

ORDINANCE NO. 2021 - 14

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, AMENDING ORDINANCE NUMBER 04-41, AS AMENDED, THE COLLIER COUNTY LAND DEVELOPMENT CODE AND ZONING ATLAS, WHICH INCLUDES THE COMPREHENSIVE LAND REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA, TO CREATE THE GOLDEN GATE PARKWAY OVERLAY DISTRICT (GGPOD) AND ELIMINATE THE GOLDEN GATE PARKWAY PROFESSIONAL OFFICE COMMERCIAL OVERLAY (GGPPOCO) AND THE GOLDEN GATE DOWNTOWN CENTER COMMERCIAL OVERLAY DISTRICT (GGDCCO), AND ESTABLISH USES, BOUNDARIES AND DESIGN STANDARDS, BY PROVIDING FOR: SECTION ONE, RECITALS; SECTION TWO, FINDINGS OF FACT; SECTION THREE, ADOPTION OF AMENDMENTS TO THE LAND DEVELOPMENT CODE, MORE SPECIFICALLY AMENDING THE FOLLOWING: CHAPTER ONE - GENERAL PROVISIONS, INCLUDING SECTION 1.08.01 - ABBREVIATIONS; CHAPTER TWO - ZONING DISTRICTS AND USES, INCLUDING SECTION 2.03.07 OVERLAY ZONING DISTRICTS AND SECTION 2.05.01 - DENSITY STANDARDS AND HOUSING TYPES; CHAPTER 4 - SITE DESIGN AND DEVELOPMENT STANDARDS, INCLUDING SECTION 4.02.26 - DESIGN STANDARDS FOR THE GOLDEN GATE PARKWAY OVERLAY DISTRICT (GGPOD) WHICH WILL REPLACE THE GOLDEN GATE PARKWAY PROFESSIONAL OFFICE COMMERCIAL OVERLAY DISTRICT (GGPPOCO)—SPECIAL CONDITIONS FOR THE PROPERTIES ABUTTING GOLDEN GATE PARKWAY EAST OF SANTA BARBARA BOULEVARD AS REFERENCED IN THE GOLDEN GATE PARKWAY PROFESSIONAL OFFICE COMMERCIAL DISTRICT MAP (MAP 2) OF THE GOLDEN GATE AREA MASTER PLAN, AND INCLUDING SECTION 4.02.37 - DESIGN STANDARDS FOR DEVELOPMENT IN THE GOLDEN GATE DOWNTOWN CENTER COMMERCIAL OVERLAY DISTRICT (GGDCCO), SECTION 4.02.38-SPECIFIC DESIGN CRITERIA FOR MIXED USE DEVELOPMENT WITHIN C-1 THROUGH C-3 ZONING DISTRICTS, SECTION 4.05.02 - DESIGN STANDARDS; CHAPTER FIVE - SUPPLEMENTAL STANDARDS, INCLUDING SECTION 5.05.04 - GROUP HOUSING AND SECTION 5.05.08 ARCHITECTURAL AND SITE DESIGN STANDARDS; AND CHAPTER 10 - APPLICATION, REVIEW, AND DECISION-MAKING PROCEDURES, INCLUDING SECTION 10.03.06 - PUBLIC NOTICE AND REQUIRED HEARINGS FOR LAND USE PETITIONS; SECTION FOUR, CONFLICT AND SEVERABILITY; SECTION FIVE, INCLUSION IN THE COLLIER COUNTY LAND DEVELOPMENT CODE; AND SECTION SIX, EFFECTIVE DATE.

Recitals

WHEREAS, on October 30, 1991, the Collier County Board of County Commissioners adopted Ordinance No. 91-102, the Collier County Land Development Code (hereinafter LDC), which was subsequently amended; and

WHEREAS, the Collier County Board of County Commissioners (Board) on June 22, 2004, adopted Ordinance No. 04-41, which repealed and superseded Ordinance No. 91-102, as amended, the Collier County Land Development Code, which had an effective date of October 18, 2004; and

WHEREAS, on March 18, 1997, the Board adopted Resolution 97-177 establishing local requirements and procedures for amending the LDC; and

WHEREAS, all requirements of Resolution 97-177 have been met; and

WHEREAS, the Collier County Planning Commission, sitting as the land planning agency, did hold an advertised public hearing on October 8, 2020, and reviewed the proposed amendments for consistency with the Comprehensive Plan and did recommend approval; and

WHEREAS, the Board of County Commissioners, in a manner prescribed by law, did hold an advertised public hearing on February 23, 2021 and March 9, 2021, and did take action concerning these amendments to the LDC; and

WHEREAS, the subject amendments to the LDC are hereby determined by this Board to be consistent with and to implement the Collier County Growth Management Plan as required by Subsections 163.3194 (1) and 163.3202 (1), Florida Statutes; and

WHEREAS, this ordinance is adopted in compliance with and pursuant to the Community Planning Act (F.S. § 163.3161 *et seq.*), and F.S. § 125.01(1)(t) and (1)(w); and

WHEREAS, this ordinance is adopted pursuant to the constitutional and home rule powers of Fla. Const. Art. VIII, § 1(g); and

WHEREAS, all applicable substantive and procedural requirements of the law have otherwise been met.

NOW, THEREFORE BE IT ORDAINED by the Board of County Commissioners of Collier County, Florida, that:

SECTION ONE: RECITALS

The foregoing Recitals are true and correct and incorporated by reference herein as if fully set forth.

SECTION TWO: FINDINGS OF FACT

The Board of Commissioners of Collier County, Florida, hereby makes the following findings of fact:

1. Collier County, pursuant to § 163.3161, *et seq.*, F.S., the Florida Community Planning Act (herein after the "Act"), is required to prepare and adopt a comprehensive plan.

2. After adoption of the Comprehensive Plan, the Act and in particular § 163.3202(1). F.S., mandates that Collier County adopt land development regulations that are consistent with and implement the adopted comprehensive plan.

3. Section 163.3201, F.S., provides that it is the intent of the Act that the adoption and enforcement by Collier County of land development regulations for the total unincorporated area shall be based on, be related to, and be a means of implementation for, the adopted comprehensive plan.

4. Section 163.3194(1)(b), F.S., requires that all land development regulations enacted or amended by Collier County be consistent with the adopted comprehensive plan, or element or portion thereof, and any land regulations existing at the time of adoption which are not consistent with the adopted comprehensive plan, or element or portion thereof, shall be amended so as to be consistent.

5. Section 163.3202(3), F.S., states that the Act shall be construed to encourage the use of innovative land development regulations.

6. On January 10, 1989, Collier County adopted the Collier County Growth Management Plan (hereinafter the "Growth Management Plan" or "GMP") as its comprehensive plan pursuant to the requirements of § 163.3161 *et seq.*, F.S.

7. Section 163.3194(1)(a), F.S., mandates that after a comprehensive plan, or element or portion thereof, has been adopted in conformity with the Act, all development undertaken by, and all actions taken in regard to development orders by, governmental agencies in regard to land covered by such comprehensive plan or element shall be consistent with such comprehensive plan or element as adopted.

8. Pursuant to § 163.3194(3)(a), F.S., a development order or land development regulation shall be consistent with the comprehensive plan if the land uses, densities or intensities, and other aspects of development are compatible with, and further the objectives, policies, land uses, densities, or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.

9. Section 163.3194(3)(b), F.S., states that a development approved or undertaken by a local government shall be consistent with the comprehensive plan if the land uses, densities or intensities, capacity or size, timing, and other aspects of development are

compatible with, and further the objectives, policies, land uses, densities, or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.

10. On October 30, 1991, Collier County adopted the Collier County Land Development Code, which became effective on November 13, 1991. The Land Development Code adopted in Ordinance 91-102 was recodified and superseded by Ordinance 04-41.

