

ORDINANCE 2026-

AN ORDINANCE AMENDING SECTION 44-8 – DEFINITIONS, CHAPTER 44 – GENERAL PROVISIONS, ADDING SECTION 46-46 – AIRPORT PLANNING AND SITE-SPECIFIC DEVELOPMENT, CHAPTER 46 – ADMINISTRATION, PROCEDURES AND ENFORCEMENT, AMENDING SECTION 58-681 – DISTRICT PURPOSE, SECTION 58-682 – USES PERMITTED, SECTION 58-683 – CONDITIONAL USES AND SECTION 58-691 – MAXIMUM DECLARED DISTANCE OF RUNWAY, DIVISION 23 C4 AIRPORT COMMERCIAL DISTRICT, CHAPTER 58 – ZONING, OF THE CODE OF ORDINANCES, CITY OF NAPLES FOR THE PURPOSE OF UPDATING THE CODE OF ORDINANCES; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER’S ERROR; CONSTRUCTION; PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City has decided to update and amend the codes related to the Airport Utilization Plan and Site Plan for the C4 Airport Commercial District; and

WHEREAS, the City Council has determined that there is a need to clarify the codes, reorganize sections, and refine definitions to address inconsistencies; and

WHEREAS, these amendments are necessary to align the City’s Land Development Code with the policies adopted in the Comprehensive Plan; and

WHEREAS the City Council has determined that amending the City’s Land Development Code related to the Naples Municipal Airport is in the best interest of the City; and

WHEREAS, an advertisement of the public hearing for adoption of the proposed ordinance was published in the Naples Daily News on the ___ day of _____, 2026 as required by Section 166.041, Florida Statutes and City of Naples Code of Ordinances; and

WHEREAS, adoption of the regulations contained in this Ordinance is in the best interest of the residents of the City of Naples and promotes the health, safety and welfare of the City;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. The above recitals (“Whereas” clauses) are hereby adopted as legislative findings, purpose and intent of City Council.

Section 2. That Section 44-8 – Definitions, Chapter 44 – General Provisions, of the Code of the City of Naples is hereby amended to read as follows:

Sec. 44-8. Definitions.

The following words, terms and phrases, when used in this Land Development Code ~~land development code~~, will have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Airport, used in Sec. 46-46 and 58-569 through 58-680 of the City's Land Development Code, as amended, and the City's Comprehensive Plan means "Naples Municipal Airport" or "Naples Airport."

Airport Clear Zone. See High Noise Impact Areas.

Airport Development and/or Projects means a new principal building or structure, an addition to an existing structure that is greater than 1,000 square feet; or landscaping, lighting, and paving projects or any combination exceeding 10,000 square feet; and any modification or extension of any runway or taxiway that adds additional paved surface used for aircraft operations.

Airport Layout Plan means a set of scaled drawings, as prescribed and according to (FAA) requirements, that provides a graphic representation of the existing and future development plan for the Airport and demonstrates the preservation and continuity of safety, utility, and efficiency of the Airport. An Airport Layout Plan that has been submitted by the Naples Airport Authority and accepted or approved (as applicable) by the FAA, shall constitute the Airport Layout Plan for purposes of this Code.

Airport Master Plan means a comprehensive plan of the Airport which typically describes current and future plans for airport development designed to support existing and future aviation demand. For purposes of this ordinance (and in no manner purporting to supersede State or Federal requirements), the City of Naples Comprehensive Plan is not considered to be the Airport Master Plan.

Airport Utilization Plan means a document prepared by the Naples Airport Authority, and submitted for review and approval by City Council, which is consistent with the approved Airport Master Plan and Airport Layout Plan. It must conform with the terms and conditions set forth in Sec. 46-46 "Airport Planning and Site-Specific Development" and Division 23 "C4 AIRPORT COMMERCIAL DISTRICT" of the City's Land Development Code and the Comprehensive Plan. The "Overall Utilization Plan" shall have the same meaning as "Airport Utilization Plan." The detail of the mapping shall be at the same or greater quality as the Airport Layout Plan.

Words ~~stricken~~ through shall be deleted. Words underscored constitute the amendment proposed. The symbol *** constitutes code sections not shown for purposes of brevity. Remaining provisions are now in effect and remain unchanged.

Airport Parcel means all real property whether owned by the City of Naples or the Naples Airport Authority, whether within the C4 Zoning District or another zoning district, which is utilized for any Airport operations. The Airport Parcel shall also include the boundaries of the Airport as defined in the Airport Layout Plan.

FAA shall mean the Federal Aviation Administration of the U.S. Department of Transportation.

~~High noise impact areas~~ Noise Impact Areas means mean areas surrounding Naples Municipal Airport where potential noise impact exists from low-flying aircraft, designated as the 605- Ldn noise contour, ~~as amended.~~

NAA shall mean the Naples Airport Authority.

Section 3. That Chapter 46 – Administration, Procedures and Enforcement, of the Code of the City of Naples is hereby amended to read as follows:

Chapter 46 - ADMINISTRATION, PROCEDURES AND ENFORCEMENT

Sec. 46-46. Airport Planning and Site-Specific Development.

Intent and purpose. This section shall describe the process for City review and approval of the Airport Master Plan, the Airport Utilization Plan, and all site-specific development within the C4 Airport Commercial District. Unless preempted by State or Federal regulations, the City Council shall have review authority of the Airport Master Plan, the Airport Utilization Plan, and all site-specific development within the C4 Airport Commercial District pursuant to City Ordinances. The City Council may require review by an appropriate advisory board for recommendation of any Plan or Development prior to consideration by the City Council for approval. Nothing herein is intended to and therefore will not supersede or otherwise affect the validity of any document approved or accepted by the FAA or the State in accordance with applicable State or Federal law, regulations, policies or directives

A. Airport Master Plan. As defined in Chapter 44 and required by the City's Comprehensive Plan, all Airport uses and activities shall be consistent with the Airport Master Plan, as approved by the City Council, and consistent with the other relevant laws,

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regulations, codes and plans. The Airport Master Plan shall meet the requirements of the (FAA) and Florida Department of Transportation (FDOT) and be presented to the City Council for approval at a duly advertised regular meeting, prior to being submitted to the FAA and FDOT. The Airport Master Plan shall not be submitted to the FAA or FDOT unless it has been approved by City Council pursuant to this section. The NAA shall submit an updated Airport Master Plan for City Council review and approval no less than once every 20 years. Such City Council approval shall not be unreasonably delayed or withheld.

1. Procedure. The Airport Master Plan shall be submitted to the City Manager, or designee, with adequate time for review and comment, before it is formally scheduled for a public hearing. Once submitted by the NAA, the City Manager shall present this to City Council within 120 days once the application is deemed complete. Prior to submittal to the City, the NAA shall formally review the Airport Master Plan in final form and at a duly scheduled NAA meeting shall authorize the presentation of the Airport Master Plan to the City. The City Manager, or designee, shall circulate the Airport Master Plan to all relevant City Departments for comment. After the administrative review is deemed complete, the City Manager, or designee, shall prepare a summary report to the City Council along with the Airport Master Plan, and schedule it for a public hearing. The NAA Executive Director, or designee shall be at the City Council meeting to present the Airport Master Plan and to answer questions.

2. City Council Review and Criteria. The City Council shall not unreasonably delay its review of the Airport Master Plan. The City Council shall review the Airport Master Plan based on competent substantial evidence demonstrating the following:
 - a. Consistency with the Airport Utilization Plan;
 - b. Consistency with the City's Comprehensive Plan;
 - c. Conformity with all City codes, regulations, ordinances, and Florida Statutes; and
 - d. Consistency with any other relevant adopted City plans and reports.

