



ORDINANCE NO. 2000- 92

AN ORDINANCE AMENDING ORDINANCE NUMBER 91-102, AS AMENDED, THE COLLIER COUNTY LAND DEVELOPMENT CODE, WHICH INCLUDES THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA, BY PROVIDING FOR: SECTION ONE, RECITALS; SECTION TWO, FINDINGS OF FACT; SECTION THREE, ADOPTION OF AMENDMENTS TO THE LAND DEVELOPMENT CODE, MORE SPECIFICALLY AMENDING THE FOLLOWING: ARTICLE 2, ZONING, DIVISION 2.2. ZONING DISTRICTS, PERMITTED USES, CONDITIONAL USES, DIMENSIONAL STANDARDS, INCLUDING THE ADOPTION OF THE GOODLAND ZONING OVERLAY DISTRICT AND THE BAYSHORE DRIVE MIXED USE OVERLAY DISTRICT; DIVISION 2.4. LANDSCAPING AND BUFFERING; DIVISION 2.5. SIGNS; DIVISION 2.6. SUPPLEMENTAL DISTRICT REGULATIONS INCLUDING BUT NOT LIMITED TO SECTION 2.6.4, EXCEPTIONS TO REQUIRED YARDS; SECTION 2.6.11, FENCES; SECTION 2.6.15, SOLID WASTE DISPOSAL; SECTION 2.6.21, DOCK FACILITIES; SECTION 2.6.33, MOTION PICTURE/TELEVISION PRODUCTION PERMIT; ADDING SECTION 2.6.34, ANNUAL BEACH EVENT PERMITS; AND SECTION 2.6.35, COMMUNICATION TOWERS; DIVISION 2.7. ZONING ADMINISTRATION AND PROCEDURES; DIVISION 2.8. ARCHITECTURAL AND SITE DESIGN STANDARDS AND GUIDELINES FOR COMMERCIAL BUILDINGS AND PROJECTS; ARTICLE 3, DEVELOPMENT REQUIREMENTS, DIVISION 3.2. SUBDIVISIONS; DIVISION 3.3, SITE DEVELOPMENT PLANS; DIVISION 3.4. EXPLOSIVES; DIVISION 3.5. EXCAVATION; DIVISION 3.9. VEGETATION REMOVAL, PROTECTION AND PRESERVATION; DIVISION 3.10. SEA TURTLE PROTECTION; DIVISION 3.11. ENDANGERED, THREATENED OR LISTED SPECIES PROTECTION; DIVISION 3.14. VEHICLE ON THE BEACH REGULATIONS; APPENDIX B, TYPICAL STREET SECTIONS AND RIGHT-OF-WAY DESIGN STANDARDS; SECTION FOUR; ADOPTION OF AMENDED ZONING ATLAS MAPS; SECTION FIVE, CONFLICT AND SEVERABILITY; SECTION SIX, INCLUSION IN THE COLLIER COUNTY LAND DEVELOPMENT CODE; AND SECTION SEVEN, EFFECTIVE DATE.

APPROVED AND ADOPTED
THIS 11th DAY OF
DECEMBER 2000
BY THE BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

WHEREAS, on October 30, 1991, the Collier County Board of County Commissioners adopted Ordinance No. 91-102, the Collier County Land Development Code (hereinafter LDC) , which has been subsequently amended; and

WHEREAS, the LDC may not be amended more than two times in each calendar year pursuant to Section 1.19.1., LDC; and

WHEREAS, this is the second amendment to the LDC, Ordinance 91-102, for the calendar year 2000; and

Words ~~struck through~~ are deleted, words underlined are added.

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WHEREAS, on March 18, 1997, the Board of County Commissioners adopted Resolution 97-177 establishing local requirements and procedures for amending the LDC; and

WHEREAS, all requirements of Resolution 97-177 have been met; and

WHEREAS, the Board of County Commissioners, in a manner prescribed by law, did hold advertised public hearings on November 29, 2000 and December 13, 2000, and did take action concerning these amendments to the LDC; and

WHEREAS, all applicable substantive and procedural requirements of the law have been met.

NOW, THEREFORE BE IT ORDAINED by the Board of County Commissioners of Collier County, Florida, that:

SECTION ONE: RECITALS

The foregoing recitals are true and correct and incorporated by reference herein as if fully set forth.

SECTION TWO: FINDINGS OF FACT

The Board of County Commissioners of Collier County, Florida, hereby makes the following findings of fact:

1. Collier County, pursuant to Sec. 163.3161, et seq., Fla. Stat., the Florida Local Government Comprehensive Planning and Land Development Regulations Act (hereinafter the "Act"), is required to prepare and adopt a Comprehensive Plan.

2. After adoption of the Comprehensive Plan, the Act and in particular Sec. 163-3202(1). Fla. Stat., mandates that Collier County adopt land development regulations that are consistent with and implement the adopted comprehensive plan.

3. Sec. 163.3201, Fla. Stat., provides that it is the intent of the Act that the adoption and enforcement by Collier County of land development regulations for the total unincorporated area shall be based on; be related to, and be a means of implementation for, the adopted Comprehensive Plan as required by the Act.

4. Sec. 163.3194(1)(b), Fla. Stat., requires that all land development regulations enacted or amended by Collier County be consistent with the adopted Comprehensive Plan, or element or portion thereof, and any land development regulations existing at the time of adoption which are not consistent with the adopted Comprehensive Plan, or element or portion thereof, shall be amended so as to be consistent.

5. Sec. 163.3202(3), Fla. Stat., states that the Act shall be construed to encourage the use of innovative land development regulations.

6. On January 10, 1989, Collier County adopted the Collier County Growth Management Plan (hereinafter the "Growth Management Plan" or "GMP") as its Comprehensive Plan pursuant to the requirements of Sec. 1634.3161 et seq. Fla. Stat., and Rule 9J-5, F.A.C.

7. Sec. 163.3194(1)(a), Fla. Stat., mandates that after a Comprehensive Plan, or element or portion thereof, has been adopted in conformity with the Act, all development undertaken by, and all actions taken in regard to development orders by, governmental agencies in regard to land covered by such Comprehensive Plan or element or portion thereof shall be consistent with such Comprehensive Plan or element or portion thereof.

8. Pursuant to Sec. 163.3194(3)(a), Fla. Stat., a development order or land development regulation shall be consistent with the Comprehensive Plan if the land uses, densities or intensities, in the Comprehensive Plan and if it meets all other criteria enumerated by the local government.

9. Section 163.3194(3)(b). Fla. Stat., requires that a development approved or undertaken by a local government shall be consistent with the Comprehensive Plan if the land uses, densities or intensities,

capacity or size, timing, and other aspects of development are compatible with, and further the objectives, policies, land uses, densities or intensities in the Comprehensive Plan and if it meets all other criteria enumerated by the local government.

10. On October 30, 1991, Collier County adopted the Collier County Land Development Code, which became effective on November 13, 1991 and may be amended twice annually.

11. Collier County finds that the Land Development Code is intended and necessary to preserve and enhance the present advantages that exist in Collier County; encourage the most appropriate use of land, water and resources, consistent with the public interest; overcome present handicaps; and deal effectively with future problems that may result from the use and development of land within the total unincorporated are of Collier County and it is intended that this Land Development Code preserve, promote, protect, and improve the public health, safety, comfort, good order, appearance, convenience, and general welfare of Collier County; prevent the overcrowding of land and avoid the undue concentration of population; facilitate the adequate and efficient provision of transportation, water, sewerage schools, parks, recreational facilities, housing, and other requirements and services, conserve, develop, utilize, and protect natural resources within the jurisdiction of Collier County; and protect human, environmental, social, and economic resources; and maintain through orderly growth and development, the character and stability of present and future land uses and development in Collier County.

12. It is the intent of the Board of County Commissioners of Collier County to implement the Land Development Code in accordance with the provisions of the Collier County Comprehensive Plan, Chapter 125, Fla. Stat., and Chapter 163, Fla. Stat., and through these amendments to the Code.

SECTION THREE: ADOPTION OF AMENDMENTS TO THE LAND DEVELOPMENT CODE

SUBSECTION 3.A. AMENDMENTS TO ZONING DISTRICTS, PERMITTED USES, CONDITIONAL USES, DIMENSIONAL STANDARD DIVISION

Division 2.2., Zoning Districts, Permitted Uses, Conditional Uses, Dimensional Standards, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 2.2. ZONING DISTRICTS, PERMITTED USES, CONDITIONAL USES, DIMENSIONAL STANDARDS

Sec. 2.2.2. Rural agricultural district (A).

2.2.2.3. *Conditional uses.* The following uses are permitted as conditional uses in the rural agricultural district (A), subject to the standards and procedures established in division 2.7.4.

* * * * *

23. Cultural, educational, or recreational facilities and their related modes of transporting participants, viewers or patrons where applicable, subject to all applicable federal, state and local permits. Tour operations, such as, but not limited to airboats, swamp buggies, horses and similar modes of transportation, shall be subject to the following criteria:

(1) Permits or letters of exemption from the US Army Corps of Engineers, the Florida Department of Environmental Protection, and the South Florida Water Management District shall be presented to the Planning Services Director prior to Site Development Plan approval.

(2) The petitioner shall post the property along the entire property line with no trespassing signs approximately every 300 yards.

- (3) The petitioner shall utilize only trails identified and approved on the Site Development Plan. Any existing trails shall be utilized before the establishment of new trails.
- (4) Motor vehicles shall be equipped with engines which include spark arrestors and mufflers designed to reduce noise.
- (5) The maximum size of any vehicle, the number of vehicles, and the passenger capacity of any vehicle shall be determined by the Board of Zoning Appeals during the conditional use process.
- (6) Motor vehicles shall be permitted to operate during daylight hours which means, one hour after sunrise to one hour before sunset.
- (7) Molestation of wildlife, including feeding, shall be prohibited.
- (8) Vehicles shall comply with State and United States Coast Guard regulations, if applicable.
- (9) The Board of Zoning Appeals shall review such a conditional use for tour operations, annually. If during the review, at an advertised public hearing, it is determined by the Board of Zoning Appeals that the tour operation is detrimental to the environment, and no adequate corrective action has been taken by the petitioner, the Board of Zoning Appeals may rescind the conditional use.

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Sec. 2.2.10 Mobile home district (MH).

2.2.10.1 *Purpose and intent.* The purpose and intent of the mobile home district (MH) is to provide lands for mobile homes and modular built homes as defined in this Land Development Code that ensure that they are consistent and compatible with surrounding land uses. The MH district corresponds to and implements the urban mixed-use land use designation on the future land-use map of the Collier County growth management plan. The maximum density permissible in the mobile home district and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County growth management plan.

The maximum density permissible or permitted in the MH district shall not exceed the density permissible under the density rating system, except as permitted by policies contained in the future land use element, or as identified in the Immokalee future land use map of the growth management plan.

2.2.10.2. *Permitted uses.* The following uses are permitted as of the right or as uses accessory to permitted uses, in the mobile home district (MH).

2.2.10.2.1 *Permitted uses.*

- 1. Mobile homes.
- 2. Modular built homes.
- ~~3.~~ Family care facilities, subject to section 2.6.26.
- ~~4.~~ Recreational vehicles (RV) as defined in the TTRVC district for those areas zoned MHTT or MHRP prior to November 13, 1991, in accordance with an approved master development plan designating specific areas for RV spaces.

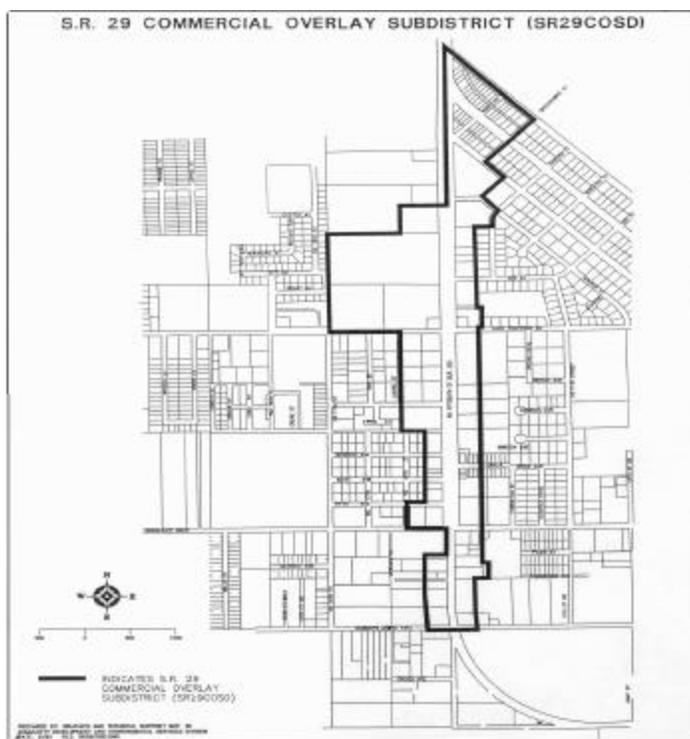
The development standards of the TTRVC district (excluding lot size and area) shall apply to the placement and uses of land in said RV areas.

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Sec. 2.2.28. Immokalee Overlay Districts.

2.2.28.3. *State Road 29 Commercial Overlay Subdistrict:* Special conditions for the properties abutting SR-29, as identified ~~on~~ in the Immokalee Area Master Plan; referenced on Map 2; and further identified by the designation “SR29COSD” on the applicable official Collier County Zoning Atlas Maps.

Map 2



* * * * *

2.2.28.3.3. *Development criteria.* The following standards shall apply to all uses in this overlay sub-district.

2.2.28.3.3.1. Access points to SR-29 shall comply with Florida State Department of Transportation permitting regulations. Parcels that do have a minimum of 440-foot of street frontage shall provide access off existing adjacent roadways, when possible, and should not access to SR-29.

2.2.28.3.3.2. Owners of lots or combinations of lots having less than the required street frontage may petition the board of zoning appeals for a variance from the standard in this sub-district as will not be contrary to the public interest when owing to special conditions peculiar to the property, a literal enforcement of these standards would result in unnecessary and undue hardship.

2.2.28.3.4. Shared parking arrangements between adjoining developments shall be encouraged.

2.2.28.3.5. Deceleration and acceleration lanes shall be provided.

2.2.28.3.6. Pedestrian traffic shall be encouraged by providing sidewalks. The location of these sidewalks shall be coordinated with adjacent projects.

2.2.28.3.7. Buildings shall be set back from SR-29 a minimum of 25 feet and from the rear lot line a minimum of 25 feet.

2.2.28.3.8. Projects with a total building square footage of less than or equal to 5,000 square feet shall provide a ten-foot Type A landscape buffer as described in section 2.4

between vehicular rights-of-way with required sidewalks and adjacent residential development. Adjacent commercial projects shall provide coordinated landscape plans.

2.2.28.3.9. Projects with a total building square footage of less than or equal to 5,000 square feet shall provide ~~A~~an area equal to a minimum of two and one-half percent of the total interior vehicular use area which shall be landscaped to provide visual relief.

2.2.28.3.10. Projects with a total building square footage exceeding 5,000 square feet shall provide landscape buffering in accordance with section 2.4.5 of this code.

2.2.28.3.10.11 Buildings shall have a maximum height of 50 feet.

2.2.28.4. *Jefferson Avenue Commercial Overlay Subdistrict:* Special conditions for the properties abutting Jefferson Avenue as identified ~~on~~ in the Immokalee Area Master Plan; referenced on Map 3; and further identified by the designation “JACOSD” on the applicable official Collier County Zoning Atlas Maps.

Map 3



* * * * *

2.2.28.4.3. *Development criteria.* The following standards shall apply to all uses in this overlay subdistrict.

2.2.28.4.3.1. Access points for future commercial development shall be limited to a maximum of one per 150 feet of street frontage. Properties with less than the required street frontage, shall be encouraged to utilize shared access points with adjoining commercial development.

2.2.28.4.3.2. Owners of lots or combination of lots having less than the 150-foot of required frontage may petition the board of zoning appeals for a variance from the standard in this sub-district as will not be contrary to the public interest when owing to special conditions peculiar to the property, a literal enforcement of these standards would result in unnecessary and undue hardship.

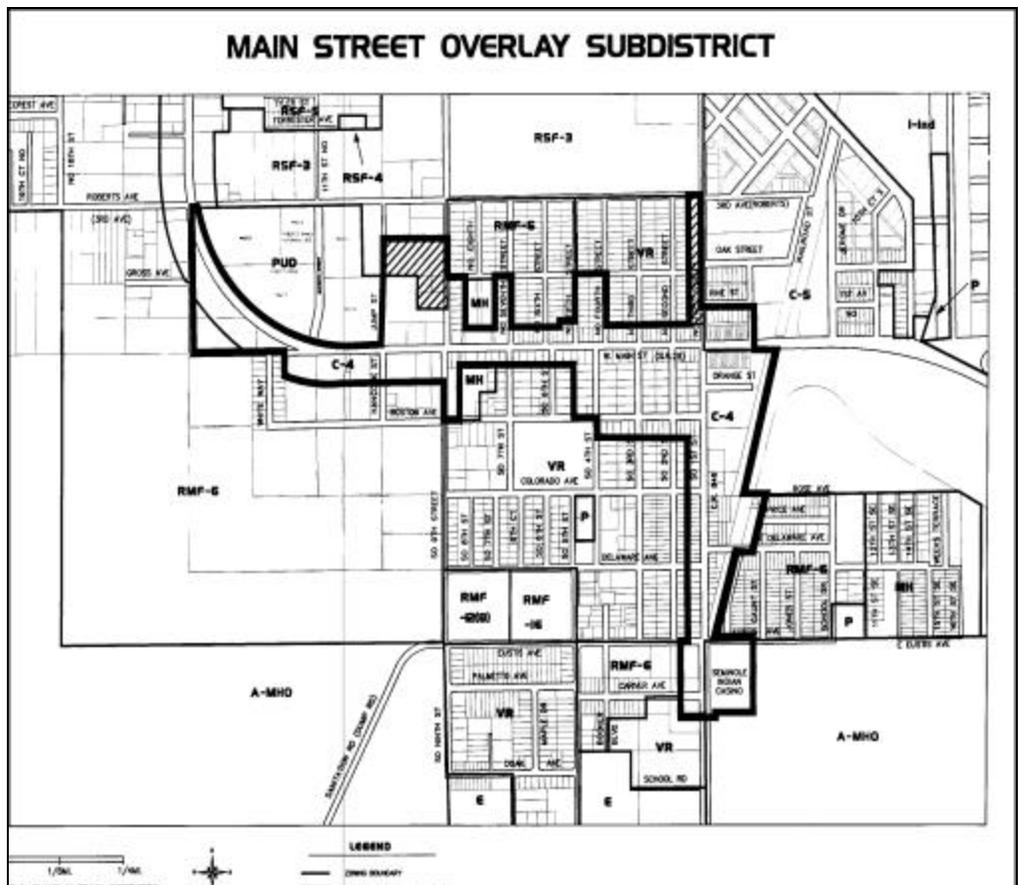
2.2.28.4.4. Projects with a total building square footage of less than or equal to 5,000 square feet shall provide A a ten-foot Type A landscape buffer as identified in section 2.4.5 of this Code shall be provided on Jefferson Avenue for all commercial projects.

2.2.28.4.4.1. Projects with a total building square footage exceeding 5,000 square feet shall provide landscape buffering in accordance with Section 2.4.5 of this Code.

2.2.28.8 *Main Street Overlay Subdistrict:*

Main Street Overlay Subdistrict: special conditions for the properties identified in the Immokalee Area Master Plan; referenced on Map 7; and further identified by the designation “MSOSD” on the applicable official Collier County Zoning Atlas Maps.

Map 7



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2.2.28.8.5 *Prohibited Uses.* All uses prohibited within the underlying residential and commercial zoning districts contained within this subdistrict, and the following uses, shall be prohibited in the Main Street Overlay Subdistrict:

* * * * *

10. Communication Towers, as defined in section 2.6.35 of this code, are prohibited except as an accessory or stand alone essential service use. Such towers are a permitted use up to a height of 75 feet above grade, inclusive of antennas. Such towers that exceed such height shall require site specific conditional use approval.

~~10.11.~~ Any other heavy commercial use which is comparable in nature with the forgoing uses and is deemed inconsistent with the intent of this subdistrict shall be prohibited.

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2.2.28.8.7 *Conditional uses.*

1. Uses permitted in the underlying zoning districts contained within this subdistrict, subject to the standards and procedures established in section 2.7.4 and as set forth below:
 - A. Local and Suburban passenger transportation (groups 4131 4173) located upon commercially zoned properties within the Main Street Overlay Subdistrict.

* * * * *

2.2.28.8.12 *Commercial design guidelines.* Subject to provisions of division 2.8., Architectural and Site Design Standards for Commercial Buildings and Projects, except as set forth below:

1. Properties having frontage on Main Street or First Street or Ninth Street are required to locate its primary business entrance on that street. Parcels fronting both Main Street and First Street or both Main Street and Ninth Street are required to locate their primary business entrance on Main Street.
2. Reflective or darkly tinted glass is prohibited on ground floor windows.
3. Properties with less than 50 feet of road frontage shall only require a minimum of one roof change.
4. Commercial projects 5,000 square feet in size or less shall only require a minimum of two design features, as described within section 2.8.4.4.6 of this code.
5. To encourage redevelopment within the Main Street Overlay Subdistrict, for proposed redevelopment of existing projects that do not increase impervious surface area and whose total building area is less than or equal to 5,000 square feet in size, the applicant shall be exempt from section 2.4.3.1. of the landscaping and buffering provisions, requiring the seal of a landscape architect and shall also be exempt from division 2.8., Architectural and Site Design Standards and Guidelines for Commercial Buildings and Projects, requiring the seal of an architect.
6. The minimum commercial design criteria, as set forth above, ~~are~~ shall not be applicable to projects with a total building square footage of less than or equal to greater than 5,000 square feet in size.

