

The Golden Gate Estates Area Civic Association, Inc.

www.ggeaca.org



23 June 2026

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Liaison, Rural Golden Gate Estates Restudy Advisory Committee
Collier County Growth Management Division
2800 North Horseshoe Drive
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SUBJECT: Golden Gate Estates Area Civic Association (GGEACA) concerns about the Mentimeter Poll Questions on the Agenda for the 06.24.26 Golden Gate Estates Restudy Advisory Committee meeting in relation to FS 559.955 Home Base Businesses (HBB) and Collier County Government (CCGOV).

INTRODUCTION

Golden Gate Estates Area Civic Association (GGEACA) has reviewed the Mentimeter Poll Questions on the Agenda for the 06.24.26 Golden Gate Estates Restudy Advisory Committee meeting and has found these issues of concern:


1. The entire set of questions are skewed in that it does not explain **FIRST** that the Rural Golden Gate Estates is an **AG Zoned - Agricultural Community**. The sub category of E-Estates under Ag Zoning only limits certain AG activities. This is not explained.
2. The survey should include a brief summary of HBB statute and a note that the CCGOV is severely restricted in what it can do to curtail most HBB activities (**see Appendix A**). The whole point of the statute is to restrict CCGOV, not the business. If CCGOV were to restrict the HBB activities beyond what the statute permits, the CCGOV would be subject to attorneys' fees and court costs, for any adverse action it takes against an HBB.
3. AG/E Zoning activities that are "bonafide" Ag are **EXEMPTED** from FS 559.955 HBB specifics and other LDC requirements.
4. There are currently **NO** restrictions or regulations on parking of vehicles, equipment or location of accessory buildings in the Rural Golden Gate Estates.
5. The questions suggest that CCGOV could make restrictions on parking vehicles, equipment or location of accessory buildings – this would be in violation of FS 559.955 HBB specifics and not allowed in Bonafide Agriculture activities.
6. A survey and documentation of all the parcels with Agriculture, Small Businesses, Single Family Homes and 501(c)3 businesses on them would have to be done to determine what is the **CURRENT CONSISTENT USE** of Rural Golden Gate Estates Properties as required in FS 559.955.
 - a. All parking of vehicles, equipment or location of accessory buildings would have to be surveyed documented in both the front and back yards. This would include churches. Libraries, Fire Stations, EMS Stations, and all listed 501(c)3 businesses.
7. The terms Commercial Business, Commercial Vehicles and Commercial Equipment have not been defined. There are no definitions in the Land Development Code for these terms. The questionnaire should not use these terms until **FORMALLY DEFINED**.

SPECIFIC QUESTIONNAIRE CONCERNS:

***it should be noted: none of the questions apply to Bonafide AG*

1. If they do not live in Rural GGE, then they can skip the questionnaire altogether.
2. None
3. None
4. Why ask for an opinion? Assuming a brief summary of HBB has been provided - ask 1) if they are aware of any HBBs in their area? If no, skip to Question 13 – If yes, continue.
5. If aware of HBB in their area, have they been adversely affected? If no, skip to Question 13, if yes continue.
6. If they have been adversely affected by a HBB, list only the issues that CCGOV **CAN ADDRESS** as long as it is not more restrictive than FS 559.955
7. Business hours of operation is not in FS 559.955, so CCGOV cannot restrict
8. Same issue – business hours is not in FS 559.955, so CCGOV cannot restrict.
9. A site plan review process is outside the parameters of what CCGOV can require from a home based business. The HBB is only subject to applicable business taxes under chapter 205 of the Florida Statutes. (see paragraph 2(c) of FS 559.955).
 - a. There is no definition of a “higher impact business.”
10. CCGOV can only restrict what it is permitted for them to restrict under FS 559.955. Additionally, how will the CCGOV be able to distinguish between HBB equipment and storage, and personal use and storage?
11. Is this limited to HBB or is this any and all outdoor storage? Need to clarify.
12. What screening requirements exist now? How will CCGOV force screening?
13. There is no current formal definition of what is a commercial vehicle. This question is inappropriate.
14. This assumes people have concerns – ask if they do first, if not, they can skip this question
15. First bullet – what additional regulations? Are there any?
16. Add a blank line for brief comments from the public
17. What are the current ordinances on signage? Cannot be more restrictive than what is currently permitted.
18. Add the option: ALL OF THE ABOVE
19. None
20. None

Submitted by:



Michael R. Ramsey

Board Member, Rural Golden Gate Estates Advisory Committee

President, Golden Gate Estates Area Civic Association

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THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

CS/HB 403 — Home-based Businesses

by Commerce Committee and Rep. Giallombardo and others (CS/CS/SB 266 by Rules Committee; Community Affairs Committee; and Senators Perry and Baxley)

CS/HB 403 preempts areas of regulation for home-based businesses to the state. It forbids counties and municipalities from enacting or enforcing any ordinance, regulation, or policy or take any action to license or otherwise regulate a home-based business in violation of the bill provisions. Currently, local governments regulate business activities conducted on residential property through ordinances that address "home occupations." The bill's restrictions on local government home-based business regulations would cause existing local government ordinances inconsistent with the bill's prohibitions to become null and void by operation of law.

The bill provides that a home-based business may operate in an area zoned for residential use and may not be prohibited, restricted, regulated, or licensed in a manner different from other businesses in a local government's jurisdiction otherwise provided by the bill.

The bill includes criteria that home-based businesses must meet to operate in an area zoned for residential use. To be considered a home-based business under the bill, a business must meet the following criteria:

- The activities of the home-based business must be secondary to the property's use as a residential dwelling.
- The business employees who work at the residential dwelling must also reside in the residential dwelling, except that up to two employees or independent contractors who do not reside at the residential dwelling may work at the business.
- Parking related to the business activities of the home-based business must comply with local zoning requirements. The business may not generate a need for parking greater in volume than a similar residence where no business is conducted. Local governments may regulate the parking or storage of heavy equipment at the business which is visible from the street.
- As viewed from the street, the residential property must be consistent with the uses of the residential areas surrounding the property. Any external modifications to a home-based business must conform to the residential character and architectural aesthetics of the neighborhood. The home-based business may not conduct retail transactions at a structure other than the residential dwelling; however, incidental business uses and activities may be conducted at the residential property.
- All business activities must comply with any relevant local or state regulations concerning signage and equipment or processes that create noise, vibration, heat, smoke, dust, glare, fumes, or noxious odors. However, such regulations on a business, absent signage, may not be more stringent than those that apply to a residence where no business is conducted.
- All business activities must comply with any relevant local, state, and federal regulations concerning the use, storage, or disposal of hazardous materials. However, such

regulations on a business may not be more stringent than those that apply to a residence where no business is conducted.

Any adversely affected current or prospective home-based business owner may recover reasonable attorney fees and costs incurred instituting or defending a legal action concerning the validity of a local government's home-based business regulations.

The bill does not supersede any current or future declaration of condominium adopted pursuant to ch. 718, F.S., cooperative document adopted pursuant to ch. 719, F.S., or declaration of covenants adopted pursuant to ch. 720, F.S. In addition, the bill does not supersede any local laws, ordinances, or regulations related to transient public lodging establishments that are not otherwise preempted under ch. 509, F.S.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 19-18; House 77-41