

ORDINANCE NO. 12-____

AN ORDINANCE AMENDING ORDINANCE NUMBER 89-05, AS AMENDED, THE COLLIER COUNTY GROWTH MANAGEMENT PLAN FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA, BY AMENDING THE GOLDEN GATE AREA MASTER PLAN ELEMENT TO PROVIDE FOR 2011 EVALUATION AND APPRAISAL REPORT (EAR) BASED AMENDMENTS TO THE GROWTH MANAGEMENT PLAN; BY PROVIDING FOR SEVERABILITY; AND BY PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners adopted the Collier County Growth Management Plan on January 10, 1989; and

WHEREAS, Collier County has held public hearings to provide for and encourage public participation throughout the 2011-12 plan amendment process; and

WHEREAS, Collier County did submit the 2011-12 Growth Management Plan amendments to the Department of Economic Opportunity for preliminary review on May 03, 2012; and

WHEREAS, the Department of Economic Opportunity did review and did not make written objections to the amendments to the Growth Management Plan and transmitted the same in writing to Collier County within the time provided by law; and

WHEREAS, Collier County has 60 days from receipt of the Objections, Recommendations and Comments Report from the Department of Economic Opportunity to adopt, adopt with changes or not adopt the proposed amendments to the Growth Management Plan; and

WHEREAS, the Collier County Planning Commission held a public hearing on the adoption of the amendments to the Growth Management Plan on October 30, 2012; and

WHEREAS, the Board of County Commissioners of Collier County did take action in the manner prescribed by law and did hold public hearings concerning the adoption of the amendments to the Growth Management Plan on December 11, 2012; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

SECTION ONE: ADOPTION OF AMENDMENTS TO THE GOLDEN GATE AREA MASTER PLAN ELEMENT OF THE GROWTH MANAGEMENT PLAN.

The Board of County Commissioners hereby adopts the amendments to the Golden Gate Area Master Plan Element attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION TWO: SEVERABILITY.

If any phrase or portion of this 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 THREE: EFFECTIVE DATE.

The effective date of these plan amendments, if the amendments are not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, these amendments shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on these amendments may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County this ____ day of December, 2012.

ATTEST:
DWIGHT E. BROCK, CLERK

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: _____
, Deputy Clerk

BY: _____
FRED W. COYLE, Chairman

Approved as to form and legal sufficiency:

HMC
11/9/12

Heidi Ashton-Cicko
Managing Assistant County Attorney

Attachment: Exhibit "A"

2011 EAR-BASED ADOPTION - GOLDEN GATE AREA MASTER PLAN ELEMENT
Rev. 10/30/12

CP\12-CMP-00848\55

Words underlined are added; words struck through are additions; words with
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II. OVERVIEW

A. COUNTY-WIDE PLANNING PROCESS [Revised per DEO Comment, page 3]
 Pursuant to Chapter 163, Florida Statutes, the ~~"Local Government Comprehensive Planning and Land Development Regulation Act"~~ and Chapter 9J-5, Florida Administrative Code, ~~"Minimum Criteria for Review of Local Comprehensive Plans and Determination of Compliance"~~ Section 163.3177(6), Florida Statutes, the Collier County Growth Management Plan shall contain the following elements:

1. Future Land Use
2. Housing
3. Public Facilities
4. Conservation and Coastal Management (Coastal Counties only)
5. Intergovernmental Coordination
6. Capital Improvements
7. Transportation
8. Recreation and Open Space.

In addition to the above Elements, local government comprehensive plans in Florida may, by decision of the local legislative body, contain one or more optional elements. Optional elements are required to comply with certain general criteria under ~~Rule 9J-5, Florida Administrative Code~~ Section 163.3177, Florida Statutes, but are not subject to specific requirements (with some exceptions). In 1991, the Board of County Commissioners chose the option of adopting the Golden Gate Area Master Plan, in recognition of the unique characteristics of the Golden Gate Area.

