



**LAND DEVELOPMENT CODE AMENDMENT**

**PETITION**

PL20190001927

**ORIGIN**

Board of County  
Commissioners (Board)

**HEARING DATES**

Board	01/12/2021
CCPC	10/08/2020
DSAC	08/05/2020
DSAC-LDR	07/28/2020
	02/19/2020
	01/07/2020
	12/17/2019

**SUMMARY OF AMENDMENT**

This LDC amendment (LDCA) creates the Golden Gate Parkway Overlay District (GGPOD), which serves to implement several policies of the recently adopted Golden Gate Area Master Plan. The GGPOD will be comprised of two new subdistricts—the Activity Center subdistrict (GGPOD-AC) and the Downtown subdistrict (GGPOD-DT). The GGPOD shall supersede the current provisions of the Golden Gate Downtown Center Overlay District and the Golden Gate Parkway Professional Office Commercial Overlay.

**LDC SECTIONS TO BE AMENDED**

- 1.08.01 Abbreviations
- 2.03.07 Overlay Zoning Districts
- 2.05.01 Density Standards and Housing Types
- 4.02.26 Golden Gate Parkway Activity Center Overlay (GGPACO) Building, Development, and Site Design Standards
- 4.02.37 Design Standards for Development in the Golden Gate Downtown Center Commercial Overlay District (GGDCCO)
- 4.02.38 Specific Design Criteria for Mixed Use Development within C-1 through C-3 Zoning Districts
- 4.05.02 Design Standards
- 5.05.04 Group Housing
- 5.05.08 Architectural and Site Design Standards
- 10.03.06 Public Notice and Required Hearings for Land Use Petitions

**ADVISORY BOARD RECOMMENDATIONS**

**DSAC-LDR**

Approval with Conditions

**DSAC**

Approval with Conditions

**CCPC**

Approval

**BACKGROUND**

The Golden Gate City Sub-Element of the Golden Gate Area Master Plan (GGAMP) was adopted on September 24, 2019. Modifications to the LDC, to support and implement residential and commercial redevelopment and renewal initiatives, are required to be initiated within two years. New uses, development standards, and a deviation process are introduced with this amendment. These initiatives are recommended by the GGAMP. More specifically, the LDCA shall comply with the policies listed in Exhibit B.

The proposed GGPOD-DT and GGPOD-AC are both consistent with the GGAMP. The GGPOD is intended to work with the economic strategies and purpose of the County’s Golden Gate City Economic Development Zone (see Exhibit C). The current provisions of the Golden Gate Parkway Professional Office Commercial Overlay in LDC sections 2.03.07 F. and 4.02.26 and the provisions of the Golden Gate Downtown Center Commercial Overlay District in LDC sections 2.03.07 O. and 4.02.37 will be removed and replaced by the proposed provisions of the GGPOD. One main facet of the GGPOD is to



incentivize redevelopment within the Golden Gate community by proposing new multi-family uses on parcels where they are not currently permitted. Also, a host of new manufacturing uses are proposed, consistent with the allowance of “advanced manufacturing” uses as adopted in the GGAMP. Staff used information from The Brookings Institution and the Florida Dept. of Economic Opportunity as resources when choosing the appropriate Standard Industrial Classification associated with the manufacturing uses. The proposed manufacturing uses are not allowed under the current zoning or existing overlay districts. In order to be allowed in the GGPOD-AC, operators will need to demonstrate compliance with the new design standards that have been specifically drafted for them. Lastly, the GGPOD introduces new development standards that are aimed at promoting vibrant urbanism, improving aesthetics, and supporting walkability, which is consistent with Policies 2.2.2 and 2.1.3 of the GGAMP.

*DSAC-LDR Subcommittee Recommendation:*

On July 28, 2020, the DSAC-LDR Subcommittee discussed making multiple changes throughout the document but ultimately recommended approval, contingent upon the following two conditions:

- Subject to staff revising the Overlay relative to ensuring that no existing development rights are intentionally or unintentionally contravened or eliminated—including building height and uses—and to clarify that language where it exists or where there is confusion.
- Require a minimum 10-foot wide landscape buffer adjacent to residentially zoned property.

Staff did not incorporate the Subcommittee’s requested buffer size.

*DSAC Recommendation:*

On August 5, 2020, the DSAC recommended approval, contingent upon the same two conditions that were recommended by the Subcommittee.

Staff did not incorporate the DSAC’s requested buffer size.

*CCPC Recommendation:*

On October 8, 2020, the CCPC unanimously recommended approval of the amendment as presented at the meeting.

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**FISCAL & OPERATIONAL IMPACTS**

No fiscal impacts are anticipated. However, the workload of the Office of the Hearing Examiner can potentially increase due to the creation of the deviation process, resulting in an operational impact. Notwithstanding the potential benefits gained from relaxing certain development standards and allowing a vast array of new uses, there is a potential impact to property owners if existing buildings become non-conforming once the GGPOD is adopted.

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**GMP CONSISTENCY**

The proposed changes to the LDC are consistent with the updates in the recently adopted GMP amendment.

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**ATTACHMENTS:** A) Proposed Administrative Code Amendment; B) GGAMP Policies; C) Excerpts from Ordinance 2018-56

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Amend the LDC as follows:

## 1.08.01 – Abbreviations

\* \* \* \* \*

GGAMP	Golden Gate Area Master Plan
<u>GGPOD</u>	<u>Golden Gate Parkway Overlay District</u>
<u>GGPOD-AC</u>	<u>Golden Gate Parkway Overlay District-Activity Center subdistrict</u>
<u>GGPOD-DT</u>	<u>Golden Gate Parkway Overlay District-Downtown subdistrict</u>
<del>GGPPOCO</del>	<del>Golden Gate Parkway Professional Office Commercial Overlay District</del>
GMP	Collier County Growth Management Plan

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## 2.03.07 - Overlay Zoning Districts

\* \* \* \* \*

### F. Golden Gate Parkway Overlay District (GGPOD)

1. Purpose and intent. The purpose and intent of these provisions is to implement the goals, objectives, and policies of the GGAMP, specifically the Golden Gate City Sub-Element. These provisions shall also be utilized in concert with the County's Golden Gate City Economic Development Zone, Ordinance 2018-56.

#### 2. Applicability.

a. The use regulations of this LDC section and the design standards of LDC section 4.02.26, shall apply to all properties as shown in Illustration 1 of LDC section 2.03.07 F.4.b.

b. Property owners within the GGPOD may establish uses, densities, and intensities in accordance with the underlying zoning classification or the GGPOD. The design standards of the GGPOD pursuant to LDC section 4.02.26 shall apply.

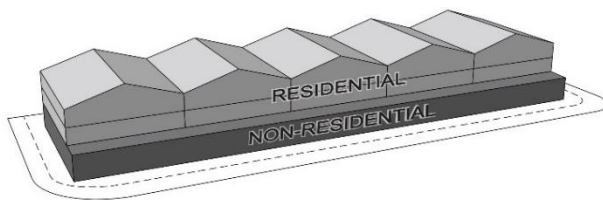
c. Any PUD established prior to the effective date of this ordinance, including amendments or boundary changes, may elect to utilize the use regulations and design standards of the GGPOD. Any PUD proposed after the effective date of this ordinance shall apply the provisions of the GGPOD, unless a deviation is approved in accordance with LDC section 10.02.13 A.3.

d. Where a property or a PUD is partially located within the boundary of the GGPOD, the provisions of the GGPOD shall only be available to that portion of the property located within the GGPOD.

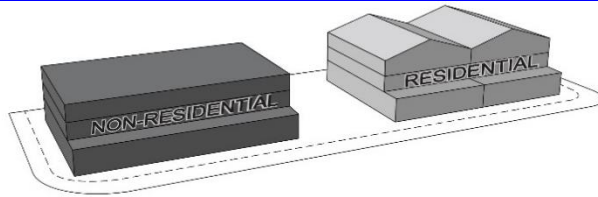
e. Conditional Uses approved prior to the effective date of this ordinance that include design standards inconsistent with the provisions of the GGPOD may elect to utilize the provisions of the GGPOD without the review of the CU as required by LDC section 10.02.08 G.4.

3. Definitions. The following definitions shall apply to the GGPOD:

Mixed use: A single development project with a residential component and a nonresidential component. The mix of uses may be arranged horizontally (separate buildings with a common development plan) or vertically (in the same building), or some combination of both. Examples include but are not limited to the following:



Vertical mixed use



Horizontal mixed use

4. Establishment of subdistricts.

a. Purpose and Intent.

i. The Mixed Use Activity Center Subdistrict (GGPOD-AC). This subdistrict is intended to be mixed-use (commercial, residential, institutional) in character. The concept is designed to concentrate new and existing commercial zoning in locations where traffic impacts can be readily accommodated, to avoid strip and disorganized patterns of commercial development, and to create focal points within the community. The standard for intensity of commercial uses are uses allowed in the C-1 through C-5 zoning districts but with certain exceptions. In addition, uses that are specifically intended to support economic development in Golden Gate city are also allowed.

ii. Downtown Center Commercial Subdistrict (GGPOD-DT). This subdistrict is to encourage redevelopment along Golden Gate Parkway in order to improve the physical appearance of the area and create a vibrant and viable downtown subdistrict within Golden Gate City. Emphasis shall be placed on the creation of a pedestrian-oriented boulevard. The provisions of this subdistrict

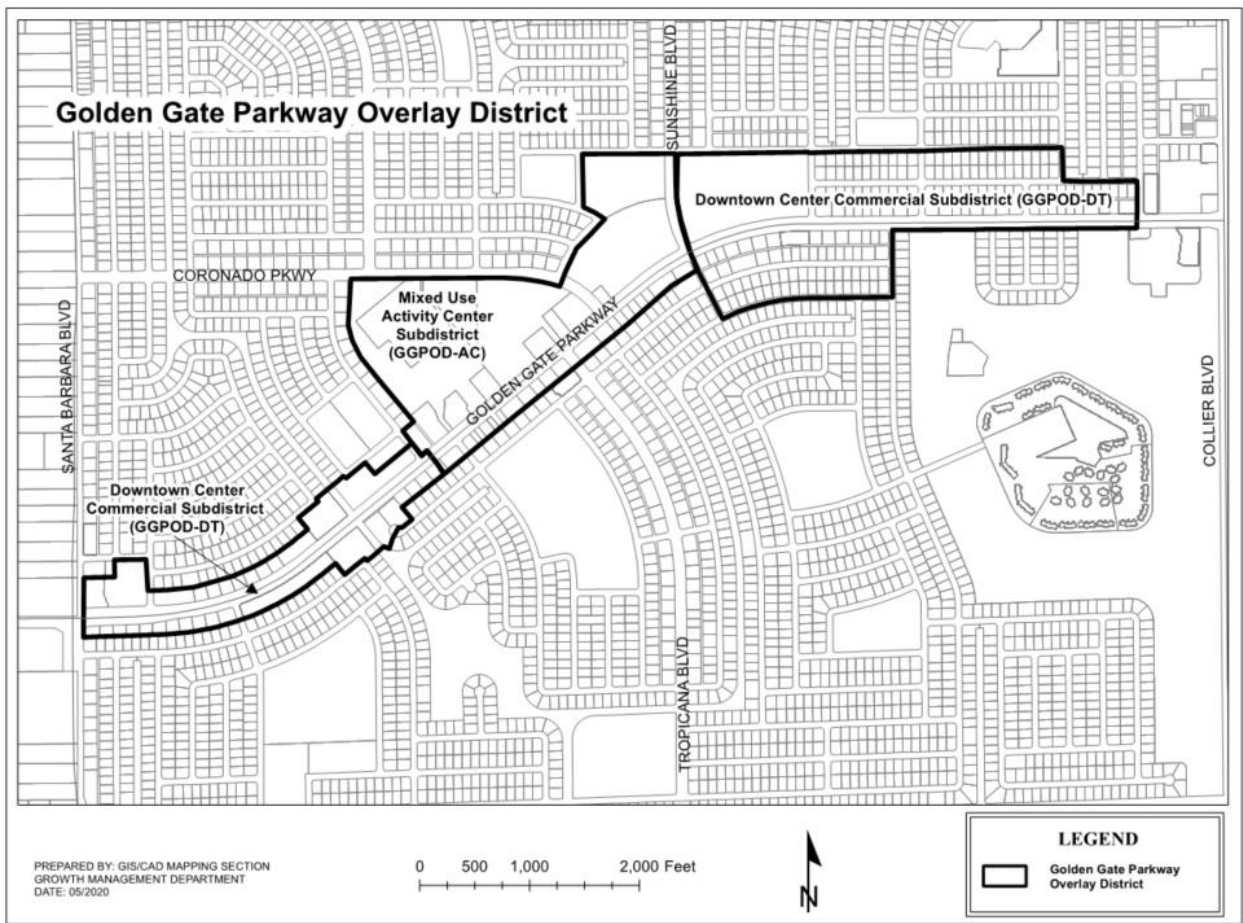
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are intended to ensure harmonious development of commercial and mixed use buildings at a pedestrian scale that are compatible with residential development within and outside of the subdistrict. The subdistrict allows the aggregation of properties in order to promote flexibility in site design. The types of uses permitted within this subdistrict are retail, office, personal services, institutional, and residential. Non-residential development is intended to serve the needs of residents within the subdistrict, surrounding neighborhoods, and passerby.

b. Boundaries of GGPOD and subdistricts. The boundaries of the GGPOD and subdistricts are identified in Illustration 1 below:



*(map to be added)*

Illustration 1 - GGPOD with subdistricts

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5. Table of Uses.

a. The Table of Uses identifies uses as permitted uses (P) or conditional uses (CU). Conditional uses shall require approval in accordance with the procedures set forth in LDC section 10.08.00.

b. Table 1.

