

# DEVELOPMENT SERVICES ADVISORY COMMITTEE

## AGENDA

October 2, 2019

3:00 p.m.

Conference Room 610

### NOTICE:

Persons wishing to speak on any Agenda item will receive up to three (3) minutes unless the Chairman adjusts the time. Speakers are required to fill out a "Speaker Request Form," list the topic they wish to address and hand it to the Staff member seated at the table before the meeting begins. Please wait to be recognized by the Chairman and speak into a microphone. State your name and affiliation before commenting. During the discussion, Committee Members may direct questions to the speaker.

Please silence cell phones and digital devices. There may not be a break in this meeting. Please leave the room to conduct any personal business. All parties participating in the public meeting are to observe Roberts Rules of Order and wait to be recognized by the Chairman. Please speak one at a time and into the microphone so the Hearing Reporter can record all statements being made.

- I. Call to Order – Chairman
- II. Approval of Agenda
- III. Approval of Minutes from September 4, 2019
- IV. Public Speakers
- V. Staff Announcements/Updates
  - A. Code Enforcement Division update – [Mike Ossorio]
  - B. Public Utilities Department update – [Eric Fey or designee]
  - C. Growth Management Department Transportation Engineering Division & Planning Division updates – [Jay Ahmad or designee]
  - D. Collier County Fire Review update – [Shar Beddow or Shawn Hanson]
  - E. North Collier Fire Review update – [Capt. Sean Lintz or Daniel Zunzunegui]
  - F. Operations & Regulatory Mgmt. Division update – [Ken Kovensky]
  - G. Development Review Division update – [Matt McLean]
- VI. New Business
  - A. LDC Amendments [Jeremy Frantz]
  - B. Review Water and Wastewater Impact Fee Update Study [Amy Patterson]
  - C. Review Transportation Impact Fee Update Study [Amy Patterson]
- VII. Old Business
- VIII. Committee Member Comments
- IX. Adjourn

### Next Meeting Dates:

November 6, 2019 GMD conference Room 610 – 3:00 pm

December 4, 2019 GMD conference Room 610 – 3:00 pm

**January 1, 2020 "Cancel" County offices closed**

February 5, 2020 GMD conference Room 610 – 3:00 pm

March 4, 2020 GMD conference Room 610 – 3:00 pm



# Memorandum

To: Development Services Advisory Committee (DSAC)  
From: Ellen Summers, Senior Planner  
Date: September 25, 2019  
Re: LDC and Administrative Code Amendments

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## **Administrative Code Amendments**

At the DSAC meeting held on September 4, 2019, staff introduced the comprehensive update to the Administrative Code for Land Development. At that time, staff wanted the members of the DSAC to have time to review the materials in detail, therefore staff did not seek a recommendation. Staff would now like to obtain a DSAC recommendation on the proposed amendments to the Administrative Code.

Given the size of the document containing the Administrative Code updates, staff will email the draft Administrative Code amendments separately from the DSAC Materials packet. Additionally, the following link will take you directly to the draft Administrative Code amendments document: <https://www.colliercountyfl.gov/home/showdocument?id=88622>.

The document can also be found by going to [www.colliercountyfl.gov/admincode](http://www.colliercountyfl.gov/admincode) and navigating to the page labeled *Administrative Code for Land Development Amendments*, found on the tool bar on the left side.

Included within the DSAC Materials, staff has provided a list detailing the proposed changes to the Administrative Code.

## **Land Development Code (LDC) Amendments**

Zoning Staff has prepared the following new LDC Amendments, which were reviewed by the Development Services Advisory Committee - Land Development Review (DSAC-LDR) Subcommittee on September 17, 2019. Staff is now seeking a recommendation from the DSAC.

### **1. Scrivener's Errors (LDC Sections 2.03.05, 2.03.07, 2.03.08, 4.06.02, 5.03.06, 9.04.04, and Appendix C)**

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

- *The DSAC-LDR Subcommittee recommended approval of the amendment with no changes.*

### **2. Minimum Floor Area for Hotels (LDC Section 4.02.16)**

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.



