



Development Services Advisory Committee Meeting

**Wednesday, October 7, 2020
3:00 pm**

**2800 N. Horseshoe Dr.
Naples, FL 34104
Growth Management Department
Conference Rooms 609/610**

**If you have any questions or wish to meet with
staff, please contact
Trish Mill at 252-8214**



Development Services Advisory Committee

Wednesday, October 7, 2020

3:00 pm

2800 N. Horseshoe Dr., Naples, FL 34104

Growth Management Building, Conference Rooms 609/610

NOTICE:

AS PART OF AN ONGOING INITIATIVE TO PROMOTE SOCIAL DISTANCING DURING THE COVID-19 PANDEMIC, THE PUBLIC WILL HAVE THE OPPORTUNITY TO PROVIDE PUBLIC COMMENTS REMOTELY, AS WELL AS IN PERSON, DURING THIS PROCEEDING. INDIVIDUALS WHO WOULD LIKE TO PARTICIPATE REMOTELY, SHOULD REGISTER ANY TIME AFTER THE AGENDA IS POSTED ON THE COUNTY WEBSITE WHICH IS 6 DAYS BEFORE THE MEETING THROUGH THE LINK PROVIDED, LISTING THE TOPIC THEY WISH TO ADDRESS. INDIVIDUALS WHO REGISTER WILL RECEIVE AN EMAIL IN ADVANCE OF THE PUBLIC HEARING DETAILING HOW THEY CAN PARTICIPATE REMOTELY IN THIS MEETING. FOR ADDITIONAL INFORMATION ABOUT THE MEETING, PLEASE CALL TRISH MILL AT (239) 252-8214 OR REGISTER AT:

<http://bit.ly/Oct7DSACSpeakerRegistration>

THIS LINK CAN ALSO BE USED FOR THOSE THAT WOULD LIKE TO VIEW THE MEETING BUT NOT SPEAK. CHOOSE THE FIRST OPTION "I DO NOT WISH TO SPEAK- VIEWING ONLY" AS YOUR AGENDA ITEM.

Persons wishing to speak on any Agenda item will receive up to three (3) minutes unless the Chairman adjusts the time. 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 mute your audio if you have not been recognized by the Chairman to speak or 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.

Agenda:

1. Call to order - Chairman
2. Approval of Agenda
3. Approval of Minutes:
 - a. DSAC Meeting – September 2, 2020
 - b. DSAC LDR Subcommittee Meeting – September 15, 2020
4. Public Speakers
5. 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**]
6. New Business
 - a. LDC Amendments
 - i. PL20200001627 - Public Utility Ancillary Systems
 - ii. PL20200001703 - Community Housing Plan (CHP) Implementation-Regulatory Relief
 - iii. PL20200001721 - Communication Towers in Estates District
 - iv. PL20200001602 - 2020 Scrivener's Errors
7. Old Business
8. Committee Member Comments
9. Adjourn

FUTURE MEETING DATES:

November 4, 2020 – 3:00 pm

December 2, 2020 – 3:00 pm

January 6, 2021 – 3:00 pm

MINUTES OF THE COLLIER COUNTY
DEVELOPMENT SERVICES ADVISORY COMMITTEE MEETING

Naples, Florida, September 2, 2020

LET IT BE REMEMBERED, the Collier County Development Services Advisory Committee in and for the County of Collier, having conducted business herein, met on this date at 3:00 P.M. in REGULAR SESSION at the Collier County Growth Management Department Building, Conference Room #609/610, 2800 N. Horseshoe Drive, Naples, Florida, with the following members present:

Chairman: William J. Varian
Vice Chairman: Blair Foley (Excused)
David Dunnivant
James E. Boughton
Clay Brooker
Chris Mitchell
Robert Mulhere
Mario Valle
Norman Gentry
Marco Espinar
Laura Spurgeon DeJohn
Jeremy Sterk
Jeff Curl
John English
Mark McLean

ALSO PRESENT:

Jamie French, Deputy Department Head
Patricia Mill, Operations Analyst, Staff Liaison
Eric Fey, Sr. Project Manager, Public Utilities
Colleen Davidson, Code Enforcement Division
Jay Ahmad, Director, Transportation Engineering
Matt McLean, Director, Development Review
Rich Long, Director, Plans Review and Inspections
Ken Kovensky, Director, Operations and Regulatory Management
Danny Condamina, Sr. Operations Analyst
Diane Lynch, Operations Analyst

Any persons in need of the verbatim record of the meeting may request a copy of the audio recording from the Collier County Growth Management Department.

I. Call to Order - Chairman

Chairman Varian called the meeting to order at 3:00 p.m.

II. Approval of Agenda

Mr. Curl moved to approve the Agenda. Second by Mr. Mulhere. Carried unanimously 14 - 0.

III. Approval of Minutes from August 5, 2020 Meeting

a. DSAC Meeting – August 5, 2020

Mr. Curl moved to approve the minutes of the August 5, 2020; meeting as presented. Second by Mr. McLean. Carried unanimously 14 - 0.

The Subcommittee meeting minutes were approved by the Members of the Subcommittee.

b. DSAC-LDR Subcommittee Meeting – January 7, 2020

Mr. Mulhere moved to approve the minutes of the January 7, 2020; Subcommittee meeting as presented. Second by Mr. Curl. Carried unanimously 4 - 0.

c. DSAC-LDR Subcommittee Meeting – February 19, 2020

Mr. Curl moved to approve the minutes of the February 19, 2020; Subcommittee meeting as presented. Second by Mr. McLean. Carried unanimously 4 - 0.

d. DSAC-LDR Subcommittee Meeting – June 18, 2020

Mr. McLean moved to approve the minutes of the June 18, 2020; Subcommittee meeting as presented. Second by Mr. Curl. Carried unanimously 4 - 0.

e. DSAC-LDR Subcommittee Meeting – July 28, 2020

Mr. McLean moved to approve the minutes of the July 28, 2020; Subcommittee meeting as presented. Second by Mr. Curl. Carried unanimously 4 - 0.

IV. Public Speakers

None

V. Staff Announcements/Updates

A. Code Enforcement Division update – [Mike Ossorio]

Ms. Davidson provided the report “Code Enforcement Division Monthly Report July 22, – August 21, 2020 Highlights” for informational purposes. She noted that there were over 1,700 lien searches in August and the Special Magistrate has resumed hearings which were delayed as a result of the pandemic. The Division has documented 98 violations of the mandatory mask order initiated by the County to address the pandemic.

B. Public Utilities Division update – [Tom Chmelik or designee]

Mr. Fey noted that the usual reports submitted to the Committee have not been provided this month due to recent absences of staff. The shortage has also resulted in delays in addressing client requests however he anticipates the level of service and reports will be back up to speed by next month.

He will be bringing an item forward to the Land Development Review Subcommittee regarding the proposed relinquishing of the requirement to maintain a 5-foot setback from existing utility equipment when a rehab project is proposed.

C. Growth Management Department/Transportation Engineering and/or Planning – [Jay Ahmad or designee]

Mr. Ahmad reported:

- Golden Gate Blvd. – 20th St. to Everglades Blvd. – Project completed including widening to 4 lanes and installations of sidewalks.
- Palm River Bridge Replacement – Project initiated on 8/18 and major work anticipated to be completed in 7 months. Detour in place to address traffic flow in the area.
- Vanderbilt Beach Road Ext. – Design phase 50 percent complete, right of way acquisition underway which is anticipated to be completed in one year.
- Veterans Memorial Parkway - Extension required to serve new high school; Phase I of the project to the high school; Notice to Proceed anticipated for November with the high school scheduled to open in 2023.
- Whippoorwill Lane Ext. – Project continues with 4 roundabouts to be constructed with the project which was the result of public input.

Mr. Brooker reported that there are issues with the detour including impeded traffic flows due to the narrow-traveled way, damage to lawns, etc. – *Mr. Ahmad noted the County is aware of the issue however there are no plans to alter the detour given it is only a 7-month project.*

D. County Fire Review update – [Shar Beddow and/or Shawn Hanson]

Ms. Beddow reported that turnaround times are as follows: Building Plan review – 418 at 2 days; Site Plan reviews 52 at 1 day; Inspections – 1 day. The NFPA conferences have been cancelled and may be held on-line due to concerns with the pandemic.

E. North Naples Fire Review update – [Capt. Sean Lintz or Daniel Zunzunegui]

Mr. Zunzunegui reported that turnaround times are as follows: Building Plan review – 554 in August with Site Plan reviews remaining at the historical rate; Inspections – 1 day. Impact fee changes are under consideration and the Department is partnering with CCSO for a student safety education program including those remaining at home to attend school.

F. Operations & Regulatory Mgmt. Division update [Ken Kovensky]

Mr. Kovensky submitted the “*Collier County August 2020 Monthly Statistics*” which outlined the building plan and land development review activities. The following was noted during his report:

- That the Permitting activity is brisk, with June, July and August increasing by 10 percent.
- The Division is short staffed, and management is seeking to utilize, and outside temporary source given the number of job bankers has decreased over the past months from 64 to 39.
- Overtime for existing employees has been utilized however it is still difficult to meet client demands.

Mark McLean requested clarification on the inspection process for an owner builder re-roof project as it has come to his attention in a recent case the inspector visited the site and one affidavit was not on file by the owner. The inspector left the property and returned on another day to conduct the physical inspection and found an improper flashing installment. This created a situation whereby the

inspector had to return for a third time in the process to complete the inspection. He recommended the process be reviewed to allow the inspector to complete his field duties and request any documentation be filed to provide for a more efficient use of time – *Staff noted they will review the issue and determine if any changes in the process are necessary.*

G. Development Review Division update [Matt McLean]

Mr. McLean reported:

- That the Hearing Examiner is reviewing cases again.
- Investigation is underway to provide for Neighborhood Information Meetings at County venues such as North Collier Regional Parks.
- PUD Monitoring has been transferred to the Development Review Division.
- There is a new product approved for Public Utilities involving meter boxes.

VI. New Business

A. Paperless Permit Process

Mr. Condamina presented the PowerPoint “*Paperless Permit Project – Process Improvement*” for informational purposes noting:

- That currently, 80 percent of the building and 60 percent of the planning applications are submitted electronically, and the County is moving towards 100 percent electronic plan submittal and review.
- The goal is to streamline the business process by dedicating resources to one process, improve record keeping and provide a continuity of business.
- There will still be customer consultations, records retrieval, inspections scheduling and other non electronic services offered by the Division.
- The activity will provide for online training by appointment, front counter support and updated education videos and other online services.
- The endeavor is anticipated be live by December with a public awareness and training slated for November.

During Committee Member discussion, the following was noted:

- That the process is anticipated to take 5 years and retrieval of records will be conducted in the current format or downloadable online for those interested in electronically viewing and/or storing the documents.
- Walk in paper applications will still be processed, however the applicant’s information will be converted to an electronic format for the plan reviewer.
- The goal is to provide convenience for the customers and allow the County the ability to re-purpose staff and improve service.

VII. Old Business

None

VIII. Committee Member Comments

None

IX. Adjourn

Next Meeting Dates

October 7, 2020 GMD Conference Room 610 – 3:00 p.m.

**November 4, 2020 GMD Conference Room 610 – 3:00 p.m.
December 2, 2020 GMD Conference Room 610 – 3:00 p.m.**

There being no further business for the good of the County, the meeting was adjourned by the order of the Chair at 4:05 P.M.

**COLLIER COUNTY DEVELOPMENT SERVICES
ADVISORY COMMITTEE**

Chairman, William Varian

These Minutes were approved by the Board/Chairman on _____,
as presented _____, or as amended _____.

MINUTES OF THE COLLIER COUNTY
DEVELOPMENT SERVICES ADVISORY COMMITTEE
LAND DEVELOPMENT REVIEW SUBCOMMITTEE

Naples, Florida, September 15, 2020

LET IT BE REMEMBERED, the Collier County Development Services Advisory Committee Land Development Review Subcommittee in and for the County of Collier, having conducted business herein, met on this date at 2:00 P.M. in REGULAR SESSION at the Growth Management Department Building, Room 609/610 2800 N. Horseshoe Drive, Naples, FL with the following persons present:

Chairman: Clay Brooker Blair Foley (via Zoom)
Robert Mulhere
Jeff Curl (via Zoom)
Mark McLean (via Zoom)

ALSO PRESENT: Jeremy Frantz, LDC Manager
Richard Henderlong, Principal Planner
Eric Johnson, Principal Planner
Eric Fey, Public Utilities

Any persons in need of the verbatim record of the meeting may request a copy of the audio recording from the Collier County Growth Management Division – Planning and Regulation building.

The meeting was held via Zoom and attendance in the conference room.

1. Call to order

Chairman Brooker called the meeting to order at 2:00 p.m. and a quorum was established.

2. Approve agenda

Mr. Foley moved to approve the Agenda. Second by Mr. Curl. Carried unanimously 5 – 0.

3. Old Business

None

4. New Business

a. PL20200001703 - CHP Implementation – Regulatory Relief

LDC Section to be Amended: 4.02.39 Design Deviation for Housing that is Affordable (New

Section)

Mr. Frantz presented the proposed amendment noting it provides relief from certain design standards for affordable housing pursuant to the Community Housing Plan recommendations.

The Subcommittee reviewed the proposed amendments noting the following:

Section 4.02.39. B.1 – *Local/internal roads that are privately maintained may be designed to the 5-year, 1-day storm event, and shall be designed so that surrounding properties will not be adversely impacted by the project’s influence on stormwater sheet flow up to the 25 year, 3-day design storm.*

Clarification would be beneficial given the intent is for the roadway elevation being constructed to a 5-year, 1-day storm event and the entire project subject to design standards for a 25-year, 3-day storm event.

Section 4.02.39. B.2 - *Single-family developments are exempt from providing one canopy tree per 3,000 square feet of pervious open space per lot.*

Concern was expressed on eliminating the requirement for planting of the tree and it was recommended consideration be given to allowing the tree to be relocated elsewhere within the development.

Section 4.02.39. B.5 - *Payment-in-lieu of construction of external sidewalks, bike lanes and pathways may be deferred to be paid by grant funding or assessment at the time that the County constructs sidewalks, bike lanes or pathways within the public or private right-of-way or easement adjacent to the site.*

Concern the requirement may burden a future, single-family landowner years after the project has been completed. It may be acceptable for owners of apartment complexes however consideration should be given to requiring the developer pay at the time of construction for the single-family housing.

Section 4.02.39. B.4 - *For local/internal sidewalks that are privately maintained, the minimum sidewalk width shall be four feet, which can be of concrete or asphalt material and shall be constructed over a compacted subgrade. Asphalt shall also require a minimum of 4 inches of compacted limerock base, in addition to the compacted subgrade.*

Discussion occurred noting if only one sidewalk is constructed, the width required should be 5 feet however Staff noted the intent is for sidewalks to be built on both sides of the roadways.

Mr. Curl moved for the Development Services Advisory Committee to recommend the Board of County Commissioners adopt the proposed amendment subject to the following changes:

1. Section 4.02.39. B.1 – language to read “*Local/internal roads that are privately maintained may be designed to the elevation of a 5-year, 1-day storm event, and the overall project shall be designed up to an elevation so that surrounding properties will not be adversely impacted by the project’s influence on stormwater sheet flow up to the 25 year, 3-day design storm*” (or similar language).

2. Section 4.02.39. B.2 – Staff to address the exemption of the planting of canopy trees and allow them to be relocated to different areas on site.

3. Section 4.02.39. B.5 – Staff review the language for payment in lieu of the sidewalks to determine any changes necessary to relieve the potential burden from future landowners.

Second by Mr. McLean.

Discussion occurred on Section 4.02.39. B.1 noting it may be beneficial to ensure the language is clear on the design for storm events. The “entire project” wording infers the entire project has to meet a certain elevation whereas the requirement is design standards are based on control elevations for the perimeter of the site.

Mr. Curl amended the motion for the Development Services Advisory Committee to recommend the Board of County Commissioners adopt the proposed amendment subject to the following changes:

1. Section 4.02.39. B.1 – language to read “Local/internal roads that are privately maintained may be designed to the 5-year, 1-day storm event, and the overall project shall be designed up to an elevation so the perimeter berm of the site will control a 25 year, 3-day design storm event so that surrounding properties will not be adversely impacted by the project’s influence on stormwater sheet flow during such event” (or similar language).

2. Section 4.02.39. B.2 – Staff to address the exemption of the planting of canopy trees and allow them to be relocated to different areas on site.

3. Section 4.02.39. B.5 – Staff review the language for payment in lieu of the sidewalks to determine any changes necessary to relieve the potential burden from future landowners.

Second by Mr. McLean. Carried unanimously 5 – 0.

b. PL20200001627 – Public Utility Ancillary Systems

LDC Section to be Amended: 5.05.12 Specific Standards for Public Utility Ancillary Systems in Collier County

Mr. Henderlong presented the proposed amendment noting it removes the minimum height and increases the maximum height to ten feet for a fence or wall, maintains the existing setback of five feet from adjacent property and right-of-way lines for a fence or wall enclosing new PUAS facilities, and exempts a fence or wall enclosing existing PUAS facilities from the five-foot minimum setback.

Section 5.05.12 C.3 – Fences and walls enclosing public utility ancillary systems shall not exceed ten feet in height unless an administrative fence waiver is approved in accordance with the LDC Section 5.03.02.

