

RESOLUTION NO. 2019 - 196

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA AMENDING THE ADMINISTRATIVE CODE FOR LAND DEVELOPMENT, WHICH WAS CREATED BY ORDINANCE NO. 2013-57, BY AMENDING CHAPTER FOUR, ADMINISTRATIVE PROCEDURES, MORE SPECIFICALLY TO AMEND SECTION I.2., SITE DEVELOPMENT PLANS (SDP), TO PROVIDE PROCEDURES FOR AIRSPACE OBSTRUCTION REVIEW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners (“Board”) adopted Ordinance No. 2004-66 on October 12, 2004, which created an Administrative Code for Collier County; and

WHEREAS, the Board subsequently amended Ordinance No. 2004-66 through the adoption of Ordinance No. 2013-57 on September 24, 2013; and

WHEREAS, Ordinance No. 2013-57 provides for the adoption of Exhibit “B,” the Administrative Code for Land Development, which shall be maintained by the County Manager or designee; and

WHEREAS, Ordinance No. 2013-57 also provides that amendments required to maintain the Administrative Code shall be made by resolution adopted by the Board; and

WHEREAS, the Board desires to revise the Administrative Code for Land Development, to provide procedures for airspace obstruction review, as described in Exhibit “A,” attached hereto.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that the Administrative Code for Land Development, which was created by Ordinance No. 2013-57, is hereby amended as follows:

SECTION ONE: AMENDMENT OF CHAPTER FOUR – ADMINISTRATIVE PROCEDURES

Section I.2., entitled “Site Development Plans (SDP)”, of Exhibit “B,” Administrative Code for Land Development, is hereby amended as set forth in Exhibit A, attached hereto and incorporated herein by reference.


SECTION TWO: EFFECTIVE DATE

This Resolution shall become effective on the date of adoption by the Board.

THIS RESOLUTION ADOPTED by majority vote this 22nd day of October, 2019.

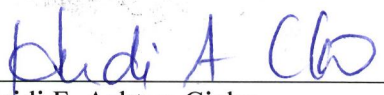
ATTEST:
CRYSTAL K. KINZEL, CLERK

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: 
Attest as to Chairman's
Deputy Clerk
signature only.

By: 
WILLIAM L. McDANIEL, JR., CHAIRMAN

Approved as to form and legality:


Heidi F. Ashton-Cicko
Managing Assistant County Attorney

Attachment: Exhibit A – Chapter 4, Section I.2., “Site Development Plans (SDP)”

Exhibit A – Administrative Code

Collier County Land Development Code | *Administrative Procedures Manual*

Chapter 4 | Administrative Procedures

1.2. Site Development Plans (SDP)

Reference	LDC section 10.02.03 and other provisions of the LDC .
Applicability	All development is subject to this subchapter, unless it is exempt pursuant to LDC subsection 10.02.03 A.3.
Pre-Application	A pre-application meeting is required unless waived by the County Manager or designee at the request of the applicant , pursuant to LDC subsection 10.02.03 D.
Initiation	The applicant files an “ <i>Application for Site Development Plan</i> ” with the Development Review Division.
Application Contents and Site Plan Requirements	Submittal Credentials: The engineering plans shall be signed and sealed by the applicant’s professional engineer licensed to practice in the State of Florida. The landscape plans shall be signed and sealed by a landscape architect registered in the State of Florida. For projects subject to LDC section 5.05.08, architectural drawings, shall be signed and sealed by a licensed architect , registered in the State of Florida.

Sheet size: The site development plan and the coversheet shall be prepared on a maximum size sheet measuring 24 inches by 36 inches, drawn to scale.

The application shall include the following, if applicable:

- 1. Applicant contact information.**
- 2. Addressing checklist.**
- Warrant deed.
- Property information, including:
 - Project title;
 - Legal description;
 - **Property identification number;**
 - Section, township and range;
 - Subdivision name, unit, lot and block; and
 - Scale, north arrow, and date.
- 5. Electronic copies of all documents.**
- 6. Proof of ownership**, including a copy of the recorded deed, contract for sale or agreement for sale, or a notarized statement of ownership clearly demonstrating ownership and control of the subject lot or parcel of land.
 - The **applicant** shall also present a notarized letter of authorization from the **property owner(s)** designating the **applicant** as the agent acting on behalf of the owner(s).
- Owner/agent affidavit as to the correctness of the application.
- 8. PUD Ordinance and Development Commitment Information.**
- PUD Monitoring Report and Schedule, if applicable.

