



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

**Application for a Public Hearing for PUD Rezone, Amendment to PUD or
PUD to PUD Rezone**

PETITION NO
PROJECT NAME
DATE PROCESSED

To be completed by staff

- ☐ **PUD Rezone (PUDZ):** LDC subsection 10.02.13 A.-F., Ch. 3 G. 1 of the Administrative Code
☐ **Amendment to PUD (PUDA):** LDC subsection 10.02.13 E. and Ch. 3 G. 2 of the Administrative Code
☐ **PUD to PUD Rezone (PUDR):** LDC subsection 10.02.13 A.-F.

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): _____

Name of Applicant if different than owner: _____

Address: _____ **City:** _____ **State:** _____ **ZIP:** _____

Telephone: _____ **Cell:** _____ **Fax:** _____

E-Mail Address: _____

Name of Agent: _____

Firm: _____

Address: _____ **City:** _____ **State:** _____ **ZIP:** _____

Telephone: _____ **Cell:** _____ **Fax:** _____

E-Mail Address: _____

Be aware that Collier County has lobbyist regulations. Guide yourself accordingly and ensure that you are in compliance with these regulations.



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REZONE REQUEST

This application is requesting a rezone from: _____ Zoning district(s) to the
_____ zoning district(s).

Present Use of the Property: _____

Proposed Use (or range of uses) of the property: _____

Original PUD Name: _____

Ordinance No.: _____

PROPERTY INFORMATION

On a separate sheet attached to the application, provide a detailed legal description of the property covered by the application:

- If the request involves changes to more than one zoning district, the applicant shall include a separate legal description for property involved in each district;
- The applicant shall submit 4 copies of a recent survey (completed within the last six months, maximum 1" to 400' scale), if required to do so at the pre-application meeting; and
- The applicant is responsible for supplying the correct legal description. If questions arise concerning the legal description, an engineer's certification or sealed survey may be required.

Section/Township/Range: ____/____/____

Lot: ____ Block: ____ Subdivision: _____

Metes & Bounds Description: _____

Plat Book: ____ Page #: ____ Property I.D. Number: _____

Size of Property: _____ ft. x _____ ft. = _____ Total Sq. Ft. Acres: _____

Address/ General Location of Subject Property: _____

PUD District (refer to LDC subsection 2.03.06 C):

- ☐ Commercial ☐ Residential ☐ Community Facilities ☐ Industrial
☐ Mixed Use ☐ Other: _____



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ADJACENT ZONING AND LAND USE

	Zoning	Land Use
N		
S		
E		
W		

If the owner of the subject property owns contiguous property please provide a detailed legal description of the entire contiguous property on a separate sheet attached to the application.

Section/Township/Range: ____/____/____

Lot: ____ Block: ____ Subdivision: _____

Plat Book: ____ Page #: ____ Property I.D. Number: _____

Metes & Bounds Description: _____

ASSOCIATIONS

Required: List all registered Home Owner Association(s) that could be affected by this petition. Provide additional sheets if necessary. Information can be found on the Board of County Commissioner's website at <http://www.colliergov.net/Index.aspx?page=774>.

Name of Homeowner Association: _____

Mailing Address: _____ City: _____ State: _____ ZIP: _____

Name of Homeowner Association: _____

Mailing Address: _____ City: _____ State: _____ ZIP: _____

Name of Homeowner Association: _____

Mailing Address: _____ City: _____ State: _____ ZIP: _____

Name of Homeowner Association: _____

Mailing Address: _____ City: _____ State: _____ ZIP: _____

Name of Homeowner Association: _____

Mailing Address: _____ City: _____ State: _____ ZIP: _____



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EVALUATION CRITERIA

Pursuant to LDC subsections 10.02.13 B, 10.02.08 F and Chapter 3 G. of the Administrative Code, staff's analysis and recommendation to the Planning Commission, and the Planning Commission's recommendation to the Board of County Commissioners shall be based upon consideration of the applicable criteria. **On a separate sheet attached to the application, provide a narrative statement describing the rezone request with specific reference to the criteria below. Include any backup materials and documentation in support of the request.**

- a. The suitability of the area for the type and pattern of development proposed in relation to physical characteristics of the land, surrounding areas, traffic and access, drainage, sewer, water, and other utilities.
- b. Adequacy of evidence of unified control and suitability of any proposed agreements, contract, or other instruments, or for amendments in those proposed, particularly as they may relate to arrangements or provisions to be made for the continuing operation and maintenance of such areas and facilities that are not to be provided or maintained at public expense. Findings and recommendations of this type shall be made only after consultation with the county attorney.
- c. Conformity of the proposed PUD with the goals, objectives and policies of the Growth Management Plan. (This is to include identifying what Sub-district, policy or other provision allows the requested uses/density, and fully explaining/addressing all criteria or conditions of that Sub-district, policy or other provision.)
- d. The internal and external compatibility of proposed uses, which conditions may include restrictions on location of improvements, restrictions on design, and buffering and screening requirements.
- e. The adequacy of usable open space areas in existence and as proposed to serve the development.
- f. The timing or sequence of development for the purpose of assuring the adequacy of available improvements and facilities, both public and private.
- g. The ability of the subject property and of surrounding areas to accommodate expansion.
- h. Conformity with PUD regulations, or as to desirable modifications of such regulations in the particular case, based on determination that such modifications of justified as meeting public purposes to a degree at least equivalent to literal application of such regulations.

Deed Restrictions: The County is legally precluded from enforcing deed restrictions; however, many communities have adopted such restrictions. You may wish to contact the civic or property owners association in the area for which this use is being requested in order to ascertain whether or not the request is affected by existing deed restrictions.



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Previous land use petitions on the subject property: To your knowledge, has a public hearing been held on this property within the last year? If so, what was the nature of that hearing?

Official Interpretations or Zoning Verifications: To your knowledge, has there been an official interpretation or zoning verification rendered on this property within the last year?

☐ Yes ☐ No if so please provide copies.

PUBLIC NOTICE REQUIREMENTS

This land use petition requires a Neighborhood Information Meeting (NIM), pursuant to Chapter 3 E. of the Administrative Code and LDC section 10.03.06. Following the NIM, the applicant will submit a written summary and any commitments that have been made at the meeting. Refer to Chapter 8 B. of the Administrative Code for the NIM procedural requirements.

Chapter 8 of the Administrative Code requires that the applicant must remove their public hearing advertising sign(s) after final action is taken by the Board of County Commissioners. Based on the Board's final action on this item, please remove all public hearing advertising sign(s) immediately.

RECORDING OF DEVELOPER COMMITMENTS

Within 30 days of adoption of the Ordinance, the owner or developer (specify name) at their expense shall record in the Public Records of Collier County a Memorandum of Understanding of Developer Commitments or Notice of Developer Commitments that contains the legal description of the property that is the subject of the land use petition and contains each and every commitment of the owner or developer specified in the Ordinance. The Memorandum or Notice shall be in form acceptable to the County and shall comply with the recording requirements of Chapter 695, FS. A recorded copy of the Memorandum or Notice shall be provided to the Collier County Planned Unit Development Monitoring staff within 15 days of recording of said Memorandum or Notice.

LDC subsection 10.02.08 D

This application will be considered "open" when the determination of "sufficiency" has been made and the application is assigned a petition processing number. The application will be considered "closed" when the petitioner withdraws the application through written notice or ceases to supply necessary information to continue processing or otherwise actively pursue the rezoning, amendment or change, for a period of 6 months. An application deemed "closed" will not receive further processing and an application "closed" through inactivity shall be deemed withdrawn. An application deemed "closed" may be re-opened by submission of a new application, repayment of all application fees and the grant of a determination of "sufficiency". Further review of the request will be subject to the then current code.



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**STATEMENT OF UTILITY PROVISIONS
FOR PUD REZONE REQUEST**

APPLICANT CONTACT INFORMATION

Name of Applicant(s): _____

Address: _____ City: _____ State: _____ ZIP: _____

Telephone: _____ Cell: _____ Fax: _____

E-Mail Address: _____

Address of Subject Property (If available): _____

City: _____ State: _____ ZIP: _____

PROPERTY INFORMATION

Section/Township/Range: ____/____/____

Lot: ____ Block: ____ Subdivision: _____

Metes & Bounds Description: _____

Plat Book: ____ Page #: ____ Property I.D. Number: _____

TYPE OF SEWAGE DISPOSAL TO BE PROVIDED

Check applicable system:

- a. County Utility System ☐
- b. City Utility System ☐
- c. Franchised Utility System ☐
- d. Package Treatment Plant ☐
- e. Septic System ☐

Provide Name: _____
(GPD Capacity): _____

TYPE OF WATER SERVICE TO BE PROVIDED

Check applicable system:

- a. County Utility System ☐
- b. City Utility System ☐
- c. Franchised Utility System ☐
- d. Private System (Well) ☐

Provide Name: _____

Total Population to be Served: _____

Peak and Average Daily Demands:

A. Water-Peak: _____ Average Daily: _____

B. Sewer-Peak: _____ Average Daily: _____

If proposing to be connected to Collier County Regional Water System, please provide the date service is expected to be required: _____



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Narrative statement: Provide a brief and concise narrative statement and schematic drawing of sewage treatment process to be used as well as a specific statement regarding the method of affluent and sludge disposal. If percolation ponds are to be used, then percolation data and soil involved shall be provided from tests prepared and certified by a professional engineer.

Collier County Utility Dedication Statement: If the project is located within the service boundaries of Collier County's utility service system, a notarized statement shall be provided agreeing to dedicate the water distribution and sewage collection facilities within the project area to the Collier County Utilities. This shall occur upon completion of the construction of these facilities in accordance with all applicable County ordinances in effect at that time. This statement shall also include an agreement that the applicable system development charges and connection fees will be paid to the County Utilities Division prior to the issuance of building permits by the County. If applicable, the statement shall contain an agreement to dedicate the appropriate utility easements for serving the water and sewer systems.

Statement of Availability Capacity from other Providers: Unless waived or otherwise provided for at the pre-application meeting, if the project is to receive sewer or potable water services from any provider other than the County, a statement from that provider indicating adequate capacity to serve the project shall be provided.



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COVENANT OF UNIFIED CONTROL

The undersigned do hereby swear or affirm that we are the fee simple titleholders and owners of record of property commonly known as _____

(Street address and City, State and Zip Code)

and legally described in *Exhibit A* attached hereto.

The property described herein is the subject of an application for _____ planned unit development (_____ PUD) zoning. We hereby designate _____ legal representative thereof, as the legal representatives of the property and as such, these individuals are authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes, but is not limited to, the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning approval on the site. These representatives will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Collier County.

The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

1. The property will be developed and used in conformity with the approved master plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned unit development rezoning.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the master plan, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by Collier County.
3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the planned unit development process will constitute a violation of the Land Development Code.
4. All terms and conditions of the planned unit development approval will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the planned unit development must be consistent with those terms and conditions.
5. So long as this covenant is in force, Collier County can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the planned unit development, seek equitable relief as necessary to compel compliance. The County will not issue permits, certificates, or licenses to occupy or use any part of the planned unit development and the County may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the planned unit development.

Owner

Owner

Printed Name

Printed Name

STATE OF FLORIDA)
COUNTY OF COLLIER)

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 201__ by _____
who is personally known to me or has produced _____ as identification.

Notary Public
(Name typed, printed or stamped)



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Final Submittal Requirement Checklist for:

- ☒ PUD Rezone- Ch. 3 G. 1 of the Administrative Code
☐ Amendment to PUD- Ch. 3 G. 2 of the Administrative Code
☐ PUD to PUD Rezone- Ch. 3 G. 1 of the Administrative Code

The following Submittal Requirement checklist is to be utilized during the Pre-Application Meeting and at time of application submittal. At final submittal, the checklist is to be completed and submitted with an up-to-date application. Please provide the submittal items in the exact order listed below, with cover sheets attached to each section. **Incomplete submittals will not be accepted. A Model PUD Document is available online at <http://www.colliercountyfl.gov/Home/ShowDocument?id=76983>.**

REQUIREMENTS	# OF COPIES	REQUIRED	NOT REQUIRED
Cover Letter with Narrative Statement including a detailed description of why amendment is necessary	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Completed Application with required attachments (download latest version)	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pre-application meeting notes	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Affidavit of Authorization</u> , signed and notarized	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Property Ownership Disclosure Form</u>	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Notarized and completed Covenant of Unified Control	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Completed Addressing Checklist</u>	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Warranty Deed(s)	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
List Identifying Owner and all parties of corporation	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Signed and sealed Boundary Survey	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Architectural Rendering of proposed structures	1	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Current Aerial Photographs (available from Property Appraiser) with project boundary and, if vegetated, FLUCFCS Codes with legend included on aerial.	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Statement of Utility Provisions	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Environmental Data Requirements pursuant to LDC section 3.08.00	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Environmental Data Requirements collated into a single Environmental Impact Statement (EIS) packet at time of public hearings. Coordinate with project planner at time of public hearings.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Listed or Protected Species survey, less than 12 months old. Include copies of previous surveys.	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Traffic Impact Study	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Historical Survey	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
School Impact Analysis Application, if applicable	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Electronic copy of all required documents	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Completed Exhibits A-F (see below for additional information)*	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
List of requested deviations from the LDC with justification for each (this document is separate from Exhibit E)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Checklist continues on next page			



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Revised Conceptual Master Site Plan 24" x 36" and One 8 1/2" x 11" copy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Original PUD document/ordinance, and Master Plan 24" x 36" – Only if Amending the PUD	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Revised PUD document with changes crossed thru & underlined	1	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Copy of Official Interpretation and/or Zoning Verification	1	<input type="checkbox"/>	<input checked="" type="checkbox"/>
*If located in Immokalee or seeking affordable housing, include an additional set of each submittal requirement			

*The following exhibits are to be completed on a separate document and attached to the application packet:

- ☒ Exhibit A: List of Permitted Uses
- ☒ Exhibit B: Development Standards
- ☒ Exhibit C: Master Plan- See Chapter 3 E. 1. of the Administrative Code
- ☒ Exhibit D: Legal Description
- ☒ Exhibit E: List of Requested LDC Deviations and justification for each
- ☒ Exhibit F: List of Development Commitments

If located in RFMU (Rural Fringe Mixed Use) Receiving Land Areas

Pursuant to LDC subsection 2.03.08.A.2.a.2.(b).i.c., the applicant must contact the Florida Forest Service at 239-690-3500 for information regarding "Wildfire Mitigation & Prevention Plan."