11. Collier County finds that the Land Development Code is intended and necessary to preserve and enhance the present advantages that exist in Collier County; to encourage the most appropriate use of land, water and resources consistent with the public interest; to overcome present handicaps; and to deal effectively with future problems that may result from the use and development of land within the total unincorporated area of Collier County and it is intended that this Land Development Code preserve, promote, protect and improve the public health, safety, comfort, good order, appearance, convenience and general welfare of Collier County; to prevent the overcrowding of land and avoid the undue concentration of population; to facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, recreational facilities, housing and other requirements and services; to conserve, develop, utilize and protect natural resources within the jurisdiction of Collier County; to protect human, environmental, social and economic resources; and to maintain through orderly growth and development, the character and stability of present and future land uses and development in Collier County.

12. It is the intent of the Board of County Commissioners of Collier County to implement the Land Development Code in accordance with the provisions of the Collier County Comprehensive Plan, Chapter 125, Fla. Stat., and Chapter 163, Fla. Stat., and through these amendments to the Code.

SECTION THREE: ADOPTION OF AMENDMENTS TO THE LAND DEVELOPMENT CODE

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SUBSECTION 3.A. AMENDMENTS TO SECTION 1.08.01 ABBREVIATIONS

Section 1.08.01, Abbreviations, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

* * * * *

1.08.01 Abbreviations

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

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SUBSECTION 3.B. AMENDMENTS TO SECTION 2.03.07 OVERLAY ZONING DISTRICTS

Section 2.03.07, Overlay Zoning Districts, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

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2.03.07 Overlay Zoning Districts

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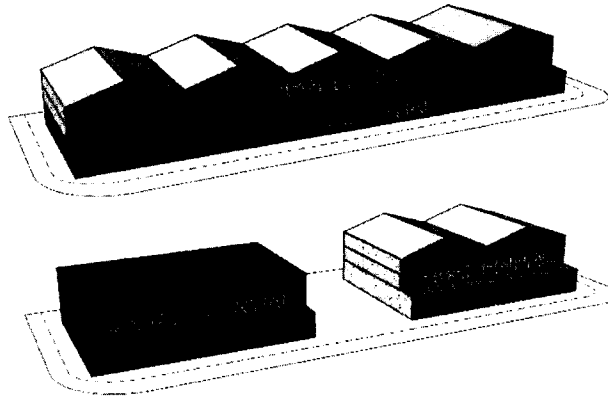
F. Golden Gate Parkway Overlay District (GGPOD)

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

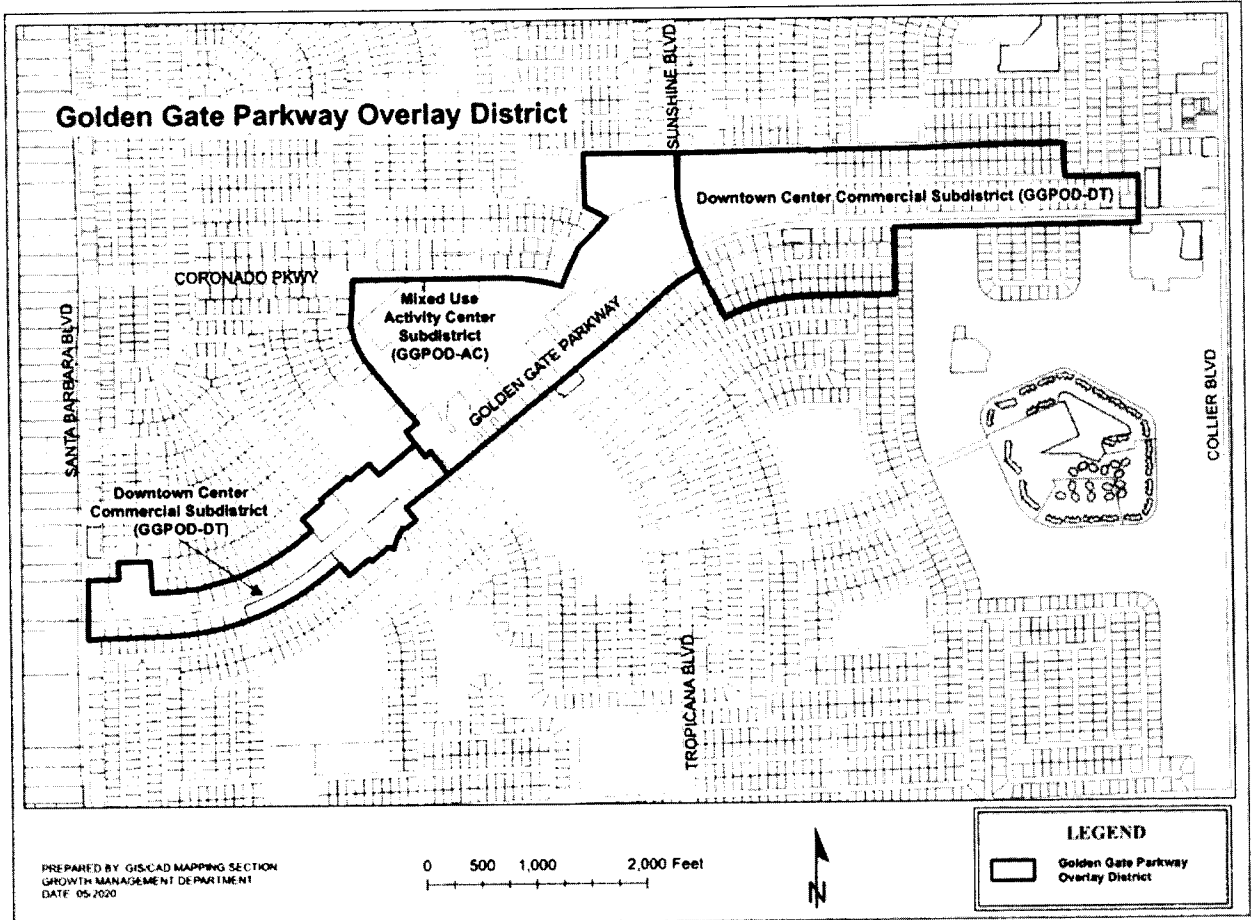
4. Establishment of subdistricts.

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 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

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</u>	<u>Downtown Center Commercial Subdistrict</u>
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	<u>(GGPOD-AC)¹</u>	<u>(GGPOD-DT)¹</u>
<u>Residential Uses</u>		
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>
<u>Commercial Uses²</u>		
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>CU⁴</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>CU⁴</u>	
7) <u>Hotels and motels (7011, 7021, and 7041).</u>	<u>P</u>	<u>P</u>
<u>Economic Development Uses^{2,3}</u>		
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>	
6) <u>Dental laboratories (8072).</u>	<u>P</u>	
7) <u>Drugs (2833-2836).</u>	<u>P</u>	
8) <u>Electrical industrial apparatus (3621-3629).</u>	<u>P</u>	
9) <u>Electric lighting and wiring equipment (3641-3646, 3648).</u>	<u>P</u>	
10) <u>Electric transmission and distribution equipment (3612-3613).</u>	<u>P</u>	
11) <u>Electronic components and accessories (3671-3679).</u>	<u>P</u>	
12) <u>Engines and turbines (3511-3519).</u>	<u>P</u>	
13) <u>Farm machinery and equipment (3523-3524).</u>	<u>P</u>	
14) <u>Furniture and fixtures, not elsewhere classified (2599).</u>	<u>P</u>	
15) <u>General industrial machinery and equipment (3561, 3563, 3565-3569).</u>	<u>P</u>	
16) <u>Household appliances, not elsewhere classified</u>	<u>P</u>	

