



2019 Land Development Code Amendments - Public Meeting -

Development Services Advisory Committee Land Development Review Subcommittee

**Tuesday, September 17, 2019
2:00 p.m. – 4:00 p.m.**

**2800 N. Horseshoe Dr., Naples, FL – GMD Building
Conference Room 609/610**

Meeting Purpose:

1) To discuss the potential for expediting certain minor zoning petitions as directed at the Sept. 4th DSAC meeting.

2) To obtain a recommendation from the Subcommittee regarding several LDC amendments.

Agenda:

1. Call to order
2. Approve Agenda
3. Old Business
4. New Business
 - a. Expediting minor zoning applications
 - b. LDC Amendments
 - i. Extend allowance for use of RVs during build-back
 - ii. Miscellaneous corrections and scrivener's errors
 - iii. Golden Gate Parkway Overlay District (Presentation only, no vote requested)
 - iv. Clarification of minimum floor area in Bayshore Gateway Triangle Redevelopment Area
 - c. 2020 DSAC-LDR Subcommittee schedule
 - d. Website Update – Archived Ordinances (Presentation only)
5. Public comments
6. Adjourn



CODE OF LAW AMENDMENT

PETITION

PL20190001899

ORIGIN

Planning Commission

HEARING DATES

BCC TBD
 CCPC TBD
 DSAC TBD
 DSAC-LDR TBD

SUMMARY OF AMENDMENT

This amendment seeks to assist and streamline post disaster recovery efforts for permanent home owners that require an extension for an onsite temporary emergency housing permit after the Board’s declaration of emergency. The amendment shall allow an administrative approval by the County Manager or designee, to extend a temporary use permit for six months periods until a certificate of occupancy has been issued.

CODE OF LAW SECTION TO BE AMENDED

62-79 Temporary Emergency Housing
 38-07 Determination of Damage, Buildback Policy, Moratoria, Emergency Repairs, and Emergency Permitting System

ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR
 TBD

DSAC
 TBD

CCPC
 TBD

BACKGROUND

When Ordinance 2019-09 was adopted by the Board on June 11, 2019, the Plantation Island Overlay District (PIO) was established with a new use to allow single family homes to be constructed within Plantation Island.

At the Neighborhood Information Hearing of November 15, 2018 in Everglades City, some residents requested there be an allowance to live in a recreational vehicle until their home was rebuilt. During the public vetting process, the Collier County Planning Commission received comments from Plantation Island and Chokoloskee Island area residents who had experienced difficulty with completing their permanent home construction because of uncontrollable events related to post disaster Hurricane Irma’s impact. To obtain temporary emergency housing, these residents found the temporary use permit time period of 180 consecutive days was burdensome and homes can take longer than one year to rebuild. Subsequently, the Planning Commissioners decided a six-month period for the temporary use of an onsite recreational vehicle or mobile home was not enough time to build-back some permanent homes. Accordingly, the Planning Commissioners unanimously agreed to recommend the Board authorize staff to evaluate the need to extend, beyond six months, such permits for temporary emergency housing and decide whether the extension period could be administratively implemented and if necessary, past one year.

For natural or man-made disasters, the Board’s determination of the need for temporary emergency housing is set forth by Code of Law (COL) Section 62-79 titled “Temporary Emergency Housing”. Additionally, for Civil Emergencies to expedite post disaster recovery efforts, COL Section 38-7 stipulates the *temporary use of recreational vehicles for living purposes is applicable for six months* where damage has rendered the principal residence uninhabitable. In

addition, the Board of County Commissioners or the “Emergency Review Board” may extend the period by considering the extent and severity of the disaster. Subsequently, an extension for temporary emergency housing beyond 180 days requires the Board or Emergency Review Board approval. This amendment proposes to authorize the County Manager or designee to approve temporary use permit extensions for six-month periods, provided certain conditions are met, rather than the Board or Emergency Review Board.

Staff evaluated temporary use permits associated with post disaster recovery and found the primary delay in construction activity had not been by action of the home owner, but rather by uncontrollable events such as unavailable construction materials, subcontractors, and essential services. Staff is recommending, to avoid any potential for abuse or misinterpretation, a temporary use extension could be granted only when: the building permit is active, the home owner’s actions have not caused a delay in construction activity, evidence of uncontrollable events that caused a construction delay, and additional time is required to obtain a certificate of occupancy.

FISCAL & OPERATIONAL IMPACTS

The amendment shall reduce staff’s time and improve the process for home owners to obtain a temporary use permit for temporary emergency housing.

GMP CONSISTENCY

To be provided by Comprehensive Planning Staff.

EXHIBITS: A- Temporary Placement of RV and Travel Trailer Application

1 Amend the Code of Laws as follows:

2
3 Chapter 62 - FLOODS

4 Article II. - FLOODPLAIN MANAGEMENT

5 Section 62-79. - Temporary emergency housing.

6
7 A. *Establishing the Need for Temporary Emergency Housing.* To establish the need for
8 temporary emergency housing, the Board of County Commissioners must determine and
9 declare by simple majority vote that an emergency condition exists due to a natural or man-
10 made disaster. Based upon that disaster declaration the County Manager, in consultation
11 with the Emergency Management Director and the Floodplain Administrator, is authorized to
12 allow for temporary emergency housing in the special flood hazard area.

13
14 B. *Placement of Temporary Emergency Housing within the Flood Hazard Area.* The Board of
15 County Commissioners or the County Manager or designee, in coordination with the
16 Floodplain Administrator, may allow for post-disaster emergency temporary manufactured
17 homes, recreational vehicles or similar resources provided by federal, state, and local
18 agencies within the flood hazard areas for a period of six months. ~~This period may be~~
19 ~~extended by the Board taking the extent and severity of the disaster into account.~~ Additional
20 six-month extensions for a permit may be administratively approved, by the County Manager
21 or designee, when:

- 22 1. A homeowner has an active building permit and additional time is necessary
23 for an issuance of the certificate of occupancy.
- 24 2. Any delay in construction activity has not been caused by action of the
25 homeowner and is the result of an uncontrollable event such as unavailable
26 construction materials, subcontractors, or essential services.

27
28 C. *Temporary Emergency Housing Prohibitions.* Temporary emergency housing shall not be
29 located in the VE or the Coastal A flood zones.

30
31 D. *Installation Standards.* Manufactured homes shall be placed in a manner consistent with
32 Section 15 (§ 62-83) of this ordinance. Recreational vehicles or similar road ready vehicles
33 shall comply with the requirements of Section 16 (§ 62-84) of this ordinance.

34
35 E. *Emergency Notification and Evacuation Plan.* An emergency notification and evacuation plan
36 shall be prepared to ensure the safety of the occupants of the temporary emergency
37 housing. The emergency notification and evacuation plan shall be submitted, within thirty
38 (30) days of occupancy of the temporary emergency housing units, for review and approval
39 to the Collier County Division of Emergency Management.

40
41 F. *Permit for the Temporary Placement of Emergency Housing.* Prior to the placement of all
42 temporary emergency housing in the special flood hazard area, the applicant shall be
43 required to submit a temporary permit application to the Floodplain Administrator affirming
44 that the structure is in compliance with this Section and 44 CFR 60.3(e).

45
46 G. *Consistent with Post-Disaster Recovery Ordinance.* The efforts specified in this section shall
47 be consistent with Ordinance No. 2006-35, Section 7.

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Chapter 38 - CIVIL EMERGENCIES

ARTICLE I. - POST-DISASTER RECOVERY

Sec. 38-7. - Determination of damage, buildback policy, moratoria, emergency repairs, and emergency permitting system.

(c) To expedite recovery efforts and repair to damaged structures, the emergency review board is further authorized to:

(1) Allow the temporary use of recreational vehicles for living purposes on property where damage has rendered the principal residence uninhabitable for a period of six months after the disaster event. ~~This period may be extended by the board taking the extent and severity of the disaster into account.~~ Additional six-month extensions for a permit may be administratively approved, by the County Manager or designee, when:

1. A homeowner has an active building permit and additional time is necessary for an issuance of the certificate of occupancy.

2. Any delay in construction activity has not been caused by action of the homeowner and is the result of an uncontrollable event such as unavailable construction materials, subcontractors, or essential services.

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Exhibit A-Temporary Placement of RV and Travel Trailer Application



Permit for the Temporary Placement of a Recreational Vehicle or a Travel Trailer Post Hurricane Irma

Pursuant to the Board of County Commissioners (10/10/17 Agenda Item 16.A.22), a Recreational Vehicle (RV) or a Travel Trailer (TT) may be allowed as a **temporary use for living purposes** on property where the principal residence (including a mobile home) has been rendered and confirmed by County Staff uninhabitable, so long as **the RV/TT is on the site for 180 consecutive days or less**, is not parked, stored, or encroach on any right-of-way easement, and is fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only a quick disconnect type utilities and security devices and has no permanently attached additions.

Instructions and General Information for Applicant:

1. Email this completed application and photos of the uninhabitable principal residence to permitpostirma@colliergov.net. Photos may include images of exterior and interior damages. In the email, include the applicant name, contact information, and address of the principal residence. A photo of this application is sufficient, but it must be complete and legible. Should emailing the application and photos be prohibitive, applicants may visit the Growth Management Department at 2800 North Horseshoe Drive, Naples, FL 34014 or the Immokalee Permitting Office located at 310 Alachua St., Immokalee, FL, 34142 to submit this application and photos. County Staff reserves the right to conduct an on-site inspection of the principal residence to determine habitability.
2. County Staff will inform the applicant by email or in person whether application has been approved, if additional information is needed, or if the application has been denied. If approved, County Staff will provide a copy of the signed application to the applicant and maintain a copy at the Growth Management Department at 2800 North Horseshoe Drive, Naples, FL 34014.
3. Applicant shall place the copy of the approved application in the driver's side windshield of the RV/TT or in the window next to the door if there is no driver's side windshield.
4. A temporary electrical pole must be applied for separately, visit www.colliergov.net/buildingapplications.
5. Applicants are encouraged to obtain a building permit to repair/replace the damaged principal residence as soon as possible.
6. There is no fee for this temporary permit.
7. If the RV/TT is provided by FEMA (with applicable documentation).

Application Information:

Name of Applicant: _____ Date of Request: _____

Phone Number: _____ Email: _____

Address of Primary Residence: _____

Describe damages incurred to Primary Residence:

Address where the RV/TT will be placed: _____

Check the method for electrical connection: _____ I will be applying for a temporary electrical pole OR _____ I will be connecting to the existing electrical meter at the primary residence.

Check the type of temporary housing: _____ RV OR _____ TT provided by FEMA; FEMA Registration Number: _____
OR _____ RV OR _____ TT is licensed by occupant; License # of the RV/TT: _____

I, _____ (name of applicant) on _____ (date) understand that this is a permit for the temporary placement of a RV/TT and that this permit is valid for 180 consecutive days or less, starting on the date of approval, noted below. I affirm that the RV/TT is, and will remain ready for highway use at all times. I further certify that the RV/TT complies with the requirements of agenda item 16.A.22, and will be removed from the property within 180 days, and agree to all terms, conditions, and compliance requirements outlined in the Collier County Land Use and Building code. I agree to heed evacuation orders issued by local emergency managers and understand that this RV/TT is not designed to be used as a shelter during a severe storm or whether related incident.

Signature: _____ Date: _____

Staff Only Section:

County Staff Approval: _____ Approval Date: _____

Date the Permit Expires: _____ Permit #: _____

Approval Method: _____

LAND DEVELOPMENT CODE AMENDMENT

PETITION

PL20190002003

ORIGIN

Growth Management
Department

HEARING DATES

BCC TBD
CCPC TBD
DSAC TBD
DSAC-LDR 9-17-19

SUMMARY OF AMENDMENT

This amendment corrects scrivener’s errors, cross references from previously approved LDC amendments and updates the current Clerk of Court’s signatory block for plats and required certifications.

LDC SECTIONS TO BE AMENDED

2.03.05 Civic and Institutional Zoning Districts
2.03.07 Overlay Zoning Districts
2.03.08 Rural Fringe Zoning Districts
4.06.02 Buffer Requirements
5.03.06 Dock Facilities
9.04.04 Specific Requirements for Minor After-the-Fact Encroachment
APPENDIX C Final Subdivision Plat, Required Certifications and
Suggested Text and Formats for other Required Information

ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR
TBD

DSAC
TBD

CCPC
TBD

BACKGROUND

This amendment corrects scrivener’s errors and cross references in the following sections:

LDC section 2.03.05 B.1.a.5: The permitted use, “continuing care residential community” for the Community Facility District should read “continuing care retirement community” which is the same use allowed for in commercial zoning districts.

LDC section 2.03.07 G.7.e.xiii: The cross references to LDC section 4.05.04 “H” and “G.2” are in error. There is no subsection “H” and should read 4.05.04 “G”. Additionally, the cross reference to LDC section 4.05.04 “G.2” should read LDC section 4.05.04 “F.4” which does authorize the County Manager or Designee to determine minimum parking requirements for a use not referenced in Table 17 or for a required parking ratio to be modified.

LDC sections 2.03.08 A.2.a.4.b.ii.a.iv and 2.03.08 A.2.a.b.ii.b.v: The cross reference to LDC section 4.02.01 should read LDC section 4.02.03. Presently, the referenced section relates to “Specific Standards for Location of Accessory Buildings and Structures” and instead should reference “Dimensional Standards for Principal Uses in Base Zoning District”.

LDC section 2.03.08 A.4.b.2.a: The words “Essential Uses” should read “Essential Services” which is consistent with LDC section 2.03.08 A.4.a.3.a. In LDC section 2.03.08 A.4.b.2: The words “Uses Allowed” are changed to “Allowable Uses” which is consistent with LDC subsections 2.03.08 A.2.a.3 and 2.03.08 A.2.b.1.

to be consistent with LDC subsections 2.03.08 A.2.a.3 and A.2.b.1.

LDC section 4.06.02 B: The cross reference to LDC section 4.06.05 G should read LDC section 4.06.05 H. The removal of prohibited exotic material plant is not dependent upon sites adding buffers or buffer plantings, however they are required to be removed during site clearing per LDC section

3.05.08 “Requirement for Removal of Prohibited Exotic Vegetaion”. The installation and selection requirements for plant materials in buffers are standards to be met when buffers are required.

LDC sections 5.03.06 E.12, 13, and 14: When LDC was recodified by Ordinance 04-41, three categories were erroneously listed as applicable standards to all dock facilities rather than as categories that pertain to the “Manatee Awareness and Protection Plan” submittal requirements for multi-slip docking facilities with 10 or more slips. The correction clarifies its applicability and consistency with the LDC recommendations established by the Board’s adoption of the Collier County’s Manatee Protection Plan, Section 3.2.1.1, in 1995 as prepared by the Natural Resource Department. (See Exhibit A)

LDC section 9.04.04: When Ordinance 18-18 was adopted, the LDC amendment had erroneously referenced LDC section 4.02.02, “Dimension Standards for Conditional Uses and Accessory Uses in Base Zoning Districts.” The correct reference is LDC section 4.02.03, “Specific Standards for Location of Accessory Buildings and Structures” which does provide for structure to structure separation requirements.

APPENDIX C: The signature block and name for the Clerk of Court is updated and replaced with a generic placeholder name which is consistent with the placeholder name for the Chairman of the Board of County Commissioners.

FISCAL & OPERATIONAL IMPACTS

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

GMP CONSISTENCY

There are no anticipated Growth Management Plan impacts associated with this amendment.

EXHIBITS: A) Excerpt of 1995 Collier County Manatee Protection Plan

Amend the LDC as follows:

2.03.05 Civic and Institutional Zoning Districts

B. Community Facility District (CF). The purpose and intent of (CF) district is to implement the GMP by permitting nonresidential land uses as generally identified in the urban designation of the future land use element. These uses can be characterized as public facilities, institutional uses, open space uses, recreational uses, water-related or dependent uses, and other such uses generally serving the community at large. The dimensional standards are intended to insure compatibility with existing or future nearby residential development. The CF district is limited to properties within the urban mixed use land use designation as identified on the future land use map. 1.

1. The following uses are permitted as of right, or as accessory or conditional uses, in the community facility district (CF).

a. Permitted uses.

* * * * *

5. Nursing homes **assisted living facilities** (ALF) pursuant to § 400.402 F.S. and ch. 58A-5 F.A.C., **family care facilities, group care facilities** (category I) and continuing care ~~residential~~ retirement communities pursuant to § 651 F.S. and ch. 4-193 F.A.C. all subject to LDC section 5.05.04.

* * * * *

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2.03.07 Overlay Zoning Districts

* * * * *

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

* * * * *

7. *Interim Deviations*: Property owners within the Immokalee Urban Overlay District may request deviations from specific dimensional requirements as described in this section. A deviation request may be reviewed administratively or by the Planning Commission depending upon its scope. This section addresses the permissible deviations, limitations thereon, and the review process.

* * * * *

e. *Applicability - List of Development Standards Eligible for Deviation Requests*. Property owners shall be eligible to seek a deviation from the dimensional requirements of the following Code provisions, unless otherwise noted.

* * * * *

xiii. 4.05.04 ~~H~~ G (Spaces Required) Table 17 and 4.05.06 B Loading Space Requirements, utilizing the existing administrative deviation process set forth in LDC section 4.05.04 ~~G-2~~ F.4, recognizing that the reduced need for off-street parking in Immokalee may be offered as a viable basis for such administrative deviation.

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2.03.08 Rural Fringe Zoning Districts

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

- * * * * *
- 2. RFMU receiving lands.
 - * * * * *
 - a. Outside rural villages.
 - * * * * *
 - (4) Design Standards.
 - * * * * *
 - (b) Clustered development:
 - * * * * *

ii. Minimum yard requirements:

- a) ~~s~~ Single- f Family. Each single-family lot or parcel minimum yard requirement shall be established within an approved PUD, or shall comply with the following standards:
 - i) Front: 20 feet (Note **front yard** Set back may be reduced to 10 feet where parking for the unit is accessed via a rear ally).
 - ii) Side: 6 feet.
 - iii) Rear: 15 feet.
 - iv) Accessory: Per LDC section ~~4.02.01~~ 4.02.03.

* * * * *

- B ~~m~~ Multi- f Family. For each multi-family lot or parcel minimum yard shall be established within an approved PUD, or shall comply with the following standards:

* * * * *

- v) Accessory: Per LDC section ~~4.02.01~~ 4.02.03.

* * * * *

4. RFMU sending lands.

- * * * * *
- b. ~~Uses allowed~~ Allowable uses where TDR credits have been severed.
 - * * * * *

(2) Conditional uses:

- (a) Those Essential ~~Uses~~ services identified in LDC section 2.03.01 G.2 and 4.

* * * * *

#

4.06.02 Buffer Requirements

1 * * * * *

2 B. Methods of determining buffers. Where a property adjacent to the proposed use is: (1)

3 required pursuant to this Code, or (3) developed without the buffering and screening

4 required pursuant to this Code, the proposed use shall be required to install the more

5 opaque buffer as provided for in table 2.4. Where property adjacent to the proposed use

6 has provided the more opaque buffer as provided for in table 2.4, the proposed use shall

7 install a type A buffer.

8

9 Where the incorporation of existing native vegetation in landscape buffers is determined

10 as being equivalent to or in excess of the intent of this Code, the planning services

11 director may waive the planting requirements of this section.

12

13 Buffering and landscaping between similar residential land uses may be incorporated

14 into the yards of individual lots or tracts without the mandatory creation of separate

15 tracts. If buffering and landscaping is to be located on a lot, it shall be shown as an

16 easement for buffering and landscaping.

17

18 The buffering and screening provisions of this Code shall be applicable at the time of

19 planned unit development (PUD), preliminary subdivision plat (PSP), or site

20 development plan (SDP) review, with the installation of the buffering and screening

21 required pursuant to section 4.06.05 G.H. If the applicant chooses to forego the optional

22 PSP process, then signed and sealed landscape plans will be required on the final

23 subdivision plat. Where a more intensive land use is developed contiguous to a property

24 within a similar zoning district, the planning services director may require buffering and

25 screening the same as for the higher intensity uses between those uses.

26 • * * * * *

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29 **5.03.06 Dock Facilities**

30 * * * * *

31 E. Standards for dock facilities. The following criteria apply to dock facilities and boathouses,

32 with the exception of dock facilities and boathouses on manmade lakes and other

33 manmade bodies of water under private control.

- 34 * * * * *
- 35 11. Multi-slip docking facilities with 10 or more slips will be reviewed for consistency
- 36 with the Manatee Protection Plan ("MPP") adopted by the BCC and approved by
- 37 the DEP. If the location of the proposed development is consistent with the MPP,
- 38 then the developer shall submit a "Manatee Awareness and Protection Plan,"
- 39 which shall address, but not be limited to, the following categories:
- 40 a. Education and public awareness.
- 41 b. Posting and maintaining manatee awareness signs.
- 42 ~~12.~~ c. Information on the type and destination of boat traffic that will be
- 43 generated from the facility.
- 44 ~~13.~~ d. Monitoring and maintenance of water quality to comply with state
- 45 standards.
- 46 ~~14.~~ e. Marking of navigational channels, as may be required.
- 47 # # # # # # # # # # # # # #

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49 **9.04.04 Specific Requirements for Minor After-the-Fact Encroachment**

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Text underlined is new text to be added

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

1 Minor after-the-fact yard encroachments for structures, including principal and accessory
2 structures, may be approved administratively by the County Manager or designee. Exceptions to
3 required yards as provided for within LDC section 4.02.01 D. shall not be used in the calculations
4 of existing yard encroachments.

5 * * * * *

6 B. For both residential and non-residential structures, the County Manager or
7 designee may administratively approve minor after-the-fact yard encroachments
8 of up to ten percent of the required yard with a maximum of two feet when a
9 building permit and certificate of occupancy has been granted. The encroachment
10 applies to the yard requirement in effect as of the date the building permit was
11 issued.

12 1. Exception. Residential structures shall be deemed compliant with the
13 applicable development standards and no variance shall be required when
14 the following additional conditions apply:

- 15 a. The building permit and certificate of occupancy were approved in
16 compliance with the required setbacks in effect at that time;
- 17 b. The encroachment does not exceed three inches into the required
18 yard;
- 19 c. The only portion of the structure encroaching into the required yard
20 is the exterior wall treatment; and
- 21 d. The required structure to structure separation, as identified in LDC
22 section ~~4.02.02~~ 4.02.03, is satisfied.

