



2022 Land Development Code Amendments

- Public Meeting -

Development Services Advisory Committee - Land Development Review Subcommittee

Wednesday, March 9, 2022
3:00 p.m. – 5:00 p.m.

2800 N. Horseshoe Dr., Naples, FL – GMD Building
Conference Room 609/610

Agenda:

1. Call to Order
2. Approve Agenda
3. Old Business
4. New Business
 - a. LDC Amendments
 - i. PL20210000766 – Off-Site Boat Storage
 - ii. PL20220000207 - Comparable Use Determination (CUD) update
 - b. Tree Removal Permit vs. ICP/SDPi Process
5. Public Comments
6. Adjourn

Privately Initiated LDC Amendment Request

APPLICANT:

Scott Prephan

AUTHOR:

Robert J. Mulhere, FAICP, President

LDC SECTIONS:

5.05.02 - Marinas

SUMMARY OF AMENDMENT:

This amendment seeks to allow the off-site storage of boats in connection with a marina or public boat ramp.

DESCRIPTION OF CHANGES:

Amend LDC section 5.05.02 to allow for the off-site storage of boats, boat trailers, trailered vessels, and other related vehicles when such are accessory to a marina or public boat ramp. The lot used for the off-site storage must be located within 660 feet of a marina or public boat ramp, measured from property line to property line, and all lots must be unified under one site development plan.

FISCAL & OPERATIONAL IMPACTS:

No fiscal or operation impacts to the County are anticipated other than an increased use of public boat ramps.

GROWTH MANAGEMENT PLAN IMPACTS:

No growth management plan impacts are anticipated with this LDC amendment.

Amend the LDC as follows:

5.05.02 – Marinas

A. The following standards are for the purpose of manatee protection and are applicable to all multi-slip docking facilities with ten slips or more, and all marina facilities.

* * * * *

G. Off-site boat yards or the storage of boats, boat trailers, trailered vessels, and other related vehicles on non-contiguous lots. A site development plan for marinas or public boat ramps may be approved by the County Manager or designee to allow boat yards or the dry storage or parking of boats, boat trailers, trailered vessels, or other related vehicles on non-contiguous lots and exempt from the provisions of the MPP, provided the following conditions are satisfied:

1. If the non-contiguous lot used for storage is separated from the marina or public boat ramp by a roadway, the roadway shall not be a designated collector roadway,

arterial roadway, or a higher roadway classification, as identified in the traffic circulation element of the GMP.

2. The zoning district of the non-contiguous lot allows marinas as a permitted use. If a marina is a conditional use on the non-contiguous lot, then the use of the boat yards and the dry storage of boats, boat trailers, trailered vessels, and other related vehicles shall also be deemed a conditional use and subject to the standards and procedures set forth in LDC section 10.08.00.
3. The non-contiguous lot shall be located no farther than 660 feet from the marina or public boat ramp parcel measured from property line to property line.
4. The non-contiguous lot shall be located no closer than 100 feet from a residentially zoned parcel, excluding conventional or planned residentially zoned districts that allow marinas, either permitted or conditionally.
5. The zoned building height of all principal and accessory structures on the non-contiguous lot shall not exceed 35 feet.
6. The minimum setback for all structures located on the non-contiguous lot shall be 20 feet, except that along a public street, the setback shall be 25 feet.
7. Any outdoor storage on the non-contiguous lot shall be screened with a wall or fence, except for the necessary ingress and egress, pursuant to LDC section 4.02.12.
8. In addition to the buffer requirements of LDC section 4.06.00, the non-contiguous lot shall be buffered with a second row of trees, except for vehicular ingress and egress areas. The second row of trees shall be staggered with the first row of trees and shall be at least 14-feet in height at time of installation, spaced no more than 30 feet on center, and otherwise subject to 4.06.05 D.2.
9. This provision for boat yards and the storage of boats, boat trailers, and trailered vessels shall not be construed to allow, as permitted or accessory use, wrecking yards, junkyards, or yards used in whole or part for scrap or salvage operations or for processing, storage, display, or sales of any scrap, salvage, or secondhand building materials, junk automotive vehicles, or secondhand automotive vehicles parts.

#



EXHIBIT A
Applicant Cover Letter

June 29, 2021

950 Encore Way • Naples, Florida 34110 • Phone 239.254.2000 • Fax: 239.254.2099

Eric Johnson, AICP, CFM, Principal Planner
Collier County Zoning Division
2800 Horseshoe Drive North
Naples Florida 34104

Re: Port of the Islands – Boat Storage on C-4 Parcels
Land Development Code Amendment
PL-20210000766
HM File No: 2021.031

Dear Mr. Johnson:

Enclosed please find our Application for Land Development Code Amendment (privately initiated) and its requisite documents. We enclose the following:

- One (1) copy of completed Application;
- One (1) fee check in the amount of \$4,275;
- One (1) copy of Pre-Application Meeting Notes;
- One (1) copy of Attachment “A” proposed LDC Amendment (LDC Amendment Request);
- One (1) copy of Justification, Data and Analysis;
- One (1) copy of Letter from Tim Hall dated May 22, 2021; and
- One (1) electronic copy of all documents.

If you have any questions, please don't hesitate to contact us.

Very truly yours,

HOLE MONTES, INC.

Robert J. Mulhere, FAICP
President/CEO
PNCM/sek

Enclosures as noted.

cc: Scott Prephan w/enclosures

JUSTIFICATION, DATA & ANALYSIS

LDC Section to be Amended:

5.05.02 - Marinas

Subsection G. Off-site boat yards or the storage of boats, boat trailers, trailered vessels, and other related vehicles on non-contiguous lots.

Purpose:

To allow boat yards or the storage of boats, boat trailers, trailered vessels, and other related vehicles on lots that are non-contiguous and within 660 feet of a related marina or public boat ramp, under limited conditions.

Justification:

The applicant owns a parcel of land with C-4 zoning and located at the Port of the Islands approximately 360 linear feet from the County owned marina and public boat ramp. The C-4 zoning in the Port of the Islands area has been in existence since at least 1982, and has remained undeveloped, as there is little market demand in this location for typical C-4 uses. There is, however, significant demand for boat and boat trailer storage, evidenced by the County boat storage operating at Port of the Islands and the fact that there is limited available storage and a waiting list for storage spots at the county-owned property.

Allowing boats, boat trailers, and trailered vessel storage on parcels that are non-contiguous and within 660 feet of a marina or public boat ramp will reduce the number of trailered vessels moving over the roadway system to access such locations. It would not increase the number of boats accessing the boat ramp but would reduce the distance these trailered boats travel in order to reach the water. Objective 10.1 of the Conservation and Coastal Management Element of the Growth Management Plan County's GMP gives priority to "water dependent shoreline land uses," such as a marina, but locations for new marinas are very limited due to lack of available waterfront property and the limits imposed on such property due to environmental constraints.

Policy 10.1.1 states that the "County shall prioritize water-dependent and water-related uses" as follows:

- a. Public recreational facilities over private recreational facilities;
- b. Public boat ramps;
- c. Marinas
 1. Commercial (public) marinas over private marinas;
 2. Dry storage over wet storage;
- d. Commercial fishing facilities;
- e. Other non-polluting water-dependent industries or utilities;
- f. Marine supply/repair facilities; and
- g. Residential development.

Collier County is currently experiencing overcrowding issues at existing public boat ramp facility parking lots, which is limiting the public from utilizing such ramps or causing the public to park in undesignated areas. As the County has already invested in the public boat ramp facilities, and due to the limited areas in which new marinas can be located, one way to allow for increased access

to such facilities, under limited conditions, would be to allow a boat/boat trailer storage facility in close proximity to such sites.

The proposed amendment is limited in its application as follows:

- Only parcels that permit the use of marinas would qualify for this use;
- The non-contiguous lot used for storage must be included on the site development plan for the associated marina or public boat ramp, with all lots under the same ownership;
- Only parcels located within 660 feet of a public boat ramp or marina, and a minimum of 100 feet from a residentially zoned parcel (excluding conventional or planned residentially zoned districts that allow marinas) would qualify;
- Such sites must be designed such that trailers (with or without vessels) can access the public ramp without having to cross an arterial, collector, or higher roadway classification;
- Enhanced landscape buffer standards must be met for this specific use;
- All structures on the non-contiguous lot are limited in height to one story, not to exceed 35 feet in zoned building height, and shall have a minimum setback of 20 feet, except that along public streets the setback shall be 25 feet.

The LDC amendment also exempts such boat storage uses from the provisions of the Manatee Protection Plan (MPP). Per the April 21, 2021, Pre-Application Meeting, staff indicated a Manatee Protection Plan is not required for this proposed LDC Amendment as the proposed changes are specifically related to allowing boat/boat trailer storage facilities on non-waterfront properties and is not related to marinas, which are defined as a boating facility located on navigable water frontage. This is further supported by Tim Hall, Senior Ecologist with Turrell, Hall and Associates, Inc. In the attached letter from Tim Hall, it states a Manatee Protection Plan is only required for dry storage facilities if they have water frontage. The specific property that inspired this LDC amendment does not have water frontage and the amendment restricts the use to non-waterfront properties.

The LDC amendment limits the use of boat storage on non-contiguous sites so that they are only permitted in conjunction with a marina or public boat ramp. The LDC amendment would not allow boat yards or the storage of boats and related vessels in areas where such uses are not otherwise permitted as accessory uses and would be limited to locations within 660 feet of the marina or public boat ramp. Additionally, the enhanced landscape standards, required setbacks, and height limitations for this specific use will ensure compatibility with the neighboring area.

The SIC code for Marinas clarifies what such establishments are primarily engaged in:

4493 Marinas

Establishments primarily engaged in operating marinas. These establishments rent boat slips and store boats, and generally perform a range of other services including cleaning and incidental boat repair. Boat yards, storage and incidental repair.

However, by definition in the Land Development Code, a marina must have navigable water frontage.

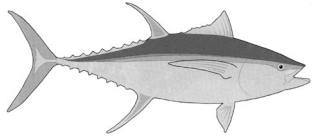
So it makes sense to allow boat yards and boat storage as a permissible use in zoning districts that permit marinas as a use by right in support of existing marinas or public boat ramps under the limited conditions proposed.

There is great demand for use of publicly accessible boat ramps and most are limited by the availability of associated vehicle and boat trailer parking. Allowing boat and trailer storage on properties properly zoned and nearby such publicly accessible ramps will allow for greater utilization and access to the water in a safe and compatible manner per the following Collier County Growth Management Plan, Recreation and Open Space Element Objective.

- Collier County Growth Management Plan, Recreation and Open Space Element Objective 1.3 reads as follows: *Continue to ensure that all public developed recreational facilities, open space and beaches and public water bodies are accessible to the general public.*
- Policy 1.3.2 reads: *Collier County shall continue to ensure that access to beaches, shores and waterways remains available to the public. Further the County will develop a program to assess the availability of land for the creation of new access points, and a method to fund the necessary land acquisition.* Allowing parcels properly zoned and in close proximity to public boat ramps to store boats and trailers will maximize utilization of these public facilities at no additional cost to the public.
- Collier County Growth Management Plan, Conservation and Coastal Management Element Objective 10.2 reads as follows: *Ensure that access to beaches, shores and waterways remain available to the public and continue with the County's program to expand the availability of such access and a method to fund its acquisition.*
- The Urban Mixed Use District description reads, in part, as follows: *Water-dependent and water-related land uses are permitted within the coastal region of this District. Mixed-use sites of water-dependent and water-related uses and other recreational uses may include water-related parks, marinas (public or private), yacht clubs, and related accessory and recreational uses, such as boat storage, launching facilities, fueling facilities, and restaurants.... The Collier County Manatee Protection Plan (NR-SP-93-01) May 1995 restricts the location of marinas and may limit the number of wet slips, the construction of dry storage facilities, and boat ramps, based upon the Plan's marina siting criteria. Priorities for shoreline land use shall be given to water dependent principal uses over water-related land uses. In addition to the criteria of compatibility with surrounding land uses and consistency with the siting policy of the Conservation and Coastal Management Element (Objective 10.1 and subsequent policies), the following land use criteria shall be used for prioritizing the siting of water-dependent and water-related uses:*
 - a. *Presently developed sites;*
 - b. *Sites where water-dependent or water-related uses have been previously established;*
 - c. *Sites where shoreline improvements are in place;*
 - d. *Sites where damage to viable, naturally functioning wetlands, or other environmentally sensitive features, could be minimized.*
- The proposed use will not generate any greater traffic than would a marina with frontage on a navigable waterway.
- Any such use will be required to submit a Site Development or Site Improvement Plan and will be subject to the same development standards as would apply to any other uses, unless

specifically addressed in the LDC amendment, in the applicable zoning district, including enhanced landscape buffers, setbacks for structures, stormwater design, and so forth.