B. *Airport Utilization Plan.* An Airport Utilization Plan for all uses of the Airport Parcel (current and future) shall be submitted to the City Council for approval, based on a submittal and review process as determined by the City. Any proposed Airport Utilization Plan shall be in accordance with the provisions of the lease agreement for the Airport Property between the City and the Naples Airport Authority or any approved sublease, and demonstrate the preservation and continuity of safety, utility and efficiency of the Airport. The Airport Utilization Plan shall be updated periodically (but at least every three years) and shall be prepared by the Naples Airport Authority and submitted to City Council for final approval. The Airport Utilization Plan shall provide an accurate graphical

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representation of the existing development and identify future development at the Airport, if known at the time of submittal.

1. Procedure. The Airport Utilization Plan shall be submitted to the City Manager, or designee, with adequate time for review and comment, before it is formally scheduled for a public hearing. Once submitted by the NAA, the City Manager shall present this to City Council within 120 days once the application is deemed complete. Prior to submittal to the City, the NAA shall formally review the Airport Utilization Plan in final form and at a duly scheduled NAA meeting shall authorize the presentation of the Airport Utilization Plan to the City. The City Manager, or designee, shall circulate the Airport Utilization Plan to all relevant City Departments for comment. The City Manager, or designee, shall determine whether the Airport Utilization Plan is complete and sufficient. To be complete and sufficient, the Airport Utilization Plan must be detailed, and accompanied by any required exhibits of sufficient quality to accurately identify boundaries of existing and future development, as well as land uses abutting the Airport Parcel. If the Airport Utilization Plan is not complete and sufficient, the City Manager, or designee, shall notify the NAA in writing of the nature and extent of the incompleteness or insufficiency within 30 days after submittal. Upon determination that the Airport Utilization Plan is sufficient, the City Manager, or designee, shall prepare a summary report to the City Council along with the Airport Utilization Plan, and schedule it for a duly noticed public hearing. The NAA Executive Director, or designee, shall be at the City Council meeting to present the Airport Utilization Plan and to answer questions.

2. City Council Review and Criteria. City Council's review and approval of the Airport Utilization Plan is intended to ensure:
 - a) All completed developments have obtained approval and have been constructed in accordance with the terms of that approval;
 - b) All future development, designated and known when the Airport Utilization Plan is submitted, complies with the standards set forth in the Comprehensive Plan; and
 - c) All future development, designated and known when the Airport Utilization Plan is submitted, has met the requirements of the C4 Airport Commercial District and the Airport Overlay District, as well as any additional relevant ordinances, agreements, and regulations

3. The Airport Utilization Plan will be presented using scaled drawings with dimensions shown and confirmed by Geospatial Positioning Tools with an accompanying narrative that clearly identifies:
 - a) The use of the Airport Parcel, as defined herein, completed or where construction is underway with the address or other building designator using

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- modern technology to site and delineate each Project, its structures, and boundaries.
- b) The projected completion date of any ongoing, or previously approved and not yet completed, Airport Development.
 - c) All Projects, as defined herein, previously approved by the City of Naples that have not begun construction, identifying the specific approval mechanism utilized (building permit, action of Council, site plan approval or other approval method). The projected time frames for these Projects (0 to 5 years or 5 years plus) indicating where each Project is to be located, and the lot dimensions (including specific locations of proposed structures).
 - d) All designated Future Development Projects, as defined herein, and known when the Airport Utilization Plan is submitted indicating specifically where each Project is to be located, the time frame for the Project (0 to 5 years or 5 years plus), the use for the Project, and where the Project is in the City of Naples approval process (ex., building permit, action of Council, site plan approval or other approval method).
 - e) Existing land uses abutting the Airport Parcel, sufficient to determine compatibility and incompatibility.

C. *Site-Specific Development.* All Airport Development, as defined in Section 44-8, as amended, shall require City Council approval as prerequisite for the issuance of a building permit. Airport Development approval shall be done through a Site Plan Approval process. Site Plan Approval for Airport Development is not required for recurring maintenance, repair, or replacement project(s) for existing facilities, which shall not include any expansion. The City Council shall have final review and approval authority for Site Plans and amendments to Site Plans for all development within the C4 Airport Commercial District. Prior to the Planning Advisory Board and the City Council meetings, the Petitioner shall notify the owners of any property located within 1,000 feet of the perimeter of the Airport, informing them of the date, time, place, and reason for the public hearing. If required by the Florida Building Code, no certificate of occupancy, for any Property described in this Division, shall be issued until such construction has been found to be in conformity with the approved plans.

1. Procedure. The Site Plan Petition shall be submitted to the City Manager, or designee, with adequate time for review and comment, before it is formally scheduled for a public hearing. Once a Site Plan Petition has been submitted, the City Manager shall present it to City Council within 120 days. Prior to submittal to the City, the Naples Airport Authority (NAA) shall review the Site Plan Petition and authorize the Applicant to present the Site Plan Petition to the City. The City Manager, or designee, shall circulate the Site Plan Petition to all relevant City Departments for comment. After the administrative review is deemed complete,

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the City Manager, or designee, shall prepare a summary report to the City Council along with the Site Plan Petition, and schedule it for a public hearing. A representative of the NAA or the Petitioner shall be at the City Council meeting to present the Site Plan Petition and to answer questions. Site Plan Petitions shall be reviewed by the City Manager for accuracy and compliance with the requirements set out in this section. Once the Site Plan Petition is deemed complete by the City Manager it shall be submitted to the Planning Advisory Board for a recommendation prior to being presented to City Council for final review and approval. Other zoning petitions may be filed simultaneously, but no approval or building permit will be issued until the Site Plan Petition is approved by the City Council. Companion requests for amendment to the Airport Utilization Plan shall be submitted in accordance with this section if the Site Plan Petition is not consistent with the Airport Utilization Plan. Site Plan Petitions will normally be placed on the agenda of the next regular City Council meeting occurring no more than 90 days after the Site Plan Petition is found by the City Manager to be sufficient. The City Council shall hear the Site Plan Petition in accordance with procedures for quasi-judicial proceedings and take final agency action by Resolution, which may include approving the Site Plan Petition with or without conditions or taking other action as is appropriate under the circumstances.

2. City Council Review and Criteria. The required contents of the Site Plan Petition shall include, but not be limited to, a stamped survey of the Site and all other documents identified on the Site Plan Application deemed necessary to thoroughly review the Project for compliance with the Comprehensive Plan and applicable regulations and codes. All Site Plan Petitions shall be evaluated based on the following:
- a) Determining consistency with the Comprehensive Plan, City Code, and applicable regulations including Division 4, Airport Overlay District, of Article III, Chapter 58, including all applicable zoning performance standards, including but not limited to impervious surface ratio, open space, and setbacks.
 - b) Determining the impacts of the Project on the current adopted level of service (Concurrency) and confirming Concurrency, as identified in Chapter 48 of the City's Land Development Code, is met.
 - c) Determining that the proposed Airport Development is compatible with the uses on the Airport Parcel.
 - d) Ensuring appropriate planning and evaluating the Site Plan Petition with respect to:
 - i. Adequate aircraft parking, fueling, maintenance, and other similar services;
 - ii. Adequate services available for passengers to safely utilize the Airport, including but not limited to, emergency response services, concessionaire services, and other similar services;

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- iii. Accessways for emergency and service vehicles; and
- iv. Any other relevant consideration related to the safety, efficiency, or compliance of the Site-Specific Development.
- e) The adequacy of public utilities at the Airport to accommodate the proposed Project.
- f) Off-site traffic, stormwater, or other non-aircraft related impacts of the proposed Project.

Section 4. That Division 23, C4 Airport Commercial District, Chapter 58 – Zoning, of the Code of the City of Naples is hereby amended to read as follows:

Chapter 58 – ZONING

ARTICLE II. - ZONING DISTRICTS

DIVISION 23. C4 AIRPORT COMMERCIAL DISTRICT

Sec. 58-681. District purpose.

The C4 district District is a limited commercial zone district intended to accommodate only the Naples Municipal Airport, its related commercial and light industrial uses, related service facilities, and a limited range of non-airport-related commercial uses, unless otherwise required under State or Federal law and regulations. Nothing herein is intended to supersede or otherwise affect the validity of any document approved or accepted by the FAA or the State in accordance with applicable State or Federal law, regulations, policies or directives.

Sec. 58-682. Uses permitted.

(a) None of the permitted uses listed in this section are permitted to have direct ingress or egress to Airport-Pulling Road except those that currently exist.

(b) Provided that an ~~overall~~ Airport Master Plan and Airport Utilization Plan ~~master development plan~~ for all Airport ~~airport properties~~ Projects is first submitted to the ~~city planning advisory board~~ City Planning Advisory Board for a recommendation and is then approved by the City Council ~~city council~~, based on a submittal and review process as required under Chapter ~~chapter~~ 46 for development and Site Plan ~~site plan~~ review for development of significant impact, and provided that any proposed development is in

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accordance with the provisions of the lease agreement for the Airport Property ~~airport property~~ between the City ~~city~~ and the NAA ~~airport authority~~ or any approved sublease, no building or structure, or part thereof, shall be erected or altered or used, or land or water used, in whole or in part, in the C4 district, that is not in substantial compliance with the approved Airport Utilization Plan and Airport Master Plan ~~overall master development plan~~ and for other than the following:

(1) Airport passenger and freight terminals and accessory uses and structures which are incidental to and customarily associated with such facilities, including but not limited to locations of landing fields, aircraft hangars and repair facilities, administration buildings, control towers, fuel storage areas, navigation equipment, approach and clear zones and the like.

(2) Aircraft sales and service and flight instruction.

(3) Airport-related light industrial uses that are primarily dependent upon the Airport ~~airport~~ for goods, services or economic support. The principal activity of such users shall be directly related to the Airport ~~airport~~ and not merely located on Airport Property ~~airport property~~ as a convenience.

(4) Airport-related commercial uses that are located within the Airline ~~airline~~ or General Aviation Terminal Buildings ~~general aviation terminal buildings~~ or in their vicinity and that are primarily intended to serve the needs of the public using the Airport ~~airport~~ travel facilities, such as auto rentals, restaurants, cocktail lounges, newsstands, gift shops, insurance outlets and the like.

(5) Within the area designated for commercial and industrial development on the approved master plan, the following non-aviation-related uses:

- a. Small-scale retail sales establishments other than shopping centers. Retail sales establishments may include incidental processing, repair and rental activities except rental of motor vehicles which requires a conditional use, provided they are accessory and subordinate to the retail sales use, and provided that all sales, displays, and storage, processing and repair of merchandise occurs within the principal building.
- b. Art or photography studios.
- c. Convenience service establishments such as tailoring, garment alteration and repair, shoe repair and the like.
- d. Cultural facilities, including libraries or museums, and publicly owned buildings.
- e. Financial institutions, excluding drive-up windows, which are permitted only by Conditional Use ~~conditional-use~~ petition approval.

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- f. Medical offices and clinics.
- g. Professional, business, financial, civic or public utility offices.
- h. Accessory uses or structures which are incidental to and customarily associated with the permitted uses in this District ~~district~~.
- i. Pet Adoption Facility
- j. City of Naples and Collier County solid waste and recycling facilities
- k. Playground and Observation Deck

Sec. 58-683. Conditional uses.

(a) Within the area of the C4 district ~~designated for commercial and industrial development~~ on the approved current Airport mMaster pPlan, the following uses shall be included as conditional uses:

- (1) Drive-up windows which are accessory to permitted uses (not to include restaurants).
- (2) ~~Motion picture theaters or live theaters (no drive-in theaters).~~
- (32) Radio and television broadcasting offices and studios, with no tower.
- (43) Rental of motor vehicles accessory and subordinate to the retail sales use.

The Planning Advisory Board ~~planning advisory board~~ may, through the review and approval of a Conditional Use~~conditional use~~ petition and with the approval of the City Council ~~city council~~, permit other uses which are similar to and no more intense than those enumerated in this subsection.

(b) None of the conditional uses listed in this section are permitted to have direct ingress or egress to Airport-Pulling Road ~~except those that currently exist~~.

Sec. 58-684. Minimum lot area.

There is no minimum lot area requirement for the C4 district.

Sec. 58-685. Minimum lot width.

There is no minimum lot width requirement for the C4 district.

Sec. 58-686. Minimum yards.

Minimum yards in the C4 district are as follows:

- (1) Front yard: 10 feet, 6 feet of which must be landscaped in accordance with the landscaping requirements of chapter 50.
- (2) Side yard: Buildings may be placed either on the side lot line or a minimum of 10 feet from it, except when the adjoining lot is in another zone with a different side yard requirement, in which case a minimum side yard of 10 feet shall be provided.

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(3) Rear yard: 25 feet.

Sec. 58-687. Minimum floor area.

Minimum floor area in the C4 district is 1,000 square feet per building.

Sec. 58-688. Maximum height.

In the C4 district, the maximum height shall be limited to 3 stories and 42 feet, measured from the 1st-floor FEMA elevation to the peak of the roof or the highest point of any appurtenance attached to the roof.

Sec. 58-689. Minimum off-street parking.

See chapter 50 for parking requirements in the C4 district.

Sec. 58-690. Maximum lot coverage by all buildings.

Maximum lot coverage by all buildings in the C4 district is 40 percent.

Sec. 58-691. Maximum declared distance of runway.

The maximum declared distance of each runway ~~shall be 5,000 feet~~ shall not exceed the declared distance in existence at the time of enactment. For purposes of this provision, "declared distance" shall mean the distance the ~~Naples Airport Authority~~ NAA declares for an aircraft's (1) take-off run (the runway length declared available and suitable for the ground run of an airplane taking off), and (2) landing distance available (the runway length declared available and suitable for a landing airplane). Any increase to declared distance shall require City Council ~~city council~~ approval. Extension of the existing stop way or additional stop ways, or the additional paving of runways or safety zones, shall require Conditional Use ~~conditional use~~ approval. The NAA has no authority to acquire, purchase, or lease property for the expansion of a runway without the prior approval of City Council.

Secs. 58-692—58-710. Reserved.

Section 5. This Ordinance shall be codified in the Code of Ordinances of the City of Naples, Florida.

Section 6. All ordinances/resolutions and parts of ordinances/resolutions in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

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- Section 7.** The provisions of this Ordinance are declared to be severable, if any word, sentence, phrase, clause, subsection, or section of this Ordinance is for any reason held unconstitutional, invalid, or ineffective, the same shall not affect the validity of any remaining portions of this Ordinance, as they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part. In such event, the pre-existing word, phrase, clause, subsection, or section, will be revived.
- Section 8.** The City Attorney may correct scrivener's errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.
- Section 9.** This Ordinance is to be liberally construed to accomplish its objectives.
- Section 10.** This Ordinance shall be published in accordance with the requirements of law.
- Section 11.** That this Ordinance will take effect immediately upon adoption at second reading.

APPROVED AT FIRST READING THIS ____ DAY OF _____ 2026.

ADOPTED AT SECOND READING AND PUBLIC HEARING IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA THE ____ DAY OF ____ 2026.

Attest:

Patricia L. Rambosk, City Clerk

Teresa Lee Heitmann, Mayor

Approved as to form and legal sufficiency:

Matthew McConnell, City Attorney

Date filed with City Clerk:_____