

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	07/16/2026
DSAC	06/03/2026
DSAC-LDR	12/16/2025
	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

Approval with recommendations

DSAC

Approval

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.

It should be noted that the BMHEO bonus TDR credit was only applicable within two (2) years from the effective date of the adoption of Ordinance 2023-25 (adopted May 23, 2023). Because the GMP provision for the BMHEO

bonus TDR credit has expired and therefore, no new provisions related to the TDR credit in the BMHEO is proposed with this LDC amendment. It also should be noted that the adoption of Ordinance 2025-59 allows for a higher Floor Area Ratio in most areas of the County, except where expressly noted in the GMP. The RFMUD designation in the GMP limits the FAR of group homes to 0.45. The Board will have to determine if a greater FAR should be allowed in the RMFUD. Should the Board decide to authorize a higher FAR, both a GMP amendment and corresponding LDC amendment will be necessary.

DSAC-LDR Subcommittee Recommendation: On December 16, 2025, the DSAC-LDR Subcommittee recommended approval of the proposed LDC amendment, contingent upon the following edits: (1) reduction in width of the external boundary from 12 feet to 10 feet; (2) add the word "public" before the word "conservation"; (3) increase width of landscape islands, from 10 feet to 15 feet; and (4) decrease the minimum tree height in landscape islands, from 12 feet to 10 feet.

DSAC Recommendation: On June 3, 2026, the DSAC recommended approval of the proposed LDC amendment. There was one public speaker who inquired about the expired date as it pertains to the prohibition on severance of development rights in LDC section 2.03.07 D.4.c.vi. Any change to the date requires a companion GMP amendment.

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.

GMP CONSISTENCY

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

EXHIBITS: A) None

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 lands for development to more suitable lands for development ~~non-RFMU sending areas and RFMU sending lands to more suitable non-RFMU receiving areas and RFMU receiving lands.~~

- 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.

* * * * *

- b. Transfer of **development** rights from urban areas to urban areas. An owner of land located within areas designated as urban on the Future Land Use Map, including agriculturally zoned properties, which may or may not be identified with the ST overlay, may elect to transfer some or all of the residential **development** rights from one **parcel** of land to another **parcel**, as an alternative to the **development** of the sending lands. The lands to which the **development** rights are to be transferred shall be referred to as receiving lands and those lands from which **development** rights are transferred shall be referred to as sending lands, as provided herein and shall be located within the urban designated areas of the county. Development rights shall not be transferred into the coastal high hazard

1 area from outside the Coastal High Hazard Area, as depicted on the
2 countywide Future Land Use Map in the Collier County GMP.

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4 * * * * *

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

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7 i. Creation of TDR credits.

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9 a) TDR credits are generated from RFMU sending lands at a
10 rate of 2~~4~~ TDR credits per 5 acres of RFMU ~~S~~ending ~~L~~and
11 or, for those legal non-conforming lots or parcels of less than
12 5 acres that were in existence as of June 22, 1999, at a rate
13 of 2~~4~~ TDR credits per legal non-conforming lot or parcel.

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

18
19 # of acres x 0.4~~2~~ = # of TDR credits generated.

20
21 Where the number of TDR credits thus calculated is a
22 fractional number, the number of TDR credits created shall
23 be rounded to the nearest 1/100th.

24
25 ii. Creation of TDR Bonus credits. TDR Bonus credits shall only be
26 generated from RFMU sending land property from which TDR
27 credits have been severed. The ~~three~~ types of TDR Bonus credits
28 are as follows:

29
30 a) Environmental Restoration and Maintenance Bonus credits.
31 Environmental Restoration and Maintenance Bonus credits
32 are generated at a rate of up to 0.6~~4~~ credits for each acre
33 ~~TDR credit~~ severed from that RFMU sending land for which
34 a Restoration and Management Plan (RMP) has been
35 accepted by the County but in no case less than 0.2 TDR
36 credits per acre. In order for the County to ~~be~~ accepted an
37 RMP, ~~a~~the RMP shall satisfy the following:

38
39 i) ~~1)~~ The RMP shall include a listed species
40 management plan.

41
42 ii) ~~2)~~ The RMP shall comply with the criteria set
43 forth in LDC section 3.05.08.A.7 and B.

44
45 iii) ~~3)~~ The RMP shall provide financial assurance,
46 in the form of a letter of credit or similar financial
47 security, establishing that the RMP shall remain in
48 place and be performed, until the earlier of the
49 following occurs:

1
2 1) ~~a.~~ Viable and sustainable ecological
3 and hydrological functionality has been
4 achieved on the property as measured by the
5 success criteria set forth in the RMP.
6

7 2) ~~b.~~ The property is conveyed to a
8 County, state, or federal agency as provided
9 in b) below.
10

11 iv) ~~4)~~ The RMP shall provide for the exotic
12 vegetation removal and maintenance to be
13 performed by an environmental contractor
14 acceptable to the County.
15

16 v) In the case of legal nonconforming lots or parcels in
17 existence as of June 22, 1999, where such lot or
18 parcel is less than 5 acres, up to three TDR credits
19 may be severed from said lot or parcel depending on
20 the activities contained in this section that are
21 performed.
22

23 vi) The generation rate of bonus credits up to a
24 maximum of 0.6 TDR credits shall be based on the
25 type of activity completed and meeting additional
26 criteria as follows:
27

28 1) Exotic vegetation removal, non-native
29 vegetation and nuisance or invasive plant
30 control and maintenance shall generate 0.2
31 TDR credits for each acre of exotic
32 vegetation removal, and control and
33 maintenance.
34

35 2) Listed species restoration areas, other than
36 wading birds, shall generate 0.3 TDR credits
37 for each acre of restored land that has met
38 applicable success criteria as determined by
39 the public agency authorizing said
40 restoration.
41

42 3) Wading bird restoration areas shall generate
43 0.4 TDR credits for each acre of restored
44 land that has met applicable success criteria
45 as determined by the public agency
46 authorizing said restoration.
47

48 4) Connector wetlands and flow way restoration
49 areas shall generate 0.6 TDR credits for

1 each acre of restored land that has met
2 applicable success criteria as determined by
3 the public agency authorizing said
4 restoration.

5
6 5) Large mammal corridor creation, restoration,
7 or enhancement shall generate 0.6 TDR
8 credits for each acre of land created,
9 restored, or enhanced upon demonstration
10 that the respective activities have met
11 applicable success criteria as determined by
12 the public agency authorizing said activities.

13
14 b) Conveyance Bonus credits. Conveyance Bonus credits are
15 generated at a rate of 1 credit for each 5-acre parcel ~~TDR~~
16 ~~credit~~ severed from that RFMU sending land that is
17 conveyed in fee simple to a government agency as a gift, or
18 to a not-for-profit entity or land trust, approved by the Board
19 of County Commissioners, by gift. Conveyance Bonus
20 credits shall only be generated from those RFMU sending
21 land properties on which an RMP has been accepted as
22 provided in a) above.

23
24 ~~c) Early Entry Bonus credits. Early Entry Bonus credits shall~~
25 ~~be generated at a rate of 1 additional credit for each TDR~~
26 ~~credit that is severed from RFMU sending land for the period~~
27 ~~from March 5, 2004, until September 27, 2022, unless~~
28 ~~further extended by resolution by the Board of County~~
29 ~~Commissioners. Early Entry Bonus credits shall cease to be~~
30 ~~generated after the termination of this early entry bonus~~
31 ~~period. However, Early Entry Bonus credits may continue to~~
32 ~~be used to increase density in RFMU and non- RFMU~~
33 ~~Receiving Lands after the termination of the Early Entry~~
34 ~~Bonus period.~~

35
36 iii. Calculation of TDR Bonus credits.

37
38 a) Environmental Restoration and Maintenance Bonus credits
39 are calculated as follows:

40
41 # TDR credits generated from property × % property subject
42 to an approved RMP.

43
44 b) Conveyance Bonus credits are calculated as follows:

45
46 # TDR credits generated from property × % property subject
47 to an approved RMP and conveyed as provided in ii.b)
48 above.

e) ~~Early Entry Bonus credits are calculated as follows:~~

~~# TDR credits generated within Early Entry period × 1.~~

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

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

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

i. Creation of TDR credits from RFMU neutral lands or receiving lands, including lands within the NBMO. A TDR credit shall be issued to the owner of private property for each five (5) acre parcel or legal nonconforming lot of record designated neutral lands, or

1 receiving Lands, including lands within the NBMO, at the transfer
2 rate of one (1) TDR credit for each five acres or legal nonconforming
3 lot of record, utilized for conservation use. A perpetual easement
4 shall be placed on such conservation lands used for conservation
5 uses to protect these lands in perpetuity. A restrictive covenant in
6 favor of Collier County will be placed on lands used for conservation
7 restricting the use in perpetuity to protect against non-conservation
8 development. This TDR credit shall not apply to receiving lands or
9 neutral lands, including lands within the NBMO that are preserved
10 within a development project to comply with Native Vegetation
11 Preservation requirements.

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13 ii. Receipt of TDR credits from RFMU neutral lands, or receiving
14 lands, including receiving lands within the NBMO. TDR credits from
15 RFMU neutral lands, or receiving lands, including receiving lands
16 within the NBMO may be redeemed into Urban Areas, the Urban
17 Residential Fringe, and RFMU receiving lands, as provided in LDC
18 subsections 2.03.07 D.4.e. and f. below.

19
20 iii. Prohibition on redemption of fractional TDR credits. While fractional
21 TDR credits may be created, TDR credits may only be redeemed in
22 increments of whole, not fractional, dwelling units.

23
24 ed. Redemption of TDRs into non-RFMU receiving areas.

25
26 i. Redemptions into the GMP Urban Residential Fringe Subdistrict
27 shall be permitted exclusively through the use of TDR credits and
28 TDR Bonus credits derived from the RFMU to increase density by
29 a maximum of 1.0 dwelling units per acre, allowing for a density
30 increase from the existing allowable base density of 1.5 dwelling
31 units per acre to a maximum of 2.5 dwelling units per gross acre.

32
33 ii. Redemption into the GMP Urban Residential Subdistrict and the
34 Urban Coastal Fringe Subdistrict shall be permitted exclusively
35 through the use of TDR credits through a Growth Management Plan
36 Amendment and related rezoning process.