Conclusion: The proposed amendment makes sense. The use is limited and will be in support of marinas and public boat ramps to help provide additional public access to Collier County's waterways. By allowing boat and boat trailer storage on non-waterfront properties, this amendment will fulfill a need within Collier County and will do so without creating an additional impact on the environmentally sensitive waterways and protected mangroves. Enhanced landscape buffers will ensure a softening of the outdoor use and will provide additional screening for compatibility with the surrounding areas. The other development standards and LDC requirements will apply to this use, the same as other uses permitted by right in the zoning districts where marinas are permitted.



TURRELL, HALL & ASSOCIATES, INC.
MARINE & ENVIRONMENTAL CONSULTING

3584 Exchange Avenue • Naples, Florida 34104-3732 • (239) 643-0166 • Fax 643-6632 • tuna@thanaples.com

May 22, 2021

Scott Prephan
ComLink Realty
118 W South Boundary
Perrysburg, OH 43551

**Re: Boat Storage Property
Port of the Islands Property (PID 01067083700)**

Mr. Prephan,

I have reviewed the proposal to create a boat storage facility on the above referenced property within the Port of the Islands community. My understanding is that the property would be used only to store boats either inside a structure or outside in the open air. There is no on-site launch facility proposed with the boat storage.

The Collier County Manatee Protection Plan Section 3.2 states "*For the purpose of this plan, marina facilities include wet slip marinas, boat yards with water access, and multi-slip residential facilities. Dry storage facilities are only considered in this plan if they have water frontage, and the capability of launching vessels into those waters (emphasis added).*" This property does not have water frontage. There is a small adjacent fill pit on the adjacent National Park Service lands, but the water boundary does not directly abut or cross into this site and launching of vessels into that water body would serve no purpose as there is no access to open waters from the pit. As such, boat storage on this property is not subject to a Manatee Protection Plan review as it does not have the water frontage or launching capability that would be necessary to be subject to the MPP review.

In my opinion, siting the storage facility close to a public ramp makes sense for several reasons. Having the trailered boats kept close to the launch site reduces travel on local roads and is safer than having to trailer them longer distances from residences or other storage facilities. This also reduces fuel costs and wear and tear on the trailers and vehicles doing the hauling. Storing vessels away from the water also reduces the risk of contamination from spills, bilges, or bottom paints which can all be more easily contained and controlled (or not needed in the case of bottom paints) in upland facilities. The vessels stored at this site would likely be those utilizing the local public ramp, anyway, so having them more conveniently located to it would still not increase the demand or put undue pressure on the ramp. The close location could also help to reduce the parking issues which have plagued this ramp since its opening to the public.

If you have any further questions, please do not hesitate to call (239) 643-0166 or email Tim@thanaples.com.

Best Regards,

A handwritten signature in blue ink, appearing to read 'Tim Hall'.

Tim Hall
Senior Ecologist

Turrell, Hall & Associates, Inc.



EXHIBIT D
Pre-Application Meeting Notes

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliercountyfl.gov

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400

Pre-Application Meeting Notes

Petition Type: LDCA
Date and Time: Wednesday 4/21/2021 3:00PM

Assigned Planner: Eric Johnson

Engineering Manager (for PPL's and FP's): _____

Project Information

Project Name: Boat storage on C-4 Parcels (LDCA)

PL #: 20210000766

Property ID #: 1067083700 Current Zoning: C-4

Project Address: _____ City: _____ State: _____ Zip: _____

Applicant: _____

Agent Name: _____ Phone: _____

Agent/Firm Address: _____ City: _____ State: _____ Zip: _____

Property Owner: _____

Please provide the following, if applicable:

- i. Total Acreage: _____
- ii. Proposed # of Residential Units: _____
- iii. Proposed Commercial Square Footage: _____
- iv. For Amendments, indicate the original petition number: _____
- v. If there is an Ordinance or Resolution associated with this project, please indicate the type and number: _____
- vi. If the project is within a Plat, provide the name and AR#/PL#: _____



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Meeting Notes

As of 10/16/2017 all Zoning applications have revised applications, and your associated Application is included in your notes; additionally a *new Property Ownership Disclosure Form is required for all applications. A copy of this new form is included in your pre-app

Note – link is <https://www.colliercountyfl.gov/Home/ShowDocument?id=75093>

Wanted to do boat storage and held a courtesy NIM. Started as a comparable use but there were issues w/ it being "marina-like." Proceed w/ privately-initiated LDC Amendment.

Proposed as C-4 permitted use, only w/ in a certain distance of public boat ramp.

"Boat storage YARD?" Allow outdoor/indoor storage across the street from public marina.

Zoning staff advised that the terminology should be "outdoor storage yard" #120 in C-5.

Sue: Objective 10.1 - Manatee Protection Plan or NO GUP ISSUES PER COPY

CRAIG BROWN - can't opine at this time: needs more info.

If Site is within the City of Naples Water Service Area please send to Naples Utilities and Planning Departments. Then, if the petition is submitted, we are to send it (by email) to the four persons below in their Utilities and Planning Depts. - along with a request that they send us a letter or email of "no objection" to the petition. Bob Middleton RMiddleton@naplesgov.com
Allyson Holland AMHolland@naplesgov.com Robin Singer RSinger@naplesgov.com Erica Martin emartin@naplesgov.com

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Note – link is <https://www.colliergov.net/Home/ShowDocument?id=75093>.

Comp Planning: PL20210000766 - Boat Storage on C-4 Parcels (LDCA). The subject site (parcel 1067083700) is Urban Designation; Urban Mixed Use District; Urban Residential Subdistrict on the Future Land Use Map of the Growth Management Plan. The property is zoned C-4. The FLUE states *A. Urban Mixed Use District: This District... is intended to accommodate a variety of residential and non-residential land uses, including mixed-use developments such as Planned Unit Developments. Certain industrial and commercial uses are also allowed subject to criteria. Water-dependent and water-related land uses are permitted within the coastal region of this District. Mixed-use sites of water-dependent and water-related uses and other recreational uses may include water-related parks, marinas (public or private), yacht clubs, and related accessory and recreational uses, such as boat storage, launching facilities, fueling facilities, and restaurants. Any development that includes a water-dependent and/or water-related land use shall be encouraged to use the Planned Unit Development technique and other innovative approaches so as to conserve environmentally sensitive areas and to assure compatibility with surrounding land uses.*

The applicant stated that they are proposing a new use under limited conditions for outdoor boat and boat trailer storage on C-4 Zoned parcels in close proximity (approximately 400 feet) to a public boat ramp. This property is currently cleared but undeveloped. The proposed use would be a water related use in the Urban Designation Section of the Future Land Use Element of the Growth Management Plan. This project is not a marina and therefore would not fall under Objective 10.1 in the Conservation and Coastal Management Element of the Growth Management Plan which states: *...(The Collier County Manatee Protection Plan (NR-SP-93-01) May 1995 restricts the location of marinas and may limit the number of wet slips, the construction of dry storage facilities, and boat ramps, based upon the Plan's marina siting criteria.)*

Please feel free to contact me or Corby Schmidt with any questions.

Sue Faulkner, Principal Planner, Comprehensive Planning 4-21-21

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Meeting Notes

Kirsten wants to re-read the memorandum. Land locked dry storage is easier to digest.

Mark Templeton discussed enhanced buffering from adjacent roadway.

Other required documentation for submittal (not listed on application):

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Pre-Application Meeting Sign-In Sheet
PL# _____

Collier County Contact Information:

Name	Review Discipline	Phone	Email
<input type="checkbox"/> Maggie Acevedo	North Collier Fire	252-2309	macevedo@northcollierfire.com
<input type="checkbox"/> Steve Baluch	Transportation Planning	252-2361	stephen.baluch@colliercountyfl.gov
<input type="checkbox"/> Ray Bellows	Zoning, Planning Manager	252-2463	raymond.bellows@colliercountyfl.gov
<input type="checkbox"/> Laurie Beard	PUD Monitoring	252-5782	laurie.beard@colliercountyfl.gov
<input checked="" type="checkbox"/> Craig Brown	Environmental Specialist	252-2548	craig.brown@colliercountyfl.gov
<input type="checkbox"/> Alexandra Casanova	Operations Coordinator	252-2658	Alexandra.casanova@colliercountyfl.gov
<input checked="" type="checkbox"/> Heidi Ashton Cicko	Managing Asst. County Attorney	252-8773	heidi.ashton@colliercountyfl.gov
<input type="checkbox"/> Thomas Clarke	Zoning Operations Coordinator	252-2584	thomas.clarke@colliercountyfl.gov
<input type="checkbox"/> Jamie Cook	Prin. Environmental Specialist	252-6290	Jaime.cook@colliercountyfl.gov
<input type="checkbox"/> Jackie De la Osa	North Collier Fire	252-2312	jdelaosa@northcollierfire.com
<input type="checkbox"/> Maggie DeMeo	North Collier Fire	252-2308	pdemeo@northcollierfire.com
<input type="checkbox"/> Eric Fey, P.E.	Utility Planning	252-1037	eric.fey@colliercountyfl.gov
<input type="checkbox"/> Tim Finn, AICP	Zoning Principal Planner	252-4312	timothy.finn@colliercountyfl.gov
<input checked="" type="checkbox"/> Sue Faulkner	Comprehensive Planning	252-5715	sue.faulkner@colliercountyfl.gov
<input type="checkbox"/> Jeremy Frantz	LDC Manager	252-2305	Jeremy.Frantz@colliercountyfl.gov
<input type="checkbox"/> Michael Gibbons	Structural/Residential Plan Review	252-2426	michael.gibbons@colliercountyfl.gov
<input type="checkbox"/> Storm Gewirtz, P.E.	Engineering Stormwater	252-2434	storm.gewirtz@colliercountyfl.gov
<input type="checkbox"/> Cormac Giblin, AICP	Development Review-Planning Manager	252-5095	Cormac.giblin@colliercountyfl.gov
<input type="checkbox"/> Nancy Gundlach, AICP	Zoning Principal Planner	252-2484	nancy.gundlach@colliercountyfl.gov
<input checked="" type="checkbox"/> Richard Henderlong	Zoning Principal Planner	252-2464	richard.henderlong@colliercountyfl.gov
<input type="checkbox"/> John Houldsworth	Engineering Subdivision	252-5757	john.houldsworth@colliercountyfl.gov
<input type="checkbox"/> Alicia Humphries	Right-Of-Way Permitting	252-2326	alicia.humphries@colliercountyfl.gov
<input type="checkbox"/> Anita Jenkins	Planning & Zoning Director	252-5095	Anita.jenkins@colliercountyfl.gov
<input type="checkbox"/> John Kelly	Zoning Senior Planner	252-5719	john.kelly@colliercountyfl.gov
<input type="checkbox"/> Parker Klopff	Zoning Senior Planner	252-2471	Parker.klopff@colliercountyfl.gov
<input type="checkbox"/> Troy Komarowski	North Collier Fire	252-2521	tkomarowski@northcollierfire.com
<input type="checkbox"/> Sean Lintz	North Collier Fire	597-9227	slintz@northcollierfire.com
<input type="checkbox"/> Diane Lynch	Operations Analyst	252-8243	diane.lynch@colliercountyfl.gov
<input type="checkbox"/> Thomas Mastroberto	Greater Naples Fire	252-7348	thomas.mastroberto@colliercountyfl.gov



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<input type="checkbox"/> Jack McKenna, P.E.	Engineering Services	252-2911	jack.mckenna@colliercountyfl.gov
<input type="checkbox"/> Matt McLean, P.E.	Development Review Director	252-8279	matthew.mclean@colliercountyfl.gov
<input type="checkbox"/> Michele Mosca, AICP	Capital Project Planning	252-2466	michele.mosca@colliercountyfl.gov
<input type="checkbox"/> Annis Moxam	Addressing	252-5519	annis.moxam@colliercountyfl.gov
<input type="checkbox"/> Richard Orth	Stormwater Planning	252-5092	richard.orth@colliercountyfl.gov
<input type="checkbox"/> Brandy Otero	Transit	252-5859	brandy.otero@colliercountyfl.gov
<input type="checkbox"/> Derek Perry	Assistant County Attorney	252-8066	Derek.perry@colliercountyfl.gov
<input type="checkbox"/> Brandi Pollard	Utility Impact fees	252-6237	brandi.pollard@colliercountyfl.gov
<input type="checkbox"/> Todd Riggall	North Collier Fire	597-9227	triggall@northcollierfire.com
<input type="checkbox"/> Brett Rosenblum, P.E.	Development Review Principal Project Manager	252-2905	brett.rosenblum@colliercountyfl.gov
<input type="checkbox"/> James Sabo, AICP	Zoning Principal Planner	252-2708	james.sabo@colliergo.net
<input type="checkbox"/> Michael Sawyer	Transportation Planning	252-2926	michael.sawyer@colliercountyfl.gov
<input type="checkbox"/> Corby Schmidt, AICP	Comprehensive Planning	252-2944	corby.schmidt@colliercountyfl.gov
<input type="checkbox"/> Linda Simmons	North Collier Fire	252-2311	Linda.Simmons@colliercountyfl.gov
<input type="checkbox"/> Peter Shawinsky	Architectural Review	252-8523	peter.shawinsky@colliercountyfl.gov
<input type="checkbox"/> Mark Templeton	Landscape Review	252-2475	mark.templeton@colliercountyfl.gov
<input type="checkbox"/> Connie Thomas	Client Services Supervisor	252-6369	Consuela.thomas@colliercountyfl.gov
<input type="checkbox"/> Jessica Velasco	Client Services	252-2584	jessica.velasco@colliercountyfl.gov
<input type="checkbox"/> Jon Walsh, P.E.	Building Review	252-2962	jonathan.walsh@colliercountyfl.gov
<input type="checkbox"/> Kirsten Wilkie	Environmental Review Manager	252-5518	kirsten.wilkie@colliercountyfl.gov
<input type="checkbox"/> Christine Willoughby	Development Review - Zoning	252-5748	christine.willoughby@colliercountyfl.gov
<input type="checkbox"/> Daniel Zunzunegui	North Collier Fire	252-2310	Daniel.Zunzunegui@colliercountyfl.gov

Additional Attendee Contact Information:

Name	Representing	Phone	Email
ERIC Johnson	LDC STAFF		
BOB Mulhane	HOLE MOUNTS		
ELLEN Summers	" "		

LAND DEVELOPMENT CODE AMENDMENT

PETITION

PL20220000207

ORIGIN

 Growth Management
Department (GMD)

SUMMARY OF AMENDMENT

This Land Development Code (LDC) amendment is intended to further revise and clarify the procedures and approval process for Comparable Use Determinations after the Board approved a similar amendment in 2020.