- *The DSAC-LDR Subcommittee recommended approval of the amendment with the following additional discussion:*

During the DSAC-LDR Subcommittee's discussion, the following additional recommendations were made:

- Staff should provide further clarification of the language as it relates to dwelling units in commercial establishments.
- Staff should provide clarification regarding the minimum size of guest rooms in hotels.
- Staff should return to the next DSAC-LDR subcommittee meeting to discuss the definition of the term "mixed-use" as used in LDC section 4.02.16 B. Table 7, Note 7. It was noted that it may not have been the intent of the district to allow the maximum building height if a sufficient mix of uses is not provided.

These additional recommendations are not addressed in the amendment since this amendment is intended to be narrow in scope. Staff will provide updates at the DSAC meeting and suggests these issues should be addressed through a separate amendment process.

### **3. Temporary Emergency Housing (Code of Laws and Ordinances Sections 62-79, and 38-07)**

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.

- *The DSAC-LDR Subcommittee recommended approval of the amendment with no changes.*

Please contact me if you have any questions.

Sincerely,

Ellen Summers, Senior Planner

[Ellen.Summers@ColliercountyFL.gov](mailto:Ellen.Summers@ColliercountyFL.gov)

(239) 252-1032

# 2019 Administrative Code Updates

<p><b>Comprehensive Changes</b></p>	<p>Non-substantive changes have been made, including:</p> <ul style="list-style-type: none"> <li>• Minor grammar updates;</li> <li>• Terminology updates;</li> <li>• Division name updates;</li> <li>• In the case of where a bulleted list is present, the bullets have been replaced with letters;</li> <li>• Cross-references to Chapter 1, where additional details can be found, were added within the <i>Initiation</i> and <i>Completeness and Processing of Application</i> sections;</li> <li>• ‘Affidavit of Authorization’, and ‘Electronic Copies of All Documents’ have been added to all application types where previously missing; and</li> <li>• Additionally, all Public Notice Sign Templates have been removed, and the sign templates will now be found within Chapter 8 of the Administrative Code.</li> </ul>
<p><b>Chapter 1 - Introduction</b></p>	
<p><b>Ch. 1 B.1</b> - Administrative Code Amendment</p>	<p>Added a reference to the County website that contains amendments to the Administrative Code. Added the ability to administratively update acronyms.</p>
<p><b>Ch. 1 B.7</b> - Growth Management Department (GMD)</p>	<p>Updated to accurately reflect the reorganized divisions within the GMD.</p>
<p><b>Ch. 1 D.2</b> - GMD Public Portal (New Section)</p>	<p>Introduces the E-Permitting process and the GMD Public Portal. This new section also provides a reference to the County website that contains all pertinent E-Permitting information.</p>
<p><b>Ch. 1 D.3</b> Initiation of the Application</p>	<p>Added the process of uploading applications electronically through the GMD Public Portal.</p>
<p><b>Ch. 1 D.4</b> - Pre-application Meeting – Initiation of the pre-application meeting</p>	<p>Details the pre-application meeting request process through the GMD Public Portal and describes how the meeting will be scheduled.</p>
<p><b>Ch. 1 D.4</b> - Pre-application Meeting – Required Documentation (Relocated)</p>	<p>Removed and relocated information to Ch. 1 D.3.- Initiation of Pre-Application Meeting.</p>
<p><b>Ch. 1 D.5</b> - Completeness and Processing</p>	<p>The Completeness and Processing Letter was previously mailed, this has now changed to a processing notification sent via email.</p>
<p><b>Ch. 1 D.9</b> - Pre-Construction Meeting</p>	<p>Reflects the current process and timing of submittal requirements.</p>
<p><b>Chapter 2 – Legislative Procedures</b></p>	
<p><b>Ch. 2 A.</b> - Comprehensive Plan Amendment</p>	<p>Regular GMP amendments are now referred to as ‘large-scale’ amendments. This change is for clarity in amendment type and will also be updated where mentioned in the LDC with an upcoming LDC amendment.</p>

	The <i>Notice – Small-Scale Amendment</i> section has been updated to include the requirements of a NIM, Mailed Notice, and posting of a Sign.
	The <i>Notice – Large-Scale Amendment</i> section currently contains a secondary Mailed Notice requirement which has been removed. This process is not utilized and will be updated with an upcoming LDC amendment.
<b>Chapter 3 – Quasi-Judicial Procedures with a Public Hearing</b>	
<b>Ch. 3 B.</b> - Boat Dock – Including Boathouse Establishment, Dock Facility Extension, and Boat Lift Canopy	This section contained 4 different application types with different quasi-judicial and administrative review procedures. Each application type has been separated into individual sections for ease of use. Additionally, the Administrative Boat Lift Canopy application process has been relocated to Chapter 4 – Administrative Procedures.
<b>Ch. 3 C.2</b> - Conditional Use Extension	Added 'Addressing Checklist' to <i>Application Contents</i> .
<b>Ch. 3 C.3</b> - Conditional Use Re-Review	The <i>Notice</i> section has been updated to include the Mailed Notice requirement.
<b>Ch. 3 D.1</b> - DRI Establishment	The <i>Notice</i> section has been modified to remove the existing Notice information, and now references the F.S. and Florida Administrative Code.
<b>Ch. 3 D.3</b> - DRI Amendment	Corrected the reference to LDC Public Notice section to LDC section 10.03.06 I.
<b>Ch. 3 F.</b> - Parking Exemption with a Public Hearing	The <i>Notice</i> and <i>Application Contents</i> sections have been updated to include the required Agent Letter information. Additionally, the <i>Notice</i> section has been updated to include the Sign requirements.
<b>Ch. 3 G.5</b> - PUD Insubstantial Change	The <i>Notice</i> section has been updated to include the NIM requirement and specify that upon written request by the applicant, the Hearing Examiner has the discretion to waive the NIM after the first set of staff review comments have been issued.
<b>Ch. 3 G.5</b> - PUD Extension	This section will be removed, as PUD sunseting has been removed from the LDC, per Ordinance 2014-33.
<b>Ch. 3 G.6</b> - Zoning Verification Letter - PUD Comparable Use Determination	Added 'Addressing Checklist' to <i>Application Contents</i> .
<b>Ch. 3 H.</b> - Rezoning-Standard	The <i>Notice</i> section was previously separated into two categories: parcels less than 10 acres and parcels greater than 10 acres. The LDC does not distinguish between parcel size. This has been updated to require a NIM, Mailed Notice, Newspaper Advertisement, and posting of a Sign for all rezones.
<b>Ch. 3 I.</b> - Sign Variance	The <i>Notice</i> and <i>Application Contents</i> have been updated to include the Agent Letter information.
<b>Ch. 3 J.</b> - Variance	The <i>Notice</i> and <i>Application Contents</i> have been updated to include the Agent Letter information.
<b>Ch. 3 K.</b> - Compatibility Design Review	Added a reference to specific LDC public notice section 10.03.06 Y.

<b>Chapter 4 – Administrative Procedures</b>	
<b>Ch. 4 A.</b> – Architectural Plans	Clarified roof plan requirements for architectural drawings.
<b>Ch. 4 B.</b> – Coastal Construction Setback Line Permit	Revised <i>Applicability</i> for consistency with the LDC. Added ‘Coastal Construction Setback Line information’ to the Site Plan Requirements.
<b>Ch. 4 D.</b> – Early Work Authorization	Added ‘Cover Letter’ to <i>Application Contents</i> .
<b>Ch. 4 E.1</b> – Agricultural Land Clearing Permit	Added ‘Aerial photograph or Site Plan’ information to the <i>Application Contents</i> .
<b>Ch. 4 E.2</b> – Agricultural Clearing Notice	Clarified the <i>Review Process</i> to specify that the Ag. Clearing Notice will be reviewed in accordance with F.S. § 163.3162(4) or § 823.14(6) and staff will provide correspondence acknowledging the application.
<b>Ch. 4 E.4</b> – Vegetation Removal Permit	Added information to the <i>Applicability</i> section to clarify when this application is warranted and to provide consistency with the LDC.
<b>Ch. 4 H.</b> – Sign Permit	<i>Additional Requirements for Wall Signs</i> was revised to include the submission of a floor plan showing building units, and added information to the site plan requirement, which previously cross-referenced another section. Clarified <i>Permit Number Displayed</i> information to state that only the current permit number should be displayed to the sign or sign structure.
<b>Ch. 4 I.2</b> – Site Development Plan	<i>Application Contents</i> and <i>Site Development Plan Requirements</i> have been separated out into two sections and items within each of these two sections have been reorganized and clarified for ease of use. Previous <i>Application Contents</i> #20 and #23, Building Plans and Construction Plans, have been removed completely, as these items are not required as part of the SDP review.
<b>Ch. 4 I.3</b> – Site Improvement Plan	Added ‘Cover Sheet’ requirements to <i>Application Contents</i> . Items such as: Architectural Plans, Landscaping Plans, Engineer’s Report, and Engineer’s Opinion of Probable Cost, as required, have been added to the <i>Application Contents</i> , for consistency with the SIP application.
<b>Ch. 4 L.1-3</b> – Zoning Verification Letters	All application names within the <i>Initiation</i> section have been modified for accuracy with existing applications.
<b>Ch. 4 O.</b> – Boat Lift Canopy-Administrative Review	This section was relocated from Chapter 3 – Quasi-Judicial Procedures with a Public Hearing, as it is an administrative process.
<b>Ch. 4 P.</b> – Landscape Plans (NEW SECTION)	This section has been added per the request of staff as many site development and subdivision applications require a landscape plan as part of the review. Having a separate section to detail the contents of a landscape plan allows for ease of use, and the reduction of duplicative information throughout the Administrative Code. Applications within the Administrative Code that require a landscape plan have been modified to cross-reference this new section.
<b>Chapter 5 – Subdivision Procedures</b>	
<b>Ch. 5 A.</b> – Lot Split	Added information to the <i>Applicability</i> section for consistency with the LDC, and to the <i>Recording</i> section, to identify the timing of



	when the recording must occur, and that evidence of the recorded document must be provided to GMD.
<b>Ch. 5 B.</b> – Lot Line Adjustment	Added information to the <i>Recording</i> section, to identify the timing of when the recording must occur, and that evidence of the recorded document must be provided to GMD.
<b>Ch. 5 C.1</b> – Preliminary Subdivision Plat - Standard	Added ‘Cover Letter’, locational information, previous zoning actions, and source of utilities to <i>Application Contents</i> . Revised the ‘Engineer’s Report with Assumptions and Explanations’ in the <i>Requirements for Preliminary Subdivision Plat</i> section for clarity in what is required and to match the language revised for the SDP application.
<b>Ch. 5 C.2</b> – Preliminary Subdivision Plat Amendment	The <i>Applicability</i> section was updated, as it previously identified the County Manager or Designee as the party authorized to make an amendment on the PSP. Added a cross-reference to Preliminary Subdivision Plat section for the <i>Application Contents</i> , as the PSPA will require all of the same items as a PSP.
<b>Ch. 5 D.1</b> – Construction Plans and Final Subdivision Plat - Standard (PPL)	Revised the ‘Engineer’s Report with Assumptions and Explanations’ in the <i>Application Contents</i> section for clarity in what is required and to match the language revised for the SDP application. Where datum requirements are mentioned, it has been updated to reference the NAVD datum only, as NGVD is no longer accepted.
<b>Ch. 5 D.2</b> – Construction Plans and Final Subdivision Plat Amendment (PPLA) (NEW SECTION)	This section was added at the request of staff. The process and submittal requirements are identical to the PPL process.
<b>Ch. 5 D.3</b> – Final Subdivision Plat – For Townhouse Fee Simple Development	Removed items under <i>Application Contents</i> that are within the <i>Application Contents</i> for Construction Plans and Final Subdivision Plat (this section cross-references the PPL section for all application contents).
<b>Ch. 5 E.1</b> – Construction Plans-Standard	Clarified ‘Streetlight Plans’ in <i>Application Contents</i> are required to be signed and sealed. Removed ‘contract bid price’ from the ‘Professional engineer’s opinion of the probable construction costs’, as contract bid pricing is only required as basis for bond for recording a plat.
<b>Ch. 5 E.2</b> – Insubstantial Change to Construction Plans	Removed references to SDP/SIP throughout various <i>Application Contents</i> . Added the ‘Engineer’s Report with Assumptions and Explanations’ to the <i>Application Contents</i> , this is an existing requirement that was missing from the Admin. Code.
<b>Ch. 5 G.</b> – Plat Recording	Removed <i>Public Hearing</i> information, as a hearing is not required for the recording of the plat, a hearing would have been held at time of Final Plat approval.
<b>Chapter 6 – Waivers, Exemptions, and Reductions</b>	
<b>Ch. 6 A.</b> – Administrative Fence/Wall Waiver (AFW)	Added information to the <i>Applicability</i> section to clarify the scenarios in which an AFW can be utilized, and for consistency with the LDC.

<b>Ch. 6 B.</b> – Administrative Parking Reduction (APR)	Updated LDC section references. Added ‘copy of most current approved SDP or SIP’, and ‘copy of approved Zoning Certificate’ to the <i>Application Contents</i> for consistency with existing application.
<b>Ch. 6 E.</b> – Alcohol Distance Waiver	The <i>Notice</i> and <i>Application Contents</i> sections have been updated to include the required Agent Letter information.
<b>Ch. 6 F.</b> – Alternative Architectural Design	Updated LDC section references.
<b>Ch. 6 G.</b> – Facilities with Fuel Pumps Waiver (Previously ‘Automobile Service Station Waiver’)	Updated the title of this process for consistency with the LDC. The <i>Notice</i> and <i>Application Contents</i> sections have been updated to include the required Agent Letter information.
<b>Ch. 6 H.</b> – Nonconforming Use Change (NUC)	The <i>Notice</i> section was updated to include the Mailed Notice and Sign requirements.
<b>Ch. 6 J.</b> – Post Take Plan	The Agent Letter information within the <i>Application Contents</i> has been removed, as an Agent Letter notification is not required. The Sign requirement within the <i>Additional Notice</i> section has been removed as the LDC does not require a sign.
<b>Chapter 7 – Supplementary Submittal Requirements for Land Use Applications</b>	
	No substantive changes have been made.
<b>Chapter 8 – Public Notice</b>	
<b>Ch. 8 B.</b> – Neighborhood Information Meeting	<i>Conduct of Meeting</i> has been revised to clarify Collier County staff’s role as observers for NIMs. <i>Meeting Follow-Up</i> has been revised to require the written NIM summary be submitted prior to scheduling a public hearing.
<b>Ch. 8 E.</b> – Posting of a Sign	Added a <i>Sign Template</i> section that details the items required on a public notice sign.
<b>Chapter 9 – Office of the Hearing Examiner-Procedures</b>	
	The <i>Assignment</i> section has been updated to revise petition names for consistency with the LDC, and to remove the PUD Extension process.
<b>Chapter 10 – Where to Find Current Information</b>	
	No substantive changes have been made.
<b>Chapter 11 – Contact Information</b>	
	No substantive changes have been made.
<b>Chapter 12 – Acronyms</b>	
	No substantive changes have been made.
<b>Chapter 13 – Glossary</b>	
	Added a Florida Statute reference to the Newspaper Advertisement definition.
<b>Chapter 14 – Appendix A.</b>	
	No substantive changes have been made.



**LAND DEVELOPMENT CODE AMENDMENT**

**PETITION**

PL20190002003

**ORIGIN**

Growth Management  
Department

**HEARING DATES**

BCC           TBD  
CCPC         TBD  
DSAC         10-02-19  
DSAC-LDR   09-17-19

**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**  
Approved

**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.: 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.

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

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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, and14: When LDC was recodified by Ordinance 04-41, three categories were erroneosly 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 applicablity 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.

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**FISCAL & OPERATIONAL IMPACTS**

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

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**GMP CONSISTENCY**

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

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

1 Amend the LDC as follows:

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3 **2.03.05 Civic and Institutional Zoning Districts**  
4

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

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

15 a. *Permitted uses.*

16 \* \* \* \* \*

17 5. Nursing homes assisted living facilities (ALF) pursuant to §  
18 400.402 F.S. and ch. 58A-5 F.A.C., family care facilities, group  
19 care facilities (category I) and continuing care ~~residential~~  
20 retirement communities pursuant to § 651 F.S. and ch. 4-193  
21 F.A.C. all subject to LDC section 5.05.04.

22 \* \* \* \* \*

23 # # # # # # # # # # # # # #

24  
25 **2.03.07 Overlay Zoning Districts**

26 \* \* \* \* \*

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

31 \* \* \* \* \*

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

37 \* \* \* \* \*

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

42 \* \* \* \* \*

43 xiii. LDC sections 4.05.04 ~~H~~ G (Spaces Required) Table 17 and  
44 4.05.06 B Loading Space Requirements, utilizing the existing  
45 administrative deviation process set forth in LDC section 4.05.04  
46 ~~G-2~~ F.4, recognizing that the reduced need for off-street parking  
47 in Immokalee may be offered as a viable basis for such  
48 administrative deviation.

49 \* \* \* \* \*

50 # # # # # # # # # # # # # #

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~~ S Single- ~~f~~ 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 ~~S~~ S 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~~ M Multi- ~~f~~ 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 ~~E~~ E ssential ~~Uses~~ services identified in LDC section 2.03.01 G.2 and 4.

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1 **4.06.02 Buffer Requirements**

2 \* \* \* \* \*  
3 B. Methods of determining buffers. Where a property adjacent to the proposed use is: (1)  
4 required pursuant to this Code, or (3) developed without the buffering and screening  
5 required pursuant to this Code, the proposed use shall be required to install the more  
6 opaque buffer as provided for in table 2.4. Where property adjacent to the proposed use  
7 has provided the more opaque buffer as provided for in table 2.4, the proposed use shall  
8 install a type A buffer.  
9

10 Where the incorporation of existing native vegetation in landscape buffers is determined  
11 as being equivalent to or in excess of the intent of this Code, the planning services  
12 director may waive the planting requirements of this section.  
13

14 Buffering and landscaping between similar residential land uses may be incorporated  
15 into the yards of individual lots or tracts without the mandatory creation of separate  
16 tracts. If buffering and landscaping is to be located on a lot, it shall be shown as an  
17 easement for buffering and landscaping.  
18

19 The buffering and screening provisions of this Code shall be applicable at the time of  
20 planned unit development (PUD), preliminary subdivision plat (PSP), or site  
21 development plan (SDP) review, with the installation of the buffering and screening  
22 required pursuant to section 4.06.05 ~~G.~~ H. If the applicant chooses to forego the  
23 optional PSP process, then signed and sealed landscape plans will be required on the  
24 final subdivision plat. Where a more intensive land use is developed contiguous to a  
25 property within a similar zoning district, the planning services director may require  
26 buffering and screening the same as for the higher intensity uses between those uses.  
27

28 • \* \* \* \* \*  
29 # # # # # # # # # # # # # #

30 **5.03.06 Dock Facilities**

31 \* \* \* \* \*  
32 E. Standards for dock facilities. The following criteria apply to dock facilities and boathouses,  
33 with the exception of dock facilities and boathouses on manmade lakes and other  
34 manmade bodies of water under private control.  
35 \* \* \* \* \*

36 11. Multi-slip docking facilities with 10 or more slips will be reviewed for consistency  
37 with the Manatee Protection Plan ("MPP") adopted by the BCC and approved by  
38 the DEP. If the location of the proposed development is consistent with the MPP,  
39 then the developer shall submit a "Manatee Awareness and Protection Plan,"  
40 which shall address, but not be limited to, the following categories:

- 41 a. Education and public awareness.
- 42 b. Posting and maintaining manatee awareness signs.
- 43 ~~12.~~ c. Information on the type and destination of boat traffic that will be  
44 generated from the facility.
- 45 ~~13.~~ d. Monitoring and maintenance of water quality to comply with state  
46 standards.
- 47 ~~14.~~ e. Marking of navigational channels, as may be required.

48 # # # # # # # # # # # # # #

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Text underlined is new text to be added

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

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

\* \* \* \* \*

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

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

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

\* \* \* \* \*

# # # # # # # # # # # # # #

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

\* \* \* \* \*

COUNTY COMMISSION APPROVAL

STATE OF FLORIDA  
COUNTY OF COLLIER

THIS PLAT APPROVED FOR RECORDING IN A REGULAR OPEN MEETING BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, PROVIDED THAT THE PLAT IS FILED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF COLLIER COUNTY, FLORIDA.

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

FILING RECORD



# DRAFT

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1 I HEREBY CERTIFY THAT THIS PLAT HAS BEEN EXAMINED BY ME AND  
2 THAT IT COMPLIES IN FORM WITH THE REQUIREMENTS, OF CHAPTER  
3 177, FLORIDA STATUTES. I FURTHER CERTIFY THAT SAID PLAT WAS  
4 FILED FOR RECORD AT \_\_\_\_\_ (a.m. or p.m.) THIS \_\_\_\_\_ DAY OF  
5 \_\_\_\_\_, 20 \_\_\_\_, AND DULY RECORDED IN PLAT BOOK \_\_\_\_\_ PAGE(S)  
6 \_\_\_\_\_, INCLUSIVE, OF THE PUBLIC RECORDS OF COLLIER COUNTY,  
7 FLORIDA.

8  
9 ~~DWIGHT E. BROCK~~ (Name of Clerk)

10 CLERK OF CIRCUIT COURT  
11 IN AND FOR COLLIER COUNTY

12 \* \* \* \* \*  
13 # # # # # # # # # # # # # # #  
14 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.

**LAND DEVELOPMENT CODE AMENDMENT**

**PETITION**

PL2019000XXX

**ORIGIN**

Board of County  
Commissioners

**HEARING DATES**

BCC           TBD  
CCPC        11/21/19  
DSAC        10/02/19  
DSAC-LDR  09/17/19

**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**  
TBD

**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.

*DSAC-LDR Subcommittee Recommendation:*

The DSAC-LDR Subcommittee reviewed the amendment on September 17, 2019, and unanimously recommended approval of the amendment, but that staff should also provide further clarification of the language as it relates to dwelling units in commercial establishments.

During the DSAC-LDR Subcommittee’s discussion, the following additional recommendations were made:

- Staff should provide clarification regarding the minimum size of guest rooms in hotels.
- Staff should return to the next DSAC-LDR subcommittee meeting to discuss the definition of the term “mixed-use” as used in LDC section 4.02.16 B. Table 7, Note 7. It was noted that it may not have been the intent of the district to allow the maximum building height if a sufficient mix of uses is not provided.



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These issues are not addressed in the amendment since this amendment is intended to be narrow in scope. Staff suggests these issues should be addressed through a separate amendment process.

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**FISCAL & OPERATIONAL IMPACTS**

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

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**GMP CONSISTENCY**

To be provided by Comprehensive Planning Staff.

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**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 <sup>1</sup>	Rowhouse <sup>2</sup>	Apartment	Mixed-Use	Commercial	Civic & Institutional
Min. Lot Width (ft)	50	25 <sup>3</sup>	100	100	100 <sup>5</sup>	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 <sup>6</sup>	700 per unit <sup>6</sup>	n/a
Min. Building Separation	n/a	n/a	10	10	10	10
Max. Building Height (ft) <sup>4</sup>	42	42	42	56	56	42

Notes:

<sup>1</sup> See 4.02.16.A.7 regarding Duplexes.

<sup>2</sup> See 4.02.16.A.7 regarding Two-Family Dwellings.

<sup>3</sup> Applies to individual unit.

<sup>4</sup> Zoned Height of Building.

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

<sup>6</sup> Not applicable to guest rooms in hotels.

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

## 2. Waterfront Subdistrict (BMUD-W).

### 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 2. Dimensional Requirements in the BMUD-W**

	House <sup>1</sup>	Rowhouse <sup>2</sup>	Apartment	Mixed-Use	Commercial	Civic & Institutional
Min. Lot Width (ft)	50	25 <sup>3</sup>	100	100	100 <sup>5</sup>	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 <sup>6</sup>	700 per unit <sup>6</sup>	n/a
Min. Building Separation	n/a	n/a	10	10	10	10
Max. Building Height (ft) <sup>4</sup>	42	42	42	56	56	42

#### Notes:

<sup>1</sup> See 4.02.16.A.7 regarding Duplexes.

<sup>2</sup> See 4.02.16.A.7 regarding Two-Family Dwellings.

<sup>3</sup> Applies to individual unit.

<sup>4</sup> Zoned Height of Building.

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

<sup>6</sup> Not applicable to guest rooms in hotels.

\* \* \* \* \*

## B. Dimensional and Design Standards for the GTMUD.

### 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
- 7 ii. Lot and Building Dimensional Requirements: Lot and building
- 8 dimensional requirements for new development are provided
- 9 below. These requirements shall be based on the building type of
- 10 the principal structure(s) as described in section 4.02.16 D.,
- 11 Building Types and Architectural Standards.
- 12
- 13

**Table 7. Dimensional Requirements in the GTMUD-MXD**

	House <sup>1</sup>	Rowhouse <sup>2</sup>	Apartment	Mixed-Use	Commercial	Civic & Institutional
Min. Lot Width (ft)	50	25 <sup>3</sup>	100	100	100 <sup>5</sup>	100
Min. Front Yard (ft)	10	10	10	6.5 <sup>6</sup>	6.5 <sup>6</sup>	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 <sup>8</sup>	700 per unit <sup>8</sup>	n/a
Min. Building Separation	n/a	n/a	10	10	10	10
Max. Building Height (ft) <sup>4</sup>	42	42	42	56 <sup>7</sup>	56 <sup>7</sup>	42

- 14
- 15 Notes:
- 16 <sup>1</sup> See 4.02.16.B.3 regarding Duplexes.
- 17
- 18 <sup>2</sup> See 4.02.16.B.3 regarding Two-Family Dwellings.
- 19
- 20 <sup>3</sup> Applies to individual unit.
- 21
- 22 <sup>4</sup> Zoned Height of Building.
- 23
- 24 <sup>5</sup> Property zoned C-3 shall have a minimum lot width of 75 feet.
- 25
- 26 <sup>6</sup> Development in the Mini-Triangle Area of the GTMUD-MXD subdistrict shall have a
- 27 maximum setback of 20 feet.
- 28
- 29 <sup>7</sup> MUPs in the Mini-Triangle Area of the GTMUD-MXD subdistrict shall have a maximum
- 30 zoned building height of 112 feet.
- 31

<sup>8</sup> Not applicable to guest rooms in hotels.

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**CODE OF LAWS AND ORDINANCES AMENDMENT**

**PETITION**

PL20190001899

**ORIGIN**

Planning Commission

**HEARING DATES**

BCC           TBD  
 CCPC         TBD  
 DSAC         10-02-19  
 DSAC-LDR   09-17-19

**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**

Approved

**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 is justifiable, 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 homeowners to obtain a temporary use permit for temporary emergency housing.

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**GMP CONSISTENCY**

To be provided by Comprehensive Planning Staff.

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

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1 Amend the Code of Laws as follows:

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**Chapter 62 - FLOODS**  
**Article II. - FLOODPLAIN MANAGEMENT**  
**Section 62-79. - Temporary emergency housing.**

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

B. *Placement of Temporary Emergency Housing within the Flood Hazard Area.* The Board of County Commissioners or the County Manager or designee, in coordination with the Floodplain Administrator, may allow for post-disaster emergency temporary manufactured homes, recreational vehicles or similar resources provided by federal, state, and local agencies within the flood hazard areas for a period of six months. ~~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.

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

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

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

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

G. *Consistent with Post-Disaster Recovery Ordinance.* The efforts specified in this section shall 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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# DRAFT

## 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](mailto: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](http://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: \_\_\_\_\_