2.2.28.8.13 *Landscaping and buffering.* Subject to provisions of division 2.4, of this code, except as set forth below:

1. To encourage redevelopment, the following landscape criteria shall apply to all commercially zoned properties and those residential properties with permitted commercial uses, except where otherwise prohibited by this subdistrict: The following landscape buffering criteria shall be applicable to projects with a total building square footage of less than or equal to 5,000 square feet:
 - a. properties adjacent to residentially zoned lots/parcels shall provide a minimum 10 foot wide landscape buffer, 6 feet foot in height high hedge or wall (4 feet at planting; 6 feet within one year) with trees spaced no more than 25 feet on center;
 - b. properties adjacent to commercially zoned lots/parcels shall provide a minimum 5 foot wide landscape ~~a minimum perimeter buffer of 5 feet in width,~~ with a single row hedge with and trees spaced no more than 30 feet on center; ~~shall be required for all properties;~~ The hedge shall at a minimum consist of 3 gallon plants, 2 feet in height spaced a minimum of 3 feet on center at planting.
 - c. a minimum 5 foot buffer, with at least two trees ~~on each~~ per lot/parcel or one tree per 40 linear feet whichever is greater, shall be required adjacent to all rights-of-way;
 - d. lots/parcels that are unable to meet the above minimum landscape criteria, shall be required to provide landscape

planters and/or flower boxes for each such property, as recommended by the county landscape architect or county planning director; and

e. ~~the minimum landscape buffering criteria, as set forth above, are not applicable to commercial projects greater than 5,000 square feet in size~~

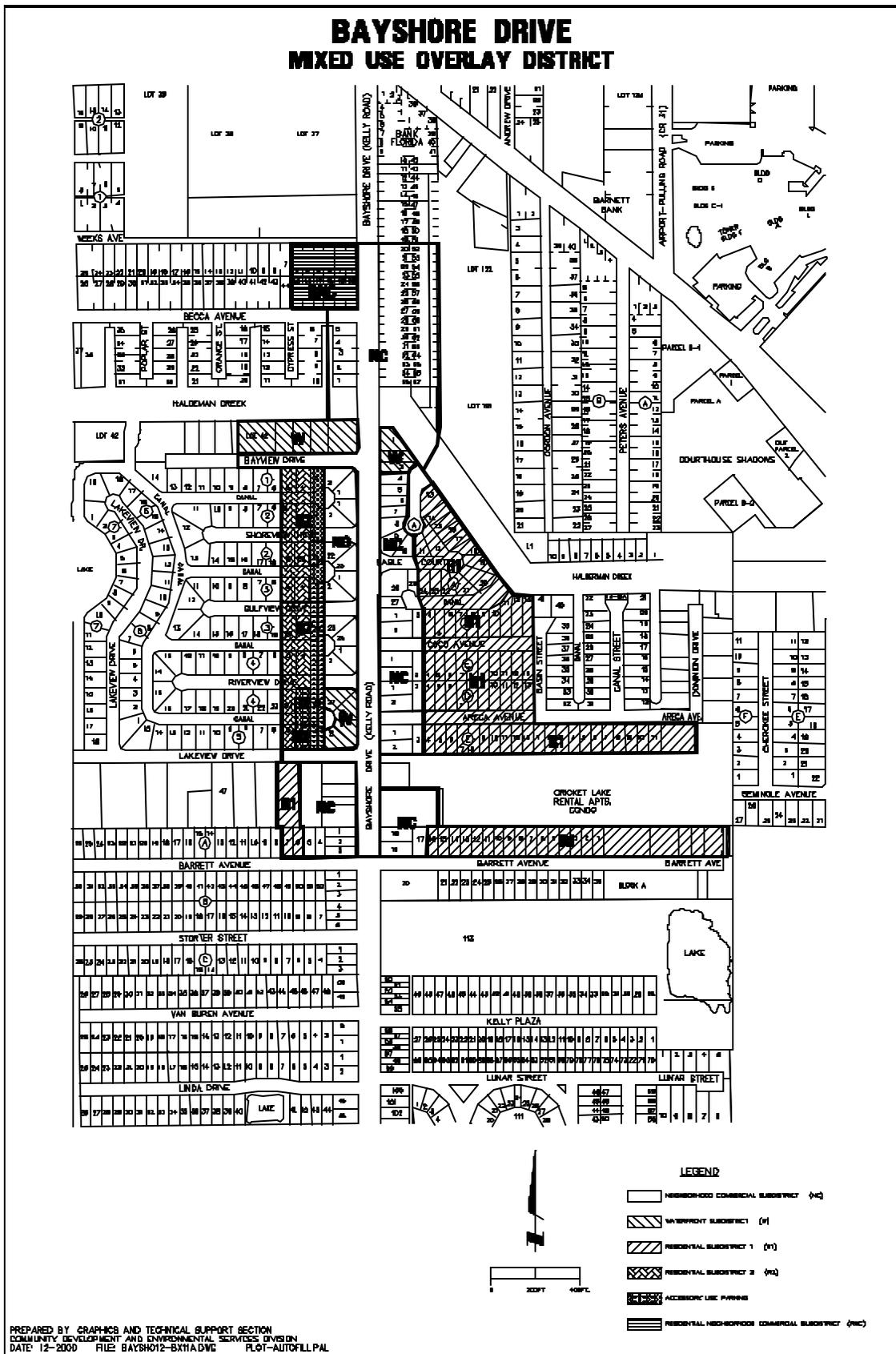
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Section 2.2.33. Bayshore Drive Mixed Use Overlay District.

2.2.33 Bayshore Drive Mixed Use Overlay District: special conditions for the properties adjacent to Bayshore Drive as referenced on BMUD Map 1; and further identified by the designation “BMUD” on the applicable official Collier County Zoning Atlas Map or map series.

2.2.33.1 Purpose and intent. The purpose and intent of this district is to encourage revitalization along the Bayshore Drive corridor by providing opportunities for small-scale mixed use development. This district is intended to: revitalize the commercial and residential development along this corridor; enhance the waterfront; encourage on-street parking and shared parking facilities and provide appropriate landscaping and buffering between the various types of uses; and protect and enhance the nearby single-family residential units. The types of uses permitted are low intensity retail, office, personal service and residential uses.

2.2.33.2 Applicability. These regulations shall apply to the Bayshore Drive Mixed Use Overlay District as identified on BMUD Map 1 and further identified by the designation “BMUD” on the applicable official Collier County Zoning Atlas Maps. Except as provided in this section of the code, all other uses, dimensional and development requirements shall be as required in the applicable underlying zoning category.



BMUD Map 1

2.2.33.3 Illustrations used in this section are solely intended to provide a graphic example of a specific standard or standards set forth herein and not as requirements for the style of specific projects. Variations from these illustrations, which nonetheless adhere to the provisions of this section, are permitted.

2.2.33.4 Subdistricts. There are five subdistricts identified within the Bayshore Mixed Use District: Neighborhood Commercial; Waterfront; Residential One; Residential Two; and Residential Neighborhood Commercial. The boundaries of these subdistricts are identified on BMUD Map 1 and further identified by the designation "BMUD" on the applicable official Collier County Zoning Atlas Map or map series. Uses and standards for each subdistrict are specified. In the event that parcels are assembled that include parcels fronting Bayshore Drive and

extending to the end of the overlay boundary, a mixed-use development is permissible and may include all of the uses specified in the corresponding neighborhood commercial and residential subdistricts, provided the most restrictive landscaping and buffering requirements will apply to development abutting any residential district.

2.2.33.5 *Neighborhood Commercial Subdistrict.* The purpose and intent of this subdistrict is to encourage a mix of low intensity commercial uses and residential uses. Developments will be small-scale and pedestrian-oriented.

2.2.33.6 *Permitted uses.* For all of the properties located within the Neighborhood Commercial Subdistrict, as indicated on BMUD Map 1, the Bayshore Drive Mixed Use Overlay District, the following uses are permitted as of right in this subdistrict:

- a. Accounting, auditing and bookkeeping services (8721).
- b. Amusement and recreation services (groups 7911, 7991,
- c. Apparel and accessory stores (groups 5611-5699).
- d. Barber shops (7241).
- e. Beauty shops (7231).
- f. Business services (groups 7311, 7313, 7322-7338, 7384).
- g. Eating places (5812 except concession stands, contract feeding, dinner theaters, drive-in restaurants, fast food restaurants, food service (institutional), industrial feeding).
- h. Food stores (groups 5411 except convenience stores, and supermarkets, 5421-5499).
- i. General merchandise stores (5331-5399).
- j. Offices for engineering, architectural, and surveying services (groups 8711-8713).
- k. Health services (8011-8049, 8082).
- l. Home furniture, furnishing and equipment stores (groups 5714-5719, 5731-5736).
- m. Hotels and Motels (7011 except hostels).
- n. Insurance carriers, agents and brokers (groups 6311-6361, 6411).
- o. Legal services (8111).
- p. Management and public relations services (groups 8741-8743, 8748).
- q. Membership organizations (8611-8699).
- r. Miscellaneous repair services, (7629, 7629 except aircraft, business and office machines, large appliances, and white goods such as refrigerators and washing machines and 7631).
- s. Miscellaneous retail services (5912, 5932 -5949, 5992-5999).
- t. Museums and art galleries (8412).
- u. Personal services (groups 7212, 7291)
- v. Photographic studios (7221).
- w. Public administration (groups 9111-9199, 9229, 9311, 9411-9451, 9511-9532, 9611-9661).
- x. Real estate (groups 6531-6541).
- y. Security and commodity brokers, dealer, exchanges and services (groups 6211-6289)
- z. Shoe repair shops and shoeshine parlors (7251).
- aa. United States Postal Service (4311 except major distribution center).
- bb. Veterinary services (groups 0742 veterinarian's office only, 0752 dog grooming and pedigree record services only, all excluding outdoor kenneling).
- cc. Videotape rental (7841)
- dd. Residential uses with the following limitations: multi-family uses are permitted above commercial uses on lots fronting Bayshore Drive, no single family units are permitted on lots fronting Bayshore Drive

2.2.33.7 *Prohibited uses.* All uses prohibited within the underlying residential and commercial zoning districts contained within this district, and the following

additional uses, shall be prohibited in the Bayshore Drive Mixed Use Overlay District:

- a. Gasoline service stations (5541).
- b. Outdoor storage or merchandising unless specifically permitted by other provisions of this BMUD.
- c. Drive-through establishments such as restaurants, banks, pharmacies, dry cleaning, and other drive-through establishments.
- d. Single-use “big box” establishments over 15,000 sq. ft.
- e. Automotive dealers.(5511,5521)
- f. Automotive repairs (7532-7539,7549)
- g. Boat dealers (5551)
- h. Carwashes.(7542)
- i. Agricultural services (0711-0783)
- j. Kennels and veterinary services.(0752,0279,7948)
- k. Building material sales (5211)
- l. Warehousing(4225)
- m. Communication towers
- n. Bars, lounges, bottle clubs (5921,5813).
- o. Convenience stores. (5411)
- p. Sexually oriented businesses. (as defined in Ordinance 91-83).
- q. Laundromats.(7215)
- r. Tattoo parlors.(7299)
- s. Labor pools.(7363)
- t. Homeless shelters or soup kitchens (8322 and 8361)
- u. Commercial parking lots (7521) shall not be permitted on parcels that have water access
- v. Pawn Shops. (5932)
- w. Title Loans. (6541)
- x. Self and mini storage units. (4225-4226)

2.2.33.8. Accessory uses.

- 1. Uses and structures that are accessory and incidental to the permitted uses allowed within in this subdistrict are allowed unless otherwise prohibited in this subdistrict.
- 2. Properties immediately adjacent to Haldeman Creek may engage in boat rental operations.
- 3. Lots adjacent to the Neighborhood Commercial (NC) and Waterfront District (W) subdistricts, as indicated on BMUD Map #1, may construct a dock provided the lots are under the same ownership and have been approved by the planning services department director. a site development plan shall be submitted to the planning services department director.

2.2.33.9. Conditional Uses. The following uses are permitted as conditional uses in the sub-district subject to the standards and procedures established in division 2.7.4.

- a. Child Care centers and adult day care centers (8351)
- b. Churches and houses of worship (8661)

2.2.33.10. Outdoor display and sale of merchandise. 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 outside of any structure.
- 2. Newspaper vending machines will be limited to two machines per project site and must be architecturally integrated within the project site.
- 3. Outdoor display and sale of merchandise, within front yards on improved properties, are permitted subject to the following provisions:

- A. The outdoor display/sale of merchandise is limited to the sale of comparable merchandise sold on the premises and as indicated on the proprietors' occupational license.
- B. The outdoor display/sale of merchandise is permitted on improved commercially-zoned properties and is subject to the submission of a site development plan that demonstrates that provision will be made to adequately address the following:
 - 1. Vehicular and pedestrian traffic safety measures.
 - 2. Location of sale/display of merchandise in relation to parking areas.
 - 3. Fire protection measures.
 - 4. Limited hours of operation from dawn until dusk.
 - 5. Merchandise must be displayed in a vendor cart that complements the architectural style of the building that it is accessory to.
 - 6. Vendor carts located on sidewalks must afford a five-foot clearance for non-obstructed pedestrian traffic.

2.2.33.11 Dimensional standards.

2.2.33.11.1 Minimum Yard requirements.

- 1. Front yards– At five (5) feet, eighty (80) percent of the structure must be located at the required front setback line. In-fill projects may vary from this front setback line in order to keep a consistent front yard with adjacent exiting structures.
- 2. Side yards –Five (5) feet, except when abutting the residential district then it will be 15 feet.
- 3. Rear yards – Twenty (20) feet.
- 4. Waterfront- Twenty-five (25) feet- outdoor seating areas, canal walkway, water management facilities, and landscaping area may be located within the required setback.
- 5. Buildings located on Bayshore Drive will have their first floor elevation level with the sidewalk. The first floor of the buildings must be utilized for commercial purposes.
- 6. Where possible buildings facing Bayshore Drive wrap around the corner as depicted on BMUD Figure 1.
- 7. To allow the maximum use of the waterfront, building placement on a lot can vary from the required setbacks, provided such variation is recommended by the CRA staff and county architect and approved by the planning director.

2.2.33.11.2 Maximum Density. For the residential component- 12 units per acre as required by the future land use element of the growth management plan.

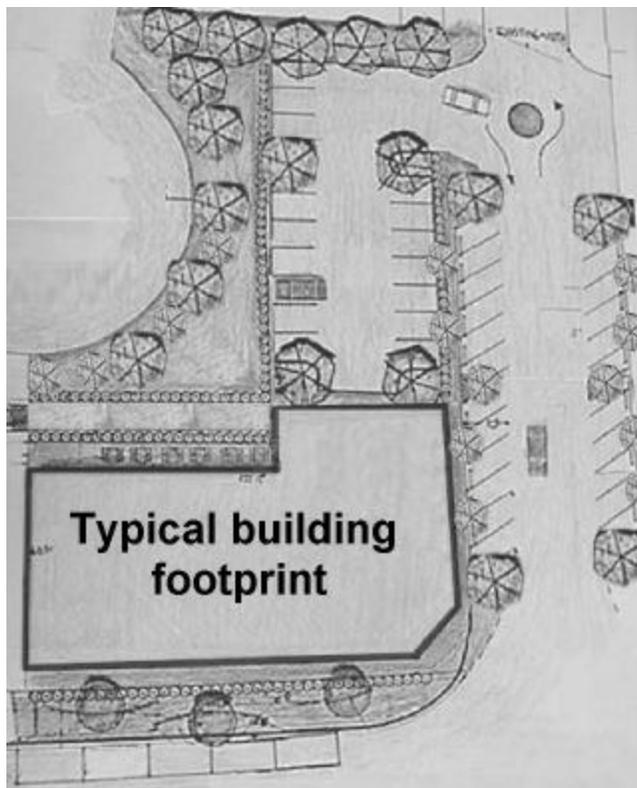
2.2.33.11.3 Minimum floor area. Seven-hundred (700) square foot gross floor area for each building on the ground floor.

2.2.33.11.4 Maximum height of structures.

- 1. Commercial use buildings are limited to a maximum height of three stories or forty-two (42) feet above the sidewalk grade to the building eave.
- 2. Buildings containing only residential uses are limited to a maximum height of three stories or forty-two (42) feet above the sidewalk grade to the building eave.
- 3. Buildings containing mixed-use residential over commercial uses shall be limited to a maximum height of four stories or 56 feet above the sidewalk grade to the building eave.

4. The first floor of the building at the sidewalk level shall be no less than 12 feet in height from the finished floor to the finished ceiling and shall be occupied by commercial uses only.
5. Buildings containing commercial or residential uses are required to a minimum depth of 35 feet from the front setback line on all floors. The remaining depth may be used for parking.

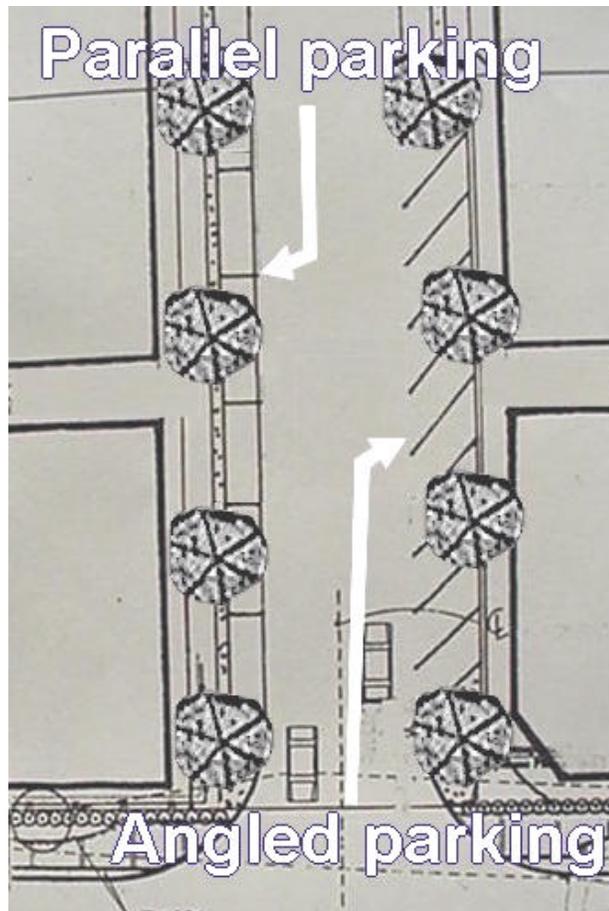
BMUD Figure 1- Plan of a typical corner lot development



2.2.33.12 *Parking Standards*

1. Three spaces per 1000 square feet of floor area open to the general public for commercial use
2. Minimum one (1) parking space for each residential unit.
3. Outdoor café areas shall be exempt from parking calculations.
4. Access to the off-street parking facility must be from the local street unless restricted due to lot size.
5. Should the property owner develop on-street parking spaces on local streets within the same block of the project site, then each space so provided shall count as one space toward the parking requirement of this subsection.
6. On-street parking on local streets excluding Bayshore Drive requires an agreement with the County to use the public right of way for parking. Angle or parallel parking (as depicted on BMUD Figure 2) is permissible based on the site development plan as approved by the planning services department and built to county standards. The property owner must agree to maintain that portion of the public right-of-way where the parking is located.
7. Lots adjacent to the Neighborhood Commercial (NC) and Waterfront District (W) subdistricts, as indicated on BMUD Map #1, may be used for off-site parking provided the lots are under the same ownership, meet the standards of subsection 2.3.4.1.2.c.2. of this code and have been approved by the planning services department director. a site development plan shall be submitted to the planning services department director.

BMUD Figure 2 – Typical on-street parking on local streets



8. On-street parking on Bayshore Drive shall be made available to the property owner on a first come first serve basis at the time of site development plan (SDP) or site improvement plan (SIP) approval provided the parking does not interfere with the on-street bike lanes and is located within the block in which the block that the property it serves is located.
Construction or renovation of any building must occur within 90 days of the SDP or SIP approval and be completed within six months of commencement in order to secure the on-street parking spaces. Due to circumstances beyond the control of the applicant the property owner may request an extension from the planning services director. These spaces must be used toward the fulfillment of the parking requirements set forth herein.
9. The off-site parking requirements of section 2.3.4.11 of the code shall apply except for the requirements of subsection 2.3.4.11 (4) (g).
Vehicular egress points may be located on local streets opposite residential homes provided they are within the Bayshore Mixed Use Overlay District. Off-site parking facilities outside of the BMUD are subject to all of the requirements of subsection 2.3.4.11 of the code.
10. Shared Parking requirements shall be consistent with those provided in Section 2.3.5 of the LDC code except that the Planning Services Department Director can approve or deny requests instead of the board of zoning appeals or planning commission and under Section 2.3.5.3.3, shared parking spaces can be separated by Bayshore Drive provide the two properties are located with the BMUD.

2.2.33.13 Landscaping. As required by division 2.4 of this code unless specified otherwise below:

2.2.33.13.1. *Special buffer requirements for development areas contiguous to residentially zoned property.* A fifteen- foot wide landscape buffer area shall be required. This area shall include a six (6) foot high wall, fence or berm, or combination thereof, a row of trees spaced no more than 25 feet on center, and a single row of shrubs at least 24 inches in height at the time of planting Landscaping shall be on the residential side of the wall.

2.2.33.13.2. *Landscape buffer requirements for multifamily residential development adjacent to single family residential property.* A ten-foot- wide Type B landscape buffer with narrow canopies proportionate to the narrow buffer space shall be required.

2.2.33.13.3 *Landscape buffer requirements where vehicular use areas abut the waterfront.* A double row hedge at least 24 inches in height at the time of planting and attaining a minimum of three feet in height within one year shall be required.

2.2.33.13.4 *Rear Landscaping Requirements for neighborhood Commercial and Waterfront Districts adjacent to the waterfront.* A five foot Type D landscape buffer with a canal walkway is required. The walkway shall be a minimum of six- feet- wide and consist of an impervious surface walkway. Walkways must be designed and located to provide an interconnection between adjacent properties wherever possible. Marinas may be exempted from this provision due to safety provisions if approved by the planning services director.

2.2.33.13.5 *Landscape requirements for properties fronting Bayshore Drive.* The intent is to integrate the right- of- way and building front with decorative pavement that is consistent with the Bayshore Beautification hardscape. Landscaping shall be consistent with the Bayshore Beautification Plan.

2.2.33.13.6. *Landscape screening of mechanical equipment.* Mechanical equipment shall be screened with a fence that is architecturally compatible with the building it serves or be screened with a three-foot high hedge, spaced three feet on center.

2.2.33.13.7. *Landscape buffer requirements for marina development contiguous to residentially zoned property.* A twenty- foot- wide landscape buffer area is required. Such buffer must include a minimum six (6) foot high wall, fence, berm, or combination thereof, a double row of trees spaced no more than 20 feet on center, and a double row of shrubs at least 24 inches height at time of planting. Landscaping shall be on the residential side of the wall.

2.2.33.14 *Special Provisions.*

1. Retractable awnings shall be exempt from fire sprinkler requirements. Fixed awnings under 145 square feet shall be subject to sprinkler requirements but only from the potable water supply without requirements for backflow protection.
2. Loading docks and service areas shall not be allowed on the frontage line.

2.2.33.15 *Architectural Standards.*

1. All buildings shall meet the requirements set forth in division 2.8 unless otherwise specified below:
2. All buildings adjacent to Bayshore Drive will have the principal pedestrian entrance fronting Bayshore Drive
3. Thirty-five percent of the building façade that faces Bayshore Drive will be clear glass
4. Attached building awnings may encroach over the setback line by a maximum of five feet.
5. Neon colors shall not be used as accent colors

2.2.33.16 *Signs.* As required by Division 2.5 unless specified below:

1. One wall sign shall be permitted for each single-occupancy parcel, or for each establishment in a multiple-occupancy parcel provided such sign does not exceed 20 percent of the total square footage of the visual façade

- of the building to which the sign will be attached and shall not exceed 65 square feet in area in area.
2. In addition, hanging or projection signs are permitted provided such signs do not exceed 6 square feet, and shall not project more than 4 feet from the building on which the sign will be attached. The sign shall be elevated to a minimum of 8 feet above any pedestrian way and shall not exceed a height of 12 feet.
 3. No freestanding signs shall be permitted.
 4. In addition, the vertical drip of an awning may be stenciled with letters no more than 8 inches in height and not to exceed one-third of the length of the canopy.
 5. Parcels adjacent to the waterfront may have one additional sign to be placed on the façade which faces the waterfront provided it meets all of the above requirements.
 6. Corner buildings or corner units within multiple tenant buildings may have one additional wall sign provided both signs are not placed on the same wall.
 7. No internally lit cabinet signs shall be permitted.

2.2.33.17 Waterfront subdistrict – The purpose of this subdistrict is to allow maximum use of the waterfront for entertainment while enhancing the area for use by the general public. Development standards for the district are the same as those set forth for the Neighborhood Commercial Subdistrict, unless set forth below. Development in this subdistrict is encouraged to be a mix of restaurant and retail uses while allowing for limited marina uses.

2.2.33.18 Permitted Uses:

- a. All uses permitted within the Neighborhood Commercial Subdistrict are permitted.
- b. Marinas. (group 4493. except all repair, storage and sales of boats must be conducted in a covered area or area internal to the site.) Boats available for rental purposes shall be located in the water or properly screened from the roadways. No outside display of boats for sale or rent shall be visible from Bayshore Drive.

2.2.33.19 Conditional Uses-Marina

- a. Fuel facilities (if permitted, the fueling station canopy must be architecturally consistent with the building design.)

2.2.33.20 Special conditions for marinas

- a. All repair and storage shall not be visible from the local street.
- b. All sales of boats shall occur in a covered area that is architecturally consistent with the building it serves.
- c. Boats available for rental purposes shall be located in the water or properly screened from the local roadways.
- d. No outside display of boats for sale or rent shall be visible from Bayshore Drive.
- e. All boat racks shall be enclosed.
- f. Height of structures may be increased to a maximum height of fifty (50) feet by the board of zoning appeals (BZA) upon approval of a variance petition. The BZA, in addition to the findings in section 2.7.5, shall consider the following: will a literal interpretation of the provisions of this zoning code impose a financial hardship on the applicant.

2.2.33.21 Parking

1. Parking requirements are the same as those set forth in the Neighborhood Commercial subdistrict.
2. Marinas- one parking space per five dry boat storage spaces.

2.2.33.21.1 On-site traffic circulation system shall be provided that will accommodate areas for the loading and unloading of equipment that will not encroach on residential developments.

2.2.33.22 Residential Subdistrict 1 (R1). The purpose of this subdistrict is to encourage the development of multifamily residences as a transitional use between commercial and single-family development. The multifamily buildings shall be compatible with the building patterns and façade articulation of traditional neighborhood design. The intent is to create a row of residential units with uniform front yard setbacks and access to the street.

2.2.33.22.1 Permitted uses. The following uses are permitted as of right.

- a. Single –family dwellings
- b. Two-family dwellings
- c. Townhouses
- d. Multi-family dwellings

2.2.33.22.2 Uses accessory to permitted uses.

- 1. Uses and structures that are accessory to and incidental to the uses permitted as of right.
- 2. Private docks and boathouses subject to section 2.6.21 and 2.6.22.

2.2.33.22.3 Minimum lot width:

- Single-family: 50 feet.
- Two-family: 50 feet.
- Townhouses 25 feet
- Multi-family 100 feet.

2.2.33.22.4 R-1 Yard requirements. The following yard requirements shall apply and are in relation to the platted property boundaries.

	<u>Front Yard At*</u>	<u>Min. Side Yard</u>	<u>Min. Rear Yard</u>
<u>One (Single) Family Dwelling Units</u>	<u>10 feet</u>	<u>7-1/2 feet unless abutting commercial property, then 5 feet</u>	<u>15 feet</u>
<u>Two Family Dwelling Units</u>	<u>10 feet</u>	<u>5 feet unless abutting single family unit, then 7.5 feet</u>	<u>15 feet</u>
<u>Townhouse</u>	<u>10 feet</u>	<u>0 feet when abutting another townhouse, if not then the same standards as a two family dwelling unit.</u>	<u>15 feet</u>
<u>Multiple Family (Three or more) Dwelling Units</u>	<u>10 feet</u>	<u>5 feet unless abutting single family unit, then 7.5 feet</u>	<u>15 feet</u>

*Shall be 10 feet from the property line to the building footprint.

2.2.33.22.5 Minimum floor area:
750 square feet per unit

2.2.33.22.6 Maximum height of structures: (Measured from Federal Emergency Management Agency (FEMA) to building eave)

- 1. Principal structures. Three habitable floors or a measure of 40 feet.

2. Accessory structures. 15 feet except for screen enclosures, which may be the same height as the principal structure but in no event greater than 35 feet.

2.2.33.22.7 Minimum off-street parking.

1. Minimum off-street parking is one space per dwelling unit.
2. There shall be no visible parking area from the frontage road.

2.2.33.22.8 On street parking requirements.(RESERVED)

2.2.33.22.9 Building placement and design. Buildings and their elements shall adhere to the following: (See BMUD figure 3):

1. Buildings shall be divided using articulation and /or modulation at least every 80 feet. Façade modulation is stepping back or extending forward a portion of the façade at least 6 feet measured perpendicular to the front façade for each interval. Articulation includes porches, balconies, bay windows and/or covered entries.
2. The primary residence shall be oriented to the street. Orientation is achieved by the provision of a front façade including an entry door that faces the street.
3. On corner lots, both street facades of a building shall have complementary details; in particular, building materials and color, rooflines and shapes, window proportions and spacing, and door placement.
4. All mechanical equipment must be screened with a three-foot high hedge spaced three feet on center or an opaque fence or wall at any height to completely screen the mechanical equipment.
5. Stem wall construction is required, no monolithic construction is allowed.

2.2.33.22.10 Elevation. Buildings shall adhere to the following elevation requirements:

1. The first habitable floor at the street façade may not be greater than one foot over the minimum first floor elevation designated in the National Flood Insurance Program by the Federal Emergency Management Agency (FEMA). A maximum of 40% of the first habitable floor may be greater than one foot over the FEMA-designated minimum first floor elevation.
2. Open stilt-type construction is not permitted. On front yards, the façade area below the first floor must be treated with a solid façade or lattice which is consistent with the architectural style of the building.
3. The garage floor shall not exceed 24 inches above the elevation of the right-of-way from which it is accessed.

2.2.33.22.11 Front Porches. Front porches that adhere to the following standards may encroach seven (7) feet into the front yard setback, with an additional three (3) foot encroachment allowable for entry stairs.

1. Front porches must cover a minimum of 40% of the horizontal length of the front yard façade of the primary residence.
2. Front porch design and material shall be consistent with the architectural design and construction material of the primary residence.
3. Front porches shall not be air-conditioned nor enclosed with glass, screen, or other material.
4. Second-story porches are encouraged, but no enclosed room is permitted above the front porch.

2.2.33.22.12 Garages and driveways.

1. The rear setback may be reduced to 10 feet if a front-access garage is constructed on the rear of the residence.
2. Garage doors shall have a maximum width of 16 feet.

3. Only one driveway is allowed per 50 linear feet of front property line. The driveway shall have a maximum width of 18 feet in the right-of-way area.
4. Other than the permitted driveway, the front yard may not be paved or otherwise used to accommodate parking.
5. Garages shall be recessed a minimum of three (3) feet behind the front façade of the primary residence.
6. No carports are permitted.

2.2.33.22.13 *Accessory Units.* An accessory unit is a separate structure located at the rear of the property and related to the primary residence for uses which include, but are not limited to: library, studio, workshop, playroom, or guest quarters. Ownership of an accessory unit may not be transferred independently of the primary residence.

The following regulations regarding accessory units apply:

1. Only one accessory unit is permitted per primary residence.
2. The maximum area of an accessory unit is 550 square feet, limited to one habitable floor.
3. The accessory unit may be above or on the side of a garage and may be connected to the primary residence by an enclosed breezeway or corridor not to exceed eight feet in width.
4. The maximum height of a structure containing a guest unit over a garage is limited to 18 feet, measured from the level of graded lot to the eave, and with a maximum overall building height of 24 feet to the top of the roof. A structure containing only a guest unit is limited to one story and 10 feet, measured from the FEMA first habitable floor height requirement to the eave, with a maximum overall building height of 16 feet to the top of the roof.
5. For purposes of calculating density, an accessory unit will count as one-half a dwelling unit.

2.2.33.22.14 *Density.* Maximum 12 units per acre, or as consistent with the future land use element growth management plan.

2.2.33.23 *Residential Subdistrict 2 (R2).* The purpose of this subdistrict is to encourage the development of multifamily residences as transitional uses between commercial and single-family development. The multifamily buildings shall be compatible with the building patterns and façade articulation of traditional neighborhood design. Development standards for the subdistrict are the same as those set forth for the Residential Subdistrict 1, unless set forth below.

2.2.33.23.1 *R-2 Yard requirements.* The following yard requirements shall apply and are in relation to the platted property boundaries.

	<u>Front Yard At*</u>	<u>Min. Side Yard</u>	<u>Min. Rear Yard</u>
<u>One (Single) Family Dwelling Units</u>	<u>25 feet</u>	<u>7.5 feet</u>	<u>15 feet</u>
<u>Two Family Dwelling Units</u>	<u>25 feet</u>	<u>6 feet unless abutting single family unit, then 7.5 feet</u>	<u>15 feet</u>
<u>Townhouse</u>	<u>25 feet</u>	<u>6 feet unless abutting single family unit, then 7.5 feet</u>	<u>15 feet</u>
<u>Multiple Family (Three or more) Dwelling Units</u>	<u>25 feet</u>	<u>6 feet unless abutting single family unit, then 7.5 feet</u>	<u>15 feet</u>

*Shall be 25 feet from the property line to the building footprint.

2.2.33.24 Residential Neighborhood Commercial Subdistrict (RNC). The purpose and intent of this subdistrict is to allow limited home occupational businesses. Home occupations as required in section 2.6.20, shall apply unless specified otherwise below. Development standards for the subdistrict are the same as those set forth for the Residential Subdistrict 2, unless otherwise set forth below.

2.2.33.24.1 The home occupations permitted include: accounting, auditing and bookkeeping, services, barber shops, beauty salons, engineer or architectural services, insurance agents and brokers, legal services, real estate agents.

2.2.33.24.2 The home occupation shall be clearly incidental to and secondary to the use of the dwelling for dwelling purposes and shall not change the character of the dwelling unit. The following conditions shall be met:

1. The resident of the home shall be the owner and operator of the business.
2. The business shall not occupy more than 30% of the primary residential structure.
3. The business shall not employ more than two employees at any given time. Parking requirements must be met that are consistent with the parking requirements outlined in the Neighborhood Commercial Subdistrict of this code.
4. Employees, customers or clients of the home occupation business are permitted to travel to and from the residence.

2.2.33.25. Effective date. This section, known as the Bayshore Mixed Use Overlay District shall not become legally effective until the comprehensive plan amendment, adapted December 12, 2000 as Ordinance Number 2000- 87, upon which this section is based becomes legally effective..

BMUD Figure 3-Typical front elevation for residential development.



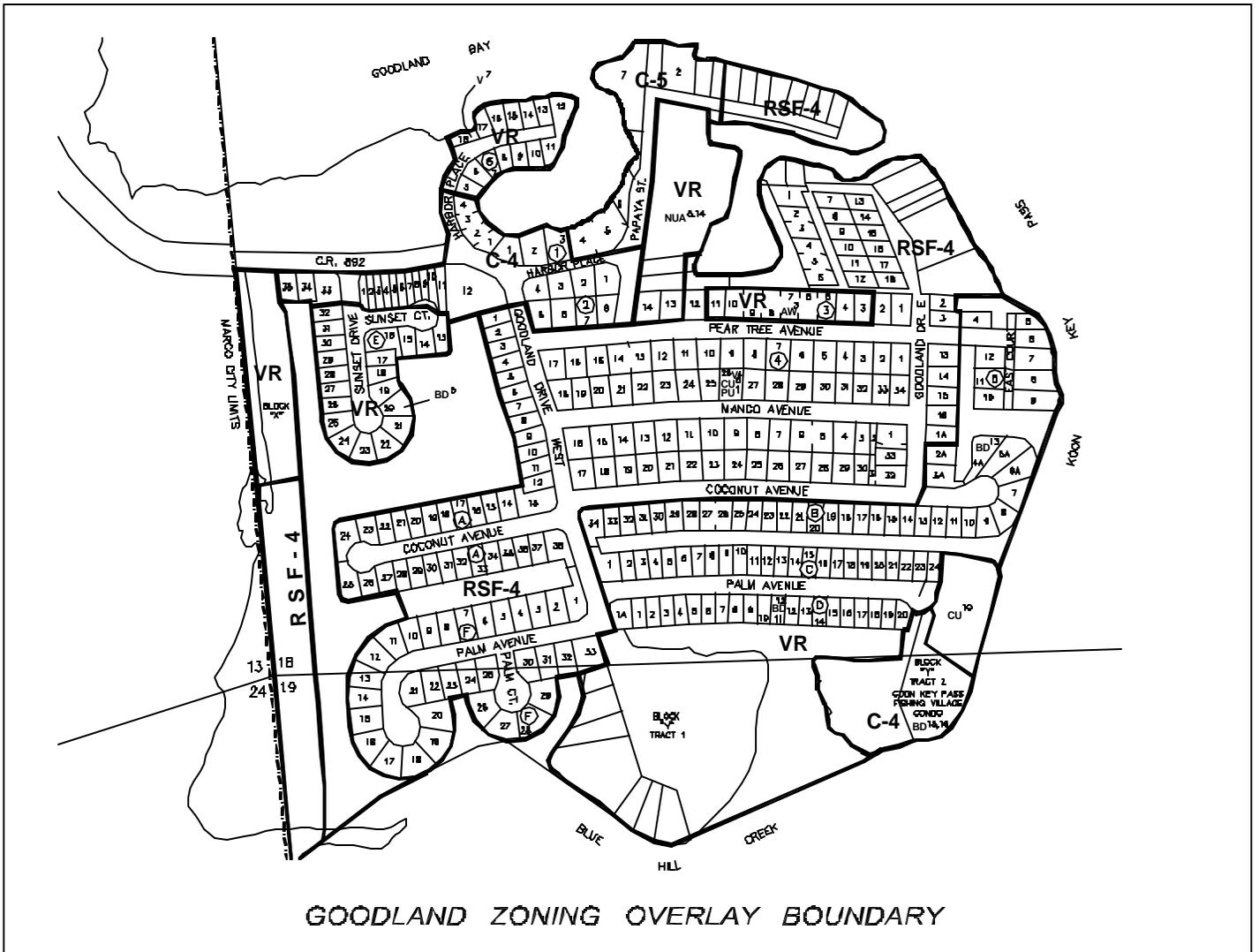


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Sec. 2.2.34. Goodland Zoning Overlay (GZO) District

2.2.34.1 Purpose and intent: To create design guidelines and development standards that will assure the orderly and appropriate development in the unincorporated area generally known as Goodland.. The Goodland Zoning Overlay District (GZO) is intended to provide regulation and direction under which the growth and development of Goodland can occur with assurance that the tropical fishing village and small town environment of Goodland is protected, and preserved and that development and/or redevelopment reflect the unique residential and commercial characteristics of the community.

2.2.34.2 Geographic boundaries: The boundaries of the Goodland Zoning Overlay District are delineated on Map 1 below.



GZO MAP 1

2.2.34.3 Applicability: These regulations apply to the above-described geographic area. These regulations are intended to supplement the existing land development regulations found in this code. In the event of a conflict between other provisions of this Code and these regulations, these regulations contained in this overlay shall control.

2.2.34.4 Development criteria. The development criteria and standards for each zoning district in Goodland as provided for in this code shall apply for all uses and structures in this overlay district unless specifically superseded below.

2.2.34.4.1 Maximum building height. As provided for in the Village Residential Zoning District for each permitted, accessory, and conditional use provided that no residential building may contain more than two (2) levels of habitable space.

2.2.34.4.2 Minimum lot requirements. As provided for in the Village Residential Zoning District for each permitted, accessory, and conditional use except for the following:

- a. Single family/Mobile Home:
 - Minimum Lot area: 4,275 square feet.
 - Minimum Lot width: 45 feet.

* * * * *

SUBSECTION 3.B. AMENDMENTS TO LANDSCAPING AND BUFFERING DIVISION

Division 2.4., Landscaping and Buffering, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 2.4. LANDSCAPING AND BUFFERING

Sec. 2.4.4. Plant material standards and installation standards.

* * * * *

2.4.4.12 Prohibited Exotic Species. In addition to the prohibitions outlined in section 2.4.4.11, the following species or seeds thereof shall not be grown, offered for sale, or transported inter-county or intra-county.

2.4.4.12.1 Melaleuca spp. (punk tree).

2.4.4.12.2 Schinus terebinthifolius (Brazilian pepper).

2.4.4.12.3 Any member of the family Casuarinaceae (Australian pine).

2.4.4.12.4 Rhodomyrtus tomentosa (downy rosemyrtle).

2.4.4.12.5 Dioscorea bulbifera (air potato)

2.4.4.12.6 Colubrina asiatica (lather leaf).

2.4.4.12.7 Lygodium spp. (climbing fern).

2.4.4.12.8 Syzygium cumini (Java plum).

2.4.4.12.9 Mimosa pigra (catclaw mimosa).

2.4.4.12.10 Acacia auriculiformis (earleaf acacia).

2.4.4.12.11 Albizia lebbek (Women’s tongue).

2.4.4.12.12 Cupaniopsis anacardioides (Carrotwood)

* * * * *

Sec. 2.4.6. Minimum Landscaping requirements.

Landscaping for all new development, including single-family, two-family, multifamily and mobile home dwelling units, shall include, at a minimum, the number of trees set forth below. Areas dedicated as preserves and conservation areas shall not be counted to meet the requirements of this section. Existing trees and other minimum code required landscaping may be credited to meet these requirements pursuant to subsection 2.4.4.11. Trees shall meet the requirements of section 2.4.4.2. Existing residential development that does not meet the minimum landscaping requirements of this code shall be required to install the required landscaping before a certificate of occupancy is granted for any improvements to the property.

* * * * *

2.4.6.4. Communication towers. An 8 foot high, 100% architecturally finished opaque wall must screen the security fencing that surrounds a tower base. In addition, landscaping must be located on the outside of such wall. The hedge requirement must also be planted around any ground level guy anchors. The entire perimeter of this wall shall be landscaped in at least one of the following ways so as to provide the equivalent of minimum code size trees located 25 feet on center and a 3 foot high hedge planted 3 feet on center

- (a) If native vegetation is present within the parcel, a minimum 20 foot wide buffer strip must be preserved and used toward meeting the tree and hedge planting requirement.
- (b) If native vegetation is present, but not dense enough to meet the equivalent of the tree and hedge requirements, it must be supplemented with plantings to meet the tree and hedge requirements.
- (c) On sites where no native vegetation is present, a 15 foot wide landscape buffer with minimum code size trees located 25 feet on center and a 3 foot high hedge planted 3 feet on center must be planted.

At the discretion of the county landscape architect, some or all of these landscape buffering requirements may be displaced to a right-of-way landscape buffer located within the parcel when it better serves the public interest of screening the communication tower.

~~2.4.6.4.~~ 2.4.6.5 Littoral zone planting. All developments that create lake areas shall provide littoral zone plantings of emergent, aquatic vegetation in accordance with Section 3.5.7.2.5.

2.4.6.5.6. Building perimeter plantings. All shopping center, retail, office, apartments, condominiums, clubhouses and similar uses shall provide building perimeter plantings in the amount of 100 square feet per 1,000 square feet of proposed building ground level floor area. These planting areas shall be located adjacent to the building and shall consist of landscape areas, raised planters or planter boxes that are a minimum of five feet wide. Water management areas shall not be a part of this five-foot planting area.

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Sec. 2.4.7. Minimum landscape buffering and screening between uses.

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2.4.7.4. Types of buffers. Within a required buffer strip, the following alternative shall be used based on the matrix in table 2.4.

Alternative A: Ten-foot-wide landscape buffer with trees spaced no more than 30 feet on center.

Alternative B: Fifteen-foot-wide, 80 percent opaque within one year landscape buffer six feet in height, which may include a wall, fence, hedge, berm or combination thereof, including trees spaced no more than 25 feet on center. When planting a hedge, it shall be a minimum of ten gallon plants five feet in height, three feet in spread and spaced a ~~minimum~~ maximum four feet on center at planting.

Alternative C: 20-foot-wide, opaque within one year, landscape buffer with a six-foot wall, fence, hedge, or berm, or combination thereof and two staggered rows of trees spaced no more than 30 feet on center. Projects located within the Golden Gate Neighborhood Center District shall be exempt from the right-of-way requirement of a six-foot wall, fence, hedge, berm or combination thereof. These projects shall provide a meandering Type D landscape buffer hedge. In addition, a minimum of 50% of the 25 foot wide buffer area shall be composed of a meandering bed of shrubs and ground covers other than grass.

Alternative D: A landscape buffer shall be required adjacent to any road right-of-way external to the development project and adjacent to any primary access roads internal to a commercial development. Said landscape buffer shall be consistent with the provisions of the Collier County Streetscape Master Plan, which is incorporated by reference herein. The minimum width of the perimeter landscape buffer shall vary according to the ultimate width of the abutting right-of-way. Where the ultimate width of the right-of-way is zero to 99 feet, the corresponding landscape buffer shall measure at least ten feet in width. Where the ultimate width of the right-of-way is 100 or more feet, the corresponding landscape buffer shall measure at least 15 feet in width. Developments of 15 acres or more and developments within an activity center shall provide a perimeter landscape buffer of at least 20 feet in width regardless of the width of the right-of-way. Activity center right-of-way buffer width requirements shall not be applicable to roadways internal to the development.

Trees shall be spaced no more than 30 feet on center in the landscape buffer abutting a right-of-way or primary access road internal to a commercial development.

A hedge of at least 24 inches in height at the time of planting and attaining a minimum of three feet height within one year shall be required in the landscape buffer where vehicular areas are adjacent to the road right-of-way, pursuant to section ~~2.4.4.3-~~ 2.4.4.4.

Where a fence or wall fronts an arterial or collector road as described by the transportation circulation element of the growth management plan, a continuous single row hedge a minimum of 24 inches in height spaced 3 feet on center, shall be planted along the right-of-way side of the fence. The required trees shall be located on the side of the fence facing the right-of-way. Every effort shall be made to undulate the wall and landscaping design incorporating trees, shrubs, and ground cover into the design. . It is not the intent of this requirement to obscure from view decorative elements such as emblems, tile, molding and wrought iron.

The remaining area of the required landscape buffer ~~shall consist of~~ must contain only existing native vegetation, grass, ground cover, or other landscape treatment. Every effort should be made to preserve, retain and incorporate the existing native vegetation in these areas.

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SUBSECTION 3.C. AMENDMENTS TO SIGNS DIVISION

Division 2.5., Signs, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 2.5. SIGNS

Sec. 2.5.5. Permitted signs.

2.5.5.1.6. *On-premises signs within residential districts.* Two ground signs with a maximum height of 8 feet or wall residential entrance or gate signs may be located at each entrance to a multi-family, single-family, mobile home or recreational vehicle park subject to the following requirements:

1. Such signs shall contain only the name of the subdivision, the insignia or motto of the development and shall not contain promotional or sales material. Said signs shall maintain a 10-foot setback from any property line unless placed on a fence or wall subject to the restriction set forth in section 2.6.11. Furthermore, bridge signs located on private bridges directly leading to private communities shall not be considered off-premise signs. Bridge signs complying with the requirements of section 2.5.5.1.6 may be substituted for ground or wall signs in residential districts.
2. The ground or wall signs shall not exceed a combined area of 64 square feet, and shall not exceed the height or length of the wall or gate upon which it is located.
3. Logos without any verbal content and similar architectural features less than 10 square feet in area not containing any letters or numbers shall not be considered signs and shall be allowed throughout the development. However, should such architectural embellishments be located closer than 10 feet to any sign, then it should be considered an integral part of the sign and shall be subject to the restrictions of this section.

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SUBSECTION 3.D. AMENDMENTS TO SUPPLEMENTAL DISTRICT REGULATIONS DIVISION

Division 2.6., Supplemental District Regulations, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 2.6. SUPPLEMENTAL DISTRICT REGULATIONS

Sec. 2.6.4. Exceptions to Required Yards

2.6.4.2. *Minor after-the-fact yard encroachments.*

2.6.4.2.1 Minor after-the-fact yard encroachments may be approved administratively by the development services director. For the purposes of this subsection, minor yard encroachments shall be divided into two classifications:

1. Structures for which a certificate of occupancy has not been granted. The development services director may administratively approve minor after-the-fact yard encroachments of up to 5 percent of the required yard, not to exceed a maximum of 6 inches.
2. Structures for which a certificate of occupancy or a final development order has been granted. The development services director may administratively approve minor after-the-fact yard encroachments of up to ten percent of the required yard ~~that~~ which requirement was in effect as of the date on which the certificate of occupancy or final development order was issued, not to exceed a maximum of two feet.

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Sec. 2.6.11. Fences.

2.6.11.1. *Fences in residential districts.* Fences or walls shall be allowed in all zoning districts subject to the restrictions set forth in section[s] 2.6.11.2--2.6.11.5.

2.6.11.2. *Residential districts.* For the purposes of this section, residential districts shall include: RSF residential single-family; RMF-6, RMF-12, and RMF-16 residential multiple-family; RT residential tourist; VR village residential; MH mobile home; TTRVC travel trailer-recreational vehicle park campground; and residential increments of PUD residential planned unit development districts. Fences and walls placed within required yards shall be subject to the following:

2.6.11.2.1. Fences or walls on all lots greater than one acre in area may reach a maximum height of 6 feet.

2.6.11.2.2. For non-waterfront interior lots one acre or less in area, fences or walls may reach a maximum height of 6 feet for side and rear yards, but are limited to 4 feet within the required front yard.

2.6.11.2.3. For waterfront lots one acre or less in area, height limits are as for non-waterfront lots, but with the additional restriction that fences or walls within the required rear yard are limited to 4 feet.

2.6.11.2.4. For corner lots one acre or less in area, which by definition have only front yards and side yards, fences within required front yards are limited to four feet in height, with the exception that any portion of a front yard fence within the safe sight triangle described in section 3.2.8.3.22. of this code is restricted to three feet in height. (Two sides of this triangle extend 30 feet along the property lines from the point where the right-of-way lines meet, and the third side is a line connecting the other two.) Fences within required side yards may reach six feet in height.

2.6.11.2.5. Barbed wire, razor wire, spire tips, sharp objects, or electrically charged fences shall be prohibited, except that the board of zoning appeals may allow the use of barbed wire in conjunction with chainlink fencing for facilities where a security hazard may exist, such as a utility substation, sewage treatment plant, or similar use.

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2.6.11.4. *Commercial and industrial districts.* For the purposes of this section, commercial and industrial districts shall include: C1/T, C-2, C-3, C-4 ~~commercial district~~ and C-5 ~~heavy commercial districts~~; I, industrial district; and P, public use district; and commercial and industrial tracts or increments of PUD, planned unit development districts. All fences or walls in commercial zoning districts, and all fences and walls in industrially zoned parcels where such fences abut arterial or collector roads, must also comply with the provisions of sections 2.8.3.3.3.1., 2.8.4.2.3.1. and 2.4.7.4. of this code. Unless otherwise provided, all commercial and industrially designated lands in PUDs, Planned Unit Developments shall comply with these provisions.