(3639).		
17) <u>Household audio and video equipment, and audio (3651-3652).</u>	P	
18) <u>Jewelers' findings and materials, and lapidary work (3915).</u>	P	
19) <u>Laboratory apparatus and analytical, optical, measuring, and controlling instruments (3821-3829).</u>	P	
20) <u>Manufacturing industries, not elsewhere classified (3999).</u>	P	
21) <u>Metalworking machinery and equipment (3546 and 3548).</u>	P	
22) <u>Miscellaneous electrical machinery, equipment, and supplies (3691-3692, 3695-3699).</u>	P	
23) <u>Miscellaneous industrial and commercial (3593-3599).</u>	P	
24) <u>Ophthalmic goods (3851).</u>	P	
25) <u>Photographic equipment and supplies (3861).</u>	P	
26) <u>Refrigeration and service industry machinery (3581-3582, 3586-3589).</u>	P	
27) <u>Search, detection, navigation, guidance, aeronautical, and nautical systems and instruments (3812).</u>	P	
28) <u>Special industry machinery, except metalworking (3552-3559).</u>	P	
29) <u>Surgical, medical, and dental instruments and supplies (3841-3845).</u>	P	
30) <u>Transportation equipment, not elsewhere classified (3799).</u>	P	
31) <u>Watches, clocks, clockwork operated devices, and parts (3873).</u>	P	
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>	P	

Notes:

¹ See LDC section 2.03.07 F.6. for specific prohibitions in the GGPOD.

² See LDC section 4.02.26 B.14. for pollution control standards.

³ See LDC section 4.02.26 C. for design standards specific to Economic Development uses.

⁴ 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).

xi. Communication towers.

xii. Concrete work (1771).

xiii. Correctional institutions (9223).

xiv. Electrical contractors (1731).

xv. Equipment Rental and Leasing, Not Elsewhere Classified (7359 – airplane rental and leasing; industrial truck rental and leasing; oil field equipment rental and leasing; oil well drilling equipment rental and leasing; and toilets, portable: rental and leasing only).

xvi. Farm product raw materials (5153-5150).

xvii. Fuel dealers (5983-5989).

xviii. Gasoline service stations (5541).

xix. Glass and glazing work (1793).

xx. Golf courses, public (7992).

xxi. Heating and air-conditioning contractors (1711).

xxii. Heavy construction equipment rental and leasing (7353).

- xxiii. Installation or erection of building equipment contractors (1796).
- xxiv. Local trucking without storage (4212).
- xxv. Marinas (4493 and 4499).
- xxvi. Masonry, stonework, tile setting and plastering contractors (1741-1743).
- xxvii. Mobile home dealers (5271).
- xxviii. Motion picture theatres, drive-in (7833).
- xxix. Motor freight transportation and warehousing (4225).
- xxx. Motor vehicle dealers, new and used (5511, 5521).
- xxxi. Motorcycle dealers (5571).
- xxxii. Outdoor storage yards.
- xxxiii. Packing Services (4783).
- xxxiv. Painting and paper hanging (1721).
- xxxv. Passenger car leasing (7515).
- xxxvi. Passenger car rental (7514).
- xxxvii. Plumbing contractors (1711).
- xxxviii. Recreational vehicle dealers (5561).
- xxxix. Roofing, siding and sheet metal work contractors (1761).
- xl. Special trade contractors, not elsewhere classified (1799).
- xli. Structural steel erection contractors (1791).
- xlii. Taxicabs (4121).
- xliii. Truck rental and leasing, without drivers (7513).
- xliv. Veterinary services (0741 & 0742, with outdoor kenneling).
- xlv. Utility trailer and recreational vehicle rental (7519).
- b. Additional prohibitions for the GGPOD-DT only.
 - i. No automatic food and drink vending machines located outside of a building.

- ii. Enameling, painting, or plating as a principal use is prohibited; however, these are permitted if accessory to an artist or craft studio.
- iii. Prisons, detention facilities, halfway houses, soup kitchens, homeless shelters, and single-room occupancy hotels, which are dormitory-style hotels with shared bathrooms and public space.

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

a. ~~Permitted Uses.~~

- 1. ~~Accounting (8721).~~
- 2. ~~Adjustment and collection services (7322).~~
- 3. ~~Advertising agencies (7311).~~
- 4. ~~Architectural services (8712).~~
- 5. ~~Auditing (8721).~~
- 6. ~~Banks and credit Unions (6021-6062).~~
- 7. ~~Bookkeeping services (8721).~~
- 8. ~~Business associations (8611).~~
- 9. ~~Business consulting services (8748).~~
- 10. ~~Business credit institutions (6153-6159).~~
- 11. ~~Commercial art and graphic design (7336).~~
- 12. ~~Commercial photography (7335).~~
- 13. ~~Computer programming services (7371).~~
- 14. ~~Computer programming, processing, data preparation, information retrieval, facilities management, and miscellaneous services (7371, 7374-7376, 7379).~~
- 15. ~~Credit reporting services (7323).~~
- 16. ~~Direct mail advertising services (7331).~~
- 17. ~~Eating places (5812 except carry-out restaurants; contract feeding; dinner theaters; drive-in and drive-through restaurants; fast food restaurants, carry-out; restaurants, fast food; submarine sandwich shops).~~
- 18. ~~Employment Agencies (7361).~~

- ~~19. Engineering services (8711).~~
- ~~20. Health services, offices and clinics (8011—8049).~~
- ~~21. Holding and other investment offices (6712—6799).~~
- ~~22. Insurance carrier, agents and brokers (6311—6399, 6411).~~
- ~~23. Legal services (8111).~~
- ~~24. Loan brokers (6163).~~
- ~~25. Management services (8741—8742).~~
- ~~26. Mortgage bankers and loan correspondents (6162).~~
- ~~27. Museums and art galleries (8412).~~
- ~~28. Personal credit institutions (6141).~~
- ~~29. Photographic studios, portrait (7221).~~
- ~~30. Professional Membership organizations (8621).~~
- ~~31. Public administration (9111—9199, 9229, 9311, 9411—9451, 9511—9532, 9611—9661).~~
- ~~32. Public relations services (8743).~~
- ~~33. Radio, television and publishers advertising representatives (7313).~~
- ~~34. Real estate (6512—6514, 6519, 6531—6553).~~
- ~~35. Research, development, and testing services (8732).~~
- ~~36. Secretarial and court reporting services (7338).~~
- ~~37. Security and commodity brokers, dealers, exchanges, and services (6211—6289).~~
- ~~38. Surveying services (8713).~~
- ~~39. Tax return preparation services (7291).~~
- ~~40. Travel agencies (4724).~~
- ~~41. Veterinary services (0742, excluding outside kenneling).~~
- ~~42. Any other commercial use which is comparable in nature with the list of permitted uses, and consistent with the purpose and intent statement of the overlay, as determined by the Hearing Examiner or CCPC, pursuant to LDC section 10.02.06 K.~~

~~b. Accessory Uses.~~

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

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

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- ~~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 and mixed-use buildings at a pedestrian scale that is compatible with residential development within and outside of the overlay district.~~
- ~~3. *Aggregation of Properties.* This overlay district encourages the aggregation of properties in order to promote flexibility in site design. The types of uses permitted within this overlay district are low intensity retail, office, personal services, institutional, and residential. Non-residential development is intended to serve the needs of residents within the overlay district, surrounding neighborhoods, and passersby.~~
- ~~4. *Permitted uses.*~~
 - ~~a. *Residential uses:* As permitted by right in the existing residential zoning districts, except as otherwise prohibited by this overlay, when:~~
 - ~~1. In an existing owner-occupied structure.~~
 - ~~2. In an existing non-owner occupied structure, until such time as cessation is required by subsection 4.02.37 A.1.~~
 - ~~b. Residential within a mixed use building~~
 - ~~c. *Commercial uses:*~~
 - ~~1. Accounting services (8721).~~
 - ~~2. Adjustment and collection services (7322).~~
 - ~~3. Advertising Agencies (7311).~~
 - ~~4. Apparel & accessory stores (5611-5699).~~
 - ~~5. Architectural services (8712), limited to 5,000 square feet per floor.~~
 - ~~6. Auto and home supply stores (5531).~~
 - ~~7. Barber shops (7241).~~
 - ~~8. Beauty shops (7231).~~
 - ~~9. Building cleaning and maintenance services (7349).~~
 - ~~10. Business associations (8611).~~
 - ~~11. Business consulting services (8748).~~
 - ~~12. Business services—miscellaneous (7397).~~

- ~~13. Business repair service.~~
- ~~14. Carpet and upholstery cleaning (7217).~~
- ~~15. Commercial art and graphic design (7336).~~
- ~~16. Commercial photography (7335).~~
- ~~17. Computer programming, data processing, rental, leasing, repair and other services (7371-7379).~~
- ~~18. Computer and computer software stores (5734).~~
- ~~19. Credit reporting services (7323).~~
- ~~20. Department stores (5311).~~
- ~~21. Direct mail advertising services (7331).~~
- ~~22. Disinfecting and pest control services (7342).~~
- ~~23. Drug stores (5912), limited to 5,000 square feet per floor.~~
- ~~24. Eating establishments and places (5812 except commercial use employing drive up, drive in, or drive through delivery of goods and/or services).~~
- ~~25. Electrical and electronic repair shop (7629).~~
- ~~26. Employment agencies (7361).~~
- ~~27. Engineering services (8711), limited to 5,000 square feet per floor.~~
- ~~28. Equipment rental and leasing (7359), not including heavy construction equipment.~~
- ~~29. Essential services, see sec. 2.01.03; except that law enforcement, fire, and emergency medical services uses are limited to administrative offices only.~~
- ~~30. Food stores (groups 5411-5499).~~
- ~~31. Funeral service and crematories (7261).~~
- ~~32. General merchandise stores (5331-5399).~~
- ~~33. Glass stores (5231).~~
- ~~34. Hardware stores (5251).~~
- ~~35. Health services, offices and clinics (8011-8049).~~
- ~~36. Home furniture and furnishing stores (5712-5719).~~
- ~~37. Home health care services (8082).~~
- ~~38. Household appliance stores (5722).~~
- ~~39. Insurance carriers, agents and brokers (6311-6399, 6411).~~
- ~~40. Labor unions (8631).~~
- ~~41. Landscape architects, consulting and planning (0781), limited to 5,000 square feet per floor.~~
- ~~42. Large Appliance Repair Service (7623).~~
- ~~43. Laundry and drycleaners agents, garment pressing, linen supply, cleaning services (7212, 7213, 7219); no coin operated laundries or drycleaners.~~
- ~~44. Legal services (8111).~~
- ~~45. Libraries (8231).~~
- ~~46. Management services (8741, 8742).~~
- ~~47. Medical equipment rental and leasing (7352).~~
- ~~48. Membership organizations miscellaneous (8699).~~
- ~~49. Museums and art galleries (8412).~~
- ~~50. Musical instrument stores (5736).~~
- ~~51. Outdoor advertising services (7312).~~
- ~~52. Paint stores (5231).~~
- ~~53. Parks, public or private; limited to pocket parks only, generally described as a small area accessible to the general public that often includes plantings, fountains, seating areas, and other similar passive open space features.~~

- ~~54. Personal services — miscellaneous (7299, babysitting bureaus, clothing and costume rental, dating service, depilatory salons, diet workshops, dress suit rental, electrolysis, genealogical investigation service, and hair removal only).~~
- ~~55. Personnel supply services (7363, except labor pools).~~
- ~~56. Photocopying and duplicating services (7334).~~
- ~~57. Photofinishing laboratories (7384).~~
- ~~58. Photographic studios, portrait (7221).~~
- ~~59. Physical fitness facilities (7991).~~
- ~~60. Political organizations (8651).~~
- ~~61. Professional membership organizations (8621).~~
- ~~62. Public relations services (8743).~~
- ~~63. Radio, television and consumer electronics stores (5731).~~
- ~~64. Radio, television and publishers advertising representatives (7313).~~
- ~~65. Record and prerecorded tape stores (5735).~~
- ~~66. Real estate (6512, 6531, 6541).~~
- ~~67. Retail — miscellaneous (5921-5963 and 5992-5999, excluding liquor stores, pawn shops, retail firearm and ammunition sales), limited to 5,000 square feet per floor.~~
- ~~68. Retail nurseries, lawn and garden supply stores (5261).~~
- ~~69. Schools — vocational (8243-8299).~~
- ~~70. Secretarial and court reporting services (7338).~~
- ~~71. Security and commodity brokers, dealers, exchanges, and services (6211-6289).~~
- ~~72. Shoe repair shops or shoeshine parlors (7251).~~
- ~~73. Surveying services (8713), limited to 5,000 square feet per floor.~~
- ~~74. Tax return preparation services (7291).~~
- ~~75. United States Postal Service (4311, except major distribution center).~~
- ~~76. Videotape Rental (7841), limited to 1,800 square feet of gross floor area.~~
- ~~77. Wallpaper stores (5231).~~
- ~~78. Watch, clock and jewelry repair (7631).~~

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

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

~~6. Conditional uses. Conditional uses within the GGDCCO include the uses listed below, subject to the standards and procedures established in section 10.08.00.~~

- ~~a. Auctioneering Services, auction rooms and houses (5999, 7389); limited to 5,000 square feet per floor.~~

- b. ~~Community centers.~~
 - c. ~~Dance studios, schools, and halls (7911).~~
 - 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.~~

SUBSECTION 3.C. AMENDMENTS TO SECTION 2.05.01 DENSITY STANDARDS AND HOUSING TYPES

Section 2.05.01, Density Standards and Housing Types, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

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

SUBSECTION 3.D. AMENDMENTS TO SECTION 4.02.26 DESIGN STANDARDS FOR THE GOLDEN GATE PARKWAY OVERLAY DISTRICT (GGPOD)

Section 4.02.26, Design Standards for the Golden Gate Parkway Overlay District (GGPOD), of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

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. 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).

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);</u> <u>Multi-Family: 10,000</u>	<u>10,000</u>
<u>Min. Lot Width (linear feet)</u>	<u>Townhouse: 20</u> <u>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</u> <u>1 Bedroom: 600</u> <u>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^{1,2}</u>	
<u>Max. Front Yard (feet)</u>	<u>15</u>	
<u>Min. Side Yard (feet)</u>	<u>0¹</u>	
<u>Min. Rear Yard (feet)</u>	<u>5</u>	
<u>Max. Zoned Height (feet)</u>		
<u>GGPOD-AC</u>	<u>Townhouse: 45</u> <u>Multi-Family: 75</u>	<u>75</u>
<u>GGPOD-DT</u>	<u>Townhouse: 45³</u> <u>Multi-Family: 60</u>	<u>60³</u>

Notes:

- 1 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.
- 2 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.
- 3 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.
4. Roof material. Asphalt shingles are prohibited.
5. Exterior building façade materials. Corrugated or metal panels are limited to no more than 33 percent of exterior building facades (not applicable to roofs).
6. Architectural massing. Transitional massing elements specified in LDC section 5.05.08 D.3. shall be provided on proposed buildings in the GGPOD that are

twice the height or more of adjacent residential development located external to the GGPOD or twice the height or more of the maximum height allowed on adjacent residentially-zoned properties that are external to the GGPOD.

7. Streetscape design of buildings. The standards contained herein are applicable to all properties fronting on existing rights-of-way that are 60 feet in width or greater or on new streets of any width platted after [the adoption date of this ordinance] pursuant to LDC section 4.02.26 D.

a. Design features at intersections. Buildings located at the intersection of two or more arterial, collector, or new streets platted after [the adoption of this ordinance] shall include design features to emphasize their location as gateways and transition points within the community. Examples of required design features include but are not limited to tower elements, public plazas, or courtyards.

b. Windows. The ground floor of non-residential buildings shall have at least 60 percent of its facade designed with windows to provide visual interest for pedestrians and to serve as a deterrent to crime.

c. Building entrances. Buildings located along public or private streets must be designed with main entrances for pedestrians clearly defined and oriented to the street.