Discussion occurred on the rationale for not requiring a minimum height for the fencing with Staff noting it was an option for security purposes and if a lower fence was proposed, a deviation would not be required.

Mr. Foley moved for the Development Services Advisory Committee to recommend the Board of County Commissioners adopt the proposed amendment as presented by Staff. Second by Mr. Curl. Carried unanimously 5 – 0.

c. PL20200001706 – Definition of Lifestyle Signs

LDC Section to be Amended: 5.06.00 Sign Regulations and Standards by Land Use Classification

Mr. Frantz presented the proposed amendment noting it establishes a new definition for a lifestyle sign in the Collier County’s Sign Code. It clarifies the difference between a lifestyle sign and a real estate sign.

Discussion occurred with the Subcommittee noting:

- The proposal establishes a differentiation between the definition of a real estate and “life style” sign.
- To adequately address the use of life style signs, it would be beneficial to implement regulations on the number allowed on a site, the spacing of the signs, the location (visible from public right of ways vs. internal to the development), size, height and setback requirements, etc. to ensure they do not become a public nuisance.
- Staff should review a recent example for the signs proposed for the “Hyde Park” project during their permit review.
- Consideration should also be given to requiring a certain size development being allowed to place the signage to eliminate the potential for a builder with a small number of lots installing the signs.
- In certain instances, with proper setbacks and standards, it may be amenable to allow the signage to be visible from a public right of way.

Mr. Mulhere moved for Staff to review the comments and return the proposed amendment to the Subcommittee for consideration after addressing the following items: the requirements for the number, setback, height and spacing of the signs to be installed on the subject properties. Second by Mr. Foley.

Discussion occurred noting it would be advantageous to include cross referencing the County sign code where necessary and address the duration the signs are allowed to be in place given many developments take several years to build out.

Mr. Mulhere moved for Staff review the comments and return the proposed amendment to the Subcommittee for consideration after addressing the following items: the requirements for the number, setback, height, spacing and duration allowed for the signs to be installed on the subject properties including cross referencing the requirements of the sign code or other LDC sections as necessary. Second by Mr. Foley. Carried unanimously 5 – 0.

d. PL20200001721 – Communication Towers in Estates Districts

LDC Section to be Amended: 2.03.01 Agricultural Districts

5.05.09 Communication Towers

Mr. Henderlong presented the proposed amendment noting it implements the Golden Gate Area Master Plan (GGAMP) to allow cellular towers as a conditional use in the Estates (E) Zoning District on parcels that are a minimum of 2.25 acres and located adjacent to collector or arterial roads. It also corrects a few cross references. The towers are allowed the Estate (E) zoning district only on parcels designated as Urban or Rural sites or approved for a specified essential service listed in subsection 5.05.09 of the Code.

Section 5.05.09 G.25.d and e. – *“Fencing height and landscaping. Perimeter wall or fence height shall be 8 feet from finished grade of base supporting structure and no greater than 10 feet. A minimum 15 feet landscape buffer along the perimeter of wall or fence is required.*

e. - *Equipment cabinets. Overall height of ground-mounted equipment or equipment enclosure shall not exceed 12 feet*

Discussion occurred noting it would be beneficial to eliminate the 8-foot minimum height and require a fence or wall a maximum of 10 feet in height. Additionally, it would be advantageous to require a “Type B” landscape buffer with tree heights a minimum of 12 feet given equipment may be up to 12 feet in height.

Ensure the language is clear a fence or wall is required and not an option.

General Comment - Staff should review the terminology “adjacent” and “abutting” to ensure the language addresses the concerns in the various sections given the term “adjacent” does include lands across a public right of way.

Section 5.05.09 G.25.c.i and ii – *“New towers up to 75 feet in height shall be located not less than the total height of the tower and antennas from all residentially zoned properties. New towers over 75 feet in height shall be located not less than two and one-half times the height of the tower and antennas, or the certified collapse area, whichever distance is greater, from all residentially zoned properties.”*

Discussion on the rationale for the 75-foot setback from adjacent residential zoned lands with Staff noting it was derived from other sections of the Land Development Code.

Approval Process

Discussion occurred on the approval process with Staff noting if the application meets the requirements of the proposed amendment it would be eligible for approval. Others on the Subcommittee commented it may be a two-step process whereby the conditional use approval would be required through a zoning

application followed by approval of a Site Development Plan. Staff noted they would confirm the process.

Mr. Foley moved to for the Development Services Advisory Committee to recommend the Board of County Commissioners adopt the proposed amendment subject to the following changes:

- 1. Section 5.05.09 G.25.d - Remove minimum wall height requirement and provide for 10 foot maximum and require a Type B buffer with trees a minimum of 12 feet in height; ensure it is clear a fence or wall is required.*
- 2. Review the language to ensure use of term adjacent versus abutting meets the intended goals of the sections where cited.*

Second by Mr. Curl. Carried unanimously 5 – 0.

e. PL20200001602 – 2020 Scrivener’s Errors

LDC Section to be Amended: 1.08.02 Definitions

- 2.03.01 Agricultural Districts
- 2.03.02 Residential Zoning Districts
- 2.03.03 Commercial Zoning Districts
- 2.03.05 Civic and Institutional Zoning Districts
- 2.03.07 Overlay Zoning Districts
- 2.03.08 Rural Fringe Zoning Districts
- 4.02.06 Standards for Development within the Airport Overlay (APO)
- 10.02.03 Requirements for Site Development, Site Improvement Plans and Amendments thereof
- 10.02.05 Construction, Approval, and Acceptance of Required Improvements
- 10.02.13 Planned Unit Development (PUD) Procedures
- Appendix A-Standard Performance Security Documents for Required Improvements

Mr. Henderlong presented the proposed amendment noting it corrects scrivener’s errors and updates cross references related to various Land Development Code (LDC) sections.

Mr. McLean moved to for the Development Services Advisory Committee to recommend the Board of County Commissioners adopt the proposed amendment as presented by Staff. Second by Mr. Curl. Carried unanimously 5 – 0.

5. Public comments

None

Subcommittee Member Comments

Mr. Brooker queried if the DSAC should review certain GMP amendments and recommended the item be placed on the next Committee meeting for discussion.

There being no further business for the good of the County, the meeting was adjourned by the order of the Chair at 3:29 P.M.

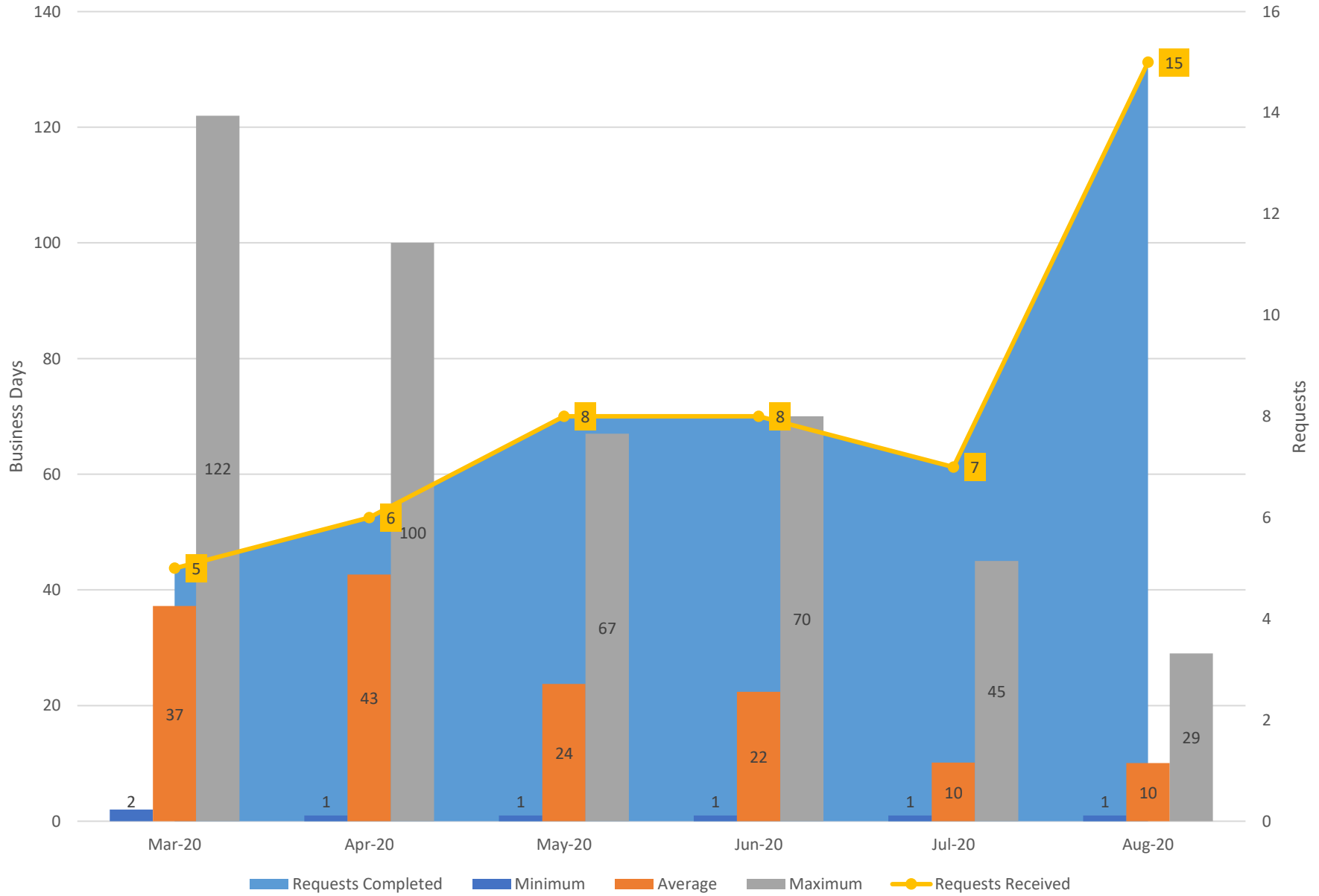
COLLIER COUNTY DEVELOPMENT SERVICES
ADVISORY COMMITTEE - LAND DEVELOPMENT
REVIEW SUBCOMMITTEE

Clay Brooker – Sub-Committee Chairman

These Minutes were approved by the Committee on _____, as presented _____, or as amended _____.

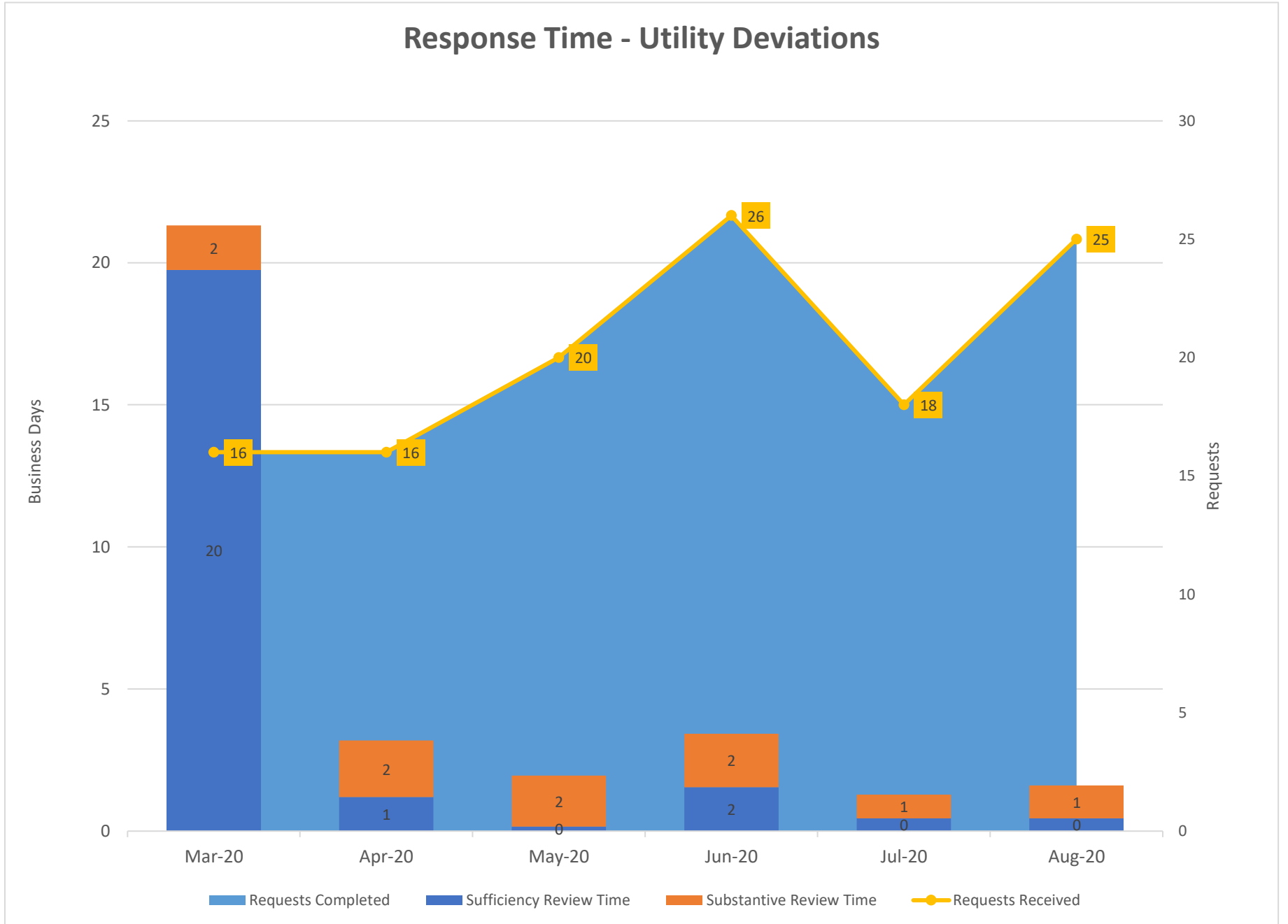
Public Utilities Department
Engineering and Project Management Division

Response Time - Letters of Availability



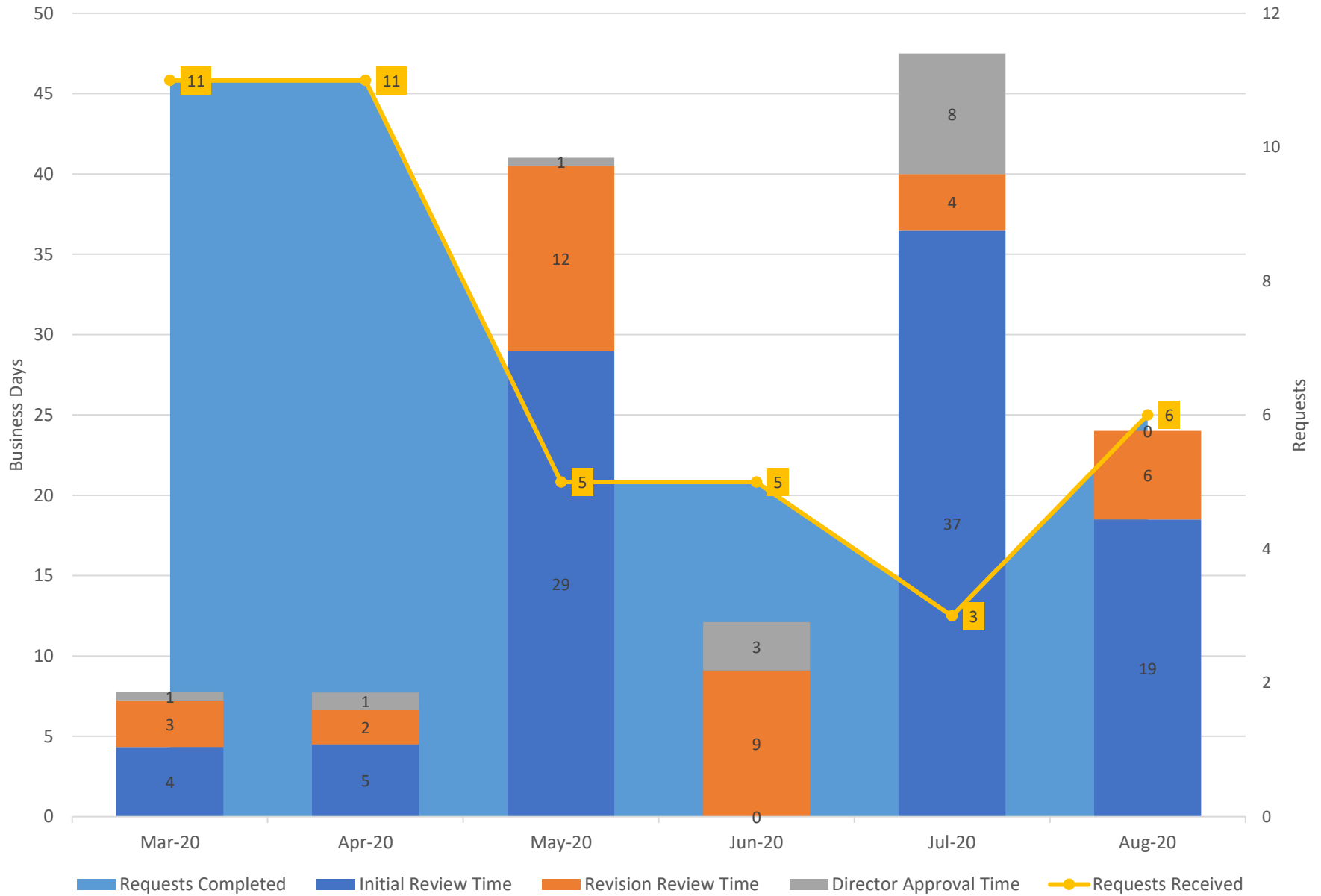
Public Utilities Department
Engineering and Project Management Division

Response Time - Utility Deviations



Public Utilities Department
Engineering and Project Management Division

Response Time - FDEP Permits



Count of Reference Number	Column Labels						Grand Total
Row Labels	Greater Naples Fire	Immokalee Fire	North Collier BC Fire	North Collier NN Fire	Ochopee Fire	(blank)	Grand Total
113-000000-209101					238		238
113-000000-209102						1	1
113-000000-209103	3		11	422		19	455
113-000000-209105		26		2		8	36
113-000000-209115	186					6	192
113-000000-209601		6					6
113-000000-209701			6				6
113-000000-209811			64	11			75
113-000000-209815	218						218
113-000000-209850		44					44
113-138900-322125	352			4	10	32	398
Grand Total	759	76	81	677	16	60	1,669

Row Labels	Sum of Amount Paid
113-000000-209101	\$ 69,165.18
113-000000-209102	\$ (100.00)
113-000000-209103	\$ 84,876.35
113-000000-209105	\$ 6,792.45
113-000000-209115	\$ 51,537.97
113-000000-209601	\$ 1,137.55
113-000000-209701	\$ 1,178.80
113-000000-209811	\$ 47,389.07
113-000000-209815	\$ 179,534.36
113-000000-209850	\$ 129,099.66
113-138900-322125	\$ 48,200.96
Grand Total	\$ 618,812.35

LAND DEVELOPMENT CODE AMENDMENT

PETITION

PL20200001627

SUMMARY OF AMENDMENT

This amendment modifies the setback requirements for fences and walls enclosing Public Utility Ancillary System (PUAS) facilities.

ORIGIN

Public Utilities
Department

HEARING DATES

BCC TBD
CCPC TBD
DSAC 10-07-20
DSAC-LDR 09-15-20

LDC SECTION TO BE AMENDED

5.05.12 Specific Standards for Public Utility Ancillary Systems in Collier County

ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR
Approval

DSAC
TBD

CCPC
TBD

BACKGROUND

The Land Development Code (LDC) defines Public Utility Ancillary Systems as “The individual or collective appurtenant equipment and structures owned or operated by a public or quasi-public entity which are integral to treatment facilities that provide raw water, potable water, irrigation quality (IQ) water and wastewater services.”

Older PUAS locations are often constrained in size and cannot accommodate new equipment and site requirements within a fence or wall enclosure that maintains minimum setback requirements. Additionally, the current maximum fence and wall height is frequently insufficient to screen equipment.

This amendment removes the minimum height and increases the maximum height to ten feet for a fence or wall, maintains the existing setback of five feet from adjacent property and right-of-way lines for a fence or wall enclosing new PUAS facilities, and exempts a fence or wall enclosing existing PUAS facilities from the five-foot minimum setback. Exhibit A shows examples of existing pump stations where a five-foot minimum setback would preclude construction of a wall or fence within the existing easement.

The amendment also relocates the fence and wall height standard out of the setback requirement subsection LDC 5.05.12 B.3 to a new LDC section 5.05.12 C and enumerates the remaining sections.

Lastly, a cross reference to LDC section 10.02.03 has been added to clarify when a site development plan or site improvement plan requires an insubstantial change.



FISCAL & OPERATIONAL IMPACTS

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

GMP CONSISTENCY

To be provided by Comprehensive Planning Staff.

EXHIBITS: A) Pump Stations 316.01 and 317.01

DRAFT

Amend the LDC as follows:

5.05.12 – Specific Standards for Public Utility Ancillary Systems in Collier County:

A. *Applicability.* When water and wastewater is conveyed through physically connected infrastructure to or from a public or quasi-public treatment facility, the system of physically interconnected infrastructure, including but not limited to raw water wells, pump stations, water and wastewater storage tanks, vaults, valves, antennas, and other appurtenant equipment, shall be considered to be collectively located onsite as that term is to be applied in the GMP CCME Policies 6.1.1 and 6.1.2, and any implementing land development regulations. Applicable designs for public utility ancillary systems selected from the Collier County Utility Standards Manual shall be submitted for appropriate County staff review of the following requirements.

B. *Setback Requirements*

* * * * *

3. Fences and walls enclosing public utility ancillary systems ~~must meet the following setbacks:~~ installed after [effective date of this ordinance] shall be setback five feet from adjacent property and right-of-way lines. For those public utility ancillary systems installed prior to [effective date of this ordinance] or installed in utility easements created prior to [effective date of this ordinance], there will be no minimum setback for fences and walls.

~~Adjacent to Right-of-Way or easement line – 5 feet.~~

~~Side yard or easement line – 5 feet.~~

~~Appurtenant equipment, other than antennas, that exceeds the height of the fence or wall, shall be setback no less than the underlying zoning district's requirements for side yard setback.~~

~~Rear yard or easement line – 5 feet.~~

~~Raw water well easements contained within a larger public easement – 2 feet.~~

~~Fence or wall heights may be between six (6) feet and eight (8) feet in height.~~

~~Appurtenant equipment shall not be considered as separate structures.~~

C. Fences and walls enclosing public utility ancillary systems shall not exceed ten feet in height unless an administrative fence waiver is approved in accordance with the LDC section 5.03.02.

D. Public utility ancillary system site access:

1. Direct access from public ways shall be limited to one (1) access point and must otherwise comply with the requirements of LDC Ssection 4.04.02

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2 Access from an easement must provide legal access to a public or approved private way. Access from an existing public way to an easement must otherwise comply with the requirements of [LDC §](#)section 4.04.02.

DE. Prior to County approval of any public utility ancillary system site under this Code, the applicant shall obtain permits from SFWMD, FDEP or other state or federal agency having jurisdiction over the intended use if such permits are required.

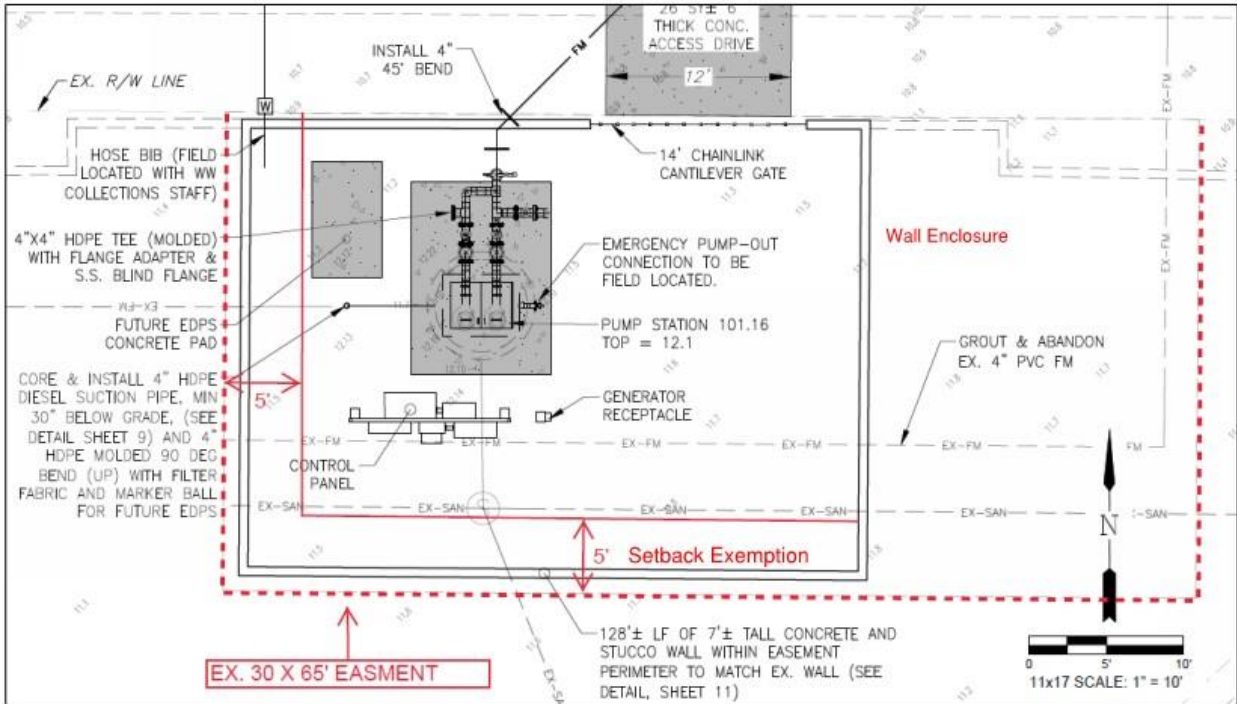
EF. Stormwater management and environmental resource permits for public utility ancillary system sites shall be governed by the requirements of SFWMD or FDEP, and if approval is granted for the public utility ancillary system by SFWMD or FDEP under those requirements, or said requirements are deemed not applicable by SFWMD or FDEP due to the de minimus size or nature of the public utility ancillary system site as verified in writing by SFWMD or FDEP, the project may be considered for a waiver from the requirements of [LDC §](#)section 10.02.02 A.

FG. Landscaping and buffering shall conform to the requirements of [LDC §](#)section 4.06.05 B.
4

GH. Site planning review and approval for public utility ancillary systems must follow the requirements of an insubstantial change to a Site Development Plan or Site Improvement Plan review process [as required in LDC section 10.02.03](#), providing water, wastewater or irrigation quality water from such public utility ancillary system is conveyed through physically connected infrastructure to a public or quasi-public treatment facility. The system of physically inter-connected infrastructure and wells may be considered to be collectively located "on-site".

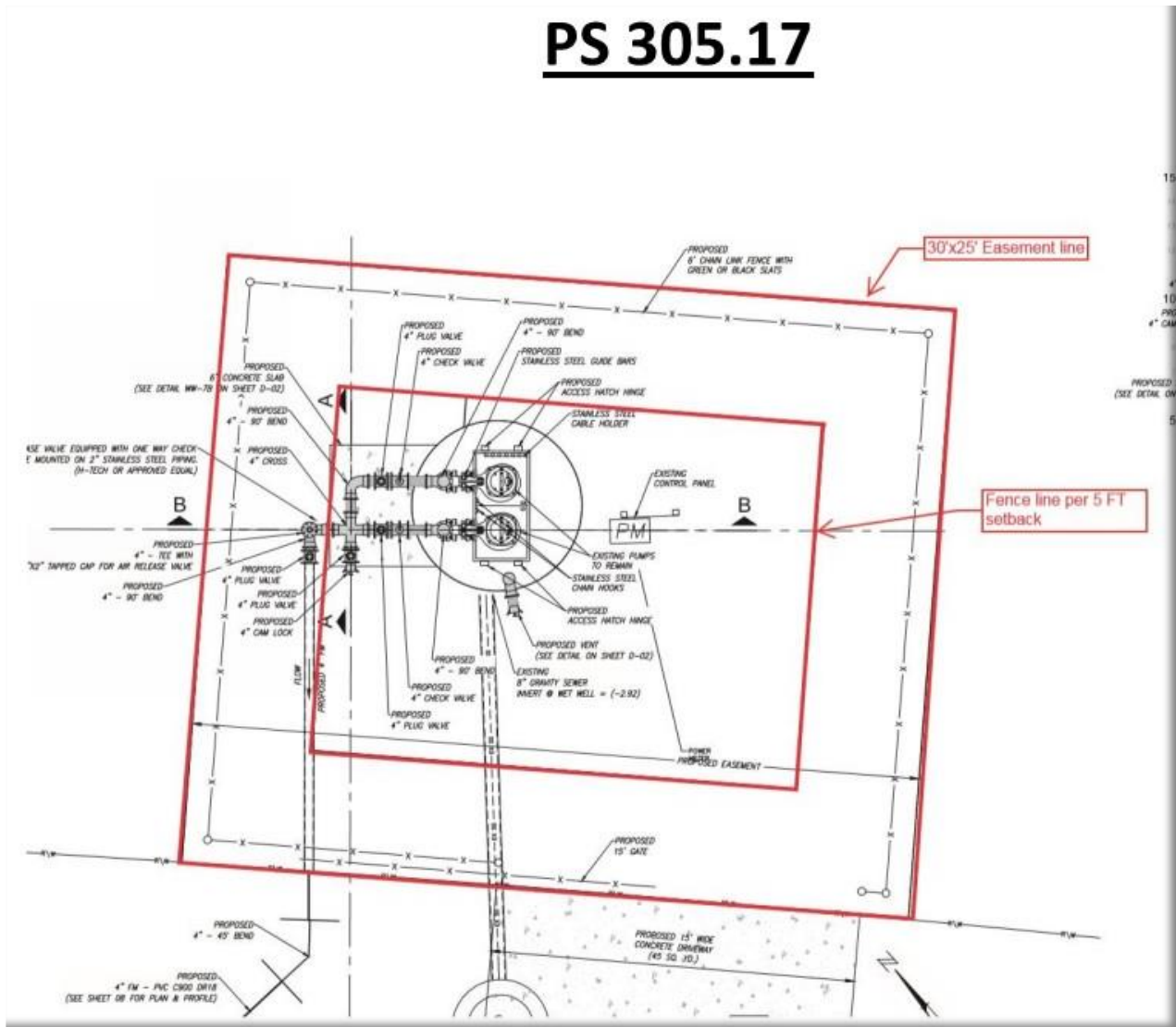
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PS 101.16



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PS 305.17



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LAND DEVELOPMENT CODE AMENDMENT

PETITION

PL20200001703

ORIGIN

Community and Human Services Division

HEARING DATES

BCC TBD
 CCPC TBD
 DSAC 10/07/2020
 DSAC-LDR 09/15/2020

SUMMARY OF AMENDMENT

This amendment proposes relief from certain design standards for Housing that is Affordable pursuant to the Community Housing Plan recommendations.

LDC SECTION TO BE AMENDED

2.03.02 Residential Zoning Districts
 4.02.04 Standards for Cluster Residential Design
 4.02.39 Design Deviations for Housing that is Affordable (New Section)

ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR
 Approval with changes

DSAC
 TBD

CCPC
 TBD

BACKGROUND

At the October 9, 2018 Board of County Commissioners meeting the Board provided direction upon the final recommendations of the Collier County Housing Plan. As part of that review, the Board directed staff to prepare Growth Management Plan (GMP) and Land Development Code (LDC) amendments on five specific initiatives identified within the Housing Plan:

1. Regulatory relief for affordable housing applications
2. Streamline commercial to residential conversions
3. Incentivize mixed income residential housing in future and redeveloped Activity Centers
4. Create a Strategic Opportunity Sites designation process and allow for increased density
5. Increase density along transit corridors

The first Initiative, regulatory relief for affordable housing applications, seeks to evaluate cost saving measures identified in the Collier Housing Plan to provide for relief from specified processes and standards to increase certainty and cost savings for projects that include housing that is affordable. In addition to the areas identified within the Housing Plan, the Housing team in coordination with a development industry stakeholder’s group worked to identified and recommended other areas of potential cost savings relief for housing that is affordable. The approach tries to ensure that the quality of the project does not suffer from a functional or aesthetic standpoint, while allowing the overall cost of each unit in the project to be reduced, and therefore increasing the potential for future projects to increase the supply of housing that is affordable.

The changes introduced with this initiative relate to the cost savings in terms of materials required and standards imposed on projects that provide for housing that is affordable, as well as the process for approval for cluster housing that is affordable project. As noted, the Community Housing Plan identified a number of areas to be included for cost savings such as: limiting the number of County reviews for various disciplines, removing the requirement for a generator as a lift station, and only requiring

sidewalks on one side of the street. These and additional areas of cost savings identified as part of a stakeholder think tank held February 21st at the Habitat for Humanity's Offices formed the basis for the relief being proposed.

It should be noted that all the initiatives directed by the Board at the October 8th, 2018 public hearing could be classified under the premise of regulatory relief, but this initiative focuses upon specific design components that can be identified as areas of relief, as well as certain process within the County review that can be identified as potential cost savings, such as making cluster housing that is affordable a permitted use in the RMF-6 zoning district and amending standards for compatibility compliance. The full list of cost savings strategies was scrutinized by the Consultant, Housing Staff and Growth Management Staff to find agreement on the specific relief measures to be incorporated within the proposed LDC amendments contained within Initiative One.

DSAC-LDR Subcommittee Recommendation

The DSAC-LDR Subcommittee reviewed the amendment on September 15, 2020, and recommended approval with the following changes:

- Clarify proposed Section 4.02.39 B.1 regarding storm event design requirements.
 - These proposed changes have been incorporated in the amendment.
- Modify proposed Section 4.02.39 B.2 to require relocation of required trees to street trees or buffer areas, rather than simply exempting the requirement.
 - This section has been modified to exempt required trees only on lots adjacent to preserve areas or perimeter berms and allowing all other required trees to be relocated to common areas or street tree programs.
- Consider changes to proposed Section 4.02.39 B.5 which allowed for the deferral of payment-in-lieu of construction of external sidewalks to address potential issues related to deferral of an assessment to future homeowners.
 - This provision has been removed from the amendment.

FISCAL & OPERATIONAL IMPACTS

There are no anticipated fiscal or operational impacts to the County. The amendment relaxes development standards and application requirements for housing that is affordable. The amendment is intended to decrease costs and application review time for developers of housing that is affordable.

GMP CONSISTENCY

The proposed LDC amendment has been reviewed by Comprehensive Planning staff and may be deemed consistent with the GMP.

EXHIBITS: N/A

Amend the LDC as follows:

2.03.02 - Residential Zoning Districts

* * * * *

B. Residential Multi-Family-6 District (RMF-6). The purpose and intent of the residential multi-family-6 district (RMF-6) is to provide for single-family, two-family and multi-family residences having a low profile silhouette, surrounded by open space , being so situated that it is located in close proximity to public and commercial services and has direct or convenient access to collector and arterial roads on the county major road network. The RMF-6 district corresponds to and implements the urban mixed use land use designation on the future land use map of the Collier County GMP. The maximum density permissible in the RMF-6 district and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County GMP. The maximum density permissible or permitted in the RMF-6 district shall not exceed the density permissible under the density rating system, except as permitted by policies contained in the future land use element.

1. The following subsections identify the uses that are permissible by right and the uses that are allowable as accessory or conditional uses in the RMF-6 district.

a. *Permitted uses.*

- 1. Single-family dwellings.
- 2. Duplexes, two-family dwellings.
- 3. Multi-family dwellings, townhouses as provided for in section 5.05.07.
- 4. Family care facilities, subject to section 5.05.04.
- 5. Educational plants and public schools with an agreement with Collier County, as described in LDC section 5.05.14; however, any high school located in this district is subject to a compatibility review as described in LDC section 10.02.03.

6. Cluster development that is affordable, subject to:

(a) Section 4.02.04, Standards for cluster residential design

(b) Project must qualify as housing that is affordable through a Bonus Density Agreement, Developers Agreement, Impact Fee Deferral Agreement or PUD commitment, which contain a minimum of 20 percent of the overall units as housing that is affordable.

(c) Project must conform to compatibility standards for housing that is affordable contained in section 4.02.39.C.1.

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- b. *Accessory uses.*
 - 1. Uses and structures that are accessory and incidental to uses permitted as of right in the RMF-6 district.
 - 2. Private docks and boathouses, subject to section 5.03.06.
 - 3. Recreational facilities that serve as an integral part of a residential development and have been designated, reviewed and approved on a site development plan or preliminary subdivision plat for that development. Recreational facilities may include, but are not limited to, golf course, clubhouse, community center building and tennis facilities, playgrounds and playfields.

- c. *Conditional uses.* The following uses are permissible as conditional uses in the RMF-6 district, subject to the standards and procedures established in LDC section 10.08.00.
 - 1. Churches.
 - 2. Schools, private. Also, "Ancillary Plants" for public schools.
 - 3. Child care centers and adult day care centers.
 - 4. Civic and cultural facilities.
 - 5. Recreational facilities not accessory to principal use.
 - 6. Group care facilities (category I and II); care units; nursing homes; assisted living facilities pursuant to § 400.402 F.S. and ch. 58A-5 F.A.C; and continuing care retirement communities pursuant to § 651 F.S. and ch. 4-193 F.A.C.; all subject to section 5.05.04.
 - 7. Noncommercial boat launch facilities, subject to the applicable review criteria set forth in section 5.03.06.
 - 8. Cluster development that is market rate, subject to section 4.02.04.
 - 9. Model homes and model sales centers, subject to compliance with all other LDC requirements, to include but not limited to, section 5.04.04.
 - 10. Public schools without an agreement with Collier County, as described in LDC section 5.05.14. Additional standards in LDC section 5.05.14 shall also apply; however, any high school located in this district is subject to a compatibility review as described in LDC section 10.02.03.

- d. *Prohibited animals in residential districts.* The following animals are to be considered farm animals and are not permitted to be kept in residential

1 districts except as provided for in zoning district regulations: turkeys,
2 chickens, ducks, geese, pigs, horses, cows, goats, hogs, and the like.

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6 **4.02.04 - Standards for Cluster Residential Design**

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8 A. The purpose of a cluster development design technique is to provide a unique and
9 innovative alternative to residential development in the RSF 1 through 6, RMF-6, PUD and
10 VR districts by creating a more varied, efficient, attractive, and economical residential
11 development containing a more usable pattern of open space . It is intended to implement
12 the (GMP) by, among other things, encouraging compact urban growth, discouraging
13 urban sprawl, and encouraging the conservation of environmental resources.

14
15 B. This section shall apply to all parcels of land under single ownership within the RSF 1
16 through 6, RMF-6, VR and PUD zoning districts which permit cluster development. See
17 LDC section 2.03.08 A.2 for clustering standards in RFMU receiving lands district.

18
19 C. Conditional uses approved for cluster development and permitted cluster development
20 that is affordable may reduce the lot area, lot width, and yard requirements within a zoning
21 district, subject to the criteria enumerated in this section. The lot area, lot width, coverage,
22 and yard regulations of the residential zoning district in which the cluster development is
23 located shall be used as the basis for all computations of allowed reductions. The following
24 reductions in lot area, lot width, coverage and yard regulations of the underlying zoning
25 district shall be permissible pursuant to the grant of a conditional use for cluster
26 development or administrative approval of a Site Development Plan for cluster
27 development that is affordable and that conforms to compatibility standards for housing
28 that is affordable contained in section 4.02.39.C. as permitted in the RMF-6 zoning district.

29
30 1. The maximum allowable gross density in any cluster development shall not exceed
31 the maximum allowable gross density of the residential zoning district in which the
32 cluster housing development is located.

33
34 2. The following site design and dimensional standards shall apply to cluster
35 development:
36

37 **Table 3. Table of Design Standards for Cluster Development.**

<i>Design Standard</i>	
Minimum lot area per single-family unit	3,000 sq. ft.
Minimum lot width	
Cul-de-sac lots	20 feet
All other lots	40 feet
Minimum setbacks	
Front yard front entry garage side entry garage	20 feet 10 feet
Side yards	

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Text underlined is new text to be added

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

zero lot line on one side no zero lot line	10 feet remaining side 5 feet each side
Rear yard	
principal structure accessory structure	10 feet 3 feet

- 1 D. Requirements for zero lot line developments:
- 2
- 3 1. The zero (0) lot line portion of the dwelling unit shall be void of doors where such
- 4 wall is contiguous to an adjoining lot line.
- 5
- 6 2. Where the nature of the construction of a residence has provided for zero (0) side
- 7 yard, footings and roof overhang encroachments may be permitted onto the
- 8 adjoining lot. A roof drainage system shall be put in place to prevent roof drainage
- 9 from falling onto the abutting property adjacent the walls of the residence with the
- 10 zero (0) side yard tolerance. Furthermore, provision shall be made for a three (3)
- 11 foot easement on the abutting property, which shall be recorded running with the
- 12 land with the residence enjoying the zero (0) lot side yard, for maintenance
- 13 purposes.
- 14
- 15 3. Roof overhangs shall be prohibited over adjacent property lines, unless a recorded
- 16 restrictive covenant creating the requisite easement interest for encroachment,
- 17 maintenance, and repair of the building overhang is an element of the project.
- 18
- 19 E. Common open space.
- 20
- 21 1. All reductions in the minimum lot area, lot width, and yard requirements below that
- 22 which would otherwise be required within the district in which the cluster
- 23 development is located shall be required to provide an equal amount of common
- 24 open space within the same phase and general area of each cluster of homes in
- 25 the development unless said cluster development is part of a planned unit
- 26 development where the open space requirements of this LDC have been satisfied.
- 27
- 28 2. Common open space shall be reserved for recreational uses.
- 29
- 30 3. Any commercial uses recreational facility subject to membership, registration,
- 31 fees, or aimed at attracting outside users, shall not be counted as common open
- 32 space.
- 33
- 34 4. The sale, lease, or other disposition of common open space shall be prohibited
- 35 except to a nonprofit corporation or homeowners' association or other similar entity
- 36 established under the laws of Florida to administer and maintain the facilities
- 37 subject to a deed restriction acceptable to the County to limit the use of said
- 38 property to common open space . Provisions shall be included to assure the
- 39 continued maintenance of the common open space area.
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- 41 5. Access rights to common open space for all residents within the cluster housing
- 42 development shall be guaranteed.
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6. Land utilized for common open space shall be restricted to common open space in perpetuity by appropriate legal instruments satisfactory to Collier County. Such instrument shall be binding upon the owner, developer, his successors, and assigns, and shall constitute a covenant running with the land, and be in recordable form.

F. Additional reduction to the development standards provided at sections 4.02.04 C.—E. may be approved by the Collier County Planning Commission for projects defined as common architectural theme projects. In determining whether or not a project qualifies as a common architectural theme project the BCC shall determine that all of the following design features are incorporated into the project:

- 1. The architectural style of the dwelling units/structures shall be similar in design and in the use of materials and color.
- 2. The residential project shall have a signature entranceway which serves to identify the development as having a common architectural theme. The entranceway design and improvement elements shall include some or all of the following: the use of landscape materials, gated structure, water features, sculpture, and ornamental pavement surfaces.
- 3. Street materials, signage, and lighting shall be complementary and the same throughout the project's accessways.

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4.02.39 – Alternative Design for Housing that is Affordable

A. The Collier County Growth Management Plan sets a priority on providing housing that is affordable to keep pace with the rate of population growth and the need for housing that is affordable to maintain economic viability within the County.

B. Alternatives may be granted by the County Manager or designee from design and permitting standards of this LDC listed below to further the objective of increasing supply of housing that is affordable, subject to criteria of Section 4.02.39.C.

1. Section 3.07.02.E - Local/internal roads that are privately maintained may be designed to the elevation required to meet the 5-year, 1-day storm event, and the perimeter berm shall be designed so that surrounding properties will not be adversely impacted by the project's influence on stormwater sheet flow up to the elevation during the 25 year, 3-day design storm.

2. Single-family developments lots which are adjacent to preserve areas or perimeter berms are exempt from providing one canopy tree per 3,000 square feet of pervious open space per lot. For all other lots, the required one canopy tree may be relocated to common areas or to a street tree program.

3. Sections 6.06.01.S, 10.02.02.A.11 & Appendix B - For all local/internal roads that are privately maintained, alternative design, including inverted crown, may be allowed if the alternative is based on sound engineering practices and the alternative is no less consistent with the health, safety and welfare of abutting

landowners and the general public than the standard typical. The applicants engineer shall request that the County Manager or his designee approve the alternative roadway design, as part of the Site Plan or Subdivision Plan application. The request shall be in writing and accompanied with documentation and justification for the alternate roadway design based on sound engineering principles and practices.

4. Sections 6.06.02.A.2 & 6.06.02.F - For local/internal sidewalks that are privately maintained, the minimum sidewalk width shall be four feet, which can be of concrete or asphalt material and shall be constructed over a compacted subgrade. Asphalt shall also require a minimum of 4 inches of compacted limerock base, in addition to the compacted subgrade.

5. Section 10.02.03.A.3 - Three-family housing structures proposed on a lot(s) of record are exempt from the Site Development Plan provisions of LDC Section 10.02.03.A.2.

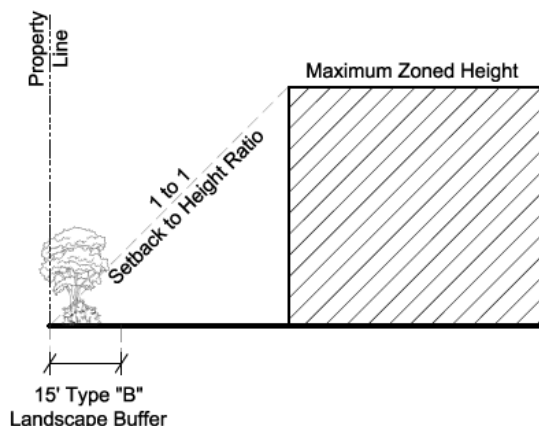
6. Section 10.02.04.C - For single-family developments, the clubhouse facility may be included within the construction plans and final subdivision plats.

7. Section 10.02.08.I.2. - The set-aside of land or dedication of land for a public water well at time of rezoning is not required, unless the site is located within a quarter-mile of a future raw water transmission main identified in the latest Board-adopted Collier County 10-Year Water Supply Facilities Work Plan Update and in such a way that the quantity of affordable housing units would not be impacted.

C. Criteria for design deviations for housing that is affordable. The County Manager or designee shall grant requested deviations allowable per Section 4.02.39.B. at time of development permitting when the following criteria are met:

1. Compatibility.

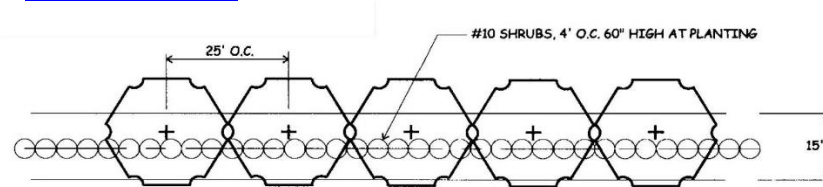
a. Setbacks from all project boundaries that abut property zoned or developed for single family residential use shall be a minimum of one foot (setback) per one foot maximum zoned height for principal structures.



1 to 1 Setback to Height Ratio

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b. For projects of more than three units, the required buffer for all project boundaries that abut property zoned or developed for single family residential use shall be a 15 foot wide Type "B" landscape buffer per LDC Section 4.06.02.



Type "B" Landscape Buffer

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2. Affordability. To qualify for the design deviations of this section, projects shall meet the requirements and execute one of the following to maintain affordability and contain a minimum of 20 percent of the overall units as housing that is affordable:

a. Affordable Housing Density Bonus (AHDB) Agreement per Section 2.06.00; or

b. Affordable Housing Impact Fee Deferral Agreement per Code of Ordinances Article IV of Chapter 74; or

c. PUD commitment or Developer's Agreement (DA) for units that serve households at the income levels identified in Section 2.06.00, or units that are priced within the limits established in the Collier County Housing Demand Methodology, as updated yearly or Board approved Table of Rental Rates, as updated yearly.

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LAND DEVELOPMENT CODE AMENDMENT

PETITION

PL20200001721

Origin

Growth Management Department

HEARING DATES

BCC TBD
 CCPC TBD
 DSAC 10/07/20
 DSAC-LDR 09/15/20

SUMMARY OF AMENDMENT

This amendment implements the Golden Gate Area Master Plan (GGAMP) to allow cellular towers as a conditional use in the Estates (E) Zoning District on parcels that are a minimum of 2.25 acres and located adjacent to collector or arterial roads. It also corrects a few cross references.

LDC SECTIONS TO BE AMENDED

2.03.01 Agricultural Districts
 5.05.09 Communication Towers

ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR	DSAC	CCPC
Approval with changes	TBD	TBD

BACKGROUND

When the GGAMP amendments were adopted in the Growth Management Plan (GMP) on September 24, 2019, new provisions for various types of conditional uses were added to the Urban and Rural Golden Gate Estates Sub-elements of the GGAMP. One such provision is the “Special Exceptions to Conditional Use Locational Criteria” – Urban Section (B.1.A.3.e.5.) and Rural Section (B.1.A.3.d.4.). It states the following:

“Conditional Use for a cellular tower is allowed in the Estates Zoning District only on parcels no smaller than 2.25 acres and adjacent to a roadway classified within the Transportation Element as a Collector or Arterial.”

This amendment originated from a solid majority of residents surveyed, both in the rural Estates and the urban Estates, that had indicated dissatisfaction with existing cellular service. Over 75% of the rural Estates residents surveyed believed that communication towers should be conditional uses, and available at any location in the Estates. The proposed amendment shall allow cellular service to increase after the approval of new communication towers.

By LDC section 2.01.03 A 4, communication towers are deemed permitted uses in all zoning districts, except CON districts, RFMU sending lands, NRPAS, HSAS, and FSAS and “... limited to those providing wireless emergency telephone service, subject to all applicable provisions in section 5.05.09 of this Code.” However, LDC section 5.05.09 G.1 states “...no new tower of any height shall be permitted in the RSF-1 through RSF-6, RMF- 6, VR, MH, TTRVC and E Zoning districts.” The proposed amendment shall rectify this inconsistency, put into effect the GGAMP new provision, and provide for new communication towers to be allowed as a conditional use in the Estates Zoning District.

The Transportation Element of the GMP’s maps depict all of the collector and arterial roads throughout the County. These roadway maps display where new communication towers can be located. See Exhibit A.

In LDC section 5.05.09 G.1, the cross reference to LDC section 5.05.09 F.7 should read 5.05.09 G.7 which does address separation requirements and the second cross reference to LDC section 5.05.09 (F) 3) should read 5.05.09

G 3 which does address essential services sites.

In LDC section 5.05.09 G.3 another scrivener error is corrected by inserting a period after the words “Essential services-Specified conditional uses”.

DSAC-LDR Subcommittee Recommendations

The DSAC-LDR Subcommittee reviewed the amendment on September 15, 2020 and unanimously recommended approval with the following changes:

- In 5.05.9 B.25.d, add the following words “*The required*” to the beginning sentence of “*Perimeter wall or fence height shall be...*”;
- Require the wall or fence height to be a “*minimum of eight feet from finished grade...*” and
- Stipulate the 15 feet landscape buffer shall be a “*Type B*” landscape buffer and tree plantings within the buffer be a minimum 12 feet tall to screen the equipment cabinets.

All recommendations have been incorporated in the LDC text. Additionally, staff has made a minor adjustment to subsection 5.05.09 G.25 b. to help clarify that the service cannot be located outside of the Estates Zoning District or co-located on an existing tower within an effective radius and provide the same service coverage.

FISCAL & OPERATIONAL IMPACTS

There are no anticipated fiscal or operational impacts to the County associated with this amendment. The amendment can have fiscal impacts on property owners in the Estates who will be eligible to apply for Conditional Use approval of communication towers.

GMP CONSISTENCY

The proposed LDC amendment has been reviewed by Comprehensive Planning staff and may be deemed consistent with the GMP.

EXHIBITS: A) GMP Transportation Element Maps

Amend the LDC as follows:

2.03.01 – Agricultural Districts

* * * * *

B. Estate District (E). The purpose and intent of the estates district (E) is to provide lands for low density residential development in a semi-rural to rural environment, with limited agricultural activities. In addition to low density residential development with limited agricultural activities, the E district is also designed to accommodate as conditional uses, development that provides services for and is compatible with the low density residential, semi-rural and rural character of the E district. The E district corresponds to and implements the estates land use designation on the future land use map of the Collier County GMP, although, in limited instances, it may occur outside of the estates land use designation. The maximum density permissible in the E district shall be consistent with and not exceed the density permissible or permitted under the estates district of the future land use element of the Collier County GMP as provided under the Golden Gate Master Plan.

1. The following subsections identify the uses that are permissible by right and the uses that are allowable as accessory or conditional uses in the estates district (E).

a. Permitted uses.

* * * * *

c. Conditional uses. For Estates zoning within the Golden Gate Estates subdivision, the Golden Gate Area Master Plan in the GMP restricts the location of conditional uses. The following uses are permissible as conditional uses in the estates district (E), subject to the standards and procedures established in LDC section 10.08.00:

* * * * *

8. Essential services, as set forth in LDC ~~sub~~section 2.01.03 G.

9. Model homes and model sales centers, subject to compliance with all other LDC requirements, to include but not limited to section 5.04.04.

10. Ancillary plants.

11. Public schools without an agreement with Collier County, as described in LDC section 5.05.14. Additional standards in LDC section 5.05.14 shall also apply.

12. Communication towers up to specified heights, subject to LDC section 5.05.09.

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3 **5.05.09 – Communication Towers**

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7 G. Development standards for communication towers.

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9 1. Except to the extent that amateur radio towers, and ground-mounted antennas
10 with a height not to exceed twenty (20) feet, are exempted by subsection 5.05.09
11 herein, no new tower of any height shall be permitted in the RSF-1 through RSF-
12 6, RMF-6, VR, MH, TTRVC, and E zoning districts. However, notwithstanding other
13 provisions of this section, including the separation requirements of subsection
14 5.05.09 ~~(F)(7)~~ G.7. below, towers may be allowed to any height as a conditional
15 use in the Estate (E) zoning district only on parcels designated as Urban or Rural
16 Golden Gate Estates Sub-Element in the Golden Gate Area Master Plan or sites
17 approved for a specified essential service listed in subsection 5.05.09 ~~((F)(3))~~ G.3.
18 below. There shall be no exception to this subsection except for conditional use
19 applications by a government for a governmental use.
20

21 * * * * * * * * * * * * * *
22

23 3. Essential services —Specified conditional uses. Except in the RSF-1 through
24 RSF-6, and RMF-6 zoning districts, towers may be allowed to any height as a
25 conditional use on sites approved for a conditional use essential service for any
26 of the following conditional uses: safety service facilities including, but not
27 necessarily limited to, fire stations, sheriff's substation or facility, emergency
28 medical services facility, and all other similar uses where a communications
29 tower could be considered an accessory or logically associated use with the
30 safety service conditional use on the site. In addition, communications towers
31 can be approved as a conditional use for a stand-alone essential service facility,
32 provided the tower is to be owned by, or to be leased to, a governmental entity,
33 and the primary uses of the tower are for governmental purposes.
34

35 * * * * * * * * * * * * * *
36

37 7. With the exception of rooftop towers and towers on essential services sites, each
38 new communication tower shall meet the following separation requirements:

39
40 a. Each new tower that exceeds 185 feet in height shall be located not less
41 than two and one-half (2.5) times the height of the tower from all RSF-1
42 through RSF-6, and RMF-6 zoning districts, including PUDs where the
43 adjacent use(s) is/are, or comparable to, the RSF-1 through RSF-6 and
44 RMF-6 zoning districts. If a part of a PUD is not developed, and it is
45 inconclusive whether the part of a PUD area within such minimum
46 separation distance from the proposed tower site may be developed with a
47 density of six (6) units per acre or less, it shall be presumed that the PUD
48 area nearest to the proposed site will be developed at the lowest density
49 possible under the respective PUD.
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- b. In addition, each such new tower that exceeds a height of seventy-five (75) feet, excluding antennas, shall be separated from all boundaries of surrounding property zoned RMF-12, RMF-16, E, RT, VR, MH, TTRVC,H, and the residential areas of PUDs with existing or planned densities greater than six (6) units per acre by not less than the total height of the tower including its antennas; and from all other surrounding property boundaries by a distance not less than one-half (1/2) the height of the tower and its antennas, or the tower's certified collapse area, whichever distance is greater.
- c. Communication towers in the Estate (E) zoning district shall be separated from residentially zoned properties as follows:
 - i. New towers up to 75 feet in height shall be located not less than the total height of the tower and antennas from all residentially zoned properties.
 - ii. New towers over 75 feet in height shall be located not less than two and one-half times the height of the tower and antennas, or the certified collapse area, whichever distance is greater, from all residentially zoned properties.

* * * * *

25. Communication towers in the Estate (E) Zoning District.

Communication towers are allowed on parcels designated as Urban or Rural Golden Gate Estates Sub-element in the Golden Gate Area Master Plan and are subject to the following:

- a. The parcel is a minimum 2.25 acres and adjacent to an arterial or collector road.
- b. The communication tower cannot be located outside the Estates Zoning District or be co-located on an existing tower within an effective radius and provide the same service coverage.
- c. All security and site lighting shall be less than 20 feet above grade, fully shielded, and directed away from neighboring properties.
- d. Fencing height and landscaping. The required perimeter wall or fence height shall be a minimum of eight feet from finished grade of base supporting structure and no greater than 10 feet. A minimum 15 feet landscape Type B buffer along the perimeter of wall or fence is required and tree plantings within the buffer shall be 12 feet high.
- e. Equipment cabinets. Overall height of ground-mounted equipment or equipment enclosure shall not exceed 12 feet.

#

Exhibit A – GMP Transportation Element Maps

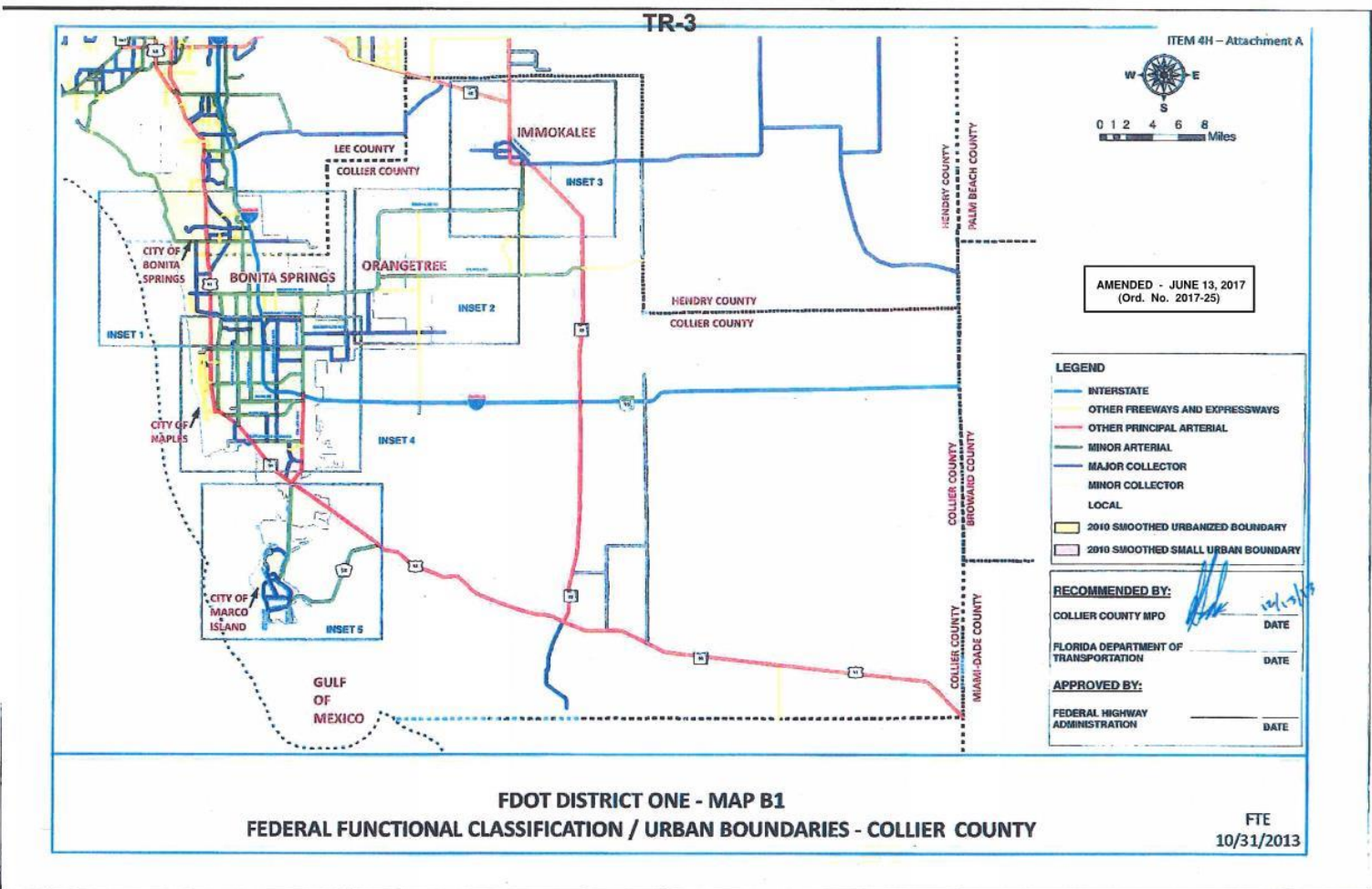


Exhibit A – GMP Transportation Element Maps

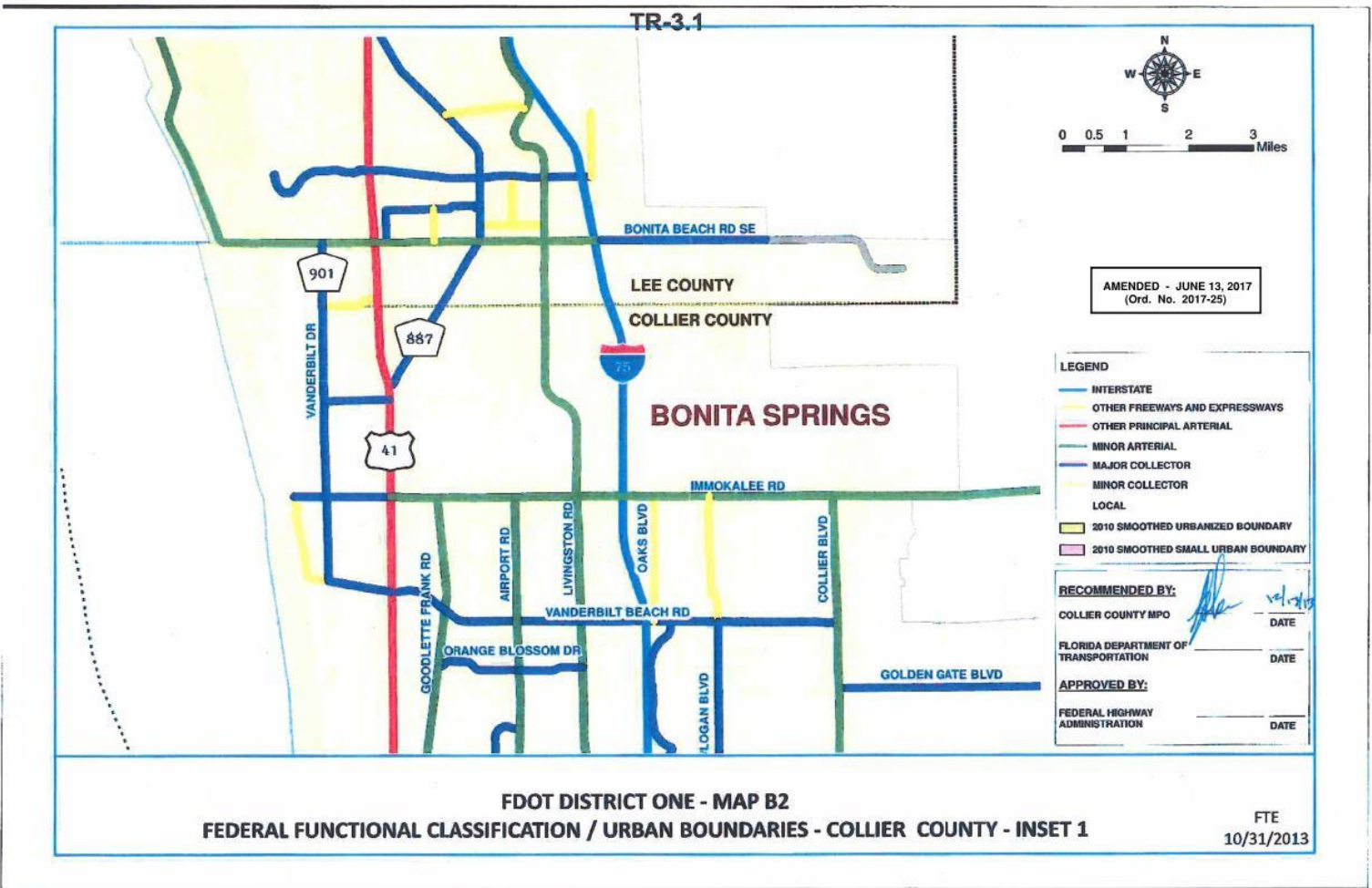


Exhibit A – GMP Transportation Element Maps

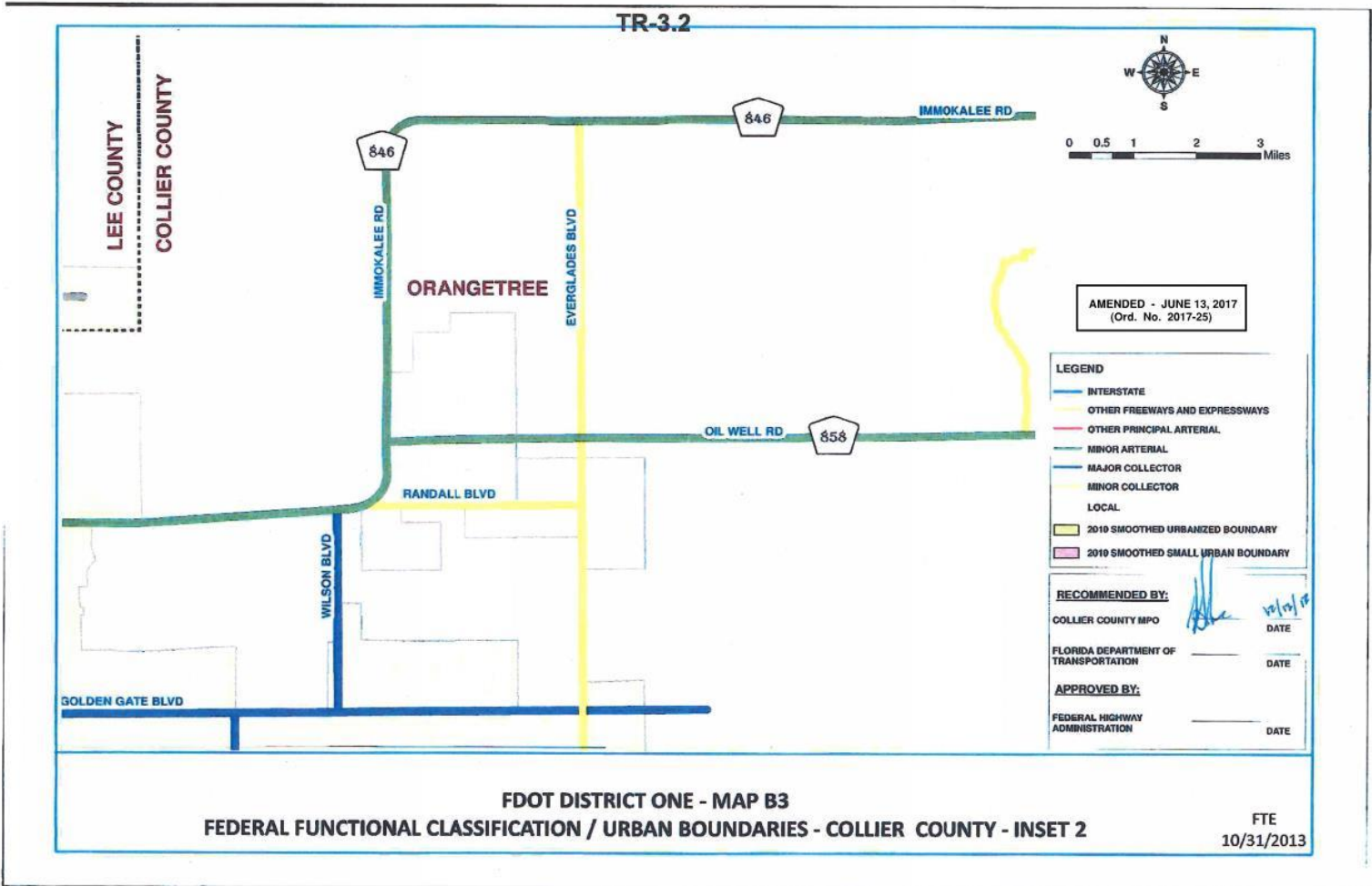
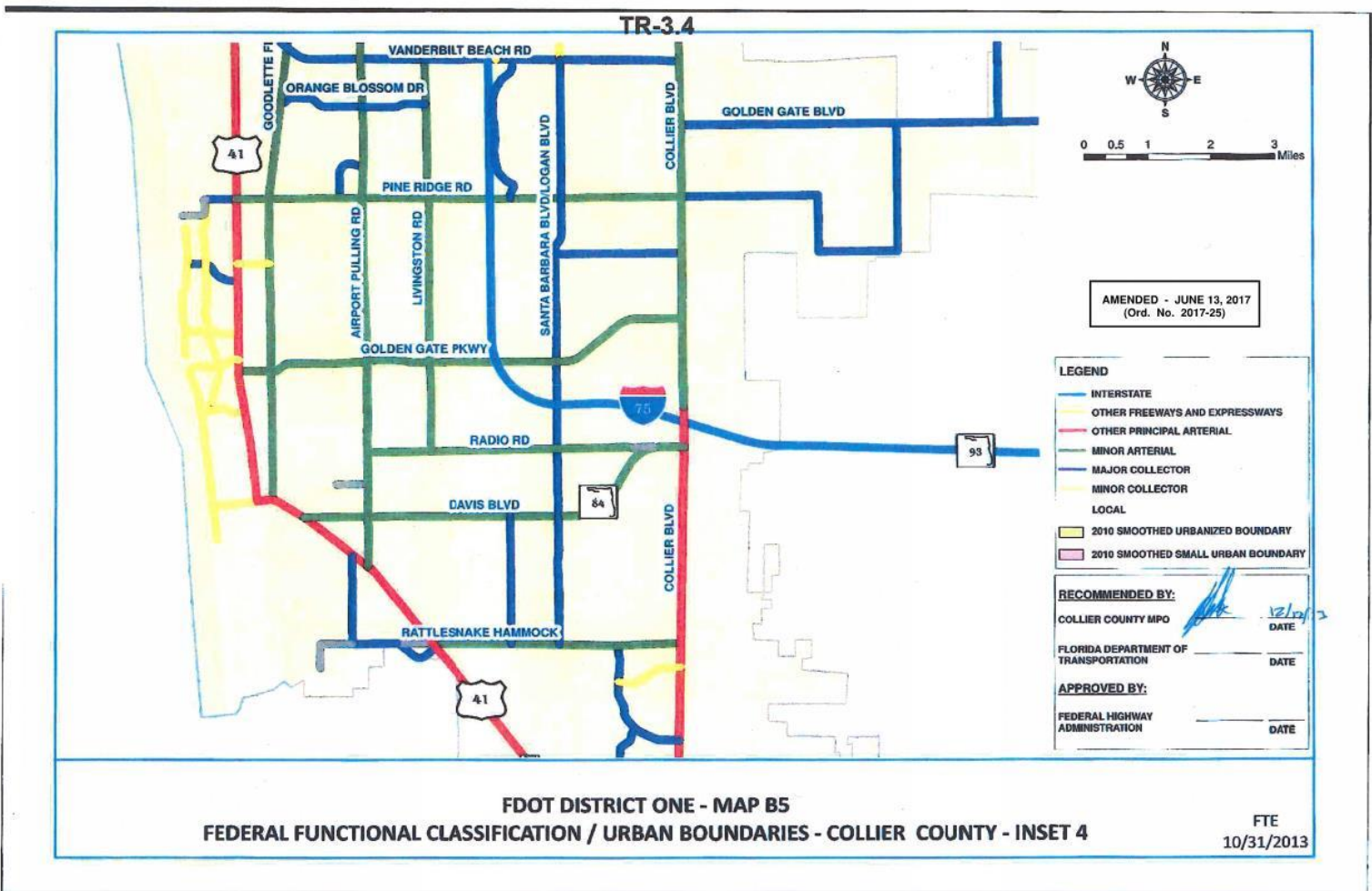


Exhibit A – GMP Transportation Element Maps



LAND DEVELOPMENT CODE AMENDMENT

PETITION

PL20200001602

ORIGIN

Growth Management
Department

HEARING DATES

BCC	TBD
CCPC	TBD
DSAC	10/07/20
DSAC-LDR	09/15/20

SUMMARY OF AMENDMENT

This amendment corrects scrivener’s errors and updates cross references related to various Land Development Code (LDC) sections, the Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapter and Rule citations.

LDC SECTIONS TO BE AMENDED

- 1.08.02 Definitions
- 2.03.01 Agricultural Districts
- 2.03.02 Residential Zoning Districts
- 2.03.03 Commercial Zoning Districts
- 2.03.05 Civic and Institutional Zoning Districts
- 2.03.07 Overlay Zoning Districts
- 2.03.08 Rural Fringe Zoning Districts
- 4.02.06 Standards for Development within the Airport Overlay (APO)
- 10.02.03 Requirements for Site Development, Site Improvement Plans and Amendments thereof
- 10.02.05 Construction, Approval, and Acceptance of Required Improvements
- 10.02.13 Planned Unit Development (PUD) Procedures
- Appendix A-Standard Performance Security Documents for Required Improvements

ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR
Approval

DSAC
TBD

CCPC
TBD

BACKGROUND

Staff has researched and reviewed 2019 Florida Statutes and Florida Administrative Code citations for the definition and use of the terms “Assisted Living Facility” (ALF) and “Family Care Facility” (FCF). The previous referenced citations have been transferred over time and require correction throughout the respective residential and non-residential zoning districts and the Santa Barbara Commercial Overlay District. The correct F.S. and F.A.C. citations are listed in a Correction Table. See Exhibit A.

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

Section 1.08.02: When the F.A.C. Chapter 59 A-36.10 was adopted, the word “supervisors” has been replaced with “staff” for the definition of “Family Care Facility”, and this change has been made.

Section 2.03.03 D.1.a.26: The word “texture” should read “textile.”

Sections 2.03.08 A.2.a.(4)(b)(ii.a)iv) and 2.03.08 A.2.a.(4)(b)(ii.b)v): The reference to LDC section 4.02.01 should read 4.02.03 which is the appropriate section for the “Specific Standards for Location of Accessory Buildings and Structures”.

Section 4.02.06 L.2.a: When Ordinance 19-35 was sent to FDOT for review, the FDOT-Aviation and Spaceports Office representatives brought a discrepancy to staff’s attention. The correct height is 499 feet rather than 500 feet, and this change is consistent with the Federal Regulation Title 14, Part 77. See Exhibit B.

Section 10.02.03 F.5: The reference to LDC section 10.03.06 Q should read LDC section 10.03.06 R, which is the appropriate section for public notice and required hearings for “Site Plan with Deviations for Redevelopment”.

Section 10.02.05 B.2.a: The words “*Competition Certificate*” should read “*Completion Certificate*.”.

Section 10.02.13 I: The reference to LDC sections “2.02.12 and 2.02.12D” should read “10.02.13 and 10.02.13 D”.

Appendix A: Florida Statutes 117.05 (4) provides for the notarial certificate requirements and F.S. 117.05 (13) provides the templates and acknowledgements in a representative capacity. For each respective standard performance security document, the notarial acknowledgement is updated and replaced with the generic notarial certificate requirement for conformity.

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) F.S. and F.A.C. Correction Table

B) Federal Aviation Administration DOT: 14 CFR Section § 77.17(a)(1)

DRAFT

1 Amend the LDC as follows:

2
3 **1.08.02 Definitions**

4
5 * * * * *

6 *Assisted living facility:* Any building(s), section of a building, distinct part of a building,
7 residence, private home, boarding home, or other place, whether operated for profit or
8 not, which undertakes through its ownership or management to provide for a period
9 exceeding 24 hours, housing, food service, and 1 or more personal services for 4 or more
10 adults, not related to the owner or administrator by blood or marriage, who require such
11 services and to provide limited nursing services, when specifically licensed to do so
12 pursuant to § ~~400.407~~ 400.062 F.S. A facility offering personal services or limited nursing
13 services for fewer than 4 adults is within the meaning of this definition if it formally or
14 informally advertises to or solicits the public for residents or referrals and holds itself out
15 to the public to be an establishment that regularly provides such services.

16 * * * * *

17 *Family care facility:* A residential facility designed to be occupied by not more than 6
18 persons under care, plus ~~supervisors~~ staff as required by subsection ~~10A-5.019, FAG~~
19 ch.59A-36.010, F.A.C. and constituting a single dwelling unit (i.e., adult congregate living
20 facility for: aged persons; developmentally disabled persons; physically disabled or
21 handicapped persons; mentally ill persons; and persons recovering from alcohol and/or
22 drug abuse. Foster care facilities are also included, but not the uses listed under group
23 care facility (category II). This use shall be applicable to single-family dwelling units and
24 mobile homes.

25 * * * * *

26 # # # # # # # # # # # # # #

27
28 **2.03.01 - Agricultural Districts.**

29
30 A. Rural Agricultural District (A). The purpose and intent of the rural agricultural district (A) is
31 to provide lands for agricultural, pastoral, and rural land uses by accommodating
32 traditional agricultural, agricultural related activities and facilities, support facilities related
33 to agricultural needs, and conservation uses. Uses that are generally considered
34 compatible to agricultural uses that would not endanger or damage the agricultural,
35 environmental, potable water, or wildlife resources of the County, are permissible as
36 conditional uses in the A district. The A district corresponds to and implements the
37 Agricultural/Rural land use designation on the future land use map of the Collier County
38 GMP, and in some instances, may occur in the designated urban area. The maximum
39 density permissible in the rural agricultural district within the urban mixed use district shall
40 be guided, in part, by the density rating system contained in the future land use element
41 of the GMP. The maximum density permissible or permitted in A district shall not exceed
42 the density permissible under the density rating system. The maximum density permissible
43 in the A district within the agricultural/rural district of the future land use element of the
44 Collier County GMP shall be consistent with and not exceed the density permissible or
45 permitted under the agricultural/rural district of the future land use element.

46
47 1. The following subsections identify the uses that are permissible by right and the
48 uses that are allowable as accessory or conditional uses in the rural agricultural
49 district (A).

50 * * * * *

1 c. *Conditional uses.* The following uses are permitted as conditional uses in the rural
2 agricultural district (A), subject to the standards and procedures established in LDC
3 section 10.08.00 and the Administrative Code.

4 * * * * *
5 16. Group care facilities (category I and II); care units; nursing homes; assisted
6 living facilities pursuant to ~~400.402~~ 429.02 F.A.C.; and continuing care
7 retirement communities pursuant to § 651 F.S. and ch. ~~4-193~~ 690-193
8 F.A.C., all subject to LDC section 5.05.04 when located within the Urban
9 Designated Area on the Future Land Use Map to the Collier County Growth
10 Management Plan.
11 * * * * *

12 B. Estate District (E). The purpose and intent of the estates district (E) is to provide lands for
13 low density residential development in a semi-rural to rural environment, with limited
14 agricultural activities. In addition to low density residential development with limited
15 agricultural activities, the E district is also designed to accommodate as conditional uses,
16 development that provides services for and is compatible with the low density residential,
17 semi-rural and rural character of the E district. The E district corresponds to and
18 implements the estates land use designation on the future land use map of the Collier
19 County GMP, although, in limited instances, it may occur outside of the estates land use
20 designation. The maximum density permissible in the E district shall be consistent with
21 and not exceed the density permissible or permitted under the estates district of the future
22 land use element of the Collier County GMP as provided under the Golden Gate Master
23 Plan.

24
25 1. The following subsections identify the uses that are permissible by right and the
26 uses that are allowable as accessory or conditional uses in the estates district (E).
27 * * * * *

28 c. *Conditional uses.* For Estates zoning within the Golden Gate Estates
29 subdivision, the Golden Gate Area Master Plan in the GMP restricts the
30 location of conditional uses. The following uses are permissible as
31 conditional uses in the estates district (E), subject to the standards and
32 procedures established in LDC section 10.08.00.
33 * * * * *

34 5. Group care facilities (category I); care units, subject to the
35 provisions of LDC subsection 2.03.01 B.3.f; nursing homes;
36 assisted living facilities pursuant to § ~~400.402~~ 429.02 F.S. and ch.
37 ~~58A-5~~ 59A-36 F.A.C.; and continuing care retirement communities
38 pursuant to § 651 F.S. and ch. ~~4-193~~ 690-193 F.A.C.; all subject to
39 LDC section 5.05.04.
40 * * * * *

41 # # # # # # # # # # # # # #
42

43 **2.03.02 - Residential Zoning Districts**

44
45 A. Residential Single-Family Districts (RSF-1; RSF-2; RSF-3; RSF-4; RSF-5; RSF-6). The
46 purpose and intent of the residential single-family districts (RSF) is to provide lands
47 primarily for single-family residences. These districts are intended to be single-family
48 residential areas of low density. The nature of the use of property is the same in all of
49 these districts. Variation among the RSF-1, RSF-2, RSF-3, RSF-4, RSF-5 and RSF-6

1 districts is in requirements for density, lot area, lot width, yards, height, floor area, lot
2 coverage, parking, landscaping and signs. Certain structures and uses designed to
3 serve the immediate needs of the single-family residential development in the RSF
4 districts such as governmental, educational, religious, and noncommercial recreational
5 uses are permitted as conditional uses as long as they preserve ; and are compatible
6 with the single-family residential character of the RSF district[s]. The RSF districts
7 correspond to and implement the urban mixed use land use designation on the future
8 land use map of the Collier County GMP. The maximum density permissible in the
9 residential single-family (RSF) districts and the urban mixed use land use designation
10 shall be guided, in part, by the density rating system contained in the future land use
11 element of the Collier County GMP. The maximum density permissible or permitted in
12 the RSF district shall not exceed the density permissible under the density rating
13 system, except as permitted by policies contained in the future land use element.

14
15 1. The following subsections identify the uses that are permissible by right and the
16 uses that are allowable as accessory or conditional uses in the residential single-
17 family districts (RSF).

18 * * * * *
19 c. *Conditional uses.* The following uses are permissible as conditional uses
20 in the residential single-family districts (RSF), subject to the standards and
21 procedures established in LDC section 10.08.00

22 * * * * *
23 7. Group care facilities (category I); care units subject to the provisions
24 of LDC subsection 2.03.02 3.h; nursing homes; assisted living
25 facilities pursuant to § 400.402 429.02 F.S. and ch. 58A-5 59A-36
26 F.A.C.; and continuing care retirement communities pursuant to §
27 651 F.S. and ch. 4-193 690-193 F.A.C.; all subject to LDC section
28 5.05.04.

29 * * * * *
30

31 B. Residential Multi-Family-6 District (RMF-6). The purpose and intent of the
32 residential multi-family-6 district (RMF-6) is to provide for single-family, two-family and
33 multi-family residences having a low profile silhouette, surrounded by open space,
34 being so situated that it is located in close proximity to public and commercial services
35 and has direct or convenient access to collector and arterial roads on the county major
36 road network. The RMF-6 district corresponds to and implements the urban mixed use
37 land use designation on the future land use map of the Collier County GMP. The
38 maximum density permissible in the RMF-6 district and the urban mixed use land use
39 designation shall be guided, in part, by the density rating system contained in the future
40 land use element of the Collier County GMP. The maximum density permissible or
41 permitted in the RMF-6 district shall not exceed the density permissible under the
42 density rating system, except as permitted by policies contained in the future land use
43 element.

44
45 1. The following subsections identify the uses that are permissible by right and the uses that
46 are allowable as accessory or conditional uses in the RMF-6 district.

47 * * * * *
48 c. *Conditional uses.* The following uses are permissible as conditional uses in the
49 RMF-6 district, subject to the standards and procedures established in LDC section
50 10.08.00.

DRAFT

- 1 * * * * *
2 6. Group care facilities (category I and II); care units; nursing homes; assisted
3 living facilities pursuant to § [400.402](#) [429.02](#) F.S. and ch. [58A-5](#) [59A-36](#)
4 F.A.C; and continuing care retirement communities pursuant to § 651 F.S.
5 and ch. [4-193](#) [690-193](#) F.A.C.; all subject to [LDC](#) section 5.05.04.
6 * * * * *
- 7 C. Residential Multi-Family-12 District (RMF-12). The purpose and intent of the residential
8 multi-family 12 district (RMF-12) is to provide lands for multiple-family residences having
9 a mid-rise profile, generally surrounded by lower structures and open space, located in
10 close proximity to public and commercial services, with direct or convenient access to
11 collector and arterial roads on the county major road network. Governmental, social, and
12 institutional land uses that serve the immediate needs of the multi-family residences are
13 permitted as conditional uses as long as they preserve and are compatible with the mid-
14 rise multiple-family character of the district. The RMF-12 district corresponds to and
15 implements the urban mixed use land use designation on the future land use map of the
16 Collier County GMP. The maximum density permissible in the RMF-12 district and the
17 urban mixed use land use designation shall be guided, in part, by the density rating system
18 contained in the future land use element of the Collier County GMP. The maximum density
19 permissible or permitted in the RMF-12 district shall not exceed the density permissible
20 under the density rating system, except as permitted by policies contained in the future
21 land use element.
22
- 23 1. The following subsections identify the uses that are permissible by right and the
24 uses that are allowable as accessory or conditional uses in the residential multi-
25 family-12 district (RMF-12).
26 * * * * *
- 27 c. *Conditional uses.* The following uses are permissible as conditional uses
28 in the residential multiple-family-12 district (RMF-12), subject to the
29 standards and procedures established in LDC section 10.08.00.
30 * * * * *
- 31 6. Group care facilities (category I and II); care units; nursing homes;
32 assisted living facilities pursuant to § [400.402](#) [429.02](#) F.S. and ch.
33 [58A-5](#) [59A-36](#) F.A.C.; and continuing care retirement communities
34 pursuant to § 651 F.S. and ch. [4-193](#) [690-193](#) F.A.C.; all subject to
35 * * * * *
- 36 D. Residential Multi-Family-16 District (RMF-16). The purpose and intent of the
37 residential multi-family-16 district (RMF-16) is to provide lands for medium to high density
38 multiple-family residences, generally surrounded by open space, located in close proximity
39 to public and commercial services, with direct or convenient access to arterial and collector
40 roads on the county major road network. Governmental, social, and institutional land uses
41 that serve the immediate needs of the multiple-family residences are permitted as
42 conditional uses as long as they preserve and are compatible with the medium to high
43 density multi-family character of the district. The RMF-16 district corresponds to and
44 implements the urban mixed use land use designation on the future land use map of the
45 Collier County GMP. The maximum density permissible in the RMF-16 district and the
46 urban mixed use land use designation shall be guided, in part, by the density rating system
47 contained in the future land use element of the Collier County GMP. The maximum density
48 permissible or permitted in the RMF-16 district shall not exceed the density permissible
49 under the density rating system, except as permitted by policies contained in the future
50 land use element.
51

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1 1. The following subsections identify the uses that are permissible by right and the
2 uses that are allowable as accessory or conditional uses in the residential multi-
3 family-16 district (RMF-16).

4 * * * * *
5 c. *Conditional uses.* The following uses are permissible as conditional uses
6 in the residential multiple-family-16 district (RMF-16), subject to the
7 standards and procedures established in LDC section 10.08.00.

8 * * * * *
9 6. Group care facilities (category I and II); care units; nursing homes;
10 assisted living facilities pursuant to § ~~400.402~~ [429.02](#) F.S. and ch.
11 ~~58A-5~~ [59A-36](#) F.A.C.; and continuing care retirement communities
12 pursuant to § 651 F.S. and ch. ~~4-193~~ [690-193](#) F.A.C.; all subject to
13 [LDC](#) section 5.05.04.

14 * * * * *
15 E. Residential Tourist District (RT). The purpose and intent of the residential tourist district
16 (RT) is to provide lands for tourist accommodations and support facilities, and multiple
17 family uses. The RT district corresponds with and implements the urban mixed use district
18 and the activity center district in the urban designated area on the future land use map of
19 the Collier County GMP.

20
21 1. The following subsections identify the uses that are permissible by right and the
22 uses that are allowable as accessory or conditional uses in the residential tourist
23 district (RT).

24 * * * * *
25 c. Conditional uses. The following uses are permitted as conditional uses in
26 the residential tourist district (RT), subject to the standards and procedures
27 established in LDC section 10.08.00.

28 * * * * *
29 4. Group care facilities (category I and II); care units; nursing homes;
30 assisted living facilities pursuant to § ~~400.402~~ [429.02](#) F.S. and ch.
31 ~~58A-5~~ [59A-36](#) F.A.C.; and continuing care retirement communities
32 pursuant to § 651 F.S. and ch. ~~4-193~~ [690-193](#) F.A.C.; all subject to
33 [LDC](#) section 5.05.04.

34 * * * * *
35 F. Village Residential District (VR). The purpose and intent of the village residential district
36 (VR) is to provide lands where a mixture of residential uses may exist. Additionally, uses
37 are located and designed to maintain a village residential character which is generally low
38 profile, relatively small building footprints as is the current appearance of Goodland and
39 Copeland. The VR district corresponds to and implements the mixed residential land use
40 designation on the Immokalee future land use map of the Collier County GMP. It is
41 intended for application in those urban areas outside of the coastal urban area designated
42 on the future land use map of the Collier County GMP, though there is some existing VR
43 zoning in the coastal urban area. The maximum density permissible in the VR district and
44 the urban mixed use land use designation shall be guided, in part, by the density rating
45 system contained in the future land use element of the Collier County GMP. The maximum
46 density permissible or permitted in the VR district shall not exceed the density permissible
47 under the density rating system, except as permitted by policies contained in the future
48 land use element, or as designated on the Immokalee future land use map of the GMP.

49

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- 1 1. The following subsections identify the uses that are permissible by right and the
- 2 uses that are allowable as accessory or conditional uses in the village residential
- 3 district (VR).
- 4 * * * * * * * * * * * *
- 5 c. *Conditional uses.* The following uses are permissible as conditional uses
- 6 in the village residential district (VR), subject to the standards and
- 7 procedures established in LDC section 10.08.00.
- 8 * * * * * * * * * * * *
- 9 8. Group care facilities (category I and II); care units; nursing homes;
- 10 assisted living facilities pursuant to § ~~400.402~~ [429.02](#) F.S. and ch.
- 11 ~~58A-5~~ [59A-36](#) F.A.C.; and continuing care retirement communities
- 12 pursuant to § 651 F.S. and ch. ~~4-193~~ [690-193](#) F.A.C.; all subject to
- 13 [LDC](#) section 5.05.04.
- 14 * * * * * * * * * * * *
- 15 # # # # # # # # # # # #

2.03.03 - Commercial Zoning Districts

19 A. Commercial Professional and General Office District (C-1). The purpose and intent of

20 the commercial professional and general office district C-1 is to allow a concentration of

21 office type buildings and land uses that are most compatible with, and located near,

22 residential areas. Most C-1 commercial, professional, and general office districts are

23 contiguous to, or when within a PUD, will be placed in close proximity to residential

24 areas, and, therefore, serve as a transitional zoning district between residential areas

25 and higher intensity commercial zoning districts. The types of office uses permitted are

26 those that do not have high traffic volumes throughout the day, which extend into the

27 evening hours. They will have morning and evening short-term peak conditions. The

28 market support for these office uses should be those with a localized basis of market

29 support as opposed to office functions requiring inter-jurisdictional and regional market

30 support. Because office functions have significant employment characteristics, which are

31 compounded when aggregations occur, certain personal service uses shall be permitted,

32 to provide a convenience to office-based employment. Such convenience commercial

33 uses shall be made an integral part of an office building as opposed to the singular use

34 of a building. Housing may also be a component of this district as provided for through

35 conditional use approval.

- 37 1. The following uses, as identified with a number from the Standard Industrial
- 38 Classification Manual (1987), or as otherwise provided for within this section are
- 39 permissible by right, or as accessory or conditional uses within the C-1 commercial
- 40 professional and general office district.
- 41
- 42 a. *Permitted uses.*
- 43 * * * * * * * * * * * *
- 44 20. Group care facilities (category I and II, except for homeless
- 45 shelters); care units, except for homeless shelters; nursing homes;
- 46 assisted living facilities pursuant to § ~~400.402~~ [429.02](#) F.S. and ch.
- 47 ~~58A-5~~ [59A-36](#) F.A.C.; and continuing care retirement communities
- 48 pursuant to § 651 F.S. and ch. ~~4-193~~ [690-193](#) F.A.C.; all subject
- 49 to [LDC](#) section 5.05.04.
- 50 * * * * * * * * * * * *

DRAFT

1 B. Commercial Convenience District (C-2). The purpose and intent of the commercial
2 convenience district (C-2) is to provide lands where commercial establishments may be
3 located to provide the small-scale shopping and personal needs of the surrounding
4 residential land uses within convenient travel distance except to the extent that office
5 uses carried forward from the C-1 district will expand the traditional neighborhood size.
6 However, the intent of this district is that retail and service uses be of a nature that can
7 be economically supported by the immediate residential environs. Therefore, the uses
8 should allow for goods and services that households require on a daily basis, as
9 opposed to those goods and services that households seek for the most favorable
10 economic price and, therefore, require much larger trade areas. It is intended that the C-
11 2 district implements the Collier County GMP within those areas designated
12 agricultural/rural; estates neighborhood center district of the Golden Gate Master Plan;
13 the neighborhood center district of the Immokalee Master Plan; and the urban mixed use
14 district of the future land use element permitted in accordance with the locational criteria
15 for commercial and the goals, objectives, and policies as identified in the future land use
16 element of the Collier County GMP. The maximum density permissible in the C-2 district
17 and the urban mixed use land use designation shall be guided, in part, by the density
18 rating system contained in the future land use element of the Collier County GMP. The
19 maximum density permissible or permitted in a district shall not exceed the density
20 permissible under the density rating system.

21
22 1. The following uses, as identified with a number from the Standard Industrial
23 Classification Manual (1987), or as otherwise provided for within this section are
24 permissible by right, or as accessory or conditional uses within the C-2
25 commercial convenience district.

- 26
27 a. *Permitted uses.*
28 * * * * *
29 34. Group care facilities (category I and II, except for homeless
30 shelters); care units, except for homeless shelters; nursing homes;
31 assisted living facilities pursuant § 400-402 429.02 F.S. and ch.
32 58A-5 59A-36 F.A.C.; and continuing care retirement communities
33 pursuant to § 651 F.S. and ch. 4-193 69O-193 F.A.C.; all subject to
34 LDC section 5.05.04.
35 * * * * *

36 C. Commercial Intermediate District (C-3). The purpose and intent of the commercial
37 intermediate district (C-3) is to provide for a wider variety of goods and services intended
38 for areas expected to receive a higher degree of automobile traffic. The type and variety
39 of goods and services are those that provide an opportunity for comparison shopping,
40 have a trade area consisting of several neighborhoods, and are preferably located at the
41 intersection of two-arterial level streets. Most activity centers meet this standard. This
42 district is also intended to allow all of the uses permitted in the C-1 and C-2 zoning districts
43 typically aggregated in planned shopping centers. This district is not intended to permit
44 wholesaling type of uses, or land uses that have associated with them the need for outdoor
45 storage of equipment and merchandise. A mixed-use project containing a residential
46 component is permitted in this district subject to the criteria established herein. The C-3
47 district is permitted in accordance with the locational criteria for commercial and the goals,
48 objectives, and policies as identified in the future land use element of the Collier County
49 GMP. The maximum density permissible in the C-3 district and the urban mixed use land
50 use designation shall be guided, in part, by the density rating system contained in the
51 future land use element of the Collier County GMP. The maximum density permissible or

permitted in the C-3 district shall not exceed the density permissible under the density rating system.

1. The following uses, as identified with a number from the Standard Industrial Classification Manual (1987), or as otherwise provided for within this section are permissible by right, or as accessory or conditional uses within the commercial intermediate district (C-3).

a. Permitted uses.

- * * * * *
- 41. Group care facilities (category I and II, except for homeless shelters); care units, except for homeless shelters; nursing homes; assisted living facilities pursuant to § § ~~400.402~~ 429.02 F.S. and ch. ~~58A-5~~ 59A-36 F.A.C.; and continuing care retirement communities pursuant to § 651 F.S. and ch. ~~4-193~~ 69O-193 F.A.C.; all subject to LDC section 5.05.04.
- * * * * *

D. General Commercial District (C-4). The general commercial district (C-4) is intended to provide for those types of land uses that attract large segments of the population at the same time by virtue of scale, coupled with the type of activity. The purpose and intent of the C-4 district is to provide the opportunity for the most diverse types of commercial activities delivering goods and services, including entertainment and recreational attractions, at a larger scale than the C-1 through C-3 districts. As such, all of the uses permitted in the C-1 through C-3 districts are also permitted in the C-4 district. The outside storage of merchandise and equipment is prohibited, except to the extent that it is associated with the commercial activity conducted on-site such as, but not limited to, automobile sales, marine vessels, and the renting and leasing of equipment. Activity centers are suitable locations for the uses permitted by the C-4 district because most activity centers are located at the intersection of arterial roads. Therefore, the uses in the C-4 district can most be sustained by the transportation network of major roads. The C-4 district is permitted in accordance with the locational criteria for uses and the goals, objectives, and policies as identified in the future land use element of the Collier County GMP. The maximum density permissible or permitted in a district shall not exceed the density permissible under the density rating system.

1. The following uses, as defined with a number from the Standard Industrial Classification Manual (1987), or as otherwise provided for within this section are permissible by right, or as accessory or conditional uses within the general commercial district (C-4).

a. Permitted uses.

- * * * * *
- 26. Business services - miscellaneous (7381, 7389 - except auctioneering service, automobile recovery, automobile repossession, batik work, bottle exchanges, bronzing, cloth cutting, contractors' disbursement, cosmetic kits, cotton inspection, cotton sampler, directories-telephone, drive-away automobile, exhibits-building, filling pressure containers, field warehousing, fire extinguisher, floats-decoration, folding and refolding, gas systems, bottle labeling, liquidation services, metal slitting and shearing, packaging and labeling, patrol of electric transmission or gas lines,

pipeline or powerline inspection, press clipping service, recording studios, repossession service, rug binding, salvaging of damaged merchandise, scrap steel cutting and slitting, shrinking textiles, solvent recovery, sponging textiles, swimming pool cleaning, tape slitting, ~~texture~~ [textile](#) designers, textile folding, tobacco sheeting, and window trimming service).

* * * * *

64. Group care facilities (category I and II, except for homeless shelters); care units, except for homeless shelters; nursing homes; assisted living facilities pursuant to § ~~400.402~~ [429.02](#) F.S. and ch. ~~58A-5~~ [59A-36](#) F.A.C.; and continuing care retirement communities pursuant to § 651 F.S. and ch. ~~4-193~~ [690-193](#) F.A.C.; all subject to [LDC](#) section 5.05.04.

* * * * *

E. Heavy Commercial District (C-5). In addition to the uses provided in the C-4 zoning district, the heavy commercial district (C-5) allows a range of more intensive commercial uses and services which are generally those uses that tend to utilize outdoor space in the conduct of the business. The C-5 district permits heavy commercial services such as full-service automotive repair, and establishments primarily engaged in construction and specialized trade activities such as contractor offices, plumbing, heating and air conditioning services, and similar uses that typically have a need to store construction associated equipment and supplies within an enclosed structure or have showrooms displaying the building material for which they specialize. Outdoor storage yards are permitted with the requirement that such yards are completely enclosed or opaquely screened. The C-5 district is permitted in accordance with the locational criteria for uses and the goals, objectives, and policies as identified in the future land use element of the Collier County GMP.

1. The following uses, as identified with a number from the Standard Industrial Classification Manual (1987), or as otherwise provided for within this section are permissible by right, or as accessory or conditional uses within the heavy commercial district (C-5).

a. *Permitted uses.*

* * * * *

76. Group care facilities (category I and II, except for homeless shelters); care units, except for homeless shelters; nursing homes; assisted living facilities pursuant to § ~~400.402~~ [429.02](#) F.S. and ch. ~~58A-5~~ [59A-36](#) F.A.C.; and continuing care retirement communities pursuant to § 651 F.S. and ch. ~~4-193~~ [690-193](#) F.A.C.; all subject to [LDC](#) section 5.05.04.

* * * * *

#

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

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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 § 400.402 429.02 F.S. and ch. 58A-5 59A-36., family care facilities, group care facilities (category I) and continuing care retirement communities pursuant to § 651 F.S. and ch. 4-193 690-193 F.A.C.; all subject to LDC section 5.05.04.

2.03.07 - Overlay Zoning Districts

*	*	*	*	*	*	*	*	*	*	*	*	*
---	---	---	---	---	---	---	---	---	---	---	---	---

H. Santa Barbara Commercial Overlay District (SBCO). Special conditions for properties abutting the east side of Santa Barbara Boulevard and the west side of 55th Terrace S.W., as referenced in the Santa Barbara Commercial Subdistrict Map (Map 7) of the Golden Gate Area Master Plan. This is referenced as figure 2.03.07 H. below.

*	*	*	*	*	*	*	*	*	*	*	*	*
---	---	---	---	---	---	---	---	---	---	---	---	---

6. The following uses, as identified within the latest edition of the Standard Industrial Classification Manual, or as otherwise provided for within this section, are permitted as of right, or as uses accessory to permitted primary or secondary uses, or are conditional uses within the Santa Barbara Commercial Overlay District.

a. Permitted uses.

*	*	*	*	*	*	*	*	*	*	*	*	*
#	#	#	#	#	#	#	#	#	#	#	#	#

39. Group care facilities (category I and II, except for homeless shelters); care units , except for homeless shelters; nursing homes; assisted living facilities pursuant to § 400.402 429.02 F.S. and ch. 58A-5 59A-36 F.A.C.; and continuing care retirement communities pursuant to F.S. § 651 and ch. 4-193 § 651 F.S. and ch. 690-193 F.A.C.; all subject to LDC section 5.05.04.

2.03.08 - Rural Fringe Zoning Districts

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

*	*	*	*	*	*	*	*	*	*	*	*	*
---	---	---	---	---	---	---	---	---	---	---	---	---

2. RFMU receiving lands. RFMU receiving lands are those lands within the RFMU district that have been identified as being most appropriate for development and to which residential development units may be transferred from RFMU sending lands. Based on the evaluation of available data, RFMU receiving lands have a lesser degree of environmental or listed species habitat value than RFMU sending lands and generally have been disturbed through development or

previous or existing agricultural operations. Various incentives are employed to direct development into RFMU receiving lands and away from RFMU sending lands, thereby maximizing native vegetation and habitat preservation and restoration. Such incentives include, but are not limited to: the TDR process; clustered development; density bonus incentives; and, provisions for central sewer and water. Within RFMU receiving lands , the following standards shall apply, except as noted in [LDC](#) subsection 2.03.08 A.1. above, or as more specifically provided in an applicable PUD.

a. Outside rural villages.

* * * * *

(4) Design Standards.

* * * * *

(b) Clustered development:

* * * * *

ii. Minimum yard requirements

a) single-family. Each single-family lot or parcel minimum yard requirement shall be established within an approved PUD, or shall comply with the following standards:

* * * * *

iv) Accessory: Per [LDC](#) section ~~4.02.01~~ [4.02.03](#).

b) multi-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: [LDC](#) section ~~4.02.01~~ [4.02.03](#).

* * * * *

#

4.02.06 - Standards for Development within the Airport Overlay (APO)

* * * * *

L. Other areas. In addition to the height limitations imposed in LDC sections 4.02.06 (C)-(K) above, no structure or obstruction will be permitted within Collier County that would cause a minimum obstruction clearance altitude (MOCA), a minimum descent altitude (MDA), decision height (DH), or a minimum vectoring altitude (MVA) to be raised nor which would impose either the establishment of restrictive minimum climb gradients or nonstandard takeoff minimums.

* * * * *

2. Except as otherwise provided in this section of the LDC, no structure, or object of natural growth shall be erected, altered, allowed to grow or be maintained, which is or would result in a potential hazard to air navigation within Collier County by exceeding any of the following:

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1 a. A height of 500 499 feet above ground level at the site of the object.
2 * * * * *
3 # # # # # # # # # # # # # #

4
5 **10.02.03 - Requirements for Site Development, Site Improvement Plans and Amendments**
6 **thereof**

7 * * * * *
8 F. *Site plan with deviations for redevelopment projects.*
9 * * * * *
10 5. *Public notice.* Public notice of the hearing shall be as required by the LDC section
11 10.03.06 [Q R](#) and Chapter 6 of the Administrative Code.
12 * * * * *
13 # # # # # # # # # # # # # #

14
15
16 **10.02.05 - Construction, Approval, and Acceptance of Required Improvements**

17 * * * * *
18 B. Preliminary Acceptance of Required Subdivision Improvements by the County Engineer
19 or designee. Preliminary acceptance by the County Engineer or designee shall identify
20 that the subdivision or development is substantially safe for public occupancy.
21 * * * * *
22 2. Submittal requirements. Upon completion of all required improvements contained
23 in the approved construction plans, the applicant's professional engineer of record
24 shall provide the following materials for the review by the County Engineer or
25 designee:
26
27 a. [Competition Completion](#) Certificate. The applicant's professional engineer
28 of record shall submit a completion certificate for the required
29 improvements completed. The completion certificate shall be based on
30 information provided by the project professional surveyor and mapper and
31 the engineer's own observations. The completion certificate shall not be
32 based on "information provided by the contractor." The applicant's
33 professional engineer of record shall document that the required
34 improvements have been installed in compliance with the approved
35 construction plans. Any discrepancy shall be brought to the attention of the
36 County Engineer or designee and resolved to the satisfaction of the County
37 Engineer or designee.
38 * * * * *
39 # # # # # # # # # # # # # #

40
41
42 **10.02.13 - Planned Unit Development (PUD) Procedures**

43 * * * * *
44 I. *Applicability.* All applications for either a PUD rezoning or an amendment to an existing
45 PUD document or PUD master plan submitted after January 8, 2003, shall comply with
46 the amended procedures set forth in [LDC](#) section ~~2.02.12~~ [10.02.13](#) of this Code. All PUDs
47 existing and future, shall comply with the sunset provisions established pursuant to [LDC](#)
48 section ~~2.02.12~~ [10.02.13](#) D. of this Code.
49 * * * * *
50 # # # # # # # # # # # # # #

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APPENDIX A- STANDARD PERFORMANCE SECURITY DOCUMENTS FOR REQUIRED IMPROVEMENTS

The following specimen forms are to be used as a guide for preparation of bonding instruments which will be submitted to the Collier County Board of County Commissioners for guaranteeing the completion of required improvements with respect to this Code. Adherence to the forms will assure an expeditious review by the Development Services Division and the Collier County Attorney's Office. Deviation in substance or form from the suggested specimen forms may result in a substantial delay or disapproval of the bonding provisions for Required Improvements by the Development Services Division or the County Attorney's Office. These specimen forms may be revised from time to time by resolution of the Board of County Commissioners.

Appendix A consists of the following specimen forms:

* * * * *

A.1. Subdivision Improvements

* * * * *

b. The Performance Bond shall be substantially as follows:

* * * * *

IN WITNESS WHEREOF, the parties hereto have caused this PERFORMANCE BOND to be executed this ___ day of _____.

WITNESSES:	(Owner Name and Title if Corporation)
	By: _____
_____	_____
Printed Name	Printed Name/Title
	(Provide Proper Evidence of Authority)

Printed Name	

ACKNOWLEDGEMENT

~~STATE OF _____
COUNTY OF _____
THE FOREGOING PERFORMANCE BOND WAS ACKNOWLEDGED BEFORE ME THIS DAY _____
OF _____, 20____, BY (NAME OF ACKNOWLEDGER) AS (TITLE) OF (NAME OF COMPANY) WHO
IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION.
Notary Public - State of _____
(SEAL)

Printed Name~~

Notarial Acknowledgement
Per Requirements of § 117.05, Florida Statutes

DRAFT

1 STATE OF [state]
2 COUNTY OF [county]
3

4 The foregoing instrument was acknowledged before me by means of physical presence or
5 online notarization, this day of [year] , by [name of person] as [type of authority, e.g.
6 president or vice president] for [legal name of entity] , who is personally known or
7 has produced [type of identification] as identification.

8
9 [signature of Notary Public]

10
11 [the notary public's official seal]

12
13 [printed name of Notary Public]
14

WITNESSES:	(Surety Name and Title if Corporation)
_____	By: _____
Printed Name	Printed Name/Title
	(Provide Proper Evidence of Authority)

Printed Name	

15
16 **ACKNOWLEDGEMENT**

17 ~~STATE OF _____~~
18 ~~COUNTY OF _____~~
19 ~~THE FOREGOING PERFORMANCE BOND WAS ACKNOWLEDGED BEFORE ME THIS DAY~~
20 ~~_____ OF _____, 20____, BY (NAME OF ACKNOWLEDGER) AS (TITLE) OF (NAME OF~~
21 ~~COMPANY) WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS~~
22 ~~IDENTIFICATION.~~

23 ~~Notary Public - State of _____~~
24 ~~(SEAL)~~
25 ~~_____~~
26 ~~Printed Name~~

27 Notarial Acknowledgement
28 Per Requirements of § 117.05, Florida Statutes

29
30 STATE OF [state]
31 COUNTY OF [county]
32

33 The foregoing instrument was acknowledged before me by means of physical presence or
34 online notarization, this day of [year] , by [name of person] as [type of authority, e.g.
35 president or vice president] for [legal name of entity] , who is personally known or
36 has produced [type of identification] as identification.

37
38 [signature of Notary Public]
39

DRAFT

[the notary public's official seal]

[printed name of Notary Public]

* * * * *

A.2. Excavation Improvements

* * * * *

b. The Performance Bond for Excavation Work shall be substantially as follows:

* * * * *

IN WITNESS WHEREOF, the parties hereto have caused this PERFORMANCE BOND to be executed this ____ day of _____, 20____.

WITNESSES:	(Owner Name and Title if Corporation)
_____	By: _____
Printed Name	Printed Name/Title (Provide Proper Evidence of Authority)

Printed Name	

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____
THE FOREGOING PERFORMANCE BOND WAS ACKNOWLEDGED BEFORE ME THIS DAY _____
OF _____, 20____, BY (NAME OF ACKNOWLEDGER) AS (TITLE) OF (NAME OF COMPANY) WHO
IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION.

Notary Public - State of _____

(SEAL)

Printed Name

Notarial Acknowledgement
Per Requirements of § 117.05, Florida Statutes

STATE OF [state]

COUNTY OF [county]

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of [year] , by [name of person] as [type of authority, e.g. president or vice president] for [legal name of entity] , who is personally known or has produced [type of identification] as identification.

[signature of Notary Public]

[the notary public's official seal]

[printed name of Notary Public]

DRAFT

WITNESSES:	(Owner Name and Title if Corporation)
_____	By: _____
Printed Name	Printed Name/Title (Provide Proper Evidence of Authority)

Printed Name	

ACKNOWLEDGEMENT

STATE OF _____
 COUNTY OF _____
 THE FOREGOING PERFORMANCE BOND WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY
 OF _____, 20____, BY (NAME OF ACKNOWLEDGER) AS (TITLE) OF (NAME OF COMPANY) WHO
 IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION.
 Notary Public - State of _____
 (SEAL)

 Printed Name

Notarial Acknowledgement
Per Requirements of § 117.05, Florida Statutes

STATE OF [state]
COUNTY OF [county]

The foregoing instrument was acknowledged before me by means of physical presence or
online notarization, this [year] day of [month], by [name of person] as [type of authority, e.g.
president or vice president] for [legal name of entity], who is personally known or
has produced [type of identification] as identification.

[signature of Notary Public]

[the notary public's official seal]

[printed name of Notary Public]

* * * * *

A.3. Early Work Improvements

* * * * *

b. The Performance Bond for Early Work shall be substantially as follows:

* * * * *

IN WITNESS WHEREOF, the parties hereto have caused this PERFORMANCE BOND to be
 executed this _____ day of _____, 20____.

WITNESSES:	(Owner Name and Title if Corporation)
_____	By: _____

DRAFT

Printed Name	Printed Name/Title (Provide Proper Evidence of Authority)

Printed Name	

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ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____
THE FOREGOING PERFORMANCE BOND WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY
OF _____, 20____, BY (NAME OF ACKNOWLEDGER) AS (TITLE) OF (NAME OF COMPANY) WHO
IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION.
Notary Public - State of _____
(SEAL)

Printed Name

Notarial Acknowledgement
Per Requirements of § 117.05, Florida Statutes

STATE OF [state]
COUNTY OF [county]

The foregoing instrument was acknowledged before me by means of physical presence or
online notarization, this day of [year] , by [name of person] as [type of authority, e.g.
president or vice president] for [legal name of entity] , who is personally known or
has produced [type of identification] as identification.

[signature of Notary Public]

[the notary public's official seal]

[printed name of Notary Public]

WITNESSES:	(Owner Name and Title if Corporation)
_____	By: _____
Printed Name	Printed Name/Title (Provide Proper Evidence of Authority)

Printed Name	

28
29
30
31

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____

DRAFT

~~THE FOREGOING PERFORMANCE BOND WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY (NAME OF ACKNOWLEDGER) AS (TITLE) OF (NAME OF COMPANY) WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION.~~

~~Notary Public - State of _____
(SEAL)~~

~~_____
Printed Name~~

Notarial Acknowledgement
Per Requirements of § 117.05, Florida Statutes

STATE OF [state]
COUNTY OF [county]

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this [] day of [year] , by [name of person] as [type of authority, e.g. president or vice president] for [legal name of entity] , who is personally known or has produced [type of identification] as identification.

[signature of Notary Public]

[the notary public's official seal]

[printed name of Notary Public]

* * * * *

A.4. Site Development Plan Improvements

* * * * *

b. The Performance Bond for Site Development Plans shall be substantially as follows:

* * * * *

IN WITNESS WHEREOF, the parties hereto have caused this PERFORMANCE BOND to be executed this _____ day of _____, 20____.

WITNESSES:	(Owner Name and Title if Corporation)
	By: _____

Printed Name	Printed Name/Title (Provide Proper Evidence of Authority)

Printed Name	

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____

DRAFT

~~THE FOREGOING PERFORMANCE BOND WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY (NAME OF ACKNOWLEDGER) AS (TITLE) OF (NAME OF COMPANY) WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION.~~

~~Notary Public - State of _____
(SEAL)~~

~~_____
Printed Name~~

Notarial Acknowledgement
Per Requirements of § 117.05, Florida Statutes

STATE OF [state]
COUNTY OF [county]

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this [] day of [year] , by [name of person] as [type of authority, e.g. president or vice president] for [legal name of entity] , who is personally known or has produced [type of identification] as identification.

[signature of Notary Public]

[the notary public's official seal]

[printed name of Notary Public]

WITNESSES:	(Owner Name and Title if Corporation)
_____	By: _____
Printed Name	Printed Name/Title (Provide Proper Evidence of Authority)

Printed Name	

ACKNOWLEDGEMENT

~~STATE OF _____~~

~~COUNTY OF _____~~

~~THE FOREGOING PERFORMANCE BOND WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY (NAME OF ACKNOWLEDGER) AS (TITLE) OF (NAME OF COMPANY) WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION.~~

~~Notary Public - State of _____
(SEAL)~~

~~_____
Printed Name~~

Notarial Acknowledgement
Per Requirements of § 117.05, Florida Statutes

STATE OF [state]
COUNTY OF [county]

EXHIBIT A

F.S. and F.A.C. Correction Table

LDC Section or Zoning District-Term/Use	Prior Citation	Updated Citation
LDC 1.08.02 Definitions:		
Assisted Living Facility	400.407 F.S.	400.62 F.S.
Family Care Facility	10A-5019 F.A.C.	59A-36.00 F.A.C.
LDC Zoning Districts: A, E, RSF-1 through 6, RMF-6, RMF-12, RMF-16, RT, VR, C-1 through C-5, CF and the Overlay Zoning District for SBCO.		
Assisted Living Facility	400.402 F.S.	429.02 F.S.
	58A-5 F.A.C.	59A-36 F.A.C.
Continuing Care Facilities	4-193 F.A.C.	69O-193 F.A.C.

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EXHIBIT B

1 Federal Aviation Administration DOT: 14 CFR Part 77, Subpart C § 77.17

2

Federal Aviation Administration, DOT

§ 77.19

(1) Available for public use and is listed in the Airport/Facility Directory, Supplement Alaska, or Supplement Pacific of the U.S. Government Flight Information Publications; or

(2) A planned or proposed airport or an airport under construction of which the FAA has received actual notice, except DOD airports, where there is a clear indication the airport will be available for public use; or

(3) An airport operated by a Federal agency or the DOD; or

(4) An airport that has at least one FAA-approved instrument approach.

§ 77.17 Obstruction standards.

(a) An existing object, including a mobile object, is, and a future object would be an obstruction to air navigation if it is of greater height than any of the following heights or surfaces:

(1) A height of 499 feet AGL at the site of the object.

(2) A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet.

(3) A height within a terminal obstacle clearance area, including an initial approach segment, a departure area, and a circling approach area, which would result in the vertical distance between any point on the object and an established minimum instrument flight altitude within that area or segment to be less than the required obstacle clearance.

(4) A height within an en route obstacle clearance area, including turn and termination areas, of a Federal Airway or approved off-airway route, that would increase the minimum obstacle clearance altitude.

(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under § 77.19, 77.21, or 77.23. However, no part of the takeoff or landing area itself will be considered an obstruction.

(b) Except for traverse ways on or near an airport with an operative

ground traffic control service furnished by an airport traffic control tower or by the airport management and coordinated with the air traffic control service, the standards of paragraph (a) of this section apply to traverse ways used or to be used for the passage of mobile objects only after the heights of these traverse ways are increased by:

(1) 17 feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance.

(2) 15 feet for any other public roadway.

(3) 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road.

(4) 23 feet for a railroad.

(5) For a waterway or any other traverse way not previously mentioned, an amount equal to the height of the highest mobile object that would normally traverse it.

§ 77.19 Civil airport imaginary surfaces.

The following civil airport imaginary surfaces are established with relation to the airport and to each runway. The size of each such imaginary surface is based on the category of each runway according to the type of approach available or planned for that runway. The slope and dimensions of the approach surface applied to each end of a runway are determined by the most precise approach procedure existing or planned for that runway end.

(a) *Horizontal surface.* A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of a specified radii from the center of each end of the primary surface of each runway of each airport and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is:

(1) 5,000 feet for all runways designated as utility or visual;

(2) 10,000 feet for all other runways. The radius of the arc specified for each end of a runway will have the same arithmetical value. That value will be the highest determined for either end of the runway. When a 5,000-foot arc is encompassed by tangents connecting