HEARING DATES

BCC	TBD
CCPC	TBD
DSAC	TBD
DSAC-LDR	3/9/2022

LDC SECTION TO BE AMENDED

2.03.00	Zoning Districts; Permitted Uses, Accessory Uses, and Conditional Uses
2.03.03	Commercial Zoning Districts
2.03.04	Industrial Zoning Districts
2.03.05	Civic and Institutional Zoning Districts
2.03.07	Overlay Zoning Districts
10.02.06	Requirements for Permits

ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR
TBD

DSAC
TBD

CCPC
TBD

BACKGROUND

Prior to the adoption of Ord. 2020-44, an applicant requesting a Comparable Use Determination (CUD) would have to first make an application for a Zoning Verification Letter (ZVL) and then have the ZVL (and backup material) affirmed by either the Hearing Examiner or Board of Zoning Appeals. This process was criticized by customers for being confusing and by staff for having no formal evaluation criteria. When the Board adopted Ord. 2020-44, it changed the CUD process such that the ZVL was no longer necessary and that staff would evaluate each application based on the new standards and provide a Staff Report and recommendation to either the Hearing Examiner or Collier County Planning Commission (CCPC).

The LDC generally follows a “pyramid zoning” model, whereby a more intensive zoning district will allow the same uses as a lesser intense district, but with additional uses. Staff has recognized that by following pyramid zoning and allowing the comparable use determination for permitted uses in zoning districts and overlays, the same determination may unintentionally be applied to other districts with similar qualities as the subject district. The intent of this LDC amendment is written to prevent the possibility of allowing uses when they shouldn’t be in other zones with the pyramid model by removing the comparable use determination for zoning districts and overlays. For each overlay or district, comparable use is removed from the permitted uses and added as a conditional use. PUDs do not follow the same zoning model, and the determination can remain for these.

A companion Administrative Code amendment is being processed with this LDC amendment.

FISCAL & OPERATIONAL IMPACTS

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

GMP CONSISTENCY

To be provided by Comprehensive Planning Staff after first review.



EXHIBITS: A) Changes to Administrative Code

Amend the LDC as follows:

2.03.00 – ZONING DISTRICTS; PERMITTED USES, ACCESSORY USES, AND CONDITIONAL USES

In order to carry out and implement the Collier County GMP and the purposes of this LDC, the following zoning districts, district purposes, and applicable symbols are hereby established:

- A. Rules for Interpretation of Uses. In ~~any zoning district~~ Planned Unit Development Districts, where the list of permitted uses contains the phrase "any other use which is comparable in nature with the foregoing uses and is consistent with the permitted uses and purpose and intent statement of the district" or any similar phrase which provides for a use which is not clearly defined or described in the list of permitted uses, which requires the discretion of the County Manager or designee as to whether or not it is permitted in the district, then the determination of whether or not that use is permitted in the district shall be made through the process outlined in LDC section 10.02.06 K. In any other zoning district, this determination is only allowed through the conditional use process.

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

2.03.03 – Commercial Zoning Districts

- A. Commercial Professional and General Office District (C-1). The purpose and intent of the commercial professional and general office district C-1 is to allow a concentration of office type buildings and land uses that are most compatible with, and located near, residential areas. Most C-1 commercial, professional, and general office districts are contiguous to, or when within a PUD, will be placed in close proximity to residential areas, and, therefore, serve as a transitional zoning district between residential areas and higher intensity commercial zoning districts. The types of office uses permitted are those that do not have high traffic volumes throughout the day, which extend into the evening hours. They will have morning and evening short-term peak conditions. The market support for these office uses should be those with a localized basis of market support as opposed to office functions requiring inter-jurisdictional and regional market support. Because office functions have significant employment characteristics, which are compounded when aggregations occur, certain personal service uses shall be permitted, to provide a convenience to office-based employment. Such convenience commercial uses shall be made an integral part of an office building as opposed to the singular use of a building. Housing may also be a component of this district as provided for through conditional use approval.

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

*	*	*	*	*	*	*	*	*	*	*	*	*
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~~41. Any other commercial use or professional service which is comparable in nature with the foregoing uses including those that exclusively serve the administrative as opposed to the operational functions of a business and are associated purely with activities conducted in an office, as determined by the Hearing Examiner or CCPC, pursuant to LDC section 10.02.06-K.~~

* * * * *

c. *Conditional uses.* The following uses are permissible as conditional uses in the (C-1) commercial professional and general office district, subject to the standards and procedures established in LDC section 10.08.00.

* * * * *

16. Any other convenience commercial use that is comparable in nature with the foregoing list of permitted uses and consistent with the purpose and intent statement of the district, as determined by the Hearing Examiner or Board of Zoning Appeals.

* * * * *

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

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

a. *Permitted uses.*

* * * * *

~~74. Any other commercial convenience use which is comparable in nature with the list of permitted uses and consistent with the purpose and intent statement of the district, as determined by the Hearing Examiner or CCPC, pursuant to LDC section 10.02.06 K.~~

~~75.~~74. An existing lawful structure over 1,800 sq. ft. as of July 14, 2014 may be occupied by any C-2 permitted use with a 1,800 sq. ft. or greater limitation.

* * * * *

c. *Conditional uses.* The following uses are permissible as conditional uses in the commercial convenience district (C-2), subject to the standards and procedures established in LDC section 10.08.00.

* * * * *

12. Any other commercial convenience use that is comparable in nature with the foregoing list of permitted uses and consistent with the purpose and intent statement of the district, as determined by the Hearing Examiner or Board of Zoning Appeals.

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

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

a. *Permitted uses.*

* * * * *

93. Any use which was permissible under the prior General Retail Commercial (GRC) zoning district, as identified by Zoning Ordinance adopted October 8, 1974, and which was lawfully existing prior to the adoption of this Code.

* * * * *

~~96. Any other intermediate commercial use which is comparable in nature with the list of permitted uses and consistent with the purpose and intent statement of the district, as determined by the Hearing Examiner or CCPC, pursuant to LDC section 10.02.06 K.~~

~~97.~~96. An existing lawful structure over 5,000 sq. ft. as of July 14, 2014 may be occupied by any C-3 permitted use with a 5,000 sq. ft. or greater limitation.

* * * * *

c. *Conditional uses.* The following uses are permissible as conditional uses in the commercial intermediate district (C-3), subject to the standards and procedures established in sections 4.02.02 and 10.08.00.

* * * * *

27. Any other intermediate commercial use that is comparable in nature with the foregoing list of permitted uses and consistent with the purpose and intent statement of the district, as determined by the Hearing Examiner or Board of Zoning Appeals.

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

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

a. *Permitted uses.*

* * * * *

~~142. Any other general commercial use which is comparable in nature with the list of permitted uses and consistent with the purpose and intent statement of the district, as determined by the Hearing Examiner or CCPC, pursuant to LDC section 10.02.06 K.~~

* * * * *

c. *Conditional uses.* The following uses are permitted as conditional uses in the general commercial district (C-4), subject to the standards and procedures established in LDC section 10.08.00.

* * * * *

26. Any other general commercial use that is comparable in nature with the list of permitted uses and consistent with the purpose and intent statement of the district, as determined by the Hearing Examiner or Board of Zoning Appeals.

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

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

a. *Permitted uses.*

* * * * *

~~183. Any other heavy commercial use which is comparable in nature with the list of permitted uses and consistent with the purpose and intent statement of the district, as determined by the Hearing Examiner or CCPC, pursuant to LDC section 10.02.06 K.~~

* * * * *

c. *Conditional uses.* The following uses are permissible as conditional uses in the heavy commercial district (C-5), subject to the standards and procedures established in LDC section 10.08.00.

* * * * *

19. Any other heavy commercial use that is comparable in nature with the list of permitted uses and consistent with the purpose and intent statement of the district, as determined by the Hearing Examiner or Board of Zoning Appeals.

* * * * *

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2.03.04 – Industrial Zoning Districts

A. Industrial District (I). The purpose and intent of the industrial district (I) is to provide lands for manufacturing, processing, storage and warehousing, wholesaling, and distribution. Service and commercial activities that are related to manufacturing, processing, storage and warehousing, wholesaling, and distribution activities, as well as commercial uses relating to automotive repair and heavy equipment sales and repair are also permissible in the I district. The I district corresponds to and implements the industrial land use designation on the future land use map of the Collier County GMP.

1. The following uses, as identified within the Standard Industrial Classification Manual (1987), or as otherwise provided for within this section, are permitted as a right, or as accessory or conditional uses within the industrial district (I).

* * * * *

c. *Conditional uses.* The following uses are permitted as conditional uses in the industrial district (I), subject to the standards and procedures established in section 10.08.00.

* * * * *

26. Any other industrial use that is comparable in nature with the list of permitted uses and consistent with the purpose and intent statement of the district, as determined by the Hearing Examiner or Board of Zoning Appeals.

B. Business Park District (BP). The purpose and intent of the business park district (BP) is to provide a mix of industrial uses, corporate headquarters offices and business/professional offices which complement each other and provide convenience services for the employees within the district; and to attract businesses that create high value added jobs. It is intended that the BP district be designed in an attractive park-like environment, with low structural density and large landscaped areas for both the functional use of buffering and enjoyment by the employees of the BP district. The BP district is permitted by the urban mixed use,

urban commercial, and urban-industrial districts of the future land use element of the Collier County GMP.

1. The following uses, as identified within the latest edition of the Standard Industrial Classification Manual, or as otherwise provided for within this section, are permitted as of right, or as uses accessory to permitted primary or secondary uses or are conditional uses within the business park district.

a. Permitted primary uses. One hundred percent of the total business park district acreage is allowed to be developed with the following uses:

* * * * *

~~34. Any other use which is comparable in nature with the list of permitted uses and consistent with the purpose and intent statement of the district, as determined by the Hearing Examiner or CCPC, pursuant to LDC section 10.02.06 K.~~

* * * * *

d. Conditional uses:

* * * * *

3. Any other use that is comparable in nature with the foregoing list of permitted primary uses and consistent with the purpose and intent statement of the district, as determined by the Hearing Examiner or Board of Zoning Appeals.

* * * * *

#

2.03.05 - Civic and Institutional Zoning Districts

A. Public Use District (P). The purpose and intent of public use district (P) is to accommodate only local, state and federally owned or leased and operated government facilities that provide essential public services. The P district is intended to facilitate the coordination of urban services and land uses while minimizing the potential disruption of the uses of nearby properties.

* * * * *

4. The following uses are permitted as of right, or as accessory or conditional uses, in the public use district (P).

a. Permitted uses.

* * * * *

~~14. Any other public structures and uses which are comparable in nature with the list of permitted uses, and consistent with the~~

~~purpose and intent statement of the district, as determined by the Hearing Examiner or CCPC, pursuant to LDC section 10.02.06 K.~~

* * * * *

c. Conditional uses. The following uses are permissible as conditional uses in the public use district (P), subject to the standards and procedures established in LDC section 10.08.00:

* * * * *

14. Any other public uses that are comparable in nature with the list of foregoing permitted uses and consistent with the purpose and intent statement of the district, as determined by the Hearing Examiner or Board of Zoning Appeals.

