



**Development Services Advisory Committee
Land Development Review
Subcommittee**

**Wednesday, November 19, 2025
3:00 pm**

**2800 N. Horseshoe Dr.
Naples, FL 34104**

**Growth Management Community Development
Department
Conference Room 609/610**

Please contact Eric Johnson at (239) 252-2931 or
Eric.Johnson@colliercountyfl.gov if you have any questions or
wish to meet with staff.

DSAC – Land Development Review Subcommittee 2025 Land Development Code Amendments

Agenda

Wednesday, November 19, 2025

3:00 pm

2800 N. Horseshoe Dr., Naples, FL 34104

Growth Management Community Development, Conference Rooms 609/610

NOTICE:

Persons wishing to speak on any Agenda item will receive up to three (3) minutes unless the Chairman adjusts the time. Speakers are required to fill out a “Speaker Registration Form”, list the topic they wish to address, and hand it to the Staff member before the meeting begins. Please wait to be recognized by the Chairman and speak into a microphone. State your name and affiliation before commenting. During the discussion, Committee Members may direct questions to the speaker.

Please silence cell phones and digital devices. There may not be a break in this meeting. Please leave the room to conduct any personal business. All parties participating in the public meeting are to observe Roberts Rules of Order and wait to be recognized by the Chairman. Please speak one at a time and into the microphone so the Hearing Reporter can record all statements being made.

1. Call to Order – Chairman
2. Approval of Agenda
3. Old Business
 - a. PL20240006969 – Rural Fringe Mixed Use District (RFMUD) Overlay – LDCA
4. New Business
5. Public Speakers
6. Reminders of Upcoming DSAC-LDR Subcommittee Meeting Dates Discussion:
 - a. Tuesday, December 16, 2025
7. Adjourn

LAND DEVELOPMENT CODE AMENDMENT

PETITION

PL20240006969

ORIGIN

Growth Management
Community Department
(GMCD)

SUMMARY OF AMENDMENT

This Land Development Code (LDC) amendment proposes to update the Rural Fringe Mixed Use District (RFMUD) in concert with the changes approved to the Growth Management Plan (GMP) with the adoption of Ordinance 2023-25 and Ordinance 2025-16. LDC amendments are reviewed by the Board of County Commissioners (Board), Collier County Planning Commission (CCPC), Development Services Advisory Committee (DSAC), and the Land Development Review Subcommittee of the DSAC (DSAC-LDR).

HEARING DATES

Board	TBD
CCPC	TBD
DSAC	TBD
DSAC-LDR	11/19/2025 09/16/2025

LDC SECTION TO BE AMENDED

02.03.07	Overlay Zoning Districts
02.03.08	Rural Fringe Zoning Districts
02.06.01	Generally

ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR

Continued

DSAC

TBD

CCPC

TBD

BACKGROUND

The RFMUD was first adopted on February 11, 2004. On May 23, 2023, the Board adopted Ordinance 2023-25, which consisted of amending Future Land Use Element (FLUE), Future Land Use Map (FLUM) and Map series as part of the RFMUD restudy. This LDC amendment implements updates to the LDC resulting from the approved RFMUD restudy and subsequent Board adopted GMP clean-up, Ordinance 2025-16, as follows: increasing of the number of base Transfer of Development Rights (TDR) credits generated per acre/per nonconforming lot, increasing of density on receiving lands for affordable housing, allowance of active recreation in the sending lands as conditional uses, addition of Belle Meade Hydrologic Enhancement Overlay (BMHEO) provisions, changes to Environmental Restoration and Maintenance TDR Bonus credit generation, introduction of Business and Industrial Uses in the receiving lands with specific uses, development standards and locational criteria to be identified within the LDC, introduction of Neighborhood commercial uses within Affordable Housing projects with specific uses, design standards, development standards and locational criteria to be identified within the LDC, additional development standards and location criteria for housing that is affordable within the RFMUD receiving lands, addition of clustering provisions for RFMUD sending lands, addition of Conservation TDR Credits, changes to Rural Village design criteria and density bonus for low-income residential units provided, and reduction of open space requirement for housing that is affordable projects.

FISCAL & OPERATIONAL IMPACTS

The fiscal impacts to Collier County resulting from this amendment are for staff time to prepare the amendment and costs for the associated legal advertising/public notice for the public hearings. Funds will be available from the Unincorporated Area General Fund (1011) and the Comprehensive Planning Cost Center.

EXHIBITS: A) None

GMP CONSISTENCY

The proposed LDC amendment has been reviewed by Comprehensive Planning staff and may be deemed consistent with the GMP.

Amend the LDC as follows:

2.03.07 – Overlay Zoning Districts

* * * * *

D. Special Treatment Overlay (ST)

* * * * *

4. Transfer of Development Rights (TDR).

a. Purpose, Intent and Applicability.

- i. *Purpose.* The primary purpose of the TDR process is to establish an equitable method of protecting and conserving lands determined to have significant environmental value, including large connected wetland systems and significant areas of habitat for listed species; and

To provide a viable mechanism for property owners of such environmentally valuable lands to recoup lost value and development potential which may be associated with the application of environmental preservations standards to such lands.

- ii. *Intent.* These TDR provisions are intended to accomplish the above stated purpose through an economically viable process of transferring development rights from less suitable non-RFMU sending areas to more suitable non-RFMU receiving areas, and from non-RFMU sending areas, and less suitable RFMU receiving, neutral and sending lands to more suitable non-RFMU receiving areas and RFMU receiving lands and non-RFMU receiving areas.

- iii. *Applicability.* These TDR provisions shall be applicable to those areas specifically identified in (b), (c) and (d) below. These TDR provisions shall not be applicable to the any transfer of development rights within the RLSA District.

* * * * *

c. TDR credits from RFMU sending lands: General Provisions.

i. Creation of TDR credits.

- a) TDR credits are generated from RFMU sending lands at a rate of 24 TDR credits per 5 acres of RFMU ~~S~~ending ~~L~~and or, for those legal non-conforming lots or parcels of less than 5 acres that were in existence as of June 22, 1999, at a rate of 24 TDR credits per legal non-conforming lot or parcel.

b) For lots and parcels 5 acres or larger, the number of TDR credits generated shall be calculated using the following formula:

of acres x 0.42 = # of TDR credits generated.

Where the number of TDR credits thus calculated is a fractional number, the number of TDR credits created shall be rounded to the nearest 1/100th.

ii. Creation of TDR Bonus credits. TDR Bonus credits shall only be generated from RFMU sending land property from which TDR credits have been severed. The ~~three~~ types of TDR Bonus credits are as follows:

a) Environmental Restoration and Maintenance Bonus credits. Environmental Restoration and Maintenance Bonus credits are generated at a rate of up to 0.6 ~~4~~ credits for each TDR credit severed from that RFMU sending land for which a Restoration and Management Plan (RMP) has been accepted by the County but in no case less than 0.2 TDR credits per acre. In order for the County to ~~be accepted an~~ RMP, ~~a~~-the RMP shall satisfy the following:

i) ~~4)~~ The RMP shall include a listed species management plan.

ii) ~~2)~~ The RMP shall comply with the criteria set forth in LDC section 3.05.08-A~~7~~ and B.

iii) ~~3)~~ The RMP shall provide financial assurance, in the form of a letter of credit or similar financial security, establishing that the RMP shall remain in place and be performed, until the earlier of the following occurs:

1) ~~a-~~ Viable and sustainable ecological and hydrological functionality has been achieved on the property as measured by the success criteria set forth in the RMP.

2) ~~b-~~ The property is conveyed to a County, state, or federal agency as provided in b) below.

iv) ~~4)~~ The RMP shall provide for the exotic vegetation removal and maintenance to be performed by an environmental contractor acceptable to the County.

v) In the case of legal nonconforming lots or parcels in existence as of June 22, 1999, where such lot or parcel is less than 5 acres, up to three TDR credits may be severed from said lot or parcel depending on the activities contained in this section that are performed. The generation rate of bonus credits shall be based on the type of activity completed and meeting additional criteria as follows:

1) Exotic vegetation removal, non-native vegetation and nuisance or invasive plant control and maintenance shall generate 0.2 TDR credits for each acre of exotic vegetation removal, and control and maintenance.

2) Listed species restoration areas, other than wading birds, shall generate 0.3 TDR credits for each acre of restored land that has met applicable success criteria as determined by the permitting or commenting agency authorizing said restoration.

3) Wading bird restoration areas shall generate 0.4 TDR credits for each acre of restored land that has met applicable success criteria as determined by the permitting or commenting agency authorizing said restoration.

4) Connector wetlands and flow way restoration areas shall generate 0.6 TDR credits for each acre of restored land that has met applicable success criteria as determined by the permitting or commenting agency authorizing said restoration.

5) Large mammal corridor creation, restoration, or enhancement shall generate 0.6 TDR credits for each acre of land created, restored, or enhanced upon demonstration that the respective activities have met applicable success criteria as determined by the permitting or commenting agency authorizing said activities. The awarding of the 0.6 TDR credits may be phased to coincide with a phased implementation process in accordance with the permitting or commenting agency.

6) Invasive exotic vegetation removal and dedication of a "Flow-Way Easement" to Collier County shall generate 0.2 TDR credits for each acre of such land. Properties shall be located entirely or partially within the Belle Meade Hydraulic Enhancement Overlay (BMHEO), as depicted on the BMHEO Map of the FLUM series. This bonus TDR credit shall only be applicable within two (2) years of the effective date of adoption in the FLUE (adopted May 23, 2023). The County will assume the responsibility for the recording of the "Flow-Way Easement" and the perpetual exotic maintenance of the parcel as a condition of the property owner granting the easement.

- b) **Conveyance Bonus credits.** Conveyance Bonus credits are generated at a rate of 1 credit for each TDR credit severed from that RFMU sending land that is conveyed in fee simple to a government agency as a gift, or to a not-for-profit entity or land trust, approved by the Board of County Commissioners, by gift. Conveyance Bonus credits shall only be generated from those RFMU sending land properties on which an RMP has been accepted as provided in a) above.
- c) **Belle Meade Flow-Way TDR Bonus.** Owners of private property located entirely or partially within the BMHEO (adopted May 23, 2023), as depicted on the BMHEO Map, are eligible to transfer development rights from Sending Lands at a maximum rate of 0.4 TDR credits per acre (two TDR credits per five acres) or legal nonconforming lot of record in exchange for providing a “Flow-Way Easement” to Collier County. Eligibility is limited to within two years of adoption of the establishment of the BMHEO. Eligible parcels area identified on the Belle Meade Hydrologic Enhancement Overlay Area Flow-Way TDR Bonus Credit Eligibility Map, adopted by separate resolution. ~~Early Entry Bonus credits. Early Entry Bonus credits shall be generated at a rate of 1 additional credit for each TDR credit that is severed from RFMU sending land for the period from March 5, 2004, until September 27, 2022, unless further extended by resolution by the Board of County Commissioners. Early Entry Bonus credits shall cease to be generated after the termination of this early entry bonus period. However, Early Entry Bonus credits may continue to be used to increase density in RFMU and non-RFMU Receiving Lands after the termination of the Early Entry Bonus period.~~

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- iii. Calculation of TDR Bonus credits.
- a) Environmental Restoration and Maintenance Bonus credits are calculated as follows:
- # TDR credits generated from property × % property subject to an approved RMP.
- b) Conveyance Bonus credits are calculated as follows:
- # TDR credits generated from property × % property subject to an approved RMP and conveyed as provided in ii.b) above.
- ~~c) Early Entry Bonus credits are calculated as follows:~~
- ~~# TDR credits generated within Early Entry period × 1.~~
- c) Belle Meade Flow-Way Bonus credits are calculated as follows:
- # TDR credits generated from property × % property subject to an approved RMP and conveyed as provided in ii.c) above.
- iv. Receipt of TDR credits or TDR Bonus credits from RFMU sending lands. TDR credits or TDR Bonus credits from RFMU sending lands may be redeemed into Urban Areas, the Urban Residential Fringe, and RFMU receiving lands, as provided in subsections 2.03.07 D.4.d e. and e f. below.
- v. Prohibition on redemption of fractional TDR credits and TDR Bonus credits. While fractional TDR credits and TDR Bonus credits may be created, as provided in (ii) above, TDR credits and TDR Bonus credits may only be redeemed in increments of whole, not fractional, dwelling units. Consequently, fractional TDR credits and fractional TDR Bonus credits must be aggregated to form whole units, before they can be utilized to increase density in either non-RFMU Receiving Areas or RFMU ~~R~~receiving lands.
- vi. Prohibition on severance of development rights.
- a) ~~Neither~~ TDR credits ~~nor TDR Early Entry Bonus credits~~ shall not be generated from RFMU sending lands where a conservation easement or other similar development restriction prohibits the residential development of such property, with the exception of those TDR Early Entry Bonus credits associated with TDR credits severed from March 5, 2004, until July 20, 2023, (the effective date of Ordinance No. 2023-25, that amended the Growth Management Plan

1 to eliminate the TDR Early Entry Bonus credit) ~~[the effective~~
2 ~~date of this provision]~~. Environmental Restoration and
3 Maintenance Bonus credits and Conveyance Bonus credits
4 may only be generated from those RFMU sending lands
5 where a conservation easement or other similar
6 development restriction on development was imposed in
7 conjunction with the severance of TDR credits.
8

- 9 b) Neither TDR credits nor any TDR Bonus credits shall be
10 generated from RFMU sending lands that were cleared for
11 agricultural operations after June 19, 2002, for a period of
12 twenty-five (25) years after such clearing occurs.
13

14 d. TDR credits from RFMU neutral lands or receiving lands, including lands
15 within the NBMO: General Provisions.
16

17 i. Creation of TDR credits from RFMU neutral lands or receiving
18 lands, including lands within the NBMO. A TDR credit shall be
19 issued to the owner of private property for each five (5) acre parcel
20 or legal nonconforming lot of record designated neutral lands, or
21 receiving Lands, including lands within the NBMO, at the transfer
22 rate of one (1) TDR credit for each five acres or legal nonconforming
23 lot of record, utilized for conservation use. A perpetual easement
24 shall be placed on such conservation lands used for conservation
25 uses to protect these lands in perpetuity. A restrictive covenant in
26 favor of Collier County will be placed on lands used for conservation
27 restricting the use in perpetuity to protect against non-conservation
28 development. This TDR credit shall not apply to receiving lands or
29 neutral lands, including lands within the NBMO that are preserved
30 within a development project to comply with Native Vegetation
31 Preservation requirements.
32

33 ii. Receipt of TDR credits from RFMU neutral lands, or receiving
34 lands, including receiving lands within the NBMO. TDR credits from
35 RFMU neutral lands, or receiving lands, including receiving lands
36 within the NBMO may be redeemed into Urban Areas, the Urban
37 Residential Fringe, and RFMU receiving lands, as provided in LDC
38 subsections 2.03.07 D.4.e. and f. below.
39

40 iii. Prohibition on redemption of fractional TDR credits. While fractional
41 TDR credits may be created, TDR credits may only be redeemed in
42 increments of whole, not fractional, dwelling units.
43

44 ed. Redemption of TDRs into non-RFMU receiving areas. Redemptions into
45 the Urban Residential Fringe shall be permitted exclusively through the use
46 of TDR credits and TDR Bonus credits derived from the RFMU to increase
47 density by a maximum of 1.0 dwelling units per acre, allowing for a density
48 increase from the existing allowable base density of 1.5 dwelling units per
49 acre to a maximum of 2.5 dwelling units per gross acre.
50

1 ~~i. Redemption of TDRs into urban area.~~

2
3 ~~a) Maximum density increase. In order to encourage~~
4 ~~residential in-fill in urban areas of existing development~~
5 ~~outside of the Coastal High Hazard Area, a maximum of 3~~
6 ~~residential dwelling units per gross acre may be requested~~
7 ~~through a rezone petition for projects qualifying under this~~
8 ~~residential infill provisions of the Future Land Use Element~~
9 ~~density Rating System, subject to the applicable provisions~~
10 ~~of Chapters 2 and 9 of this Code, and the following~~
11 ~~conditions:~~

12
13 ~~i) The project is 20 acres or less in size;~~

14
15 ~~ii) At time of development, the project will be served by~~
16 ~~central public water and sewer;~~

17
18 ~~iii) The property in question has no common site~~
19 ~~development plan in common with adjacent~~
20 ~~property;~~

21
22 ~~iv) There is no common ownership with any adjacent~~
23 ~~parcels; and~~

24
25 ~~v) The parcel in question was not created to take~~
26 ~~advantage of the in-fill residential density bonus and~~
27 ~~was created prior to the adoption of this provision in~~
28 ~~the Growth Management Plan on January 10, 1989.~~

29
30 ~~vi) Of the maximum 3 additional units, one (1) dwelling~~
31 ~~unit per acre shall be derived from RFMU sending~~
32 ~~lands and redeemed at Site Plan or prior to Plat~~
33 ~~recordation.~~

34
35 ~~b) Developments which meet the residential infill conditions i)~~
36 ~~through v) above may increase the base density~~
37 ~~administratively through a Site Development Plan or Plat~~
38 ~~approval by a maximum of one dwelling unit per acre by~~
39 ~~redeeming additional density derived from RFMU district~~
40 ~~Sending Lands.~~

41
42 ~~ii. Redemptions into the Urban Residential Fringe shall be permitted~~
43 ~~exclusively through the use of TDR credits and TDR Bonus credits~~
44 ~~derived from RFMU sending lands located within one mile of the~~
45 ~~Urban Boundary to increase density by a maximum of 1.0 dwelling~~
46 ~~units per acre, allowing for a density increase from the existing~~
47 ~~allowable base density of 1.5 dwelling units per acre to a maximum~~
48 ~~of 2.5 dwelling units per gross acre.~~

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50 ~~f.e.~~ Redemption into RFMU receiving lands.