PLANNERS – INDICATE IF THE PETITION NEEDS TO BE ROUTED TO THE FOLLOWING REVIEWERS:

<input checked="" type="checkbox"/> School District (Residential Components): Amy Lockheart	<input type="checkbox"/> Conservancy of SWFL: Nichole Johnson
<input checked="" type="checkbox"/> Utilities Engineering: Eric Fey	<input checked="" type="checkbox"/> Parks and Recreation: Barry Williams & David Berra
<input checked="" type="checkbox"/> Emergency Management: Dan Summers	<input type="checkbox"/> Immokalee Water/Sewer District:
<input type="checkbox"/> City of Naples: Robin Singer, Planning Director	<input type="checkbox"/> Other:

ASSOCIATED FEES FOR APPLICATION

- ☒ Pre-Application Meeting: \$500.00
- ☒ PUD Rezone: \$10,000.00* plus \$25.00 an acre or fraction of an acre
- ☐ PUD to PUD Rezone: \$8,000.00* plus \$25.00 an acre or fraction of an acre
- ☐ PUD Amendment: \$6,000.00* plus \$25.00 an acre or fraction of an acre
- ☒ Comprehensive Planning Consistency Review: \$2,250.00
- ☒ Environmental Data Requirements-EIS Packet (submittal determined at pre-application meeting): \$2,500.00

N/A ☐ Listed or Protected Species Review (when an EIS is not required): \$1,000.00

Transportation Review Fees:

- ☒ Methodology Review: \$500.00, to be paid directly to Transportation at the Methodology Meeting*
*Additional fees to be determined at Methodology Meeting.
- ☐ Minor Study Review: \$750.00
- ☐ Major Study Review \$1,500.00



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☒ **Legal Advertising Fees:**

- ☒ CCPC: \$1,125.00
- ☒ BCC: \$500.00

☒ **School Concurrency Fee, if applicable:**

- ☐ Mitigation Fees, if application, to be determined by the School District in coordination with the County

Fire Code Plans Review Fees are collected at the time of application submission and those fees are set forth by the Authority having jurisdiction. The Land Development Code requires Neighborhood Notification mailers for Applications headed to hearing, and this fee is collected prior to hearing. All checks payable to: Board of County Commissioners.

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

**Additional fee for the 5th and subsequent re-submittal will be assessed at 20% of the original fee.*

Signature of Petitioner or Agent

Date

Printed named of signing party



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PROPERTY OWNERSHIP DISCLOSURE FORM

This is a required form with all land use petitions, except for Appeals and Zoning Verification Letters.

Should any changes of ownership or changes in contracts for purchase occur subsequent to the date of application, but prior to the date of the final public hearing, it is the responsibility of the applicant, or agent on his behalf, to submit a supplemental disclosure of interest form.

Please complete the following, use additional sheets if necessary.

- a. If the property is owned fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest:

Name and Address	% of Ownership

- b. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each:

Name and Address	% of Ownership

- c. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with the percentage of interest:

Name and Address	% of Ownership



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- d. If the property is in the name of a GENERAL or LIMITED PARTNERSHIP, list the name of the general and/or limited partners:

Name and Address	% of Ownership

- e. If there is a CONTRACT FOR PURCHASE, with an individual or individuals, a Corporation, Trustee, or a Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners:

Name and Address	% of Ownership

Date of Contract: _____

- f. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust:

Name and Address

- g. Date subject property acquired _____

☐ Leased: Term of lease _____ years /months

If, Petitioner has option to buy, indicate the following:



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Date of option: _____

Date option terminates: _____, or

Anticipated closing date: _____

AFFIRM PROPERTY OWNERSHIP INFORMATION
--

Any petition required to have Property Ownership Disclosure, will not be accepted without this form. Requirements for petition types are located on the associated application form. Any change in ownership whether individually or with a Trustee, Company or other interest-holding party, must be disclosed to Collier County immediately if such change occurs prior to the petition's final public hearing.

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

The completed application, all required submittal materials, and fees shall be submitted to:

Growth Management Department
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

Agent/Owner Signature

Date

Agent/Owner Name (please print)

Collier County Property Appraiser Property Summary

Parcel No	00736200103	Site Address	1158 PISA LN	Site City	NAPLES	Site Zone <u>*Note</u>	34114
-----------	-------------	--------------	--------------	-----------	--------	---------------------------	-------

Name / Address	RIMAR ENTERPRISES INC					
	7700 N KENDALL DR #802					
City	MIAMI	State	FL	Zip	33156	

Map No.	Strap No.	Section	Township	Range	Acres <u>*Estimated</u>
6B10	000100 102 6B10	10	51	26	60.89

Legal	10 51 26 COMM AT THE INTERSEC- TION OF THE ELY R/W LINE OF SR 951 & NLY LINE OF THE SE 1/4 OF NW 1/4, S 30.01 FT, N 88 DEG 42' 20" E 500 FT, S 706.32 FT, N 88 DEG 42' 20" E 849.37 FT, N 1 DEG 17' 40" W 706.05 FT, N 88 DEG 40' 46" E 170.93 FT TO POB, CONT ELY 1091.84 FT S 1339.16 FT, S 684.81 FT, S 88 DEG 45' 40" W 1369.16 FT, S 88 DEG 45' 54" W 739.18 FT, N 684.81 FT, ELY 1039.52 FT, N 1350.18 FT TO POB, LESS OR 2039 PG 949
-------	---

<u>Millage Area</u> ⓘ	21	<u>Millage Rates</u> ⓘ <u>*Calculations</u>		
Sub./Condo	100 - ACREAGE HEADER	School	Other	Total
<u>Use Code</u> ⓘ	99 - ACREAGE NOT ZONED AGRICULTURAL	5.049	6.3222	11.3712

Latest Sales History

(Not all Sales are listed due to Confidentiality)

Date	Book-Page	Amount
12/21/04	<u>3700-2270</u>	\$ 3,750,000
06/25/96	<u>2198-2159</u>	\$ 0
06/10/93	<u>1834-1541</u>	\$ 0
04/01/91	<u>1606-2300</u>	\$ 0
07/01/88	<u>1362-178</u>	\$ 1,877,750

2018 Certified Tax Roll

(Subject to Change)

Land Value	\$ 1,674,675
(+) Improved Value	\$ 0
(=) Market Value	\$ 1,674,675
(-) 10% Cap	\$ 256,152
(=) Assessed Value	\$ 1,418,523
(=) School Taxable Value	\$ 1,674,675
(=) Taxable Value	\$ 1,418,523

If all Values shown above equal 0 this parcel was created after the Final Tax Roll

Collier County Property Appraiser Property Detail

Parcel No	00736200103	Site Address	1158 PISA LN	Site City	NAPLES	Site Zone <u>*Note</u>	34114
-----------	-------------	--------------	--------------	-----------	--------	---------------------------	-------

Name / Address	RIMAR ENTERPRISES INC					
	7700 N KENDALL DR #802					
City	MIAMI	State	FL	Zip	33156	

Permits

Tax Yr	Issuer	Permit #	CO Date	Tmp CO	Final Bldg	Type
--------	--------	----------	---------	--------	------------	------

Land

#	Calc Code	Units
10	ACREAGE	60.89
20	FLAT VALUE	2.3
30	FLAT VALUE	1.82

Building/Extra Features

#	Year Built	Description	Area	Adj Area
---	------------	-------------	------	----------

Collier County Property Appraiser Property Aerial

Parcel No	00736200103	Site Address	1158 PISA LN	Site City	NAPLES	Site Zone	34114
						<u>*Note</u>	



[Open GIS in a New Window with More Features.](#)

Collier County Property Appraiser Property Summary

Parcel No	00736200404	Site Address	1144 PADOVA ST	Site City	NAPLES	Site Zone <i>*Note</i>	34114
-----------	-------------	--------------	----------------	-----------	--------	---------------------------	-------

Name / Address	RIMAR ENTERPRISES INC					
	7700 N KENDALL DR #802					
City	MIAMI	State	FL	Zip	33156	

Map No.	Strap No.	Section	Township	Range	Acres <i>*Estimated</i>
6B10	000100 111 6B10	10	51	26	1

Legal	10 51 26 COM AT + E RW LI 951 & NLY LI OF SE1/4 OF NW1/4, S 30.01FT TO S LI MANATEE RD, E 500FT, S 706.32FT, E 849.37FT, N1DEG W 706.05FT, N 88DEG E 170.93FT TO POB N 88DEG E 199FT, S01DEG E 219FT, S88DEG W 199FT, N01DEG W 219FT TO POB
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<u>Millage Area</u> ⓘ	21	<u>Millage Rates</u> ⓘ <i>*Calculations</i>		
Sub./Condo	100 - ACREAGE HEADER	School	Other	Total
<u>Use Code</u> ⓘ	99 - ACREAGE NOT ZONED AGRICULTURAL	5.049	6.3222	11.3712

Latest Sales History

(Not all Sales are listed due to Confidentiality)

Date	Book-Page	Amount
12/21/04	<u>3700-2270</u>	\$ 3,750,000
09/24/02	<u>3116-99</u>	\$ 0
06/09/98	<u>2428-2152</u>	\$ 0
03/16/95	<u>2039-949</u>	\$ 37,875

2018 Certified Tax Roll

(Subject to Change)

Land Value	\$ 27,500
(+) Improved Value	\$ 0
(=) Market Value	\$ 27,500
(-) 10% Cap	\$ 6,325
(=) Assessed Value	\$ 21,175
(=) School Taxable Value	\$ 27,500
(=) Taxable Value	\$ 21,175

If all Values shown above equal 0 this parcel was created after the Final Tax Roll

Collier County Property Appraiser Property Detail

Parcel No	00736200404	Site Address	1144 PADOVA ST	Site City	NAPLES	Site Zone <u>*Note</u>	34114
-----------	-------------	--------------	----------------	-----------	--------	---------------------------	-------

Name / Address	RIMAR ENTERPRISES INC						
	7700 N KENDALL DR #802						
City	MIAMI			State	FL	Zip	33156

Permits

Tax Yr	Issuer	Permit #	CO Date	Tmp CO	Final Bldg	Type
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Land

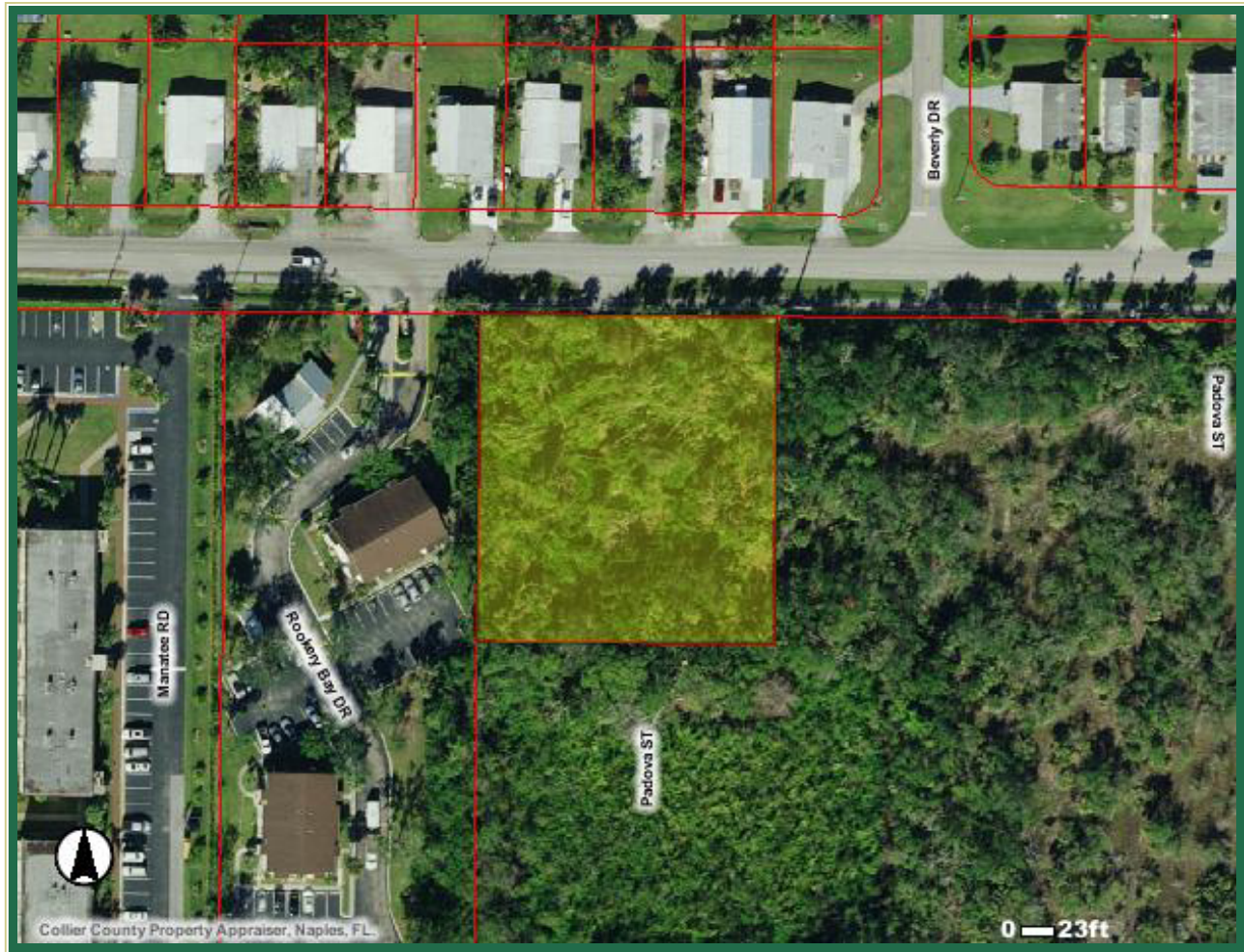
#	Calc Code	Units
10	ACREAGE	1

Building/Extra Features

#	Year Built	Description	Area	Adj Area
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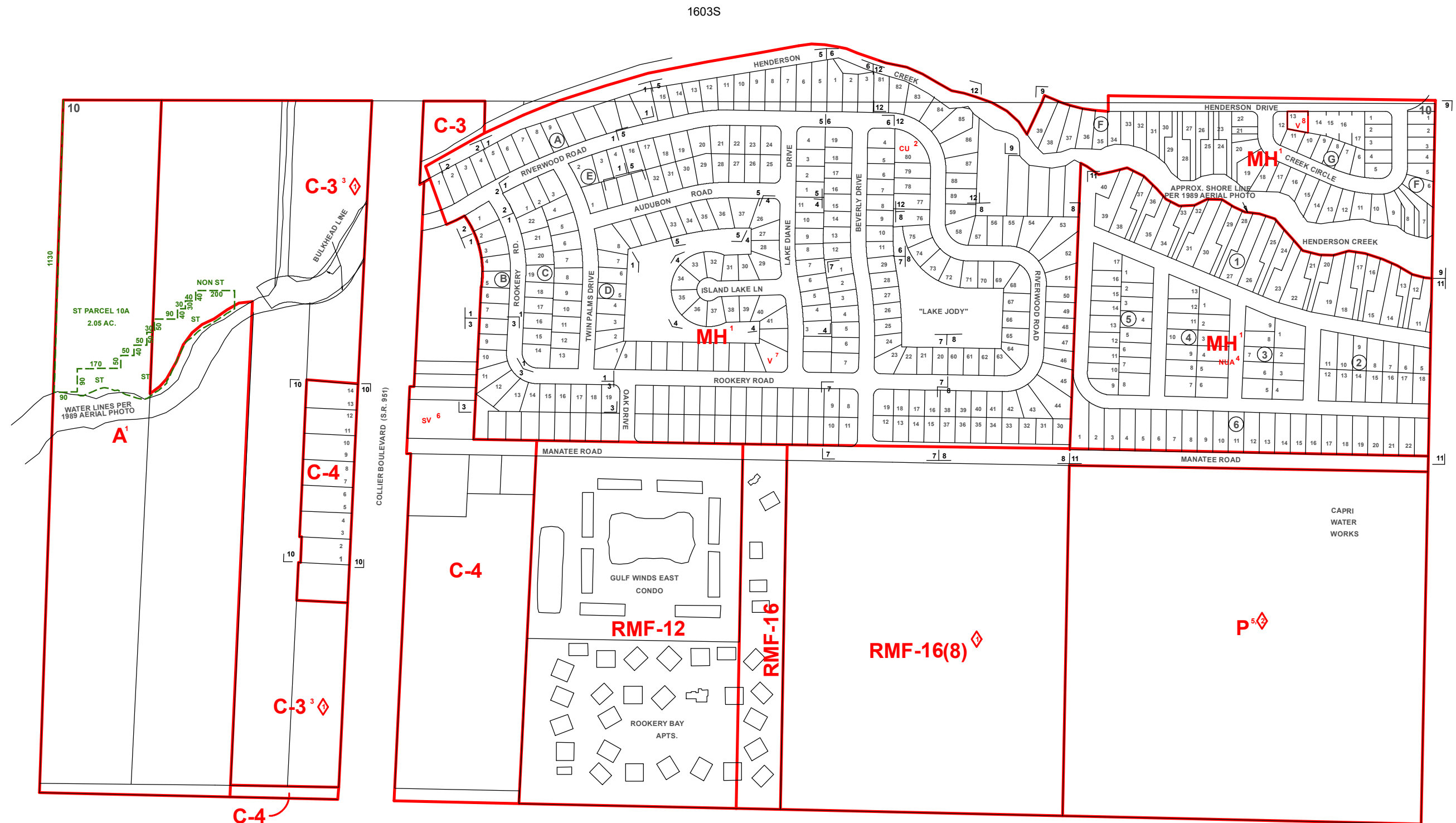
Collier County Property Appraiser Property Aerial

Parcel No	00736200404	Site Address	1144 PADOVA ST	Site City	NAPLES	Site Zone	34114
						*Note	



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LAST REVISION: ZONING



----- INDICATES SPECIAL TREATMENT OVERLAY

SUBDIVISION INDEX			
NO.	NAME	P.B.	Pg.
1	RIVERWOOD	8	53
2	RIVERWOOD UNIT 1 ADDITION	9	107
3	RIVERWOOD UNIT 2	10	90
4	RIVERWOOD EAST	13	13
5	RIVERWOOD EAST UNIT 2	13	112
6	RIVERWOOD EAST UNIT 3	14	90
7	RIVERWOOD EAST UNIT 4 PH.1	15	57
8	RIVERWOOD EAST UNIT 4 PH.2	17	54
9	HENDERSON CREEK PARK	6	8
10	KEYES DIVISION (Unrec.)		

NO.	NAME	P.B.	Pg.
11	HENDERSON CREEK PARK SOUTH (Unrec.)		
12	RIVERWOOD EAST UNIT 4 PH.3	18	50
13			
14			
15			
16			
17			
18			
19			
20			

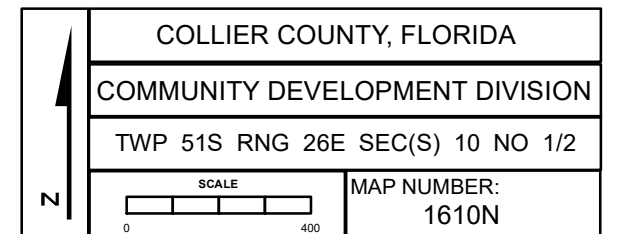
ZONING NOTES			
1	LDC-91		
2	3-10-92	CU-91-21	91-17
3	10-19-92	R-92.4	92-77
4	6-25-96	NUA-96-1	96-306
5	6-25-97	RZ05-AR-7271	07-56
6	12-11-14	SVPL-14-1152	HEX 14-39
7	5-2-16	VA-PL-15-886	HEX 16-15
8	9-18-18	VA-PL-17-1963	HEX 18-19

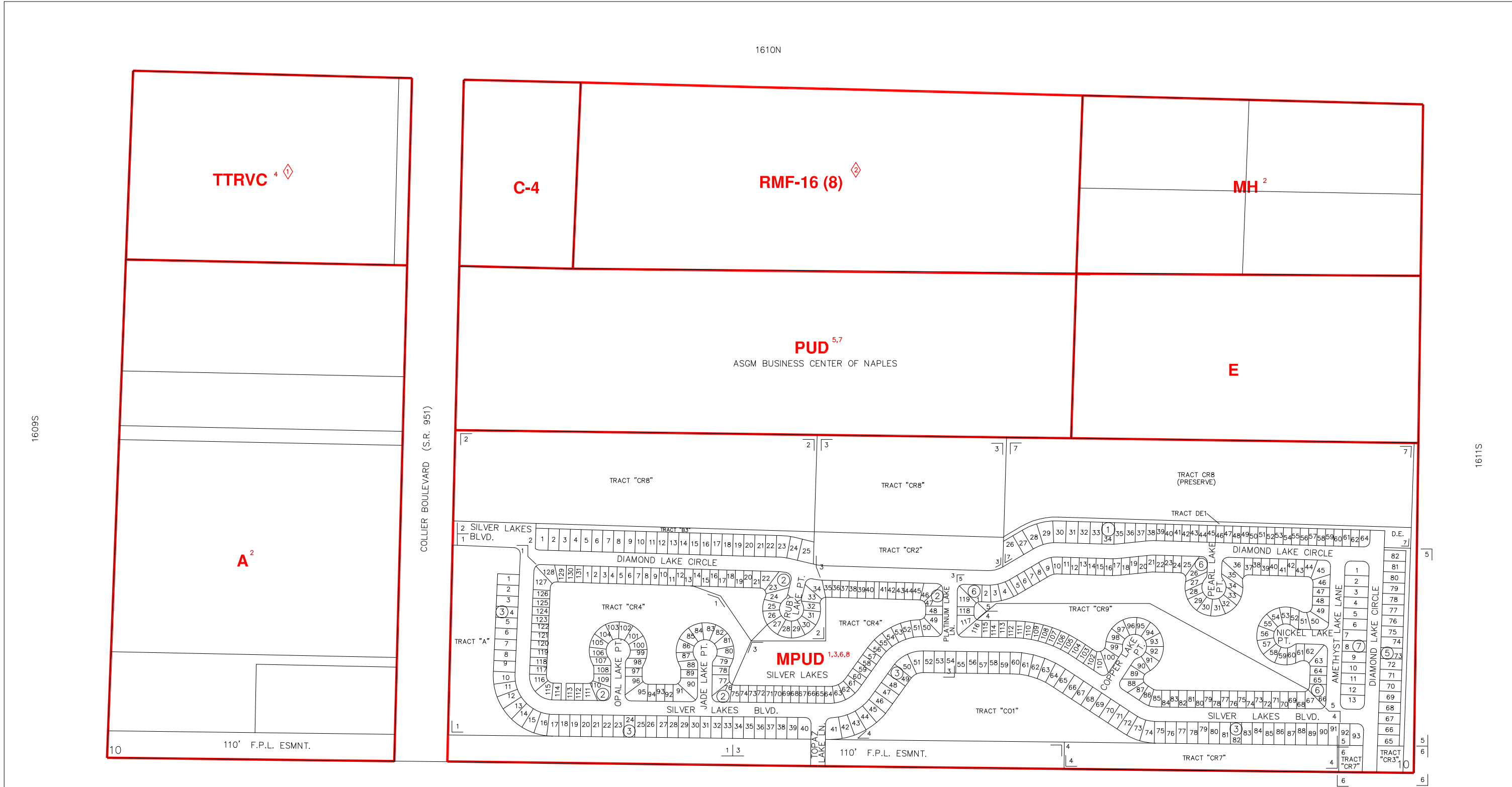
DEVELOPMENT STANDARDS MODIFICATIONS			
◇	10-19-92	R-92.4	92-77
◇	6-26-07	RZ-05-AR-7271	07-56

THIS IS TO CERTIFY THAT THIS IS A PAGE OF THE
OFFICIAL ZONING ATLAS REFERRED TO AND ADOPTED
BY REFERENCE BY ORDINANCE NO. 04-41 OF THE
COUNTY OF COLLIER, FLORIDA, ADOPTED JUNE 22, 2004,
AS AMENDED BY THE ZONING NOTES AND SUBDIVISION
INDEX REFERENCED HEREON.

BY _____ CHAIRMAN

ATTEST _____ CLERK





SUBDIVISION INDEX			
NO.	NAME	P.B.	Pg.
1	SILVER LAKES PHASE ONE	20	91-92
2	SILVER LAKES PHASE TWO-A	24	54-55
3	SILVER LAKES PHASE TWO-B	25	69-70
4	SILVER LAKES PHASE TWO-D	29	34-35
5	SILVER LAKES PHASE TWO-E	31	45-47
6	SILVER LAKES PHASE TWO-F	33	37-38
7	SILVER LAKES PHASE TWO-G	49	9-11
8			
9			
10			

NO.	NAME	P.B.	Pg.
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			

ZONING NOTES

1 5-22-90 R-89-15 90-40
2 LDC-91
3 9-24-91 PUD-89-15(1) 91-90
4 6-22-92 R-92-4 92-43
5 10-8-02 PUD-01-AR-1331 02-47
6 3-22-03 PUD-03-AR-4992 05-14
7 10-14-08 PUDA-08-AR-13063 08-54
8
9
10

DEVELOPMENT STANDARDS MODIFICATIONS

6-22-92 R-92-4 92-43
10-19-92 R-92-4 92-77

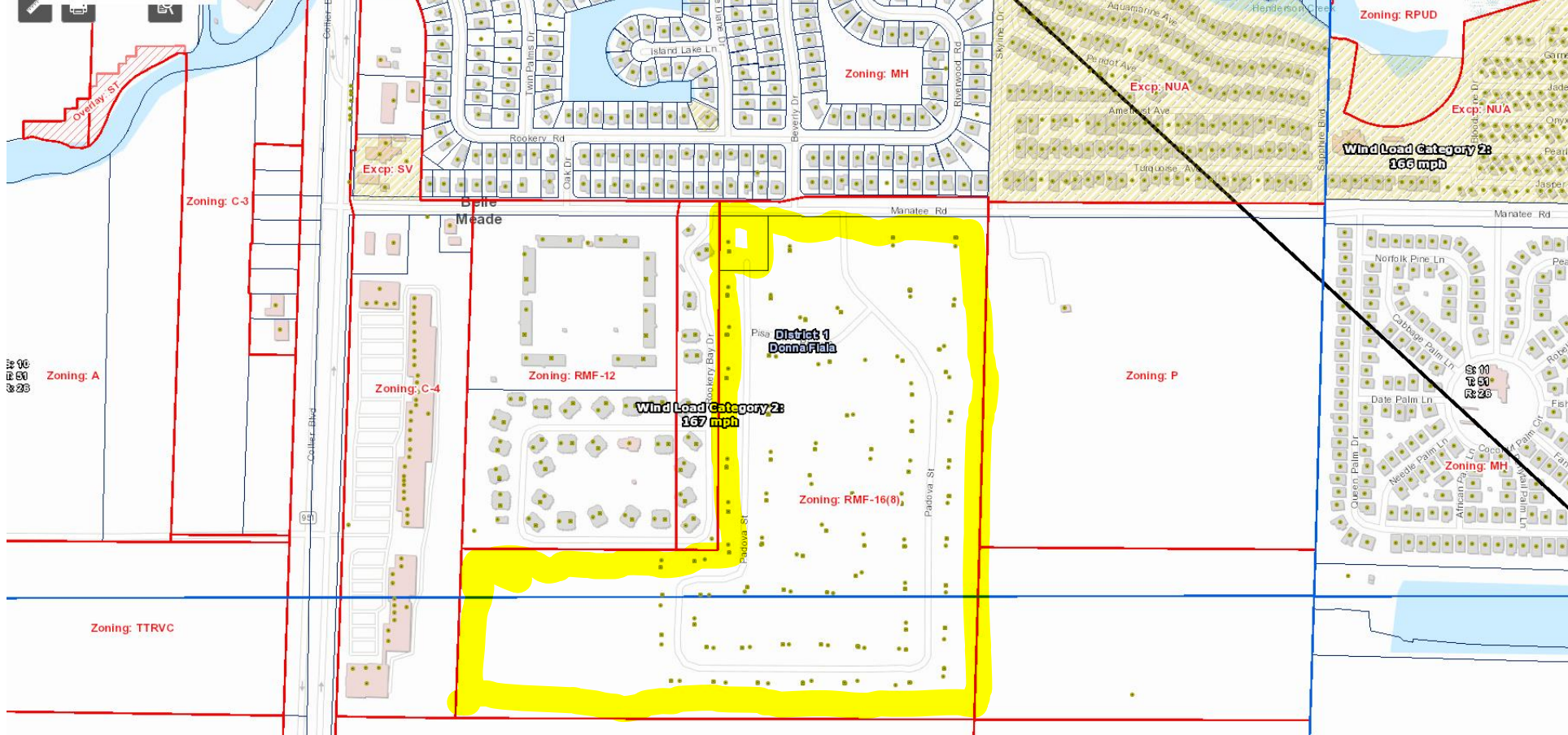
THIS IS TO CERTIFY THAT THIS IS A PAGE OF THE OFFICIAL ZONING ATLAS REFERRED TO AND ADOPTED BY REFERENCE BY ORDINANCE NO. 04-41 OF THE COUNTY OF COLLIER, FLORIDA, ADOPTED JUNE 22, 2004.

BY _____ CHAIRMAN

ATTEST _____ CLERK

N

COLLIER COUNTY, FLORIDA
COMMUNITY DEVELOPMENT DIVISION
TWP 51S RNG 26E SEC(S) 10 SO 1/2
SCALE 0 400
MAP NUMBER:
1610S



2.03.06 - Planned Unit Development Districts

- A. Purpose and intent. The purpose and intent of establishing the planned unit **development** district (PUD) is to provide procedures and standards to encourage mixed use planned **developments** that may be situated at appropriate locations, or planned **developments** that may or may not be mixed use in the urban fringe areas, all in accordance with the planning and **development** objectives of the county under the LDC and the GMP. It is further the purpose and intent of these PUD regulations to encourage ingenuity, innovation and imagination in the planning, design, and **development** or redevelopment of relatively large tracts of land under unified ownership or control. PUDs produced in compliance with the terms and provisions of this LDC and the GMP may depart from the strict application of **setback**, height, and minimum **lot** requirements of conventional zoning districts while maintaining minimum standards by which flexibility may be accomplished, and while protecting the public interest, in order to:
- B. The PUD process is intended to accomplish the following:
1. Provide a creative approach to improve the quality of the built environment of contiguous tracts of land which will encourage **development** of infill **parcels** of contiguous tracts of land in certain circumstances.
 2. Create a more desirable environment providing for consistency and visual harmony than would be possible through strict application of the minimum requirements of this LDC.
 3. Encourage patterns of land use that support economical provisions of infrastructure, resulting in smaller networks of utilities and **streets** with consequent lower construction and future maintenance costs.
 4. Evaluate the impact of a particular PUD on the present and projected population, economy, land use pattern, tax base, **street** system, and public facility network(s) of the county relative to the various costs and benefits associated with such **development**.
 5. Assure that the **development** employs techniques featuring amenities and excellence in the form of variations in siting, mixed land uses and/or varied **dwelling** types, as well as adaptation to and conservation of the topography and other natural characteristics of the land involved. Exceptions to variations in siting, mixed land uses and/or varied **dwelling** types may be granted on PUD infill **development**.
- C. PUD districts shall hereafter be established by amendment of the official zoning atlas according to the procedures established in LDC section 10.02.08 and the Administrative Code. The purpose and intent of establishing and identifying the following classifications is to identify a relationship between a proposed PUD and the other zoning districts within this LDC. The goal is to relate the purpose and intent of the PUD zoning district and the uses permitted within a PUD to defined zoning districts within this LDC and to establish appropriate uses and performance standards within this PUD, which are similar to those allowed by the most similar district(s). PUDs shall hereafter be defined by the following districts and shall be referenced as such within the PUD document as follows:
- 1. Residential planned unit development district**. This district is intended to further the general purpose of a planned unit **development** district set forth above as it relates to residential areas. The **principal use** of any residential planned unit **development** is for human habitation in permanent and/or seasonal year-round **dwelling units**. The RPUD district shall be construed to include the following zoning districts: RSF-1, RSF-2, RSF-3, RSF-4, RSF-5, RSF-6, RMF-6, RMF-12, RMF-16, RT, VR, AND MH.
 2. *Community facilities planned unit development district*. This district is intended to accommodate public facilities, institutional uses, **open space** uses, recreational uses, water-related or dependent uses, and other governmental, religious and community service activities which complement and are necessary to serve other zoning districts.
 3. *Commercial planned unit development district*. This district shall be construed to include the following districts: C-1, C-2, C-3, C-4, C-5 and TTRVC. **Accessory uses** which may be

permitted in the commercial planned unit **development** district include permanent and/or seasonal human habitation in multiple-family **buildings** and **townhouses** , transient housing in **hotel** or **motel** rooms, health care facilities, and other limited institutional uses.

4. *Industrial planned unit **development** district.* This district is intended to accommodate industrial **development** . The **principal use** of any industrial planned unit **development** is the manufacture of goods, materials and the storage and wholesale distribution of such goods or materials.
 5. ***Airport** operations planned unit **development** district (AOPUD).* This district is intended to accommodate and regulate those lands on which public **airports** and ancillary facilities are to be located.
 6. *Mixed use planned unit **development** district (MPUD).* This district is intended to accommodate a planned unit **development** with more than one type of PUD district. The PUD document shall define the mixture of PUD districts as set forth in this section.
 7. *Research and technology park planned unit **development** district.* This district is intended to accommodate a planned unit **development** with a mixture of targeted industry uses - aviation/aerospace, health technology industry, information technology industry, and light, low environmental impact manufacturing industry and non- **industrial uses** , in accordance with the design requirements of section 4.07.05 of this LDC and the GMP research and technology park subdistrict.
 - a. *Type A* - Research and technology park in the urban-mixed use district of the GMP.
 - b. *Type B* - Research and technology park in the urban commercial district of the GMP.
 - c. *Type C* - Research and technology park in the urban industrial district of the GMP.
 - d. At a minimum, 60 percent of the total park net acreage shall be devoted to target industry uses as defined below in section 2.03.06(D) of this LDC, use regulations table.
 - e. Non-target industries, as defined below in section 2.03.06(D) of this LDC, use regulations table, and **workforce housing** , shall be permitted to include up to twenty (20) percent of the total park net acreage.
- D. The following are permissible uses in the Research and Technology Park PUD:
- E. The following are permissible commercial uses in PUDs:
- F. Special requirements for public school facilities within a planned unit **development** .
1. Permitted facilities.

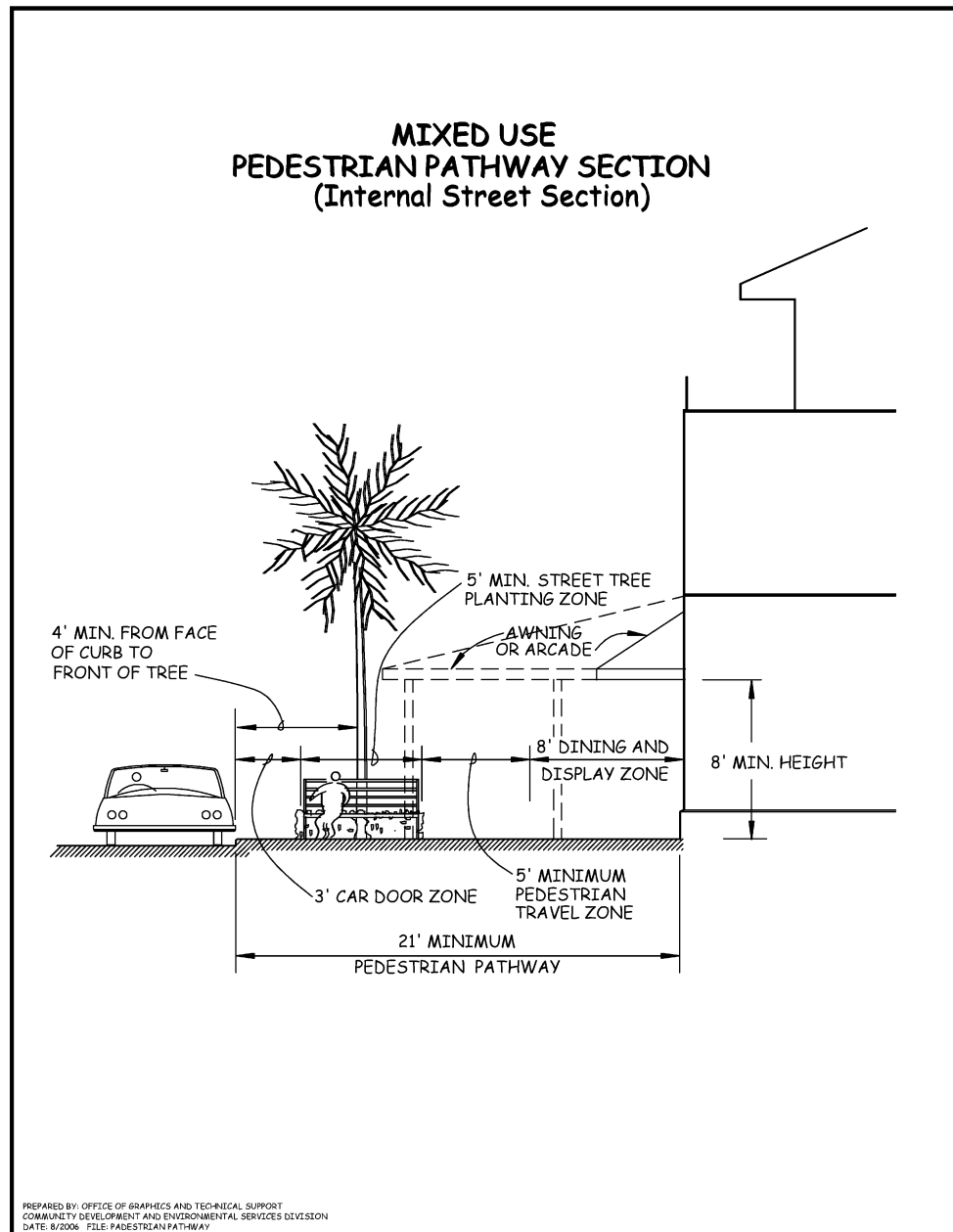
Ancillary plants and **educational plants** are both permitted in a planned unit **development** district; however, any high school located in this district is subject to a **compatibility review** as described in section 10.02.03 of the Code.
 2. **Yard** Requirements for public schools.
 - a. For **principal structures** : 50 feet from all property lines.
 - b. For **accessory structures** : 25 feet from all property lines.
- G. Residential Mixed Use Neighborhood Center PUD Design Criteria.
1. *Purpose and Scope.* The Residential Mixed Use Neighborhood Center PUD Design Criteria is intended to encourage the development of residential projects with a limited mix of commercial uses with a context of smart growth design. Such mixed-use projects are intended to be developed at a human-scale with a pedestrian orientation, interconnecting with **adjacent** project, whether commercial or residential. The Residential Mixed Use Neighborhood Center PUD is allowed in the Urban Mixed Use District contained within the FLUE and subject to the standards and criteria set forth under the Residential Mixed Use Neighborhood Subdistrict and the regulations contained herewith.

2. *Residential PUD mixed use projects shall comply with the following standards and criteria.* These design criteria are applicable to Residential Mixed Use Projects, those projects approved prior to the effective date this amendment, shall not be required to adopt the design criteria contained here within during any future PUD amendments.
- a. Uses in the commercial component are limited to those allowed in the C-1, C-2 and C-3 zoning districts as contained in the Collier County Land Development Code.
 - b. The commercial component shall be no larger than 10 acres in size and shall not exceed 80,000 square feet of gross leasable floor area.
 - c. A maximum of one acre of land for commercial uses is allowed for each 5 acres of land for residential uses.
 - d. The minimum size for a project utilizing the Residential Mixed Use PUD shall be greater than 5 acres.
 - e. No single commercial use in the commercial component shall exceed 15,000 square feet of gross leasable floor area, except that a grocery store or supermarket shall not exceed 45,000 square feet of gross leasable floor area.
 - f. The maximum floor area ratio for commercial uses is 0.25, of the commercial component.
 - g. Residential **density** shall be no less than the base **density** allowed by the FLUE Density Rating System. For properties located in the Urban Residential Fringe, the minimum **density** shall be as allowed by that Subdistrict.
 - h. For freestanding residential uses, acreage to be used for calculating **density** is exclusive of the commercial component and of any acreage component for a use with a residential equivalency, e.g. ALF-adult living facility. For properties not located in the Urban Residential Fringe, eligible **density** shall be as allowed by the FLUE Density Rating System, or as allowed under the existing residential zoning district, or as otherwise allowed by FLUE, Policy 5.1. For properties located in the Urban Residential Fringe, eligible **density** shall be as allowed by that Subdistrict.
 - i. For residential uses located within the commercial component of the project, whether located above commercial uses in the same **building** , in an attached **building** , or in a freestanding **building** ; **density** is calculated based upon the gross project acreage. For properties not located in the Urban Residential Fringe, eligible **density** is the base **density** allowed by the Density Rating System, less any reductions. For properties located in the Urban Residential Fringe, eligible **density** shall be as allowed by that Subdistrict.
 - j. The project is encouraged to use a grid **street** system, or portion thereof, so as to afford maximum opportunity for interconnections with surrounding properties and to provide multiple route alternatives.
 - k. The project shall provide **street** , pedestrian **pathway** and **bike lane** interconnections with **adjacent** properties, where possible and practicable.
 - l. The commercial component shall be interconnected with the residential component of the project by **streets** , or pedestrian **pathways** , and **bike lanes** , unless precluded by the existence of wetlands or other environmentally sensitive habitats. In such instance, no less than one type of interconnection shall be provided.
 - m. All **buildings** shall be limited to 5 stories in height, inclusive of under **building** parking, not to exceed the zoned height and in no case greater than 60 feet.
 - n. The commercial component of the project shall be internally located with no direct **access** to **adjacent** external roadways, or the commercial component shall have **frontage** on a road classified as an **arterial** or **collector** in the Transportation Element.
 - o. If the commercial component is not internally located, then its **frontage** shall be no greater than twice its depth.

- p. For projects located along an **arterial** or **collector road** , the number and type of **access** points shall be limited, as appropriate, so as to minimize disruption of traffic flow on the **adjacent arterial** or **collector roadway**.
 - q. The **setback** for projects which are **adjacent** to residentially zoned properties shall be a minimum of 15 feet.
3. **Pedestrian Pathways.** For projects subject to architectural design standards, see LDC section 5.05.08 F. for related provisions.
- a. The pedestrian **pathways** along the main **streets** shall be a minimum of 21 feet in width, which shall have a **pedestrian travel zone** that is unobstructed and continuous. (See diagram.)
 - b. Pedestrian **pathways** shall be provided pursuant to section 4.02.3 8.D. of the LDC and shall include: **street** furnishings, a **street** tree planting zone, and a **pedestrian travel zone**. (This is not applicable to internal parking lots.)
 - c. Overhead arcades, awnings or canopies, may extend over the dining and display zone as well as the pedestrian travel zone at a minimum height of 8 feet. Furnishings or other obstructions shall be kept out of the pedestrian travel zone.
 - d. Outdoor dining at **building** arcades or outdoor areas may be enclosed by planters, decorative fencing, or comparable moveable barriers. The dining area shall not encroach into the pedestrian travel zone.
 - e. **Building** elements in the form of arcades, overhangs, signage, marquees, bay windows, and structural supports shall be allowed to extend over the pedestrian travel zone. These allowable overhead encroachments shall have a minimum clearance of 8 feet height above the sidewalk.



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4. **Street Furnishings & Street Plantings.**

- a. **Street** furnishings shall be provided in conjunction with the **street** tree planting zone. **Street** furnishings shall include benches per LDC Section 4.06.03 B.8. one waste/recycling receptacle per 300 linear feet of **street frontage**, and bike racks per LDC Section 4.05.08. **Street** furnishings may also include bus shelters, information kiosks, and similar furnishings.

- b. Site furnishings (not associated with an individual business) shall be coordinated and fabricated of compatible materials.
- c. Visual obstructions shall not be allowed within sight triangles/spaces at **street** intersections pursuant to section 4.06.01 D.1. of the Code.
- d. The **street** tree planting zone shall have a minimum width of 5 feet and a minimum length of 10 feet and be located parallel to the curb. Root barriers are required to protect **sidewalks** and utilities.
 - i. Within the **street** tree planting zone, **street** trees shall be spaced at a rate of 40 feet on center and may be clustered. The **street** tree pattern may be interrupted by overhead arcades, utilities, and pedestrian access. Trees shall have a minimum height at the start of branching of 8 feet and have an overall planting height of 16 feet. Palm trees are allowed as a substitute to canopy trees where **building** elements (reference LDC 2.03.06 G.3.e, and LDC 2.03.06 G.7.b.i. and ii.) are closer to the **street** and the amount of space for landscaping, the pedestrian travel zone, and **street** furnishings will not allow canopy trees. Areas for canopy trees should be included at plazas, **street** intersections, and other areas where **buildings** are set back and space will allow.
 - ii. Plantings shall include a variety of tree and shrub species with at least 50 percent of the required trees and 35 percent of the required shrubs being plants native to Florida.
 - iii. Planting zones at the ground plane shall include turf grass; groundcover, low shrubs or flowering plants.