* * * * *

#

2.03.07 – Overlay Zoning Districts

* * * * *

F. Golden Gate Parkway Overlay District (GGPOD).

* * * * *

5. Table of Uses.

* * * * *

b. Table 1.

Use Category	Mixed Use Activity Center Subdistrict (GGPOD-AC) ¹	Downtown Center Commercial Subdistrict (GGPOD-DT) ¹
Residential Uses		
1) Artist village.	P	P
2) Dwelling, Multi-Family, including townhouses.	P	P
3) Live-work units.	P	P
4) Any use listed as permitted in the underlying zoning.	P	P

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5) Any use listed as a conditional use in the underlying zoning district.	CU	CU
Commercial Uses ²		
1) Any use listed as permitted in the underlying zoning district.	P	P
2) Any use listed as a conditional use in the underlying zoning district.	<u>CU</u>	<u>CU</u>
3) Any use listed as a permitted use in any of the C-1, C-2, or C-3 zoning districts, without size limitations.	P	P
4) Any use listed as a conditional use in any of the C-1, C-2, or C-3 zoning districts, without size limitations.	P	CU ⁴
5) Any use listed as a permitted use in the C-4 or C-5 zoning districts.	P	
6) Any use listed as a conditional use in the C-4 or C-5 zoning districts.	CU ⁴	
7) Hotels and motels (7011, 7021, and 7041).	P	P
Economic Development Uses ^{2, 3}		
1) Aircraft and parts (3721—3728).	P	
2) Beverages (2082—2087).	P	
3) Communications equipment (3661—3669).	P	
4) Computer and office equipment (3571—3579).	P	
5) Construction, mining, and materials handling (3531, 3534-3537).	P	
6) Dental laboratories (8072).	P	
7) Drugs (2833—2836).	P	
8) Electrical industrial apparatus (3621—3629).	P	
9) Electric lighting and wiring equipment (3641—3646, 3648).	P	
10) Electric transmission and distribution equipment (3612-3613).	P	
11) Electronic components and accessories (3671—3679).	P	
12) Engines and turbines (3511—3519).	P	
13) Farm machinery and equipment (3523—3524).	P	
14) Furniture and fixtures, not elsewhere classified (2599).	P	

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Text underlined is new text to be added

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

15) General industrial machinery and equipment (3561, 3563, 3565—3569).	P	
16) Household appliances, not elsewhere classified (3639).	P	
17) Household audio and video equipment, and audio (3651—3652).	P	
18) Jewelers' findings and materials, and lapidary work (3915).	P	
19) Laboratory apparatus and analytical, optical, measuring, and controlling instruments (3821—3829).	P	
20) Manufacturing industries, not elsewhere classified (3999).	P	
21) Metalworking machinery and equipment (3546 and 3548).	P	
22) Miscellaneous electrical machinery, equipment, and supplies (3691—3692, 3695—3699).	P	
23) Miscellaneous industrial and commercial (3593—3599).	P	
24) Ophthalmic goods (3851).	P	
25) Photographic equipment and supplies (3861).	P	
26) Refrigeration and service industry machinery (3581—3582, 3586-3589).	P	
27) Search, detection, navigation, guidance, aeronautical, and nautical systems and instruments (3812).	P	
28) Special industry machinery, except metalworking (3552-3559).	P	
29) Surgical, medical, and dental instruments and supplies (3841-3845).	P	
30) Transportation equipment, not elsewhere classified (3799).	P	
31) Watches, clocks, clockwork operated devices, and parts (3873).	P	
32) 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.	P <u>CU</u>	CU

1

2 Notes:

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

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

5 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.

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

10.02.06 – Requirements for Permits

A. *Generally.* Any permit submitted to the County must meet the requirements for that particular permit, as more specifically stated below.

*	*	*	*	*	*	*	*	*	*	*	*	*	*
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K. Comparable Use Determination.

1. The following Comparable Use Determination (CUD) shall be used to determine whether a use is comparable in nature with the list of permitted uses of the PUD and consistent with its purpose and intent, ~~and the purpose and intent statement of the zoning district, overlay, or PUD.~~
2. To be effective, the Comparable Use Determination shall be approved by the Hearing Examiner by decision or Board of Zoning Appeals by resolution, at an advertised public hearing based on the following standards, as applicable:
 - a. The proposed use possesses similar characteristics to other permitted uses in the ~~zoning district, overlay, or~~ PUD, including but not limited to the following:
 - i. Operating hours;
 - ii. Traffic volume generated/attracted;
 - iii. Type of vehicles associated with the use;
 - iv. Number and type of required parking spaces; and
 - v. Business practices and activities.
 - b. The effect of the proposed use would have on neighboring properties in relation to the noise, glare, or odor effects shall be no greater than that of other permitted uses in the ~~zoning district, overlay, or~~ PUD.
 - c. The proposed use is consistent with the GMP, meaning the applicable future land use designation does not specifically prohibit the proposed use, and, where the future land use designation contains a specific list of allowable uses, the proposed use is not omitted.
 - d. The proposed use shall be compatible and consistent with the other permitted uses in the ~~zoning district, overlay, or~~ PUD.
 - e. Any additional relevant information as may be required by County Manager or Designee.
3. The Administrative Code shall establish the process and application submittal requirements to obtain a Comparable Use Determination.

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1	*	*	*	*	*	*	*	*	*	*	*	*	*
2	#	#	#	#	#	#	#	#	#	#	#	#	#

Attachment A – Changes to Administrative Code

L. **Comparable Use Determination**

Reference	LDC sections 2.03.00 A , 10.02.06 K , LDC Public Notice section 10.03.06 O , LDC section 8.10.00 and F.S. §125.66.
Applicability	A Comparable Use Determination may be used to make a determination that a new use is comparable, compatible, and consistent with the list of identified permitted uses in a standard zoning district, overlay, or a PUD ordinance.
Pre-Application	A pre-application meeting is not required.
Initiation	The applicant files a “Comparable Use Determination Application” with the Zoning Division <u>Planning &</u> Zoning Division.
Application Contents	<p>The application must include the following:</p> <ol style="list-style-type: none">1. Applicant contact information.2. Property information, including:<ul style="list-style-type: none">• Site folio number;• Site Address;• Property owner’s name; and• Verification being requested.3. A narrative statement that describes the determination request, the justification for the use by a certified land use planner or a land use attorney, and addresses the standards within LDC section 10.02.06 K.2.4. Additional materials may be requested by staff depending on the use and justification provided.5. PUD Ordinance and Development Commitment information, if applicable.6. Electronic copies of all documents.7. Addressing checklist.
Completeness and Processing of Application	The <u>Planning &</u> Zoning Division will review the application for completeness. After submission of the completed application packet accompanied with the required fee, the applicant will receive a mailed or electronic response notifying the applicant that the petition is being processed. Accompanying that response will be a receipt for the payment and the tracking number (i.e., XXPL201200000) assigned to the petition. This petition tracking number should be noted on all future correspondence regarding the petition.
Notice	<p>Notification requirements are as follows. ⇔ <i>See Chapter 8 of the Administrative Code for additional notice information.</i></p> <ol style="list-style-type: none">1. Newspaper Advertisement: At least 15 days before the hearing in a newspaper of general circulation. The legal advertisement shall include:<ul style="list-style-type: none">• Date, time, and location of the hearing;

Attachment A – Changes to Administrative Code

- Application number and project name;
- PUD name and ordinance number;
- Proposed permitted use; and
- Description of location.

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

Decision maker The Hearing Examiner or the CCPC.

If the PUD ordinance language identifies the CCPC or the Planning Director (or other similar County staff) as the authority to determine a use is comparable, compatible, and consistent, a Staff Report will be presented to the Hearing Examiner or the CCPC for approval of the Comparable Use Determination.

Review Process The [Planning &](#) Zoning Division will review the application and identify whether additional materials are needed. Staff will prepare a Staff Report to present to the Office of the Hearing Examiner or the CCPC for a decision.

Appeal Appeal of a Comparable Use Determination shall be pursuant to **Code of Laws and Ordinances** section 250-58.

Updated Resolution 2022-##

Tree removal permit vs ICP/SDPi process (re: Code enforcement) and time allowance(s)

The current LDC provides for up to 10 trees, over a 5 year period, be removed via the tree removal permit process. Mark Templeton can provide data on tree removal with the removed completed tree replacement timeframe (resembling a code enforcement action). Removal of over 10 trees, however, require an ICP or an SDPi to verify Planning requirements are met in buffers, vehicular use, building foundation, and/or general trees. However, time allotments are is disparate among these processes, even more clouded when required as part of a Code enforcement action.

We received a call from an arborist regarding a code enforcement action. Over 10 trees were removed from the site, and they were guided to the SDPi process by Code or Planning. Upon approval of the SPDi-verified and/or added trees (amending the original SDP), to meet code, the action was terminated. Our office advised the Owners they had 3 years to complete the plan (due to the code complaint removal).

Various issues for LDC clarification, amendment, and/or additional process:

Code complaint for tree removals beyond 10/TRP Scope?

Code case: 30 days for completion, typically on complaints?




6 months-12 months completion(s)?

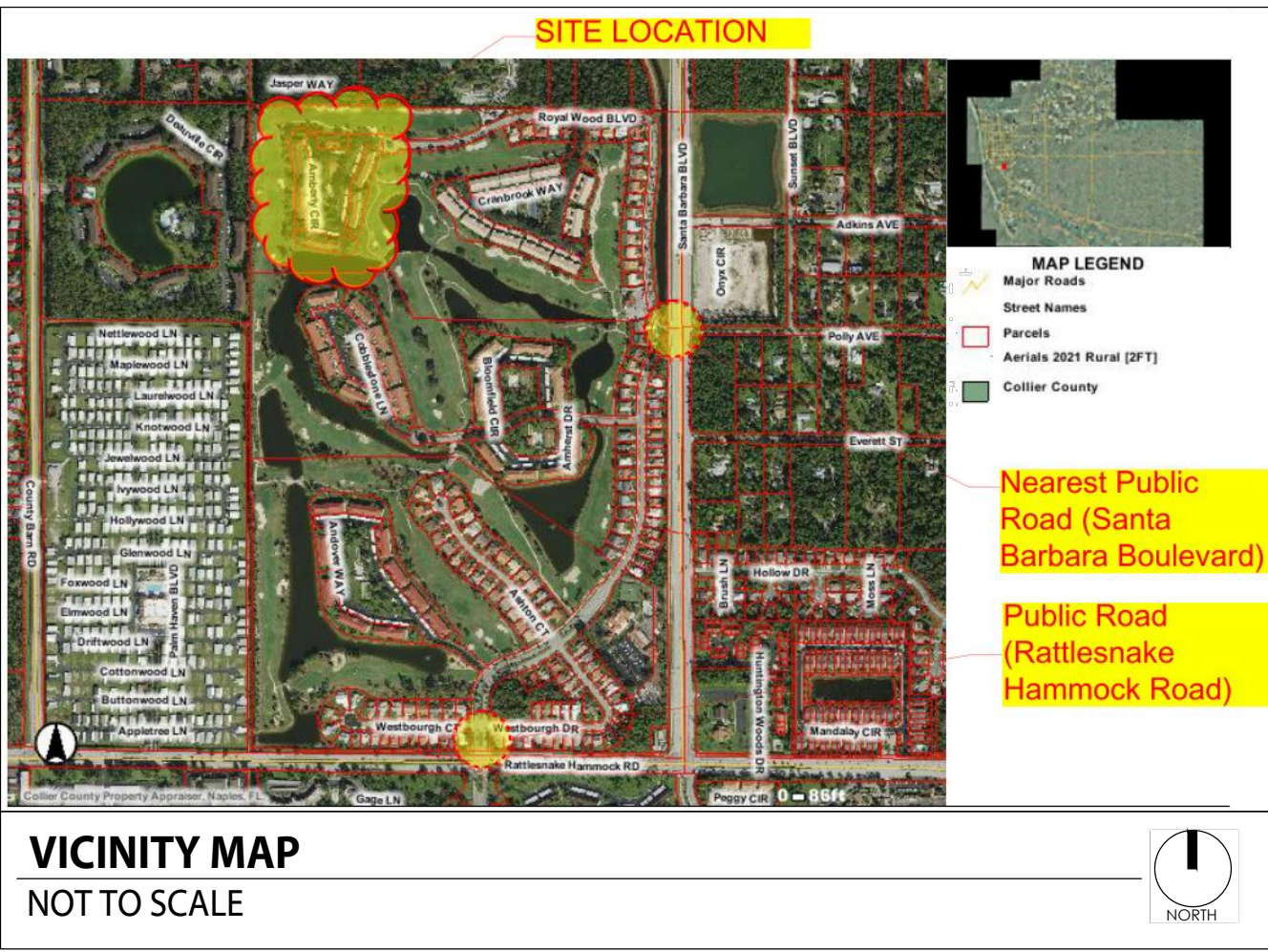
3 years for completion of permit items per amendment applications?

