

Amend the LDC as follows:

**2.03.06 Planned Unit Development Standards**

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H. Golf course conversions. Lands developed as a golf course within a PUD shall adhere to the process established in LDC section 5.05.15 prior to converting to another use.

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**5.05.15 Conversion of Golf Courses**

A. Purpose and Intent. The purpose of this section is to address the impact of golf course conversion on real property by requiring outreach with stakeholders during the design phase of the conversion project and specific development standards to ensure compatibility with the existing land uses. This process shall be completed prior to the submittal of a rezone or PUDA. For the purposes of this section, property owners within 1,000 feet of a golf course or who own property within a golf course master planned community shall hereafter be referred to as stakeholders.

1. Stakeholder outreach process. The intent of this section is to provide a process to cultivate consensus between the applicant and the stakeholders on the proposed conversion. In particular, this section is designed to address the conversion of golf courses surrounded, in whole or in part, by residential uses or lands zoned residential.

2. Development standards. It is the intent of the specific development standards contained herein to encourage the applicant to propose a conversion project with land uses and amenities that are compatible and complementary to the existing neighborhoods. The development standards are designed to encourage the applicant to incorporate input provided by stakeholders into the development proposal.

B. Applicability.

1. PUD districts. This section applies to lands developed as a golf course in a PUD that convert to another non-golf course related use.

2. Non-PUD districts. This section applies to lands developed as a golf course in a non-PUD district that convert to another non-golf course related use.

3. Golf courses zoned GC shall be exempt from the conversion process and may utilize land uses and adhere to design standards as provided for in LDC section 2.03.09.

C. Development requirements. The following are additional minimum design standards for conversion projects.

1. Golf course lands utilized to meet the minimum **open space** requirements for a previously approved project shall be retained as **open space** and shall not be included in **open space** calculations for any subsequent conversion projects.

2. Greenway. The purpose of the greenway is to retain an **open space** view, provide **passive recreational uses** for stakeholders, and support existing wildlife habitat. For the purposes of this section the greenway shall be identified as a continuous strip of undeveloped land set aside for **passive recreational uses**, such as: **open space**, nature trails, parks, playgrounds, golf courses, beach frontage, disc golf courses, exercise equipment, and multi-use paths. If general agreement is established among the stakeholders through vetting at the Stakeholder Outreach Meetings, as provided for in LDC section 5.05.15 D.3, other similar types of **passive recreational uses** may be approved by the Board. The greenway shall not include required **yards (setbacks)** of any individual lots.

- a. The greenway shall be located along the perimeter of the proposed **development** and shall be **adjacent** to the existing properties located around the golf course. However, if general agreement is established among the stakeholders through vetting at the Stakeholder Outreach Meetings, as provided for in LDC section 5.05.15 D.3, a different design may be approved by the Board.
  - b. A minimum of 35 percent of the gross area of the conversion project shall be dedicated to the greenway with a minimum average width of 100 feet.
  - c. The owner may not charge a fee for the use of the greenway.
  - d. The greenway may be counted towards the open space requirement for the conversion project as established in LDC section 4.02.00.
  - e. Existing trees and understory (shrubs and groundcover) shall be preserved and maintained within the greenway. At a minimum, canopy trees shall be provided at a ratio of 1:2,000 square feet within the greenway. Existing trees may count toward the ratio; however, trees within preserves shall be excluded from the ratio.
  - f. No wall or fence shall be required between the greenway and the proposed development; however, should a wall or fence be constructed, the fence shall provide habitat connectivity to facilitate wildlife movement in and around the greenway.
  - g. A portion of the greenway may provide stormwater management; however, the greenway shall not create more than [30] percent additional lake area. Any newly developed lake shall be a minimum of 100 feet wide.
  - h. The applicant shall record a restrictive covenant with the County describing the use and maintenance of the greenway.
3. Supplemental preserve provisions.
    - a. Conversion projects with sporadic vegetation, e.g. isolated preserves less than ½ acre and/or areas of native vegetation retention less than ½ acre (including planted areas) which meet the criteria established in LDC section 3.05.07 A.4 may recreate up to 100 percent of required preserve area if located within the greenway.
    - b. The existing required preservation areas for a golf course shall be retained as established in LDC section 3.05.07 B.1; however, 50 percent of the areas may be counted towards the required preserve area for the conversion project if located within the greenway and made available for **passive recreation** as allowed for in LDC section 3.05.07 H.1.h.
4. Stormwater management requirements. The applicant shall demonstrate that the stormwater management for the surrounding uses will be maintained at an equivalent or improved level of service. This shall be demonstrated by a pre versus post development stormwater runoff analysis.
  5. Soil and/or groundwater sampling. In addition to the soil and/or ground water sampling requirements established in LDC section 3.08.00 A.4.d, the applicant shall conduct soil and/or groundwater sampling for the pollutants as follows: Managed turf, chemical storage/mixing areas, and maintenance areas (i.e. equipment storage and washing areas, fueling and fuel storage areas) shall be tested for organophosphate, carbamate, triazine pesticides, or chlorinated herbicides. In addition, maintenance areas, as described above, shall be tested for petroleum products. The County shall coordinate with the Department of Environmental Protection where contamination exceeding applicable Department of Environmental Protection standards is identified on site or where an Environmental Audit or Environmental Assessment has been submitted.

6. All other development standards. The conversion of golf courses shall be consistent with the development standards in the LDC, as amended. Where conflicts arise between the provisions in this section and other provisions in the LDC, the more restrictive provision shall apply.

D. Application process.

1. Intent to Convert application. The applicant shall submit an "Intent to Convert" application to the County prior to submitting a rezone or PUDA. The Intent to Convert application shall include a title opinion or ownership encumbrance report establishing there are no encumbrances on the property that prevent the property from being developed as proposed; the public outreach methods to be used to engage stakeholders; and shall include a Developer's Alternative Statement, as provided for below. The Administrative Code shall establish the submittal requirements for the "Intent to Convert" application.
2. Process. Within a PUD, the conversion process shall be followed by a PUD Amendment and within non-PUD districts conversions shall be processed through a rezone.
3. Developer's Alternatives Statement requirement.
  - a. Purpose and intent. The Developer's Alternatives Statement (DAS) is a tool to inform stakeholders and the County about the applicant's development options and intentions. It is intended to encourage communication, cooperation, and consensus building between the applicant, the stakeholders, and the County.
  - b. Alternatives. The DAS shall be prepared by the applicant and shall clearly identify the goals and objectives for the conversion project. The DAS shall address, at a minimum, the three alternatives noted below. The alternatives are not intended to be mutually exclusive; the conceptual development plan may incorporate one or more of the alternatives in the conversion project.
    - i. No conversion: The applicant shall provide a study examining the current and potential financial state of the golf course should no conversion occur. The study shall identify at a minimum:
      - a) Whether modifications to the acreage, design, or maintenance of the golf course and/or club house would allow for the golf course to continue operating; and
      - b) Whether a change in membership type (public vs. private) would allow the golf course to continue operating.
      - c) Whether any other uses allowed in LDC section 2.03.09 A or the PUD golf tract are viable;
    - ii. County purchase: The applicant shall coordinate with the [County] to determine if there is interest to donate, purchase, or maintain a portion or all of the property for a public use, e.g. a greenway, public park, open space, civic use, or other public facilities. The applicant shall begin coordination with the [County] upon submittal of the "Intent to Convert" application. This section shall not require the County to purchase any lands.
    - iii. Conceptual development plan: The applicant shall prepare at least one conceptual development plan depicting the proposed conversion. The conceptual development plan shall include a narrative describing how the plan implements and is consistent with the goals and objectives identified in the DAS. The conceptual plan shall depict the existing and proposed land uses, including residential, non-residential, and preserve areas; existing and

proposed roadway and pedestrian systems; existing and proposed trees and landscaping; and the proposed location for the greenway, including any passive recreational uses. The narrative shall identify the intensity of the proposed land uses; how the proposed conversion is compatible with the existing surrounding land uses and any methods to provide benefits or mitigate impacts to the stakeholders. Visual exhibits to describe the proposed development and amenities including the greenway shall also be provided.

