



Sec. 2.2.2. Rural agricultural district (A).

2.2.2.1. Purpose and intent. The purpose and intent of the rural agricultural district (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 Collier County, are permissible as conditional uses in the A district. The A district corresponds to and implements the rural agricultural land use designation on the future land use map of the Collier County growth management plan, 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 Collier County growth management plan. 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 rural agricultural district within the agricultural/rural district of the future land use element of the Collier County growth management plan shall be consistent with and not exceed the density permissible or permitted under the agricultural/rural district of the future land use element.

2.2.2.2. Permitted uses. The following uses are permitted as of right, or as uses accessory to permitted uses, in the rural agricultural district (A).

2.2.2.2.1. 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 the State of Florida Game and Freshwater Fish Commission permits. The following permitted uses shall only be allowed on parcels 20 acres in size or greater: Dairying; ranching; poultry and egg production; milk production; livestock raising; and animal breeding, raising, training, stabling or kenneling. This is not to preclude an individual property owner from the keeping of fowl or poultry, not to exceed 25 in total number, and the keeping of horses and livestock (except for hogs) not to exceed two such animals for each acre, and with no open feedlots, for personal use and not in association with commercial agricultural activity on parcels less than 20 acres in size.
 - a. Owning, maintaining or operating any facility or part thereof for the following purposes is prohibited:
 1. Fighting or baiting any animal by the owner of such facility or any other person or entity.
 2. Raising any animal or animals intended to be ultimately used or used for fighting or baiting purposes.
 3. 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.
3. Wholesale reptile breeding and raising (non-venomous), subject to the following standards:
 - a. Minimum 20 acre parcel size;

- b. 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 2.6.26.
8. Communications towers up to specified height, subject to section 2.6.35.
9. Essential services, as set forth in section 2.6.9.1.
10. Schools, public.

2.2.2.2.2. Uses accessory to permitted 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 2.6.25.
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 3.3.5.1.
4. Packinghouse or similar agricultural processing of farm products produced on the property subject to the following restrictions:
 - a. 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, RSF-6, RMF-6, RMF-12, RMF-16, RT, VR, MH, TTRVC and PUD or residentially used.
 - b. 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 division 2.4 of this Code. 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 section 2.2.2.2.2(4)(a).
 - c. The facility shall emit no obnoxious, 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.
 - d. A site development plan shall be provided in accordance with division 3.3 of this Code.
5. Excavation and related processing and production subject to the following criteria:
 - a. The activity is clearly incidental to the agricultural development of the property.

- b. The affected area is within a surface water management system for agricultural use as permitted by the South Florida Water Management District.
 - c. 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 section 2.7.4.
6. Guesthouses, subject to section 2.6.14.
7. Private boathouses and docks on lake, canal or waterway lots, subject to section 2.6.21.
8. Use of a mobile home as a temporary residence while a permanent single-family dwelling is being constructed, subject to the following:
 - a. Receipt of a temporary use permit from the development services director pursuant to division 2.6.33, that allows for use of a mobile home while a permanent single-family dwelling is being built;
 - b. 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;
 - c. 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
 - d. 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:
 - a. 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 section 2.2.2.2.1(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.
 - b. 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.
 - c. 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.
 - d. 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.

- e. 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.

2.2.2.3. Conditional uses. The following uses are permitted as conditional uses in the rural agricultural district (A), subject to the standards and procedures established in division 2.7.4.

- 1. Extraction or earthmining, and related processing and production not incidental to the agricultural development of the property.
- 2. Sawmills.
- 3. Zoo, aquarium, aviary, botanical garden, or other similar uses.
- 4. Hunting cabins.
- 5. Aquaculture for nonnative or exotic species, subject to State of Florida game and freshwater fish commission permits.
- 6. Wholesale reptile breeding or raising (venomous) subject to the following standards:
 - a. Minimum 20 acre parcel size.
 - b. 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.
- 7. Churches and other places of worship.
- 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 2.6.35.
- 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 2.6.26 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:
 - a. 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.
 - b. Additionally, the sale of fresh produce is permissible at retail plant nurseries as an incidental use of the property as a retail plant nursery.
 - c. 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:
 - a. 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.
 - b. The minimum site area shall not be less than ten acres.
 - c. The site shall gain its principal access from a street designated collector or higher classification of road as designated by the future traffic circulation element of the growth management plan.
 - d. Raw materials storage, plant location and general operations around the plant shall not be located or conducted within 100 feet of any exterior boundary.
 - e. The height of raw material storage facilities shall not exceed a height of 50 feet.
 - f. Hours of operation shall be limited to two hours before sunrise to sunset.
 - g. The minimum setback from the principal road frontage shall be 150 feet for operational facilities and 75 feet for supporting administrative offices and associated parking.
 - h. An earthen berm achieving a vertical height of eight feet or equivalent vegetative screen with 80 percent opacity one year after issuance of certificate of occupancy shall be constructed or created around the entire perimeter of the property.
 - i. Compliance with all applicable ordinances of Collier County particularly the Wellfield Protection Ordinance No. 91-103 [div. 3.16 of this Land Development

Code] and the Noise Ordinance No. 90-17 [Code ch. 54, art. IV].

- j. The plant shall not be located:
- (1) Within the Greenline Area of Concern for the Florida State Park System as established by the department of natural resources (DNR);
 - (2) Within the Area of Critical State Concern as depicted on the future land use map;
 - (3) Within 1,000 feet of a natural reservation;
 - (4) 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:
- (1) 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.
 - (2) The petitioner shall post the property along the entire property line with no trespassing signs approximately every 300 yards.
 - (3) 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.
 - (4) Motor vehicles shall be equipped with engines which include spark arrestors and mufflers designed to reduce noise.
 - (5) 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.
 - (6) Motor vehicles shall be permitted to operate during daylight hours which means, one hour after sunrise to one hour before sunset.
 - (7) Molestation of wildlife, including feeding, shall be prohibited.
 - (8) Vehicles shall comply with state and United States Coast Guard regulations, if applicable.
 - (9) 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. Dairying; ranching; livestock raising; poultry and egg production; milk production; animal breeding, raising, training, stabling or kenneling on parcels less than 20 acres in size. This is not to preclude an individual property owner from the keeping of fowl or poultry, not to exceed 25 in total number, and the keeping of horses and livestock (except

for hogs) not to exceed two such animals for each acre, and with no open feedlots, for personal use and not in association with a commercial agricultural activity on parcels less than 20 acres in size.

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:
 - a. Minimum 20 acre parcel size.
 - b. 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 section 2.6.9.2.
27. Model homes and model sales centers, subject to compliance with all other LDC requirements, to include but not limited to, LDC 2.6.33.4. as it may be amended.

2.2.2.4. Dimensional standards. The following dimensional standards shall apply to all permitted, accessory, and conditional uses in the rural agricultural district (A).

2.2.2.4.1. Minimum lot area. Five acres.

2.2.2.4.2. Minimum lot width. 165.

2.2.2.4.3. Minimum yard requirements.

1. *Front yard.* 50 feet.
2. *Side yard.* 30 feet.
3. *Rear yard.* 50 feet.
4. Yard requirements for nonconforming lots of record.
 - a. *Front yard.* 40 feet.
 - b. *Side yard.* Ten percent of the lot width, not to exceed a maximum of 20 feet on each side.
 - c. *Rear yard.* 30 feet.

2.2.2.4.4. Minimum floor area. 550 square feet for single-family dwelling units.

2.2.2.4.5. Maximum height. 35 feet, except as provided in section 2.6.3.

2.2.2.4.6. Maximum density. One dwelling unit for each five acres.

2.2.2.4.7. Off-street parking. As required in division 2.3.

2.2.2.4.8. Landscaping. As required in division 2.4.

2.2.2.5. Signs. As required in division 2.5.

(Ord. No. 92-73, § 2; Ord. No. 93-89, § 3; Ord. No. 94-27, § 3; Ord. No. 94-58, § 3; Ord. No. 97-26, § 3.B.; Ord. No. 99-6, § 3.A.; Ord. No. 99-46, § 3.A.; Ord. No. 00-43, § 3.B; Ord. No. 00-92, § 3.A.; Ord. No. 01-34, § 3.B.; Ord. No. 02-3, § 3.B.; Ord. No. 03-01, § 3.B.; Ord. No. 03-27, § 3.C.)