

ORDINANCE NO. 2025- 068

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS AMENDING ORDINANCE 89-05, AS AMENDED, THE COLLIER COUNTY GROWTH MANAGEMENT PLAN, SPECIFICALLY AMENDING THE FUTURE LAND USE ELEMENT AND MAP SERIES TO CREATE THE GREENWAY – FRITCHEY RESIDENTIAL OVERLAY (GMPA) ON PROPERTY WITHIN THE AGRICULTURAL/ RURAL, RURAL FRINGE MIXED USE DISTRICT-RECEIVING LANDS, TO ALLOW UP TO 1299 SINGLE FAMILY AND MULTIFAMILY UNITS WITH AFFORDABLE HOUSING; AND FURTHERMORE DIRECTING TRANSMITTAL OF THE ADOPTION AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMERCE. THE SUBJECT PROPERTY IS 227.09± ACRES AND LOCATED ON THE NORTHEASTERN INTERSECTION OF GREENWAY ROAD AND FRITCHEY ROAD IN SECTION 7, TOWNSHIP 51 SOUTH, RANGE 27 EAST, COLLIER COUNTY, FLORIDA. [PL20220002063]**

WHEREAS, Collier County, pursuant to Section 163.3161, et. seq., Florida Statutes, the Community Planning Act, formerly the Florida Local Government Comprehensive Planning and Land Development Regulation Act, was required to prepare and adopt a comprehensive plan; and

WHEREAS, the Collier County Board of County Commissioners adopted the Collier County Growth Management Plan on January 10, 1989; and

WHEREAS, the Community Planning Act of 2011 provides authority for local governments to amend their respective comprehensive plans and outlines certain procedures to amend adopted comprehensive plans; and

WHEREAS, Greenway Fritchey Land, LLC and Habitat for Humanity of Collier County, Inc. requested an amendment to the Future Land Use Element and Future Map Series to create the Greenway – Fritchey Residential Overlay (GMPA) on property within the Agricultural/ Rural, Rural Fringe Mixed Use District-Receiving Lands, to allow up to 1299 single family and multifamily units with affordable housing; and

WHEREAS, Collier County transmitted the Growth Management Plan amendments to the Department of Commerce for preliminary review on July 2, 2025, after public hearings before the Collier County Planning Commission and the Board of County Commissioners; and

WHEREAS, the Department of Commerce reviewed the amendments to the Future Land Use Element to the Growth Management Plan and transmitted its comments in writing to Collier County within the time provided by law; and

WHEREAS, Collier County, has 180 days from receipt of the Comments Report from the Department of Commerce to adopt, adopt with changes or not adopt the proposed amendments to the Growth Management Plan; and

WHEREAS, Collier County has gathered and considered additional information, data and analysis supporting adoption of these amendments, including the following: the Collier County Staff Report, the documents entitled Collier County Growth Management Plan Amendments and other documents, testimony and information presented and made a part of the record at the public hearings of the Collier County Planning Commission held on October 16, 2025, and the Collier County Board of County Commissioners held on December 9, 2025; and

WHEREAS, all applicable substantive and procedural requirements of the law have been met.

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

SECTION ONE: ADOPTION OF AMENDMENTS TO THE GROWTH MANAGEMENT PLAN

The amendments to the Future Land Use Element attached hereto as Exhibit “A” and incorporated herein by reference, are hereby adopted in accordance with Section 163.3184, Florida Statutes, and shall be transmitted to the Florida Department of Commerce.

SECTION TWO: SEVERABILITY.

If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION THREE: EFFECTIVE DATE.

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before it has become effective.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this 9<sup>th</sup> day of December 2025.

ATTEST:  
CRYSTAL K. KINZEL, CLERK

BOARD OF COUNTY COMMISSIONERS  
COLLIER COUNTY, FLORIDA

By: *Crystal Kinzel*  
Deputy Clerk  
Attest as to Chairman's  
signature only

By: *Burt L. Saunders*  
Burt L. Saunders, Chairman

Approved as to form and legality:

*Heidi Ashton-Cicko* HFAC  
Heidi Ashton-Cicko 8-19-25  
Managing Assistant County Attorney

This ordinance filed with the  
Secretary of State's Office the  
12 day of December 2025  
and acknowledgement of that  
filing received this 15 day  
of December, 2025  
By: *Crystal Kinzel*  
Deputy Clerk

Attachment: Exhibit A –Proposed Text and Map Amendment

Exhibit A

FUTURE LAND USE ELEMENT

II. IMPLEMENTATION STRATEGY

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Policy 1.9:

Overlays and Special Features shall include:

- A. Area of Critical State Concern
- B. North Belle Meade Overlay

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- M. Immokalee Road Rural Village Overlay
  - N. Collier Boulevard/Interstate 75 Innovation Zone Overlay
  - O. US 41 East Overlay
- Incorporated Areas
- P. JLM Living East Residential Overlay
  - Q. Greenway – Fritchey Residential Overlay

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V. OVERLAYS AND SPECIAL FEATURES

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Q. Greenway – Fritchey Residential Overlay

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The Greenway – Fritchey Residential Overlay is comprised of 19 parcels totaling approximately 227.09 acres and is located at the northeastern corner of Greenway Road and Fritchey Road, in Section 7, Township 51 South, Range 27 East. It is depicted on the Greenway – Fritchey Residential Overlay Map. The purpose of this overlay is to allow single- and multi-family dwelling units, including housing that is affordable. Development in this Overlay is subject to the following:

- a. The Overlay shall be rezoned to the Planned Unit Development (PUD) zoning district.
- b. Allowable uses are limited to residential, both single- and multi-family dwelling units.
- c. Density shall be limited to 5.72 dwelling units per acre (DU/A), yielding a maximum of 1,299 dwelling units.
- d. Income-restricted (“for sale”) affordable housing shall be provided as follows:

- 1. Twenty percent (20%) of the total units will be sold to households whose initial certified incomes are up to and including 80% of the Area Median Income (AMI) for Collier County.
- 2. These units will be committed for a period of 30 years from the date of the issuance of the certificate of occupancy and sold to households that qualify for the designated income thresholds.
- 3. Households shall occupy the property as their primary residence as evidenced by maintenance of homestead exemption.
- 4. Prior to the initial sale of any of the affordable units, the owner and developer will record a restrictive covenant in the public records of Collier County identifying the affordable set-aside units and the income threshold pertaining to each unit. The covenant will state that each unit will be initially sold and subsequently sold to qualifying households for a period of 30 years from the issuance of the Certification of Occupancy for each unit. The covenant will also state that at least 30 days prior to the initial sale or subsequent sale of any unit, the County’s Community and Human Services Division, or its designee, will be notified in writing and provided documents for income verification and certification on forms acceptable to Collier County. The closing on the sale may occur after the County, or its designee, confirms that the household qualifies for the designated income thresholds.
- 5. For the purposes of this Ordinance, income verification, and certification shall be based on the most recent year’s filed income tax return for each occupant who had filed and will occupy the affordable housing unit.

- 1. Income verification and certification for households or household members who had not filed the most recent year’s tax return may be based on written verification to verify all regular sources of income to the household member. The written verification shall include, at a minimum, the purpose of the verification, a statement to release information, employer verification of gross annual income or rate of pay, number of hours worked, frequency of pay, bonuses, tips, and commissions and signature block with the date of verification. The verification shall be valid for up to 90 days prior to occupancy. Upon expiration of the 90-day period, the information may be verbally updated from the original sources for an additional 30 days, provided it has been documented by the person preparing the original verification. After this time, a new verification form must be completed.

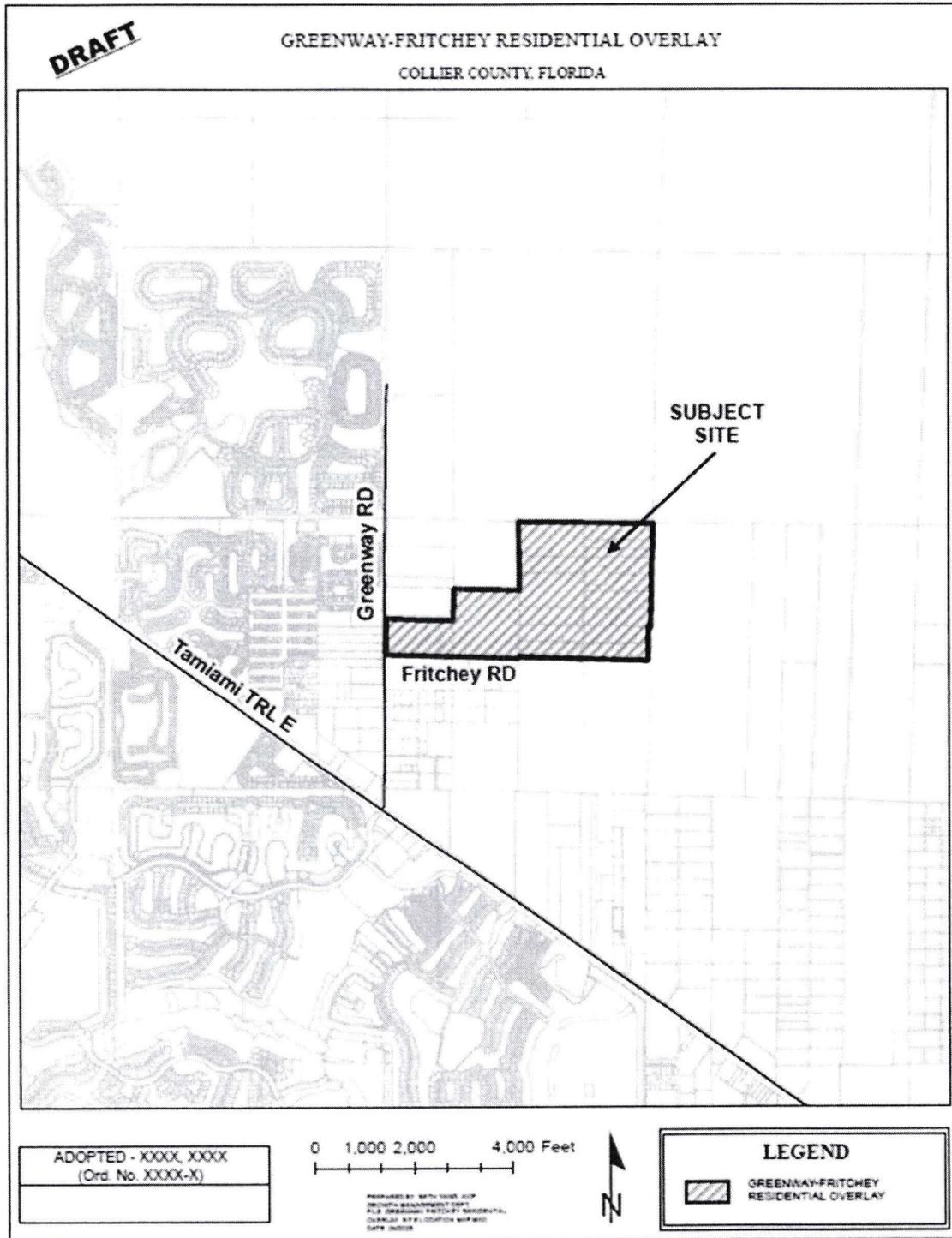
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FUTURE LAND USE MAP SERIES

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- Boat House Commercial Subdistrict Map
- JLM Living East Residential Overlay Map
- Mattson at Vanderbilt Residential Subdistrict Map
- Greenway – Fritchey Residential Overlay Map







**FLORIDA DEPARTMENT *of* STATE**

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

December 15, 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. 2025-068, which was filed in this office on December 12, 2025.

Sincerely,

Alexandra Leijon  
Administrative Code and Register Director

AL/dp