Bayshore Mixed Use Overlay District (BMUD). This section provides special conditions for the properties **adjacent** to Bayshore Drive as identified by the designation "BMUD" on the applicable official Collier County Zoning Atlas Map or map series.

1.

Purpose and Intent. The purpose and intent of this District is to encourage revitalization of the Bayshore Drive portion of the Bayshore Gateway Triangle Redevelopment Area with pedestrian-oriented, interconnected projects. The Overlay encourages uses that support pedestrian activity, including a mix of residential, civic and commercial uses that complement each other and provide for an increased presence and integration of the cultural arts and related support uses. When possible **buildings**, both commercial and residential, are located near the **street**, and may have front porches and/or balconies.

2.

Applicability.

a.

These regulations shall apply to the Bayshore Mixed Use Overlay District as identified by the designation "BMUD" on the applicable official Collier County Zoning Atlas Maps.

b.

Planned Unit Developments (PUDs) that existed prior to March 3, 2006, and properties with Provisional Uses (PU) approved prior to March 3, 2006, including amendments or boundary changes to these PUDs and Provisional Use properties, are not subject to the Bayshore Overlay District requirements.

3.

Relationship to the Underlying Zoning Classification and Collier County Growth Management Plan.

a.

The purpose of the BMUD is to fulfill the goals, objectives and policies of the Collier County Growth Management Plan (GMP), as may be amended. Specifically, the BMUD implements the provisions of section V.F, Bayshore Gateway Triangle Redevelopment Overlay, of the Future Land Use Element. Portions of the Bayshore Overlay District coincide with *Mixed Use Activity Center #16* designated in the Future Land Use Element (FLUE) of the Collier County GMP. **Development** in the activity center is governed by requirements of the underlying zoning district and the mixed use activity center subdistrict requirements in the FLUE, except for site development standards as stated in [section 4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR) of the LDC.

b.

Property owners within the BMUD may establish uses, **densities** and intensities in accordance with the LDC regulations of the underlying zoning classification, or may elect to develop/redevelop under the provisions of the applicable BMUD Subdistrict. In either instance, the BMUD site **development** standards as provided for in [section 4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR) shall apply.

4.

Bayshore Mixed Use District (BMUD) Subdistricts.

a.

The BMUD consists of the following subdistricts:

i.

Neighborhood Commercial Subdistrict (BMUD-NC). The purpose and intent of this subdistrict is to encourage a mix of low intensity commercial and residential uses, including mixed use projects in a single **building**. This subdistrict provides for an increased presence and integration of the cultural arts and related support uses, including galleries, artists' studios, and **live-work units**. **Developments** will be human-scale and pedestrian-oriented.

ii.

Waterfront Subdistrict (BMUD-W). The purpose of this subdistrict is to encourage a mix of low intensity commercial and residential uses and allow maximum use of the waterfront for entertainment while enhancing the area for use by the general public. **Development** in this subdistrict is intended to allow a mix of residential and commercial uses including limited **marina** and **boatyard** uses.

iii.

Residential Subdistrict 1 (BMUD-R1). The purpose of this subdistrict is to encourage the **development** of a variety of housing types which are compatible with existing neighborhoods and allow for **building** additions such as front porches. The intent in new **development** is to encourage a traditional neighborhood design pattern and create a row of residential units with uniform **front yard setbacks** and **access** to the **street**.

iv.

Residential Subdistrict 2 (BMUD-R2). The purpose of this subdistrict is to allow for a variety of housing types and encourage the **development** of multi-family residences as transitional uses between commercial and single-family **development**. The multi-family buildings shall be compatible with the **building** patterns of traditional neighborhood design.

v.

Residential Subdistrict 3 (BMUD-R3). The purpose of this subdistrict is to allow for a variety of housing types and encourage the **development** of **townhouses** and **single-family dwellings**. All new **development** in this subdistrict shall be compatible with the **building** patterns of traditional neighborhood design.

vi.

Residential Subdistrict 4 (BMUD-R4). The purpose of this subdistrict is to protect the character of existing neighborhoods comprised of detached **single-family dwelling** units, while allowing for **building** additions such as front porches.

b.

Use Categories and Table of Uses.

i.

All uses permitted in the BMUD subdistricts have been divided into 9 general categories, which are summarized below:

a)

Residential: Premises available for long-term human habitation by means of ownership and rental, but excluding short-term leasing or rental of less than one month's duration.

b)

Lodging: Premises available for short-term human habitation, including daily and weekly rental.

c)

Office and Service: Premises available for the transaction of general business and the provision of services, but excluding retail sales and manufacturing, except as a minority component.

d)

Retail and **Restaurant**: Premises available for the commercial sale of merchandise, prepared foods, and food and drink consumption, but excluding manufacturing.

e)

Entertainment and Recreation: Premises for the gathering of people for purposes such as arts and culture, amusement, and recreation.

f)

Manufacturing, Wholesale and Storage: Premises available for the creation, assemblage, storage, and repair of items including their wholesale or retail sale.

g)

Civic and Institutional: Premises available for organizations dedicated to religion, education, government, social service, and other similar functions.

h)

Infrastructure: Uses and structures dedicated to transportation, communication, information, and utilities, including **Essential Services**.

ii.

Interpretation of the Table of Uses.

a)

The Table of Uses identifies uses as permitted uses (P); **accessory uses** (A); **conditional uses** (CU), or a combination of the three. Blank cells indicate that a use is not allowed in the corresponding subdistrict; however, such use may be permitted by the underlying zoning designation.

b)

Any use not listed in the Table of Uses is prohibited unless the County Manager or designee may determine that it falls within the same class as a listed use through the process outlined in LDC [section 1.06.00](http://library.municode.com/HTML/13992/level2/CH1GEPR_1.06.00RUIN.html%22%20%5Cl%20%22CH1GEPR_1.06.00RUIN), Rules of Interpretation.

c)

Mixed Use Projects shall be limited to the permitted, **accessory** and **conditional uses** allowed in the BMUD-NC and BMUD-W subdistricts, and subject to the **MUP approval process** as outlined in [Section 10.02.15](http://library.municode.com/HTML/13992/level2/CH10APREDEKIPR_10.02.00APRE.html#CH10APREDEKIPR_10.02.00APRE_10.02.15MIUSPRPRWIBAGATRREAR). All other projects may elect to establish uses, densities and intensities in accordance with their underlying zoning or in accordance with the Overlay Subdistrict. However, all projects must comply with site **development** standards as provided in [section 4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR)

iii.

Table of Uses.

Table 1. Table of Uses for the Bayshore Mixed Use District Subdistricts

|  |  |  |
| --- | --- | --- |
| USE TYPE | BMUD SUBDISTRICTS | ADDITIONAL STANDARDS |
| RESIDENTIAL | MIXED USE |
| R1 | R2 | R3 | R4 | NC | W |
| *a) RESIDENTIAL*  |
|  | [1](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART1GEPR.html#APXHLDUDCOTA_ART1GEPR)) **Dwelling, Single-Family**  | P | P | P | P | P |  |  |
|  | [2](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART2ZO.html#APXHLDUDCOTA_ART2ZO)) **Dwelling, Duplex**  | P | P | P |  |  |  |  |
|  | [3](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART3DERE.html#APXHLDUDCOTA_ART3DERE)) **Dwelling, Two-Family**  | P | P | P |  | P | P |  |
|  | [4](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART4IMFE.html#APXHLDUDCOTA_ART4IMFE)) **Dwelling, Rowhouse**  | P | P | P |  | P | P |  |
|  | [5](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART5DEKIADBO.html#APXHLDUDCOTA_ART5DEKIADBO)) **Dwelling, Multi-Family** (3 or more)  | P | P | P |  | P | P |  |
|  | [6](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART6DE.html#APXHLDUDCOTA_ART6DE)) **Dwelling, Mobile Home**  |  |  | P\* |  |  |  | \*If allowed by underlying zoning |
|  | 7) Home Occupations | A | A | A | A | A | A | [5.02.03](http://library.municode.com/HTML/13992/level2/CH5SUST_5.02.00HOOC.html#CH5SUST_5.02.00HOOC_5.02.03ST)  |
|  | 8) **Live-Work Units**  |  |  | CU |  | P | P | [4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR) C.6.  |
|  | 9) **Artist Village**  | CU | CU | CU |  | P | P | [4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR) C.3.  |
| *b) LODGING*  |
|  | [1](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART1GEPR.html#APXHLDUDCOTA_ART1GEPR)) Bed & Breakfast Facilities  |  |  | CU |  | CU | CU | [4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR) C.4.  |
|  | [2](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART2ZO.html#APXHLDUDCOTA_ART2ZO)) **Hotels** and **Motels**  |  |  |  |  | P | P |  |
| *c) OFFICE/SERVICE*  |
|  | [1](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART1GEPR.html#APXHLDUDCOTA_ART1GEPR)) Banks, Credit Unions, Financial Services  |  |  |  |  | P |  |  |
|  | [2](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART2ZO.html#APXHLDUDCOTA_ART2ZO)) Business Support Services  |  |  |  |  | P | P |  |
|  | [3](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART3DERE.html#APXHLDUDCOTA_ART3DERE)) Child Care Services  | CU | CU | CU |  | CU | CU |  |
|  | [4](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART4IMFE.html#APXHLDUDCOTA_ART4IMFE)) Community Service Organization  |  |  |  |  | P | P |  |
|  | [5](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART5DEKIADBO.html#APXHLDUDCOTA_ART5DEKIADBO)) Drive Thru Service (banks)  |  |  |  |  |  |  |  |
|  | [6](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART6DE.html#APXHLDUDCOTA_ART6DE)) Government Services  |  |  |  |  | P | P |  |
|  | 7) Family Care Facility/Nursing Home |  |  |  |  | P | P |  |
|  | 8) Medical Services - Doctor Office |  |  |  |  | P | P |  |
|  | 9) Medical Services - Outpatient/Urgent Care |  |  |  |  | P |  |  |
|  | 10) Personal Care Services |  |  |  |  | P | P |  |
|  | 11) Post Office |  |  |  |  | P | P |  |
|  | 12) Professional Office or Service |  |  |  |  | P | P |  |
|  | 13) Rental Services - Equipment/Vehicles |  |  |  |  | P | P |  |
|  | 14) Studio - Art, Dance, Martial Arts, Music  |  |  |  |  | P | P |  |
|  | 15) Studio - Motion Picture |  |  |  |  | CU |  |  |
|  | 16) Vehicle Services - Maintenance/Repair |  |  |  |  |  |  |  |
|  | 17) Veterinarians Office  |  |  |  |  | P | P |  |
|  | 18) Video Rental |  |  |  |  | P | P |  |
| *d) RETAIL/* ***RESTAURANTS***  |
|  | [1](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART1GEPR.html#APXHLDUDCOTA_ART1GEPR)) Auto Parts Sales  |  |  |  |  |  |  |  |
|  | [2](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART2ZO.html#APXHLDUDCOTA_ART2ZO)) Bars/Tavern/Night Club  |  |  |  |  | P | P |  |
|  | [3](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART3DERE.html#APXHLDUDCOTA_ART3DERE)) Drive Thru Retail/**Restaurant**  |  |  |  |  |  |  |  |
|  | [4](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART4IMFE.html#APXHLDUDCOTA_ART4IMFE)) Gas Station with Convenience Store  |  |  |  |  | P | P | [5.05.05](http://library.municode.com/HTML/13992/level2/CH5SUST_5.05.00SUSTSPUS.html#CH5SUST_5.05.00SUSTSPUS_5.05.05AUSEST)  |
|  | [5](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART5DEKIADBO.html#APXHLDUDCOTA_ART5DEKIADBO)) Neighborhood Retail - <2,000 sf  |  |  |  |  | P | P |  |
|  | [6](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART6DE.html#APXHLDUDCOTA_ART6DE)) General Retail - <15,000 sf  |  |  |  |  | P | P |  |
|  | 7) General Retail - >15,000 sf |  |  |  |  | CU | CU |  |
|  | 8) **Restaurant**  |  |  |  |  | P | P |  |
|  | 9) **Shopping Center**  |  |  |  |  | CU | CU |  |
|  | 10) Vehicle/Boat/Heavy Equipment Sales |  |  |  |  |  | CU | [4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR) C.7.  |
| *e) ENTERTAINMENT/RECREATION*  |
|  | [1](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART1GEPR.html#APXHLDUDCOTA_ART1GEPR)) Gallery / Museum  |  |  |  |  | P | P |  |
|  | [2](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART2ZO.html#APXHLDUDCOTA_ART2ZO)) Meeting Facility  |  |  |  |  | P | P |  |
|  | [3](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART3DERE.html#APXHLDUDCOTA_ART3DERE)) Cultural or Community Facility  |  |  |  |  | P | P |  |
|  | [4](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART4IMFE.html#APXHLDUDCOTA_ART4IMFE)) Theater, Live Performance  |  |  |  |  | P | P |  |
|  | [5](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART5DEKIADBO.html#APXHLDUDCOTA_ART5DEKIADBO)) Theater, Movie  |  |  |  |  | CU | CU |  |
|  | [6](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART6DE.html#APXHLDUDCOTA_ART6DE)) Recreation Facility, Indoor  |  |  |  |  | P | P |  |
|  | 7) Recreation Facility, Outdoor |  |  |  |  | CU | CU |  |
|  | 8) Amusements, Indoor |  |  |  |  | P | P |  |
|  | 9) Amusements, Outdoor |  |  |  |  | CU | CU |  |
|  | 10) **Community Garden**  | P | P | P | P | P | P | [4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR) C.5.  |
| *f) MANUFACTURING/WHOLESALE/STORAGE*  |
|  | [1](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART1GEPR.html#APXHLDUDCOTA_ART1GEPR)) Laboratory - Medical, analytical, research  |  |  |  |  | P |  |  |
|  | [2](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART2ZO.html#APXHLDUDCOTA_ART2ZO)) Laundries and Dry Cleaning  |  |  |  |  | P |  |  |
|  | [3](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART3DERE.html#APXHLDUDCOTA_ART3DERE)) Media Production  |  |  |  |  | P |  |  |
|  | [4](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART4IMFE.html#APXHLDUDCOTA_ART4IMFE)) Metal Products Fabrication  |  |  |  |  | P |  |  |
|  | [5](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART5DEKIADBO.html#APXHLDUDCOTA_ART5DEKIADBO)) Mini-Warehouses  |  |  |  |  |  |  |  |
|  | [6](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART6DE.html#APXHLDUDCOTA_ART6DE)) Repair Shops  |  |  |  |  | P | P |  |
|  | 7) Research and Development |  |  |  |  | P | P |  |
|  | 8) Storage - Outdoor |  |  |  |  | A |  | [4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR) C.9.  |
|  | 9) Storage - Warehouse |  |  |  |  |  |  |  |
| *g) CIVIC INSTITUTIONAL*  |
|  | [1](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART1GEPR.html#APXHLDUDCOTA_ART1GEPR)) College/University  |  |  |  |  | P | P |  |
|  | [2](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART2ZO.html#APXHLDUDCOTA_ART2ZO)) **Educational Plant**  | P | P | P | P | P | P |  |
|  | [3](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART3DERE.html#APXHLDUDCOTA_ART3DERE)) Hospital  |  |  |  |  |  |  |  |
|  | [4](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART4IMFE.html#APXHLDUDCOTA_ART4IMFE)) Membership Organizations  |  |  |  |  | P | P |  |
|  | [5](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART5DEKIADBO.html#APXHLDUDCOTA_ART5DEKIADBO)) Public Safety Facility  |  |  |  |  | CU | CU |  |
|  | [6](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART6DE.html#APXHLDUDCOTA_ART6DE)) Religious Institution  | CU | CU | CU | CU | CU | CU |  |
|  | 7) Schools - Elementary and Secondary |  |  |  |  |  |  |  |
|  | 8) Schools - Vocational and Technical |  |  |  |  |  |  |  |
| *h) INFRASTRUCTURE*  |
|  | [1](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART1GEPR.html#APXHLDUDCOTA_ART1GEPR)) Automobile Parking Facilities  |  |  |  |  | CU |  |  |
|  | [2](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART2ZO.html#APXHLDUDCOTA_ART2ZO)) Boat Launch  |  |  |  |  |  | A |  |
|  | [3](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART3DERE.html#APXHLDUDCOTA_ART3DERE)) **Essential Services**  | P | P | P | P | P | P |  |
|  | [4](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART4IMFE.html#APXHLDUDCOTA_ART4IMFE)) **Marinas** and Boatyards  |  |  |  |  | P | P | [4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR) C.7.  |
|  | [5](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART5DEKIADBO.html#APXHLDUDCOTA_ART5DEKIADBO)) Transit Station  |  |  |  |  |  |  |  |
|  | [6](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART6DE.html#APXHLDUDCOTA_ART6DE)) Wireless Telecommunication Facility  |  |  |  |  |  |  |  |

Note: The Table of Uses identifies uses as permitted uses (P); **accessory uses** (A); conditional uses (CU), or a combination of the three.

Blank cells indicate that a use is not allowed in the corresponding subdistrict; however, such use may be permitted by the underlying zoning designation.

Mixed Use Projects shall be limited to the permitted, accessory and conditional uses allowed in the BMUD-NC and BMUD-W subdistricts, and subject to the **MUP approval process** as outlined in [section 10.02.15](http://library.municode.com/HTML/13992/level2/CH10APREDEKIPR_10.02.00APRE.html#CH10APREDEKIPR_10.02.00APRE_10.02.15MIUSPRPRWIBAGATRREAR). All other projects may elect to establish uses, densities and intensities in accordance with their underlying zoning or in accordance with the Overlay Subdistrict. However, all projects must comply with site **development** standards as provided in [section 4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR)

Gateway Triangle Mixed Use Overlay District (GTMUD). This section contains special conditions for the properties in and **adjacent** to the Gateway Triangle as identified by the designation "GTMUD" on the applicable official Collier County Zoning Atlas Map or map series.

1.

Purpose and Intent. The purpose and intent of this District is to encourage revitalization of the Gateway Triangle portion of the Bayshore Gateway Triangle Redevelopment Area with human-scale, pedestrian-oriented, interconnected projects that are urban in nature and include a mix of residential types and commercial uses. **Development** in this District should encourage pedestrian activity through the construction of mixed-use **buildings**, an interconnected **street** system, and connections to **adjacent** neighborhoods. When possible, **buildings** are located near the **street** with on **street** parking and off **street** parking on the side or in the rear of the **parcel**.

This District is intended to: revitalize the commercial and residential **development**; promote traditional urban design; encourage on **street** parking and shared parking facilities; provide appropriate landscaping and **buffering**; and protect and enhance the Shadowlawn residential neighborhood.

2.

Applicability.

a.

These regulations shall apply to the Gateway Triangle Mixed Use Overlay District as identified by the designation "GTMUD" on the applicable official Collier County Zoning Atlas Maps.

b.

Planned Unit Developments (PUDs) that existed prior to March 3, 2006, and properties with Provisional Uses (PU) approved prior to March 3, 2006, including amendments or boundary changes to these PUDs and Provisional Use properties, are not subject to the Gateway Triangle Mixed Use District requirements.

3.

Relationship to the Underlying Zoning Classification and Collier County Growth Management Plan.

a.

The purpose of the GTMUD is to fulfill the goals, objectives and policies of the Collier County Growth Management Plan (GMP), as may be amended. Specifically, the GTMUD implements the provisions of section V.F, Bayshore Gateway Triangle Redevelopment Overlay, of the Future Land Use Element. Portions of the Gateway Triangle Mixed Use District that coincide with Mixed Use Activity Center #16 as designated in the FLUE of the Collier County GMP. **Development** standards in the activity center is governed by requirements of the underlying zoning district requirements and the mixed use activity center subdistrict requirements in the FLUE, except for site development standards as stated in [section 4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR) of the Collier County Land Development Code (LDC).

b.

Property owners may establish uses, **densities** and intensities in accordance with the existing LDC regulations of the underlying zoning classification, or may elect to develop/redevelop under the provisions of the applicable GTMUD Subdistrict. In either instance, the GTMUD site development standards as provided for in [section 4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR) shall apply.

4.

Gateway Triangle Mixed Use District (GTMUD) Subdistricts.

a.

The Gateway Triangle Mixed Use District consists of the following subdistricts:

i.

Mixed Use Subdistrict (GTMUD-MXD). The purpose and intent of this subdistrict is to provide for pedestrian-oriented commercial and mixed use **developments** and higher **density** residential uses. **Developments** will reflect traditional neighborhood design **building** patterns. Individual **buildings** are encouraged to be multi-**story** with uses mixed vertically, with **street** level commercial and upper level office and residential. Included in this District is the "mini triangle" formed by US 41 on the South, Davis Boulevard on the North and Commercial Drive on the East, which is intended to serve as an entry statement for the Bayshore Gateway Triangle CRA and a gateway to the City of Naples.

ii.

Residential Subdistrict (GTMUD-R). The purpose of this subdistrict is to encourage the continuation and revitalization of the Shadowlawn neighborhood. The subdistrict provides for a variety of compatible residential housing types and a limited mix of non-residential uses in a walkable context.

b.

Use Categories and Table of Uses.

i.

All uses permitted in the GTMUD subdistricts have been divided into nine general categories, which are summarized below:

a)

Residential: Premises available for long-term human habitation by means of ownership and rental, but excluding short-term leasing or rental of less than one month's duration.

b)

Lodging: Premises available for short-term human habitation, including daily and weekly rental.

c)

Office and Service: Premises available for the transaction of general business and the provision of services, but excluding retail sales and manufacturing, except as a minority component.

d)

Retail and **Restaurant**: Premises available for the commercial sale of merchandise, prepared foods, and food and drink consumption, but excluding manufacturing.

e)

Entertainment and Recreation: Premises for the gathering of people for purposes such as arts and culture, amusement, and recreation.

f)

Manufacturing, Wholesale and Storage: Premises available for the creation, assemblage, storage, and repair of items including their wholesale or retail sale.

g)

Civic and Institutional: Premises available for organizations dedicated to religion, education, government, social service, and other similar functions.

h)

Infrastructure: Uses and structures dedicated to transportation, communication, information, and utilities, including **Essential Services**.

ii.

Interpretation of the Table of Uses

a)

Any uses not listed in the Table of Uses are prohibited. In the event that a particular use is not listed in the Table of Uses, the County Manager or designee may determine that it falls within the same class as a listed use through the process outlined in LDC [section 1.06.00](http://library.municode.com/HTML/13992/level2/CH1GEPR_1.06.00RUIN.html%22%20%5Cl%20%22CH1GEPR_1.06.00RUIN), Rules of Interpretation.

b)

The Table of Uses identifies uses as permitted uses (P); **accessory uses** (A); **conditional uses** (CU), or a combination of the three. Blank cells indicate that a use is not allowed in the corresponding subdistrict; however, such use may be permitted by the underlying zoning designation.

c)

Mixed Use Projects shall be limited to the permitted, **accessory** and **conditional uses** allowed in the GTMUD-MXD subdistrict, and subject to the **MUP approval process** as outlined in [section 10.02.15](http://library.municode.com/HTML/13992/level2/CH10APREDEKIPR_10.02.00APRE.html#CH10APREDEKIPR_10.02.00APRE_10.02.15MIUSPRPRWIBAGATRREAR). All other projects may elect to establish uses, **densities** and intensities in accordance with their underlying zoning or in accordance with the Overlay Subdistrict. However, all projects must comply with site **development** standards as provided in [section 4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR)

iii.

Table of Uses.

Table 2. Table of Uses for the Gateway Triangle Mixed Use District Subdistricts

|  |  |  |
| --- | --- | --- |
| USE TYPE | GTMUD SUBDISTRICTS | ADDITIONALSTANDARDS |
| R | MXD |
| *a) RESIDENTIAL*  |
|  | [1](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART1GEPR.html#APXHLDUDCOTA_ART1GEPR)) **Dwelling, Single-Family**  | P | P |  |
|  | [2](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART2ZO.html#APXHLDUDCOTA_ART2ZO)) **Dwelling, Duplex**  | P | P |  |
|  | [3](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART3DERE.html#APXHLDUDCOTA_ART3DERE)) **Dwelling, Two-Family**  | P | P |  |
|  | [4](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART4IMFE.html#APXHLDUDCOTA_ART4IMFE)) Dwelling, Rowhouse  | P | P |  |
|  | [5](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART5DEKIADBO.html#APXHLDUDCOTA_ART5DEKIADBO)) **Dwelling, Multi-Family** (3 or more)  | P | P |  |
|  | [6](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART6DE.html#APXHLDUDCOTA_ART6DE)) **Dwelling, Mobile Home**  | P\* |  | \*If permitted by underlying zoning |
|  | 7) **Guesthouse**  | A | A | [5.05.04](http://library.municode.com/HTML/13992/level2/CH5SUST_5.05.00SUSTSPUS.html#CH5SUST_5.05.00SUSTSPUS_5.05.04GRHO) and [4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR) C.2.  |
|  | 8) Home Occupations | A | A | [5.02.03](http://library.municode.com/HTML/13992/level2/CH5SUST_5.02.00HOOC.html#CH5SUST_5.02.00HOOC_5.02.03ST)  |
|  | 9) **Live-Work Units**  | CU | P | [4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR) C.6.  |
|  | 10) **Artist Village**  | CU | P | [4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR) C.3.  |
| *b) LODGING*  |
|  | [1](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART1GEPR.html#APXHLDUDCOTA_ART1GEPR)) Bed & Breakfast Facilities  | CU | CU | [4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR) C.4.  |
|  | [2](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART2ZO.html#APXHLDUDCOTA_ART2ZO)) **Hotels** and **Motels**  |  | P |  |
| *c) OFFICE/SERVICE*  |
|  | [1](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART1GEPR.html#APXHLDUDCOTA_ART1GEPR)) Banks, Credit Unions, Financial Services  |  | P |  |
|  | [2](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART2ZO.html#APXHLDUDCOTA_ART2ZO)) Business Support Services  |  | P |  |
|  | [3](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART3DERE.html#APXHLDUDCOTA_ART3DERE)) Child Care Services  | CU | CU |  |
|  | [4](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART4IMFE.html#APXHLDUDCOTA_ART4IMFE)) Community Service Organization  |  | P |  |
|  | [5](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART5DEKIADBO.html#APXHLDUDCOTA_ART5DEKIADBO)) Government Services  |  | P |  |
|  | [6](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART6DE.html#APXHLDUDCOTA_ART6DE)) Family Care Facility/Nursing Home  |  | CU |  |
|  | 7) Medical Services - Doctor Office |  | P |  |
|  | 8) Medical Services - Outpatient/Urgent Care |  | P |  |
|  | 9) Personal Care Services |  | P |  |
|  | 10) Post Office |  | P |  |
|  | 11) Professional Office or Service |  | P |  |
|  | 12) Rental Services - Equipment/Vehicles |  | P |  |
|  | 13) Studio - Art, Dance, Martial Arts, Music  |  | P |  |
|  | 14) Studio - Motion Picture |  | CU |  |
|  | 15) Vehicle Services - Maintenance/Repair |  | CU |  |
|  | 16) Veterinarians Office  |  | P |  |
|  | 17) Video Rental |  | P |  |
| d) *RETAIL/* ***RESTAURANTS***  |
|  | [1](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART1GEPR.html#APXHLDUDCOTA_ART1GEPR)) Auto Parts Sales  |  | P |  |
|  | [2](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART2ZO.html#APXHLDUDCOTA_ART2ZO)) Bars/Tavern/Night Club  |  | P |  |
|  | [3](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART3DERE.html#APXHLDUDCOTA_ART3DERE)) Drive Thru Retail/**Restaurant**  |  | P |  |
|  | [4](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART4IMFE.html#APXHLDUDCOTA_ART4IMFE)) Gas Station with Convenience Store  |  | P | [5.05.05](http://library.municode.com/HTML/13992/level2/CH5SUST_5.05.00SUSTSPUS.html#CH5SUST_5.05.00SUSTSPUS_5.05.05AUSEST)  |
|  | [5](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART5DEKIADBO.html#APXHLDUDCOTA_ART5DEKIADBO)) Neighborhood Retail - <2,000 sf  |  | P |  |
|  | [6](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART6DE.html#APXHLDUDCOTA_ART6DE)) General Retail - <15,000 sf  |  | P |  |
|  | 7) General Retail - >15,000 sf |  | P |  |
|  | 8) **Restaurant**  |  | P |  |
|  | 9) **Shopping Center**  |  | CU |  |
|  | 10) Vehicle/Boat/Heavy Equipment Sales |  | P |  |
| *e) ENTERTAINMENT/RECREATION*  |
|  | [1](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART1GEPR.html#APXHLDUDCOTA_ART1GEPR)) Gallery / Museum  |  | P |  |
|  | [2](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART2ZO.html#APXHLDUDCOTA_ART2ZO)) Meeting Facility  | CU | P |  |
|  | [3](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART3DERE.html#APXHLDUDCOTA_ART3DERE)) Cultural or Community Facility  | CU | P |  |
|  | [4](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART4IMFE.html#APXHLDUDCOTA_ART4IMFE)) Theater, Live Performance  |  | P |  |
|  | [5](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART5DEKIADBO.html#APXHLDUDCOTA_ART5DEKIADBO)) Theater, Movie  |  | CU |  |
|  | [6](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART6DE.html#APXHLDUDCOTA_ART6DE)) Recreation Facility, Indoor  |  | P |  |
|  | 7) Recreation Facility, Outdoor | CU | CU |  |
|  | 8) Amusements, Indoor |  | P |  |
|  | 9) Amusements, Outdoor | CU | CU |  |
|  | 10) **Community Garden**  | P | P | [4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR) C.5.  |
| *f) MANUFACTURING/WHOLESALE/STORAGE*  |
|  | [1](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART1GEPR.html#APXHLDUDCOTA_ART1GEPR)) Boat Yards  |  | CU |  |
|  | [2](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART2ZO.html#APXHLDUDCOTA_ART2ZO)) Laboratory - Medical, analytical, research  |  | P |  |
|  | [3](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART3DERE.html#APXHLDUDCOTA_ART3DERE)) Laundries and Dry-cleaning  |  | P |  |
|  | [4](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART4IMFE.html#APXHLDUDCOTA_ART4IMFE)) Media Production  |  | P |  |
|  | [5](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART5DEKIADBO.html#APXHLDUDCOTA_ART5DEKIADBO)) Metal Products Fabrication  |  | CU |  |
|  | [6](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART6DE.html#APXHLDUDCOTA_ART6DE)) Mini-Warehouses  |  |  |  |
|  | 7) Repair Shops |  | P |  |
|  | 8) Research and Development |  | P |  |
|  | 9) Storage - Outdoor |  | CU | [4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR) C.9.  |
|  | 10) Storage - Warehouse |  | P |  |
|  | 11) Lawn and Garden Services in conjunction with a Nursery  |  | CU |  |
| *g) CIVIC/INSTITUTIONAL*  |
|  | [1](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART1GEPR.html#APXHLDUDCOTA_ART1GEPR)) College/University  |  | CU |  |
|  | [2](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART2ZO.html#APXHLDUDCOTA_ART2ZO)) Educational Plant  | P | P |  |
|  | [3](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART3DERE.html#APXHLDUDCOTA_ART3DERE)) Hospital  |  | CU |  |
|  | [4](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART4IMFE.html#APXHLDUDCOTA_ART4IMFE)) Membership Organizations  |  | P |  |
|  | [5](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART5DEKIADBO.html#APXHLDUDCOTA_ART5DEKIADBO)) Public Safety Facility  |  | CU |  |
|  | [6](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART6DE.html#APXHLDUDCOTA_ART6DE)) Religious Institution  | CU | CU |  |
|  | 7) Schools - Elementary and Secondary | P |  |  |
|  | 8) Schools - Vocational and Technical | CU |  |  |
| *h) INFRASTRUCTURE*  |
|  | [1](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART1GEPR.html#APXHLDUDCOTA_ART1GEPR)) Automobile Parking Facilities  |  | P |  |
|  | [2](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART2ZO.html#APXHLDUDCOTA_ART2ZO)) Boat Launch  |  |  |  |
|  | [3](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART3DERE.html#APXHLDUDCOTA_ART3DERE)) **Essential Services**  | P | P |  |
|  | [4](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART4IMFE.html#APXHLDUDCOTA_ART4IMFE)) **Marinas**  |  | P |  |
|  | [5](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART5DEKIADBO.html#APXHLDUDCOTA_ART5DEKIADBO)) Transit Station  |  | CU |  |
|  | [6](http://library.municode.com/HTML/13992/level2/APXHLDUDCOTA_ART6DE.html#APXHLDUDCOTA_ART6DE)) Wireless Telecommunication Facility  |  | CU |  |

Note: The Table of Uses identifies uses as permitted uses (P); **accessory uses** (A); conditional uses (CU), or a combination of the three.

Blank cells indicate that a use is not allowed in the corresponding subdistrict; however, such use may be permitted by the underlying zoning designation.

Mixed Use Projects shall be limited to the permitted, accessory and conditional uses allowed in the BMUD-NC and BMUD-W subdistricts, and subject to the **MUP approval process** as outlined in [section 10.02.15](http://library.municode.com/HTML/13992/level2/CH10APREDEKIPR_10.02.00APRE.html#CH10APREDEKIPR_10.02.00APRE_10.02.15MIUSPRPRWIBAGATRREAR). All other projects may elect to establish uses, densities and intensities in accordance with their underlying zoning or in accordance with the Overlay Subdistrict. However, all projects must comply with site **development** standards as provided in [section 4.02.16](http://library.municode.com/HTML/13992/level2/CH4SIDEDEST_4.02.00SIDEST.html#CH4SIDEDEST_4.02.00SIDEST_4.02.16DESTDEBAGATRREAR)