23 * * * * *

24 # # # # # # # # # # # # # #

25 26 APPENDIX C - FINAL SUBDIVISION PLAT, REQUIRED CERTIFICATIONS AND 27 SUGGESTED TEXT AND FORMATS FOR OTHER REQUIRED INFORMATION

28 * * * * *

29 COUNTY COMMISSION APPROVAL

30
31 STATE OF FLORIDA
32 COUNTY OF COLLIER

33
34 THIS PLAT APPROVED FOR RECORDING IN A REGULAR OPEN MEETING
35 BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY,
36 FLORIDA, THIS _____ DAY OF _____, 20____, PROVIDED THAT THE
37 PLAT IS FILED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF
38 COLLIER COUNTY, FLORIDA.

DWIGHT E. BROCK (Name of Clerk)	(Name of Chairman), CHAIRMAN
CLERK OF CIRCUIT COURT IN AND FOR COLLIER COUNTY	BOARD OF COUNTY COMMISSIONERS COLLIER COUNTY, FLORIDA

40
41 FILING RECORD

42
43 I HEREBY CERTIFY THAT THIS PLAT HAS BEEN EXAMINED BY ME AND
44 THAT IT COMPLIES IN FORM WITH THE REQUIREMENTS, OF CHAPTER

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Text underlined is new text to be added

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

1 177, FLORIDA STATUTES. I FURTHER CERTIFY THAT SAID PLAT WAS
2 FILED FOR RECORD AT _____ (a.m. or p.m.) THIS _____ DAY OF
3 _____, 20 ____, AND DULY RECORDED IN PLAT BOOK _____ PAGE(S)
4 _____, INCLUSIVE, OF THE PUBLIC RECORDS OF COLLIER COUNTY,
5 FLORIDA.

6
7 ~~DWIGHT E. BROCK~~ (Name of Clerk)
8 CLERK OF CIRCUIT COURT
9 IN AND FOR COLLIER COUNTY

10 * * * * *
11 # # # # #
12 A

3.2.1.1 Recommended Additions to the Land Development Code

The following stipulations are recommended to be appended to the LDC:

1. Proposed developments will be reviewed for consistency with the Manatee Protection Plan adopted by the Collier County Board of County Commissioners and approved by the Florida Department of Environmental Protection.
2. If the location of the proposed development appears to be consistent with the MPP, then the developer will submit a "Manatee Awareness and Protection Plan", which shall address, but not be limited to, the following categories:
 - Education and public awareness
 - Posting and maintaining Manatee Awareness signs
 - Information on type and destination of boat traffic that will be generated from the facility.
 - Monitoring and maintenance of water quality to comply with state standards.

Golden Gate Parkway Overlay District (GGPOD)

Land Development Code Amendment

Golden Gate Area Master Plan (GGAMP) Timeline

Let's discuss
the GGAMP

- **1991:** First GGAMP adopted.
- **2001:** Board authorizes restudy of GGAMP. Two separate ordinances adopted in 2003 and 2004.
- **2015:** Board authorizes another restudy. Staff develops a White Paper.
- **Jan 2018:** Board accepts White Paper, directing staff to prepare the Master Plan.
- **Feb 2019:** Board votes in favor of GGAMP. Transmit to FDEO.
- **April 2019:** FDEO approved GMPA.
- **Sep 2019:** GGAMP scheduled for Board.

Golden Gate City

Proposed Vision Statement

BACKGROUND



Collier County Restudy efforts established the Vision for Golden Gate City in the Growth Management Plan:

Golden Gate City is a safe, diverse, family-oriented community that offers easy access to education, parks, shopping and services within a vibrant, walkable community.

*safe *diverse *vibrant *walkable



Google Earth Street View (Fifth Avenue, Naples)



Downtown Palm Beach, Florida – Architectural Sample
www.colliercountynaples.com



Proposed Santa Barbara/Golden Gate Parkway

Land Development Code Amendment (LDCA)

Why are we
doing this?

- Implements the GGAMP
- Incentivizes development and redevelopment in Golden Gate community

Land Development Code Amendment (LDCA)

What are we
doing?

MAIN ISSUES

1. **Match overlay standards to the Golden Gate City Vision**
2. **Increase residential variety & address compatibility**
3. **Control auto-oriented uses & promote the pedestrian realm**
4. **Focus development standards on urban form**
5. **Spur economic development & business creation**
6. **Incentivize remodeling & renovation**

Affected LDC Sections

LDCA Overview

(7 subsections)

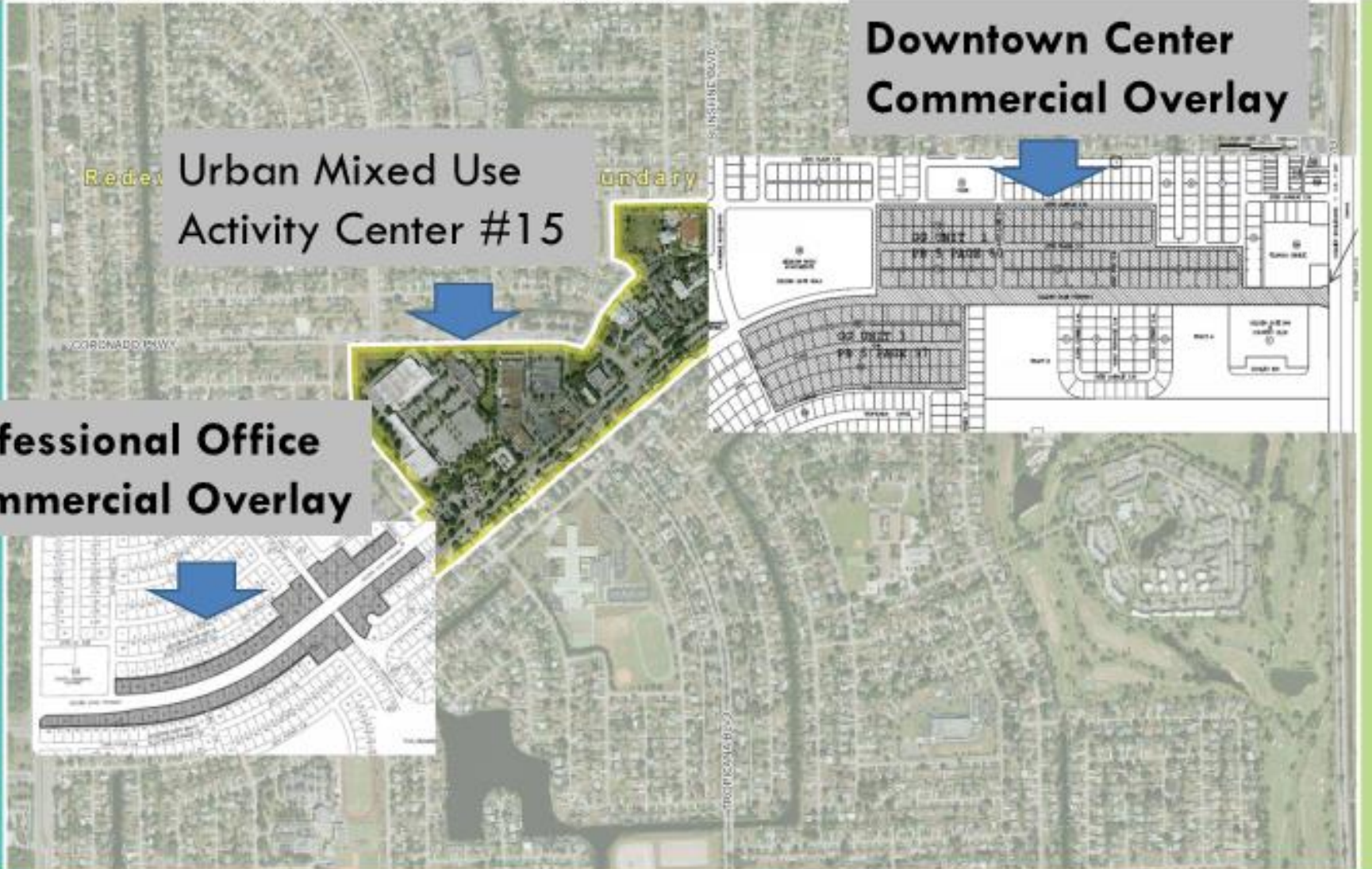
- Section 1.08.00 - Abbreviations
- Section 1.08.02 - Definitions
- Section 2.03.07 - Overlay Zoning Districts
- Section 4.02.26 - Golden Gate Parkway Activity Center Overlay (GGPACO)
- Section 4.02.37 - Design Standards for Development in the Golden Gate Downtown Center Commercial Overlay District (GGDCCO)
- Section 5.06.04 - Development Standards for Signs in Nonresidential Districts
- Section 10.03.06 - Public Notice and Required Hearings for Land Use Petitions