Exhibit A – Administrative Code

Collier County Land Development Code | *Administrative Procedures Manual*

Chapter 4 | *Administrative Procedures*

10. A Cover Sheet with the following information:
 - The project title and the name, address and phone number of the firm or agent preparing the plans and the name, address and telephone number of the **property owner**;
 - Zoning designation of the subject property. In the event that the property is zoned PUD, the name of the PUD and the number of the ordinance approving the PUD;
 - Vicinity map clearly identifying the location of the development and its relationship to the surrounding community; and
 - A legal description and the property appraiser's **property identification number(s)/folio number(s)** for the subject property or properties.
11. The following information shall be set forth on the site development plan and/or on a separate data sheet used exclusively for that purpose:
 - A narrative statement on the plan identifying the provisions of ownership and maintenance of all common areas, open space, preservation areas, private streets, and easements;
 - A site summary in chart form which shall include the following information, with development and dimensional standards based on the provisions of the **LDC** and/or applicable PUD ordinance:
 - Total site acreage;
 - Total square footage of impervious area (including all parking areas, drive-aisles, and internal streets) and its percentage of the total site area;
 - Total square footage of landscape area/open space and its percentage of the total site area;
 - For projects that include residential uses, total number of units, density, units per acre, and a unit breakdown by square footage and number of bedrooms, as well as minimum/maximum (as applicable) floor area required and floor area proposed;
 - For projects that include non-residential uses, total building footage and a square footage breakdown by use (i.e., office, retail, storage, etc.) and its percentage of the total building; for hotels and motels, the minimum/maximum (as applicable) floor area, or proposed floor area ratio, required, and floor areas;
 - All required and provided setbacks and separations between buildings and structures in matrix form;
 - Maximum zoned building height allowed and actual building height as defined in **LDC** section 1.08.00;
 - Zoning and land use of the subject property and adjacent properties, including properties abutting an adjacent right-of-way or right-of-way easement; and
 - North arrow, scale, and date.

Exhibit A – Administrative Code

Collier County Land Development Code | *Administrative Procedures Manual*

Chapter 4 | *Administrative Procedures*

- A parking summary in matrix form which shall include:
 - Type of use;
 - Total square footage per use;
 - Required parking ratio, number of standard spaces required by use, and number provided;
 - Number of loading spaces required and provided (if applicable); and
 - Total number of spaces provided by use.
- The following building construction information must be included in the SDP packet:
 - Information in the Standard Building Code, type of construction, number of stories, total square footage under roof, occupancy/use and fire sprinkler intentions of all proposed structures so that a needed fire flow may be determined;
 - A fire hydrant flow test report from the applicable fire district for the closest hydrant(s) to the project so that the available fire flow may be determined; and
 - Location of existing and proposed fire hydrants.
- Illustrative information accurately depicted unless waived at the pre-application meeting:
 - A boundary survey, prepared by a professional surveyor, showing the location and dimensions of all property lines, existing streets or roads, easements, rights-of-way, and areas dedicated to the public. This survey shall be accompanied either by an attorney's opinion of title, or by a sworn statement from the **property owner(s)** stating that he or she has provided sufficient information to the surveyor to allow the accurate depiction of the above information on the survey;
 - Name, alignment and existing/proposed rights-of-way of all streets which border the development (including raised islands, striping, right/left turn lanes, median cuts and nearby intersections), the location of all existing driveways or access points on the opposite sides of all streets which border the development, and the location of all traffic calming devices;
 - Location and configuration of all development ingress and egress points;
 - Location and arrangement of all proposed buildings (including existing buildings that are to remain);
 - Location and configuration of all parking and loading areas;
 - Name, alignment, and existing/proposed right-of-way of all internal streets and alleys;

Exhibit A – Administrative Code

Collier County Land Development Code | *Administrative Procedures Manual*

Chapter 4 | *Administrative Procedures*

- Directional movement of internal vehicular traffic and its separation from pedestrian traffic;
 - Location and configuration of recreational facilities (including related buildings, golf course areas, tennis courts, pools, etc.);
 - Location and general configuration of all water and drainage retention/detention areas as well as all existing and proposed easements, and water and sewer lines intended to serve the development;
 - Location and general configuration of such natural features as preservation/conservation areas, water bodies, and wetlands;
 - Location of emergency access lanes, fire hydrants and fire lanes;
 - Location of all handicapped parking spaces;
 - Location of trash enclosures;
 - Location and heights of proposed walls or fences; and
 - Accurate dimensions which include the following:
 - All building setbacks;
 - Distance between buildings and accessory structures;
 - Width of all internal streets;
 - All parking areas and drive-aisles; and
 - Landscape areas adjacent to all vehicular drives, interior property lines and all parking areas.
 - Traffic circulation, signing and marking plan, to include outside and inside radii for all turn movements using a common pivot point for both radii at each location;
 - Access Management Exhibit, identifying existing and proposed access points, nearest U turns and legal access to the site;
 - Roadway elevations; and
 - Any additional relevant information required by the Development Review.
- 12.** Architectural Plans. ⇔ *See Chapter 4.A of the Administrative Code for Architectural Plan submittals.* The plans shall also include:
- If proposed, dumpster enclosure details depicting height and material and color of walls and gates; and
 - If proposed, light pole details depicting height and colors of pole and housing.
- 13.** Stormwater management information as follows:
- The South Florida Water Management District Environmental Resource Permit or General Permit number, if obtained;

Exhibit A – Administrative Code

Collier County Land Development Code | *Administrative Procedures Manual*

Chapter 4 | *Administrative Procedures*

- Stormwater management control structure(s) location (referenced to State Plane Coordinates, Florida East Zone, North American Datum 1983 (NAD '83), latest adjustment);
 - Stormwater management control elevation(s) and overflow elevation(s) (referenced to the North American Vertical Datum, 1988 (NAVD '88), latest adjustment), and NGVD;
 - Twenty-five-year/3-day design discharge at control structure(s);
 - Drainage calculations, including pipe sizing calculations;
 - Estimated cost of construction of roadways, paving, and drainage;
 - Engineer's Report with Assumptions and Explanations;
 - Engineering Review Checklist, signed by a professional **engineer**;
 - Hydraulic Grade Line Pipe calculations for culverts; and
 - Streetlight plan, for multi-family housing.
14. For residential projects subject to the provisions of **LDC** section 10.04.09, a completed School Impact Analysis (SIA) application, location map and review fee.
15. Certificate of Adequate Public Facilities application, if applicable.
16. Landscaping Plan. A landscape plan which shall contain the following:
- Landscape summary. A landscape summary in matrix form which shall include:
 - Graphic symbol to indicate each type of plant material;
 - Botanical name;
 - Common name;
 - Total number of each type of plant material;
 - Height and spread of each type of plant material; and
 - Spacing of each type of plant material.
 - Illustrative information. Illustrative information consisting of the following shall be accurately depicted on the landscape plan:
 - The location, configuration, and arrangement of all proposed buildings, internal streets and parking areas as reflected on the site plan;
 - The location and dimensions of all proposed landscaped areas with appropriate graphic symbols including existing trees that are being credited toward the development's landscaping requirements;
 - Location and configuration of all special or textured paving areas;
 - Provisions for site irrigation; and
 - Any additional relevant information as may be required by the County Manager or designee.

Exhibit A – Administrative Code

Collier County Land Development Code | *Administrative Procedures Manual*

Chapter 4 | *Administrative Procedures*

17. Vegetation inventory. A generalized vegetation inventory of the property shall be required to the extent necessary, as determined at the pre-application meeting, indicating the approximate location, densities and species of the following:
 - Upland, wetland and estuarine vegetation including prohibited exotic vegetation, mapped using FLUCFCS terminology;
 - Any type of vegetation identified for preservation;
 - Conservation easement including signed and sealed legal description and boundary survey for preserve, include protective language, and provide a sketch and description in construction plans.
 - Projects containing the following shall provide a survey identifying species and locations on a current aerial photograph at a scale of 1 inch equals 200 feet or larger or superimposed on the site plan:
 - Plants specified to remain in place or to be transplanted to other locations on the property as specified in the applicable development order.
 - Specimen trees designated by the BCC, pursuant to **LDC** section 3.05.09.
 - State or federal rare, threatened or endangered plant species surveyed according to accepted Florida Fish and Wildlife Conservation Commission or U.S. Fish and Wildlife Service methods.
 - Existing trees that may be credited toward the development's landscaping requirements.
 - For proposed site alteration(s) within the coastal zone as depicted on the future land use map, in addition to the foregoing requirements, the vegetation inventory shall depict the categories of impact in accordance with **LDC** sections 3.03.03-3.03.04.
18. A recent aerial photo shall be provided at the same scale as the plan delineating the development boundaries, unless waived at the pre-application meeting.
19. Density bonus. If a residential bonus is requested, as provided for in the Growth Management Plan, a certified survey that clearly illustrates the location and relationship of the development to the appropriate activity center and the related activity band shall be required.
20. Building plans. Plans showing proposed building footprints, spatial relationship to one another when there are multiple buildings and building heights.
21. Traffic Impact Study. ⇔ *See Chapter 7 of the Administrative Code.*
22. Soil erosion and sediment control plan. ⇔ *See Chapter 7 of the Administrative Code.*
23. Construction Plans. Detailed on-site and off-site infrastructure improvement plans and construction documents prepared in conformance with the design standards identified in **LDC** section 10.02.04 and any current county ordinances, regulations, policies and procedures, which consist of, but are not limited to, the following items:

Exhibit A – Administrative Code

Collier County Land Development Code | *Administrative Procedures Manual*

Chapter 4 | *Administrative Procedures*

- A cover sheet setting forth the development name, **applicant** name, name of Engineering firm, and vicinity map;
 - Improvements for water and sewer service as needed or as may have been specified during a site development plan review prepared in conformance with the Utilities Standards and Procedures Ordinance, 2004-31, as amended;
 - Improvements for roadway, motor vehicle and non-motorized circulation, ingress and egress, parking and other transportation needs, including traffic calming devices, required or as may have been specified during the site development plan review, prepared in conformance with the subdivision design requirements. Non-motorized circulation is defined as movement by persons on foot, bicycle, or other human-powered device. Non-motorized circulation depicting sidewalks and bicycle facilities shall be consistent with **LDC** subsection 5.05.08 A.5. Cross sections and details for improvements are required;
 - The absence of obstructions in the public right-of-way shall be demonstrated, including provisions for safe and convenient street crossing;
 - Cross sections and details for improvements required in **LDC** subsections 6.06.02 A.7 through 6.06.02 A.9;
 - Improvements for water management purposes as needed or as may have been specified during the site development plan review, prepared in conformance with subdivision design requirements and pursuant to South Florida Water Management District rules, chapter 40E-4, 40E-40 and 40E-41, Florida Administrative Code;
 - Citation to the applicable technical specifications for all infrastructure improvements to be constructed;
 - Engineering design computations and reports for water, sewer, roads, and water management facilities, as required by federal, state, and local laws and regulations.
 - Topographical map of the property including:
 - Existing features, such as, watercourses, drainage ditches, lakes, marshes.
 - Existing contours or representative ground elevations at spot locations and a minimum of 50 feet beyond the property line.
 - Benchmark locations and elevations (to both NGVD and NAVD).
 - Site clearing plan and methods of vegetation protection.
 - Where jurisdictional wetlands occur onsite, approved wetland jurisdictional lines shall be shown on the construction plans.
- 24.** County-Permits: All necessary permits and applications requiring County approval and other permitting and construction related items, including but not limited to the following, shall be submitted and approved with the site development plan. These permits may include, but are not limited to the following:

Exhibit A – Administrative Code

Collier County Land Development Code | *Administrative Procedures Manual*

Chapter 4 | *Administrative Procedures*

- Excavation permit;
 - A Collier County right-of-way permit;
 - Blasting permit, prior to commencement of any blasting operation;
 - Interim wastewater and/or water treatment plant construction or interim septic system and/or private well permits prior to building permit approval;
 - Any additional state and federal permits which may be required prior to commencement of construction, addressing the impacts on jurisdictional wetlands and habitat involving protected species;
 - All other pertinent data, computations, plans, reports, and the like necessary for the proper design and construction of the development that may be submitted; and
 - All necessary performance securities required by Collier County ordinances in effect at the time of construction.
25. Non-County Permits: All Federal, State, and other local permits shall be submitted prior to construction and before the pre-construction meeting. If approved by the County Manager or designee, an **applicant** may submit Federal, State and local agency permits at the pre-construction meeting.
- Florida Department of Environmental Protection water and sewer facilities construction permit application;
 - Notice of Intent (NOI) to issue either a Florida Department of Transportation Right-of-Way permit;
 - South Florida Water Management District permit, if required or, Collier County general permit for water management prior to site development plan approval; and
 - Any additional state and federal permits which may be required prior to commencement of construction, addressing the impacts on jurisdictional wetlands and habitat involving protected species, such as:
 - USACOE permit and exhibits. If no USACOE permit, SFWMD permit and exhibits shall be submitted; and
 - For the RFMUD, Agency accepted UMAM/WRAP scores.
26. Airspace obstruction review materials, if applicable. An airspace obstruction review is required for any proposed obstruction that exceeds the criteria established in LDC 4.02.06 and shall be reviewed by the FAA in the form and manner prescribed in 14 CFR Part 77. See “Who Needs to File” at <https://oeaaa.faa.gov/oeaaa>.” The following items shall be provided for review:
- A copy of the FAA form 7460-1 ‘Notice of Proposed Construction or Alteration’, and all supporting materials, filed with the FAA;
 - A copy of the final FAA Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) determination; and

Exhibit A – Administrative Code

Collier County Land Development Code | *Administrative Procedures Manual*

Chapter 4 | Administrative Procedures

- A narrative statement with a detailed description/explanation of the proposed airspace obstruction and response to the applicable review criteria from LDC section 4.02.06 M.3.

Completeness and Processing of Application The Planning & Zoning Department will review the application for completeness. After submission of the completed application packet accompanied with the required fee, the **applicant** will receive a mailed or electronic response notifying the **applicant** that the petition is being processed. Accompanying that response will be a receipt for the payment and the tracking number (i.e., XX201200000) assigned to the petition. This petition tracking number should be noted on all future correspondence regarding the petition.

Notice No notice is required.

Public Hearing No public hearing is required.

Decision maker The County Manager or designee.

Review Process The Planning & Zoning Department will review the application, identify whether additional materials are needed and approve, approve with conditions or deny the application utilizing the criteria identified in the applicable **LDC** sections.

Pre-Construction Meeting A pre-construction meeting shall be scheduled with the Engineering Services Department prior to the commencement of construction. All Federal, State, and local permits shall be submitted prior to construction and before the pre-construction meeting. If approved by the County Manager or designee, an **applicant** may submit Federal, State and local agency permits at the pre-construction meeting.

The following permits, if applicable, require final approval and issuance prior to the County pre-construction meeting:

1. Florida Department of Transportation **Right-Of-Way** Construction Permit.
2. Collier County **right-of-way** [ROW] permit.

Digital Submittal Requirements After the final site development plan has been approved by the County Manager or designee for compliance with the **LDC** as provided in section 10.02.03, the **applicant's** professional **engineer** shall submit:

1. Digitally created construction/site plan documents, and
2. 1 disk (CDROM) of the master plan file, including, where applicable, easements, water/wastewater facilities, and stormwater drainage system. The digital data to be submitted shall follow these formatting guidelines: All data shall be delivered in the state plane coordinate system, with a Florida East Projection, and a North American Datum 1983/1990 (NAD83/90 datum), with United States Survey Feet (USFEET) units; as established by a Florida registered surveyor and mapper. All information shall have a maximum dimensional error of +0.5 feet. Files shall be in an AutoCad (DWG) or Digital Exchange File (DXF) format; information layers shall have common naming conventions (i.e. right-of-way—ROW, centerlines—CL, edge-of-pavement—

Exhibit A – Administrative Code

Collier County Land Development Code | *Administrative Procedures Manual*

Chapter 4 | *Administrative Procedures*

EOP, etc.). For a plan to be deemed complete, the layering scheme must be readily understood by county staff. All property information (parcels, lots, and requisite annotation) shall be drawn on a unique information layer, with all linework pertaining to the property feature located on that layer. Example: parcels—All lines that form the parcel boundary will be located on 1 parcel layer. Annotations pertaining to property information shall be on a unique layer. Example: Lot dimensions—Lottxt layer.

Updated