2.6.11.5. All districts. Whenever a property owner elects to erect a chain link fence pursuant to the provisions of Sec.2.6.11 adjacent to an arterial/collector road in the urban coastal area said fence shall not be located nearer than three (3) feet to the right-of-way/property line, and said fence shall be screened from view by planting a vegetative hedge a minimum of thirty (30) inches in height at planting spaced at a distance that will achieve an opacity rating of 80 percent within one year of planting. An irrigation system shall be installed to insure the continued viability of the vegetative hedge as a visual screen of the chain link fence. This regulation shall not apply to single family homes.

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Sec. 2.6.15. Solid waste disposal.

Pursuant to Ordinance No. 90-30, as amended. Solid waste disposal shall be required in the form of bulk container service (garbage dumpsters and/or compactors) for all commercial establishments and multi-family projects ~~containing five or more dwelling units under a common roof, excluding rowhouses or townhouses not exceeding two stories in height upon demonstration of adequate access to facilitate~~ not receiving curbside pickup. ~~and that all individual units have an enclosed location other than the residential structure, such as a carport or garage, for the storage of individual solid waste containers, or as otherwise permitted below.~~ Solid waste disposal shall be required in the form of curbside pickup for all other housing types.

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2.6.15.3. *Minimum requirements and locational restrictions.* In the case of multifamily developments ~~with more than four units per structure,~~ that do not receive curbside service pick up and choose to use dumpster service, at least one standard size bulk container (dumpster) per every ten units shall be required. All such containers are subject to the following locational restrictions.

- a. Solid waste bulk containers (garbage dumpsters) shall be permitted in all zoning districts.
- b. Solid waste bulk containers may be located within a required yard provided they do not encroach into a required landscape area, and further provided that there be no blockage of the view of motorists or pedestrians so as to constitute a hazard.
- c. In the case of multi-family developments containing more than one structure, no solid waste bulk container (garbage dumpster) shall be located greater than 500 feet from the structure it is intended to serve.
- d. In the case of multi-family developments that do not use curbside pickup and that choose to use compactor service the following restrictions apply:
 - i. Solid waste compactors shall be permitted in all zoning districts.
 - ii. In the case of individually owned multi-family units (condominiums), the owner may utilize a compactor instead of curbside pickup or dumpsters. Compactor service shall only be instituted by the developer prior to the sale of the first unit. A change from curbside or dumpster service to compactor service would require a majority vote by the homeowners' association.
 - iii. In the case of multi-family developments (rental units) containing more than one structure, the owner may permit a compactor instead of dumpsters at any time.

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2.6.15.4.1 Solid waste bulk containers (dumpsters) may be substituted by individual solid waste disposal service (unit by unit curbside pick-up) subject to the following:

- a. In the case of individually owned multi-family dwelling units (condominiums), individual (curbside) solid waste disposal service may be substituted for the required bulk containers (dumpsters and/or compactors) upon documentation that the subject unit or condominium association, having been turned over from the developer to the residents, has voted in the majority to eliminate the use of dumpsters and/or compactors in favor of individual curbside service for all or part of particular development, subject to acceptance ~~from both~~ by the Collier County Solid Waste Department. ~~and~~

~~the waste hauler.~~ Additionally, the association shall demonstrate that there is adequate access to facilitate curbside pickup and that all individual units have an enclosed location other than the residential structure, such as a carport or garage, for the storage of individual solid waste containers.

- b. In the case of multi-family rental units ~~bulk solid waste disposal containers (dumpsters) shall be used unless an alternative methodology for solid waste pick-up is approved by the Collier County Solid Waste Department and the waste hauler.~~ the owner may utilize a compactor instead of a dumpster at any time.
- c. In the case of a commercial use bulk solid waste disposal containers (dumpsters) shall be used unless an alternative methodology for solid waste pick-up is approved by the Collier County Solid Waste Department and the waste hauler.

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Sec. 2.6.21. Dock facilities.

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2.6.21.1.2 Non-residential dock facilities shall be subject to all the provisions of section 2.6.21. of the code, with the exception that protrusions for non-residential dock facilities beyond the specified limits shall be determined administratively by the Planning Services Director at the time of Site Development Plan review, based on an evaluation of the criteria in section 2.6.21.3. of the code.

2.6.21.2. *Dock facility requirements and restrictions.* The following criteria apply to dock facilities and boathouses, with the exception of boat dock facilities on manmade lakes and other manmade bodies of water under private control.

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2.6.33.8. ~~Motion picture/television production~~ Film permit.

2.6.33.8.1. ~~Permit required. No person, firm, corporation or association shall take still or moving pictures on private property or property owned by or under the control of Collier County without first having obtained a permit.~~ A permit shall be required for the following activities taking place, in conjunction with commercial motion picture, film, television, video or still photography production: the use of set scenery, temporary structures, ~~lighting equipment~~ or other apparatus, special effects, or closure of public streets or accessways. This code shall not apply to bona fide newspaper, press association, newsreel or television news media personnel, nor to properties that have been zoned to allow motion picture/television filming as a permitted use.

2.6.33.8.2. *Application for permit; contents.* Any person, firm, corporation, association of governmental entity desiring to obtain a permit shall apply to the zoning planning services director; and said application shall include but not be limited to the following.

1. Name, address (including local address) and telephone number of applicant.
2. Proof of comprehensive general liability insurance coverage in the amount of at least \$1,000,000.00 combined single limit, with Collier County named as an additional insured. The applicant shall provide to the planning services director a certificate of insurance evidencing that said insurance is in effect and certifying that Collier County be given 30 days' notice prior to the expiration or cancellation of the policy.

3. Special effects to be utilized, especially incendiary or explosive devices, with proof ~~of~~ of not less than \$5,000,000.00 comprehensive general liability insurance combined single limit with Collier County listed as additional insured. In addition, the application shall list the person in charge (pyrotechnician) of such special effects, together with his qualifications and ~~licenser~~ license by ~~from~~ the applicable federal and/or state agencies, and authorization from the local fire district permitting the event.
4. Locations, dates and hours of filming ~~scene to be filmed~~.
5. The following information is required by the planning services director, unless waived:
 - a. ~~A description and sketch~~ conceptual plan indicating the location of film events and parking facilities provided.
 6. ~~b.~~ b. Plans for construction or utilization ~~of~~ structures on subject site(s).
 7. c. Number, type and location of sanitation facilities to be provided. Plans for disposal of refuse and debris, and restoration of the site(s) to its original condition.
 8. d. ~~Provide a~~ A description of any lighting facilities that would be necessary and/or the need to disconnect any public lighting.
 9. e. ~~Describe~~ A description of any use which may encroach into environmentally sensitive areas.
 10. f. Approximate number and type of vehicles and/or equipment to be used and any special parking requirements. The number of personnel to be on location with the production.
 11. g. Necessity for closures of public streets or sidewalks and for what duration and location.
 12. h. ~~Indicate~~ An indication of any utilization of aircraft/fixed-wing, helicopter, or balloons at the subject site(s).
 13. i. List of county personnel or equipment requested, and an agreement to pay for extraordinary services provided by Collier County.
 14. j. Provisions for traffic control, fire safety and security precautions.
 15. k. If located on private property, not under the county's ownership or control, a written notarized agreement ~~will be required~~ from the property owner to allow the filming to occur on his property.
 - l. Additional information requested to assist Collier County in obtaining future film production.

2.6.33.8.3. *Insurance requirements.* The applicant shall, ~~as a prerequisite to the issuance of a permit,~~ maintain in force at all times during the permit period a comprehensive general liability policy with limits other than those described in ~~(b) and (c) above~~ Section 2.6.33.8.2 as determined ~~recommended~~ by the risk management director of the risk management division upon a review of the particular circumstances involved ~~and determined by the board of county commissioners~~. Said applicant, ~~as a prerequisite to the issuance of a permit,~~ shall provide to the zoning planning services director a certificate of insurance evidencing that said insurance is in existence and certifying that Collier County is a named insured and that Collier County be given 30 days' notice prior to the expiration or cancellation of the policy. Any additional insurance requirements for filming on private property will be at the discretion of the affected property owner.

- 2.6.33.8.4. *Indemnification.* The applicant shall be required to indemnify and hold harmless Collier County, its officers, agents and employees from and against all claims, suits, actions, damages, liabilities, expenditures or causes of action arising out of or occurring during the activities of applicant under a permit issued hereupon in the form and manner provided by the zoning planning services director.
- 2.6.33.8.5. *Permit fee.* No permit fee shall be required. Any additional license or user fees which have been established for county-owned land or facilities shall be in effect.
- 2.6.33.8.6. *Issuance of permit.* Upon presentation of the completed application, proof of insurance, payment of permit fee, surety bond or cash payment in lieu of the bond and review by the zoning planning services director, the permit may be issued. If the zoning planning services director determines that the use of public or private property could affect the public's use of the property, or have potential adverse impacts on surrounding properties, then he may require that the permit application be scheduled for a public hearing before the board of county commissioners. The special circumstances could include, but are not limited to, closure of a public street or accessway; use of special effects, including incendiary or explosive devices; a large production crew or crowd control; and increased liability insurance required. The notice for the public hearing shall be advertised in a newspaper of general circulation in the county at least one time 15 days prior to the hearing.
- 2.6.33.8.7. *Suspension of permit.* Failure to comply with the terms and conditions of the temporary use permit once issued shall be grounds for immediate suspension of the permitted activity until such time as the noncompliance is remedied. The suspension shall be initially communicated ~~orally~~ verbally, followed by a written suspension order; and continued failure to comply with the terms and conditions of the permit may result in revocation of the permit.
- 2.6.33.8.8. *Costs for extraordinary services.* The county shall recover direct costs for extraordinary services rendered in connection with a production. Such costs shall include, but not limited to, charges for personnel and/or equipment committed in support of the production, which are outside the normal scope of government services. Based on the information contained in the permit application, an estimate of these costs will be provided to the applicant prior to issuance of this permit. The county may require prepayment of all or a portion of these estimated costs prior to issuance of the permit. At the conclusion of the production, actual costs below or in excess of the estimates will be refunded by the county or paid by the applicant, respectively.
- 2.6.33.8.9. *Surety bond.* A surety bond in ~~the~~ an amount to be determined by Collier County and issued by a company authorized to issue bonds in Florida or cash payment in lieu of the bond ~~will may be required by the planning services director a company authorized to issue bonds in Florida or cash payment in lieu of the bond~~ to provide for cleanup and/or restoration of the subject site(s).

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Sec. 2.6.34. Annual beach events permit.

- 2.6.34.1.1. The owner of beach-front commercial hotel-resort property shall apply for an annual beach events permit. The planning services director, or his designee, may grant the permit following review of an application for such permit. The application shall be submitted on the form prescribed by Collier County together with the applicable fee for the number of planned annual beach events as indicated on the permit form and exhibits thereto.

- 2.6.34.2. For purposes of this section, a “beach event” shall mean and refer to any social, recreational or entertainment event, whether public or private, conducted on the beach and satisfying one or more of the following criteria:
1. The event involves the use of dining/picnic tables and chairs, serving tables, or other ancillary equipment typically used to serve an on-site meal; or
 2. The event involves the use of staging equipment, amplified music, or the use of other types of electrical equipment for purposes of enhanced light and/or sound; or
 3. The event:
 - (a) is attended by 25 or more people and is organized by or with the help of the beach-front property owner; and
 - (b) is of a nature not commonly associated with the day-to-day use of the beach by the general public.
- 2.6.34.3. Notice of scheduled events:
- 2.6.34.3.1. On or before the 25th day of each calendar month, the holder of such permit shall cause Collier County to be furnished with written notice of all beach events scheduled for the following month, in the form and content made a part of the annual beach events permit application. The notice shall indicate the date, time and duration of each event.
- 2.6.34.3.2. If a beach event is scheduled after the monthly notification has been furnished to Collier County, the property owner shall furnish the county with a separate written notice at least 48-hours prior to such event.
- 2.6.34.3.3. All notices furnished to Collier County pursuant to the permit shall be sent to Collier County planning services department.
- 2.6.34.4. Event Cancellations and Postponements:
- 2.6.34.4.1. If a scheduled beach event is canceled or postponed, the property owner shall furnish Collier County with written notification of such cancellation or postponement. It is understood that weather conditions may cause last minute cancellations, however the property owner shall make every effort to notify the county staff a minimum of 4 hours prior to the scheduled event time. If such event is rescheduled, notice of the date and time of the rescheduled event shall be provided.
- 2.6.34.4.2. If a beach event is canceled or postponed, and no other beach events are scheduled for the date of the canceled/postponed event, and Collier County has been notified of such cancellation or postponement, then the canceled or postponed event shall not count towards the maximum number of beach events authorized by the permit.
- 2.6.34.5. Sea turtle nesting season: During sea turtle nesting season (May 1st through October 31st of each year) the grant of a beach events permit thereof shall be subject to the following conditions:
- 2.6.34.5.1. A copy of the Florida Department of Environmental Protection (FDEP) field permit, if required by FDEP, shall be obtained and furnished to Collier County prior to the time of the scheduled event.
- 2.6.34.5.2. Set-up, including beach raking, for a particular beach event shall not commence until after the daily sea turtle monitoring activities are completed by the Collier County natural resources department staff.

- 2.6.34.5.3. Use of vehicles is prohibited, except as may be permitted in section 3.14.3. of this code .
- 2.6.34.5.4. All equipment placed on the beach for purpose of conducting the beach event shall be removed from the beach by no later than 9:00 p.m. of the date of the event.
- 2.6.34.5.5. All lights that are visible from the beach and cast a shadow thereon shall be turned-off by no later than 9:00 p.m. of the date of the event.
- 2.6.34.5.6. Identification of sea turtle nests on the beach may cause the beach event to be relocated or to have additional limitations placed on the event, pursuant to the recommendation of Collier County natural resources department.
- 2.6.34.5.7. Pole lighting, and any other object or structure designed to penetrate the sand surface by more than three (3) inches shall be subject to the approval of the FDEP and Collier County.
- 2.6.34.5.8. Notices required by this section shall also be furnished to Collier natural resources department.

2.6.35. Communication towers.

2.6.35.6.3. Essential services--Specified conditional uses. Except in the RSF-1 through RSF-6, and RMF-6 zoning districts, towers may be allowed to any height as a conditional use on sites approved for a conditional use essential service for any of the following conditional uses: safety service facilities including, but not necessarily limited to, fire stations, sheriffs substation or facility, emergency medical services facility, and all other similar uses where a communications tower could be considered an accessory or logically associated use with the safety service conditional use on the site. In addition, communications towers can be approved as a conditional use for a stand alone essential service facility provided the tower is to be owned by, or to be leased to, a governmental entity, and the primary uses of the tower are for governmental purposes.

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2.6.35.6.21. ~~Refer to section 2.4.6.4. for minimum landscaping requirements. A landscaped buffer area no less than ten feet wide shall be developed around the perimeter of each new tower that requires security fencing. This buffer shall encompass all new structures including the tower base. At least one row of native vegetation shall be planted within the buffer to form a continuous hedge at least three feet in height at planting. This hedge shall also be planted around any ground level guy anchors. The buffer must be maintained in good condition.~~

2.6.35.6.22. Any existing N-native vegetation on the site shall be preserved and used to meet the minimum landscape requirements to the greatest practical extent as required by subsections 2.4.6.4. (a) and (b). The site plan shall show existing significant vegetation to be removed and vegetation to be replanted to replace that lost. Native vegetation may constitute part or all of the required buffer area if its opacity exceeds 80 percent.

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Section 2.6.35.7. Alligator Alley Communication Towers

- (1) Notwithstanding other provisions of Section 2.6.35, and irrespective of the zoning classification(s) of the underlying fee at each respective tower site,

two (2) new communication towers shall be permitted at locations and heights herein specified within the I-75 right-of-way east of the toll booth (Alligator Alley). Two of the four towers shall be constructed to replace two existing Florida Department of Transportation towers. The four new telecommunication tower sites shall be located approximately at:

- (a) mile marker 52.2. The height of the tower shall not exceed 250 feet including antennas;
- (b) mile marker 92.6 (Everglades Blvd). The height shall not exceed 250 feet, including antennas;
- (c) the site of an existing FDOT tower located on State Road 29. The height shall not exceed 310 feet, including antennas;
- (d) the site of an existing FDOT tower located at mile marker 63.2 at the I-75 Rest Area. It will replace an existing tower located on the north side of I-75 at mile marker 63.3. The height shall not exceed 280 feet including antennas.

Each tower shall be constructed with a capacity to provide for a minimum of four (4) to eight (8) co-users, including Florida Department of Transportation (FDOT), the U.S Fish and Wildlife Service (FWS), the National Park Service (NPS), the Department of Forestry (DOF), and Collier County agencies, where practical.

- (2) Each tower shall be constructed in accord with the standards and requirements of Section 2.6.35 and other applicable sections of the LDC code except as expressly provided otherwise in this Section.
- (3) Minimum yard requirements: There shall be no minimum yard requirement for these towers at these locations because each tower and all ancillary facilities must be contained within the I-75 right-of-way and each proposed tower must maintains a separation distance from all adjacent residential property lines equal to one-half ($\frac{1}{2}$) the tower's height or equal to a Florida Professional Engineer's certified collapse area (fall zone), whichever is greatest, or a clear zone is maintained on adjoining property by a use easement applicable to such adjoining property owner. No habitable residential or non-residential structure, including offices, shall be allowed within any certified collapse area (fall zone) for any of these towers.
- (4) Access: Physical access to each tower site shall be as approved by FDOT.
- (5) Parking: Sufficient unpaved area shall be provided on or adjacent to each tower site to accommodate temporary parking for one vehicle for servicing or maintaining the communication tower.
- (6) Landscape Buffer: A landscape buffer no less than ten feet wide with trees planted 25 feet on center shall be developed and maintained around the perimeter of each tower site and other related equipment, structures, and buildings. This buffer shall encompass all structures including the tower base. At least one row of native vegetation shall be planted within the buffer to form a continuous hedge at least three feet in height at planting. The buffer must be maintained in good condition. This landscape buffer may be waived by the Planning Services Director where the buffer is not practical due to public safety problems.
- (7) A Site Development Plan and construction plans will be submitted to the Collier County Planning Services Department for review and approval prior to any construction of any such tower. No changes, additions, or alterations may be made to any approved Site Development Plan or construction plans for any such tower without County approval
- (8) Tower lighting: In addition to requirements for tower lights specified in Section 2.6.35 of the LDC code, towers located in the Big Cypress

Preserve and the Florida Panther National Wildlife Preserve shall be lighted in accordance with the USFWS guidance system requirements for tower lighting.

(9) Notwithstanding any other provision in this code, and notwithstanding the underlying zoning of the respective tower site, subject to the following, the communications towers and accessory facilities (“facilities”), listed above, and all such future facilities, are lawful uses if located within the confines of the I-75 right-of-way east of the Alligator Alley toll booth to the eastern boundary of Collier County.

(a) The tower and related facilities shall be subject to conditional use approval whenever the tower is to exceed a height of twenty (20) feet. Towers that are to be twenty (20) feet or less in height require only building permit approval from the county.

(b) As all such facilities must be located within the Interstate Highway No. 75 right of way, the facilities must be subject to approval from the owner of that right-of-way, including such conditions as may be required by that owner. The owner of said right-of-way is the State of Florida by and through the Florida Department of Transportation.

(c) The facilities must be owned by, or leased to, a governmental entity. The primary uses of the facilities shall be governmental uses. Private uses, of the facilities, if any shall always be incidental and subordinate to the governmental uses.

(d) Notwithstanding any other provision in section 2.6.35, the facilities shall be subject to the tower sharing requirements of section 2.6.35 if the tower is to exceed a height of one hundred and twenty (120) feet, or unless the tower is a monopole. If the tower is to be used only for governmental uses, the tower need be shared only with other governmental entities. If the tower is to be occupied by an antenna under control of a non-governmental occupant of the tower and is to be used for any non-governmental use(s), the tower sharing requirements that apply to non-government occupants shall be adhered to as a prerequisite to occupancy of the tower.

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SUBSECTION 3.E. AMENDMENTS TO ZONING AND ADMINISTRATION PROCEDURES DIVISION

Division 2.7., Zoning and Administration Procedures, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 2.7. ZONING AND ADMINISTRATION PROCEDURES

Sec. 2.7.6. Building or land alteration permit and certificate of occupancy compliance process.

1. *Zoning action on building or land alteration permits.* The ~~site-development review~~ planning services director shall be responsible for determining whether applications for building or land alteration permits, as required by the Collier County building code or this code are in accord with the requirements of zoning code and the land development code, and no building or land alteration permit shall be issued without written approval that plans submitted conform to applicable zoning regulations, and other land development regulations. For purposes of this section a land alteration permit shall mean any written authorization to alter land and for which a building permit may not be required. Examples include but are not limited to

clearing and excavation permits, site development plan approvals, agricultural clearing permits, and blasting permits. No building or structure shall be erected, moved, added to, altered, utilized or allowed to exist and/or no land alteration shall be permitted without first obtaining the authorization of the required ~~building~~ permit(s), inspections and certificate(s) of occupancy as required by the Collier County building code or this code and no building or land alteration permit application shall be approved by the ~~site development review~~ planning services director for the erection, moving, addition to, or alteration of any building ~~or~~ structure or land except in conformity with the provisions of this zoning code and the land development code unless he shall receive a written order from the board of zoning appeals in the form of an administrative review of the interpretation or variances as provided by this code or unless he shall receive a written order from a court or tribunal ~~or~~ of competent jurisdiction.

2. *Application for building or land alteration permit.* All applications for building or land alteration permits shall, in addition to containing the information required by the building official, be accompanied by ~~plot and construction plans~~ all required plans and drawings drawn to scale, showing the actual shape and dimensions of the lot to be built upon; the sizes and locations on the lot of buildings already existing, if any; the size and location on the lot of the building or buildings to be erected, altered or allowed to exist; the existing use of each building or buildings or parts thereof; the number of families the building is designed to accommodate; the location and number of required off-street parking and off-street loading spaces; approximate location of trees protected by county regulations; changes in grade, including details of berms; and such other information with regard to the lot and existing/proposed structures as provided for the enforcement of this land development code. In the case of application ~~or~~ for a building or land alteration permit on property adjacent to the Gulf of Mexico, a survey, certified by a land surveyor or an engineer licensed in the State of Florida, and not older than 30 days shall be submitted. If there is a storm event or active erosion on a specific parcel of land for which a building or land alteration permit is requested, which the ~~site development review~~ planning services director determines may effect the density or other use relationship of the property, a more recent survey may be required. Where ownership or property lines are in doubt, the ~~site development review~~ planning services director may require the submission of a survey, certified by a land surveyor or engineer licensed in the State of Florida. Property stakes shall be in place at the commencement of construction.
3. *Construction and use to be as provided in applications; status of permit issued in error.* Building or land alteration permits or certificates of occupancy issued on the basis of plans and specifications approved by the ~~site development review~~ planning services director authorize only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement, or construction. ~~Building Use~~ arrangement, or construction different from that authorized shall be deemed a violation of this land development code.
 - a. Statements made by the applicant on the building or land alteration permit application shall be deemed official statements. Approval of the application by the ~~site development review~~ planning services director shall, in no way, exempt the applicant from strict observance of applicable provisions of this land development code and all other applicable regulations, ordinances, codes, and laws.
 - b. A building or land alteration permit issued in error shall not confer any rights or privileges to the applicant to proceed to or continue with construction, and the county shall have the power to revoke such permit until said error is corrected.

4. *Adequate public facilities required.* No building or land alteration permit or certificate of occupancy shall be issued except in accordance with the Collier County Adequate Public Facilities Ordinance, Ord. No. 90-24 (division 3.15 of this code) and Rule 9J-5.0055, F.A.C.

5. *Improvement of property prohibited prior to issuance of building or land alteration permit.* No site work, removal of protected vegetation, grading, improvement of property or construction of any type may be commenced prior to the issuance of a building or land alteration permit where the development proposed requires a building or land alteration permit under this land development code or other applicable county regulations. Exceptions to this requirement may be granted by the community development and environmental services administrator for an approved subdivision or site development plan to provide for distribution of fill excavated on site or to permit construction of an approved water management system, to minimize stockpiles and hauling off-site or to protect the public health, safety and welfare where clearing, grading and filling plans have been submitted and approved meeting the warrants of section 3.2.8.3.6 of this code; removal of exotic vegetation shall be exempted upon receipt of a vegetation removal permit for exotics pursuant to division 3.9.

6. *Zoning and land use approval required prior to or simultaneously with issuance of building or land alteration permit or occupancy of land and space.* A zoning certificate, attesting to compliance with all aspects of the zoning provisions of the land development code, shall be required prior to obtaining a building or land alteration permit or to occupying any space of land or buildings or for the conduct of a business in all zoning districts. The following zoning certificate review procedure shall provide for the issuance of a zoning certificate.
 - a. For the purpose of determining compliance with the zoning provisions of the land development code, an approval of a site development plan pursuant to division 3.3 herein, authorizes the issuance of a zoning certificate. Said zoning certificate shall constitute a statement of compliance with all applicable provisions of the land development code, including the uses of the building space upon which applicable off-street parking and loading requirements were based, however, issuance of a zoning certificate shall not exempt any person from full compliance with any applicable provision of the land development code.
 - b. In subdivided buildings each space for which a use is proposed requires a zoning certificate for that particular space, independent of any approval conferred upon the building and the land pursuant to division 3.3 and of a zoning certificate issued for the building and the land, shall be required.
 - c. A zoning certificate shall be required for any use of land or buildings located in residential zoning districts, which involve the conduct of a commercial or other non-residentially allowed uses of land or buildings.

* * * * *

SUBSECTION 3.F. AMENDMENTS TO ARCHITECTURAL AND SITE DESIGN STANDARDS AND GUIDELINES FOR COMMERCIAL BUILDINGS AND PROJECTS DIVISION

Division 2.8., Architectural And Site Design Standards And Guidelines For Commercial Buildings And Projects, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 2.8. ARCHITECTURAL AND SITE DESIGN STANDARDS AND GUIDELINES FOR COMMERCIAL BUILDINGS AND PROJECTS

Sec. 2.8.2. Applicability.

Provisions of this division are applicable in all commercial zoning districts, commercial and non-residential components of PUD districts, DRIs, business park districts, ~~and~~ industrial zoned areas and all other zoning districts for non-residential developments and buildings fronting on arterial or collector roads as described by the transportation circulation element of the growth management plan, when located in the urban residential areas as indicated on the future land use map of the growth management plan, as provided below:

* * * * *

2.8.2.5. Non-commercial development: Non-commercial use applications shall demonstrate that the intent of this section can be effectively accomplished without meeting the specific development standards of this section. Designs which are responsive to the context and proposed use and demonstrate a well considered design theme may request an administrative review of the alternative approach and design. In addition to the base submittal requirements, applicants shall clearly label the plan submitted as an “Alternative Architectural Design Standards Plan” and shall reference the requested deviations on the plan and shall submit a descriptive narrative which specifically identifies the code development standards required by this section which is/are being proposed to be addressed through the alternative approach. Supplemental submittal and narrative descriptions must be provided which supports the applicant’s submission. The planning services director will administratively review submittal documents for consistency with the intent of this section and if the plan is approved through this provision, shall specifically note the approved deviations and the basis of the approval within the site development plan approval letter. Deviations approved shall be applicable only to the specific design and plan reviewed. Modifications of an approved design shall void the administrative approval of the deviation and require resubmittal of the deviation request to Planning services staff for re-evaluation of the request in the context of the amended design and plan.

* * * * *

SUBSECTION 3.G. AMENDMENTS TO SUBDIVISIONS DIVISION

Division 3.2., Subdivisions, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 3.2. SUBDIVISIONS

Sec. 3.2.7 Preliminary Subdivision plat.

* * * * *

3.2.7.1.11. The location and width of all proposed streets, alleys, rights-of-way, easements and their purpose along with the proposed layout of the lots and blocks. Proposed street names shall be identified on all public or private thorough-fares. Typical right-of-way and pavement cross sections shall be graphically illustrated on the preliminary subdivision plat, showing the location of sidewalks, bikepaths and

utilities. If not previously determined during the rezoning process, it shall be determined whether the streets are to be public or private.

* * * * *

Sec. 3.2.8. Improvement plans.

3.2.8.3.20 *Street lighting.* Streetlights shall be designed and installed utilizing the guidelines of the IES standards for each street intersection, at required intervals along each street not to exceed 400 feet and at the end of each cul-de-sac, and may be required at intervals along each street. Such lights may be required on interior streets, alleys, boundary streets, access paths, and the like.

The standards for this street lighting are: (per IESNA RP-8-00)

1. A minimum of 1.4 foot-candles at the center of each internal project intersection is required.
2. A minimum of 1.4 foot-candles along internal roadways is recommended but not required.
3. At the entry/exit of any subdivision located on a county collector or arterial street the following standards shall apply:
 - a) At the points where the edges of pavement of the entrance road meet the right-of-way line, the illumination level shall be 2.0 foot candles minimum.
 - b) At the centerline of the entrance road and a minimum of right-of-way line, the illumination level shall be 3.5 foot-candles.

All light levels shall be measured at a minimum of approximately 4 feet above the pavement on a moonless night.

* * * * *

Whenever, in the opinion of the site development review director, based on an engineer’s determination, a dangerous condition is created by sharp curves, irregularities in street alignment, or other similar circumstances, additional lights may be required. Streetlights and mounting poles shall be wired for underground service. All conduits and casing to be placed under the roadway required for the lights must be installed during each construction phase prior to roadway subbase completion. Streetlights shall be designed and installed in either of two ways:

* * * * *

3.2.8.3.24. *Utility casings.* Subdivisions or developments providing water services shall install no less than ~~three-inch~~ four-inch conduits to each alternate lot on the opposite side of the street from the main distribution line for each street prior to the completion of roadway construction or as required by applicable utility. Additionally, all casings for irrigation facilities, street lighting and other utility services such as electric, telephone, cable television, and the like shall be placed under all proposed streets prior to the completion of the stabilized subgrade.

* * * * *

SUBSECTION 3.H. AMENDMENTS TO SITE DEVELOPMENT PLANS DIVISION

Division 3.3., Site Development Plans, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 3.3. SITE DEVELOPMENT PLANS

Sec. 3.3.3. Applicability.

All development, except as otherwise provided herein, is subject to the provisions of this division. The provisions of this division shall not apply to the following land use activities and represents the sole exceptions therefrom:

- 1) Single-family detached and two-family housing structure(s) on a lot(s) of record except as otherwise provided at section 2.6.27 (cluster development).
- 2) Underground construction; utilities, communications and similar underground construction type activities.
- 3) Accessory and ancillary facilities for a golf course such as restrooms, irrigation systems, pump-houses where a preliminary work authorization has been entered into with the county except where a site alteration permit is required by this code.
- 4) Construction trailers and storage of equipment and materials following issuance of a building permit for the use to which said activities are a function of, except as otherwise provided by section 2.6.33.
- 5) Model homes and sales centers, except as otherwise provided by section 2.6.33.
- 6) Project entryway signs, walls, gates and guardhouses.

* * * * *

SUBSECTION 3.I. AMENDMENTS TO EXPLOSIVES DIVISION

Division 3.4., Explosives, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 3.4. EXPLOSIVES

Sec. 3.4.5. Permit application requirements and conditions.

* * * * *

3.4.5.1.10. ~~Distance between the blasting site and all neighboring properties~~ Blasting activities will not be permitted within 350 feet of any existing structures, structures under construction, or within 350 feet of public roadways.

* * * * *

Sec. 3.4.13. Restrictions for the use and handling of explosives.

* * * * *

The following requirements shall apply to all blasting within the urban boundaries of the county:

- a) Overburden shall not be removed prior to blasting. When overburden exceeds four feet of depth, a minimum of four feet of overburden shall remain in place prior to blasting.
- b) Stem all blast holes within 1000 feet of the nearest structure based on a GPS measurement with 89 stone or approved equal material ~~shall be stemmed~~ to confine the gaseous products of detonation.

Words ~~struck through~~ are deleted, words underlined are added.

- c) The “borehole” surrounding the blast tube shall be backfilled to ensure stability of the ground surface.
- d) All surface detonators shall be covered or buried.
- e) All charges shall be at (originally placed) proper depth prior to the detonation of multiple blast.

* * * * *

SUBSECTION 3.J. AMENDMENTS TO EXCAVATION DIVISION

Division 3.5., Excavation, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 3.5. EXCAVATION

Sec. 3.5.7. Construction requirements for the construction of excavations.

* * * * *

3.5.7.3.1. *Maximum.* Private and development excavations shall not exceed ~~42~~ 20 feet in depth unless computations using the “fetch formula” of maximum depth =5 feet + (0.015) x (mean fetch in feet) indicate that deeper depths are feasible. The mean fetch shall be computed as follows: (A+B)/2 where “A” is the average length parallel to the long axis of the excavation and “B” is the average width of the excavation as measured at right angles to the long axis.

* * * * *

Sec. 3.5.8. Inspection and reporting requirements.

3.5.8.2.1. *Status reports.* The permittee shall provide the ~~development services director~~ community development and environmental services administrator, or his designee, with an excavation activities status report as follows:

1. *Private excavations.* A final status report within 30 days after the final completion of the excavation.
2. *Development and commercial excavations.* An annual status report every 12 months over the duration of the permit and a final status report within 30 days after the final completion of each phase of the excavation. If a final status report will be filed within four months of the required annual status report, then the need for the preceding annual status report shall be waived.

The final ~~or annual~~ status report shall consist of no less than the following information, and such other information as may be deemed necessary by the ~~development services director~~ community development and environmental services administrator, or his designee, to accurately determine the status of the excavation, its compliance with this division and the special conditions of the excavation permit:

- a. A sealed topographic survey prepared by the project’s surveyor/engineer, containing the following:
 - (1) A baseline along the top of the perimeter of the excavation, clearly referenced to known points and adjacent property or tract lines, if appropriate, with right angle cross sections taken which clearly show the as-built side slope and depth of the excavation at each station. Unless otherwise approved by the development services director, cross sections shall be taken every 100 feet on

excavations less than five acres, and every 300 feet on excavations over five acres. Partial cross sections showing the as-built side slopes will be necessary on the ends of the excavation and around the perimeter of the excavation where due to its irregular shape, the base line right angel cross sections do not accurately depict the actual constructed slopes. The cross section survey data shall be plotted at an appropriate scale and the as-built side slope ratio computed for each of the segments between the survey data points. The approved design cross section, including the breakpoints, shall be superimposed on each as-built cross section to facilitate visual verification of substantial compliance with provisions of the division. Side slopes shall be graded to within a reasonable tolerance as will be determined by the development services director, depending upon local site conditions.

- (2) On all planned unit development or subdivision projects, the outline of the excavations top-of-bank shall be accurately plotted and referenced to known control points in order that:
 - (a) The surface area can be verified as meeting size and retention/detention storage needs. The computed surface area at control elevation shall be shown to the nearest tenth of an acre.
 - (b) It can be determined that the excavation was constructed within easements dedicated for that purpose.

~~(3) The location of all excavated materials stockpiled on the property.~~

~~(3)~~ (4) Calculation of value of excavated material as follows:
 Cubic yards used on site + Cubic yards removed from site + Cubic yards remaining on site in stockpiles = Total cubic yards excavated. ~~during reporting period.~~

* * * * *

d. ~~If the excavation is incomplete, a written statement by the permittee stating the anticipated date of final completion of the excavation. The annual status report shall consist of no less than the following information, and such other information as may be deemed necessary by the community development and environmental services administrator, or his designee, to accurately determine the status of the excavation, its compliance with this division and the special conditions of the excavation permit:~~

- (1) An annual aerial photograph with a scale of no less than one-inch equals 200 feet.
- (2) Depth of excavation soundings taken on a 300 foot grid.
- (3) The property lines of the commercial excavation site as shown on an aerial photograph.
- (4). At the completion of any lake or phase of the excavation permit, a sealed topographic map by the project surveyor/engineer shall be submitted in conformance to the preceding section 3.5.8.2.1, 2.a.(1).

* * * * *

SUBSECTION 3.K. AMENDMENTS TO VEGETATION REMOVAL, PROTECTION AND PRESERVATION DIVISION

Division 3.9., Vegetation Removal, Protection And Preservation, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 3.9. VEGETATION REMOVAL, PROTECTION AND PRESERVATION

Sec. 3.9.6. Review procedures.

* * * * *

Sec. 3.9.6.6.6. In addition to the other requirements of this division, the applicant shall be required to remove on single-family and two-family lots for all new ~~dwelling units~~ principal or accessory structures and major additions to any principal or accessory structures, all prohibited exotic vegetation before a certificate of occupancy is granted. The removal of prohibited exotic vegetation shall be required in perpetuity. Upon issuance of a vegetation removal permit, prohibited exotic vegetation may be removed from lots which are zoned residential single-family (RSF), estates (E), village residential (VR), and mobile home (MH), prior to issuance of a building permit.

* * * * *

SUBSECTION 3.L. AMENDMENTS TO SEA TURTLE PROTECTION DIVISION

Division 3.10., Sea Turtle Protection, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 3.10. SEA TURTLE PROTECTION

Sec. 3.10.9. Permits and fees.

* * * * *

~~3.10.9.3. *Nest relocation.* If the site development review director or his or her designee finds that it is necessary for a nest to be relocated away from a construction area, then only the site development review director or his or her designee or an individual possessing a turtle handling permit shall move the nest. Where the site development review director or his/her designee who possesses a Florida Marine Turtle permit moves a sea turtle nest the cost to the landowner shall be the fee established by resolution of the board of county commissioners. A nest that is more than 12 hours old shall not be relocated under any circumstances.~~

* * * * *

SUBSECTION 3.M. AMENDMENTS TO ENDANGERED, THREATENED, OR LISTED SPECIES PROTECTION DIVISION

Division 3.11., Endangered, Threatened, Or Listed Species Protection, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 3.11. ENDANGERED, THREATENED, OR LISTED SPECIES PROTECTION

Sec. 3.11.3. New and existing development.

For new and existing development and construction pursuant to divisions 3.2, 3.3 and 3.9 of this code, and the building code of Collier County, until permanent guidelines and standards are adopted by Collier County, the following shall apply as interim guidelines or standards for the protection of endangered species, threatened species and species of special concern as prescribed by Goal 7 and associated objectives and policies, as amended, of the conservation and coastal management element of the Collier County growth management plan:

3.11.3.1. Plans shall be submitted for review and subject to approval by the planning services department of the community development and environmental services division, for the management of habitat and wildlife, including measures for protection and/or relocation of endangered and threatened species and species of special concern. The county shall consider and may utilize recommendations and letters of technical assistance of the FFWCC, and recommendations and guidelines of the USFWS, in issuing development orders on property containing endangered and threatened species and species of special concern. Such plans shall comply with current federal, state and local ordinances and policies.

3.11.3.2. ~~Federal habitat management guidelines for the bald eagle (*Haliaeetus leucocephalus*) and the woodstork (*Mycteria americana*) in the Southeast Region, published and issued by the USFWS, shall be adopted as guidelines for minimum standards to maintain or improve the environmental conditions that are required for the survival and well being of bald eagles and woodstorks.~~

The USFWS South Florida Multi-Species Recovery Plan (dated May 1999, and as amended) shall be adopted as the minimum guideline or standard to preserve or improve the environmental conditions required for the protection and recovery of the West Indian manatee (*Trichechus manatus*), Florida panther (*Puma concolor coryi*), Audubon's crested caracara (*Polyborus plancus audubonii*), Bald eagle (*Haliaeetus leucocephalus*), Florida scrub jay (*Aphelocoma coerulescens*), Piping plover (*Charadrius melodus*), Wood stork (*Mycteria americana*), Roseate tern (*Sterna dougalli dougalli*), Red-cockaded woodpecker (*Picoides borealis*), American crocodile (*Crocodylus acutus*), Eastern indigo snake (*Drymarchon corais couperi*), Green sea turtle (*Chelonia mydas*), Kemp's ridley sea turtle (*Lepidochelys kempii*), Leatherback sea turtle (*Dermochelys coriacea*), and Loggerhead sea turtle (*Caretta caretta*).

Until the adoption of federal guidelines for any of the above listed species, the developer shall be responsible for the development of a protection plan for conservation and management of these species.

~~3.11.3.3. Until the adoption of federal guidelines for the red-cockaded woodpecker (*Picoides borealis*) and Florida panther (*Felis concolor coryi*), the developer shall be responsible for the development of a protection plan for conservation and management of these species.~~

3.11.3.3. Until the adoption of State of Florida guidelines for the protection of all State listed species, as listed in "Florida's Endangered Species, Threatened Species and Species of Special Concern" authored by Florida Fish and Wildlife Conservation Commission, the developer shall be responsible for the development of a protection plan for conservation and management of these species.

3.11.3.4 Gopher Tortoise (*Gopherus polyphemus*)

(1) All gopher tortoises, their habitats and the associated comensals are hereby protected, and it is expressly prohibited to harass, molest, hunt or

~~remove any such tortoise from its natural habitat, or to utilize such tortoises in any gaming event, unless otherwise provided for in this section.~~ It is expressly prohibited to take, which means to harass, harm, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in any such conduct any gopher tortoise and to alter, destroy or degrade the functions and values of their natural habitat, unless otherwise provided for in this section.

- (2) All gopher tortoise burrows are protected and it is prohibited to intentionally destroy or ~~molest take one~~ any such burrow by any means, unless otherwise provided for in this section.
- (3) Provision is hereby made to allow personnel authorized by ~~the United States Fish and Wildlife Service,~~ Florida Fish and Wildlife Conservation Commission ~~and~~ or Collier County to house and relocate tortoises as necessary and provided for in this section.
- (4) When gopher tortoises are identified on a site, a protection/management plan or off site relocation plan shall be submitted to the planning services department of the community development and environmental services division, for review and approval. This shall apply to all new development and site improvements. It shall also apply to substantial amendments to existing development and site improvements, where gopher tortoise protection/management plans have not been previously approved by Collier County planning services staff.
The protection/management plan shall include, but not be limited to the following items: 1) a current gopher tortoise survey, which shall be field-verified by planning services staff; 2) a proposal for either maintaining the population in place or relocating it; 3) a site plan identifying the boundaries of the gopher tortoise preserve; 4) the method of relocation if necessary; 5) the proposed supplemental plantings if needed; 6) a detail of the gopher tortoise preserve fencing; 7) an annual maintenance plan describing exotic removal and possible additional plantings in the future and 8) identification of persons responsible for the initial and annual protection/management of the tortoises and the preserve area. Suitable gopher tortoise habitat shall be designated on the site plan at the time of the first development order submittal. Suitable habitat preserved on site shall be credited to the preservation requirement as specified in section 3.9.5. of this code.
- (5) Suitable habitat shall be defined as having the following characteristics: 1) the presence of well-drained, sandy soils, which allow easy burrowing for gopher tortoises, 2) appropriate herbaceous ground cover (if not present, supplemental food sources shall be planted), 3) generally open canopy and sparse shrub cover which allow sufficient sunlight to reach the ground, and 4) typically, includes the presence of an existing gopher tortoise population.

Off site relocation plans may be permitted to meet all or part of the on-site gopher tortoise habitat preservation requirements under the following circumstances:

- a.) Where suitable habitat ~~cannot be provided~~ does not exist on-site; or,
- b.) Where a property owner meets the minimum on-site native vegetation preservation requirements of this code with jurisdictional wetlands and ~~thus~~ does not provide appropriate habitat for gopher tortoises as described above; or,
- e.) ~~Where a site is less than ten acres in size and based upon the above formula, the on-site preserve would exceed fifteen percent of the gross site acreage; or~~
- d) c) Where scientific data has been presented to ~~in the opinion of~~ the community development and environmental services administrator,

or his designee, and an environmental professional opinion is rendered that the requirement to provide the required on-site gopher tortoise habitat preservation area will not be conducive to the long term health of the on site population of tortoises.

If an off site relocation plan is authorized under one or more of the above conditions, approval of such a plan and associated State permit, shall be obtained from the Florida fish and wildlife conservation commission. Where appropriate, a combination of on-site preservation and off-site relocation may be considered.

* * * * *

- (9) Exemptions. Single family platted lots, 7.5 acres or less in size, shall be exempt from the requirements set forth in subsection 3.11.3.4 (4), when these lots are not a part of a previous development which has been required to comply with subsection 3.11.3.4 (4). However, gopher ~~tortises~~ tortoises shall be protected pursuant to paragraphs 1, ~~and 2 and 3~~ 2 and 3 of this section.

Sec. 3.11.4. Penalties for violation: resort to other remedies.

Violation of the provisions of this division or failure to comply with any of its requirements shall constitute a misdemeanor. Any person or firm who violates this division or fails to comply with any of its requirements shall upon conviction thereof be fined, or imprisoned, or both, as provided by law. Each day such violation continues shall be considered a separate offense. Each taking of a gopher tortoise shall constitute a separate violation. It is not the intent to include tortoises that may be accidentally injured or killed during an approved relocation procedure that is done by a qualified consultant, in accordance with their protection/management plan. Any other person, who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided. The county, in addition to the criminal sanctions contained herein, may take any other appropriate legal action, including but not limited to injunctive action, to enforce the provisions of this division.

* * * * *

SUBSECTION 3.N. AMENDMENTS TO VEHICLE ON THE BEACH REGULATIONS DIVISION

Division 3.14., Vehicle On The Beach Regulations, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 3.14. VEHICLE ON THE BEACH REGULATIONS

Sec. 3.14.3. Exceptions; permit.

* * * * *

3.14.3.4 Vehicle-on-the-beach permits issued in conjunction with special or annual beach events: Vehicles which are used in conjunction with functions on the beach, as permitted by an approved special event temporary use permit, or annual beach events permit, are exempt from the provisions of this division if a vehicle-on the-beach permit has been granted by the planning services director or his designee. All permits issued are subject to the following conditions and limitations:

3.14.3.4.1. The use of vehicles shall be limited to set-up and removal of equipment for the permitted function.

- 3.14.3.4.2. Said permits shall be prominently displayed on the vehicle and kept with the vehicle and available for inspection;
- 3.14.3.4.3. The types of vehicles permitted for this use may include ATVs, non-motorized handcarts or dollies, and small utility wagons, which may be pulled behind the ATVs.
- 3.14.3.4.4. All vehicles shall be equipped with large pneumatic tires inflated to no more than 10 (PSI) pounds per square inch.
- 3.14.3.4.5. Permits shall only be issued for ATVs when current planning section staff has determined that: 1) due to the distance and the excessive weight of the equipment to be moved that it would be prohibitive in nature to use push carts or dollies; or 2) a limited designated work area has been established at the foot of the dune walkover for loading and unloading and the ATV use is restricted to that limited area.
- 3.14.3.4.6. When not in use all vehicles shall be stored off the beach;
- 3.14.3.4.7. Use of such vehicles on the beach shall be prohibited during sea turtle nesting season.
- 3.14.3.5. *Vehicle-on-the-beach permits issued in conjunction with permanent concession facilities:* Vehicle on the beach permits issued in conjunction with permanent concession facilities shall be exempt from the provisions of this division if a vehicle-on-the-beach permit has been granted by the planning services director, or his designee. Vehicles which are used in conjunction with approved permitted beach concession activities may be used to set up concession equipment and may be used to remove the equipment from the beach and return it to the approved storage area, subject to the following conditions and limitations:
- 3.14.3.5.1. The types of vehicles permitted for this use may include ATVs, non-motorized handcarts or dollies, and small utility wagons, which may be pulled behind the ATVs.
- 3.14.3.5.2. Said permit shall be prominently displayed on the vehicle and kept with the vehicle and available for inspection.
- 3.14.3.5.3. All vehicles shall be equipped with large pneumatic tires inflated to no more than 10 PSI.
- 3.14.3.5.4. Permits shall only be issued for ATVs when one of the following criteria has been met:
- 1) Evidence has been provided that there is a need to move equipment which, due to the excessive weight and distance of equal to or greater than 200 feet, would be prohibitive in nature to move with push carts or dollies.
 - 2) A limited designated work area has been established at the foot of the dune walkover for loading and unloading and the ATV use is restricted to that limited, identified area.
- 3.14.3.5.5. When not in use all vehicles shall be stored off the beach.
- 3.14.3.5.6. These vehicles may not be used for transportation of persons or equipment throughout the day. The permit shall designate a limited time for equipment set-up and for the removal of the equipment at the end of the day.
- 3.14.3.5.7. Use of such vehicles on the beach shall be prohibited during sea turtle nesting season.
- 3.14.3.6. *Vehicle-on-the-beach permits for other routine functions associated with permitted uses of commercial hotel property:* Vehicles which are used in

conjunction with tasks such as routine equipment set-up that cannot reasonably be accomplished without the use of such vehicle due to size, weight and volume, shall be exempt from the provisions of this division if a vehicle-on-the-beach permit has been granted by the planning services director, or his designee, subject to the following conditions and limitations:

- 3.14.3.6.1. Use of the vehicle shall be limited to a one-time set up and a one-time removal of equipment each day.
- 3.14.3.6.2. Said permit shall be prominently displayed on the vehicle and kept with the vehicle and available for inspection.
- 3.14.3.6.3. The types of vehicles permitted for this use may include ATVs, non-motorized handcarts or dollies.
- 3.14.3.6.4. Permits shall only be issued for ATVs when one of the following criteria has been met:
 - 1) Evidence has been provided that there is a need to move equipment which, due to the excessive weight and distance of equal to or greater than 200 feet, would be prohibitive in nature to move with push carts or dollies.
 - 2) A limited, designated work area has been established at the foot of the dune walkover for loading and unloading and the ATV use is restricted to that limited, identified area.
- 3.14.3.6.5. All vehicles shall be equipped with large pneumatic tires inflated to no more than 10 PSI.
- 3.14.3.6.6. When not in use all vehicles shall be stored off the beach.
- 3.14.3.6.7. Use of such vehicles on the beach shall be prohibited during sea turtle nesting season.