8. Landscape. Landscaping and buffering shall be provided in accordance with LDC section 4.06.00 at time of SDP or PPL, except as follows:

a. Buffers. No landscape buffer shall be required along the perimeter of any lot line, except where such lot consists of a nonresidential use and is adjacent to lands located outside the GGPOD and zoned for single-family residential dwellings. In this instance, a minimum five-foot wide planting strip with shrubs and trees shall be required. Shrubs shall be no less than five feet in height and spaced a maximum of four feet on-center at the time of planting. Trees shall be a minimum of 10 feet in height, four feet in spread, 1-3/4-inch caliper, and spaced a maximum of one per 25 linear feet. These landscape buffers may be interrupted to provide for pedestrian access only.

b. Parking lots, vehicular use area, and service function areas. Landscaping for off-street parking lots, vehicular use areas, and service function areas shall be designed in accordance with LDC section 4.06.03, except for the following:

i. Interior of parking lot.

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

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

ii. Perimeter of parking lot, vehicular use area, or service function area. The perimeter shall have a five-foot wide perimeter planting

area, exclusive of curbing. The perimeter planting area shall be designed in accordance with the following:

- a) Trees a minimum of 10 feet in height, four feet in spread, 1-3/4-inch caliper, and spaced a maximum of one per 25 linear feet.
- b) Shrubs arranged in a staggered pattern with a minimum size of three gallons, spaced no more than three feet on-center at the time of planting to provide year-round screening. Where the perimeter planting area abuts lands outside the GGPOD and zoned for single-family residential, the shrubs shall be no less than five feet in height and spaced four feet on-center at the time of planting.
- c) Perimeter planting strips may be interrupted to provide for driveway openings or for pedestrian access points.

c. Building foundation plantings.

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

- a) The minimum required planting area shall be the equivalent of 10 percent of the gross ground floor area of the building.
- b) As an alternative to providing a continuous building foundation planting width, the planting areas shall be located within 25 feet of the building edge in the form of landscaped courtyards and seating area landscaping.
- c) It is unnecessary to provide foundation plantings along facades where the building is setback less than five feet from the property line; however, the minimum size of the required planting area shall still be required and re-allocated elsewhere on-site.
- d) None of the required foundation plantings shall be located within perimeter buffers or within parking lot, vehicular use, or service function areas.

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

9. Signage. The sign standards of LDC sections 5.06.02 and 5.06.04 shall apply to all mixed use and non-residential projects within the GGPOD. In addition, the

following provisions shall apply to all wall, awning, ground, blade, and menu signs for all nonresidential and mixed use projects:

- a. Signs on awnings can be combined and calculated with wall signs, to the extent that signs on walls and awnings shall not exceed the maximum square footage allowed for wall signs.
- b. Graphic elements, logos, mosaic tiles, or names created in flooring immediately outside the front entrance with a maximum size of six square feet are allowed.
- c. Non-illuminated plaques shall be allowed subject to the following:
 - i. Each business may mount a maximum of two plaques at their front entrance with each plaque restricted to a maximum of two square feet. Plaques must be flush or pin-mounted on the storefront or façade.
 - ii. A plaque with a maximum size of two square feet may be mounted at the exit door of each business. The purpose of this plaque is to identify the business name or address for emergency response or for the delivery of goods.
- d. A wall sign not to exceed three square feet is allowed in connection with a walk-up or take-out window. This sign shall not count toward the maximum size or number allowed for wall signs.

10. Open space.

- a. In order to promote a vibrant, walkable, urban community, the GGPOD public open space standards are intended to concentrate open space in structured, functional, and usable spaces that are nodes along connected pedestrian paths or corridors that are accessible to the public.
- 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 District's wastewater collection system pursuant to the Collier County Industrial Pretreatment Ordinance, (Ord. No. 2003-18, as amended).
15. Service function areas and facilities. The provisions of LDC section 5.05.08 F.4. shall apply, except that loading docks, solid waste facilities, recycling facilities, and other services elements shall be placed to the sides or rear of the building. Service function areas shall be screened along rights-of-way in accordance with LDC Section 4.02.26 B., where applicable.
16. Off-street parking and loading. Unless otherwise specified, all parking and loading standards shall comply with LDC Section 4.05.00. In addition, the following provisions shall apply:
 - a. Location of parking lots. The design of off-street parking lots shall comply with the provisions of LDC section 5.05.08 F.2 except that parking lots, vehicular use areas, and service function areas shall be located to the sides or rear of buildings.
 - b. Driveways for single-family attached dwelling units. Where a lot abuts an alley and the rear yard accommodates the driveway and unenclosed parking of vehicles in accordance with LDC section 4.02.03 D., the minimum length of such driveway shall be 23 feet.
 - c. Screening from abutting rights-of-way. Off-street parking lots and vehicular use areas shall be screened along rights-of-way in accordance with LDC section 4.02.26 B.8., where applicable.

d. Spaces required.

i. Hotels shall provide one space per hotel room.

ii. All other non-residential uses shall provide a minimum number of parking spaces equal to one space per 1,000 square feet.

e. Reductions to the number of required spaces.

i. Off-street parking requirements shall be reduced cumulatively by the following provisions, when applicable:

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

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

c) The minimum number of spaces required shall be reduced by the County Manager or designee when it has been determined that the reduction is necessary to preserve an existing healthy tree or trees (with a 12-inch or greater diameter at breast height) from being damaged or removed, and where the SDP provides for the retention of said tree or trees.

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

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

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

c) If a public transit facility, such as bus shelter, bus transfer facility, or park and ride accommodation, is provided on-site and in coordination with and accepted by the Collier Area Transit, or if a bike-share station or ride-share pick up/drop off zone is provided on-site, the facility shall substitute for a portion of the standard required off-street parking spaces. The total percentage of parking reduction shall only equal a maximum of 30 percent of the minimum required off-street parking spaces. The County Manager or designee may approve an alternative parking credit if the applicant provides a site-specific analysis of the

projected frequency of passenger or patron use demonstrating a greater off-set of parking spaces is warranted.

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

g. Parking structures.

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

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

iii. Freestanding light fixtures on the top level of the parking structures shall be a maximum of 20 feet in height and setback from the perimeter of the structure a minimum distance of twice the height of the light fixture. Light fixtures shall be fully shielded to contain light to the surface of the deck only.

h. Bicycle parking. Bicycle parking shall apply to all commercial, mixed use, and Economic Development uses. Bicyclists shall have access via sidewalks, pathways, or driveways to the public right-of-way and be located as provided below:

i. Parking structures. Required bicycle parking shall be located in or near main entrances or elevators to provide for pedestrian safety, visibility, and security of property.

ii. On site. Bicycle parking (not located within a parking structure) shall be located on site within 50 feet of main building entrances. Bicycle parking shall not obstruct walkways.

iii. Right-of-way. Bicycle parking may be located within the public right-of-way of a new local street platted after (the adoption date of this ordinance), provided a minimum clearance of five feet is maintained for pedestrian access.

iv. Shared bicycle parking. Where there is more than one building on a site, or parking is shared with an adjacent site, bicycle parking shall be distributed equally to serve all buildings and main entrances.

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

a. A drive-up, drive-in, or drive-through facility is a design feature of a building or site of a commercial use. A facility may include but is not

limited to a building opening, such as windows and doors, mechanical devices, and vehicular stacking lanes.

b. This design feature shall be prohibited in the GGPOD-DT, pursuant to the GGAMP.

c. In the GGPOD-AC, no use, except a bank, shall have a drive-up, drive-in, or drive-through facility.

d. Existing drive-through facilities, as of [effective date of Ordinance] may continue to operate until the use ceases for a period of one year.

e. Pedestrian walk-up windows located outside of the building are not considered to be drive-through facilities and shall be allowed.

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

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

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

3. Operations.

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

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

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

iii. The performance of any work or services.

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

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

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

6. Vibrations. No use shall operate to produce ground vibration noticeable by a reasonable person with normal sensitivity, outside the building for single-use buildings or outside the Economic Development use space inside mixed use and multi-tenant buildings.
7. Smoke and particulate matter. No Economic Development use shall discharge outside the building for single-use buildings or outside the Economic Development use space inside mixed use and multi-tenant building any toxic or noxious matter in such a concentration that will endanger the public health, safety, comfort, or general welfare.
8. Electrical disturbance. No Economic Development use shall create any electrical disturbance which interferes unduly with the normal operation of equipment or instruments or which is reasonably likely to cause injury to any person located inside or outside building.
9. Appearance. Industrial/factory buildings shall be designed in accordance with the provisions of LDC section 5.05.08., excluding the exceptions, modifications, and additions listed in LDC section 5.05.08 E.7.b through h. In addition, rooftop mechanical equipment shall be fully screened by parapets or other methods of screening and such parapets or other screening material shall not exceed 10 feet in height.

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

1. Streets.

- a. Streets are intended to form a modified grid to provide continuous pedestrian walkways. The street network corresponds to a mix of uses and a higher level of building and site design standards, in order to promote pedestrian comfort and movement of bicycles and to foster a vibrant urban realm.
- b. These standards shall apply to new streets in the GGPOD platted after [the adoption date of this ordinance]. Streets shall be a minimum of 66 feet in width and comprised of the following:
 - i. Eight-foot wide sidewalks;
 - ii. Five-foot wide street tree planting zones containing cut-outs for trees, located between the sidewalks and the Type F curbs. Lighting fixtures shall be provided within the street tree planting zone and located to avoid conflict with street trees. Any at-grade surface area within the street tree planting zone that is not occupied by a tree or light fixture shall be ADA compliant. Light fixtures shall be consistent with the decorative lighting identified in the Golden Gate Community Roadways Beautification Master Plan. If such lighting is unavailable, similarly themed lighting shall be used. Tree cut-outs shall be designed as follows:
 - a) Placed abutting the FDOT Type F curb;

- b) Minimum at-grade dimension of five feet with a minimum area of 25 square feet;
 - c) Contain sufficient volume of soil necessary to promote a healthy tree and directing roots away from sidewalks through the use of structural soils or modular suspended pavement systems. If the option of structural soil is utilized, a minimum of two cubic feet of structural soil per square feet of mature tree crown projection shall be provided; and
 - 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.

E. Deviation requests for projects in the GGPOD.

1. Purpose and Intent. 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.

2. Applicability.

a. The Administrative Code, Chapter 6.M. shall establish the process and submittal requirements for deviation requests in the GGPOD. Deviations in the GGPOD may be requested for new development or redevelopment projects in connection with any of the following types of applications:

i. SDP, SDPA, or SIP as established in LDC section 10.02.03;

ii. Building permit for signs as established in LDC section 5.06.11; or

iii. PPL for townhouses developed on fee simple lots under individual ownership, as established in LDC section 10.02.04.

b. Unless otherwise specified, property owners shall be eligible to seek a deviation from the following code provisions:

i. Design standards for the GGPOD: LDC section 4.02.26. All dimensional standards of this section, excluding building height, may be considered for a deviation request. In addition, deviations from non-dimensional provisions, such as from the design standards for Economic Development uses in LDC section 4.02.26 C., are also allowed. Drive-through facilities, as described in LDC section 4.02.26 B.17., are prohibited for uses in the GGPOD-DT, pursuant to the GGAMP, and ineligible for deviations.

ii. Loading space requirements: LDC section 4.05.06 B.

iii. Landscaping in vehicular use areas: LDC section 4.06.03 B.

iv. Landscaping requirements for industrial and commercial development: LDC section 4.06.05 B.3.

v. Building foundation plantings: LDC section 4.06.05 C., including Table inset.

vi. Development standards for signs in nonresidential districts: LDC section 5.06.04.

3. Conflict with other relief processes.

- a. This section is not intended to replace the current established process of requesting deviations associated with the following:
 - i. Master plan elements of the respective PUD pursuant to LDC section 10.02.13. However, the deviation process of LDC section 4.02.26 E. is available to PUD-zoned lands within the GGPOD provided that such request is based on a specific dimensional or design requirement described in LDC section 4.02.26 E.2., and provided the request further promotes compliance with the purpose and intent of the GGPOD.
 - ii. Site plan with deviations for redevelopment projects pursuant to LDC section 10.02.03 F., unless such request is based on a dimension, site feature, or architectural standard listed under LDC section 4.02.26 E.2.
 - iii. Deviations and alternate compliance pursuant to LDC section 5.05.08 G.
 - iv. Post take plan application pursuant to LDC section 9.03.07 A.
 - b. Deviations from the LDC which are not expressly provided for in this section shall be processed as variances in accordance with LDC section 9.04.00.
4. Evaluation criteria. When evaluating a deviation, the following criteria shall be considered:
- a. Whether the proposed deviation is compatible with adjacent land uses and achieves the requirements and/or intent of the regulations as closely as is practicable;
 - b. Whether the proposed deviation is the minimum amount necessary to allow for reasonable use of the property and/or address the issue necessitating the deviation request; and
 - c. Whether the reduced or increased standard requested by the deviation is mitigated for, either on the subject site or by providing a public benefit on the subject site. Examples of such on-site mitigation include but are not limited to: increasing setbacks from the adjacent road right-of-way when proposing to deviate from sign size limitations; increasing plantings or planting sizes or installing a fence or wall where a reduced buffer width is proposed; providing public pedestrian and/or bicycle pathway easements or other similar mobility improvements including transit enhancements; providing public parking; providing beautification in the public realm, including street trees, street furniture, lighting and other similar public benefits.
5. Public notice. Public notice, including signage, notice to property owners, and an advertised public hearing, is required for deviation requests and shall be provided in accordance with the applicable provisions of LDC section 10.03.06 R.

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

- ~~A. The following standards shall apply to all uses in this overlay district. Where a specific development criteria and standards also exist in the Golden Gate Master Plan, or the Future Land Use Element of the GMP, they shall supersede any less stringent requirement or place additional requirements on development.~~
- ~~B. In support of the purpose and intent of the GGPPOCO a common architectural style is required for all proposed development within the overlay district. During the site development plan review process, architectural drawings shall be submitted indicating that all proposed buildings will have an architectural style which is similar to that approved for the existing PUDs within the district boundaries. Such architectural drawings shall depict, at a minimum, the following: the use of stucco, except for trim; pastel colors; pedestrian pockets, including benches and lampposts; tile roofs, except that where tile roofs are not provided, decorative parapet walls shall be constructed above the roof line.~~
- ~~C. Projects shall be encouraged in the form of a PUD (there shall be no minimum acreage requirement for PUD rezones except for the requirement that all requests for rezoning must be at least 40,000 square feet in area unless the proposed rezone is an extension of an existing zoning district consistent with the Golden Gate Area Master Plan).~~
- ~~D. Minimum project area shall be 2 acres.~~
- ~~E. Buildings shall be set back from Golden Gate Parkway a minimum of 40 feet and from rear lot line a minimum of 25 feet.~~
- ~~F. Buildings shall have a maximum height of 25 feet plus 10 feet for under building parking.~~
- ~~G. Transportation.
 - ~~1. Access to projects shall be provided exclusively via Golden Gate Parkway and shall be limited to 1 per 450 feet commencing at the centerline of Santa Barbara Boulevard but shall nonetheless comply with the Access Control Policy (Res. 01-247) in place at the time of development.~~
 - ~~2. Projects shall be required to provide off-street parking and may make provisions for shared parking arrangements with adjoining developments.~~
 - ~~3. Projects shall provide deceleration and acceleration lanes as may be determined by the County Manager or designee or his designee based upon the requirements of the "work within the right-of-way ordinance" (Ordinance No. 93-64) and sound engineering practices.~~
 - ~~4. Projects shall encourage pedestrian traffic by providing sidewalks. Adjacent projects shall coordinate location of sidewalks.~~~~
- ~~H. Signage permitted in this overlay shall be restricted to those signs permitted under section 5.06.00 the Collier County Sign Code.~~