5. *Landscape.*

- a. General Landscape.
 - i. Provide a variety of tree and shrub species with at least 50 percent of the required trees and 35 percent of the required shrubs being plants native to Florida.
 - ii. Canopy trees used in open landscape areas (other than **street** trees) shall be a minimum of 10 feet in height, having a four-foot spread and a minimum caliper of 1¾ inches.
 - iii. Plantings shall be a maximum of 25 percent turf grass. The balance shall be groundcover, low shrubs and/or flowers located in planting areas as is appropriate to the design.
 - iv. Irrigation shall be provided for all planting areas. Irrigation control boxes and appurtenances shall be located away from direct public view.
 - v. Landscape **buffers** per section 4.06.02 of the Code **buffer** requirements shall apply to the external boundaries of the mixed use **development** only. Landscape **buffers** shall not be required internal to the mixed use **development** project.
- b. Parking Lot Landscaping.
 - i. Up to 30 percent of the landscape islands may have a minimum width of 5 feet inside planting area and shall be planted with a palm tree equivalent.
 - ii. Minimum tree size shall be 1¾" caliper and a minimum of 10 feet in height.
 - iii. The perimeter of all parking lots fronting public right-of-ways shall be screened to a minimum height of 24 inches using walls, fences, landscaping or any combination thereof.
 - iv. Parking lot perimeter landscaping areas shall be a minimum of 8 feet in width. Shrubs shall be arranged in a staggered pattern with a minimum size of 3 gallons at the time of planting to provide year-round screening. Trees shall be included in the perimeter

landscape area at a minimum spacing of one tree/palm per 25 feet of linear **frontage**. **Street** trees within the right-of-way may be used to meet this requirement.

6. **Building Foundation Plantings.**

- a. **Building** foundation plantings shall be required per LDC section 4.06.05 C., except as follows: The **building** regardless of its size, shall provide the equivalent of 10 percent of its ground level **floor area** , in **building** foundation planting area. A continuous **building** foundation planting width is not required per LDC section 4.06.05 C. However, the foundation plantings shall be located within 21 feet of the **building** edge in the form of landscaped courtyards and seating area landscaping. For projects subject to architectural design standards, see LDC sections 5.05.08 E.—F. for related provisions.

7. **Building Architectural Standards.**

- a. The Mixed Use Projects shall include architectural features that provide visually interesting **building** design at a scale appropriate for pedestrian and automobile.
 - i. **Building facades** shall be designed to reduce the mass and scale of the **building**, by providing arcades, windows, entry features, and other design treatments in compliance with section 5.05.08 of the Code, except as follows.
 - ii. Covered **pathways** and arcades shall be constructed with columns a minimum width of 12 inches, if masonry and 10 inches wide, if constructed of finished steel products.
 - iii. For **buildings** 3 stories or more, pedestrian scale at the **street** level shall be maintained by incorporation of facade variations such as massing, texture, color or materials on the **primary facades** between the first and subsequent stories.
- b. The following architectural options are in addition to the list of required design features identified in LDC section 5.05.08 D.2.
 - i. Open arcade or covered walkway with a minimum depth of 8 feet and a total minimum length of 60 percent of the facade.
 - ii. A **building** recess or projection of the first floor with minimum depth of 8 feet and total minimum length of 60 percent of the **facade** length.
 - iii. Architectural elements such as balconies and bay windows with a minimum depth of 3 feet and that cover a minimum of 30 percent of the **facade** above the first floor. (Storm shutters, hurricane shutters, screen enclosures or any other comparable feature, if applied as part of the **structure**, must also comply with the required minimum depth.)

8. Sign Types and Definitions shall be as provided for in section 5.06.00 the Collier County Sign Code.

9. **Parking Requirements.** Mixed-use projects have the opportunity to provide a variety of parking options to residents and patrons and remove parking areas as the focal point of the **development**. Mixed-use projects reduce vehicular trips, and thereby reducing the number of parking spaces, by utilizing pedestrian-oriented design and reducing the distance between residential and commercial uses.

a. Definitions.

- i. **On-street parking**— Parking spaces located **adjacent** to, and accessed directly from the roadway.
- ii. **Off-street parking**— Parking spaces located within parking lots or parking **structures** and accessed off the roadway.
- iii. **Parking lot**— A ground-level area utilized for parking spaces accessible from the road and usually **adjacent** to the use it serves.

- iv. *Parking structure*— A multi-level parking area utilized for parking spaces that serve establishments within walking distance of the **structure**. The structure may or may not be **adjacent** to the establishments it serves.
- b. Design Criteria and Dimensional Requirements On-street Parking.
 - i. Parallel parking shall be a minimum of 9 feet wide by 23 feet long.
 - ii. Angled parking may be 45 degrees or 60 degrees from the travel lane. Spaces must be a minimum of 9 feet wide and 18 feet long.
- c. Design Criteria and Dimensional Requirements Off-street Parking.
 - i. Location—Parking lots or parking **structures** shall be located to the rear of **buildings** located on the main street, or the along the secondary/side **streets**. Off-street parking shall not occur in front of the primary facade.
 - ii. Lots shall be designed to keep all circulation between aisles internal to the lot. **Driveways** to parking areas shall be a minimum of 24 feet wide.
 - iii. Ninety degree parking spaces shall have a minimum drive aisle width of 24 feet and stall size of 9 feet by 18 feet.
 - iv. Sixty degree angled parking shall have a minimum drive aisle width of 20 feet, if one-way, and 24 feet, if two-way. Parking stall size shall be a minimum of 9 feet x 18 feet.
- d. Handicap parking. Handicap parking shall be located to facilitate the most direct and safest route to **building** entries and meet all applicable codes.
- e. Parking **Structures** . For projects subject to architectural standards, see LDC section 5.05.08 E. for related provisions.
 - i. Parking **structure facades** shall be designed to screen views of automobiles by the general public from **adjacent streets** and **driveways**.
 - ii. Parking **structures** without ground floor retail or residential uses along the front facade shall have a minimum 10-foot wide **building** foundation landscaping pursuant to Section 4.06.00 of the Code. Where the parking **structure** is attached to the **building** or **adjacent** to preserve area, and the preserve area meets the otherwise required landscaping, no additional landscaping is required.
 - iii. All **structures** with uncovered parking on the top level shall have rooftop planters around the perimeter that is a minimum of 5 feet wide located around a minimum of 80 percent of the perimeter of the parking integral to the **structure**, or suitable architectural features to soften the **building** edge.
 - iv. Parking **structure** lighting shall be a maximum of 20 feet in height. Lighting shall incorporate full shield cut-offs to contain light to the surface of the deck only.
 - v. Parking **structures** are also allowed to be located below grade and below habitable space. These **structures** must be accessed from the rear of the **building**.
- f. General Requirements and Shared Parking Agreements.
 - i. The total number of parking spaces provided in a mixed-use project shall be determined by the intended uses as required by section 4.05.00 of the Code, *Off-street Parking and Loading* unless modified herein.
 - ii. Commercial areas (with **streets** internal to the project) must utilize on-street parking to meet at least a portion of the parking requirement.
 - iii. One-half of the on-street parking spaces located within one block or 0.125 mile, whichever is less, may contribute toward an individual establishment's parking requirement.

- iv. If a commercial area is developed in one phase with one site **development plan** application the on-street parking may be utilized to meet parking requirements in a one-to-one ratio.
 - v. The overall parking requirement may be reduced at the time of site **development plan** approval by consideration of a shared parking analysis and agreement. The analysis shall demonstrate the number of parking spaces available to more than one use or function, recognizing the required parking will vary depending on the multiple functions or uses in close proximity which are unlikely to require the spaces at the same time. The shared parking analysis methodology will be determined and agreed upon by County staff and the applicant during the pre-application meeting, or during ongoing discussion, during the site **development plan** review process.
 - vi. Establishments providing valet parking services may not utilize parking areas designated for shared use by a shared parking agreement for the storage of vehicles parked by this service, unless allowed by the shared parking agreement.
 - vii. Residential areas that are within a block or 0.125 mile of a commercial area but are not directly accessible by a vehicle due to gating or lack of vehicular interconnection may not utilize on-street parking in the commercial area to meet the residential parking requirement.
 - viii. Residential areas may utilize on-street parking that is **abutting** a residential unit to meet the parking requirement in a one to one ratio. If parking spaces are used to meet a residential parking requirement they may not then be utilized to meet any of the commercial requirement.
10. *Service Areas.* For projects subject to architectural standards, see LDC section 5.05.08 F. for related provisions.
- a. Loading docks, solid waste facilities, recycling facilities and other services elements shall be placed to the rear or side **yard** of the **building** in visually unobtrusive locations with minimum impacts on view.
 - b. Refuse containers and facilities shall be hidden by an opaque wall or fencing of sufficient height to screen the bin and any appurtenances, but not less than six (6) feet in height. Chain link fencing, wood fencing and chain link gates are not allowed. Walls shall be constructed of a material compatible with the principal **structure** it is serving. Landscaping with vines or other plants is encouraged. Enclosures shall include solid latchable gates to avoid blowing refuse.
 - c. Service area recesses in the **building** and/or depressed **access** ramps should also be used where applicable.
 - d. Businesses are encouraged to consolidate and share refuse areas and equipment.
- H. *Conversion of Golf Courses.* Golf courses constructed within a PUD shall adhere to the process established in LDC section 5.05.15 prior to converting to another use.

(Ord. No. 06-63, § 3.D; Ord. No. 08-11, § 3.I; Ord. No. 09-43, § 3.A; Ord. No. 13-56, § 3.C; Ord. No. 16-22, § 3.A; Ord. No. 16-27, § 3.E; Ord. No. 17-10, § 3.A)

4.07.00 - DESIGN STANDARDS FOR PLANNED UNIT DEVELOPMENTS

4.07.01 - Unified Control

- A. All land included for purpose of rezoning to a PUD zoning district shall be owned or under the control of the **applicant**, whether that **applicant** be an individual, partnership or corporation, or a group of individuals, partnerships or corporations.
- B. The **applicant** shall present competent substantial evidence of the unified control of the entire area within the proposed PUD district and shall state agreement that if he proceeds with the proposed **development**, he will:
 - 1. Notify the County Manager or his designee in writing of any change in ownership, control and/or name of the **development**.
 - 2. Do so in accordance with:
 - a. The PUD master plan of development officially adopted for the district;
 - b. Regulations and development standards as set forth in the PUD document and PUD master plan;
 - c. Such other conditions or modifications as may be attached to the rezoning of land to the PUD classification; and
 - d. The Collier County growth management plan and land development code.
 - 3. Provide written agreements, contracts, deed restrictions, or sureties acceptable to the county for completion of the undertaking in accord with the adopted PUD master plan as well as for the continuing operation and maintenance of such areas, functions and facilities that are not to be provided, operated or maintained at general public expense; and
 - 4. Bind his successors in title to any commitments made under section 2.03.06, this section 4.07.00 and section 10.02.13.

(Ord. No. 04-72, § 3.R)

4.07.02 - Design Requirements

In addition to all general provisions and procedures established in this section, the following specific requirements, limitations and standards shall apply to all PUD districts except that section 4.07.02 D. shall not apply when there is no residential component within the PUD and section 4.07.03 shall not apply when there is no industrial component in the PUD.

- A. Minimum area.
 - 1. The minimum area required for a PUD shall be ten (10) contiguous acres except as otherwise provided for within a specific zoning or overlay district, or when located within an activity center or within the urban coastal fringe areas as designated on the future land use map of the GMP, or when located within a **neighborhood center** as designated on the golden gate area master plan future land use map or Immokalee area master plan future land use map of the GMP, or when implementing the residential mixed use neighborhood subdistrict or the commercial mixed use subdistrict in the future land use element of the GMP, where no minimum acreage requirements must be met.
 - 2. For infill **parcels**, the minimum area required for a PUD shall be two (2) contiguous acres. For purposes of the planned unit development district only, the term "*infill parcels*" shall refer to property implementing any of the infill subdistricts identified in the future land use element or golden gate area master plan element of the GMP, or property sharing at least two common boundaries with **parcels** that are developed.

3. For a PUD subject to the minimum area requirement of ten (10) contiguous acres, an exception shall be made for properties separated by either an intervening planned or developed public **street right-of-way** ; provided, however, no portion of such separated properties shall be less than five (5) acres. For infill parcels, an exception shall be made for properties separated by either an intervening planned or developed public **street right-of-way** . For a PUD with no minimum area requirement, as identified in section 4.07.02.A.1., that PUD may include properties separated by either an intervening planned or developed public **street right-of-way** .

B. External relationships.

1. **Development** within a PUD district shall be compatible with established or planned uses of surrounding neighborhoods and property.
2. The PUD shall provide protection of the **development** from potentially adverse surrounding influences and protection of the surrounding area from potentially adverse influences generated by or within the PUD. Fences, walls, or vegetative screening at the boundaries of PUD districts shall be provided, at a minimum, in accordance with the landscaping/ **buffering** requirements of section 4.06.00 to protect residents from undesirable views, lighting, noise, or other adverse off-site influences, or to protect residents of adjoining districts from similar possible influences from within the PUD district.
3. In all cases, screening shall, at a minimum, be designed to protect existing or potential first-floor residential occupant window levels.
4. Off- **street** parking areas for five (5) or more cars, service areas for loading or unloading vehicles other than passengers, and areas for storage and collection of trash and garbage shall be so screened.

- C. Internal relationships. The **development plan** for a PUD district shall provide for safe, efficient, convenient, and harmonious grouping of **structures** , uses and facilities, and for appropriate relation of space inside and outside **buildings** to intended uses and structural features.

D. **Residential density.**

1. The overall maximum **residential density** permissible or permitted in a PUD shall be calculated by dividing the total number of **dwelling units** by the total of gross acreage of the proposed PUD excluding the acreage of the areas designated for commercial, industrial, or other land use having an established equivalent **residential density** in this LDC.
2. The maximum **density** permissible or permitted in a PUD shall not exceed the **density** permissible under the **density** rating system, or applicable policies contained in the future land use element. Land use intensities for nonresidential uses shall be governed by provisions of the most similar use district or as otherwise provided in these regulations.
3. The BCC may lessen **density** or intensity of **development** when it has been determined that **development** to the maximum **density** or intensity permissible in this section would:
 - a. Create inconvenient or unsafe **access** to the PUD; or
 - b. Create traffic congestion in the **streets** which adjoin or lead to the PUD; or
 - c. Place a burden on parks, recreational areas, schools, and other facilities which serve or are proposed to serve the PUD; or
 - d. Be in conflict with the intent or provisions of the GMP; or
 - e. Create a threat to property or incur abnormal public expense in areas subject to natural hazards; or
 - f. Be incompatible or inconsistent with surrounding neighborhoods or areas; or
 - g. Otherwise be inappropriate.