* * * * *

SUBSECTION 3.O: AMENDMENTS TO APPENDICES SECTION

Appendix B, Typical Street Sections And Right-Of-Way Design Standards, is hereby amended by replacing the existing Appendix B, Typical Street Sections And Right-Of-Way Design Standards, illustrations with revised Appendix B, Typical Street Sections And Right-Of-Way Design Standards illustrations attached hereto and incorporated herein by reference as Exhibit “B”.

SECTION FOUR: AMENDMENTS TO ZONING ATLAS MAPS

The Zoning Atlas Maps numbered [0633N, 0633S,GGE22, 8517S, 6931N, 6933S, 7904N, 482930, 8529N, 7904S, 9621N, 9622S, 0629N, 0501S, 9523S, 9621S] attached hereto and incorporated herein by reference are hereby amended as depicted upon such maps and attached hereto as Exhibit “A”. The effect of the amendment is to rezone the sixteen park sites to the “P” Public Use District.

SECTION FIVE: CONFLICT AND SEVERABILITY

In the event this Ordinance conflicts with any other Ordinance of Collier County and other applicable law, the more restrictive shall apply. If any phrase or portion of the Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION SIX: INCLUSION IN THE COLLIER COUNTY LAND DEVELOPMENT CODE

The provisions of this Ordinance shall become and be made a part of the Land Development Code of Collier County, Florida. The sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

SECTION SIX: EFFECTIVE DATE

This Ordinance shall become effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 13th day of Dec, 2000.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

BY: [Signature]
JAMES D. CARTER, Ph D., CHAIRMAN



ATTEST:

[Signature]
DWIGHT E. BROCK, CLERK Attest as to Chairman's signature only.

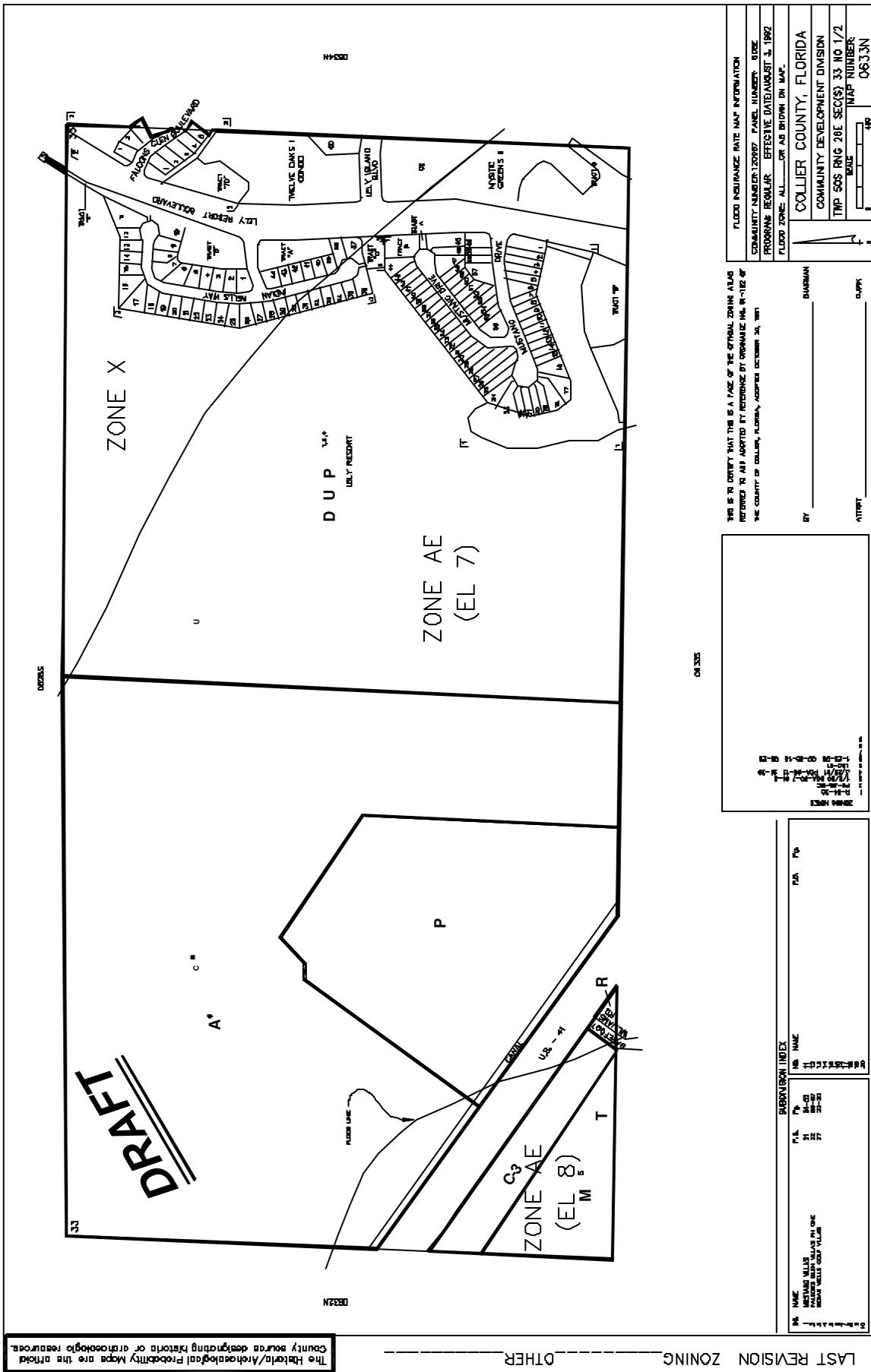
Approved As To Form And Legal Sufficiency

[Signature]
Marjorie M. Student
Assistant County Attorney

This ordinance filed with the Secretary of State's Office the 20th day of Dec, 2000 and acknowledgement of that filing received this 22nd day of Dec, 2000
By [Signature]
Deputy Clerk

HA LDC CYCLE 2 - 2000/LDC ORD CYCLE 2 - 2000

EXHIBIT “A”



The Historic/Archaeological/Prehistoric Information or Archaeologic Resources. County boards designating historic or archaeological resources.

LAST REVISION ZONING _____ OTHER _____

FLOOD INSURANCE RATE MAP INFORMATION	
COMMUNITY NUMBER: 20927	PANEL NUMBER: 026
PROGRAM: RESURF	EFFECTIVE DATE: AUGUST 31, 1992
FLOOD ZONE: ALL OR AS SHOWN ON MAP.	
COLLIER COUNTY, FLORIDA	
COMMUNITY DEVELOPMENT DIVISION	
TRIP 505 (ING 20E SEC 33 NO 1/2)	
MAP NUMBER: 0633N	

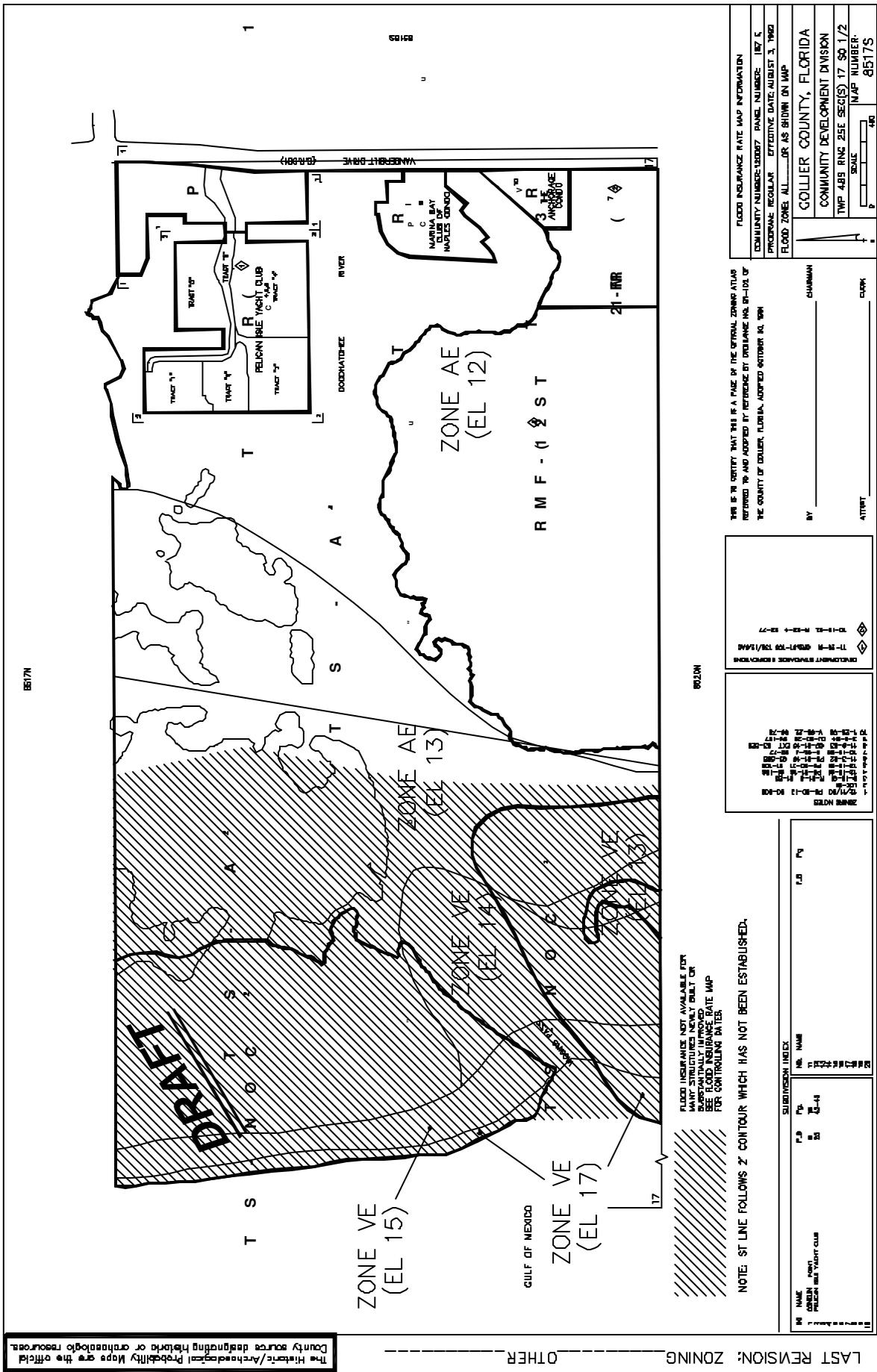
THIS IS TO CERTIFY THAT THIS IS A PAGE OF THE OFFICIAL ZONING MAPS REPRODUCED BY THE COUNTY OF COLLIER, FLORIDA, ADDRESS OCTOBER 30, 1991.

BY: _____ CHAIRMAN

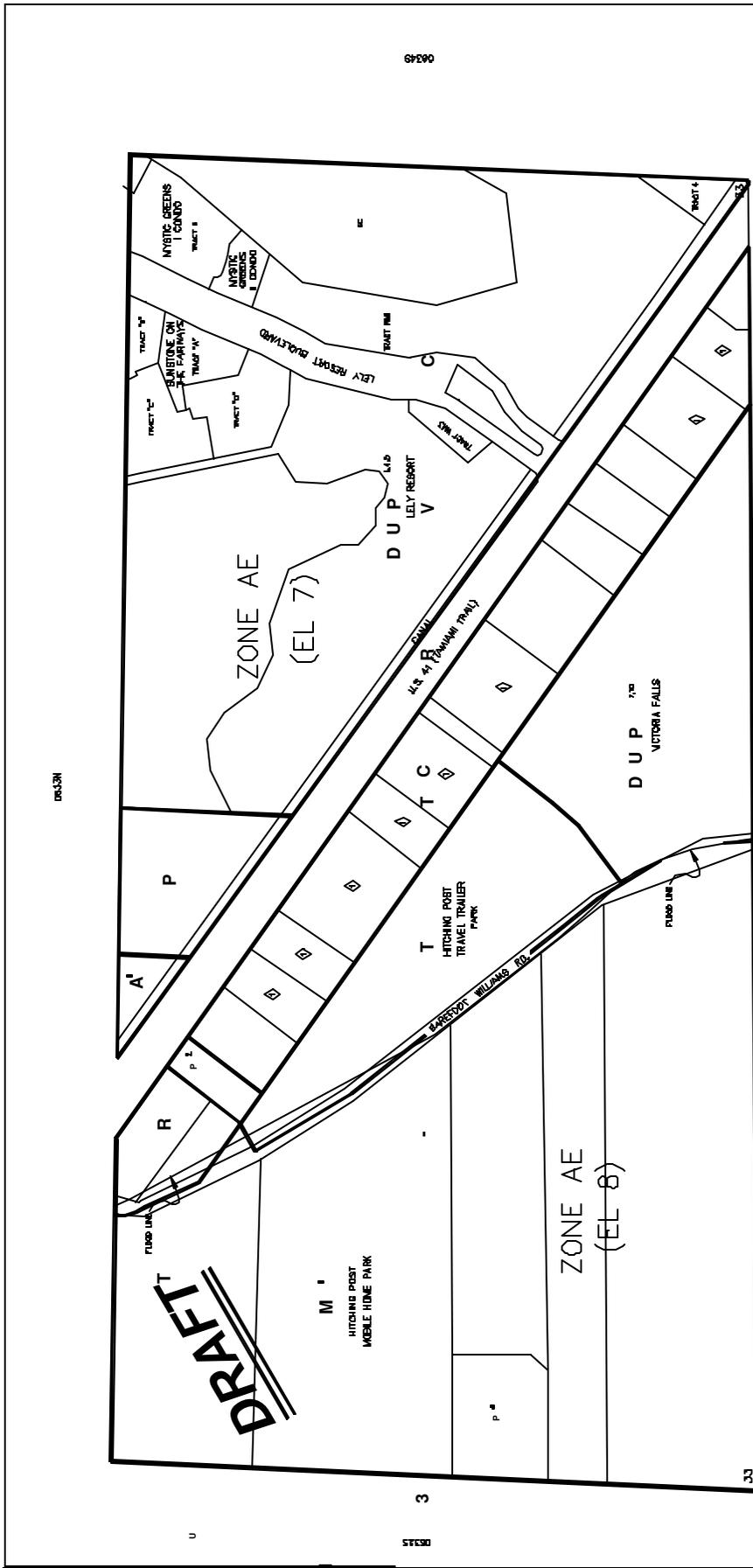
ATTN: _____ CLERK

SUBDIVISION INDEX	
P.L.	P.A.S.
11	12
13	14
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17	18
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21	22
23	24
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99	100

NO. NAME	P.L.	P.A.S.
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34	77	78
35	79	80
36	81	82
37	83	84
38	85	86
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40	89	90
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42	93	94
43	95	96
44	97	98
45	99	100



The Historic/Archaeological Historic or Archaeological resources.
 County source designating Historic or Archaeological resources.



LAST REVISION: ZONING: OTHER

FLOOD INSURANCE RATE MAP INFORMATION	
COMMUNITY NUMBER: 12067	PANEL NUMBER: 066 E
PROGRAM: REGULAR	EFFECTIVE DATE: AUGUST 3, 1982
FLOOD ZONE: ALL OR AS SHOWN ON MAP	
COLLIER COUNTY, FLORIDA	
COMMUNITY DEVELOPMENT DIVISION	
TWP 005 RING 26E SEC(S) 33 50 1/2	MAP NUMBER 06335

THIS IS TO CERTIFY THAT THIS IS A PAGE OF THE OFFICIAL ZONING ATLAS REPRODUCED AND ADAPTED BY ORDINANCE NO. 8-100 OF THE COUNTY OF COLLIER, FLORIDA, ADOPTED OCTOBER 20, 1981.

BY: _____ DE MAN

ATTEST: _____ CLERK

150441

DEVELOPING ENGINEERING WORKS

1-20-81 7-23-81 8-2-81

ZONING NOTES

1. ALL ZONING CHANGES MUST BE APPROVED BY THE ZONING BOARD.

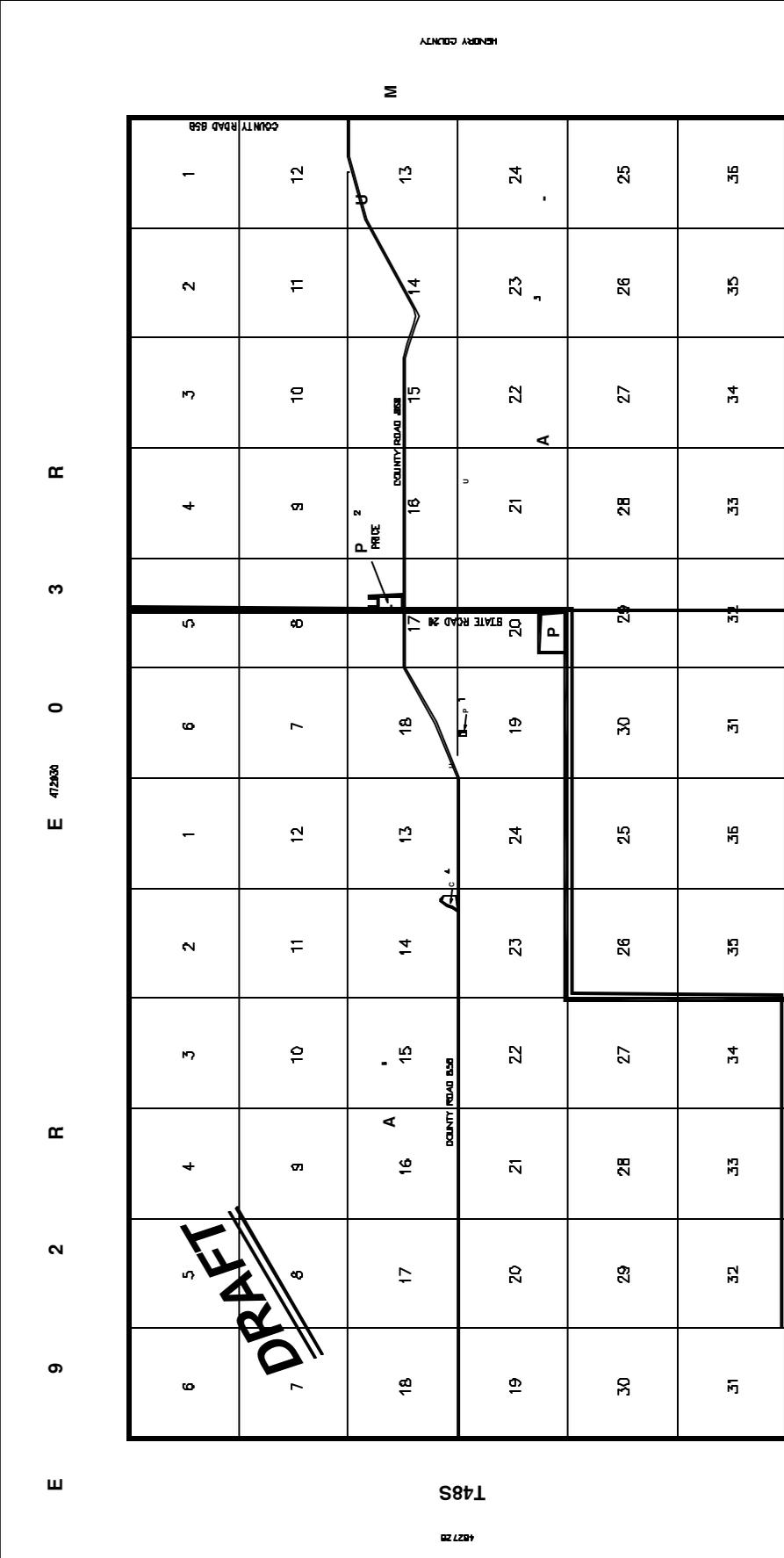
2. ALL ZONING CHANGES MUST BE APPROVED BY THE PLANNING BOARD.

3. ALL ZONING CHANGES MUST BE APPROVED BY THE COMMISSIONERS.

4. ALL ZONING CHANGES MUST BE APPROVED BY THE PEOPLE.

NO	NAME	P.D.	P.N.	DATE	BY
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The Historic/Archaeological Probability Maps are the official County source designating historic or archaeological resources.



INDICATES SPECIAL TREATMENT OVERLAY

THIS IS TO CERTIFY THAT THIS IS A PAGE BY THE ORIGINAL ZONING STATUS REFERRED TO AND ADOPTED BY RESOLUTION BY ORDINANCE NO. 04-101 OF THE COUNTY OF COLLIER, FLORIDA, ADOPTED OCTOBER 30, 2004

FLOOD INSURANCE RATE MAP INFORMATION
 COMMUNITY NUMBER: 22007 PANEL NUMBER: 2700000
 PROGRAM: REGULAR EFFECTIVE DATE: JUNE 3, 1998
 FLOOD ZONE: ALL D OR AS SHOWN ON MAP.

COLLIER COUNTY, FLORIDA
 COMMUNITY DEVELOPMENT DIVISION
 TWP 4 BS RING ZONE & 30E
 SCALE MAP NUMBER: 482930

BY: _____ CHAIRMAN
 ATTENT: _____ DECK

482930

1. 1/2" = 1' (Horizontal Scale)
 2. 1/4" = 1' (Vertical Scale)
 3. 1/8" = 1' (Diagonal Scale)
 4. 1/16" = 1' (Diagonal Scale)
 5. 1/32" = 1' (Diagonal Scale)
 6. 1/64" = 1' (Diagonal Scale)
 7. 1/128" = 1' (Diagonal Scale)
 8. 1/256" = 1' (Diagonal Scale)
 9. 1/512" = 1' (Diagonal Scale)
 10. 1/1024" = 1' (Diagonal Scale)

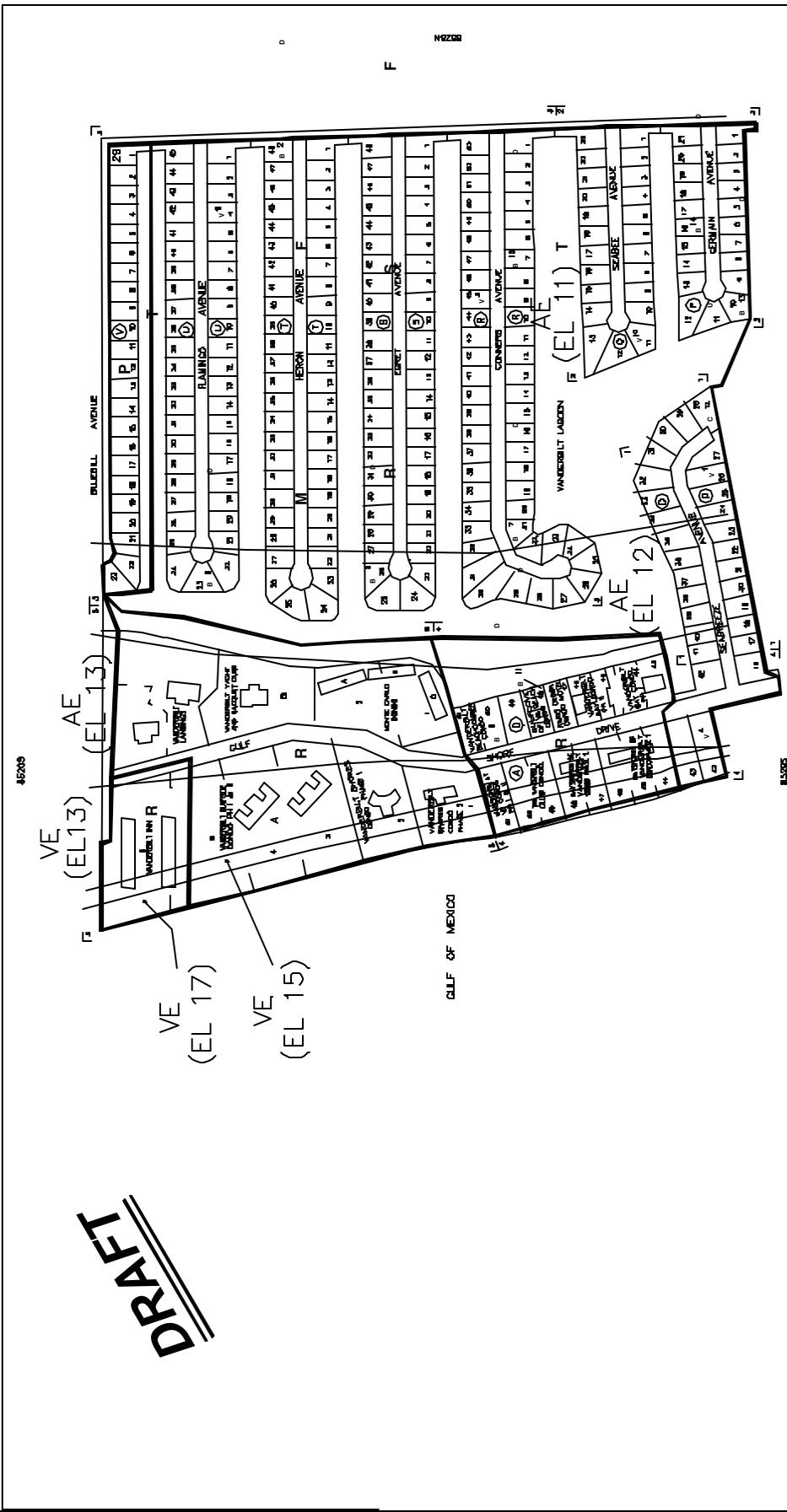
482728 T48S

NAME: _____
 NO: _____
 NAME: _____
 NO: _____
 NAME: _____
 NO: _____

LAST REVISION: ZONING OTHER

The Hazards/Archaeological Probability Maps are the official County source designating historic or archeologic resources.

DRAFT

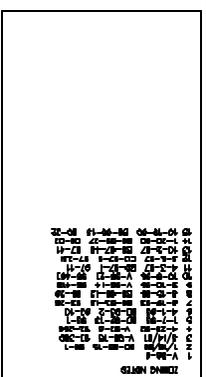


FLOOD INSURANCE RATE MAP INFORMATION	
COMMUNITY NUMBER 120067	PANEL NUMBER 149 E
PROGRAM REGULAR	EFFECTIVE DATE AUGUST 3, 1992
FLOOD ZONE ALL OR AS SHOWN ON MAP.	
COLLIER COUNTY, FLORIDA	
COMMUNITY DEVELOPMENT DIVISION	
TWP 46S R14D 25E SECS 28 AND 1/2	SCALE
MAP NUMBER	8529N

THIS IS TO CERTIFY THAT THIS IS A MAP OF THE ORIGINAL ZONING PLAN APPROVED AND ADAPTED BY RESOLUTION BY ORDINANCE NO. 11-100 OF THE COUNTY OF COLLIER, FLORIDA, ADOPTED OCTOBER 26, 1991.

BY _____ CHAIRMAN

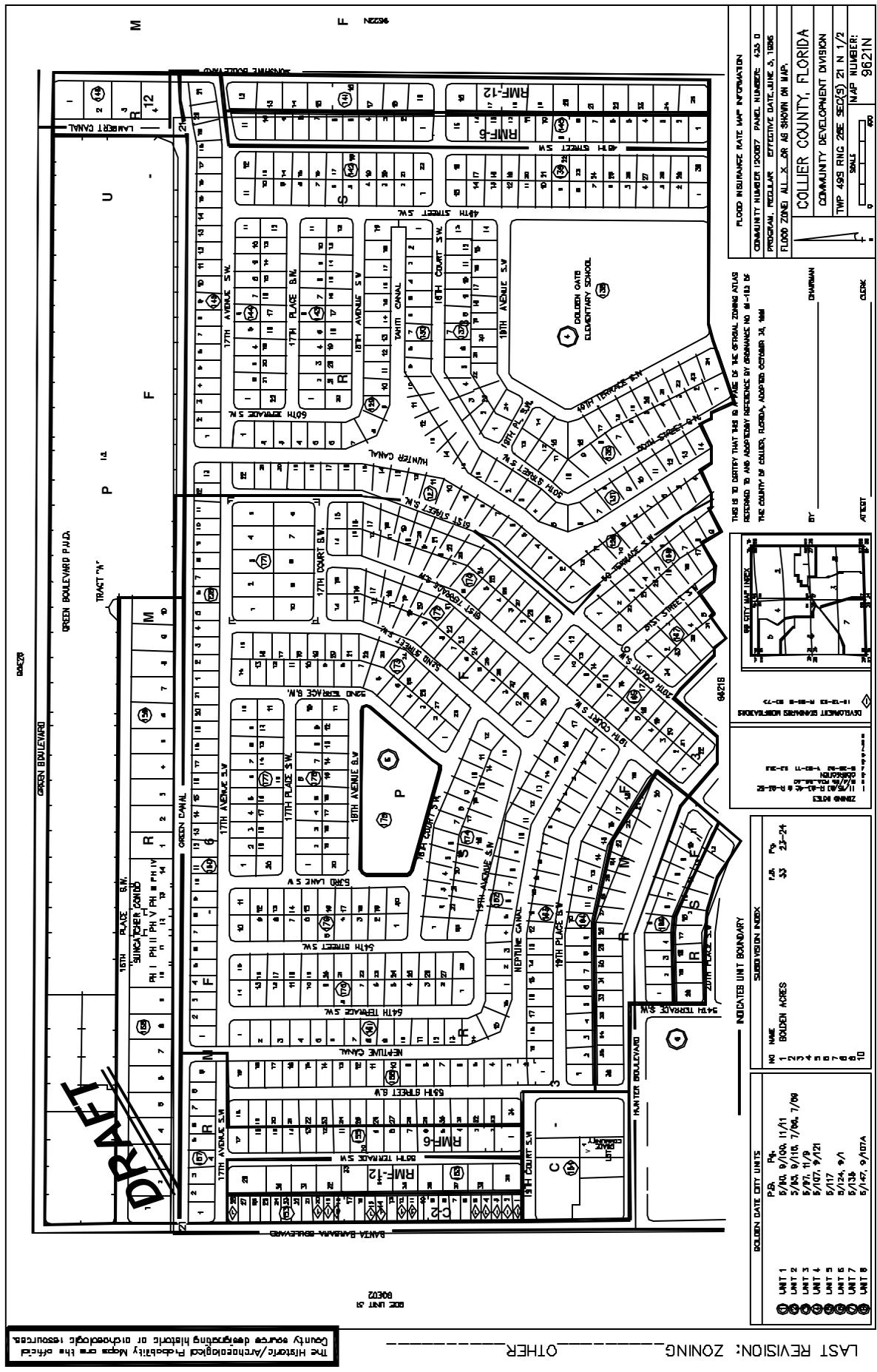
ATTEST _____ CLERK



NO	NAME	NO	NAME
1	VE (EL 13)	11	AE (EL 11)
2	VE (EL 17)	12	AE (EL 12)
3	VE (EL 15)	13	
4		14	
5		15	
6		16	
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10		20	

LAST REVISION: ZONING _____ OTHER _____

D
F
1



The Historic/Archaeological Probability Maps are the official County source designating historic or archeological resources.

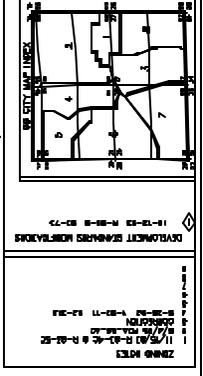
BE UNIT 2
00202

OTHER _____
LAST REVISION: ZONING _____

FLOOD INSURANCE RATE MAP INFORMATION	
COMMUNITY NUMBER (DODB7)	PANEL NUMBER: 435 D
PROGRAM: REGULAR	EFFECTIVE DATE: JUNE 15, 2005
FLOOD ZONE: ALL X, OR AS SHOWN ON MAP.	
COLLIER COUNTY, FLORIDA	
COMMUNITY DEVELOPMENT DIVISION	
TWP: 49S RING 28E SEC(5) 21 N 1/2	MAP NUMBER: 9621N
SCALE: 1" = 100'	80

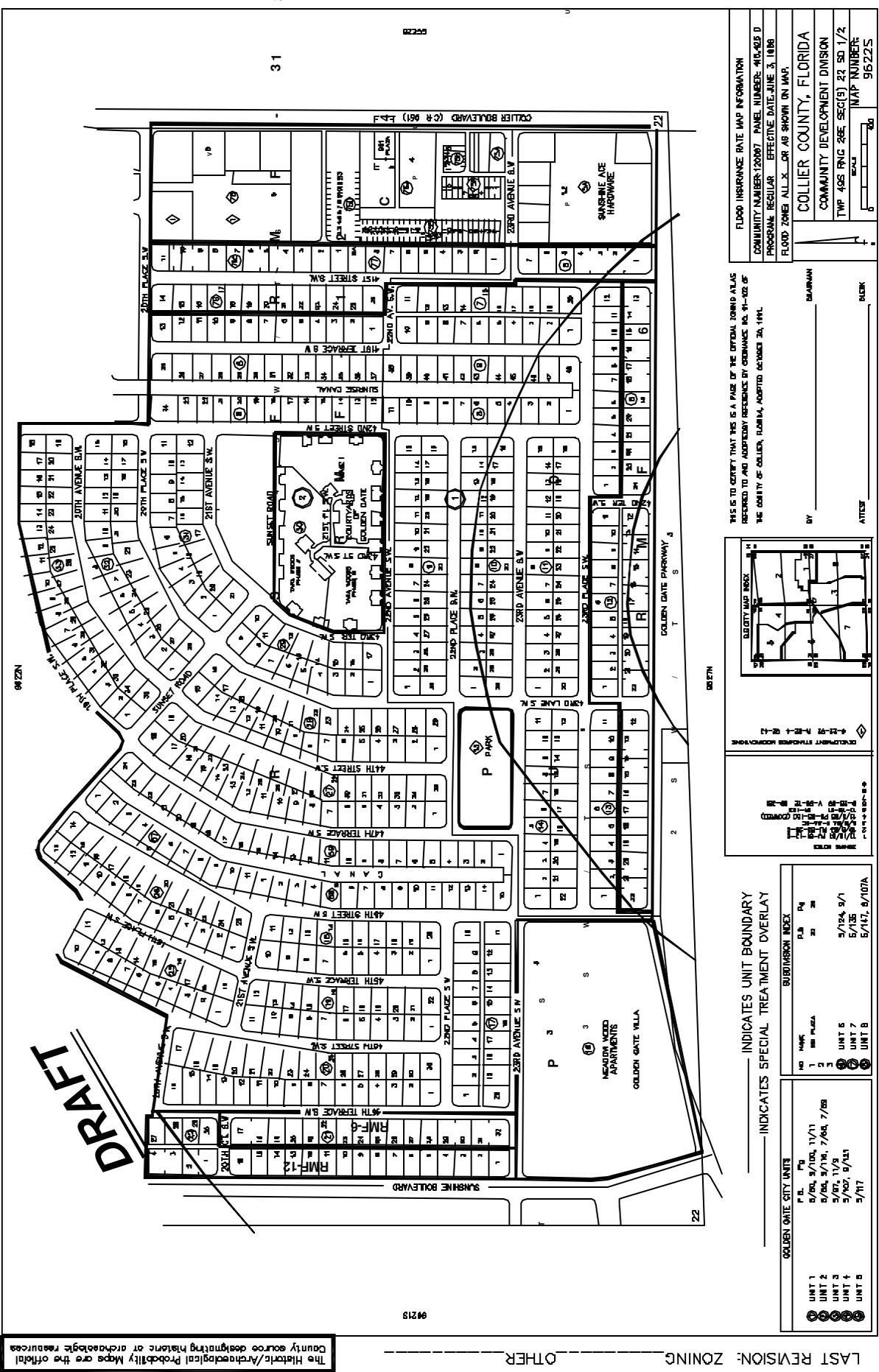
THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL ZONING ATLAS RETURNED TO AND ADDRESS BY REFERENCE BY ORDINANCE NO. 44-113 OF THE COUNTY OF COLLIER, FLORIDA, ADOPTED OCTOBER 30, 1988.

BY: _____ CHURMAN
ATTEST: _____ CLERK



INDICATED UNIT BOUNDARY	
NO	NAME
1	BOLDEN ACRES
2	33
3	23-24
4	
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10	

GOLDEN GATE CITY UNITS	
P.A.	PA.
5/10, 9/100, 11/11	7/04, 7/09
5/15, 9/115, 1/04, 7/09	
5/07, 11/9	
5/07, 9/121	
5/17	
5/24, 9/1	
5/35	
5/147, 9/107A	
UNIT 1	
UNIT 2	
UNIT 3	
UNIT 4	
UNIT 5	
UNIT 6	
UNIT 7	
UNIT 8	



The Historic/Archaeological Probability Maps are the official County source designating historic or archaeological resources.

LAST REVISION: ZONING _____ OTHER _____

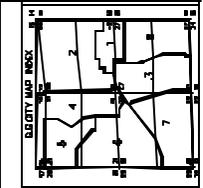
FLOOD INSURANCE RATE MAP INFORMATION
 COMMUNITY NUMBER: 120067 PANEL NUMBER: 415-405 D
 PROGRAM: REGULAR EFFECTIVE DATE: JUNE 3, 1996
 FLOOD ZONES: ALL X OR AS SHOWN ON MAP.

COLLIER COUNTY, FLORIDA
 COMMUNITY DEVELOPMENT DIVISION
 TWP 49S R1NG 28E SEC(5) 22 50 1/2
 MAP NUMBER: 96225

THIS IS TO CERTIFY THAT THIS IS A PAGE OF THE OFFICIAL ZONING MAPS REQUIRED TO AND ADDRESS RESIDENCE BY ORDINANCE NO. 91-02 OF THE COUNTY OF COLLIER, FLORIDA, ADOPTED DECEMBER 20, 1991.

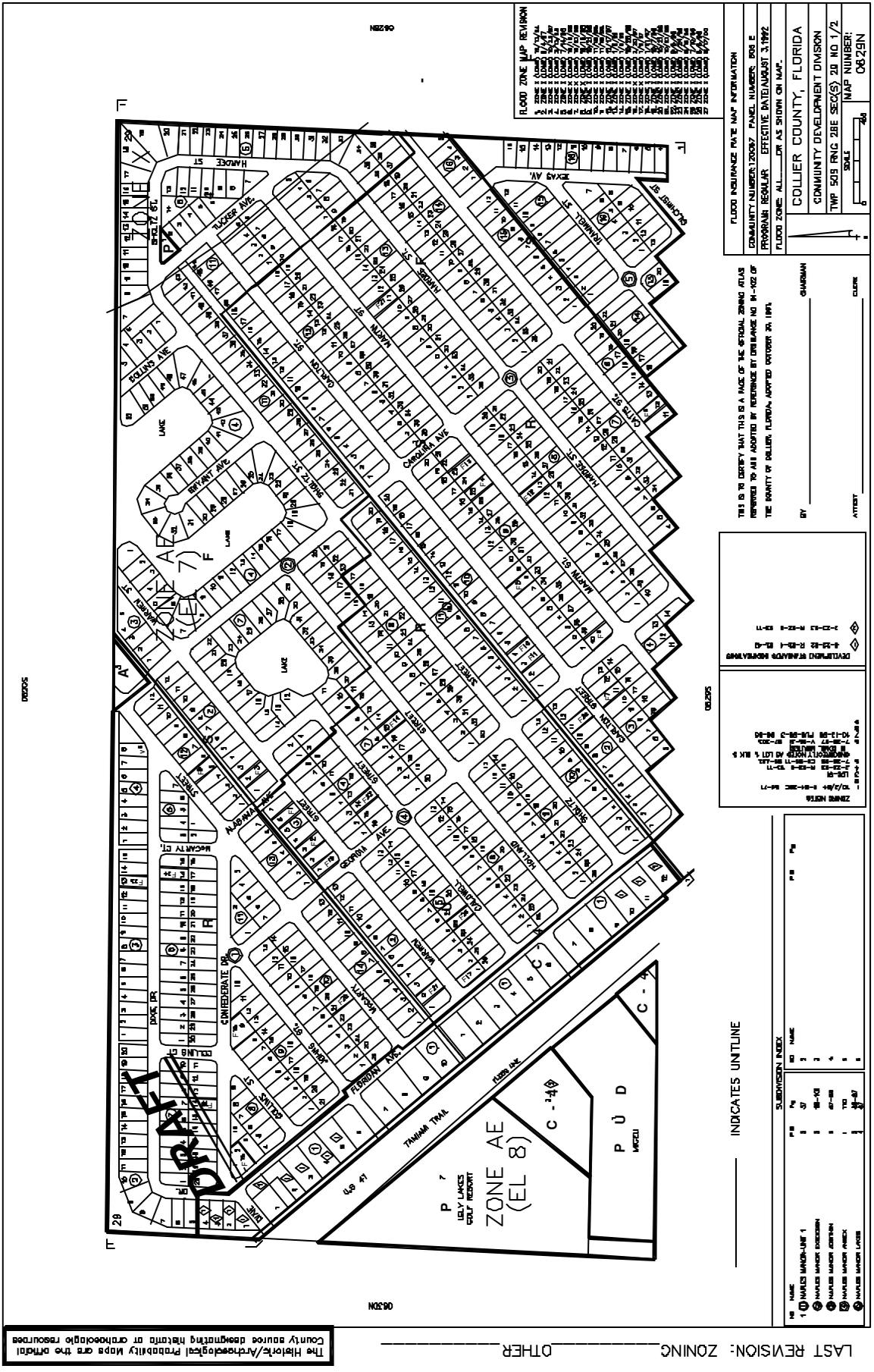
BY: _____ DEPARTMENT TECHNICIAN RESPONSIBLE
 _____ DEPT. 1-21-92 7:02 AM (94-42)

BY: _____ DRAWN
 _____ ATTEND



INDICATES UNIT BOUNDARY
 INDICATES SPECIAL TREATMENT OVERLAY

GOLDEN GATE CITY UNITS		SUBDIVISION INDEX	
UNIT 1	5/95, 5/100, 11/11	1	5/124, 5/1
UNIT 2	5/95, 5/100, 7/06, 7/08	2	5/135
UNIT 3	5/95, 11/03	3	5/135
UNIT 4	5/95, 9/81	4	5/135
UNIT 5	5/117	5	5/135, 9/107A



The Historic/Archaeological Probability Maps are the official County source designating historic or archaeological resources

LAST REVISION: ZONING _____ INDICATES UNTITLE
 OTHER _____

FLOOD ZONE MAP REVISION

1	ADULT CARE
2	AGRICULTURE
3	AMUSEMENT
4	ARTS AND CRAFTS
5	ASSISTED HOUSING
6	BUSINESS
7	COMMUNITY DEVELOPMENT
8	CONCRETE
9	COVENANT
10	COURT
11	CREATIVE
12	CREATIVE
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FLOOD INSURANCE RATE MAP INFORMATION
 COMMUNITY NUMBER: 20007 PANEL NUMBER: 005 E
 PROGRAM: REGULAR EFFECTIVE DATE/AUGUST 31/92
 FLOOD ZONE: ALL LAW AS SHOWN ON MAP.

COLLIER COUNTY, FLORIDA
 COMMUNITY DEVELOPMENT DIVISION
 TWP 50S R1G 20E SEC(S) 20, NO 1/2
 SCALE: 1" = 100'
 MAP NUMBER: 0825E

THIS IS TO CERTIFY THAT THIS IS A MAKE OF THE ORIGINAL ZONING ATLAS REFERRED TO AND ADOPTED BY RESOLUTION NO. 94-102 OF THE BOARD OF COUNTY COMMISSIONERS, COLLIER COUNTY, FLORIDA, ADOPTED OCTOBER 20, 1994.

BY: _____ CHAIRMAN
 ATTENT: _____ CLERK

DEVELOPER'S SIGNATURE REQUIREMENTS

1-11	1-11
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1-50	1-50

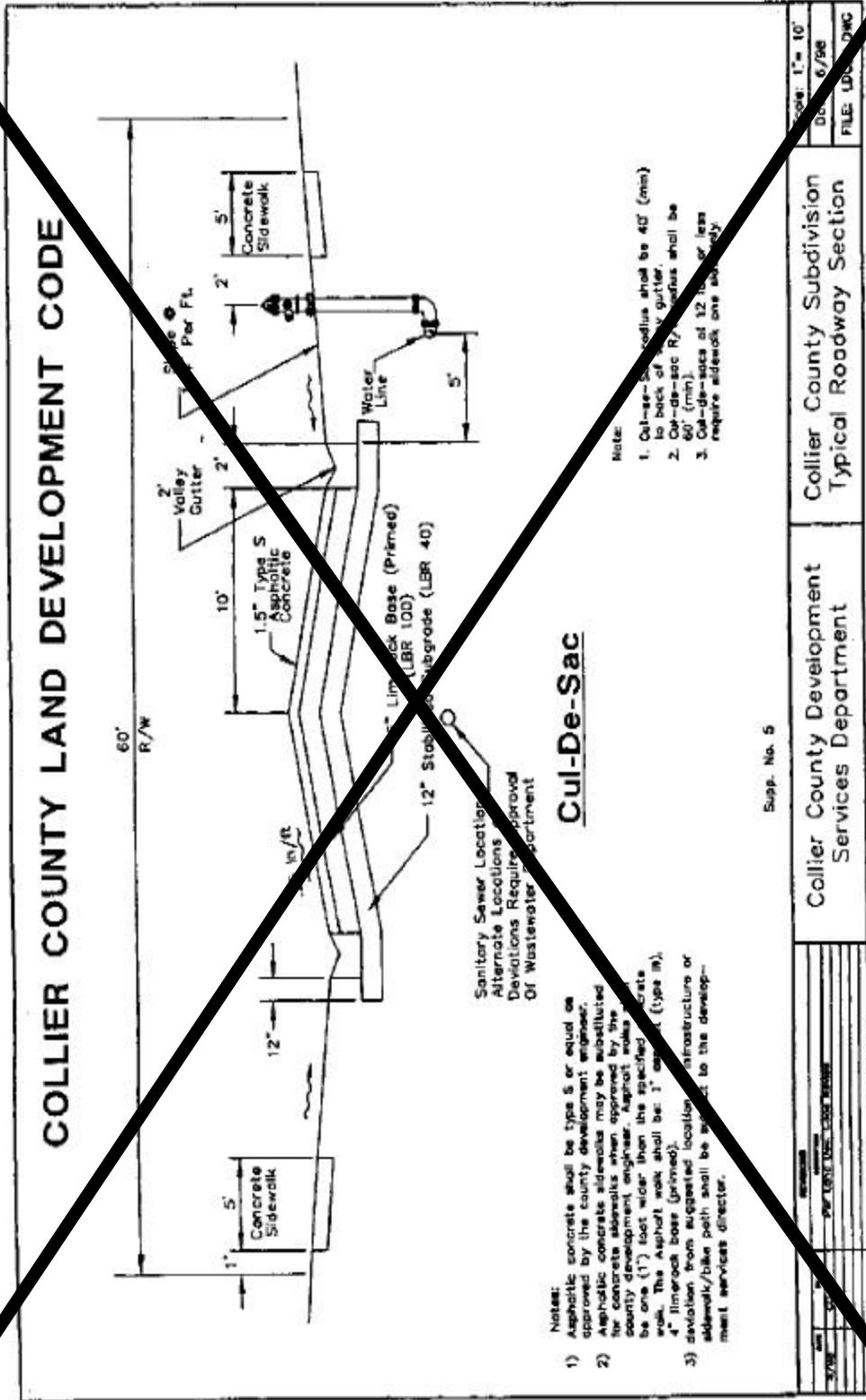
INDICATES UNTITLE

NO.	NAME	DATE	INITIALS	REVISION
1	WALKER MANDLINE 1	11-11-94	W.M.	1
2	WALKER MANDLINE 2	11-11-94	W.M.	2
3	WALKER MANDLINE 3	11-11-94	W.M.	3
4	WALKER MANDLINE 4	11-11-94	W.M.	4
5	WALKER MANDLINE 5	11-11-94	W.M.	5
6	WALKER MANDLINE 6	11-11-94	W.M.	6
7	WALKER MANDLINE 7	11-11-94	W.M.	7
8	WALKER MANDLINE 8	11-11-94	W.M.	8
9	WALKER MANDLINE 9	11-11-94	W.M.	9
10	WALKER MANDLINE 10	11-11-94	W.M.	10

EXHIBIT “B”
(APPENDIX “B”)

Remove this Drawing from LDCB-4

COLLIER COUNTY LAND DEVELOPMENT CODE

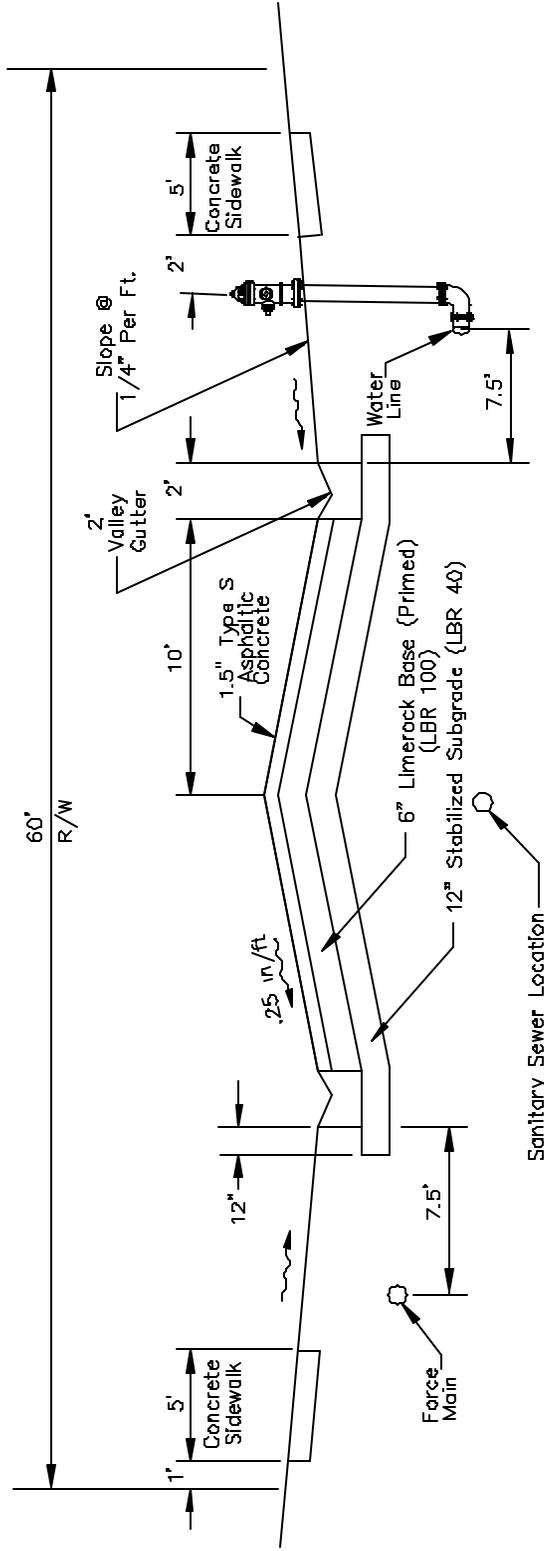


Supp. No. 8

LDCB:4

Replace LDCB-4 with this drawing.

COLLIER COUNTY LAND DEVELOPMENT CODE



Cul-De-Sac

- Notes:
- 1) Asphaltic concrete shall be type S or equal as approved by the county development engineer.
 - 2) Asphaltic concrete sidewalks may be substituted for concrete sidewalks when approved by the county development engineer.
 - 3) The Asphalt walk shall be: 1" asphalt (type III), 4" limerock base (primed).
 - 4) Deviation from suggested location of infrastructure or sidewalk/bike path shall be subject to the development services director.
 - 5) Cul-de-Sac radius shall be 40' (min) to back of valley gutter/with center island, radius shall be 45' (min).
 - 6) Cul-de-sac R/W radius shall be 60' (min).

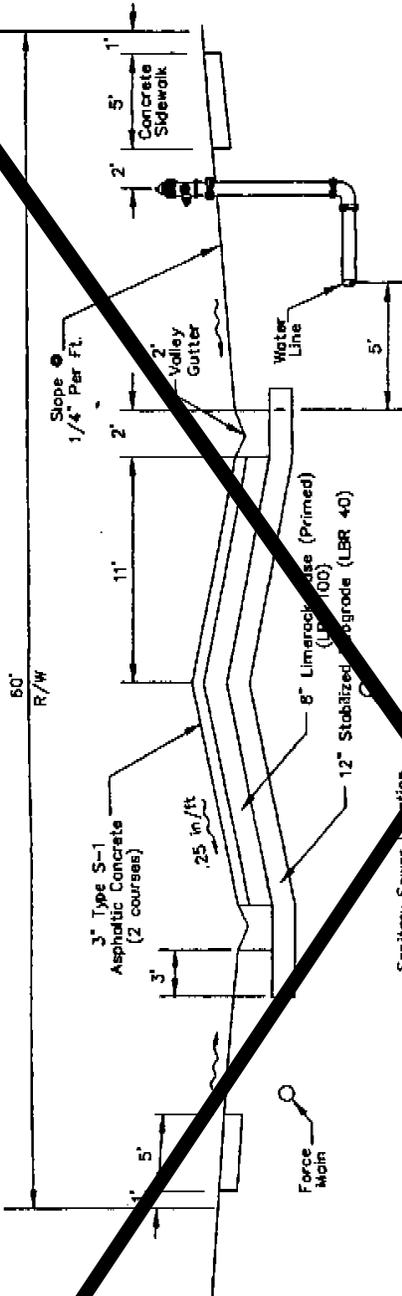
Supp. No. 5

REVISIONS		Collier County Development Services Department	Collier County Subdivision Typical Roadway Section	Not to scale
DATE	BY			
4/28/08	CU	Date: 8/00		
8/08	SS			
PER LOCAL DEV. CODE REVIEW				

Remove this Drawing from LDCB-6

COLLIER COUNTY LAND DEVELOPMENT CODE

COLLIER COUNTY LAND DEVELOPMENT CODE



Sanitary Sewer Location
Alternate Locations
Deviations Require Approval
Of Wastewater Department

COMMERCIAL/INDUSTRIAL

- Notes:
- 1) Asphaltic concrete shall be type S-1 unless approved by the county development engineer.
 - 2) Asphaltic concrete sidewalks shall be substituted for concrete sidewalks approved by the county development engineer. Asphalt walks shall be 11 feet wide for the specified concrete walk. The asphalt walk shall be 1" asphalt surface (18), 4" limerock base (primes).
 - 3) deviation from specified location of infrastructure or sidewalk/bike path shall be submitted to the development services director.
 - 4) If roadways are divided, lanes shall be 14' and the minimum right of way shall be expanded proportional for the width of the median and the expanded lane.
 - 5) Center line design shall conform with standards for design (section 18).
 - 6) Major & minor collectors shall have 5' sidewalk on both sides.

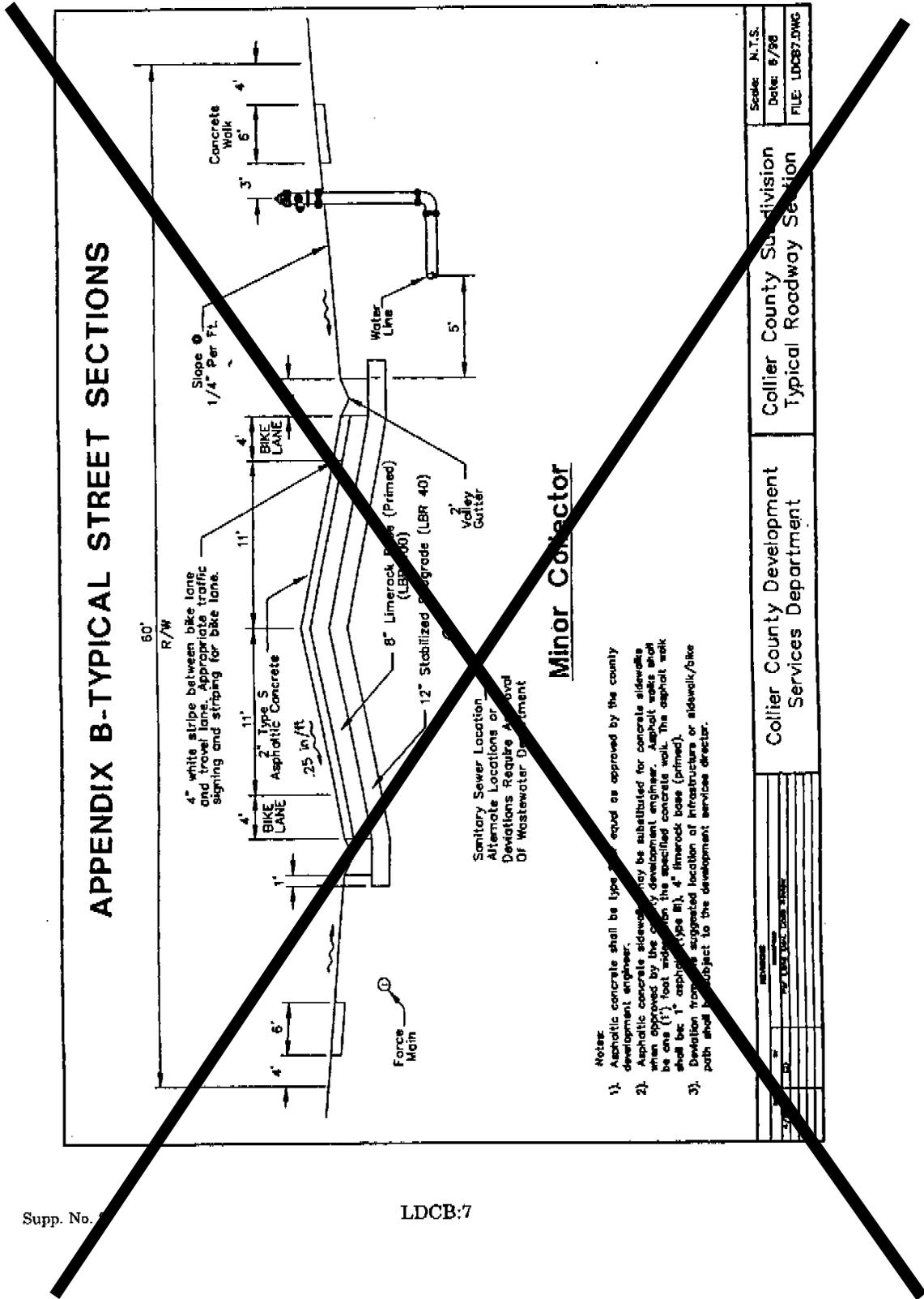
Scale: N.T.S.	Collier County Subdivision
Date: 6/98	Typical Roadway Section
FILE: LDCB6.DWG	
Collier County Development Services Department	

Supp. No. 8

LDCB:6

Remove this Drawing from LDCB-7

APPENDIX B—TYPICAL STREET SECTIONS



APPENDIX B-TYPICAL STREET SECTIONS

Minor Collector

- Notes:
- 1). Asphaltic concrete shall be type III or equal as approved by the county development engineer.
 - 2). Asphaltic concrete sidewalks may be substituted for concrete sidewalks when approved by the county development engineer. Asphalt sidewalks shall be one (1) foot wide on the specified concrete wall. This asphalt work shall be: 1" asphalt (type III), 4" limerock base (primed).
 - 3). Deviation from the suggested location of infrastructure or sidewalk/bike path shall be subject to the development services director.

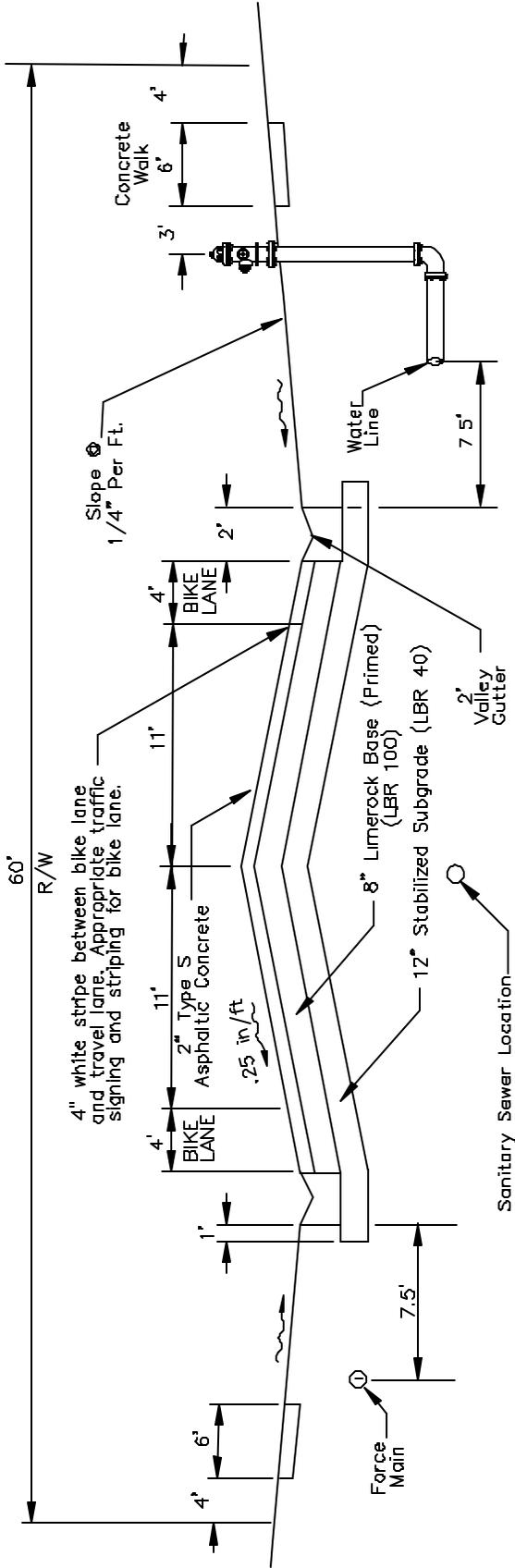
Scale:	N.T.S.
Date:	6/7/88
FILE:	LDCB7.DWG
Collier County Development Services Department	
Collier County Subdivision Typical Roadway Section	

Supp. No. 1

LDCB:7

Replace LDCB-7 with this drawing.

APPENDIX B-TYPICAL STREET SECTIONS



Minor Collector

- Notes:
- 1) Asphaltic concrete shall be type S or equal as approved by the county development engineer.
 - 2) Asphaltic concrete sidewalks may be substituted for concrete sidewalks when approved by the county development engineer.
 - 3) The asphalt walk shall be 1" asphalt (type III), 4" limerock base (primed). Deviation from the suggested location of infrastructure or sidewalk/bike path shall be subject to the development services director.

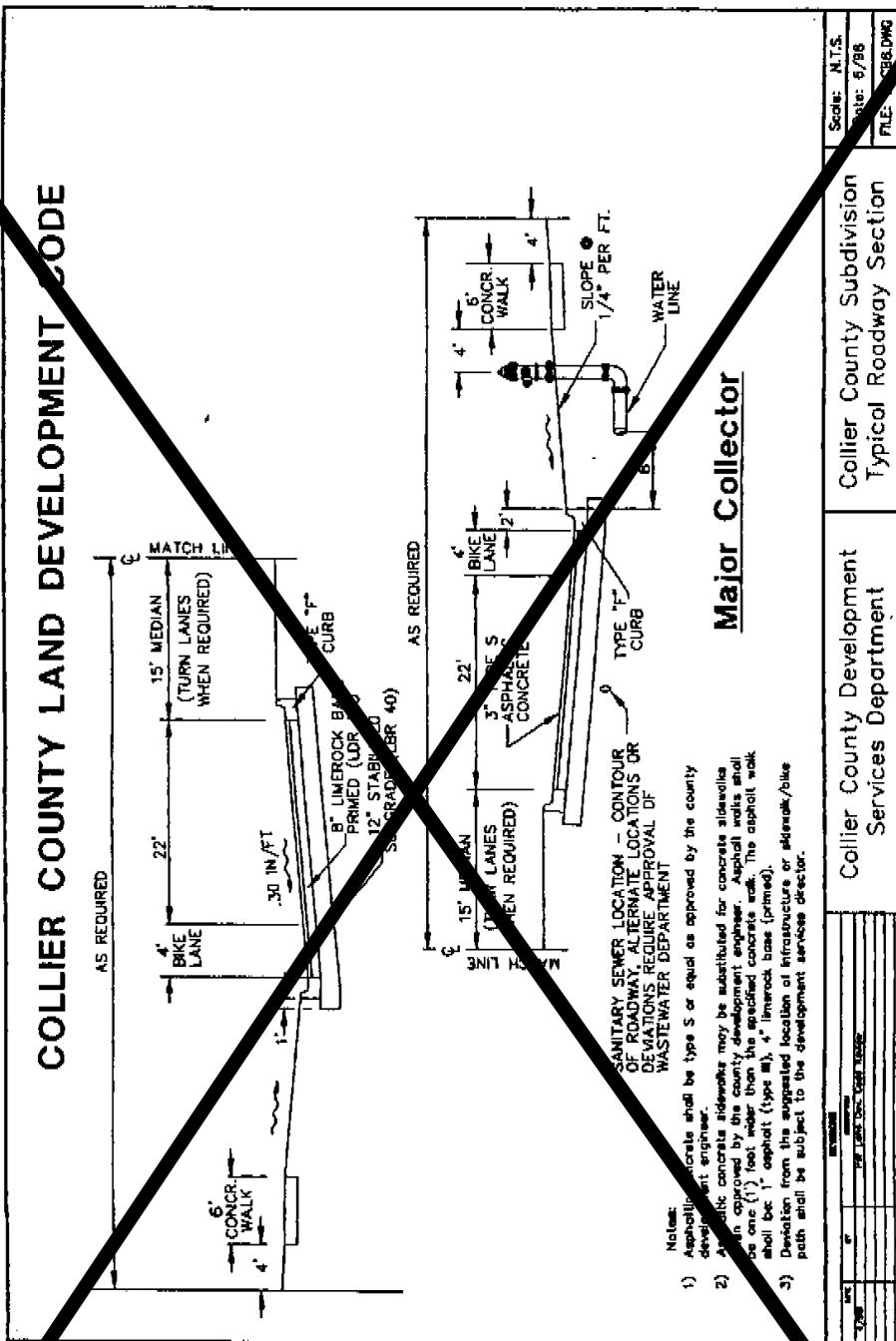
Not to scale
Date: 8/00
FILE: LDCB7.DWG

Collier County Subdivision
Typical Roadway Section

Collier County Development
Services Department

REVISIONS	
DATE	BY
7/88	BT
8/00	JC

COLLIER COUNTY LAND DEVELOPMENT CODE



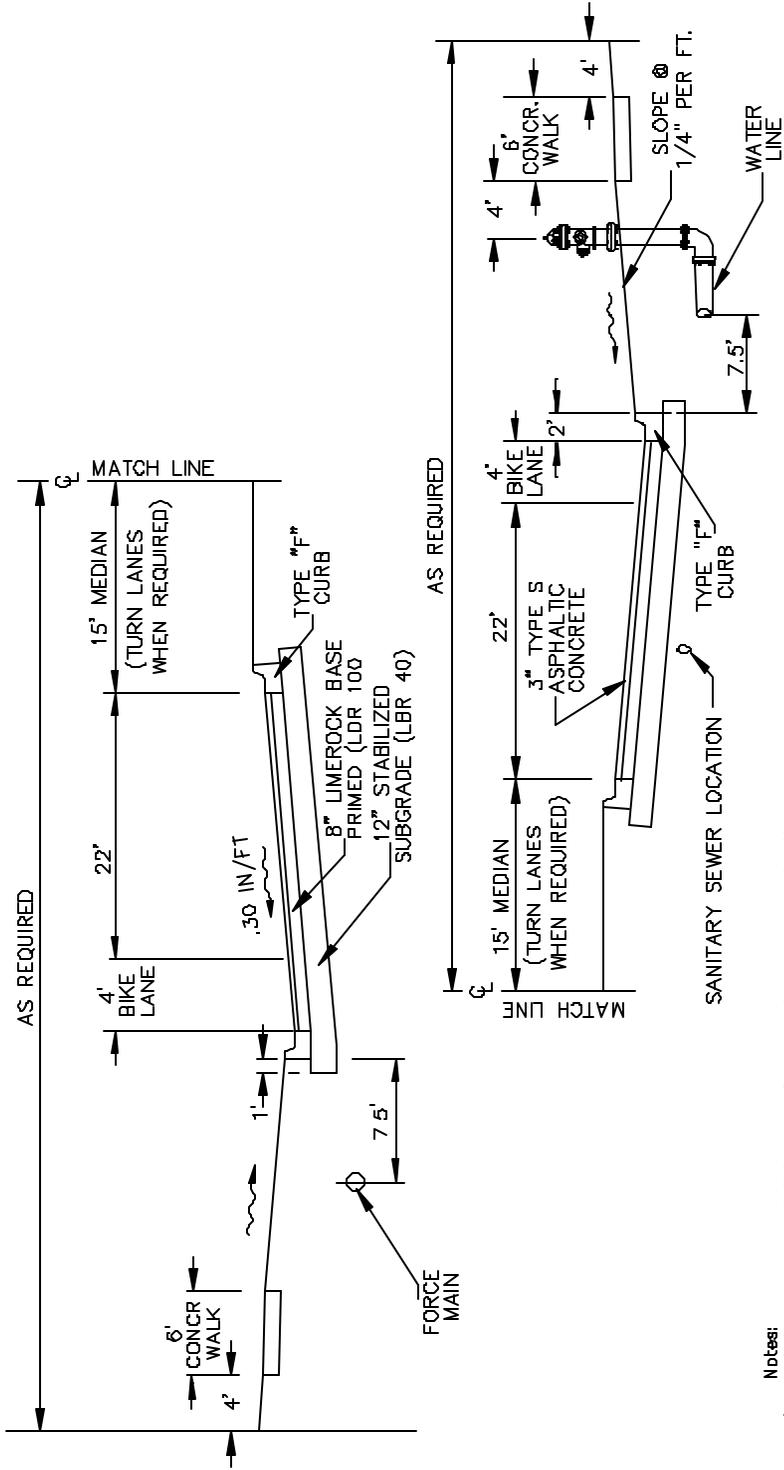
(Ord. No. 95-58, § 3, 11-1-95)

Sheet No. 8

LDCB:8

Replace LDCB-8 with this drawing.

COLLIER COUNTY LAND DEVELOPMENT CODE



- Notes:
- 1) Asphaltic concrete shall be type S or equal as approved by the county development engineer.
 - 2) Asphaltic concrete sidewalks may be substituted for concrete sidewalks when approved by the county development engineer. The asphalt walk shall be: 1" asphalt (type III), 4" limerock base (primed)
 - 3) Deviation from the suggested location of infrastructure or sidewalk/bike path shall be subject to the development services director.

Major Collector

Not to scale
Date: 8/00
FILE: LDCB8.DWG

Collier County Subdivision
Typical Roadway Section

Collier County Development
Services Department

REVISIONS	
DATE	BY
1/99	DD
4/99	BB
8/00	UC

STATE OF FLORIDA)
COUNTY OF COLLIER)

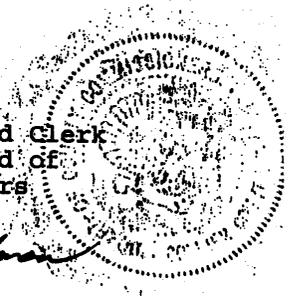
I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true original of:

ORDINANCE NO. 2000-92

Which was adopted by the Board of County Commissioners on the 12th day of December, 2000, during Special Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 19th day of December, 2000.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners



Ellie Hoffman

By: Ellie Hoffman,
Deputy Clerk

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