Noteworthy Changes

In a nutshell

- Establishment of Subdistricts (i.e., AC, DT)
- Applicability
 - Zoning Atlas will have “GGPOD” next to the zoning district, similar to GTMUD
 - Boundary of GGPOD will exclude the PUDs
 - GGPOD provisions are elective!
- Regulating Plans
 - Use Categories
 - Subareas
- Allowable Use Matrix
- New Definitions (e.g., Advanced Manufacturing)
- New development standards
- Deviations (insubstantial and substantial)

EXISTING CONDITIONS



**Downtown Center
Commercial Overlay**

**Urban Mixed Use
Activity Center #15**

**Professional Office
Commercial Overlay**

Existing Zoning

12
zoning
categories

- **Activity Center**

P

C-1

C-4

PUDs (Zone & Ashley's Service Station)

- **Downtown (East)**

GGDCCO

RSF-3

RMF-6

RMF-12

- **Downtown (West)**

GGPPOCO

RMF-12

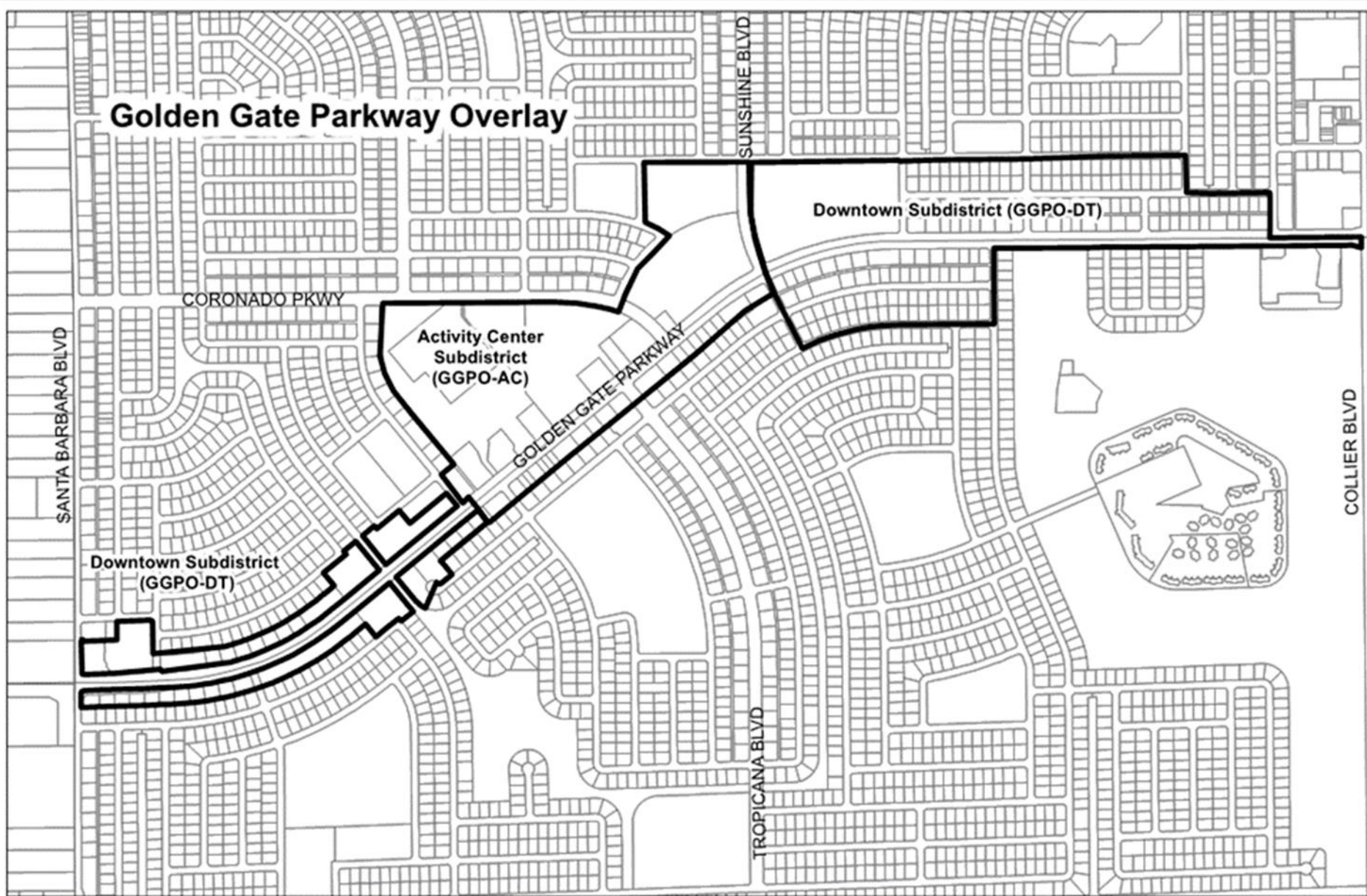
C-4

PUDs (Parkway Ctr., Parkway Pl, Jacaranda Ctr.,
Founders Plaza)

Establishment of Subdistricts

Activity Center
Max. density is 22 du/ac

Downtown
Max. density per GMP

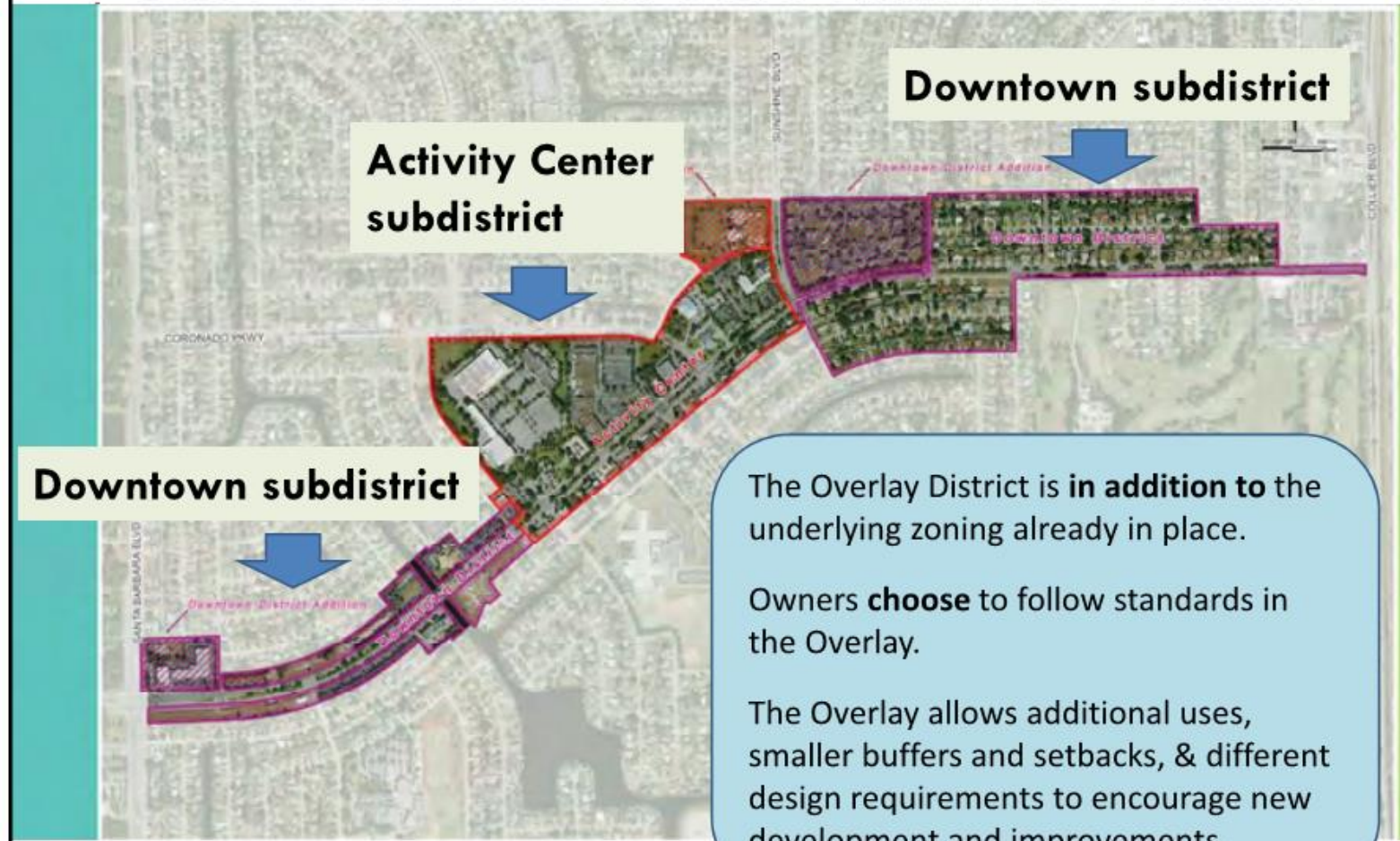


LEGEND

 Golden Gate Parkway Overlay

Incentives?

PROPOSED GOLDEN GATE PARKWAY OVERLAY



Activity Center subdistrict

Downtown subdistrict

Downtown subdistrict

The Overlay District is **in addition to** the underlying zoning already in place.

Owners **choose** to follow standards in the Overlay.

The Overlay allows additional uses, smaller buffers and setbacks, & different design requirements to encourage new development and improvements.

ECONOMIC DEVELOPMENT & JOB CREATION

Activity Center concentrates activity and includes employment uses.

Uses match the targeted industries of the Innovation Zone program. These are eligible for Tax Increment funding incentives.

Targeted industry: A qualified targeted industry business as defined by Florida Statute 288.106 and such businesses or industries identified by the Board of County Commissioners.

~~**Primary employers:** businesses that create a product or service that is principally sold outside of a region to generate new money and profits in the region.~~

Additive manufacturing: use of 3D technology

Advanced manufacturing: extensive use of computer, high precision, and information technologies

Activity Center Targeted Industries

Advanced manufacturing, including automated apparel, light assembly

Additive manufacturing including 3D printing

Software development and programming

Internet technologies and electronic commerce

Data and information processing

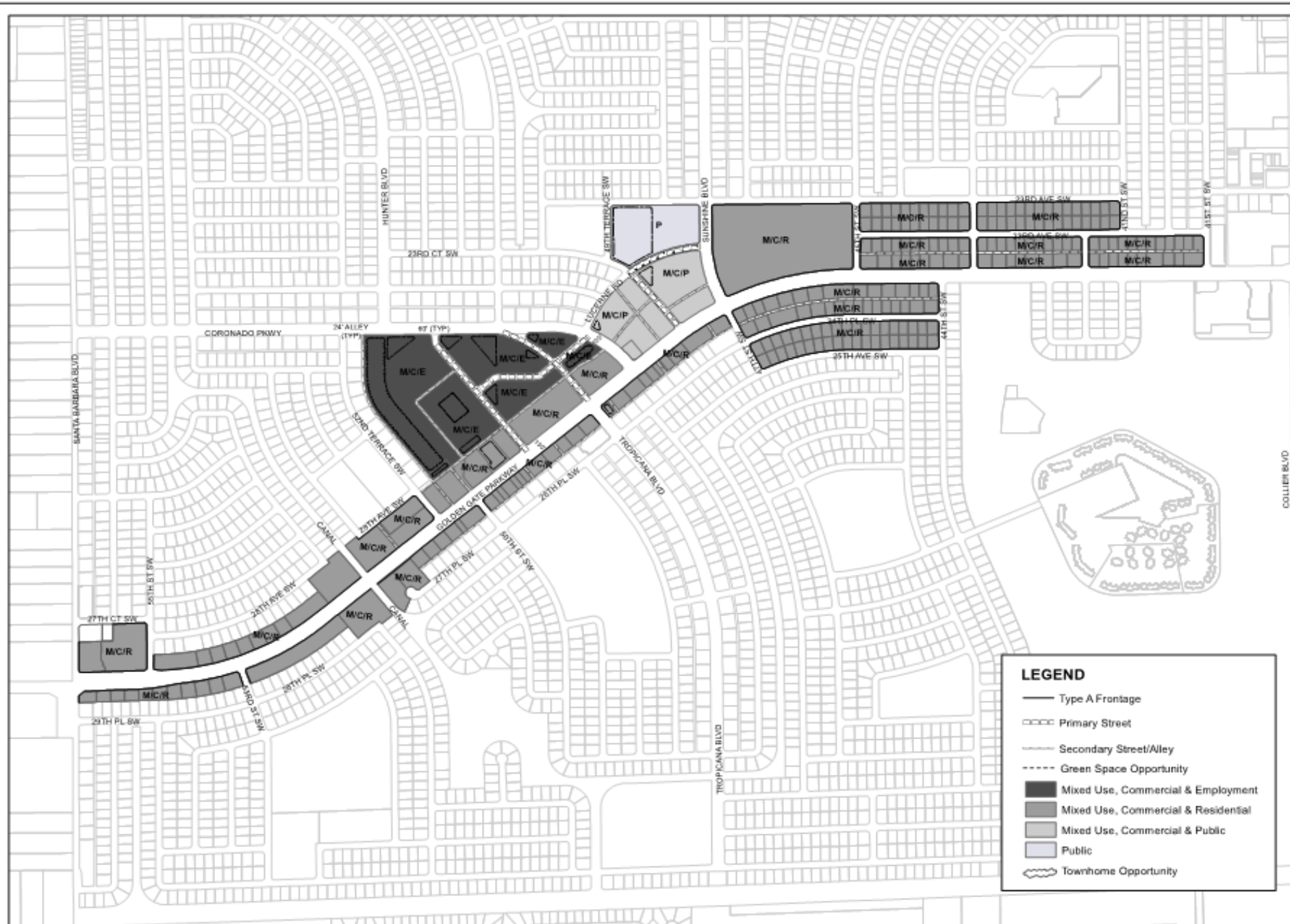
Other uses deemed similar by the Board of County Commissioners

Figure 5: 3-D Metal works

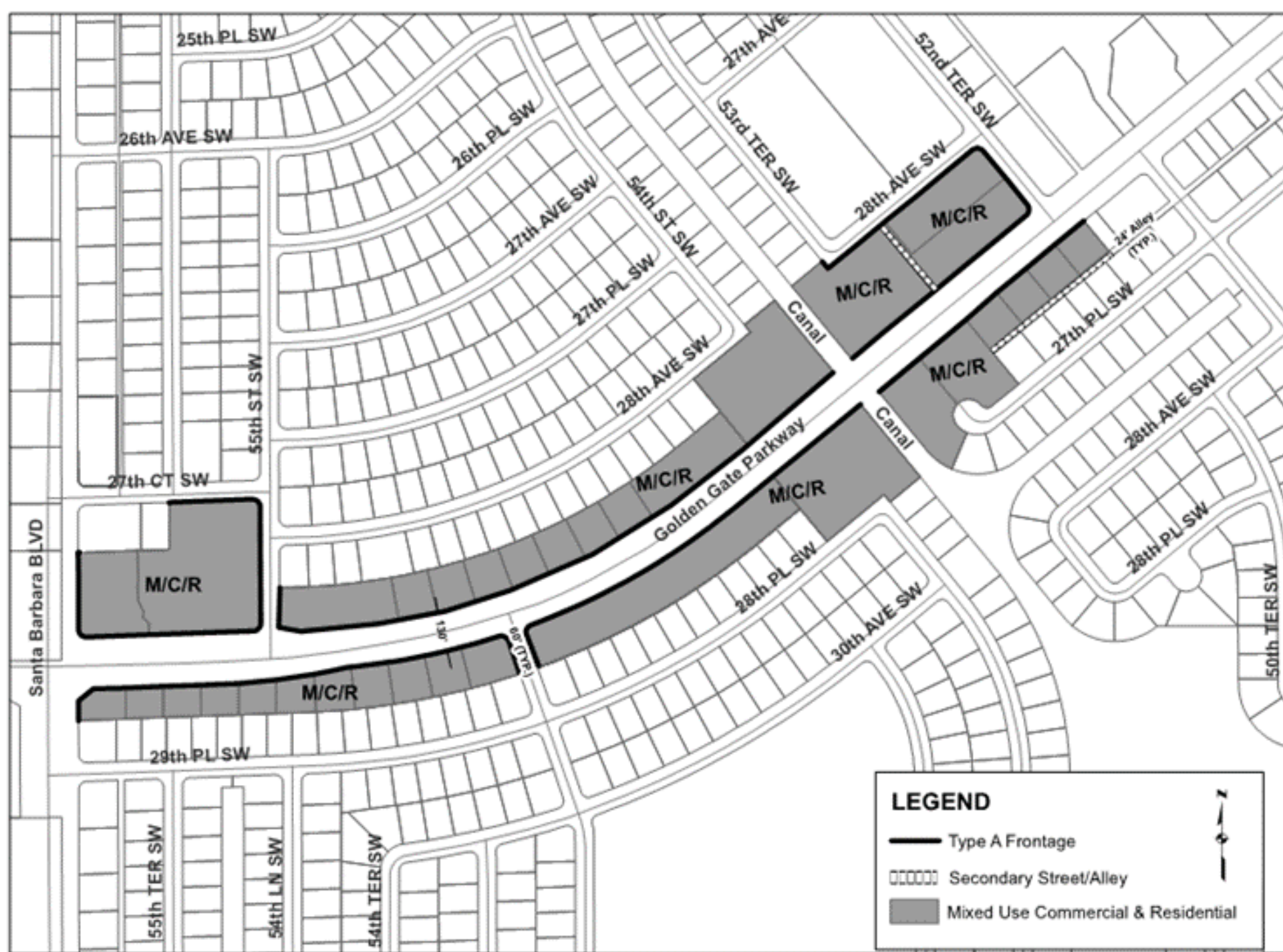


Regulating Plans

- Graphic depiction of network of streets and subareas.
- Staff has authority to allow variations in street alignment as well as the SICs within each *use subarea*.

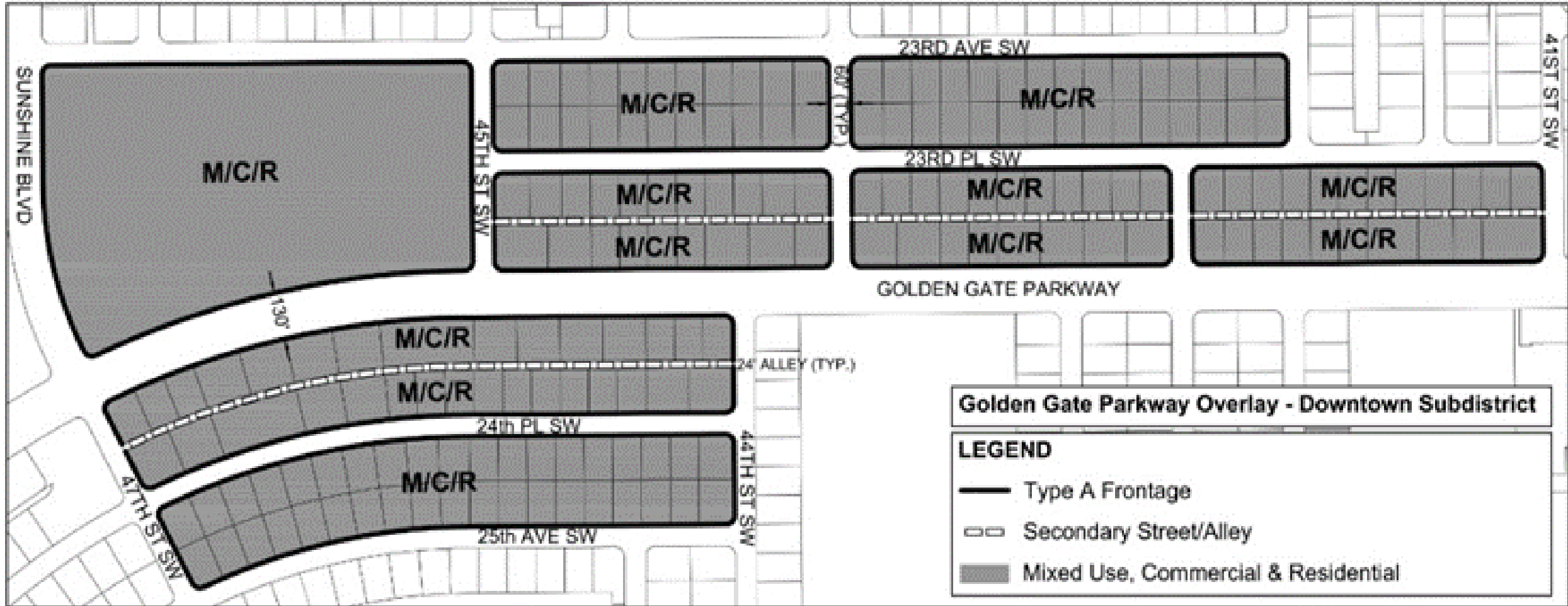


Regulating Plans



Subdistrict -
Downtown

Regulating Plans



Subdistrict - Downtown

Regulating Plans



Subdistrict
Activity Center

REGULATING PLAN

*safe *diverse *vibrant *walkable



Primary Streets



Secondary Streets



Improvements to public streets like Golden Gate Parkway are proposed to be funded by Innovation Zone Tax Increment Funds.



The End

Q&A

LAND DEVELOPMENT CODE AMENDMENT

PETITION

PL2019000XXX

ORIGIN

Board of County
Commissioners

HEARING DATES

BCC TBD
CCPC TBD
DSAC TBD
DSAC-LDR 9/17/19

SUMMARY OF AMENDMENT

This amendment clarifies that the minimum floor area for commercial in the Bayshore Gateway Triangle Redevelopment Area does not apply to the size of a hotel room.

LDC SECTION TO BE AMENDED

4.02.16 Design Standards for Development in the Bayshore Gateway Triangle Redevelopment Area

ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR

Approval

DSAC

Denial

CCPC

TBD

BACKGROUND

At the Board’s September 10, 2019, meeting, Staff was directed to clarify the dimensional requirements related to the minimum floor area for commercial in the Bayshore Gateway Triangle Redevelopment Area (See agenda item 12.A).

Staff’s position is that this commercial dimensional requirement of 700 square feet per unit does not apply to a hotel guest room (or any particular room in any commercial building for that matter), but to the size of the commercial space as a whole. It should be noted that no other zoning district in the County contemplates a 700 square foot requirement for hotel guest rooms.

The County has not historically applied the 700 square foot minimum to guest rooms in hotels. In fact, the County recently approved a hotel in the same GTMUD-MXD zoning overlay with guest room sizes between 259 and 360 square feet.

FISCAL & OPERATIONAL IMPACTS

There are no anticipated fiscal or operational amendments related to this amendment.

GMP CONSISTENCY

To be provided by Comprehensive Planning Staff.

EXHIBITS: None.

Amend the LDC as follows:

**4.02.16 – Design Standards for Development in the Bayshore Gateway Triangle
Redevelopment Area**

A. Dimensional and Design Standards for the BMUD.

1. Neighborhood Commercial Subdistrict (BMUD-NC).

a. Specific District Provisions:

- i. Maximum Density: 12 units per acre comprised of density allowed by the underlying zoning district and available density bonuses.
- ii. Lot and building dimensional requirements for new development are provided below. These requirements shall be based on the building type of the principal structure(s) as described in section 4.02.16 D., Building Types and Architectural Standards.

Table 1. Dimensional Requirements in the BMUD-NC

	House ¹	Rowhouse ²	Apartment	Mixed-Use	Commercial	Civic & Institutional
Min. Lot Width (ft)	50	25 ³	100	100	100 ⁵	100
Min. Front Yard (ft)	10	10	10	5	5	10
Max. Front Yard (ft)	20	15	20	20	20	20
Min. Side Yard (ft)	5	5	5	5	5	10
Min. Rear Yard (ft)	15	15	20	20	20	20
Waterfront Yard (ft)	25	25	25	25	25	25
Min. Floor Area (sq ft)	700	700	700 per unit	700 per unit	700 per unit ⁶	n/a
Min. Building Separation	n/a	n/a	10	10	10	10
Max. Building Height (ft) ⁴	42	42	42	56	56	42

Notes:

¹ See 4.02.16.A.7 regarding Duplexes.

² See 4.02.16.A.7 regarding Two-Family Dwellings.

³ Applies to individual unit.

⁴ Zoned Height of Building.

⁵ Property zoned C-3 shall have a minimum lot width of 75 feet.

⁶ Not applicable to guest rooms in hotels.

DRAFT

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

- 1
- 2 2. Waterfront Subdistrict (BMUD-W).
- 3
- 4 a. Specific District Provisions:
- 5
- 6 i. Maximum Density: 12 units per acre comprised of density allowed
- 7 by the underlying zoning district and available density bonuses.
- 8
- 9 ii. Lot and building dimensional requirements for new development
- 10 are provided below. These requirements shall be based on the
- 11 building type of the principal structure(s) as described in section
- 12 4.02.16 D., Building Types and Architectural Standards.
- 13
- 14

Table 2. Dimensional Requirements in the BMUD-W

	House ¹	Rowhouse ²	Apartment	Mixed-Use	Commercial	Civic & Institutional
Min. Lot Width (ft)	50	25 ³	100	100	100 ⁵	100
Min. Front Yard (ft)	10	10	10	5	5	10
Max. Front Yard (ft)	20	15	20	20	20	20
Min. Side Yard (ft)	5	5	5	5	5	10
Min. Rear Yard (ft)	15	15	20	20	20	20
Waterfront Yard (ft)	25	25	25	25	25	25
Min. Floor Area (sq ft)	700	700	700 per unit	700 per unit	700 per unit ⁶	n/a
Min. Building Separation	n/a	n/a	10	10	10	10
Max. Building Height (ft) ⁴	42	42	42	56	56	42

Notes:

- ¹ See 4.02.16.A.7 regarding Duplexes.
- ² See 4.02.16.A.7 regarding Two-Family Dwellings.
- ³ Applies to individual unit.
- ⁴ Zoned Height of Building.
- ⁵ Property zoned C-3 shall have a minimum lot width of 75 feet.
- ⁶ Not applicable to guest rooms in hotels.

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- 32 B. Dimensional and Design Standards for the GTMUD.
- 33
- 34 1. Mixed Use Subdistrict (GTMUD-MXD).

- 1
- 2 a. Specific District Provisions:
- 3
- 4 i. Maximum Density: 12 units per acre comprised of density allowed
- 5 by the underlying zoning district and available density bonuses.
- 6 ii. Lot and Building Dimensional Requirements: Lot and building
- 7 dimensional requirements for new development are provided
- 8 below. These requirements shall be based on the building type of
- 9 the principal structure(s) as described in section 4.02.16 D.,
- 10 Building Types and Architectural Standards.
- 11
- 12

Table 7. Dimensional Requirements in the GTMUD-MXD

	House ¹	Rowhouse ²	Apartment	Mixed-Use	Commercial	Civic & Institutional
Min. Lot Width (ft)	50	25 ³	100	100	100 ⁵	100
Min. Front Yard (ft)	10	10	10	6.5 ⁶	6.5 ⁶	10
Min. Side Yard (ft)	7.5	5	7.5	10	10	10
Min. Rear Yard (ft)	15	15	20	5	5	15
Min. Waterfront Setback (ft)	25	25	25	25	25	25
Min. Floor Area (sq ft)	1,100	1,000	750 per unit	700 per unit	700 per unit ⁸	n/a
Min. Building Separation	n/a	n/a	10	10	10	10
Max. Building Height (ft) ⁴	42	42	42	56 ⁷	56 ⁷	42

- 13
- 14 Notes:
- 15 ¹ See 4.02.16.B.3 regarding Duplexes.
- 16
- 17 ² See 4.02.16.B.3 regarding Two-Family Dwellings.
- 18
- 19 ³ Applies to individual unit.
- 20
- 21 ⁴ Zoned Height of Building.
- 22
- 23 ⁵ Property zoned C-3 shall have a minimum lot width of 75 feet.
- 24
- 25 ⁶ Development in the Mini-Triangle Area of the GTMUD-MXD subdistrict shall have a
- 26 maximum setback of 20 feet.
- 27
- 28 ⁷ MUPs in the Mini-Triangle Area of the GTMUD-MXD subdistrict shall have a maximum zoned
- 29 building height of 112 feet.
- 30
- 31 ⁸ Not applicable to guest rooms in hotels.
- 32
- 33

#



Memorandum

To: Development Services Advisory Committee-Land Development Review Subcommittee (DSAC-LDR)
From: Jeremy Frantz, LDC Manager
Date: September 10, 2019
Re: 2020 DSAC-LDR Subcommittee Meeting Schedule

In 2019, the DSAC-LDR Subcommittee meetings have been held at 2:00 pm on the 3rd Tuesday, every 3 months. Staff recommends continuing this schedule for 2020, which would result in the following schedule:

- December 17, 2019
- March 17, 2020
- June 16, 2020
- September 15, 2020
- December 15, 2020