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- i. Maximum density on RFMU receiving lands when TDR credits are redeemed.
 - a) The base residential density allowable shall be as provided in sections 2.03.08 A.2.a.(2)(a) and 2.03.08 A.2.b.(3)(a).
 - b) The density achievable through the redemption of TDR credits and TDR Bonus credits into RFMU receiving lands shall be as provided for in section 2.03.08 A.2.a.(2)(b)(i) outside of rural villages and sections 2.03.08 A.2.b.(3)(b) and 2.03.08 A.2.b.(3)(c)(~~ii~~) inside of rural villages.
 - ii. Remainder uses after TDR credits are severed from RFMU sending lands. Where development rights have been severed from RFMU district Sending Lands, such lands may be retained in private ownership and may be used as set forth in [LDC](#) section 2.03.08 A.4.b.
- gf. Procedures applicable to the severance and redemption of TDR credits and the generation of TDR Bonus credits from RFMU sending lands.
- i. General. Those developments that utilize such TDR credits or TDR Bonus credits are subject to all applicable permitting and approval requirements of this Code, including but not limited to those applicable to site development plans, plat approvals, PUDs, and DRIs.
 - a) The severance of TDR credits ~~and the generation of Early Entry Bonus credits~~ from RFMU sending lands does not require further approval of the County if the County determines that information demonstrating compliance with all of the criteria set forth in ii.a) below has been submitted. However, those developments that utilize such TDR credits and Early Entry Bonus credits are subject to all applicable permitting and approval requirements of this Code, including but not limited to those applicable to site development plans, plat approvals, PUDs, and DRIs.
 - b) The generation of Environmental Restoration and Maintenance Bonus credits and Conveyance Bonus credits requires acceptance by the County of a RMP.
 - ii. In order to facilitate the County's monitoring and regulation of the TDR Program, the County shall serve as the central registry for all TDR severances, transfers (sales) and redemptions, as well as maintain a public listing of TDR credits available for sale along with a listing of purchasers seeking TDR credits. No TDR credit generated from RFMU sending lands, may be utilized to increase

1 density in any area unless the following procedures are complied
2 with in full.

3
4 a) TDR credits shall not be used to increase density in either
5 non-RFMU Receiving Areas or RFMU receiving lands until
6 severed from RFMU sending lands. TDR credits shall be
7 deemed to be severed from RFMU sending lands at such
8 time as a TDR credit Certificate is obtained from the County.
9 TDR credit Certificates shall be issued only by the County
10 and upon submission of the following:

11
12 i) ~~a~~A legal description of the property from which the
13 RFMU TDR credits originated, including the total
14 acreage;

15
16 ii) ~~a~~A title opinion establishing that, prior to the
17 severance of the TDR credits from RFMU sending
18 lands, such sending lands were not subject to a
19 conservation restriction or any other development
20 restriction that prohibited residential development;

21
22 iii) ~~a~~An affidavit, signed by the owner, stating that the
23 property was not subject to a conservation restriction
24 or any other development restriction that prohibited
25 residential development during the period between
26 the effective date of the title opinion and
27 conservation easement recordation;

28
29 iv) ~~a~~An executed Limitation of Development Rights
30 Agreement, prepared in accord with the form
31 provided by the County, that limits the allowable
32 uses on the property after the severance of TDR
33 credits as set forth in LDC section 2.03.08 A.4.b.;
34 and

35
36 v) ~~a~~A statement attesting that the TDR credits are not
37 being severed from RFMU sending lands in violation
38 of LDC ~~sub~~section 2.03.07 D.4.c.vi.b) ~~of the Code~~.

39
40 vi) ~~d~~Documented evidence that, if the property from
41 which TDRs are being severed is subject to a
42 mortgage, lien, or any other security interest; the
43 mortgagee, lien holder, or holder of the security
44 interest has consented to the recordation of the
45 Limitation of Development Rights Agreement
46 required for TDR severance; transfer (sale) of TDR
47 credit; and redemption of TDR credit.

48
49 b) TDR Bonus credits shall not be used to increase density in
50 either non-RFMU receiving areas or RFMU receiving lands

1 until a TDR credit certificate reflecting the TDR Bonus
2 credits is obtained from the County and recorded.

3
4 1) ~~Early Entry Bonus credits. All TDR credit certificates~~
5 ~~issued by the County for the period from the effective~~
6 ~~date of this provision until September 27, 2022,~~
7 ~~unless further extended by resolution by the Board~~
8 ~~of County Commissioners, shall include one Early~~
9 ~~Entry Bonus credit or fractional Early Entry Bonus~~
10 ~~credit for each TDR credit or fractional TDR credit~~
11 ~~reflected on the TDR credit certificate. Where TDR~~
12 ~~credits were severed from March 5, 2004, until the~~
13 ~~effective date of this provision, the County shall,~~
14 ~~upon receipt of a copy of the TDR credit certificate~~
15 ~~reflecting those previously severed TDR credits,~~
16 ~~issue a TDR credit certificate entitling Early Entry~~
17 ~~Bonus credits equal in number to the previously~~
18 ~~severed TDR credits.~~

19
20 12) Environmental Restoration and Maintenance Bonus
21 credit. A TDR certificate reflecting Environmental
22 Restoration and Maintenance Bonus credits shall
23 not be issued until the County has accepted a RMP
24 for the sending lands from which the Environmental
25 Restoration and Maintenance Bonus credit is being
26 generated. Any sending lands from which TDR
27 credits have been severed may also be used for
28 mitigation programs and associated mitigation
29 activities and uses in conjunction with any county,
30 state or federal permitting. Where the Environmental
31 Restoration and Maintenance Credit is applied for
32 sending lands that are also being used (title or
33 easement) for mitigation for permits or approvals
34 from the U.S. Army Corps of Engineers, U. S. Fish
35 and Wildlife Service, Florida Department of
36 Environmental Protection, Florida Fish and Wildlife
37 Conservation Commission, or the South Florida
38 Water Management District, the County shall accept
39 as the RMP for the sending mitigation lands, the
40 restoration and/or maintenance requirements of
41 permits issued by any of the foregoing governmental
42 agencies for said lands.

43
44 23) Conveyance Bonus credit. A TDR certificate
45 reflecting Conveyance Bonus credits shall not be
46 issued until the County has accepted a RMP for the
47 Sending Lands from which the Conveyance Bonus
48 credit is being generated and such sending lands
49 have been conveyed, in fee simple, to a County,
50 state, or federal government agency.

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3 c) A PUD or DRI utilizing TDR credits or TDR Bonus credits
4 may be conditionally approved, but no subsequent
5 application for site development plan or subdivision plat
6 within the PUD or DRI shall be approved, until the developer
7 submits the following:
- 8 i) Documentation that the developer has acquired all
9 TDR credits and TDR Bonus credits needed for that
10 phase of the development that is the subject of the
11 site development plan or subdivision plat.
- 12
13 d) The developer shall provide documentation of the
14 acquisition of full ownership and control of all TDR credits
15 and TDR Bonus credits needed for the development prior to
16 the approval of any site development plan, subdivision plat,
17 or other final local development order, other than a PUD or
18 DRI.
- 19
20 e) Each TDR credit shall have an individual and distinct
21 tracking number, which shall be identified on the TDR
22 certificate that reflects the TDR credit. The County TDR
23 Activity Log shall maintain an ongoing database that
24 categorizes all TDR credits relative to severance, transfer
25 (sale) and redemption activity.
- 26
27 f) Each TDR Bonus credit shall have an individual and distinct
28 tracking number, which shall be identified on the TDR
29 certificate and which shall identify the specific TDR credit
30 associated with the TDR Bonus credit. The County TDR
31 Registry shall maintain a record of all TDR Bonus credits, to
32 include a designation of those that have been expended.
- 33
34 g) The County bears no responsibility to provide notice to any
35 person or entity holding a lien or other security interest in
36 Sending Lands that TDR credits have been severed from
37 the property or that an application for such severance has
38 been filed.
- 39

40 h. Proportional utilization of TDR credits and TDR Bonus credits. Upon the
41 issuance of approval of a site development plan or subdivision plat that is
42 part of a PUD or DRI, TDR credits and TDR Bonus credits shall be
43 redeemed at a rate proportional to percentage of the PUD or DRI's
44 approved gross density that is derived through TDR credits and TDR Bonus
45 credits. All PUDs and DRIs utilizing TDR credits and TDR Bonus credits
46 shall require that the rate of TDR credit and TDR Bonus credits
47 consumption be reported through the monitoring provisions of section
48 10.02.12 and subsection 10.02.07.C.1.b of this Code.

49

50 * * * * *

#

2.03.08 – Rural Fringe Zoning Districts

A. Rural Fringe Mixed-Use District (RFMU District).

1. Purpose and scope. The purpose and intent of the RFMU District is to provide a transition between the Urban and Estates Designated lands and between the Urban and Agricultural/Rural and Conservation designated lands farther to the east. The RFMU District employs a balanced approach, including both regulations and incentives, to protect natural resources and private property rights, providing for large areas of open space, and allowing, in designated areas, appropriate types, density and intensity of development. The RFMU District allows for a mixture of urban and rural levels of service, including limited extension of central water and sewer, schools, recreational facilities, commercial uses, and essential services deemed necessary to serve the residents of the RFMU District. The innovative planning and development techniques which are required and/or encouraged within the RFMU District were developed to preserve existing natural resources, including habitat for listed species, to retain a rural, pastoral, or park-like appearance from the major public rights-of-way, and to protect private property rights.

* * * * *

2. RFMU receiving lands. RFMU receiving lands are those lands within the RFMU district that have been identified as being most appropriate for development and to which residential development units may be transferred from RFMU sending lands. Based on the evaluation of available data, RFMU receiving lands have a lesser degree of environmental or listed species habitat value than RFMU sending lands and generally have been disturbed through development or previous or existing agricultural operations. Various incentives are employed to direct development into RFMU receiving lands and away from RFMU sending lands, thereby maximizing native vegetation and habitat preservation and restoration. Such incentives include, but are not limited to: the TDR process; clustered development; density bonus incentives; and, provisions for central sewer and water. Within RFMU receiving lands, the following standards shall apply, except as noted in LDC subsection 2.03.08 A.1 above, or as more specifically provided in an applicable PUD.

a. Outside rural villages.

- (1) NBMO Exemption. Except as specifically provided herein NBMO Receiving Lands are only subject to the provisions of [LDC section 2.03.08 C & LDC section 2.03.07 D.4.d.](#)
- (2) Maximum Density.
 - (a) Base density. The base residential density allowable within RFMU receiving lands, exclusive of the applicable density blending provisions set forth in [LDC section 2.05.02](#), is 1 unit

per 5 gross acres (0.2 dwelling units per acre) or, for those legal nonconforming lots or parcels in existence as of June 22, 1999, 1 unit per lot or parcel.

(b) Additional density

i. Additional Density Allowed Through the TDR Process. Outside of rural villages, the maximum density achievable in RFMU Receiving Lands through TDR credits and TDR Bonus Credits is 1 dwelling unit per acre.

a) Clustering Required. Where the transfer of development rights is employed to increase residential density within RFMU receiving lands, such residential development shall be clustered in accordance with the following provisions:

i) Central water and sewer shall be extended to the project. Where County sewer or water services may not be available concurrent with development in RFMU receiving lands, interim private water and sewer facilities may be approved.

ii) The maximum lot size allowable for a single-family detached dwelling unit is 1 acre.

iii) The clustered development shall be located on the site so as to provide to the greatest degree practicable: protection for listed species habitat; preservation of the highest quality native vegetation; connectivity to adjacent natural reservations or preservation areas on adjacent developments; and, creation, maintenance or enhancement of wildlife corridors.

b) Minimum Project Size. The minimum project size required in order to receive transferred dwelling units is 40 contiguous acres, except that no minimum project size is required for the Receiving Lands areas along Immokalee Road.

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- c) Emergency Preparedness. In order to reduce the likelihood of threat to life and property from a tropical storm or hurricane event any development approved under the provisions of this section shall demonstrate that adequate emergency preparedness and disaster prevention measures have been taken by, at a minimum:
 - i) Designing community facilities, schools, or other public buildings to serve as storm shelters if located outside of areas that may experience inundation during a Category 1 or worse storm event. While the need to utilize such shelters will be determined on a case-by-case basis, areas which are susceptible to inundation during such storm events are identified on the Sea, Lake, and Overland Surge from Hurricane (SLOSH) Map for Collier County.
 - ii) Evaluating impacts on evacuation routes, if any, and working with the Collier County Emergency Management staff to develop an Emergency Preparedness Plan to include provisions for storm shelter space, a plan for emergency evacuation, and other provisions that may be deemed appropriate and necessary to mitigate against a potential disaster.
 - iii) Working with the Florida Division of Forestry, Collier County Emergency Management staff, and the managers of any adjacent or nearby public lands, to develop a Wildfire Prevention and Mitigation Plan that will reduce the likelihood of threat to life and property from wildfires. This plan shall address, at a minimum: project structural design; the use of materials and location of structures so as to reduce wildfire threat; firebreaks and buffers; water features; and, the rationale for

prescribed burning on adjacent or nearby lands.

ii. Additional density allowed through the provisions of housing that is affordable. Outside of rural villages, the maximum density achievable in RFMU Receiving Lands through housing that is achievable provisions is 12.2 dwelling units per acre, subject to an affordable housing density bonus agreement consistent with LDC Section 2.06.06. TDR credits are not required or allowed to achieve density. Where the provisions of housing that is affordable are employed to increase residential density within RFMU receiving lands, such residential development shall be clustered in accordance with the following provisions:

a) The project shall be located along a road classified as an arterial or collector or located along a road that has direct access to an arterial or collector street. The project shall be located no further than one-half mile (2,640 feet) from an arterial or collector street.

b) Central water and sewer shall be extended to the project.

c) The maximum lot size allowable for a single-family detached dwelling unit is 1 acre.

d) The clustered development shall group principal buildings and structures together into one or more groups on a portion of the site to the greatest degree practicable to create more expansive and less fragmented open space areas with priority placed on the following: Protection for listed species habitat; preservation of the highest quality native vegetation; connectivity to adjacent natural reservations or preservation areas on adjacent developments; and, creation, maintenance or enhancement of wildlife corridors. The development shall be sited to lessen the land area devoted to roads and infrastructure within the development.

e) Emergency Preparedness. The cluster development shall demonstrate that adequate emergency preparedness and

disaster prevention measures have been taken as set forth in LDC section 2.03.08 A.2.a.(2)(b)(i)c).

iii. Additional density Allowed Through Other Density Bonuses. Once a density of one (1) unit per acre is achieved through the use of TDR credits and TDR Bonus credits, additional density may be achieved as follows:

- a) A density bonus of 0.1 unit per acre shall be allowed for the preservation of additional native vegetation as set forth in Section 3.05.07 E.1. of the Code.
- b) A density bonus of 0.1 units per acre shall be allowed for projects that incorporate those additional wetlands mitigation measures set forth in LDC ~~Section~~ 3.05.07 F.4.b3.g.ii. ~~of the Code.~~

(3) Allowable Uses.

(a) The Table of Uses identifies uses as permitted uses (P) or conditional uses (CU). Conditional uses shall require approval in accordance with the procedures set forth in LDC section 10.08.00.

~~(a) Uses Permitted as of Right. The following uses are permitted as of right, or as uses accessory to permitted uses:~~

~~i. Agricultural activities, including, but not limited to: Crop raising; horticulture; fruit and nut production; forestry; groves; nurseries; ranching; beekeeping; poultry and egg production; milk production; livestock raising, and aquaculture for native species subject to the State of Florida Fish and Wildlife Conservation Commission permits. Owning, maintaining or operating any facility or part thereof for the following purposes is prohibited:~~

~~a) Fighting or baiting any animal by the owner of such facility or any other person or entity.~~

~~b) Raising any animal or animals intended to be ultimately used or used for fighting or baiting purposes.~~

- ~~c) For purposes of this subsection, the term baiting is defined as set forth in § 828.122(2)(a), F.S., as it may be amended from time to time.~~
- ~~ii. Single family residential dwelling units, including mobile homes where a mobile home Zoning Overlay exists.~~
- ~~iii. Multi family residential structures, if clustering is employed.~~
- ~~iv. Rural villages, subject to the provisions set forth under section 2.03.08 A.2.b. below.~~
- ~~v. Dormitories, duplexes and other types of staff housing, as may be incidental to, and in support of, conservation uses.~~
- ~~vi. Family Care Facilities: 1 unit per 5 acres and subject to section 5.05.04 of this Code.~~
- ~~vii. Staff housing as may be incidental to, and in support of, safety service facilities and essential services.~~
- ~~viii. Farm labor housing limited to 10 acres in any single location:~~
- ~~a) Single family/duplex/mobile home: 11 dwelling units per acre; and~~
- ~~b) Multifamily/dormitory: 22 dwelling units/beds per acre.~~
- ~~ix. Sporting and Recreational camps not to exceed 1 cabin/lodging unit per 5 gross acres.~~
- ~~x. Those essential services identified as permitted uses in section 2.01.03 (A) and in accordance with the provisions, conditions and limitations set forth therein.~~
- ~~xi. Golf courses or driving ranges, subject to the following standards:~~
- ~~a) The minimum density shall be as follows:~~
- ~~i) For golf course projects: one (1) dwelling unit per five (5) gross acres.~~

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ii) ~~For golf course projects not utilizing density blending Provisions set forth in the Density Rating System of the FLUE, including free standing golf courses: one TDR credit or TDR Bonus credit shall be required per five (5) gross acres for the land area utilized as part of the golf course, including the clubhouse area, rough, fairways, greens, and lakes, but excluding any area dedicated as conservation, which is non-irrigated and retained in a natural state. A TDR credit or TDR Bonus credit used to entitle golf course acreage may not also be used to entitle a residential dwelling unit.~~

b) ~~Golf courses shall be designed, constructed, and managed in accordance with the Best Management Practices of Audubon International's Gold Signature Program. The project shall demonstrate that the Principles for Resource Management required by the Gold Signature Program (Site Specific Assessment, Habitat Sensitivity, Native and Naturalized Plants and Natural Landscaping, Water Conservation, Waste Management, Energy Conservation & Renewable Energy Sources, Transportation, Greenspace and Corridors, Agriculture, and BUILDING Design) have been incorporated into the golf course's design and operational procedures.~~

c) ~~In order to prevent the contamination of soil, surface water and ground water by the materials stored and handled by golf course maintenance operations, golf courses shall comply with the Best Management Practices for Golf Course Maintenance Departments, prepared by the Florida Department of Environmental Protection, May 1995.~~

d) ~~To protect ground and surface water quality from fertilizer and pesticide usage, golf courses shall demonstrate the following management practices:~~

i) ~~The use of slow release nitrogen sources;~~

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- ~~ii) The use of soil and plant tissue analysis to adjust timing and amount of fertilization applications;~~
- ~~iii) The use of an integrated pest management program using both biological and chemical agents to control various pests;~~
- ~~iv) The coordination of pesticide applications with the timing and application of irrigation water; and~~
- ~~v) The use of the procedure contained in IFAS Circular 1011, Managing Pesticides for Golf Course Maintenance and Water Quality Protection, May 1991 (revised 1995) to select pesticides that will have a minimum adverse impact on water quality.~~
- ~~e) To ensure water conservation, golf courses shall incorporate the following in their design and operation:~~
 - ~~i) Irrigation systems shall be designed to use weather station information and moisture sensing systems to determine the optimum amount of irrigation water needed considering soil moisture and evapotranspiration rates.~~
 - ~~ii) Golf courses shall utilize treated effluent reuse water consistent with Sanitary Sewer Sub-Element Objective 1.4 and its policies to the extent that a sufficient amount of such water is available and the piping or other conveyance necessary for delivery of such water exists at a location abutting the golf course property boundary or within 50 feet of such boundary and accessible via existing rights of way or easements;~~
 - ~~iii) Native plants shall be used exclusively except for special~~

~~purpose areas such as golf greens, fairways, and building sites. Within these excepted areas, landscaping plans shall require that at least 75% of the trees and 50% of the shrubs be freeze-tolerant—native—Floridian species. At least 75% of the required native trees and shrubs shall also be drought-tolerant species.~~

- ~~f) Stormwater management ponds shall be designed to mimic the functions of natural systems: by establishing shorelines that are sinuous in configuration in order to provide increased length and diversity of the littoral zone. A Littoral shelf shall be established to provide a feeding area for water dependent avian species. The combined length of vertical and rip-rapped walls shall be limited to 25% of the shoreline. Credits to the site preservation area requirements, on an acre-to-acre basis, shall be given for littoral shelves that exceed these littoral shelf area requirements.~~
- ~~g) Site preservation and native vegetation retention requirements shall be those set forth in section 4.06.00 of this Code.~~
- ~~xii. Public educational plants and ancillary plants.~~
- ~~xiii. Oil and gas exploration, subject to applicable state and federal drilling permits and Collier County non-environmental site development plan review procedures. Directional drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., as those rules existed on Oct. 3, 2005 [the effective date of this provision], regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the~~

requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the applicant shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62C-30.005(2)(a)(1) through (12), F.A.C.

xiv. ~~Park, open space, and recreational uses.~~

xv. ~~Private schools.~~

(b) Accessory uses ~~shall be regulated as follows:~~

- i. Accessory uses as set forth in LDC section 2.03.01 ~~of this Code.~~
- ii. Accessory uses and structures that are accessory and incidental to uses permitted as of right in the RFMU district.
- iii. Recreational facilities that serve as an integral part of a residential development and have been designated, reviewed, and approved on a site development plan or preliminary subdivision plat for that development. Recreational facilities may include, but are not limited to clubhouse, community center building, tennis facilities, playgrounds and playfields.

(c) Any use not listed in the Table of Uses is prohibited unless the County Manager or designee determines that it falls within the same class as a listed use through the process outlined in LDC section 1.06.00, Rules of Interpretation. ~~Conditional uses. The following uses are permissible as conditional uses subject to the standards and procedures established in LDC section 10.08.00.~~

- i. ~~Oil and gas field development and production, subject to state field development permits and Collier County non-environmental site development plan review procedures. Directional drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This~~

1 ~~requirement shall be deemed satisfied upon~~
2 ~~issuance of a state permit in compliance with the~~
3 ~~criteria established in Chapter 62C-25 through 62C-~~
4 ~~30, F.A.C., regardless of whether the activity occurs~~
5 ~~within the Big Cypress Watershed, as defined in~~
6 ~~Rule 62C-30.001(2), F.A.C. All applicable Collier~~
7 ~~County environmental permitting requirements shall~~
8 ~~be considered satisfied by evidence of the issuance~~
9 ~~of all applicable federal and/or state oil and gas~~
10 ~~permits for proposed oil and gas activities in Collier~~
11 ~~County, so long as the state permits comply with the~~
12 ~~requirements of Chapter 62C-25 through 62C-30,~~
13 ~~F.A.C. For those areas of Collier County outside the~~
14 ~~boundary of the Big Cypress Watershed, the~~
15 ~~applicant shall be responsible for convening the Big~~
16 ~~Cypress Swamp Advisory Committee as set forth in~~
17 ~~Section 377.42, F.S., to assure compliance with~~
18 ~~Chapter 62C-25 through 62C-30, F.A.C., even if~~
19 ~~outside the defined Big Cypress Watershed. All oil~~
20 ~~and gas access roads shall be constructed and~~
21 ~~protected from unauthorized uses according to the~~
22 ~~standards established in Rule 62-30.005(2)(a)(1)~~
23 ~~through (12), F.A.C.~~

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- 25 ~~ii. Group care facilities and other care housing~~
26 ~~facilities, other than family care facilities, subject to~~
27 ~~a maximum floor area ratio of 0.45.~~
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- 29 ~~iii. Zoos, aquariums, and botanical gardens, and similar~~
30 ~~uses.~~
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- 32 ~~iv. Facilities for the collection, transfer, processing, and~~
33 ~~reduction of solid waste.~~
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- 35 ~~v. Community facilities, such as, places of worship,~~
36 ~~childcare facilities, cemeteries, and social and~~
37 ~~fraternal organizations.~~
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- 39 ~~vi. Travel trailer recreation vehicle parks, subject to the~~
40 ~~following criteria:~~
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- 42 ~~a) the site is adjacent to an existing travel trailer~~
43 ~~recreational vehicle site; and~~
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- 45 ~~b) the site is no greater than 100% of the size~~
46 ~~of the existing adjacent park site.~~
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- 48 ~~vii. Those essential services identified in sections~~
49 ~~2.01.03 (G)(1) and (G)(3).~~
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viii. ~~In RFMU receiving lands other than those within the NBMO, asphalt and concrete batch-making plants.~~

ix. ~~In RFMU receiving lands other than those within the NBMO, earth mining and extraction.~~

x. ~~Wireless communication facilities, subject to LDC section 5.05.09.~~

(d) Table of Uses.

<u>i. Agricultural</u>		
<u>a)</u>	<u>Agricultural activities, including, but not limited to: Crop raising; horticulture; fruit and nut production; forestry; groves; nurseries; ranching; beekeeping; poultry and egg production; milk production; livestock raising, and aquaculture for native species subject to the State of Florida Fish and Wildlife Conservation Commission permits.</u>	<u>P¹</u>
<u>ii. Residential</u>		
<u>b)</u>	<u>Dormitories, duplexes and other types of staff housing, as may be incidental to, and in support of, conservation uses.</u>	<u>P</u>
<u>c)</u>	<u>Family Care Facilities: 1 unit per 5 acres and subject to LDC section 5.05.04.</u>	<u>P</u>
<u>d)</u>	<u>Farm labor housing limited to 10 acres in any single location:</u> <u>a) Single family/duplex/mobile home: 11 dwelling units per acre; and</u> <u>b) Multifamily/dormitory: 22 dwelling units/beds per acre.</u>	<u>P</u>
<u>e)</u>	<u>Group care facilities and other care housing facilities, other than family care facilities, subject to a maximum floor area ratio of 0.45.</u>	<u>CU</u>
<u>f)</u>	<u>Multi-family residential structures. Subject to residential clustering provisions outlined in LDC section 2.03.08 A.3.b(2).</u>	<u>P</u>
<u>g)</u>	<u>Single-family residential dwelling units, including mobile homes where a mobile home Zoning Overlay exists.</u>	<u>P</u>
<u>h)</u>	<u>Staff housing as may be incidental to, and in support of, safety service facilities and essential services.</u>	<u>P</u>
<u>iii. Mixed Use, when developed as part of a housing that is affordable project</u>		
<u>a)</u>	<u>Any permitted use in the C-1 and C-2 zoning districts, except gasoline service stations (SIC 5541) and standalone drive-through restaurants (SIC 5812) shall be prohibited.</u>	<u>P²</u>
<u>b)</u>	<u>Amusement and recreation services, indoor (SIC 7999 martial arts, yoga and gymnastics instruction, gymnastic schools, and recreation involving physical fitness exercise only)</u>	<u>P²</u>
<u>c)</u>	<u>Amusement and recreation services, outdoor (SIC 7999 miniature golf course, bicycle, and moped rental only)</u>	<u>CU²</u>
<u>d)</u>	<u>Animal specialty services, except veterinary (SIC 0752, excluding outside kenneling)</u>	<u>P²</u>

<u>e)</u>	<u>Apparel and accessory stores (SIC 5611- 5699) with 5,000 square feet or less of gross floor area in the principal structure</u>	<u>P²</u>
<u>f)</u>	<u>Auto and home supply stores (SIC 5531) with 5,000 square feet or less of gross floor area in the principal structure</u>	<u>P²</u>
<u>g)</u>	<u>Bowling centers (SIC 7933)</u>	<u>CU²</u>
<u>h)</u>	<u>Business associations (SIC 8611)</u>	<u>P²</u>
<u>i)</u>	<u>Business services — miscellaneous (SIC 7389, except auctioneering service, automobile recovery, automobile repossession, batik work, bondspersons, bottle exchanges, bronzing, cloth cutting, contractors' disbursement, cosmetic kits, cotton inspection, cotton sampler, directories- telephone, drive- away automobile, exhibits- building, filling pressure containers, field warehousing, fire extinguisher, floats-decoration, folding and refolding, gas systems, bottle labeling, liquidation services, metal slitting and shearing, packaging and labeling, patrol of electric transmission or gas lines, pipeline or powerline inspection, press clipping service, process serving services, recording studios, repossession service, rug binding, salvaging of damaged merchandise, scrap steel cutting and slitting, shrinking textiles, solvent recovery, sponging textiles, swimming pool cleaning, tape slitting, tax collection agencies, texture designers, textile folding, tobacco sheeting, window trimming and yacht broker)</u>	<u>P²</u>
<u>j)</u>	<u>Drug stores (SIC 5912)</u>	<u>P²</u>
<u>k)</u>	<u>Eating places (SIC 5812 only) with 6,000 square feet or less in gross floor area in the principal structure</u>	<u>P²</u>
<u>l)</u>	<u>Food stores (groups 5411—5499) with 5,000 square feet or less of gross floor area in the principal structure</u>	<u>P²</u>
<u>m)</u>	<u>General merchandise stores (SIC 5331—5399, except poultry dealer) with 5,000 square feet or less of gross floor area in the principal structure.</u>	<u>P²</u>
<u>n)</u>	<u>Health services, office and clinics (SIC 8011-8049, 8071, 8092, 8099, except for blood banks, blood donor stations, plasmapheresis centers and sperm banks</u>	<u>P²</u>
<u>o)</u>	<u>Home furniture and furnishings stores (SIC 5712—5719) with 5,000 square feet or less of gross floor area in the principal structure.</u>	<u>P²</u>
<u>p)</u>	<u>Household appliance stores (SIC 5722) with 5,000 square feet or less of gross floor area in the principal structure</u>	<u>P²</u>
<u>q)</u>	<u>Laundries, family and commercial (SIC 7211)</u>	<u>P²</u>
<u>r)</u>	<u>Membership organizations, miscellaneous (SIC 8699)</u>	<u>P²</u>
<u>s)</u>	<u>Musical instrument stores (SIC 5736) with 5,000 square feet or less of gross floor area in the principal structure</u>	<u>P²</u>
<u>t)</u>	<u>Paint stores (SIC 5231) with 5,000 square feet or less of gross floor area in the principal structure</u>	<u>P²</u>
<u>u)</u>	<u>Personal credit institutions (SIC 6141)</u>	<u>P²</u>
<u>v)</u>	<u>Personal services, miscellaneous (SIC 7299 - babysitting bureaus, clothing rental, costume rental, dating service, debt counseling, depilatory salons, diet workshops, dress suit rental,</u>	<u>P²</u>

	<u>electrolysis, genealogical investigation service, and hair removal only) with 5,000 square feet or less of gross floor area in the principal structure</u>	
<u>w)</u>	<u>Personnel supply services (SIC 7361 and 7363)</u>	<u>P²</u>
<u>x)</u>	<u>Physical fitness facilities (SIC 7991; 7911, except discotheques)</u>	<u>P²</u>
<u>y)</u>	<u>Political organizations (SIC 8651)</u>	<u>P²</u>
<u>z)</u>	<u>Radio, television and consumer electronics stores (SIC 5731) with 5,000 square feet or less of gross floor area in the principal structure</u>	<u>P²</u>
<u>aa)</u>	<u>Membership sports and recreational clubs indoor only (SIC 7997)</u>	<u>CU²</u>
<u>bb)</u>	<u>Repair services - miscellaneous (SIC 7629—7631, 7699 - bicycle repair, binocular repair, camera repair, key duplicating, lawnmower repair, leather goods repair, locksmith shop, picture framing, and pocketbook repair only)</u>	<u>P²</u>
<u>cc)</u>	<u>Retail nurseries, lawn and garden supply stores (SIC 5261) with 5,000 square feet or less of gross floor area in the principal structure</u>	<u>P²</u>
<u>dd)</u>	<u>Retail services - miscellaneous (SIC 5921—5963 except pawnshops and building materials, SIC 5992-5999 except auction rooms, awning shops, gravestones, hot tubs, monuments, swimming pools, tombstones and whirlpool baths) with 5,000 square feet or less of gross floor area in the principal structure.</u>	<u>P²</u>
<u>ee)</u>	<u>Vocational schools (SIC 8243-8299, except automobile driving instruction, charm schools, charm and modeling finishing schools, flying instruction, hypnosis schools, survival schools and truck driving schools. Music and drama schools shall be limited to 60 decibels audible from outside</u>	<u>CU²</u>
<u>iv. Rural Villages</u>		
<u>a)</u>	<u>Rural villages, subject to the provisions set forth under LDC section 2.03.08 A.2.b. below.</u>	<u>P</u>
<u>v. Economic Development uses that are business and industrial uses and meet the intent of the Florida Qualified Targeted Industrial uses, as identified in the GMP.</u>		
<u>a)</u>	<u>Apparel and other finished products (2311—2399)</u>	<u>P³</u>
<u>b)</u>	<u>Business services (7311—7313, 7319, 7334—7336, 7342,7389), including auction rooms (5999), subject to parking and landscaping for retail use</u>	<u>P³</u>
<u>d)</u>	<u>Communications (4812—4899 including communications towers up to specified heights, subject to LDC section 5.05.09)</u>	<u>P³</u>
<u>e)</u>	<u>Depository and non-depository institutions (6011—6163)</u>	<u>CU³</u>
<u>f)</u>	<u>Drugs (2833—2835)</u>	<u>P³</u>
<u>g)</u>	<u>Educational services (8221- 8299)</u>	<u>CU³</u>
<u>h)</u>	<u>Electronic and other electrical equipment (3612—3699)</u>	<u>P³</u>
<u>i)</u>	<u>Engineering, accounting, research, management, and related services (8711—8748)</u>	<u>P³</u>

k)	Food and kindred products (2011—2015 except slaughtering plants, 2021—2099)	P³
l)	Furniture and fixtures (2511—2599)	P³
n)	Health services (8011—8049, 8092, 8093)	CU³
o)	Holding and other investment offices (6712—6799)	CU³
p)	Industrial and commercial machinery and computer equipment (3511—3599)	P³
q)	Insurance agents, brokers, and service (6411)	CU³
r)	Insurance carriers (6311—6399)	CU³
s)	Job Training and Vocational Rehabilitation Services (8331)	CU³
t)	Leather and leather products (3131—3198)	P³
u)	Legal services (8111)	P³
v)	Local and suburban transit (4111—4173)	CU³
w)	Lumber and wood products (2426, 2431—2499)	P³
x)	Measuring, analyzing, and controlling instruments; photographic, medical, and optical goods; watches and clocks manufacturing (3812—3873)	P³
y)	Medical and dental laboratories (8071, 8072)	P³
z)	Medicinal chemicals and botanical products (2833 vitamins only)	P³
aa)	Miscellaneous manufacturing industries (3911—3996, 3999 including "additive manufacturing," as defined in ISO ASTM 52900)	P³
bb)	Miscellaneous services (8999)	CU³
cc)	Motion pictures (7812—7829)	P³
dd)	Motion pictures (7832—7833)	CU³
ee)	Motor freight transportation and warehousing (4212—42254222, 4226 except oil and gas storage, and petroleum and chemical bulk stations)	P³
gg)	Paper and paperboard mills (2621, 2631)	CU³
hh)	Printing, publishing, and allied industries (2711—2796)	P³
jj)	Rubber and miscellaneous plastic products (3021—3089)	CU³
kk)	Sawmills and planing mills (2421, 2429)	CU³
ll)	Security brokers, dealers, and flotation companies (6211)	CU³
mm)	Space research and technology (9661)	P³
nn)	Stone, clay, glass, and concrete products (3211, 3221, 3231, 3251—3273, 3275, 3281), indoor only, with no outside storage of materials or equipment.	CU³
oo)	Textile mill products (2211—2298)	CU³
pp)	Title Abstract Offices (6541)	CU³
qq)	Transportation equipment (3714, 3716, 3721—3751, 3792, 3799)	P³
rr)	Transportation services (4724—4783, 4789 except stockyards)	CU³
ss)	United States Postal services (4311)	P³
tt)	Vocational schools (8243—8249)	P³
uu)	Wholesale trade—Durable goods (5012—5014, 5021—5049, 5063—5092, 5094, 5099), indoor only, with no outside storage of materials and equipment.	P³