~~I. Landscaping.~~

- ~~1. Projects shall provide a ten (10) foot buffer between vehicular right of way and required sidewalk and shall provide landscaping of one (1) shade tree per thirty (30) linear feet. Such trees shall be minimum of eight (8) feet in height and one and one half (1½) inches in diameter at the time of planting that shall have a minimum canopy of fifteen (15) feet at maturity. In addition, a hedge or berm planting combination shall be planted along the entire length of this ten (10) foot buffer consistent with section 4.06.00.~~
- ~~2. A minimum of ten (10) percent of the gross vehicular use area shall be landscaped to provide visual relief. One (1) tree, as described in section 4.02.26 I.1., shall be provided for each seventy-five (75) square feet of this landscaped area. This landscaping shall be placed within the vehicular use area.~~

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

SUBSECTION 3.E. AMENDMENTS TO SECTION 4.02.37 DESIGN STANDARDS FOR DEVELOPMENT IN THE GOLDEN GATE DOWNTOWN CENTER COMMERCIAL OVERLAY DISTRICT (GGDCCO)

Section 4.02.37, Design Standards for Development in the Golden Gate Downtown Center Commercial Overlay District (GGDCCO), of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

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

- ~~A. Development criteria. The following standards shall apply to all uses in this overlay district. Where specific development criteria and standards also exist in the Golden Gate Area Master Plan, or the Future Land Use Element of the Growth Management Plan, these standards shall supersede any less stringent requirement or place additional requirements on development.~~
- ~~1. Cessation of residential uses. Existing, non-owner occupied residential uses located along Golden Gate Parkway shall cease to exist no later than seven (7) years after the effective date of the adoption of the Downtown Center Commercial Subdistrict in the Golden Gate Area Master Plan (adopted October 26, 2004; effective January 14, 2005). This does not require the removal of residential structures located on Golden Gate Parkway that are converted to uses allowed in this overlay district within one (1) additional year; nor does this require the removal of residential structures located elsewhere in this overlay district.~~
 - ~~2. Multi-story buildings.~~
 - ~~a. Only retail, personal service, and institutional uses are allowed on the first floor.~~

- ~~b. All uses allowed by this zoning overlay, except restaurants and cocktail lounges, are allowed on the second floor.~~
 - ~~c. Only residential uses are allowed on the third floor.~~
- ~~3. Density. Density shall be as per the underlying zoning district. For mixed-use projects, density shall be calculated based upon total project acreage.~~
- ~~4. Setbacks.~~
 - ~~a. All development and redevelopment on lots abutting Golden Gate Parkway shall have a front yard and setback of no more than 15 feet. All projects providing a front yard setback greater than 0 feet must provide restaurant seating, and/or open space areas such as other seating, planting areas, and decorative landscape planters within such front yard, except that water management retention and detention areas are prohibited.~~
 - ~~b. All development and redevelopment on properties in the overlay area not abutting Golden Gate Parkway must comply with the front yard setback requirements of that property's underlying zoning.~~
 - ~~c. Side yard setback shall be a minimum of 5 feet.~~
 - ~~d. Rear yard setback shall be no less than 1/2 of the building height, with a 15-foot minimum.~~
- ~~5. Building footprint limits.~~
 - ~~a. Minimum building footprint of 3,000 square feet.~~
 - ~~b. Maximum building footprint of 12,000 square feet.~~
- ~~6. Minimum floor area Residential.~~
 - ~~a. Mixed use. Minimum floor area of 1,500 square feet.~~
- ~~7. Minimum height. The zoned height of buildings shall be no less than 34 feet.~~
- ~~8. Maximum height. The actual height of buildings shall not exceed 3 stories or 45 feet.~~
- ~~9. Crime Prevention Through Environmental Design (CPTED) Standards. The Golden Gate community supports the CPTED philosophy as a way to reduce crime, improve neighborhood and business environments, and increase overall quality of life of its citizens. CPTED principles such as natural surveillance, natural access control, and territorial reinforcement shall be incorporated into the overall design of the project, consistent with the provisions in this overlay and as identified below.~~
 - ~~a. Public paths shall be clearly marked by using design elements such as landscaping and pedestrian accent lighting.~~

- b. ~~Public entrances shall be clearly defined by walkways and signage, as specifically provided in this overlay.~~
10. ~~Common architectural style. In support of the purpose and intent of the GGDCCO, all structures within the overlay district shall have a common Mediterranean architectural style, with barrel tile roofs, stucco façades, arches and wood accent members used as details. During the site development plan review process, architectural drawings shall be submitted to demonstrate adherence to this requirement. All commercial and mixed use buildings and projects shall be subject to the provisions of section 5.05.08 of the Code, except as provided herein.~~
11. ~~Architectural standards. All buildings shall meet the requirements set forth in section 5.05.08, except as otherwise specified below:~~
- a. ~~Buildings with frontage on Golden Gate Parkway shall have 60 percent of the ground-floor façade finished with clear or lightly tinted glass.~~
- b. ~~The glazed area of the façade above the first floor shall be at least twenty (20) percent but shall not exceed 35 percent of the total area, with each façade being calculated independently.~~
- c. ~~Design elements used to embellish the primary façade shall be similarly incorporated into the rear façade of buildings.~~
- d. ~~The façades of buildings 5,000 square feet or larger shall use rooflines that vary in height or architectural embellishments, such as cupolas, at least every 80 feet.~~
- e. ~~Parapet roof treatments are prohibited.~~
- f. ~~Flat roofs must be screened with a mansard edge barrel tile roof extending the length of all façades.~~
- g. ~~Building entrances shall be accentuated through architectural elements, lighting, landscaping, and/or paving stones.~~
12. ~~Outdoor display/sale of merchandise.~~
- a. ~~No automatic food and drink vending machines shall be located exterior to buildings.~~
13. ~~Access. Those aggregated lots developed under these overlay provisions and fronting on Golden Gate Parkway must provide site access from abutting local streets and may not obtain site access from Golden Gate Parkway, and where one such commercial or mixed use development provides site access at the project boundary abutting other lots, whether aggregated or not for commercial or mixed use development. Such developments must provide for joint or cross access with the abutting property or properties in order to share access and minimize the number of points from Golden Gate Parkway.~~
14. ~~Parking standards. All commercial and mixed-use projects shall meet the parking requirements as set forth below:~~

- a. ~~A minimum of 3 public parking spaces for each 1,000 square feet of commercial floor area.~~
 - b. ~~A minimum of 1.5 parking spaces for each residential unit.~~
 - c. ~~No parking is allowed in the front yard of lots abutting Golden Gate Parkway.~~
 - d. ~~There shall be no parking requirement for outdoor restaurant seating areas.~~
 - e. ~~Shared parking is required, where possible and feasible.~~
 - f. ~~Interconnection between adjacent parking lots is required, where possible and feasible.~~
 - g. ~~Parking facility lighting shall be consistent with the pedestrian/accent decorative lighting fixtures illustrated in Fig. 29, page 5-9 of the Golden Gate Community Roadways Beautification Master Plan, as amended, and shall be maintained at a light level of 3.0 foot-candles, and arranged and shielded in a manner that protects roadways and neighboring properties from direct glare or other interference.~~
 - h. ~~All projects that are adjacent to residential development within the district and/or residentially zoned properties outside the district shall provide lighting fixtures with full-cutoff optics that direct the light source downward.~~
 - i. ~~The overnight parking of commercial vehicles, with a rated load capacity of one ton or more, is prohibited.~~
 - j. ~~The overnight parking of commercial vehicles shall be limited to 1 vehicle per 1,000 square feet of commercial floor area, not to exceed 6 commercial vehicles per building.~~
15. ~~Project standards. In addition to the site design elements described in section 5.05.08 F.1, all projects shall provide:~~
- a. ~~Two accept or specimen trees, above the minimum landscape code requirements, for every 100 linear feet along both the front and rear façades, at a minimum height of 18 feet at planting, except that projects with frontage along Golden Gate Parkway shall only be required to provide the planting along the rear façade.~~
 - b. ~~Decorative landscape planters or planting areas, a minimum of 5 feet wide, and areas for shaded seating consisting of a minimum of 100 square feet.~~
16. ~~Landscaping. All commercial and mixed use projects shall meet the landscape requirements in section 4.06.00 of the Code, unless otherwise specified in this zoning overlay.~~

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

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

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

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

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

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

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

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

~~The landscaping strip shall be landscaped with: 1. Turf, not to exceed 50 percent of the planting area; 2. Shrubs and ground cover, at a minimum of 50 percent coverage, not to exceed a mature height of 24 inches; and, 3. Canopy trees, planted one per 30 linear feet and, shall be at time of planting, a minimum 4 inch caliper with 8 feet of clear trunk and 22 feet in height.~~

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

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

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

- ~~i. Existing conditions inventory.~~
 - ~~ii. Proposed plantings/details of planting methods and maintenance specifications.~~
 - ~~iii. Location of utilities.~~
 - ~~iv. Location of drainage facilities.~~
 - ~~v. Irrigation proposal, including water connections.~~
- ~~c. Sidewalks. All projects/lots shall provide a ten foot wide sidewalk between the required landscape strip identified in "b." above and the property line. Sidewalks shall be constructed pursuant to the Land Development Code and the "Construction Standards Handbook for Work Within the Right-of-Way". Decorative pavers (consistent with the approved pavers identified in the Golden Gate Community Roadways Beautification Master Plan) may be substituted for portions of sidewalk, subject to approval by the County Manager, or designee.~~

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

- ~~18. Address numbers. Address numbers shall be 8 inches in vertical height and shall be located on the primary building façade. Numbering materials shall be reflective and have a contrasting background.~~
- ~~19. Signage. As required, allowed, or prohibited in section 5.06.00 of the Code.~~
- ~~20. Lighting. As described and provided in the Golden Gate Community Roadways Beautification Master Plan or as identified below:~~
 - ~~a. Internal Project Lighting. All projects shall use architectural decorative lighting. Such lighting shall be the same decorative lighting as identified in Figure 29 on page 5-9 of the Golden Gate Community Roadways Beautification Master Plan. If such lighting becomes unavailable, similarly themed lighting shall be used. Light fixtures must light all public use areas adjacent to the building (e.g. entryway, courtyards, etc.) to a recommended 0.5 candle level of illumination. Lighting shall be arranged~~

~~in a manner that protects roadways and neighboring properties from direct glare or other interference.~~

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

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

SUBSECTION 3.F. AMENDMENTS TO SECTION 4.02.38 SPECIFIC DESIGN CRITERIA FOR MIXED USE DEVELOPMENT WITHIN C-1 THROUGH C-3 ZONING DISTRICTS

Section 4.02.08, Specific Design Criteria for Mixed Use Development within C-1 through C-3 Zoning Districts, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

4.02.08 Specific Design Criteria for Mixed Use Development within C-1 through C-3 Zoning Districts

* * * * *

B. *Applicability.* All properties zoned C-1, C-2 and C-3, excluding where located in the GGPOD. These regulations shall apply to all mixed-use projects proposed within these zoning districts, subject to the design criteria set forth in this section. The design criteria address the relationship of buildings, parking, vehicular, and pedestrian movement to create a pedestrian oriented experience. Buildings are encouraged to be built close to the vehicular and pedestrian way to create a continuous active and vibrant streetscape utilizing the architecture, landscaping, lighting, signage, and street furnishings. Vehicular travelways support two-way traffic and on street parking. A logical pedestrian pathway system is provided throughout that connects the pedestrian movements from one use to another or within use areas. Building arcades and awnings are allowed to extend over the sidewalk to create shade and encourage pedestrian activity. Signage design shall be carefully integrated with site and building design to create a unified appearance for the project. Creativity in the design of signs is encouraged in order to emphasize the unique character of the project. Projects utilizing these design criteria will be developed in compliance with the LDC, except as specified herein.

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

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

* * * * *

SUBSECTION 3.G. AMENDMENTS TO SECTION 4.05.02 DESIGN STANDARDS

Section 4.05.02, Design Standards, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

4.05.02 Design Standards

* * * * *

E. Access shall meet the following standards:

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

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

* * * * *

SUBSECTION 3.H. AMENDMENTS TO SECTION 5.05.04 GROUP HOUSING

Section 5.05.04, Group Housing, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

5.05.04 Group Housing

* * * * *

C. Table of site design standards for category I and category II group care facilities:

* * * * *

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

¹ For properties located in the GGPOD, the front setback shall be in accordance with LDC section 4.02.26 B.1.

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

* * * * *

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

* * * * *

SUBSECTION 3.I. AMENDMENTS TO SECTION 5.05.08 ARCHITECTURAL AND SITE DESIGN STANDARDS

Section 5.05.08, Architectural and Site Design Standards, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

5.05.08 Architectural and Site Design Standards

* * * * *

E. Design standards for specific building uses.

* * * * *

7. Industrial/factory buildings.

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

* * * * *

SUBSECTION 3.J. AMENDMENTS TO SECTION 10.03.06 PUBLIC NOTICE AND REQUIRED HEARINGS FOR LAND USE PETITIONS

Section 10.03.06, Public Notice and Required Hearings for Land Use Petitions, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

10.03.06 Public Notice and Required Hearings for Land Use Petitions

* * * * *

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

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.

* * * * *

SECTION FOUR: CONFLICT AND SEVERABILITY

In the event that any provisions of this ordinance should result in an unresolved conflict with the provisions of the Land Development Code (LDC) or Growth Management Plan (GMP), the applicable provisions of the LDC or GMP shall prevail. In the event this Ordinance conflicts with any other Ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION FIVE: INCLUSION IN THE COLLIER COUNTY LAND DEVELOPMENT CODE

The provisions of this Ordinance shall become and be made a part of the Land Development Code of Collier County, Florida. The sections 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 SIX: EFFECTIVE DATE

This Ordinance shall become effective upon filing with the Florida Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 9th day of March, 2021.

ATTEST:
CRYSTAL K. KINZEL, CLERK

BOARD OF COUNTY COMMISSIONERS
OF COLLIER COUNTY, FLORIDA

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

By: *Penny Taylor*
Penny Taylor, Chairman

Approved as to form and legality:

Heidi F. Ashton-Cicko
Heidi F. Ashton-Cicko
Managing Assistant County Attorney

04-CMD-01077/ 1873 (2/22/21)
19-LDS-00079 / 220

This ordinance filed with the
Secretary of State's Office the
16th day of March 2021
and acknowledgement of that
filing received this 16th day
of March 2021
By: *Crystal Kinzel*
Deputy Clerk



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

March 16, 2021

Ms. Teresa L. Cannon, BMR Senior Clerk II
Office of the Clerk of the Circuit Court
& Comptroller of Collier County
3329 Tamiami Trail E, Suite #401
Naples, Florida 34112

Dear Ms. Cannon:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Collier County Ordinance No. 2021-14, which was filed in this office on March 16, 2021.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb