning application processing time...*

1. *Applicability...*

10.04.00 REVIEW AND ACTION ON APPLICATIONS FOR DEVELOPMENT ORDERS AND PETITIONS FOR AMENDMENTS TO THE OFFICIAL ZONING MAP, LDC OR GMP
The procedures generally set out in illustration 10.04.00...

10.04.01 DETERMINATION OF COMPLETENESS

A. Generally [*RESERVED*]

B. Approval of regulated development and certificates to operate for wellfield operations.

1. Approval of regulated development by CDES of new/modified regulated dev.
 - a. Standards...
2. Certificates to operate.
 - a. Standards...
 - b. Prohibited approvals of regulated development and certificates to operate.

3. Inspections...
4. Transfers...
5. Administrative review...
 - a. Completeness review...
 - b. Substantive review...
 - c. Extension of administrative review and withdrawal of application...
6. Containment and cleanup...
7. Administrative procedures...
8. Violations, penalties and remedies...
9. Liberal construction severability...

Appendix A. Wellfield protection zone maps.

- 10.04.02** APPLICATIONS SUBJECT TO TYPE 1 REVIEW. SDPs, SIPs, and amendments to each.
- 10.04.03** APPLICATIONS SUBJECT TO TYPE 2 REVIEW. FPs, CU permits, rezoning, LDC text amendments, GMP amendments, and small scale development amendments.
- 10.04.04** APPLICATIONS SUBJECT TO TYPE 3 REVIEW. Variances, administrative appeals, certificates of appropriateness, CUs, nonconforming use amendments, vested rights, flood variances, parking agreements and PSPs.
- 10.04.05** PROCEDURES FOR REVIEW AND APPROVAL OF TYPE 1 APPLICATIONS.
See Illustration 10.04.02 A.
- 10.04.06** PROCEDURES FOR REVIEW AND APPROVAL OF TYPE 2 APPLICATIONS.
See Illustration 10.04.03 A.
- 10.04.07** PROCEDURES FOR REVIEW AND APPROVAL OF TYPE 3 APPLICATIONS.
See Illustration 10.04.04 A.
- 10.04.08** MODIFICATIONS TO PENDING APPLICATIONS.
A. Modification of regulated development, revision or revocation of a C.O. or a wellfield CU
 1. Modification of regulated development and notification...
 2. Revocation or revision of C.O., wellfield CU or wellfield exemption...
- 10.04.09** REQUEST FOR CONTINUANCE OF PUBLIC HEARING [*RESERVED*]
- 10.04.10** WITHDRAWAL OF PENDING APPLICATIONS [*RESERVED*]
- 10.04.11** PUBLIC HEARINGS.
A. Appeals and public hearings for wellfields
 1. Public hearings...
 2. Notice of public hearing...
 3. Decisions by the BCC...
- 10.04.12** DENIAL OF APPLICATION [*RESERVED*]

- 10.05.00** AMENDMENTS TO DEVELOPMENT ORDERS [*RESERVED*]
- 10.05.01** GENERALLY [*RESERVED*]
- 10.05.02** MAJOR AMENDMENT [*RESERVED*]
- 10.05.03** MINOR AMENDMENT [*RESERVED*]
- 10.06.00** APPEALS [*RESERVED*]
- 10.06.01** APPLICABILITY
- 10.06.02** STAY OF PROCEEDINGS
- 10.06.03** TIME OF APPLICATIONS
- 10.06.04** FINAL ACTION ON APPEALS
- 10.06.05** JUDICIAL REVIEW
- 10.07.00** ENFORCEMENT
 - A. Sign violations.
 - 1. General...
 - 2. Enforcement procedures...
- 10.07.01** RESPONSIBILITY FOR ENFORCEMENT [*RESERVED*]
- 10.07.02** COMPLAINTS AND INVESTIGATIONS [*RESERVED*]
- 10.07.03** NOTIFICATION OF VIOLATION [*RESERVED*]
- 10.08.00** CONDITIONAL USES PROCEDURES
 - A. General...
 - B. Written petition...
 - C. Notice and public hearing...
 - D. Findings...
 - E. Conditions and safeguards...
 - F. Denial
 - G. Status of CCPC report and recommendations...
 - H. BZA action on CCPC report...
 - I. CUs for school or religious purposes
 - J. Changes and amendments...
 - K. CU application processing time...
 - 1. Applicability...

APPENDIX A: STANDARD LEGAL DOCUMENTS FOR BONDING OF REQUIRED IMPROVEMENTS

- Irrevocable Standby Letter of Credit

- Performance Bond
- Construction, Maintenance and Escrow Agreement for Subdivision Improvements
- Construction and Maintenance Agreement for Subdivision Improvements
- Construction and Maintenance Agreement for Subdivision Improvements of CDDs
- Construction and Maintenance Agreement for Subdivision Improvements prior to recording plat.

APPENDIX B: TYPICAL STREET SECTIONS AND ROW DESIGN STANDARDS

APPENDIX C: FP, REQUIRED CERTIFICATIONS AND SUGGESTED TEXT AND FORMATS FOR OTHER REQUIRED INFORMATION

APPENDIX D: AIRPORT ZONING

APPENDIX E: ACCESS MANAGEMENT PLAN MAPS.

Explanation of legend and notations on access management plan maps...

APPENDIX F: LIST OF COLLIER COUNTY PUD ORDINANCES – June 26, 2003

APPENDIX G. ANNUAL BEACH EVENT STANDARD PERMIT CONDITIONS