<u>Use Category</u>	<u>Mixed Use Activity Center Subdistrict (GGPOD-AC)<sup>1</sup></u>	<u>Downtown Center Commercial Subdistrict (GGPOD-DT)<sup>1</sup></u>
<b><u>Residential Uses</u></b>		
1) <u>Artist village.</u>	<u>P</u>	<u>P</u>
2) <u>Dwelling, Multi-Family, including townhouses.</u>	<u>P</u>	<u>P</u>
3) <u>Live-work units.</u>	<u>P</u>	<u>P</u>
4) <u>Any use listed as permitted in the underlying zoning.</u>	<u>P</u>	<u>P</u>
5) <u>Any use listed as a conditional use in the underlying zoning district.</u>	<u>CU</u>	<u>CU</u>
<b><u>Commercial Uses<sup>2</sup></u></b>		
1) <u>Any use listed as permitted in the underlying zoning district.</u>	<u>P</u>	<u>P</u>
2) <u>Any use listed as a conditional use in the underlying zoning district.</u>	<u>C</u>	<u>C</u>
3) <u>Any use listed as a permitted use in any of the C-1, C-2, or C-3 zoning districts, without size limitations.</u>	<u>P</u>	<u>P</u>
4) <u>Any use listed as a conditional use in any of the C-1, C-2, or C-3 zoning districts, without size limitations.</u>	<u>P</u>	<u>CU<sup>4</sup></u>
5) <u>Any use listed as a permitted use in the C-4 or C-5 zoning districts.</u>	<u>P</u>	
6) <u>Any use listed as a conditional use in the C-4 or C-5 zoning districts.</u>	<u>CU<sup>4</sup></u>	
7) <u>Hotels and motels (7011, 7021, and 7041).</u>	<u>P</u>	<u>P</u>
<b><u>Economic Development Uses<sup>2,3</sup></u></b>		
1) <u>Aircraft and parts (3721-3728).</u>	<u>P</u>	
2) <u>Beverages (2082-2087).</u>	<u>P</u>	
3) <u>Communications equipment (3661-3669).</u>	<u>P</u>	
4) <u>Computer and office equipment (3571-3579).</u>	<u>P</u>	
5) <u>Construction, mining, and materials handling (3531, 3534-3537).</u>	<u>P</u>	

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<u>6) Dental laboratories (8072).</u>	<u>P</u>
<u>7) Drugs (2833-2836).</u>	<u>P</u>
<u>8) Electrical industrial apparatus (3621-3629).</u>	<u>P</u>
<u>9) Electric lighting and wiring equipment (3641-3646, 3648).</u>	<u>P</u>
<u>10) Electric transmission and distribution equipment (3612-3613).</u>	<u>P</u>
<u>11) Electronic components and accessories (3671-3679).</u>	<u>P</u>
<u>12) Engines and turbines (3511-3519).</u>	<u>P</u>
<u>13) Farm machinery and equipment (3523-3524).</u>	<u>P</u>
<u>14) Furniture and fixtures, not elsewhere classified (2599).</u>	<u>P</u>
<u>15) General industrial machinery and equipment (3561, 3563, 3565-3569).</u>	<u>P</u>
<u>16) Household appliances, not elsewhere classified (3639).</u>	<u>P</u>
<u>17) Household audio and video equipment, and audio (3651-3652).</u>	<u>P</u>
<u>18) Jewelers' findings and materials, and lapidary work (3915).</u>	<u>P</u>
<u>19) Laboratory apparatus and analytical, optical, measuring, and controlling instruments (3821-3829).</u>	<u>P</u>
<u>20) Manufacturing industries, not elsewhere classified (3999).</u>	<u>P</u>
<u>21) Metalworking machinery and equipment (3546 and 3548).</u>	<u>P</u>
<u>22) Miscellaneous electrical machinery, equipment, and supplies (3691-3692, 3695-3699).</u>	<u>P</u>
<u>23) Miscellaneous industrial and commercial (3593-3599).</u>	<u>P</u>
<u>24) Ophthalmic goods (3851).</u>	<u>P</u>
<u>25) Photographic equipment and supplies (3861).</u>	<u>P</u>
<u>26) Refrigeration and service industry machinery (3581-3582, 3586-3589).</u>	<u>P</u>
<u>27) Search, detection, navigation, guidance, aeronautical, and nautical systems and instruments (3812).</u>	<u>P</u>
<u>28) Special industry machinery, except metalworking (3552-3559).</u>	<u>P</u>
<u>29) Surgical, medical, and dental instruments and supplies (3841-3845).</u>	<u>P</u>
<u>30) Transportation equipment, not elsewhere classified (3799).</u>	<u>P</u>

31) <u>Watches, clocks, clockwork operated devices, and parts (3873).</u>	<u>P</u>	
32) <u>Any other Economic Development use which is comparable in nature with the list of permitted uses contained herein and consistent with the purpose and intent statement of the GGPOD as determined by the Hearing Examiner or Board of Zoning Appeals, pursuant to LDC section 10.02.06.</u>	<u>P</u>	

Notes:

<sup>1</sup> See LDC section 2.03.07 F.6. for specific prohibitions in the GGPOD.

<sup>2</sup> See LDC section 4.02.26 B.14. for pollution control standards.

<sup>3</sup> See LDC section 4.02.26 C. for design standards specific to Economic Development uses.

<sup>4</sup> Vertical mixed use developments shall be permitted uses.

6. Prohibited uses. These uses are prohibited, except that uses existing as of [effective date of Ordinance] may continue to operate as a permitted use until the use ceases for a period of one year. This section does not apply to the uses allowed in the underlying zoning district.

a. Prohibited uses in the GGPOD-AC and GGPOD-DT.

i. Ancillary plants.

ii. Animal specialty services, except veterinary (0752, with outdoor kenneling).

iii. Automobile dealers (5511 and 5599).

iv. Automobile parking (7521), tow-in parking lots only.

v. Automotive services (7549).

vi. Automotive repair services (7532-7539).

vii. Boat dealers (5551).

viii. Building construction (1521-1542).

ix. Car washes (7542).

x. Carpentry and floor work contractors (1751-1752).

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- 1 xi. Communication towers.
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- 3 xii. Concrete work (1771).
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- 5 xiii. Correctional institutions (9223).
- 6
- 7 xiv. Electrical contractors (1731).
- 8
- 9 xv. Equipment Rental and Leasing, Not Elsewhere Classified (7359 –
- 10 airplane rental and leasing; industrial truck rental and leasing; oil
- 11 field equipment rental and leasing; oil well drilling equipment rental
- 12 and leasing; and toilets, portable: rental and leasing only).
- 13
- 14 xvi. Farm product raw materials (5153-5150).
- 15
- 16 xvii. Fuel dealers (5983-5989).
- 17
- 18 xviii. Gasoline service stations (5541).
- 19
- 20 xix. Glass and glazing work (1793).
- 21
- 22 xx. Golf courses, public (7992).
- 23
- 24 xxi. Heating and air-conditioning contractors (1711).
- 25
- 26 xxii. Heavy construction equipment rental and leasing (7353).
- 27
- 28 xxiii. Installation or erection of building equipment contractors (1796).
- 29
- 30 xxiv. Local trucking without storage (4212).
- 31
- 32 xxv. Marinas (4493 and 4499).
- 33
- 34 xxvi. Masonry, stonework, tile setting and plastering contractors (1741-
- 35 1743).
- 36
- 37 xxvii. Mobile home dealers (5271).
- 38
- 39 xxviii. Motion picture theatres, drive-in (7833).
- 40
- 41 xxix. Motor freight transportation and warehousing (4225).
- 42
- 43 xxx. Motor vehicle dealers, new and used (5511, 5521).
- 44
- 45 xxxi. Motorcycle dealers (5571).
- 46
- 47 xxxii. Outdoor storage yards.
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- 49 xxxiii. Packing Services (4783).

- 1                    xxxiv. Painting and paper hanging (1721).
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- 3                    xxxv. Passenger car leasing (7515).
- 4
- 5                    xxxvi. Passenger car rental (7514).
- 6
- 7                    xxxvii. Plumbing contractors (1711).
- 8
- 9                    xxxviii. Recreational vehicle dealers (5561).
- 10
- 11                   xxxix. Roofing, siding and sheet metal work contractors (1761).
- 12
- 13                   xl. Special trade contractors, not elsewhere classified (1799).
- 14
- 15                   xli. Structural steel erection contractors (1791).
- 16
- 17                   xlii. Taxicabs (4121).
- 18
- 19                   xliii. Truck rental and leasing, without drivers (7513).
- 20
- 21                   xliv. Veterinary services (0741 & 0742, with outdoor kenneling).
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- 23                   xliv. Utility trailer and recreational vehicle rental (7519).
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- 25                   b. Additional prohibitions for the GGPOD-DT only.
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- 27                   i. No automatic food and drink vending machines located outside of
- 28                   a building.
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- 30                   ii. Enameling, painting, or plating as a principal use is prohibited;
- 31                   however, these are permitted if accessory to an artist or craft studio.
- 32
- 33                   iii. Prisons, detention facilities, halfway houses, soup kitchens,
- 34                   homeless shelters, and single-room occupancy hotels, which are
- 35                   dormitory-style hotels with shared bathrooms and public space.
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~~F. Golden Gate Parkway Professional Office Commercial Overlay (GGPPOCO).~~

- ~~1. The provisions of the "GGPPOCO" district are intended to provide Golden Gate City with a viable professional office commercial district. The professional office commercial district has two (2) purposes. (1), to serve as a bonafide entry way into Golden Gate City. (2), to provide a community focal point and sense of place. The uses permitted within this district are generally low intensity, office development which minimize vehicular traffic, provide suitable landscaping, control ingress and egress, and ensure compatibility with abutting residential districts.~~
- ~~2. These regulations apply to properties north and south of Golden Gate Parkway, starting at Santa Barbara Boulevard and extending eastward to 52nd Terrace S.W. in Golden Gate City as measured perpendicularly from the abutting right-of-way for~~

1 ~~a distance of approximately 3,600 feet more or less and consisting of~~  
2 ~~approximately 20.84 acres. These properties are identified on Map two (2) of the~~  
3 ~~Golden Gate Area Master Plan. Except as provided in this regulation, all other use,~~  
4 ~~dimensional, and development requirements shall be as required in the underlying~~  
5 ~~zoning categories.~~

6  
7 ~~a. Permitted Uses.~~

- 8 ~~1. Accounting (8721).~~
- 9 ~~2. Adjustment and collection services (7322).~~
- 10 ~~3. Advertising agencies (7311).~~
- 11 ~~4. Architectural services (8712).~~
- 12 ~~5. Auditing (8721).~~
- 13 ~~6. Banks and credit Unions (6021-6062).~~
- 14 ~~7. Bookkeeping services (8721).~~
- 15 ~~8. Business associations (8611).~~
- 16 ~~9. Business consulting services (8748).~~
- 17 ~~10. Business credit institutions (6153—6159).~~
- 18 ~~11. Commercial art and graphic design (7336).~~
- 19 ~~12. Commercial photography (7335).~~
- 20 ~~13. Computer programming services (7371).~~
- 21 ~~14. Computer programming, processing, data preparation, information~~  
22 ~~retrieval, facilities management, and miscellaneous services (7371,~~  
23 ~~7374—7376, 7379).~~
- 24 ~~15. Credit reporting services (7323).~~
- 25 ~~16. Direct mail advertising services (7331).~~
- 26 ~~17. Eating places (5812 except carry-out restaurants; contract feeding;~~  
27 ~~dinner theaters; drive-in and drive-through restaurants; fast food~~  
28 ~~restaurants, carry-out; restaurants, fast-food; submarine sandwich~~  
29 ~~shops).~~
- 30 ~~18. Employment Agencies (7361).~~
- 31 ~~19. Engineering services (8711).~~
- 32 ~~20. Health services, offices and clinics (8011—8049).~~
- 33 ~~21. Holding and other investment offices (6712—6799).~~
- 34 ~~22. Insurance carrier, agents and brokers (6311—6399, 6411).~~
- 35 ~~23. Legal services (8111).~~
- 36 ~~24. Loan brokers (6163).~~
- 37 ~~25. Management services (8741—8742).~~
- 38 ~~26. Mortgage bankers and loan correspondents (6162).~~
- 39 ~~27. Museums and art galleries (8412).~~
- 40 ~~28. Personal credit institutions (6141).~~
- 41 ~~29. Photographic studios, portrait (7221).~~
- 42 ~~30. Professional Membership organizations (8621).~~
- 43 ~~31. Public administration (9111—9199, 9229, 9311, 9411—9451,~~  
44 ~~9511—9532, 9611—9661).~~
- 45 ~~32. Public relations services (8743).~~
- 46 ~~33. Radio, television and publishers advertising representatives (7313).~~
- 47 ~~34. Real estate (6512—6514, 6519, 6531—6553).~~
- 48 ~~35. Research, development, and testing services (8732).~~
- 49

- 1                   36. ~~Secretarial and court reporting services (7338).~~
- 2                   37. ~~Security and commodity brokers, dealers, exchanges, and services~~
- 3                         ~~(6211—6289).~~
- 4                   38. ~~Surveying services (8713).~~
- 5                   39. ~~Tax return preparation services (7291).~~
- 6                   40. ~~Travel agencies (4724).~~
- 7                   41. ~~Veterinary services (0742, excluding outside kenneling).~~
- 8                   42. ~~Any other commercial use which is comparable in nature with the~~
- 9                         ~~list of permitted uses, and consistent with the purpose and intent~~
- 10                    ~~statement of the overlay, as determined by the Hearing Examiner~~
- 11                    ~~or CCPC, pursuant to LDC section 10.02.06 K.~~

~~b. Accessory Uses.~~

- 1                    1. ~~Uses and structures that are accessory and incidental to the~~
- 2                         ~~permitted uses.~~

- 3. ~~For signage to be located along the Golden Gate Parkway, see sections 5.06.00~~
- 4                    ~~of the Collier County Sign Code and the Golden Gate Master Plan.~~

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

O. Reserved. ~~Golden Gate Downtown Center Commercial Overlay District (GGDCCO). Special conditions for properties in the vicinity of Golden Gate Parkway in Golden Gate City, as identified on the Golden Gate Downtown Center Commercial Subdistrict Map of the Golden Gate Area Master Plan and as contained herein.~~

- 1. ~~Applicability.~~ These regulations apply to properties in Golden Gate City lying north of Golden Gate Parkway, generally bounded by 23rd Avenue SW and 23rd Place SW to the north, 45th Street SW to the west, and 41st Street SW and Collier Boulevard to the east. South of Golden Gate Parkway, these regulations apply to properties bounded by 25th Avenue SW to the south, 47th Street SW to the west, and 44th Street SW to the east. These properties are more precisely identified on the "Golden Gate Downtown Center Commercial Subdistrict" map of the Golden Gate Area Master Plan and as depicted on the applicable official zoning atlas maps. Except as provided in this section and section 4.02.26, all other use, dimensional and development requirements shall be as required or allowed in the underlying zoning districts.

- 2. ~~Purpose and Intent.~~ The purpose and intent of this overlay district (see Downtown Center Commercial Subdistrict Map) is to encourage redevelopment herein in order to improve the physical appearance of the area and create a viable downtown district for the residents of Golden Gate City and Golden Gate Estates. Emphasis shall be placed on the creation of pedestrian-oriented areas, such as outdoor dining areas and pocket parks, that do not impede the flow of traffic along Golden Gate Parkway. Also, emphasis shall be placed on the construction of mixed-use buildings. Residential dwelling units constructed in this overlay district are intended to promote resident business ownership. The provisions of this overlay district are intended to ensure harmonious development of commercial

1 and mixed-use buildings at a pedestrian scale that is compatible with residential  
2 development within and outside of the overlay district.  
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4 ~~3. *Aggregation of Properties.* This overlay district encourages the aggregation of~~  
5 ~~properties in order to promote flexibility in site design. The types of uses permitted~~  
6 ~~within this overlay district are low intensity retail, office, personal services,~~  
7 ~~institutional, and residential. Non-residential development is intended to serve the~~  
8 ~~needs of residents within the overlay district, surrounding neighborhoods, and~~  
9 ~~passersby.~~

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11 ~~4. *Permitted uses:*~~

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13 ~~a. Residential uses: As permitted by right in the existing residential zoning~~  
14 ~~districts, except as otherwise prohibited by this overlay, when:~~

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16 ~~1. In an existing owner occupied structure.~~

17  
18 ~~2. In an existing non-owner occupied structure, until such time as~~  
19 ~~cessation is required by subsection 4.02.37 A.1~~

20  
21 ~~b. Residential within a mixed use building~~

22  
23 ~~c. Commercial uses:~~

24  
25 ~~1. Accounting services (8721).~~

26 ~~2. Adjustment and collection services (7322).~~

27 ~~3. Advertising Agencies (7311).~~

28 ~~4. Apparel & accessory stores (5611-5699).~~

29 ~~5. Architectural services (8712), limited to 5,000 square feet per floor.~~

30 ~~6. Auto and home supply stores (5531).~~

31 ~~7. Barber shops (7241).~~

32 ~~8. Beauty shops (7231).~~

33 ~~9. Building cleaning and maintenance services (7349).~~

34 ~~10. Business associations (8611).~~

35 ~~11. Business consulting services (8748).~~

36 ~~12. Business services - miscellaneous (7397).~~

37 ~~13. Business repair service.~~

38 ~~14. Carpet and upholstery cleaning (7217).~~

39 ~~15. Commercial art and graphic design (7336).~~

40 ~~16. Commercial photography (7335).~~

41 ~~17. Computer programming, data processing, rental, leasing, repair~~  
42 ~~and other services (7371-7379).~~

43 ~~18. Computer and computer software stores (5734).~~

44 ~~19. Credit reporting services (7323).~~

45 ~~20. Department stores (5311).~~

46 ~~21. Direct mail advertising services (7331).~~

47 ~~22. Disinfecting and pest control services (7342).~~

48 ~~23. Drug stores (5912), limited to 5,000 square feet per floor.~~

- 1 ~~24. Eating establishments and places (5812 except commercial use~~
- 2 ~~employing drive-up, drive-in, or drive-through delivery of goods~~
- 3 ~~and/or services).~~
- 4 ~~25. Electrical and electronic repair shop (7629).~~
- 5 ~~26. Employment agencies (7361).~~
- 6 ~~27. Engineering services (8711), limited to 5,000 square feet per floor.~~
- 7 ~~28. Equipment rental and leasing (7359), not including heavy~~
- 8 ~~construction equipment.~~
- 9 ~~29. Essential services, see sec. 2.01.03; except that law enforcement,~~
- 10 ~~fire, and emergency medical services uses are limited to~~
- 11 ~~administrative offices only.~~
- 12 ~~30. Food stores (groups 5411-5499).~~
- 13 ~~31. Funeral service and crematories (7261).~~
- 14 ~~32. General merchandise stores (5331-5399).~~
- 15 ~~33. Glass stores (5231).~~
- 16 ~~34. Hardware stores (5251).~~
- 17 ~~35. Health services, offices and clinics (8011-8049).~~
- 18 ~~36. Home furniture and furnishing stores (5712-5719).~~
- 19 ~~37. Home health care services (8082).~~
- 20 ~~38. Household appliance stores (5722).~~
- 21 ~~39. Insurance carriers, agents and brokers (6311-6399, 6411).~~
- 22 ~~40. Labor unions (8631).~~
- 23 ~~41. Landscape architects, consulting and planning (0781), limited to~~
- 24 ~~5,000 square feet per floor.~~
- 25 ~~42. Large Appliance Repair Service (7623).~~
- 26 ~~43. Laundry and drycleaners agents, garment pressing, linen supply,~~
- 27 ~~cleaning services (7212, 7213, 7219); no coin operated laundries~~
- 28 ~~or drycleaners.~~
- 29 ~~44. Legal services (8111).~~
- 30 ~~45. Libraries (8231).~~
- 31 ~~46. Management services (8741, 8742).~~
- 32 ~~47. Medical equipment rental and leasing (7352).~~
- 33 ~~48. Membership organizations - miscellaneous (8699).~~
- 34 ~~49. Museums and art galleries (8412).~~
- 35 ~~50. Musical instrument stores (5736).~~
- 36 ~~51. Outdoor advertising services (7312).~~
- 37 ~~52. Paint stores (5231).~~
- 38 ~~53. Parks, public or private; limited to pocket parks only, generally~~
- 39 ~~described as a small area accessible to the general public that often~~
- 40 ~~includes plantings, fountains, seating areas, and other similar~~
- 41 ~~passive open space features.~~
- 42 ~~54. Personal services - miscellaneous (7299, babysitting bureaus,~~
- 43 ~~clothing and costume rental, dating service, depilatory salons, diet~~
- 44 ~~workshops, dress suit rental, electrolysis, genealogical~~
- 45 ~~investigation service, and hair removal only).~~
- 46 ~~55. Personnel supply services (7363, except labor pools).~~
- 47 ~~56. Photocopying and duplicating services (7334).~~
- 48 ~~57. Photofinishing laboratories (7384).~~
- 49 ~~58. Photographic studios, portrait (7221).~~

- 1                   59. ~~Physical fitness facilities (7991).~~
- 2                   60. ~~Political organizations (8651).~~
- 3                   61. ~~Professional membership organizations (8621).~~
- 4                   62. ~~Public relations services (8743).~~
- 5                   63. ~~Radio, television and consumer electronics stores (5731).~~
- 6                   64. ~~Radio, television and publishers advertising representatives (7313).~~
- 7                   65. ~~Record and prerecorded tape stores (5735).~~
- 8                   66. ~~Real estate (6512, 6531, 6541).~~
- 9                   67. ~~Retail – miscellaneous (5921-5963 and 5992-5999, excluding liquor~~
- 10                   ~~stores, pawn shops, retail firearm and ammunition sales), limited to~~
- 11                   ~~5,000 square feet per floor.~~
- 12                   68. ~~Retail nurseries, lawn and garden supply stores (5261).~~
- 13                   69. ~~Schools – vocational (8243-8299).~~
- 14                   70. ~~Secretarial and court reporting services (7338).~~
- 15                   71. ~~Security and commodity brokers, dealers, exchanges, and services~~
- 16                   ~~(6211-6289).~~
- 17                   72. ~~Shoe repair shops or shoeshine parlors (7251).~~
- 18                   73. ~~Surveying services (8713), limited to 5,000 square feet per floor.~~
- 19                   74. ~~Tax return preparation services (7291).~~
- 20                   75. ~~United States Postal Service (4311, except major distribution~~
- 21                   ~~center).~~
- 22                   76. ~~Videotape Rental (7841), limited to 1,800 square feet of gross floor~~
- 23                   ~~area.~~
- 24                   77. ~~Wallpaper stores (5231).~~
- 25                   78. ~~Watch, clock and jewelry repair (7631).~~

27                   5. ~~Accessory uses. Accessory uses within the GGDCCO include the uses listed~~

28                   ~~below.~~

- 30                   a. ~~Caretaker's residence, accessory to commercial and mixed use projects~~
- 31                   ~~only.~~
- 33                   b. ~~Enameling, painting, or plating, accessory to an artist's studio or craft studio~~
- 34                   ~~only.~~
- 36                   c. ~~Play areas and playgrounds.~~
- 38                   d. ~~Recreational facilities.~~

40                   6. ~~Conditional uses. Conditional uses within the GGDCCO include the uses listed~~

41                   ~~below, subject to the standards and procedures established in section 10.08.00.~~

- 43                   a. ~~Auctioneering Services, auction rooms and houses (5999, 7389); limited to~~
- 44                   ~~5,000 square feet per floor.~~
- 46                   b. ~~Community centers.~~
- 48                   c. ~~Dance studios, schools, and halls (7911).~~

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- ~~d. Food stores (5411-5499), over 5,000 square feet.~~
- ~~e. Motion picture theaters (7832).~~
- ~~f. Outdoor dining areas, not directly abutting the Golden Gate Parkway right-of-way.~~
- ~~7. Prohibited uses. Prohibited uses within the GGDCCO include the uses listed below:~~
  - ~~a. New residential-only structures.~~
  - ~~b. Any commercial use employing drive-up, drive-in or drive-through delivery of goods or services.~~
  - ~~c. Sexually-oriented businesses (Code of Laws, 26-151 et seq.).~~
  - ~~d. Enameling, painting or plating as a primary use. However, these uses are permitted if secondary to an artist's or craft studio.~~
  - ~~e. Single-room occupancy hotels, prisons, detention facilities, halfway houses, soup kitchens or homeless shelters.~~

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

**2.05.01 - Density Standards and Housing Types**

A. Where residential uses are allowable, the following density standards and housing type criteria shall apply.

Housing Zoning District:	Type:	Single-family	Duplex	Townhouse	Multifamily	Mobile Home	Cluster	Guest House	Caretaker Units (number allowed)	Timeshare	Recreational vehicles <sup>1</sup>	Maximum Density <sup>2, 17</sup> (units per gross acre)
*	*	*	*	*	*	*	*	*	*	*	*	*
<del>GGDCCO</del>				✓	✓							Per <u>the GMP and/or the underlying zoning district</u>

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

**4.02.26 - Design Standards for the Golden Gate Parkway Overlay District (GGPOD).**

A. General.

- 1. Unless otherwise specified, the standards contained in this section shall be applicable to all development, except for single-family dwellings (detached) and two-family dwellings on residentially-zoned lots, group housing, public schools, and any use listed as a prohibited use pursuant to LDC section 2.03.07 F.6.a.



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These excepted uses shall comply with the dimensional standards for principal and accessory uses in the underlying zoning district and all other applicable standards of the LDC.

2. The provisions of LDC section 4.02.38 shall not apply to properties in the GGPOD.
3. LDC provisions of LDC section 5.03.02 H. shall not apply to properties in the GGPOD.
4. The provisions of LDC section 5.05.07 shall not apply to townhouse development in the GGPOD.
5. The provisions of LDC section 5.05.08 shall not apply to “vertical mixed use” projects in the GGPOD, except for the following standards:
  - a. LDC section 5.05.08 D.8. (overhead doors);
  - b. LDC section 5.05.08 D.15. (neon tubing);
  - c. LDC section 5.05.08 E.8. (parking structures), which shall be in accordance with LDC section 4.02.26 B.9.
  - d. LDC section 5.05.08 F.3. (pedestrian pathways);
  - e. LDC section 5.05.08 F.4. (service function areas and facilities);
  - f. LDC section 5.05.08 F.6. (drive-through facilities location and buffering standards); and
  - g. LDC section 5.05.08 F.7. (lighting).

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B. Architectural, building, and site design standards.

1. Table 1. Dimensional Requirements in the GGPOD.

	<u>Residential Use</u>	<u>Non-Residential Use and Mixed Use</u>
<u>Min. Lot Area (square feet)</u>	<u>Townhouse: 2,000 (per unit); Multi-Family: 10,000</u>	<u>10,000</u>
<u>Min. Lot Width (linear feet)</u>	<u>Townhouse: 20 Multi-Family: 100</u>	<u>100</u>
<u>Max. Floor Area Ratio</u>	<u>N/A</u>	<u>0.90 (hotels only)</u>
<u>Min. Floor Area (square feet per unit)</u>	<u>Efficiency: 450 1 Bedroom: 600 2+ Bedroom: 750</u>	<u>N/A</u>
<u>Max. Building Coverage (%)</u>	<u>100</u>	
<u>Required Yards</u>		
<u>Min. Front Yard (feet)</u>	<u>0<sup>1,2</sup></u>	
<u>Max. Front Yard (feet)</u>	<u>15</u>	
<u>Min. Side Yard (feet)</u>	<u>0<sup>1</sup></u>	
<u>Min. Rear Yard (feet)</u>	<u>5</u>	
<u>Max. Zoned Height (feet)</u>		
<u>GGPOD-AC</u>	<u>Townhouse: 45 Multi-Family: 75</u>	<u>75</u>
<u>GGPOD-DT</u>	<u>Townhouse: 45<sup>3</sup> Multi-Family: 60</u>	<u>60<sup>3</sup></u>

Notes:

- <sup>1</sup> No building, appurtenance, or site design element listed in LDC section 4.02.01 D., or any outdoor seating areas shall project beyond the property line or be placed into a right-of-way.
- <sup>2</sup> All projects providing a front yard setback greater than zero feet must accommodate pedestrians, bicyclists, or be designed with combination of planting, seating, or hardscaped areas.
- <sup>3</sup> Or in conformance with the maximum height allowed by the underlying zoning district, whichever is greater.

- 2. Terminating vistas. Buildings or projects that terminate a vista at the end or turning point of any street or pedestrian path shall include design features to emphasize the importance of the view. Examples of design features include but are not limited to tower elements, porte-cocheres, and cupolas.
- 3. Blank walls. Building wall areas must be interrupted with a minimum of an opening or relief work every 120 square feet, measured both horizontally and vertically. Examples of relief work may include but not be limited to stucco reveals, foam decorative banding, planted trellises, or other design treatments.

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- 1
- 2 4. Roof material. Asphalt shingles are prohibited.
- 3
- 4 5. Exterior building façade materials. Corrugated or metal panels are limited to no
- 5 more than 33 percent of exterior building facades (not applicable to roofs).
- 6
- 7 6. Architectural massing. Transitional massing elements specified in LDC section
- 8 5.05.08 D.3. shall be provided on proposed buildings in the GGPOD that are twice
- 9 the height or more of adjacent residential development located external to the
- 10 GGPOD or twice the height or more of the maximum height allowed on adjacent
- 11 residentially-zoned properties that are external to the GGPOD.
- 12
- 13 7. Streetscape design of buildings. The standards contained herein are
- 14 applicable to all properties fronting on existing rights-of-way that are 60 feet in
- 15 width or greater or on new streets of any width platted after (the adoption date of
- 16 this ordinance) pursuant to LDC section 4.02.26 D.
- 17
- 18 a. Design features at intersections. Buildings located at the intersection
- 19 of two or more arterial, collector, or new streets platted after (the adoption
- 20 of this ordinance) shall include design features to emphasize their location
- 21 as gateways and transition points within the community. Examples of
- 22 required design features include but are not limited to tower elements,
- 23 public plazas, or courtyards.
- 24
- 25 b. Windows. The ground floor of non-residential buildings shall have at
- 26 least 60 percent of its façade designed with windows to provide visual
- 27 interest for pedestrians and to serve as a deterrent to crime.
- 28
- 29 c. Building entrances. Buildings located along public or private streets must
- 30 be designed with main entrances for pedestrians clearly defined and
- 31 oriented to the street.
- 32
- 33 8. Landscape. Landscaping and buffering shall be provided in accordance with LDC
- 34 section 4.06.00 at time of SDP or PPL, except as follows:
- 35
- 36 a. Buffers. No landscape buffer shall be required along the perimeter of any
- 37 lot line, except where such lot consists of a nonresidential use and is
- 38 adjacent to lands located outside the GGPOD and zoned for single-family
- 39 residential dwellings. In this instance, a minimum five-foot wide planting
- 40 strip with shrubs and trees shall be required. Shrubs shall be no less than
- 41 five feet in height and spaced a maximum of four feet on-center at the time
- 42 of planting. Trees shall be a minimum of 10 feet in height, four feet in
- 43 spread, 1-3/4-inch caliper, and spaced a maximum of one per 25 linear
- 44 feet. These landscape buffers may be interrupted to provide for pedestrian
- 45 access only.
- 46
- 47 b. Parking lots, vehicular use area, and service function areas. Landscaping
- 48 for off-street parking lots, vehicular use areas, and service function areas

1 shall be designed in accordance with LDC section 4.06.03, except for the  
2 following;

3  
4 i. Interior of parking lot.

5  
6 a) A maximum of 30 percent of the landscape islands may  
7 have a minimum width of five feet inside planting area.

8  
9 b) Plantings within parking lots shall be a maximum of 25  
10 percent turf grass. The balance shall be shrubs or  
11 groundcover in planting areas appropriate to the design.

12  
13 ii. Perimeter of parking lot, vehicular use area, or service function  
14 area. The perimeter shall have a five-foot wide perimeter planting  
15 area, exclusive of curbing. The perimeter planting area shall be  
16 designed in accordance with the following:

17  
18 a) Trees a minimum of 10 feet in height, four feet in spread, 1-  
19 3/4-inch caliper, and spaced a maximum of one per 25 linear  
20 feet.

21  
22 b) Shrubs arranged in a staggered pattern with a minimum size  
23 of three gallons, spaced no more than three feet on-center  
24 at the time of planting to provide year-round screening.  
25 Where the perimeter planting area abuts lands outside the  
26 GGPOD and zoned for single-family residential, the shrubs  
27 shall be no less than five feet in height and spaced four feet  
28 on-center at the time of planting.

29  
30 c) Perimeter planting strips may be interrupted to provide for  
31 driveway openings or for pedestrian access points.

32  
33 c. Building foundation plantings.

34  
35 i. Buildings, including parking structures with ground floor commercial  
36 or residential along the front facade, shall be required to have  
37 foundation plantings designed in accordance with LDC section  
38 4.06.05, except for as follows:

39  
40 a) The minimum required planting area shall be the equivalent  
41 of 10 percent of the gross ground floor area of the building.

42  
43 b) As an alternative to providing a continuous building  
44 foundation planting width, the planting areas shall be  
45 located within 25 feet of the building edge in the form of  
46 landscaped courtyards and seating area landscaping.

47  
48 c) It is unnecessary to provide foundation plantings along  
49 facades where the building is setback less than five feet

1 from the property line; however, the minimum size of the  
2 required planting area shall still be required and re-allocated  
3 elsewhere on-site.

4  
5 d) None of the required foundation plantings shall be located  
6 within perimeter buffers or within parking lot, vehicular use,  
7 or service function areas.

8  
9 ii. Stand-alone parking structures and parking structures designed  
10 without ground floor retail or residential uses along the front façade  
11 shall provide foundation landscaping in accordance with LDC  
12 section 4.06.05 C., except that the minimum width of the planting  
13 bed shall be 10 feet.

14  
15 9. Signage. The sign standards of LDC sections 5.06.02 and 5.06.04 shall apply to  
16 all mixed use and non-residential projects within the GGPOD. In addition, the  
17 following provisions shall apply to all wall, awning, ground, blade, and menu signs  
18 for all nonresidential and mixed use projects:

19  
20 a. Signs on awnings can be combined and calculated with wall signs, to the  
21 extent that signs on walls and awnings shall not exceed the maximum  
22 square footage allowed for wall signs.

23  
24 b. Graphic elements, logos, mosaic tiles, or names created in flooring  
25 immediately outside the front entrance with a maximum size of six square  
26 feet are allowed.

27  
28 c. Non-illuminated plaques shall be allowed subject to the following:

29  
30 i. Each business may mount a maximum of two plaques at their front  
31 entrance with each plaque restricted to a maximum of two square  
32 feet. Plaques must be flush or pin-mounted on the storefront or  
33 façade.

34  
35 ii. A plaque with a maximum size of two square feet may be mounted  
36 at the exit door of each business. The purpose of this plaque is to  
37 identify the business name or address for emergency response or  
38 for the delivery of goods.

39  
40 d. A wall sign not to exceed three square feet is allowed in connection with a  
41 walk-up or take-out window. This sign shall not count toward the maximum  
42 size or number allowed for wall signs.

43  
44 10. Open space.

45  
46 a. In order to promote a vibrant, walkable, urban community, the GGPOD  
47 public open space standards are intended to concentrate open space in  
48 structured, functional, and usable spaces that are nodes along connected  
49 pedestrian paths or corridors that are accessible to the public.

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- b. The standards of LDC section 4.02.01 B. shall apply, except that a minimum of 15 percent of the gross area shall be devoted to useable open space as follows:
- i. Residential developments on parcels 2.5 acres or greater; or
  - ii. Commercial, Economic Development, and mixed use projects on five acres or greater.
- c. Usable open space, as defined in LDC section 1.08.02, shall also include publicly accessible site features, such as pedestrian and walking paths, plazas, and passive furnishings. Passive furnishings include but are not limited to benches, pavilions, and picnic areas. Pervious trail links connecting within or across open spaces may count toward the requirement of usable open space. Lakes, detention areas with publicly accessible sidewalks or other impervious paths, and active recreation fields or courts that are accessible to the public may be counted toward the required public open space.
11. Pedestrian pathways. Pedestrian pathways required in accordance with LDC section 5.05.08 F.3. shall be a minimum of six feet in width.
12. Exterior lighting.
- a. Public paths shall be clearly marked by using design elements such as landscaping and pedestrian lighting.
  - b. Illumination levels in the GGPOD shall not exceed 0.5 footcandles at property lines where adjacent to residential development that is external to the GGPOD or residentially-zoned property that is external to the GGPOD, excluding where required pursuant to LDC section 6.06.03.
13. Public transit facilities. In addition to the off-site improvements required in LDC section 6.06.02 A., where a bus stop is located immediately adjacent to the subject property or where a property abuts a bus route, a landing pad, bicycle storage rack, and bus stop identification sign, all of which approved by CAT, shall be provided by Developer at no cost to the County in the adjacent right-of-way or within a dedicated easement, for all new development and redevelopment projects proposing more than 50 dwelling units or 10,000 square feet of a non-residential use. If these CAT facilities exist, the County Manager or designee may waive this requirement.
14. Pollution control. Any discharge from industrial, commercial, or manufacturing processes to a stormwater or surface water management system is prohibited. Wastewater from any industrial, commercial, or manufacturing process must be contained within a building or disposed of through the Collier County Water-Sewer

1 District's wastewater collection system pursuant to the Collier County Industrial  
2 Pretreatment Ordinance, (Ord. No. 2003-18, as amended).

3  
4 15. Service function areas and facilities. The provisions of LDC section 5.05.08 F.4.  
5 shall apply, except that loading docks, solid waste facilities, recycling facilities, and  
6 other services elements shall be placed to the sides or rear of the building. Service  
7 function areas shall be screened along rights-of-way in accordance with LDC  
8 Section 4.02.26 B., where applicable.

9  
10 16. Off-street parking and loading. Unless otherwise specified, all parking and loading  
11 standards shall comply with LDC Section 4.05.00. In addition, the following  
12 provisions shall apply:

13  
14 a. Location of parking lots. The design of off-street parking lots shall comply  
15 with the provisions of LDC section 5.05.08 F.2 except that parking lots,  
16 vehicular use areas, and service function areas shall be located to the sides  
17 or rear of buildings.

18  
19 b. Driveways for single-family attached dwelling units. Where a lot abuts an  
20 alley and the rear yard accommodates the driveway and unenclosed  
21 parking of vehicles in accordance with LDC section 4.02.03 D., the  
22 minimum length of such driveway shall be 23 feet.

23  
24 c. Screening from abutting rights-of-way. Off-street parking lots and vehicular  
25 use areas shall be screened along rights-of-way in accordance with LDC  
26 section 4.02.26 B.8., where applicable.

27  
28 d. Spaces required.  
29  
30 i. Hotels shall provide one space per hotel room.  
31  
32 ii. All other non-residential uses shall provide a minimum number of  
33 parking spaces equal to one space per 1,000 square feet.

34  
35 e. Reductions to the number of required spaces.  
36  
37 i. Off-street parking requirements shall be reduced cumulatively by  
38 the following provisions, when applicable:

39  
40 a) No additional off-street parking is required for outdoor dining  
41 or outdoor restaurant seating areas.

42  
43 b) For mixed use projects, the required number of residential  
44 off-street parking spaces is reduced by 10 percent.

45  
46 c) The minimum number of spaces required shall be reduced  
47 by the County Manager or designee when it has been  
48 determined that the reduction is necessary to preserve an  
49 existing healthy tree or trees (with a 12-inch or greater

1 diameter at breast height) from being damaged or removed,  
2 and where the SDP provides for the retention of said tree or  
3 trees.

4  
5 ii. Off-street parking requirements shall be further reduced by applying  
6 only one of the following provisions:

7  
8 a) If the subject property is located within the GGPOD-AC and  
9 within 330 feet of an improved public transit facility, such as  
10 a bus shelter, bus transfer facility, or park and ride site, the  
11 required number of off-street parking spaces shall be  
12 reduced by 20 percent;

13  
14 b) If the subject property is located within the GGPOD-DT and  
15 within 330 feet of an improved public transit facility, such as  
16 a bus shelter, bus transfer facility, or park and ride site, the  
17 required number of off-street parking spaces shall be  
18 reduced by 10 percent; or

19  
20 c) If a public transit facility, such as bus shelter, bus transfer  
21 facility, or park and ride accommodation, is provided on-site  
22 and in coordination with and accepted by the Collier Area  
23 Transit, or if a bike-share station or ride-share pick up/drop  
24 off zone is provided on-site, the facility shall substitute for a  
25 portion of the standard required off-street parking spaces.  
26 The total percentage of parking reduction shall only equal a  
27 maximum of 30 percent of the minimum required off-street  
28 parking spaces. The County Manager or designee may  
29 approve an alternative parking credit if the applicant  
30 provides a site-specific analysis of the projected frequency  
31 of passenger or patron use demonstrating a greater off-set  
32 of parking spaces is warranted.

33  
34 f. On-street parking. Where on-street parking exists or is permitted, a  
35 development shall count the spaces directly abutting the site's frontage  
36 toward the minimum parking requirement; however, the on-street parking  
37 spaces are considered public spaces and are not for the exclusive use of  
38 the adjacent use.

39  
40 g. Parking structures.

41  
42 i. Parking structures shall comply with LDC section 5.05.08 E.8,  
43 except that building foundation landscaping shall be provided in  
44 accordance with LDC section 4.02.26 B.8.c.ii.

45  
46 ii. Parking structure façades shall be designed to screen views of  
47 automobiles by the general public from adjacent streets and  
48 driveways.

49



- 1                   iii.     Freestanding light fixtures on the top level of the parking structures  
2                   shall be a maximum of 20 feet in height and setback from the  
3                   perimeter of the structure a minimum distance of twice the height of  
4                   the light fixture. Light fixtures shall be fully shielded to contain light  
5                   to the surface of the deck only.
- 6
- 7                   h.     Bicycle parking.     Bicycle parking shall apply to all commercial, mixed  
8                   use, and Economic Development uses. Bicyclists shall have access via  
9                   sidewalks, pathways, or driveways to the public right-of-way and be located  
10                  as provided below:
- 11
- 12                  i.     Parking structures.     Required bicycle parking shall be located in  
13                  or near main entrances or elevators to provide for pedestrian safety,  
14                  visibility, and security of property.
- 15
- 16                  ii.    On site.     Bicycle parking (not located within a parking  
17                  structure) shall be located on site within 50 feet of main building  
18                  entrances. Bicycle parking shall not obstruct walkways.
- 19
- 20                  iii.   Right-of-way. Bicycle parking may be located within the public  
21                  right-of-way of a new local street platted after (the adoption date of  
22                  this ordinance), provided a minimum clearance of five feet is  
23                  maintained for pedestrian access.
- 24
- 25                  iv.   Shared bicycle parking.     Where there is more than one  
26                  building on a site, or parking is shared with an adjacent site, bicycle  
27                  parking shall be distributed equally to serve all buildings and main  
28                  entrances.

17.   Drive-Up, Drive-In, or Drive-Through Delivery of Goods or Services.

- 31
- 32                  a.     A drive-up, drive-in, or drive-through facility is a design feature of a building  
33                  or site of a commercial use. A facility may include but is not limited to a  
34                  building opening, such as windows and doors, mechanical devices, and  
35                  vehicular stacking lanes.
- 36
- 37                  b.     This design feature shall be prohibited in the GGPOD-DT, pursuant to the  
38                  GGAMP.
- 39
- 40                  c.     In the GGPOD-AC, no use, except a bank, shall have a drive-up, drive-in,  
41                  or drive-through facility.
- 42
- 43                  d.     Existing drive-through facilities, as of [effective date of Ordinance] may  
44                  continue to operate until the use ceases for a period of one year.
- 45
- 46                  e.     Pedestrian walk-up windows located outside of the building are not  
47                  considered to be drive-through facilities and shall be allowed.
- 48

1 C. Additional design standards for the Economic Development uses in the GGPOD. The  
2 following design standards shall be applicable to all Economic Development uses  
3 identified in Table 1 of LDC section 2.03.07 F.5.:

4  
5 1. Loading areas. All loading areas shall be oriented away from adjacent residential  
6 uses, except for where obstructed by an intervening building.

7  
8 2. Outside storage and display. No outside storage and display shall be permitted  
9 except when approved as part of a temporary/special event in accordance with  
10 LDC section 5.04.05.

11 3. Operations.

12  
13  
14 a. All activity associated with the uses in this category shall be conducted  
15 within a fully enclosed building. Activity includes but is not limited to the  
16 following:

17  
18 i. The use or storage of any fixed or movable business equipment;

19  
20 ii. The use, storage, display, sale, delivery, offering for sale,  
21 production, or consumption in any business, or by any business  
22 invitee on the premises of the business, of any goods, wares,  
23 merchandise, products, or foods; or

24  
25 iii. The performance of any work or services.

26  
27 b. All Economic Development use operations and equipment, including  
28 accessory process equipment, such as compressors and air handlers, shall  
29 be contained in an enclosed structure.

30  
31 4. Noise. No Economic Development use shall produce noise exceeding the sound  
32 level limits for Commercial or Tourist uses as set forth in the Collier County Noise  
33 Control Ordinance No. 90-17, as amended.

34  
35 5. Odors. No Economic Development use shall cause or allow the emission of odor.

36  
37 6. Vibrations. No use shall operate to produce ground vibration noticeable by a  
38 reasonable person with normal sensitivity, outside the building for single-use  
39 buildings or outside the Economic Development use space inside mixed use and  
40 multi-tenant buildings.

41  
42 7. Smoke and particulate matter. No Economic Development use shall discharge  
43 outside the building for single-use buildings or outside the Economic Development  
44 use space inside mixed use and multi-tenant building any toxic or noxious matter  
45 in such a concentration that will endanger the public health, safety, comfort, or  
46 general welfare.

47  
48 8. Electrical disturbance. No Economic Development use shall create any electrical  
49 disturbance which interferes unduly with the normal operation of equipment or

1 instruments or which is reasonably likely to cause injury to any person located  
2 inside or outside building.

3  
4 9. Appearance. Industrial/factory buildings shall be designed in accordance with the  
5 provisions of LDC section 5.05.08., excluding the exceptions, modifications, and  
6 additions listed in LDC section 5.05.08 E.7.b through h. In addition, rooftop  
7 mechanical equipment shall be fully screened by parapets or other methods of  
8 screening and such parapets or other screening material shall not exceed 10 feet  
9 in height.

10  
11 D. Design of new streets and alleys in the GGPOD. The standards contained herein are  
12 applicable to all new streets and alleys in the GGPOD.

13  
14 1. Streets.

15  
16 a. Streets are intended to form a modified grid to provide continuous  
17 pedestrian walkways. The street network corresponds to a mix of uses and  
18 a higher level of building and site design standards, in order to promote  
19 pedestrian comfort and movement of bicycles and to foster a vibrant urban  
20 realm.

21  
22 b. These standards shall apply to new streets in the GGPOD platted after (the  
23 adoption date of this ordinance). Streets shall be a minimum of 66 feet in  
24 width and comprised of the following:

25  
26 i. Eight-foot wide sidewalks;

27  
28 ii. Five-foot wide street tree planting zones containing cut-outs for  
29 trees, located between the sidewalks and the Type F curbs.  
30 Lighting fixtures shall be provided within the street tree planting  
31 zone and located to avoid conflict with street trees. Any at-grade  
32 surface area within the street tree planting zone that is not occupied  
33 by a tree or light fixture shall be ADA compliant. Light fixtures shall  
34 be consistent with the decorative lighting identified in the Golden  
35 Gate Community Roadways Beautification Master Plan. If such  
36 lighting is unavailable, similarly themed lighting shall be used. Tree  
37 cut-outs shall be designed as follows:

38  
39 a) Placed abutting the FDOT Type F curb;

40  
41 b) Minimum at-grade dimension of five feet with a minimum  
42 area of 25 square feet;

43  
44 c) Contain sufficient volume of soil necessary to promote a  
45 healthy tree and directing roots away from sidewalks  
46 through the use of structural soils or modular suspended  
47 pavement systems. If the option of structural soil is utilized,  
48 a minimum of two cubic feet of structural soil per square feet  
49 of mature tree crown projection shall be provided; and

- 1
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- d) Spaced 40 feet on center with trees having a minimum average mature canopy spread of 20 feet and an eight-foot vertical clearance for pedestrians.
  - iii. Type F curbs, designed in accordance with current FDOT Design Standards;
  - iv. On-street parking areas containing eight-foot wide by 23-foot long parallel parking spaces; and
  - v. Vehicular travel lanes 10 feet in width.
  - c. Public utility and drainage infrastructure may be placed in the right-of-way of new streets platted (after the adoption date of this ordinance) in the areas designated below and subject to the following restrictions:
    - i. Storm and sanitary sewers shall be located within the travel lanes. Where both are present, parallel sewers shall be constructed with junction boxes and manholes centered in either travel lane. Where only one is present, structures may be located at the centerline of the roadway or centered within either travel lane. On curves, sufficient structures shall be provided to facilitate pipeline alignments that achieve minimum horizontal separation criteria found in FAC 62-555.314(1). Where feasible, sewer laterals and storm drains shall connect to sewer mains at right angles to facilitate perpendicular crossings with other utilities in the right-of-way and to minimize proximity to tree roots.
    - ii. Potable water and sanitary sewer force mains shall be located between the travel lanes and the street tree planting zones, on opposite sides of the roadway. The main shall be centered underneath the on-street parking, four feet from both the gutter and the travel lane.
    - iii. Other underground utilities shall be underneath the sidewalks.
    - iv. Above-ground structures and appurtenances shall be placed in the street tree planting zone, outside the tree cut-outs and no closer than five feet to any street tree.
  - 2. Alleys. Alleys are intended to function as accessways to off-street parking lots, vehicular use areas, and services areas. New alleys, including the width of the paved area, shall be a minimum of 20 feet in width. The standards related to the streetscape design of buildings in LDC section 4.02.26 B.7. are not applicable along alleys.

- 1 E. Deviation requests for projects in the GGPOD.
- 2
- 3 1. Purpose and Intent. Property owners in the GGPOD may request deviations from
- 4 certain standards, as established in LDC section 4.02.26 E.2., to allow for flexibility
- 5 in building and site design, and to support and initiate incentives for new
- 6 development on vacant property or redevelopment on existing sites.
- 7
- 8 2. Applicability.
- 9
- 10 a. The Administrative Code, Chapter 6.M. shall establish the process and
- 11 submittal requirements for deviation requests in the GGPOD. Deviations
- 12 in the GGPOD may be requested for new development or redevelopment
- 13 projects in connection with any of the following types of applications:
- 14
- 15 i. SDP, SDPA, or SIP as established in LDC section 10.02.03;
- 16
- 17 ii. Building permit for signs as established in LDC section 5.06.11; or
- 18
- 19 iii. PPL for townhouses developed on fee simple lots under individual
- 20 ownership, as established in LDC section 10.02.04.
- 21
- 22 b. Unless otherwise specified, property owners shall be eligible to seek a
- 23 deviation from the following code provisions:
- 24
- 25 i. Design standards for the GGPOD: LDC section 4.02.26. All
- 26 dimensional standards of this section, excluding building height,
- 27 may be considered for a deviation request. In addition, deviations
- 28 from non-dimensional provisions, such as from the design
- 29 standards for Economic Development uses in LDC section 4.02.26
- 30 C., are also allowed. Drive-through facilities, as described in LDC
- 31 section 4.02.26 B.17., are prohibited for uses in the GGPOD-DT,
- 32 pursuant to the GGAMP, and ineligible for deviations.
- 33
- 34 ii. Loading space requirements: LDC section 4.05.06 B.
- 35
- 36 iii. Landscaping in vehicular use areas: LDC section 4.06.03 B.
- 37
- 38 iv. Landscaping requirements for industrial and commercial
- 39 development: LDC section 4.06.05 B.3.
- 40
- 41 v. Building foundation plantings: LDC section 4.06.05 C., including
- 42 Table inset.
- 43
- 44 vi. Development standards for signs in nonresidential districts: LDC
- 45 section 5.06.04.
- 46
- 47
- 48
- 49

- 1        3. Conflict with other relief processes.
- 2
- 3        a. This section is not intended to replace the current established process of
- 4        requesting deviations associated with the following:
- 5
- 6        i. Master plan elements of the respective PUD pursuant to LDC
- 7        section 10.02.13. However, the deviation process of LDC section
- 8        4.02.26 E. is available to PUD-zoned lands within the GGPOD
- 9        provided that such request is based on a specific dimensional or
- 10       design requirement described in LDC section 4.02.26 E.2., and
- 11       provided the request further promotes compliance with the purpose
- 12       and intent of the GGPOD.
- 13
- 14       ii. Site plan with deviations for redevelopment projects pursuant to
- 15       LDC section 10.02.03 F., unless such request is based on a
- 16       dimension, site feature, or architectural standard listed under LDC
- 17       section 4.02.26 E.2.
- 18
- 19       iii. Deviations and alternate compliance pursuant to LDC section
- 20       5.05.08 G.
- 21
- 22       iv. Post take plan application pursuant to LDC section 9.03.07 A.
- 23
- 24       b. Deviations from the LDC which are not expressly provided for in this section
- 25       shall be processed as variances in accordance with LDC section 9.04.00.
- 26
- 27       4. Evaluation criteria. When evaluating a deviation, the following criteria shall be
- 28       considered:
- 29
- 30       a. Whether the proposed deviation is compatible with adjacent land uses and
- 31       achieves the requirements and/or intent of the regulations as closely as is
- 32       practicable;
- 33
- 34       b. Whether the proposed deviation is the minimum amount necessary to allow
- 35       for reasonable use of the property and/or address the issue necessitating
- 36       the deviation request; and
- 37
- 38       c. Whether the reduced or increased standard requested by the deviation is
- 39       mitigated for, either on the subject site or by providing a public benefit on
- 40       the subject site. Examples of such on-site mitigation include but are not
- 41       limited to: increasing setbacks from the adjacent road right-of-way when
- 42       proposing to deviate from sign size limitations; increasing plantings or
- 43       planting sizes or installing a fence or wall where a reduced buffer width is
- 44       proposed; providing public pedestrian and/or bicycle pathway easements
- 45       or other similar mobility improvements including transit enhancements;
- 46       providing public parking; providing beautification in the public realm,
- 47       including street trees, street furniture, lighting and other similar public
- 48       benefits.
- 49

1 5. Public notice. Public notice, including signage, notice to property owners, and an  
2 advertised public hearing, is required for deviation requests and shall be provided  
3 in accordance with the applicable provisions of LDC section 10.03.06 R.  
4

5 ~~Golden Gate Parkway Professional Office Commercial Overlay District (GGPPOCO)—Special~~  
6 ~~Conditions for the Properties Abutting Golden Gate Parkway East of Santa Barbara Boulevard as~~  
7 ~~Referenced in the Golden Gate Parkway Professional Office Commercial District Map (Map 2) of~~  
8 ~~the Golden Gate Area Master Plan~~  
9

10 ~~A. The following standards shall apply to all uses in this overlay district. Where a specific~~  
11 ~~development criteria and standards also exist in the Golden Gate Master Plan, or the~~  
12 ~~Future Land Use Element of the GMP, they shall supersede any less stringent requirement~~  
13 ~~or place additional requirements on development.~~  
14

15 ~~B. In support of the purpose and intent of the GGPPOCO a common architectural style is~~  
16 ~~required for all proposed development within the overlay district. During the site~~  
17 ~~development plan review process, architectural drawings shall be submitted indicating that~~  
18 ~~all proposed buildings will have an architectural style which is similar to that approved for~~  
19 ~~the existing PUDs within the district boundaries. Such architectural drawings shall depict,~~  
20 ~~at a minimum, the following: the use of stucco, except for trim; pastel colors; pedestrian~~  
21 ~~pockets, including benches and lampposts; tile roofs, except that where tile roofs are not~~  
22 ~~provided, decorative parapet walls shall be constructed above the roof line.~~  
23

24 ~~C. Projects shall be encouraged in the form of a PUD (there shall be no minimum acreage~~  
25 ~~requirement for PUD rezones except for the requirement that all requests for rezoning~~  
26 ~~must be at least 40,000 square feet in area unless the proposed rezone is an extension~~  
27 ~~of an existing zoning district consistent with the Golden Gate Area Master Plan).~~  
28

29 ~~D. Minimum project area shall be 2 acres.~~

30 ~~E. Buildings shall be set back from Golden Gate Parkway a minimum of 40 feet and from~~  
31 ~~rear lot line a minimum of 25 feet.~~  
32

33 ~~F. Buildings shall have a maximum height of 25 feet plus 10 feet for under building parking.~~

34 ~~G. Transportation.~~

35 ~~1. Access to projects shall be provided exclusively via Golden Gate Parkway and~~  
36 ~~shall be limited to 1 per 450 feet commencing at the centerline of Santa Barbara~~  
37 ~~Boulevard but shall nonetheless comply with the Access Control Policy (Res. 01-~~  
38 ~~247) in place at the time of development.~~  
39

40 ~~2. Projects shall be required to provide off-street parking and may make provisions~~  
41 ~~for shared parking arrangements with adjoining developments.~~  
42

43 ~~3. Projects shall provide deceleration and acceleration lanes as may be determined~~  
44 ~~by the County Manager or designee or his designee based upon the requirements~~  
45 ~~of the "work within the right-of-way ordinance" (Ordinance No. 93-64) and sound~~  
46 ~~engineering practices.~~  
47  
48  
49

1  
2 ~~4. Projects shall encourage pedestrian traffic by providing sidewalks. Adjacent~~  
3 ~~projects shall coordinate location of sidewalks.~~  
4

5 ~~H. Signage permitted in this overlay shall be restricted to those signs permitted under section~~  
6 ~~5.06.00 the Collier County Sign Code.~~  
7

8 ~~I. Landscaping.~~  
9

10 ~~1. Projects shall provide a ten (10) foot buffer between vehicular right-of-way and~~  
11 ~~required sidewalk and shall provide landscaping of one (1) shade tree per thirty~~  
12 ~~(30) linear feet. Such trees shall be minimum of eight (8) feet in height and one~~  
13 ~~and one-half (1½) inches in diameter at the time of planting that shall have a~~  
14 ~~minimum canopy of fifteen (15) feet at maturity. In addition, a hedge or berm~~  
15 ~~planting combination shall be planted along the entire length of this ten (10) foot~~  
16 ~~buffer consistent with section 4.06.00.~~  
17

18 ~~2. A minimum of ten (10) percent of the gross vehicular use area shall be landscaped~~  
19 ~~to provide visual relief. One (1) tree, as described in section 4.02.26 I.1., shall be~~  
20 ~~provided for each seventy-five (75) square feet of this landscaped area. This~~  
21 ~~landscaping shall be placed within the vehicular use area.~~  
22

23 ~~J. Central water and sewer facilities shall be available prior to development.~~  
24

25 # # # # # # # # # # # # # #  
26

27 ~~4.02.37 – Reserved. Design Standards for Development in the Golden Gate Downtown~~  
28 ~~Center Commercial Overlay District (GGDCCO)~~  
29

30 ~~A. Development criteria. The following standards shall apply to all uses in this overlay district.~~  
31 ~~Where specific development criteria and standards also exist in the Golden Gate Area~~  
32 ~~Master Plan, or the Future Land Use Element of the Growth Management Plan, these~~  
33 ~~standards shall supersede any less stringent requirement or place additional requirements~~  
34 ~~on development.~~  
35

36 ~~1. Cessation of residential uses. Existing, non-owner-occupied residential uses~~  
37 ~~located along Golden Gate Parkway shall cease to exist no later than seven (7)~~  
38 ~~years after the effective date of the adoption of the Downtown Center Commercial~~  
39 ~~Subdistrict in the Golden Gate Area Master Plan (adopted October 26, 2004;~~  
40 ~~effective January 14, 2005). This does not require the removal of residential~~  
41 ~~structures located on Golden Gate Parkway that are converted to uses allowed in~~  
42 ~~this overlay district within one (1) additional year; nor does this require the removal~~  
43 ~~of residential structures located elsewhere in this overlay district.~~  
44

45 ~~2. Multi-story buildings.~~  
46

47 ~~a. Only retail, personal service, and institutional uses are allowed on the first~~  
48 ~~floor.~~  
49



- 1 ~~b. All uses allowed by this zoning overlay, except restaurants and cocktail~~
- 2 ~~lounges, are allowed on the second floor.~~
- 3
- 4 ~~c. Only residential uses are allowed on the third floor.~~
- 5
- 6 ~~3. Density. Density shall be as per the underlying zoning district. For mixed-use~~
- 7 ~~projects, density shall be calculated based upon total project acreage.~~
- 8
- 9 ~~4. Setbacks.~~
- 10
- 11 ~~a. All development and redevelopment on lots abutting Golden Gate Parkway~~
- 12 ~~shall have a front yard and setback of no more than 15 feet. All projects~~
- 13 ~~providing a front yard setback greater than 0 feet must provide restaurant~~
- 14 ~~seating, and/or open space areas such as other seating, planting areas,~~
- 15 ~~and decorative landscape planters within such front yard, except that water~~
- 16 ~~management retention and detention areas are prohibited.~~
- 17
- 18 ~~b. All development and redevelopment on properties in the overlay area not~~
- 19 ~~abutting Golden Gate Parkway must comply with the front yard setback~~
- 20 ~~requirements of that property's underlying zoning.~~
- 21
- 22 ~~c. Side yard setback shall be a minimum of 5 feet.~~
- 23
- 24 ~~d. Rear yard setback shall be no less than 1/2 of the building height, with a 15-~~
- 25 ~~foot minimum.~~
- 26
- 27 ~~5. Building footprint limits.~~
- 28
- 29 ~~a. Minimum building footprint of 3,000 square feet.~~
- 30
- 31 ~~b. Maximum building footprint of 12,000 square feet.~~
- 32
- 33 ~~6. Minimum floor area—Residential.~~
- 34
- 35 ~~a. Mixed use. Minimum floor area of 1,500 square feet.~~
- 36
- 37 ~~7. Minimum height. The zoned height of buildings shall be no less than 34 feet.~~
- 38 ~~8. Maximum height. The actual height of buildings shall not exceed 3 stories or 45~~
- 39 ~~feet.~~
- 40
- 41 ~~9. Crime Prevention Through Environmental Design (CPTED) Standards. The~~
- 42 ~~Golden Gate community supports the CPTED philosophy as a way to reduce~~
- 43 ~~crime, improve neighborhood and business environments, and increase overall~~
- 44 ~~quality of life of its citizens. CPTED principles such as natural surveillance, natural~~
- 45 ~~access control, and territorial reinforcement shall be incorporated into the overall~~
- 46 ~~design of the project, consistent with the provisions in this overlay and as identified~~
- 47 ~~below.~~
- 48

- 1           ~~a. Public paths shall be clearly marked by using design elements such as~~
- 2           ~~landscaping and pedestrian accent lighting.~~
- 3
- 4           ~~b. Public entrances shall be clearly defined by walkways and signage, as~~
- 5           ~~specifically provided in this overlay.~~
- 6
- 7           ~~10. Common architectural style. In support of the purpose and intent of the GGDCCO,~~
- 8           ~~all structures within the overlay district shall have a common Mediterranean~~
- 9           ~~architectural style, with barrel tile roofs, stucco façades, arches and wood accent~~
- 10           ~~members used as details. During the site development plan review process,~~
- 11           ~~architectural drawings shall be submitted to demonstrate adherence to this~~
- 12           ~~requirement. All commercial and mixed use buildings and projects shall be subject~~
- 13           ~~to the provisions of section 5.05.08 of the Code, except as provided herein.~~
- 14
- 15           ~~11. Architectural standards. All buildings shall meet the requirements set forth in~~
- 16           ~~section 5.05.08, except as otherwise specified below:~~
- 17
- 18           ~~a. Buildings with frontage on Golden Gate Parkway shall have 60 percent of~~
- 19           ~~the ground-floor façade finished with clear or lightly tinted glass.~~
- 20
- 21           ~~b. The glazed area of the façade above the first floor shall be at least twenty~~
- 22           ~~(20) percent but shall not exceed 35 percent of the total area, with each~~
- 23           ~~façade being calculated independently.~~
- 24
- 25           ~~c. Design elements used to embellish the primary façade shall be similarly~~
- 26           ~~incorporated into the rear façade of buildings.~~
- 27
- 28           ~~d. The façades of buildings 5,000 square feet or larger shall use rooflines that~~
- 29           ~~vary in height or architectural embellishments, such as cupolas, at least~~
- 30           ~~every 80 feet.~~
- 31
- 32           ~~e. Parapet roof treatments are prohibited.~~
- 33
- 34           ~~f. Flat roofs must be screened with a mansard edge barrel tile roof extending~~
- 35           ~~the length of all façades.~~
- 36
- 37           ~~g. Building entrances shall be accentuated through architectural elements,~~
- 38           ~~lighting, landscaping, and/or paving stones.~~
- 39
- 40           ~~12. Outdoor display/sale of merchandise.~~
- 41
- 42           ~~a. No automatic food and drink vending machines shall be located exterior to~~
- 43           ~~buildings.~~
- 44
- 45           ~~13. Access. Those aggregated lots developed under these overlay provisions and~~
- 46           ~~fronting on Golden Gate Parkway must provide site access from abutting local~~
- 47           ~~streets and may not obtain site access from Golden Gate Parkway, and where one~~
- 48           ~~such commercial or mixed use development provides site access at the project~~
- 49           ~~boundary abutting other lots, whether aggregated or not for commercial or mixed~~

1 ~~use development. Such developments must provide for joint or cross access with~~  
2 ~~the abutting property or properties in order to share access and minimize the~~  
3 ~~number of points from Golden Gate Parkway.~~

4  
5 ~~14. Parking standards. All commercial and mixed-use projects shall meet the parking~~  
6 ~~requirements as set forth below:~~

7  
8 ~~a. A minimum of 3 public parking spaces for each 1,000 square feet of~~  
9 ~~commercial floor area.~~

10  
11 ~~b. A minimum of 1.5 parking spaces for each residential unit.~~

12  
13 ~~c. No parking is allowed in the front yard of lots abutting Golden Gate~~  
14 ~~Parkway.~~

15  
16 ~~d. There shall be no parking requirement for outdoor restaurant seating areas.~~

17  
18 ~~e. Shared parking is required, where possible and feasible.~~

19  
20 ~~f. Interconnection between adjacent parking lots is required, where possible~~  
21 ~~and feasible.~~

22  
23 ~~g. Parking facility lighting shall be consistent with the pedestrian/accent~~  
24 ~~decorative lighting fixtures illustrated in Fig. 29, page 5-9 of the Golden~~  
25 ~~Gate Community Roadways Beautification Master Plan, as amended, and~~  
26 ~~shall be maintained at a light level of 3.0 foot candles, and arranged and~~  
27 ~~shielded in a manner that protects roadways and neighboring properties~~  
28 ~~from direct glare or other interference.~~

29  
30 ~~h. All projects that are adjacent to residential development within the district~~  
31 ~~and/or residentially zoned properties outside the district shall provide~~  
32 ~~lighting fixtures with full-cutoff optics that direct the light source downward.~~

33  
34 ~~i. The overnight parking of commercial vehicles, with a rated load capacity of~~  
35 ~~one ton or more, is prohibited.~~

36  
37 ~~j. The overnight parking of commercial vehicles shall be limited to 1 vehicle~~  
38 ~~per 1,000 square feet of commercial floor area, not to exceed 6 commercial~~  
39 ~~vehicles per building.~~

40  
41 ~~15. Project standards. In addition to the site design elements described in section~~  
42 ~~5.05.08 F.1, all projects shall provide:~~

43  
44 ~~a. Two accept or specimen trees, above the minimum landscape code~~  
45 ~~requirements, for every 100 linear feet along both the front and rear~~  
46 ~~façades, at a minimum height of 18 feet at planting, except that projects~~  
47 ~~with frontage along Golden Gate Parkway shall only be required to provide~~  
48 ~~the planting along the rear façade.~~

49

1 ~~b. Decorative landscape planters or planting areas, a minimum of 5 feet wide,~~  
2 ~~and areas for shaded seating consisting of a minimum of 100 square feet.~~

3  
4 ~~16. Landscaping. All commercial and mixed use projects shall meet the landscape~~  
5 ~~requirements in section 4.06.00 of the Code, unless otherwise specified in this~~  
6 ~~zoning overlay.~~

7  
8 ~~a. Project Perimeter Buffering. All projects that are located adjacent to~~  
9 ~~residential zoning external to the district boundaries shall provide a 6-foot~~  
10 ~~wide sidewalk and a minimum 19-foot wide landscape planting area, except~~  
11 ~~that the project's frontage along Golden Gate Parkway shall be exempt~~  
12 ~~from this requirement.~~

13  
14 ~~The planting area shall be landscaped with: 1. shrubs and ground cover;~~  
15 ~~shrubs shall be planted in a double row and be no less than 24 inches in~~  
16 ~~height at time of planting; and, 2. Trees, planted one per 30 linear feet and,~~  
17 ~~at time of planting, shall be a minimum height of 22 feet.~~