A TRP has a separate timeline that speaks to a tree installation required AFTER tree removed (only applicable to under 10 trees removed)-model for an over 10 process?

COVER SHEET INFORMATION:

project title: AMBERLY VILLAGE
name of owner(s): ANCHOR TREE SERVICE on behalf of AMBERLY VILLAGE
COMMONS ASSOC
address: 954 CLARELLEN DRIVE, FORT MYERS, FL 33919
telephone: 239.354.0973
name of agent: JEFFREY S CURL ASLA | CLARB
firm: eMERGE DESIGN LLC
address: 4010 8th Ave S.E., Naples, FL 34117
telephone: 239.304.9443

application type:  Insubstantial Change to Site Development Plan (SDPI)
CHANGE TO SDP 88-109
original approvals:  R-87-7C; PUD 87-7(1) 93-4; 87-7(2) 96-72; PDI-PL-13-644;
HEX 2014-11; SDPI PL20160002269; SDP 89-2598;
89-2593; 88-50
zoning designation:  PUD ORD. 96-72
[ROYAL WOOD GOLF & COUNTRY CLUB]



FOLIO NUMBERS / LEGAL DESCRIPTIONS:



<p>Parcel ID: 21985003062 Name: HASLER, KARL Street# & Name: 3695 AMBERLY CIR Build# / Unit#: E / 107 Legal: AMBERLY VILLAGE II A CONDOMINIUM E-107</p>	<p>Parcel ID: 21985003169 Name: PRUDENTE FAMILY TRUST Street# & Name: 3695 AMBERLY CIR Build# / Unit#: E / 204 Legal: AMBERLY VILLAGE II A CONDOMINIUM E-204</p>	<p>Parcel ID: 21985003266 Name: CORMIER TRUST Street# & Name: 3695 AMBERLY CIR Build# / Unit#: E / 301 Legal: AMBERLY VILLAGE II A CONDOMINIUM E-301</p>	<p>Parcel ID: 21985003363 Name: NUGENT, TERRENCE-& JOAN Street# & Name: 3695 AMBERLY CIR Build# / Unit#: E / 306 Legal: AMBERLY VILLAGE II A CONDOMINIUM E-306</p>	<p>Parcel ID: 21985003460 Name: BERKSON, DAVID F Street# & Name: 3705 AMBERLY CIR Build# / Unit#: F / 103 Legal: AMBERLY VILLAGE II A CONDOMINIUM F-103</p>	<p>Parcel ID: 21985003567 Name: BERKUTA, KARL J-& KIM M Street# & Name: 3705 AMBERLY CIR Build# / Unit#: F / 204 Legal: AMBERLY VILLAGE II A CONDOMINIUM F-204</p>	<p>Parcel ID: 21985000065 Name: GUSTAFSON, DONALD J Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 103 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-103</p>	<p>Parcel ID: 21985000162 Name: ANDERSON, JOHN F-& KAREN A Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 108 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-108</p>	<p>Parcel ID: 21985000269 Name: COCHRAN, JERRY E-& JUDITH C Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 205 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-205</p>	<p>Parcel ID: 21985000366 Name: GASS, LAWRENCE W-& CAROLYN S Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 302 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-302</p>
<p>Parcel ID: 21985003088 Name: ALLGOOD, SHIRLEY J Street# & Name: 3695 AMBERLY CIR Build# / Unit#: E / 108 Legal: AMBERLY VILLAGE II A CONDOMINIUM E-108</p>	<p>Parcel ID: 21985003185 Name: ANDERSON, LINDA Street# & Name: 3695 AMBERLY CIR Build# / Unit#: E / 205 Legal: AMBERLY VILLAGE II A CONDOMINIUM E-205</p>	<p>Parcel ID: 21985003282 Name: DOHERTY, SEAN M-& LAURA A Street# & Name: 3695 AMBERLY CIR Build# / Unit#: E / 302 Legal: AMBERLY VILLAGE II A CONDOMINIUM E-302</p>	<p>Parcel ID: 21985003389 Name: MERCIER, DENISE Street# & Name: 3695 AMBERLY CIR Build# / Unit#: E / 307 Legal: AMBERLY VILLAGE II A CONDOMINIUM E-307</p>	<p>Parcel ID: 21985003486 Name: AMBERLY VILLAGE COMMONS ASSOC Street# & Name: 3650 AMBERLY CIR Build# / Unit#: A / 1 Legal: AMBERLY VILLAGE II A CONDOMINIUM F-104</p>	<p>Parcel ID: 71723750019 Name: AMBERLY VILLAGE COMMONS ASSOC Street# & Name: 3650 AMBERLY CIR Build# / Unit#: A / 1 Legal: AMBERLY VILLAGE II A CONDOMINIUM F-104</p>	<p>Parcel ID: 21985000081 Name: EDWARDS, WILLIAM J-& PAMELA J Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 104 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-104</p>	<p>Parcel ID: 21985000188 Name: CASSIERE, ANNETTE Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 201 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-201</p>	<p>Parcel ID: 21985000285 Name: GARY & MELINDA NORBOM TRUST Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 206 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-206</p>	<p>Parcel ID: 21985000382 Name: ROBERT W ANDERSEN LIV TRUST Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 303 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-303</p>
<p>Parcel ID: 21985003101 Name: LANNI, ALBERT T-& JANET M Street# & Name: 3695 AMBERLY CIR Build# / Unit#: E / 201 Legal: AMBERLY VILLAGE II A CONDOMINIUM E-201</p>	<p>Parcel ID: 21985003208 Name: D A MCCALLISTER REV TRUST Street# & Name: 3695 AMBERLY CIR Build# / Unit#: E / 206 Legal: AMBERLY VILLAGE II A CONDOMINIUM E-206</p>	<p>Parcel ID: 21985003305 Name: DAVIS REVOCABLE TRUST Street# & Name: 3695 AMBERLY CIR Build# / Unit#: E / 303 Legal: AMBERLY VILLAGE II A CONDOMINIUM E-303</p>	<p>Parcel ID: 21985003402 Name: SMITH, MARY BETH Street# & Name: 3695 AMBERLY CIR Build# / Unit#: E / 308 Legal: AMBERLY VILLAGE II A CONDOMINIUM E-308</p>	<p>Parcel ID: 21985003509 Name: KATHY J CAHILL TRUST Street# & Name: 3705 AMBERLY CIR Build# / Unit#: F / 201 Legal: AMBERLY VILLAGE II A CONDOMINIUM F-201</p>	<p>Parcel ID: 21985000023 Name: WHELAN, FRANCIS Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 101 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-101</p>	<p>Parcel ID: 21985000104 Name: DRENNER, EILEEN K Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 105 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-105</p>	<p>Parcel ID: 21985000201 Name: CARMICHAEL, SANDRA L Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 202 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-202</p>	<p>Parcel ID: 21985000308 Name: REPSYS, JOHN-& JEANNE Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 207 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-207</p>	<p>Parcel ID: 21985000405 Name: RAYMOND H HANLON LIV TRUST Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 304 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-304</p>
<p>Parcel ID: 21985003127 Name: MORO, MAUREEN Street# & Name: 3695 AMBERLY CIR Build# / Unit#: E / 202 Legal: AMBERLY VILLAGE II A CONDOMINIUM E-202</p>	<p>Parcel ID: 21985003224 Name: HANCOCK ET AL, DALLAS-& JOSEPH Street# & Name: 3695 AMBERLY CIR Build# / Unit#: E / 207 Legal: AMBERLY VILLAGE II A CONDOMINIUM E-207</p>	<p>Parcel ID: 21985003321 Name: UEHBING TR, JOSEPH B Street# & Name: 3695 AMBERLY CIR Build# / Unit#: E / 304 Legal: AMBERLY VILLAGE II A CONDOMINIUM E-304</p>	<p>Parcel ID: 21985003428 Name: POWERS, ROBIN L Street# & Name: 3705 AMBERLY CIR Build# / Unit#: F / 101 Legal: AMBERLY VILLAGE II A CONDOMINIUM F-101</p>	<p>Parcel ID: 21985003525 Name: MEAD, BARRY G-& JANICE M Street# & Name: 3705 AMBERLY CIR Build# / Unit#: F / 202 Legal: AMBERLY VILLAGE II A CONDOMINIUM F-202</p>	<p>Parcel ID: 21985000049 Name: TEDESCHI, ANGELA Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 102 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-102</p>	<p>Parcel ID: 21985000120 Name: ESKILDSEN, LARRY J-& LINDA J Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 106 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-106</p>	<p>Parcel ID: 21985000227 Name: KINCH, THOMAS-& JACQUELINE Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 203 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-203</p>	<p>Parcel ID: 21985000324 Name: NICAIEK, KENNETH A-& JANET L Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 208 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-208</p>	<p>Parcel ID: 21985000421 Name: PRENDERGAST, JOSEPH J Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 305 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-305</p>
<p>Parcel ID: 21985003143 Name: E & M HODGSON FAMILY TRUST Street# & Name: 3695 AMBERLY CIR Build# / Unit#: E / 203 Legal: AMBERLY VILLAGE II A CONDOMINIUM E-203</p>	<p>Parcel ID: 21985003240 Name: BAUER FAMILY LIVING TRUST Street# & Name: 3695 AMBERLY CIR Build# / Unit#: E / 208 Legal: AMBERLY VILLAGE II A CONDOMINIUM E-208</p>	<p>Parcel ID: 21985003347 Name: JUSTINE A CARLSON TRUST Street# & Name: 3695 AMBERLY CIR Build# / Unit#: E / 305 Legal: AMBERLY VILLAGE II A CONDOMINIUM E-305</p>	<p>Parcel ID: 21985003444 Name: DAMATO, ANNIE Street# & Name: 3705 AMBERLY CIR Build# / Unit#: F / 102 Legal: AMBERLY VILLAGE II A CONDOMINIUM F-102</p>	<p>Parcel ID: 21985003541 Name: HABERMAN, SANDRA Street# & Name: 3705 AMBERLY CIR Build# / Unit#: F / 203 Legal: AMBERLY VILLAGE II A CONDOMINIUM F-203</p>	<p>Parcel ID: 21985000968 Name: SPLAINE, WILLIAM-& CAROL A Street# & Name: 3665 AMBERLY CIR Build# / Unit#: C / 103 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-308</p>	<p>Parcel ID: 21985000146 Name: JORDAN, JOHN D Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 107 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-107</p>	<p>Parcel ID: 21985000243 Name: WUSCHNER, FRIEDRICH L Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 204 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-204</p>	<p>Parcel ID: 21985000340 Name: HOMA, MARILYN R Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 301 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-301</p>	<p>Parcel ID: 21985000447 Name: BUTORAC, JOHN-& JANE M Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 306 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-306</p>
<p>Parcel ID: 21985000463 Name: BROWN, CAROLE E Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 307 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-307</p>	<p>Parcel ID: 21985000560 Name: COAN FAMILY 2018 REALTY TRUST Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 104 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-104</p>	<p>Parcel ID: 21985000667 Name: SHEA, PHILIP-& GERTRUDE Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 201 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-201</p>	<p>Parcel ID: 21985000764 Name: NEVILLE, WILLIAM L-& NANCY L Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 206 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-206</p>	<p>Parcel ID: 21985000861 Name: VINCENT, PAUL E-& CECILE A Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 303 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-303</p>	<p>Parcel ID: 21985000968 Name: SPLAINE, WILLIAM-& CAROL A Street# & Name: 3665 AMBERLY CIR Build# / Unit#: C / 103 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-308</p>	<p>Parcel ID: 21985000104 Name: MCDERMOTT, CHARLES E Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 105 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-105</p>	<p>Parcel ID: 21985001161 Name: ITEN, EDGAR JOSEF FRANZ Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 202 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-202</p>	<p>Parcel ID: 21985000268 Name: CLARK 2016 TRUST Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 304 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-207</p>	<p>Parcel ID: 21985001365 Name: MAGUIRE, MICHAEL Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 304 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-304</p>
<p>Parcel ID: 21985000489 Name: 67 LEX REALTY TRUST Street# & Name: 3655 AMBERLY CIR Build# / Unit#: A / 308 Legal: AMBERLY VILLAGE I A CONDOMINIUM A-308</p>	<p>Parcel ID: 21985000586 Name: TOOHER, MARK E Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 105 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-105</p>	<p>Parcel ID: 21985000683 Name: A M & W F SIMMONS TRUST Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 202 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-202</p>	<p>Parcel ID: 21985000780 Name: PICOTTE, ROBERT J-& AMY L Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 207 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-207</p>	<p>Parcel ID: 21985000887 Name: KUJALA, RICHARD-& LINDA Street# & Name: 3675 AMBERLY CIR Build# / Unit#: B / 304 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-304</p>	<p>Parcel ID: 21985000984 Name: CARCHEDI, ROBERT-& SUSAN Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 101 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-101</p>	<p>Parcel ID: 21985001080 Name: HOFMANN, ALFRED WILLIAM Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 106 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-106</p>	<p>Parcel ID: 21985001187 Name: KOKOSZKA, PETER J-& MARIANNE Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 203 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-203</p>	<p>Parcel ID: 21985001284 Name: RACZKA, RICHARD Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 208 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-208</p>	<p>Parcel ID: 21985001381 Name: TANNER LIVING TRUST Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 305 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-305</p>
<p>Parcel ID: 21985000502 Name: KENNEDY, KURT D Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 101 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-101</p>	<p>Parcel ID: 21985000609 Name: WHELDEN, DAVID C-& ANN M Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 106 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-106</p>	<p>Parcel ID: 21985000706 Name: KELLEY, JAMES F-& AMELIA C Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 203 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-203</p>	<p>Parcel ID: 21985000803 Name: SUZANNE STOHL LIVING TRUST Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 208 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-208</p>	<p>Parcel ID: 21985000900 Name: ISOPP, JOHANN Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 305 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-305</p>	<p>Parcel ID: 21985001006 Name: CAROL J CHARETTE FRAZIER TRUST Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 102 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-102</p>	<p>Parcel ID: 21985001103 Name: MOMBORG, JOHN V-& RAE F Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 107 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-107</p>	<p>Parcel ID: 21985001200 Name: VOSE JR, RICHARD A Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 204 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-204</p>	<p>Parcel ID: 21985001307 Name: ROBERT W BARNARD REV TRUST Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 301 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-301</p>	<p>Parcel ID: 21985001404 Name: DONOVAN, MARY ELIZABETH Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 306 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-306</p>
<p>Parcel ID: 21985000528 Name: MARTIN BERG LIVING TRUST Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 102 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-102</p>	<p>Parcel ID: 21985000625 Name: SIMPSON, CHARLES J Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 107 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-107</p>	<p>Parcel ID: 21985000722 Name: DEVLIN, PADRAIG-& ANDREA Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 204 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-204</p>	<p>Parcel ID: 21985000829 Name: JOH & ROSE ARNDT LIV TRUST Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 301 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-301</p>	<p>Parcel ID: 21985000926 Name: WITHAM, JAMES D-& JEAN C Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 306 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-306</p>	<p>Parcel ID: 21985001022 Name: PREMERE ET AL, SHIRLEY A Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 103 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-103</p>	<p>Parcel ID: 21985001129 Name: MITCHELL, ROBERT-& JUDITH Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 108 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-108</p>	<p>Parcel ID: 21985001226 Name: AMBERLY ORCLE LAND TRUST Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 205 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-205</p>	<p>Parcel ID: 21985001323 Name: WLODARCZYK, STEVEN A Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 302 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-302</p>	<p>Parcel ID: 21985001420 Name: MAETZLER, EUGEN Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 307 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-307</p>
<p>Parcel ID: 21985000544 Name: SPRANO, GRACE Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 103 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-103</p>	<p>Parcel ID: 21985000641 Name: LEE, JOSEPH-& JOANNE M Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 108 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-108</p>	<p>Parcel ID: 21985000748 Name: LAUTZENHEISER, RONALD H Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 205 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-205</p>	<p>Parcel ID: 21985000845 Name: ROONEY, DARRELL Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 302 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-302</p>	<p>Parcel ID: 21985000942 Name: TAYLOR SCOTT DAVIS REV TRUST Street# & Name: 3665 AMBERLY CIR Build# / Unit#: B / 307 Legal: AMBERLY VILLAGE I A CONDOMINIUM B-307</p>	<p>Parcel ID: 21985001048 Name: N & S G RUGGIRELLO REV TRUST Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 104 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-104</p>	<p>Parcel ID: 21985001145 Name: JOYCE & MICHAEL PSAROS LIVING Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 201 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-201</p>	<p>Parcel ID: 21985001242 Name: MATZLER, ASTRID Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 206 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-206</p>	<p>Parcel ID: 21985001349 Name: PUCCINELLI, JAY-& LISA Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 303 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-303</p>	<p>Parcel ID: 21985001446 Name: HOLZ, WILLARD E-& LOUISE MAY Street# & Name: 3675 AMBERLY CIR Build# / Unit#: C / 308 Legal: AMBERLY VILLAGE I A CONDOMINIUM C-308</p>