37
38 ~~i. Redemption of TDRs into urban area.~~

39
40 ~~a) Maximum density increase. In order to encourage~~
41 ~~residential in-fill in urban areas of existing development~~
42 ~~outside of the Coastal High Hazard Area, a maximum of 3~~
43 ~~residential dwelling units per gross acre may be requested~~
44 ~~through a rezone petition for projects qualifying under this~~
45 ~~residential infill provisions of the Future Land Use Element~~
46 ~~density Rating System, subject to the applicable provisions~~
47 ~~of Chapters 2 and 9 of this Code, and the following~~
48 ~~conditions:~~

- 1 i) ~~The project is 20 acres or less in size;~~
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3 ii) ~~At time of development, the project will be served by~~
4 ~~central public water and sewer;~~
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6 iii) ~~The property in question has no common site~~
7 ~~development plan in common with adjacent~~
8 ~~property;~~
9
10 iv) ~~There is no common ownership with any adjacent~~
11 ~~parcels; and~~
12
13 v) ~~The parcel in question was not created to take~~
14 ~~advantage of the in-fill residential density bonus and~~
15 ~~was created prior to the adoption of this provision in~~
16 ~~the Growth Management Plan on January 10, 1989.~~
17
18 vi) ~~Of the maximum 3 additional units, one (1) dwelling~~
19 ~~unit per acre shall be derived from RFMU sending~~
20 ~~lands and redeemed at Site Plan or prior to Plat~~
21 ~~recordation.~~
22
23 b) ~~Developments which meet the residential infill conditions i)~~
24 ~~through v) above may increase the base density~~
25 ~~administratively through a Site Development Plan or Plat~~
26 ~~approval by a maximum of one dwelling unit per acre by~~
27 ~~redeeming additional density derived from RFMU district~~
28 ~~Sending Lands.~~
29
30 ii. ~~Redemptions into the Urban Residential Fringe shall be permitted~~
31 ~~exclusively through the use of TDR credits and TDR Bonus credits~~
32 ~~derived from RFMU sending lands located within one mile of the~~
33 ~~Urban Boundary to increase density by a maximum of 1.0 dwelling~~
34 ~~units per acre, allowing for a density increase from the existing~~
35 ~~allowable base density of 1.5 dwelling units per acre to a maximum~~
36 ~~of 2.5 dwelling units per gross acre.~~
37

38 **f.e.** Redemption into RFMU receiving lands.

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40 i. Maximum density on RFMU receiving lands when TDR credits are
41 redeemed.
42
43 a) The base residential density allowable shall be as provided
44 in sections 2.03.08 A.2.a.(2)(a) and 2.03.08 A.2.b.(3)(a).
45
46 b) The density achievable through the redemption of TDR
47 credits and TDR Bonus credits into RFMU receiving lands
48 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)(~~h~~) 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.

g.f. 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 density in any area unless the following procedures are complied with in full.

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

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- i) ~~a~~A legal description of the property from which the RFMU TDR credits originated, including the total acreage;
 - ii) ~~a~~A title opinion establishing that, prior to the severance of the TDR credits from RFMU sending lands, such sending lands were not subject to a conservation restriction or any other development restriction that prohibited residential development;
 - iii) ~~a~~An affidavit, signed by the owner, stating that the property was not subject to a conservation restriction or any other development restriction that prohibited residential development during the period between the effective date of the title opinion and conservation easement recordation;
 - iv) ~~a~~An executed Limitation of Development Rights Agreement, prepared in accord with the form provided by the County, that limits the allowable uses on the property after the severance of TDR credits as set forth in LDC section 2.03.08 A.4.b.; and
 - v) ~~a~~A statement attesting that the TDR credits are not being severed from RFMU sending lands in violation of LDC ~~subsection 2.03.07 D.4.c.vi.b)~~ ~~of the Code~~.
 - vi) ~~d~~Documented evidence that, if the property from which TDRs are being severed is subject to a mortgage, lien, or any other security interest; the mortgagee, lien holder, or holder of the security interest has consented to the recordation of the Limitation of Development Rights Agreement required for TDR severance; transfer (sale) of TDR credit; and redemption of TDR credit.
- b) TDR Bonus credits shall not be used to increase density in either non-RFMU receiving areas or RFMU receiving lands until a TDR credit certificate reflecting the TDR Bonus credits is obtained from the County and recorded.
- ~~1) Early Entry Bonus credits. All TDR credit certificates issued by the County for the period from the effective date of this provision until September 27, 2022, unless further extended by resolution by the Board of County Commissioners, shall include one Early Entry Bonus credit or fractional Early Entry Bonus~~

1 ~~credit for each TDR credit or fractional TDR credit~~
2 ~~reflected on the TDR credit certificate. Where TDR~~
3 ~~credits were severed from March 5, 2004, until the~~
4 ~~effective date of this provision, the County shall,~~
5 ~~upon receipt of a copy of the TDR credit certificate~~
6 ~~reflecting those previously severed TDR credits,~~
7 ~~issue a TDR credit certificate entitling Early Entry~~
8 ~~Bonus credits equal in number to the previously~~
9 ~~severed TDR credits.~~

10
11 12) Environmental Restoration and Maintenance Bonus
12 credit. A TDR certificate reflecting Environmental
13 Restoration and Maintenance Bonus credits shall
14 not be issued until the County has accepted a RMP
15 for the sending lands from which the Environmental
16 Restoration and Maintenance Bonus credit is being
17 generated. Any sending lands from which TDR
18 credits have been severed may also be used for
19 mitigation programs and associated mitigation
20 activities and uses in conjunction with any county,
21 state or federal permitting. Where the Environmental
22 Restoration and Maintenance Credit is applied for
23 sending lands that are also being used (title or
24 easement) for mitigation for permits or approvals
25 from the U.S. Army Corps of Engineers, U. S. Fish
26 and Wildlife Service, Florida Department of
27 Environmental Protection, Florida Fish and Wildlife
28 Conservation Commission, or the South Florida
29 Water Management District, the County shall accept
30 as the RMP for the sending mitigation lands, the
31 restoration and/or maintenance requirements of
32 permits issued by any of the foregoing governmental
33 agencies for said lands.

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35 23) Conveyance Bonus credit. A TDR certificate
36 reflecting Conveyance Bonus credits shall not be
37 issued until the County has accepted a RMP for the
38 Sending Lands from which the Conveyance Bonus
39 credit is being generated and such sending lands
40 have been conveyed, in fee simple, to a County,
41 state, or federal government agency.

42
43 c) A PUD or DRI utilizing TDR credits or TDR Bonus credits
44 may be conditionally approved, but no subsequent
45 application for site development plan or subdivision plat
46 within the PUD or DRI shall be approved, until the developer
47 submits the following:
48

- i) Documentation that the developer has acquired all TDR credits and TDR Bonus credits needed for that phase of the development that is the subject of the site development plan or subdivision plat.
- d) The developer shall provide documentation of the acquisition of full ownership and control of all TDR credits and TDR Bonus credits needed for the development prior to the approval of any site development plan, subdivision plat, or other final local development order, other than a PUD or DRI.
- e) Each TDR credit shall have an individual and distinct tracking number, which shall be identified on the TDR certificate that reflects the TDR credit. The County TDR Activity Log shall maintain an ongoing database that categorizes all TDR credits relative to severance, transfer (sale) and redemption activity.
- f) Each TDR Bonus credit shall have an individual and distinct tracking number, which shall be identified on the TDR certificate and which shall identify the specific TDR credit associated with the TDR Bonus credit. The County TDR Registry shall maintain a record of all TDR Bonus credits, to include a designation of those that have been expended.
- g) The County bears no responsibility to provide notice to any person or entity holding a lien or other security interest in Sending Lands that TDR credits have been severed from the property or that an application for such severance has been filed.

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

*	*	*	*	*	*	*	*	*	*	*	*	*
#	#	#	#	#	#	#	#	#	#	#	#	#

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.

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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.

(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

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- 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.
 - 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.

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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 affordable 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

1 [taken as set forth in LDC section 2.03.08](#)
2 [A.2.a.\(2\)\(b\)\(i\)c\).](#)
3

4 iii. Additional density Allowed Through Other Density
5 Bonuses. Once a density of one (1) unit per acre is
6 achieved through the use of TDR credits and TDR
7 Bonus credits, additional density may be achieved
8 as follows:
9

- 10 a) A density bonus of 0.1 unit per acre shall be
11 allowed for the preservation of additional
12 native vegetation as set forth in Section
13 3.05.07 E.1. of the Code.
14
15 b) A density bonus of 0.1 units per acre shall be
16 allowed for projects that incorporate those
17 additional wetlands mitigation measures set
18 forth in [LDC S](#)section 3.05.07 F.4.b3.g.ii. ~~of~~
19 ~~the Code.~~
20

21 (3) Allowable Uses.
22

23 [\(a\) The Table of Uses below identifies uses as permitted uses](#)
24 [\(P\) or conditional uses \(CU\). Conditional uses shall require](#)
25 [approval in accordance with the procedures set forth in LDC](#)
26 [section 10.08.00.](#)
27

28 ~~(a) Uses Permitted as of Right. The following uses are~~
29 ~~permitted as of right, or as uses accessory to permitted~~
30 ~~uses:~~
31

32 ~~i. Agricultural activities, including, but not limited to:~~
33 ~~Crop raising; horticulture; fruit and nut production;~~
34 ~~forestry; groves; nurseries; ranching; beekeeping;~~
35 ~~poultry and egg production; milk production;~~
36 ~~livestock raising, and aquaculture for native species~~
37 ~~subject to the State of Florida Fish and Wildlife~~
38 ~~Conservation Commission permits. Owning,~~
39 ~~maintaining or operating any facility or part thereof~~
40 ~~for the following purposes is prohibited:~~
41

42 ~~a) Fighting or baiting any animal by the owner~~
43 ~~of such facility or any other person or entity.~~
44

45 ~~b) Raising any animal or animals intended to be~~
46 ~~ultimately used or used for fighting or baiting~~
47 ~~purposes.~~
48

1 ~~c) For purposes of this subsection, the term~~
2 ~~baiting is defined as set forth in §~~
3 ~~828.122(2)(a), F.S., as it may be amended~~
4 ~~from time to time.~~

5
6 ~~ii. Single family residential dwelling units, including~~
7 ~~mobile homes where a mobile home Zoning Overlay~~
8 ~~exists.~~

9
10 ~~iii. Multi family residential structures, if clustering is~~
11 ~~employed.~~

12
13 ~~iv. Rural villages, subject to the provisions set forth~~
14 ~~under section 2.03.08 A.2.b. below.~~

15
16 ~~v. Dormitories, duplexes and other types of staff~~
17 ~~housing, as may be incidental to, and in support of,~~
18 ~~conservation uses.~~

19
20 ~~vi. Family Care Facilities: 1 unit per 5 acres and subject~~
21 ~~to section 5.05.04 of this Code.~~

22
23 ~~vii. Staff housing as may be incidental to, and in support~~
24 ~~of, safety service facilities and essential services.~~

25
26 ~~viii. Farm labor housing limited to 10 acres in any single~~
27 ~~location:~~

28
29 ~~a) Single family/duplex/mobile home: 11~~
30 ~~dwelling units per acre; and~~

31
32 ~~b) Multifamily/dormitory: 22 dwelling units/beds~~
33 ~~per acre.~~

34
35 ~~ix. Sporting and Recreational camps not to exceed 1~~
36 ~~cabin/lodging unit per 5 gross acres.~~

37
38 ~~x. Those essential services identified as permitted~~
39 ~~uses in section 2.01.03 (A) and in accordance with~~
40 ~~the provisions, conditions and limitations set forth~~
41 ~~therein.~~

42
43 ~~xi. Golf courses or driving ranges, subject to the~~
44 ~~following standards:~~

45
46 ~~a) The minimum density shall be as follows:~~

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48 ~~i) For golf course projects: one (1)~~
49 ~~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:~~

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

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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~~

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

17
18 ~~xiv. Park, open space, and recreational uses.~~

19
20 ~~xv. Private schools.~~

21
22 (b) Accessory uses ~~shall be regulated as follows:~~

- 23
24 i. Accessory uses as set forth in LDC section 2.03.01
25 ~~of this Code.~~
26
27 ii. Accessory uses and structures that are accessory
28 and incidental to uses permitted as of right in the
29 RFMU district.
30
31 iii. Recreational facilities that serve as an integral part
32 of a residential development and have been
33 designated, reviewed, and approved on a site
34 development plan or preliminary subdivision plat for
35 that development. Recreational facilities may
36 include, but are not limited to clubhouse, community
37 center building, tennis facilities, playgrounds and
38 playfields.

39
40 (c) Any use not listed in the Table of Uses below is prohibited,
41 except for an Economic Development use that is
42 comparable in nature to the foregoing Economic
43 Development uses and is consistent with the permitted uses
44 and the purpose and intent of the RFMUD, as determined
45 by the Hearing Examiner or the Board of Zoning Appeals
46 pursuant to LDC Section 10.02.06 K. ~~Conditional uses. The~~
47 ~~following uses are permissible as conditional uses subject~~
48 ~~to the standards and procedures established in LDC section~~
49 ~~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 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 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 62-30.005(2)(a)(1) through (12), F.A.C.~~
- ~~ii. Group care facilities and other care housing facilities, other than family care facilities, subject to a maximum floor area ratio of 0.45.~~
- ~~iii. Zoos, aquariums, and botanical gardens, and similar uses.~~
- ~~iv. Facilities for the collection, transfer, processing, and reduction of solid waste.~~
- ~~v. Community facilities, such as, places of worship, childcare facilities, cemeteries, and social and fraternal organizations.~~
- ~~vi. Travel trailer recreation vehicle parks, subject to the following criteria:~~

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- ~~a) the site is adjacent to an existing travel trailer recreational vehicle site; and~~
- ~~b) the site is no greater than 100% of the size of the existing adjacent park site.~~
- ~~vii. Those essential services identified in sections 2.01.03 (G)(1) and (G)(3).~~
- ~~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>AGRICULTURAL</u>		
<u>1.</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>RESIDENTIAL</u>		
<u>2.</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>3.</u>	<u>Family Care Facilities: 1 unit per 5 acres and subject to LDC section 5.05.04.</u>	<u>P</u>
<u>4.</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>5.</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>6.</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>7.</u>	<u>Single-family residential dwelling units, including mobile homes where a mobile home Zoning Overlay exists.</u>	<u>P</u>
<u>8.</u>	<u>Staff housing as may be incidental to, and in support of, safety service facilities and essential services.</u>	<u>P</u>

NEIGHBORHOOD COMMERCIAL IN MIXED USE PROJECT
CONTAINING HOUSING THAT IS AFFORDABLE

<u>9.</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>10.</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>11.</u>	<u>Amusement and recreation services, outdoor (SIC 7999 miniature golf course, bicycle, and moped rental only)</u>	<u>CU²</u>
<u>12.</u>	<u>Animal specialty services, except veterinary (SIC 0752, excluding outside kenneling)</u>	<u>P²</u>
<u>13.</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>14.</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>15.</u>	<u>Bowling centers (SIC 7933)</u>	<u>CU²</u>
<u>16.</u>	<u>Business associations (SIC 8611)</u>	<u>P²</u>
<u>17.</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>18.</u>	<u>Drug stores (SIC 5912)</u>	<u>P²</u>
<u>19.</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>20.</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>21.</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>22.</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>23.</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>24.</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>25.</u>	<u>Laundries, family and commercial (SIC 7211)</u>	<u>P²</u>
<u>26.</u>	<u>Membership organizations, miscellaneous (SIC 8699)</u>	<u>P²</u>
<u>27.</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>28.</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>29.</u>	<u>Personal credit institutions (SIC 6141)</u>	<u>P²</u>
<u>30.</u>	<u>Personal services, miscellaneous (SIC 7299 - babysitting bureaus, clothing rental, costume rental, dating service, debt counseling, depilatory salons, diet workshops, dress suit rental, 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>P²</u>
<u>31.</u>	<u>Personnel supply services (SIC 7361 and 7363)</u>	<u>P²</u>
<u>32.</u>	<u>Physical fitness facilities (SIC 7991; 7911, except discotheques)</u>	<u>P²</u>
<u>33.</u>	<u>Political organizations (SIC 8651)</u>	<u>P²</u>
<u>34.</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>35.</u>	<u>Membership sports and recreational clubs indoor only (SIC 7997)</u>	<u>CU²</u>
<u>36.</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>37.</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>38.</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>39.</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>RURAL VILLAGES</u>		

40.	Rural villages, subject to the provisions set forth under LDC section 2.03.08 A.2.b. below.	P
<i>ECONOMIC DEVELOPMENT USES³</i>		
41.	Apparel and other finished products (2311—2399)	P
42.	Business services (7311—7313, 7319, 7331—7336, 7342,7389), including auction rooms (5999), subject to parking and landscaping for retail use	P
43.	Communications (4812—4899 including communications towers up to specified heights, subject to LDC section 5.05.09)	P
44.	Depository and non-depository institutions (6011—6163)	CU
45.	Drugs (2833—2835)	P
46.	Educational services (8221- 8299)	CU
47.	Electronic and other electrical equipment (3612—3699) indoor only, with no outside storage of materials or equipment.	P
48.	Engineering, accounting, research, management, and related services (8711—8748)	P
49.	Food and kindred products (2011—2015 except slaughtering plants, 2021—2099)	P
50.	Furniture and fixtures (2511—2599)	P
51.	Health services (8011—8049, 8092, 8093)	CU
52.	Holding and other investment offices (6712—6799)	CU
53.	Industrial and commercial machinery and computer equipment (3511—3599) indoor only, with no outside storage of materials or equipment.	P
54.	Insurance agents, brokers, and service (6411)	CU
55.	Insurance carriers (6311—6399)	CU
56.	Job Training and Vocational Rehabilitation Services (8331)	CU
57.	Leather and leather products (3131—3198)	P
58.	Legal services (8111)	P
59.	Lumber and wood products (2431—2499) indoor only, with no outside storage of materials or equipment.	P
60.	Measuring, analyzing, and controlling instruments; photographic, medical, and optical goods; watches and clocks manufacturing (3812—3873)	P
61.	Medical and dental laboratories (8071, 8072)	P
62.	Medicinal chemicals and botanical products (2833 vitamins only)	P
63.	Miscellaneous manufacturing industries (3911—3996, 3999 including "additive manufacturing," as defined in ISO ASTM 52900) indoor only, with no outside storage of materials or equipment.	P
64.	Miscellaneous services (8999)	CU
65.	Motion pictures (7812—7829)	P
66.	Motion pictures (7832—7833)	CU
67.	Motor freight transportation and warehousing (4212—4222, 4226 except oil and gas storage, and petroleum and chemical	CU

	bulk stations) indoor only, with no outside storage of materials or equipment.	
68.	Printing, publishing, and allied industries (2711—2796)	P
69.	Rubber and miscellaneous plastic products (3021—3089)	CU
70.	Security brokers, dealers, and flotation companies (6211)	CU
71.	Space research and technology (9661)	P
72.	Stone, clay, glass, and concrete products (3211, 3221, 3231, 3251—3273, 3275, 3281), indoor only, with no outside storage of materials or equipment.	CU
73.	Textile mill products (2211—2298) indoor only, with no outside storage of materials or equipment.	CU
74.	Title Abstract Offices (6541)	CU
75.	Transportation equipment (3714, 3716, 3721—3751, 3792, 3799) indoor only, with no outside storage of materials or equipment.	P
76.	Transportation services (4724—4783, 4789 except stockyards) with no outside storage of materials or vehicles.	CU
77.	United States Postal services (4311)	P
78.	Vocational schools (8243—8249)	P
79.	Wholesale trade—Durable goods (5012—5014, 5021—5049, 5063—5092, 5094, 5099), indoor only, with no outside storage of materials and equipment.	P
80.	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)	P
MISCELLANEOUS		
81.	Asphalt and concrete batch-making plants in RFMU receiving lands other than those within the NBMO.	CU
82.	Community facilities, such as, places of worship, childcare facilities, cemeteries, and social and fraternal organizations.	CU
83.	Earth mining and extraction in RFMU receiving lands other than those within the NBMO	CU
84.	Essential services identified in LDC sections 2.01.03 G.1. and G.3.	CU
85.	Facilities for the collection, transfer, processing, and reduction of solid waste.	CU
86.	Golf courses or driving ranges.	P⁴
87.	Oil and gas field development and production, subject to state field development permits and Collier County non-environmental site development plan review procedures.	CU⁵
88.	Park, open space, and recreational uses.	P
89.	Private schools.	P
90.	Public educational plants and ancillary plants.	P
91.	Travel trailer recreation vehicle parks.	CU⁶
92.	Sporting and Recreational camps not to exceed 1 cabin/lodging unit per 5 gross acres.	P

93.	Zoos, aquariums, botanical gardens, and similar uses.	CU
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Footnotes:

- 1 Owning, maintaining, or operating any facility or part thereof for
2 the following purposes is prohibited:
 - 3
 - 4 i) Fighting or baiting any animal by the owner of such facility
5 or any other person or entity.
 - 6
 - 7 ii) Raising any animal or animals that is/are intended to be
8 ultimately used for fighting or baiting purposes.
 - 9
 - 10 iii) For purposes of this subsection, the term baiting is
11 defined as set forth in § 828.122(2)(a), F.S., as it may be
12 amended from time to time.
 - 13
 - 14
 - 15
 - 16
 - 17 2 Mixed use development shall be allowed when developed as part
18 of a housing that is affordable project in accordance with the
19 Affordable Housing Density Bonus Rating System of LDC section
20 2.06.03. All permitted neighborhood commercial uses within
21 Affordable Housing projects are subject to the following standards
22 in LDC section 2.03.08 A.2.a.(7).
 - 23
 - 24 3 Economic development uses are business and industrial uses
25 identified as Florida Qualified Target Industries in the RFMUD and
26 shall be subject to LDC section 2.03.08 A.2.a.(8).
 - 27
 - 28 4 For golf course projects, the following standards shall apply:
 - 29
 - 30 i) The minimum density shall be one dwelling unit per five
31 gross acres. For golf course projects not utilizing density
32 blending Provisions set forth in the Density Rating System
33 of the FLUE, including free standing golf courses: one
34 TDR credit or TDR Bonus credit shall be required per five
35 (5) gross acres for the land area utilized as part of the golf
36 course, including the clubhouse area, rough, fairways,
37 greens, and lakes, but excluding any area dedicated as
38 conservation, which is non-irrigated and retained in a
39 natural state. A TDR credit or TDR Bonus credit used to
40 entitle golf course acreage may not also be used to entitle
41 a residential dwelling unit.
 - 42
 - 43 ii) Golf courses shall be designed, constructed, and
44 managed in accordance with the Best Management
45 Practices of Audubon International's Gold Signature
46 Program. The project shall demonstrate that the
47 Principles for Resource Management required by the
48 Gold Signature Program (Site Specific Assessment,
49 Habitat Sensitivity, Native and Naturalized Plants and
50 Natural Landscaping, Water Conservation, Waste
51 Management, Energy Conservation & Renewable Energy
52 Sources, Transportation, Greenspace and Corridors,
53 Agriculture, and BUILDING Design) have been

1 incorporated into the golf course's design and operational
2 procedures.

3
4 iii) In order to prevent the contamination of soil, surface water
5 and ground water by the materials stored and handled by
6 golf course maintenance operations, golf courses shall
7 comply with the Best Management Practices for Golf
8 Course Maintenance Departments, prepared by the
9 Florida Department of Environmental Protection,
10 September 2012.

11
12 iv) Stormwater management ponds shall be designed to
13 mimic the functions of natural systems: by establishing
14 shorelines that are sinuous in configuration in order to
15 provide increased length and diversity of the littoral zone.
16 A Littoral shelf shall be established to provide a feeding
17 area for water dependent avian species. The combined
18 length of vertical and rip-rapped walls shall be limited to
19 25% of the shoreline. Credits to the site preservation area
20 requirements, on an acre- to- acre basis, shall be given
21 for littoral shelves that exceed these littoral shelf area
22 requirements.

23
24 v) Site preservation and native vegetation retention
25 requirements shall be those set forth in LDC section
26 3.05.07

27
28 5 Directional-drilling and/or previously cleared or disturbed areas
29 shall be utilized in order to minimize impacts to native habitats,
30 where determined to be practicable. This requirement shall be
31 deemed satisfied upon issuance of a state permit in compliance
32 with the criteria established in Chapter 62C-25 through 62C-30,
33 F.A.C., regardless of whether the activity occurs within the Big
34 Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All
35 applicable Collier County environmental permitting requirements
36 shall be considered satisfied by evidence of the issuance of all
37 applicable federal and/or state oil and gas permits for proposed oil
38 and gas activities in Collier County, so long as the state permits
39 comply with the requirements of Chapter 62C-25 through 62C-30,
40 F.A.C. For those areas of Collier County outside the boundary of
41 the Big Cypress Watershed, the applicant shall be responsible for
42 convening the Big Cypress Swamp Advisory Committee as set
43 forth in Section 377.42, F.S., to assure compliance with Chapter
44 62C-25 through 62C-30, F.A.C., even if outside the defined Big
45 Cypress Watershed. All oil and gas access roads shall be
46 constructed and protected from unauthorized uses according to
47 the standards established in Rule 62-30.005(2)(a)(1) through (12),
48 F.A.C.

49
50 6 Subject to the following criteria:

51
52 i) The site is adjacent to an existing travel trailer recreational
53 vehicle site; and
54

ii) The site is no greater than 100% of the size of the existing adjacent park site.

(4) Design Standards.

(a) Non-clustered development, ~~Development Not Utilizing clustering,~~ except for Mixed Use and Economic Development, shall be subject to LDC sections 2.03.08 A.2.a.(7) and 2.03.08 A.2.a.(8), respectively:

i. Minimum lot area: 5 Acres.

ii. Minimum lot width: 165 Feet.

iii. Minimum yard requirements:

a) Front yard: 50 feet

b) Side yard: 30 feet

c) Rear yard: 50 feet

d) Nonconforming lots in existence as of June 22, 1999:

i) Front yard: 40 feet.

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

iii) Rear yard: 50 feet.

(b) Clustered development:

i. Lot areas and widths:

a) ~~S~~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) ~~M~~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 internal 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:

- i) No single-family dwelling may be located closer than 50 feet to a roadway classified as a public local or a collector roadway.
- ii) No single-family dwelling may be located closer than 100 feet to a roadway classified as an arterial roadway.

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

- i) Setback from Arterial or Collector roadway(s): no multi-family dwelling may be located closer than 200 feet to a roadway classified or defined as

an arterial roadway or 100 feet from any roadway classified or defined as a collector roadway.

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

iii) Front: 30 feet.

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

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

vi) Accessory: Per LDC section 4.02.03.

iii. Additional perimeter setbacks for developments using housing that is affordable provisions:

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

c) Development must incorporate 100-foot-wide setbacks along external boundaries where adjacent to any conservation area and comply with the following:

- 1 i) No yard or dwelling unit shall be
2 permitted within this setback.
3
4 ii) No lights, generators, pumps, other
5 fixed motors or accessory structures
6 except as noted below shall be
7 permitted within this setback.
8
9 iii) Passive recreation such as hiking,
10 jogging, biking and walking will be
11 allowed along designated trail and
12 boardwalk systems and must
13 interconnect with existing trail
14 systems.
15
16 iv) Lakes may extend into this setback
17 but shall not incorporate lights or
18 structures, other than drainage
19 structures.
20
21 v) Any sewer or electrical lines placed
22 within this setback must be buried.
23

24 iv.iii. Height limitations

- 25
26 a) Principal structures
27
28 i) Single Family: 35 feet.
29
30 ii) Multi-family: Five Stories not to
31 exceed 60 feet.
32
33 iii) Other structures: 35 feet except for
34 golf course/community clubhouses,
35 which may be 50 feet in height.
36
37 b) Accessory structures. 20 feet, except for
38 screen enclosures, which may be the same
39 height as the principal structure.
40

41 iv. Minimum floor space

- 42
43 a) Single Family: 800 square feet
44
45 b) Multi-family:
46
47 i) Efficiency: 450 Square feet
48
49 ii) One Bedroom: 600 square feet

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- iii) Two or More Bedrooms: 800 square feet
 - (c) Parking. As required in Chapter 4 of this Code.
 - (d) Landscaping. As required in Chapter 4 of this Code, except as provided below for residential projects or residential-only components of projects with a density greater than one dwelling unit per acre, including projects using housing that is affordable provisions.
 - i. A Type B Buffer shall be required for all project boundaries that abut property zoned or developed for single family residential use.
 - ii. A minimum 20-foot-wide Type D Buffer shall be required where the project abuts 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, minimum spread of six feet, and a 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.
 - 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.

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- (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. All residents within the development shall be provided access to common open space. 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.

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 floor area, except that a grocery store or supermarket shall not exceed 45,000 square feet of gross floor area.

v. Residential structures shall be constructed concurrently with or prior to the construction of commercial structures. However, the certificate of occupancy for the final residential dwelling within the development shall not be issued until at least 20 percent of the commercial gross floor area has been approved for building permits.

- 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.

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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 100 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.

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

ii) Lakes may extend into this setback but shall not incorporate lights or structures, other than drainage structures.

iii) Any sewer or electrical lines placed within this setback must be buried.

xvi. Operations.

a) There shall be no vehicle repair within the commercial component.

b) The hours of operation for any eating establishment shall be limited to the hours between 5:30 a.m. to 11:00 p.m.

c) There shall be no outdoor display of merchandise associated with hardware stores.

xvii. Service area.

1
2 a) Loading docks, solid waste facilities,
3 recycling facilities and other services shall be
4 placed to the rear or side yard of
5 the building in visually unobtrusive locations
6 with minimum impacts on view.

7
8 b) Refuse containers and facilities shall be
9 hidden by an opaque wall or fencing of
10 sufficient height to screen the bin and any
11 appurtenances, but not less than six (6) feet
12 in height. Chain link fencing, wood fencing
13 and chain link gates are not allowed. Walls
14 shall be constructed of a material compatible
15 with the principal structure it is serving.
16 Landscaping with vines or other plants is
17 encouraged. Enclosures shall include solid
18 latchable gates to avoid blowing refuse.

19
20 c) Service area recesses in the building and/or
21 depressed access ramps should also be
22 used where applicable.

23
24 d) Businesses are encouraged to consolidate
25 and share refuse areas and equipment.

26
27 xviii. Landscape buffers.

28
29 a) A Type B Buffer shall be required along all
30 project boundaries that abut property zoned
31 or developed for single family residential use.

32
33 b) A minimum 20-foot-wide Type D Buffer shall
34 be required where abutting an arterial or
35 collector roadway. At minimum, the buffer
36 shall consist of the following at the time of
37 planting:

38
39 i) For housing that is affordable
40 projects, canopy trees, with a
41 minimum height of 10 feet, minimum
42 spread of six feet, and a maximum
43 spacing of 30 feet on center. Palm
44 trees may be installed within this
45 buffer but shall not be used as a
46 substitute for the required shade
47 trees.
48

1 ii) A continuous double row of three-
2 gallon hedges, 36 inches in height
3 with a maximum spacing of three feet
4 on center. The hedges shall be
5 maintained at a minimum height of 36
6 inches.

7
8 c) All other project boundaries shall meet
9 the buffer requirements of LDC section
10 4.06.02, except that palm trees shall not
11 be substituted for shade trees.

12
13 xix. Architectural design. The neighborhood commercial
14 component of the project shall meet design
15 guidelines identified in LDC section 5.05.08 of this
16 LDC, except as otherwise excepted or required
17 herein.

18
19 (8) For economic development uses allowed by the Table of uses in
20 accordance with LDC section 2.03.08 A.2.a.(3)(d)v.:

21
22 (a) Minimum project size. The minimum project size shall be 20
23 contiguous acres. The term contiguous shall include
24 adjacent properties that are separated by either an
25 intervening, planned, or developed public street right-of-
26 way, provided that no such portions of separated properties
27 are less than five acres.

28
29 (b) The project shall have direct access to a road classified as
30 an arterial or collector. The project shall have an internal
31 circulation system that prohibits traffic from traveling
32 through predominantly residential areas. The types
33 of access points shall be limited, as appropriate, so as to
34 minimize disruption of traffic flow on the adjacent
35 arterial or collector roadway.

36
37 (c) The project shall have central water and sewer.

38
39 (d) A maximum floor area ratio shall not exceed 0.50.

40
41 (e) Minimum lot width: 100 feet.

42
43 (f) Minimum lot area: 20,000 square feet

44
45 (g) Maximum height. Buildings shall have a maximum zoned
46 height of 50 feet and a maximum actual height of 55 feet.

47
48 (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) 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.

1 iii. All other project boundaries shall meet the buffer
2 requirements of a Type C Buffer. Palm trees shall
3 not be substituted for canopy trees.

4
5 iv. Development must incorporate 100-foot-wide
6 setbacks along external boundaries where adjacent
7 to any public conservation area and comply with the
8 following:

9
10 a) No yard or dwelling unit shall be permitted
11 within this setback.

12
13 b) No lights, generators, pumps, other fixed
14 motors or accessory structures except as
15 noted below shall be permitted within this
16 setback.

17
18 c) Passive recreation such as hiking, jogging,
19 biking, and walking will be allowed along
20 designated trail and boardwalk systems and
21 must interconnect with existing trail systems.

22
23 d) Lakes may extend into this setback but shall
24 not incorporate lights or structures, other
25 than drainage structures.

26
27 e) Any sewer or electrical lines placed within
28 this setback must be buried.

29
30 (k) Loading areas. All loading areas shall be oriented away
31 from adjacent residential uses, except for where obstructed
32 by an intervening building.

33
34 (l) Outside storage and display. No outside storage and display
35 shall be permitted except when approved as part of a
36 temporary/special event in accordance with LDC section
37 5.04.05.

38
39 (m) Operations.

40
41 i. All activity shall be conducted within a fully enclosed
42 building. Activity includes but is not limited to the
43 following:

44
45 a) The use or storage of any fixed or movable
46 business equipment.

47
48 b) The use, storage, display, sale, delivery,
49 offering for sale, production, or consumption

1 in any business, or by any business invitee
2 on the premises of the business, of any
3 goods, wares, merchandise, products, or
4 foods.

5
6 iii) The performance of any work or services.

7
8 iv) All use operations and equipment, including
9 accessory process equipment, such as
10 compressors and air handlers, shall be
11 contained in an enclosed structure.

12
13 ii. Noise. No use shall produce noise exceeding the
14 sound level limits for Commercial or Tourist uses as
15 set forth in the Collier County Noise Control
16 Ordinance No. 90-17, as amended.

17
18 iii. Odors. No use shall cause or allow the emission of
19 odor.

20
21 iv. Vibrations. No use shall operate to produce ground
22 vibration noticeable by a reasonable person with
23 normal sensitivity, outside the building for single-use
24 buildings or outside the Economic Development use
25 space inside mixed use and multi-tenant buildings.

26
27 v. Smoke and particulate matter. No use shall
28 discharge outside the building for single-use
29 buildings or outside the Economic Development use
30 space inside mixed use and multi-tenant building
31 any toxic or noxious matter in such a concentration
32 that will endanger the public health, safety, comfort,
33 or general welfare.

34
35 vi. Electrical disturbance. No use shall create any
36 electrical disturbance which interferes unduly with
37 the normal operation of equipment or instruments or
38 which is reasonably likely to cause injury to any
39 person located inside or outside building.

40
41 vii. Secondary containment. Secondary containment
42 such as double walled tanks, leak-proof trays, floor
43 curbing or other containment systems which provide
44 secondary liquid containment shall be installed for
45 facilities that use, store, or handle, regulated
46 substances in a single container of 55 gallons or
47 more. The containment structure shall be capable of
48 containing 110% of the volume of the largest
49 container located within, be composed of materials

1 impervious to the regulated substance, and be able
2 to withstand deterioration from external
3 environmental conditions. For containment areas
4 with more than one storage container, capacity
5 calculations shall be made after deducting the
6 volume of the largest storage containers, other than
7 the largest container. All regulated substances must
8 be removed from the containment structure within
9 24-hours of a spill or accidental release.
10 Containment structures shall be sheltered so that
11 the intrusion of precipitation is effectively prevented.
12 These requirements shall apply to all areas of
13 storage use, handling, and production, loading and
14 off-loading areas, and to aboveground and
15 underground storage areas.

16
17 (n) Architectural and site design standards.
18

19 i. Appearance. Industrial/factory buildings shall be
20 designed in accordance with the provisions of LDC
21 section 5.05.08, excluding the exceptions,
22 modifications, and additions listed in LDC section
23 5.05.08 E.7.b through h.
24

25 ii. Rooftop mechanical equipment shall be fully
26 screened by parapets or other methods of screening
27 and such parapets or other screening material shall
28 not exceed 10 feet in height.
29

30 iii. Loading areas. All loading areas shall be oriented
31 away from adjacent residential uses, except for
32 where obstructed by an intervening building.
33 Loading areas, solid waste facilities, recycling
34 facilities, and other services elements shall be
35 placed to the sides or rear of the building.
36

37 iv. All exterior lighting fixtures shall be directed away or
38 shielded from neighboring properties.
39

40 v. Illumination levels for exterior lighting shall not
41 exceed 0.5 footcandles at property lines where
42 adjacent to residential development or residentially
43 zoned property, excluding where required pursuant
44 to LDC section 6.06.03.
45

46 b. Rural villages. Rural villages, including rural villages within the NBMO, may
47 be approved within the boundaries of RFMU receiving lands, subject to the
48 following:
49

1 (1) Allowable Uses:

- 2
- 3 (a) All permitted uses identified in section 2.03.08A.2.a.(3)(a),
4 when specifically identified in, and approved as part of, a
5 RURAL VILLAGE PUD.
- 6
- 7 (b) CONDITIONAL USES 1 through 5, and 7 identified in
8 section 2.03.08A.2.a.(3)(c), when specifically identified in,
9 and approved as part of a RURAL VILLAGE PUD.
- 10
- 11 (c) All permitted and accessory uses listed in the C-4 General
12 Commercial District, section 2.03.02 (E), subject to the
13 design guidelines and development standards set forth in
14 this Section.
- 15
- 16 (d) Research and Technology Parks, with a minimum size of 19
17 acres ~~and a maximum size of 4% of the total rural village~~
18 ~~acreage~~, subject to the design guidelines and development
19 standards set forth herein, the applicable standards
20 contained in LDC section 2.03.06 C.7. Research and
21 technology park planned unit development district
22 guidelines and development standards, and further subject
23 to the following:
- 24
- 25 i. Research and Technology Parks shall be permitted
26 to include up to 20% of the total acreage for non-
27 target industry uses of the type identified in
28 paragraph (3) below; and, up to 20% of the total
29 acreage for workforce housing, except as provided
30 in paragraph (7) below. At a minimum, 60% of the
31 total park acreage must be devoted to target industry
32 uses identified in paragraph (2) below. The specific
33 percentage and mix of each category of use shall be
34 determined at the time of rural village PUD rezoning.
- 35
- 36 ii. The target industries identified by the Economic
37 development Council of Collier County are
38 aviation/aerospace industry, health technology
39 industry and information technology industry, and
40 include the following uses: software development
41 and programming; internet technologies and
42 electronic commerce; multimedia activities and CD-
43 ROM development; data and information
44 processing; call center and customer support
45 activities; professional services that are export
46 based such as laboratory research or testing
47 activities; light manufacturing in the high tech target
48 sectors of aviation/aerospace and health and
49 information technologies; office uses in connection

1 with on-site research; development testing and
2 related manufacturing; general administrative offices
3 of a research and development firm; educational,
4 scientific and research organizations; production
5 facilities and operations.
6

7
8 iii. Non-target industry uses may include hotels at a
9 density consistent with the provisions in section
10 2.03.02 and those uses in the C-1 through C-3
11 Zoning Districts that provide support services to the
12 target industries such as general office, banks,
13 fitness centers, personal and professional services,
14 medical, financial and convenience sales and
15 services, computer related businesses and services,
16 employee training, technical conferencing, day care
17 centers, restaurants and corporate and government
18 offices.

19
20 iv. The rural village PUD shall include standards for the
21 development of individual building parcels within the
22 park and general standards shall be adopted for
23 pedestrian and vehicular interconnections, buffering,
24 landscaping, open spaces, signage, lighting,
25 screening of outdoor storage, parking and access
26 management, all to be consistent with and
27 compatible to the other uses within the village.

28
29 v. The Research and Technology Park must be
30 adjacent to, and have direct access via an existing
31 or developer constructed local road to an arterial or
32 collector roadway. The portion of the local roadway
33 intended to provide access to the Research and
34 Technology Park shall not be within a residential
35 neighborhood and does not service a predominately
36 residential area.

37
38 vi. The Research and Technology Park shall be
39 compatible with surrounding land uses. Accordingly,
40 it shall be separated from any residentially zoned or
41 designated land within the rural village by a minimum
42 Type "C" landscape buffer, as set forth in section
43 4.06.00 of this Code.

44
45 vii. Whenever workforce housing is provided, it shall be
46 fully integrated with other compatible uses in the
47 park through mixed-use buildings and/or through
48 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.

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

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

i. A mixture of housing types, including attached and/or detached single family, as well as multi-family shall be provided within a rural village. A minimum of 0.2 units per acre in a rural village shall be affordable housing, of which at least 0.1 units per acre shall be workforce housing. The rural village shall be designed so as to disperse the Affordable and workforce housing units throughout the Village rather than concentrate them in a single location.

ii. A mixture of recreational uses, including parks and village greens.

iii. Civic, community, and other institutional uses.

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- iv. A mixture of lot sizes, with a design that includes more compact development and attached dwelling units within neighborhood centers and the village center, and reduced net densities and increasingly larger lot sizes for detached residential dwellings generally occurring as development extends outward from the village center.
 - 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.~~
- a) Small-scale service retail and office uses allowed with a maximum FAR of 0.5.
- b) Parks and public green spaces shall be required within the neighborhood center with a minimum size of one percent of the total village acreage.
- ~~iii. Neighborhood center Commercial— Not to exceed 40% of the neighborhood center acreage and 8,500 square feet of gross leasable floor area per acre.~~
- ~~iv. Village center. —Not to exceed 10% of the total rural village acreage.~~
- ~~v. Village center commercial— Not to exceed 30% of the village center acreage and 10,000 square feet of gross leasable floor area per acre.~~
- a) Retail and office uses shall have a maximum FAR of 0.5.
- b) Civic, government, and institutional services shall have a maximum FAR of 0.6.
- c) Group housing uses shall have a maximum FAR of 0.45.
- d) Transient lodging shall have a maximum of 26 units net acre.
- e) Goods and services shall be required in the village center and with a minimum of 53 square feet of gross building area per dwelling unit.
- f) Civic, government, and institutional services shall be required in the village center and

1 with a minimum of 10 square feet per
2 dwelling unit.

3
4 ~~vii.~~ Research and Technology Parks are allowed,
5 provided they are limited to a minimum size of 19
6 acres ~~and a maximum size of 4% of the total rural~~
7 ~~village acreage.~~

8
9 ~~vii. Civic Uses and Public Parks Minimum of 10% of~~
10 ~~the total rural village acreage.~~

11
12 (3) Density. A rural village shall have a minimum density of 2.0 units
13 per gross acre and a maximum density of 3.0 units per gross acre,
14 except that the minimum density within a NBMO rural village shall
15 be 1.5 units per gross acre. Those densities shall be achieved as
16 follows:

17
18 (a) Base density. A base density of 0.2 dwelling units per acre
19 (1.0 dwelling units per five acres) for lands within the rural
20 village, ~~and the land area designated as a greenbelt~~
21 ~~surrounding the rural village,~~ is granted by right for allocation
22 within the designated rural village.

23
24 (b) Minimum density. The minimum gross density in a rural
25 village is 2.0 units per acre outside of the NBMO and 1.5
26 units per acre within the NBMO.

27
28 i. For each TDR credit used to achieve the minimum
29 required density in a rural village, one Rural Village
30 Bonus Credit shall be granted. Rural Village Bonus
31 Credits may only be utilized in rural villages and shall
32 not be available for use once the minimum required
33 density is achieved.

34
35 ii. The minimum density shall be achieved through any
36 combination of TDR Credits, Rural Village Bonus
37 Credits, and TDR Bonus Credits.

38
39 (c) Maximum density. The maximum gross density allowed in a
40 rural village is 3.0 units per acre. The maximum density shall
41 be achieved through any of the following, either in
42 combination or individually:

43
44 i. TDR credits;

45
46 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 housing, as identified in LDC section 1.08.02.~~

(4) Other Design Standards

(a) Transportation System Design.

- i. The rural village shall be designed with a formal street layout, using primarily a grid design and incorporating village greens, squares and civic uses as focal points.
- ii. Each rural village shall be served by a primary road system that is accessible by the public. Neighborhood Circulator, Local Residential Access and Residential Loop roads may be gated. The primary roads within the rural village shall consist of Rural Major Collectors at a minimum and be designed to meet County standards and shall be dedicated to the public.
- iii. A rural village shall not be split by an arterial roadway.
- iv. Interconnection between the rural village and adjacent development-s shall be required.
- v. Neighborhoods, neighborhood centers, and the village center shall be connected through local and collector streets and shall incorporate traffic calming techniques as may be appropriate to discourage high-speed traffic.
- vi. Public transit and school bus stops shall be co-located, where practicable.
- vii. Pedestrian paths and bikeways shall be designed so as to provide access and interconnectivity.

1 (b) Location Restrictions and Standards.

- 2
- 3 i. In locating both schools and housing units within the
- 4 rural village, consideration shall be given to
- 5 minimizing busing needs within the community.
- 6
- 7 ii. Reserved. ~~A rural village shall not be located any~~
- 8 ~~closer than 3.0 miles from another rural village.~~
- 9
- 10 iii. Reserved. ~~No more than one rural village may be~~
- 11 ~~located in each of the distinct RFMU district~~
- 12 ~~Receiving Areas depicted on the FLUM and on the~~
- 13 ~~Official Collier County Zoning Atlas maps.~~
- 14
- 15 iv. A rural village shall have direct access to a roadway
- 16 classified by Collier County as an arterial or collector
- 17 roadway. Alternatively, access to the rural village
- 18 may be via a new collector roadway directly
- 19 accessing an existing arterial, the cost of which shall
- 20 be borne entirely by the developer.
- 21
- 22 v. A rural village shall be located where other public
- 23 infrastructure, such as potable water and sewer
- 24 facilities, already exist or are planned.
- 25

- 26 (c) Size Limitations. Rrural villages shall be a minimum of 300
- 27 acres and a maximum of 1,500 acres, except within RFMU
- 28 receiving lands south of the Belle Meade NRPA where the
- 29 maximum size may not exceed 2,500 acres. This required
- 30 rural village size is exclusive of the required greenbelt area
- 31 set forth in section 2.03.08 (A)(2)(b)(6).
- 32

- 33 (d) Additional Village Design Criteria: Rural villages shall be
- 34 designed in accordance with the following provisions:
- 35

- 36 i. Rural villages shall be developed in a progressive
- 37 urban to rural continuum with the greatest density,
- 38 intensity and diversity occurring within the village
- 39 center, to the least density, intensity and diversity
- 40 occurring within the edge of the neighborhoods
- 41 approaching the greenbelt.
- 42
- 43 ii. Rural villages may include "special districts" in
- 44 addition to the village center, neighborhood center
- 45 and Neighborhoods, to accommodate uses that may
- 46 require use specific design standards not otherwise
- 47 provided for herein. Such Special Districts, their
- 48 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.
- 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.

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

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

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

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

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

- a) Providing landscaping within parking lots as described, and by providing a streetscape area between the sidewalk and curb at a minimum of 5 Ft. in width;
- b) Planting street trees every 40 Ft. O.C. The street tree pattern may be interrupted by architectural elements such as arcades and columns.
- c) Plantings areas, raised planters, or planter boxes in the front of and adjacent to the buildings, where such planting areas do not interfere with pedestrian access and mobility.
- 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.

- 1 (c) ~~The greenbelt may be concentrated to a greater degree in~~
2 ~~areas where it is necessary to protect listed species habitat,~~
3 ~~including wetlands and uplands, provide for a buffer from~~
4 ~~adjacent natural reservations, or provide for wellfield or~~
5 ~~aquifer protection. However, at no location shall the~~
6 ~~greenbelt be less than 300 feet in width.~~
- 7
- 8 (d) Golf courses and existing agriculture operations are
9 permitted within the greenbelt, subject to the vegetation
10 retention standards set forth in section 4.06.04. However,
11 golf course turf areas shall only be located within 100 feet of
12 the greenbelt boundaries (interior and exterior boundary);
13 further, these turf areas shall only be located in previously
14 cleared or disturbed areas.
- 15
- 16 (7) Open space: Within the rural village, a minimum of 40% of open
17 space shall be provided, inclusive of the greenbelt.
- 18
- 19 (8) Process for Approval of a rural village. Applications for approval
20 shall be submitted in the form of a Planned Unit Development
21 (PUD) rezone utilizing the standard form(s) developed by Collier
22 County, and subject to the Fees established for a PUD rezone
23 application. ~~Where applicable, the rural village PUD application will~~
24 ~~be submitted in conjunction with a development of Regional Impact~~
25 ~~(DRI) application as provided for in Chapter 380 of Florida Statutes,~~
26 ~~or in conjunction with any other Florida provisions of law that may~~
27 ~~supercede the DRI process.~~ The applicant shall notify the owner(s)
28 of subsurface mineral rights to the property within the boundaries of
29 the proposed rural village prior to approval of the PUD. The
30 Application for rural village PUD approval shall demonstrate
31 general compliance with the provisions of section 2.03.06 and shall
32 include the following additional submittal requirements:
- 33
- 34 (a) EIS. An environmental impact statement for the rural village
35 and surrounding greenbelt area shall be submitted in
36 accordance with the requirements of Chapter 10 of this
37 Code.
- 38
- 39 (b) Demonstration of Fiscal Neutrality. An analysis that
40 demonstrates that the rural village will be fiscally neutral to
41 county taxpayers outside of the rural village. This analysis
42 shall evaluate the demand and impacts on levels of service
43 for public facilities and the cost of such facilities and services
44 necessary to serve the rural village. In addition, this
45 evaluation shall identify projected revenue sources for
46 services and any capital improvements that may be
47 necessary to support the rural village. In conclusion, this
48 analysis shall indicate what provisions and/or commitments
49 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:

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- 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;
 - (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

1 Program. The project shall demonstrate that the
2 Principles for Resource Management required by
3 the Gold Signature Program (Site Specific
4 Assessment, Habitat Sensitivity, Native and
5 Naturalized Plants and Natural Landscaping, Water
6 Conservation, Waste Management, Energy
7 Conservation & Renewable Energy Sources,
8 Transportation, Greenspace and Corridors,
9 Agriculture, and Building Design) have been
10 incorporated into the golf course's design and
11 operational procedures.
12

- 13 ii. In order to prevent the contamination of soil, surface
14 water and ground water by the materials stored and
15 handled by golf course maintenance operations, golf
16 courses shall comply with the Best Management
17 Practices for Golf Course Maintenance
18 Departments, prepared by the Florida Department of
19 Environmental Protection, [September 2012](#) ~~May~~
20 ~~1995~~.

21
22 ~~iii. To protect ground and surface water quality from~~
23 ~~fertilizer and pesticide usage, golf courses shall~~
24 ~~demonstrate the following management practices:~~

25
26 ~~a) The use of slow release nitrogen sources;~~

27
28 ~~b) The use of soil and plant tissue analysis to~~
29 ~~adjust timing and amount of fertilization~~
30 ~~applications;~~

31
32 ~~c) The use of an integrated pest management~~
33 ~~program using both biological and chemical~~
34 ~~agents to control various pests;~~

35
36 ~~d) The coordination of pesticide applications~~
37 ~~with the timing and application of irrigation~~
38 ~~water;~~

39
40 ~~e) The use of the procedure contained in IFAS~~
41 ~~Circular 1011, Managing Pesticides for Golf~~
42 ~~Course Maintenance and Water Quality~~
43 ~~Protection, May 1991 (revised 1995) to~~
44 ~~select pesticides that will have a minimum~~
45 ~~adverse impact on water quality.~~

46
47 ~~iv. To ensure water conservation, golf courses shall~~
48 ~~incorporate the following in their design and~~
49 ~~operation:~~

1
2 a) ~~Irrigation systems shall be designed to use~~
3 ~~weather station information and moisture-~~
4 ~~sensing systems to determine the optimum~~
5 ~~amount of irrigation water needed~~
6 ~~considering soil moisture and~~
7 ~~evapotranspiration rates.~~

8
9 b) ~~As available, golf courses shall utilize treated~~
10 ~~effluent reuse water consistent with Sanitary~~
11 ~~Sewer Sub-Element Objective 1.4 and its~~
12 ~~policies.~~

13
14 c) ~~Native plants shall be used exclusively~~
15 ~~except for special purpose areas such as golf~~
16 ~~greens, fairways, and building sites. Within~~
17 ~~these excepted areas, landscaping plans~~
18 ~~shall require that at least 75% of the trees~~
19 ~~and 50% of the shrubs be freeze-tolerant~~
20 ~~native Floridian species. At least 75% of the~~
21 ~~required native trees and shrubs shall also~~
22 ~~be drought-tolerant species.~~

23
24 v. Stormwater management ponds shall be designed
25 to mimic the functions of natural systems: by
26 establishing shorelines that are sinuous in
27 configuration in order to provide increased length
28 and diversity of the littoral zone. A Littoral shelf shall
29 be established to provide a feeding area for water
30 dependent avian species. The combined length of
31 vertical and rip-rapped walls shall be limited to 25%
32 of the shoreline. Credits to the site preservation area
33 requirements, on an acre- to- acre basis, shall be
34 given for littoral shelves that exceed these littoral
35 shelf area requirements.

36
37 vi. Site preservation and native vegetation retention
38 requirements shall be the same as those set forth in
39 the RFMU district criteria. Site preservation areas
40 are intended to provide habitat functions and shall
41 meet minimum dimensions as set forth in the LDC.
42 These standards shall be established within one
43 year.

44
45 (l) Public educational plants and ancillary plants.

46
47 (m) Oil and gas exploration, subject to applicable state and
48 federal drilling permits and Collier County non-
49 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.

- 1 (a) Zoo, aquarium, botanical garden, or other similar uses.
2
3 (b) Community facilities, such as, places of worship, childcare
4 facilities, cemeteries, social and fraternal organizations.
5
6 (c) Sports instructional schools and camps.
7
8 (d) Multi-family residential structures, subject to the following
9 development standards:
10
11 (i) Building height limitation: 2 stories
12
13 (ii) Buffer: 10 foot wide landscape buffer with trees
14 spaced no more than 30 feet on center;
15
16 (iii) Setbacks: 50% of the height of the building, but not
17 less than 15 feet.
18
19 (e) Those essential services identified in [LDC](#) sections 2.01.03
20 [G.1. and G.3](#) ~~(G)(1)~~ and ~~(G)(3)~~.
21
22 (f) Oil and gas field development and production, subject to
23 applicable state and federal field development permits and
24 Collier County non-environmental site development plan
25 review procedures. Directional-drilling and/or previously
26 cleared or disturbed areas shall be utilized in order to
27 minimize impacts to native habitats, where determined to be
28 practicable. This requirement shall be deemed satisfied
29 upon issuance of a state permit in compliance with the
30 criteria established in Chapter 62C-25 through 62C-30,
31 F.A.C., as those rules existed on January 14, 2005,
32 regardless of whether the activity occurs within the Big
33 Cypress Watershed, as defined in Rule 62C-30.001(2),
34 F.A.C. All applicable Collier County environmental
35 permitting requirements shall be considered satisfied by
36 evidence of the issuance of all applicable federal and/or
37 state oil and gas permits for proposed oil and gas activities
38 in Collier County, so long as the state permits comply with
39 the requirements of Chapter 62C-25 through 62C-30, F.A.C.
40 For those areas of Collier County outside the boundary of
41 the Big Cypress Watershed, the applicant shall be
42 responsible for convening the Big Cypress Swamp Advisory
43 Committee as set forth in Section 377.42, F.S., to assure
44 compliance with Chapter 62C-25 through 62C-30, F.A.C.,
45 even if outside the defined Big Cypress Watershed. All oil
46 and gas access roads shall be constructed and protected
47 from unauthorized uses according to the standards
48 established in Rule 62C-30.005(2)(a)(1) through (12),
49 F.A.C.

- 1
- 2 (g) Earth mining and extraction and related processing.
- 3
- 4 (h) Facilities for the collection, transfer, processing, and
- 5 reduction of solid waste.
- 6
- 7 (i) Those essential services identified in sections 2.01.03 [G.1.](#)
- 8 [and G.3](#)~~(G)(1) and (G)(3)~~.
- 9
- 10 (j) Oil and gas field development and production, subject to
- 11 state field development permits and Collier County non-
- 12 environmental site development plan review procedures.
- 13 Directional-drilling and/or previously cleared or disturbed
- 14 areas shall be utilized in order to minimize impacts to native
- 15 habitats, where determined to be practicable. This
- 16 requirement shall be deemed satisfied upon issuance of a
- 17 state permit in compliance with the criteria established in
- 18 Chapter 62C-25 through 62C-30, F.A.C., regardless of
- 19 whether the activity occurs within the Big Cypress
- 20 Watershed, as defined in Rule 62C-30.001(2), F.A.C. All
- 21 applicable Collier County environmental permitting
- 22 requirements shall be considered satisfied by evidence of
- 23 the issuance of all applicable federal and/or state oil and gas
- 24 permits for proposed oil and gas activities in Collier County,
- 25 so long as the state permits comply with the requirements
- 26 of Chapter 62C-25 through 62C-30, F.A.C. For those areas
- 27 of Collier County outside the boundary of the Big Cypress
- 28 Watershed, the applicant shall be responsible for convening
- 29 the Big Cypress Swamp Advisory Committee as set forth in
- 30 Section 377.42, F.S., to assure compliance with Chapter
- 31 62C-25 through 62C-30, F.A.C., even if outside the defined
- 32 Big Cypress Watershed. All oil and gas access roads shall
- 33 be constructed and protected from unauthorized uses
- 34 according to the standards established in Rule 62-
- 35 30.005(2)(a)(1) through (12), F.A.C.
- 36
- 37 (k) Earth mining and extraction and related processing.
- 38

39 b. Density.

40

- 41 (1) Maximum gross density. The maximum gross density in neutral
- 42 lands shall not exceed one dwelling unit per five gross acres (0.2
- 43 dwelling units per acre), except that the maximum gross density for
- 44 those legal nonconforming lots or parcels in existence as of June
- 45 22, 1999, shall be one dwelling unit per lot or parcel.
- 46
- 47 (2) Residential clustering. Clustering of residential development is
- 48 allowed and encouraged. Where clustered development is
- 49 employed, it shall be in accordance with the following provisions:

1
2 (a) If within the boundaries of the Rural Transition Water and
3 Sewer District, as delineated on the Urban-Rural Fringe
4 Transition Zone Overlay Map in the Future Land Use
5 Element of the GMP, and consistent with the provisions of
6 the Potable Water and Sanitary Sewer Sub-elements of this
7 Plan, central water and sewer shall be extended to the
8 project. Where County sewer or water services may not be
9 available concurrent with development in neutral lands,
10 interim private water and sewer facilities may be approved.

11
12 (b) The clustered development shall be located on the site so
13 as to provide to the greatest degree practicable:

- 14
15 i. protection for listed species habitat;
16
17 ii. preservation of the highest quality native vegetation
18
19 iii. connectivity to adjacent natural reservations or
20 preservation areas on adjacent development; ~~.....b§~~
21 and
22
23 iv. creation, maintenance or enhancement of wildlife
24 corridors.
25

26 ~~(c) —The minimum project size shall be at least 40 acres.~~

27
28 c. Dimensional and design standards. Dimensional and Design Standards set
29 forth in section 4.02.01 of this Code shall apply to all development in neutral
30 lands, except for development utilizing the residential clustering provisions
31 in section 2.03.08 (A)(3)(b)(2) above. In the case of such clustered
32 development, the following dimensional standards shall apply to all
33 permitted housing structure types, accessory, and conditional uses:
34

35 (1) Development that is Not Clustered:

36 (a) Minimum lot area: 5 Acres.

37 (b) Minimum lot width: 165 Feet.

38 (c) Minimum yard Requirements:

39 i. Front yard: 50 feet.

40 ii. Side yard: 30 feet.

41 iii. Rear yard: 50 feet.
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- 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

1 include areas set aside for conservation or preservation of native
2 vegetation and landscape areas.

- 3
4 (3) Open water beyond the perimeter of the site, street right-of-way,
5 except where dedicated or donated for public uses, driveways, off-
6 street parking and loading areas, shall not be counted towards
7 required usable open space.
8

- 9 4. RFMU sending lands. RFMU sending lands are those lands that have the highest
10 degree of environmental value and sensitivity and generally include significant
11 wetlands, uplands, and habitat for listed species. RFMU sending lands are the
12 principal target for preservation and conservation. Density may be transferred from
13 RFMU sending lands as provided in LDC section 2.03.07 D.4.c. All NRPA's within
14 the RFMU district are also RFMU sending lands. With the exception of specific
15 provisions applicable only to NBMO neutral lands, the following standards shall
16 apply within all RFMU sending lands:
17

- 18 a. Allowable uses where TDR credits have not been severed.
19

- 20 (1) Uses Permitted as of Right:
21

- 22 (a) Agricultural uses consistent with Sections 163.3162 and
23 823.14(6) Florida Statutes (Florida Right to Farm Act).
24
25 (b) Detached single-family dwelling units, including mobile
26 homes where the mobile home Zoning Overlay exists,
27
28 (c) Habitat preservation and conservation uses.
29
30 (d) Passive parks and other passive recreational uses.
31
32 (e) Sporting and Recreational camps, within which the lodging
33 component shall not exceed 1 unit per 5 gross acres.
34
35 (f) Those essential services identified in section 2.01.03(B).
36
37 (g) Oil and gas exploration, subject to applicable state and
38 federal drilling permits and Collier County non-
39 environmental site development plan review procedures.
40 Directional-drilling and/or previously cleared or disturbed
41 areas shall be utilized in order to minimize impacts to native
42 habitats, where determined to be practicable. This
43 requirement shall be deemed satisfied upon issuance of a
44 state permit in compliance with the criteria established in
45 Chapter 62C-25 through 62C-30, F.A.C., as such rules
46 existed on Oct. 3, 2005 [the effective date of this provision],
47 regardless of whether the activity occurs within the Big
48 Cypress Watershed, as defined in Rule 62C-30.001(2),
49 F.A.C. All applicable Collier County environmental

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

16
17 (2) Accessory uses. Accessory uses and structures that are accessory
18 and incidental to uses permitted as of right in LDC section 2.03.08
19 A.4.a.(1) above.

20
21 (3) Conditional uses.

22
23 (a) Those essential services identified in LDC section 2.01.03
24 G.2 and G.4.

25
26 (b) Public facilities, including solid waste and resource recovery
27 facilities, and public vehicle and equipment storage and
28 repair facilities, shall be permitted within Section 25,
29 Township 49S, Range 26E, on lands adjacent to the existing
30 County landfill. This shall not be interpreted to allow for the
31 expansion of the landfill into Section 25 for the purpose of
32 solid waste disposal.

33
34 (c) Oil and gas field development and production, subject to
35 applicable state and federal field development permits and
36 Collier County non-environmental site development plan
37 review procedures. Directional-drilling and/or previously
38 cleared or disturbed areas shall be utilized in order to
39 minimize impacts to native habitats, where determined to be
40 practicable. This requirement shall be deemed satisfied
41 upon issuance of a state permit in compliance with the
42 criteria established in Chapter 62C-25 through 62C-30,
43 F.A.C., as those rules existed on Oct. 3, 2005 [the effective
44 date of this provision], regardless of whether the activity
45 occurs within the Big Cypress Watershed, as defined in Rule
46 62C-30.001(2), F.A.C. All applicable Collier County
47 environmental permitting requirements shall be considered
48 satisfied by evidence of the issuance of all applicable federal
49 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) Wireless communication facilities, subject to LDC section 5.05.09.

(f) 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) Uses Permitted as of Right:

(a) Agricultural uses consistent with Sections 163.3162 and 823.14(6) Florida Statutes (Florida Right to Farm Act), including water management facilities, to the extent and intensity that such operations exist at the date of any transfer of development rights.

(b) Cattle grazing on unimproved pasture where no clearing is required;

(c) Detached single-family dwelling units, including mobile homes where the mobile home Zoning Overlay exists, at a maximum density of one dwelling unit per 40 acres. In order to retain these development rights after any transfer, up to

one dwelling must be retained (not transferred) per 40 acres.

(d) One detached dwelling unit, including mobile homes where the mobile home zoning overlay exists, per lot or parcel in existence as of June 22, 1999, that is less than 40 acres. In order to retain these development rights after any transfer, up to one dwelling must be retained (not transferred) per each lot or parcel. For the purposes of this provision, a lot or parcel shall be deemed to have been in existence as of June 22, 1999, upon a showing of any of the following:

i. the lot or parcel is part of a subdivision that was recorded in the public records of the County on or before June 22, 1999;

ii. a description of the lot or parcel, by metes and bounds or other specific legal description, was recorded in the public records of the County on or before June 22, 1999; or

iii. an agreement for deed for the lot or parcel, which includes description of the lot or parcel by limited fixed boundary, was executed on or before June 22, 1999.

(e) Habitat preservation and conservation uses.

(f) Passive parks and passive recreational uses.

(g) Those essential services identified in section 2.01.03 B.

(h) 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

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

- 13 (i) Mitigation in conjunction with any County, state, or federal
14 permitting.
15

16 (2) Conditional uses:
17

- 18 (a) Those essential services identified in LDC section 2.01.03
19 G.2 and 4.
20

- 21 (b) Oil and gas field development and production, subject to
22 applicable state and federal field development permits and
23 Collier County non-environmental site development plan
24 review procedures. Directional-drilling and/or previously
25 cleared or disturbed areas shall be utilized in order to
26 minimize impacts to native habitats, where determined to be
27 practicable. This requirement shall be deemed satisfied
28 upon issuance of a state permit in compliance with the
29 criteria established in Chapter 62C-25 through 62C-30,
30 F.A.C., as those rules existed on Oct. 3, 2005 [the effective
31 date of this provision], regardless of whether the activity
32 occurs within the Big Cypress Watershed, as defined in Rule
33 62C-30.001(2), F.A.C. All applicable Collier County
34 environmental permitting requirements shall be considered
35 satisfied by evidence of the issuance of all applicable federal
36 and/or state oil and gas permits for proposed oil and gas
37 activities in Collier County, so long as the state permits
38 comply with the requirements of Chapter 62C-25 through
39 62C-30, F.A.C. For those areas of Collier County outside
40 the boundary of the Big Cypress Watershed, the applicant
41 shall be responsible for convening the Big Cypress Swamp
42 Advisory Committee as set forth in Section 377.42, F.S., to
43 assure compliance with Chapter 62C-25 through 62C-30,
44 F.A.C., even if outside the defined Big Cypress Watershed.
45 All oil and gas access roads shall be constructed and
46 protected from unauthorized uses according to the
47 standards established in Rule 62C-30.005(2)(a)(1) through
48 (12), F.A.C.
49

1 (c) Conditional use approval criteria: In addition to the criteria
2 set forth in section 10.08.00 of this Code, the following
3 additional criteria shall apply to the approval of conditional
4 uses within RFMU sending lands:
5

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

11 ii. Conditions may be imposed, as deemed
12 appropriate, to limit the size, location, and access to
13 the conditional use.
14

15 c. Density.
16

17 (1) 1.0 dwelling units per 40 gross acres; or
18

19 (2) 1.0 dwelling unit per nonconforming lot or parcel in existence as of
20 June 22, 1999. For the purpose of this provision, a lot or parcel
21 which is deemed to have been in existence on or before June 22,
22 1999 is:
23

24 (a) A lot or parcel which is part of a subdivision recorded in the
25 public records of Collier County, Florida;
26

27 (b) A lot or parcel which has limited fixed boundaries, described
28 by metes and bounds or other specific legal description, the
29 description of which has been recorded in the public records
30 of Collier County Florida on or before June 22, 1999; or
31

32 (c) A lot or parcel which has limited fixed boundaries and for
33 which an agreement for deed was executed prior to June
34 22, 1999.
35

36 d. Native vegetation retention. As required in Chapter 4.
37

38 e. Other dimensional design standards. Dimensional standards set forth in
39 section 4.02.01 of this Code shall apply to all development in Sending
40 designated lands of the RFMU district, except as follows:
41

42 (1) Lot Area and Width.
43

44 (a) Minimum lot Area: 40 acres.
45

46 (b) Minimum lot Width: 300 Feet.
47

48 (2) Parking. As required in Chapter 4.
49

(3) Landscaping. As required in Chapter 4.

(4) Signs. As required in section 5.06.00.

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.

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.~~

#

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;

- 1 d. Total number of affordable housing units proposed in the development,
2 categorized by level of income, number of bedrooms (one bedroom, two
3 bedrooms, three bedrooms, or more), and rental units and owner-occupied
4 units:
5
6 i. Gap-income households.
7
8 ii. Moderate-income households.
9
10 iii. Low-income households.
11
12 iv. Very-low-income housing units.
13
14 e. Gross density of the proposed development;
15
16 f. Whether the AHDB is requested in conjunction with an application for a
17 PUD, rezoning, SRA, or a conditional use for a Commercial Mixed-Use
18 project as provided for within LDC section 4.02.38; and
19
20 g. Any other information which would reasonably be needed to address the
21 request for AHDB for the development pursuant to the requirements set
22 forth in this section.
23
24 3. *Determination of completeness.* After receipt of an application for AHDB, the
25 County Manager or designee shall determine whether the application submitted is
26 complete. If it is determined that the application is not complete, the County
27 Manager or designee shall notify the applicant in writing of the deficiencies. The
28 County Manager or designee shall take no further steps to process the application
29 until the deficiencies have been remedied.
30
31 4. *Review and recommendation by the County Manager or designee.* After receipt of
32 a completed application for AHDB, the County Manager or designee must review
33 and evaluate the application in light of the AHDB rating system, the AHDB
34 monitoring program and the requirements of this section. The County Manager or
35 designee must coordinate with the Zoning Division director or designee to
36 schedule the AHDB application with the companion application for a PUD,
37 rezoning, SRA, or conditional use, and must recommend to the planning
38 commission and the BCC to deny, grant, or grant with conditions, the AHDB
39 application. The recommendation of the County Manager or designee must include
40 a report in support of recommendation.
41
42 5. *Review and recommendation by the planning commission.* Upon receipt by the
43 planning commission of the application for AHDB and the written recommendation
44 and report of the County Manager or designee, the planning commission must
45 schedule and hold a properly advertised and duly noticed public hearing on the
46 application. If the application has been submitted in conjunction with an application
47 for a PUD, rezoning, SRA, or conditional use, then the hearing must be
48 consolidated and made a part of the public hearing on the respective application
49 before the planning commission. The planning commission must consider the

1 application for AHDB in conjunction with the application for the PUD, rezoning,
2 SRA, or conditional use. After the close of the public hearing, the planning
3 commission must review and evaluate the application in light of the requirements
4 of this section and the requirements for a PUD, rezoning, SRA, or conditional use,
5 as applicable, and must recommend to the BCC that the application be denied,
6 granted or granted with conditions.
7

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

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

25 # # # # # # # # # # # # #