In addition to establishing the Collier County Growth Management Plan's mandatory structure, Chapter 163, F.S. and ~~Rule 9J-5, F.A.C.~~ Florida Statutes, also subjects the Plan to a mandatory evaluation process every seven (7) years. This process involves the preparation of an Evaluation and Appraisal ~~Report~~ Review (EAR) to determine whether, and to what extent, the existing Growth Management Plan has carried out its stated Goals, Objectives and Policies.

GOALS, OBJECTIVES AND POLICIES

[Revised text, page 4]

GOAL 1:

[Revised text, page 4]

TO GUIDE LAND USE AND PUBLIC FACILITY DECISION MAKING ~~WHILE BALANCING AND TO BALANCE~~ THE NEED TO PROVIDE BASIC SERVICES WITH NATURAL RESOURCE CONCERNS THROUGH A WELL PLANNED MIX OF COMPATIBLE LAND USES WHICH ENSURE THE HEALTH, SAFETY, WELFARE, AND QUALITY OF LIFE FOR THE LOCAL RESIDENTS.

OBJECTIVE 1.1: [Restructured to improve format as an "objective", revised text, page 4]
~~Unless otherwise permitted in this Master Plan, new or revised uses of land shall be consistent with designations outlined on the Golden Gate Area Future Land Use Map. The Golden Gate Area Future Land Use Map and companion Future Land Use Designations, Districts, and Subdistricts shall be binding on all development orders effective with the adoption of this Master~~

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~~Plan. Standards and permitted uses for Golden Gate Area Future Land Use Districts and Subdistricts are identified in the Land Use Designation Description Section of this Element.~~

OBJECTIVE 1.1:

Develop new or revised uses of land ~~shall be~~ consistent with designations outlined on the Golden Gate Area Future Land Use Map and provisions found in the Land Use Designation Description Section of this Element.

Policy 1.1.0.1:

The Policies under the above Objective shall identify the Future Land Use Designations, Districts, and Subdistricts for the Golden Gate Area.

Policy 1.1.0.2:

The Land Use Designation Description Section of this Element shall provide the standards and permitted uses for Golden Gate Area Future Land Use Districts and Subdistricts.

Policy 1.1.0.3:

The Golden Gate Area Future Land Use Map and companion Future Land Use Designations, Districts, and Subdistricts shall be binding on all development orders unless otherwise permitted in this Master Plan effective with the adoption of this Master Plan.

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OBJECTIVE 1.3: [Restructured to improve format as an “objective”, revised text, page 6]
~~The County shall continue to p~~ Protect and preserve the valuable natural resources within the Golden Gate area. in accordance with the Objectives and Policies contained within Goals 6 and 7 of the Collier County Conservation and Coastal Management Element.

Policy 1.3.0.1:

The County shall protect and preserve natural resources within the Golden Gate area in accordance with the Objectives and Policies contained within Goals 6 and 7 of the Collier County Conservation and Coastal Management Element.

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OBJECTIVE 1.4: [Restructured to improve format as an “objective”, revised text, page 6]
~~Through the enforcement of the Land Development Code and the housing and building codes, Collier County shall continue to p~~ Provide a living environment within the Golden Gate Area, which is aesthetically acceptable and enhances protects the quality of life.

Policy 1.4.0.1:

[Revised text, page 6]

Collier County shall provide a living environment that is aesthetically acceptable and enhances protects the quality of life through the enforcement of the Land Development Code and the housing and building applicable codes and laws.

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Policy 1.4.1:

[Revised text, page 6]

The County's Code Enforcement Board shall strictly enforce the Land Development Code and other applicable codes and laws to control the illegal storage of machinery, vehicles and junk, and the illegal operation of commercial activities within the Golden Gate Area.