PROJECT CALCULATION TABLE:

- I. PERIMETER BUFFERING (Per LDC Sec. 4.06.02).
EXISTING / NONE REQUIRED (GOLF COURSE); NO CHANGES
- II. VEHICULAR USE AREAS (V.U.A.) AND R.O.W. (Per LDC Sec. 4.06.03).
1. Landscape islands: min. 8' wide / 100 s.f. Required one tree per island. Existing trees retained qualify for increased consecutive parking spaces. Parking stall shall be < than 50' from a tree.
2. Green Space Requirements for Buildings > 40,000 s.f.:
a. Shopping Centers require 7% min. size of v.u.a. must be developed as green space in the front yard or courtyard and is in addition to the building perimeter planting; however, this may count toward open space requirements (LDC Sec. 4.02.01); GREEN SPACE / COURTYARD EXISTING PER PLAN
b. Benches required: 1 foot per 1,000 s.f. of building area. 75% of the benches may be located adjacent to the building along paths, walks, and within arcades/malls; BENCHES EXISTING
3. Green Space Requirements for Buildings > 20,000 s.f.:
a. Trees in V.U.A. must be min. 14'-16' HT., 6'-8' SPR., 3"-4" CAL. WITH 6' OF C.T.
b. The first row of landscape islands closest to the building must be landscaped with trees, palms, [min. 7' C.T.] shrubs, and groundcovers. TREES REPLACED AT ONE PER REQUIRED LANDSCAPE ISLAND AND/OR 74,714.01 S.F. * 10% = 7,471 / 250 = 30 TREES
MATERIALS EXISTING AND REQUIRED ABOVE ARE LABELED AS "VUA"
- III. TREE CREDITS FOR PRESERVED TREES (Per LDC Sec. 4.06.04.B).
EXISTING; NO CHANGES
- IV. MINIMUM LANDSCAPE REQUIREMENTS.
EXISTING; NO CHANGES
- V. BUILDING FOUNDATION PLANTING AREA (B.F.P.A.).
[SEE CALCULATION INSET, RIGHT]
Buildings under 10,000 S.F. = (TOTAL OF ALL FACADES) x.25x10'; 5' minimum bed Width; Tree/Palm 1/300 S.F.
BUILDING TYPE 1: 526.40 S.F. * .25 * 10 = 1,316.00 S.F. / 5 TREES
Buildings over 10,000 S.F. / less than 50' zoned height = (TOTAL OF ALL FACADES) x.45x15'; 14' Height; 10' minimum bed Width; Tree/Palm 1/400 S.F.
BUILDING TYPE 2: 1,069.06 S.F. * .45 * 15 = 7,216.55 / 18 TREES
MATERIALS EXISTING AND REQUIRED ABOVE ARE LABELED "BFPA"
- VI. TREES AND SHRUBS.
1. TREES AND PALMS SIZED PER V.U.A./B.F.P.A. ABOVE
49 ADDITIONAL TREES REQUIRED x 75% = 37 NATIVE TREES REQUIRED
100% PROVIDED, OFFSETTING NON-NATIVE QUEEN PALMS (NET >50% PROVIDED)
1,714 SHRUBS REQUIRED x 50% = 857 NATIVE SHRUBS REQUIRED
100% PROVIDED, OFFSETTING NON-NATIVE IKORA/SCHEFFLERA (NET >50% PROVIDED)
SPECIES MIX: For 1 - 10 trees: 1/ For 11 - 20 trees: 2/ For 21 - 30 trees: 3/ For 31 - 40 trees: 5 [MIX PROVIDED VIA EXISTING BFPA, BUFFER TREES AND PALMS, INCLUDING LIVE OAK, QUEEN PALM, SLASH PINE, HOLLY]
VIII. PEDESTRIAN PATHWAYS. (5.05.08, E.Z.h.)
EXISTING; NO CHANGES

PLANT SCHEDULE						NATIVE/ ZONE
TREES	QTY	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	DETAIL
CON ERE	6	Conocarpus erectus / Buttonwood	25 gal	1.75" Cal	10" O.A., 4'-5' SPR.	Y/10
CON SER	43	Conocarpus erectus sericeus / Silver Buttonwood	B & B	2" Cal	Single leader; 14" O.A., HT	Y/10
SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE	FIELD2	FIELD3	DETAIL
TRI FAK	1,020	Tripsacum dactyoides / Fakahatchee Grass	1 gal	24" O.A., 4" O.C.		Y/10
GROUND COVERS	QTY	BOTANICAL / COMMON NAME	CONT	FIELD2	FIELD3	DETAIL
HEL DEB	694	Helianthus debilis / Dune Sunflower	1 gal	12" O.A.	36" O.C.	Y/10

MISCELLANEOUS
SOD STENOTAPHRUM SECONDATUM / ST. AUGUSTINE 'FLORATAM'
MULCH VITAMULCH
SET ON FINAL GRADE DEVOID OF ROCKS
3" DEPTH, AFTER WATERING IN



Reviewed and Approved For:

Permit Issuance

PL20210001521

Date: 7/12/2021

ZONING: PUD
LAND USE: GOLF COURSE

BFPA TRI FAK 204
BFPA HEL DEB 137

ZONING: PUD
LAND USE: LAKE

BFPA CON SER 6
BFPA TRI FAK 204
BFPA HEL DEB 138

ZONING: PUD
LAND USE: GOLF COURSE

Property Line /
R.O.W. (Typ.)

ROYAL WOOD BOULEVARD
60' R.O.W. / Private

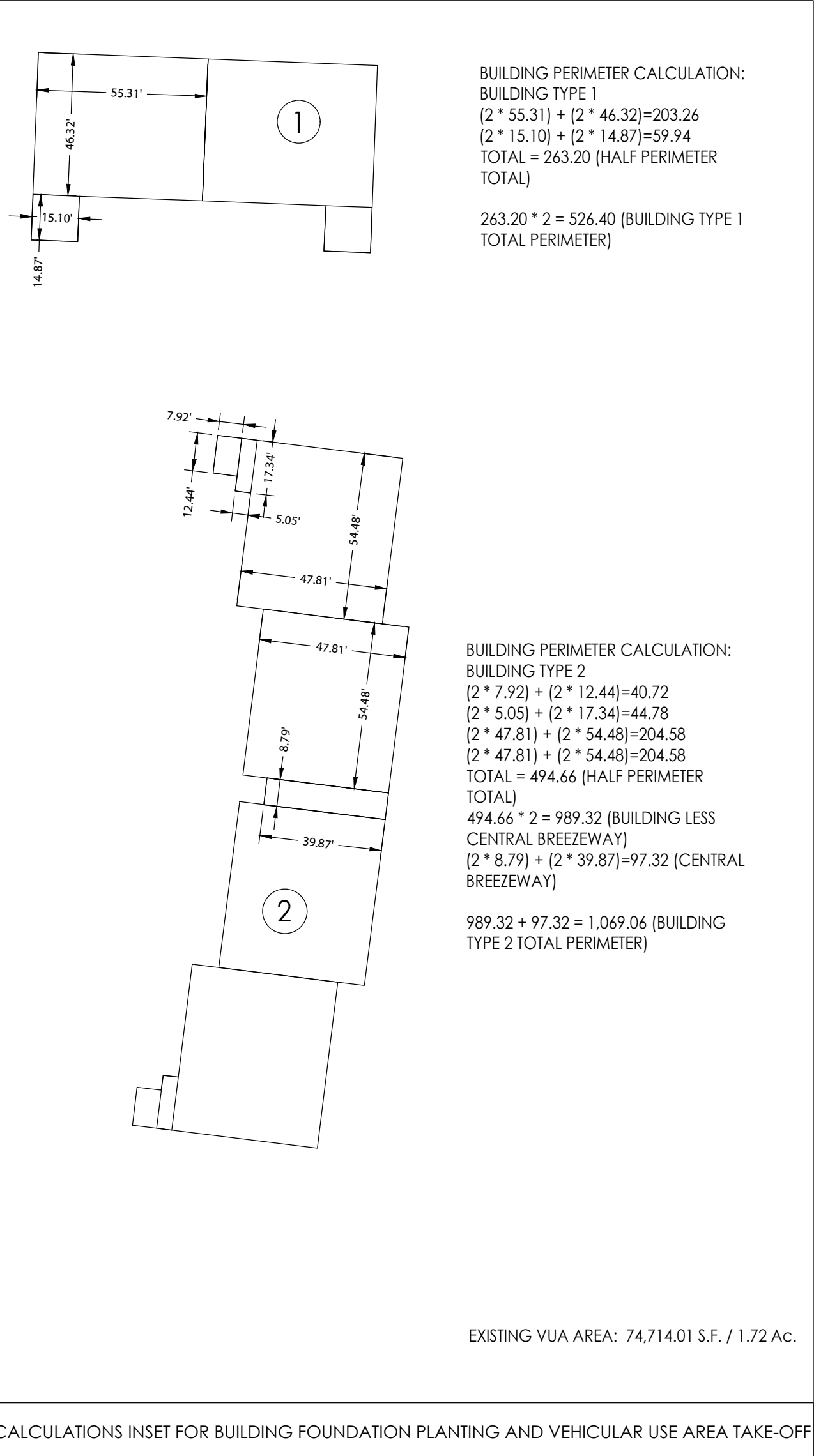
UPON EXISTING IRRIGATION
ADJUSTMENT, VERIFY EXISTING RAIN
SENSOR, CONTROLLER AND COVERAGE
PER THE LDC

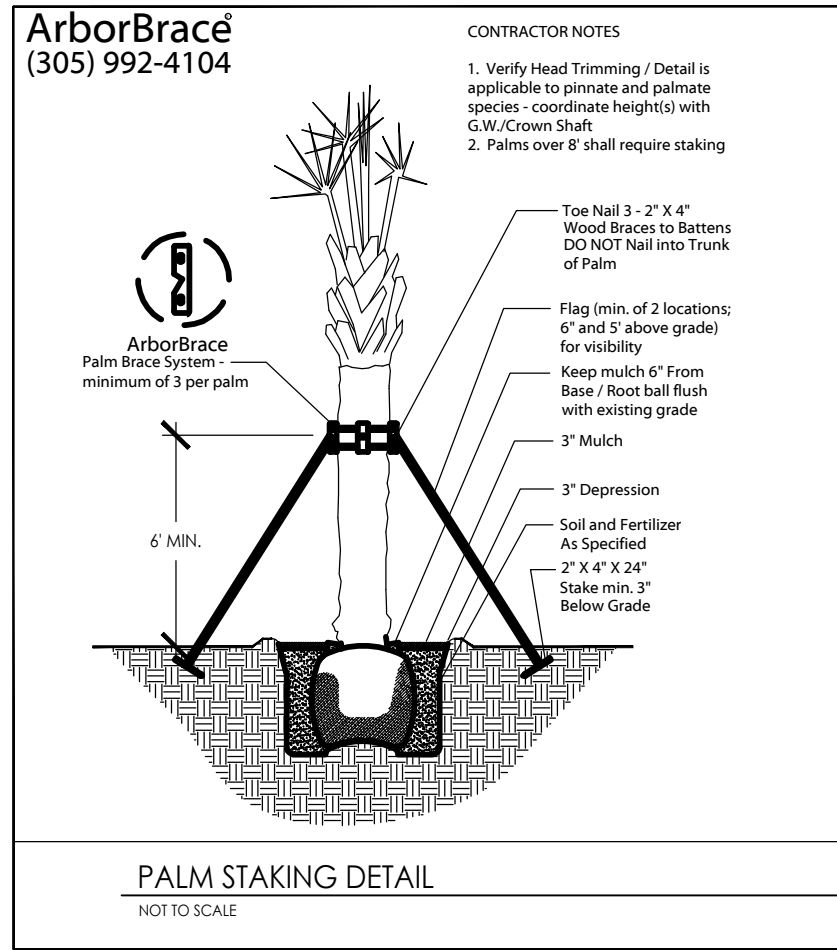
ZONING: PUD
LAND USE: GOLF COURSE

Property Line (Typ.)

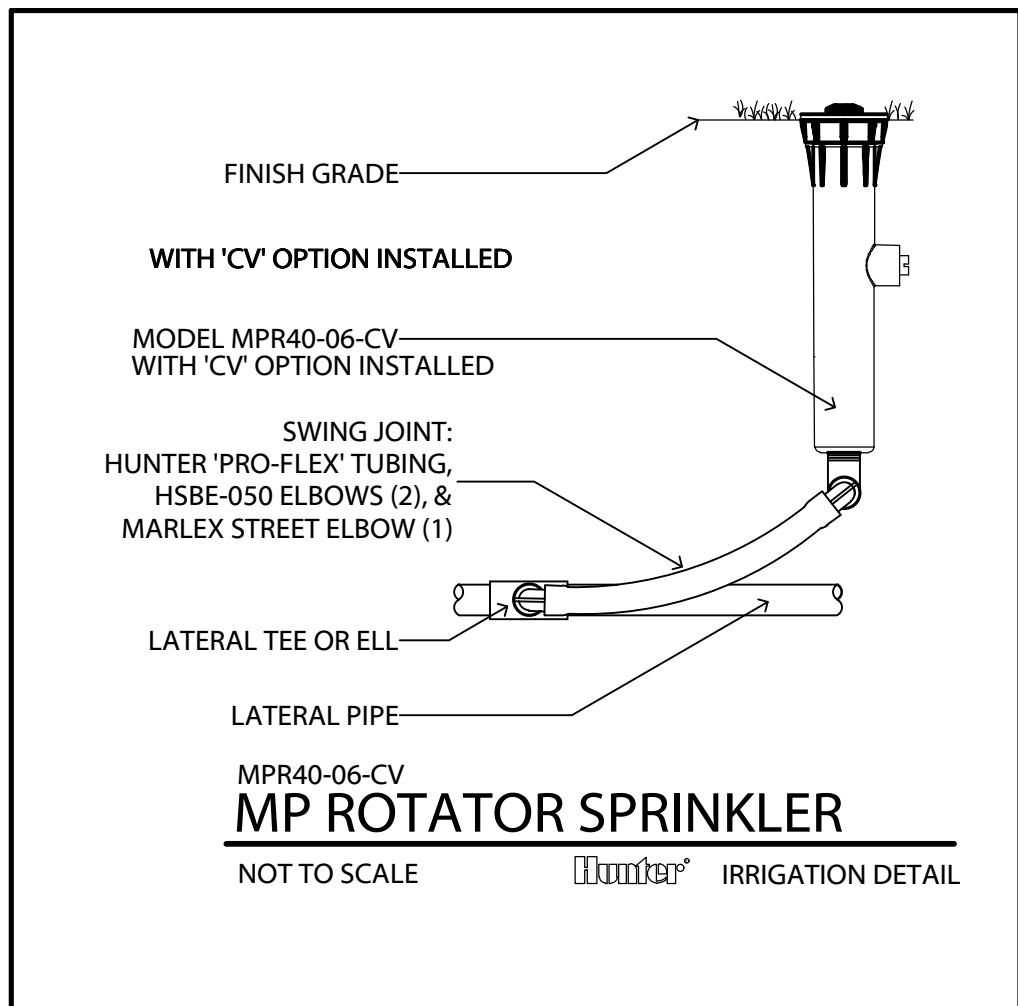
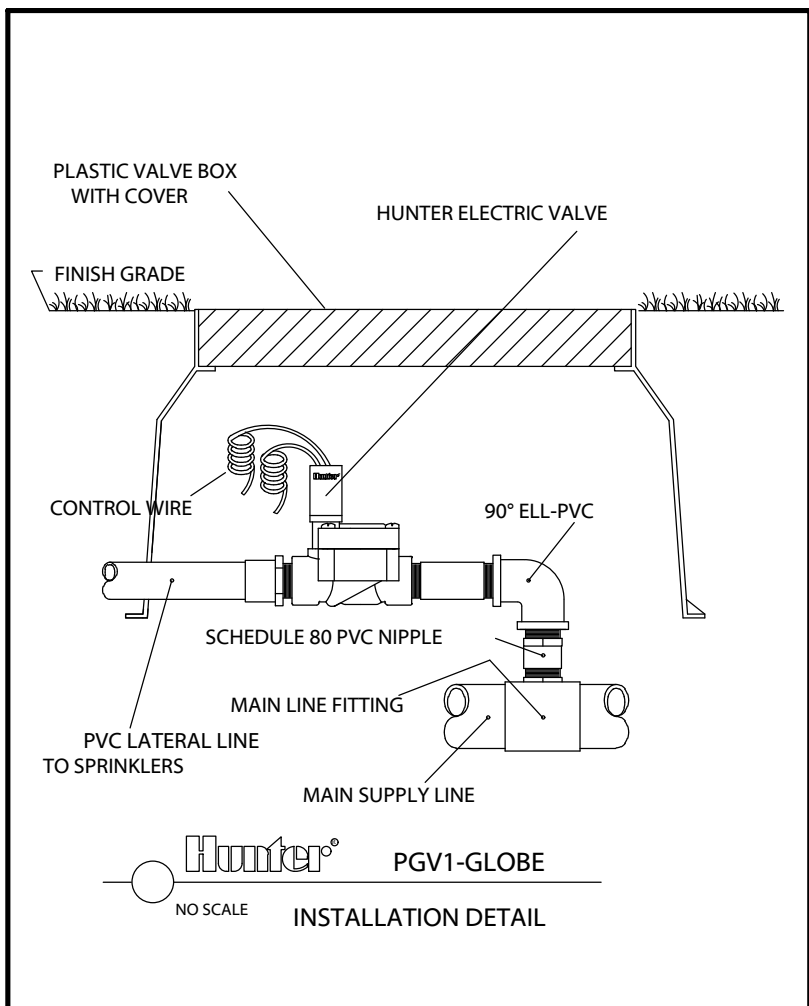
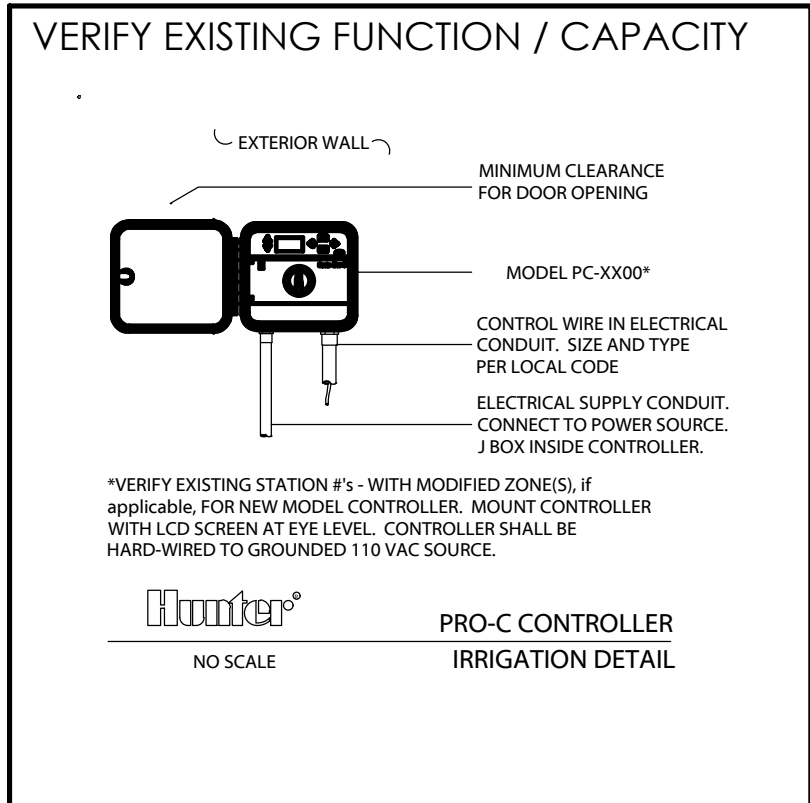
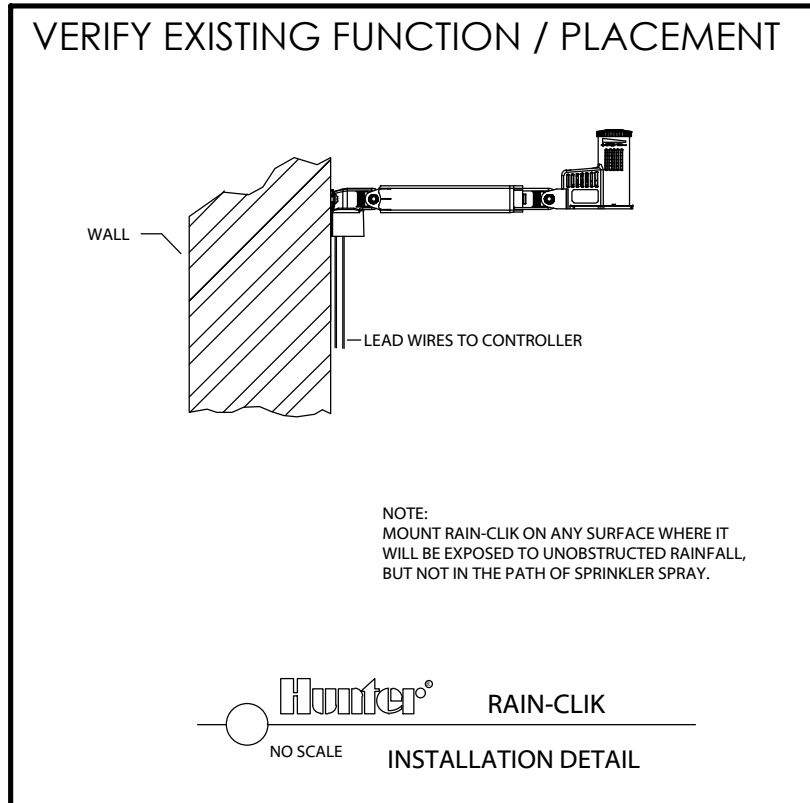
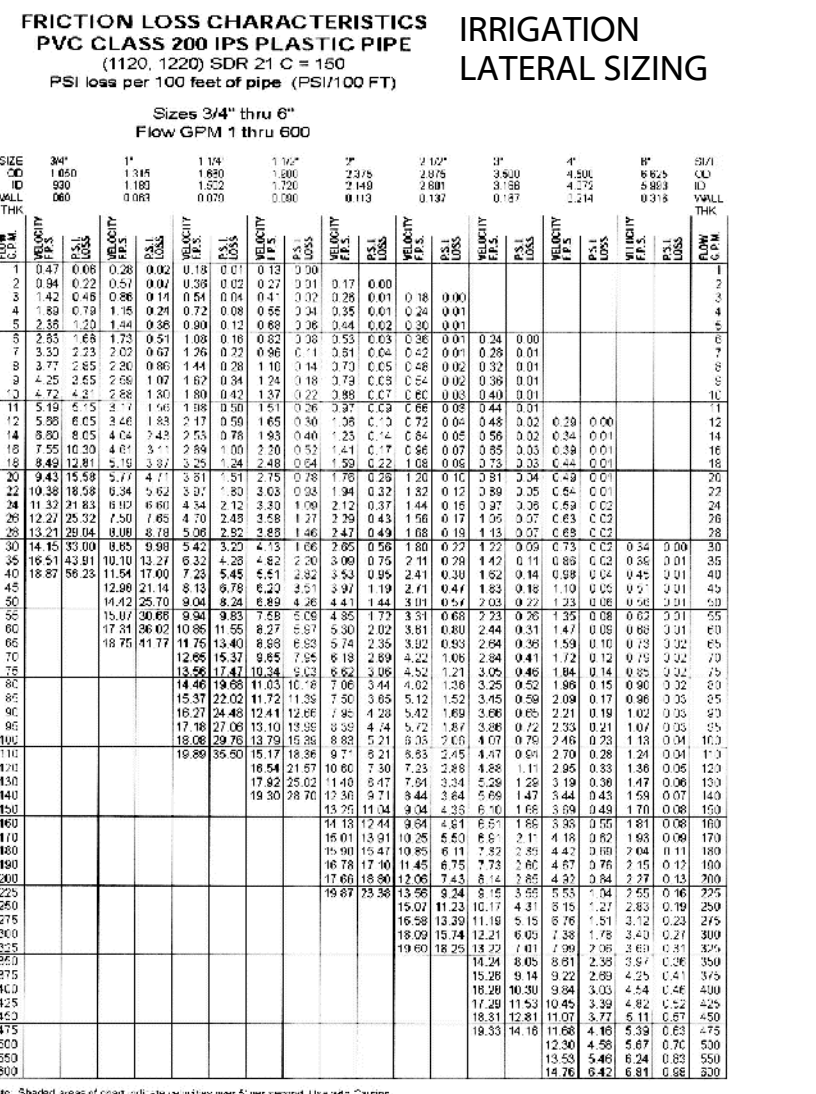
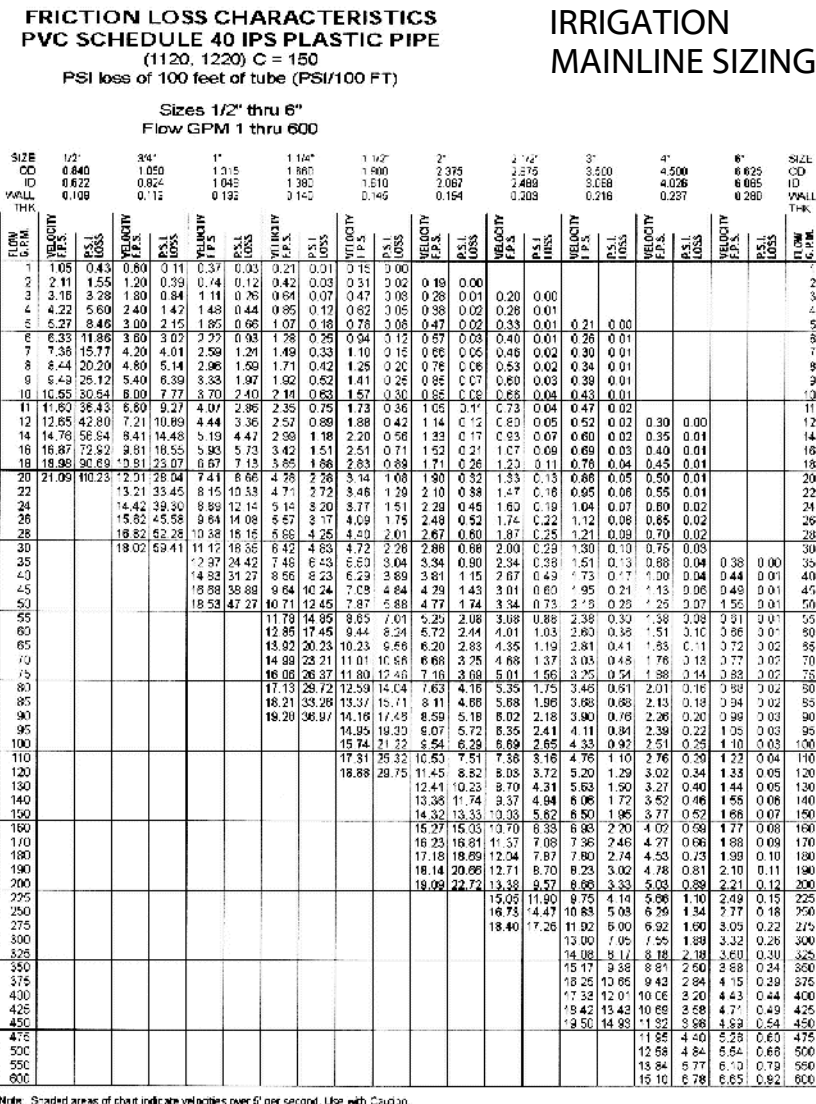
Irrigation shall be zoned separately
for sod / plantings

Required VUA Green space, Buffers,
BFPA, and General Landscaping
meet requirements or shall be
brought up to minimum code





1. MULCH: Min. 3" layer (after watering in) required. Extending min. 12" from trunk in all directions. 25% MAX. ALLOWABLE CYPRESS MULCH.
2. BERMS: For grass stabilized: max. 4:1 slope. For groundcover stabilized: 3:1 max. with the toe of the slope set back 5' for the edge of R.O.W./Property lines. Berms are permitted in easements provided written approval received from all interests under said easement. Berms adjacent to I-75 have exemptions to these requirements.
3. STAKING: Re-staked within 24 hours of a blow over / staking failure. Remove between 6 and 12 months after planting.
4. LIGHT POLES: Contractor shall ensure placement of all trees maintain a minimum 12.5' horizontal clearance between the trunk and face of street light poles.
5. EASEMENTS: Written permission must be obtained for any planting.
6. LIMEROCK: Shall be excavated from planting holes / planting areas in parking lots.
7. SIGNAGE: Indicate to reduce conflicts.
8. MAINTENANCE: Shall abide by all Codes. Removals shall be verified with pertinent Codes, Surveys, Permits, etc. prior to action.
9. IRRIGATION: 100% coverage required, timers with automatic overrides for rain. Separate zoning is required for different water use areas, and watering within guidelines established by the SFWMD and/or local municipality.
10. PLANTINGS: Plantings must be a minimum of 24" from the back of curb.



1. A set of Construction Documents and/or Approved Code-required Plans shall be on site at all times.
2. All utilities, easements, right-of-way, Ownership, and/or other survey data shall be verified by the General Contractor, Sitework Contractor, and/or Landscape Contractor prior to the Commencement of Work.
3. Compliance / Permit acquisition and/or display is required for Code-relevant requirements (such as, but not limited to: removals, trimming, replacement, etc.).
4. Verify Plant Quantities and Specifications with the Landscape Architect (also referenced as "L.A." hereafter). Notify the Landscape Architect immediately if discrepancies are noted. Planting Plan shall take precedence over 'Plant List Quantities.' The L.A. reserves the right for material rejection if the installation does not correspond to the Plant List 'Specification / Remark.'
5. Plant material is to be Florida Grade #1 minimum and Florida Fancy for plant material specified as "Specimen." Trees are to be considered single trunk and meet the minimum standard for Code within the applicable jurisdiction.
6. Sizes/specifications are considered minimum. Installation material is to meet or exceed these requirements - verify any discrepancy prior to material purchase, delivery, and/or installation.
7. The Landscape Contractor shall verify the location of plant material with the L.A. prior to installation - contact the L.A. for specific guidelines. If a site conflict / potential is noted, notify the Landscape Architect prior to material installation. The L.A. reserves the right for material relocation if the installation does not correspond to the Planting Plan.
8. The Landscape Contractor and/or Irrigation Contractor shall be responsible for damaged site utilities, infrastructure, etc. Repair / Replace shall be a requirement.
9. Verify site removals, relocations, and/or protected items prior to Bid Preparation. This may include but not be limited to: sod, soil, plant material, stumps, etc. The Landscape Contractor shall be required to complete work as outlined with the Planting Plan(s), Specifications, and Notes.
10. Quantities and specification are subject to adjustment, relocation, and/or removal during or after the installation and subsequent approval process by the L.A.
11. Exotic(s) or Nuisance Plants as defined by the local agency(ies) shall supersede State requirements; however, the Florida Exotic Pest Plant Council (FLEPPC) and/or UF-IFAS Standards shall be used as a database to justify removals if no local ordinance/Code requirement exists.
12. The Landscape Contractor shall execute pruning via a Certified Arborist and using standards as established by the International Society of Arboriculture. All pruning, upon request, shall be advised by the L.A.
13. Trees and palms over 8' in height shall be staked.
14. The Landscape Contractor and/or Irrigation Contractor shall be responsible for: 1) plant warranties and replacements, as specified within their respective agreement(s) 2) plant material maintenance until 'Substantial Completion' 3) plant material protection adequacy 4) Scope of Work verification and execution 5) coordination of all Subcontractor(s)
15. The Owner / General Contractor shall be responsible for: 1) Providing Final Grade, Site Access, Security of the site 2) Contract review and acceptance of terms 3) Plant / Irrigation Maintenance coordination 4) Payment milestones
16. Contractor shall ensure placement of all trees maintain a minimum 12.5' horizontal clearance between the trunk and face of street light poles.

1. The site is to contain 100% Irrigation Coverage via an efficient system utilizing standards common to the industry.
2. The Irrigation system is to be controlled by a rain sensor switch connected to the System controller. The location of the System controller is to be verified and coordinated as necessary to provide access and electrical connection(s).
3. Verify PSI / GPM for jockey pump application. Also, see note #5 for additional equipment to be installed.
4. Irrigation sleeving locations indicated are diagrammatic and serve only as a guide for installation purposes. Irrigation sleeving is to be a minimum of Schedule 40 PVC. This work is to be coordinated by the General Contractor. The Irrigation Contractor/Subcontractor shall not be responsible for sleeving installation unless this work is in the Irrigation Scope of Work. Sleeving shall be clearly marked, flagged, or otherwise delineated above grade to avoid damage and provide ease of location for future use. Sleeving shall be utilized in areas where piping must cross a greater than 5' width, such as roads and walks.
5. Backflow Preventer shall be required per Industry standards and Collier County Codes.
6. Avoid overspray on pavement, buildings, etc. Utilize pressure-compensating heads for elimination of aerosol spray (This is a standard feature of MP Rotator, Hunter spray heads).
7. Verify pressure and flow rate after the Meter/Backflow assembly prior to bid submission. The design is based upon the following operating parameters: 60 GPM Max. and 40 PSI Min.-60 PSI Max.
8. Pipe sizing shall be determined by the Friction Loss Method and water velocity shall not exceed 5 cubic feet per second.
9. Constant pressure piping shall be SCH 40 PVC.
10. The Irrigation Contractor shall supply As-built drawings and material cut sheets upon installation completion and as a term of Final Acceptance. This cost shall be accommodated in the bid.
11. Zones shall be marked in the controller box and corresponding valves shall have affixed to the Valve Cover a waterproof, fade-resistant tag.
12. Verify installation and parts warranty prior to Contract execution.
13. Irrigation heads in planting beds shall be 12" pop-up minimum and 6" pop-up minimum in sod areas. Risers, if installed, shall be black pvc consistent with later piping. Substitution(s) shall not be accepted unless the L.A. is notified prior to installation. If substituted without notification, a CREDIT shall be issued to the client for comparable pop-up sprays. Verify remaining type(s), if necessary. Install quick couplers as required or as noted.
14. This system shall be automated, provide a moisture sensing device, and will avoid the application (or indirect runoff of irrigation water) of water to impervious areas.