

504 Zoning Districts

1. Rural Area.

a. Purpose.

Limited Residential Area. Home occupations and commercial activities in the rural area are grandfathered for their present use. Forestry, agricultural activities and residential uses except for mobile home parks are allowed in the rural area. Excessive growth and sprawl should be discouraged in the rural area.

b. Permitted Uses.

1. Accessory Apartment
2. Agriculture
3. Boarding Stable
4. Cemetery
5. Commercial Tower
6. Community Living Facility
7. Contractor's Yard
8. Day Care Facility
9. Duplex
10. Essential Services
11. Home Occupation
12. Individual Private Campsite
13. Manufactured Housing
14. Medical Marijuana Registered Caregiver (subject to the provisions of Section 614)
15. Mineral Exploration
16. Mobile Home
17. Multi-family Dwelling
18. Municipal Facility
19. Place of Worship
20. Public Facility
21. Residential Dwelling Unit
22. School
23. Seasonal Dwelling
24. Solar Energy System, Accessory
25. Solar Farm, Medium
26. Solar Farm, Large
27. Timber Harvesting
28. Yard Sale

c. Dimensional Standards.

1. Minimum Lot Size: 40,000 sq ft.

-a. The minimum lot size is for the first single-family dwelling unit, with each additional single-family dwelling unit requiring an additional 40,000 square feet.

2. Net residential density:

Commented [JT1]: This required square footage for an additional single-family unit cannot be greater than 40,000 square feet, but can be smaller.

- a. Duplex Dwelling: 30,000 sq ft per dwelling unit
 - b. Multi-family Dwelling: 20,000 sq ft per unit, plus 10,000 sq ft per unit for common space (including roads)
 - 3. Minimum Road Frontage: 100 ft
 - 4. Setbacks:
 - a. Minimum Front Setback measured from the right-of-way: 20 ft
 - b. Minimum Side and Rear Setback: 20 ft
 - c. The Code Enforcement Officer may allow for reductions from the Minimum Front, Side and Rear Setback requirements as set forth in Section 208.2 and 208.3.
 - 5. Maximum Height: 55 ft
 - 6. Back Lots – does not apply to subdivisions approved after 1986
 - a. Access via Right-of-Way: 20 ft minimum in width
 - b. Minimum Setbacks: 20 ft
 - c. Maximum Height: 55 ft
 - 7. District Standards.
 - a. [Reserved]
3. Commercial Area.
- a. Purpose.

The area where future commercial development outside of the village district shall take place. Residential use, except for mobile home parks, will be allowed in the Commercial zoning district. All commercial uses or services must meet the land area of the minimum lot size for a single-family residence.
 - b. Permitted Uses.
 - 1. Accessory Apartment
 - 2. Adult Entertainment Establishment (subject to the provisions of Section 601)
 - 3. Agriculture
 - 4. Amusement Facility
 - 5. Automobile Sales
 - 6. Automotive Repair Services and Garages
 - 7. Bed and Breakfast
 - 8. Boarding and Lodging Facility
 - 9. Boarding Stable
 - 10. Campground
 - 11. Cemetery
 - 12. Commercial School
 - 13. Commercial Tower
 - 14. Community Garden
 - 15. Community Living Facility
 - 16. Contractor's Yard
 - 17. Convalescent or Rest Home
 - 18. Day Care Facility

19. Duplex
 20. Essential Services
 21. Flea Market
 22. Home Occupation
 23. Hotel
 24. Individual Private Campsite
 25. Library
 26. Light Manufacturing (subject to the limitations set forth in Section 508)
 27. Kennel
 28. Manufactured Housing
 29. Marina
 30. Medical Marijuana Registered Caregiver (subject to the provisions of Section 614)
 31. Mineral Exploration
 32. Mineral Extraction
 33. Mobile Home
 34. Mobile Vendor
 35. Multi-family Dwelling
 36. Municipal Facility
 37. Museum
 38. Nursing Home
 39. Personal Services
 40. Place of Worship
 41. Private Utility Substation
 42. Public Facility
 43. Recreational Facility, Indoor
 44. Recreational Facility, Outdoor
 45. Recreational Facility, Public
 46. Residential Dwelling Unit
 47. Residential Institution
 48. Restaurant
 49. Retail Use
 50. School
 51. Seasonal Dwelling
 52. Service Business
 53. Solar Energy System, Accessory
 54. Solar Farm, Medium
 55. Solar Farm, Large
 56. Timber Harvesting
 57. Wholesale Sales
 58. Yard Sale
- c. Dimensional Standards.
1. Minimum Lot Size: 40,000 sq ft.

- a. The minimum lot size is for the first single-family dwelling unit, with each additional single-family dwelling unit requiring an additional 40,000 square feet.
- 2. Net residential density:
 - a. Duplex Dwelling: 30,000 sq ft per dwelling unit
 - b. Multi-family Dwelling: 20,000 sq ft per unit, plus 10,000 sq ft per unit for common space (including roads)
- 3. Minimum Road Frontage: 100 ft
- 4. Setbacks:
 - a. Minimum Front Setback measured from the right-of-way: 20 ft
 - b. Minimum Side and Rear Setback: 20 ft
 - c. The Code Enforcement Officer may allow for reductions from the Minimum Front, Side and Rear Setback requirements as set forth in Section 208.2 and 208.3.
- 5. Maximum Height: 55 ft
- 6. Back Lots – does not apply to subdivisions approved after 1986 a.
 - a. Access via Right-of-Way: 20 ft minimum in width
 - b. Minimum Setbacks: 20 ft
 - c. Maximum Height: 55 ft
- d. District Standards
 - 1. When the installation of a sidewalk is not practical at the time of application, the applicant may enter into an agreement with the Town opting to escrow the total cost of materials and installation in the name of the Town of Naples and as agreed to by the Road Commissioner. Escrowed funds would then be used at the Town’s discretion for a future sidewalk installation when and where it may be more practical for the Town’s needs. The agreement and escrow would satisfy the sidewalk construction requirement for development application approval.

Commented [JT2]: This required square footage for an additional single-family unit cannot be greater than 40,000 square feet, but can be smaller.

4. Residential Growth Area.

- a. Purpose.

The area of the town where residential growth shall be encouraged. The area will allow all types of residential development including mobile home parks.
- b. Permitted Uses.
 - 1. Accessory Apartment
 - 2. Agriculture
 - 3. Bed and Breakfast
 - 4. Boarding and Lodging Facility
 - 5. Cemetery
 - 6. Commercial Tower
 - 7. Community Living Facility
 - 8. Community Garden
 - 9. Convalescent or Rest Home

10. Day Care Facility
11. Duplex
12. Essential Services
13. Home Occupation
14. Individual Private Campsite
15. Library
16. Manufactured Housing
17. Medical Marijuana Registered Caregiver (subject to the provisions of Section 614)
18. Mineral Exploration
19. Mobile Home
20. Mobile Home Park
21. Multi-family Dwelling
22. Municipal Facility
23. Museum
24. Nursing Home
25. Place of Worship
26. Public Facility
27. Residential Dwelling Unit
28. Residential Institution
29. School
30. Seasonal Dwelling
31. Solar Energy System, Accessory
32. Solar Farm, Medium
33. Timber Harvesting
34. Yard Sale

c. Dimensional Standards.

1. Minimum Lot Size: 40,000 sq ft.
 - a. The minimum lot size is for the first single-family dwelling unit, with each additional single-family dwelling unit requiring an additional 40,000 square feet.
2. Net residential density:
 - a. Duplex Dwelling: 30,000 sq ft per dwelling unit
 - b. Multi-family Dwelling: 20,000 sq ft per unit, plus 10,000 sq ft per unit for common space (including roads)
3. Minimum Road Frontage: 100 ft
4. Setbacks:
 - a. Minimum Front Setback measured from the right-of-way: 20 ft
 - b. Minimum Side and Rear Setback: 20 ft
 - c. The Code Enforcement Officer may allow for reductions from the Minimum Front, Side and Rear Setback requirements as set forth in Section 208.2 and 208.3.
5. Maximum Height: 55 ft
6. Back Lots – does not apply to subdivisions approved after 1986 a.

Commented [JT3]: This required square footage for an additional single-family unit cannot be greater than 40,000 square feet, but can be smaller.

- a. Access via Right-of-Way: 20 ft minimum in width
- b. Minimum Setbacks: 20 ft
- c. Maximum Height: 55 ft

5. Village District Area.

a. Purpose.

The Village District area shall be a mixed residential, commercial and municipal service area. Architectural design matching the historical character and small-town image of the area shall be applied to all new construction and maintenance of existing buildings. Campgrounds, Flea Markets, and Gas Stations are prohibited in the Village Zoning District.

b. Permitted Uses.

1. Residential Uses:

- a. Single family detached dwellings, which may include manufactured housing, but shall not include mobile homes or doublewides.
- b. Two family dwellings which may include manufactured housing, but shall not include mobile homes or doublewides.
- c. Multi-family dwellings which may include manufactured housing but shall not include mobile homes or doublewides.

2. Commercial Uses:

- a. Retail businesses, street vendors with less than 64 square feet of sales area, pushcarts, service businesses, and professional offices.

3. Municipal and Other Governmental Uses

4. Institutional Uses

5. Mixed Uses Including Home Occupations:

- a. Residential use and non-residential use are permitted on the same lot in the Village District (this includes only those uses otherwise allowed in the Village District).

6. Accessory Apartment

7. Amusement Facility

8. Aquaculture

9. Bed and Breakfast

10. Boarding and Lodging Facility

11. Cemetery

12. Community Living Facility

13. Day Care Facility

14. Duplex

15. Essential Services

16. Governmental Facility

17. Home Occupation

18. Hotel

19. Library

20. Manufactured Housing

21. Marina

22. Medical Marijuana Registered Caregiver (subject to Section 614)

23. Mineral Exploration

24. Multi-family Dwelling
25. Municipal Facility
26. Museum
27. Place of Worship
28. Public Facility
29. Residential Dwelling Unit
30. Restaurant
31. Retail Use
32. Seasonal Dwelling
33. Solar Energy System, Accessory
34. Timber Harvesting
35. Yard Sale

c. Prohibited Uses

1. All uses not specifically permitted in 504.5.b are prohibited. In addition, commercial towers, new and used motor vehicle sales, unlicensed massage businesses, street vendors utilizing more than 64 square feet of sales area, and any uses prohibited in the Naples Shoreland Zoning Section 15 G are not permitted in the Village District.

d. Dimensional Standards. The following space and bulk standards shall apply in the Village District:

1. Minimum Lot Size
 - a. Lots without access to public water and sewer: 40,000 sq ft.
i. The minimum lot size is for the first single-family dwelling unit, with each additional single-family dwelling unit requiring an additional 40,000 square feet.
 - b. Lots served by public water and sewer: 15,000 sq ft
2. Setbacks
 - c. Minimum Front Setback measured from the right-of-way: 20 ft
 - d. Minimum Side and Rear Setbacks: 20 ft
 - e. The Code Enforcement Officer may allow for reductions from the Minimum Front, Side and Rear Setback requirements as set forth in Section 208.2 and 208.3.
3. Minimum Road Frontage: 100 ft
4. Maximum Height: 55 ft
5. Maximum building coverage: 50%
6. Maximum impervious area: 75%

Commented [JT4]: This required square footage for an additional single-family unit cannot be greater than 40,000 square feet, but can be smaller.