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GOAL 2:

[Rephrased to improve format as a "goal", revised text, page 7]

~~THE COUNTY RECOGNIZES THAT THE SOUTHERN GOLDEN GATE ESTATES PROJECT (SGGE), AS PART OF THE FEDERAL SAVE OUR EVERGLADES PROGRAM, THAT AREA WHICH LIES SOUTH OF STATE ROAD 84 TO US 41, IS AN AREA OF SPECIAL ENVIRONMENTAL SENSITIVITY AND IS BIOLOGICALLY AND HYDROLOGICALLY IMPORTANT.~~

TO RECOGNIZE THAT THE AREA WHICH LIES SOUTH OF INTERSTATE 75 (ALLIGATOR ALLEY) TO US 41 (EAST TRAIL) IS AN AREA OF SPECIAL ENVIRONMENTAL SENSITIVITY AND IS BIOLOGICALLY AND HYDROLOGICALLY IMPORTANT THROUGH PARTICIPATION IN THE PICAYUNE STRAND RESTORATION PROJECT AS PART OF THE FEDERAL SAVE OUR EVERGLADES PROGRAM. BASED UPON SUCH CONDITIONS, THE STATE HAS ACQUIRED OWNERSHIP OF ALL LANDS WITHIN THE SOUTHERN GOLDEN GATE ESTATES (SGGE) PICAYUNE STRAND RESTORATION PROJECT AREA.

OBJECTIVE 2.1:

[Deleted text, page 7]

~~Public infrastructure improvements shall be guided by the following policies:~~

Policy 2.1.1:

[Deleted text, page 7]

~~Minimal road maintenance to include traffic signage, right-of-way mowing and road surface patching/grading will continue.~~

Policy 2.1.2:

[Deleted text, page 7]

~~Consistent with the Public Facilities Element, public water and sewer facilities shall not be expanded into SGGE.~~

Policy 2.1.3:

[Deleted text, page 7]

~~Special taxing districts associated with infrastructure improvements shall not be created for or expanded into SGGE.~~

Policy 2.1.4:

[Deleted text, page 7]

~~The County shall apply Chapter 28-25, F.A.C., "Boundary and Regulations for the Big Cypress Area of Critical State Concern" to those Golden Gate Estates units located within the Big Cypress Area of Critical State Concern.~~

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OBJECTIVE 2.2:

[Deleted text, page 7]

~~In order to further its goal of protecting this area of special environmental sensitivity, the County will coordinate with DEP in an effort to assist the State's acquisition of privately owned property within SGGE to the extent consistent with the recognition of existing private property rights.~~

Policy 2.2.1:

[Deleted text, page 8]

~~The County shall direct inquiries and make information available regarding options for the sale or donation of land to the State, or other inquiries regarding acquisition, to the Florida DEP, Bureau of Land Acquisition's designee, as provided by DEP.~~

Policy 2.2.2:

[Deleted text, page 8]

~~Collier County shall continue to implement a system for reviewing applications for development in SGGE, which will include the following procedures:~~

- ~~A. Notice to the DEP's Bureau of Land Acquisition of the application within 5 days of receipt.~~
- ~~B. Notice to the applicant of DEP's acquisition program, the lack of public infrastructure and the proposed restoration program for the area.~~
- ~~C. Within the notice of DEP's acquisition program, the applicant shall be encouraged to contact DEP's Bureau of Land Acquisition to determine and negotiate whether DEP intends to purchase the applicant's property at fair market value.~~
- ~~D. Prior to the processing of an application for development approval, the applicant shall provide to the County proof of coordination with DEP. Upon execution of a contract for sale, the application shall be placed in abeyance pending completion of the purchase by DEP.~~
- ~~E. The County shall review the environmental impacts of the application in order to minimize said impact.~~
- ~~F. The County shall apply Section 4.02.14, Development Standards and Regulations for ACSC-ST of the County's Land Development Code or Chapter 28-25, Florida Administrative Code, "Boundary and Regulations for the Big Cypress Area of Critical State Concern", whichever is stricter.~~
- ~~G. The County shall provide a maximum review and processing time of 180 days from the date of commencement of the application procedures before any development permits are issued.~~

GOAL 3:

[Rephrased to improve format as a "goal", revised text, page 9]

TO PROVIDE FOR BASIC COMMERCIAL SERVICES FOR PURPOSES OF SERVING THE RURAL NEEDS OF GOLDEN GATE ESTATES RESIDENTS, SHORTENING VEHICULAR TRIPS, AND PRESERVING RURAL CHARACTER.

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OBJECTIVE 3.1: [Rephrased to improve format as an "objective", revised text, page 9]
~~Meet~~ the locational and rural design criteria contained within the Estates Designation, Estates-Mixed Use District, Neighborhood Center Subdistrict of this Golden Gate Area Master Plan Element, of the Collier County Growth Management Plan when considering the placement and designation of Neighborhood Centers within Golden Gate Estates ~~shall~~.

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GOAL 4: [Rephrased to improve format as a "goal", revised text, page 10]
~~COLLIER COUNTY PLANNING EFFORTS WITHIN GOLDEN GATE CITY SHALL SEEK TO PRESERVE AND ENHANCE A MIX OF RESIDENTIAL AND COMMERCIAL LAND USES WITHIN GOLDEN GATE CITY THAT PROVIDES FOR THE BASIC NEEDS OF BOTH THE LOCAL RESIDENTS AND THE RESIDENTS OF THE SURROUNDING AREA.~~

OBJECTIVE 4.1: [Restructured to improve format as an "objective", revised text, page 10]
~~Development and redevelopment within Golden Gate City shall focus on the provision of residential and commercial land uses that meets the needs of the surrounding area.~~

Provide for residential and commercial land uses that meet the needs of the surrounding area in the development and redevelopment within Golden Gate City.

Policy 4.0.1:
Development and redevelopment within Golden Gate City shall be guided by the residential and commercial needs of the surrounding area.

Policy 4.1.1: [Revised text, page 10]
~~By 2006~~, Collier County shall develop an implementation schedule for the creation of a community-planning program for Golden Gate City. The implementation schedule shall take into consideration the following issues:

- a) Affordable housing based upon home ownership;
- b) Commercial re-vitalization, to include:
 - i. Sidewalks
 - ii. Traffic calming measures
 - iii. Improved street lighting;
- c) Neighborhood parks, open space and recreational centers;
- d) Crime reduction;
- e) Consistent enforcement of land development regulations; and,
- f) Improved lighting for streets and parking areas.

Policy 4.1.2: [Revised text, page 10]
~~By 2006~~, Collier County shall begin to examine, by holding community meetings, the feasibility of establishing neighborhood-based planning programs within Golden Gate City that focus on the unique or distinct features of the different portions of the community. While focusing on distinct

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areas within the community, such neighborhood planning efforts as may be established shall not neglect Golden Gate City as a whole.

Policy 4.1.3:

[Revised text, page 10]

By 2006, Collier County shall examine the feasibility of crafting land development regulations specific to the Golden Gate City community. Such regulations shall focus on the unique circumstances of this community.

GOAL 5:

[Rephrased to improve format as a "goal", revised text, page 11]

~~FUTURE GROWTH AND DEVELOPMENT WITHIN GOLDEN GATE ESTATES WILL TO~~
BALANCE THE DESIRE BY RESIDENTS FOR URBAN AMENITIES WITHIN GOLDEN GATE ESTATES WITH THE PRESERVATION OF THE AREA'S RURAL CHARACTER, AS DEFINED BY WOODED LOTS, THE KEEPING OF LIVESTOCK, THE ABILITY TO GROW CROPS, WILDLIFE ACTIVITY, LOW-DENSITY RESIDENTIAL DEVELOPMENT, AND LIMITATIONS ON COMMERCIAL AND CONDITIONAL USES.

OBJECTIVE 5.1:

[Rephrased to improve format as an "objective", revised text, page 11]

~~By 2006, the Collier County Land Development Code shall be amended to p~~ Provide for new commercial development within Neighborhood Centers.

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OBJECTIVE 5.2:

[Rephrased to improve format as an "objective", revised text, page 11]

Balance the provision of public infrastructure ~~shall be balanced~~ with the need to preserve the rural character of Golden Gate Estates.

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Policy 5.2.2:

[Revised text, page 12]

The Collier County Parks and Recreation Department shall create a public network of greenway corridors within Golden Gate Estates that interconnects public lands and permanently protected green space. ~~The first segment of greenway shall be in place by 2006.~~ The greenway network shall consist of interconnected trails and paths which allow people to move about the Estates Area by means other than motorized vehicles. All greenways shall be constructed within existing or future public rights-of-way. In creating the greenway network, the County shall not employ eminent domain proceedings.

Policy 5.2.3:

[Revised text, page 12]

Recognizing the ~~existing~~ residential nature of the land uses surrounding the ~~planned~~ I-75 interchange at Golden Gate Parkway, as well as the restrictions on conditional uses of the Conditional Uses Subdistrict of the Golden Gate Area Master Plan, there shall be no further commercial zoning for properties abutting Golden Gate Parkway between Livingston Road and Santa Barbara Boulevard. No new commercial uses shall be permitted on properties abutting streets accessing Golden Gate Parkway within the above-defined segment. This policy shall not

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apply to that existing portion of the Golden Gate Estates Commercial Infill Subdistrict, which is located at the northwest corner of the intersection of Golden Gate Parkway and Santa Barbara Boulevard.

OBJECTIVE 5.3: [Restructured to improve format as an “objective”, revised text, page 12] ~~By 2006, the Collier County Land Development Code shall be amended, as necessary, so as to p~~
Provide for the protection of the rural character of Golden Gate Estates.

Policy 5.3.0.1:

~~These~~ Rural character protection provisions shall provide for the preservation of such rural amenities as, but not limited to, wooded lots, the keeping of livestock, the ability to grow crops, wildlife activity, and low-density residential development.

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Policy 5.3.2: [Revised text, page 12]
The Land Development Code shall continue to allow and further encourage the preservation of native vegetation and wildlife indigenous to the Estates Area.

GOAL 6: [Rephrased to improve format as a “goal”, revised text, page 13]
TO PROVIDE FOR A SAFE AND EFFICIENT COUNTY AND LOCAL ROADWAY NETWORK, WHILE AT THE SAME TIME SEEKING TO PRESERVE THE RURAL CHARACTER OF GOLDEN GATE ESTATES IN FUTURE TRANSPORTATION IMPROVEMENTS WITHIN THE GOLDEN GATE AREA SHALL.

OBJECTIVE 6.1: [Rephrased to improve format as an “objective”, revised text, page 13]
~~The Collier County Transportation Division will continue to i~~ Increase the number of route alternatives for traffic moving through the Golden Gate Area in both east-west and north-south directions, consistent with neighborhood traffic safety considerations, and consistent with the preservation of the area’s rural character.

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Policy 6.1.2: [Revised text, page 13]
Collier County shall continue to coordinate with the Florida Department of Transportation to ~~initiate~~ implement a study of a potential interchange in the vicinity of I-75 and Everglades Boulevard.

OBJECTIVE 6.2: [Rephrased to improve format as an “objective”, revised text, page 13]
Increase linkages within the local road system for the purposes of limiting traffic on arterials and major collectors within Golden Gate Estates, shortening vehicular trips, and increasing overall road system capacity, ~~the County will actively work to.~~

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OBJECTIVE 6.3: [Rephrased to improve format as an “objective”, revised text, page 13]
~~Collier County shall~~ Coordinate with local emergency services officials in planning and constructing road improvements within Golden Gate Estates and Golden Gate City to ensure that the access needs of fire department, police and emergency management personnel and vehicles are met.

Policy 6.3.1: [Revised text, page 14]
~~Beginning in 2005,~~ The Collier County Transportation Planning ~~Department~~ Section shall hold at least one annual public meeting with Golden Gate Area emergency services providers and the local civic association in order to ensure that emergency needs are addressed during the acquisition of right-of-way for design and construction of road improvements.

Policy 6.3.2: [Revised text, page 14]
~~Beginning in 2005,~~ The Collier County Transportation Planning ~~Department~~ Section shall continue to coordinate with Golden Gate Area emergency services providers to prioritize necessary road improvements related to emergency evacuation needs.

GOAL 7: [Rephrased to improve format as a “goal”, revised text, page 15]
~~WILL BE TO PROTECTED~~ THE LIVES AND PROPERTY OF THE RESIDENTS OF THE GREATER GOLDEN GATE AREA, AS WELL AS THE HEALTH OF THE NATURAL ENVIRONMENT, THROUGH THE PROVISION OF EMERGENCY SERVICES THAT PREPARE FOR, MITIGATE, AND RESPOND TO, NATURAL AND MANMADE DISASTERS.

OBJECTIVE 7.1: [Rephrased to improve format as an “objective”, revised text, page 15]
Maintain and implement public information programs through the Collier County Bureau of Emergency Services, Collier County Sheriff’s Department, Golden Gate Fire Control and Rescue District, and other appropriate agencies, ~~will continue to~~ to inform residents and visitors of the Greater Golden Gate Area regarding the means to prevent, prepare for, and cope with, disaster situations.

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Policy 7.1.3: [Revised text, page 15]
~~By 2005,~~ The Collier County ~~Community Development and Environmental Services~~ Land Development Services Department of the Growth Management Division shall evaluate the Land Development Code for Golden Gate Estates and shall eliminate any requirements that are found to be inconsistent with acceptable fire prevention standards. This evaluation process shall be coordinated with the Golden Gate Fire Control and Rescue District and the Collier County Bureau of Emergency Services.

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OBJECTIVE 7.2:

[Rephrased to improve format as an "objective", revised text, page 15]

Ensure that the needs of ~~these entities~~ all applicable emergency services providers ~~to~~ are included and shall be coordinated with in the overall public project design for capital improvement projects within the Golden Gate Area.

Policy 7.2.1:

[Revised text, page 15]

Preparation of Collier County's annual Schedule of Capital Improvements for projects within the Golden Gate Area shall be coordinated with planners, or the agents or representatives with planning responsibilities, from the Fire Districts, public and private utilities, Emergency Medical Services Department and the Collier County Sheriff's Department to ensure that public project designs are consistent with the needs of these agencies.

Policy 7.2.2:

[Revised text, page 16]

Planners, or the agents or representatives with planning responsibilities, from the Golden Gate Fire Control and Rescue District, Collier County Emergency Medical Services Department and the Collier County Sheriff's Department ~~shall~~ will receive copies of pre-construction plans for capital improvement projects in the Golden Gate Area and ~~shall~~ will be invited to review and comment on plans for the public projects.

OBJECTIVE 7.3:

[Rephrased to improve format as an "objective", revised text, page 16]

~~While the County Transportation Planning Department is in the process of d~~ Developing strategies through the County Growth Management Division – Planning and Regulation for the enhancement of roadway interconnection within Golden Gate City and the Estates Area, including interim measures to assure interconnection shall be developed.

Policy 7.3.1:

[Revised text, page 16]

~~By 2006,~~ The Collier County Bureau of Emergency Services, the Collier County Transportation Division, Golden Gate Fire Control and Rescue District, and other appropriate Federal, State or local agencies, shall begin establishing one or more of the following routes for emergency evacuation purposes:

- a. An I-75 Interchange at in the vicinity of Everglades Boulevard.
- b. Improved emergency access from Everglades Boulevard to I-75.
- c. Construction of a north-south bridge on 23rd Street, SW, between White Boulevard and Golden Gate Boulevard.

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Policy 7.3.4:

[Revised text, page 16]

~~Beginning in 2006,~~ County-owned property within Golden Gate Estates shall be subject to an active, on-going management plan to reduce the damage caused by wildfires originating from County-owned properties.

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Land Use Designation Description Section

Estates – Mixed Use District: Conditional Uses Subdistrict [Revised text, pages 31 – 34]

2. ESTATES DESIGNATION

A. Estates – Mixed Use District

3. Conditional Uses Subdistrict

Various types of conditional uses are permitted in the Estates zoning district within the Golden Gate Estates area. In order to control the location and spacing of new conditional uses, one of the following four sets of criteria shall be met:

a) Essential Services Conditional Use Provisions:

Those Essential Services Conditional Uses, as identified within Section 2.01.03 G. of the Collier County Land Development Code, may be allowed anywhere within the Estates Zoning District, except as prohibited in certain Neighborhood Centers, and are defined as:

- electric or gas generating plants,
- effluent tanks,
- major re-pump stations,
- sewage treatment plants, including percolation ponds,
- hospitals and hospices,
- water aeration or treatment plants,
- governmental facilities (except for those Permitted Uses identified in Section 2.01.03 of the Land Development Code),
- public water supply acquisition, withdrawal, or extraction facilities, and
- public safety service facilities, and other similar facilities.

Provision Assessment:

This provision, in varying iterations, has existed in the GGAMP since its adoption in 1991 and remains appropriate. However, the LDC reference and/or list of uses may not encompass all essential services, e.g. communication towers which are listed in LDC Sec. 2.01.03 G, Sec. 5.05.09, and in various zoning districts. Additionally, the reference to the Estates zoning district fails to capture all zoning districts found in the Golden Gate Estates area, e.g. P, Public Use zoning at Max Hasse Park.

The County recommends revising the LDC reference and/or list of essential services uses to encompass all essential services uses relevant to the Golden Gate Estates area, and expanding the referenced zoning district listed to encompass all relevant zoning districts in Golden Gate Estates and/or adding reference to the Estates Designation.

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Land Use Designation Description Section

Estates – Commercial District: Randall Boulevard Commercial Subdistrict

[Revised text, pages 38 – 40]

2. ESTATES DESIGNATION

B. Estates – Commercial District

3. Randall Boulevard Commercial Subdistrict

Recognizing the unique development pattern and characteristics of surrounding land uses, the Randall Boulevard Commercial Subdistrict has been designated on the Golden Gate Area Future Land Use Map. The Subdistrict is comprised of the following properties: Tract 71, Golden Gate Estates, Unit 23; and the East 165 feet of Tract 54, Golden Gate Estates, Unit 23. See Randall Boulevard Commercial Subdistrict Map.

a) The Criteria for the Subdistrict are as follows:

- All commercial development is encouraged to be in the form of a PUD.
- Projects directly abutting Estates zoned property shall provide, at a minimum, a 75-foot buffer of retained native vegetation in which no parking or water management uses are permitted; except that, when abutting conditional uses no such buffer is required.
- Shared parking shall be required with adjoining developments whenever possible.

b) Limitation of Uses - Uses shall be limited to the following:

- Automobile Service Station;
- Barber & Beauty Shops;
- Convenience Stores;
- Drug Stores;
- Food Markets;
- Hardware Stores;
- Laundries - Self Service Only;
- Post Offices and Professional Offices;
- Repair Shops - Radio, TV, Small Appliances and Shoes;
- Restaurants, including fast food restaurants but not drive-in restaurants
- Shopping Center;
- Veterinary Clinics with no outside kenneling.

Provision Assessment:

The specific list of uses in this subdistrict has existed in the GGAMP since its adoption in 1991 and was taken from a PUD approved prior to 1991. On April 14, 2009, the BCC approved an Appeal of a Zoning Verification Letter (Resolution 2009-99) having the effect of allowing all uses of the C-2 zoning district in the LDC at that time, under the term "shopping center."

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The County recommends replacing the term "shopping center" with reference to C-2 uses (perhaps, "All Permitted Uses of the C-2, Convenience Commercial, zoning district in the Collier County Land Development Code, Ordinance 04-41, as amended, as of April 14, 2009").

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