E. Minimum dimensional standards.

1. Except as provided for within the industrial and neighborhood **village center** component of this section, dimensional standards within any tract or increment of the proposed PUD shall conform to the minimum dimensional and other standards of the zoning district to which it most closely resembles in type, **density** , and intensity of use. Where there is uncertainty, the more restrictive standards shall apply.
 2. Variation from these minimum dimensional standards may be approved if the PUD demonstrates unique or innovative design. For purposes of this section, examples of unique and innovative design may include, but are not limited to:
 - a. Providing usable **common open space** within individual tracts or increments to offset and compensate for decreases in typical **lot** sizes or **yard** requirements.
 - b. Providing for public **access** to **open space** areas beyond the boundaries of the property.
 - c. The use(s) occurring within the PUD are such that **compatibility** with surrounding uses can be assured by applying different requirements than would be applicable under another zoning district.
 - d. Providing places for public assembly such as parks and plazas which are linked together and centrally located to ensure accessibility.
 - e. Siting **buildings** and **dwelling units** to provide optimum **access** to **open space** areas.
 - f. Providing for the integration and preservation of natural resources with **development** , through conservation of natural resources such as streams, lakes, **flood plains** , groundwater, wooded areas and areas of unusual beauty or importance to the natural ecosystem.
 - g. Providing certain personal services, offices and convenience shopping goods to residents of the PUD having the effect of reducing the number of vehicular trips for these purposes to destinations outside of the PUD.
 - h. Providing a suitable neighborhood park, as determined on a case-by-case basis by the Board of County Commissioners.
 3. Submission of schematic architectural drawings, site plans, floor plans, elevations, and perspectives which shall graphically demonstrate the proposed reduction in dimensional standards for all proposed land use types and their **accessory** uses within the PUD shall also be required to provide support documentation for reduction in the minimum standards of the LDC.
 4. Where required side **yard setbacks** are permitted to be zero (0), a site improvement plan, pursuant to Chapter 10, of this LDC shall be approved prior to issuance of a **building** permit.
- F. Off- street parking** and off- **street** loading requirements shall be as for comparable type, **density** and intensity of uses established in the PUD. No parking spaces on or within any public or private road or travelway shall be counted in fulfilling the required number of spaces. Landscaping for vehicular areas shall be as established in LDC section 4.06.00.
1. Residential off- **street** parking. **Driveways** must be at least 23 feet in length, measured from the back of the **sidewalk** to the garage, to allow room to park a vehicle on the **driveway** without parking over the **sidewalk** . Should the garage be side-loaded there must be at least a 23-foot paved area on a perpendicular line to the garage door or plans must ensure that parked vehicles will not interfere with pedestrian traffic by providing equivalent space.
- G. Open space requirements.** **Usable open space** for PUDs shall be provided as follows, except as required in the Rural Fringe Mixed Use District within the Future Land Use Element of the Growth Management Plan.
1. Within PUD districts composed entirely of residential **dwelling units** and **accessory uses** , at least 60 percent of the gross area shall be devoted to **usable open space** .
 2. Within PUD districts containing commercial, industrial and mixed use including residential, at least 30 percent of the gross area shall be devoted to **usable open space** .

3. An appropriate percentage of the gross project area may be required to be dedicated to public use as **usable open space** for all **development** after a determination by the BCC that a public need exists for such public facilities and that the amount of area dedicated is directly related to the impacts or needs created by the proposed **development** .
- H. The desirable natural, historic, or archaeological features of the site including trees and other vegetation of consequence of a PUD district shall be preserved and protected. The disturbance of terrain or vegetation in a manner likely to significantly increase either wind or water erosion within or **adjacent** to the PUD district is prohibited.
- I. Within the residential portion of a PUD district, all utilities, including telephone, television cable, and electrical systems, shall be installed underground; provided, however, appurtenances to these systems which require aboveground installation must be opaquely screened and thereby may be exempted from these requirements; and primary facilities providing service to the site of the **development** or necessary to service areas outside the district may be exempted from this requirement.
- J. **Streets** , drives, parking and service areas.
 1. **Streets** , drives, parking, and service areas shall provide safe and convenient **access** to **dwelling units** and project facilities, and for service and emergency vehicles and shall be otherwise consistent with the Collier County Functional Classification and Future Roadway Plans, as may be amended from time to time.
 2. **Streets** shall be laid out and constructed so as not to require excessive cuts or fills or to interfere with desirable drainage in or **adjacent** to the district.
 3. In addition, all major arteries as shown on the master plan of **development** shall be limited **access** facilities and the only vehicular **access** thereto shall be public **streets** unless otherwise provided for within the approved PUD master plan.
 4. Principal vehicular **access** points shall be designed to encourage smooth traffic flow and minimize hazards to vehicular or pedestrian traffic. Merging and turn lanes and/or traffic dividers shall be required where existing or anticipated heavy traffic flows indicate need. The interconnection of **collector** and local **streets** within the PUD to **adjacent** lands or **developments** shall be required except where determined by the County Manager or designee that an interconnection is not feasible or warranted due to existing **development** patterns, transportation network needs, or the like. Interconnection of local **streets** shall be designed to discourage through traffic, and not adversely impact local **streets** in the neighboring residential areas. Where **streets** within the district intersect adjoining **streets** , visibility triangle shall be maintained.
 5. All **streets** or roads within the PUD shall be public unless specifically identified and approved as private on the PUD master plan, and shall comply with all requirements for **streets** and roads as contained in section 4.03.00.
 6. Public or private **streets** approved within the PUD after November 12, 2008 shall be maintained by the developer, master association, community development district or special district governing body and successors and/or assigns, unless otherwise approved by the BCC.

(Ord. No. 06-07, § 3.M; Ord. No. 08-63, § 3.R; Ord. No. 12-38, § 3.R; Ord. No. 13-56, § 3.M)

10.02.13 - Planned Unit Development (PUD) Procedures

- A. *Generally.* Applications for amendments to, or rezoning to, PUD shall be in the form of a PUD master plan of **development** along with a list of permitted and **accessory uses** and a **development** standards table. The PUD application shall also include a list of developer commitments and any proposed deviations from the LDC. The PUD master plan shall have been designed by an urban planner who possesses the education and experience to qualify for full membership in the American Institute of Certified Planners; and/or a landscape architect who possesses the education and experience to qualify for full membership in the American Society of Landscape Architects, together with either a practicing civil engineer licensed by the State of Florida, or a practicing architect licensed by the State of Florida.
1. *PUD master plan.* The Community Character Plan For Collier County, Florida (April 2001) should be referenced as a guide for **development** and redevelopment in the PUD district. The Administrative Code shall establish the information to graphically illustrate the **development** strategy.
 2. *PUD application.* The **applicant** shall submit data supporting and describing the petition for rezoning to PUD that includes a **development** standards table, developer commitments and a list of deviations from the LDC. Dimensional standards shall be based upon an established zoning district that most closely resembles the **development** strategy, particularly the type, density and intensity, of each proposed land use. The PUD application shall include the information identified in the Administrative Code unless determined by the Planning and Zoning Director to be unnecessary to describe the **development** strategy.
 3. *Deviations from master plan elements.* The Zoning and Land Development Review Department Director may exempt a petition from certain required elements for the PUD master plan identified in the Administrative Code when the petition contains conditions which demonstrate the element may be waived and will not have a detrimental effect on the health, safety and welfare of the community. All exemptions shall be noted within the PUD submittal and provided to the Board of County Commissioners.
 4. *Submittal of **School Impact Analysis (SIA)** application for residential projects.* The **applicant** shall submit a completed SIA application for the School District's review for a determination of school capacity. Refer to LDC section 10.04.09 for SIA requirements.
- B. ***Procedures for planned unit development zoning.*** Petitions for rezoning to PUD in accordance with LDC section 10.02.08 shall be submitted and processed as for a rezoning amendment generally pursuant to LDC section 10.02.08 and in accordance with the following special procedures:
1. *Pre-application meeting.* Prior to the submission of a formal application for rezoning to PUD, the **applicant** shall confer with the Planning and Zoning Department Director and other County staff, agencies, and officials involved in the review and processing of such applications and related materials. The **applicant** is further encouraged to submit a tentative land use sketch plan for review at the pre-application meeting, and to obtain information on any projected plans or programs relative to possible applicable Federal or State requirements or other matters that may affect the proposed PUD. The pre-application meeting should address, but is not limited to, the following:
 - a. The suitability of the area for the type and pattern of **development** proposed in relation to physical characteristics of the land, surrounding areas, traffic and **access**, drainage, sewer, water, and other utilities.
 - b. Adequacy of evidence of unified control and suitability of any proposed agreements, contract, or other instruments, or for amendments in those proposed, particularly as they may relate to arrangements or provisions to be made for the continuing operation and maintenance of such areas and facilities that are not to be provided or maintained at public expense. Findings and recommendations of this type shall be made only after consultation with the County Attorney.

- c. Conformity of the proposed PUD with the goals, objectives, policies, and the Future Land Use Element of the Growth Management Plan.
 - d. The internal and external **compatibility** of proposed uses, which conditions may include restrictions on location of improvements, restrictions on design, and **buffering** and screening requirements.
 - e. The adequacy of **usable open space** areas in existence and as proposed to serve the **development**.
 - f. The timing or sequence of **development** for the purpose of assuring the adequacy of available improvements and facilities, both public and private.
 - g. The ability of the subject property and of surrounding areas to accommodate expansion.
 - h. Conformity with PUD regulations, or as to desirable modifications of such regulations in the particular case, based on determination that such modifications are justified as meeting public purposes to a degree at least equivalent to literal application of such regulations.
2. *Prehearing conference.* Prehearing conferences may be held between the **applicant** and/or representatives and officials or representatives of the county prior to advertisement of the hearing date. The purpose of the prehearing conference shall be to assist in bringing the application for rezoning to PUD as close to conformity with the intent of the LDC or other applicable regulations, and/or to define specifically any justifiable variations from the application of such regulations.
 3. *Staff review and recommendation.* Based upon evaluation of the factors set forth above, County staff shall prepare a report containing their review findings and a recommendation of approval or denial.
 4. *Hearing before the Planning Commission.* Public notice shall be given and a public hearing held before the Planning Commission on the application for rezoning to PUD. Both the notice and the hearing shall identify the application, by name and application number, proposed PUD master plan of **development**, and required statements as they may have been amended as a result of the prehearing conference conducted pursuant to LDC section 10.02.13 B.2.
 5. *Planning Commission hearing and recommendation.* The Planning Commission shall make written findings at an advertised public hearing as required in LDC section 10.02.08 and as otherwise required in this section and shall recommend to the Board of County Commissioners either approval of the PUD rezoning as proposed; approval with conditions or modifications; or denial. In support of its recommendation, the Planning Commission shall make findings as to the PUD master plan's compliance with the following criteria in addition to the findings in LDC section 10.02.08.
 - a. The suitability of the area for the type and pattern of **development** proposed in relation to physical characteristics of the land, surrounding areas, traffic and **access**, drainage, sewer, water, and other utilities.
 - b. Adequacy of evidence of unified control and suitability of agreements, contract, or other instruments, or for amendments in those proposed, particularly as they may relate to arrangements or provisions to be made for the continuing operation and maintenance of such areas and facilities that are not to be provided or maintained at public expense. Findings and recommendations of this type shall be made only after consultation with the County Attorney.
 - c. Conformity of the proposed PUD with the goals, objectives, policies, and the Future Land Use Element of the Growth Management Plan.
 - d. The internal and external **compatibility** of proposed uses, which conditions may include restrictions on location of improvements, restrictions on design, and **buffering** and screening requirements.
 - e. The adequacy of **usable open space** areas in existence and as proposed to serve the **development**.

- f. The timing or sequence of **development** for the purpose of assuring the adequacy of available improvements and facilities, both public and private.
 - g. The ability of the subject property and of surrounding areas to accommodate expansion.
 - h. Conformity with PUD regulations, or as to desirable modifications of such regulations in the particular case, based on determination that such modifications are justified as meeting public purposes to a degree at least equivalent to literal application of such regulations.
- 6. *Action by Board of County Commissioners.* Unless the application is withdrawn by the **applicant** or deemed "closed" pursuant to LDC section 2.03.06, the Board of County Commissioners shall, upon receipt of the Planning Commission's recommendation, advertise and hold a public hearing on the application. The notice and hearing shall be on the PUD rezone application, PUD master plan of **development** and PUD ordinance, as recommended by the Planning Commission to the Board of County Commissioners. The Board of County Commissioners shall either approve the proposed rezoning to PUD; approve with conditions or modifications; or deny the application for PUD rezoning.
- C. *Effect of planned unit **development** zoning.* If approved by the Board of County Commissioners, the PUD master plan for **development**, the PUD ordinance and all other information and materials formally submitted with the petition shall be considered and adopted as an amendment to the LDC and shall become the standards for **development** for the subject PUD. The **development** in the area delineated as the PUD district on the official zoning atlas shall proceed only in accordance with the adopted **development** regulations and the PUD master plan for said PUD district, except that approval and adoption of a PUD ordinance or PUD master plan does not authorize or vest the location, design, capacity, or routing of traffic for any **access** point depicted on, or described in, such ordinance or plan. Before **development** of any type may proceed, all agreements, conditions of approval, and contracts required, but not approved at the time of amending action, shall be approved by appropriate officers or agencies of the County. Issuance of a final **development order** within any **tract** or increment within the PUD shall first require compliance with all sections of the Collier County subdivision regulations (Chapter 10 of the LDC) and/or the site **development plan** regulations (LDC section 10.02.03) as appropriate.
- D. Time limits for approved PUDs. If prior to July 14, 2014 a PUD contains a sunset provision, the sunset provision shall be deemed null and void. Development rights conferred by an approved PUD shall remain in force so long as they are in accordance with the Collier County Growth Management Plan, as amended.
- E. Changes and amendments. There are three types of changes to a PUD Ordinance: Substantial, Insubstantial, and Minor.
 - 1. Substantial changes. Any substantial change(s) to an approved PUD Ordinance shall require the review and recommendation of the Planning Commission and approval by the Board of County Commissioners as a PUD amendment prior to implementation. Applicants shall be required to submit and process a new application complete with pertinent supporting data, as set forth in the Administrative Code. For the purpose of this section, a substantial change shall be deemed to exist where:
 - a. A proposed change in the boundary of the PUD;
 - b. A proposed increase in the total number of dwelling units or intensity of land use or height of **buildings** within the **development** ;
 - c. A proposed decrease in preservation, conservation, recreation or **open space** areas within the **development** not to exceed 5 percent of the total acreage previously designated as such, or 5 acres in area;
 - d. A proposed increase in the size of areas used for nonresidential uses, to include institutional, commercial and industrial land uses (excluding preservation, conservation or **open spaces**), or a proposed relocation of nonresidential land uses;