18  
19 ~~b. Internal Project Buffering. All projects that are located adjacent to a~~  
20 ~~residential use within the district boundaries shall provide an Alternative B~~  
21 ~~buffer per section 4.06.02 C.2. except: walls and berms are prohibited, a~~  
22 ~~freestanding hedge must be 6 feet in height, if a fence is provided it must~~  
23 ~~be accompanied by a hedge 3 feet in height with a 2 foot spread at time of~~  
24 ~~planting. The project frontage along Golden Gate Parkway shall be exempt~~  
25 ~~from this requirement.~~

26  
27 ~~c. Building Foundation Planting Areas. Building foundation plantings shall be~~  
28 ~~required for all projects, except for buildings adjacent to Golden Gate~~  
29 ~~Parkway and the rights-of-way abutting the district's external boundaries.~~

30  
31 ~~d. Project Vehicular Use Areas. Mountable curbs shall be provided for all~~  
32 ~~terminal landscape islands as depicted in Figure 3, Section 4.06.03.B.3.~~

33  
34 ~~17. Golden Gate Parkway Right-of-Way Improvements. Right-of-way improvements~~  
35 ~~required for properties/lots with frontage along Golden Gate Parkway.~~

36  
37 ~~a. Curbing. All projects/lots shall provide Type "F" non-mountable curbing per~~  
38 ~~F.D.O.T. "Roadway and Traffic Design Standards" Index 300, the latest~~  
39 ~~edition.~~

40  
41 ~~b. Landscaping. All projects/ lots shall be required to provide an 8 foot wide~~  
42 ~~landscaping strip between the curb and sidewalk. This planting area may~~  
43 ~~be reduced between tree spacing to 5 feet wide, for a maximum of 50~~  
44 ~~percent of the buffer area, to accommodate street furnishings and fixtures,~~  
45 ~~consistent with the Golden Gate Community Roadways Beautification~~  
46 ~~Master Plan.~~

47  
48 ~~The landscaping strip shall be landscaped with: 1. Turf, not to exceed 50~~  
49 ~~percent of the planting area; 2. Shrubs and ground cover, at a minimum of~~

1 ~~50 percent coverage, not to exceed a mature height of 24 inches; and, 3-~~  
2 ~~Canopy trees, planted one per 30 linear feet and, shall be at time of~~  
3 ~~planting, a minimum 4-inch caliper with 8 feet of clear trunk and 22 feet in~~  
4 ~~height.~~

5  
6 ~~All planting materials in the public right-of-way shall be consistent with~~  
7 ~~those identified in the Golden Gate Community Roadways Beautification~~  
8 ~~Master Plan. Installation and maintenance shall be consistent with the~~  
9 ~~Collier County Construction Standards Handbook for Work Within the~~  
10 ~~Right-of-Way.~~

11  
12 ~~Where right-of-way plantings above are not practicable, a planting area~~  
13 ~~and/or a decorative planter(s) may be provided consistent with the Collier~~  
14 ~~County Construction Standards Handbook for Work Within the Right-of-~~  
15 ~~Way.~~

16  
17 ~~Property owners shall be required to enter into a Landscape Maintenance~~  
18 ~~Agreement with the County for the installation and maintenance of the~~  
19 ~~required right-of-way plantings. Landscape Maintenance Agreements shall~~  
20 ~~require a signed and sealed landscape and irrigation plan(s), review by the~~  
21 ~~appropriate Transportation Division staff, approval by the Board of County~~  
22 ~~Commissioners, and recording of said agreement with the Clerk of Courts.~~  
23 ~~Plans shall include, but not be limited to, the following:~~

- 24 ~~i. Existing conditions inventory.~~
- 25
- 26 ~~ii. Proposed plantings/details of planting methods and~~
- 27 ~~maintenance specifications.~~
- 28
- 29 ~~iii. Location of utilities.~~
- 30
- 31 ~~iv. Location of drainage facilities.~~
- 32
- 33 ~~v. Irrigation proposal, including water connections.~~

34  
35  
36 ~~c. Sidewalks. All projects/lots shall provide a ten foot wide sidewalk between~~  
37 ~~the required landscape strip identified in "b." above and the property line.~~  
38 ~~Sidewalks shall be constructed pursuant to the Land Development Code~~  
39 ~~and the "Construction Standards Handbook for Work Within the Right-of-~~  
40 ~~Way". Decorative pavers (consistent with the approved pavers identified in~~  
41 ~~the Golden Gate Community Roadways Beautification Master Plan) may~~  
42 ~~be substituted for portions of sidewalk, subject to approval by the County~~  
43 ~~Manager, or designee.~~

44  
45 ~~Where a portion of the required sidewalk cannot be constructed in the~~  
46 ~~public right-of-way, the property owner shall locate such portion on their~~  
47 ~~private property and grant the County an easement.~~

48

1 ~~18. Address numbers. Address numbers shall be 8 inches in vertical height and shall~~  
2 ~~be located on the primary building façade. Numbering materials shall be reflective~~  
3 ~~and have a contrasting background.~~

4  
5 ~~19. Signage. As required, allowed, or prohibited in section 5.06.00 of the Code.~~

6  
7 ~~20. Lighting. As described and provided in the Golden Gate Community Roadways~~  
8 ~~Beautification Master Plan or as identified below:~~

9  
10 ~~a. Internal Project Lighting. All projects shall use architectural decorative~~  
11 ~~lighting. Such lighting shall be the same decorative lighting as identified in~~  
12 ~~Figure 29 on page 5-9 of the Golden Gate Community Roadways~~  
13 ~~Beautification Master Plan. If such lighting becomes unavailable, similarly~~  
14 ~~themed lighting shall be used. Light fixtures must light all public use areas~~  
15 ~~adjacent to the building (e.g. entryway, courtyards, etc.) to a recommended~~  
16 ~~0.5 candle level of illumination. Lighting shall be arranged in a manner that~~  
17 ~~protects roadways and neighboring properties from direct glare or other~~  
18 ~~interference.~~

19  
20 ~~b. Street/Roadway Lighting. Architectural decorative lighting shall be used~~  
21 ~~along Golden Gate Parkway within the public right-of-way. Such lighting~~  
22 ~~shall be a variation of the decorative lighting identified as Figure 29 on page~~  
23 ~~5-9 of the Golden Gate Community Roadways Beautification Master Plan,~~  
24 ~~more specifically identified as the Lumec Domus Series (DMS50-250MH-~~  
25 ~~SG3-480-LD-DL-CRL72-1A/U.S. 41 East lighting fixture). If such lighting~~  
26 ~~becomes unavailable, similarly themed lighting shall be used. The~~  
27 ~~installation and maintenance of lighting shall be consistent with the Collier~~  
28 ~~County Construction Standards Handbook for Work Within the Right-of-~~  
29 ~~Way.~~

30  
31 ~~21. Dumpsters. Dumpsters shall be screened and positioned out of view from public~~  
32 ~~rights-of-way and pedestrian walkways.~~

33  
34 # # # # # # # # # # # # #

35  
36 **4.02.38 - Specific Design Criteria for Mixed Use Development within C-1 through C-3 Zoning**  
37 **Districts**

38  
39 \* \* \* \* \* \* \* \* \* \* \* \* \*

40  
41 B. *Applicability.* All properties zoned C-1, C-2 and C-3, excluding where located in the  
42 GGPOD. These regulations shall apply to all mixed-use projects proposed within these  
43 zoning districts, subject to the design criteria set forth in this section. The design criteria  
44 address the relationship of buildings, parking, vehicular, and pedestrian movement to  
45 create a pedestrian oriented experience. Buildings are encouraged to be built close to the  
46 vehicular and pedestrian way to create a continuous active and vibrant streetscape  
47 utilizing the architecture, landscaping, lighting, signage, and street furnishings. Vehicular  
48 travelways support two-way traffic and on street parking. A logical  
49 pedestrian pathway system is provided throughout that connects the pedestrian

1 movements from one use to another or within use areas. Building arcades and awnings  
2 are allowed to extend over the sidewalk to create shade and encourage pedestrian  
3 activity. Signage design shall be carefully integrated with site and building design to  
4 create a unified appearance for the project. Creativity in the design of signs is encouraged  
5 in order to emphasize the unique character of the project. Projects utilizing these design  
6 criteria will be developed in compliance with the LDC, except as specified herein.

7  
8 C. *Commercial Mixed Use Design Criteria.* Projects utilizing the Commercial Mixed Use  
9 option within a C-1, C-2, or C-3 Zoning District shall comply with the following standards  
10 and criteria:

11  
12 1. These design criteria are applicable to the C-1 through C-3 zoning districts,  
13 excluding where located in the GGPOD.

14 # # # # # # # # # # # # #

15  
16  
17 **4.05.02 - Design Standards**

18 \* \* \* \* \* \* \* \* \* \* \* \* \*

19  
20  
21 E. Access shall meet the following standards:

- 22  
23 1. Be arranged for convenient and safe access of pedestrians and vehicles.  
24  
25 2. Off- street parking areas must be accessible from a street, alley or other public  
26 right-of-way.  
27  
28 3. Access via a rear property right-of-way shall be required if available in lieu of direct  
29 access.  
30  
31 4. Except for properties located in the GGPOD, ~~For~~ any nonresidential development  
32 which abuts an alley, a maximum of ten (10) parking spaces, not to exceed thirty  
33 (30%) percent of the required parking for the proposed use, may be accessed  
34 solely from the alley. Said parking spaces shall be clearly marked and arranged  
35 in such a manner so that each parking space meets the minimum size required in  
36 section 4.05.02 of this LDC. Additionally, these spaces shall be arranged in a  
37 manner which allows for full compliance with any required landscaped buffer  
38 requirement. These spaces shall be for the exclusive use of employees and  
39 service vehicles and shall be clearly designated as such by appropriate signage.  
40

41 F. Be arranged so that no vehicle shall be forced onto any street to gain access from one  
42 aisle to another aisle. All off- street parking facilities must be so arranged that no motor  
43 vehicle shall have to back onto any street, excluding single-family and two-family  
44 residential dwellings and churches, and for townhouses and multi-family dwellings in the  
45 GGPOD where access is provided from the rear yard from an abutting alley.

46  
47 # # # # # # # # # # # # #

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## 5.05.04 - Group Housing

1  
2  
3 \* \* \* \* \*  
4  
5 C. Table of site design standards for category I and category II group care facilities:  
6  
7 \* \* \* \* \*  
8

Special setback requirements for property abutting roadways	25 feet of a road right-of-way line <sup>1</sup>
---	--

9  
10 <sup>1</sup> For properties located in the GGPOD, the front setback shall be in  
11 accordance with LDC section 4.02.26 B.1.  
12

13 D. All other care housing environments as defined in this Code, including, but not limited to,  
14 care units , assisted living units, continuing care retirement communities, nursing homes,  
15 and dwelling units that are part of an aging-in-pace living environment shall adhere to the  
16 following standards in addition to those established by the underlying zoning district.

17 \* \* \* \* \*

18  
19  
20 2. No structure shall be erected within twenty (20) feet of any abutting lot or parcel  
21 which is zoned residential, nor within twenty-five (25) feet of a road right-of-way,  
22 except for properties within the GGPOD, the front setback shall be in accordance  
23 with LDC section 4.02.26 B.1.  
24

## 5.05.08 - Architectural and Site Design Standards

25  
26 \* \* \* \* \*

27  
28  
29 E. Design standards for specific building uses.

30 \* \* \* \* \*

31  
32  
33 7. Industrial/factory buildings.

34  
35 a. Applicability. All standards listed in LDC section 5.05.08 are applicable  
36 with the following exceptions, modifications, and additions. However, the  
37 provisions contained in LDC section 5.05.08 E.7.b. through h. below shall  
38 not be applicable to industrial/factory buildings located within the GGPOD.  
39

40 # # # # # # # # # # # # #

## 10.03.06 - Public Notice and Required Hearings for Land Use Petitions

41  
42  
43 \* \* \* \* \*

44  
45  
46 R. Site Plan with Deviations for Redevelopment, pursuant to LDC section 10.02.03 F and  
47 deviations in the GGPOD, pursuant to LDC section 4.02.26 E.



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1. The following advertised public hearings are required:
  - a. One Planning Commission or Hearing Examiner hearing.
  - b. If heard by the Planning Commission, one BZA hearing.
2. The following notice procedures are required:
  - a. Newspaper Advertisement prior to the advertised public hearing in accordance with F.S. § 125.66.
  - b. Mailed Notice prior to the advertised public hearing.

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

# EXHIBIT A – Proposed Administrative Code Amendment

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### Collier County Land Development Code | *Administrative Procedures Manual* Chapter 6 | *Waivers, Exemptions, and Reductions*

## Chapter 6. Waivers, Exemptions, and Reductions

\* \* \* \* \*

### M. Deviation Requests for Projects in the Golden Gate Parkway Overlay District (DR-GGPOD)

**Reference** LDC sections 2.03.07 F., 4.02.26 E., and LDC Public Notice section 10.03.06 R.

**Applicability** Property owners in the GGPOD may request deviations from certain standards, as established in LDC section 4.02.26 E.2., to allow for flexibility in building and site design, and to support and initiate incentives for new development on vacant property or redevelopment on existing sites.

Deviations in the GGPOD may be requested for new development or redevelopment projects requiring an SDP, SDPA, or SIP, as established in LDC section 10.02.03, or a building permit in the case of a sign deviation, as established in LDC section 5.06.11. Deviations may also be requested in connection with a PPL for townhouses developed on fee simple lots under individual ownership, as established in LDC section 10.02.04.

**Initiation** The applicant files a “*Deviations for Projects in Golden Gate Parkway Overlay District*” application with the Zoning Division.

↔ See Chapter 1 D. for additional information regarding the procedural steps for initiating an application.

**Pre-Application** A pre-application meeting is required.

**Application Contents** A deviation request made in connection with an SDP, SDPA, or SIP must include the necessary information and drawing(s) required with the Application Contents and Requirements for a site development plan, site development plan amendment, or a site improvement plan. ↔ See Chapter 4 I.2 – I.4 of the Administrative Code.

A deviation request in connection with a sign permit must include the necessary information and drawing(s) required with the Application Contents and Requirements for a sign permit. ↔ See Chapter 4 H. of the Administrative Code.

Submittal Credentials: Pursuant to LDC section 10.02.03, the engineering plans shall be signed and sealed by the applicant’s professional engineer licensed to practice in the State of Florida. For projects subject to LDC section 5.05.08, architectural drawings, shall be signed and sealed by a licensed architect, registered in the State of Florida. Landscape plans shall be signed and sealed by licensed landscape architect, registered in State of Florida.

Sheet size: The site improvement plan and the coversheet shall be prepared on a maximum size sheet measuring 24 inches by 36 inches, drawn to scale showing the areas affected by the amendment. The sheet must clearly show the change “clouded” and clearly delineate the area and scope of the work to be done.

The application must include the following:

# EXHIBIT A – Proposed Administrative Code Amendment

## DRAFT

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

### Collier County Land Development Code | *Administrative Procedures Manual*

#### Chapter 6 | *Waivers, Exemptions, and Reductions*

1. A narrative of the project and how it is consistent with the evaluation criteria identified in LDC section 4.02.26 E.4.
2. Description of each requested deviation and justification for each request. Requested deviations shall be clearly delineated in the petition. The LDC section for which the deviation seeks relief from shall be identified.
3. Project enhancements to offset or minimize the deviations shall be clearly identified.
4. Exceptions to the required Application Contents. A deviation request made in connection with townhouses developed on fee simple lots under individual ownership must include all items listed under Application Contents for Construction Plans and Final Subdivision Plats in Chapter 5.D.1. of the Administrative Code, except for the following:
  - a. Fire Flow Test.
  - b. Environmental Data Requirements.
  - c. Traffic Impact Analysis.
  - d. Engineer’s Report.
  - e. Permits.

**Notice** Notification requirements are as follows. ⇔ See Chapter 8 of the Administrative Code for additional notice information.

1. **Mailed Notice:** Written notice shall be sent to **property owners in the notification area** at least 15 days before the first advertised hearing.
2. **Newspaper Advertisement:** The legal advertisement shall be published at least 15 days before each advertised hearing in a newspaper of general circulation. The legal advertisement shall include at a minimum:
  - a. Date, time, and location of the hearing;
  - b. Application number and project name;
  - c. 2 in. x 3 in. map of project location;
  - d. Requested deviations and proposed project enhancements; and
  - e. Description of location.

**Public Hearing** The Hearing Examiner or Planning Commission shall hold at least 1 advertised public hearing. ⇔ See Chapter 9 of the Administrative Code for the Office of the Hearing Examiner procedures.

If the petition is heard by the Planning Commission, one BZA hearing is required.

**Decision maker** The Hearing Examiner or BZA.

**Review Process** The Zoning Division will review the application and identify whether additional materials are needed. Staff will prepare Staff Report or Executive Summary, utilizing the criteria established in LDC section 4.02.26 E.4, to present to the decision maker.

## **EXHIBIT B – GGAMP Policies**

### **Policy 2.1.3**

Within two years, Collier County shall create development standards to guide the transformation of Golden Gate Parkway and the Activity Center into destinations that are convenient, pleasant and safe for pedestrians and cyclists, and maintain strong connections to transit service.

### **Policy 2.1.5**

Collier County shall discourage new land uses along Golden Gate Parkway and within the Activity Center that impede pedestrian activity and are solely auto-oriented, such as car washes, storage facilities, auto dealerships and drive throughs. Land development regulations will be initiated within two years to ensure compatibility of auto-oriented uses within the pedestrian environment.

### **Policy 2.2.2**

Within two years of adoption, Collier County shall initiate a community renewal plan to include economic development strategies, urban design schemes, and infrastructure improvements. Renewal plans shall be in concert with the vision of Golden Gate City and promote vibrant urbanism, improve aesthetics and support walkability.

### **Policy 2.2.3**

Within two years of adoption, Collier County shall initiate the involvement of Golden Gate City residents and business owners to consider amendments to the Land Development Code to support and implement residential and commercial redevelopment and renewal initiatives. Amendments shall include incentives for remodeling and renovation by creating criteria and standards for variances and/or deviations.

# EXHIBIT C – Excerpts from Ordinance 2018-56

## ORDINANCE NO. 2018- 56

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, ESTABLISHING THE GOLDEN GATE CITY ECONOMIC DEVELOPMENT ZONE; PROVIDING FOR THE CALCULATION OF AN ANNUAL TAX INCREMENT AMOUNT WITHIN THIS DEVELOPMENT ZONE; CREATING AN ECONOMIC DEVELOPMENT TRUST FUND FOR THIS DEVELOPMENT ZONE FOR THE TRANSFER AND MAINTENANCE OF SUCH TAX INCREMENT AMOUNTS; AUTHORIZING THE PLEDGE AND APPROPRIATION OF ECONOMIC DEVELOPMENT TRUST FUNDS; SETTING FORTH THE ECONOMIC DEVELOPMENT PLAN FOR THIS DEVELOPMENT ZONE; CREATING AND SETTING FORTH THE DUTIES OF THE GOLDEN GATE CITY ECONOMIC DEVELOPMENT ADVISORY BOARD; PROVIDING DEFINITIONS; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in addition to its broad home rule powers, Collier County is expressly authorized under Section 125.045, Florida Statutes, to “expend public funds for economic development activities, including, but not limited to, developing or improving local infrastructure, issuing bonds to finance or refinance the cost of capital projects for industrial or manufacturing plants, leasing or conveying real property, and making grants to private enterprises for the expansion of businesses existing in the community or the attraction of new businesses to the community;” and

WHEREAS, Collier County previously adopted Ordinance No. 2010-20 providing for the creation of Innovation Zones, specifically finding as follows:

*“It is the policy of the Board to promote economic growth which results in high wage jobs and helps diversify the economy of Collier County. To further this policy, it is the intent of the Board to create a dedicated source of revenue to fund an economic development program and to advance economic development initiatives in zones of geographic concentration within the unincorporated areas of the County. These zones, to be called Innovation Zones, will be designated by the Board from time to time through the implementation of Economic Development Plans adopted by resolution for each Innovation Zone;”* and

WHEREAS, there is a compelling need for redevelopment within the commercial areas of Golden Gate City, whose specific needs require an approach that is substantially similar to, but not identical with, Innovation Zones as contemplated in Ordinance No. 2010-20; and

WHEREAS, recognizing the need to spur economic development in Golden Gate City, Collier County has already taken over the water and sewer service for Golden Gate City in part to provide commercial property owners a solution to development constraints caused by limited service; and

WHEREAS, Collier County wishes to continue to provide enhanced opportunities for economic development and redevelopment within the existing commercial areas within Golden Gate City.

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

# EXHIBIT C – Excerpts from Ordinance 2018-56

## **Section One: Definitions and Findings**

This Ordinance is intended to be a companion ordinance to Ordinance No. 2010-20, known as the Collier County Innovation Zone Ordinance. Accordingly, the Board of County Commissioners hereby adopts in full the definitions and findings set forth in Ordinance 2010-20, except for the Base Year Assessment Roll, which is defined below, and as modified hereby incorporates such definitions and findings as if specifically set forth below.

## **Section Two. Creation of the Golden Gate City Economic Development Zone.**

The Board of County Commissioners hereby creates the Golden Gate City Economic Development Zone, which shall constitute the entirety of Golden Gate City, as graphically described in Exhibit A.

## **Section Three. Initial Tax Increment Year and Percentage.**

For purposes of establishing the Base Year Assessment Roll, the base year shall be the last Collier County Real Property Assessment Roll certified by the Property Appraiser for the County Fiscal Year beginning October 1, 2015. Tax increments shall commence to be deposited into the Trust Fund with the County Fiscal Year commencing on October 1, 2019, and funding shall continue through September 30, 2029, unless extended by majority vote of the Board by Resolution. The amount of the tax increment to be deposited into the Trust Fund shall be equal to 100% of the amount based on the formula set forth in Section 4(B) of Collier County Ordinance No. 2010-20.

## **Section Four: Creation of an Economic Trust Fund.**

The County hereby creates the Golden Gate City Economic Development Zone Trust Fund. The tax increment shall be deposited into the trust fund and the trust fund proceeds shall be utilized to implement the Economic Development Plan set forth in Section Five. The Trust Fund corpus will not exceed One Million Dollars (\$1,000,000) in any single fiscal year and is subject to annual appropriation by the County. Up to 5% of the Trust Corpus shall be reserved as an annual administrative fee for the County. Upon termination of the Trust Fund any unspent and unencumbered proceeds shall revert to the County's General Fund.

## **Section Five: Adoption of the Economic Development Plan.**

The primary purpose of the Golden Gate City Economic Development Zone is to attract and retain qualified targeted industry business as defined by Florida Statute 288.106 and such businesses or industries identified by the Board of County Commissioners. Trust funds may be utilized in any lawful manner, including infrastructure required to serve new target businesses or the expansion of an existing target business; payment of County Impact Fees to be paid by the new target business or the expansion of an existing target business; and payment of building permit fees or other County fees related to the construction of structures to serve the target business. In addition to this primary purpose, trust funds may be utilized in any lawful manner which the Board of County Commissioners determines fosters economic development. Payment of funds are purely discretionary, and must be approved in advance by the Board of County Commissioners. All expenses must be fully documented in a manner acceptable to the County. Priority of funding will be for the redevelopment and renewal of the commercial district along Golden Gate Parkway, as graphically represented by Exhibit A.

## EXHIBIT C – Excerpts from Ordinance 2018-56

### Section Six: Creation of Golden Gate City Economic Development Zone Advisory Board.

The Golden Gate City Economic Development Zone Advisory Board (hereinafter referred to as the Advisory Board) is hereby established.

(a) Appointment and Composition. The Advisory Board shall be composed of seven (7) members who are appointed by resolution of the Board of County Commissioners, and shall be representative of the residential, business and commercial interests of the Golden Gate City Economic Development Zone. Non-residential members of the Advisory Board need not live within Golden Gate City, and upon recommendation of the Commissioner of the District, may reside outside of Collier County. Members of the Advisory Board shall be appointed by and serve at the pleasure of the Board of County Commissioners.

(b) Terms of Office. The initial terms of office of the Advisory Board members shall be one year for three members, and two years for four members, and each appointment or re-appointment thereafter shall be for two years. Appointments to fill any vacancies on the Advisory Board shall be for the remainder of the unexpired term of office.

(c) Removal from Office. Removal of members from the Advisory Board shall be in accordance with the provisions of Collier County Ordinance No. 2001-55, as it may be amended or by its successor ordinance.

(d) Officer; Quorum; Rules of Procedure. Annually the members of the Advisory Board shall elect a chairperson and vice chairperson from among the members. The chairperson's and vice chairperson's terms shall be for one year with eligibility for re-election by the members of the Advisory Board. The presence of fifty-one percent (51%) of the current voting membership, but never less than three total, shall constitute a quorum of the Advisory Board necessary to take action and transact business. In addition, an affirmative vote of a simple majority shall be necessary in order to take official action. Furthermore, by simple majority vote, but never with less than 5 members present, the Advisory Board shall adopt rules of procedure for its meetings, and thereafter shall be governed by its Procedures, as adopted and amended from time to time, subject to the approval of the Board of County Commissioners. The Advisory Board shall keep a written record of meetings, resolutions, findings and determinations. Copies of all Advisory Board minutes, resolutions, reports and exhibits shall be submitted to the Board of County Commissioners. The Advisory Board meetings shall be open to the public and conducted in the Sunshine.

(e) Reimbursement of Expenses. Members of the Advisory Board shall serve without compensation, but shall be entitled to receive reimbursement for expenses reasonably incurred in the performance of their duties upon prior approval of the Board of County Commissioners.

(f) Functions, Powers and Duties of the Advisory Board. The function, powers and duties of the Advisory Board shall be to aid and assist the Board of County Commissioners in carrying out the purpose of the Golden Gate City Economic Development Zone, including but not limited to advising and assisting the Board of County Commissioners in the establishment, review and enhancement of policies and programs to attract businesses or industries to the Golden Gate City Economic Development Zone, reviewing and making recommendations on applications for funding through the Trust Fund, as well as handling any matters that may be assigned by the Board of County Commissioners.

(g) Duties of the County Manager's Office. The County Manager's Office will provide such documentation, information, descriptions of procedures, secretarial support and general assistance to the Advisory Board as may be necessary for the Advisory Board to carry out its functions as set forth herein.

# EXHIBIT C – Excerpts from Ordinance 2018-56

## Section Seven: Conflict and Severability.

In the event this Ordinance conflicts with any other Ordinance of Collier County or other applicable law, the more restrictive shall apply. If any court of competent jurisdiction holds any phrase or portion of the Ordinance invalid or unconstitutional, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

## Section Eight: Inclusion in the Code of Laws and Ordinances.

The provisions of this Ordinance shall become and may be made a part of the Code of Laws and Ordinances of Collier County, Florida. The section of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "Ordinance" may be changed to "Section," "Article," or any other appropriate word.

## Section Nine: Effective Date.

This Ordinance shall take effect upon filing with the Florida Department of State.

**PASSED AND DULY ADOPTED** by the Board of County Commissioners of Collier County, Florida, this 13th day of November, 2018.

ATTEST:  
CRYSTAL K. KINZEL, Clerk

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

BOARD OF COUNTY COMMISSIONERS  
COLLIER COUNTY, FLORIDA

By: [Signature]  
Andy Solis, Chairman

Approved as to form and legality:

[Signature]  
Jeffrey A. Klatzkow, County Attorney

This ordinance filed with the  
Secretary of State's Office the  
14th day of November, 2018  
and acknowledgement that  
filing received this 14th day  
of November, 2018  
By: [Signature]  
Deputy Clerk



# EXHIBIT C – Excerpts from Ordinance 2018-56