<u>vv)</u>	<u>Wholesale trade—Nondurable Goods (5111—5159, 5181, 5182, 5191 except that wholesale distribution of chemicals, fertilizers, insecticides, and pesticides must be a minimum of 500 feet from a residential zoning district, 5192—5199)</u>	<u>P³</u>
<u>vi. Miscellaneous</u>		
<u>a)</u>	<u>Asphalt and concrete batch-making plants in RFMU receiving lands other than those within the NBMO.</u>	<u>CU</u>
<u>b)</u>	<u>Community facilities, such as, places of worship, childcare facilities, cemeteries, and social and fraternal organizations.</u>	<u>CU</u>
<u>c)</u>	<u>Earth mining and extraction in RFMU receiving lands other than those within the NBMO</u>	<u>CU</u>
<u>d)</u>	<u>Essential services identified in LDC sections 2.01.03 G.1. and G.3.</u>	<u>CU</u>
<u>e)</u>	<u>Facilities for the collection, transfer, processing, and reduction of solid waste.</u>	<u>CU</u>
<u>f)</u>	<u>Golf courses or driving ranges.</u>	<u>P⁴</u>
<u>g)</u>	<u>Oil and gas field development and production, subject to state field development permits and Collier County non-environmental site development plan review procedures.</u>	<u>CU⁵</u>
<u>h)</u>	<u>Park, open space, and recreational uses.</u>	<u>P</u>
<u>i)</u>	<u>Private schools.</u>	<u>P</u>
<u>j)</u>	<u>Public educational plants and ancillary plants.</u>	<u>P</u>
<u>k)</u>	<u>Travel trailer recreation vehicle parks.</u>	<u>CU⁶</u>
<u>l)</u>	<u>Sporting and Recreational camps not to exceed 1 cabin/lodging unit per 5 gross acres.</u>	<u>P</u>
<u>m)</u>	<u>Zoos, aquariums, botanical gardens, and similar uses.</u>	<u>CU</u>

Footnotes:

- ¹ Owning, maintaining, or operating any facility or part thereof for the following purposes is prohibited:
 - i) Fighting or baiting any animal by the owner of such facility or any other person or entity.
 - ii) Raising any animal or animals that is/are intended to be ultimately used for fighting or baiting purposes.
 - iii) For purposes of this subsection, the term baiting is defined as set forth in § 828.122(2)(a), F.S., as it may be amended from time to time.
- ² All permitted neighborhood commercial uses within Affordable Housing projects are subject to the following standards in LDC section 2.03.08 A.2.a.(7).
- ³ All permitted economic development uses shall be subject to LDC section 2.03.08 A.2.a.(8).
- ⁴ For golf course projects, the following standards shall apply:

- i) The minimum density shall be one dwelling unit per five gross acres. For golf course projects not utilizing density blending Provisions set forth in the Density Rating System of the FLUE, including free standing golf courses: one TDR credit or TDR Bonus credit shall be required per five (5) gross acres for the land area utilized as part of the golf course, including the clubhouse area, rough, fairways, greens, and lakes, but excluding any area dedicated as conservation, which is non-irrigated and retained in a natural state. A TDR credit or TDR Bonus credit used to entitle golf course acreage may not also be used to entitle a residential dwelling unit.
- ii) Golf courses shall be designed, constructed, and managed in accordance with the Best Management Practices of Audubon International's Gold Signature Program. The project shall demonstrate that the Principles for Resource Management required by the Gold Signature Program (Site Specific Assessment, Habitat Sensitivity, Native and Naturalized Plants and Natural Landscaping, Water Conservation, Waste Management, Energy Conservation & Renewable Energy Sources, Transportation, Greenspace and Corridors, Agriculture, and BUILDING Design) have been incorporated into the golf course's design and operational procedures.
- iii) In order to prevent the contamination of soil, surface water and ground water by the materials stored and handled by golf course maintenance operations, golf courses shall comply with the Best Management Practices for Golf Course Maintenance Departments, prepared by the Florida Department of Environmental Protection, September 2012.
- iv) Stormwater management ponds shall be designed to mimic the functions of natural systems: by establishing shorelines that are sinuous in configuration in order to provide increased length and diversity of the littoral zone. A Littoral shelf shall be established to provide a feeding area for water dependent avian species. The combined length of vertical and rip-rapped walls shall be limited to 25% of the shoreline. Credits to the site preservation area requirements, on an acre- to- acre basis, shall be given for littoral shelves that exceed these littoral shelf area requirements.
- v) Site preservation and native vegetation retention requirements shall be those set forth in LDC section 3.05.07
- 5 Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance

1 with the criteria established in Chapter 62C-25 through 62C-30,
2 F.A.C., regardless of whether the activity occurs within the Big
3 Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All
4 applicable Collier County environmental permitting requirements
5 shall be considered satisfied by evidence of the issuance of all
6 applicable federal and/or state oil and gas permits for proposed oil
7 and gas activities in Collier County, so long as the state permits
8 comply with the requirements of Chapter 62C-25 through 62C-30,
9 F.A.C. For those areas of Collier County outside the boundary of
10 the Big Cypress Watershed, the applicant shall be responsible for
11 convening the Big Cypress Swamp Advisory Committee as set
12 forth in Section 377.42, F.S., to assure compliance with Chapter
13 62C-25 through 62C-30, F.A.C., even if outside the defined Big
14 Cypress Watershed. All oil and gas access roads shall be
15 constructed and protected from unauthorized uses according to
16 the standards established in Rule 62-30.005(2)(a)(1) through (12),
17 F.A.C.

18
19 ⁶ Subject to the following criteria:

- 20
21 i) The site is adjacent to an existing travel trailer recreational
22 vehicle site; and
23
24 ii) The site is no greater than 100% of the size of the existing
25 adjacent park site.
26

27 (4) Design Standards.

28
29 (a) Development Not Utilizing clustering, except for Mixed Use
30 and Economic Development are subject to LDC sections
31 2.03.08 A.2.a.(7) and 2.03.08 A.2.a.(8), respectively:
32

- 33 i. Minimum lot area: 5 Acres.
34
35 ii. Minimum lot width: 165 Feet.
36
37 iii. Minimum yard requirements:
38
39 a) Front yard: 50 feet
40
41 b) Side yard: 30 feet
42
43 c) Rear yard: 50 feet
44
45 d) Nonconforming lots in existence as of June
46 22, 1999:
47
48 i) Front yard: 40 feet.
49
50 ii) Side yard: 10 percent of lot width, not
51 to exceed 20 feet on each side.
52

iii) Rear yard: 50 feet.

(b) Clustered development:

i. Lot areas and widths:

a) Single-family:

i) Minimum lot area: 4,500 square feet.

ii) Maximum lot area: One Acre.

iii) Minimum lot width: Interior lots 40 feet.

iv. Maximum lot width: 150 feet.

b) Multi-family:

i) Minimum lot area: One Acre.

ii) Maximum lot area: None.

iii) Minimum lot width: 150 feet.

iv) Maximum lot width: None.

ii. Minimum yard requirements:

a) Single-Family. Each single-family lot or parcel minimum yard requirement shall be established within an approved PUD, or shall comply with the following standards:

i) Front: 20 feet (Note front yard setback may be reduced to 10 feet where parking for the unit is accessed via a rear alley).

ii) Side: 6 feet.

iii) Rear: 15 feet.

iv) Accessory: Per LDC section 4.02.03.

b) Additional setbacks from roadway (s) for projects using housing that is affordable provisions:

1 i) No single-family dwelling may be
2 located closer than 50 feet to a
3 roadway classified as a public local or
4 a collector roadway.

5
6 ii) No single-family dwelling may be
7 located closer than 100 feet to a
8 roadway classified as an arterial
9 roadway.

10
11 cb) Multi-Family. For each multi-family lot or
12 parcel minimum yard shall be established
13 within an approved PUD, or shall comply with
14 the following standards:

15
16 i) Setback from Arterial or Collector
17 roadway(s): no multi-family dwelling
18 may be located closer than 200 feet
19 to a roadway classified or defined as
20 an arterial roadway or 100 feet from
21 any roadway classified or defined as
22 a collector roadway.

23
24 ii) Additional setbacks from roadway (s)
25 for projects using housing that is
26 affordable provisions: no multi-family
27 dwelling may be located closer than
28 75 feet to a roadway classified as a
29 public local roadway. Requirement
30 shall only apply to roadways external
31 to the development. Front: 30 feet.

32
33 iii) Front: 30 feet.

34
35 iv~~iii~~) Rear: 30 feet.

36
37 ~~iv~~) Side yard/separation between any
38 multi-family buildings: One-half of the
39 building height or 15 feet, whichever
40 is greater.

41
42 vi) Accessory: Per LDC section 4.02.03.

43
44 iii. Additional setbacks for developments using housing
45 that is affordable provisions:

46
47 a) Perimeter setbacks from all adjacent single-
48 family residential or agriculturally zoned
49 property shall be no less than the front
50 setback requirement for the adjacent zoning

1 district or a minimum of one foot (setback)
2 per one-foot maximum zoned height for
3 principal structures, whichever is greater.

4
5 b) Clubhouse(s), amenity centers, maintenance
6 buildings, vehicle service areas, amenity
7 centers that include active recreation areas
8 such as outdoor pools, tennis courts, etc.
9 must be located at least 350 feet from the
10 boundaries of any adjacent conservation
11 area or zoned RFMU sending lands.

12
13 c) Development must incorporate 100-foot-
14 wide setbacks where adjacent to any
15 conservation area and comply with the
16 following:

17
18 i) No yard or dwelling unit shall be
19 permitted within this setback.

20
21 ii) No lights, generators, pumps, other
22 fixed motors or accessory structures
23 except as noted below shall be
24 permitted within this setback.

25
26 iii) Passive recreation such as hiking,
27 jogging, biking and walking will be
28 allowed along designated trail and
29 boardwalk systems and must
30 interconnect with existing trail
31 systems.

32
33 iv) Lakes may extend into this setback
34 but shall not incorporate lights or
35 structures, other than drainage
36 structures.

37
38 v) Any sewer or electrical lines that is
39 placed within this setback must be
40 buried.

41
42 iviii. Height limitations

43
44 a) Principal structures

45
46 i) Single Family: 35 feet.

47
48 ii) Multi-family: Five Stories not to
49 exceed 60 feet.
50

b) A meandering bed of groundcover placed between the hedges and the roadway. The bed of groundcover shall be a minimum width of three feet, a maximum width of five feet, and achieve 100 percent opacity and coverage within one year of planting.

iii. All other project boundaries shall meet the buffer requirements of LDC section 4.06.02, except that palm trees shall not be substituted for canopy trees.

(e) Signs. As required in section 5.06.00 of this Code.

(5) Native vegetation Retention. As required in section 3.05.07~~4.06.00~~ of this Code.

(6) Usable open space.

(a) Projects utilizing TDR credits ~~of 40 or more acres in size~~ shall provide a minimum of 70% percent usable open space. Projects developed in accordance with LDC section 2.06.00 shall provide a minimum of 50 percent usable open space.

(b) Usable open space includes active or passive recreation areas such as parks, playgrounds, golf courses, waterways, lakes, nature trails, and other similar open spaces. Usable open space shall also include areas set aside for conservation or preservation of native vegetation and landscape areas.

(c) Open water beyond the perimeter of the site, street right-of-way, except where dedicated or donated for public uses, driveways, off-street parking and loading areas, shall not be counted towards required usable open space.

(d) For projects that provide housing that is affordable, the following standards shall apply:

i. All usable open space areas shall be part of a larger continuous and integrated open space system within the development. The development shall include an internal pedestrian circulation system that provides safe and easy access to usable open space from all portions of the development. For the purpose of this subsection, areas shall be considered part of a continuous open space system if they are within 50 feet of each other.

- ii. A minimum of 60 percent of the total required usable open space shall be required as common open space. For the purpose of this subsection common open space shall include all usable open space accessible to all residents of the development.
- iii. Common open space shall not be less than 30 feet in width; except for landscape buffer areas and boulevard medians.
- iv. Access rights to common open space for all residents within the development shall be guaranteed. Pedestrian access to usable open space via street right-of-way crossing shall contain clearly marked crosswalks and signage.
- v. Stormwater drainage and detention areas may be included as part of common open space, provided they are unfenced, and improved with walking trails, nature paths, picnic facilities, benches and similar amenities or for common use by all residents within the development.
- vi. Land utilized for common open space shall be restricted to common open space in perpetuity by appropriate legal instruments satisfactory to Collier County. Such instrument shall be binding upon the owner, developer, his successors, and assigns, and shall constitute a covenant running with the land, and be in recordable form.

(7) Mixed use projects providing housing that is affordable.

- (a) Project shall have an affordable housing density bonus agreement consistent with LDC section 2.06.00.
- (b) The total eligible density shall not exceed the maximum density allowed pursuant to the GMP and subject to the affordable housing density bonus per LDC section 2.06.00.
- (c) Residential density shall be calculated based on gross project acreage whether 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.
- (d) Projects shall comply with the design standards, development standards and locational criteria below:
 - i. Minimum project size shall be greater than 15 acres.

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- ii. Maximum floor area ratio for neighborhood commercial component: 0.30.
 - iii. Minimum total square footage of the residential component of the project shall consist of at least 65% of the development.
 - iv. 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.
 - v. Residential uses shall be constructed concurrently with or prior to the construction of commercial uses. The following table indicates the maximum proportion of the total permitted commercial floorspace that may be occupied for a minimum proportion of residential land uses commenced.

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Phasing Limits

<u>Minimum Residential Development</u>	<u>Maximum Commercial Development</u>
<u>25%</u>	<u>25%</u>
<u>50%</u>	<u>50%</u>
<u>75%</u>	<u>100%</u>

- vi. Neighborhood commercial uses shall be located within 1/4 mile of at least 50% of the total number of approved residential units.
- vii. Minimum lot width: 75 feet.
- viii. Minimum lot area: 10,000 square feet.
- ix. Maximum height. Buildings shall have a maximum zoned height of 50 feet and a maximum actual height of 55 feet.
- x. Minimum yards.
- a) Perimeter setbacks from all adjacent single-family residential or agriculturally zoned property shall be no less than the front setback requirement for the adjacent zoning district or a minimum of one foot (setback)

per one-foot maximum zoned height for principal structures, whichever is greater.

b) Front yard: 50% of the building height but not less than 25 feet.

c) Side yard: 25 feet.

xi. The development shall provide vehicular network interconnections between internal uses and external connections to adjoining neighborhoods and land uses. The network shall fully accommodate pedestrian, bicycle, and transit. Vehicular and pedestrian interconnection shall be provided to the property line to allow access to all connection points with the abutting development.

xii. 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.

xiii. The project shall have direct access to a road classified as an arterial or collector and the type of access points shall be limited, as appropriate, so as to minimize disruption of traffic flow on the adjacent arterial or collector roadway.

xiv. The neighborhood commercial component of the project may be located internal to the project or along the boundary; however, if externally located, internal access roads shall be provided, so as not to promote strip commercial development along external collector and arterial roadways.

xv. Development must incorporate a setback of 150 feet where adjacent to any conservation area. In addition, the following shall apply:

a) No structure shall be permitted within this setback.

b) No lights, generators, pumps, other fixed motors or accessory structures, except as noted below, shall be permitted within this setback.

- 1 i) Passive recreation, such as hiking,
2 jogging, biking and walking will be
3 allowed along designated trail and
4 boardwalk systems and must
5 interconnect with existing trail
6 systems.
7
8 ii) Lakes may extend into this setback
9 but shall not incorporate lights or
10 structures, other than drainage
11 structures.
12
13 iii) Any sewer or electrical lines placed
14 within this setback must be buried.
15

16 xvi. Operations.
17

- 18 a) There shall be no associated repair of
19 vehicles with the commercial component.
20
21 b) The hours of operation for any eating
22 establishment shall be limited to the hours
23 between 5:30 a.m. to 11:00 p.m.
24
25 c) There shall be no outdoor display of
26 merchandise associated with hardware
27 stores.
28
29 d) There shall be no outdoor amplified sound,
30 televisions or music within the commercial
31 component.
32

33 xvii. Service area.
34

- 35 a) Loading docks, solid waste facilities,
36 recycling facilities and other services shall be
37 placed to the rear or side yard of
38 the building in visually unobtrusive locations
39 with minimum impacts on view.
40
41 b) Refuse containers and facilities shall be
42 hidden by an opaque wall or fencing of
43 sufficient height to screen the bin and any
44 appurtenances, but not less than six (6) feet
45 in height. Chain link fencing, wood fencing
46 and chain link gates are not allowed. Walls
47 shall be constructed of a material compatible
48 with the principal structure it is serving.
49 Landscaping with vines or other plants is

1 encouraged. Enclosures shall include solid
2 latchable gates to avoid blowing refuse.

3
4 c) Service area recesses in the building and/or
5 depressed access ramps should also be
6 used where applicable.

7
8 d) Businesses are encouraged to consolidate
9 and share refuse areas and equipment.

10
11 xviii. Landscape buffers.

12
13 a) A Type B Buffer shall be required along all
14 project boundaries that abut property zoned
15 or developed for single family residential use.

16
17 b) A minimum 20-foot-wide Type D Buffer shall
18 be required where abutting an arterial or
19 collector roadway. At minimum, the buffer
20 shall consist of the following at the time of
21 planting:

22
23 i) Canopy trees, with a minimum height
24 of 12 feet, minimum spread of six
25 feet, and a maximum spacing of 30
26 feet on center. Palm trees may be
27 installed within this buffer but shall
28 not be used as a substitute for the
29 required shade trees.

30
31 ii) A continuous double row of three-
32 gallon hedges, 36 inches in height
33 with a maximum spacing of three feet
34 on center. The hedges shall be
35 maintained at a minimum height of 36
36 inches.

37
38 iii) A meandering bed of groundcover
39 placed between the hedges and the
40 roadway. The bed of groundcover
41 shall be a minimum width of three
42 feet, a maximum width of five feet,
43 and achieve 100 percent opacity and
44 coverage within one year of planting.

45
46 c) All other project boundaries shall meet
47 the buffer requirements of LDC section
48 4.06.02, except that palm trees shall not
49 be substituted for shade trees.
50

xix. Architectural design. The neighborhood commercial component of the project shall meet design guidelines identified in LDC section 5.05.08 of this LDC, except as otherwise excepted or required herein.

(8) For economic development uses allowed in accordance with LDC section 2.03.08 A.2.a.(3)(d)v.:

(a) Minimum project size. The minimum project size shall be 20 contiguous acres. The term contiguous shall include adjacent properties that are separated by either an intervening, planned, or developed public street right-of-way, provided that no such portions of separated properties are less than five acres.

(b) The project shall have direct access to a road classified as an arterial or collector. The project shall have an internal circulation system that prohibits traffic from traveling through predominantly residential areas. The types of access points shall be limited, as appropriate, so as to minimize disruption of traffic flow on the adjacent arterial or collector roadway.

(c) The project shall have central water and sewer.

(d) A maximum floor area ratio shall not exceed 0.50.

(e) Minimum lot width: 100 feet.

(f) Minimum lot area: 20,000 square feet

(g) Maximum height. Buildings shall have a maximum zoned height of 50 feet and a maximum actual height of 55 feet.

(h) Minimum yards.

i. Front yard: 50 feet.

ii. Side yard: 50 feet.

iii. Rear yard: 50 feet.

iv. All yards abutting residential uses, residential zoning, or roadways classified as a collector or arterial shall comply with the transition zone height setbacks identified below.

a) For buildings with an actual height of 35 feet or less: 50 feet.

- b) For buildings with an actual height of 45 feet and greater than 35 feet: 80 feet.
- c) For buildings with an actual height of 55 feet and greater than 45 feet: 110 feet.
- v. For lots adjacent to a water body, the minimum yard requirement is 25 feet.
- (i) Parking. As required in Chapter 4 of this Code.
- (j) Landscape buffers.
- i. A 25-foot-wide Type C Buffer shall be required along all project boundaries that abut property zoned or developed for residential use. At minimum, the buffer shall include an architecturally finished masonry wall, berm, or combination thereof, and all must be opaque and at least six feet in height.
- ii. A minimum 25-foot-wide Type C Buffer shall be required where abutting an arterial or collector roadway. At minimum, the buffer shall consist of the following at the time of planting:
- a) Canopy trees, with a minimum height of 12 feet, and maximum spacing of 30 feet on center. Palm trees may be installed within this buffer but shall not be used as a substitute for the required canopy trees.
- b) A continuous double row of three-gallon hedges, 36 inches in height, with a maximum spacing of three feet on center. The hedges shall be maintained at a minimum height of 36 inches.
- c) A meandering bed of groundcover placed between the hedges and the roadway. The bed of groundcover shall be a minimum width of three feet, a maximum width of five feet, and achieve 100 percent opacity and coverage within one year of planting.
- iii. All other project boundaries shall meet the buffer requirements of a Type C Buffer. Palm trees shall not be substituted for canopy trees.

1 v. Development must incorporate 100-foot-wide
2 setbacks where adjacent to any conservation area
3 and comply with the following:

4 a) No yard or dwelling unit shall be permitted
5 within this setback.

6 b) No lights, generators, pumps, other fixed
7 motors or accessory structures except as
8 noted below shall be permitted within this
9 setback.

10 c) Passive recreation such as hiking, jogging,
11 biking and walking will be allowed along
12 designated trail and boardwalk systems and
13 must interconnect with existing trail systems.

14 d) Lakes may extend into this setback but shall
15 not incorporate lights or structures, other
16 than drainage structures.

17 e) Any sewer or electrical lines that is placed
18 within this setback must be buried.

19 (k) Loading areas. All loading areas shall be oriented away
20 from adjacent residential uses, except for where obstructed
21 by an intervening building.

22 (l) Outside storage and display. No outside storage and display
23 shall be permitted except when approved as part of a
24 temporary/special event in accordance with LDC section
25 5.04.05.

26 (m) Operations.

27 i. All activity associated with the uses in this category
28 shall be conducted within a fully enclosed building.
29 Activity includes but is not limited to the following:

30 a) The use or storage of any fixed or movable
31 business equipment.

32 b) The use, storage, display, sale, delivery,
33 offering for sale, production, or consumption
34 in any business, or by any business invitee
35 on the premises of the business, of any
36 goods, wares, merchandise, products, or
37 foods.

38 iii) The performance of any work or services.

- iv) All use operations and equipment, including accessory process equipment, such as compressors and air handlers, shall be contained in an enclosed structure.
- ii. Noise. No use shall produce noise exceeding the sound level limits for Commercial or Tourist uses as set forth in the Collier County Noise Control Ordinance No. 90-17, as amended.
- iii. Odors. No use shall cause or allow the emission of odor.
- iv. Vibrations. No use shall operate to produce ground vibration noticeable by a reasonable person with normal sensitivity, outside the building for single-use buildings or outside the Economic Development use space inside mixed use and multi-tenant buildings.
- v. Smoke and particulate matter. No use shall discharge outside the building for single-use buildings or outside the Economic Development use space inside mixed use and multi-tenant building any toxic or noxious matter in such a concentration that will endanger the public health, safety, comfort, or general welfare.
- vi. Electrical disturbance. No use shall create any electrical disturbance which interferes unduly with the normal operation of equipment or instruments or which is reasonably likely to cause injury to any person located inside or outside building.
- vii. Secondary containment. Secondary containment such as double walled tanks, leak-proof trays, floor curbing or other containment systems which provide secondary liquid containment shall be installed for facilities that use, store, or handle, regulated substances in a single container of 55 gallons or more. The containment structure shall be capable of containing 110% of the volume of the largest container located within, be composed of materials impervious to the regulated substance, and be able to withstand deterioration from external environmental conditions. For containment areas with more than one storage container, capacity calculations shall be made after deducting the volume of the largest storage containers, other than the largest container. All regulated substances must

1 be removed from the containment structure within
2 24-hours of a spill or accidental release.
3 Containment structures shall be sheltered so that
4 the intrusion of precipitation is effectively prevented.
5 These requirements shall apply to all areas of
6 storage use, handling, and production, loading and
7 off-loading areas, and to aboveground and
8 underground storage areas.
9

10 (n) Architectural and site design standards.
11

12 i. Appearance. Industrial/factory buildings shall be
13 designed in accordance with the provisions of LDC
14 section 5.05.08, excluding the exceptions,
15 modifications, and additions listed in LDC section
16 5.05.08 E.7.b through h.
17

18 ii. Rooftop mechanical equipment shall be fully
19 screened by parapets or other methods of screening
20 and such parapets or other screening material shall
21 not exceed 10 feet in height.
22

23 iii. Loading areas. All loading areas shall be oriented
24 away from adjacent residential uses, except for
25 where obstructed by an intervening building.
26 Loading areas, solid waste facilities, recycling
27 facilities, and other services elements shall be
28 placed to the sides or rear of the building.
29

30 iv. All exterior lighting fixtures shall be directed away or
31 shielded from neighboring properties.
32

33 v. Illumination levels for exterior lighting shall not
34 exceed 0.5 footcandles at property lines where
35 adjacent to residential development or residentially
36 zoned property, excluding where required pursuant
37 to LDC section 6.06.03.
38

39 b. Rural villages. Rural villages, including rural villages within the NBMO, may
40 be approved within the boundaries of RFMU receiving lands, subject to the
41 following:
42

43 (1) Allowable Uses:
44

45 (a) All permitted uses identified in section 2.03.08A.2.a.(3)(a),
46 when specifically identified in, and approved as part of, a
47 RURAL VILLAGE PUD.
48

- 1 (b) CONDITIONAL USES 1 through 5, and 7 identified in
2 section 2.03.08A.2.a.(3)(c), when specifically identified in,
3 and approved as part of a RURAL VILLAGE PUD.
4
- 5 (c) All permitted and accessory uses listed in the C-4 General
6 Commercial District, section 2.03.02 (E), subject to the
7 design guidelines and development standards set forth in
8 this Section.
9
- 10 (d) Research and Technology Parks, with a minimum size of 19
11 acres ~~and a maximum size of 4% of the total rural village~~
12 ~~acreage~~, subject to the design guidelines and development
13 standards set forth herein, the applicable standards
14 contained in [LDC](#) section 2.03.06 C.7. Research and
15 technology park planned unit development district
16 guidelines and development standards, and further subject
17 to the following:
18
- 19 i. Research and Technology Parks shall be permitted
20 to include up to 20% of the total acreage for non-
21 target industry uses of the type identified in
22 paragraph (3) below; and, up to 20% of the total
23 acreage for workforce housing, except as provided
24 in paragraph (7) below. At a minimum, 60% of the
25 total park acreage must be devoted to target industry
26 uses identified in paragraph (2) below. The specific
27 percentage and mix of each category of use shall be
28 determined at the time of rural village PUD rezoning.
29
- 30 ii. The target industries identified by the Economic
31 development Council of Collier County are
32 aviation/aerospace industry, health technology
33 industry and information technology industry, and
34 include the following uses: software development
35 and programming; internet technologies and
36 electronic commerce; multimedia activities and CD-
37 ROM development; data and information
38 processing; call center and customer support
39 activities; professional services that are export
40 based such as laboratory research or testing
41 activities; light manufacturing in the high tech target
42 sectors of aviation/aerospace and health and
43 information technologies; office uses in connection
44 with on-site research; development testing and
45 related manufacturing; general administrative offices
46 of a research and development firm; educational,
47 scientific and research organizations; production
48 facilities and operations.
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- iii. Non-target industry uses may include hotels at a density consistent with the provisions in section 2.03.02 and those uses in the C-1 through C-3 Zoning Districts that provide support services to the target industries such as general office, banks, fitness centers, personal and professional services, medical, financial and convenience sales and services, computer related businesses and services, employee training, technical conferencing, day care centers, restaurants and corporate and government offices.
 - iv. The rural village PUD shall include standards for the development of individual building parcels within the park and general standards shall be adopted for pedestrian and vehicular interconnections, buffering, landscaping, open spaces, signage, lighting, screening of outdoor storage, parking and access management, all to be consistent with and compatible to the other uses within the village.
 - v. The Research and Technology Park must be adjacent to, and have direct access via an existing or developer constructed local road to an arterial or collector roadway. The portion of the local roadway intended to provide access to the Research and Technology Park shall not be within a residential neighborhood and does not service a predominately residential area.
 - vi. The Research and Technology Park shall be compatible with surrounding land uses. Accordingly, it shall be separated from any residentially zoned or designated land within the rural village by a minimum Type "C" landscape buffer, as set forth in section 4.06.00 of this Code.
 - vii. Whenever workforce housing is provided, it shall be fully integrated with other compatible uses in the park through mixed-use buildings and/or through pedestrian and vehicular interconnections.
 - viii. Building permits for non-target industry uses identified in paragraph (3) above shall not be issued prior to issuance of the first building permit for a target industry use.
- (e) Any other use deemed by the Board of County Commissioner to be appropriate and compatible within a rural village.

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3 (2) Mix of Neighborhood Types. Rural villages shall be comprised of
4 several neighborhoods designed in a compact nature such that a
5 majority of residential development is within one-quarter mile of a
6 neighborhood center or village center. ~~N~~Neighborhood centers may
7 include small-scale service retail and office uses, and shall include
8 a public park, square, or green. Village centers shall ~~be designed~~
9 ~~to~~ serve the retail, office, civic, government uses and service needs
10 of the residents of the rural village. The village center shall be the
11 primary location for commercial uses. rural villages shall be
12 surrounded by a green belt in order to protect the character of the
13 rural landscape and to provide separation between rural villages
14 and the low density rural development, agricultural uses, and
15 conservation lands that may surround the rural village. Rural
16 villages shall be designed to include the following: a mixture of
17 residential housing types; institutional and/or commercial uses; and
18 recreational uses, all of which shall be sufficient to serve the
19 residents of the rural village and the surrounding lands. In addition,
20 except as specifically provided otherwise for rural villages within the
21 NBMO, the following criteria and conditions shall apply to all rural
22 villages.

23 (a) Allocation of Land Uses. Specific allocations for land uses
24 including residential, commercial and other non-residential
25 uses within rural villages, shall include, but are not limited
26 to:

- 27
28 i. A mixture of housing types, including attached
29 and/or detached single family, as well as multi-family
30 shall be provided within a rural village. A minimum of
31 0.2 units per acre in a rural village shall be affordable
32 housing, of which at least 0.1 units per acre shall be
33 workforce housing. The rural village shall be
34 designed so as to disperse the Affordable and
35 workforce housing units throughout the Village
36 rather than concentrate them in a single location.
37
38 ii. A mixture of recreational uses, including parks and
39 village greens.
40
41 iii. Civic, community, and other institutional uses.
42
43 iv. A mixture of lot sizes, with a design that includes
44 more compact development and attached dwelling
45 units within neighborhood centers and the village
46 center, and reduced net densities and increasingly
47 larger lot sizes for detached residential dwellings
48 generally occurring as development extends
49 outward from the village center.
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- v. A mixture of retail, office, and services uses.
 - vi. If requested by the Collier County School Board during the PUD ~~and/or DRI~~ review process, school sites shall be provided and shall be located to serve a maximum number of residential dwelling units within walking distance to the schools, subject to the following criteria:
 - a) Schools shall be located within or adjacent to the village center;
 - b) A credit toward any applicable school impacts fees shall be provided based upon an independent evaluation/appraisal of the value of the land and/or improvements provided by the developer; and
 - c) Schools shall be located in order to minimize busing of students and to co-locate schools with public facilities and civic structures such as parks, libraries, community centers, public squares, greens and civic areas.
 - vii. Within the NBM Overlay, elementary schools shall be accessed by local streets, pedestrian and bicycle facilities, and shall be allowed in and adjacent to the rural village center, provided such local streets provide adequate access as needed by the School Board.
 - viii. Greater than 50 percent of residential development shall be located within one quarter mile of a Neighborhood Center or Village Center.
 - ix. Rural villages shall include a Village Center and a minimum of two distinct neighborhoods.

(b) Acreage Limitations.

- i. Rural villages shall be a minimum of 300 acres and a maximum of 1,500 acres, exclusive of the required green belt, with exception that the maximum size of a rural village within those RFMU receiving lands south of the Belle Meade NRPA shall not exceed 2,500 acres.
- ii. Neighborhood center - ~~0.5% of the total rural village acreage, not to exceed 10 acres, within each neighborhood center.~~

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2 a) Small-scale service retail and office uses
3 allowed with a maximum FAR of 0.5.
4
5 b) Parks and public green spaces shall be
6 required within the neighborhood center with
7 a minimum size of one percent of the total
8 village acreage.
9
10 ~~iii. Neighborhood center Commercial — Not to exceed~~
11 ~~40% of the neighborhood center acreage and 8,500~~
12 ~~square feet of gross leasable floor area per acre.~~
13
14 ~~iv.ii. Village center. — Not to exceed 10% of the total rural~~
15 ~~village acreage.~~
16
17 ~~v. Village center commercial — Not to exceed 30% of~~
18 ~~the village center acreage and 10,000 square feet of~~
19 ~~gross leasable floor area per acre.~~
20
21 a) Retail and office uses shall have a maximum
22 FAR of 0.5.
23
24 b) Civic, government, and institutional services
25 shall have a maximum FAR of 0.6.
26
27 c) Group housing uses shall have a maximum
28 FAR of 0.45.
29
30 d) Transient lodging shall have a maximum of
31 26 units net acre.
32
33 e) Goods and services shall be required in the
34 village center and with a minimum of 53
35 square feet of gross building area per
36 dwelling unit.
37
38 f) Civic, government, and institutional services
39 shall be required in the village center and
40 with a minimum of 10 square feet per
41 dwelling unit.
42
43 ~~vi.ii. Research and Technology Parks are allowed,~~
44 ~~provided they are limited to a minimum size of 19~~
45 ~~acres and a maximum size of 4% of the total rural~~
46 ~~village acreage.~~
47
48 ~~vii. Civic Uses and Public Parks — Minimum of 10% of~~
49 ~~the total rural village acreage.~~
50

- (3) Density. A rural village shall have a minimum density of 2.0 units per gross acre and a maximum density of 3.0 units per gross acre, except that the minimum density within a NBMO rural village shall be 1.5 units per gross acre. Those densities shall be achieved as follows:
- (a) Base density. A base density of 0.2 dwelling units per acre (1.0 dwelling units per five acres) for lands within the rural village, ~~and the land area designated as a greenbelt surrounding the rural village,~~ is granted by right for allocation within the designated rural village.
 - (b) Minimum density. The minimum gross density in a rural village is 2.0 units per acre outside of the NBMO and 1.5 units per acre within the NBMO.
 - i. For each TDR credit used to achieve the minimum required density in a rural village, one Rural Village Bonus Credit shall be granted. Rural Village Bonus Credits may only be utilized in rural villages and shall not be available for use once the minimum required density is achieved.
 - ii. The minimum density shall be achieved through any combination of TDR Credits, Rural Village Bonus Credits, and TDR Bonus Credits.
 - (c) Maximum density. The maximum gross density allowed in a rural village is 3.0 units per acre. The maximum density shall be achieved through any of the following, either in combination or individually:
 - i. TDR credits;
 - ii. TDR Bonus Credits;
 - iii. An additional density bonus 0.3 units per acre for the additional preservation of native vegetation as set forth in Chapter 4;
 - iv. An additional density bonus of 0.3 units per acre for additional wetlands mitigation as set forth in Chapter 4; and/or
 - v. An additional density bonus of ~~0.5~~ 1 units ~~per acre for each Affordable or workforce housing unit for each (1) unit that is provided for low-income residents, as identified in LDC section 2.06.03.~~
- (4) Other Design Standards

1
2 (a) Transportation System Design.
3

- 4 i. The rural village shall be designed with a formal
5 street layout, using primarily a grid design and
6 incorporating village greens, squares and civic uses
7 as focal points.
8
9 ii. Each rural village shall be served by a primary road
10 system that is accessible by the public.
11 Neighborhood Circulator, Local Residential Access
12 and Residential Loop roads may be gated. The
13 primary roads within the rural village shall consist of
14 Rural Major Collectors at a minimum and be
15 designed to meet County standards and shall be
16 dedicated to the public.
17
18 iii. A rural village shall not be split by an arterial
19 roadway.
20
21 iv. Interconnection between the rural village and
22 adjacent development-s shall be required.
23
24 v. Neighborhoods, neighborhood centers, and the
25 village center shall be connected through local and
26 collector streets and shall incorporate traffic calming
27 techniques as may be appropriate to discourage
28 high-speed traffic.
29
30 vi. Public transit and school bus stops shall be co-
31 located, where practicable.
32
33 vii. Pedestrian paths and bikeways shall be designed so
34 as to provide access and interconnectivity.
35

36 (b) Location Restrictions and Standards.
37

- 38 i. In locating both schools and housing units within the
39 rural village, consideration shall be given to
40 minimizing busing needs within the community.
41
42 ii. Reserved. ~~A rural village shall not be located any~~
43 ~~closer than 3.0 miles from another rural village.~~
44
45 iii. Reserved. ~~No more than one rural village may be~~
46 ~~located in each of the distinct RFMU district~~
47 ~~Receiving Areas depicted on the FLUM and on the~~
48 ~~Official Collier County Zoning Atlas maps.~~
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- iv. A rural village shall have direct access to a roadway classified by Collier County as an arterial or collector roadway. Alternatively, access to the rural village may be via a new collector roadway directly accessing an existing arterial, the cost of which shall be borne entirely by the developer.
 - v. A rural village shall be located where other public infrastructure, such as potable water and sewer facilities, already exist or are planned.
- (c) Size Limitations. Rural villages shall be a minimum of 300 acres and a maximum of 1,500 acres, except within RFMU receiving lands south of the Belle Meade NRPA where the maximum size may not exceed 2,500 acres. This required rural village size is exclusive of the required greenbelt area set forth in section 2.03.08 (A)(2)(b)(6).
- (d) Additional Village Design Criteria: Rural villages shall be designed in accordance with the following provisions:
- i. Rural villages shall be developed in a progressive urban to rural continuum with the greatest density, intensity and diversity occurring within the village center, to the least density, intensity and diversity occurring within the edge of the neighborhoods approaching the greenbelt.
 - ii. Rural villages may include "special districts" in addition to the village center, neighborhood center and Neighborhoods, to accommodate uses that may require use specific design standards not otherwise provided for herein. Such Special Districts, their proposed uses, and applicable design standards shall be identified as part of the rural village PUD rezone process.
 - iii. The rural village PUD Master Plan shall designate the location of the village center and each neighborhood, neighborhood center and as may be applicable, Special Districts. ~~Rural villages shall include a village center and a minimum of two distinct neighborhoods, with defined neighborhood centers.~~
 - iv. A mixture of allowable uses is encouraged to occur within buildings in the village center and neighborhood centers.

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- v. ~~Reserved. Transient lodging is permitted at up to 26 guest units per acre calculated on the acreage of the parcel occupied by the transient lodging and its ancillary facilities, if such parcel includes multiple uses.~~
 - vi. Building heights may vary within the village center and neighborhood centers, but shall not exceed 5 stories not exceeding 65 feet with the village center, or 4 stories no exceeding 55 feet within the neighborhood center, and 3 stories not to exceed 40 feet within 200 feet of the greenbelt. The height exclusions set forth in section 4.02.01 of this Code apply within a rural village. The height exclusion set forth in section 4.02.01 applies in the village center only, except that:
 - a) section 4.02.01 requiring 300 square feet of green spaces for each parking space for which the height waiver is granted shall not apply; however,
 - b) For each parking space for which the height waiver is granted, an equal amount of square footage of open space shall be provided in excess of the minimum set forth in section 2.03.08(A)(2)(b)(7).
 - vii. The minimum lot area shall be 1,000 SF; however, within neighborhoods, especially approaching the edge of the Village and the surrounding green belt, less compact larger lot residential development may occur.
 - viii. Within the village center and neighborhood centers, individual block perimeters shall not exceed 2,500 linear feet.
 - ix. Within the village center and neighborhood centers required yards shall be as follows:
 - a) Front setbacks - 0 to 10 feet from the right-of-way line
 - b) Side setbacks - 0 feet
 - c) Rear setbacks - 0 feet
 - x. Within neighborhoods outside of a Neighborhood or village center required yards may vary but shall be

designed so as to provide for adequate light, opens space ad movement of air, and shall consider the design objective of the urban to rural continuum with the greatest density, intensity and diversity occurring within the village center, to the least density, intensity and diversity occurring within the edge of the neighborhoods approaching the greenbelt.

- xi. Within the village center and neighborhood centers overhead encroachments such as awnings, balconies, arcades and the like, must maintain a clear distance of 9 feet above the sidewalk and 15 feet above the street.
- xii. Seating for outdoor dining shall be permitted to encroach the public sidewalks and shall leave a minimum 6-foot clear pedestrian way between the outdoor dining and the streetscape planting area.
- xiii. Civic or Institutional Buildings shall be subject to the specific standards of this subsection that regulate building height, building placement, building use, parking, and signage except as deviations are deemed appropriate by the Collier County planning staff with respect to the creation of focal points, vistas, and significant community landmarks. Specific design standards shall be provided in the rural village PUD document.
- xiv. Architectural Standards: Buildings within the village center shall be made compatible through similar massing, volume, frontage, scale and architectural features. The PUD document shall adhere to the provisions of section 5.05.08 of this Code; however, deviations may be requested where such deviations are shown to further these rural village design standards.
- xv. Required vehicular parking and loading amounts and design criteria:
 - a) The amount of required parking shall be demonstrated through a shared parking analysis submitted application as part of the rural village PUD. Parking shall be determined utilizing the modal splits and parking demands for various uses recognized by the ITE, ULI or other sources or studies. The analysis shall demonstrate the number of parking spaces available to

1 more than one use or function, recognizing
2 the required parking will vary depending on
3 the multiple functions or uses in close
4 proximity which are unlikely to require the
5 spaces at the same time.
6

7 b) On-site parking areas shall be organized into
8 a series of small bays delineated by
9 landscape islands of varied sized. A
10 maximum spacing between landscape
11 islands shall be 10 spaces. Landscape
12 islands and tree diamonds shall have a
13 minimum of one canopy tree.
14

15 c) Parking lots shall be accessed from alleys,
16 service lanes or secondary streets.
17

18 d) Any or all of the above parking requirements
19 may be further reduced if a shared parking
20 plan is submitted as part of a rural village
21 PUD or subsequent site development plan
22 application. The shared parking plan shall
23 demonstrate that the reduced parking is
24 warranted as a result of the following: shared
25 building and/or block use(s) where parking
26 demands for certain uses are low when other
27 demands are higher; a concentration of
28 residential dwelling units located within 600
29 feet of non-residential uses; the existence of
30 transit for use by residents and visitors.
31

32 xvi. Landscaping minimums within the village center or
33 within neighborhood centers shall be met by:
34

35 a) Providing landscaping within parking lots as
36 described, and by providing a streetscape
37 area between the sidewalk and curb at a
38 minimum of 5 Ft. in width;
39

40 b) Planting street trees every 40 Ft. O.C. The
41 street tree pattern may be interrupted by
42 architectural elements such as arcades and
43 columns.
44

45 c) Plantings areas, raised planters, or planter
46 boxes in the front of and adjacent to the
47 buildings, where such planting areas do not
48 interfere with pedestrian access and mobility.
49

d) Providing for additional public use landscape areas at intervals within the streetscape, on identified parcels with blocks, or as part of public greens, squares, parks or civic uses.

xvii. Signs: The PUD document shall adhere to the provisions of section 5.06.00 of this Code; however, deviations may be requested where such deviations are shown to further these rural village design standards by providing for pedestrian scale signage standards with neighborhood centers or the village center.

(5) Native vegetation. Native vegetation shall be preserved as set forth in section 4.06.04.

(6) Greenbelt. Except within the NBMO rural village, a greenbelt averaging a minimum of ~~200~~ 300 feet in width, but not less than 100 ~~200~~ feet in width at any location, shall be required at the perimeter of the rural village. The greenbelt is required to ensure a permanently undeveloped edge surrounding the rural village, thereby discouraging sprawl. Greenbelts shall conform to the following:

(a) Greenbelts may only be designated on RFMU receiving lands.

(b) The allowable residential density shall be shifted from the designated greenbelt to the rural village.

(c) ~~The greenbelt may be concentrated to a greater degree in areas where it is necessary to protect listed species habitat, including wetlands and uplands, provide for a buffer from adjacent natural reservations, or provide for wellfield or aquifer protection. However, at no location shall the greenbelt be less than 300 feet in width.~~

~~(d)~~ Golf courses and existing agriculture operations are permitted within the greenbelt, subject to the vegetation retention standards set forth in section 4.06.04. However, golf course turf areas shall only be located within 100 feet of the greenbelt boundaries (interior and exterior boundary); further, these turf areas shall only be located in previously cleared or disturbed areas.

(7) Open space: Within the rural village, a minimum of 40% of open space shall be provided, inclusive of the greenbelt.

(8) Process for Approval of a rural village. Applications for approval shall be submitted in the form of a Planned Unit Development

(PUD) rezone utilizing the standard form(s) developed by Collier County, and subject to the Fees established for a PUD rezone application. ~~Where applicable, the rural village PUD application will be submitted in conjunction with a development of Regional Impact (DRI) application as provided for in Chapter 380 of Florida Statutes, or in conjunction with any other Florida provisions of law that may supercede the DRI process.~~ The applicant shall notify the owner(s) of subsurface mineral rights to the property within the boundaries of the proposed rural village prior to approval of the PUD. The Application for rural village PUD approval shall demonstrate general compliance with the provisions of section 2.03.06 and shall include the following additional submittal requirements:

- (a) EIS. An environmental impact statement for the rural village and surrounding greenbelt area shall be submitted in accordance with the requirements of Chapter 10 of this Code.
- (b) Demonstration of Fiscal Neutrality. An analysis that demonstrates that the rural village will be fiscally neutral to county taxpayers outside of the rural village. This analysis shall evaluate the demand and impacts on levels of service for public facilities and the cost of such facilities and services necessary to serve the rural village. In addition, this evaluation shall identify projected revenue sources for services and any capital improvements that may be necessary to support the rural village. In conclusion, this analysis shall indicate what provisions and/or commitments will be to ensure that the provision of necessary facilities and services will be fiscally neutral to County taxpayers outside of the rural village. At a minimum, the analysis shall consider the following:
 - i. Stormwater/drainage facilities;
 - ii. Potable water provisions and facilities;
 - iii. Reuse or "Grey" water provisions for irrigation;
 - iv. Central sewer provisions and facilities;
 - v. Law enforcement facilities;
 - vi. School facilities;
 - vii. Roads, ~~transit, bicycle and pedestrian facilities and pathways;~~
 - viii. ~~a)~~ Solid waste facilities.

ix. ~~b)~~ Development phasing and funding mechanisms to address any impacts to level of service in accordance with the county's adopted concurrency management program to ensure that there will be no degradation to the adopted level of service for public facilities and infrastructure identified in (i.4) through (viii.7) above.

3. Neutral lands. Neutral lands have been identified for limited semi-rural residential development. Available data indicates that neutral lands have a higher ratio of native vegetation, and thus higher habitat values, than lands designated as RFMU receiving lands, but these values do not approach those of RFMU sending lands. Therefore, these lands are appropriate for limited development, if such development is directed away from existing native vegetation and habitat. Within neutral lands, the following standards shall apply:

a. Allowable uses. The following uses are permitted as of right:

(1) Uses Permitted as of Right.

(a) Agricultural activities, including, but not limited to: Crop raising, horticulture, fruit and nut production, forestry, groves, nurseries, ranching, beekeeping, poultry and egg production, milk production, livestock raising, and aquaculture for native species subject to the State of Florida Fish and Wildlife Conservation Commission. Owning, maintaining or operating any facility or part thereof for the following purposes is prohibited:

i. Fighting or baiting any animal by the owner of such facility or any other person or entity.

ii. Raising any animal or animals intended to be ultimately used or used for fighting or baiting purposes.

iii. For purposes of this subsection, the term baiting is defined as set forth in § 828.122(2)(a), F.S., as it may be amended from time to time.

(b) Single-family residential dwelling units, including mobile homes where a mobile home Zoning Overlay exists.

(c) Dormitories, duplexes and other types of staff housing, as may be incidental to, and in support of, conservation uses.

(d) Group housing uses subject to the following density/intensity limitations:

(e) Family Care Facilities: 1 unit per 5 acres;

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- (f) Group Care Facilities and other Care Housing Facilities:
Maximum floor area ratio (FAR) not to exceed 0.45.
 - (g) Staff housing as may be incidental to, and in support of,
safety service facilities and essential services.
 - (h) Farm labor housing limited to 10 acres in any single location:
 - i. Single family/duplex/mobile home: 11 dwelling units
per acre;
 - ii. Multifamily/dormitory: 22 dwelling units/beds per
acre.
 - (i) Sporting and Recreational camps, not to exceed 1
cabin/lodging unit per 5 gross acres.
 - (j) Those essential services identified in [LDC](#) section 2.01.03
~~(A)~~.
 - (k) Golf courses or driving ranges, subject to the following
standards:
 - i. Golf courses shall be designed, constructed, and
managed in accordance with the best management
practices of Audubon International's Gold Signature
Program. The project shall demonstrate that the
Principles for Resource Management required by
the Gold Signature Program (Site Specific
Assessment, Habitat Sensitivity, Native and
Naturalized Plants and Natural Landscaping, Water
Conservation, Waste Management, Energy
Conservation & Renewable Energy Sources,
Transportation, Greenspace and Corridors,
Agriculture, and Building Design) have been
incorporated into the golf course's design and
operational procedures.
 - ii. In order to prevent the contamination of soil, surface
water and ground water by the materials stored and
handled by golf course maintenance operations, golf
courses shall comply with the Best Management
Practices for Golf Course Maintenance
Departments, prepared by the Florida Department of
Environmental Protection, [September 2012](#) ~~May~~
~~1995~~.

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iii. ~~To protect ground and surface water quality from fertilizer and pesticide usage, golf courses shall demonstrate the following management practices:~~

a) ~~The use of slow release nitrogen sources;~~

b) ~~The use of soil and plant tissue analysis to adjust timing and amount of fertilization applications;~~

c) ~~The use of an integrated pest management program using both biological and chemical agents to control various pests;~~

d) ~~The coordination of pesticide applications with the timing and application of irrigation water;~~

e) ~~The use of the procedure contained in IFAS Circular 1011, Managing Pesticides for Golf Course Maintenance and Water Quality Protection, May 1991 (revised 1995) to select pesticides that will have a minimum adverse impact on water quality.~~

iv. ~~To ensure water conservation, golf courses shall incorporate the following in their design and operation:~~

a) ~~Irrigation systems shall be designed to use weather station information and moisture-sensing systems to determine the optimum amount of irrigation water needed considering soil moisture and evapotranspiration rates.~~

b) ~~As available, golf courses shall utilize treated effluent reuse water consistent with Sanitary Sewer Sub-Element Objective 1.4 and its policies.~~

c) ~~Native plants shall be used exclusively except for special purpose areas such as golf greens, fairways, and building sites. Within these excepted areas, landscaping plans shall require that at least 75% of the trees and 50% of the shrubs be freeze-tolerant native Floridian species. At least 75% of the required native trees and shrubs shall also be drought-tolerant species.~~

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- v. Stormwater management ponds shall be designed to mimic the functions of natural systems: by establishing shorelines that are sinuous in configuration in order to provide increased length and diversity of the littoral zone. A Littoral shelf shall be established to provide a feeding area for water dependent avian species. The combined length of vertical and rip-rapped walls shall be limited to 25% of the shoreline. Credits to the site preservation area requirements, on an acre- to- acre basis, shall be given for littoral shelves that exceed these littoral shelf area requirements.
 - vi. Site preservation and native vegetation retention requirements shall be the same as those set forth in the RFMU district criteria. Site preservation areas are intended to provide habitat functions and shall meet minimum dimensions as set forth in the LDC. These standards shall be established within one year.
- (l) Public educational plants and ancillary plants.
 - (m) Oil and gas exploration, subject to applicable state and federal drilling permits and Collier County non-environmental site development plan review procedures. Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., as those rules existed on Oct. 3, 2005 [effective date of this provision] regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the applicant shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards

established in Rule 62C-30.005(2)(a)(1) through (12), F.A.C.

n. Park, open space, and recreational uses.

o. Private schools.

(2) Accessory uses. The following uses are permitted as accessory to uses permitted as of right or to approved conditional uses:

(a) Accessory uses and structures that are accessory and incidental to uses permitted as of right in section 2.03.08(A)(3)(a)(1) above.

(b) Recreational facilities that serve as an integral part of a residential development and have been designated, reviewed, and approved on a site development plan or preliminary subdivision plat for that development. Recreational facilities may include, but are not limited to clubhouse, community center building, tennis facilities, playgrounds and playfields.

(3) Conditional uses. The following uses are permissible as conditional uses subject to the standards and procedures established in LDC section 10.08.00.

(a) Zoo, aquarium, botanical garden, or other similar uses.

(b) Community facilities, such as, places of worship, childcare facilities, cemeteries, social and fraternal organizations.

(c) Sports instructional schools and camps.

(d) Multi-family residential structures, subject to the following development standards:

(i) Building height limitation: 2 stories

(ii) Buffer: 10 foot wide landscape buffer with trees spaced no more than 30 feet on center;

(iii) Setbacks: 50% of the height of the building, but not less than 15 feet.

(e) Those essential services identified in [LDC](#) sections 2.01.03 [G.1. and G.3](#) ~~(G)(1)~~ and ~~(G)(3)~~.

(f) Oil and gas field development and production, subject to applicable state and federal field development permits and Collier County non-environmental site development plan

review procedures. Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., as those rules existed on January 14, 2005, regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the applicant shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62C-30.005(2)(a)(1) through (12), F.A.C.

- (g) Earth mining and extraction and related processing.
- (h) Facilities for the collection, transfer, processing, and reduction of solid waste.
- (i) Those essential services identified in sections 2.01.03 [G.1.](#) and [G.3](#) ~~(G)(1) and (G)(3)~~.
- (j) Oil and gas field development and production, subject to state field development permits and Collier County non-environmental site development plan review procedures. Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements

1 of Chapter 62C-25 through 62C-30, F.A.C. For those areas
2 of Collier County outside the boundary of the Big Cypress
3 Watershed, the applicant shall be responsible for convening
4 the Big Cypress Swamp Advisory Committee as set forth in
5 Section 377.42, F.S., to assure compliance with Chapter
6 62C-25 through 62C-30, F.A.C., even if outside the defined
7 Big Cypress Watershed. All oil and gas access roads shall
8 be constructed and protected from unauthorized uses
9 according to the standards established in Rule 62-
10 30.005(2)(a)(1) through (12), F.A.C.

11
12 (k) Earth mining and extraction and related processing.

13
14 b. Density.

15
16 (1) Maximum gross density. The maximum gross density in neutral
17 lands shall not exceed one dwelling unit per five gross acres (0.2
18 dwelling units per acre), except that the maximum gross density for
19 those legal nonconforming lots or parcels in existence as of June
20 22, 1999, shall be one dwelling unit per lot or parcel.

21
22 (2) Residential clustering. Clustering of residential development is
23 allowed and encouraged. Where clustered development is
24 employed, it shall be in accordance with the following provisions:

25
26 (a) If within the boundaries of the Rural Transition Water and
27 Sewer District, as delineated on the Urban-Rural Fringe
28 Transition Zone Overlay Map in the Future Land Use
29 Element of the GMP, and consistent with the provisions of
30 the Potable Water and Sanitary Sewer Sub-elements of this
31 Plan, central water and sewer shall be extended to the
32 project. Where County sewer or water services may not be
33 available concurrent with development in neutral lands,
34 interim private water and sewer facilities may be approved.

35
36 (b) The clustered development shall be located on the site so
37 as to provide to the greatest degree practicable:

- 38
39 i. protection for listed species habitat;
40
41 ii. preservation of the highest quality native vegetation
42
43 iii. connectivity to adjacent natural reservations or
44 preservation areas on adjacent development; ~~.....b§~~
45 and
46
47 iv. creation, maintenance or enhancement of wildlife
48 corridors.

49
50 ~~(c) The minimum project size shall be at least 40 acres.~~

c. Dimensional and design standards. Dimensional and Design Standards set forth in section 4.02.01 of this Code shall apply to all development in neutral lands, except for development utilizing the residential clustering provisions in section 2.03.08 (A)(3)(b)(2) above. In the case of such clustered development, the following dimensional standards shall apply to all permitted housing structure types, accessory, and conditional uses:

(1) Development that is Not Clustered:

(a) Minimum lot area: 5 Acres.

(b) Minimum lot width: 165 Feet.

(c) Minimum yard Requirements:

i. Front yard: 50 feet.

ii. Side yard: 30 feet.

iii. Rear yard: 50 feet.

iv. Nonconforming lots in existence as of June 22, 1999:

a) Front yard: 40 feet.

b) Side yard: 10 percent of lot width, not to exceed 20 feet on each side.

c) Rear yard: 50 feet.

(2) Development that is Clustered.

(a) Minimum lot area: 4,500 square feet.

(b) Maximum lot area: One Acre.

(c) Minimum lot width: Interior lots 40 feet.

(d) Maximum lot width: 150 feet.

(3) Height Limitations.

(a) Principal: 35 feet.

(b) Accessory: 20 feet, except for screen enclosures, which may be the same height as the principal structure.

(c) Golf course/community clubhouses: 50 feet.

- (4) Floor area. The minimum floor area for each dwelling unit shall be 800 square feet.
 - (5) Parking. As required in Chapter 4.
 - (6) Landscaping. As required in Chapter 4.
 - (7) Signs: As required in section 5.06.00.
 - d. Native vegetation retention. Native vegetation shall be preserved as set forth in Chapter 4.
 - e. Usable open space.
 - (1) Projects of 40 acres or more in size shall provide a minimum of 70% usable open space.
 - (2) Usable open space includes active or passive recreation areas such as parks, playgrounds, golf courses, waterways, lakes, nature trails, and other similar open spaces. Usable open space shall also include areas set aside for conservation or preservation of native vegetation and landscape areas.
 - (3) Open water beyond the perimeter of the site, street right-of-way, except where dedicated or donated for public uses, driveways, off-street parking and loading areas, shall not be counted towards required usable open space.
4. RFMU sending lands. RFMU sending lands are those lands that have the highest degree of environmental value and sensitivity and generally include significant wetlands, uplands, and habitat for listed species. RFMU sending lands are the principal target for preservation and conservation. Density may be transferred from RFMU sending lands as provided in LDC section 2.03.07 D.4.c. All NRPAs within the RFMU district are also RFMU sending lands. With the exception of specific provisions applicable only to NBMO neutral lands, the following standards shall apply within all RFMU sending lands:
 - a. Allowable uses where TDR credits have not been severed.
 - (1) Uses Permitted as of Right:
 - (a) Agricultural uses consistent with Sections 163.3162 and 823.14(6) Florida Statutes (Florida Right to Farm Act).
 - (b) Detached single-family dwelling units, including mobile homes where the mobile home Zoning Overlay exists,
 - (c) Habitat preservation and conservation uses.

- (d) Passive parks and other passive recreational uses.
- (e) Sporting and Recreational camps, within which the lodging component shall not exceed 1 unit per 5 gross acres.
- (f) Those essential services identified in section 2.01.03(B).
- (g) Oil and gas exploration, subject to applicable state and federal drilling permits and Collier County non-environmental site development plan review procedures. Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., as such rules existed on Oct. 3, 2005 [the effective date of this provision], regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the applicant shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62C-30.005(2)(a)(1) through (12), F.A.C.
- (2) Accessory uses. Accessory uses and structures that are accessory and incidental to uses permitted as of right in LDC section 2.03.08 A.4.a.(1) above.
- (3) Conditional uses.
- (a) Those essential services identified in LDC section 2.01.03 G.2 and 4.
- (b) Public facilities, including solid waste and resource recovery facilities, and public vehicle and equipment storage and repair facilities, shall be permitted within Section 25, Township 49S, Range 26E, on lands adjacent to the existing County landfill. This shall not be interpreted to allow for the

expansion of the landfill into Section 25 for the purpose of solid waste disposal.

(c) Oil and gas field development and production, subject to applicable state and federal field development permits and Collier County non-environmental site development plan review procedures. Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., as those rules existed on Oct. 3, 2005 [the effective date of this provision], regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the applicant shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62C-30.005(2)(a)(1) through (12), F.A.C.

(d) Commercial uses accessory to permitted uses 1.a, 1.c. and 1.d above, such as retail sales of produce accessory to farming, or a restaurant accessory to a park or preserve, so long as restrictions or limitations are imposed to insure the commercial use functions as an accessory, subordinate use.

(e) Active recreational uses, such as airboats, swamp buggies, horses, and similar modes of transportation used for transporting participants, viewers or patrons in connection with ecotourism operations or environmental education activities only on lands owned by governmental entities other than the State of Florida and designated North Belle Meade Overlay. Said uses are subject to compliance with criteria (i-ix) outlined in LDC Section 2.03.01 A.1.c.(22).

b. Allowable uses where TDR credits have been severed.

1 (1) Uses Permitted as of Right:
2

- 3 (a) Agricultural uses consistent with Sections 163.3162 and
4 823.14(6) Florida Statutes (Florida Right to Farm Act),
5 including water management facilities, to the extent and
6 intensity that such operations exist at the date of any
7 transfer of development rights.
8
9 (b) Cattle grazing on unimproved pasture where no clearing is
10 required;
11
12 (c) Detached single-family dwelling units, including mobile
13 homes where the mobile home Zoning Overlay exists, at a
14 maximum density of one dwelling unit per 40 acres. In order
15 to retain these development rights after any transfer, up to
16 one dwelling must be retained (not transferred) per 40
17 acres.
18
19 (d) One detached dwelling unit, including mobile homes where
20 the mobile home zoning overlay exists, per lot or parcel in
21 existence as of June 22, 1999, that is less than 40 acres. In
22 order to retain these development rights after any transfer,
23 up to one dwelling must be retained (not transferred) per
24 each lot or parcel. For the purposes of this provision, a lot
25 or parcel shall be deemed to have been in existence as of
26 June 22, 1999, upon a showing of any of the following:
27
28 i. the lot or parcel is part of a subdivision that was
29 recorded in the public records of the County on or
30 before June 22, 1999;
31
32 ii. a description of the lot or parcel, by metes and
33 bounds or other specific legal description, was
34 recorded in the public records of the County on or
35 before June 22, 1999; or
36
37 iii. an agreement for deed for the lot or parcel, which
38 includes description of the lot or parcel by limited
39 fixed boundary, was executed on or before June 22,
40 1999.
41
42 (e) Habitat preservation and conservation uses.
43
44 (f) Passive parks and passive recreational uses.
45
46 (g) Those essential services identified in section 2.01.03 B.
47
48 (h) Oil and gas exploration, subject to applicable state and
49 federal drilling permits and Collier County non-
50 environmental site development plan review procedures.

Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., as those rules existed on Oct. 3, 2005 [the effective date of this provision], regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the applicant shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62C-30.005(2)(a)(1) through (12), F.A.C.

- (i) Mitigation in conjunction with any County, state, or federal permitting.

(2) Conditional uses:

- (a) Those essential services identified in LDC section 2.01.03 G.2 and 4.
- (b) Oil and gas field development and production, subject to applicable state and federal field development permits and Collier County non-environmental site development plan review procedures. Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., as those rules existed on Oct. 3, 2005 [the effective date of this provision], regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas

activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the applicant shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62C-30.005(2)(a)(1) through (12), F.A.C.

(c) Conditional use approval criteria: In addition to the criteria set forth in section 10.08.00 of this Code, the following additional criteria shall apply to the approval of conditional uses within RFMU sending lands:

i. The applicant shall submit a plan for development that demonstrates that wetlands, listed species and their habitat are adequately protected as specified in Chapters 3, 4 and 10.

ii. Conditions may be imposed, as deemed appropriate, to limit the size, location, and access to the conditional use.

c. Density.

(1) 1.0 dwelling units per 40 gross acres; or

(2) 1.0 dwelling unit per nonconforming lot or parcel in existence as of June 22, 1999. For the purpose of this provision, a lot or parcel which is deemed to have been in existence on or before June 22, 1999 is:

(a) A lot or parcel which is part of a subdivision recorded in the public records of Collier County, Florida;

(b) A lot or parcel which has limited fixed boundaries, described by metes and bounds or other specific legal description, the description of which has been recorded in the public records of Collier County Florida on or before June 22, 1999; or

(c) A lot or parcel which has limited fixed boundaries and for which an agreement for deed was executed prior to June 22, 1999.

d. Native vegetation retention. As required in Chapter 4.

e. Other dimensional design standards. Dimensional standards set forth in section 4.02.01 of this Code shall apply to all development in Sending designated lands of the RFMU district, except as follows:

(1) Lot Area and Width.

(a) Minimum lot Area: 40 acres.

(b) Minimum lot Width: 300 Feet.

(2) Parking. As required in Chapter 4.

(3) Landscaping. As required in Chapter 4.

(4) Signs. As required in section 5.06.00.

5. Specific vegetation standards for the RFMU district. For these specific standards, please refer to [LDC](#) sections 3.05.07 C. through 3.05.07 E. ~~of this Code.~~

f. Clustering. Parcels must be a minimum of 80 acres, or an aggregation of parcels where each is a minimum of 40 acres, clustering is allowed, provided that the following standard is met:

(1) Each clustered dwelling unit shall be located no greater than 300 feet from the common property line of another parcel containing a clustered dwelling unit. In the event of an intervening road right-of-way, the 300 feet measurement shall be from the midpoint of said right-of-way.

(2) The clustered development shall be located on the site so as to provide to the greatest extent practicable, protection for listed species habitat, preservation of the highest quality native vegetation, connectivity to adjacent natural reservations or preservation areas on adjacent developments, and creation, maintenance, or enhancement of wildlife corridors.

#

2.06.00 - AFFORDABLE HOUSING DENSITY BONUS

2.06.01 – Generally

Within most of the coastal urban designated areas identified on the future land use map of the Collier County GMP, a base density of four residential dwelling units per gross acre is permitted. However, the base density may be adjusted depending on the characteristics of the development. One characteristic of a housing development which would allow the addition of density bonuses in order to increase the density over the base density is the provision of affordable housing in the development. The provision of affordable housing units may add up to 12 dwelling units per gross acre to the base density of four residential dwelling units per gross acre, plus any other density bonuses available and minus any

density reduction that is required, pursuant to the GMP. [For a project providing housing that is affordable in the Receiving Lands within the Rural Fringe Mixed Use District \(RFMUD\), the maximum density of 12.2 units per acre is allowed, subject to rezoning approval and to the approval of an "Affordable Housing Agreement," pursuant to LDC section 2.06.03.](#) The total eligible density must not exceed the maximum density allowed pursuant to the GMP. The program to accomplish this increase to provide affordable housing is called the affordable housing density bonus (AHDB) program.

- B. Within most of the Immokalee Urban area, as identified on the Immokalee area master plan future land use map of the growth management plan, base densities are four or six or eight residential dwelling units per gross acre. However, the base density may be adjusted depending on the characteristics of the development. One characteristic of a housing development that would allow the addition of density bonuses is the provision of affordable housing in the development. The provision of affordable housing units may add up to 12 dwelling units per gross acre to the base density plus any other density bonuses available. The total eligible density must not exceed the maximum allowed pursuant to the GMP.
- C. Within the Rural Lands Stewardship Area Overlay of the Agricultural/Rural area, as identified on the future land use map of the growth management plan, towns, villages, hamlets and compact rural developments are allowed at a density range of one-half to four dwelling units per gross acre. The allowed density may be adjusted depending on the characteristics of the development. One characteristic of a housing development that would allow the addition of density bonuses is the provision of affordable housing in the development. The provision of affordable housing units may add up to eight dwelling units per gross acre to the allowed density of one-half to four dwelling units per gross acre, for a total of eight and one-half to twelve and one-half residential dwelling units per gross acre, plus any other density bonuses available.
- D. In order to qualify for the AHDB for a development, the developer must apply for and obtain the AHDB from the County for a development in accordance with this section, especially in accordance with the provisions of the AHDB program, including the AHDB rating system, the AHDB monitoring program, and the limitations on the AHDB.
1. *Preapplication conference.* Prior to submitting an application for AHDB, a preapplication conference may be scheduled with the County Manager or designee. The preapplication conference provides an opportunity to familiarize the applicant with the AHDB program and provides an opportunity for the county staff to obtain a clear understanding of the proposed development. The AHDB rating system, the AHDB monitoring program, the limitations, criteria, procedures, standard conditions, standard forms, and other information will be discussed and made available to the applicant. Depending on the type of development proposed, the application may be combined with an application for a planned unit development (PUD), a rezone, or a Stewardship Receiving Area.
 2. *Application.* An application for AHDB for a development must be submitted to the County Manager or designee in the form established by the County Manager or designee. The application must, at a minimum, include:

- a. Zoning districts proposed by the applicant on the property and acreage of each;
 - b. The total number of residential dwelling units in the proposed development, categorized by number of bedrooms and whether the unit is to be rented or owner-occupied;
 - c. The total number of AHDB units requested, categorized by number of bedrooms and whether the unit is to be rented or owner-occupied;
 - d. Total number of affordable housing units proposed in the development, categorized by level of income, number of bedrooms (one bedroom, two bedrooms, three bedrooms, or more), and rental units and owner-occupied units:
 - i. Gap-income households.
 - ii. Moderate-income households.
 - iii. Low-income households.
 - iv. Very-low-income housing units.
 - e. Gross density of the proposed development;
 - f. Whether the AHDB is requested in conjunction with an application for a PUD, rezoning, SRA, or a conditional use for a Commercial Mixed-Use project as provided for within LDC section 4.02.38; and
 - g. Any other information which would reasonably be needed to address the request for AHDB for the development pursuant to the requirements set forth in this section.
3. *Determination of completeness.* After receipt of an application for AHDB, the County Manager or designee shall determine whether the application submitted is complete. If it is determined that the application is not complete, the County Manager or designee shall notify the applicant in writing of the deficiencies. The County Manager or designee shall take no further steps to process the application until the deficiencies have been remedied.
 4. *Review and recommendation by the County Manager or designee.* After receipt of a completed application for AHDB, the County Manager or designee must review and evaluate the application in light of the AHDB rating system, the AHDB monitoring program and the requirements of this section. The County Manager or designee must coordinate with the Zoning Division director or designee to schedule the AHDB application with the companion application for a PUD, rezoning, SRA, or conditional use, and must recommend to the planning commission and the BCC to deny, grant, or grant with conditions, the AHDB application. The recommendation of the County Manager or designee must include a report in support of recommendation.

1
2 5. *Review and recommendation by the planning commission.* Upon receipt by the
3 planning commission of the application for AHDB and the written recommendation
4 and report of the County Manager or designee, the planning commission must
5 schedule and hold a properly advertised and duly noticed public hearing on the
6 application. If the application has been submitted in conjunction with an application
7 for a PUD, rezoning, SRA, or conditional use, then the hearing must be
8 consolidated and made a part of the public hearing on the respective application
9 before the planning commission. The planning commission must consider the
10 application for AHDB in conjunction with the application for the PUD, rezoning,
11 SRA, or conditional use. After the close of the public hearing, the planning
12 commission must review and evaluate the application in light of the requirements
13 of this section and the requirements for a PUD, rezoning, SRA, or conditional use,
14 as applicable, and must recommend to the BCC that the application be denied,
15 granted or granted with conditions.
16

17 6. *Review and determination by Board of County Commissioners.* Upon receipt by
18 the BCC of the application for AHDB and the written recommendation and report
19 of the County Manager or designee and recommendation of the planning
20 commission, the BCC must schedule and hold a properly advertised and duly
21 noticed public hearing on the application. If the application has been submitted in
22 conjunction with an application for a PUD, rezoning, SRA, or conditional use, then
23 the hearing must be consolidated and made a part of the public hearing on the
24 respective application before the BCC, and the BCC must consider the application
25 for AHDB in conjunction with the application for the PUD, rezoning, SRA, or
26 conditional use. After the close of the public hearing, the BCC must review and
27 evaluate the application in light of the requirements of this section and the
28 requirements for a PUD, rezoning, SRA, or conditional use, and must deny, grant,
29 or grant with conditions, the application in accordance with the AHDB rating system
30 and the AHDB monitoring program.
31

32 E. The procedures to request approval of a density bonus are described in Chapter 10 of this
33 LDC, along with requirements for the developer's agreement to ensure compliance.

34 # # # # # # # # # # # # # #

Richard Henderlong

From: Jeffrey S Curl <jcurl@emergedesign.biz>
Sent: Tuesday, September 16, 2025 8:38 AM
To: Eric Johnson; Richard Henderlong; Angela Galiano
Subject: DSAC-LDR

EXTERNAL EMAIL: This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

Good morning,
I have some funky bug that I'd rather not bring into the building, nor today's meeting...

- As a quick aside: I cannot help but laugh at the irony of a TDR credit for the eradication and control of exotics, in light of our last meeting / proposed relaxation of exotics in the Estates...
- My only comments for today [RFMUD LDCA], and they may be more q/a than comments, are on the buffers' suggested language vs base code, D buffers:
 1. Trees, 12' (not 10) high and palms cannot be used to satisfy 'd' buffers (vs palms allowed to use for code trees up to 30% of the required trees) - WHY the change along a roadway?
 2. Shrubs, no change
 3. Groundcover requirements: first, why? Second, as stated folks will just do a 3' "line" - IF the intent is a 3' to 5' AVERAGE width, I would state that.

For B buffers [that I believe impact the 'public' more than roadway travelers at high speeds], a 6 story building next to existing SF (think their back yard), should certainly consider taller trees (12' x 5' spread / width vs. 10' x 4', base code) with the base code 5' hedge/6' maintained to ameliorate new height impacts to neighbors.....

Thank you and that's what I would offer to other committee members this afternoon.
I apologize for the late notice,
Jeff

Jeffrey S. Curl ASLA CLARB | President

eMERGE design LLC

239.272.7933 | emergedesign.biz

Rural Fringe Mixed Use District Overlay

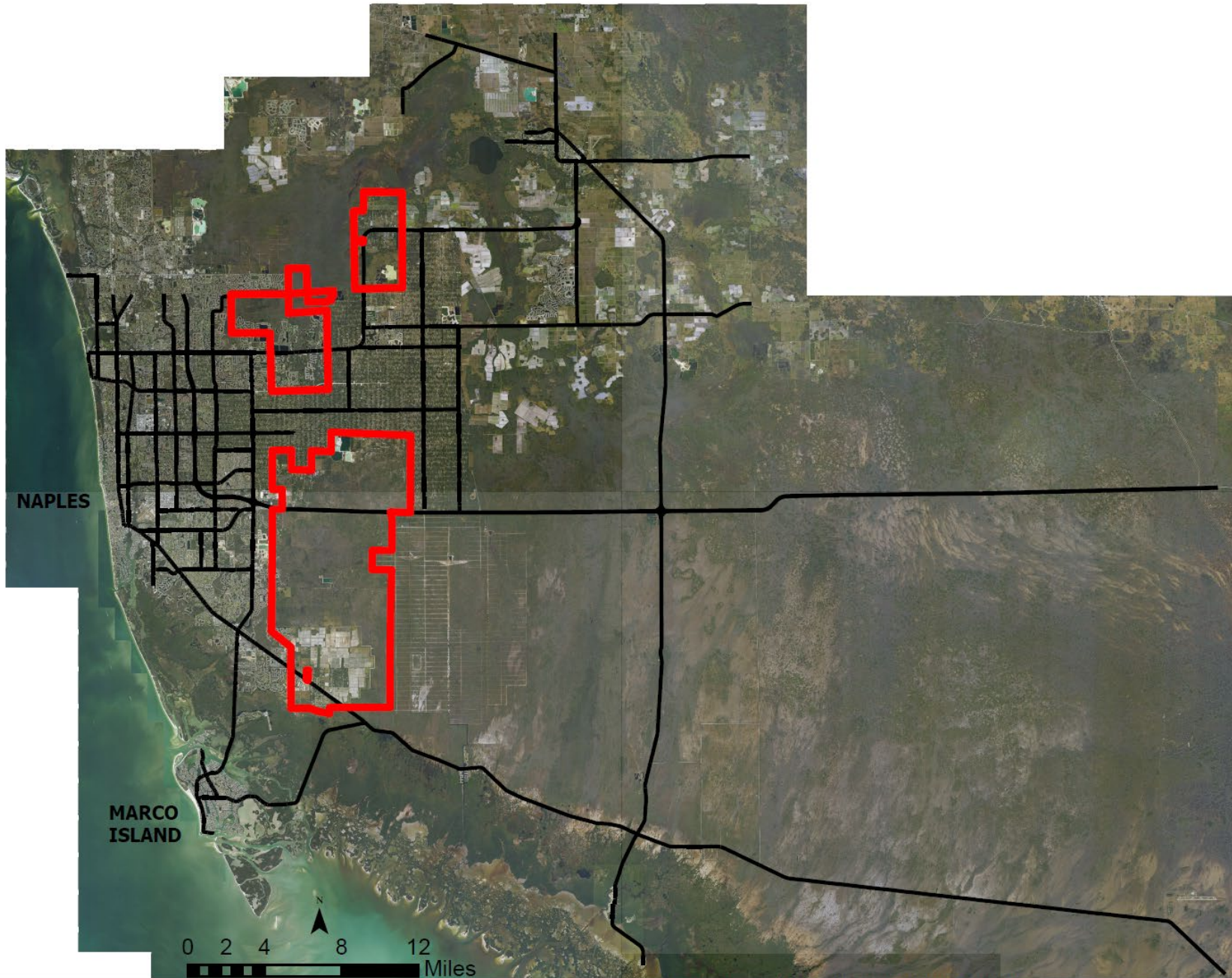
Land Development Code Amendment
PL20240006969



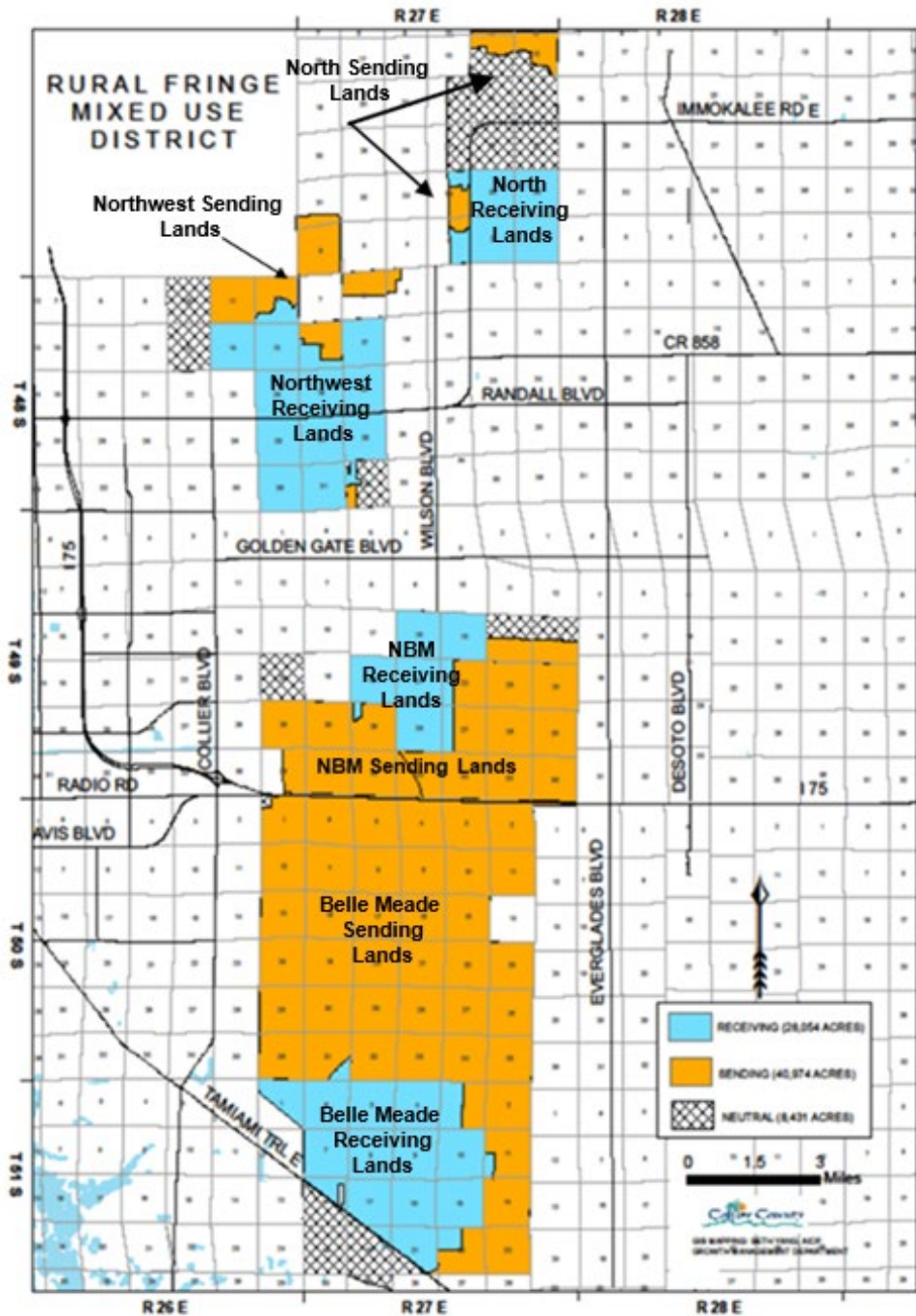
RFMUD Overview

- 1999, the State of Florida imposed a Final Order on Collier County to perform a 3-year Rural and Agricultural Assessment of the GMP:
 - (1) Protect prime Ag areas – prevent premature conversion to other land uses;
 - (2) Protect natural resources - water quality & quantity, listed species & their habitat;
 - (3) Discourage urban sprawl - direct incompatible uses away from critical habitat, encourage development that uses creative land use planning techniques, e.g., urban villages
- RFMU: Initially adopted into GMP in 2002 and into the LDC in 2004.
- The plan is based on the principles of Transfer of Development Rights.
- Areas designated as “sending” are areas of higher quality habitat to direct growth away; “receiving” are areas where development is more suitable.
- Landowners in the sending areas can voluntarily use the program to obtain and sell their TDR credits to developers in the receiving areas.
- This LDC amendment adopts GMPA (Ord. 2023-25).

 Boundary of RFMUD

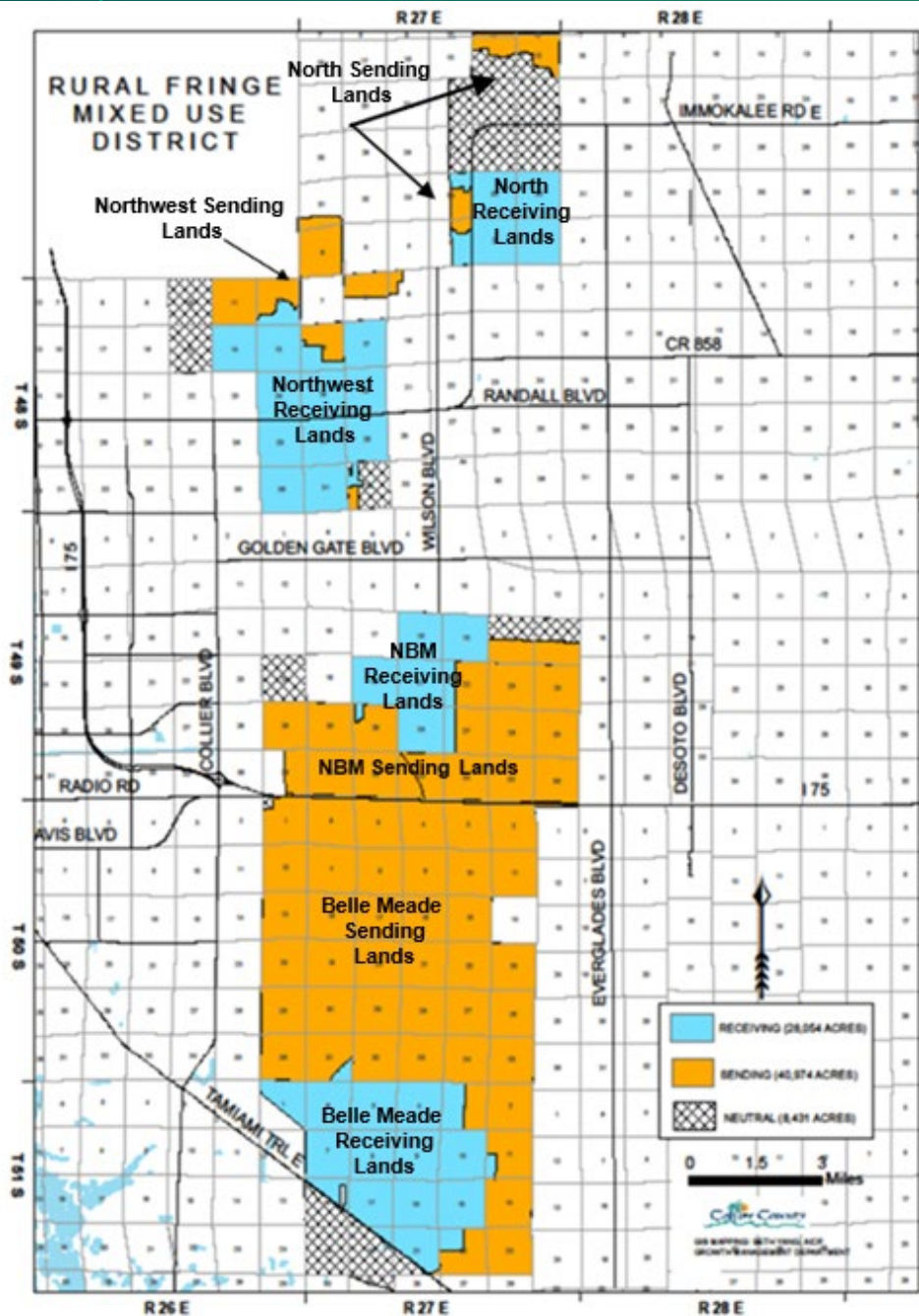


RFMUD Today



- Entire RFMUD = 77,200 acres* (6%)
- Receiving Lands = 22,373 acres*
- Sending Lands = 45,000 acres*
- Neutral Lands = 9,427 acres*
- As of May 2023:
 - 5,500 tax parcels
 - 3,835 separate/distinct property owners

*All acreage amounts are approximate.



Receiving, Sending, and Neutral Lands

Receiving Lands:

- Density: 1 du per 5 acres.
- Native vegetation retention 40%, NTE 25% of site.

Sending Lands:

- Density: 1 du per 40 acres.
- Native vegetation retention 80%, NTE 60% of site.

Neutral Lands:

- Density: 1 du per 5 acres.
- Native vegetation retention 60%, NTE 45% of site.

LDC Changes in a Nutshell (1 of 2)

- Increasing the number of base TDR credits generated per acre/per nonconforming lot.
- Changing the calculation of TDR bonus credits.
- Addition of Conservation TDR credits.
- Addition of Belle Meade Hydrologic Enhancement Overlay (BMHEO) provisions.
- Changes to Environmental Restoration and Maintenance TDR Bonus credit generation.
- Introduction of Business and Industrial Uses in the receiving lands with specific uses, development standards and locational criteria to be identified within the LDC.
- Revising the table of allowable uses for RFMUD receiving lands-Outside Rural Villages.

LDC Changes in a Nutshell (2 of 2)

- Changes to Rural Village design criteria and density bonus for low-income residential housing units.
- Addition of clustering provisions for RFMUD sending lands.
- Introduction of Neighborhood commercial uses with Affordable Housing projects with specific uses, design and development standards and locational criteria to be identified with the LDC.
- Reduction of open space requirements for housing that is affordable projects.
- Allowance of active recreation in the sending lands as Conditional Uses
- Additional development standards and location criteria for housing that is affordable within the receiving lands.

Questions?

Recommendation

Recommendation of approval of the proposed changes to the LDC for
PL 2024 000 6969



Collier County Government

Communications, Government & Public Affairs
3299 Tamiami Trail E., Suite 102
Naples, Florida 34112-5746

October 23, 2025

FOR IMMEDIATE RELEASE

Notice of Public Meeting Development Services Advisory Committee Land Development Review Subcommittee Collier County, Florida

**November 19, 2025
3:00 p.m.**

Notice is hereby given that the **Collier County Development Services Advisory Committee - Land Development Review Subcommittee (DSAC-LDR)** will meet on **Wednesday, November 19, 2025, at 3:00 p.m.** in Conference Room 609/610 of the Growth Management Community Development Department building, 2800 N. Horseshoe Drive, Naples, Florida.

Individuals who would like to participate in person must complete and submit a speaker form prior to the beginning of the discussion about the item.

About the public meeting:

Two or more members of the Board of County Commissioners may be present and may participate in the meeting. The subject matter of this meeting may be an item for discussion and action at a future Board of County Commissioners meeting.

All interested parties are invited to attend, and to register to speak. All registered public speakers will be limited to three minutes unless permission for additional time is granted by the chairman.

Collier County Ordinance No. 2004-05 requires that all lobbyists shall, before engaging in any lobbying activities (including, but not limited to, addressing the Board of County Commissioners, an advisory board or quasi-judicial board), register with the Clerk to the Board at the Board Minutes and Records Department.

Anyone who requires an auxiliary aid or service for effective communication, or other reasonable accommodations in order to participate in this proceeding, should contact the Collier County Facilities Management Division, located at 3335 Tamiami Trail E., Suite 101, Naples, Florida 34112, or (239) 252-8380 as soon as possible, but no later than 48 hours before the scheduled event. Such reasonable accommodations will be provided at no cost to the individual.

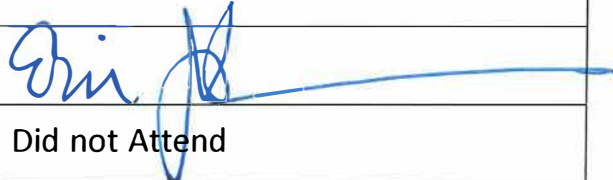


For more information, call Eric Johnson at (239) 252-2931.

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DSAC – Land Development Review Subcommittee

****Must have (3) members for a quorum****

Committee Members	
Name	Signature
Clay Brooker:	
Blair Foley:	EXCUSED
Robert Mulhere:	
Mark McLean:	EXCUSED
Jeffrey Curl:	

Staff Members	
Mike Bosi, Planning and Zoning Division Director, GMCD	Present
Eric Johnson, LDC Planning Manager, GMCD	
Richard Henderlong, Planner III, GMCD	Did not Attend
Angela Galiano, Planner II, GMCD	Did not Attend
Heather Cartwright-Yilmaz, Management Analyst/Liaison, GMCD	Present
	
Jaime Cook, Development Review Division Director, GMCD	Present

DSAC – Land Development Review Subcommittee

Public Sign-in Sheet

Please Print

[illegible]