- e. A substantial increase in the impacts of the **development** which may include, but are not limited to, increases in traffic generation; changes in traffic circulation; or impacts on other public facilities;
 - f. A change that will result in land use activities that generate a higher level of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers;
 - g. A change that will result in a requirement for increased stormwater retention, or will otherwise increase stormwater discharges;
 - h. A change that will bring about a relationship to an **abutting** land use that would be incompatible with an **adjacent** land use;
 - i. Any modification to the PUD master plan or PUD document or amendment to a PUD ordinance which is inconsistent with the Future Land Use Element or other element of the Growth Management Plan or which modification would increase the **density** or intensity of the permitted land uses;
 - j. The proposed change is to a PUD district designated as a **development** of regional impact (DRI) and approved pursuant to F.S. § 380.06, where such change requires a determination and public hearing by Collier County pursuant to F.S. § 380.06(19). Any change that meets the criterion of F.S. § 380.06(19)(e)2, and any changes to a DRI/PUD master plan that clearly do not create a substantial deviation shall be reviewed and approved by Collier County under this LDC section 10.02.13; or
 - k. Any modification in the PUD master plan or PUD document or amendment to a PUD ordinance which impact(s) any consideration deemed to be a substantial modification as described under this LDC section 10.02.13.
2. Insubstantial change determination. An insubstantial change includes any change that is not considered a substantial or minor change. An insubstantial change to an approved PUD Ordinance shall be based upon an evaluation of LDC subsection 10.02.13 E.1 and shall require the review and approval of the Planning Commission. The Planning Commission approval shall be based on the findings and criteria used for the original application and be an action taken at a regularly scheduled meeting.
- a. The **applicant** shall provide the Planning and Zoning Department Director documentation which adequately describes the proposed changes as described in the Administrative Code.
3. Minor changes. The following are considered minor changes, and may be approved by the County Manager or designee under the procedures established in the Administrative Code.
- a. **Educational and ancillary plants** exception. When a PUD is amended for the sole purpose of adding an **Educational** and/or **ancillary plant**, that PUD will not be subject to the review process outlined in section 10.02.13 E.1. The review conducted will be limited to the impacts that the **Educational** or **ancillary plant** will have on the surrounding uses.
 - b. The County Manager or designee shall also be authorized to allow minor changes to the PUD master plan during its **subdivision** improvements plan or site **development plan** process to accommodate topography, vegetation and other site conditions not identified or accounted for during its original submittal and review and when said changes have been determined to be compatible with **adjacent** land uses, have no impacts external to the site, existing or proposed, and is otherwise consistent with the provisions of this code and the growth management plan. Such changes shall include:
 - i. Internal realignment of **rights-of-way**, including a relocation of **access** points to the PUD itself, where no water management facility, conservation/preservation areas, or required **easements** are affected or otherwise provided for.
 - ii. Relocation of **building** envelopes when there is no encroachment upon required conservation or preservation areas.

- iii. Relocation of swimming pools, clubhouses, or other recreation facilities when such relocation will not affect **adjacent** properties or land uses.
- iv. Relocation or reconfiguration of lakes, ponds, or other water facilities subject to the submittal of revised water management plans, or approval of the EAC where applicable.

Minor changes of the type described above shall nevertheless be reviewed by appropriate staff to ensure that said changes are otherwise in compliance with all county ordinances and regulations prior to the Planning and Zoning Department Director's consideration for approval.

- c. Affordable housing commitments. Beginning October 3, 2012 the County Manager or designee shall be authorized to make minor text changes to remove affordable housing commitments to pay an affordable housing contribution in PUDs, **Development Agreements**, and Settlement Agreements if the following conditions are met:
 - i. The **applicant** notices property owners in writing in accordance with LDC section 10.03.06 T.
 - ii. If no written objection is received, the request to remove commitments is deemed approved.
 - iii. If a property owner who receives notice submits a written objection within 30 days of mailing of the notice, the matter shall be scheduled for public hearing before the Board of County Commissioners. Public notice shall comply with LDC sections 10.03.05 and 10.03.06.

F. *PUD Monitoring Report requirements.* In order to ensure and verify that approved project densities or intensities of land use will not be exceeded and that **development** commitments will be fulfilled and are consistent with the **development's** approved transportation impact study, annual monitoring reports must be submitted by the owner(s) of a PUD to the County Manager or designee.

- 1. The report shall be submitted annually, on or before the anniversary date of approval by the Board until the PUD is completely constructed and all commitments in the PUD document/master plan are met (built out).
 - a. A **tract** or **parcel** of a PUD that has completed construction within that **tract** may be considered built-out and is not responsible for annual monitoring reports, as long as all PUD commitments within that **tract** are complete. This built-out status does not exempt the **tract** owner(s) from commitments applicable to the entire PUD.
- 2. The Administrative Code shall establish the submittal requirements for a PUD Annual Monitoring Report.
- 3. Monitoring reports must be submitted in affidavit form approved by Collier County to be executed by the owner(s) of the PUD.
- 4. County will be given at least 6 month's prior written notice to a change in ownership, to a community association, including but not limited to transfer of all or part of the **development** to a Home Owners Association, Property Owners Association, Master Association, or similar entity. Change in ownership of portions of a PUD **development** shall not absolve the original owner of the requirement to file an annual monitoring report. Transferring responsibility for filing the annual monitoring report to an entity other than the original owner may be demonstrated in the form of an executed agreement between the original owner and the new entity which when filed with the Planning and Zoning Department Director shall automatically transfer responsibility for filing that annual monitoring report.
- 5. A release of a PUD commitment determined to be no longer necessary shall be brought as an agenda item to the Board of County Commissioners for their approval.
- 6. The PUD owner(s) "the Developer, Home Owners Association, Master Association or similar entity" may petition the Board of County Commissioners to relinquish the **development** rights to

any un-built units and declare themselves "built-out" in order to satisfy all reporting requirements. The **applicant** shall be responsible for any documentation required to verify the status of the PUD when requesting a waiver or a determination of "built-out" status.

7. Traffic Count Monitoring requirements. A onetime payment for permanent traffic count stations shall be due at the time of the first PUD Annual Monitoring Report following the first certificate of occupancy within the PUD. The payment shall be based upon the number of ingress and/or egress points (**Access** Points) based upon the conceptual Master Plan within the PUD Ordinance. Each **Access** Point shall require a payment of \$500.00. If additional **Access** Points are granted at any time, an additional payment of \$500 per **Access** Point will be payable with the following PUD Annual Monitoring Report. The Traffic Count monitoring requirement shall be considered fulfilled for all PUDs that have already provided at least one traffic count or payment in lieu of traffic counts. PUDs that have traffic count monitoring language tied to specific commitments within their ordinances shall remain in effect.

(Ord. No. 04-72, § 3.DD; Ord. No. 05-27, § 3.ZZ; Ord. No. 06-07, § 3.W; Ord. No. 06-63, § 3.UU; Ord. No. 08-08, § 3.Q; Ord. No. 09-22, §§ 1—3; Ord. No. 10-23, § 3.UU; Ord. No. 11-21, § 1; Ord. No. 12-28, § 1; Ord. No. 12-38, § 3.JJ; Ord. No. 13-52, § 1; Ord. No. 13-56, § 3.RR; Ord. No. 14-33, § 3.AA)

4.06.02 - Buffer Requirements

- A. Applicability of **buffer** requirements. The buffering and screening shown in table 2.4 below shall be required under this section and shall apply to all new **development**. Existing landscaping which does not comply with the provisions of this section shall be brought into conformity to the maximum extent possible when: the **vehicular use area** is **altered** or expanded (except for restriping of lots/drives), the **building** square footage is changed, or there has been a discontinuance of use for a period of 1 year or more and a request for an occupational license to resume business is made. For projects subject to architectural design standards, see LDC section 5.05.08 for related provisions.

Subdivisions or **Developments** shall be **buffered** for the protection of property owners from land uses as required pursuant to this section 4.06.00. **Buffers** shall not inhibit pedestrian circulation between adjacent commercial land uses. **Buffers** shall be installed during construction as follows and in accordance with this section 4.06.00:

1. To separate residential **developments** from commercial, community use, industrial and public use **development**s and **adjacent** expressways, arterials and railroad **rights-of-way**, except where such expressway, arterial, or railroad **right-of-way** abuts a golf course.
2. To separate commercial, community use, industrial and public use **developments** from residential **developments**.
3. To separate **subdivisions** of residential property that do not result in the submittal of a site **development plan** pursuant to the provisions of section 10.02.03 from other residential properties.

Separation shall be created with a **landscape buffer** strip which is designed and constructed in compliance with the provisions of this section 4.06.00. Such **buffer** strip(s) shall be shown and designated on the final plat as a tract of **easement** and shall not be located within any public or private **right-of-way**. The ability to locate **buffer(s)** within a platted or recorded **easement** shall be determined pursuant to the provisions of this section 4.06.00. **buffers adjacent** to protected/preserve areas shall conform to the requirements established by the agency requiring such **buffer**.

Landscape buffers, when required by this Code, this section 4.06.00, or other county regulation shall be in addition to the required **right-of-way** width and shall be designated as a separate **buffer** tract or **easement** on the final **subdivision** plat. The minimum **buffer** width shall be in conformance with this section 4.06.00. In no case shall the required **buffer** be constructed to reduce cross-corner or stopping sight distances, or safe pedestrian passage. All **buffer** tracts or **easements** shall be owned and maintained by a property owner's association or other similar entity and shall be so dedicated on the final **subdivision** plat.

- B. Methods of determining **buffers**. Where a property **adjacent** to the proposed use is: (1) undeveloped, (2) undeveloped but permitted without the required **buffering** and screening required pursuant to this Code, or (3) developed without the **buffering** and screening required pursuant to this Code, the proposed use shall be required to install the more opaque **buffer** as provided for in table 2.4. Where property **adjacent** to the proposed use has provided the more opaque **buffer** as provided for in table 2.4, the proposed use shall install a type A **buffer**.

Where the incorporation of existing **native vegetation** in **landscape buffers** is determined as being equivalent to or in excess of the intent of this Code, the planning services director may waive the planting requirements of this section.

Buffering and landscaping between similar residential land uses may be incorporated into the **yards** of individual **lots** or tracts without the mandatory creation of separate tracts. If **buffering** and landscaping is to be located on a **lot**, it shall be shown as an **easement** for **buffering** and landscaping.

The **buffering** and screening provisions of this Code shall be applicable at the time of planned unit **development** (PUD), preliminary **subdivision** plat (PSP), or site **development plan** (SDP) review, with

the installation of the **buffering** and screening required pursuant to section 4.06.05 G. If the **applicant** chooses to forego the optional PSP process, then signed and sealed landscape plans will be required on the final **subdivision** plat. Where a more intensive land use is developed contiguous to a property within a similar zoning district, the planning services director may require **buffering** and screening the same as for the higher intensity uses between those uses.

Landscape buffering and screening standards within any planned unit **development** shall conform to the minimum **buffering** and screening standards of the zoning district to which it most closely resembles. The planning services director may approve alternative **landscape buffering** and screening standards when such alternative standards have been determined by use of professional acceptable standards to be equivalent to or in excess of the intent of this Code.

C. Types of **buffers** . Within a required **buffer** strip, the following types of **buffers** shall be used based on the matrix in table 2.4. (See Figure 4.06.02.C-1)

1. *Type A Buffer:* Ten-foot-wide **landscape buffer** with trees spaced no more than 30 feet on center. When a Type A **buffer** is located within a residential PUD and **adjacent** to a lake, the required trees may be clustered on common property lines to provide a view of the lake. Clustered tree plantings shall not exceed 60 feet between clusters.
2. *Type B Buffer:* Fifteen-foot-wide, 80 percent opaque within one year **landscape buffer** six feet in height, which may include a wall, fence, hedge, **berm** or combination thereof, including trees spaced no more than 25 feet on center. When planting a hedge, it shall be a minimum of ten gallon plants five feet in height, three feet in spread and spaced a maximum four feet on center at planting. When a Type B **buffer** is located within a residential PUD and **adjacent** to a lake, the required plant materials may be clustered to provide views. Clustered tree plantings shall not exceed 60 feet between clusters and the clustered hedge plantings can be provided as a double row of shrubs that are a minimum of 30 inches in height. When the **adjacent** lake exceeds 1,500 feet in width the hedge planting shall not be required. When a community facility is located within a residential PUD and abuts a residential unit, a Type B **buffer** shall be required. When a fence or wall is used within the **buffer** a minimum of 50 percent of the trees and hedge plantings shall be located on the residential side of the fence or wall.
3. *Type C Buffer:* 20-foot-wide, opaque within one year, **landscape buffer** with a six-foot wall, fence, hedge, or **berm** , or combination thereof and two staggered rows of trees spaced no more than 30 feet on center. Projects located within the Golden Gate Neighborhood center district shall be exempt from the **right-of-way** requirement of a six-foot wall, fence, hedge, **berm** or combination thereof. These projects shall provide a meandering Type D **landscape buffer** hedge. In addition, a minimum of 50 percent of the 25-foot wide **buffer** area shall be composed of a meandering bed of shrubs and ground covers other than grass.
4. *Type D Buffer:* A **landscape buffer** shall be required adjacent to any road **right-of-way** external to the **development** project and **adjacent** to any primary **access** roads internal to a commercial **development** . Said **landscape buffer** shall be consistent with the provisions of the Collier County Streetscape Master Plan, which is incorporated by reference herein. The minimum width of the perimeter **landscape buffer** shall vary according to the ultimate width of the **abutting right-of-way** . Where the ultimate width of the **right-of-way** is zero to 99 feet, the corresponding **landscape buffer** shall measure at least ten feet in width. Where the ultimate width of the **right-of-way** is 100 or more feet, the corresponding **landscape buffer** shall measure at least 15 feet in width. **Developments** of 15 acres or more and **developments** within an activity center shall provide a perimeter **landscape buffer** of at least 20 feet in width regardless of the width of the **right-of-way** . Activity center **right-of-way buffer** width requirements shall not be applicable to roadways internal to the **development** .
 - a. Trees shall be spaced no more than 30 feet on center in the **landscape buffer** **abutting** a **right-of-way** or primary **access** road internal to a commercial **development** .
 - b. A continuous 3 gallon double row hedge spaced 3 feet on center of at least 24 inches in height at the time of planting and attaining a minimum of 30 inches in height in one year

shall be required in the **landscape buffer** where vehicular areas are **adjacent** to the road **right-of-way** , pursuant to LDC section 4.06.05 D.4.

- c. Where a fence or wall fronts an **arterial** or **collector road** as described by the transportation circulation element of the growth management plan, a continuous 3 gallon single row hedge a minimum of 24 inches in height spaced 3 feet on center, shall be planted along the **right-of-way** side of the fence. The required trees shall be located on the side of the fence facing the **right-of-way** . Every effort shall be made to undulate the wall and landscaping design incorporating trees, shrubs, and ground cover into the design. It is not the intent of this requirement to obscure from view decorative elements such as emblems, tile, molding and wrought iron.
- d. The remaining area of the required **landscape buffer** must contain only existing **native vegetation** , grass, ground cover, or other landscape treatment. Every effort should be made to preserve, retain and incorporate the existing **native vegetation** in these areas.
- e. A signage visibility triangle may be created for non-residential on-premises signs located as shown in Figure 4.06.02.C-2 for Type D buffers that are 20 feet or greater in width. The line of visibility shall be no greater than 30 linear feet along road **right-of-way** line. Within the visibility triangle, shrubs and hedges shall be required pursuant to LDC section 4.06.05.D.4, except that hedges, shrubs, or ground cover located within the signage visibility triangle shall be maintained at a maximum plant height of 24 inches. Within the visibility triangle, no more than one required canopy tree may be exempted from the Type D buffer requirements.

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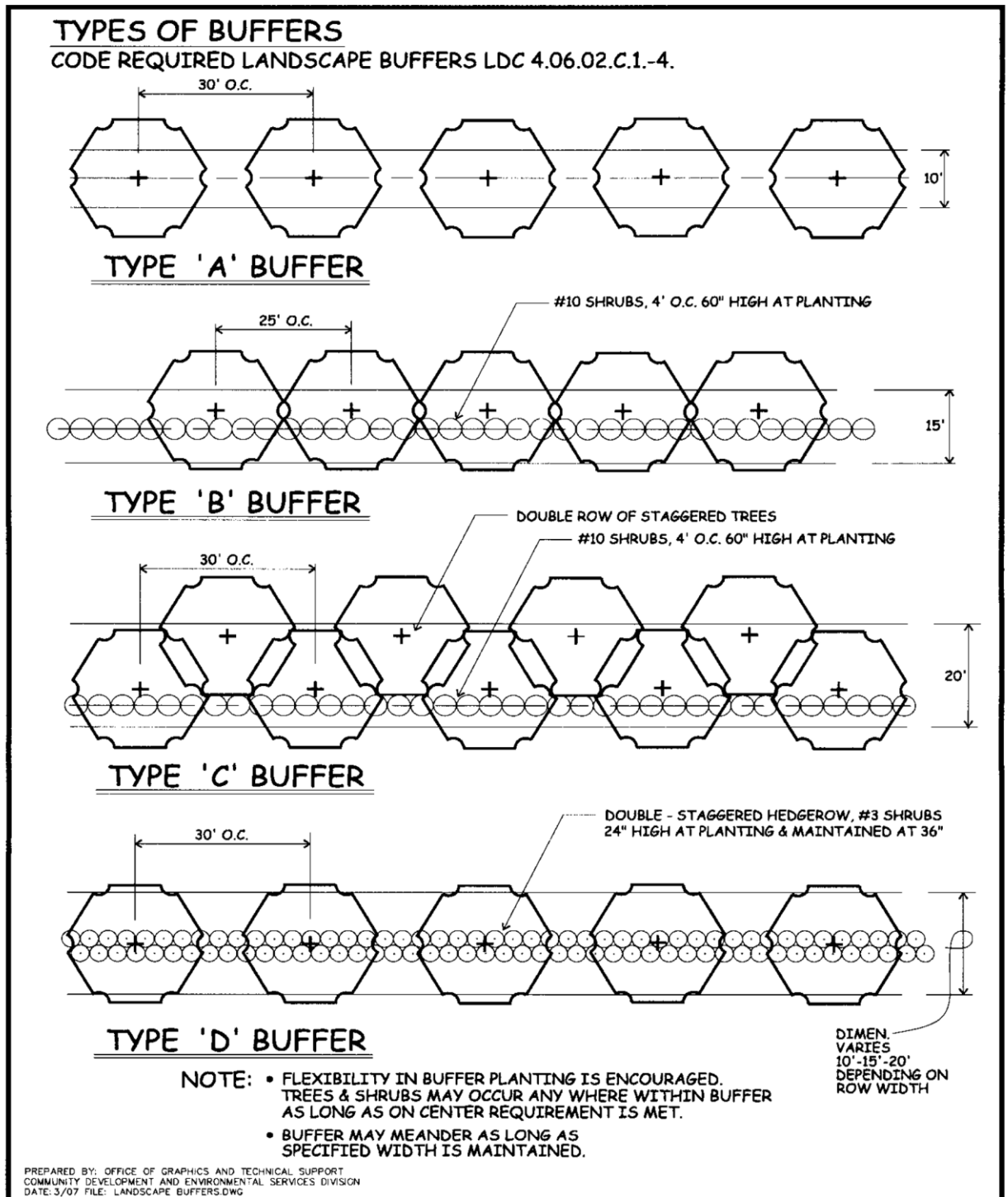


Figure 4.06.02 C-1.

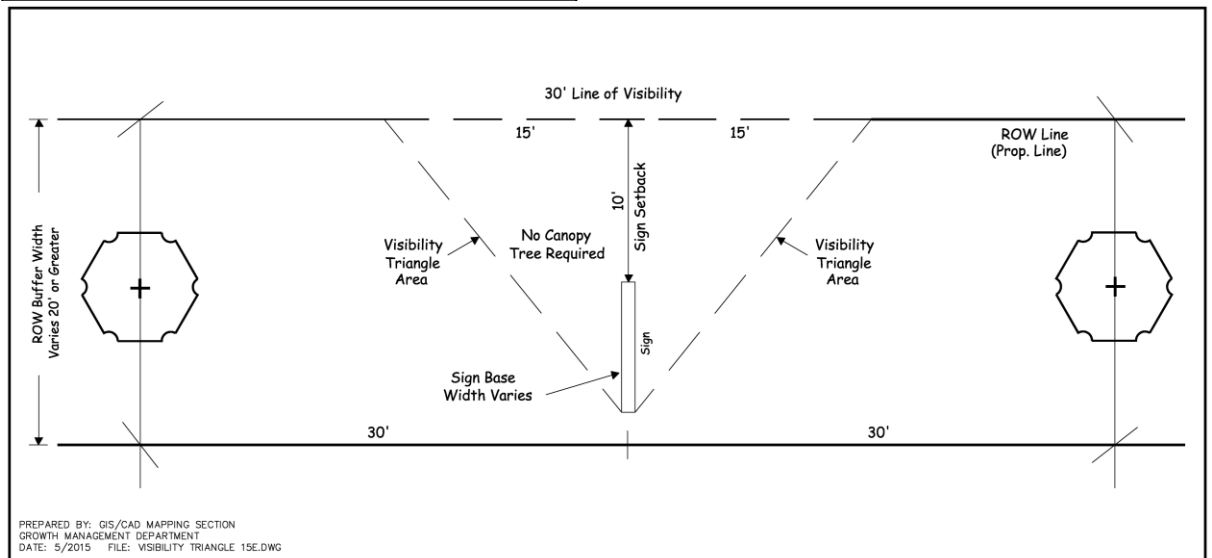
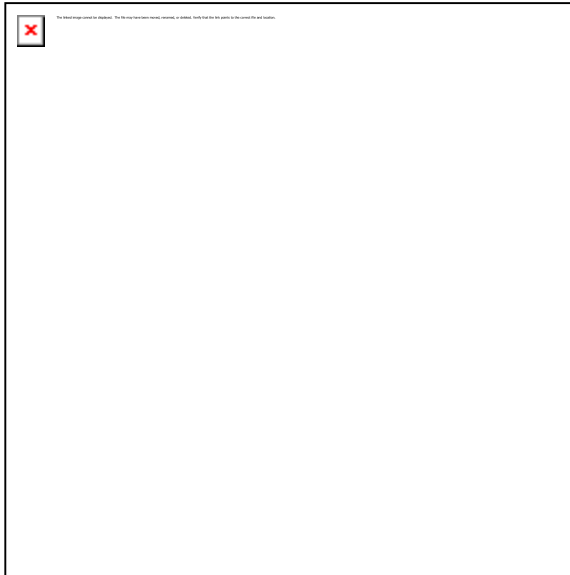


Figure 4.06.02.C-2. (Note: Figure does not include double row hedge)

Table 2.4 Table of **Buffer** Requirements by Land Use Classifications

Subject Property's District/Use	Adjacent Properties Zoning District and/or Property Use													
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
1. Agriculture (A ¹)	-	B	B	B	B	B	A	A	A	A	D	A	-	A

2. Residential (E, RSF) single-family	A	A	B	B	B	B	B	C	B	*	D	B	-	C
3. Residential (RMF-6, RMF-12, RMF-16) multifamily	A	B	A	A	A	B	B	B	B	*	D	B	-	C
4. Residential tourist (RT)	A	B	A	A	B	B	A	B	B	*	D	B	-	B
5. Village residential (VR)	A	A	B	B	A	B	B	B	B	*	D	B	-	B
6. Mobile home (MH)	A	B	B	B	B	A	B	B	B	*	D	B	B	B
7. Commercial ³ (C-1, C-2, C-3, C-4, C-5); Business Park (BP)	A	B	B	B	B	B	A	A	A	*	D	B	B	B
8. Industrial ² (I)	A	C	B	B	B	B	A	A ²	A	*	D	B	B	B
9. Public use (P), community facility (CF), Golf Course Clubhouse, Amenity Center	A	B	B	B	B	B	A	A	A	*	D	B	-	C
10. Planned unit development (PUD)	*	*	*	*	*	*	*	*	*	*	D	*	*	*
11. Vehicular rights-of-way	D	D	D	D	D	D	D	D	D	D	-	B	-	D
12. Golf course maintenance building	B	B	B	B	B	B	B	B	B	B	B	A	B	C
13. Golf course	-	-	-	-	-	-	-	-	-	-	-	B	-	C
14. Automobile service station ⁴	A	C	C	B	B	B	B	B	C	*	D	C	C	D

Table 2.4 information: The letter listed under "Adjacent Properties Zoning District and/or Property Use" shall be the landscape buffer and screening alternative required. Where a conflict exists between the buffer required by zoning district or property use, the more stringent buffer shall be required. The "-" symbol shall represent that no buffer is required. The PUD district buffer, due to a variety of differing land uses, is indicated by the "*" symbol, and shall be based on the landscape buffer and screening of the district or property use with the most similar types, densities and intensities of use. Where a conflict exists between the buffering requirements and the yard requirements of this Code, the yard requirements of the subject zoning district shall apply.

¹ **Buffering** in agriculture (A) districts shall be applicable at the time of site **development plan** (SDP) submittal.

² Industrial (I) zoned property, where abutting industrial (I) zoned property, shall be required to install a minimum 5-foot-wide type A **landscape buffer** adjacent to the side and rear property lines. The buffer area shall not be used for water management. In addition, trees may be reduced to 50 feet on center along rear and side perimeter **buffers** only. This reduction in **buffer** width shall not apply to **buffers adjacent** to vehicular **rights-of-way** or nonindustrial zoned property. **Abutting** industrial zoned properties may remove a side or rear **buffer** along the shared property line in accordance with Section 4.06.02 C.7. This exception to **buffers** shall not apply to **buffers abutting** to vehicular **rights-of-way** .

³ **Buffer** areas between commercial **outparcels** located within a **shopping center** , Business Park, or similar commercial **development** may have a shared **buffer** 15 feet wide with each **abutting** property contributing 7.5 feet. The **outparcels** may remove a side or rear **buffer** along the shared property line between comparable uses within the same zoning designation in accordance with Section 4.06.02 C.7. These provisions shall not apply to **right-of-way buffers** .

⁴ Refer to section 5.05.05 for **automobile service station** landscape requirements.

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5. Business Parks. A 25-foot wide **landscape buffer** shall be provided around the boundary of the business park. A six-foot tall opaque architecturally finished masonry wall, or **berm**, or combination thereof shall be required and two staggered rows of trees spaced no more than 30 feet on center shall be located on the outside of the wall, **berm** , or **berm** /wall combination.
 6. **Buffering** and screening standards. In accordance with the provisions of this Code, loading areas or docks, outdoor storage, trash collection, mechanical equipment, trash compaction, vehicular storage excluding new and used cars, recycling, roof top equipment and other service function areas shall be fully screened and out of view from **adjacent** properties at ground view level and in view of roadway corridors.
 7. Joint Project Plan. **Abutting** platted **parcels** may submit a joint project plan to remove one side or rear **landscape buffer** along a shared property line in order to share parking or other infrastructure facilities, provided the following criteria are met:
 - a. A joint project plan shall include all necessary information to ensure that the combined site meets all of the design requirements of this Code, and shall be submitted as either a single SDP or SIP consisting of both **parcels** , or separate SDPs or SIPs for each **parcel** that are submitted concurrently. Joint project plans require a shared maintenance and **access easement** that is recorded in the public records.
 - b. The following are eligible for a joint project plan. One **outparcel** shall be no greater than 3 acres and the combined **parcel** acreage shall not exceed 5 acres:
 - i. **Abutting** commercial **outparcels** located within a **shopping center** .
 - ii. **Abutting** commercial **parcels** in a **Business Park** .
 - iii. **Abutting** commercial **parcels** with the same zoning designation.
 - iv. **Abutting** industrial **parcels** with the same zoning designation.
 - c. The eliminated **buffer** shall be reallocated to the remaining **landscape buffers** and/or internal landscaped areas of the proposed joint project. There shall be no net loss of landscape material or square footage of the **buffer** as a result of the eliminated **buffer** on the shared property line.
 - d. The **buffer** to be eliminated shall not be a perimeter **buffer** or **adjacent** to any internal main **access** drives.
 - D. Standards for retention and detention areas in **buffer yards**. Unless otherwise noted, all standards outlined in section 4.06.05 C. apply. Trees and shrubs must be installed at the height specified in this section.

Water management systems, which must include retention and detention areas, swales, and subsurface installations, are permitted within a required **buffer** provided they are consistent with accepted engineering and landscaping practice and the following criteria:

1. Water management systems must not exceed 50 percent of the square footage of any required side, rear, or **front yard landscape buffer** .
2. Water management systems must not exceed, at any location within the required side, rear, or **front yard landscape buffer** , 70 percent of the required **buffer** width. A minimum 5-foot wide 10:1 level planting area shall be maintained where trees and hedges are required.
3. Exceptions to these standards may be granted on a case-by-case basis, evaluated on the following criteria:
 - a. Water management systems, in the form of dry retention, may utilize an area greater than 50 percent of the **buffer** when existing **native vegetation** is retained at natural **grade** .
 - b. For **lots of record** 10,000 square feet or less in size, water management areas may utilize an area greater than 50 percent of the required side and rear **yard buffers** . A level planting area of at least three feet in width must be provided in these **buffers** .
4. **Sidewalks** and other **impervious areas** must not occupy any part of a required Alternative A, B, C, or D type **buffer** , except when:
 - a. **Driveways** and **sidewalks** are constructed perpendicular to the **buffer** and provide direct **access** to the **parcel** .
 - b. Parallel meandering **sidewalks** occupy the **buffer** and its width is increased by the equivalent **sidewalk** width.
 - c. A required 15—20 foot wide **buffer** is reduced to a minimum of ten feet wide and is increased by the five to ten foot equivalent width elsewhere along that **buffer** .

(Ord. No. 04-72, § 3.N; Ord. No. 06-07, § 3.K; Ord. No. 06-63, § 3.Z; Ord. No. 07-67, § 3.K; Ord. No. 12-38, § 3.O; Ord. No. 14-33, § 3.L; Ord. No. 15-44, § 3.F; Ord. No. 16-22, § 3.I; Ord. No. 16-27, § 3.M)