4. Stakeholder outreach meetings (SOMs). The SOMs are intended to engage the stakeholders early in the conversion project and inform the applicant as to what the stakeholders find important to the neighborhood, what is considered compatible to the neighborhood, and what type of development they can support, in the neighborhood. The applicant shall utilize *Collier County's Guide to Golf Course Conversion: Public Outreach Methods and Usable Open Space Concepts* to conduct the SOMs. An assigned County planner shall attend the SOM meetings and observe the process. The applicant shall provide the following:
  - a. Conduct a minimum of two in-person SOMs and a minimum of one web-based visual survey on the proposed conceptual plans shared with the stakeholders. The web-based survey web address may be incorporated in the mailings notifying the stakeholders of the in-person SOMs.
  - b. Public notice of the SOMs as described in the Administrative Code [similar to NIM required court reporter/ MP3 or equivalent device for recording].
  - c. At the SOM, the applicant shall provide information about the purpose of the meeting, including a presentation on the goals and objectives of the conversion project, the alternatives established in the Developer's Alternative Statement, the greenway concept, and the measures taken to ensure compatibility. The applicant shall facilitate dialogue and discussion on these topics with the stakeholders using a public outreach method identified in the *County's Guide to Golf Course Conversion*.
5. Rezone or PUDA application. The applicant shall file a rezone or PUDA with the County after completing the SOMs requirements. In addition, the applicant shall prepare a SOM report. The report shall include a description of the public outreach methods used, list of attendees, pictures from the meetings demonstrating the outreach process, results from outreach methods (as described in the *County's Guide to Golf Course Conversion*), and copies of the materials used during the SOMs. The applicant shall also include a point-counterpoint list, identifying the input from the stakeholders and how and why it was or was not incorporated in the application. The report shall be organized such that the issues and ideas provided by the stakeholders that are incorporated in the application are clearly labeled by the applicant in the list and application. No deviations to LDC section 5.05.15 shall be approved, further, deviations to other sections of the LDC shall be shared with the stakeholders at a SOM or NIM.
6. Staff report. In addition to the requirements established in LDC sections 10.02.08 and 10.02.13 B.3, the staff report shall evaluate the following:
  - a. Whether the applicant has met the requirements established in this section and development standards in the LDC. In particular, that the proposed design and use(s) of the greenway meet the purpose as described 5.05.15 C.2.
  - b. Whether the SOM report and point-counterpoint list described above reflects the dialogue and discussions that took place at the SOMs.

c. Whether the applicant adequately incorporated the input provided by the stakeholders to address impacts of the golf course conversion on stakeholder properties.

F. Review and Approval.

1. Public Notice requirements. The applicant shall be responsible for meeting the requirements of LDC section 10.03.06 B. In addition, the installation and posting of signage required for the conversion project shall meet the requirements established in the Administrative Code.
2. Planning Commission recommendation. The report and recommendations of the Planning Commission to the Board of County Commissioners shall show the Planning Commission has studied and considered the stakeholder input in addition to findings established in LDC sections 10.02.08 E and 10.02.13 B. The staff report for the Board shall include the Planning Commission's findings.

G. Design standards for lands converted from a golf course or for a permitted use within the GC zoning district shall be subject to the following design standards.

1. Lighting. All lighting shall be designed to reduce light pollution. At a minimum, lighting shall be directed away from neighboring properties and all light fixtures shall be full cutoff with flat lenses.
2. Setbacks. All non-golf course uses, except for the greenway, shall provide a minimum average 50-foot setback from lands zoned residential or with residential uses, however the setback shall be no less than 35 feet at any one location.

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