AN ORDINANCE OF THE BOARD OF COUNTY
COMMISSIONERS OF COLLIER COUNTY, FLORIDA,
AMENDING ORDINANCE NUMBER 04-41, AS AMENDED, THE
COLLIER COUNTY LAND DEVELOPMENT CODE, WHICH
INCLUDES THE COMPREHENSIVE LAND REGULATIONS FOR
THE UNINCORPORATED AREA OF COLLIER COUNTY,
FLORIDA, BY PROVIDING FOR: SECTION ONE, RECITALS;
SECTION TWO, ADOPTION OF AMENDMENTS TO THE LAND
DEVELOPMENT CODE, MORE SPECIFICALLY AMENDING
CHAPTER 2 – ZONING DISTRICTS AND USES, INCLUDING
SECTION 2.03.09 OPEN SPACE ZONING DISTRICTS, TO ADD
GOLF MAINTENANCE BUILDINGS AS A NEW ACCESSORY
USE WITHIN THE GOLF COURSE ZONING DISTRICT;
CHAPTER 4 – SITE DESIGN AND DEVELOPMENT
STANDARDS, INCLUDING SECTION 4.02.03 SPECIFIC
STANDARDS FOR LOCATION OF ACCESSORY BUILDINGS
AND STRUCTURES, TO ESTABLISH SETBACK
Requirements FOR GOLF CLUBHOUSE AND
MAINTENANCE BUILDINGS ON WATERFRONT LOTS AND
GOLF COURSE LOTS IN ZONING DISTRICTS OTHER THAN
RURAL AGRICULTURAL AND ESTATES; SECTION THREE,
CONFLICT AND SEVERABILITY; SECTION FOUR, INCLUSION
IN THE COLLIER COUNTY LAND DEVELOPMENT CODE; AND
SECTION FIVE, EFFECTIVE DATE.

RECITALS

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

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2004, adopted Ordinance No. 04-41, which repealed and superseded Ordinance No. 91-102, as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

WHEREAS, the LDC may not be amended more than two times in each calendar year
unless additional amendment cycles are approved by the Collier County Board of
Commissioners pursuant to Section 10.02.09 A. of the LDC; and

WHEREAS, this amendment to the LDC is part of the first amendment cycle for the
calendar year 2015; and
WHEREAS, on March 18, 1997, the Board adopted Resolution 97-177 establishing local requirements and procedures for amending the LDC; and
WHEREAS, all requirements of Resolution 97-177 have been met; and
WHEREAS, the Board of County Commissioners, in a manner prescribed by law, did hold advertised public hearings on June 23, 2015, and July 7, 2015, and did take action concerning these amendments to the LDC; and
WHEREAS, the subject amendments to the LDC are hereby determined by this Board to be consistent with and to implement the Collier County Growth Management Plan as required by Subsections 163.3194 (1) and 163.3202 (1), Florida Statutes; and
WHEREAS, this ordinance is adopted in compliance with and pursuant to the Community Planning Act (F.S. § 163.3161 et seq.), and F.S. § 125.01(1)(t) and (1)(w); and
WHEREAS, this ordinance is adopted pursuant to the constitutional and home rule powers of Fla. Const. Art. VIII, § 1(g); and
WHEREAS, all applicable substantive and procedural requirements of the law have otherwise been met.

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

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

SECTION TWO:  ADOPTION OF AMENDMENTS TO THE LAND DEVELOPMENT CODE

SUBSECTION 2.A: AMENDMENTS TO SECTION 2.03.09 OPEN SPACE ZONING DISTRICTS
Section 2.03.09 Open Space Zoning Districts, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

2.03.09 Open Space Zoning Districts

A. Golf Course District "GC". The purpose and intent of "GC" district is to provide lands for golf courses and normal accessory uses to golf courses, including certain uses of a commercial nature. The GC district shall be in accordance with the urban mixed use
district and the agricultural rural district of the future land use element of the Collier County GMP.

1. The following subsections identify the uses that are permissible by right and the uses that are allowable as *accessory* or *conditional uses* in the RMF-6 GC district.

   a. *Permitted uses.*
      1. Golf courses.

   b. *Accessory Uses.*
      1. Uses and *structures* that are accessory and incidental to uses permitted as of right in the GC district.
      2. Recreational facilities that serve as an integral part of the permitted use, including but not limited to clubhouse, community center *building*, practice driving range, shuffleboard courts, swimming pools and tennis facilities, snack shops and restrooms.
      3. Pro shops with equipment sales, no greater than 1,000 square feet.
      4. Restaurants with a seating capacity of 150 seats or less provided that the hours of operation are no later than 10:00 p.m.
      5. A maximum of two residential *dwellings units* for use by golf course employees in conjunction with the operation of the golf course.

   c. *Conditional uses.* The following uses are permissible as *conditional uses* in the GC district, subject to the standards and provisions established in LDC section 10.08.00.

      1. Commercial establishments oriented to the permitted uses of the district including gift shops; pro shops with equipment sales in excess of 1,000 square feet; restaurants with seating capacity of greater than 150 seats; cocktail lounges, and similar uses, primarily intended to serve patrons of the golf course.
SUBSECTION 2.B: AMENDMENTS TO SECTION 4.02.03 SPECIFIC STANDARDS FOR LOCATION OF ACCESSORY BUILDINGS AND STRUCTURES

Section 4.02.03 Specific Standards for Location of Accessory Buildings And Structures, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

4.02.03 Specific Standards for Location of Accessory Buildings And Structures

A. For the purposes of this section, in order to determine yard requirements, the term "accessory structure" shall include detached and attached accessory use structures or buildings notwithstanding the attachment of such structure or building containing the accessory use to the principal use structure or building. Accessory buildings and structures must be constructed simultaneously with or following the construction of the principal structure and shall conform with the following setbacks and building separations.

* * * * * * * * * * * * * * * * *

Table 4. Dimensional Standards for Accessory Buildings and Structures on Waterfront Lots and Golf Course Lots in Zoning Districts other than Rural Agricultural (A) and Estates(E)*2

<table>
<thead>
<tr>
<th>Accessory Structure</th>
<th>Front</th>
<th>Rear</th>
<th>Side</th>
<th>Structure to Structure (If detached)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Parking garage or carport, single-family</td>
<td>SPS</td>
<td>SPS</td>
<td>SPS</td>
<td>10 feet</td>
</tr>
<tr>
<td>2. One-story parking structures</td>
<td>SPS</td>
<td>SPS</td>
<td>SPS</td>
<td>10 feet</td>
</tr>
<tr>
<td>3. Multistory parking structures</td>
<td>SPS</td>
<td>SPS</td>
<td>SPS</td>
<td>1/1¹</td>
</tr>
<tr>
<td>4. Swimming pool and/or screen enclosure (one- and two-family)</td>
<td>SPS</td>
<td>10 feet³</td>
<td>SPS</td>
<td>N</td>
</tr>
<tr>
<td>5. Swimming pool (multi-family and commercial)</td>
<td>SPS</td>
<td>20 feet</td>
<td>15 feet</td>
<td>N</td>
</tr>
<tr>
<td>6. Tennis courts (private) (one- and two-family)</td>
<td>SPS</td>
<td>15 feet</td>
<td>SPS</td>
<td>10 feet</td>
</tr>
<tr>
<td>7. Tennis courts (multi-family and commercial)</td>
<td>SPS</td>
<td>35 feet</td>
<td>SPS</td>
<td>20 feet</td>
</tr>
<tr>
<td>8. Boathouses and boat shelters (private)</td>
<td>SPS</td>
<td>N/A</td>
<td>7.5 feet or 15 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td></td>
<td>See subsection 5.03.06F.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Utility buildings</td>
<td>SPS</td>
<td>SPS</td>
<td>10 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td>10. Chickee, barbecue areas</td>
<td>SPS</td>
<td>10 feet</td>
<td>SPS</td>
<td>N</td>
</tr>
<tr>
<td>11. Davits, hoists and lifts</td>
<td>N/A</td>
<td>N/A</td>
<td>7.5 feet or 15 feet</td>
<td>SPS</td>
</tr>
<tr>
<td>12. Attached screen porch</td>
<td>SPS</td>
<td>10 feet⁴</td>
<td>SPS</td>
<td>SPS</td>
</tr>
<tr>
<td>13. Unlisted accessory</td>
<td>SPS</td>
<td>SPS</td>
<td>SPS</td>
<td>10 feet</td>
</tr>
<tr>
<td>14. Docks, decks and mooring pilings</td>
<td>N/A</td>
<td>N/A</td>
<td>7.5 feet or 15 feet</td>
<td>N/A</td>
</tr>
<tr>
<td>15. Boat slips and ramps (private)</td>
<td>N/A</td>
<td>N/A</td>
<td>7.5 feet</td>
<td>N/A</td>
</tr>
<tr>
<td>16. Satellite dish antennas</td>
<td>NP</td>
<td>15 feet</td>
<td>SPS</td>
<td>10 feet</td>
</tr>
<tr>
<td>17. Permanent emergency generators</td>
<td>NP</td>
<td>10 feet</td>
<td>See Sec. 4.02.01 D.13</td>
<td>N/A</td>
</tr>
<tr>
<td>18. Golf clubhouse and maintenance buildings *5</td>
<td>50 feet</td>
<td>50 feet</td>
<td>50 feet</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Words struck-through are deleted, words underlined are added
N = None.
N/A = Not applicable.
NP = Structure allowed in rear of building only.
SPS = Calculated same as principal structure.

** = All accessory structures in Rural Agricultural and Estates zoning districts must meet principal structure setbacks.

1 1 foot of accessory height = 1 foot of building separation.

2 In those cases where the coastal construction control line is involved, the coastal construction control line will apply.

3 20 feet where swimming pool decks exceed 4 feet in height above top of seawall or top of bank, except Marco Island and Isles of Capri which may construct to a maximum of seven feet above the seawall with a maximum of four feet of stem wall exposure, with the rear setback of ten feet.

4 20 feet where floor or deck of porch exceeds 4 feet in height above top of seawall or top of bank, except Marco Island and Isles of Capri which may construct to a maximum of seven feet above the seawall with a maximum of four feet of stem wall exposure, with the rear setback of ten feet.

5 The setback shall apply to external boundaries of the golf course district, and shall be inclusive of separately platted buffer tracts.

SECTION TWO: CONFLICT AND SEVERABILITY

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

The provisions of this Ordinance shall become and be made a part of the Land Development Code of Collier County, Florida. The sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

SECTION FOUR: EFFECTIVE DATE

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

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 7th day of July, 2015.

ATTEST: DWIGHT E. BROCK, CLERK

BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA

By: TIM NANCE, Chairman

Approved as to form and legality:

Heidi Ashton-Cicko, Esquire
Managing Assistant County Attorney
July 9, 2015

Honorable Dwight E. Brock
Clerk of the Circuit Court
Collier County
Post Office Box 413044
Naples, Florida 34101-3044

Attention: Ms. Martha S. Vergara, BMR Senior Clerk

Dear Mr. Brock:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Collier County Ordinance No. 15-45, which was filed in this office on July 9, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb