



AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, AMENDING ORDINANCE NUMBER 04-41, AS AMENDED, THE COLLIER COUNTY LAND DEVELOPMENT CODE, WHICH INCLUDES THE COMPREHENSIVE LAND REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA, BY PROVIDING FOR: SECTION ONE, RECITALS; SECTION TWO, FINDINGS OF FACT; SECTION THREE, ADOPTION OF AMENDMENTS TO THE LAND DEVELOPMENT CODE, MORE SPECIFICALLY AMENDING THE FOLLOWING: CHAPTER 1 - GENERAL PROVISIONS, INCLUDING SECTION 1.08.02 DEFINITIONS; CHAPTER 2 - ZONING DISTRICTS AND USES, INCLUDING SECTION 2.01.03 ESSENTIAL SERVICES, REORGANIZATION OF SECTION 2.03.00 ZONING DISTRICTS, SECTION 2.03.01 RESIDENTIAL ZONING DISTRICTS, SECTION 2.03.02 COMMERCIAL ZONING DISTRICTS, SECTION 2.03.03 INDUSTRIAL ZONING DISTRICTS, SECTION 2.03.04 CIVIC AND INSTITUTIONAL ZONING DISTRICTS, SECTION 2.03.05 OPEN SPACE ZONING DISTRICT, SECTION 2.03.06 PLANNED UNIT DEVELOPMENT DISTRICTS, SECTION 2.03.07 OVERLAY ZONING DISTRICTS, SECTION 2.03.09 DISTRICTS UNDER MORATORIUM, REDISTRIBUTING CONTENTS OF SECTION 2.04.00, PERMISSABLE, CONDITIONAL, AND ACCESSORY USES IN ZONING DISTRICTS, DELETING SECTION 2.04.03 TABLE OF LAND USES IN EACH ZONING DISTRICT; CHAPTER 5 - SUPPLEMENTAL STANDARDS, INCLUDING SECTION 5.06.04 SIGN STANDARDS FOR SPECIFIC SITUATIONS; CHAPTER 10 - APPLICATION, REVIEW AND DECISION-MAKING PROCEDURES, INCLUDING SECTION 10.02.02 SUBMITTAL REQUIREMENTS FOR ALL APPLICATIONS; SECTION FOUR, CONFLICT AND SEVERABILITY; SECTION FIVE, PUBLICATION AS THE COLLIER COUNTY LAND DEVELOPMENT CODE; AND SECTION SIX, EFFECTIVE DATE.

Recitals

WHEREAS, on October 30, 1991, the Collier County Board of County Commissioners adopted Ordinance No. 91-102, the Collier County Land Development Code (hereinafter LDC), which was subsequently amended; and

WHEREAS, the Collier County Board of County Commissioners (Board) on June 22, 2004, adopted Ordinance No. 04-41, which repealed and superseded Ordinance No. 91-102, as amended, the Collier County Land Development Code, which had an effective date of October 18, 2004; and

WHEREAS, the LDC may not be amended more than two times in each calendar year unless additional amendment cycles are approved by the Collier County Board of Commissioners pursuant to Section 10.02.09 A. of the LDC; and

WHEREAS, this is the second amendment to the LDC for the calendar year 2007; and

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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WHEREAS, on March 18, 1997, the Board adopted Resolution 97-177 establishing local requirements and procedures for amending the LDC; and

WHEREAS, all requirements of Resolution 97-177 have been met; and

WHEREAS, the Board of County Commissioners, in a manner prescribed by law, did hold an advertised public hearing on January 16, 2008 and February 5, 2008 and did take action concerning these amendments to the LDC; and

WHEREAS, the subject amendments to the LDC are hereby determined by this Board to be consistent with and to implement the Collier County Growth Management Plan as required by Subsections 163.3194 (1) and 163.3202 (1), Florida Statutes; and

WHEREAS, this Ordinance is adopted in compliance with and pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act (F.S. § 163.3161 *et seq.*), and F.S. § 125.01(1)(t) and (1)(w); and

WHEREAS; this Ordinance is adopted pursuant to the constitutional and home rule powers of Fla. Const. Art. VIII, § 1(g); and

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

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

SECTION ONE: RECITALS

The foregoing Recitals are true and correct and incorporated by reference herein as if fully set forth.

SECTION TWO: FINDINGS OF FACT

The Board of Commissioners of Collier County, Florida, hereby makes the following findings of fact:

1. Collier County, pursuant to Sec. 163.3161, *et seq.*, Fla. Stat., the Florida Local Government Comprehensive Planning and Land Development Regulations Act (herein after the "Act"), is required to prepare and adopt a comprehensive plan.

2. After adoption of the Comprehensive Plan, the Act and in particular Section 163.3202(1). Fla. Stat., mandates that Collier County adopt land development regulations that are consistent with and implement the adopted comprehensive plan.

3. Section 163.3201, Fla. Stat., provides that it is the intent of the Act that the adoption and enforcement by Collier County of land development regulations for the total unincorporated area shall be based on, be related to, and be a means of implementation for, the adopted comprehensive plan.

4. Section 163.3194(1)(b), Fla. Stat., requires that all land development regulations enacted or amended by Collier County be

consistent with the adopted comprehensive plan, or element or portion thereof, and any land regulations existing at the time of adoption which are not consistent with the adopted comprehensive plan, or element or portion thereof, shall be amended so as to be consistent.

5. Section 163.3202(3), Fla. Stat., states that the Act shall be construed to encourage the use of innovative land development regulations.

6. On January 10, 1989, Collier County adopted the Collier County Growth Management Plan (hereinafter the "Growth Management Plan" or "GMP") as its comprehensive plan pursuant to the requirements of Sec. 163.3161 *et seq.*, Fla. Stat., and Rule 9J-5 F.A.C.

7. Section 163.3194(1)(a), Fla. Stat., mandates that after a comprehensive plan, or element or portion thereof, has been adopted in conformity with the Act, all development undertaken by, and all actions taken in regard to development orders by, governmental agencies in regard to land covered by such comprehensive plan, or element or portion thereof shall be consistent with such comprehensive plan or element or portion thereof.

8. Pursuant to Sec. 163.3194(3)(a), Fla. Stat., a development order or land development regulation shall be consistent with the comprehensive plan if the land uses, densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.

9. Section 163.3194(3)(b), Fla. Stat., requires that a development approved or undertaken by a local government shall be consistent with the comprehensive plan if the land uses, densities or intensities, capacity or size, timing, and other aspects of development are compatible with, and further the objectives, policies, land uses, densities, or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.

10. On October 30, 1991, Collier County adopted the Collier County Land Development Code, which became effective on November 13, 1991 and may be amended twice annually. The Land Development Code adopted in Ordinance 91-102 was recodified and superseded by Ordinance 04-41.

11. Collier County finds that the Land Development Code is intended and necessary to preserve and enhance the present advantages that exist in Collier County; to encourage the most appropriate use of land, water and resources consistent with the public interest; to overcome present handicaps; and to deal effectively with future problems that may result from the use and development of land within the total unincorporated area of Collier County and it is intended that this Land Development Code preserve, promote, protect and improve the public health, safety, comfort, good order, appearance,

convenience and general welfare of Collier County; to prevent the overcrowding of land and avoid the undue concentration of population; to facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, recreational facilities, housing and other requirements and services; to conserve, develop, utilize and protect natural resources within the jurisdiction of Collier County; to protect human, environmental, social and economic resources; and to maintain through orderly growth and development, the character and stability of present and future land uses and development in Collier County.

12. It is the intent of the Board of County Commissioners of Collier County to implement the Land Development Code in accordance with the provisions of the Collier County Comprehensive Plan, Chapter 125, Fla. Stat., and Chapter 163, Fla. Stat., and through these amendments to the Code.

SECTION THREE: ADOPTION OF AMENDMENTS TO THE LAND DEVELOPMENT CODE

SUBSECTION 3.A. AMENDMENTS TO SECTION 1.08.02 DEFINITIONS

Section 1.08.02 Definitions, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

* * * * *

CON District: Lands that are generally depicted on the Future Land Use Map, and more specifically depicted on the Official Zoning Atlas, as Conservation. [~~§ 2.03.05~~ 2.03.09 B]

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TDR credit: A unit representing the right to increase density or intensity of development on a parcel, obtained through a Transfer of Development Rights. [~~§ 2.03.07 D.4.~~]

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SUBSECTION 3.B. AMENDMENTS TO SECTION 2.01.03 ESSENTIAL SERVICES

Section 2.01.03 Essential Services, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

2.01.03 Essential Services

* * * * *

A. The following uses shall be deemed permitted uses in all zoning districts, except **CON districts, RFMU sending lands, NRPAS, HSAS, ~~AND~~ and FSAS:**

* * * * *

9. **Conservation Collier lands** which provide for permitted nondestructive, passive natural resource based recreational and educational activities, exclusive of major improvements. Permitted minor improvements shall be limited to one (1) **ground sign**, not to exceed eight (8) feet in height with a maximum **sign area** of thirty-two (32) square feet; a parking area, not to exceed twenty (20) parking spaces; hiking trails; a fully accessible trail or trail

section; educational kiosks not to exceed one hundred (100) square feet; and public restroom facilities not to exceed five hundred (500) square feet. The provisions for **Conservation Collier lands** in this Code do not affect the underlying zoning districts or land use designations in any district where **Conservation Collier lands** are established. Such that no expansion or diminution of the various zoning district permitted uses is intended or implied by these provisions, except as stated above with respect to minor improvements. **Oil and gas exploration** as defined and regulated in this Code remains a permitted use on or beneath **Conservation Collier lands** established in any zoning district providing for **oil and gas exploration** as a permitted use pursuant to ~~section 2.03.05 B.1.a.(8)~~ subsection 2.03.09 B.1.a.viii of this Code.

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B. **Permitted essential services** IN CON districts, RFMU sending lands, NRPA's, HSAs, ~~AND~~ and FSAs.

1. Within **CON districts**, Sending Lands in the **RFMU district**, NRPA's, and within designated Habitat Stewardship Areas (HSA) and Flow way Stewardship Areas (FSA) within the RLSA overlay district subject to the limitations set forth in section 4.08.08 C., the following **essential services** are permitted:

* * * * *

- e. **Conservation Collier lands** which provide for permitted nondestructive, passive natural resource based recreational and educational activities, exclusive of major improvements. Permitted minor improvements shall be limited to one (1) **ground sign**, not to exceed eight (8) feet in height with a maximum **sign area** of thirty-two (32) square feet; a parking area, not to exceed twenty (20) parking spaces; hiking trails; a fully accessible trail or trail section; educational kiosks not to exceed one hundred (100) square feet; and public . . . restroom facilities not to exceed five hundred (500) square feet. The provisions for **Conservation Collier lands** in this Code do not affect the underlying zoning districts or land use designations in any district where **Conservation Collier lands** are established, such that no expansion or diminution of the various zoning district permitted uses is intended or implied by these provisions, except as stated above for minor improvements. **Oil and gas exploration** as defined and regulated in this Code remains a permitted use on or beneath **Conservation Collier lands** established in the CON zoning district providing for **oil and gas exploration** as a permitted use subject to ~~section 2.03.05 B.1.a.(8)~~ subsection 2.03.09 B.1.a.viii of this Code.

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G. **Conditional uses.** The following uses require approval pursuant to section 10.08.00 **conditional uses**:

1. Conditional **essential services** in every zoning district excluding the **RFMU district** sending lands, **CON districts**, NRPA's, ~~AND~~ and RLSA designated HSAs and FSAs. In every zoning district, unless otherwise identified as permitted uses, and excluding **RFMU district** Sending Lands, **CON districts**, and NRPA's, the following uses shall be allowed as **conditional uses**:

* * * * *

f. **Conservation Collier lands** which provide for permitted, nondestructive, passive natural resource based recreational and educational activities, when such sites require major improvements to accommodate public access and use. These major improvements shall include, but are not limited to: parking areas of 21 parking spaces or more; nature centers; equestrian paths; biking trails; canoe and kayak launch sites; public restroom facilities, greater than 500 square feet; signage beyond that allowed in sections 2.01.03 A.9. and 2.01.03 B.1.e. of this Code and other nondestructive passive recreational activities as identified by the County Manager or designee. The provisions for **Conservation Collier lands** in this Code do not affect the underlying zoning districts or land use designations in any district where **Conservation Collier lands** are established, such that no expansion or diminution of the various zoning district **conditional uses** is intended or implied by these provisions, except as stated above for major improvements. **Oil and gas field development and production** as defined and regulated in this Code remains a **conditional use** on or beneath **Conservation Collier lands** established in zoning districts providing for **oil and gas field development and production** as a **conditional use**, subject to section ~~2.03.05 B.1.e.(1)~~ subsection 2.03.09 B.1.c.i of this Code.

2. Conditional **essential services** in RFMU **sending lands**, NRPA's, **CON districts**, and RLSA designated HSAs and FSAs. Within **RFMU District Sending Lands**, NRPA's, **CON districts**, and the RFLA designated HSAs and FSAs subject to the limitations set forth in section 4.08.08 C.2., in addition to the **essential services** identified as allowed **conditional uses** in subsection 2.01.03 G.1. above, the following additional **essential services** are allowed as **conditional uses**:

* * * * *

c. **Oil and gas field development and production**, as defined and regulated in this Code, remains a conditional use on or beneath **Conservation Collier lands** established in the CON zoning district subject to section ~~2.03.05 B.1.e.(1)~~ subsection 2.03.09 B.1.c.i of this Code.

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SUBSECTION 3.C. AMENDMENTS TO SECTION 2.03.00 ZONING DISTRICTS

Section 2.03.00 Zoning Districts, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

2.03.00 Zoning Districts; Permitted Uses, Accessory Uses, and Conditional Uses.

- 2.03.01 ~~Residential~~ Agricultural Zoning Districts
- 2.03.02 ~~Commercial Residential~~ Zoning Districts
- 2.03.03 ~~Industrial-Commercial~~ Zoning Districts
- 2.03.04 ~~Civic and Institutional-Industrial~~ Zoning Districts
- 2.03.05 ~~Open Space-Civic and Institutional~~ Zoning Districts
- 2.03.06 Planned Unit Development Districts
- 2.03.07 Overlay Zoning Districts
- 2.03.08 Rural Fringe Zoning Districts
- 2.03.09 ~~Districts Under Moratorium [Reserved]~~ Open Space Zoning Districts

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2.03.00 Zoning Districts; Permitted Uses, Accessory Uses, and Conditional Uses.

———In order to carry out and implement the Collier County GMP and the purposes of this LDC, the following zoning districts, district purposes, and applicable symbols are hereby established:

- A. Rules for Interpretation of Uses. In any zoning district, where the list of permitted and conditional uses contains the phrase "any other use which is comparable in nature with the foregoing uses and is consistent with the permitted uses and purpose and intent statement of the district" or any similar phrase which provides for a use which is not clearly defined or described in the list of permitted and conditional uses, which requires the discretion of the County Manager or designee as to whether or not it is permitted in the district, then the determination of whether or not that use is permitted in the district shall be made through the process outlined in section 1.06.00, interpretations, of this LDC.

- B. Effect of Approvals Under the Zoning Reevaluation Ordinance. Any use or structure that has been granted a compatibility exception, an exemption, or vested rights pursuant to the Collier County Zoning Reevaluation Ordinance, Ordinance No. 90-23 (1990), shall be a permitted use in the zoning district in which it is located to the extent of its approved maximum density or intensity of use and to the extent that it remains effective. Such use or structure shall nevertheless comply with all other requirements and regulations of the LDC.

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SUBSECTION 3.D. AMENDMENTS TO SECTION 2.03.01 RESIDENTIAL ZONING DISTRICTS

Section 2.03.01 Residential Zoning Districts, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

2.03.01 Residential Agricultural Zoning Districts

- A. Rural Agricultural District "A" (A). The purpose and intent of the rural agricultural district "A" (A) is to provide lands for agricultural, pastoral, and rural land uses by accommodating traditional agricultural, agricultural related activities and facilities, support facilities related to agricultural needs, and conservation uses. Uses that are generally considered compatible to agricultural uses that would not endanger or damage the agricultural, environmental, potable water, or wildlife resources of the County, are permissible as conditional uses in the A district. The A district corresponds to and implements the Agricultural/Rural land use designation on the future land use map of the Collier County GMP, and in some instances, may occur in the designated urban area. The maximum **density** permissible in the rural agricultural district within the urban mixed use district shall be guided, in part, by the **density** rating system contained in the future land use element of the GMP. The maximum **density** permissible or permitted in A district shall not exceed the **density** permissible under the **density** rating system. The maximum **density** permissible in the A district within the agricultural/rural district of the future land use element of the Collier County GMP shall be consistent with and not exceed the **density** permissible or permitted under the agricultural/rural district of the future land use element.

1. The following subsections identify the uses that are permissible by right and the uses that are allowable as accessory or conditional uses in the rural agricultural district (A).

a. Permitted uses.

1. Single-family dwelling.

2. 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 Florida Fish and Wildlife Conservation Commission permits.

- i. The following permitted uses shall only be allowed on parcels 20 acres in size or greater:
 - a) dairying;
 - b) ranching;
 - c) poultry and egg production;
 - d) milk production;
 - e) livestock raising; and
 - f) animal breeding, raising, training, stabling or kenneling.
 - ii. On parcels less than 20 acres in size, individual property owners are not precluded from the keeping of the following for personal use and not in association with a commercial agricultural activity provided there are no open feed lots:
 - a) Fowl or poultry, not to exceed 25 in total number; and
 - b) Horses and livestock (except for hogs) not to exceed two such animals for each acre.
3. Wholesale reptile breeding and raising (non-venomous), subject to the following standards:
- i. Minimum 20 acre parcel size;
 - ii. Any roofed structure used for the shelter and/or feeding of such reptiles shall be located a minimum of 100 feet from any lot line.
4. Wildlife management, plant and wildlife conservancies, wildlife refuges and sanctuaries.
5. Conservation uses.
6. Oil and gas exploration subject to state drilling permits and Collier County site development plan review procedures.
7. Family care facilities, subject to section 5.05.04.
8. Communications towers up to specified height, subject to section- 5.05.09.
9. Essential services, as set forth in section 2.01.03.
10. Schools, public, including "Educational plants."

b. Accessory uses.

1. Uses and structures that are accessory and incidental to the uses permitted as of right in the A district.
2. Farm labor housing, subject to section 5.05.03.
3. Retail sale of fresh, unprocessed agricultural products, grown primarily on the property and subject to a review of traffic circulation, parking, and safety concerns pursuant to the submission of a site improvement plan as provided for in section 10.02.03.
4. Packinghouse or similar agricultural processing of farm products produced on the property subject to the following restrictions:
 - i. Agricultural packing, processing or similar facilities shall be located on a major or minor arterial street, or shall have access to an arterial street by a public street that does not abut properties zoned RSF-1; thru RSF-6, RMF-6, RMF-12, RMF-16, RT, VR, MH, TTRVC and PUD or are residentially used.
 - ii. A buffer yard of not less than 150 feet in width shall be provided along each boundary of the site which abuts any residentially zoned or used property, and shall contain an Alternative B type buffer as defined within section 4.06.00. Such buffer and buffer yard shall be in lieu of front, side, or rear yards on that portion of the lot which abuts those districts and uses identified in subsection 2.03.01 A.1.b.4.i. above.
 - iii. The facility shall emit no noxious, toxic, or corrosive dust, dirt, fumes, vapors, or gases which can cause damage to human health, to animals or vegetation, or to other forms of property beyond the lot line of the use creating the emission.
 - iv. A site development plan shall be provided in accordance with section 10.02.03.
5. Excavation and related processing and production subject to the following criteria:
 - i. The activity is clearly incidental to the agricultural development of the property.
 - ii. The affected area is within a surface water management system for agricultural use as permitted by the South Florida Water Management District (SFWMD).
 - iii. The amount of excavated material removed from the site cannot exceed 4,000 cubic yards. Amounts in excess of 4,000 cubic yards shall require conditional use approval for earthmining, pursuant to the procedures and conditions set forth in Chapter 10.

6. Guesthouses, subject to section 5.03.03.
7. Private **boathouses** and **docks** on lake, canal or waterway lots, subject to section 5.03.06.
8. Use of a **mobile home** as a temporary residence while a permanent **single-family dwelling** is being constructed, subject to the following:
 - i. Receipt of a temporary use permit from the Development Services Director, pursuant to section 5.04.04, that allows for use of a **mobile home** while a permanent **single-family dwelling** is being built;
 - ii. Assurance that the temporary use permit for the **mobile home** will expire at the same time of the **building** permit for the **single-family** dwelling, or upon the completion of the **single-family** dwelling, whichever comes first;
 - iii. Proof that prior to the issuance of a final certificate of occupancy for the **single-family** dwelling, the **mobile home** is removed from the premises; and
 - iv. The **mobile home** must be removed at the termination of the permitted period.
9. Use of a **mobile home** as a residence in conjunction with bona fide agricultural activities subject to the following:
 - i. The applicant shall submit a completed application to the site **development** review director, or his designee, for approval of a temporary use permit to utilize a **mobile home** as a residence in conjunction with a bona fide commercial agricultural activity as described in subsection 2.03.01 A.1.2. Included with this application shall be a conceptual plot plan of the subject property depicting the location of the proposed **mobile home**; the distance of the proposed **mobile home** to all property lines and existing or proposed **structures**; and, the location, acreage breakdown, type and any intended phasing plan for the bona fide agricultural activity.
 - ii. The receipt of any and all local, state, and federal permits required for the agricultural use and/or to place the **mobile home** on the subject site including, but not limited to, an agricultural clearing permit, **building** permit(s), ST permits, and the like.
 - iii. The use of the **mobile home** shall be permitted on a temporary basis only, not to exceed the duration of the bona fide commercial agricultural activity for which the **mobile home** is an **accessory use**. The initial temporary use permit may be issued for a maximum of three years, and may, upon submission of a written request accompanied by the applicable fee, be

renewed annually thereafter provided that there is continuing operation of the bona fide commercial agricultural activities.

iv. The applicant utilizing, for the bona fide commercial agricultural activity, a tract of land a minimum of five acres in size. Any property lying within public road **rights-of-way** shall not be included in the minimum acreage calculations.

v. A **mobile home**, for which a temporary use permit in conjunction with a bona fide commercial agricultural activity is requested, shall not be located closer than 100 feet from any county highway right-of-way line, 200 feet from any state highway right-of-way, or 500 feet from any federal highway **right-of-way** line.

10. 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 **subdivision** master plan for that **development**. Recreational facilities may include but are not limited to golf course, clubhouse, community center **building** and tennis facilities, **parks**, playgrounds and playfields.

c. **Conditional uses.** The following uses are permitted as **conditional uses** in the rural agricultural district (A), subject to the standards and procedures established in section 10.08.00.

1. Extraction or earthmining, and related processing and production not incidental to the agricultural **development** of the property. NOTE: "Extraction related processing and production" is not related to "Oil extraction and related processing" as defined in this Code.

2. Sawmills.

3. Zoo, aquarium, aviary, botanical garden, or other similar uses.

4. Hunting cabins.

5. **Aquaculture** for nonnative or exotic species, subject to Florida Fish and Wildlife Conservation Commission permits.

6. Wholesale reptile breeding or raising (venomous) subject to the following standards:

i. Minimum 20 acre **parcel size**.

ii. Any roofed structure used for the shelter and/or feeding of such reptiles shall be located at a minimum of 100 feet away from any **lot line**.

7. **Churches.**

8. Private landing strips for general aviation, subject to any relevant state and federal regulations.

9. Cemeteries.
10. Schools, private.
11. **Child care centers and adult day care centers.**
12. Collection and transfer sites for resource recovery.
13. Communication towers above specified height, subject to section-5.05.09.
14. Social and fraternal organizations.
15. Veterinary clinic.
16. **Group care facilities (category I and II); care units; nursing homes; assisted living facilities pursuant to § 400.402 F.S. and ch. 58A-5 F.A.C.; and continuing care retirement communities pursuant to § 651 F.S. and ch. 4-193 F.A.C., all subject to section 5.05.04 when located within the Urban Designated Area on the Future Land Use Map to the Collier County Growth Management Plan.**
17. Golf courses and/or golf driving ranges.
18. **Oil and gas field development and production subject to state field development permits.**
19. Sports instructional schools and camps.
20. Sporting and recreational camps.
21. Retail plant nurseries subject to the following conditions:
 - i. Retail sales shall be limited primarily to the sale of plants, decorative products such as mulch or stone, fertilizers, pesticides, and other products and tools accessory to or required for the planting or maintenance of said plants.
 - ii. Additionally, the sale of fresh produce is permissible at retail plant nurseries as an incidental use of the property as a retail plant nursery.
 - iii. The sale of large power equipment such as lawn mowers, tractors, and the like shall not be permitted in association with a retail plant nursery in the rural agricultural district.
22. Asphaltic and concrete batch making plants subject to the following conditions:
 - i. Asphaltic or concrete batch making plants may be permitted within the area designated agricultural on the future land use map of the future land use element of the growth management plan.
 - ii. The minimum site area shall not be less than ten acres.

- iii. Principal access shall be from a street designated collector or higher classification.
- iv. Raw materials storage, plant location and general operations around the plant shall not be located or conducted within 100 feet of any exterior boundary.
- v. The height of raw material storage facilities shall not exceed a height of fifty (50) feet.
- vi. Hours of operation shall be limited to two (2) hours before sunrise to sunset.
- vii. The minimum setback from the principal road frontage shall be 150 feet for operational facilities and seventy-five (75) feet for supporting administrative offices and associated parking.
- viii. An earthen berm achieving a vertical height of eight feet or equivalent vegetative screen with eighty (80) percent opacity one (1) year after issuance of certificate of occupancy shall be constructed or created around the entire perimeter of the property.
- ix. The plant should not be located within the Greenline Area of Concern for the Florida State Park System as established by the Department of Environmental Protection (DEP); within the Area of Critical State Concern as depicted on the Future Land Use Map GMP; within 1,000 feet of a natural reservation; or within any County, State or federal jurisdictional wetland area.

23. Cultural, educational, or recreational facilities and their related modes of transporting participants, viewers or patrons where applicable, subject to all applicable federal, state and local permits. Tour operations, such as, but not limited to airboats, swamp buggies, horses and similar modes of transportation, shall be subject to the following criteria:

- i. Permits or letters of exemption from the U.S. Army Corps of Engineers, the Florida Department of Environmental Protection, and the South Florida Water Management District shall be presented to the planning services director prior to site development plan approval.
- ii. The petitioner shall post the property along the entire property line with no trespassing signs approximately every 300 yards.
- iii. The petitioner shall utilize only trails identified and approved on the site development plan. Any existing trails shall be utilized before the establishment of new trails.

- iv. Motor vehicles shall be equipped with engines which include spark arrestors and mufflers designed to reduce noise.
 - v. The maximum size of any vehicle, the number of vehicles, and the passenger capacity of any vehicle shall be determined by the board of zoning appeals during the conditional use process.
 - vi. Motor vehicles shall be permitted to operate during daylight hours which means, one hour after sunrise to one hour before sunset.
 - vii. Molestation of wildlife, including feeding, shall be prohibited.
 - viii. Vehicles shall comply with state and United States Coast Guard regulations, if applicable.
 - ix. The board of zoning appeals shall review such a conditional use for tour operations, annually. If during the review, at an advertised public hearing, it is determined by the board of zoning appeals that the tour operation is detrimental to the environment, and no adequate corrective action has been taken by the petitioner, the board of zoning appeals may rescind the conditional use.
24. Agricultural activities on parcels less than 20 acres in size:
- i. animal breeding, raising, training, stabling, or kenneling.
 - ii. dairying;
 - iii. livestock raising;
 - iv. milk production;
 - v. poultry and egg production; and
 - vi. ranching.
25. The commercial production, raising or breeding of exotic animals, other than animals typically used for agricultural purposes or production, subject to the following standards:
- i Minimum 20 acre parcel size.
 - ii Any roofed structure used for the shelter and/or feeding of such animals shall be located a minimum of 100 feet from any lot line.
26. Essential services, as set forth in subsection 2.01.03 G.
27. Model homes and model sales centers, subject to compliance with all other LDC requirements, to include but not limited to section 5.04.04.

28. Ancillary plants.

d. Prohibited uses.

1. Owning, maintaining or operating any facility or part thereof for the following purposes is prohibited:
 - a) Fighting or baiting any animal by the owner of such facility or any other person or entity.
 - b) Raising any animal or animals intended to be ultimately used or used for fighting or baiting purposes.
 - c) For purposes of this subsection, the term baiting is defined as set forth in § 828.122(2)(a), F.S., as it may be amended from time to time.

B. **Estate District-“E” (E).** The purpose and intent of the estates district-“E” (E) is to provide lands for low **density residential development** in a semi-rural to rural environment, with limited agricultural activities. In addition to low **density residential development** with limited agricultural activities, the E district is also designed to accommodate as **conditional uses, development** that provides services for and is compatible with the low **density residential, semi-rural and rural character** of the E district. The E district corresponds to and implements the estates land use designation on the future land use map of the Collier County GMP, although, in limited instances, it may occur outside of the estates land use designation. ~~For Estates zoning within the Golden Gate Estates subdivision, the Golden Gate Area Master Plan in the GMP restricts the location of conditional uses.~~ The maximum **density** permissible in the E district shall be consistent with and not exceed the **density** permissible or permitted under the estates district of the future land use element of the Collier County GMP as provided under the Golden Gate Master Plan.

1. The following subsections identify the uses that are permissible by right and the uses that are allowable as accessory or conditional uses in the estates district (E).

a. Permitted uses.

1. Single-family dwelling.
2. Family care facilities, subject to section 5.05.04.
3. Essential services, as set forth in section 2.01.03.
4. Schools, public, including “Educational plants.”

b. Accessory Uses.

1. Uses and structures that are accessory and incidental to uses permitted as of right in the (E) district.
2. Field crops raised for the consumption by persons residing on the premises.
3. Keeping of fowl or poultry, not to exceed 25 in total number, provided such fowl or poultry are kept in an enclosure located a minimum of 30 feet from any lot line, and a minimum of 100 feet from any residence on an adjacent parcel of land.

4. Keeping of horses and livestock (except for hogs), not to exceed two such animals for each acre, and with no open feedlots. Any roofed structure for the shelter and feeding of such animals shall be a minimum of 30 feet from any lot line and a minimum of 100 feet from any residence on an adjacent parcel of land.
5. One guesthouse, subject to section 5.03.03.
6. 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 golf course, clubhouse, community center building and tennis facilities, parks, playgrounds and playfields.
7. Excavation and related processing and production subject to the following criteria:
 - i. These activities are incidental to the permitted used onsite.
 - ii. The amount of excavated material to be removed from the site cannot exceed 4,000 cubic yards total. Amounts in excess of 4,000 cubic yards shall require conditional use approval for earth mining, pursuant to the procedures and conditions set forth in section 10.08.00.

c. Conditional uses. For Estates zoning within the Golden Gate Estates subdivision, the Golden Gate Area Master Plan in the GMP restricts the location of conditional uses. The following uses are permissible as conditional uses in the estates district (E), subject to the standards and procedures established in section 10.08.00:

1. Churches.
2. Social and fraternal organizations.
3. Child care centers and adult day care centers.
4. Schools, private.
5. Group care facilities (category I); care units, subject to the provisions of subsection 2.03.01 B.3.f; nursing homes; assisted living facilities pursuant to § 400.402 F.S. and ch. 58A-5 F.A.C.; and continuing care retirement communities pursuant to § 651 F.S. and ch. 4-193 F.A.C.; all subject to section 5.05.04.
6. Group care facilities (category II) care units subject to section 5.05.04 only when tenancy of the person or persons under care would not:
 - i. Constitute a direct threat to the health or safety of other individuals;
 - ii. Result in substantial physical damage to the property of others; or

iii. Result in the housing of individuals who are engaged in the current, illegal use of or addiction to a controlled substance, as defined in section 802 of title 21, U.S. Code.

7. Extraction or earthmining, and related processing and production not incidental to the development of the property subject to the following criterion and subsection 4.02.02 C.

i. The site area shall not exceed 20 acres.

8. Essential services, as set forth in subsection 2.01.03 G.

9. Model homes and model sales centers, subject to compliance with all other LDC requirements, to include but not limited to section 5.04.04,

10. Ancillary Plants.

d. Prohibited uses.

1. Owning, maintaining or operating any facility or part thereof for the following purposes is prohibited:

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

ii. Raising any animal or animals 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 F.S. § 828.122(2)(a), as it may be amended from time to time.

4. 2. Minimum yard Requirements. See subsection 4.02.01 A. Table 2.1 for the general requirements. The following are exceptions to those requirements:

a. **Conforming Corner lots.** Conforming corner **lots**, in which only one full depth **setback** shall be required along the shorter **lot line** along the street. The setback along the longer lot line may be reduced to 37.5 feet, so long as no **right-of-way** or **right-of-way** easement is included within the reduced **front yard**. (See Exhibit A)

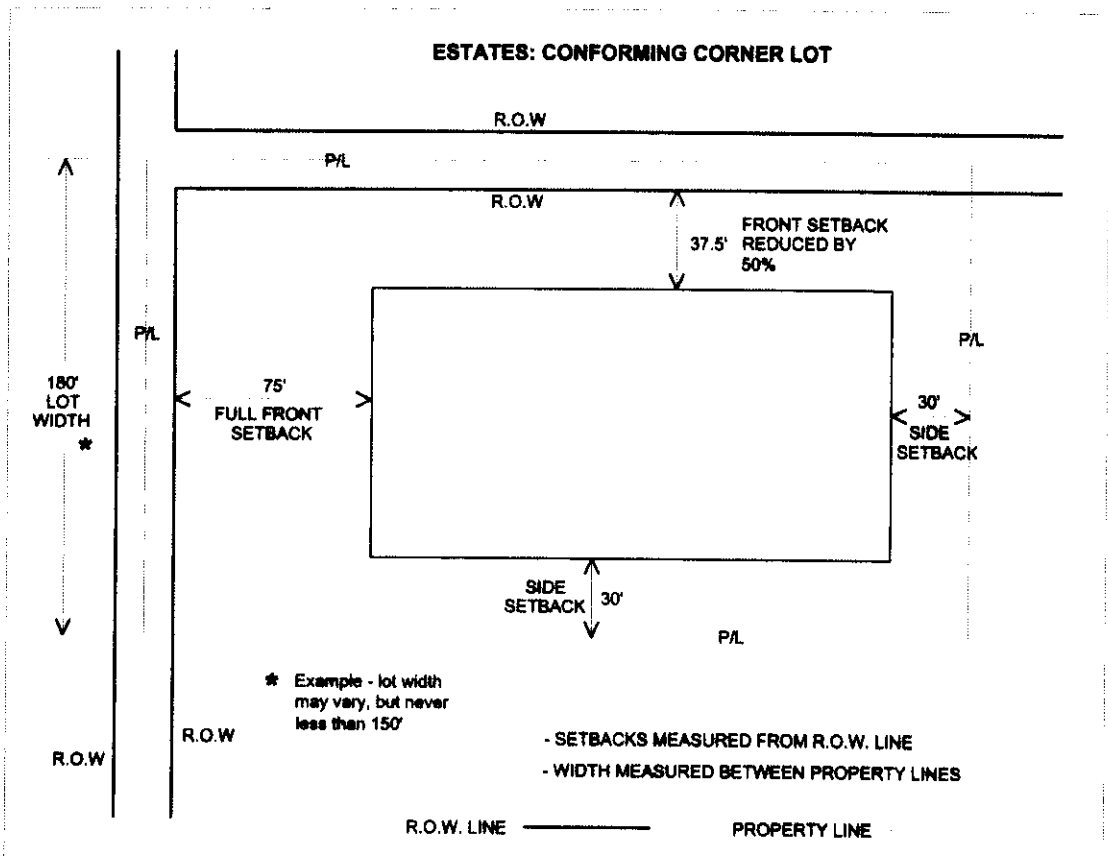
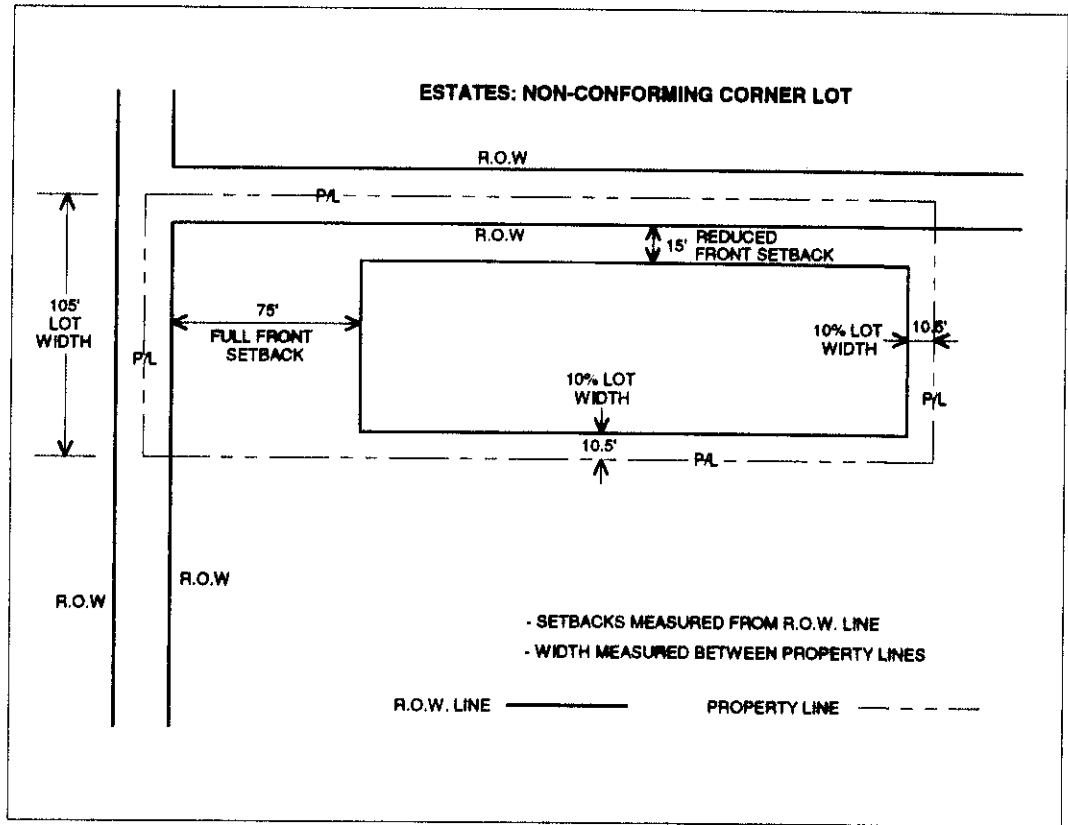


Exhibit A

- b. **Nonconforming Corner lots.** Nonconforming corner lots of record, in which only one full depth setback shall be required along the shorter lot line along the street. The setback along the longer lot line may be reduced to 15 feet, so long as no right-of-way or right-of-way easement is included within the reduced front yard. (See Exhibit B)



- c. **Nonconforming through lots, i.e. double frontage lots,** legal nonconforming lots of record with double road frontage, which are nonconforming due to inadequate lot depth, in which case, the front yard along the local road portion shall be computed at the rate of 15 percent of the depth of the lot, as measured from edge of the right-of-way.

- i. The **nonconforming** through lot utilizing the reduced **frontage** shall establish the **lot frontage** along the local road only. **Frontage** along a collector or arterial roadway to serve such lots is prohibited. **Front yards** along the local road shall be developed with **structures** having an average **front yard** with a variation of not more than six feet; no **building** thereafter erected shall project beyond the average line so established.
- G. ~~Residential Single Family Districts (RSF 1; RSF 2; RSF 3; RSF 4; RSF 5; RSF 6). The purpose and intent of the residential single family districts "RSF" is to provide lands primarily for single family residences. These districts are intended to be single family residential areas of low density. The nature of the use of property is the same in all of these districts. Variation among the RSF 1, RSF 2, RSF 3, RSF 4, RSF 5, and RSF 6 districts is in requirements for density, lot area, lot width, yards, height, floor area, lot coverage, parking, landscaping, and signs. Certain structures and uses designed to serve the immediate needs of the single-family residential development in the RSF districts, such as governmental, educational, religious, and noncommercial recreational uses, are permitted as conditional uses as long as they preserve, and are compatible with, the single family residential character of the RSF district[s]. The RSF districts correspond to and implement the urban mixed use land use designation on the future land use map of the Collier County GMP. The maximum density permissible in the residential single-RSF districts and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County GMP. The maximum density permissible or permitted in the RSF district shall not exceed the density permissible under the density rating system, except as permitted by policies contained in the future land use element.~~
- D. ~~Residential Multiple Family 6 District "RMF 6". The purpose and intent of the residential multiple family 6 district (RMF 6) is to provide for single-family, two family and multi family residences having a low profile silhouette, surrounded by open space, being so situated that it is located in close proximity to public and commercial services and has direct or convenient access to collector and arterial roads on the County major road network. The RMF 6 district corresponds to and implements the urban mixed use land use designation on the future land use map of the Collier County GMP. The maximum density permissible in the RMF 6 district and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County GMP. The maximum density permissible or permitted in the RMF 6 district shall not exceed the density permissible under the density rating system, except as permitted by policies contained in the future land use element.~~
- E. ~~Residential Multiple Family 12 District "RMF 12". The purpose and intent of the residential multiple family 12 district "RMF 12" is to provide lands for multiple family residences having a mid-rise Profile, generally surrounded by lower structures and open space, located in close proximity to public and commercial services, with direct or convenient access to collector and arterial roads on the county major road network. Governmental, social, and institutional land uses that serve the immediate needs of the multiple-family residences are permitted as conditional uses as long as they preserve and are compatible with the mid-rise multiple-family character of the district. The RMF 12 district corresponds to and implements the urban mixed use land use designation on the future land use map of the Collier County GMP. The maximum density permissible in the RMF 12 district and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County GMP. The maximum density permissible or permitted in the RMF 12 district shall not exceed the density permissible under the density rating system, except as permitted by policies contained in the future land use element.~~

- F. ~~Residential Multiple-Family-16 District "RMF-16". The purpose and intent of the residential multiple-family-16 district "RMF-16" is to provide lands for medium to high density multiple-family residences, generally surrounded by open space, located in close proximity to public and commercial services, with direct or convenient access to arterial and collector roads on the county major road network. Governmental, social, and institutional land uses that serve the immediate needs of the multiple-family residences are permitted as conditional uses as long as they preserve and are compatible with the medium to high density multiple-family character of the district. The RMF-16 district corresponds to and implements the urban mixed use land use designation on the future land use map of the Collier County GMP. The maximum density permissible in the RMF-16 district and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County GMP. The maximum density permissible or permitted in the RMF-16 district shall not exceed the density permissible under the density rating system, except as permitted by policies contained in the future land use element.~~
- G. ~~Residential Tourist District "RT". The purpose and intent of the residential tourist district "RT" is to provide lands for tourist accommodations and support facilities, and multiple-family uses. The RT district corresponds with and implements the urban mixed use district and the activity center district in the urban designated area on the future land use map of the Collier County GMP.~~
- H. ~~Village Residential District "VR". The purpose and intent of the village residential district "VR" is to provide lands where a mixture of residential uses may exist. Additionally, uses are located and designed to maintain a village residential character which is generally low profile, with relatively small building footprints as is the current appearance of Goodland and Copeland. The VR district corresponds to and implements the mixed residential land use designation on the Immokalee future land use map of the Collier County GMP. It is intended for application in those urban areas outside of the coastal urban area designated on the future land use map of the Collier County GMP, though there is some existing VR zoning in the coastal urban area. The maximum density permissible in the VR district and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County GMP. The maximum density permissible or permitted in the VR district shall not exceed the density permissible under the density rating system, except as permitted by policies contained in the future land use element, or as designated on the Immokalee future land use map of the GMP.~~
- I. ~~Mobile home District "MH". The purpose and intent of the mobile home district "MH" is to provide lands for mobile homes and modular built homes as defined in this Land Development LDG, that ensure that they are consistent and compatible with surrounding land uses. The MH district corresponds to and implements the urban mixed use land use designation on the future land use map of the Collier County GMP. The maximum density permissible in the MH district and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County GMP. The maximum density permissible or permitted in the MH district shall not exceed the density permissible under the density rating system, except as permitted by policies contained in the future land use element, or as identified in the Immokalee future land use map of the GMP.~~
- J. ~~Prohibited animals in residential districts. The following animals are to be considered farm animals and are not permitted to be kept in residential districts except as provided for in zoning district regulations: turkeys, chickens, ducks, geese, pigs, horses, cows, goats, hogs, and the like.~~

* * * * *
SUBSECTION 3.E. AMENDMENTS TO SECTION 2.03.02 COMMERCIAL ZONING DISTRICTS

Section 2.03.02 Commercial Zoning Districts, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

2.03.02 Commercial Zoning Districts

- A. ~~Commercial Professional and General Office District "C-1". The purpose and intent of the commercial professional and general office district C-1 is intended to allow a concentration of office type buildings and land uses that are most compatible with, and located near, residential areas. Most C-1 commercial, professional, and general office districts are contiguous to, or when within a PUD, will be placed in close proximity to residential areas, and, therefore, serve as a transitional zoning district between residential areas and higher intensity commercial zoning districts. The types of office uses permitted are those that do not have high traffic volumes throughout the day, which extend into the evening hours. They will have morning and evening short-term peak conditions. The market support for these office uses should be those with a localized basis of market support as opposed to office functions requiring inter-jurisdictional and regional market support. Because office functions have significant employment characteristics, which are compounded when aggregations occur, certain personal service uses shall be permitted, to provide a convenience to office-based employment. Such convenience commercial uses shall be made an integral part of an office building as opposed to the singular use of a building. Housing may also be a component of this district as provided for through conditional use approval.~~
- B. ~~Commercial Convenience District "C-2". The purpose and intent of the commercial convenience district "C-2" is to provide lands where commercial establishments may be located to provide the small scale shopping and personal needs of the surrounding residential land uses within convenient travel distance except to the extent that office uses carried forward from the C-1 district will expand the traditional neighborhood size. However, the intent of this district is that retail and service uses be of a nature that can be economically supported by the immediate residential environs. Therefore, the uses should allow for goods and services that households require on a daily basis, as opposed to those goods and services that households seek for the most favorable economic price and, therefore, require much larger trade areas. It is intended that the C-2 district implements the Collier County GMP within those areas designated agricultural/rural; estates neighborhood center district of the Golden Gate Master Plan; the **neighborhood center** district of the Immokalee Master Plan; and the urban mixed use district of the future land use element permitted in accordance with the **locational criteria** for commercial and the goals, objectives, and policies as identified in the future land use element of the Collier County GMP. The maximum density permissible in the C-2 district and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County GMP. The maximum density permissible or permitted in a district shall not exceed the density permissible under the **density rating system**.~~
- C. ~~Commercial Intermediate District "C-3". The purpose and intent of the commercial intermediate district "C-3" is to provide for a wider variety of goods and services intended for areas expected to receive a higher degree of automobile traffic. The type and variety of goods and services are those that provide an opportunity for comparison shopping, have a trade area consisting of several neighborhoods, and are preferably located at the intersection of two arterial level streets. Most activity centers meet this standard. This district is also intended to allow all of the uses permitted in the C-1 and C-2 zoning districts typically aggregated in planned **shopping centers**. This district is not intended to permit wholesaling type of uses, or land uses that have associated with them the need for outdoor storage of equipment and merchandise. A mixed use~~

~~project containing a residential component is permitted in this district subject to the criteria established herein. The C-3 district is permitted in accordance with the locational criteria for commercial and the goals, objectives, and policies as identified in the future land use element of the Collier County GMP. The maximum density permissible in the C-3 district and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County GMP. The maximum density permissible or permitted in the C-3 district shall not exceed the density permissible under the density rating system.~~

~~D. General Commercial District "C-4". The general commercial district "C-4" is intended to provide for those types of land uses that attract large segments of the population at the same time by virtue of scale, coupled with the type of activity. The purpose and intent of the C-4 district is to provide the opportunity for the most diverse types of commercial activities delivering goods and services, including entertainment and recreational attractions, at a larger scale than the C-1 through C-3 districts. As such, all of the uses permitted in the C-1 through C-3 districts are also permitted in the C-4 district. The outside storage of merchandise and equipment is prohibited, except to the extent that it is associated with the commercial activity conducted on-site such as, but not limited to, automobile sales, marine vessels, and the renting and leasing of equipment. Activity centers are suitable locations for the uses permitted by the C-4 district because most activity centers are located at the intersection of arterial roads. Therefore the uses in the C-4 district can most be sustained by the transportation network of major roads. The C-4 district is permitted in accordance with the locational criteria for uses and the goals, objectives, and policies as identified in the future land use element of the Collier County GMP. The maximum density permissible or permitted in a district shall not exceed the density permissible under the density rating system.~~

~~E. Heavy Commercial District "C-5". In addition to the uses provided in the C-4 zoning district, the heavy commercial district "C-5" allows a range of more intensive commercial uses and services which are generally those uses that tend to utilize outdoor space in the conduct of the business. The C-5 district permits heavy commercial services such as full-service automotive repair, and establishments primarily engaged in construction and specialized trade activities such as contractor offices, plumbing, heating and air conditioning services, and similar uses that typically have a need to store construction associated equipment and supplies within an enclosed structure or have showrooms displaying the building material for which they specialize. Outdoor storage yards are permitted with the requirement that such yards are completely enclosed or opaquely screened. The C-5 district is permitted in accordance with the locational criteria for uses and the goals, objectives, and policies as identified in the future land use element of the Collier County GMP.~~

~~F. Travel trailer recreational vehicle campground district (TTRVC).~~

~~1. Purpose and intent. The provisions of this district are intended to apply to trailer lots for travel trailers, park model travel trailers and recreational vehicles, not exceeding 480 square feet in gross floor area. Such trailer lots are intended to accommodate travel trailers, model travel trailers, pickup coaches, motor homes, and other vehicular accommodations which are suitable for temporary habitation, used for travel, vacation, and recreational purposes. Campsites are intended to accommodate temporary residency while camping, vacationing or recreating. TTRVC vehicles may be permanently located on a lot; however, no person or persons may occupy said vehicles as permanent places of residence.~~

~~2. Plan approval requirements. Layout plans for a TTRVC park shall be submitted to the County Manager or his designee and construction shall be in accordance with approved plans and specifications and further subject to the provisions of site~~

development plans in section 10.02.03. Such plans shall meet the requirements of this district and shall show, at a minimum, those items identified herein.

- ~~3. *Required internal park street system.* All lots/spaces within a TTRVC park shall have direct access from an internal street. All internal streets within the district shall provide safe and convenient access to a public street. The right-of-way widths, paving widths, and other construction standards, including gradient and alignment of all internal streets and drainage shall be subject to the standards for development of supporting infrastructure as provided in the subdivision regulations, in Chapter 10. For the purpose of this subsection, internal streets shall refer to streets, including necessary right-of-way or easement, located within the confines of the project legal description and providing no access to other land parcels.~~
- ~~4. *Required facilities for campsites and TTRV lots.*~~
 - ~~a. Sanitary facilities, including flush toilets, and showers within 300 feet walking distance from every campsite lot and as approved by the Collier County health department, or in the event of a private on-site system connection to a county system subject to county ordinances. Lighting shall be provided in sanitary facilities at all times and the facilities shall be accessible to park residents at all times.~~
 - ~~b. Potable water supply as approved by the Collier County health department and/or the director of development services pursuant to Chapter 10.~~
 - ~~c. A trash container such as a dumpster shall be located in areas easily accessible and not obstructed by campsites, lots or other TTRVC lots or parking areas.~~
 - ~~d. An enclosed space shall be open at all times wherein a portable fire extinguisher in operable condition and first aid equipment is available, and a telephone is available for public use.~~
 - ~~e. One parking space per campsite or TTRV lot.~~
- ~~5. *Sanitary waste disposal.* Unless every travel trailer site has a sanitary waste outlet, a central pump-out station shall be provided.~~
- ~~6. *Off street parking.* As required in section 4.05.00.~~
- ~~7. *Permanent location of TTRV vehicles.* TTRV vehicles including park model, travel trailers, may be permanently located on a lot; however, no permanent residency is allowed.~~
- ~~8. *Compliance.* Where travel trailer/park model lots are being sold to individuals, the developer/owner of the lots shall include in the title transfer document a covenant attesting to the fact that the lot cannot be used as a place of permanent occupancy. All TTRVC parks which commenced construction after the effective date of this district shall comply with all requirements of this district except as further provided herein. No TTRVC park in existence on the effective date of this district shall be altered so as to provide a lesser degree of conformity with the provisions of this district than existed on the effective date of this district. Land already zoned TTRVC which does not meet the acreage requirements may be developed; however, the development shall conform with all other regulations of this district.~~

~~Every proprietor, manager, homeowners' association, or condominium association of a TTRV park shall maintain a~~

~~register of tenants or occupants, noting the duration of the rental arrangement or length of occupancy for owner/occupied sites with respect to one or more travel trailers or park models. Said register shall be made available upon demand to the County Manager. In the event of owner/occupied lots within the TTRVC district, said owner is responsible for registering his or her arrival and departure from their recreation residence with the manager of the TTRVC park. Failure to register will hold the owner responsible for penalties as herein provided. Failure of park owner/manager to provide said register, duly describing the persons who have occupied a travel trailer or park model trailer, and the duration of their occupancy, shall be guilty of a misdemeanor and subject to the penalties provided by this Code. Any proprietor or manager who maintains a falsified register to allow persons to occupy a travel trailer or park model trailer on a permanent basis shall be similarly guilty of a misdemeanor and subject to penalties as provided in this Code.~~

9. ~~Flood program requirements. All travel trailers, park model travel trailers, recreational vehicles and accessory structures shall comply with the current Collier County Flood Damage Prevention Ordinance [Code ch. 62, art. II] if permanently attached to the ground or utility facilities.~~
10. ~~Anchoring/sewer, water and electrical connections. Park model travel trailers, when positioned on a lot in this district, must be anchored in accordance with the standards set forth in the MH district and TTRVC district and other applicable regulations, and be connected to a public or private water and sewer system. Additionally, such units must obtain electrical service directly from the electric utility authorized to provide such service in Collier County.~~
11. ~~Building permit. A building permit shall be required for any permitted use prior to water, sewer or electric connection.~~
12. ~~Signs. As required in section 5.06.00.~~

2.03.02 Residential Zoning Districts

A. Residential Single-Family Districts (RSF-1; RSF-2; RSF-3; RSF-4; RSF-5; RSF-6). The purpose and intent of the residential single-family districts (RSF) is to provide lands primarily for single-family residences. These districts are intended to be single-family residential areas of low density. The nature of the use of property is the same in all of these districts. Variation among the RSF-1, RSF-2, RSF-3, RSF-4, RSF-5 and RSF-6 districts is in requirements for density, lot area, lot width, yards, height, floor area, lot coverage, parking, landscaping and signs. Certain structures and uses designed to serve the immediate needs of the single-family residential development in the RSF districts such as governmental, educational, religious, and noncommercial recreational uses are permitted as conditional uses as long as they preserve, and are compatible with the single-family residential character of the RSF district[s]. The RSF districts correspond to and implement the urban mixed use land use designation on the future land use map of the Collier County GMP. The maximum density permissible in the residential single-family (RSF) districts and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County GMP. The maximum density permissible or permitted in the RSF district shall not exceed the density permissible under the density rating system, except as permitted by policies contained in the future land use element.

1. The following subsections identify the uses that are permissible by right and the uses that are allowable as accessory or conditional uses in the residential single-family districts (RSF).

- a. Permitted uses.
1. Single-family dwellings.
 2. Family care facilities, subject to section 5.05.04.
 3. Schools, public. This includes "Educational plants;" however, any high school located in this district is subject to a compatibility review as described in section 10.02.03.
- b. Accessory Uses.
1. Uses and structures that are accessory and incidental to uses permitted as of right in the RSF districts.
 2. Private docks and boathouses, subject to section 5.03.06.
 3. One guesthouse, subject to section 5.03.03.
 4. 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, golf course, clubhouse, community center building and tennis facilities, parks, playgrounds and playfields.
- c. Conditional uses. The following uses are permissible as conditional uses in the residential single-family districts (RSF), subject to the standards and procedures established in section 10.08.00.
1. Noncommercial boat launch and multiple dock facilities, subject to the applicable review criteria set forth in section 5.03.06.
 2. Churches.
 3. Schools, private.
 4. Child care centers and adult day care centers.
 5. Cluster development to include one- and two-family structures, subject to section 4.02.04.
 6. Golf courses.
 7. Group care facilities (category I); care units subject to the provisions of subsection 2.03.02 3.h; nursing homes; assisted living facilities pursuant to § 400.402 F.S. and ch. 58A-5 F.A.C.; and continuing care retirement communities pursuant to § 651 F.S. and ch. 4-183 F.A.C.; all subject to section 5.05.04.
 8. Category II group care facilities and care units subject to section 5.05.04. only when the tenancy of the person or persons under care would not:

- i. Constitute a direct threat to the health or safety of other individuals;
- ii. Result in substantial physical damage to the property of others; or
- iii. Result in the housing of individuals who are engaged in the current, illegal use of or addiction to a controlled substance, as defined in section 802 of title 21, U.S. Code.

9. Recreational facilities intended to serve an existing and/or developing residential community as represented by all of the properties/lots/parcels included in an approved preliminary subdivision plat, or site development plan. The use of said recreational facilities shall be limited to the owners of property or occupants of residential dwellings units and their guests within the area of approved preliminary subdivision plat, or site development plan.

10. Model homes and model sales centers, subject to compliance with all other LDC requirements, to include but not limited to section 5.04.04.

d. Prohibited animals in residential districts. The following animals are to be considered farm animals and are not permitted to be kept in residential districts except as provided for in zoning district regulations: turkeys, chickens, ducks, geese, pigs, horses, cows, goats, hogs, and the like.

B. Residential Multi-Family-6 District (RMF-6). The purpose and intent of the residential multi-family-6 district (RMF-6) is to provide for single-family, two-family and multi-family residences having a low profile silhouette, surrounded by open space, being so situated that it is located in close proximity to public and commercial services and has direct or convenient access to collector and arterial roads on the county major road network. The RMF-6 district corresponds to and implements the urban mixed use land use designation on the future land use map of the Collier County GMP. The maximum density permissible in the RMF-6 district and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County GMP. The maximum density permissible or permitted in the RMF-6 district shall not exceed the density permissible under the density rating system, except as permitted by policies contained in the future land use element.

1. The following subsections identify the uses that are permissible by right and the uses that are allowable as accessory or conditional uses in the RMF-6 district.

a. Permitted uses.

1. Single-family dwellings.

2. Duplexes, two-family dwellings.

3. Multi-family dwellings, townhouses as provided for in section-5.05.07.

4. Family care facilities, subject to section 5.05.04.

5. **Educational plants; however, any high school located in this district is subject to a compatibility review as described in section 10.02.03.**

b. **Accessory uses.**

1. Uses and structures that are accessory and incidental to uses permitted as of right in the RMF-6 district.

2. Private docks and boathouses, subject to section 5.03.06.

3. 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, golf course, clubhouse, community center building and tennis facilities, playgrounds and playfields.

c. **Conditional uses.** The following uses are permissible as conditional uses in the RMF-6 district, subject to the standards and procedures established in section 10.08.00.

1. **Churches.**

2. Schools, private. Also, "Ancillary Plants" for public schools.

3. **Child care centers and adult day care centers.**

4. Civic and cultural facilities.

5. Recreational facilities not accessory to principal use.

6. **Group care facilities (category I and II); care units; nursing homes; assisted living facilities pursuant to § 400.402 F.S. and ch. 58A-5 F.A.C.; and continuing care retirement communities pursuant to § 651 F.S. and ch. 4-193 F.A.C.; all subject to section-5.05.04.**

7. Noncommercial boat launch facilities, subject to the applicable review criteria set forth in section 5.03.06.

8. **Cluster development, subject to section 4.02.04.**

9. Model homes and model sales centers, subject to compliance with all other LDC requirements, to include but not limited to, section 5.04.04.

d. Prohibited animals in residential districts. The following animals are to be considered farm animals and are not permitted to be kept in residential districts except as provided for in zoning district regulations: turkeys, chickens, ducks, geese, pigs, horses, cows, goats, hogs, and the like.

C. Residential Multi-Family-12 District (RMF-12). The purpose and intent of the residential multi-family 12 district (RMF-12) is to provide lands for multiple-family residences having a mid-rise profile, generally surrounded by lower **structures** and **open space**, located in close proximity to public and commercial services, with direct or convenient **access to collector and arterial roads** on the county major road network. Governmental, social, and institutional land uses that serve the immediate needs of the multi-family residences are permitted as **conditional uses** as long as they preserve and are compatible with the mid-rise multiple-family character of the district. The RMF-12 district corresponds to and implements the urban mixed use land use designation on the future land use map of the Collier County GMP. The maximum **density** permissible in the RMF-12 district and the urban mixed use land use designation shall be guided, in part, by the **density** rating system contained in the future land use element of the Collier County GMP. The maximum **density** permissible or permitted in the RMF-12 district shall not exceed the density permissible under the **density** rating system, except as permitted by policies contained in the future land use element.

1. The following subsections identify the uses that are permissible by right and the uses that are allowable as **accessory or conditional uses** in the residential multi-family-12 district (RMF-12).

a. *Permitted uses.*

1. **Multi-family dwellings.**
2. **Townhouses**, subject to the provisions of section 5.05.07.
3. **Duplexes.**
4. **Single-family dwelling units** for existing **nonconforming lots** subject to the RSF-6 dimensional standards.
5. **Family care facilities**, subject to section 5.05.04.
6. **Educational plants**; however, any high school located in this district is subject to a **compatibility review** as described in section 10.02.03.

b. *Accessory Uses.*

1. Uses and **structures** that are accessory and incidental to uses permitted as of right in the RMF-12 district.
2. **Private docks and boathouses**, subject to section 5.03.06.
3. 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, golf course, clubhouse, community center **building** and tennis facilities, **parks**, playgrounds and playfields.

c. **Conditional uses.** The following uses are permissible as **conditional uses** in the residential multiple-family-12 district (RMF-12), subject to the standards and procedures established in section 10.08.00.

1. **Child care centers and adult day care centers.**
2. **Churches.**
3. **Civic and cultural facilities.**
4. **Noncommercial boat launch facilities, subject to the applicable review criteria set forth in section 5.03.06.**
5. **Schools, private. Also, "Ancillary plants" for public schools.**
6. **Group care facilities (category I and II); care units; nursing homes; assisted living facilities pursuant to § 400.402 F.S. and ch. 58A-5 F.A.C.; and continuing care retirement communities pursuant to § 651 F.S. and ch. 4-193 F.A.C.; all subject to section-5.05.04.**
7. **Model homes and model sales centers, subject to compliance with all other LDC requirements, to include but not limited to, section 5.04.04.**

- d. **Prohibited animals in residential districts. The following animals are to be considered farm animals and are not permitted to be kept in residential districts except as provided for in zoning district regulations: turkeys, chickens, ducks, geese, pigs, horses, cows, goats, hogs, and the like.**

D. **Residential Multi-Family-16 District (RMF-16). The purpose and intent of the residential multi-family-16 district (RMF-16) is to provide lands for medium to high density multiple-family residences, generally surrounded by open space, located in close proximity to public and commercial services, with direct or convenient access to arterial and collector roads on the county major road network. Governmental, social, and institutional land uses that serve the immediate needs of the multiple-family residences are permitted as conditional uses as long as they preserve and are compatible with the medium to high density multi-family character of the district. The RMF-16 district corresponds to and implements the urban mixed use land use designation on the future land use map of the Collier County GMP. The maximum density permissible in the RMF-16 district and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County GMP. The maximum density permissible or permitted in the RMF-16 district shall not exceed the density permissible under the density rating system, except as permitted by policies contained in the future land use element.**

1. **The following subsections identify the uses that are permissible by right and the uses that are allowable as accessory or conditional uses in the residential multi-family-16 district (RMF-16).**

a. **Permitted uses.**

1. **Multi-family dwellings.**
2. **Townhouses, subject to the provisions of section 5.05.07.**
3. **Family care facilities, subject to section 5.05.04.**

4. Educational plants; however, any high school located in this district is subject to a compatibility review as described in section 10.02.03.

b. Accessory Uses.

1. Uses and structures that are accessory and incidental to uses permitted as of right in the RMF-16 district.

2. Private docks and boathouses, subject to section 5.03.06.

3. 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, golf course, clubhouse, community center building and tennis facilities, parks, playgrounds and playfields.

c. Conditional uses. The following uses are permissible as conditional uses in the residential multiple-family-16 district (RMF-16), subject to the standards and procedures established in section 10.08.00.

1. Child care centers and adult day care centers.

2. Churches.

3. Civic and cultural facilities.

4. Noncommercial boat launching facilities, subject to the applicable review criteria set forth in section 5.03.06.

5. Schools, private. Also, "Ancillary plants" for public schools.

6. Group care facilities (category I and II); care units; nursing homes; assisted living facilities pursuant to § 400.402 F.S. and ch. 58A-5 F.A.C.; and continuing care retirement communities pursuant to § 651 F.S. and ch. 4-193 F.A.C.; all subject to section-5.05.04.

7. Model homes and model sales centers, subject to compliance with all other LDC requirements, to include but not limited to, section 5.04.04.

d. Prohibited animals in residential districts. The following animals are to be considered farm animals and are not permitted to be kept in residential districts except as provided for in zoning district regulations: turkeys, chickens, ducks, geese, pigs, horses, cows, goats, hogs, and the like.

E. Residential Tourist District (RT). The purpose and intent of the residential tourist district (RT) is to provide lands for tourist accommodations and support facilities, and multiple family uses. The RT district corresponds with and implements the urban mixed use district and the activity center

district in the urban designated area on the future land use map of the Collier County GMP.

1. The following subsections identify the uses that are permissible by right and the uses that are allowable as **accessory** or **conditional uses** in the residential tourist district (RT).

a. *Permitted uses.*

1. **Hotels and motels.**
2. **Multi-family dwellings.**
3. **Family care facilities,** subject to section 5.05.04.
4. **Timeshare facilities.**
5. **Townhouses** subject to section 5.05.07.

b. **Accessory Uses.**

1. **Uses and structures** that are accessory and incidental to the uses permitted as of right in the RT district.
2. **Shops, personal service establishments, eating or drinking establishments, dancing and staged entertainment facilities, and meeting rooms and auditoriums where such uses are an integral part of a hotel or a motel and to be used by the patrons of the hotel/motel.**
3. **Private docks and boathouses,** subject to section 5.03.06.
4. **Recreational facilities that serve as an integral part of the permitted use designated on a site development plan or preliminary subdivision plat that has been previously reviewed and approved which may include, but are not limited to, golf course, clubhouse, community center building and tennis facilities, parks, playgrounds and playfields.**

c. **Conditional uses.** The following uses are permitted as **conditional uses** in the residential tourist district (RT), subject to the standards and procedures established in established in section 10.08.00.

1. **Churches.**
2. **Marinas,** subject to section 5.05.02.
3. **Noncommercial boat launch facilities,** subject to the applicable review criteria set forth in section 5.03.06.
4. **Group care facilities (category I and II); care units; nursing homes; assisted living facilities pursuant to § 400.402 F.S. and ch. 58A-5 F.A.C.; and continuing care retirement communities pursuant to § 651 F.S. and ch. 4-193 F.A.C.; all subject to section-5.05.04.**
5. **Private clubs.**

- 6. Yacht clubs.
- 7. Model homes and model sales centers, subject to compliance with all other LDC requirements, to include but not limited to, section 5.04.04.
- 8. **Ancillary Plants.**

d. Prohibited animals in residential districts. The following animals are to be considered farm animals and are not permitted to be kept in residential districts except as provided for in zoning district regulations: turkeys, chickens, ducks, geese, pigs, horses, cows, goats, hogs, and the like.

F. Village Residential District (VR). The purpose and intent of the village residential district (VR) is to provide lands where a mixture of residential uses may exist. Additionally, uses are located and designed to maintain a village residential character which is generally low profile, relatively small **building** footprints as is the current appearance of Goodland and Copeland. The VR district corresponds to and implements the mixed residential land use designation on the Immokalee future land use map of the Collier County GMP. It is intended for application in those urban areas outside of the coastal urban area designated on the future land use map of the Collier County GMP, though there is some existing VR zoning in the coastal urban area. The maximum **density** permissible in the VR district and the urban mixed use land use designation shall be guided, in part, by the **density** rating system contained in the future land use element of the Collier County GMP. The maximum **density** permissible or permitted in the VR district shall not exceed the **density** permissible under the **density** rating system, except as permitted by policies contained in the future land use element, or as designated on the Immokalee future land use map of the GMP.

1. The following subsections identify the uses that are permissible by right and the uses that are allowable as **accessory** or **conditional uses** in the village residential district (VR).

a. *Permitted uses.*

- 1. **Single-family dwellings.**
- 2. **Duplexes.**
- 3. **Multi-family dwellings.**
- 4. **Mobile homes.**
- 5. **Family care facilities, subject to section 5.05.04.**
- 6. **Educational plants; however, any high school located in this district is subject to a **compatibility review** as described in section 10.02.03.**

b. *Accessory Uses.*

- 1. Uses and **structures** that are accessory and incidental to the uses permitted as of right in the VR district.
- 2. **Private docks and boathouses, subject to section 5.03.06.**

3. 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, golf course, clubhouse, community center **building** and tennis facilities, **parks**, playgrounds and playfields.
4. Storage, repair and maintenance areas and **structures** for fishing and farming equipment, when used by the residents of the permitted use.

c. **Conditional uses.** The following uses are permissible as **conditional uses** in the village residential district (VR), subject to the standards and procedures established in section 10.08.00.

1. Boatyards and **marinas**, subject to section 5.03.06 and the applicable review criteria set forth in section 5.05.02.
2. **Child care centers and adult day care centers.**
3. **Churches.**
4. Civic and cultural facilities.
5. **Cluster** housing, subject to section 4.02.04.
6. Fraternal and social clubs.
7. Schools, private. Also, "**Ancillary plants**" for public schools.
8. **Group care facilities (category I and II); care units; nursing homes; assisted living facilities** pursuant to § 400.402 F.S. and ch. 58A-5 F.A.C.; and continuing care retirement communities pursuant to § 651 F.S. and ch. 4-193 F.A.C.; all subject to section-5.05.04.
9. Recreational facilities intended to serve an existing and/or developing residential community as represented by all of the properties/lots/parcels included in an approved preliminary **subdivision** plat, PUD or site **development plan**. The use of said recreational facilities shall be limited to the owners of property or occupants of residential **dwellings units** and their guests within the area of approved preliminary **subdivision** plat, or site **development plan**.
10. Model homes and model sales centers, subject to compliance with all other LDC requirements, to include but not limited to, section 5.04.04.

d. Prohibited animals in residential districts. The following animals are to be considered farm animals and are not permitted to be kept in residential districts except as provided for in zoning district regulations: turkeys, chickens, ducks, geese, pigs, horses, cows, goats, hogs, and the like.

G. Mobile Home District (MH). The purpose and intent of the **mobile home district (MH)** is to provide land for **mobile homes** and modular built homes, as defined in this Land Development Code, that are consistent and compatible with surrounding land uses. The MH District corresponds to and implements the urban mixed-use land use designation on the future land-use map of the Collier County GMP. The maximum **density** permissible in the **MH** district and the urban mixed use land use designation shall be guided, in part, by the **density** rating system contained in the future land use element of the Collier County GMP. The maximum **density** permissible or permitted in the MH district shall not exceed the **density** permissible under the **density** rating system, except as permitted by policies contained in the future land use element, or as identified in the Immokalee future land use map of the GMP.

1. The following subsections identify the uses that are permissible by right and the uses that are allowable as **accessory** or **conditional uses** in the mobile home district (MH).

a. Permitted uses.

1. **Mobile homes.**
2. **Modular built homes.**
3. **Family care facilities,** subject to section 5.05.04.
4. **Recreational vehicles (RV)** as defined in the TTRVC district for those areas zoned MHTT or MHRP prior to November 13, 1991, in accordance with an approved master **development plan** designating specific areas for RV spaces. The **development** standards of the TTRVC district (excluding lot size and area) shall apply to the placement and uses of land in said RV areas.
5. **Educational plants;** however, any high school located in this district is subject to a **compatibility review** as described in section 10.02.03.

b. Accessory Uses.

1. Uses and structures customarily associated with mobile home development, such as administration buildings, service buildings, utilities, and additions which complement a mobile home.
2. Private docks and boathouses, subject to section 5.03.06.
3. 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, golf course, clubhouse, community center **building** and tennis facilities, **parks,** playgrounds and playfields.
4. One single-family dwelling in conjunction with the operation of the mobile home park.

c. Conditional uses. The following uses are permissible as **conditional uses** in the mobile home district (MH).

subject to the standards and procedures established in section 10.08.00.

1. Child care centers and adult day care centers.
2. Churches.
3. Civic and cultural facilities.
4. Schools, private.
5. Recreational facilities intended to serve an existing and/or developing residential community as represented by all of the properties/lots/parcels included in an approved preliminary subdivision plat, PUD or site development plan. The use of said recreational facilities shall be limited to the owners of property or occupants of residential dwellings units and their guests within the area of approved preliminary subdivision plat, or site development plan.
6. Model homes and model sales centers, subject to compliance with all other LDC requirements, to include but not limited to, section 5.04.04.

d. Prohibited animals in residential districts. The following animals are to be considered farm animals and are not permitted to be kept in residential districts except as provided for in zoning district regulations: turkeys, chickens, ducks, geese, pigs, horses, cows, goats, hogs, and the like.

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SUBSECTION 3.F. AMENDMENTS TO SECTION 2.03.03 INDUSTRIAL ZONING DISTRICTS

Section 2.03.03 Industrial Zoning Districts, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

2.03.03 Industrial Zoning Districts

~~A. Industrial District "I". The purpose and intent of the industrial district "I" is to provide lands for manufacturing, processing, storage and warehousing, wholesaling, and distribution. Service and commercial activities that are related to manufacturing, processing, storage and warehousing, wholesaling, and distribution activities, as well as commercial uses relating to automotive repair and heavy equipment sales and repair, are also permissible in the I district. The I district corresponds to and implements the industrial land use designation on the future land use map of the Collier County GMP.~~

~~B. Business Park District "BP". The purpose and intent of the business park district "BP" is to provide a mix of industrial uses, corporate headquarters offices and business/professional offices which complement each other and provide convenience services for the employees within the district; and to attract businesses that create high value-added jobs. It is intended that the BP district be designed in an attractive park-like environment, with low structural density and large landscaped areas provided for both the functional use of buffering and enjoyment by the employees of the BP district. The BP district is permitted by the urban mixed use, urban commercial, and urban industrial districts of the future land use element of the Collier County GMP.~~

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2.03.03 Commercial Zoning Districts

A. Commercial Professional and General Office District (C-1). The purpose and intent of the commercial professional and general office district C-1 is to allow a concentration of office type **buildings** and land uses that are most compatible with, and located near, residential areas. Most C-1 commercial, professional, and general office districts are contiguous to, or when within a PUD, will be placed in close proximity to residential areas, and, therefore, serve as a transitional zoning district between residential areas and higher intensity commercial zoning districts. The types of office uses permitted are those that do not have high traffic volumes throughout the day, which extend into the evening hours. They will have morning and evening short-term peak conditions. The market support for these office uses should be those with a localized basis of market support as opposed to office functions requiring inter-jurisdictional and regional market support. Because office functions have significant employment characteristics, which are compounded when aggregations occur, certain personal service uses shall be permitted, to provide a convenience to office-based employment. Such convenience commercial uses shall be made an integral part of an office **building** as opposed to the singular use of a **building**. Housing may also be a component of this district as provided for through **conditional use** approval.

1. The following uses, as identified with a number from the Standard Industrial Classification Manual (1987), or as otherwise provided for within this section are permissible by right, or as **accessory** or **conditional uses** within the C-1 commercial professional and general office district.

a. *Permitted uses.*

1. *Accounting (8721).*
2. *Adjustment and collection services (7322).*
3. *Advertising agencies (7311).*
4. *Architectural services (8712).*
5. *Auditing (8721).*
6. *Automobile parking lots (7521) only.*
7. *Barber shops (7241, except for barber schools).*
8. *Beauty shops (7231, except for beauty schools).*
9. *Bookkeeping services (8721).*
10. *Business consulting services (8748).*
11. *Business credit institutions (6153-6159).*
12. *Child day care services (8351).*
13. *Computer programming, data processing and other services (7371 -- 7376, 7379).*
14. *Credit reporting services (7323).*
15. *Debt counseling (7299, no other miscellaneous services)*
16. *Direct mail advertising services (7331).*
17. **Educational plants.**

18. Engineering services (8711).
19. Essential Services, subject to section 2.01.03.
20. Group care facilities (category I and II, except for homeless shelters); care units, except for homeless shelters; nursing homes; assisted living facilities pursuant to F.S. § 400.402 and ch. 58A-5 F.A.C.; and continuing care retirement communities pursuant to F.S. § 651 and ch. 4-193 F.A.C.; all subject to section 5.05.04.
21. Health services, offices and clinics (8011--8049).
22. Insurance carriers, agents and brokers (6311--6399, 6411).
23. Landscape architects, consulting and planning (0781).
24. Legal services (8111).
25. Loan brokers (6163).
26. Management services (8741 & 8742).
27. Mortgage bankers and loan correspondents (6162).
28. Personal credit institutions (6141).
29. Photographic studios, portrait (7221).
30. Physical fitness facilities (7991, permitted only when physically integrated and operated in conjunction with another permitted use in this district – no stand-alone facilities shall be permitted).
31. Public relations services (8743).
32. Radio, television and publishers advertising representatives (7313).
33. Real Estate (6531--6552).
34. Secretarial and court reporting services (7338).
35. Security and commodity brokers, dealer, exchanges and services (6211--6289).
36. Shoe repair shops and shoeshine parlors (7251).
37. Social services, individual and family (8322 activity centers, elderly or handicapped only; day care centers, adult and handicapped only).
38. Surveying services (8713).
39. Tax return preparation services (7291).
40. Travel agencies (4724, no other transportation services).
41. Any other commercial use or professional services which is comparable in nature with the foregoing uses including those that exclusively serve the administrative as opposed to the operational

functions of a business and are associated purely with activities conducted in an office.

b. **Accessory Uses**

1. Uses and structures that are accessory and incidental to the uses permitted as of right in the C-1, C-1/T district.
2. Caretaker's residence, subject to section 5.03.05.

c. **Conditional uses**. The following uses are permissible as **conditional uses** in the (C-1) commercial professional and general office district, subject to the standards and procedures established in section 10.08.00.

1. **Ancillary Plants.**
2. Automobile parking, automobile parking garages and parking structures (7521 – shall not be construed to permit the activity of “tow-in parking lots”).
3. Banks, credit unions and trusts (6011--6099).
4. **Churches.**
5. Civic, social and fraternal associations (8641).
6. Educational services (8211--8222).
7. Funeral services (7261, except crematories).
8. Home health care services (8082).
9. Homeless shelters.
10. Libraries (8231, except regional libraries).
11. Mixed residential and commercial uses subject to design criteria contained in section 4.02.38 except where superseded by the following criteria:
 - i. A site development plan is approved pursuant to section 10.02.03 that is designed to protect the character of the residential uses and of the neighboring lands;
 - ii. The commercial uses in the development may be limited in hours of operation, size of delivery trucks, and type of equipment;
 - iii. The residential uses are designed so that they are compatible with the commercial uses;
 - iv. Residential dwellings units are located above principal uses;
 - v. Residential and commercial uses do not occupy the same floor of a building;
 - vi. The number of residential dwellings units shall be controlled by the dimensional

standards of the underlying district, together with the specific requirement that in no instance shall the residential uses exceed fifty (50%) percent of the gross floor area of the building;

- vii. Building height may not exceed two (2) stories;
- viii. Each residential dwelling unit shall contain the following minimum floor areas: efficiency and one-bedroom, 450 square feet; two-bedroom, 650 square feet; three-bedroom, 900 square feet;
- ix. A minimum of 30 percent of the mixed use development shall be maintained as open space. The following may be used to satisfy the open space requirements: areas used to satisfy water management requirements, landscaped areas, recreation areas, or setback areas not covered with impervious surface or used for parking (parking lot islands may not be used unless existing native vegetation is maintained);
- x. The mixed commercial/residential structure shall be designed to enhance compatibility of the commercial and residential uses through such measures as, but not limited to, minimizing noise associated with commercial uses; directing commercial lighting away from residential units; and separating pedestrian and vehicular access ways and parking areas from residential units, to the greatest extent possible.

12. Religious organizations (8661).

13. Soup kitchens.

14. Veterinary services (0742, excluding outdoor kenneling).

15. Any other commercial or professional use which is comparable in nature with the foregoing list of permitted uses and consistent with the purpose and intent statement of the district as determined by the board of zoning appeals pursuant to section 10.08.00.

- B. Commercial Convenience District (C-2). The purpose and intent of the commercial convenience district (C-2) is to provide lands where commercial establishments may be located to provide the small-scale shopping and personal needs of the surrounding residential land uses within convenient travel distance except to the extent that office uses carried forward from the C-1 district will expand the traditional neighborhood size. However, the intent of this district is that retail and service uses be of a nature that can be economically supported by the immediate residential environs. Therefore, the uses should allow for goods and services that households require on a daily basis, as opposed to those goods and services that households seek for the most favorable economic price and, therefore, require much larger trade areas. It is intended that the C-2 district implements the Collier County GMP within those areas designated agricultural/rural; estates neighborhood center district of the Golden Gate Master Plan; the neighborhood center district of the Immokalee Master Plan; and the urban mixed use district of the

future land use element permitted in accordance with the locational criteria for commercial and the goals, objectives, and policies as identified in the future land use element of the Collier County GMP. The maximum density permissible in the C-2 district and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County GMP. The maximum density permissible or permitted in a district shall not exceed the density permissible under the density rating system.

1. The following uses, as identified with a number from the Standard Industrial Classification Manual (1987), or as otherwise provided for within this section are permissible by right, or as accessory or conditional uses within the C-2 commercial convenience district.

a. Permitted uses.

1. Accounting (8721).
2. Adjustment and collection services (7322).
3. Advertising agencies (7311).
4. Apparel and accessory stores (5611--5699) with 1,800 square feet or less of gross floor area in the principal structure.
5. Architectural services (8712).
6. Auditing (8721).
7. Automobile Parking, automobile parking garages and parking structures (7521 - shall not be construed to permit the activity of "tow-in parking lots").
8. Banks, credit unions and trusts (6011--6099).
9. Barber shops (7241, except for barber schools).
10. Beauty shops (7231, except for beauty schools).
11. Bookkeeping services (8721).
12. Business consulting services (8748).
13. Business credit institutions (6153--6159).
14. Child day care services (8351).
15. Churches.
16. Civic, social and fraternal associations (8641).
17. Commercial art and graphic design (7336).
18. Commercial photography (7335).
19. Computer and computer software stores (5734) with 1,800 square feet or less of gross floor area in the principal structure.
20. Computer programming, data processing and other services (7371--7379).
21. Credit reporting services (7323).

22. Debt counseling (7299, no other miscellaneous services)
23. Direct mail advertising services (7331).
24. Eating places (5812, except contract feeding, dinner theaters, food service -institutional, and industrial feeding) with 2,800 square feet or less of gross floor area in the principal structure).
25. **Educational plants.**
26. Engineering services (8711).
27. **Essential Services, subject to section 2.01.03.**
28. Food stores (groups 5411 - except supermarkets, 5421--5499) with 2,800 square feet or less of gross floor area in the principal structure.
29. Funeral services (7261, except crematories).
30. Garment pressing, and agents for laundries and drycleaners (7212).
31. Gasoline service stations (5541, subject to section 5.05.05).
32. General merchandise stores (5331--5399) with 1,800 square feet or less of gross floor area in the principal structure.
33. Glass stores (5231) with 1,800 square feet or less of gross floor area in the principal structure.
34. Group care facilities (category I and II, except for homeless shelters); care units, except for homeless shelters; nursing homes; assisted living facilities pursuant to F.S. § 400.402 and ch. 58A-5 F.A.C.; and continuing care retirement communities pursuant to F.S. § 651 and ch. 4-193 F.A.C.; all subject to section-5.05.04.
35. Hardware stores (5251) with 1,800 square feet or less of gross floor area in the principal structure.
36. Health services, offices and clinics (8011--8049).
37. Home furniture and furnishings stores (5713--5719) with 1,800 square feet or less of gross floor area in the principal structure.
38. Home health care services (8082).
39. Insurance carriers, agents and brokers (6311--6399, 6411).
40. Landscape architects, consulting and planning (0781).
41. Laundries and drycleaning, coin operated – self service (7215).
42. Legal services (8111).
43. Libraries (8231, except regional libraries).

44. Loan brokers (6163).
45. Management services (8741 & 8742).
46. Mortgage bankers and loan correspondents (6162).
47. Musical instrument stores (5736) with 1,800 square feet or less of gross floor area in the principal structure.
48. Paint stores (5231) with 1,800 square feet or less of gross floor area in the principal structure.
49. Personal credit institutions (6141).
50. Photocopying and duplicating services (7334).
51. Photofinishing laboratories (7384).
52. Photographic studios, portrait (7221).
53. Physical fitness facilities (7991, permitted only when physically integrated and operated in conjunction with another permitted use in this district – no stand-alone facilities shall be permitted).
54. Public relations services (8743).
55. Radio, television and consumer electronics stores (5731) with 1,800 square feet or less of gross floor area in the principal structure.
56. Radio, television and publishers advertising representatives (7313).
57. Real Estate (6531--6552).
58. Record and prerecorded tape stores (5735) with 1,800 square feet or less of gross floor area in the principal structure.
59. Religious organizations (8661).
60. Repair services - miscellaneous (7629--7631, except aircraft, business and office machines, large appliances, and white goods such as refrigerators and washing machines).
61. Retail services - miscellaneous (5912, 5942--5961) with 1,800 square feet or less of gross floor area in the principal structure.
62. Secretarial and court reporting services (7338).
63. Security and commodity brokers, dealer, exchanges and services (6211--6289).
64. Shoe repair shops and shoeshine parlors (7251).
65. Social services, individual and family (8322 activity centers, elderly or handicapped only; day care centers, adult and handicapped only).
66. Surveying services (8713).
67. Tax return preparation services (7291).

- 68. Travel agencies (4724, no other transportation services).
- 69. United State Postal Service (4311, except major distribution center).
- 70. Veterinary services (0742, excluding outdoor kenneling).
- 71. Videotape rental (7841) with 1,800 square feet or less of gross floor area in the principal structure.
- 72. Wallpaper stores (5231) with 1,800 square feet or less of gross floor area in the principal structure.
- 73. Any other commercial use or professional services which is comparable in nature with the foregoing uses including those that exclusively serve the administrative as opposed to the operational functions of a business and are associated purely with activities conducted in an office.
- 74. Any other commercial or professional use which is comparable in nature with the (C-1) list of permitted uses and consistent with the purpose and intent statement of the district as determined by the board of zoning appeals pursuant to section 10.08.00.

b. **Accessory uses.**

- 1. Uses and structures that are accessory and incidental to the customary uses permitted as of right in the C-2 district.
- 2. Where play areas are constructed as an accessory use to a permitted use, the following conditions shall apply:
 - i. A minimum five and one-half (5 ½) foot high reinforced fence shall be installed on all sides of the play area which are not open to the principal structure;
 - ii. Ingress to and egress from the play area shall be made only from the principal structure, however an emergency exit from the play area shall be provided which does not empty into the principal structure.
 - iii. The play equipment shall be set back a minimum distance of five (5) feet from the required fence and from the principal structure.
- 3. Caretaker's residence, subject to section 5.03.05.
- 4. Outside storage or display of merchandise when specifically permitted for a use, otherwise prohibited, subject to section 4.02.12.

c. **Conditional uses.** The following uses are permissible as conditional uses in the commercial convenience district

(C-2), subject to the standards and procedures established in section 10.08.00.

1. **Ancillary plants.**
2. Educational services (8211, 8222).
3. Homeless shelters.
4. Mixed residential and commercial uses subject to design criteria contained in section 4.02.38 except where superseded by the following criteria:
 - i. A **site development plan** is approved pursuant to section 10.02.03 that is designed to protect the character of the residential uses and neighboring lands;
 - ii. The commercial uses in the **development** may be limited in hours of operation, size of delivery trucks, and type of equipment;
 - iii. The residential uses are designed so that they are compatible with the commercial uses;
 - iv. Residential **dwellings units** are located above **principal uses**;
 - v. Residential and commercial uses do not occupy the same floor of a **building**;
 - vi. The number of residential **dwellings units** shall be controlled by the dimensional standards of the underlying district, together with the specific requirement that in no instance shall the residential uses exceed fifty (50%) percent of the gross floor area of the **building** or the **density** permitted under the growth management plan;
 - vii. **Building** height may not exceed two (2) **stories**;
 - viii. Each residential **dwelling unit** shall contain the following minimum **floor areas**: efficiency and one-bedroom, 450 square feet; two-bedroom, 650 square feet; three-bedroom, 900 square feet;
 - ix. The residential **dwellings units** shall be restricted to occupancy by the owners or lessees of the commercial units below;
 - x. A minimum of thirty (30) percent of the mixed use **development** shall be maintained as **open space**. The following may be used to satisfy the **open space** requirements: areas used to satisfy water management requirements; landscaped areas; recreation areas; or **setback** areas not covered with **impervious surface** or used for parking (parking lot islands may not be used unless existing **native vegetation** is maintained);

xi. The mixed commercial/residential structure shall be designed to enhance compatibility of the commercial and residential uses through such measures as, but not limited to, minimizing noise associated with commercial uses; directing commercial lighting away from residential units; and separating pedestrian and vehicular accessways and parking areas from residential units, to the greatest extent possible.

5. Permitted personal service, video rental or retail uses with more than 1,800 square feet of gross floor area in the principal structure.

6. Permitted food service (eating places or food stores) uses with more than 2,800 square feet of gross floor area in the permitted principal structure.

7. Soup kitchens.

8. Any other convenience commercial use which is comparable in nature with the foregoing (C-2) list of permitted uses and consistent with purpose and intent statement of the district, as determined by the board of zoning appeals pursuant to section 10.08.00.

C. Commercial Intermediate District (C-3). The purpose and intent of the commercial intermediate district (C-3) is to provide for a wider variety of goods and services intended for areas expected to receive a higher degree of automobile traffic. The type and variety of goods and services are those that provide an opportunity for comparison shopping, have a trade area consisting of several neighborhoods, and are preferably located at the intersection of two-arterial level streets. Most activity centers meet this standard. This district is also intended to allow all of the uses permitted in the C-1 and C-2 zoning districts typically aggregated in planned shopping centers. This district is not intended to permit wholesaling type of uses, or land uses that have associated with them the need for outdoor storage of equipment and merchandise. A mixed-use project containing a residential component is permitted in this district subject to the criteria established herein. The C-3 district is permitted in accordance with the locational criteria for commercial and the goals, objectives, and policies as identified in the future land use element of the Collier County GMP. The maximum density permissible in the C-3 district and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County GMP. The maximum density permissible or permitted in the C-3 district shall not exceed the density permissible under the density rating system.

1. The following uses, as defined with a number from the Standard Industrial Classification Manual (1987), or as otherwise provided for within this section are permissible by right, or as accessory or conditional uses within the commercial intermediate district (C-3).

a. Permitted uses.

1. Accounting (8721).

2. Adjustment and collection services (7322).

3. Advertising agencies (7311).
4. Animal specialty services, except veterinary (0752, excluding outside kenneling).
5. Apparel and accessory stores (5611--5699) with 5,000 square feet or less of gross floor area in the principal structure.
6. Architectural services (8712).
7. Auditing (8721).
8. Auto and home supply stores (5531) with 5,000 square feet or less of gross floor area in the principal structure.
9. Automobile Parking, automobile parking garages and parking structures (7521 - shall not be construed to permit the activity of "tow-in parking lots").
10. Automotive services (7549) except that this shall not be construed to permit the activity of "wrecker service (towing) automobiles, road and towing service."
11. Banks, credit Unions and trusts (6011--6099).
12. Barber shops (7241, except for barber schools).
13. Beauty shops (7231, except for beauty schools).
14. Bookkeeping services (8721).
15. Business associations (8611).
16. Business consulting services (8748).
17. Business credit institutions (6153--6159).
18. Business services - miscellaneous (7389, except auctioneering service, automobile recovery, automobile repossession, batik work, 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, 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, texture designers, textile folding, tobacco sheeting, window trimming, and yacht brokers).
19. Child day care services (8351).
20. Churches.
21. Civic, social and fraternal associations (8641).

22. Commercial art and graphic design (7336).
23. Commercial photography (7335).
24. Computer and computer software stores (5734) with 5,000 square feet or less of gross floor area in the principal structure.
25. Computer programming, data processing and other services (7371-- 7379).
26. Credit reporting services (7323).
27. Direct mail advertising services (7331).
28. Drycleaning plants (7216, nonindustrial drycleaning only).
29. Drug stores (5912).
30. Eating places (5812 only) with 6,000 square feet or less in gross floor area in the principal structure. All establishments engaged in the retail sale of alcoholic beverages for on-premise consumption are subject to locational requirements of section 5.05.01.
31. **Educational plants.**
32. Engineering services (8711).
33. **Essential Services**, subject to section 2.01.03.
34. Federal and federally-sponsored credit agencies (6111).
35. Food stores (groups 5411--5499) with 5,000 square feet or less of gross floor area in the principal structure.
36. Funeral services (7261, except crematories).
37. Garment pressing, and agents for laundries and drycleaners (7212).
38. Gasoline service stations (5541), subject to section 5.05.05.
39. General merchandise stores (5331--5399) with 5,000 square feet or less of gross floor area in the principal structure.
40. Glass stores (5231) with 5,000 square feet or less of gross floor area in the principal structure.
41. **Group care facilities** (category I and II, except for homeless shelters); **care units**, except for homeless shelters; **nursing homes**; **assisted living facilities** pursuant to F.S. § 400.402 and ch. 58A-5 F.A.C.; and continuing care retirement communities pursuant to F.S. § 651 and ch. 4-193 F.A.C.; all subject to section-5.05.04.
42. Hardware stores (5251) with 1,800 square feet or less of gross floor area in the principal structure.

43. Health services, offices and clinics (8011--8049).
44. Home furniture, and furnishings stores (5712--5719) with 5,000 square feet or less of gross floor area in the principal structure.
45. Home health care services (8082).
46. Household appliance stores (5722) with 5,000 square feet or less of gross floor area in the principal structure.
47. Insurance carriers, agents and brokers (6311--6399, 6411).
48. Labor unions (8631).
49. Landscape architects, consulting and planning (0781).
50. Laundries and drycleaning, coin operated – self service (7215).
51. Laundries, family and commercial (7211).
52. Legal services (8111).
53. Libraries (8231).
54. Loan brokers (6163).
55. Management services (8741 & 8742).
56. Marinas (4493), subject to section 5.05.02.
57. Membership organizations, miscellaneous (8699).
58. Mortgage bankers and loan correspondents (6162).
59. Museums and art galleries (8412).
60. Musical instrument stores (5736) with 5,000 square feet or less of gross floor area in the principal structure.
61. Paint stores (5231) with 5,000 square feet or less of gross floor area in the principal structure.
62. Personal credit institutions (6141).
63. Personal services, miscellaneous (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.
64. Personnel supply services (7361 & 7363).
65. Photocopying and duplicating services (7334).
66. Photofinishing laboratories (7384).
67. Photographic studios, portrait (7221).
68. Physical fitness facilities (7991).

- 69. Political organizations (8651).
- 70. Professional membership organizations (8621).
- 71. Public administration (groups 9111--9199, 9229, 9311, 9411--9451, 9511--9532, 9611--9661).
- 72. Public relations services (8743).
- 73. Radio, television and consumer electronics stores (5731) with 5,000 square feet or less of gross floor area in the principal structure.
- 74. Radio, television and publishers advertising representatives (7313).
- 75. Real Estate (6531--6552).
- 76. Record and prerecorded tape stores (5735) with 5,000 square feet or less of gross floor area in the principal structure.
- 77. Religious organizations (8661).
- 78. Repair services - miscellaneous (7629--7631, 7699 - bicycle repair, binocular repair, camera repair, key duplicating, lawnmower repair, leather goods repair, locksmith shop, picture framing, and pocketbook repair only).
- 79. Retail nurseries, lawn and garden supply stores (5261) with 5,000 square feet or less of gross floor area in the principal structure.
- 80. Retail services - miscellaneous (5921--5963 except pawnshops and building materials, 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.
- 81. Secretarial and court reporting services (7338).
- 82. Security and commodity brokers, dealer, exchanges and services (6211-6289).
- 83. Shoe repair shops and shoeshine parlors (7251).
- 84. Social services, individual and family (8322 activity centers, elderly or handicapped only; day care centers, adult and handicapped only).
- 85. Surveying services (8713).
- 86. Tax return preparation services (7291).
- 87. Travel agencies (4724, no other transportation services).
- 88. United State Postal Service (4311, except major distribution center).
- 89. Veterinary services (0742, excluding outside kenneling).

- 90. Videotape rental (7841) with 5,000 square feet or less of gross floor area in the principal structure.
- 91. Wallpaper stores (5231) with 5,000 square feet or less of gross floor area in the principal structure.
- 92. Any use which was permissible under the prior General Retail Commercial (GRC) zoning district, as identified by Zoning Ordinance adopted October 8, 1974, and which was lawfully existing prior to the adoption of this Code.
- 93. Any of the foregoing uses that are subject to a gross floor area limitation shall be permitted by right without the maximum floor area limitation if the use is developed as a component of a shopping center.
- 94. Any other commercial use or professional services which is comparable in nature with the foregoing uses including those that exclusively serve the administrative as opposed to the operational functions of a business and are associated purely with activities conducted in an office.
- 95. Any other commercial or professional use which is comparable in nature with the (C-1) list of permitted uses and consistent with the purpose and intent statement of the district as determined by the board of zoning appeals pursuant to section 10.08.00.

b. Accessory Uses.

- 1. Uses and structures that are accessory and incidental to the uses permitted as of right in the C-3 district.
- 2. Caretaker's residence, subject to section 5.03.05.
- 3. Outside storage or display of merchandise when specifically permitted for a use, otherwise prohibited, subject to section 4.02.12.

c. Conditional uses. The following uses are permissible as conditional uses in the commercial intermediate district (C-3), subject to the standards and procedures established in sections 4.02.02 and 10.08.00.

- 1. Amusements and recreation services (7999 - boat rental, miniature golf course, bicycle and moped rental, rental of beach chairs and accessories only).
- 2. Ancillary plants.
- 3. Bowling centers (7933).
- 4. Coin operated amusement devices (7993).
- 5. Courts (9211).
- 6. Dance Studios, schools and halls (7911).
- 7. Drinking places (5813) excluding bottle clubs. All establishments engaged in the

retail sale of alcoholic beverages for on-premise consumption are subject to the locational requirements of section 5.05.01.

8. Educational services (8221 & 8222).
9. Fire protection (9224).
10. Food stores with greater than 5,000 square feet of gross floor area in the principal structure (groups 5411--5499).
11. Homeless shelters.
12. Hospitals (groups 8062--8069).
13. Legal counsel and prosecution (9222).
14. Mixed residential and commercial uses, subject to design criteria contained in section 4.02.38 except where superseded by the following criteria:
 - i. A site development plan is approved pursuant to section 10.02.03 that is designed to protect the character of the residential uses and neighboring lands;
 - ii. The commercial uses in the development may be limited in hours of operation, size of delivery trucks, and type of equipment;
 - iii. The residential uses are designed so that they are compatible with the commercial uses;
 - iv. Residential dwellings units are located above principal uses;
 - v. Residential and commercial uses do not occupy the same floor of a building;
 - vi. The number of residential dwellings units shall be controlled by the dimensional standards of the C-3 district, together with the specific requirement that in no instance shall the residential uses exceed 50 percent of the gross floor area of the building or the density permitted under the growth management plan;
 - vii. Building height may not exceed two stories;
 - viii. Each residential dwelling unit shall contain the following minimum floor areas: efficiency and one-bedroom, 450 square feet; two-bedroom, 650 square feet; three-bedroom, 900 square feet;
 - ix. The residential dwellings units shall be restricted to occupancy by the owners or lessees of the commercial units below;
 - x. A minimum of thirty (30) percent of the mixed use development shall be maintained as open space. The following

may be used to satisfy the open space requirements; areas used to satisfy water management requirements; landscaped areas; recreation areas; or setback areas not covered with impervious surface or used for parking (parking lot islands may not be used unless existing native vegetation is maintained);

xi. The mixed commercial/residential structure shall be designed to enhance compatibility of the commercial and residential uses through such measures as, but not limited to, minimizing noise associated with commercial uses; directing commercial lighting away from residential units; and separating pedestrian and vehicular accessways and parking areas from residential units, to the greatest extent possible.

15. Motion picture theaters, (7832 - except drive-in).

16. Permitted food service (5812, eating places) uses with more than 6,000 square feet of gross floor area in the principal structure.

17. Permitted personal services, video rental or retail uses (excluding drug stores - 5912) with more than 5,000 square feet of gross floor area in the principal structure.

18. Permitted use with less than 700 square feet gross floor area in the principal structure.

19. Public order and safety (9229).

20. Social services (8322 - other than those permitted, 8331-8399)

21. Soup kitchens.

22. Theatrical producers and miscellaneous theatrical services (7922 - community theaters only).

23. Vocational schools (8243--8299).

24. Any other intermediate commercial use which is comparable in nature with the foregoing list of permitted uses and consistent with the permitted uses and purpose and intent statement of the district, as determined by the board of zoning appeals pursuant to section 10.08.00..

D. General Commercial District (C-4). The general commercial district (C-4) is intended to provide for those types of land uses that attract large segments of the population at the same time by virtue of scale, coupled with the type of activity. The purpose and intent of the C-4 district is to provide the opportunity for the most diverse types of commercial activities delivering goods and services, including entertainment and recreational attractions, at a larger scale than the C-1 through C-3 districts. As such, all of the uses permitted in the C-1 through C-3 districts are also permitted in the C-4 district. The outside storage of merchandise and equipment is prohibited, except to the extent that it is associated with the commercial activity conducted on-site such as, but not limited to, automobile sales, marine vessels, and the renting and leasing of

equipment. Activity centers are suitable locations for the uses permitted by the C-4 district because most activity centers are located at the intersection of arterial roads. Therefore the uses in the C-4 district can most be sustained by the transportation network of major roads. The C-4 district is permitted in accordance with the locational criteria for uses and the goals, objectives, and policies as identified in the future land use element of the Collier County GMP. The maximum density permissible or permitted in a district shall not exceed the density permissible under the density rating system.

1. The following uses, as defined with a number from the Standard Industrial Classification Manual (1987), or as otherwise provided for within this section are permissible by right, or as accessory or conditional uses within the general commercial district (C-4).

a. Permitted uses.

1. Accounting (8721).
2. Adjustment and collection services (7322).
3. Advertising agencies (7311).
4. Advertising – miscellaneous (7319).
5. Agricultural services (0783).
6. Amusement and recreation services, indoor.
7. Amusement and recreation services, outdoor (7999 - fishing piers and lakes operation, houseboat rental, pleasure boat rental, operation of party fishing boats, canoe rental only).
8. Ancillary plants.
9. Animal specialty services, except veterinary (0752, excluding outside kenneling).
10. Apparel and accessory stores (5611--5699).
11. Architectural services (8712).
12. Auditing (8721).
13. Auto and home supply stores (5531).
14. Automobile Parking, automobile parking garages and parking structures (7521 – shall not be construed to permit the activity of "tow-in parking lots").
15. Automotive services (7549) except that this shall not be construed to permit the activity of "wrecker service (towing) automobiles, road and towing service."
16. Automotive vehicle and equipment dealers (5511 and 5599, new vehicles only).
17. Banks, credit Unions and trusts (6011--6099).
18. Barber shops (7241, except for barber schools).
19. Beauty shops (7231, except for beauty schools).

20. Bookkeeping services (8721).
21. Bowling centers, indoor (7933).
22. Building cleaning and maintenance services (7349).
23. Business associations (8611).
24. Business consulting services (8748).
25. Business credit institutions (6153--6159).
26. Business services - miscellaneous (7381, 7389 - except auctioneering service, automobile recovery, automobile repossession, batik work, 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, 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, texture designers, textile folding, tobacco sheeting, and window trimming service).
27. Cable and other pay television services (4841) including communications towers up to specified height, subject to section-5.05.09.
28. Carpet and Upholstery cleaning (7217).
29. Carwashes (7542) provided that carwashes abutting residential zoning districts shall be subject to section 5.05.11 of this Code.
30. Child day care services (8351).
31. **Churches.**
32. Civic, social and fraternal associations (8641).
33. Coin-operated laundries and dry cleaning (7215).
34. Coin operated amusement devices, indoor (7993).
35. Commercial art and graphic design (7336).
36. Commercial photography (7335).
37. Commercial printing (2752, excluding newspapers).
38. Computer programming, data processing and other services (7371--7379).
39. Computer and computer software stores (5734).
40. Credit reporting services (7323).
41. Dance studios, schools and halls, indoor (7911).

42. Detective, guard and armored car service (7381, except armored car and dog rental).
43. Department stores (5311).
44. Direct mail advertising services (7331).
45. Disinfecting and pest control services (7342).
46. Drycleaning plants (7216, nonindustrial drycleaning only).
47. Drug stores (5912).
48. Eating and drinking establishments (5812 and 5813) excluding bottle clubs. All establishments engaged in the retail sale of alcoholic beverages for on-premise consumption are subject to the locational requirements of section 5.05.01.
49. **Educational plants.**
50. Educational services (8221 and 8222).
51. Electrical and electronic repair shops (7622--7629).
52. Engineering services (8711).
53. Equipment rental and leasing (7359 - except airplane, industrial truck, portable toilet and oil field equipment renting and leasing).
54. **Essential Services, subject to section 2.01.03.**
55. Facilities support management services (8744).
56. Federal and federally-sponsored credit agencies (6111).
57. Food stores (groups 5411--5499).
58. Funeral services (7261, except crematories).
59. Garment pressing, and agents for laundries and drycleaners (7212).
60. Gasoline service stations (5541), with services and repairs as described in section 5.05.05.
61. General merchandise stores (5331--5399).
62. Glass stores (5231).
63. Golf courses, public (7992).
64. **Group care facilities (category I and II, except for homeless shelters); care units, except for homeless shelters; nursing homes; assisted living facilities pursuant to F.S. § 400.402 and ch. 58A-5 F.A.C.; and continuing care retirement communities pursuant to F.S. § 651 and ch. 4-193 F.A.C.; all subject to section 5.05.04.**
65. Hardware stores (5251).
66. Health services, miscellaneous (8092--8099).

67. Health services, offices and clinics (8011--8049).
68. Home furniture and furnishings stores (5712--5719).
69. Home health care services (8082).
70. Hospitals (8062--8069).
71. Hotels and motels (7011, 7021 and 7041) when located within an activity center.
72. Household appliance stores (5722).
73. Insurance carriers, agents and brokers (6311--6399, 6411).
74. Labor unions (8631).
75. Landscape architects, consulting and planning (0781).
76. Laundries and drycleaning, coin operated – self service (7215).
77. Laundries, family and commercial (7211).
78. Laundry and garment services, miscellaneous (7219).
79. Legal services (8111).
80. Libraries (8231).
81. Loan brokers (6163).
82. Management services (8741, 8742).
83. Marinas (4493 & 4499 - except canal operation, cargo salvaging, ship dismantling, lighterage, marine salvaging, marine wrecking, and steamship leasing), subject to section 5.05.02.
84. Medical and dental laboratories (8071 and 8072).
85. Medical equipment rental and leasing (7352).
86. Membership organizations, miscellaneous (8699).
87. Membership sports and recreation clubs, indoor (7997).
88. Mortgage bankers and loan correspondents (6162).
89. Motion picture theaters (7832).
90. Motorcycle dealers (5571).
91. Museums and art galleries (8412).
92. Musical instrument stores (5736).
93. News syndicates (7383).
94. Nursing and professional care facilities (8051--8059).

- 95. Outdoor advertising services (7312).
- 96. Paint stores (5231).
- 97. Passenger car leasing (7515).
- 98. Passenger car rental (7514).
- 99. Personal credit institutions (6141).
- 100. Personal services, miscellaneous (7299).
- 101. Personnel supply services (7361 & 7363).
- 102. Photocopying and duplicating services (7334).
- 103. Photofinishing laboratories (7384).
- 104. Photographic studios, portrait (7221).
- 105. Physical fitness facilities (7991).
- 106. Political organizations (8651).
- 107. Professional membership organizations (8621).
- 108. Professional sports clubs and promoters, indoor (7941).
- 109. Public administration (groups 9111--9199, 9229, 9311, 9411--9451, 9511--9532, 9611--9661).
- 110. Public or private parks and playgrounds.
- 111. Public relations services (8743).
- 112. Radio, television and consumer electronics stores (5731).
- 113. Radio, television and publishers advertising representatives (7313).
- 114. Radio and television broadcasting stations (4832 & 4833).
- 115. Real Estate (6512, 6531--6552).
- 116. Record and prerecorded tape stores (5735).
- 117. Religious organizations (8661).
- 118. Repair services - miscellaneous (7699 - except agricultural equipment repair, awning repair, beer pump coil cleaning and repair, blacksmith shops, catch basin, septic tank and cesspool cleaning, industrial truck repair, machinery cleaning, repair of service station equipment, boiler cleaning, tinsmithing, tractor repair).
- 119. Research, development and testing services (8731-8734).
- 120. Retail - miscellaneous (5921--5963, 5992--5999).
- 121. Retail nurseries, lawn and garden supply stores (5261).

- 122. Reupholstery and furniture repair (7641).
- 123. Secretarial and court reporting services (7338).
- 124. Security and commodity brokers, dealer, exchanges and services (6211--6289).
- 125. Security systems services (7382).
- 126. Shoe repair shops and shoeshine parlors (7251).
- 127. Social services, individual and family (8322--8399, except for homeless shelters and soup kitchens).
- 128. Surveying services (8713).
- 129. Tax return preparation services (7291).
- 130. Telegraph and other message communications (4822) including communications towers up to specified height, subject to section 5.05.09.
- 131. Telephone communications (4812 and 4813) including communications towers up to specified height, subject to section 5.05.09.
- 132. Theatrical producers and miscellaneous theatrical services, indoor (7922-7929, including bands, orchestras and entertainers; except motion picture).
- 133. Travel agencies (4724, no other transportation services).
- 134. United State Postal Service (4311, except major distribution center).
- 135. Veterinary services (0741 & 0742, excluding outside kenneling).
- 136. Videotape rental (7841).
- 137. Vocational schools (8243--8299).
- 138. Wallpaper stores (5231).
- 139. Watch, clock and jewelry repair (7631).
- 140. Any use which was permissible under the prior General Retail Commercial (GRC) zoning district, as identified by Zoning Ordinance adopted October 8, 1974, and which was lawfully existing prior to the adoption of this Code.
- 141. Any other commercial use or professional services which is comparable in nature with the foregoing uses including those that exclusively serve the administrative as opposed to the operational functions of a business and are purely associated with activities conducted in an office.
- 142. Any other commercial or professional use which is comparable in nature with the (C-1) list of permitted uses and consistent with the purpose and intent statement of the district as determined by the board of zoning appeals pursuant to section 10.08.00.

b. **Accessory Uses.**

1. Uses and **structures** that are accessory and incidental to the uses permitted as of right in the C-4 district.
2. Caretaker's residence, subject to section 5.03.05.
3. Outside storage or display of merchandise when specifically permitted for a use, otherwise prohibited, subject to section 4.02.12.

c. **Conditional uses.** The following uses are permitted as **conditional uses** in the general commercial district (C-4), subject to the standards and procedures established in section 10.08.00.

1. Animal specialty services, except veterinary (0752, with outside **kenneling**).
2. Amusement and recreation services, outdoor (7948, 7992, 7996, 7999).
3. Auctioneering services, auction rooms (7389, 5999).
4. Automotive dealers and gasoline service stations (5521, 5551, 5561, 5599 outdoor display permitted).
5. Automotive rental and leasing, outdoor display permitted (7513, 7519).
6. Bottle clubs. (All establishments engaged in the retail sale of alcoholic beverages for on-premise consumption are subject to the locational requirements of section 5.05.01.)
7. Communication towers above specified height, subject to section 5.05.09.
8. Fire protection (9224).
9. Fishing, hunting and trapping (0912--0919).
10. Fuel dealers (5983--5989).
11. Homeless shelters.
12. **Hotels and motels** (7011, 7021, 7041 when located outside an activity center).
13. Kiosks.
14. Legal counsel and prosecution (9222).
15. Local and suburban transit (groups 4111--4121, bus stop and van pool stop only).
16. Motion picture theaters, drive-in (7833).
17. Permitted use with less than 700 square feet of **gross floor area** in the principal structure.
18. Police Protection (9221).

19. Public order and safety (9229).
20. Soup kitchens.
21. Motor freight transportation and warehousing (4225, air conditioned and mini-and self storage warehousing only).
22. Veterinary services (0741 & 0742, with outside kenneling).
23. Any other general commercial use which is comparable in nature with the foregoing list of permitted uses and consistent with the permitted uses and purpose and intent statement of the district, as determined by the board of zoning appeals pursuant to section 10.08.00.

E. Heavy Commercial District (C-5). In addition to the uses provided in the C-4 zoning district, the heavy commercial district (C-5) allows a range of more intensive commercial uses and services which are generally those uses that tend to utilize outdoor space in the conduct of the business. The C-5 district permits heavy commercial services such as full-service automotive repair, and establishments primarily engaged in construction and specialized trade activities such as contractor offices, plumbing, heating and air conditioning services, and similar uses that typically have a need to store construction associated equipment and supplies within an enclosed structure or have showrooms displaying the building material for which they specialize. Outdoor storage yards are permitted with the requirement that such yards are completely enclosed or opaquely screened. The C-5 district is permitted in accordance with the locational criteria for uses and the goals, objectives, and policies as identified in the future land use element of the Collier County GMP.

1. The following uses, as identified with a number from the Standard Industrial Classification Manual (1987), or as otherwise provided for within this section are permissible by right, or as accessory or conditional uses within the heavy commercial district (C-5).

a. Permitted uses.

1. Accounting (8721).
2. Adjustment and collection services (7322).
3. Advertising agencies (7311).
4. Advertising – miscellaneous (7319).
5. Agricultural services (0783).
6. Ancillary plants.
7. Amusement and recreation services, indoor (7999).
8. Amusement and recreation services, outdoor (7999 - fishing piers and lakes operation, houseboat rental, pleasure boat rental, operation of party fishing boats, canoe rental only).
9. Animal specialty services, except veterinary (0752, excluding outside kenneling).
10. Apparel and accessory stores (5611-5699).

11. Architectural services (8712).
12. Armature rewinding shops (7694).
13. Auctioneering/auction houses (groups 7389, 5999).
14. Auditing (8721).
15. Auto and home supply stores (5531).
16. Automobile Parking, (7521).
17. Automotive dealers, not elsewhere classified (5599).
18. Automotive repair services (7532 – 7539).
19. Automotive services (7549).
20. Banks, credit Unions and trusts (6011-6099).
21. Barber shops (7241, except for barber schools).
22. Beauty shops (7231, except for beauty schools).
23. Boat dealers (5551).
24. Bookkeeping services (8721).
25. Bowling centers, indoor (7933).
26. Building cleaning and maintenance services (7349).
27. Building construction--General contractors and operative builders (1521—1542).
28. Business associations (8611).
29. Business consulting services (8748).
30. Business credit institutions (6153-6159).
31. Business services (7389 -contractors' disbursement, directories-telephone, recording studios, swimming pool cleaning, and textile designers only).
32. Cable and other pay television services (4841) including communications towers up to specified height, subject to section 5.05.09.
33. Carpentry and floor work contractors (1751-1752).
34. Carpet and Upholstery cleaning (7217).
35. Carwashes (7542), provided that carwashes abutting residential zoning districts shall be subject to section 5.05.11 of this Code.
36. **Churches.**
37. Civic, social and fraternal associations (8641).
38. Coin-operated laundries and dry cleaning (7215).
39. Coin operated amusement devices, indoor (7993).

40. Commercial art and graphic design (7336).
41. Commercial photography (7335).
42. Commercial printing (2752, excluding newspapers).
43. Computer programming, data processing and other services (7371--7379).
44. Computer and computer software stores (5734).
45. Concrete work (1771).
46. Courts (9211).
47. Credit reporting services (7323).
48. Crematories (7261).
49. Dance studios, schools and halls, indoor (7911).
50. Department stores (5311).
51. Detective, guard and armored car service (7381, except armored car and dog rental).
52. Direct mail advertising services (7331).
53. Disinfecting and pest control services (7342).
54. Drycleaning plants (7216, nonindustrial drycleaning only).
55. Drug stores (5912).
56. Eating and drinking establishments (5812 and 5813) excluding bottle clubs. All establishments engaged in the retail sale of alcoholic beverages for on-premise consumption are subject to the locational requirements of section 5.05.01.
57. **Educational plants.**
58. Educational services (8221 and 8222).
59. Electrical and electronic repair shops (7622--7629).
60. Electrical contractors (1731).
61. Engineering services (8711).
62. Equipment rental and leasing (7359).
63. **Essential Services**, subject to section 2.01.03.
64. Facilities support management services (8744).
65. Federal and federally-sponsored credit agencies (6111).
66. Fire protection (9224).
67. Fishing, commercial (0912--0919).
68. Food stores (groups 5411--5499).

- 69. Funeral services (7261).
- 70. Garment pressing, and agents for laundries and drycleaners (7212).
- 71. Gasoline service stations (5541), with services and repairs as described in section 5.05.05.
- 72. General merchandise stores (5331--5399).
- 73. Glass and glazing work (1793).
- 74. Glass stores (5231).
- 75. Golf courses, public (7992).
- 76. **Group care facilities** (category I and II, except for homeless shelters); **care units**, except for homeless shelters; nursing homes; **assisted living facilities** pursuant to F.S. § 400.402 and ch. 58A-5 F.A.C.; and continuing care retirement communities pursuant to F.S. § 651 and ch. 4-193 F.A.C.; all subject to section 5.05.04.
- 77. Hardware stores (5251).
- 78. Health services, offices and clinics (8011--8049).
- 79. Health and allied services, miscellaneous (8092--8099).
- 80. Heating and Air-conditioning contractors (1711).
- 81. Heavy construction equipment rental and leasing (7353).
- 82. Home furniture and furnishings stores (5712--5719).
- 83. Home health care services (8082).
- 84. Hospitals (8062--8069).
- 85. Hotels and motels (7011, 7021 and 7041) when located within an activity center.
- 86. Household appliance stores (5722).
- 87. Installation or erection of building equipment contractors (1796).
- 88. Insurance carriers, agents and brokers (6311--6399, 6411).
- 89. Labor unions (8631).
- 90. Landscape architects, consulting and planning (0781).
- 91. Laundries and drycleaning, coin operated – self service (7215).
- 92. Laundries, family and commercial (7211).
- 93. Laundry and garment services, miscellaneous (7219).

- 94. Legal counsel and prosecution (9222).
- 95. Legal services (8111).
- 96. Libraries (8231).
- 97. Loan brokers (6163).
- 98. Local and suburban transit (4111).
- 99. Local passenger transportation (4119).
- 100. Lumber and other building materials dealers (5211).
- 101. Management services (8741, 8742).
- 102. Marinas (4493 & 4499 - except canal operation, cargo salvaging, ship dismantling, lighterage, marine salvaging, marine wrecking, and steamship leasing), subject to section 5.05.02.
- 103. Masonry, stonework, tile setting and plastering contractors (1741--1743).
- 104. Medical and dental laboratories (8071 and 8072).
- 105. Medical equipment rental and leasing (7352).
- 106. Membership organizations, miscellaneous (8699).
- 107. Membership sports and recreation clubs, indoor (7997).
- 108. Mobile home dealers (5271).
- 109. Mortgage bankers and loan correspondents (6162).
- 110. Motion picture theaters (7832).
- 111. Motor freight transportation and warehousing (4225, mini- and self-storage warehousing only).
- 112. Motor vehicle dealers, new and used (5511, 5521).
- 113. Motorcycle dealers (5571).
- 114. Museums and art galleries (8412).
- 115. Musical instrument stores (5736).
- 116. Newspapers: Publishing, or publishing and printing (2711).
- 117. News syndicates (7383).
- 118. Nursing and professional care facilities (8051--8059).
- 119. Outdoor advertising services (7312).
- 120. Outdoor storage yards, provided that the yard is located no closer than twenty-five (25) feet to any public street and that such yard shall be completely enclosed, except for necessary ingress and egress, pursuant to section 4.02.12. This provision shall not be construed to allow, as

permitted or accessory use, wrecking yards, junkyards, or yards used in whole or part for scrap or salvage operations or for processing, storage, display, or sales of any scrap, salvage, or secondhand building materials, junk automotive vehicles, or secondhand automotive vehicle parts.

- 121. Paint stores (5231).
- 122. Painting and paper hanging (1721).
- 123. Passenger car leasing (7515).
- 124. Passenger car rental (7514).
- 125. Passenger transportation arrangement (4729).
- 126. Periodicals: Publishing or publishing and printing (2721).
- 127. Personal credit institutions (6141).
- 128. Personal services, miscellaneous (7299).
- 129. Personnel supply services (7361 & 7363).
- 130. Photocopying and duplicating services (7334).
- 131. Photofinishing laboratories (7384).
- 132. Photographic studios, portrait (7221).
- 133. Physical fitness facilities (7991).
- 134. Plumbing contractors (1711).
- 135. Police protection (9221).
- 136. Political organizations (8651).
- 137. Professional membership organizations (8621).
- 138. Professional sports clubs and promoters, indoor (7941).
- 139. Public administration (groups 9111--9199, 9229, 9311, 9411--9451, 9511--9532, 9611--9661).
- 140. Public or private parks and playgrounds.
- 141. Public order and safety (9229).
- 142. Public relations services (8743).
- 143. Radio, television and consumer electronics stores (5731).
- 144. Radio, television and publishers advertising representatives (7313).
- 145. Radio and television broadcasting stations (4832 & 4833).
- 146. Real Estate (6512, 6531--6552).
- 147. Record and prerecorded tape stores (5735).

- 148. Recreational vehicle dealers (5561).
- 149. Religious organizations (8661).
- 150. Repair shops and services, not elsewhere classified (7699).
- 151. Research, development and testing services (8731-8734).
- 152. Retail - miscellaneous (5921--5963, 5992--5999).
- 153. Retail nurseries, lawn and garden supply stores (5261).
- 154. Reupholstery and furniture repair (7641).
- 155. Roofing, siding and sheet metal work contractors (1761).
- 156. Secretarial and court reporting services (7338).
- 157. Security and commodity brokers, dealer, exchanges and services (6211--6289).
- 158. Security systems services (7382).
- 159. Shoe repair shops and shoeshine parlors (7251).
- 160. Social services, individual and family (8322--8399, except homeless shelters and soup kitchens).
- 161. Special trade contractors, not elsewhere classified (1799).
- 162. Structural steel erection contractors (1791).
- 163. Surveying services (8713).
- 164. Tax return preparation services (7291).
- 165. Taxicabs (4121).
- 166. Telegraph and other message communications (4822) including communications towers up to specified height, subject to section 5.05.09.
- 167. Telephone communications (4812 and 4813) including communications towers up to specified height, subject to section 5.05.09.
- 168. Theatrical producers and miscellaneous theatrical services, indoor (7922--7929, including bands, orchestras and entertainers; except motion picture).
- 169. Tour operators (4725).
- 170. Travel agencies (4724).
- 171. Truck rental and leasing, without drivers (7513).
- 172. United State Postal Service (4311, except major distribution center).
- 173. Reupholstery and furniture repair (7641).
- 174. Utility trailer and recreational vehicle rental (7519).

- 175. Veterinary services (0741 & 0742, excluding outside kenneling).
- 176. Videotape rental (7841).
- 177. Vocational schools (8243--8299).
- 178. Wallpaper stores (5231).
- 179. Watch, clock and jewelry repair (7631).
- 180. Water well drilling (1781).
- 181. Welding repair (7692).
- 182. Any use which was permissible under the prior General Retail Commercial (GRC) zoning district, as identified by Zoning Ordinance adopted October 8, 1974, and which was lawfully existing prior to the adoption of this Code.
- 183. Any other commercial use or professional services which is comparable in nature with the foregoing uses including those that exclusively serve the administrative as opposed to the operational functions of a business and are purely associated with activities conducted in an office,
- 184. Any other commercial or professional use which is comparable in nature with the (C-1) list of permitted uses and consistent with the purpose and intent statement of the district as determined by the board of zoning appeals pursuant to section 10.08.00.

b. Accessory Uses.

- 1. Uses and structures that are accessory and incidental to the uses permitted as of right in the C-5 district.
- 2. Detached caretaker's residence, subject to section 5.03.05.
- 3. Temporary display of merchandise during business hours, provided it does not adversely affect pedestrian or vehicular traffic or public health or safety. Merchandise storage and display is prohibited within any front yard; allowed within the side and rear yards of lots.

c. Conditional uses. The following uses are permissible as conditional uses in the heavy commercial district (C-5), subject to the standards and procedures established in section 10.08.00.

- 1. Animal specialty services, except veterinary (0752, with outdoor kenneling).
- 2. Amusement and recreation services, outdoor (7948, 7992, 7996, 7999).
- 3. Bottle clubs. (All establishments engaged in the retail sale of alcoholic beverages for on-premise consumption are subject to the locational requirements of section 5.05.01.)

4. Child day care services (8351), provided:
- i. All areas and surfaces readily accessible to children shall be free of toxic substances and hazardous materials. This shall include all **adjacent** and **abutting** properties lying within 500 feet of the child care center's nearest property line.
 - a) For purposes of this subsection, the following definitions shall apply:
 - i) Hazardous materials: A material that has any of the following properties: ignitable, corrosive, reactive and/or toxic.
 - ii) Toxic substances: a substance which is, or is suspected to be, carcinogenic, mutagenic, teratogenic, or toxic to human beings.
 - ii. It shall not be located within 500 feet of the nearest property line of land uses encompassing wholesale storage of gasoline, liquefied petroleum, gas, oil, or other flammable liquids or gases.
 - iii. It shall not be located on the same **street** customarily utilized by construction truck traffic from asphalt plants and excavation quarries.
 - iv. It shall have a minimum lot area of 20,000 square feet and a minimum lot width of 100 feet.
 - v. It shall provide a minimum **usable open space** of not less than thirty (30) percent of the total square footage of the lot area.
 - vi. It shall provide that all **open spaces** to be used by children will be bounded by a fence of not less than five (5) feet in height, to be constructed of wood, masonry or other approved material.
 - vii. It shall provide a landscape buffer in accordance with section 4.06.00.
 - viii. It shall comply with the State of Florida Department of Health and Rehabilitative Services Child Day Care Standards, Florida Administrative Code.
 - ix. Where a **child care center** is proposed in conjunction with, and on the same **parcel** as, a facility which is a permitted use, the requirements set forth in subparagraphs i through viii above, with the exceptions of subparagraphs iv and v, shall be used to provide the protections to children using the **child care center** intended by this section

consistent with the development of the proposed permitted use.

5. Communications (4812--4841) with communications towers that exceed specified height, subject to section 5.05.09.
6. Farm product raw materials (5153--5159).
7. Fuel dealers (5983--5989).
8. Homeless shelters.
9. Hotels and motels (groups 7011, 7021, 7041 when located outside an activity center.)
10. Correctional institutions (group 9223).
11. Kiosks.
12. Local and suburban passenger transportation (4131--4173).
13. Motion picture theaters, drive-in (7833).
14. Permitted uses with less than 700 square feet of gross floor area in the principal structure.
15. Soup kitchens.
16. Transfer stations (4212, local refuse collection and transportation only).
17. Veterinary services (0741 & 0742, with outdoor kenneling).
18. Any other heavy commercial use which is comparable in nature with the foregoing list of permitted uses and consistent with the purpose and intent statement of the district, as determined by the board of zoning appeals pursuant to section 10.08.00.

F. Travel Trailer-Recreational Vehicle Campground District (TTRVC). The provisions of this district are intended to apply to trailer lots for travel trailers, park model travel trailers and recreational vehicles, not exceeding 480 square feet in gross floor area. Such trailer lots are intended to accommodate travel trailers, model travel trailers, pickup coaches, motor homes, and other vehicular accommodations which are suitable for temporary habitation, used for travel, vacation, and recreational purposes. Campsites are intended to accommodate temporary residency while camping, vacationing or recreating. TTRVC vehicles may be permanently located on a lot; however, no person or persons may occupy said vehicles as permanent places of residence.

1. Purpose and intent. The provisions of this district are intended to apply to trailer lots for travel trailers, park model travel trailers and **recreational vehicles**, not exceeding 480 square feet in gross floor area. Such trailer lots are intended to accommodate travel trailers, model travel trailers, pickup coaches, motor homes, and other vehicular accommodations which are suitable for temporary habitation, used for travel, vacation, and recreational purposes. Campsites are intended to accommodate temporary residency while camping, vacationing or recreating. TTRVC vehicles may be permanently located on a lot; however, no person or persons may occupy said vehicles as permanent places of residence.

2. The following uses are permissible by right, or as **accessory or conditional uses** within the travel trailer-recreational vehicle campground district (TTRVC).
 - a. Permitted uses.
 1. Travel trailers, park model travel trailers, pickup coaches, motor homes and other **recreational vehicles**.

 - b. Accessory Uses.
 1. Uses and **structures** that are accessory and incidental to the uses permitted as of right in the TTRVC district.
 2. One **single-family dwelling** (not a TTRVC unit) in conjunction with the operation of the TTRVC park.
 3. **Accessory uses** and **structures** customarily associated with travel trailer **recreational vehicle parks**, including recreation facilities (both indoor and outdoor), administration **buildings**, service **buildings** including bathrooms, laundries and similar services for residents of the park, and utilities.
 4. **Accessory uses** and **structures** customarily associated with travel trailer **recreational vehicle lots**, including:
 - i. Enclosed utility/storage area of the same siding material and architectural style as that of the associated **recreational vehicles**, not to exceed an area of sixty (60) square feet. Any utility/storage area shall be located **adjacent** to its associated **recreational vehicle** and made a continuous part of a screened-in porch where such a porch is attached to the vehicle as herein provided. Where utility/storage areas are made a continuous part of a screened-in porch, the area of the utility/storage area may not exceed 25 percent of the area of the screened-in porch or 120 square feet, whichever lesser. The County Manager or designee may administratively approve an exception to **accessory structure** size limitation where such exception is necessary to allow for accessibility, in accordance with the specifications set forth in Section 4 of the Americans with Disabilities Act (ADA), to

accommodate a physically handicapped individual.

ii. For recreational vehicles fixed by a permanent anchoring system, a screened-in porch elevated or at ground level with a solid roof structure, architecturally compatible with its associated recreational vehicle, not to exceed an area equal to the area of the recreational vehicle to which it is attached. Said screened-in porch shall provide for any site utility/storage space requirements as herein provided and shall not contain any other interior walls. All such screened enclosures must be permitted and constructed according to this Code and applicable building codes. Exterior walls may be enclosed with screen, glass or vinyl windows, except that the storage area shall be enclosed with the same material as the principal unit.

5. Campgrounds containing 100 spaces or more shall be permitted a convenience commercial facility no greater than 15,000 square feet in total land area. This facility shall provide for the exclusive sale of convenience items to park patrons only, and shall present no visible evidence of their commercial character, including signage and lighting, from any public or private street or right-of-way external to the park.

c. Conditional uses. The following uses are permissible as conditional uses in the travel trailer recreational vehicle campground district (TTRVC), subject to the standards and procedures established in section 10.08.00:

1. Camping cabins subject to the following standards:

- i. One camping cabin per approved TTRVC lot.
- ii. The maximum number of camping cabin lots in any one TTRVC park shall be ten percent of the total number of approved TTRVC lots, not to exceed a total number of twenty (20) camping cabin lots.
- iii. Maximum floor area of 220 square feet.
- iv. No internal water or cooking facilities.
- v. Camping cabins may not be designed as a permanent residence, however, tie-downs or other safety devices may be used in order to provide security against high winds.
- vi. Camping cabins must be constructed of natural wood materials such as logs, redwood, cedar, or cypress in order that it may blend harmoniously into the natural landscape character normally found in a TTRVC or campground setting.
- vii. The general development standards required for the TTRVC park shall be applicable to the camping cabin lots.

- viii. All materials and construction must be in accordance with the Collier County Land Development Code (LDC) and the requirements of the Florida Building Code (FBC).
 - ix. At least one room of the **camping cabin** must have a minimum of 150 square feet of floor area.
 - x. If **camping cabins** are to be located in a **flood hazard zone** as delineated on the most recent **flood insurance rate maps**, all requirements of Section 3.02.00 of this LDC must be met.
 - xi. A party shall be allowed a maximum length of stay of two (2) weeks in a **camping cabin**.
3. *Plan approval requirements.* Layout plans for a TTRVC park shall be submitted to the County Manager or designee and construction shall be in accordance with approved plans and specifications and further subject to the provisions of site **development plans** in section 10.02.03. Such plans shall meet the requirements of this district and shall show, at a minimum, those items identified herein.
4. *Required internal park street system.* All **lots/spaces** within a TTRVC park shall have **direct access** from an internal **street**. All internal **streets** within the district shall provide safe and convenient **access** to a public **street**. The **right-of-way widths, paving widths, and other construction standards, including gradient and alignment of all internal streets and drainage** shall be subject to the standards for **development** of supporting infrastructure as provided for in the subdivision regulations, in Chapter 4. For the purpose of this subsection, internal **streets** shall refer to **streets, including necessary right-of-way or easement**, located within the confines of the project legal description and providing no **access** to other land **parcels**.
5. *Required facilities for campsites and TTRV lots.*
- a. Sanitary facilities, including flush toilets, and showers within 300 feet walking distance from every campsite lot and as approved by the Collier County Health Department, or in the event of a private on-site system connection to a county system subject to county ordinances. Lighting shall be provided in sanitary facilities at all times and the facilities shall be accessible to park residents at all times.
 - b. Potable water supply as approved by the Collier County Health Department and/or the director of **development** services pursuant to Chapter 10.
 - c. A trash container such as a dumpster shall be located in areas easily accessible and not obstructed by campsites, **lots** or other TTRVC **lots** or parking areas.
 - d. An enclosed space shall be open at all times wherein a portable fire extinguisher in operable condition and first aid equipment is available for public use.
 - e. One parking space per campsite or TTRV lot.
6. *Sanitary waste disposal.* Unless every travel trailer site has a sanitary waste outlet, a central pump-out station shall be provided.
7. *Off-street parking.* As required in section 4.05.00.

8. Permanent location of TTRV vehicles. TTRV vehicles including park model, travel trailers, may be permanently located on a lot; however, no permanent residency is allowed.

9. Compliance. Where travel trailer/park model lots are being sold to individuals, the developer/owner of the lots shall include in the title transfer document a covenant attesting to the fact that the lot cannot be used as a place of permanent occupancy. All TTRVC parks which commenced construction after the effective date of this district shall comply with all requirements of this district except as further provided herein. No TTRVC park in existence on the effective date of this district shall be altered so as to provide a lesser degree of conformity with the provisions of this district than existed on the effective date of this district. Land already zoned TTRVC which does not meet the acreage requirements may be developed; however, the development shall conform with all other regulations of this district.

Every proprietor, manager, homeowners' association, or condominium association of a TTRV park shall maintain a register of tenants or occupants, noting the duration of the rental arrangement or length of occupancy for owner-occupied sites with respect to one or more travel trailers or park models. Said register shall be made available upon demand to the County Manager or designee. In the event of owner-occupied lots within the TTRVC district, said owner is responsible for registering their arrival and departure from their recreation residence with the manager of the TTRVC park. Failure to register will hold the owner responsible for penalties as provided herein. Failure of park owner/manager to provide said register, duly describing the persons who have occupied a travel trailer or park model trailer, and the duration of their occupancy, shall be guilty of a misdemeanor and subject to the penalties provided by this Code. Any proprietor or manager who maintains a falsified register to allow persons to occupy a travel trailer or park model trailer on a permanent basis shall be similarly guilty of a misdemeanor and subject to penalties as provided in this Code.

10. Flood program requirements. All travel trailers, park model travel trailers, recreational vehicles and accessory structures shall comply with the current Collier County Flood Damage Prevention Ordinance [Code ch. 62, art. II] if permanently attached to the ground or utility facilities.

11. Anchoring/sewer, water and electrical connections. Park model travel trailers, when positioned on a lot in this district, must be anchored in accordance with the standards set forth in the MH district and TTRVC district and other applicable regulations, and be connected to a public or private water and sewer system. Additionally, such units must obtain electrical service directly from the electric utility authorized to provide such service in Collier County.

12. Building permit. A building permit shall be required for any permitted use prior to water, sewer or electric connection.

13. Signs. As required in section 5.06.00.

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SUBSECTION 3.G. AMENDMENTS TO SECTION 2.03.04 CIVIC AND INSTITUTIONAL ZONING DISTRICTS

Section 2.03.04 Civic and Institutional Zoning Districts, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

~~2.03.04 Civic and Institutional Zoning Districts~~

- ~~A. Public Use District "P". The purpose and intent of public use district "P" is to accommodate only local, state, and federally owned or leased and operated government facilities that provide essential public services. The P district is intended to facilitate the coordination of urban services and land uses while minimizing the potential disruption of the uses of nearby properties.~~
- ~~B. Community Facility District "CF". The purpose and intent of "CF" district is to implement the GMP by permitting nonresidential land uses as generally identified in the urban designation of the future land use element. These uses can be characterized as public facilities, institutional uses, open space uses, recreational uses, water related or dependent uses, and other such uses generally serving the community at large. The dimensional standards are intended to ensure compatibility with existing or future nearby residential development. The CF district is limited to properties within the urban mixed use land use designation as identified on the future land use map.~~

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2.03.04 Industrial Zoning Districts

A. Industrial District (I). The purpose and intent of the industrial district (I) is to provide lands for manufacturing, processing, storage and warehousing, wholesaling, and distribution. Service and commercial activities that are related to manufacturing, processing, storage and warehousing, wholesaling, and distribution activities, as well as commercial uses relating to automotive repair and heavy equipment sales and repair are also permissible in the I district. The I district corresponds to and implements the industrial land use designation on the future land use map of the Collier County GMP.

1. The following uses, as identified within the Standard Industrial Classification Manual (1987), or as otherwise provided for within this section, are permitted as a right, or as accessory or conditional uses within the industrial district (I).

a. Permitted uses.

1. Agricultural services (0711, except that chemical treatment of soil for crops, fertilizer application for crops and lime spreading for crops shall be a minimum of 500 feet from a residential zoning district, 0721, except that aerial dusting and spraying, disease control for crops, spraying crops, dusting crops, and insect control for crops, with or without fertilizing, shall be a minimum of 500 feet from a residential zoning district, 0722--0724, 0761, 0782, 0783).
2. Apparel and other finished products (2311--2399).
3. Ancillary Plants.
4. Automotive repair, service, and parking (7513--7549).
5. Barber shops (7241).
6. Beauty shops or salons (7231).
7. Building construction (1521--1542).

8. Business services (7312, 7313, 7319, 7334--7336, 7342--7389, including auction rooms (5999), subject to parking and landscaping for retail use).
9. Communications (4812--4899 including communications towers up to specified heights, subject to section 5.05.09.).
10. Construction--Special trade contractors (1711--1799).
11. Crematories (7261).
12. Depository and non-depository institutions (6011--6163).
13. Eating places (5812).
14. Electronic and other electrical equipment (3612--3699).
15. Engineering, accounting, research, management and related services (8711--8748).
16. **Essential Services, subject to section 2.01.03.**
17. Fabricated metal products (3411--3479, 3491--3499).
18. Food and kindred products (2011--2099, except slaughtering plants).
19. Furniture and fixtures (2511--2599).
20. General aviation airport.
21. Gunsmith shops (7699).
22. Heavy construction (1611--1629).
23. Health services (8011 accessory to industrial activities conducted on-site only).
24. Industrial and commercial machinery and computer equipment (3511--3599).
25. Insurance agents, brokers, and service, including Title insurance (6361 and 6411).
26. Laundry, cleaning, and garment services (7211--7219).
27. Leather and leather products (3131--3199).
28. Local and suburban transit (4111--4173).
29. Lumber and wood products (2426, 2431--2499).
30. Measuring, analyzing, and controlling instruments; photographic, medical and optical goods; watches and clocks (3812--3873).
31. Membership organizations (8611, 8631).
32. Miscellaneous manufacturing industries (3911--3999).

33. Miscellaneous repair services (7622--7699) with no associated retail sales.
34. Motor freight transportation and warehousing (4212, 4213--4225, 4226 except oil and gas storage, and petroleum and chemical bulk stations).
35. Outdoor storage yards pursuant to the requirements of section 4.02.12.
36. Paper and allied products (2621--2679).
37. Physical fitness facilities (7991).
38. Printing, publishing and allied industries (2711--2796).
39. Railroad transportation (4011, 4013).
40. Real estate brokers and appraisers (6531).
41. Rubber and miscellaneous plastics products (3021, 3052, 3053).
42. Shooting range, indoor (7999).
43. Stone, clay, glass, and concrete products (3221, 3231, 3251, 3253, 3255--3273, 3275, 3281).
44. Textile mill products (2211--2221, 2241--2259, 2273--2289, 2297, 2298).
45. Title abstract offices (6541).
46. Transportation equipment (3714, 3716, 3731, 3732, 3751, 3761, 3764, 3769, 3792, 3799).
47. Transportation by air (4512--4581).
48. Transportation services (4724--4783, 4789 except stockyards).
49. United States Postal Services (4311).
50. Vocational schools (8243--8249).
51. Welding repair (7692).
52. Wholesale trade--Durable goods (5012--5014, 5021--5049, 5063--5092, 5094--5099).
53. 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)).

b. Accessory Uses.

1. Uses and structures that are accessory and incidental to uses permitted as of right in the I district.
2. Caretaker's residence, subject to section 5.03.05.

3. Retail sales and/or display areas as accessory to the principal use, excluding automotive sales and/or display areas, not to exceed an area greater than 20 percent of the gross floor area of the permitted principal use, and subject to retail standards for landscaping, parking and open space.
4. Recreational vehicle campground and ancillary support facilities when in conjunction with temporary special event activities such as air shows and the like.

c. Conditional uses. The following uses are permitted as conditional uses in the industrial district (I), subject to the standards and procedures established in section 10.08.00.

1. Adult day care centers (8322).

- i. Shall not be located within 500 feet of the nearest property line of land uses encompassing wholesale storage of gasoline, liquefied petroleum, gas, oil, or other flammable liquids or gases.
- ii. Shall not be located on the same street customarily utilized by construction truck traffic from asphalt plants and excavation quarries.
- iii. Shall have a minimum lot area of 20,000 square feet and a minimum lot width of 100 feet.
- iv. Shall provide a minimum usable open space of not less than 30 percent of the total square footage of the lot area.

2. Child day care services (8351), provided:

- i. All areas and surfaces readily accessible to children shall be free of toxic substances and hazardous materials. This shall include all adjacent and abutting properties lying within 500 feet of the child care center's nearest property line.
 - a) For purposes of this subsection, the following definitions shall apply:
 - i) Hazardous materials: A material that has any of the following properties: ignitable, corrosive, reactive and/or toxic.
 - ii) Toxic substances: A substance which is or is suspected to be, carcinogenic, mutagenic, teratogenic, or toxic to human beings.
- ii. It shall not be located within 500 feet of the nearest property line of land uses encompassing wholesale storage of

gasoline, liquefied petroleum, gas, oil, or other flammable liquids or gases.

- iii. It shall not be located on the same street customarily utilized by construction truck traffic from asphalt plants and excavation quarries.
- iv. It shall have a minimum lot area of 20,000 square feet and a minimum lot width of 100 feet.
- v. It shall provide a minimum usable open space of not less than thirty (30) percent of the total square footage of the lot area.
- vi. It shall provide that all open spaces to be used by children will be bounded by a fence of not less than five (5) feet in height, to be constructed of wood, masonry or other approved material.
- vii. It shall provide a landscape buffer in accordance with section 4.06.00.
- viii. It shall comply with the State of Florida Department of Health and Rehabilitative Services Child Day Care Standards, Florida Administrative Code.
- ix. Where a child care center is proposed in conjunction with, and on the same parcel as, a facility which is a permitted use, the requirements set forth in subparagraphs i through-viii above, with the exceptions of subparagraphs iv and v, shall be used to provide the protections to children using the child care center intended by this section consistent with the development of the proposed permitted use.

- 3. Chemical and allied products (2812--2899).
- 4. Communications (groups 4812--4899 including communications towers that exceed specified heights subject to all requirements of section 5.05.09.).
- 5. Electric, gas, and sanitary services (4911--4971).
- 6. Fabricated metal products (3482--3489).
- 7. Food and kindred products (2011 and 2048 including slaughtering plants for human and animal consumption).
- 8. Heliports/Helistops, public and private; For restrictions and conditions see section 5.05.14 Heliports and Helistops.
- 9. Leather tanning and finishing (3111).
- 10. Lumber and wood products (2411, 2421, 2429).
- 11. Motor freight transportation and warehousing (4226, oil and gas storage, and petroleum and

chemical bulk stations, but not located within 500 feet of a residential zoning district).

12. Oil and gas extraction (1321, 1382).
13. Paper and allied products (2611).
14. Petroleum refining and related industries (2911--2999).
15. Primary metals industries (3312--3399).
16. Refuse systems (4953).
17. Rubber and miscellaneous plastics products (3061--3089).
18. Stone, clay, glass, and concrete products (3211, 3229, 3241, 3274, 3291--3299).
19. Textile mill products (2231, 2261--2269, 2295, 2296).
20. Transportation by air (4581 **airport** flying fields).
21. Transportation services (4789 stockyards).
22. Wholesale trade--durable goods (5015, 5051, 5052, 5093). Wholesale trade--nondurable goods (5162, 5169, 5171, 5172, 5191).
23. Homeless shelters.
24. Soup kitchens.
25. Any other industrial use which is comparable in nature with the foregoing list of permitted uses and consistent with the purpose and intent statement of the district, as determined by the board of zoning appeals pursuant to section 10.08.00.

B. Business Park District (BP). The purpose and intent of the business park district- (BP) is to provide a mix of industrial uses, corporate headquarters offices and business/professional offices which complement each other and provide convenience services for the employees within the district; and to attract businesses that create high value added jobs. It is intended that the BP district be designed in an attractive park-like environment, with low structural **density** and large landscaped areas for both the functional use of **buffering** and enjoyment by the employees of the BP district. The BP district is permitted by the urban mixed use, urban commercial, and urban-industrial districts of the future land use element of the Collier County GMP.

1. The following uses, as identified within the latest edition of the Standard Industrial Classification Manual, or as otherwise provided for within this section, are permitted as of right, or as uses **accessory** to permitted primary or secondary uses, or are **conditional uses** within the business park district.

a. *Permitted primary uses.* One hundred percent of the total business park district acreage is allowed to be developed with the following uses:

1. Aircraft and parts (3721--3728).

2. Apparel and other finished products (2311–2399).
3. Business services (7311).
4. Communications (4812–4899 including communication towers limited in height to 100 feet and subject to section 5.05.09.).
5. Construction: Special trade contractors (1711–1799).
6. Depository and non-depository institutions (6011, 6019, 6081, 6082).
7. Drugs and medicines (2833–2836).
8. Eating places (5812 not including fast foods, walk-up windows and drive-thru restaurants).
9. Educational services (8221–8299).
10. Electronic and other electrical equipment manufacturing (3612–3699).
11. Engineering, accounting, research, management and related services (8711–8748).
12. Food manufacturing (2034, 2038, 2053, 2064, 2066, 2068, 2096, 2098, 2099).
13. Furniture and fixtures manufacturing (2511–2599).
14. Government offices/buildings (9111–9222, 9224–9229, 9311, 9411–9451, 9511–9532, 9611–9661).
15. Health services (8011–8049).
16. Industrial and commercial machinery and computer equipment (3511–3599).
17. Industrial inorganic chemicals (2812–2819).
18. Job training and vocational rehabilitation services (8331).
19. Leather and leather products (3131–3199).
20. Measuring, analyzing, and controlling instruments; photographic, medical and optical goods; watches and clocks manufacturing (3812–3873).
21. Medical laboratories and research and rehabilitative centers (8071, 8072, 8092, 8093).
22. Miscellaneous manufacturing industries (3911–3999).
23. Motion picture production (7812–7819).
24. Motor freight transportation and warehousing (4225 mini- and self- storage warehousing only and subject to the following criteria:
 - i. The use of metal roll-up garage doors located on the exterior of the perimeter buildings and walls of buildings which are

visible from a public right-of-way is prohibited; and

ii. Access to individual units whether direct or indirect must be from the side of a building that is oriented internally;

iii. No building shall exceed 100 feet in length when adjacent to a residential zoning district;

iv. No outdoor storage of any kind is permitted; and

v. Storage units shall be utilized for storage purposes only.

25. Paper and allied products (2621--2679).

26. Plastic materials and synthetics (2821, 2834).

27. Printing, publishing and allied industries (2711--2796).

28. Rubber and miscellaneous plastics products (3021, 3052, 3053).

29. Security/commodity brokers (6211);

30. Transportation equipment (3714, 3716, 3731, 3732, 3751, 3792, 3799).

31. United States Postal services (4311).

32. Wholesale trade durable goods (5021, 5031, 5043--5049, 5063--5078, 5091, 5092, 5094--5099).

33. Wholesale trade nondurable goods (5111--5159, 5181, 5182, 5191 except that wholesale distribution of chemicals, fertilizers, insecticides, and pesticides shall be a minimum of 500 feet from a residential zoning district (5192--5199).

34. Any other use which is comparable in nature with the forgoing uses and is otherwise clearly consistent with the intent and purpose statement of the district.

b. Permitted secondary uses accessory to the business park district. Development is limited to a maximum of 30 percent of the total acreage of the business park district for the following uses:

1. Business services (7312, 7313, 7319, 7331, 7334--7336, 7342, 7349, 7352, 7361, 7363, 7371--7384, 7389).

2. Child day care services (8351).

3. Depository and non-depository institutions (6021--6062, 6091, 6099, 6111--6163).

4. Drug stores (5912, limited to drug stores and pharmacies) in conjunction with health services group and medical laboratories / research / rehabilitative groups.

5. Hotels (7011 hotels only). Maximum density 26 units per acre when located within activity centers and 16 units per acre when located outside activity centers. The maximum floor area ratio for hotels shall not exceed a factor of 0.60.
6. Membership organizations (8611); business associations (8621); professional organizations (8631); labor unions and similar labor organizations.
7. Personal services (7215--7231, 7241).
8. Physical fitness facilities and bowling centers (7991, 7933).
9. Professional offices; insurance agencies (6411); insurance carriers (6311--6399); real estate (6531, 6541, 6552, 6553); holding and other investment offices (6712-6799); attorneys (8111).
10. Travel agencies (4724).

c. Accessory uses to permitted primary and secondary uses:

1. Uses and structures that are accessory and incidental to uses permitted as of right in the BP district.
2. Caretaker's residence, subject to section 5.03.05.
3. Retail sales and/or display areas as accessory to the principal use, not to exceed an area greater than 20 percent of the gross floor area of the permitted principal use and subject to retail standards for landscaping, parking and open space.

d. Conditional uses:

1. Ancillary plants.

* * * * *

SUBSECTION 3.H. AMENDMENTS TO SECTION 2.03.05 OPEN SPACE ZONING DISTRICT

Section 2.03.05 Open Space Zoning District, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

~~2.03.05 Open Space Zoning District~~

- A. ~~Golf Course District "GC". The purpose and intent of "GC" district is to provide lands for golf courses and normal accessory uses to golf courses, including certain uses of a commercial nature. The GC district shall be in accordance with the urban mixed use district and the agricultural-rural district of the future land use element of the Collier County GMP.~~
- B. ~~Conservation District "CON". The purpose and intent of the conservation district "CON" is to conserve, protect, and maintain vital natural resource lands within unincorporated Collier County that are owned primarily by the public. All native habitats possess ecological and physical characteristics that justify attempts to maintain these important natural resources. Barrier~~

~~Islands, coastal bays, wetlands, and habitat for listed species deserve particular attention because of their ecological value and their sensitivity to perturbation. All proposals for development in the CON district must be subject to rigorous review to ensure that the impacts of the development do not destroy or unacceptably degrade the inherent functional values. The CON district includes such public lands as Everglades National Park, Big Cypress National Preserve, Florida Panther National Wildlife Refuge, portions of the Big Cypress Area of Critical State Concern, Fakahatchee Strand State Preserve, Collier Seminole State Park, Rookery Bay National Estuarine Sanctuary Research Reserve, Delnor-Wiggins State Park, and the National Audubon's Corkscrew Swamp Sanctuary (privately owned), and C.R.E.W. It is the intent of the CON district to require review of all development proposed within the CON district to ensure that the inherent value of the County's natural resources is not destroyed or unacceptably altered. The CON district corresponds to and implements the conservation land use designation on the future land use map of the Collier County GMP.~~

~~1. Allowable uses. The following uses are allowed in the CON District.~~

~~a. Uses permitted as of right.~~

~~(1) On privately held land only, single family dwelling units, and mobile homes where the **mobile home Zoning Overlay exists.**~~

~~(2) On publicly and privately held lands only, dormitories, duplexes and other types of housing, as may be incidental to, and in support of, **conservation uses.**~~

~~(3) Passive parks, and other passive recreational uses, including, but not limited to:~~

~~(a) Open space and recreational uses;~~

~~(b) Biking, hiking, canoeing, and nature trails;~~

~~(c) Equestrian paths; and~~

~~(d) Nature preserves and wildlife sanctuaries.~~

~~(4) Habitat preservation and conservation uses.~~

~~(5) Family and Group Care Facilities.~~

~~(6) Sporting and Recreational camps incidental to conservation uses on public lands; or, on privately held lands,~~

~~(7) Agricultural uses that fall within the scope of Sections 163.3162(4) and 823.14(6) Florida Statutes.~~

~~(8) **Oil and gas exploration** subject to applicable federal and state drilling permits and Collier County non-environmental site development plan review procedures. Directional drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C 25 through 62C 30, F.A.C., as such rules existed on June 16, 2005, regardless of whether the activity occurs within the Big Cypress~~

~~Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For these 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, 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.~~

~~(9) The following essential services:~~

~~(a) Private wells and septic tanks necessary to serve uses identified in 1 through 8 above.~~

~~(b) Utility lines necessary to serve uses identified in 1 through 8 above, with the exception of sewer lines.~~

~~(c) Sewer lines and lift stations if all of the following criteria are satisfied:~~

~~i. Such sewer lines or lift stations shall not be located in any NRPA Lands in the CON district;~~

~~ii. Such sewer lines or lift stations shall be located within already cleared portions of existing rights-of-way or easements; and~~

~~iii. Such sewer lines or lift stations are necessary to serve a central sewer system that provides service to Urban Areas; or to the Rural Transition Water and Sewer District, as delineated on the Urban-Rural Fringe Transition Zone Overlay Map in the Future Land Use Element of the GMP.~~

~~(d) Water pumping stations necessary to service a central water system providing service to Urban Areas; or the Rural Transition Water and Sewer District, as delineated on the Urban-Rural Fringe Transition Zone Overlay Map in the Future Land Use Element of the GMP.~~

~~b. Uses accessory to permitted uses. Uses and structures that are accessory and incidental to uses permitted as of right in the CON district.~~

~~c. Conditional uses. The following uses are permitted as conditional uses in the CON, subject to the standards and procedures established in section 10.08.00 and further subject to: 1) submission of a plan for development as part~~

~~of the required EIS that demonstrates that wetlands, listed species and their habitat are adequately protected; and 2) conditions which may be imposed by the Board of County Commissioners, as deemed appropriate, to limit the size, location, and access to the conditional use.~~

~~(1) Oil and gas field development and production, subject to federal and 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., as those rules existed on June 16, 2005, regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), FAC. 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, FAC. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the applicant shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62C-30.005(2)(a)(1) through (12), F.A.C.~~

~~(2) These essential services set forth in section 2.01.03 G.2.~~

~~(3) Commercial uses accessory to permitted uses A.3, A.4, and A.7 above, such as retail sales of produce accessory to farming, or a restaurant accessory to a park or preserve, so long as limitations are imposed to ensure that the commercial use functions as a subordinate use.~~

~~(4) Staff housing in conjunction with safety service facilities and essential services.~~

~~2. Design criteria.~~

~~a. Dimensional standards. The following dimensional standards shall apply to all permitted and accessory uses in the **conservation district (CON)**.~~

~~(1) Minimum lot area. Each dwelling unit, other than for staff housing and sporting and recreational camps, must be physically situated on a minimum five-acre parcel except within the Big Cypress National Preserve, where each dwelling unit must be physically situated on a minimum 3-acre parcel, except for those legal nonconforming lots or **parcels** in existence as of June 22, 2002, of less than five acres outside of the Big Cypress National~~

~~Preserve and of less than 3 acres within the Big Cypress National Preserve.~~

~~(2) Minimum lot width. One hundred fifty feet.~~

~~(3) Minimum yard requirements.~~

~~(a) Front yard. 50 feet.~~

~~(b) Side yard. 50 feet.~~

~~(c) Rear yard. 50 feet.~~

~~(4) Maximum height. Thirty five feet.~~

~~b. Maximum density and intensity.~~

~~(1) Single family dwellings and mobile homes~~

~~(a) One dwelling unit for each five gross acres or one dwelling unit for each legal, nonconforming lot or parcel in existence as of June 22, 2002 of less than five acres, except within the Big Cypress National Preserve.~~

~~(b) Within the Big Cypress National Preserve, one dwelling unit per 3 gross acres, or one dwelling unit per legal, nonconforming lot or parcel in existence as of June 22, 2002 of less than 3 acres.~~

~~(2) Family Care Facilities: 1 unit per 5 acres.~~

~~(3) Group Care Facilities and other Care Housing Facilities: maximum floor area ratio not to exceed 0.45.~~

~~(4) Sporting and Recreational Camps: 1 lodging unit per 5 gross acres, which may be achieved through clustering.~~

~~(5) Staff housing: 1 lodging unit per 5 gross acres, which may be achieved through clustering.~~

~~c. Off street parking. As required in Chapter 4 of the Code.~~

~~d. Landscaping. As required in Chapters 4 and 10 of the Code.~~

~~e. Signs. As required in section 5.06.00 of the Code.~~

* * * * *

2.03.05 Civic and Institutional Zoning Districts

A. Public Use District (P). The purpose and intent of public use district (P) is to accommodate only local, state and federally owned or leased and operated government facilities that provide essential public services. The P district is intended to facilitate the coordination of urban services and land uses while minimizing the potential disruption of the uses of nearby properties.

1. Any public facilities that lawfully existed prior to the effective date of this Code and that are not zoned for public use district (P) are determined to be conforming with these zoning regulations.

2. Any future expansion of these public facilities on lands previously reserved for their use shall be required to meet the regulations in effect for the zoning district in which the public facility is located.
3. Government-owned properties rented or leased to nongovernmental entities for purposes not related to providing governmental services or support functions to a primary civic or public institutional use shall not be zoned for the public use district (P), but rather, shall be zoned or rezoned according to the use types or the use characteristics which predominate.
4. The following uses are permitted as of right, or as **accessory or conditional uses**, in the public use district (P).

a. Permitted uses.

1. Administrative service facilities.
2. Child care, not for profit.
3. Collection and transfer sites for resource recovery.
4. Communication towers.
5. Education facilities.
6. **Educational Plants.**
7. Essential public service facilities.
8. Fairgrounds.
9. Libraries.
10. Museums.
11. Park and recreational service facilities.
12. Parking facilities.
13. Safety service facilities.
14. Any other public **structures** and uses which are comparable in nature with the foregoing uses.

b. **Accessory Uses.**

1. Accessory uses and structures customarily associated with the principal permitted uses.
2. Residential and commercial uses of an accessory nature which are incidental and customarily associated with support of a primary public use of the site for public purpose and which are consistent with the growth management plan.
3. Temporary use of the site for public purpose in accordance with section 5.04.00.
4. **Accessory uses** which are provided by concessionaires under agreement with the county for the provision of the service.

5. Any other public uses which are comparable in nature with the foregoing uses.

6. Earthmining, provided the use of the excavated materials is utilized for governmental projects.

c. **Conditional uses.** The following uses are permissible as **conditional uses** in the public use district (P), subject to the standards and procedures established in section 10.08.00:

1. **Airports** and parking facilities.

2. **Ancillary plants.**

3. Animal control.

4. Detention facilities and jails.

5. Detoxification facilities.

6. Electric or gas generating plants.

7. Incinerators.

8. Major maintenance and service facilities.

9. Mental health and rehabilitative facilities, not for profit.

10. Resource recovery plants.

11. Rifle and pistol range for law enforcement training.

12. Sanitary landfills.

13. Any other public uses which are comparable in nature with the foregoing uses.

14. Earthmining.

B. Community Facility District (CF). The purpose and intent of (CF) district is to implement the GMP by permitting nonresidential land uses as generally identified in the urban designation of the future land use element. These uses can be characterized as public facilities, institutional uses, **open space** uses, recreational uses, water-related or dependent uses, and other such uses generally serving the community at large. The dimensional standards are intended to insure **compatibility** with existing or future nearby residential development. The CF district is limited to properties within the urban mixed use land use designation as identified on the future land use map.

1. The following uses are permitted as of right, or as **accessory** or **conditional uses**, in the community facility district (CF).

a. *Permitted uses.*

1. **Child care centers.**

2. **Churches.**

3. **Civic and cultural facilities.**

4. **Museums.**

5. Nursing homes, assisted living facilities (ALF) pursuant to § 400.402 F.S. and ch. 58A-5 F.A.C., family care facilities, group care facilities (category I) and continuing care residential communities pursuant to § 651 F.S. and ch. 4-193 F.A.C. all subject to section 5.05.04.
6. Parks and playgrounds, noncommercial recreation facilities, open space uses.
7. Schools, private and parochial schools. This includes Educational Plants for public schools.
8. Social and fraternal organizations.
9. Educational services (groups 8211--8231).

b. Accessory Uses. Accessory uses and structures that are accessory and incidental to the uses permitted as of right in the CF district.

c. Conditional uses. The following uses are permitted as conditional uses in the community facility district (CF), subject to the standards and procedures established in section 10.08.00:

1. Ancillary plants.
2. Archery ranges.
3. Cemeteries.
4. Community centers.
5. Golf driving ranges.
6. Group care facility (category II, care unit), subject to section 5.05.04.
7. Marinas, boat ramps, subject to section 5.03.06 and the applicable review criteria set forth in section 5.05.02.
8. Private clubs, yacht clubs.
9. Public swimming pools.
10. Tennis facilities.

* * * * *

SUBSECTION 3.1. AMENDMENTS TO SECTION 2.03.06 PLANNED UNIT DEVELOPMENT DISTRICT

Section 2.03.06 Planned Unit Development District, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

2.03.06 Planned Unit Development District

* * * * *

D. The following are permissible uses in the Research and Technology Park PUD:

Identified Use	Special Notes Or Regulation	RTPPUD
Accessory uses and structures	4.07.02 and 5.03.00	P
Accounting 8721, 7521,7231,7241		NT
Administrative offices		P (2)
Aircraft & Parts 3721-3728 Aviation/Aerospace Industries		T
ATM (automatic teller machine)		P
Automobile service station	§5.05.05	NT
Banks and financial establishments Group I 6011--6062 Group II 6081--6173	NT NT	
Bar or cocktail lounge		-
Barber Shops 7241		NT
Beauty Shops 7231		NT
Boats: Boat ramps and dockage (not marinas) Boat rental Boat repair and service Boat sales	5.03.06	NT -NT
Broadcast studio, commercial radio and television		T
Business services 7311--7352, 7359--7389		NT
Cable and other pay television services 4841		T
Call Center and Customer Support Activities		T
Car wash		NT
CD-ROM development		T
Clothing stores, general		NT
Communication groups 4812--4841		T
Communication towers: 75 feet or less in height More than 75 feet in height	5.05.09	P CU
Computer and data processing services, Computer related services, not elsewhere classified		T
Consumption on premises		NT
Convenience food and beverage store		NT
Day care center, adult & child services		P/NT
Data and Information processing		T
Development testing and related manufacturing		T
Drive-through facility for any Permitted use		P
Drugs, Medicine 2833-2836		T
Drugstore, pharmacy 5912		NT
Dwelling unit: Single-family, duplex Two-family attached		P P P

Townhouse, multiple-family building		
Educational, scientific and research organizations		T
Engineering 0781, 8711--8713, 8748		NT
Export based laboratory research or testing activities		T
Fences, walls	5.03.02	P
Food and beverage service, limited		NT
Food stores 5411--5499		NT
Gasoline dispensing system, special		NT
General Merchandise 5331--5399		NT
General Contractors 1521--1542		NT
Gift and souvenir shop		NT
Hardware store 5251		NT
Health care facilities: 8011--8049 8051--8099		NT NT
Health Technologies		T
Heliport or helistop		P
Hobby, toy and game shops		NT
Hotel/motel: 7011, 7021, 7041		NT
Housing units for employees only	5.05.03	P
Insurance companies 6311--6399, 6411		NT
Information Technologies		T
Laboratories 5047, 5048, 5049, 8071, 8731, 8734		T
Laundry or dry cleaning		NT
Legal Offices 8111		NT
MANUFACTURING OF:		
1. Electronics 3612--3699		T
2. Measuring, analyzing & Controlling instruments, 3812--3873		T
3. Novelties, jewelry, toys and signs		NT
Management 8741--8743, 8748		NT
Medical Laboratory 8071, 8072, 8092, 8093		T
Membership Organization 8611--8699		NT
Motion picture production studio 7812--7819		NT
Multimedia activities		T
Parks		P
Parking lot: Accessory Garage, public parking		P P
Personal services 7211--7299		NT
Pharmacy		NT
Photo finishing laboratory		T

Photographic Studios 7221		NT
Physical Fitness 7991		NT
Play Ground		P
Printing and publishing 2752		T
Production facilities and operations/technology based		T
Professional Office		NT
Research, development laboratories & Technology Parks: 8071, 8731, 8734	See Note (3)	P
All others		P
Residential Development including care units, family care facilities and group care facilities		P
Residential accessory uses		NT
Restaurant, fast food		NT
Restaurants 5812--5813		NT
Schools: Commercial 8243--8299		NT
Security & Commodity Brokers 6211-6289		NT
Self-service fuel pumps		NT
Signs in accordance with 5.06.00	§ 5.06.00	P
Storage: Indoor only		P
Studios		NT
Telephone communications 4813		T
Travel Agency 4724		NT

Legend: (-) not permitted, (P) permitted, (CU) conditional use (T) target industry [RTPUD only], (NT) non-target industry [RTPUD only]

Notes:

- (1) Subject to limitations for commercial uses set forth in subsection 2.03.02(C) 2.03.03 C. of this LDC.
- (2) Accessory uses only
- (3) Subject to ordinance 02-24 (GMP amendment).

* * * * *

SUBSECTION 3.J. AMENDMENTS TO SECTION 2.03.07 OVERLAY ZONING DISTRICTS

Section 2.03.07 Overlay Zoning Districts, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

2.03.07 Overlay Zoning Districts

A. Corridor Management Overlay "~~CMO~~" (CMO).

1. The purpose of the "~~CMO~~" (CMO) district is to supplement existing zoning regulations for properties bordering Golden Gate Parkway west of Santa Barbara Boulevard and Goodlette-Frank Road south of Pine Ridge Road. The CMO district will implement the urban design concepts developed in the corridor management study for Goodlette-Frank Road and Golden Gate Parkway. These regulations recognize that two (2) separate jurisdictions govern land uses in these corridors and are designed to develop

greater consistency in design standards between Collier County and the City of Naples.

* * * * *

B. **Mobile Home Overlay**—~~“MHO”~~ (MHO). The ~~“MHO”~~ (MHO) district is intended to apply to those agricultural areas where a mixture of housing types is found to be appropriate within the district. It is intended that **mobile homes** allowed under this section shall be erected only in the Rural Agricultural district and only when the requirements and procedures of this section are met.

C. **Airport Overlay**—~~“APO”~~ (APO). The purpose and intent of the ~~“APO”~~ (APO) district is to provide both airspace protection and land use compatibility in relation to the normal operation of public-use **airports** located within the County, including the Naples Municipal ~~airport~~ Airport, Everglades City Airpark, Marco Island Executive ~~airport~~ Airport, Immokalee Regional ~~airport~~ Airport, and all existing and future public-use **airports** and heliports in the County. The purpose and intent of these regulations shall be as follows:

* * * * *

D. **Special Treatment Overlay**—~~“ST”~~ (ST).

* * * * *

E. **Historical and Archaeological Sites**—~~“H”~~ (H). It is the intent of these regulations to recognize the importance and significance of the County’s historical and archaeological heritage. To that end, it is the county’s intent to protect, preserve, and perpetuate the County’s historic and archaeological sites, districts, **structures, buildings**, and properties. Further, the BCC, finds that these regulations are necessary to protect the public interest, to halt illicit digging or excavation activities which could result in the destruction or prehistoric and historic archaeological sites, and to regulate the use of land in a manner which affords the maximum protection to the historical and archaeological sites, districts, **structures, buildings**, and properties consistent with individual property rights. It is not the intent of this LDC to deny anyone the use of his property, but rather to regulate the use of such property in a manner which will ensure, to the greatest degree possible, that historic and archaeological sites, districts, **structures, buildings**, and properties are protected from damage, destruction, relocations, or exportations. Areas for consideration for inclusion in areas of historical/archaeological probability shall have one (1) or more of the following characteristics:

* * * * *
*

F. **Golden Gate Parkway Professional Office Commercial Overlay**—~~“GGPPOCO”~~ (GGPPOCO).

1. The provisions of the ~~“GGPPOCO”~~ (GGPPOCO) district are intended to provide Golden Gate City with a viable professional office commercial district. The professional office commercial district has two (2) purposes. (1), to serve as a bonafide entry way into Golden Gate City. (2), to provide a community focal point and sense of place. The uses permitted within this district are generally low intensity, office **development** which minimize vehicular traffic, provide suitable landscaping, control ingress and egress, and ensure **compatibility** with **abutting** residential districts.
2. These regulations apply to properties north and south of Golden Gate Parkway, starting at Santa Barbara Boulevard and extending

Words ~~struck through~~ are deleted, words underlined are added

eastward to 52nd Terrace S.W. in Golden Gate City as measured perpendicularly from the **abutting right-of-way** for a distance of approximately 3,600 feet more or less and consisting of approximately 20.84 acres. These properties are identified on Map two (2) of the Golden Gate Area Master Plan. Except as provided in this regulation, all other use, dimensional, and **development** requirements shall be as required in the underlying zoning categories.

a. Permitted Uses.

1. Accounting (8721).
2. Adjustment and collection services (7322).
3. Advertising agencies (7311).
4. Architectural services (8712).
5. Auditing (8721).
6. Banks and credit Unions (6021-6062).
7. Bookkeeping services (8721).
8. Business associations (8611).
9. Business consulting services (8748).
10. Business credit institutions (6153--6159).
11. Commercial art and graphic design (7336).
12. Commercial photography (7335).
13. Computer programming services (7371).
14. Computer programming, processing, data preparation, information retrieval, facilities management, and miscellaneous services (7371, 7374--7376, 7379).
15. Credit reporting services (7323).
16. Direct mail advertising services (7331).
17. Eating places (5812 except carry-out restaurants; contract feeding; dinner theaters; drive-in and drive-through restaurants; fast food restaurants, carry-out; restaurants, fast-food; submarine sandwich shops).
18. Employment Agencies (7361).
19. Engineering services (8711).
20. Health services, offices and clinics (8011--8049).
21. Holding and other investment offices (6712--6799).
22. Insurance carrier, agents and brokers (6311--6399, 6411).
23. Legal services (8111).
24. Loan brokers (6163).

25. Management services (8741--8742).
26. Mortgage bankers and loan correspondents (6162).
27. Museums and art galleries (8412).
28. Personal credit institutions (6141).
29. Photographic studios, portrait (7221).
30. Professional Membership organizations (8621).
31. Public administration (9111--9199, 9229, 9311, 9411--9451, 9511--9532, 9611--9661).
32. Public relations services (8743).
33. Radio, television and publishers advertising representatives (7313).
34. Real estate (6512--6514, 6519, 6531--6553).
35. Research, development and testing services (8732).
36. Secretarial and court reporting services (7338).
37. Security and commodity brokers, dealers, exchanges, and services (6211--6289).
38. Surveying services (8713).
39. Tax return preparation services (7291).
40. Travel agencies (4724).
41. Veterinary services (0742, excluding outside kenneling).
42. Any other commercial use or professional service which is comparable in nature with the foregoing uses.

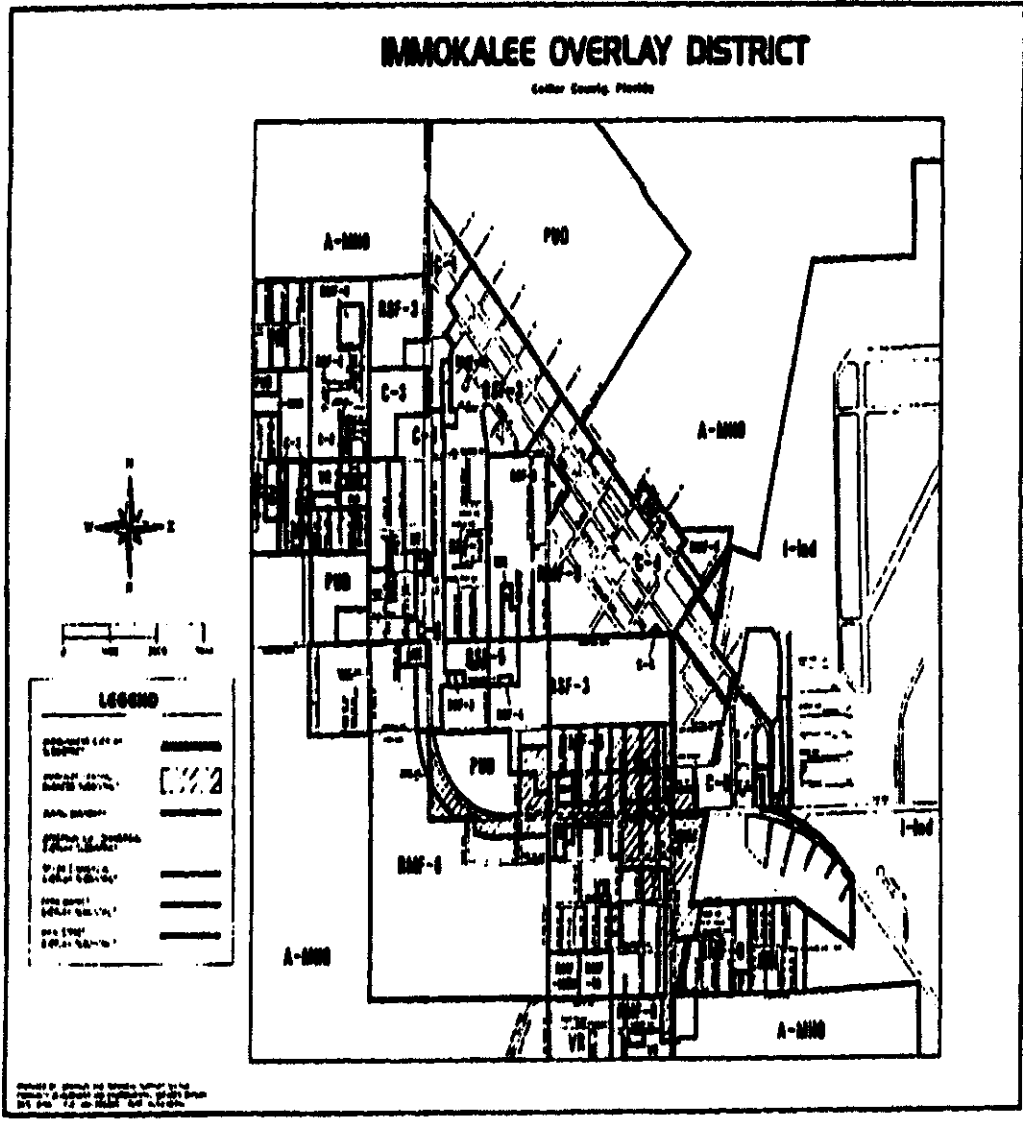
b. Accessory Uses.

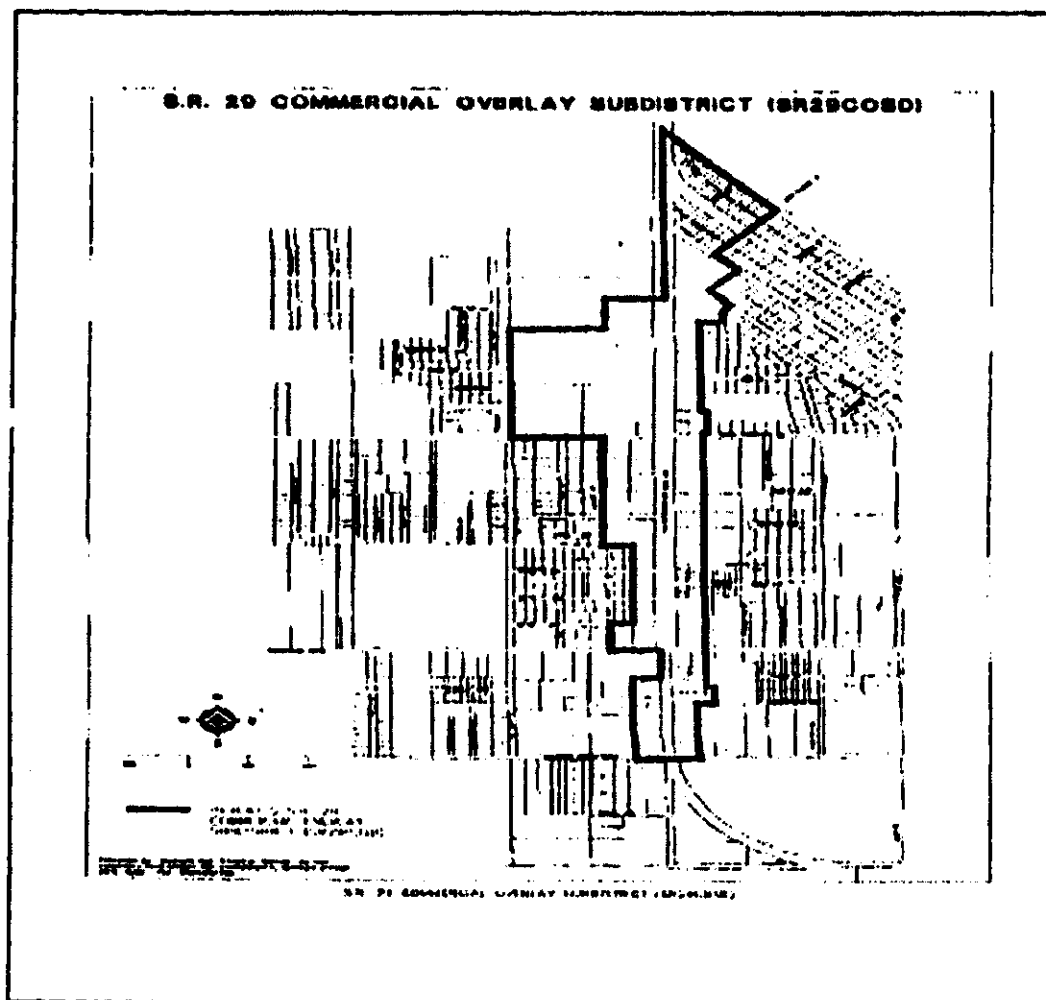
1. Uses and **structures** that are accessory and incidental to the permitted uses.

- G. Immokalee Overlay. To create the Immokalee Overlay District with distinct subdistricts for the purpose of establishing **development** criteria suitable for the unique land use needs of the Immokalee Community. The boundaries of the Immokalee Overlay District are delineated on Map 1 below.

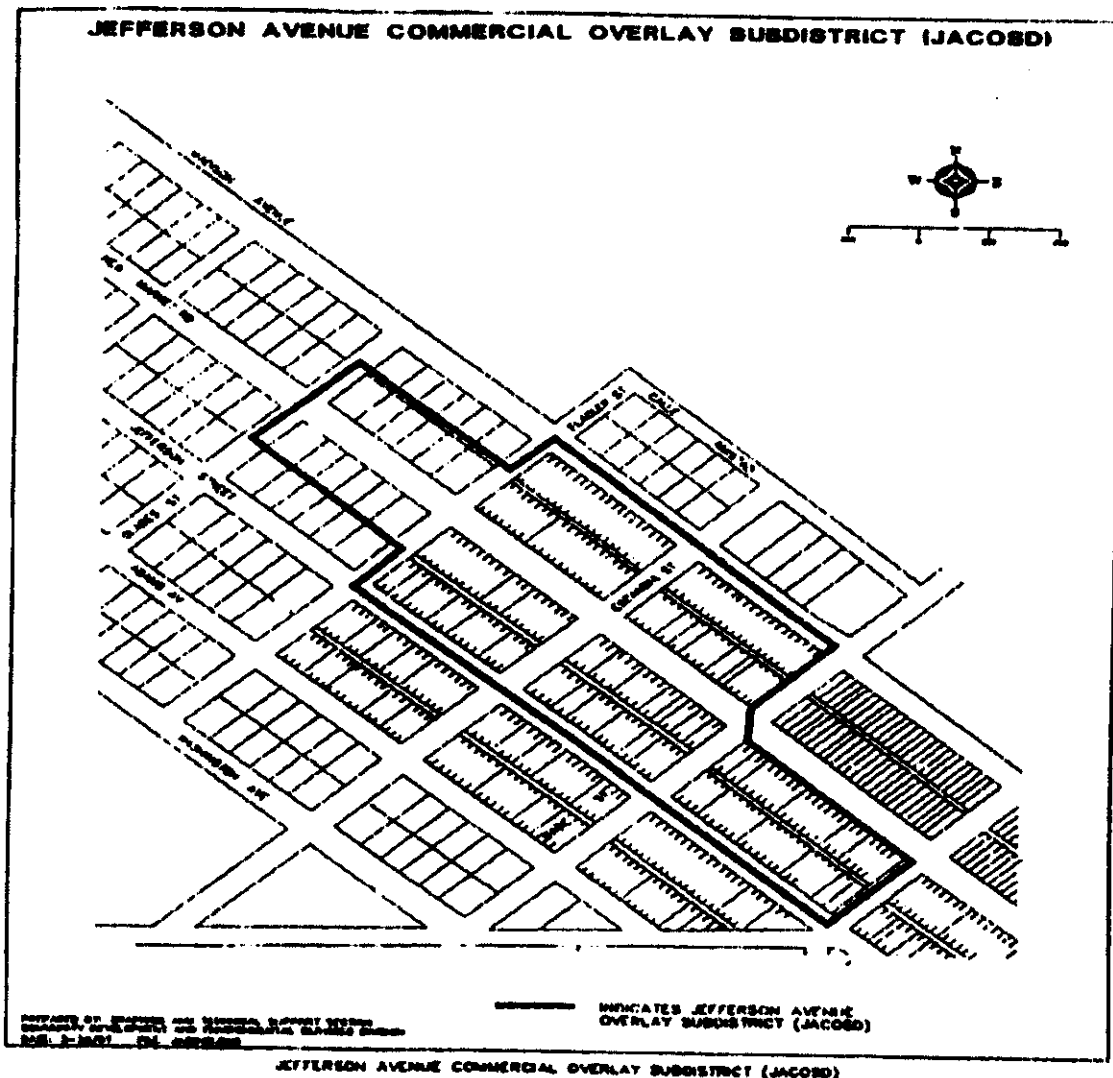
IMMOKALEE OVERLAY DISTRICT

Collier County, Florida



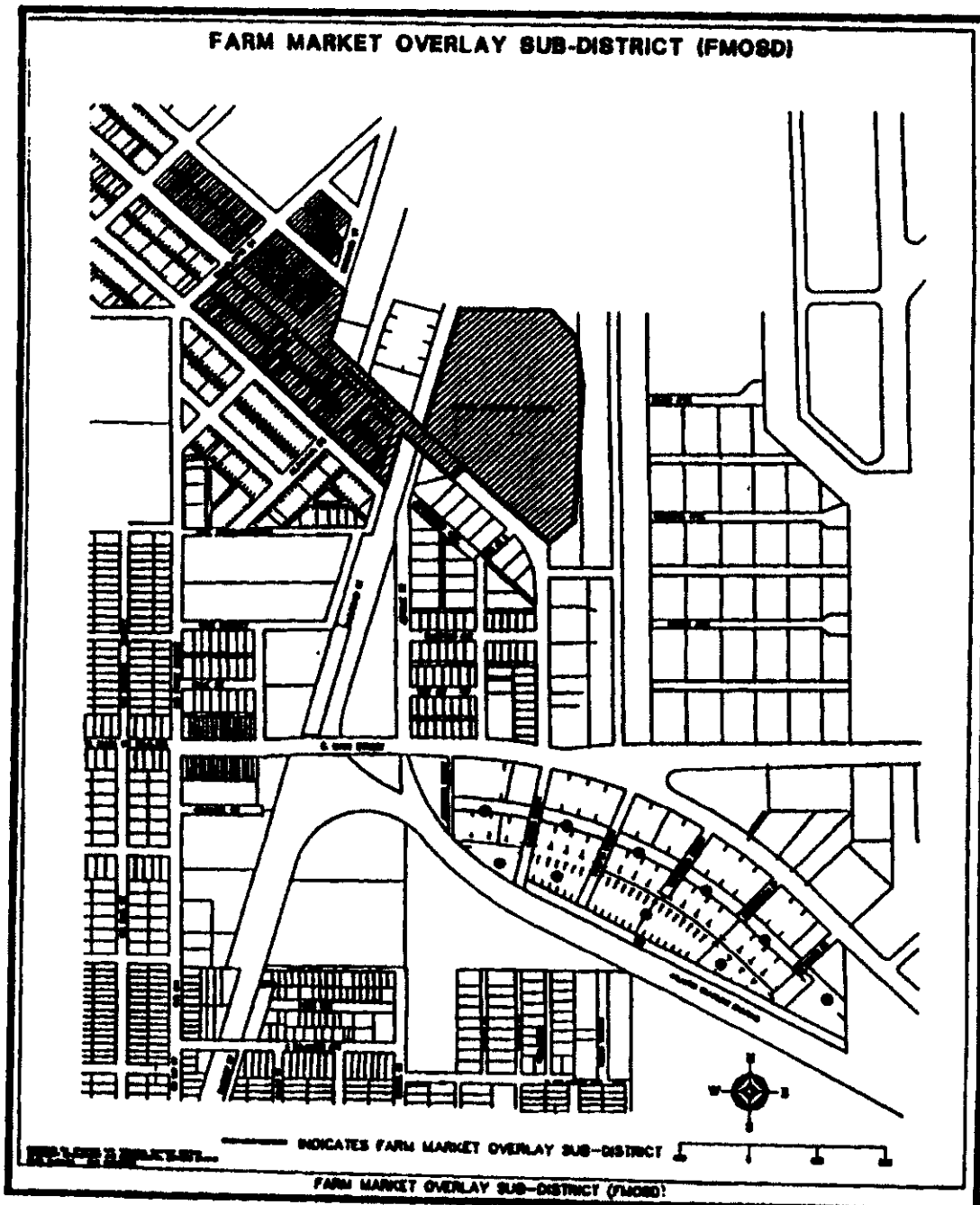


1. *State Road 29 Commercial Overlay Subdistrict:* Special conditions for the properties **abutting** SR-29, as identified in the Immokalee Area Master Plan; referenced on Map 2; and further identified by the designation "SR29COSD" on the applicable official Collier County Zoning Atlas Maps. The purpose of this designation is to provide for retail, office, transient lodging facilities, and highway commercial uses that serve the needs of the traveling public. These commercial uses must be located on a major arterial or **collector roadway**. The provisions of this subdistrict are intended to provide an increased commercial depth along SR-29 with development standards that will ensure coordinated access and appropriate landscaping and **buffering** compatible with nearby residential properties.



2. *Jefferson Avenue Commercial Overlay Subdistrict.* Special conditions for the properties **abutting** Jefferson Avenue as identified in the Immokalee Area Master Plan; referenced on Map 3; and further identified by the designation—"JACOSD" on the applicable official Collier County Zoning Atlas Maps. The purpose of this designation is to provide for retail, office, transient lodging facilities and highway commercial uses that serve the needs of the traveling public. These commercial uses must be located on a major arterial or **collector roadway**. The provisions of this subdistrict are intended to provide an increased commercial opportunity along Jefferson Avenue with development standards that will ensure coordinated access and appropriate landscaping and **buffering** to be compatible with nearby residential properties.

Map 4



3. Farm Market Overlay Subdistrict: Special conditions for the properties identified on Map 4; and further identified by the designation "FMOSD" on the applicable official Collier County Zoning Atlas Maps. The purpose of this designation is to provide for wholesale and retail uses, outdoor **agricultural product** displays and sales areas, truck parking, and packing houses and associated uses. The provisions of this subdistrict are intended to provide retail and wholesale opportunities for agricultural businesses as well as provide truck parking for agricultural sales but not within roadways and rights-of-way. The development standards contained herein have been designed to enhance and encourage development and redevelopment.
 - a. Permitted uses: All permitted uses within the underlying zoning districts, and the following uses, as identified in the

Standard Industrial Classification Manual (1987), are permitted as a right in this sub-district.

1. Agricultural Services (0723)
2. Wholesale Trade (5148)
3. Agricultural Outdoor Sales. Outdoor sales of **agricultural products** are permitted on improved or unimproved properties provided the **applicant** submits a **site development plan** which demonstrates that provisions will be made to adequately address the following:
 - i. Vehicular and pedestrian traffic safety measures.
 - ii. Parking for undeveloped properties will be calculated at a rate of 1/250 square feet of merchandise area. A maximum of ten (10) percent of the parking required by section 4.05.04 of this LDC may be occupied or otherwise rendered unusable by the placement of temporary **structures**, equipment, **signs**, and merchandise. The minimum number of disabled parking spaces pursuant to section 4.05.07 shall be required.
 - iii. Limited hours of operation.
 - iv. Fencing, lighting.
 - v. Fire protection measures.
 - vi. Sanitary facilities.
 - vii. The **applicant** shall provide a notarized letter from the property owner granting permission to utilize the subject property for agricultural outdoor sales.
 - viii. The placement of one (1) **sign**, a maximum of thirty-two (32) square feet, or two (2) such **signs** for properties containing more than one (1) **street frontage** shall be permitted.
 - viii. Agricultural products may be sold from a vehicle provided that the vehicle is not located in the road **right-of-way**.
 - ix. **Agricultural products** may be displayed within any **front yard** provided it does not adversely affect pedestrian or vehicular traffic or public health or safety and is not located within the road **rights-of-way**.
 - x. A minimum 5-foot landscape buffer shall be required adjacent to any road rights-of-way.
4. Petroleum Bulk Stations and Terminals (5171) and Petroleum and Petroleum Products Wholesalers, (5172 – gasoline: Buying in bulk and selling to farmers – wholesale only) provided:

i. Separation requirements: There shall be a minimum distance of 500 linear feet between the nearest points on any lot or parcel of land containing such proposed operations, and any lot or parcel which is already occupied by such operation, of for which a building permit has been issued.

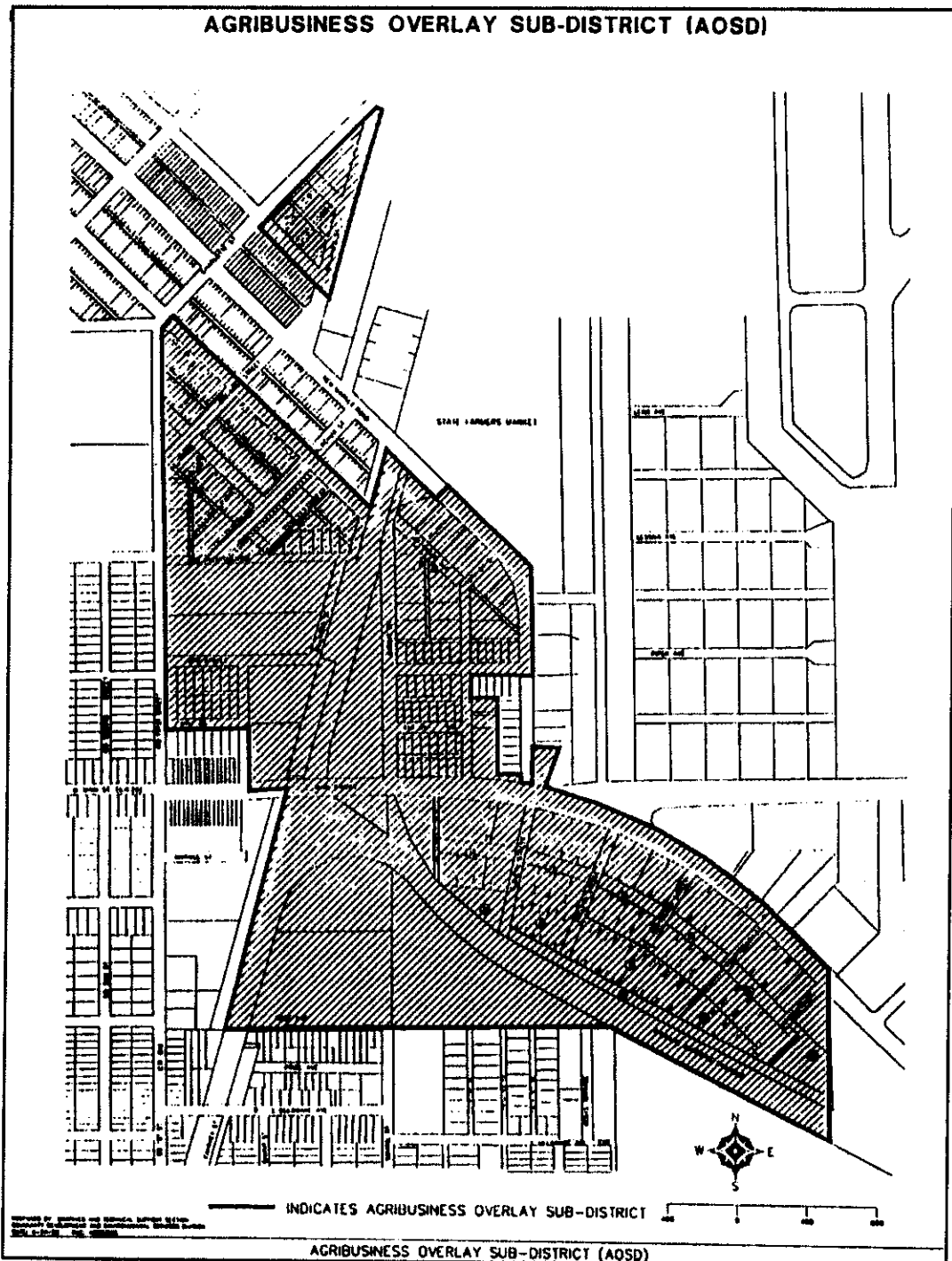
ii. Waiver of separation requirements: The board of zoning appeals may by resolution grant a waiver of part or all of the minimum separation requirements set forth above pursuant to section 10.08.00.

iii. Separation from residentially zoned lands: There shall be a minimum distance of 500 linear feet from all residentially zoned land.

iv. Maximum lot area: Two acres.

c. Accessory uses:

1. Uses and structures that are accessory and incidental to the permitted uses.



4. *Agribusiness Overlay Subdistrict.* Special conditions for the properties identified on Map 5; and further identified by the designation "AOSD" on the applicable official Collier County Zoning Atlas Maps. The purpose of this designation is to provide for wholesale uses and agricultural packing houses and associated uses. The provisions of this subdistrict are intended to provide additional lands for agricultural related businesses and expansion opportunities for existing agribusiness. The **development** standards contained herein have been designed to permit consistent land uses within the AOSD boundary.

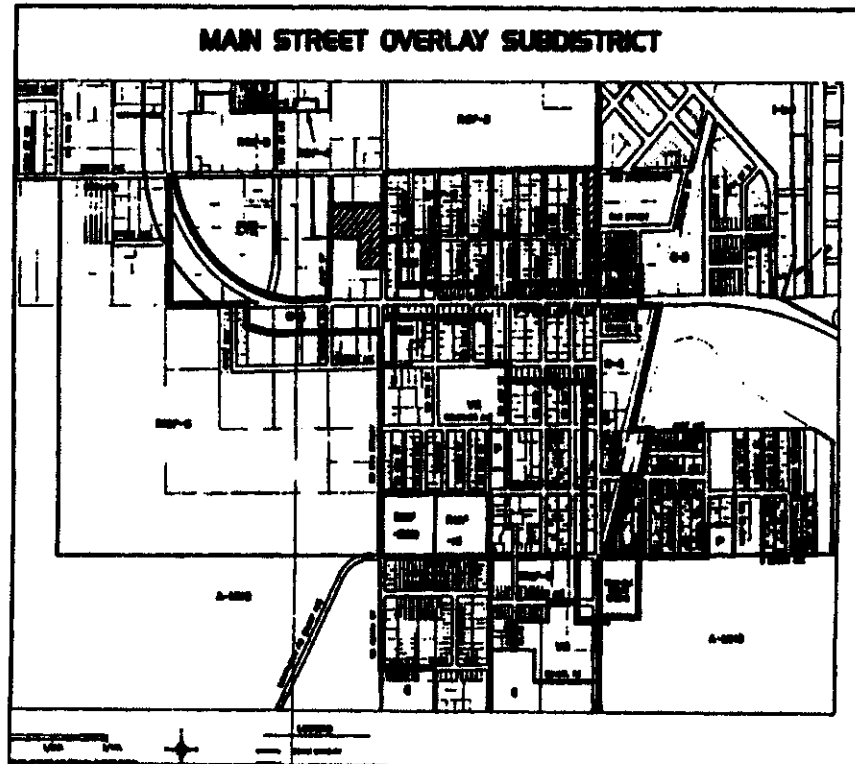
a. Permitted uses: All permitted uses within the underlying zoning districts, and the following uses, as identified in the Standard Industrial Classification Manual (1987), are permitted as a right in this sub-district.

1. Agricultural Services (0723)

2. Wholesale Trade (5148)

b. **Accessory uses.**

1. Uses and structures that are accessory and incidental to the permitted uses.



5. **Main Street Overlay Subdistrict:** Special conditions for the properties identified in the Immokalee Area Master Plan; referenced on Map 7; and further identified by the designation "MSOSD" on the applicable official Collier County Zoning Atlas Maps. The purpose of this designation is to encourage **development** and redevelopment by enhancing and beautifying the downtown Main Street area through flexible design and **development** standards.

- a. Permitted uses. For all properties within the Main Street Overlay Subdistrict, except for properties hatched as indicated on Map 7, the Main Street Overlay Subdistrict, all permitted uses within the uses within the underlying zoning districts contained within this Subdistrict, and the following uses may be permitted as of right in this Subdistrict:

1. Hotel and motels (7011)
2. Communication towers, as defined in section 5.05.09, subject to the following:
 - i. Such tower is an essential service use as defined by subsection 2.01.03 A.4; and
 - ii. Such tower may not exceed a height of 75 feet above grade including any antennas attached thereto.

- b. Permitted uses. For hatched properties within the Main Street Overlay Subdistrict, all permitted uses within the underlying zoning districts contained within this Subdistrict, and the following uses are permitted as of right in this Subdistrict:

1. All uses allowed in the Commercial Professional District (C-1), of this Code, except for group 7521.
 2. Communication towers, as defined in section 5.05.09 subject to the following:
 - i. Such tower is an essential service use as defined by subsection 2.01.03 A.4; and
 - ii. Such tower may not exceed a height of 75 feet above grade including any antennas attached thereto.
- c. Prohibited uses. All uses prohibited within the underlying residential and commercial zoning districts contained within this Subdistrict, and the following uses, shall be prohibited in the Main Street Overlay Subdistrict:
1. Automobile parking (7521) on all properties having frontage on Main Street, North First Street, South First Street and North 9th Street within the Main Street Overlay Subdistrict.
 2. Automotive dealers (5511, 5521, 5531 installation, 5551, 5561, 5571, 5599) on all properties having frontage on Main Street, North First Street, South First Street and North 9th Street within the Main Street Overlay Subdistrict.
 3. Gasoline service stations (5541) on all properties having frontage on Main Street and gasoline service stations (5541 with services and repairs as described in section-5.05.05) are on all properties having frontage on North First Street and South First Street within the Main Street Overlay Subdistrict.
 4. Primary uses such as convenience stores and grocery stores are prohibited from servicing and repairing vehicles in conjunction with the sale of gasoline, on all properties having frontage on Main Street, North First Street, South First Street and North 9th Street within the Main Street Overlay Subdistrict.
 5. Automotive repair, services, parking (7514, 7515, 7521) and carwashes (7542) on all properties having frontage on Main Street, North First Street, South First Street and North 9th Street within the Main Street Overlay Subdistrict.
 6. Radio and television repair shops (7622 automotive) is prohibited on all properties having frontage on Main Street, North First Street, South First Street and North 9th Street within the Main Street Overlay Subdistrict.
 7. Outdoor storage yards and outdoor storage are prohibited within any front, side or rear yard on all properties within the Main Street Overlay Subdistrict.
 8. Drive-through areas shall be prohibited on all properties having frontage on Main Street, North

First Street, South First Street and North 9th Street within the Main Street Overlay Subdistrict.

9. Warehousing (4225).
10. Communication towers, as defined in section 5.05.09 of this Code, except as otherwise permitted in this Subdistrict.
11. Any other heavy commercial use which is comparable in nature with the forgoing uses and is deemed inconsistent with the intent of this Subdistrict shall be prohibited.

d. **Accessory uses.**

1. Uses and structures that are accessory and incidental to the permitted uses as of right in the underlying zoning districts contained within this subdistrict and are not otherwise prohibited by this subdistrict.
2. Communication towers, as defined in section 5.05.09 subject to the following:
 - i. Such tower is an essential service use as defined by subsection 2.01.03 A.4.; and
 - ii. Such tower may not exceed a height of 75 feet above grade including any antennas attached thereto.

e. **Conditional uses.**

1. Conditional uses of the underlying zoning districts contained within the subdistrict, subject to the standards and procedures established in section 10.08.00 and as set forth below:
 - i. Local and suburban passenger transportation (4131, 4173) located upon commercially zoned properties within the Main Street Overlay Subdistrict.
 - ii. Communication towers, as defined in section 5.05.09 of this Code for essential service uses as defined by subsection 2.01.03 A.4 that exceed a height of 75 feet above grade including any antennas attached thereto.

f. **Special requirements for outdoor display and sale of merchandise.**

- i. Outdoor display and sale of merchandise, within the front and side yards on improved properties, are permitted subject to the following provisions:
 - a) The outdoor display/sale of merchandise is limited to the sale of comparable merchandise sold on the premises and is indicated on the proprietors' occupational license.

b) The outdoor display/sale of merchandise is permitted on improved commercially zoned properties and is subject to the submission of a site development plan that demonstrates that provisions will be made to adequately address the following:

i) Vehicular and pedestrian traffic safety measures.

ii) Location of sale/display of merchandise in relation to parking areas.

iii) Fire protection measures.

iv) Limited hours of operation from dawn until dusk.

ii. Outdoor display and sale of merchandise within the sidewalk area only shall be permitted in conjunction with "Main Street" approved vendor carts, provided the applicant submits a site development plan which demonstrates that provisions will be made to adequately address the following:

i. Location of sale/display of merchandise in relation to road rights-of-way;

ii. Vendor carts are located on sidewalks that afford the applicant a five (5) foot clearance for non-obstructed pedestrian traffic; and

iii. Limited hours of operation from dawn until dusk.

6. **Nonconforming Mobile Home Park** Overlay Subdistrict. Establishment of special conditions for these properties which by virtue of actions preceding the adoption of Ordinance No. 91-102, on October 30, 1991, were deemed to be nonconforming as a result of inconsistencies with the land development code, and are located within the Immokalee Urban Boundary as depicted on the Immokalee Area Master Plan.

* * * * *

H. Santa Barbara Commercial Overlay District—~~SBCO~~ (SBCO). Special conditions for properties **abutting** the east side of Santa Barbara Boulevard and the west side of 55th Terrace S.W., as referenced in the Santa Barbara Commercial Subdistrict Map (Map 7) of the Golden Gate Area Master Plan. This is referenced as figure 2.03.07 H. below.

1. The purpose and intent of this district is to provide Golden Gate City with additional opportunities for small scale commercial **development** to serve the surrounding neighborhoods and those traveling nearby. This district is intended to: contain low intensity uses which generate/attract relatively low traffic volumes; be appropriately landscaped and **buffered** to protect nearby residential areas; be architecturally designed so as to be compatible with nearby residential areas; and limit **access** to promote public safety and lessen interruptions to traffic flow on Santa Barbara Boulevard.

2. Aggregation of **lots** is strongly encouraged so as to allow greater flexibility in site design and ease compliance with parking requirements and other **development** standards.

3. In order to reduce the potential conflicts that may result from residential and commercial uses being located in this district, existing residential uses, other than owner-occupied **dwelling**s, are required to cease to exist within a specified time period. This does not require the removal of the residential **structures** if they can be, and are, converted to uses permitted in this district.
4. These regulations apply to properties **abutting** the east side of Santa Barbara Boulevard and the west side of 55th Terrace S.W., lying north of 27th Court S.W. and south of 22nd Place S.W., all in Golden Gate City, and consisting of approximately twenty-two (22) acres. These properties are identified on Map 7 of the Golden Gate Area Master Plan. Except as provided in this regulation, all other use, dimensional, and **development** requirements shall be as required or allowed in the underlying zoning categories.
5. **Sidewalks**. Projects shall provide **sidewalks** so as to encourage pedestrian and bicycle traffic. ~~adjacent~~ Adjacent projects shall coordinate the location and intersection of **sidewalks**.

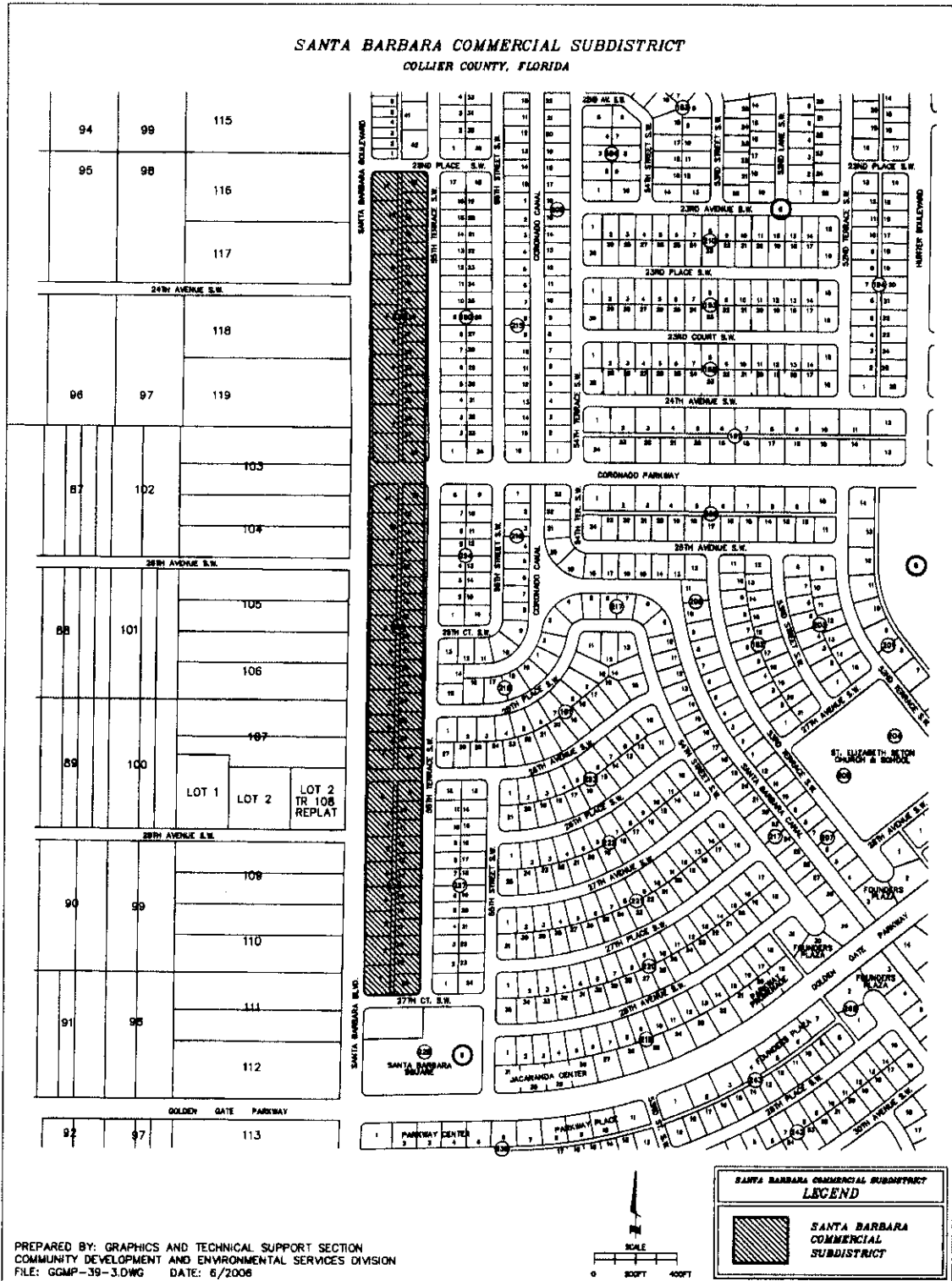


Figure 2.03.07 H.

6. The following uses, as identified within the latest edition of the Standard Industrial Classification Manual, or as otherwise provided for within this section, are permitted as of right, or as uses accessory to permitted primary or secondary uses, or are conditional uses within the Santa Barbara Commercial Overlay District.

a. Permitted uses.

1. Accounting (8721).
2. Adjustment and collection services (7322).
3. Advertising agencies (7311).

4. Amusement and recreation services (7999, bicycle and moped rental only).
5. Animal specialty services, except veterinary (0752, dog grooming and pedigree record services only) excluding outside kenneling.
6. Apparel and accessory stores (5611--5699).
7. Architectural services (8712).
8. Auditing (8721).
9. Auto and home supply stores (5531).
10. Banks, credit unions and trusts (6011--6099).
11. Barber shops (7241).
12. Beauty shops (7231).
13. Bookkeeping services (8721).
14. Business associations (8611).
15. Business consulting services (8748).
16. Business credit institutions (6153--6159).
17. Child day care services (8351).
18. Civic, social and fraternal associations (8641).
19. Commercial art and graphic design (7336).
20. Commercial photography (7335).
21. Computer and computer software stores (5734).
22. Computer programming, data processing and other services (7371--7379).
23. Credit reporting services (7323).
24. Crematories (7261).
25. Dance studios, schools and halls, (7911).
26. Department stores (5311).
27. Direct mail advertising services (7331).
28. Drug stores (5912).
29. Eating places (5812, except contract feeding, dinner theaters, food service - institutional, industrial feeding).
30. Educational services.
31. Electrical and electronic repair shops, miscellaneous (7629 - except aircraft, business and office machines, large appliances, and white goods such as refrigerators and washing machines).
32. Engineering services (8711).

33. Federal and federally-sponsored credit agencies (6111).
34. Food stores (5411 - except supermarkets, 5421--5499).
35. Funeral service (7261).
36. Garment pressing, and agents for laundries and drycleaners (7212).
37. General merchandise stores (5331--5399).
38. Glass stores (5231).
39. **Group care facilities (category I and II, except for homeless shelters); care units, except for homeless shelters; nursing homes; assisted living facilities** pursuant to F.S. § 400.402 and ch. 58A-5 F.A.C.; and continuing care retirement communities pursuant to F.S. § 651 and ch. 4-193 F.A.C.; all subject to section 5.05.04.
40. Hardware stores (5251).
41. Health services, offices and clinics (8011--8049)
42. Home furniture and furnishings stores (5713--5719).
43. Home health care services (8082).
44. Insurance carriers, agents and brokers (6311--6399, 6411).
45. Labor unions (8631).
46. Landscape architects, consulting and planning (0781).
47. Laundries and dry cleaning, coin operated – self service (7215).
48. Legal services (8111).
49. Loan brokers (6163).
50. Management services (8741, 8742).
51. Membership organizations, miscellaneous (8699).
52. Mortgage bankers and loan correspondents (6162).
53. Museums and art galleries (8412).
54. Musical instrument stores (5736).
55. Paint stores (5231).
56. Personal credit institutions (6141).
57. Personnel supply services (7361 & 7363).
58. Photocopying and duplicating services (7334).
59. Photofinishing laboratories (7384).

60. Photographic studios (7221).
61. Physical fitness facilities (7991).
62. Political organizations (8651).
63. Professional membership organizations (8621).
64. Public administration (9111--9199, 9229, 9311, 9411--9451, 9511--9532, 9611--9661).
65. Public relations services (8743).
66. Radio, television and consumer electronics stores (5731).
67. Radio, television and publishers advertising representatives (7313).
68. Real estate (6521--6541).
69. Record and prerecorded tape stores (5735).
70. Religious organizations (8661).
71. Retail services, miscellaneous (5912, 5942--5961, 5992--5999).
72. Retail nurseries, lawn and garden supply stores (5261).
73. Secretarial and court reporting services (7338).
74. Security and commodity brokers, dealer, exchanges and services (6211--6289).
75. Shoe repair shops and shoeshine parlors (7251).
76. Social services, individual and family (8322 - activity centers, elderly or handicapped; adult day care centers; and, day care centers, adult and handicapped only).
77. Social services, not elsewhere classified (8399).
78. Surveying services (8713).
79. Tax return preparation services (7291).
80. United State Postal Service (4311 except major distribution center).
81. Veterinary services (0742 veterinarian's office only, excluding outdoor kenneling.)
82. Videotape rental (7841).
83. Wallpaper stores (5231).
84. Watch, clock and jewelry repair (7631).

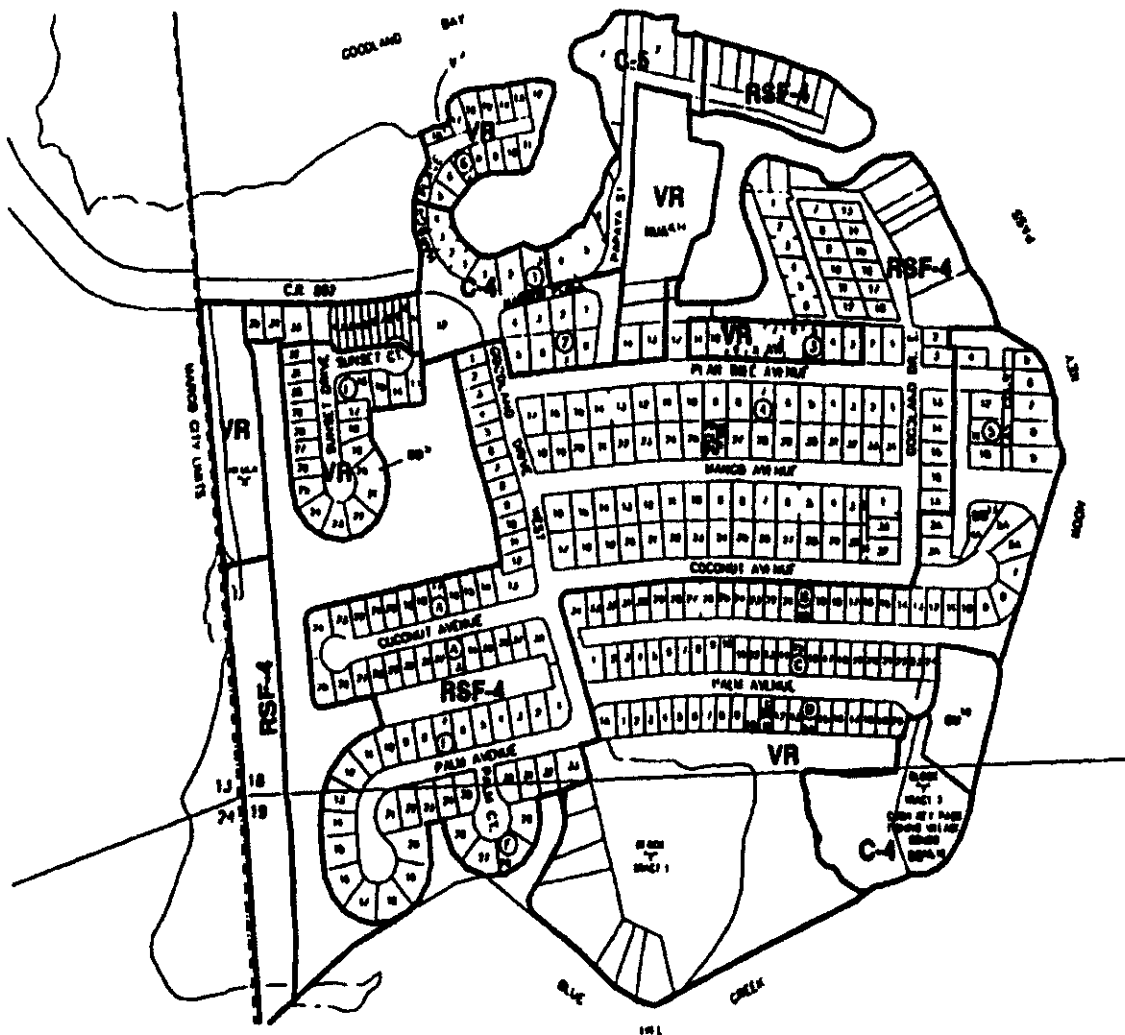
b. Prohibited uses.

1. Gasoline service stations (5541).

- I. **Bayshore Drive Mixed Use Overlay District.** Special conditions for the properties adjacent to Bayshore Drive as referenced on BMUD Map 1; and further identified by the designation "BMUD" on the applicable official Collier County Zoning Atlas Map or map series.

* * * * *

- J. **Goodland Zoning Overlay "GZO" (GZO).** To create design guidelines and **development** standards that will assure the orderly and appropriate **development** in the unincorporated area generally known as Goodland. The Goodland Zoning Overlay district (GZO) is intended to provide regulation and direction under which the growth and **development** of Goodland can occur with assurance that the tropical fishing village and small town environment of Goodland is protected and preserved, and that **development** and/or **redevelopment** reflect the unique residential and commercial characteristics of the community. The boundaries of the Goodland Zoning Overlay district are delineated on Map 1 below.



GOODLAND ZONING OVERLAY BOUNDARY

GZO - Map 1

1. **Permitted uses.** The following uses are permitted as of right in this Subdistrict.
 - a. **Clam nursery, subject to the following restrictions:**
 - i. A "clam nursery" is defined as the growing of clams on a "raceway" or "flow-through saltwater system" on the shore of a lot until the clam reaches a size of approximately one-half inch.
 - ii. For the purposes of this section, a "raceway" or "flow-through saltwater system" is defined as a

piece of plywood or similar material fashioned as a table-like flow through system designed to facilitate the growth of clams.

- iii. At no time may a nursery owner operate a raceway or raceways that exceed a total of 800 square feet of surface area.
- iv. The nursery must meet the requirements of a "minimal impact **aquaculture** facility" as defined by the Department of Agriculture.
- v. The nursery must not be operated on a vacant **lot**, unless both of the following are met:
 - a) The vacant **lot** is owned by the same individual who owns a **lot** with a residence or habitable **structure** immediately **adjacent** to the vacant **lot**; and
 - b) The vacant **lot** must not be leased to another individual for purposes of operating a clam farm within the RSF-4 and VR zoning districts.
- vi. At no time will a nursery owner be allowed to feed the clams, as the clams will be sustained from nutrients occurring naturally in the water.
- vii. Only the property owner or individual in control of the property will be allowed to operate a raceway on the shore of his property within the VR and RSF-4 zoning districts. In other words, a landowner must not lease his property to another individual to use for purposes of operating a clam nursery.
- viii. Any pump or filtration system used in conjunction with the nursery must meet all applicable County noise ordinances and must not be more obtrusive than the average system used for non-commercial pool or shrimp tank.

2. **Conditional uses.** The following uses are permitted as **conditional uses** in this subdistrict:

Reserved.

3. *Parking/storage of major recreational equipment, personal vehicles, and certain commercial vehicles.*

- a. Within the VR and RSF-4 zoning districts, except for specifically designated travel trailer **subdivisions**, boats, trailers, **recreational vehicles** and other recreational equipment may be stored in any **yard** subject to the following conditions.
 - 1) i. Recreational equipment must not be used for living, sleeping, or housekeeping purposes when parked or stored.
 - 2) ii. **Recreational vehicles** or equipment must not exceed 35 feet in length.
 - 3) iii. **Recreational vehicles** or equipment must not be parked, stored or encroach in any county **right-of-way** easement.

- 4) iv. **Recreational vehicles** or equipment that exceed 35 feet in length will be subject to the provisions of section 5.03.06 of his Code.
 - b. Personal vehicles may be parked in the drainage swales in the VR and RSF-4 zoning districts subject to the following restrictions.
 - 4) i. No vehicle shall block or impede traffic.
 - c. Commercial vehicles 35 feet in length or less will be allowed to park at the owner's home and in the drainage swale subject to the following conditions:
 - 4) i. No vehicle shall block or impede traffic;
 - 2) ii. Drainage must not be blocked or impeded in any way as a result of the parking in swales;
 - 3) iii. Parking will only be permitted in **driveways** and not in **yard** areas; and
 - 4) iv. No more that two commercial vehicles may be parked at one residence/site, unless one or more of the vehicles is engaged in a construction or service operation on the residence/site where it is parked. The vehicle engaged in this service must be removed as soon as the construction or service is completed. For purposes of this subsection only, a commercial vehicle is defined as a van, pickup truck, or passenger car used for commercial purposes and licensed by the Department of Transportation. A vehicle is not considered a commercial vehicle merely by the display of a business name or other insignia. No other commercial vehicle, such as dump trucks, cement trucks, forklifts or other equipment used in the construction industry will be allowed to park at a residence or site overnight unless specifically approved by the County Manager or his designee.
- 4. **Storage sheds.** **Parcels** located off of Bayshore Way are allowed to retain any sheds that were constructed prior to October 17, 2003. Storage sheds for fishing and boat equipment on the boat **dock parcels** off of Bayshore Way constructed after October 17, 2003 are permissible if they comply with the following requirements:
 - a. The appropriate **building** permit must be obtained.
 - b. Bayshore Way **setback**: ten feet.
 - c. Waterfront **setback**: ten feet.
 - d. Side **yard setback**: 0 feet.
 - e. Maximum size of shed: 144 square feet.
- 5. **Sign requirements.** All **signs** existing as of October 17, 2003 in Goodland are exempt from the requirements of the Collier County **sign** ordinance (section 5.06.00) for five years from October 17, 2003 or until the **sign** is destroyed, whichever comes first. Any **signs** constructed after October 17, 2003 must strictly comply with section 5.06.00. **Sign** maintenance is limited to painting existing **signs**. All other maintenance or repairs will void the exemption

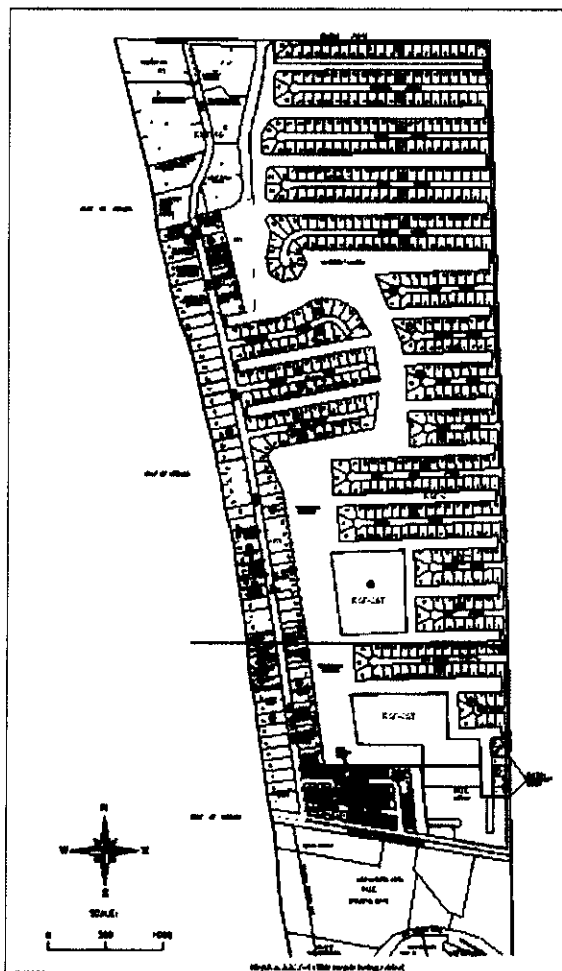
and require the owner to construct a **sign** that strictly adheres to section 5.06.00 in the event that the owner wishes to have a **sign**.

- K. **Activity Center #9 Overlay.** The purpose of this designation is to create an enhanced entryway into the Naples urban area through appropriate, unified design elements and standards; the implementation of which will result in an attractive, positive image as outlined in the vision statement of the Activity Center #9 Interchange Master Plan. These regulations and the design standards located in section 4.02.23 apply to the following properties within Activity Center #9 as identified in the Interchange Master Plan Land Use Map:

* * * * *

- L. **Vanderbilt Beach Residential Tourist Overlay Zoning District (VBRTO).**

1. *Purpose and intent.* The purpose and the intent of this district is to encourage **development** and **redevelopment** of the Vanderbilt beach area to be sensitive to the scale, **compatibility** and sense of place that exists in the Vanderbilt Beach area. This district is intended to: establish development standards which will protect view corridors, light and air movements between the Gulf of Mexico and the Vanderbilt Lagoon and prevent the creation of a canyon-like effect on each side of the narrow Gulfshore Drive.
2. *Applicability.* These regulations shall apply to the Vanderbilt Beach Residential Tourist Overlay District as identified on the VBRTO Map VBRTO-1 and further identified by the designation "VBRTO" on the applicable official Collier County zoning atlas maps. Except as provided in this section of the code, all other uses, dimensional and **development** requirements shall be as required or allowed in the applicable underlying zoning district.
3. *Geographic boundaries:* The boundaries of the Vanderbilt Beach Residential Tourist Overlay District are delineated on Map VBRTO-1 below.



4. **Figures.** The figures (1-4) used in this section are solely intended to provide a graphic example of conditions that will protect view corridors, light and air movements between the Gulf of Mexico and the Vanderbilt Lagoon and not as requirements for the style of specific projects. Variations from these figures, which nonetheless adhere to the provisions of this section, are permitted. The Community Character Plan For Collier County, Florida (April 2001) should be referenced as a guide for future **development** and **redevelopment** in the overlay district.

5. **Development criteria.** The following standards shall apply to all uses in this overlay district.
 - a. *Permitted uses.*
 - i. **Hotels and Motels.**
 - ii. ~~Multiple-family~~ **Multi-family dwellings.**
 - iii. ~~Family care facilities~~ **Family care facilities**, subject to section 5.05.04.
 - iv. Timeshare facilities.

 - b. ~~Uses accessory to permitted uses.~~ **Accessory Uses.**
 - i. Uses and **structures** that are accessory and incidental to the uses permitted as of right in the Vanderbilt Beach Residential Overlay District (VBRTO).
 - ii. Shops, personal service establishments, eating and drinking establishments, dancing and staged entertainment facilities, and meeting rooms and auditoriums where such uses are an integral part of a **hotel** or **motel** and to be used by the patrons of the **hotel/motel**.
 - iii. Private **docks** and **boathouses**, subject to sections 5.03.06 and 5.05.02.
 - iv. Recreational facilities that serve as an integral part of the permitted use designated on a site **development** plan or preliminary **subdivision** plat that has been previously reviewed and approved which may include, but are not limited to: golf course clubhouse, community center **building** and tennis facilities, parks, playgrounds and playfields.

 - c. **Conditional uses.** The following uses are permitted as conditional uses in the Vanderbilt Beach Residential Tourist Overlay District (VBRTO), subject to the standards and procedures established in section 10.08.00:
 - i. **Churches** and other places of worship.
 - ii. **Marinas**, subject to section 5.05.02.
 - iii. Noncommercial boat launching facilities, subject to the applicable review criteria set forth in section 5.03.06.
 - iv. **Group care facilities (category I and II); care units; nursing homes; assisted living facilities** pursuant to § 400.402 F.S. and ch. 58A-5 F.A.C.;

and continuing care retirement communities pursuant to § 651 F.S. and ch. 4-193 F.A.C.; all subject to section 5.05.04.

- v. Private clubs.
- vi. Yacht clubs.

6. *Dimensional standards.* The following dimensional standards shall apply to all permitted, accessory, and conditional uses in the Vanderbilt Beach Residential Tourist Overlay District (VBRTD).

- a. *Minimum lot area.* One contiguous acre, not bisected by a public right-of-way.
- b. *Minimum lot width.* 150 feet.
- c. *Minimum yard requirements.*
 - i. **Front yard:** one-half the **building** height with a minimum of 30 feet.
 - ii. **Side yards:** one-half the **building** height with a minimum of 15 feet.
 - iii. **Rear yard:** one-half the **building** height with a minimum of 30 feet.
- d. *Maximum height:* 75 feet. The height of the **building** will be measured according to the ~~standards definitions~~ in ~~section 1.08.00 of the Code 1.08.02:~~ **building, actual height of and building, zoned height of.**
- e. *Maximum density permitted.* A maximum of 26 units per acre for hotels and motels, and 16 units per acre for timeshares, multifamily, family care facilities.
- f. *Distance between structures.* The minimum horizontal distance separation between any two **principal buildings** on the same **parcel** of land may not be less than a distance equal to 15 feet or one-half of the sum of their heights, whichever is greater. For **accessory buildings and structures** dimensional criteria, see section 4.02.01.
- g. *Floor area requirements.*
 - i. Three hundred (300) square foot minimum with a five hundred (500) square foot maximum for **hotels and motels**, except that twenty percent (20%) of the total units may exceed the maximum.
 - ii. Timeshare/multi-family minimum area: efficiency (450 square feet), one bedroom (600 square feet). And two or more bedrooms (750 square feet).
- h. *Maximum lot area coverage.* (Reserved.)

7. *Preservation of view corridors, light and air movements between the Gulf of Mexico and the Vanderbilt Lagoon.*

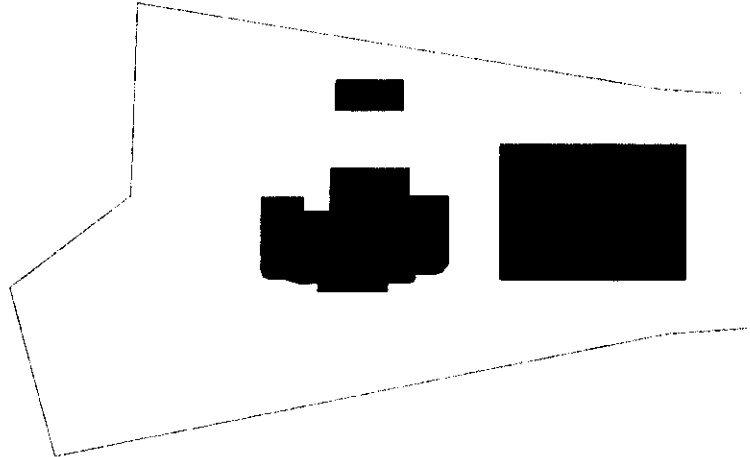
- a. Figures 1-4, while not requirements, depict desired building relationships and view plane/angle of vision examples. Figures used in this section are solely intended to provide a graphic example of conditions that will protect view corridors, light and air movements between the Gulf of Mexico and the Vanderbilt Lagoon and not as requirements for the style of specific projects. Variations

from these figures, which nonetheless adhere to the provisions of this section, are permitted.

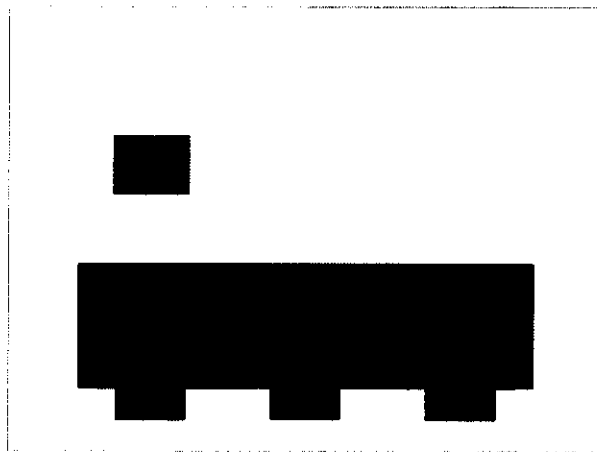
8. *Off-street parking and off-street loading.* As required in Chapter 4 of this Code.
9. *Landscaping requirements.* As required in Chapter 4 of this Code.
10. **Signs.** As required in section 5.06.00 of this Code.
11. *Coastal Construction Setback Lines (CCSL).* As required in Chapter ~~10~~ subsection 10.02.06 H of this Code.
12. *Post-disaster Recovery And Reconstruction Management.* As required in the Code of Laws of Collier County.
13. *Vested Rights.* All projects within the overlay District for which completed applications for rezoning, conditional use, variance, **subdivision**, site **development plan** or plat approval were filed with or approved by Collier County prior to the adoption date of the moratorium January 9, 2002, and subsequent amendments to LDC (moratorium provisions have expired), shall be subject to the zoning regulations for this Residential Tourist Zoning District in effect at the time the application was deemed to be complete or at the time the application was approved and or not subject to the Vanderbilt Beach Residential Tourist Overlay regulations. For purposes of this provision, the term "completed application" shall mean any application which has been deemed sufficient by planning services staff and has been assigned an application request number.

LOT AREA COVERAGE &
OPEN SPACE RELATIONSHIPS

LDC Section 2.03.07 (L)(7)(a)



DESIRABLE

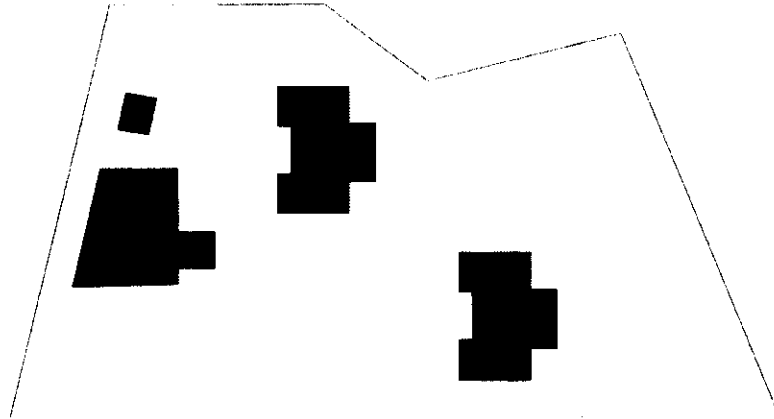


UNDESIRABLE

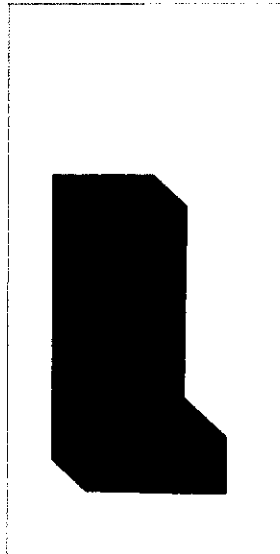
FIGURE - 1

LOT AREA COVERAGE &
OPEN SPACE RELATIONSHIPS

LDC Section 2.03.07 (L)(7)(a)



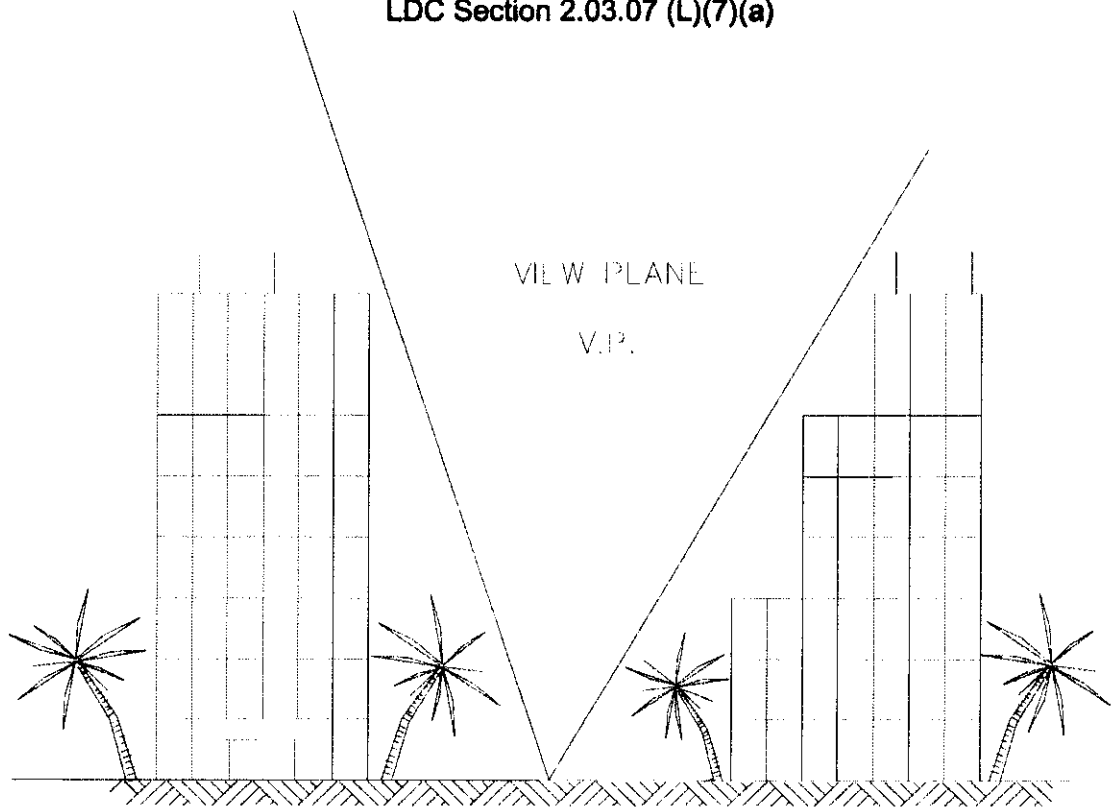
DESIRABLE



UNDESIRABLE

FIGURE - 2

LDC Section 2.03.07 (L)(7)(a)



DISIRABLE

V.P. = VIEW PLANE OR ANGLE OF VISION

FIGURE - 3

VILW PLANE

LDC Section 2.03.07 (L)(7)(a)

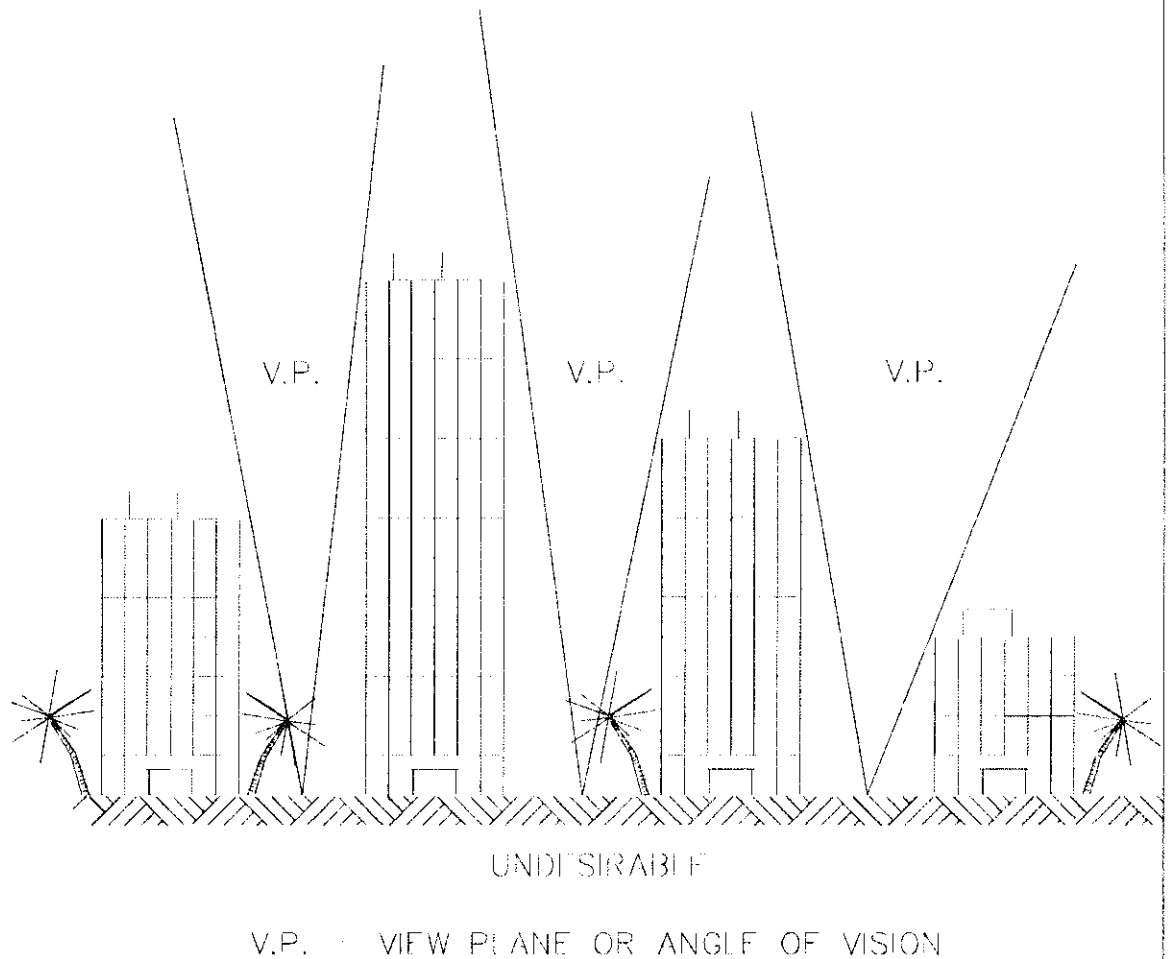


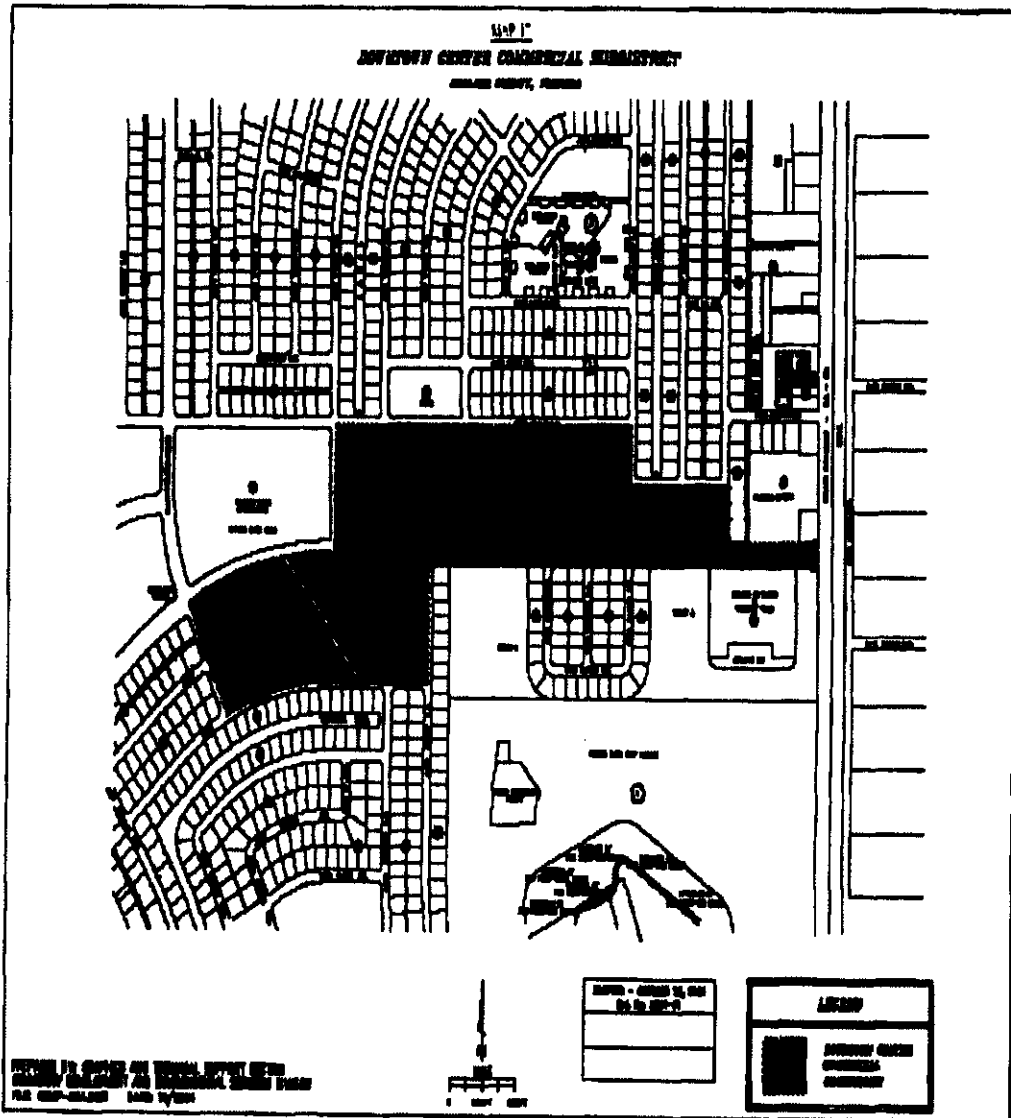
FIGURE - 4

M. Restricted Parking (RP) Overlay District: restricting the parking of commercial and major recreational equipment.

* * * * *

N. Gateway Triangle Mixed Use Overlay District.
Special conditions for the properties in and **adjacent** to the Gateway Triangle as referenced on GTMUD Map 1; and further identified by the designation "GTMUD" on the applicable official Collier County Zoning Atlas Map or map series.

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Downtown Center Commercial Subdistrict

- O. Golden Gate Downtown Center Commercial Overlay District (GGDCCO). Special conditions for properties in the vicinity of Golden Gate Parkway in Golden Gate City, as identified on the Golden Gate Downtown Center Commercial Subdistrict Map of the Golden Gate Area Master Plan and as contained herein.
1. *Purpose and intent.* The purpose and intent of this overlay district is to encourage development herein in order to improve the physical appearance of the area and create a viable downtown district for the residents of Golden Gate City and Golden Gate Estates. Emphasis shall be placed on the creation of pedestrian-oriented areas, such as outdoor dining areas and pocket parks, which do not impede the flow of traffic along Golden Gate Parkway. Also, emphasis shall be placed on the construction of mixed-use **buildings**. Residential **dwelling units** constructed in this overlay district are intended to promote resident-business ownership. The provisions of this overlay district are intended to ensure harmonious **development** of commercial and mixed-use **buildings** at a pedestrian scale that is compatible with residential **development** within and outside of the overlay district.
 2. *Aggregation of properties.* This overlay district encourages the aggregation of properties in order to promote flexibility in site design. The types of uses permitted within this overlay district are low intensity retail, office, personal services, institutional, and residential. Non-residential **development** is intended to serve the needs of residents within the overlay district, surrounding neighborhoods, and passersby.
 3. *Applicability.* These regulations apply to properties in Golden Gate City lying north of Golden Gate Parkway, generally bounded

by 23rd Avenue SW and 23rd Place SW to the north, 45th Street SW to the west, and 41st Street SW and Collier Boulevard to the east. South of Golden Gate Parkway, these regulations apply to properties bounded by 25th Avenue SW to the south, 47th Street SW to the west, and 44th Street SW to the east. These properties are more precisely identified on Map 17, "Golden Gate Downtown Center Commercial Subdistrict" of the Golden Gate Area Master Plan and as depicted on the applicable official zoning atlas maps. Except as provided in this regulation, ~~section and section 4.02.26,~~ all other use, dimensional and **development** requirements shall be as required or allowed in the underlying zoning districts.

4. ~~Permitted uses. Permitted uses within the GGDCCO include the uses listed below and those uses identified in Chapter 2, Table 1, "Permissible Land Uses in Each Zoning District".~~

a. Residential uses: as permitted by right in the existing residential zoning districts, except as otherwise prohibited by this overlay, when:

~~i. In a mixed use building.~~

ii. 1. In an existing owner occupied structure

iii. 2. In an existing non-owner occupied structure, until such time as cessation is required by ~~section 4.02.37 1, subsection 4.02.37 A.1 of this Code.~~

b. Residential within a mixed use building

c. Commercial uses:

1. Accounting services (8721).

2. Adjustment and collection services (7322).

3. Advertising Agencies (7311).

4. Apparel & accessory stores (5611--5699).

5. Architectural services (8712), limited to 5,000 square feet per floor.

6. Auto and home supply stores (5531).

7. Barber shops (7241).

8. Beauty shops (7231).

9. Building cleaning and maintenance services (7349).

10. Business associations (8611).

11. Business consulting services (8748).

12. Business services – miscellaneous (7397).

13. Business repair service.

14. Carpet and upholstery cleaning (7217).

15. Commercial art and graphic design (7336).

16. Commercial photography (7335).

17. Computer programming, data processing, rental, leasing, repair and other services (7371--7379).

18. Computer and computer software stores (5734).
19. Credit reporting services (7323).
20. Department stores (5311).
21. Direct mail advertising services (7331).
22. Disinfecting and pest control services (7342).
23. Drug stores (5912), limited to 5,000 square feet per floor.
24. Eating establishments and places (5812 except commercial use employing drive-up, drive-in, or drive-through delivery of goods and/or services).
25. Electrical and electronic repair shop (7629).
26. Employment agencies (7361).
27. Engineering services (8711), limited to 5,000 square feet per floor.
28. Equipment rental and leasing (7359), not including heavy construction equipment.
29. Essential services, see sec. 2.01.03; except that law enforcement, fire, and emergency medical services uses are limited to administrative offices only.
30. Food stores (groups 5411--5499).
31. Funeral service and crematories (7261).
32. General merchandise stores (5331--5399).
33. Glass stores (5231).
34. Hardware stores (5251).
35. Health services, offices and clinics (8011--8049).
36. Home furniture and furnishing stores (5712--5719).
37. Home health care services (8082).
38. Household appliance stores (5722).
39. Insurance carriers, agents and brokers (6311--6399, 6411).
40. Labor unions (8631).
41. Landscape architects, consulting and planning (0781), limited to 5,000 square feet per floor.
42. Large Appliance Repair Service (7623).
43. Laundry and drycleaners agents, garment pressing, linen supply, cleaning services (7212, 7213, 7219); no coin operated laundries or drycleaners.
44. Legal services (8111).

45. Libraries (8231).
46. Management services (8741, 8742).
47. Medical equipment rental and leasing (7352).
48. Membership organizations - miscellaneous (8699).
49. Museums and art galleries (8412).
50. Musical instrument stores (5736).
51. Outdoor advertising services (7312).
52. Paint stores (5231).
53. Parks, public or private; limited to pocket parks only, generally described as a small area accessible to the general public that often includes plantings, fountains, seating areas, and other similar passive open space features.
54. Personal services – miscellaneous (7299, babysitting bureaus, clothing and costume rental, dating service, depilatory salons, diet workshops, dress suit rental, electrolysis, genealogical investigation service, and hair removal only).
55. Personnel supply services (7363, except labor pools).
56. Photocopying and duplicating services (7334).
57. Photofinishing laboratories (7384).
58. Photographic studios, portrait (7221).
59. Physical fitness facilities (7991).
60. Political organizations (8651).
61. Professional membership organizations (8621).
62. Public relations services (8743).
63. Radio, television and consumer electronics stores (5731).
64. Radio, television and publishers advertising representatives (7313).
65. Record and prerecorded tape stores (5735).
66. Real estate (6512, 6531, 6541).
67. Retail – miscellaneous (5921--5963 and 5992--5999, excluding liquor stores, pawn shops, retail firearm and ammunition sales), limited to 5,000 square feet per floor.
68. Retail nurseries, lawn and garden supply stores (5261).
69. Schools – vocational (8243--8299).
70. Secretarial and court reporting services (7338).

- 71. Security and commodity brokers, dealers, exchanges, and services (6211--6289).
- 72. Shoe repair shops or shoeshine parlors (7251).
- 73. Surveying services (8713), limited to 5,000 square feet per floor.
- 74. Tax return preparation services (7291).
- 75. United States Postal Service (4311, except major distribution center).
- 76. Videotape Rental (7841), limited to 1,800 square feet of gross floor area.
- 77. Wallpaper stores (5231).
- 78. Watch, clock and jewelry repair (7631).

~~5. **Conditional uses.** Conditional uses within the GGDCCO include the uses listed below and those uses identified in section 2.04.03 of this Code: Table 2--“Land Uses that may be Allowable in Each Zoning District as Accessory Uses or Conditional Uses”.~~

- ~~a. Outdoor dining areas, not directly abutting the Golden Gate Parkway right-of-way.~~

~~6. **Prohibited uses.** Prohibited uses within the GGDCCO include the uses listed below and those uses, prohibited, by omission, in section 2.04.03 of this Code: Table 1. “Permissible Land Uses in Each Zoning District”.~~

- ~~a. New residential-only structures~~
- ~~b. Any commercial use employing drive up, drive in or drive-through delivery of goods or services.~~
- ~~c. Sexually oriented businesses (Code of Laws, 26-151 et seq.).~~

5. **Accessory uses.** Accessory uses within the GGDCCO include the uses listed below.

- a. Caretaker’s residence, accessory to commercial and mixed use projects only.
- b. Enameling, painting, or plating, accessory to an artist’s studio or craft studio only.
- c. Play areas and playgrounds.
- d. Recreational facilities.

6. **Conditional uses.** Conditional uses within the GGDCCO include the uses listed below, subject to the standards and procedures established in section 10.08.00.

- a. Auctioneering Services, auction rooms and houses (5999, 7389); limited to 5,000 square feet per floor.
- b. Community centers.
- c. Dance studios, schools, and halls (7911).

- d. Food stores (5411--5499), over 5,000 square feet.
- e. Motion picture theaters (7832).
- f. Outdoor dining areas, not directly **abutting** the Golden Gate Parkway **right-of-way**.

7. Prohibited uses. Prohibited uses within the GGDCCO include the uses listed below:

- a. New residential-only **structures**
- b. Any commercial use employing drive-up, drive-in or drive-through delivery of goods or services.
- c. Sexually oriented businesses (Code of Laws, 26-151 et seq.).

* * * * *

P. Copeland Zoning Overlay (CZO)

* * * * *

2.03.08 Rural Fringe Zoning Districts

* * * * *

SUBSECTION 3.J. AMENDMENTS TO SECTION 2.03.09 DISTRICTS UNDER MORATORIUM [RESERVED]

Section 2.03.09 Districts Under Moratorium [Reserved], of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

2.03.09 ~~Districts Under Moratorium [Reserved]~~ Open Space Zoning Districts

A. Golf Course District "GC". The purpose and intent of "GC" district is to provide lands for golf courses and normal **accessory uses** to golf courses, including certain uses of a commercial nature. The GC district shall be in accordance with the urban mixed use district and the agricultural rural district of the future land use element of the Collier County GMP.

1. The following subsections identify the uses that are permissible by right and the uses that are allowable as **accessory** or **conditional uses** in the RMF-6 district.

a. Permitted uses.

1. Golf courses.

b. Accessory Uses.

1. Uses and **structures** that are accessory and incidental to uses permitted as of right in the GC district.

2. Recreational facilities that serve as an integral part of the permitted use, including but not limited to clubhouse, community center **building**, practice driving range, shuffleboard courts, swimming pools and tennis facilities, snack shops and restrooms.

3. Pro shops with equipment sales, no greater than 1,000 square feet.
4. Restaurants with a seating capacity of 150 seats or less provided that the hours of operation are no later than 10:00 p.m.
5. A maximum of two residential **dwelling units** for use by golf course employees in conjunction with the operation of the golf course.

c. **Conditional uses.** The following uses are permissible as **conditional uses** in the GC district, subject to the standards and provisions established in section 10.08.00.

1. Commercial establishments oriented to the permitted uses of the district including gift shops; pro shops with equipment sales in excess of 1,000 square feet; **restaurants** with seating capacity of greater than 150 seats; cocktail lounges, and similar uses, primarily intended to serve patrons of the golf course.

B. Conservation District "CON". The purpose and intent of the conservation district "CON" is to conserve, protect and maintain vital natural resource lands within unincorporated Collier County that are owned primarily by the public. All native habitats possess ecological and physical characteristics that justify attempts to maintain these important natural resources. Barrier islands, coastal bays, **wetlands**, and habitat for listed species deserve particular attention because of their ecological value and their sensitivity to perturbation. All proposals for **development** in the **CON district** must be subject to rigorous review to ensure that the impacts of the **development** do not destroy or unacceptably degrade the inherent functional values. The CON District includes such public lands as Everglades National Park, Big Cypress National Preserve, Florida Panther National Wildlife Refuge, portions of the Big Cypress Area of Critical State Concern, Fakahatchee Strand State Preserve, Collier-Seminole State Park, Rookery Bay National Estuarine Sanctuary Research Reserve, Delnor-Wiggins State Park, and the National Audubon's Corkscrew Swamp Sanctuary (privately owned), and C.R.E.W. It is the intent of the CON District to require review of all **development** proposed within the CON District to ensure that the inherent value of the County's natural resources is not destroyed or unacceptably **altered**. The CON District corresponds to and implements the conservation land use designation on the future land use map of the Collier County GMP.

1. **Allowable uses.** The following uses are allowed in the CON District

a. Permitted uses.

1. On privately held land only, single family **dwelling units**, and **mobile homes** where the **Mobile Home Zoning Overlay** exists.
2. On publicly and privately held lands only, dormitories, **duplexes** and other types of housing, as may be incidental to, and in support of, **conservation uses**.
3. Passive parks, and other passive recreational uses, including, but not limited to:
 - a) **Open space** and recreational uses;
 - b) Biking, hiking, canoeing, and nature trails;

- c) Equestrian paths; and
 - d) Nature preserves and wildlife sanctuaries.
4. Habitat preservation and conservation uses.
 5. Family Care Facilities and Group Care Facilities.
 6. Sporting and Recreational camps incidental to conservation uses on public lands; or, on privately held lands.
 7. Agricultural uses that fall within the scope of Sections 163.3162(4) and 823.14(6) Florida Statutes.
 8. Oil and gas exploration subject to applicable state drilling permits and Collier County non-environmental site development plan review procedures. Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., as such rules existed on June 16, 2005, regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the applicant shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, 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.
 9. The following essential services:
 - a) Private wells and septic tanks necessary to serve uses identified in 1 through 8 above.
 - b) Utility lines necessary to serve uses identified in 1 through 8 above, with exception of sewer lines.
 - c) Sewer lines and lift stations if all of the following criteria are satisfied:
 - i) Such sewer lines or lift stations shall not be located in any NRPA Lands in the CON District;
 - ii) Such sewer lines or lift stations shall be located within already cleared

portions of existing rights-of-way or easements; and

iii) Such sewer lines or lift stations are necessary to serve a central sewer system that provides service to Urban Areas; or to the Rural Transition Water and Sewer District, as delineated on the Urban-Rural Fringe Transition Zone Overlay Map in the Future Land Use Element of the GMP.

d) Water pumping stations necessary to service a central water system providing service to Urban Areas; or the Rural Transition Water and Sewer District, as delineated on the Urban-Rural Fringe Transition Zone Overlay Map in the Future Land Use Element of the GMP.

b. **Accessory uses.** Uses accessory to permitted uses. Uses and structures that are accessory and incidental to uses permitted as of right in the CON district.

c. **Conditional uses.** The following uses are permitted as conditional uses in the CON, subject to the standards and procedures established in section 10.08.00 and further subject to: 1) submission of a plan for development as part of the required EIS that demonstrates that wetlands, listed species and their habitat are adequately protected; and 2) conditions which may be imposed by the Board of County Commissioners, as deemed appropriate, to limit the size, location, and access to the conditional use.

1. Oil and gas field development and production, subject to federal and 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., as such rules existed on June 16, 2005, regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, FAC. 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, even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62C-30.005(2)(a)(1) through (12), F.A.C.

2. Those essential services set forth in subsection 2.01.03 G.2.
3. Commercial uses accessory to permitted uses A.3, A.4, and A.7 above, such as retail sales of produce accessory to farming, or a restaurant accessory to a park or preserve, so long as limitations are imposed to ensure that the commercial use functions as a subordinate use.
4. Staff housing in conjunction with safety service facilities and essential services.

* * * * *

SUBSECTION 3.K. AMENDMENTS TO SECTION 2.04.00 PERMISSIBLE, CONDITIONAL AND ACCESSORY USES IN ZONING DISTRICTS

Section 2.04.00 Permissible, Conditional and Accessory Uses in Zoning Districts, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

2.04.00 Permissible, Conditional, and Accessory Uses in Zoning Districts Reserved

* * * * *

~~2.04.03 Table of Land Uses in Each Zoning District~~

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SUBSECTION 3.L. AMENDMENTS TO SECTION 2.04.03 TABLE OF LAND USES IN EACH ZONING DISTRICT

Section 2.04.03 Table of Land Uses in Each Zoning District , of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

~~2.04.03 Table of Land Uses in Each Zoning District~~

~~The following tables identify the uses that are permissible by right in each zoning district and the uses that are allowable as conditional or accessory uses.~~

~~Table 1. Permissible Land Uses in Each Zoning District
(Delete table in entirety)~~

~~Table 2. Land Uses That May be Allowable in Each Zoning District as Accessory Uses or Conditional Uses
(Delete table in entirety)~~

* * * * *

SUBSECTION 3.M. AMENDMENTS TO SECTION 5.06.04 SIGN STANDARDS FOR SPECIFIC SITUATIONS

Section 5.06.04 Sign Standards for Specific Situations, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

5.06.04 Sign Standards for Specific Situations

* * * * *

C. On-premise **signs**. On-premise pole **signs**, ground **signs**, projecting **signs**, wall **signs**, and mansard **signs** shall be allowed in all non-residentially zoned districts subject to the restrictions below:

* * * * *

14. *Commercial, business park and industrial directional or identification **signs***. Directional or identification **signs** no greater than six square feet in size, four feet in height, and located internal to the **subdivision** or **development** and with a minimum **setback** of ten feet, may be allowed subject to the approval of the County Manager or his designee, ~~or his designee~~. Such **sign** shall only be used to identify the location or direction of approved uses such as sales centers, information centers, or the individual components of the **development**. Directional or identification **signs** maintaining a common architectural theme may be combined into a single **sign** not to exceed six feet in height and 64 square feet in area. Such **signs** shall require a **building** permit. For signage to be located along the Golden Gate Parkway, see sections ~~2.04.03~~ 2.03.00, ~~2.03.05~~ 2.03.09 and 2.03.07 and the Golden Gate Master Plan. Logos shall not occupy more than 20 percent of the directional **sign** area when said **sign** is more than six square feet in area. Directional **signs** are also subject to restrictions of section 5.06.05 of this Code.

* * * * *

SUBSECTION 3.N. AMENDMENTS TO SECTION 10.02.02 SUBMITTAL REQUIREMENTS FOR ALL APPLICATIONS

Section 10.02.02 Submittal Requirements for All Applications, of Ordinance 04-41, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

10.02.02 Submittal Requirements for All Applications

* * * * *

B. **Subdivision** exemptions. Before any property or **development** proposed to be exempted from the terms of this section may be considered for exemption, a written request for exemption shall be submitted to the County Manager or his designee. After a determination of completeness, the County Manager or his designee shall approve, approve with conditions or disapprove the request for exemption based on the terms of the applicable exemptions. To the extent indicated, the following shall be exempt from the applicability of this section.

1. *Active agricultural uses*. Agriculturally related **development** as identified in the permitted and **accessory uses** allowed in the rural agricultural district A and located within any area designated as agricultural on the future land use map of the Collier County growth management plan and the Collier County official zoning atlas, except **single-family dwellings** and farm labor housing subject to sections ~~2.04.00~~ 2.03.00 and 5.05.03, shall be exempt from the requirements and procedures for preliminary **subdivision** plats and improvements plans; provided, however, nothing contained herein shall exempt such active **agricultural uses** from the requirements and procedures for final **subdivision** plats, and where required **subdivision** improvements are contemplated, the posting of **subdivision** security.

* * * * *

SECTION FOUR: CONFLICT AND SEVERABILITY

In the event this Ordinance conflicts with any other Ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding Section not affect the validity of the remaining portion.

SECTION FIVE: INCLUSION IN THE COLLIER COUNTY LAND DEVELOPMENT CODE

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

SECTION SIX: EFFECTIVE DATE

This Ordinance shall become effective upon filing with the Florida Department of State, Tallahassee, Florida.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 19th Day of February, 2008.

ATTEST:
DWIGHT E. BROCK, CLERK

BOARD OF COUNTY COMMISSIONERS
OF COLLIER COUNTY, FLORIDA

By: *[Signature]*
Deputy Clerk
Attest as to Chairman's
signature only.

By: *[Signature]*
TOM HENNING, CHAIRMAN

Approved as to form and
legal sufficiency

[Signature]
Jeffrey A. Klatzkow
Chief Assistant County Attorney

This Ordinance filed with the
Secretary of State's Office
310 day of March 2008
and acknowledgement of
filing received this 6th
of March, 2008
By: *[Signature]*
Deputy Clerk

STATE OF FLORIDA)

COUNTY OF COLLIER)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true and correct copy of:

ORDINANCE 2008-11

Which was adopted by the Board of County Commissioners on the 19th day of February, 2008, during Special Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 28th day of February, 2008.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners



By: Ann Jennejohn,
Deputy Clerk