



Development Services Advisory Committee Meeting

**Wednesday, March 04, 2026
3:00 pm**

**2800 N. Horseshoe Dr.
Naples, FL 34104
Growth Management Community Development
Department
Conference Room 609/610**

Please contact Heather Cartwright-Yilmaz at (239) 252-8389 if you have any questions or wish to meet with staff.

Development Services Advisory Committee

Agenda

Wednesday, March 04, 2026

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
 - a. Welcome AHAC Non-voting Member: Gary Hains
2. Approval of Agenda
3. Approval of Minutes:
 - a. DSAC-LDR: 12.16.2025 (Page: 04)
 - b. DSAC-LDR: 01.20.2026 (Page: 07)
 - c. DSAC: 02.04.2026 (Pending)
4. Public Speakers

5. Staff Announcements/Updates

- a. Zoning Division – [**Mike Bosi**]
- b. Community Planning & Resiliency Division – [**Christopher Mason**]
- c. Housing Policy & Economic Development Division – [**Cormac Giblin**]
- d. Development Review Division – [**Jaime Cook**]
- e. Operations & Regulatory Mgmt. Division – [**Evelyn Trimino**]
- f. Building Review & Permitting Division – [**Building Division**]
- g. Collier County Fire Review – [**Michael Cruz, Captain**]
- h. North Collier Fire Review – [**Chief Sean Lintz or designee**]
- i. Code Enforcement Division – [**Thomas landimarino**]
- j. Public Utilities Department – [**Matt McLean or designee**]
- k. Transportation Management Services
Transportation Engineering Division – [**Jay Ahmad or designee**]

6. New Business

- a. PL20250004659 Home Based Businesses - LDCA

7. Old Business

8. Committee Member Comments

9. Adjourn

FUTURE MEETING DATES:

April 01, 2026 – 3:00 PM

May 06, 2026 – 3:00 PM

June 03, 2026 – 3:00 PM

MINUTES OF THE COLLIER COUNTY
DEVELOPMENT SERVICES ADVISORY COMMITTEE
LAND DEVELOPMENT REVIEW SUBCOMMITTEE MEETING

Naples, Florida
December 16, 2025

LET IT BE REMEMBERED, the Collier County Development Services Advisory Committee Meeting and Collier County, having conducted business herein, met on this date at 3:00 PM in REGULAR SESSION at the Growth Management Community Development Department Room 609/610 2800 N. Horseshoe DR. Naples, Florida with the following members present:

Chairman: Clay Brooker
Blair Foley - EXCUSED
Jeff Curl
Mark McLean - EXCUSED
Robert Mulhere

The following County Staff were in attendance:

Michael Bosi, Director, Planning and Zoning, GMCD
Jaime Cook, Director, Development Review, GMCD
Eric Johnson, LDC Planning Manager, GMCD
Heather Cartwright-Yilmaz, Management Analyst/Liaison, GMCD

Any person who decides to appeal a decision of This Board you will need a record of the proceedings pertaining thereto and therefore may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, Neither Collier County nor This Board shall be responsible for providing this record.

1. CALL TO ORDER – Chairman

Chairman- Clay Brooker

Development Service Advisory Committee – Land Development Review Subcommittee,
Tuesday, December 16, 2025.

2. APPROVAL OF AGENDA

Motion to approve- Robert Mulhere

Motion Seconded- Jeff Curl

Motion passed unanimously

3. OLD BUSINESS

a. PL20240006969 – Rural Fringe Mixed Use District (RFMUD) Overlay – LDCA

Eric Johnson, LDC Planning Manager

Reviewed Yellow Highlighted areas – PDF page 17, 20, 23, 25, 26, 27, 28, 29, 30, 32, 34, 36, 40, 41, 42, 44, 53, & 57.

Motion to Approve- Robert Mulhere

With the following four changes: a reduction in the external boundary from 12’ to 10’, to add the word “public” before the word “conservation”, to increase landscape islands from 10’ to 15’ and to change the landscape island tree height from 12’ to 10’

Seconded– Jeff Curl

Motion passed unanimously

4. NEW BUSINESS

None

5. PUBLIC SPEAKERS

No public speakers

6. REMINDERS OF UPCOMING DSAC-LDR SUBCOMMITTEE MEETING

DATES DISCUSSION:

a. Tuesday, January 20, 2026

b. Tuesday, April 21, 2026

c. Tuesday, October 20, 2026

7. MEETING ADJOURNED

There being no further business for the good of the County, the meeting was adjourned by the order of the chairman at 3:28 p.m.

**COLLIER COUNTY
DEVELOPMENT SERVICES ADVISORY COMMITTEE
*LAND DEVELOPMENT REVIEW SUBCOMMITTEE***

Clay Brooker, Chairman

These minutes were approved by the Committee/Chairman on _____,
(check one) as submitted _____ or as amended _____.

MINUTES OF THE COLLIER COUNTY
DEVELOPMENT SERVICES ADVISORY COMMITTEE
LAND DEVELOPMENT REVIEW SUBCOMMITTEE MEETING

Naples, Florida
January 20, 2026

LET IT BE REMEMBERED, the Collier County Development Services Advisory Committee Meeting and Collier County, having conducted business herein, met on this date at 3:00 PM in REGULAR SESSION at the Growth Management Community Development Department Room 609/610 2800 N. Horseshoe DR. Naples, Florida with the following members present:

Chairman: Clay Brooker
Blair Foley
Jeff Curl
Mark McLean
Robert Mulhere

The following County Staff were in attendance:

Jaime Cook, Director, Development Review, GMCD
Eric Johnson, LDC Planning Manager, GMCD
Alexander Showalter, Planner III, GMCD
Irma Elizondo, Planner II, GMCD
Heather Cartwright-Yilmaz, Management Analyst/Liaison, GMCD

Any person who decides to appeal a decision of This Board you will need a record of the proceedings pertaining thereto and therefore may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, Neither Collier County nor This Board shall be responsible for providing this record.

1. CALL TO ORDER – Chairman

Chairman- Clay Brooker

Development Service Advisory Committee – Land Development Review Subcommittee,
Wednesday, January 20, 2026.

2. APPROVAL OF AGENDA

Motion to approve- **Mark Mclean**

Motion seconded- **Robert Mulhere**

Motion passed unanimously

3. OLD BUSINESS

- a. PL20250004659 – Home-Based Businesses – LDCA

Alexander Showalter, Planner III, GMCD

To bring our development code in line with the State Statute.

Clay Brooker- I went back and forth between the State statute and this LDC amendment and it looks almost verbatim, is this correct.

Eric Johnson- Yes.

Jeff Curl- This still allows the public to come to your residence. I don't understand how this doesn't violate zoning and ADA.

Clay Brooker- It allows for less than 5 people based on R3 occupancy because it's a Single-Family home-based business. From an ADA standpoint there is no ADA mandate.

Eric Johnson- We are complying with the Florida Statutes. You still must have parking onsite for your guests. Must be an improved surface.

Mark McLean- HOA, may further regulate it.

Jeff Curl- So am I vested, Can I have people come to my house?

Clay Brooker- Yes within reason. You can't alter the residential character of the neighborhood.

Mark McLean- Page 1 Line 16 Item D, says no heavy equipment, defined herein as commercial, industrial agricultural vehicles, equipment or machinery that is parked or stored that the equipment is visible from the street or neighboring property. Are landscape trucks and trailers deemed heavy equipment.

Eric Johnson- It would be a commercial vehicle. If you have heavy equipment, you are allowed to store it inside your garage. Once it's in the LDC Mike Bosi can define what heavy equipment is and what isn't.

Jeff Curl- Tell me about operating hours, can I start work at 5am?

Eric Johnson- I would say yes as long as you're not violating the noise ordinance.

Jeff Curl- Is there a way to echo the construction ordinance. You can start at 6:30am and work until 7:00pm. Would it violate state statutes by adding operating hours.

Alex Showalter- We don't tell businesses at what hours they can operate.

Clay Brooker- You can go back to, you can't alter the residential character of the neighborhood. What are the normal hours for noise in residential neighborhoods.

Eric Johnson- According to Statute 559.955 2b. Home based businesses may not be prohibited, restricted, regulated or licensed in a manner that is different from other businesses in a local government's jurisdiction except as otherwise provided in this section. If we were to put a restriction on home-based businesses and not other businesses, it would be problematic.

Clay Brooker- A recommendation from this subcommittee to DSAC, is to ask the County Attorney office to opine on imposing hours of operation based on a residential neighborhood perspective.

Clay Brooker- There are a couple landscaping businesses out off of Rock Road that park their landscaping vehicles at their homes today, would they be grandfathered in or are they going to be subject to these rules and regulations.

Jaime Cook- Rock Road is zoned agricultural. We are having them all come in and do SIP's as a record of what is going on at the property.

Eric Johnson- We can get clarity from the County Attorneys office.

Blair Foley- Made a motion to approve subject to the condition of asking the full DSAC body to chime in on hours of operation and clarification of the definition of what is considered heavy equipment.

Motion Seconded- **Jeff Curl**

Motion passed unanimously

4. NEW BUSINESS

- a. PL20250014625 – Comparable Use in Industrial District – LDCA

Eric Johnson, LDC Planning Manager

Amends LCD Section 2.03.04 Industrial zoning districts

Adds the language related to the comparable use determination.

Number 59- Adds the language, *any other industrial use which is comparable in nature with the list or permitted uses and consistent with the purpose of intent statement of the district as determined by the hearing examiner or CCPC, pursuant to LDC Section 10.02.06K*

Robert Mulhere- I support this change. I notice we don't have this in the AG district. Why wouldn't we have it there because it allows quite a few different uses.

Eric Johson- We were only directed by the board to add it here.

Jeff Curl- Made a motion to approve to move forward, as a part of this, ask DSAC to also consider a companion item that would be comparable uses in the agricultural districts.

Motion Seconded- **Robert Mulhere**

Motion Passed by majority vote

Clay Brooker abstained due to potential conflict

5. PUBLIC SPEAKERS

No public speakers

6. REMINDERS OF UPCOMING DSAC-LDR SUBCOMMITTEE MEETING

DATES DISCUSSION:

- a. **Tuesday, April 21, 2026**
- b. **Tuesday, July 21, 2026**
- c. **Tuesday, October 20, 2026**

7. MEETING ADJOURNED

There being no further business for the good of the County, the meeting was adjourned by the order of the chairman at 3:36 p.m.

**COLLIER COUNTY
DEVELOPMENT SERVICES ADVISORY COMMITTEE
*LAND DEVELOPMENT REVIEW SUBCOMMITTEE***

Clay Brooker, Chairman

These minutes were approved by the Committee/Chairman on _____,
(check one) as submitted _____ or as amended _____.



Collier County

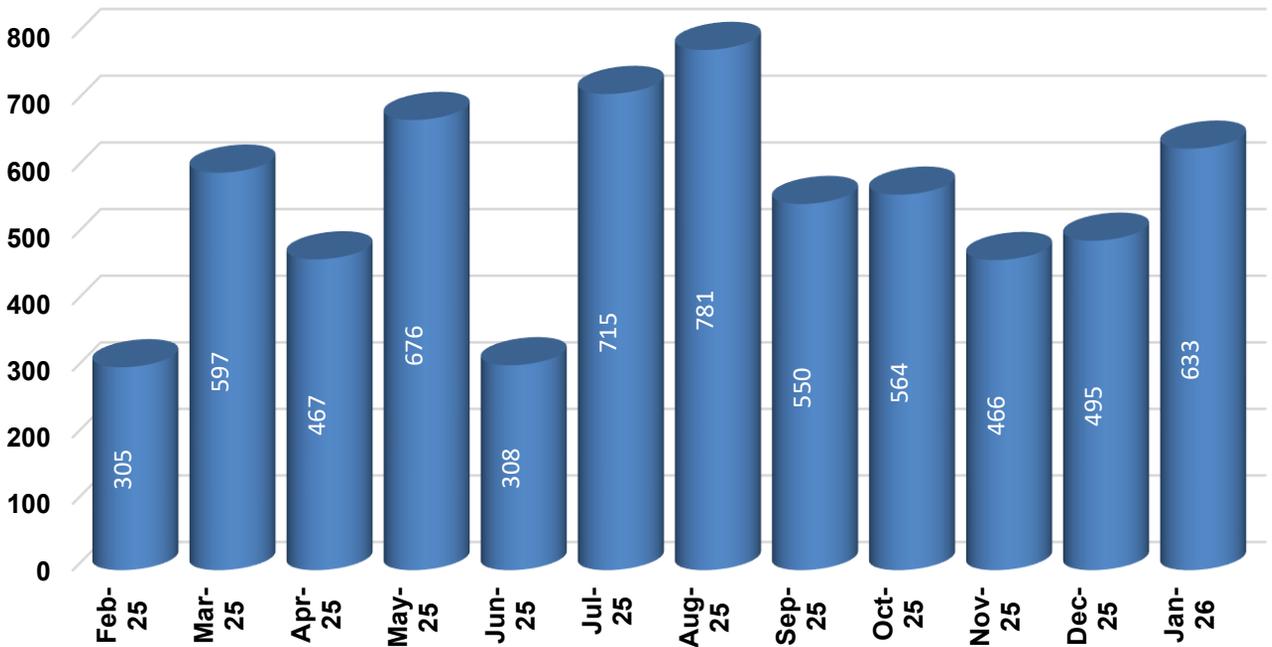
February 2026 Code Enforcement Monthly Statistics



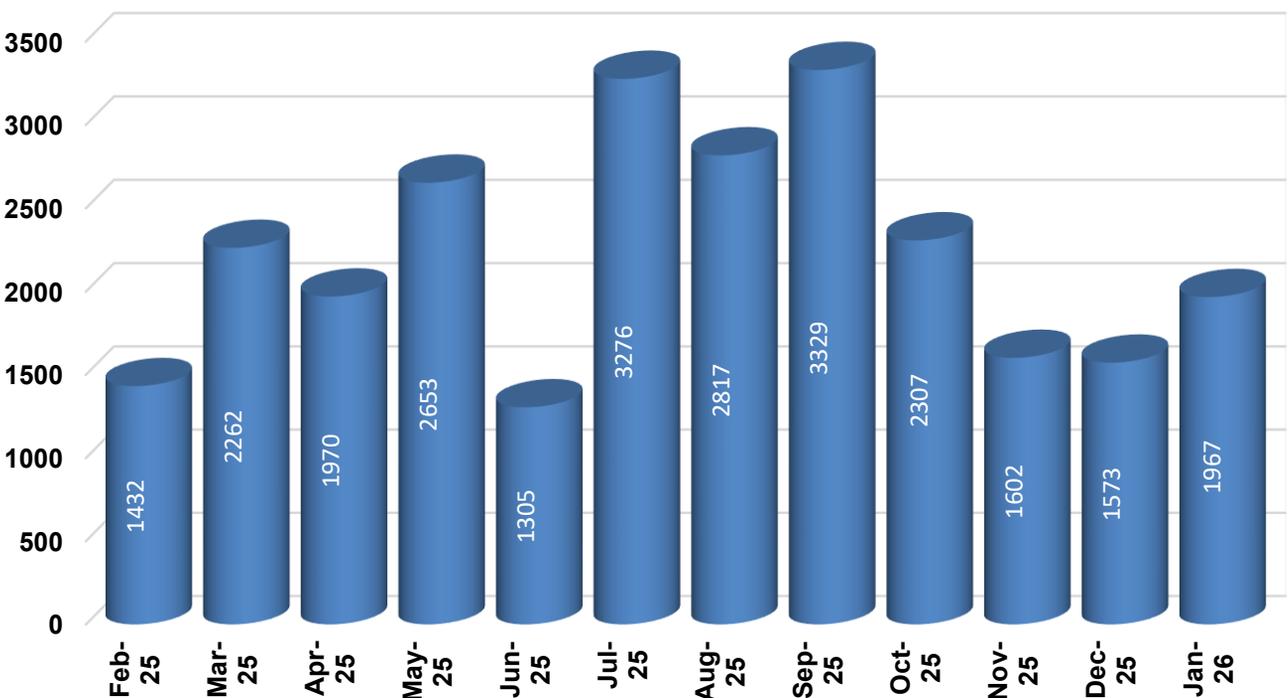
Code Enforcement Reports



Cases Opened Per Month



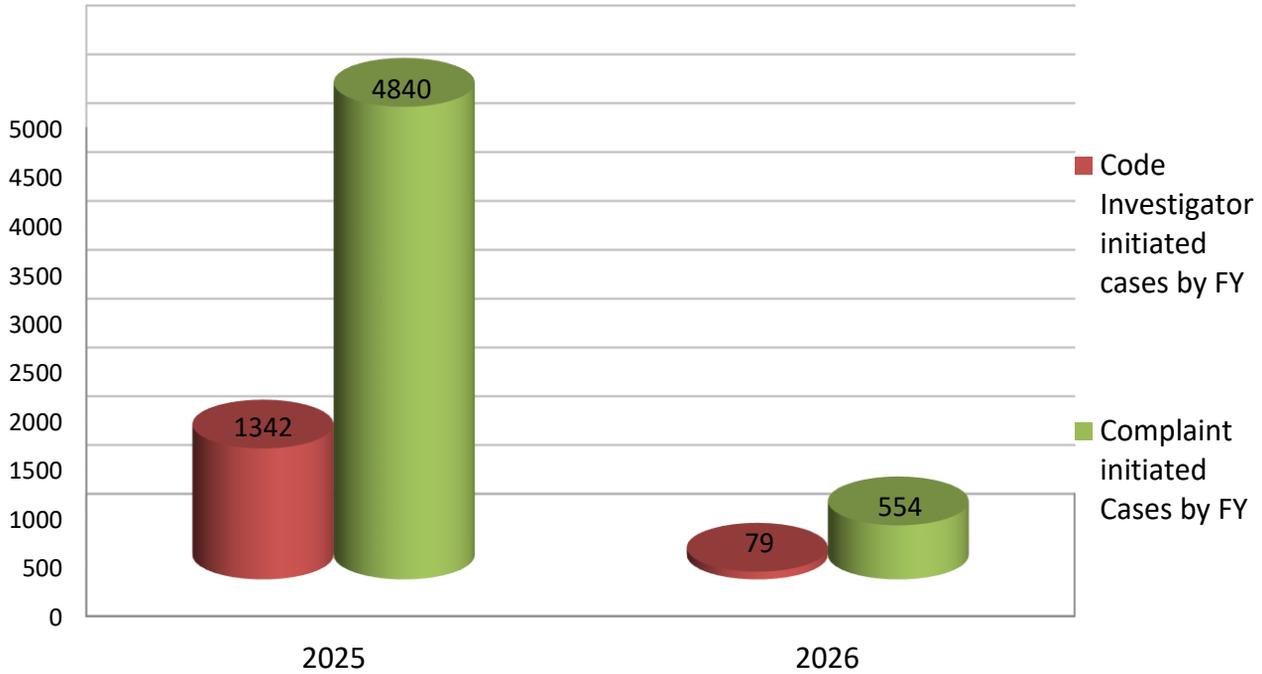
Code Inspections Per Month



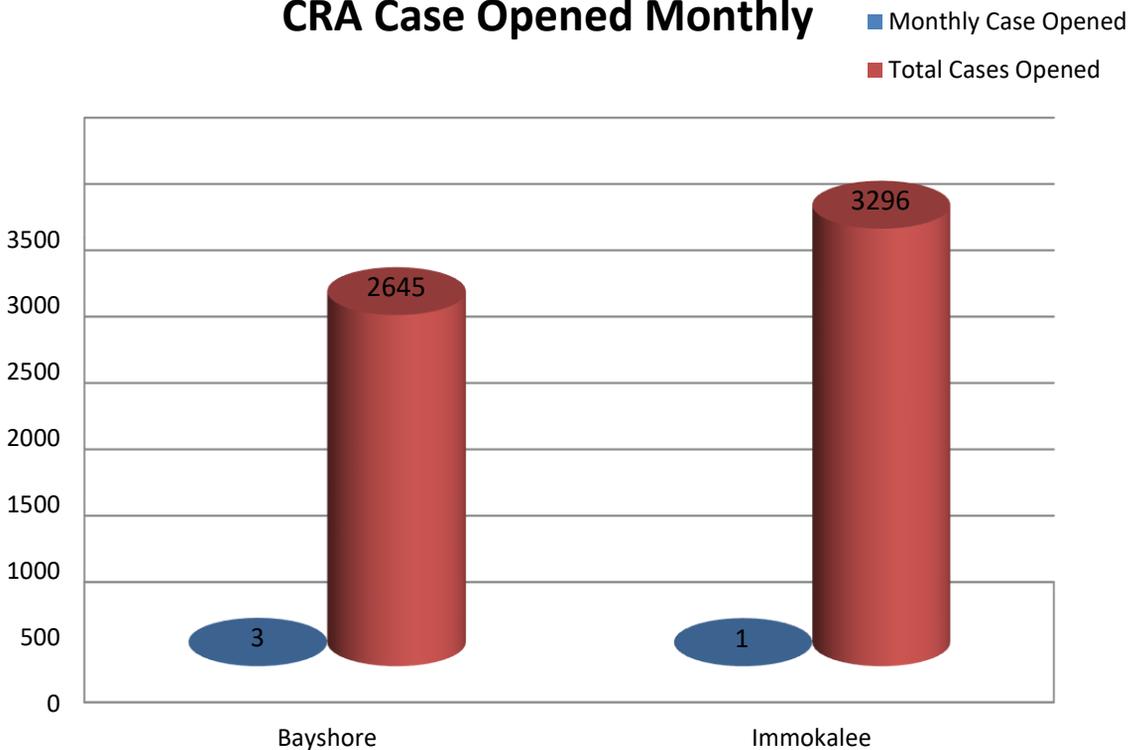
Code Enforcement Reports



Origin of Case



CRA Case Opened Monthly



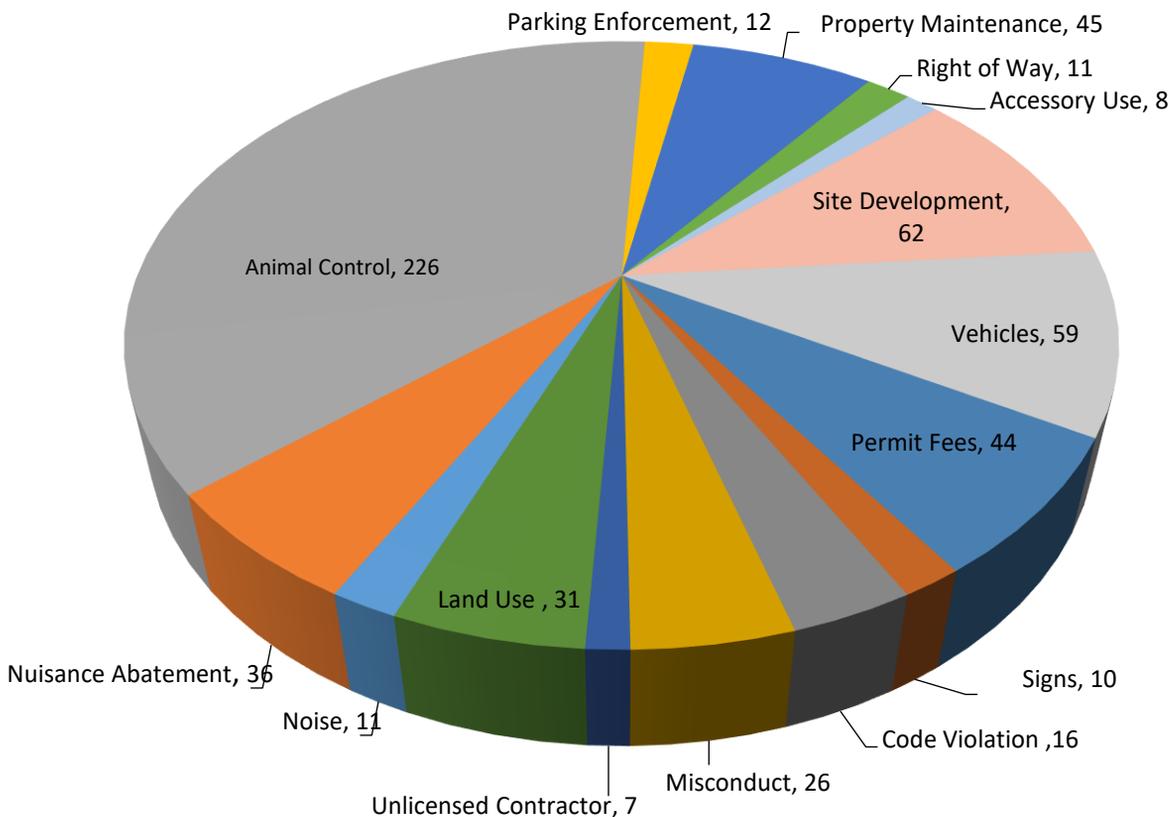
Code Enforcement Reports



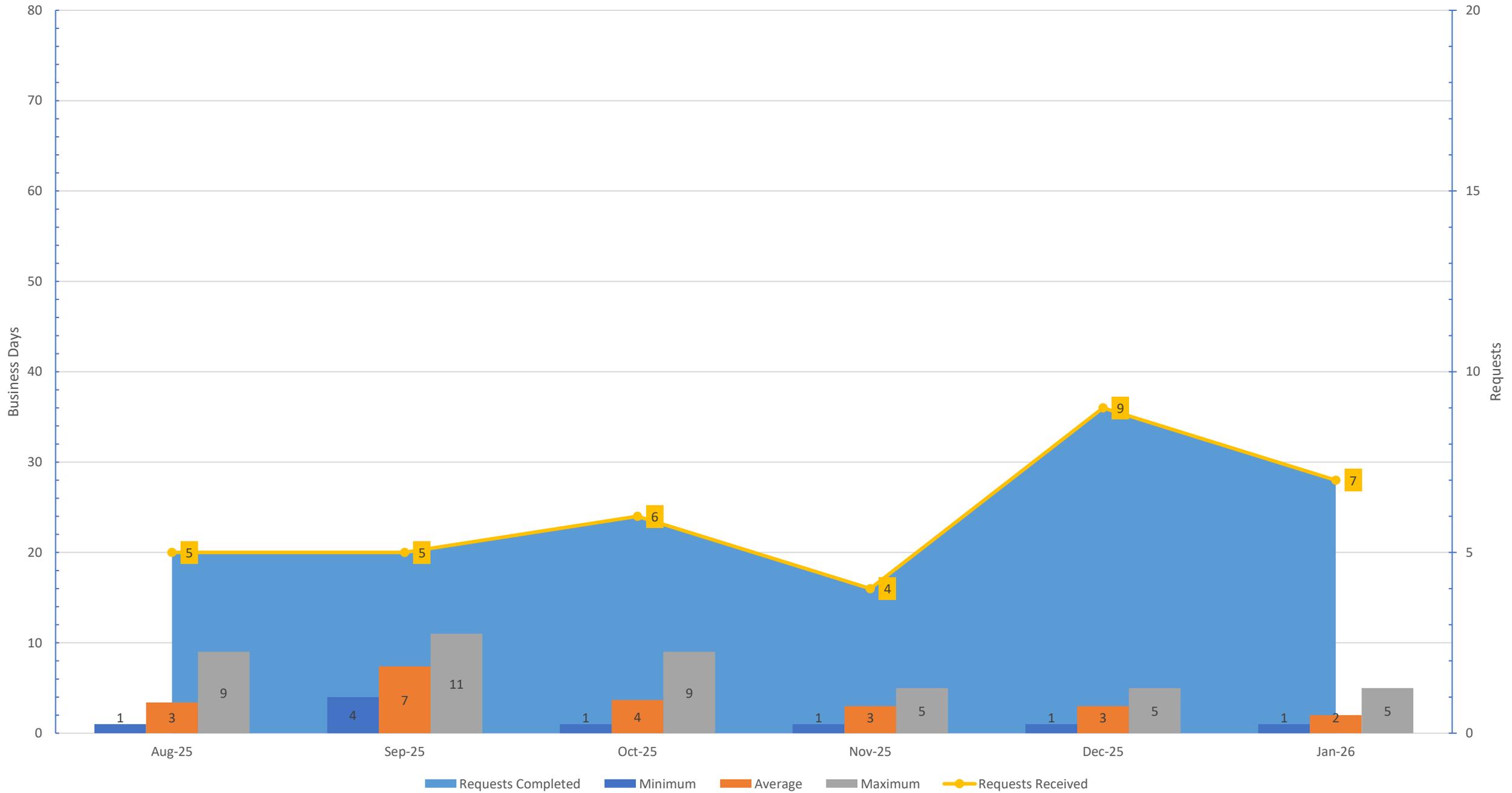
January 22, 2025 – February 11, 2026 Highlights

- Cases opened: 633
- Cases closed due to voluntary compliance: 239
- Property inspections: 1967
- Lien searches requested: 721

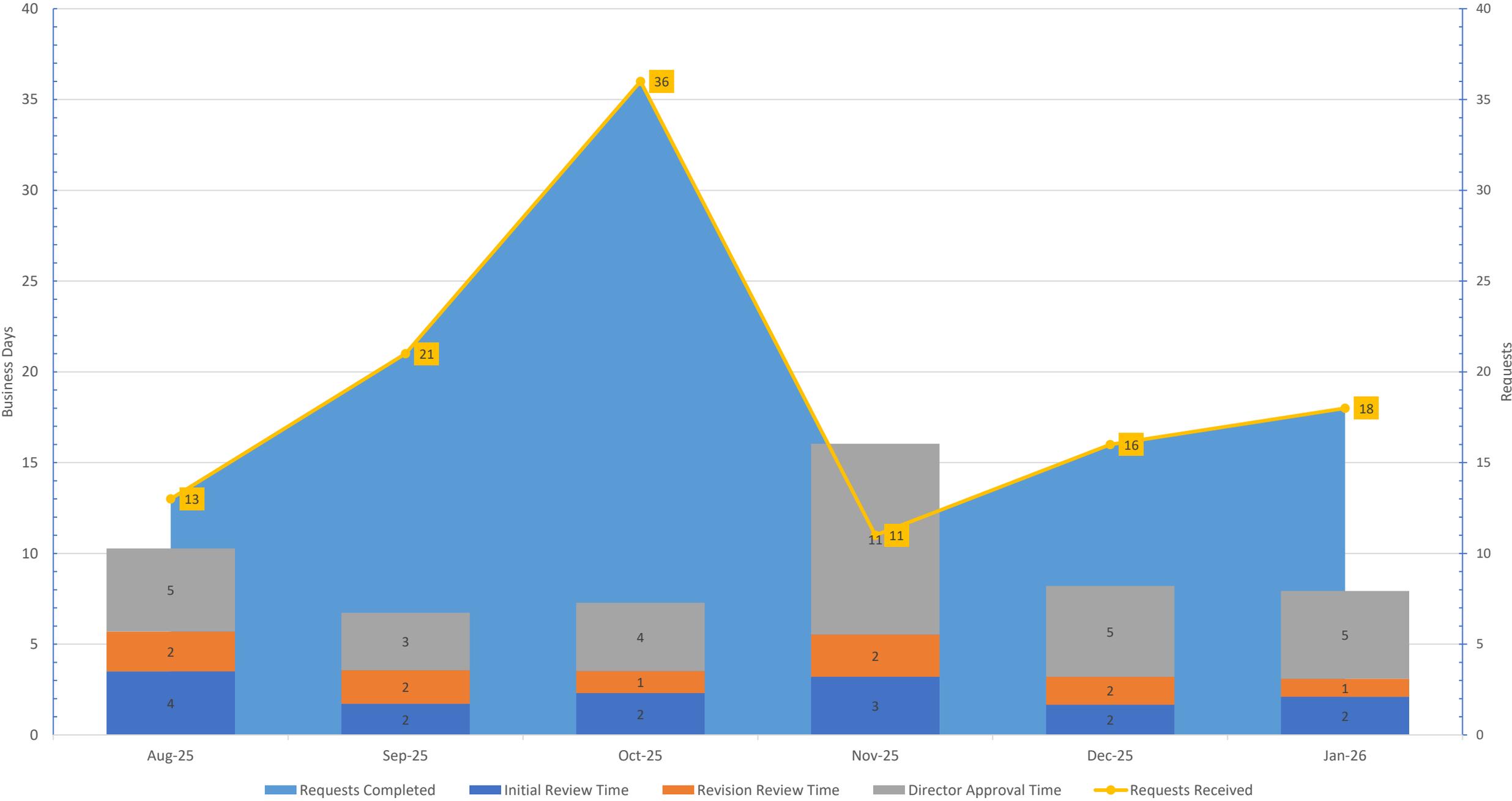
Top 15 Code Cases by Category



Response Time - Letters of Availability



Response Time - FDEP Permits



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LAND DEVELOPMENT CODE AMENDMENT

PETITION

PL20250004659

SUMMARY OF AMENDMENT

This Land Development Code (LDC) amendment proposes to update LDC section 5.02.00 Home Occupations to ensure consistency between the County’s regulations and the changes that were recently made to the Florida Statutes relative to home-based businesses. 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).

ORIGIN

Growth Management
Community Development
Department (GMCD)

HEARING DATES

Board	TBD
CCPC	TBD
DSAC	03/4/2026
DSAC-LDR	01/20/2026 05/20/2025

LDC SECTION TO BE AMENDED

5.02.00	HOME OCCUPATIONS
5.02.01	Applicability
5.02.02	Allowable Home Occupation Uses
5.02.03	Standards

ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR
Approved with Conditions

DSAC
TBD

CCPC
TBD

BACKGROUND

The County’s original provisions for home occupational uses were introduced into the LDC, pursuant to Ordinance 1980-04. The adoption of Ordinance 1995-31 established the current travelling prohibition to and from the residence, by customers, employees, and clients of the business operating as a home occupation. These standards have remained relatively unchanged, except for several minor amendments and the most recent occurring in 2005 which prohibited the gathering or parking at the residence.

On July 1, 2021, F.S. 559.955 Home-Based Businesses, became an effective law that allow small business entrepreneurs to use residential property in ways that are consistent with residential land use (see Exhibit A). The law sets forth criteria that home-based businesses must meet to operate in areas zoned for residential use. It stipulates that “the local government may not enact or enforce any ordinance, regulation, or policy, or take any action to license or otherwise regulate a home-based business in a manner that is different from other businesses in a local government’s jurisdiction.” It is noteworthy, by F.S. 559.955 (4), that “Any adversely affected current or prospective home-based business owner may challenge any local government action in violation of this section. The prevailing party in a challenge may recover reasonable attorney fees and costs incurred in challenging or defending the action, including reasonable appellate attorney fees and costs.”

On September 9, 2025, the Collier County Board of County Commissioners voted to pass Ordinance 2025-36, codifying F.S. 559.955 into the Collier County Code of Laws and Ordinances to allow Code Enforcement of home-based businesses consistent with the terms of the statute. As such, the purpose and intent of this LDC amendment is to update LDC section 5.02.00 to comply with current State law and allign with our Code of Laws and Ordinances.

DSAC-LDR Subcommittee Recommendation:

On January 20, 2026, the DSAC-LDR Subcommittee recommended approval with the condition that staff would ask the County Attorney’s Office about implementing hours of operation within the Ordinance.

FISCAL & OPERATIONAL IMPACTS

No fiscal impacts are anticipated.

GMP CONSISTENCY

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

EXHIBITS: A) F.S. 559.955; B) Ord. 2025-36

Amend the LDC as follows:

1
2 **5.02.00 – HOME-BASED BUSINESSES OCCUPATIONS**

3
4 **5.02.01 – Applicability**

5
6 Home-based businesses shall be allowed inside any dwelling within any zoning district that
7 ~~permits residential dwellings as a permitted use. occupations shall be allowed in any zoning~~
8 ~~district which permits residential dwellings as a permitted use.~~ A business is considered a home-
9 based business if it operates, in whole or in part, from a residential property and meets the
10 provisions of LDC section 5.02.00.

11
12 **5.02.02 - Allowable Home-Based Business Occupation Uses**

13
14 Unless otherwise expressly permitted by applicable statutes or residential zoning regulations,
15 including but not limited to mixed-use developments and Planned Unit Developments, only
16 commercial activity meeting the definition of home-based businesses, as defined by Section
17 559.955, Florida Statutes, is permitted on property zoned for residential use. There shall be no
18 ~~retail sale of materials, goods, or products from the premises.~~ transactions at a structure other
19 than the residential dwelling; however, incidental business uses and activities may be conducted
20 at the residential property.

21
22 **5.02.03 - Standards**

23
24 The home-based business occupation shall be ~~clearly incidental~~ secondary to the use of the
25 property dwelling for residential dwelling purposes. ~~The existence of the home occupation shall~~
26 ~~not change the character of the dwelling.~~ In addition, all home-based businesses on property
27 zoned for residential purposes must operate subject to the following provisions, conditions, and
28 restrictions:

- 29
30 A. An allowable home-based business occupation shall be conducted by an occupant of
31 the dwelling. The employees who work at the residential dwelling must also reside in the
32 residential dwelling, except that up to a total of two employees or independent contractors
33 who do not reside at the residential dwelling may work at the business. The business may
34 have additional remote employees that do not work at the residential dwelling.
35
36 ~~B. There shall be no on-site or off-site advertising signs.~~
37
38 ~~C. The use shall not generate more traffic than would be associated with the allowable~~
39 ~~residential use. To that end, traveling to and from as well as meeting or parking at the~~
40 ~~residence by either employees of the business operated therefrom who are not residing~~
41 ~~at the subject address or by customers or clients of the home occupations is prohibited.~~
42
43 ~~D. There shall be no receiving of goods or materials other than normal delivery by the U.S.~~
44 ~~Postal Service or similar carrier.~~
45
46 ~~E. Parking or storage of commercial vehicles or equipment shall be allowable only in~~
47 ~~compliance with the requirements for commercial vehicles in the Code. Parking related~~
48 ~~to the business activities of the home-based business must comply with the zoning~~
49 ~~requirements applicable to other residential properties with the same zoning district, and~~

1 the need for parking generated by the business shall not be greater in volume than would
2 normally be expected at a similar residence where no business is conducted. Home-
3 based businesses must comply with any regulations pertaining to the operation or parking
4 of vehicles or trailers at the business or on a street right-of-way as such regulations would
5 apply to a residence where no business is conducted. Vehicles and trailers used in
6 connection with the home-based business must be parked in legal parking spaces that
7 are not located within the right-of-way, on or over a sidewalk, or on any unimproved
8 surfaces at the residence.

9
10 FC. The business activities shall comply with any relevant local or State regulations with
11 respect to signage and equipment or processes that create ~~The on-site use of any~~
12 ~~equipment or materials shall not create or produce excessive~~ noise, vibrations, heat,
13 noxious odor, obnoxious fumes, dust, glare, or smoke, as such regulations apply to other
14 residencies where no business is conducted.

15
16 D. No heavy equipment, defined herein as commercial, industrial, or agricultural vehicles,
17 equipment, or machinery, may be parked or stored such that such equipment is visible
18 from the street or neighboring property.

19
20 E. As viewed from the street, the use of the residential property is consistent with the uses
21 of the residential areas that surround the property. External modifications made to a
22 residential dwelling to accommodate a home-based business must conform to the
23 residential character and architectural aesthetics of the neighborhood.

24
25 ~~G.~~ ~~The on-site use of any equipment or tools shall not create any amount of vibration or~~
26 ~~electrical disturbance.~~

27
28 HF. All business activities shall comply with any relevant local, state, and federal regulations
29 with respect to the use, storage, or disposal of any corrosive, combustible, or other
30 hazardous or flammable materials or liquids as such regulations would apply to a
31 residence where no business is conducted. ~~No on-site use or storage of any hazardous~~
32 ~~material shall be kept in such an amount as to be potentially dangerous to persons or~~
33 ~~property outside the confines of the home occupation.~~

34
35 ~~I.~~ ~~There shall be no outside storage of goods or products, except plants. Where plants are~~
36 ~~stored, no more than fifty (50) percent of the total square footage of the lot may be used~~
37 ~~for plant storage.~~

38
39 JG. Nothing herein may be deemed to excuse or exempt the owner or operator of a home-
40 based business from paying any taxes, including business tax receipts, that may be due
41 an owing in connection with the operation or establishment of any such businesses or
42 complying with any federal or state occupational or licensure requirements.
43 ~~A home occupation shall be subject to all applicable County occupational licenses and~~
44 ~~other business taxes.~~

45
46 # # # # # # # # # # # # #

Select Year:

The 2025 Florida Statutes

[Title XXXIII](#)REGULATION OF TRADE, COMMERCE,
INVESTMENTS, AND SOLICITATIONS[Chapter 559](#)REGULATION OF TRADE, COMMERCE,
AND INVESTMENTS, GENERALLY[View Entire
Chapter](#)**559.955 Home-based businesses; local government restrictions.—**

- (1) Local governments may not enact or enforce any ordinance, regulation, or policy or take any action to license or otherwise regulate a home-based business in violation of this section.
- (2) A home-based business that operates from a residential property as provided in subsection (3):
- (a) May operate in an area zoned for residential use.
 - (b) May not be prohibited, restricted, regulated, or licensed in a manner that is different from other businesses in a local government's jurisdiction, except as otherwise provided in this section.
 - (c) Is only subject to applicable business taxes under chapter 205 in the county and municipality in which the home-based business is located.
- (3) For purposes of this section, a business is considered a home-based business if it operates, in whole or in part, from a residential property and meets the following criteria:
- (a) The employees of the business who work at the residential dwelling must also reside in the residential dwelling, except that up to a total of two employees or independent contractors who do not reside at the residential dwelling may work at the business. The business may have additional remote employees that do not work at the residential dwelling.
 - (b) Parking related to the business activities of the home-based business complies with local zoning requirements and the need for parking generated by the business may not be greater in volume than would normally be expected at a similar residence where no business is conducted. Local governments may regulate the use of vehicles or trailers operated or parked at the business or on a street right-of-way, provided that such regulations are not more stringent than those for a residence where no business is conducted. Vehicles and trailers used in connection with the business must be parked in legal parking spaces that are not located within the right-of-way, on or over a sidewalk, or on any unimproved surfaces at the residence. Local governments may regulate the parking or storage of heavy equipment at the business which is visible from the street or neighboring property. For purposes of this paragraph, the term "heavy equipment" means commercial, industrial, or agricultural vehicles, equipment, or machinery.
 - (c) As viewed from the street, the use of the residential property is consistent with the uses of the residential areas that surround the property. External modifications made to a residential dwelling to accommodate a home-based business must conform to the residential character and architectural aesthetics of the neighborhood. The home-based business may not conduct retail transactions at a structure other than the residential dwelling; however, incidental business uses and activities may be conducted at the residential property.
 - (d) The activities of the home-based business are secondary to the property's use as a residential dwelling.
 - (e) The business activities comply with any relevant local or state regulations with respect to signage and equipment or processes that create noise, vibration, heat, smoke, dust, glare, fumes, or noxious odors. Any local regulations on a business with respect to noise, vibration, heat, smoke, dust, glare, fumes, or noxious odors may not be more stringent than those that apply to a residence where no business is conducted.
 - (f) All business activities comply with any relevant local, state, and federal regulations with respect to the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids. Any local

regulations on a business with respect to the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids may not be more stringent than those that apply to a residence where no business is conducted.

(4) Any adversely affected current or prospective home-based business owner may challenge any local government action in violation of this section. The prevailing party in a challenge may recover reasonable attorney fees and costs incurred in challenging or defending the action, including reasonable appellate attorney fees and costs.

(5) The application of this section does not supersede:

(a) Any current or future declaration or declaration of condominium adopted pursuant to chapter 718, cooperative document adopted pursuant to chapter 719, or declaration or declaration of covenant adopted pursuant to chapter 720.

(b) Local laws, ordinances, or regulations related to transient public lodging establishments, as defined in s. [509.013\(4\)\(a\)1.](#), that are not otherwise preempted under chapter 509.

History.—s. 1, ch. 2021-202.

ORDINANCE NO. 2025- 36

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, PERTAINING TO HOME-BASED BUSINESSES; PROVIDING FOR HOME-BASED BUSINESS REGULATIONS CONSISTENT WITH GENERAL LAW; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature enacted Chapter 2021-202, Laws of Florida, codified as §559.955, Florida Statutes, with an effective date of July 1, 2021; and

WHEREAS, §559.955, Florida Statutes prohibits local governments from regulating home-based businesses in any manner inconsistent with the terms of such statute; and

WHEREAS, Collier County desires to regulate home-based businesses in a manner authorized by §559.955, Florida Statutes, including permissible regulations on employees, parking, heavy machinery, use of the premises, and external appearance; and

WHEREAS, the incorporation of the provisions of §559.955, Florida Statutes, into the Code of Ordinances of Collier County provides for local code enforcement for violations of the home-based businesses statute; and

WHEREAS, the Board of County Commissioners (“Board”) now desires to incorporate the provisions §559.955, Florida Statutes into the Collier County Code of Ordinances.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

SECTION ONE: TITLE.

This Ordinance shall be known and may be cited as the “Collier County Home Based Businesses Ordinance.”

SECTION TWO: CREATION OF ARTICLE 12, SECTION 26- HOME-BASED BUSINESSES.

Article 12, Section 26-461, Home-Based Businesses, is hereby created and added to Chapter 26 of the Collier County Code of Ordinances and shall state the following:

Article 12, Section 26-461 Home-based businesses

- (1) It is the purpose of this section to provide for the orderly conduct of a limited commercial activity on property otherwise zoned for residential purposes.
- (2) Unless otherwise expressly permitted by applicable statutes or residential zoning regulations, including but not limited to mixed-use developments and planned unit developments, only commercial activity meeting the definition of home-based businesses, as defined in §559.955, Florida Statutes, is permitted on property zoned for residential use.
- (3) Home Occupations/home-based business shall be allowed inside any dwelling within any zoning district that permits residential dwellings as a permitted use.
- (4) All home-based businesses located on property zoned for residential purposes must operate subject to the following provisions, conditions, and restrictions:
 - a. The employees of the business who work at the residential dwelling must also reside in the residential dwelling, except that up to a total of two employees or independent contractors who do not reside at the residential dwelling may work at the business. The business may have additional remote employees that do not work at the residential dwelling.
 - b. Parking related to the business activities of the home-based business must comply with zoning requirements applicable to other residential properties with the same zoning classification, and the need for parking generated by the business may not be greater in volume than would normally be expected at a similar residence where no business is conducted. Home-based businesses must comply with any regulations pertaining to the operation or parking of vehicles or trailers at the business or on a street right-of-way as such regulations would apply to a residence where no business is conducted. Vehicles and trailers used in connection with the home-based business must be parked in legal parking spaces that are not located within the right-of-way, on or over a sidewalk, or on any unimproved surfaces at the residence.
 - c. No heavy equipment, defined herein as commercial, industrial, or agricultural vehicles, equipment, or machinery, may be parked or stored such that such equipment is visible from the street or neighboring property.
 - d. As viewed from the street, the use of the residential property is consistent with the uses of the residential areas that surround the property. External modifications made to a residential dwelling to accommodate a home-based business must conform to the residential character and architectural aesthetics of the neighborhood.
 - e. The home-based business may not conduct retail transactions at a structure other than the residential dwelling; however, incidental business uses and activities may be conducted at the residential property.
 - f. The activities of the home-based business are secondary to the property's use as

a residential dwelling.

g. The business activities comply with any relevant local or state regulations with respect to signage and equipment or processes that create noise, vibration, heat, smoke, dust, glare, fumes, or noxious odor as such regulations apply to other residences where no business is conducted.

h. All business activities comply with any relevant local, state, and federal regulations with respect to the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids as such regulations would apply to a residence where no business is conducted.

(5) Nothing herein may be deemed to excuse or exempt the owner or operator of a home-based business from paying any taxes, including business tax receipts, that may be due or owing in connection with the operation or establishment of any such business or complying with any federal or state occupational or licensure requirements.

(6) Exemption. Anyone who can demonstrate to the County Staff's satisfaction that they utilized their property as a home-based business, not consistent with this Ordinance, for a period of five years, from the date of adoption of this Ordinance, shall be exempted from the provisions of this Ordinance. Staff may require any reasonable documentation and proof of this use.

SECTION THREE: VIOLATIONS AND ENFORCEMENT.

All violations of this Ordinance may be processed according to the Collier County Consolidated Code Enforcement Ordinance (Ord. No. 2010-04, as amended) and per provisions of Chapter 162, pts. I or II, Florida Statutes, as may be applicable.

SECTION FOUR: INCLUSION IN THE CODE OF LAWS AND ORDINANCES.

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

SECTION FIVE: CONFLICT AND SEVERABILITY.

In the event this Ordinance conflicts with any general law pertaining to home-based businesses, general law will govern and control the interpretation and application of this Ordinance. If any phrase or portion of the Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION SIX: EFFECTIVE DATE.

This Ordinance shall take effect immediately upon receipt of the official acknowledgment from the office of the Secretary of State of Florida that this Ordinance has been filed with that office.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 9th day of September 2025.

ATTEST:
CRYSTAL K. KINZEL, CLERK

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

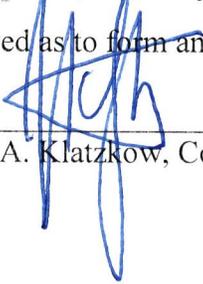
By: _____


Deputy Clerk
Attest as to Chairman's
signature only

By: _____


Burt L. Saunders, Chairman

Approved as to form and legality:



Jeffrey A. Klatzkow, County Attorney

This ordinance filed with the
Secretary of State's Office the
10 day of September 2025
and acknowledgement of that
filing received this 10 day
of September 2025.
By: 
Deputy Clerk



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

September 10, 2025

Crystal K. Kinzel
Clerk of Court
Collier County
3329 Tamiami Trail E, Suite #401
Naples, FL 34112

Dear Crystal Kinzel,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Collier County Ordinance No. 2025-36, which was filed in this office on September 10, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp