

LAND DEVELOPMENT CODE AMENDMENT

PETITION

PL20240004278

ORIGIN

Board of County
Commissioners (Board)

SUMMARY OF AMENDMENT

This Land Development Code (LDC) amendment renames the Immokalee Urban Overlay District to the Immokalee Urban Area Overlay District (IUAOD). All existing provisions of the Immokalee Urban Overlay District, including its seven subdistricts would be superseded by the new IUAOD and its seven subdistricts. LDC amendments are reviewed by the Board, Collier County Planning Commission (CCPC), Development Services Advisory Committee (DSAC), and the Land Development Review Subcommittee of the DSAC (DSAC-LDR Subcommittee).

HEARING DATES

Board	TBD
CCPC	TBD
DSAC	09/04/2024 TBD
DSAC-LDR	07/29/2024

LDC SECTION TO BE AMENDED

2.03.07	Overlay Zoning Districts
2.06.01	Generally
4.02.27	Specific Design Standards for the Immokalee—State Road 29A Commercial Overlay Subdistrict
4.02.28	Specific Design Standards for the Immokalee—Jefferson Avenue Commercial Overlay Subdistrict
4.02.29	Specific Design Standards for the Immokalee—Farm Market Overlay Subdistrict
4.02.30	Specific Design Standards for the Immokalee—Agribusiness Overlay Subdistrict
4.02.31	Specific Design Standards for the Immokalee—Central Business Overlay Subdistrict
4.02.32	Specific Design Standards for the Immokalee—Main Street Overlay Subdistrict
4.02.33	Specific Design Standards for New Mobile Home Lots in the Immokalee Urban Overlay Subdistrict
5.03.02	Fences and Walls, Excluding Sound Walls

ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR	DSAC	CCPC
No vote taken TBD	TBD	TBD

BACKGROUND

The Immokalee Area Planning Commission was formed in 1965 and Immokalee was governed under separate zoning regulations until 1982. The LDC would be amended later that year to define the Immokalee Area Planning District. In 1991, the Board adopted provisions for the Immokalee Central Business District, providing written and graphical boundaries of the district. In 1997, the Board adopted another ordinance for the Immokalee area, establishing the State Road 29 Commercial Overlay District (SR29COD) and the Jefferson Avenue Commercial Overlay District (JACOD). These overlay districts were superseded the following year when the Immokalee Overlay District (Ordinance 1998-63) was established, which redesignated the SR29COD and the JACOD as subdistricts of the overlay. Ordinance 1998-63 also established three additional subdistricts: Farm Market Overlay Sub-District, Agribusiness Overlay Sub-District, and the Immokalee Central Business Sub-District. The Immokalee Overlay District would be amended in 2000 when the Main Street Overlay Subdistrict was added. The Non Conforming Mobile Home Park Overlay Subdistrict was established in 2002. Exhibit “A” provides a list of LDC amendments specific to Immokalee between 1982 and today.

When the County adopted the Growth Management Plan (GMP) in 1989, it recognized there was a need to have a separate Sector Plan for the Immokalee Community. In addressing this need, the County adopted the Immokalee Area Master Plan (IAMP) as part of its batch amendments in connection with Ordinance 1991-15. The IAMP is in addition to, and supplements the goals, objectives, and policies of the GMP. The major purposes of the IAMP were to create better coordination of land use and transportation planning, stimulate redevelopment and/or renewal of blighted areas, and to eliminate land uses inconsistent with the community’s character. The IAMP was amended 14 times between its initial adoption and 2019, when substantial changes were made connection with Ordinance 2019-47. The most recent amendment to the IAMP occurred in 2023, which added the Transit Oriented Development Subdistrict.

In 2000, the Board created a Community Redevelopment Agency (CRA) to focus on the rehabilitation, conservation, or redevelopment of two distinct geographic areas in the County, one of which being the Immokalee Community Redevelopment Area. Later that year, the Board adopted the Community Redevelopment Plan (Resolution 2000-181) for a 30-year timeframe. The Community Redevelopment Plan was amended in 2019 and 2022, which extended the term of the Immokalee Redevelopment Area to 2052. The amendment in 2022 outlined five goals for future redevelopment efforts for Immokalee, based on community input: Celebrating Culture, Economic Development, Housing, Infrastructure, and Implementation/Administration.

This LDC amendment was created in coordination with the Immokalee CRA and a Consultant with the intent to improve the existing LDC regulations to better implement the intent of the updated IAMP. The team worked with community stakeholders to analyze the existing regulations, including subdistricts; permitted, conditional and accessory uses; permitted and bonus densities; and dimensional and design standards, to identify conflicting provisions and potential impediments to redevelopment efforts. Substantive changes include but are not limited to the following: reorganization of existing overlay subdistricts and creation of new subdistricts; updated overlay maps; introduction of architectural and site design standards for the overlay; introduction of use tables per subdistrict; and reorganization of development standards for the various subdistricts.

FISCAL & OPERATIONAL IMPACTS

There are no anticipated fiscal or operational impacts associated with this amendment.

GMP CONSISTENCY

The proposed LDC amendment has been reviewed by Comprehensive Planning staff and may be deemed consistent with the IAMP. To be provided by Comprehensive Planning Staff after first review.

EXHIBITS: A) List of LDC Amendments

Amend the LDC as follows:

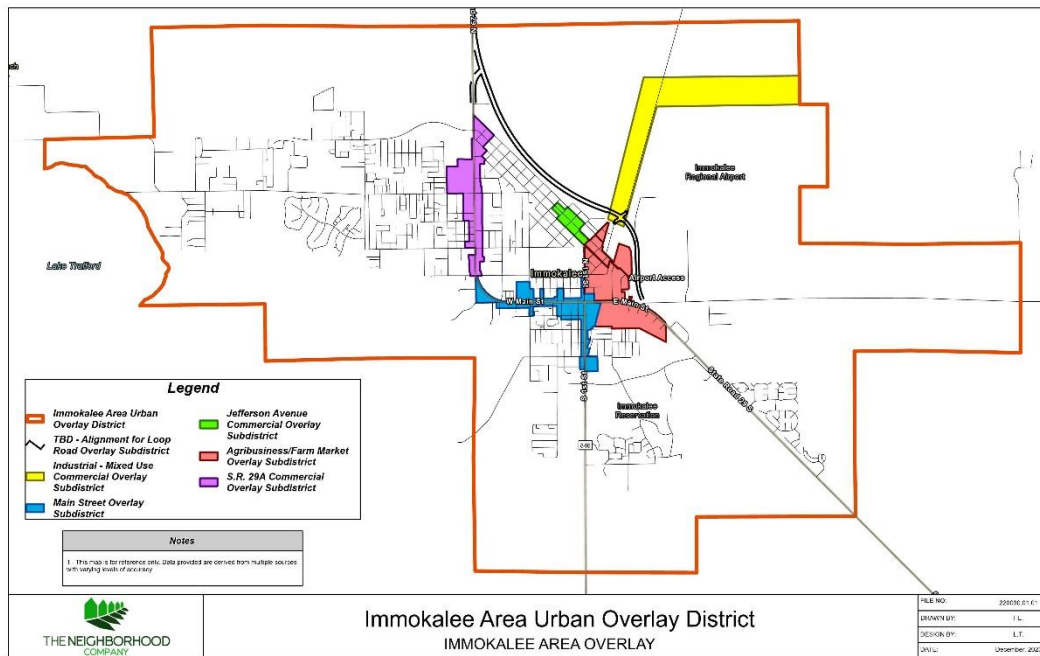
2.03.07 - Overlay Zoning Districts

G. Immokalee Urban Area Overlay District (IUAOD)

1. Purpose and intent. The purpose and intent of the IUAOD is to implement the goals, objectives, and policies of the Immokalee Area Master Plan (IAMP) and establish development criteria suitable for the unique character and land use needs of the Immokalee Community. This section, along with LDC section 4.02.27, provides support and implements the community’s vision and the goals, objectives, and policies established through the IAMP.

2. Applicability.

a. These regulations shall apply to the Immokalee Urban Area Overlay District as identified by the designation “IUAOD” on the official Collier County Zoning Atlas Maps. The boundary of the IUAOD is delineated on the map below:



Map 1 - Immokalee Urban Area Overlay District Boundary

b. The use regulations within this LDC section and the design standards of LDC section 4.02.27 shall apply to all properties within the IUAOD as depicted on Map 1.

c. Properties within the IUAOD may establish uses, densities, and intensities in accordance with the IUAOD or the underlying zoning classification.

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However, in either instance, the design standards of the IUAOD pursuant to LDC section 4.02.27 shall apply.

d. Planned Unit Developments (PUDs) that existed prior to XXX (date), and properties with Provisional Uses (PU) approved prior to XXX, including amendments or boundary changes to these PUDs and Provisional Use properties, are not subject to the IUAOD requirements. Any PUD proposed after XXX (date) shall apply the provisions of the IUAOD, unless a deviation is approved in accordance with LDC section 4.02.27 J.

3. Establishment of Subdistricts.

a. Main Street Overlay Subdistrict (MSOS). The purpose of this subdistrict is to encourage development and redevelopment by enhancing and beautifying the Main Street area through design and development standards that promote an urban form and a walkable environment.



Map 2 – Main Street Overlay Subdistrict Map

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b. State Road 29A Commercial Overlay Subdistrict (SR29OS). The purpose of the SR29OSD (Map 3) designation is to encourage appropriate commercial development along SR 29A. These commercial uses must be located on a major arterial or collector roadway. The provisions of this subdistrict are intended to provide broader commercial uses along the SR-29 corridor and with development standards contained in LDC section 4.02.27 D. to ensure coordinated access and appropriate landscaping and buffering compatible with nearby residential properties.



Map 3 – S.R. 29A Commercial Overlay Subdistrict Map

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4 c. Loop Road Overlay Subdistrict (LROS). The purpose of the LROS (Map 4)
5 designation is to encourage appropriate development along the SR 29
6 Loop Road which will support the efficient movement of goods and freight
7 in and around Immokalee. The provisions of this subdistrict are intended
8 to provide uses and standards that support commercial, agricultural and
9 industrial uses within the Immokalee Urban Area. Development standards
10 contained in LDC section 4.02.27 F. are provided to manage access points
11 along this corridor and to ensure appropriate landscaping and buffering for
12 allowed uses. This subdistrict encompasses 1,000 feet of land adjacent to
13 the final right-of-way alignment for the S.R. 29 Loop Road as determined
14 by the Florida Department of Transportation.

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16 Properties to the north, east, and northeast of the S. R. 29 Loop Road right-
17 of-way shall allow uses by underlying zoning districts, and the uses
18 permitted within the overlay as listed in Table 1.

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20 Properties to the west, south and southwest of the S. R. 29 Loop Road
21 right-of-way shall allow all permitted uses within the underlying zoning
22 districts and those uses allowed per Table 1 as Conditional Uses.

forthcoming

Map 4 - Loop Road Overlay Subdistrict Map

The final plan has not been confirmed to date for the Loop Rd.

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d. Jefferson Avenue Commercial Overlay Subdistrict (JACOS). The purpose of the JACOS (Map 5) designation is to provide retail, office, transient lodging facilities and highway commercial uses that serve the needs of the traveling public. These commercial uses must be located on a major arterial or collector roadway. The provisions of this subdistrict are intended to provide increased commercial opportunity along Jefferson Avenue with development standards contained in LDC section 4.02.27 G.; and ensure coordinated access, appropriate landscaping and buffering to be compatible with nearby residential properties.



Map 5 – Jefferson Avenue Commercial Overlay Subdistrict Map

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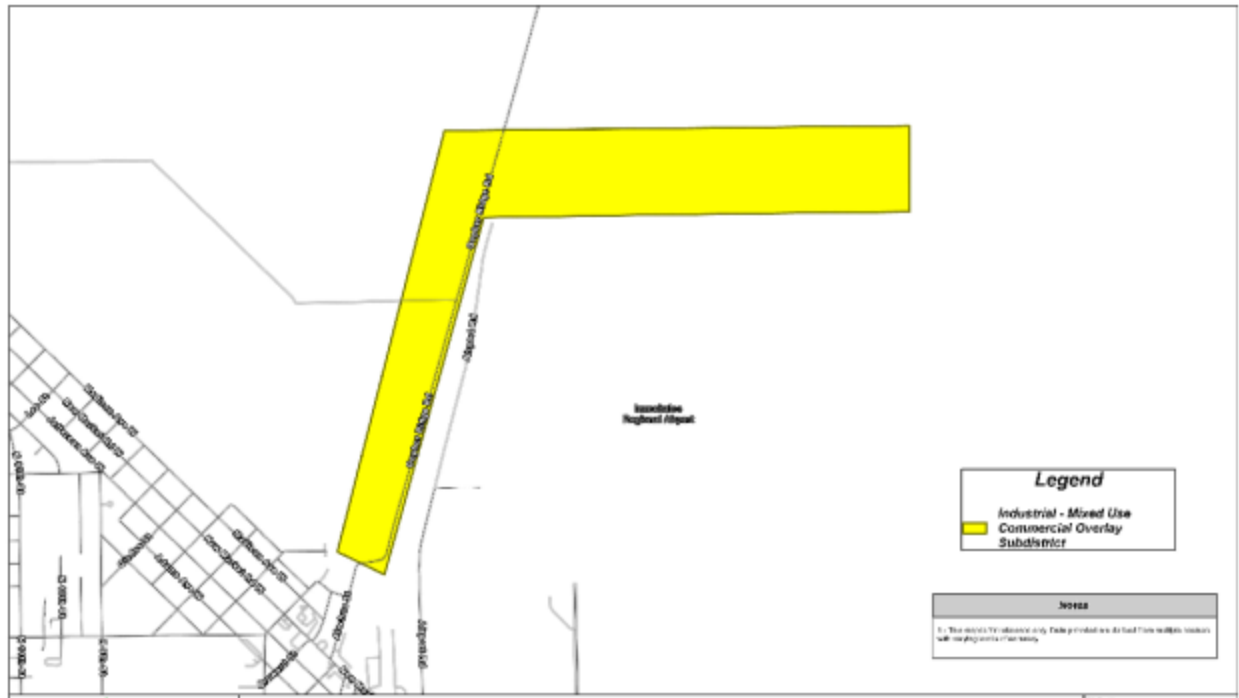
e. Agribusiness/Farm Market Overlay Subdistrict (AFOS) The purpose of the AFOS designation (Map 6) is to support the agriculture industry and related businesses. The provisions of this subdistrict are intended to allow uses such as production, processing, and distribution of farm-based goods, as well as ancillary and supporting uses, including but not limited to, retail sales, warehousing/storage, equipment repair and agricultural technology and research.



Map 6 – Agribusiness/Farm Market Overlay Subdistrict Map

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f. Industrial Mixed Use Commercial Overlay Subdistrict (IMCOS). The purpose of the IMCOS designation (Map 7) is to allow uses contained within the Industrial – Mixed Use Subdistrict with complementary commercial uses as listed in Table 1. The overlay comprises approximately 363 acres of which a maximum of 30 percent or approximately 109 acres shall be commercial uses as permitted in the C-4 and C-5 zoning districts.



Map – 7. Industrial Mixed Use Commercial Overlay Subdistrict Map

g. Nonconforming Mobile Home Site Overlay Subdistrict.

- i. Establishment of special conditions for these properties, which by virtue of actions preceding the adoption of Ordinance No. 91-102, on October 30, 1991, were deemed to be nonconforming as a result of inconsistencies with the land development code, and are located within the Immokalee Urban Boundary as depicted on the Immokalee Area Master Plan.
- ii. The purpose of these provisions is to recognize that there are nonconforming mobile homes on properties in the Immokalee Urban Area and to establish a process to provide property owners an official record acknowledging the permitted use of the property and render existing mobile homes, and other structures, as lawful. Travel trailers, regardless of the square footage, are not permitted as a permanent habitable structure and may not seek relief under this section. Properties that cannot meet the requirements may pursue an agreement with the Board of County Commissioners to establish compliance with the following regulations.
- iii. Property owners shall file an application as provided for in the Administrative Code, Chapter 4, Section 1.3.a. - Immokalee Nonconforming Mobile Home Sites - Existing Conditions Site Improvement Plan and shall only be subject to the criteria,

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1 requirements, and process expressly stated in the Administrative
2 Code and this LDC section.

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4 iv. The following criteria shall apply to the existing conditions site
5 improvement plan approval process and shall be reviewed by the
6 County Manager or designee.

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8 a) Minimum separation requirements shall be consistent with
9 State Fire Marshal Rule 69A-42.0041 Fire Separation
10 Requirements.

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12 b) The Fire authority having jurisdiction shall provide written
13 confirmation that either the existing fire hydrant(s) or a
14 supplemental apparatus, provided by the Fire District, can
15 supply the required fire flow needed for fire protection.

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17 c) NFPA 501A: Standard for Fire Safety Criteria for
18 Manufactured Home Installations, Sites, and Communities
19 as referenced in FAC 69A-60.005.

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21 v. Once the existing conditions site improvement plan is approved,
22 owners may replace mobile home units with an approved building
23 permit at sites shown on the site plan. Replacement units may be
24 larger than the removed unit, so long as the minimum separation
25 standards established in LDC section 2.03.06 G.6.c.i are met.

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27 a) Where properties currently exceed the density allowed for
28 by the zoning district, the approved existing conditions site
29 improvement plan shall establish the maximum density on
30 the property which shall not exceed the density of the
31 property as depicted on the Property Appraiser aerial maps
32 dated before February 2016. All lots and units shall be
33 consistent with the approved existing conditions site
34 improvement plan.

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36 b) Where the zoning district allows for additional density, new
37 mobile home units may be added and shall be identified on
38 the site plan. New mobile homes shall be subject to the
39 dimensional standards established in LDC section 4.02.33.

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41 4. Table of uses.

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43 a. The Table of Uses identifies uses as permitted uses (P) or Conditional
44 Uses (CU). Conditional uses shall require approval in accordance with the
45 procedures set forth in LDC section 10.08.00.

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47 b. Table 1. In addition to the uses allowed by the underlying zoning district,
48 all properties within the IUAOD shall be allowed the following uses:

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Use Category	MSOS	SR29OS	LROS	JACOS	AFOS	IMCOS
<u>All Business Park (BP) district uses</u>						<u>P</u>
<u>All Heavy Commercial (C-5) district uses</u>						<u>P</u>
<u>All Research and Technology Park PUD (RTPPUD) uses</u>						<u>P</u>
<u>Drive through areas</u>	<u>CU²</u>	<u>CU⁵</u>	<u>P⁴</u>			<u>P⁴</u>
<u>Agricultural Uses</u>						
<u>Agricultural outdoor sales¹</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Crop preparation services for market, except cotton ginning (0723)</u>			<u>P¹</u>		<u>P</u>	
<u>Petroleum bulk stations and terminals (5171)</u>			<u>P</u>		<u>P</u>	<u>P</u>
<u>Petroleum and petroleum products wholesalers, except bulk stations and terminals (5172 - gasoline: buying in bulk and selling to farmers-wholesale only)</u>			<u>P</u>		<u>P</u>	<u>P</u>
<u>Commercial Uses</u>						
<u>Arrangement of passenger transportation (4724-4729)</u>			<u>P</u>			<u>P</u>
<u>Auctioneering services, auction rooms (7389, 5999)</u>			<u>CU</u>		<u>CU</u>	<u>CU</u>
<u>Auto and home supply stores (5531 installation)</u>	<u>CU²</u>		<u>P</u>			
<u>Automobile parking (7521)</u>	<u>CU²</u>		<u>P</u>			
<u>Automotive dealers, not elsewhere classified (5599)</u>	<u>CU²</u>		<u>P</u>			
<u>Automotive rental and leasing, without drivers (7514, 7515)</u>	<u>CU²</u>		<u>P</u>			
<u>Boat dealers (5551)</u>	<u>CU</u>		<u>P</u>			
<u>Carwashes (7542)</u>	<u>CU²</u>		<u>P</u>			
<u>Eating and drinking places (5812, 5813) All establishments engaged in the retail sale of alcoholic beverages for on-premise consumption are subject to the locational requirements of LDC section 5.05.01.</u>			<u>P⁴</u>			<u>P</u>
<u>Equipment rental and leasing (7359)</u>			<u>P</u>			<u>P</u>
<u>Farm-product raw materials (5153-5159)</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Gasoline service stations (5541)</u>	<u>CU²</u>		<u>P</u>			
<u>Hotels and motels (7011)</u>	<u>P</u>	<u>P</u>	<u>P</u>			

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<u>Intercity and rural bus transportation (4131)</u>	<u>CU</u>			<u>CU</u>	<u>CU</u>	<u>CU</u>
<u>Motor vehicle dealers, new and used (5511, 5521)</u>	<u>CU</u> ²		<u>P</u>			
<u>Motorcycle dealers (5571)</u>	<u>CU</u> ²		<u>P</u>			
<u>Radio and television repair shops (7622 - automotive radio repair shops only)</u>	<u>CU</u> ²					
<u>Recreational vehicle dealers (5561)</u>	<u>CU</u> ²		<u>P</u>			
<u>Repair shops and related services (7699)</u>			<u>P</u> ³		<u>P</u> ³	<u>P</u> ³
<u>Terminal and service facilities for motor vehicle passenger transportation (4173)</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>
<u>Veterinary services (0741 and 0742, excluding outdoor kenneling)</u>					<u>P</u>	<u>CU</u>
<u>Wireless communication facilities</u>	<u>CU</u>		<u>CU</u>			
<u>Industrial Uses</u>						
<u>Arrangement of transportation freight and cargo (4731)</u>			<u>P</u>			<u>P</u>
<u>Electric, gas, and sanitary services (4911-4971)</u>			<u>P</u>			<u>CU</u>
<u>Farm product warehouse and storage (4221)</u>			<u>P</u>			<u>CU</u>
<u>General warehousing and storage (4225)</u>	<u>CU</u> ²		<u>P</u>		<u>P</u>	<u>P</u>
<u>Guided missiles and space vehicles and parts (3761-3769)</u>			<u>P</u>			
<u>Local and suburban transit and interurban highway passenger transportation (4111-4121, 4141-4151)</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>
<u>Miscellaneous services incidental to transportation (4783, 4789)</u>			<u>P</u>			<u>P</u>
<u>Miscellaneous transportation equipment (3792-3799)</u>			<u>P</u>			
<u>Motorcycles, bicycles, and parts (3751)</u>			<u>P</u>			
<u>Motor vehicles and motor vehicle equipment (3714, 3716)</u>			<u>P</u>			
<u>Outdoor storage yards</u>	<u>CU</u> ²		<u>P</u>		<u>P</u>	<u>P</u>
<u>Refrigerated warehousing and storage (4222)</u>			<u>P</u>			<u>CU</u>
<u>Rental of railroad cars (4741)</u>			<u>P</u>			<u>P</u>

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<u>Ship and boat building and repairing (3731, 3732)</u>			<u>P</u>			
<u>Special warehousing and storage (4226)</u>			<u>P</u>			<u>CU</u>
<u>Transportation by air (4512-4581)</u>			<u>P</u>			<u>P</u>
<u>Trucking and courier services, except air (4212-4215)</u>			<u>P</u>			<u>CU</u>
<u>Vocational schools (8243-8249)</u>			<u>P</u>			<u>P</u>
<u>Wholesale trade (5148)</u>			<u>P</u>		<u>P</u>	<u>P</u>

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¹ Outdoor sales of agricultural products are permitted on improved or unimproved properties provided the applicant submits a site development plan which demonstrates that provisions will be made to adequately address the following:

- i. Vehicular and pedestrian traffic safety measures.
- ii. Parking for undeveloped properties will be calculated at a rate of 1/250 square feet of merchandise area. A maximum of 10 percent of the parking required by LDC section 4.05.04 may be occupied or otherwise rendered unusable by the placement of temporary structures, equipment, signs, and merchandise. The minimum number of disabled parking spaces pursuant to LDC section 4.05.07 shall be required.
- iii. Limited hours of operation.
- iv. Fencing, lighting.
- v. Fire protection measures.
- vi. Sanitary facilities.
- vii. The applicant shall provide a notarized letter from the property owner granting permission to utilize the subject property for agricultural outdoor sales.
- viii. The placement of one (1) sign, a maximum of thirty-two (32) square feet, or two (2) such signs for properties containing more than one (1) street frontage shall be permitted.
- ix. Agricultural products may be sold from a vehicle provided that the vehicle is not located in the road right-of-way.
- x. Agricultural products may be displayed within any front yard provided it does not adversely affect pedestrian or vehicular traffic or public health or safety and is not located within the road rights-of-way.
- xi. ~~Opaque fencing shall be required adjacent to any road right-of-way. A minimum 5-foot landscape buffer comprised of a 5' high shrub, 4' on center shall be required adjacent to any road rights-of-way. See Table 1 of 4.02.27.B.4.c.v for all other buffer requirements.~~

² Permitted only on properties with frontage on North First Street, South First Street, and North Ninth Street within the Main Street Overlay Subdistrict.

³ Limited to Agricultural equipment repair, industrial truck repair, machinery cleaning, repair of service station equipment, tractor repair.

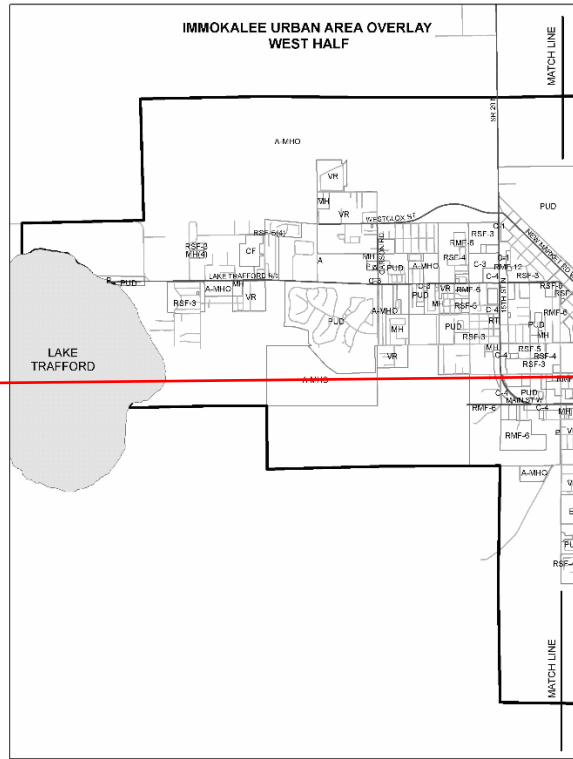
⁴ Permitted only when accessory to Gasoline Service Stations (5541) within the Loop Road Overlay Subdistrict.

⁵ Conditional use applies unless allowed within the underlying zoning district.

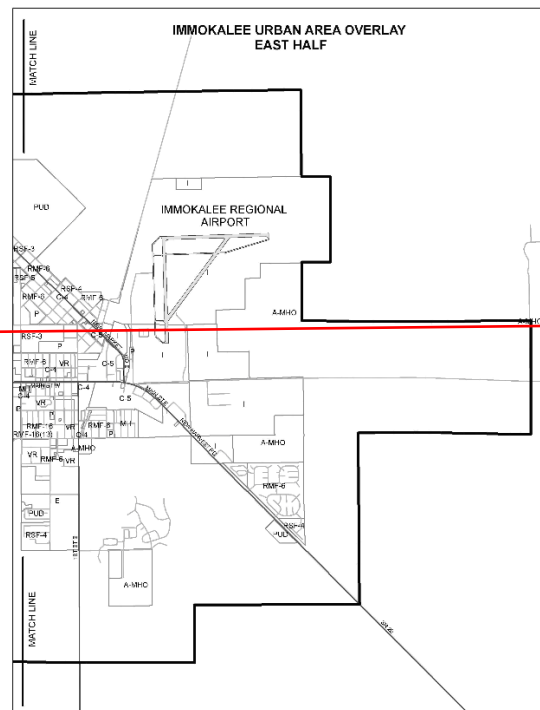
c. Other Allowable Uses

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- i. All agriculturally zoned lands within the IUAOD shall allow agriculture research and development facilities, agri-business offices and headquarters, and facilities, offices, headquarters and apparatuses associated with an alternative energy use.
 - ii. All residentially zoned lands within the IUAOD shall allow small agriculture-related business uses, such as fruit and vegetable stands, and farmers markets, through the conditional use process.
 - d. Prohibited Uses. Main Street Overlay Subdistrict - All uses prohibited within the underlying residential and commercial zoning districts contained within this Subdistrict, and the following uses, shall be prohibited on properties with frontage on Main Street in between First Street and Ninth Street in the Main Street Overlay Subdistrict:
 - i. Automobile parking (7521)
 - ii. Automotive dealers (5511, 5521, 5531 installation, 5551, 5561, 5571, 5599).
 - iii. Facility with fuel pumps.
 - iv. Primary uses such as convenience stores and grocery stores are prohibited from servicing and repairing vehicles in conjunction with the sale of gasoline.
 - v. Automotive repair, services, parking (7514, 7515, 7521) and carwashes (7542).
 - vi. Radio and television repair shops (7622 automotive).
 - vii. Outdoor storage yards and outdoor storage.
 - viii. Drive-through areas.
 - ix. Warehousing (4225).
 - x. Communication towers, as defined in LDC section 5.05.09, except as otherwise permitted in this Subdistrict.
 - xi. Any other heavy commercial use which is comparable in nature with the forgoing uses and is deemed inconsistent with the intent of this Subdistrict shall be prohibited.

36 ~~G. Immokalee Urban Overlay District. To create the Immokalee Urban Overlay District with~~
 37 ~~distinct subdistricts for the purpose of establishing development criteria suitable for the~~
 38 ~~unique land use needs of the Immokalee Community. The boundaries of the Immokalee~~
 39 ~~Urban Overlay District are delineated on the maps below.~~
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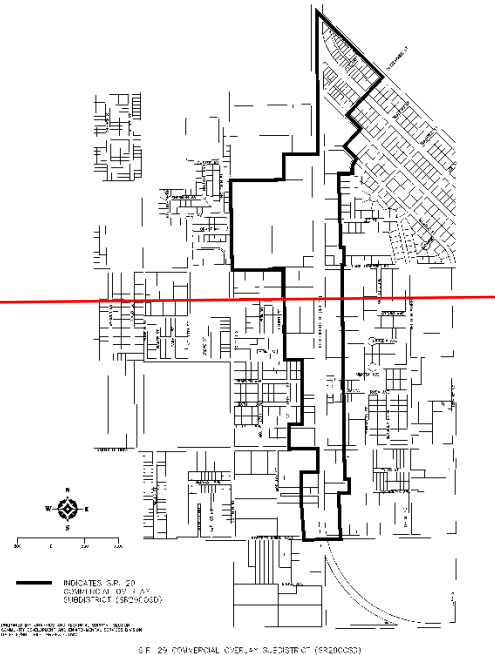
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~~1. State Road 29 Commercial Overlay Subdistrict: Special conditions for the properties abutting SR-29, as identified in the Immokalee Area Master Plan; referenced on Map 2; and further identified by the designation "SR29COSD" on~~

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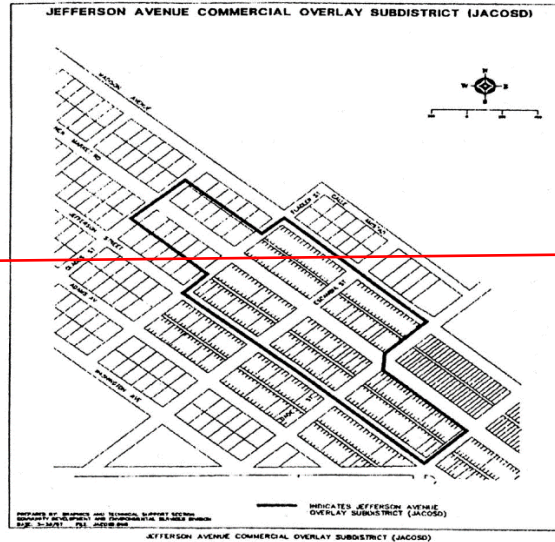
~~the applicable official Collier County Zoning Atlas Maps. The purpose of this designation is to provide for retail, office, transient lodging facilities, and highway commercial uses that serve the needs of the traveling public. These commercial uses must be located on a major arterial or collector roadway. The provisions of this subdistrict are intended to provide an increased commercial depth along SR-29 with development standards that will ensure coordinated access and appropriate landscaping and buffering compatible with nearby residential properties.~~

S.R. 29 COMMERCIAL OVERLAY SUBDISTRICT (SR29COSD)



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~~2. Jefferson Avenue Commercial Overlay Subdistrict: Special conditions for the properties abutting Jefferson Avenue as identified in the Immokalee Area Master Plan; referenced on Map 3; and further identified by the designation "JACOSD" on the applicable official Collier County Zoning Atlas Maps. The purpose of this designation is to provide for retail, office, transient lodging facilities and highway commercial uses that serve the needs of the traveling public. These commercial uses must be located on a major arterial or collector roadway. The provisions of this subdistrict are intended to provide an increased commercial opportunity along Jefferson Avenue with development standards that will ensure coordinated access and appropriate landscaping and buffering to be compatible with nearby residential properties.~~ 2-03-07-G-2



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

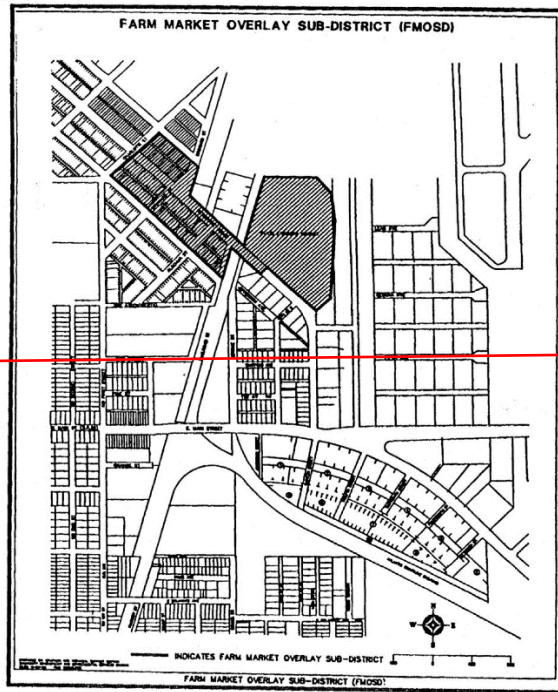
~~a. Permitted uses: All permitted uses within the underlying zoning districts, and the following uses, as identified in the Standard Industrial Classification Manual (1987), are permitted as a right in this sub-district.~~

- ~~1. Agricultural Services (0723)~~
- ~~2. Wholesale Trade (5148)~~
- ~~3. Agricultural Outdoor Sales. Outdoor sales of agricultural products are permitted on improved or unimproved properties provided the applicant submits a site development plan which demonstrates that provisions will be made to adequately address the following:

 - ~~i. Vehicular and pedestrian traffic safety measures.~~
 - ~~ii. Parking for undeveloped properties will be calculated at a rate of 1/250 square feet of merchandise area. A maximum of ten (10) percent of the parking required by section 4.05.04 of this LDC may be occupied or otherwise rendered unusable by the placement of temporary structures, equipment, signs, and merchandise. The minimum number of disabled parking spaces pursuant to section 4.05.07 shall be required.~~
 - ~~iii. Limited hours of operation.~~
 - ~~iv. Fencing, lighting.~~~~

- 1 v. ~~Fire protection measures.~~
- 2 vi. ~~Sanitary facilities.~~
- 3 vii. ~~The applicant shall provide a notarized letter from the~~
- 4 ~~property owner granting permission to utilize the subject~~
- 5 ~~property for agricultural outdoor sales.~~
- 6 viii. ~~The placement of one (1) sign, a maximum of thirty-two (32)~~
- 7 ~~square feet, or two (2) such signs for properties containing~~
- 8 ~~more than one (1) street frontage shall be permitted.~~
- 9 ix. ~~Agricultural products may be sold from a vehicle provided~~
- 10 ~~that the vehicle is not located in the road right-of-way.~~
- 11 x. ~~Agricultural products may be displayed within any front yard~~
- 12 ~~provided it does not adversely affect pedestrian or vehicular~~
- 13 ~~traffic or public health or safety and is not located within the~~
- 14 ~~road rights-of-way.~~
- 15 xi. ~~A minimum 5-foot landscape buffer shall be required~~
- 16 ~~adjacent to any road rights-of-way.~~
- 17 4. ~~Petroleum Bulk Stations and Terminals (5171) and Petroleum and~~
- 18 ~~Petroleum Products Wholesalers, (5172—gasoline: Buying in bulk~~
- 19 ~~and selling to farmers—wholesale only) provided:~~
- 20 i. ~~Separation requirements: There shall be a minimum~~
- 21 ~~distance of 500 linear feet between the nearest points on~~
- 22 ~~any lot or parcel of land containing such proposed~~
- 23 ~~operations, and any lot or parcel which is already occupied~~
- 24 ~~by such operation, of for which a building permit has been~~
- 25 ~~issued.~~
- 26 ii. ~~Waiver of separation requirements: The board of zoning~~
- 27 ~~appeals may by resolution grant a waiver of part or all of the~~
- 28 ~~minimum separation requirements set forth above pursuant~~
- 29 ~~to section 10.08.00.~~
- 30 iii. ~~Separation from residentially zoned lands: There shall be a~~
- 31 ~~minimum distance of 500 linear feet from all residentially~~
- 32 ~~zoned land.~~
- 33 iv. ~~Maximum lot area: Two acres.~~
- 34
- 35 c. ~~Accessory uses:~~
- 36
- 37 1. ~~Uses and structures that are accessory and incidental to the~~
- 38 ~~permitted uses.~~
- 39

Map 4



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

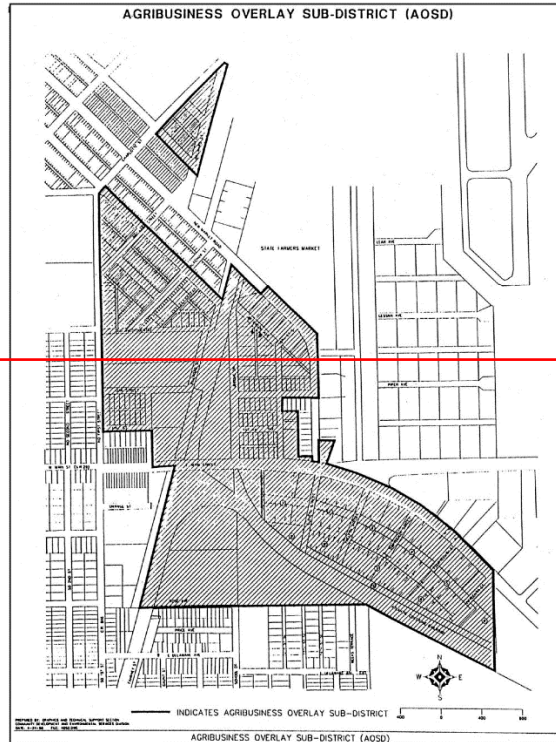
~~a. — Permitted uses: All permitted uses within the underlying zoning districts, and the following uses, as identified in the Standard Industrial Classification Manual (1987), are permitted as a right in this sub-district.~~

~~1. — Agricultural Services (0723)~~

~~2. — Wholesale Trade (5148)~~

~~b. — Accessory uses:~~

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



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

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

~~1. Hotel and motels (7011)~~

~~2. Communication towers, as defined in section 5.05.09, subject to the following:~~

~~i. Such tower is an essential service use as defined by subsection 2.01.03 A.4; and~~

~~ii. Such tower may not exceed a height of 75 feet above grade including any antennas attached thereto.~~

~~b. Permitted uses. For hatched properties within the Main Street Overlay Subdistrict, all permitted uses within the underlying zoning districts~~

1 contained within this Subdistrict, and the following uses are permitted as of
2 right in this Subdistrict:

3
4 1. ~~All uses allowed in the Commercial Professional District (C-1), of
5 this Code, except for group 7521.~~

6
7 2. ~~Communication towers, as defined in section 5.05.09 subject to the
8 following:~~

9
10 i. ~~Such tower is an essential service use as defined by
11 subsection 2.01.03 A.4; and~~

12
13 ii. ~~Such tower may not exceed a height of 75 feet above grade
14 including any antennas attached thereto.~~

15
16 c. ~~Prohibited uses. All uses prohibited within the underlying residential and
17 commercial zoning districts contained within this Subdistrict, and the
18 following uses, shall be prohibited on properties with frontage on Main
19 Street in between First Street and Ninth Street in the Main Street Overlay
20 Subdistrict:~~

21
22 1. ~~Automobile parking (7521).~~

23
24 2. ~~Automotive dealers (5511, 5521, 5531 installation, 5551, 5561,
25 5571, 5599).~~

26
27 3. ~~Facility with fuel pumps.~~

28
29 4. ~~Primary uses such as convenience stores and grocery stores are
30 prohibited from servicing and repairing vehicles in conjunction with
31 the sale of gasoline.~~

32
33 5. ~~Automotive repair, services, parking (7514, 7515, 7521) and
34 carwashes (7542).~~

35
36 6. ~~Radio and television repair shops (7622 automotive).~~

37
38 7. ~~Outdoor storage yards and outdoor storage.~~

39
40 8. ~~Drive through areas.~~

41
42 9. ~~Warehousing (4225).~~

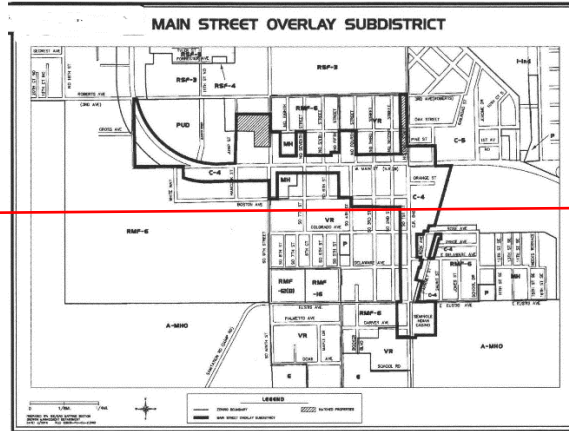
43
44 10. ~~Communication towers, as defined in section 5.05.09 of this Code,
45 except as otherwise permitted in this Subdistrict.~~

46
47 11. ~~Any other heavy commercial use which is comparable in nature with
48 the forgoing uses and is deemed inconsistent with the intent of this
49 Subdistrict shall be prohibited.~~

50

- 1 ~~d. Accessory uses.~~
- 2
- 3 ~~1. Uses and structures that are accessory and incidental to the~~
- 4 ~~permitted uses as of right in the underlying zoning districts~~
- 5 ~~contained within this subdistrict and are not otherwise prohibited by~~
- 6 ~~this subdistrict.~~
- 7
- 8 ~~2. Communication towers, as defined in section 5.05.09 subject to the~~
- 9 ~~following:~~
- 10
- 11 ~~i. Such tower is an essential service use as defined by~~
- 12 ~~subsection 2.01.03 A.4.; and~~
- 13
- 14 ~~ii. Such tower may not exceed a height of 75 feet above grade~~
- 15 ~~including any antennas attached thereto.~~
- 16
- 17 ~~e. Conditional uses.~~
- 18
- 19 ~~1. Conditional uses of the underlying zoning districts contained within~~
- 20 ~~the subdistrict, subject to the standards and procedures established~~
- 21 ~~in LDC section 10.08.00 and as set forth below:~~
- 22
- 23 ~~i. Local and suburban passenger transportation (4131, 4173)~~
- 24 ~~located upon commercially zoned properties within the Main~~
- 25 ~~Street Overlay Subdistrict.~~
- 26
- 27 ~~ii. Communication towers, as defined in section 5.05.09 of this~~
- 28 ~~Code for essential service uses as defined by subsection~~
- 29 ~~2.01.03 A.4 that exceed a height of 75 feet above grade~~
- 30 ~~including any antennas attached thereto.~~
- 31
- 32 ~~iii. The following conditional uses may be permitted only on~~
- 33 ~~properties with frontage on North First Street, South First~~
- 34 ~~Street, and North Ninth Street within the Main Street Overlay~~
- 35 ~~Subdistrict:~~
- 36
- 37 ~~a. Automobile parking (7521).~~
- 38
- 39 ~~b. Automotive dealers (5511, 5521, 5531 installation,~~
- 40 ~~5551, 5561, 5571, 5599).~~
- 41
- 42 ~~c. Facility with fuel pumps.~~
- 43
- 44 ~~d. Automotive repair, services, parking (7514, 7515,~~
- 45 ~~7521) and carwashes (7542).~~
- 46
- 47 ~~e. Radio and television repair shops (7622~~
- 48 ~~automotive).~~
- 49
- 50 ~~f. Outdoor storage yards and outdoor storage.~~

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- g. ~~Drive-through areas.~~
 - h. ~~Warehousing (4225).~~
 - i. ~~Communication towers, as defined in LDC section 5.05.09, except as otherwise permitted in this Subdistrict.~~
 - f. ~~Special requirements for outdoor display and sale of merchandise.~~
 - i. ~~Outdoor display and sale of merchandise, within the front and side yards on improved properties, are permitted subject to the following provisions:~~
 - a) ~~The outdoor display/sale of merchandise is limited to the sale of comparable merchandise sold on the premises and is indicated on the proprietors' occupational license.~~
 - b) ~~The outdoor display/sale of merchandise is permitted on improved commercially zoned properties and is subject to the submission of a site development plan that demonstrates that provisions will be made to adequately address the following:~~
 - i) ~~Vehicular and pedestrian traffic safety measures.~~
 - ii) ~~Location of sale/display of merchandise in relation to parking areas.~~
 - iii) ~~Fire protection measures.~~
 - iv) ~~Limited hours of operation from dawn until dusk.~~
 - ii. ~~Outdoor display and sale of merchandise within the sidewalk area only shall be permitted in conjunction with "Main Street" approved vendor carts, provided the applicant submits a site development plan which demonstrates that provisions will be made to adequately address the following:~~
 - a) ~~Location of sale/display of merchandise in relation to road rights-of-way;~~
 - b) ~~Vendor carts are located on sidewalks that afford the applicant a five (5) foot clearance for non-obstructed pedestrian traffic; and~~
 - c) ~~Limited hours of operation from dawn until dusk.~~



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

~~a. Purpose and intent. The purpose of these provisions is to recognize that there are nonconforming mobile homes on properties in the Immokalee Urban Area and to establish a process to provide property owners an official record acknowledging the permitted use of the property and render existing mobile homes, and other structures, as lawful. Travel trailers, regardless of the square footage, are not permitted as a permanent habitable structure and may not seek relief under this section. Properties that cannot meet the requirements may pursue an agreement with the Board of County Commissioners to establish compliance with this LDC section 2.03.07 G.6.~~

~~b. Application requirements. Property owners shall file an application as provided for in the Administrative Code, Chapter 4, Section 1.3.a. Immokalee Nonconforming Mobile Home Sites Existing Conditions Site Improvement Plan and shall only be subject to the criteria, requirements, and process expressly stated in the Administrative Code and this LDC section.~~

~~c. Criteria for review. The following criteria shall apply to the existing conditions site improvement plan approval process and shall be reviewed by the County Manager or designee.~~

~~i. Minimum separation requirements shall be consistent with State Fire Marshal Rule 69A-42.0041 Fire Separation Requirements.~~

~~ii. The Fire authority having jurisdiction shall provide written confirmation that either the existing fire hydrant(s) or a supplemental apparatus, provided by the Fire District, can supply the required fire flow needed for fire protection.~~

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- iii. ~~NFPA 501A: Standard for Fire Safety Criteria for Manufactured Home Installations, Sites, and Communities as referenced in FAG 69A-60.005.~~
 - d. ~~Density. Once the existing conditions site improvement plan is approved, owners may replace mobile home units with an approved building permit at sites shown on the site plan. Replacement units may be larger than the removed unit, so long as the minimum separation standards established in LDC section 2.03.06 G.6.c.i are met.~~
 - i. ~~Where properties currently exceed the density allowed for by the zoning district, the approved existing conditions site improvement plan shall establish the maximum density on the property which shall not exceed the density of the property as depicted on the Property Appraiser aerial maps dated before February 2016. All lots and units shall be consistent with the approved existing conditions site improvement plan.~~
 - ii. ~~Where the zoning district allows for additional density, new mobile home units may be added and shall be identified on the site plan. New mobile homes shall be subject to the dimensional standards established in LDC section 4.02.33.~~
 - 7. ~~Interim Deviations: Property owners within the Immokalee Urban Overlay District may request deviations from specific dimensional requirements as described in this section. A deviation request may be reviewed administratively or by the Planning Commission depending upon its scope. This section addresses the permissible deviations, limitations thereon, and the review process.~~
 - a. ~~Review Process. Insubstantial deviations will be reviewed administratively by the County Manager or designee. Substantial deviations will be reviewed by the Planning Commission. This section is not intended to replace the current established process of requesting deviations through the PUD rezoning process. Any deviations from the LDC which are not expressly provided for in this section shall be processed as variances in accordance with Section 9.04.00 of the LDC.~~
 - b. ~~Concurrent Deviation Application required. All deviation requests shall be made concurrently with an application for an SDP or amendment, SIP or amendment or Final Subdivision Plat, or in the case of sign deviations, with a building permit. The applicant shall list all requested deviations on the required site plan(s), and shall depict the deviation(s) graphically on the plan(s). Additional graphic information may also be required by staff, on a case-by case basis.~~
 - c. ~~Insubstantial Deviations. Requested deviations that do not exceed 10 percent of the required dimension, amount, size, or other applicable dimensional standard, with the exception of the required number of parking spaces, which may not exceed 20 percent of the LDC requirement (not~~

1 ~~more than 10 spaces), are insubstantial. To be approved, the following~~
2 ~~criteria must be considered:~~

3
4 ~~i. The proposed deviation is compatible with adjacent land uses and~~
5 ~~structures, achieves the requirements of the regulations as closely~~
6 ~~as is practicable, and meets the intent of the related Land~~
7 ~~Development Code regulations; and~~

8
9 ~~ii. The applicant proposes equitable tradeoffs for the proposed~~
10 ~~diminution in development standards, such as increased open~~
11 ~~space, landscaping, pedestrian spaces, buffering or architectural~~
12 ~~features, in order to meet the intent of the regulation being~~
13 ~~diminished.~~

14
15 ~~d. *Substantial Deviations.* Requested deviations that do not qualify as~~
16 ~~insubstantial deviations are substantial deviations:~~

17
18 ~~i. *Considerations for Review and Approval:* The CCPC shall consider~~
19 ~~the following:~~

20
21 ~~a) Whether or not the proposed deviation is compatible with~~
22 ~~adjacent land uses and achieves the requirements and/or~~
23 ~~intent of the regulations as closely as is practicable; and~~

24
25 ~~b) Whether the proposed deviation is the minimum amount~~
26 ~~necessary to allow for reasonable use of the property and/or~~
27 ~~address the issue necessitating the deviation request; and~~

28
29 ~~c) Whether the reduced or increased standard requested by~~
30 ~~the deviation is mitigated for, either on the subject site or by~~
31 ~~providing a public benefit on the subject site. Examples of~~
32 ~~such on-site mitigation include but are not limited to:~~
33 ~~increasing setbacks from the adjacent road right-of-way~~
34 ~~when proposing to deviate from sign size limitations;~~
35 ~~increasing plantings or planting sizes or installing a fence or~~
36 ~~wall where a reduced buffer width is proposed; providing~~
37 ~~public pedestrian and/or bicycle pathway easements or~~
38 ~~other similar mobility improvements including transit~~
39 ~~enhancements; providing public parking; providing~~
40 ~~beautification in the public realm, including street trees,~~
41 ~~street furniture, lighting and other similar public benefits.~~

42
43 ~~e. *Applicability - List of Development Standards Eligible for Deviation*~~
44 ~~Requests. Property owners shall be eligible to seek a deviation from the~~
45 ~~dimensional requirements of the following LDC sections, unless otherwise~~
46 ~~noted.~~

47
48 ~~i. 2.03.01 Agricultural Zoning Districts, limited to subsection A.1.b.4.ii.~~
49

- 1 ii. ~~2.03.03 Commercial Zoning Districts, limited to the following~~
- 2 subsections:
- 3
- 4 a) ~~A.1.c.11.vii. limited to a maximum of three stories, viii., and~~
- 5 ~~ix.; and~~
- 6
- 7 b) ~~E.1.c.4.iv.~~
- 8
- 9 iii. ~~2.03.04 Industrial Zoning Districts, limited to subsection A.1.c.2.iv.,~~
- 10 ~~minimum lot area only.~~
- 11
- 12 iv. ~~3.05.07 B.1 Preservation Standards, Specific Standards Applicable~~
- 13 ~~Outside the RMFU and RLSA districts, Required Preservation~~
- 14 ~~Percentages (Table 1 inset).~~
- 15
- 16 v. ~~4.02.01 A Dimensional Standards for Principal Uses in Base Zoning~~
- 17 ~~Districts:~~
- 18
- 19 a) ~~Table 1. Lot Design Requirements for Principal Uses in~~
- 20 ~~Base Zoning Districts;~~
- 21
- 22 b) ~~Table 2. Building Dimension Standards for Principal Uses in~~
- 23 ~~Base Zoning Districts, excluding building height and in the~~
- 24 ~~case of commercial parcels, no deviation shall be granted,~~
- 25 ~~for new development, from the required 50-foot building~~
- 26 ~~setback when abutting residentially zoned properties, or~~
- 27 ~~from the minimum 10-foot wide landscaped strip between~~
- 28 ~~the abutting road right-of-way and the off-street parking area~~
- 29 ~~for new development, but deviations from these~~
- 30 ~~requirements may be considered in the case of~~
- 31 ~~redevelopment where existing structures and/or~~
- 32 ~~encroachments are proposed to remain;~~
- 33
- 34 c) ~~Table 2.1 Table Of Minimum Yard Requirements~~
- 35 ~~(Setbacks) for Base Zoning Districts.~~
- 36
- 37 vi. ~~4.02.02 Dimensional Standards for Conditional Uses and~~
- 38 ~~Accessory Uses in Base Zoning Districts, limited to subsection E~~
- 39 ~~(Table Inset), except building height.~~
- 40
- 41 vii. ~~4.02.03 Specific Standards for Location of Accessory Buildings and~~
- 42 ~~Structures, Dimensional Standards, except that in the case of new~~
- 43 ~~development on commercial parcels, no deviation shall be granted~~
- 44 ~~from the required 50-foot building setback when abutting~~
- 45 ~~residentially zoned properties, or from the minimum 10-foot wide~~
- 46 ~~landscaped strip between the abutting road right-of-way and the off-~~
- 47 ~~street parking area. Deviations from these requirements may be~~
- 48 ~~considered in the case of redevelopment where existing structures~~
- 49 ~~and/or encroachments are proposed to remain.~~
- 50

- 1 ~~viii. 4.02.03 B Accessory Building Lot Coverage.~~
- 2
- 3 ~~ix. 4.02.27 C Specific Design Standards for the Immokalee State~~
- 4 ~~Road 29A Commercial Overlay Subdistrict, Building Design~~
- 5 ~~Standards.~~
- 6
- 7 ~~x. 4.02.28 A Same Jefferson Avenue Commercial Overlay~~
- 8 ~~Subdistrict, Building Design Standards.~~
- 9
- 10 ~~xi. 4.02.29 A Same Farm Market Overlay Subdistrict, Dimensional~~
- 11 ~~Standards.~~
- 12
- 13 ~~xii. 4.02.32 Same Main Street Overlay Subdistrict, limited to the~~
- 14 ~~following subsections: A.; C.1; D.3 and D.4; and E.1, E.2, and~~
- 15 ~~E.3.xiii. 4.05.04 G (Spaces Required) Table 17 and 4.05.06 B~~
- 16 ~~Loading Space Requirements, utilizing the existing administrative~~
- 17 ~~deviation process set forth in LDC section 4.05.04 F.4., recognizing~~
- 18 ~~that the reduced need for off-street parking in Immokalee may be~~
- 19 ~~offered as a viable basis for such administrative deviation.~~
- 20
- 21 ~~xiv. 4.06.02 C Buffer Requirements (limited to required width) except~~
- 22 ~~that in the case of new development on commercial parcels, no~~
- 23 ~~deviation shall be granted from the required 50-foot building~~
- 24 ~~setback when abutting residentially zoned properties, or from the~~
- 25 ~~minimum 10-foot wide landscaped strip between the abutting road~~
- 26 ~~right-of-way and the off-street parking area. Deviations from these~~
- 27 ~~requirements may be considered in the case of redevelopment~~
- 28 ~~where existing structures and/or encroachments are proposed to~~
- 29 ~~remain.~~
- 30
- 31 ~~xv. 4.06.03 B Landscaping Requirements for Vehicular Use Areas and~~
- 32 ~~Rights of Way, Standards for Landscaping in Vehicular Use Areas.~~
- 33
- 34 ~~xvi. 4.06.05 B General Landscaping Requirements, Landscaping~~
- 35 ~~requirements for industrial and commercial development, limited to~~
- 36 ~~subsection B.3.~~
- 37
- 38 ~~xvii. 4.06.05 C General Landscaping Requirements, Building~~
- 39 ~~Foundation Planting Requirements (including Table Inset).~~
- 40
- 41 ~~xviii. 5.05.08 C Architectural and Site Design Standards, Building Design~~
- 42 ~~Standards. Deviations from non-dimensional provisions of this~~
- 43 ~~section are also allowed as substantial deviations.~~
- 44
- 45 ~~xix. 5.05.08 D Design Standards for Specific Uses. Deviations from~~
- 46 ~~non-dimensional provisions of this section are also allowed as~~
- 47 ~~substantial deviations.~~
- 48
- 49 ~~xx. 5.05.08 E Architectural and Site Design Standards, Site Design~~
- 50 ~~Standards, limited to subsections 1.b; 2; 3; 4; 5 and 7. Deviations~~

~~from non-dimensional provisions of this section are also allowed as substantial deviations. Note: Nothing in LDC section 5.05.08, Architectural and Site Design Standards, shall be deemed to prohibit the use of murals on exterior walls of commercial buildings in the Immokalee Urban Overlay District, provided that: 1) such murals are reviewed and accepted by the Collier County Redevelopment Agency staff; and 2) such murals do not contain text for the purpose of advertising any business or commercial activity.~~

~~xxi. 5.06.04 Development Standards for Signs in Nonresidential Districts, limited to subsection F.~~

~~f. Duration of these provisions. These provisions are interim in nature and will be in effect until the effective date of Comprehensive Immokalee Overlay LDC amendments.~~

~~g. Public Notice. Public notice, including signage, notice to property owners and an advertised public hearing, is required for substantial deviation requests and shall be provided in accordance with the applicable provisions of Section 10.03.05 B, for Variances.~~

~~h. Appeals. Within 30 days of the issuance of the decision of staff or of the CCPC, the owner or any aggrieved person may appeal the decision to the Board of Zoning Appeals pursuant to Section No. 250-58 of the Codes of Laws and Ordinances.~~

* * * * *
#

2.06.01 – Generally

* * * * *

D. In order to qualify for the AHDB for a development, the developer must apply for and obtain the AHDB from the County for a development in accordance with this section, especially in accordance with the provisions of the AHDB program, including the AHDB rating system, the AHDB monitoring program, and the limitations on the AHDB.1.Preapplication conference. Prior to submitting an application for AHDB, a preapplication conference may be scheduled with the County Manager or designee. The preapplication conference provides an opportunity to familiarize the applicant with the AHDB program and provides an opportunity for the county staff to obtain a clear understanding of the proposed development. The AHDB rating system, the AHDB monitoring program, the limitations, criteria, procedures, standard conditions, standard forms, and other information will be discussed and made available to the applicant. Depending on the type of development proposed, the application may be combined with an application for a planned unit development (PUD), a rezone, or a Stewardship Receiving Area.

* * * * *

1 4. *Review and recommendation by the County Manager or designee.* After receipt of
 2 a completed application for AHDB, the County Manager or designee must review
 3 and evaluate the application in light of the AHDB rating system, the AHDB
 4 monitoring program and the requirements of this section. The County Manager or
 5 designee must coordinate with the Zoning Division director or designee to
 6 schedule the AHDB application with the companion application for a PUD,
 7 rezoning, SRA, or conditional use, and must recommend to the planning
 8 commission and the Board of County Commissioners (BCC) to deny, grant, or
 9 grant with conditions, the AHDB application. If the AHDB application is for a density
 10 bonus that is permitted by right, with no companion application for a PUD,
 11 rezoning, SRA, or Conditional Use, then, after review of the application in light of
 12 the AHDB rating system, the AHDB monitoring program and the requirements of
 13 this section, the County Manager or designee shall schedule the AHDB agreement
 14 for consideration by the BCC. The recommendation of the County Manager or
 15 designee must include a report in support of recommendation.

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19
 20 **4.02.27 - Architectural and Site Design Standards for the Immokalee Urban Area Overlay**
 21 **District (IUAOD)** ~~Specific Design Standards for the Immokalee State Road 29A~~
 22 ~~Commercial Overlay Subdistrict~~

23
 24 A. General.

- 25
 26 1. The provisions of LDC section 4.02.27 shall apply to all new non-residential
 27 buildings and projects within the IUAOD. This section also applies to existing
 28 buildings where any addition or renovation will result in a change to more than 75
 29 percent of the façade area, or the addition or renovation exceeds 50 percent of the
 30 square footage of the gross area of the existing building(s).
- 31
 32 2. Residential uses shall be regulated by the underlying zoning districts and
 33 applicable development standards.
- 34
 35 3. LDC section 4.02.27 replaces and supersedes LDC section 5.05.08 Architectural
 36 and Design Standards. When conflicts arise between LDC section 4.02.27
 37 standards and other code sections, LDC section 4.02.27 standards shall govern.
- 38
 39 4. Nonconforming buildings approved for use and occupancy prior to November 10,
 40 2004, shall not be enlarged or altered in a way which increases the nonconformity.
 41 All alterations or façade improvements to nonconforming buildings shall be
 42 consistent with LDC section 4.02.27 and shall be reviewed for compliance by the
 43 County Manager or designee; however, unaltered portions of the nonconforming
 44 building will not be required to comply.
- 45
 46 5. Exceptions.
- 47
 48 a. A historic site, structure, building, district, or property that has been
 49 identified and documented as being significant in history, architecture,

1 archaeology, engineering, or culture and is registered through the National
2 Register of Historic Places.

3
4 b. The Rural Agricultural (A) zoning district as established in the Zoning Atlas.

5
6 c. Façades facing an interior courtyard provided the façades are not visible
7 from any public property (e.g., street, right-of-way, sidewalk, alley), interior
8 drive, parking lot, or adjacent private property.

9
10 d. The following shall be exempt from the standards of LDC section 4.02.27
11 Architectural and Site Design Standards for the IUAOD. The expanded
12 selection of exterior materials and color included in LDC section 4.02.27
13 B.2.k. for the IUAOD shall apply.

14
15 i. Routine repairs and maintenance of an existing building.

16
17 ii. Public utility ancillary systems provided that a building shall not
18 have any wall planes exceeding 35 feet in length, excluding storage
19 tanks, or have an actual building height greater than 18 feet,
20 excluding storage tanks and communications equipment. See LDC
21 section 4.06.05 B.4 for screening requirements of fences and walls
22 surrounding public utility ancillary systems.

23
24 e. Agribusiness/Farm Market Overlay Subdistrict (AFOS).

25
26 i. The following uses, located within the AFOS and as identified in the
27 Standard Industrial Classification Manual, are exempt from the
28 provisions set forth in LDC section 4.02.27.

29
30 a) Agricultural Services (0723).

31
32 b) Wholesale Trade (5148).

33
34 c) Agricultural Outdoor Sales.

35
36 B. Immokalee Urban Area Overlay District (IUAOD).

37
38 1. Architectural styles. The architectural styles which are present and encouraged
39 within IUAOD include, but are not limited to, the following:

40
41 a. Spanish Vernacular.

42
43 i. Mediterranean style. Also known as Spanish Eclectic or Spanish
44 Colonial Revival. Characteristics typically include barrel tile, low-
45 pitched roofs usually with little or no overhang, parapets, arches,
46 stucco, and asymmetrical façades. Buildings typically contain the
47 following: multi-level roofs composed of barrel tile (half cylinders) or
48 Spanish Tile (s-curved shape) in red and earth tones, façade of
49 stucco with sand finish or hand troweled, arched windows (some

1 triple-arched), ornamentation contain full arches and patterned tiles
2 or single tile for accent.

3
4 ii. Mission style. Influenced by the Spanish Colonial Style.
5 Characteristics typically include barrel tile roofs, arches, earth tone
6 colors, and asymmetrical façades finished in stucco. Similar to the
7 Mediterranean Style but exhibiting much less ornamentation and
8 detailing. Mission Style buildings typically contain flat roof with
9 curvilinear parapets are most common, Barrel Tile (half cylinders)
10 or Spanish Tile (s-curved shape), stucco with sand finish or hand
11 troweled, and ornamentation containing full arches.

12
13 b. Frame Vernaculars. Also known as Florida Cracker or Key West Style.
14 Some frame vernacular buildings in Florida exhibit a Caribbean influence,
15 while others are more utilitarian or rural in nature. Most familiar elements
16 of this style are the use of horizontal siding for façade finish, elaborate
17 wood balustrades, large porches, and metal roofs. Buildings typically
18 contain metal roof (5v panels or narrow standing seam), lapped siding with
19 corner boards (wood or vinyl) and ornamentation of gable end or eave
20 brackets.

21
22 c. Contemporary. Contemporary architecture focuses on innovation while
23 being in harmony with nature through the use of clean geometric lines and
24 elements such as openness both in interiors and to the outside, natural
25 light, eco-friendly materials and creative styles. This is achieved through
26 the use of a range of building materials such as concrete, glass, wood, and
27 metals.

28
29 2. Building Design Standards.

30
31 a. Building façades. The following standards apply to all non-residential
32 buildings that are subject to LDC section 4.02.27, except as noted above.

33
34 i. All primary façades of a building must be designed with consistent
35 architectural style, detail, and trim features.

36
37 ii. Buildings or projects located at the intersection of two or more
38 arterial or collector roads shall include design features to
39 emphasize their location as gateways and transition points within
40 the community.

41
42 b. Principal entrance façade standards.

43
44 i. Building entrance. Buildings located along a public or private street
45 must be designed with the principal entrance clearly defined, and
46 with convenient access from both parking and the street.

47
48 ii. Design features. The design of principal entrance façades must
49 include, at a minimum, three of the following design features.

1 g) Trellis or latticework covering a minimum of 15 percent of
2 the principal entrance façade and used as a support for
3 climbing plants. The planting area shall be an irrigated bed
4 three (3) feet in depth and a minimum width of the trellis with
5 three (3)-gallon vines at three (3) feet on center at time of
6 installation and climbing plants shall achieve 80 percent
7 opacity on the trellis within one year. This provision shall not
8 be utilized with the alternative design feature identified in
9 LDC section 4.02.27 B.2.b.ii.a.

10 h) Entry plaza to the building with a minimum 100 square feet
11 in area that includes seating. In addition, a minimum of 15
12 percent of the primary façade area must be devoted to
13 window and/or glazed door openings.

14 i) Entry courtyard contiguous with the building entry and
15 connected to the principal entrance façade consisting of a
16 defined space with a minimum area of 300 square feet. The
17 courtyard may be any combination of hard or softscape with
18 walkways and defined hard edge, decorative fencing, or a
19 minimum three (3)-foot wall(s). In addition, a minimum of 15
20 percent of the principal entrance façade area must be
21 devoted to window and/or glazed door openings.

22 j) For mixed use development projects within C-1 through C-
23 3 zoning districts the following architectural options are
24 available in addition to the list of required design features
25 contained above:

26 i) Open arcade or covered walkway with a minimum
27 depth of eight (8) feet and a minimum length of 60
28 percent of the façade.

29 ii) A building recess or projection of the first floor with
30 minimum depth of eight (8) feet and total minimum
31 length of 60 percent of the façade length.

32 iii) Architectural elements such as balconies and bay
33 windows with a minimum depth of three (3) feet and
34 that cover a minimum of 30 percent of the façade
35 above the first floor. (Storm shutters, hurricane
36 shutters, screen enclosures or any other
37 comparable feature, if applied as part of the
38 structure, must also comply with the required
39 minimum depth).

40 c. Façade/wall height transition elements.

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- 1 i. Purpose. The intent of this section is to ensure that the proposed
- 2 buildings relate in mass and scale to the immediate streetscape and
- 3 the adjacent built environment.
- 4
- 5 ii. Applicability. Transitional massing elements must be provided on
- 6 proposed buildings that are twice the height or more of any existing
- 7 building within 150 feet, as measured from the edge of the proposed
- 8 building.
- 9
- 10 iii. Design standards.
- 11
- 12 a) Transitional massing elements can be no more than 100
- 13 percent taller than the average height of the adjacent
- 14 buildings, but no more than 30 feet, and no less than ten
- 15 (10) feet above the existing grade.
- 16
- 17 b) Transitional massing elements must be incorporated for a
- 18 minimum of 60 percent of the length of the façade, which is
- 19 in part or whole within the 150 feet of an existing building.
- 20
- 21 c) Transitional massing elements include, but are not limited
- 22 to, wall plane changes, roofs, canopies, colonnades,
- 23 balconies, other similar architectural features, with the
- 24 minimum depth for projections and recesses relative to the
- 25 building size, and must meet the following requirements:
- 26
- 27 i) For buildings consisting of 20,000 square feet or
- 28 larger in gross building area, projections and
- 29 recesses must have a minimum depth of six (6) feet.
- 30
- 31 ii) For buildings between 10,000 and 19,999 square
- 32 feet in gross building area, projections and recesses
- 33 must have a minimum depth of four (4) feet.
- 34
- 35 iii) For buildings up to 9,999 square feet in gross
- 36 building area, projections and recesses must have a
- 37 minimum depth of two (2) feet.
- 38
- 39 d. Variation in massing. A single, large, dominant building mass must be
- 40 avoided. Changes in mass must be related to entrances, the integral
- 41 structure and the organization of interior spaces and activities, and not
- 42 merely for cosmetic effect. False fronts or parapets create insubstantial
- 43 appearance and are discouraged. All façades, excluding courtyard area,
- 44 shall be designed to employ the design treatments listed below.
- 45
- 46 i. Projections and recesses.
- 47
- 48 a) For buildings 20,000 square feet or larger in floor area, a
- 49 maximum length, or uninterrupted curve of any façade, at
- 50 any point, shall not exceed 125 linear feet. Projections and

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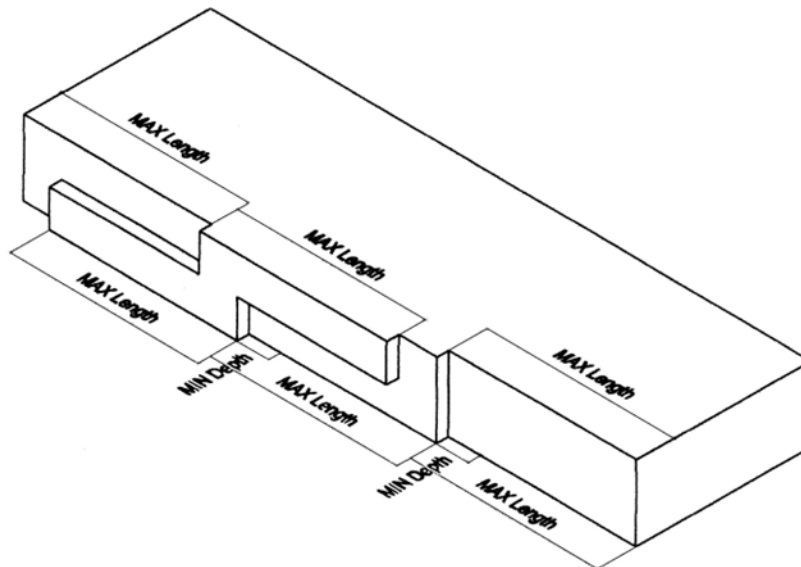
recesses must have a minimum depth of six (6) feet within the 125 linear feet limitation.

b) For buildings between 10,000 and 19,999 square feet in floor area, a maximum length, or uninterrupted curve of any façade, at any point, shall not exceed 100 linear feet. Projections and recesses must have a minimum depth of four (4) feet within the 100 linear feet limitation.

c) For buildings between 5,000 and 9,999 square feet in floor area, a maximum length, or uninterrupted curve of any façade, at any point, shall not exceed 75 linear feet. Projections and recesses must have a minimum depth of two (2) feet within the 75 linear feet limitation.

d) For buildings less than 5,000 square feet in floor area, a maximum length, or uninterrupted curve of any façade, at any point, shall not exceed 50 linear feet. Projections and recesses must have a minimum depth of one and a half (1.5) feet, and a minimum total width of 20 percent of the façade length.

Illustration - Measurement of projections and recesses.



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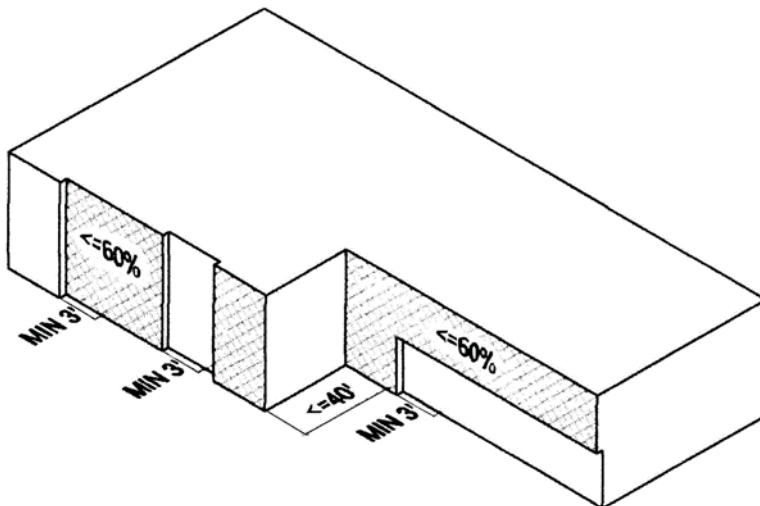
e. Wall Plane Changes.

i. Buildings subject to the projections or recesses depths required by LDC section 4.02.27 A.1 must not have a single wall plane exceeding 60 percent of each façade.

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- ii. If a building has a projection or recess of 40 feet or more, each is considered a separate façade, and must meet the requirements for wall plane changes in LDC section 4.02.27 B.2.e.i.

Illustration Wall Plane Percentages



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- f. Building design treatments. In addition to the principal entrance façade, the following design treatments must be an integral part of the building's design and integrated into the overall architectural style. Primary façades, other than the principal entrance façade, must have at least four (4) of the following building design treatments. However, a minimum of two (2) of the following design treatments are required for buildings less than 5,000 square feet:

- i. Canopies, porticos, or porte-cocheres, integrated with the building's massing and style;
- ii. Overhangs, minimum of three (3) feet;
- iii. Colonnades or arcades, a minimum of eight (8) feet clear in width;
- iv. Sculptured artwork;
- v. Murals;
- vi. Cornice minimum two (2) feet high with 12-inch projection;
- vii. Peaked or curved roof forms;
- viii. Arches with a minimum 12-inch recess depth;
- ix. Display windows;

- 1 x. Ornamental and structural architectural details, other than cornices,
2 which are integrated into the building structure and overall design;
- 3
- 4 xi. Clock or bell tower, or other such roof treatment (i.e., dormers,
5 belvederes, and cupolas);
- 6
- 7 xii. Projected and covered entry, with minimum dimension of eight (8)
8 feet and the minimum area of 100 square feet;
- 9
- 10 xiii. Emphasized building base, minimum of three (3) feet high, with a
11 minimum projection from the wall of two (2) inches;
- 12
- 13 xiv. Additional roof articulation above the minimum standards;
- 14
- 15 xv. Curved walls;
- 16
- 17 xvi. Columns;
- 18
- 19 xvii. Pilasters;
- 20
- 21 xviii. Metal or tile roof material;
- 22
- 23 xix. Expressed or exposed structural elements;
- 24
- 25 xx. Additional glazing at a minimum of 15 percent beyond the code
26 minimum requirement;
- 27
- 28 xxi. Solar shading devices (excluding awnings) that extend a minimum
29 of 50 percent of the length of the building façade;
- 30
- 31 xxii. Translucent glazing at a minimum of 10 percent beyond the code
32 minimum glazing requirement;
- 33
- 34 xxiii. Glass block at a minimum of 10 percent beyond the code minimum
35 glazing requirement; or
- 36
- 37 xxiv. Where the optional design feature in LDC section 4.02.27 B.2.a. is
38 chosen and 85 percent of all exterior glazing within the first three
39 stories of the building have any of the following:
- 40
- 41 a) Low reflectance, opaque glazing materials (may include
42 spandrel glass with less than 15 percent reflectance);
- 43
- 44 b) Glass with visual patterns consisting of opaque points or
45 patterns etched into or applied to the exterior or interior
46 surfaces with frit, frost, or film for single pane or insulated
47 glass. A maximum of two (2) inch spacing between
48 horizontal elements and a maximum of four (4) inch spacing
49 between vertical elements, with a minimum line or dot
50 diameter thickness of one-eighth (1/8) inch;

- 1
- 2
- 3 c) Glass with continuous etch or continuous frit on interior
- 4 surface, single pane, or insulated glass; or
- 5
- 6 d) External screens.
- 7
- 8 g. Window standards.
- 9
- 10 i. False or applied windows are allowed but shall not be included in
- 11 the glazing requirement for principal entrance façades.
- 12
- 13 ii. Spandrel panels in curtain wall assemblies are allowed and shall be
- 14 included in the minimum glazing required for principal entrance
- 15 façades.
- 16 h. Additional standards for outparcels and freestanding buildings within a non-
- 17 residential or mixed-use PUD or unified development plan.
- 18
- 19 i. Purpose and intent. To provide unified architectural design and site
- 20 planning for all on-site structures, and to provide for safe and
- 21 convenient vehicular and pedestrian access and movement within
- 22 the site.
- 23
- 24 ii. Façades standards. All façades must meet the requirements of LDC
- 25 section 4.02.27 B.2.f. Building design treatments.
- 26
- 27 a) Primary façades. All exterior façades of freestanding
- 28 structures, including structures located on outparcels, are
- 29 considered primary façades except for one secondary
- 30 façade as defined below, and must meet the requirements
- 31 of this section with respect to the architectural design
- 32 treatment for primary façades in LDC section 4.02.27.B.2.,
- 33 except for those façades considered secondary façades.
- 34
- 35 b) Secondary façades. Outparcels and freestanding buildings
- 36 are allowed one secondary façade. One façade of a
- 37 freestanding structure, including structures located on
- 38 outparcels, that is internal to the site and that does not abut
- 39 or face public or private streets or internal drive aisles
- 40 adjacent to the development.
- 41
- 42 iii. Design standards. The design for freestanding buildings must
- 43 employ architectural, site and landscaping design elements
- 44 integrated with, and common to those used on the primary structure
- 45 and its site. These common design elements must include colors,
- 46 building materials, and landscaping associated with the main
- 47 structure. All freestanding buildings must provide for vehicular and
- 48 pedestrian inter-connection between abutting outparcels or
- 49 freestanding sites and the primary structure.
- 50

1 iv. Primary façade standards. The following design feature is an
 2 additional option which can be used to meet the requirement in LDC
 3 section 4.02.27 B.2.b.ii. Primary façade design features: Walls
 4 expanding the design features of the building, not less than seven
 5 (7) feet high, creating a courtyard not less than 12 feet from the
 6 building and length of no less than 60 percent of the length of the
 7 associated façade. The courtyard may be gated and able to be
 8 secured from exterior public access. Grilled openings are allowed if
 9 the courtyard is landscaped. Opening depths or wall terminations
 10 must be a minimum of 12 inches deep. If the courtyard contains
 11 service or equipment, the height and design must prevent view from
 12 the exterior. Courtyard walls are not to be considered fences.

13
 14 i. Roof treatments.

15
 16 i. Purpose and intent. Variations in rooflines are used to add interest
 17 and reduce the massing of large buildings. Roof height and features
 18 must be in scale with the building's mass and shall complement the
 19 character of surrounding buildings and neighborhoods. Roofing
 20 materials must be constructed of durable, high-quality material in
 21 order to enhance the appearance and attractiveness of the
 22 community. The following standards identify appropriate roof
 23 treatments and features.

24
 25 ii. Roof edge and parapet treatment.

26
 27 a) When a building's largest floor is greater than 5,000 square
 28 feet in floor area a minimum of two (2) roof-edge or parapet
 29 line changes are required for all primary façades. One such
 30 change must be located on primary façades. Thereafter,
 31 one (1) additional roof change is required every 100 linear
 32 feet around the perimeter of the building. If a vertical change
 33 is used, each vertical change from the dominant roof
 34 condition must be a minimum of 10 percent of building
 35 height, but no less than three (3) feet. If a horizontal change
 36 is used, each horizontal change from the dominant roof
 37 condition must be a minimum of 20 percent of the façade
 38 length, but no less than three (3) feet.

39
 40 b) Roofs, other than mansard roofs, with the slope ratio of 3:12
 41 or higher are exempt from the above requirements for
 42 vertical change for the façades that are less than 200 feet.
 43 One roof edge, or parapet line change must be provided for
 44 every 200 linear feet of the façade length.

45
 46 iii. Roof design standards. Roofs must meet the following
 47 requirements:

48
 49 a) When parapets are used, the average height of such
 50 parapets must not exceed 20 percent of the height of the

1 supporting wall, with exception of the parapets used to
2 screen mechanical equipment. Parapets used to screen
3 mechanical equipment must be no less than the maximum
4 height of the equipment. The height of parapets shall not, at
5 any point, exceed one-third (1/3) the height of the supporting
6 wall.

7
8 b) When a flat roof is screened with a parapet wall or mansard
9 roof at any façade, a parapet or mansard roof treatment
10 must extend along the remaining façades.

11
12 c) When sloped roofs are used, the massing and height must
13 be in proportion with the height of its supporting walls.
14 Sloped roofs must meet the following requirements:

15
16 i) Sloped roofs that are higher than its supporting walls
17 must feature elements that create articulation and
18 reduce the massing of the roof. This includes: clear
19 story windows, cupolas, dormers, vertical changes,
20 or additional complementary colors to the color of
21 the roof.

22
23 ii) The color(s) of a sloped roof must complement the
24 color(s) of the façades.

25
26 iv. Prohibited roof types and materials. The following roof types and
27 roof materials are prohibited:

28
29 a) Asphalt shingles, except laminated, 320-pound, 30-year
30 architectural grade asphalt shingles or better.

31
32 b) Mansard roofs and canopies, unless they meet the following
33 standards:

34
35 i) Minimum vertical distance of eight (8) feet is required
36 for buildings larger than 20,000 square feet.

37
38 ii) Minimum vertical distance of six (6) feet is required
39 for buildings of up to 20,000 square feet of floor area.

40
41 iii) The roof angle shall not be less than 25 degrees,
42 and not greater than 70 degrees.

43
44 c) Awnings used as a mansard or canopy roofs.

45
46 j. Awning standards. These standards apply to those awnings associated
47 with and attached to a building or structure.

48
49 i. Mansard awnings, which are those awnings that span 90 percent,
50 or more, of a façade length and those which do not provide a

1 connection between façades, must adhere to all roof standards of
2 LDC section 4.02.27 B.2.i. Roof treatments.

3
4 ii. All other awnings, which are awnings that constitute less than 90
5 percent of a façade length, and those that do not provide a
6 connection between façades, must adhere to the following
7 standards:

8
9 a) The portion of the awning with graphics may be backlit,
10 provided the illuminated portion of the awning with graphics
11 does not exceed size limitations and the other sign
12 standards of LDC sections 5.06.00, 9.03.00, and 9.04.00.

13
14 b) The location of awnings must relate to the window and door
15 openings, or other ornamental design features.

16
17 k. Materials and colors.

18
19 i. Purpose and intent. Exterior building colors and materials
20 contribute significantly to the visual impact of buildings on the
21 community. The colors and materials must be well designed and
22 integrated into a comprehensive design style for the project.
23 Intense, deep colors are appropriate for creating a Spanish
24 influenced architectural character. Building trims (windowsills, door
25 frames, ornamental features, etc.) should be highlighted with a
26 different color from that of the building body color. Frame
27 Vernacular architectural style reflects less intense, softer color
28 shades highlighting architectural details in bright white.

29
30 ii. Exterior building colors.

31
32 a) The use of color materials or finish paint above level 14
33 saturation (chroma) or below lightness level three (3) on the
34 Collier County Architectural Color Charts is limited to no
35 more than 50 percent of a façade or the total roof area.

36
37 b) The use of naturally occurring materials are permissible,
38 such as marble, granite, and slate and the following man-
39 made materials: silver unpainted metal roofs, and
40 composite wood and decking materials.

41
42 iii. Exterior building materials (excluding roofs). The following building
43 finish materials are limited to no more than 50 percent of the façade
44 area:

45
46 a) Corrugated, or metal panels.

47
48 b) Smooth concrete block.
49

1 3. Design Standards for Specific Building Uses. Certain uses may be established,
2 constructed, continued, and/or expanded provided they meet certain mitigating
3 standards specific to their design and/or operation. These conditions ensure
4 compatibility between land uses and building types and minimize adverse impacts
5 to surrounding properties.

6
7 a. Self-storage buildings. Self-storage buildings are subject to all of the
8 applicable provisions of this section with the following exceptions and
9 additions:

10
11 i. Overhead doors. Overhead doors are permitted on the primary
12 façade of self-storage buildings within the IUAOD.

13
14 ii. Screen walls. When a wall is proposed to screen the facility, it must
15 be constructed of material similar and complementary to the
16 primary building material and architecture. Long expanse of wall
17 surface shall be broken into sections no longer than 50 feet and
18 designed to avoid monotony by use of architectural elements such
19 as pillars.

20
21 iii. Single-story self-storage buildings. LDC section 4.02.27 B.2.b.
22 Primary façade design features can be replaced with one of the
23 following two options:

24
25 a) Option 1.

26
27 i) A minimum of 20 percent of the primary façade area
28 must be glazed; and

29
30 ii) A covered public entry with a minimum roof area of
31 80 square feet and no dimension less than eight (8)
32 feet, or a covered walkway at least six (6) feet wide
33 with a total length measuring no less than 60 percent
34 of the length of the façade.

35
36 b) Option 2. If the project design incorporates a screen wall
37 around the perimeter of the self-storage facility, the following
38 standards apply:

39
40 i) Architecturally treated, six (6)-foot high, screen wall
41 is required to screen the facility.

42
43 ii) The roof slope for the buildings is a minimum of 4:12
44 ratio for double slopes, and 3:12 ratio for single
45 slope.

46
47 iii) A landscape buffer at least seven (7) feet wide
48 consisting of 10 clustered shrubs (per 100 linear
49 feet) is required on the exterior of the wall. Shrubs

shall be 10 feet on center, 24 inches tall at planting and maintained at 36 inches.

c) In the case that none of the above options are met, then LDC section 4.02.27 B.2.b. Primary façade design features must be met.

iv. Multi-story self-storage buildings. The requirements of LDC section 4.02.27 B.2.b. primary façade design features can be replaced with one of the following two options:

a) Option 1.

i) A minimum of 20 percent of the primary façade area must be glazed; and

ii) A covered public entry with a minimum roof area of 80 square feet and no dimension less than eight (8) feet, or a covered walkway at least six (6) feet wide with a total length measuring no less than 60 percent of the length of the façade; and

iii) Foundation planting areas must be a minimum of 10 percent of the ground level building area for all buildings. The plantings can be clustered as desired; however, some plantings must be provided on both sides of the building’s principal entrance.

b) Option 2. If project design incorporates a screen wall around the perimeter of the self-storage facility, the following standards apply:

i) Architecturally treated, eight (8) feet high screen wall is required to screen the ground floor of the facility; and

ii) A landscape buffer at least seven (7) feet wide consisting of 10 shrubs (per 100 linear feet) is required on the exterior of the wall. Shrubs shall be 10 feet on center, 24 inches tall at planting and maintained at 36 inches; and

iii) Primary façades above the ground level must include glazing, covering at a minimum 20 percent of the façade area; and

iv) Foundation planting areas must be a minimum of 10 percent of the ground level building area for all buildings. The plantings can be clustered as desired;

however, some plantings must be provided on both sides of the building’s principal entrance.

c) In the case that none of the above options are met, then LDC section 4.02.27 B.2.b. primary façade design features must be met.

b. All facilities with fuel pumps. The provisions of LDC section 5.05.05 Facilities with fuel pumps shall be applicable within the IUAOD with the following exceptions:

i. LDC section 5.05.05 C. shall apply except the architectural requirements of LDC section 5.05.08 are replaced and superseded by LDC section 4.02.27.

ii. LDC section 5.05.05 C.1.b.iv.b shall not limit eave fascia canopy colors to a single color.

iii. LDC section 5.05.05 D. Supplemental standards for facilities with fuel pumps within 250 feet of residential property.

iv. LDC section 5.05.05 E. The following landscape requirements under subsection 4.02.27 B.3.c.ii are in addition to the requirements of LDC section 4.02.27 B.4 Buffer and Landscaping Requirements.

c. Facilities with fuel pumps within 250 feet of residential property. Facilities with fuel pumps shall be subject to the following standards when located within 250 feet of residentially zoned or residentially developed properties, hereinafter referred to as "residential property," as measured from the property line of the facility with fuel pumps to the residential property line. However, a facility with fuel pumps shall be exempt from LDC section 4.02.27 B.3.b when it is separated from residential property by a minimum of 100 feet of designated preserve area that is 80 percent opaque and at least 12 feet in height within one year, or a minimum four (4)-lane arterial or collector right-of-way.

i. Setbacks. All structures shall provide a minimum 50-foot front, side, and rear yard setback from residential property line(s).

ii. Landscaping and masonry wall standards. Facility with fuel pumps sites shall be separated from residential property by a 15-foot-wide Type D landscape buffer with an architecturally designed masonry wall. The masonry wall shall be eight (8) feet in height, centered within the landscape buffer, and shall use materials similar in color, pattern, and texture to those utilized for the principal structure.

iii. Music, amplified sound, and delivery time standards.

a) Music and amplified sound shall not be played in the fuel pump area between the hours of 10:00 p.m. and 7:00 a.m.

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b) Music and amplified sound shall not be audible from the residential property line.

c) Deliveries shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m. in the area located between the neighboring residential property and the facility with fuel pumps.

iv. Lighting standards.

a) All light fixtures shall be directed away from neighboring properties.

b) On-site light fixtures within 50 feet of residential property shall not exceed a height greater than 15 feet above finished grade. Light fixtures elsewhere shall not exceed a height greater than 20 feet above finished grade.

c) All light fixtures shall be full cutoff with flat lenses.

d) On-site luminaries shall be of low level, indirect diffuse type, and shall be between a minimum average of one and a half (1.5) foot-candles and a maximum average of five (5) foot-candles.

e) Illumination shall not exceed:

i) One-half (0.5) foot-candles at all residential property lines.

ii) One-fifth (0.2) foot-candles at 10 feet beyond all residential property lines.

f) Lighting located underneath the canopy shall be recessed, of indirect diffuse type, and designed to provide light only to the pump island areas located underneath said canopy.

g) Under canopy luminance shall be between a minimum average of five (5) foot-candles and a maximum average of 20 foot-candles.

v. Dumpster enclosures. At a minimum, the dumpster enclosure shall be located at a distance from residential property equal to the setback of the principal structure from residential property.

vi. See LDC section 5.05.11 for car washes, vacuums, and compressed air stations abutting residential zoning districts.

vii. Landscaping adjacent to all other property lines:

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- 3 a) Landscaping adjacent to all other property lines shall
- 4 comply with the requirements in LDC section 4.02.27 B.4.
- 5
- 6 b) Curbing shall be installed and constructed, consistent with
- 7 minimum code requirements, between all paved areas and
- 8 landscape areas.

d. Hotel/motel.

- 10
- 11 i. Applicability. All standards of LDC section 4.02.27 are applicable
- 12 with the following exceptions.
- 13
- 14 ii. Design features. LDC section 4.02.27 B.2.b. Primary façade design
- 15 features can be replaced as follows:

- 16
- 17 a) The design of the primary façades must include windows
- 18 and other glazed openings covering at least 20 percent of
- 19 the primary façade area, and one of the following design
- 20 features:

- 21
- 22 i) Projected, or recessed, covered public entry
- 23 providing a minimum horizontal dimension of eight
- 24 (8) feet, and a minimum area of 100 square feet, or

- 25
- 26 ii) Covered walkway or arcade (excluding canvas type)
- 27 that is attached to the building or located no more
- 28 than 12 feet from the building. The structure must be
- 29 permanent, and its design must relate to the
- 30 principal structure. The minimum width shall be six
- 31 (6) feet, with a total length measuring 60 percent of
- 32 the length of the associated façade.

- 33
- 34 b) For buildings located 200 feet or more from the street right-
- 35 of-way, the projected or recessed entry and covered
- 36 walkway or arcade, required by the above LDC section
- 37 4.02.27 B.3.d.ii.a), can be located on any façade.

- 38
- 39 e. Outside play structures. No portion of any play structure, located between
- 40 the front building line and any adjacent right-of-way, may exceed a height
- 41 of 12 feet as measured from existing ground elevation.

4. Buffer and landscaping requirements.

a. Applicability.

- 42
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- 46
- 47 i. The provisions of LDC section 4.06.00 Landscaping, Buffering and
- 48 Vegetation Retention shall be applicable to non-residential
- 49 development within the IUAOD, except for the following regulations
- 50 which replace:

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- a) LDC section 4.06.02 Buffer Requirements.
 - b) LDC section 4.06.03 A. Landscaping Requirements for Vehicular Use Areas and Rights-of-Way Applicability.
 - c) LDC section 4.06.03 B. Standards for Landscaping in Vehicular Use Areas.
 - d) LDC section 4.06.05 C. Building Foundation Plantings.
 - ii. Applicability of buffer requirements. The buffering and screening requirements identified in Table 1 below shall apply to all new non-residential development. Existing landscaping which does not comply with the provisions of this section shall be brought into conformity to the maximum extent possible when: the vehicular use area is altered or expanded (except for restriping of lots/drives), the building square footage is changed, or building improvements exceed 50 percent of the value of the structure.
 - iii. Developments shall be buffered for the protection of property owners from land uses as required pursuant to this section 4.02.27 B.4. Buffers shall not inhibit pedestrian circulation between adjacent commercial land uses. Buffers shall be installed during construction as follows and in accordance with LDC section 4.06.05 General Landscaping Requirements:
 - a) To separate commercial, community use, industrial and public use developments and adjacent expressways, arterials, and railroad rights-of-way, except where such expressway, arterial, or railroad right-of-way abuts a golf course.
 - b) To separate commercial, community use, industrial and public use developments from residential developments.
 - c) To delineate and create some limited separation amongst non-residential uses.
 - iv. Separation shall be created with a landscape buffer strip which is designed and constructed in compliance with the provisions of LDC section 4.02.27 B.4 and LDC section 4.06.00, as applicable. Such buffer strip(s) shall be shown and designated on the final plat as a tract of easement and shall not be located within any public or private right-of-way. The ability to locate buffer(s) within a platted or recorded easement shall be determined pursuant to the provisions of LDC section 4.06.00, Buffers adjacent to protected/preserve areas shall conform to the requirements established by the agency requiring such buffer.

1 v. Landscape buffers, when required by the Land Development Code,
 2 or other county regulation shall be in addition to the required right-
 3 of-way width and shall be designated as a separate buffer tract or
 4 easement on the final subdivision plat. The minimum buffer width
 5 shall be in conformance with this section 4.02.27 B.4. In no case
 6 shall the required buffer be constructed to reduce cross-corner or
 7 stopping sight distances, or safe pedestrian passage. All buffer
 8 tracts or easements shall be owned and maintained by a property
 9 owner's association or other similar entity and shall be so dedicated
 10 on the final subdivision plat.

11 b. Methods of determining buffers. Where a property adjacent to the proposed
 12 use is: (1) undeveloped, (2) undeveloped but permitted without the required
 13 buffering and screening required pursuant to this Code, or (3) developed
 14 without the buffering and screening required pursuant to this Code, the
 15 proposed use shall be required to install the more opaque buffer as
 16 provided for in Table 1. Where property adjacent to the proposed use has
 17 provided the more opaque buffer as provided for in Table 1, the proposed
 18 use shall install a type I-A buffer.

19 i. Where the incorporation of existing native vegetation in landscape
 20 buffers is determined as being equivalent to or in excess of the
 21 intent of this Code, the County Manager or designee may waive the
 22 planting requirements of this section.

23 ii. The buffering and screening provisions of this Code shall be
 24 applicable at the time of planned unit development (PUD),
 25 preliminary subdivision plat (PSP), or site development plan (SDP)
 26 review, with the installation of the buffering and screening required
 27 pursuant to LDC section 4.06.05 H. If the applicant chooses to
 28 forego the optional PSP process, then signed and sealed landscape
 29 plans will be required on the final subdivision plat. Where a more
 30 intensive land use is developed contiguous to a property within a
 31 similar zoning district, the County Manager or designee may require
 32 buffering and screening the same as for the higher intensity uses
 33 between those uses.

34 iii. Landscape buffering and screening standards within any planned
 35 unit development shall conform to the minimum buffering and
 36 screening standards of the zoning district to which it most closely
 37 resembles. The County Manager or designee may approve
 38 alternative landscape buffering and screening standards when such
 39 alternative standards have been determined by use of professional
 40 acceptable standards to be equivalent to or in excess of the intent
 41 of this Code.

42 c. Types of buffers. Within a required buffer strip, the following types of buffers
 43 shall be used based on the matrix in Table 1. There are four (4) possible
 44 buffer types, as described below. Each buffer type includes a minimum
 45 width and a minimum number of trees and shrubs per 100-linear-foot
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segment of boundary. A hedge shall at a minimum consist of three (3) gallon plants, two (2) feet in height spaced a minimum of three (3) feet on center at planting unless otherwise indicated in the table below or within the specific section of the LDC. The buffer types are:

<u>Buffer Types (per 100 linear feet)</u>				
	<u>I-A</u>	<u>I-B</u>	<u>I-C</u>	<u>I-D</u>
<u>Minimum width (feet)</u>	<u>10</u>	<u>15</u>	<u>15</u>	<u>15</u>
<u>Minimum number of trees</u>	<u>2</u>	<u>4</u>	<u>3</u> 4 with a hedge, or 3 with a wall	<u>4</u>
<u>Minimum number of shrubs</u>	<u>0</u>	<u>18 (36 inches tall)*</u>	<u>60-inch tall hedge, or 18 shrubs (60 inches tall) with a wall</u>	<u>36-inch tall hedge or 4 shrubs (36 inches tall) with a wall*</u>

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*For a Type I-B or I-D buffer, shrubs shall be 24 inches tall at planting and maintained at 36 inches.

i. Type I-A Buffer.

a) Minimum Width: 10 feet.

b) Minimum number of trees (per 100 linear feet): Two (2)

ii. Type I-B Buffer.

a) Minimum Width: 15 feet.

b) Minimum number of trees (per 100 linear feet): Four (4).

c) Minimum number of shrubs (per 100 linear feet): 18 (planted at 24 inches and maintained at 36-inches)

iii. Type I-C Buffer.

a) Minimum Width: Fifteen feet.

b) Minimum number of trees (per 100 linear feet): ~~Three. Four (4) with a hedge, or three (3) with a wall or a fence.~~

i) Trees shall be spaced no more than ~~25 feet on center in combination with a hedge and no more than 33 feet on center in combination with a wall.~~

1 c) Minimum number of shrubs (per 100 linear feet): a 60-inch
2 tall hedge or 18 shrubs (60 inches tall) with a wall

3
4 iv. Type I-D Buffer.

5 a) Minimum Width: 15 feet.

6 b) Minimum number of trees (per 100 linear feet): **Four** ~~four (4)~~
7 Trees shall be spaced no more than 25 feet on center in the
8 landscape buffer abutting a right-of-way, primary access
9 road internal to a commercial development, or where
10 deemed appropriate.

11 c) Minimum number of shrubs (per 100 linear feet): a 36-inch
12 tall hedge, or 4 shrubs (36 inches tall with a wall).

13 ~~i) Trees shall be spaced no more than 25 feet on~~
14 ~~center, in the landscape buffer abutting a right-of-~~
15 ~~way, primary access road internal to a commercial~~
16 ~~development, or where deemed appropriate.~~

17 i) A continuous three (3)-gallon single row hedge
18 spaced three (3) feet on center of at least 24 inches
19 in height at the time of planting and attaining a
20 minimum of 36 inches in height in one year shall be
21 required in the landscape buffer where vehicular
22 areas are adjacent to the road right-of-way or where
23 deemed appropriate, pursuant to LDC section
24 4.06.05 D.4. Shrubs and Hedges.

25 ii) Where a fence or wall fronts an arterial or collector
26 road as described by the transportation circulation
27 element of the growth management plan, a
28 continuous three (3)-gallon single row hedge a
29 minimum of 24 inches in height spaced three (3) feet
30 on center, shall be planted along the right-of-way
31 side of the fence. The required trees shall be located
32 on the side of the fence facing the right-of-way.
33 Every effort shall be made to undulate the wall and
34 landscaping design incorporating trees, shrubs, and
35 ground cover into the design. It is not the intent of
36 this requirement to obscure from view decorative
37 elements such as emblems, tile, molding and
38 wrought iron.

39 iii) The remaining area of the required landscape buffer
40 must contain only existing native vegetation, grass,
41 ground cover, or other landscape treatment. Every
42 effort should be made to preserve, retain, and
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incorporate the existing native vegetation in these areas.

iv) A signage visibility triangle may be created for non-residential on-premises signs located as shown in Figure 4.06.02 C-2 for Type I-D buffers that are 20 feet or greater in width. The line of visibility shall be no greater than 30 linear feet along road right-of-way line. Within the visibility triangle, shrubs and hedges shall be required pursuant to LDC section 4.06.05 D.4, except that hedges, shrubs, or ground cover located within the signage visibility triangle shall be maintained at a maximum plant height of 24 inches. Within the visibility triangle, no more than one required canopy tree may be exempted from the Type I-D buffer requirements.

v. The table below describes the required buffer type when a proposed use is abutting a different existing use or, in the absence of an existing use, the existing zoning.

Table 1

Table 1 information: The letter listed under "Adjacent Properties Zoning District and/or Property Use" shall be the landscape buffer and screening alternative required. Where a conflict exists between the buffer required by zoning district or property use, the more stringent buffer shall be required. The "-" symbol shall represent that no buffer is required. The PUD district buffer, due to a variety of differing land uses, is indicated by the "*" symbol, and shall be based on the landscape buffer and screening of the district or property use with the most similar types, densities, and intensities of uses. Where a conflict exists between the buffering requirements and the yard requirements of this Code, the yard requirements of the subject zoning district shall apply.

	<u>Adjacent Properties Zoning District and/or Property Use</u>													
<u>Subject Property's District/Use</u>	<u>Agriculture (A¹)</u>	<u>Residential (E, RSF) single-family</u>	<u>Residential (RMF-6, RMF-12, RMF-16) multifamily</u>	<u>Residential tourist (RT)</u>	<u>Village residential (VR)</u>	<u>Mobile home (MH)</u>	<u>Commercial³ (C-1, C-2, C-3, C-4, C-5) : Business Park</u>	<u>Industrial²</u>	<u>Public use (P), Community Facility (CF), Golf Course</u>	<u>Planned Unit Development</u>	<u>Vehicular rights-of-way</u>	<u>Golf course maintenance building</u>	<u>Golf Course</u>	<u>Automobile Service Station</u>
<u>Agriculture (A¹)</u>	-	I-B	I-B	I-B	I-B	I-B	I-A	I-A	I-A	I-A	I-D	I-A	-	I-A
<u>Commercial³ (C-1, C-</u>	I-A	I-C	I-C	I-C	I-C	I-C	I-A	I-A	I-A	*	I-D	I-B	I-B	I-B

DRAFT

Text underlined is new text to be added
~~Text strikethrough is current text to be deleted~~

<u>2, C-3, C-4, C-5); Business Park (BP)</u>														
<u>Industrial² (I)</u>	<u>I-A</u>	<u>I-C</u>	<u>I-C</u>	<u>I-C</u>	<u>I-C</u>	<u>I-C</u>	<u>I-A</u>	<u>I-A²</u>	<u>I-A</u>	<u>*</u>	<u>I-D</u>	<u>I-C</u>	<u>I-C</u>	<u>I-C</u>
<u>Public use (P), community facility (CF), Golf Course Clubhouse, Amenity Center</u>	<u>I-A</u>	<u>I-B</u>	<u>I-B</u>	<u>I-B</u>	<u>I-B</u>	<u>I-B</u>	<u>I-A</u>	<u>I-A</u>	<u>I-A</u>	<u>*</u>	<u>I-D</u>	<u>I-B</u>	<u>-</u>	<u>I-C</u>
<u>Planned unit development (PUD)</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>I-D</u>	<u>*</u>	<u>*</u>	<u>*</u>
<u>Vehicular rights-of-way</u>	<u>I-D</u>	<u>I-D</u>	<u>I-D</u>	<u>I-D</u>	<u>I-D</u>	<u>I-D</u>	<u>I-D</u>	<u>I-D</u>	<u>I-D</u>	<u>I-D</u>	<u>-</u>	<u>I-D</u>	<u>-</u>	<u>I-D</u>
<u>Golf course maintenance building</u>	<u>I-B</u>	<u>I-B</u>	<u>I-B</u>	<u>I-B</u>	<u>I-B</u>	<u>I-B</u>	<u>I-B</u>	<u>I-C</u>	<u>I-B</u>	<u>I-B</u>	<u>I-D</u>	<u>-</u>	<u>I-B</u>	<u>I-C</u>
<u>Golf course</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>I-C</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>I-B</u>	<u>-</u>	<u>I-C</u>
<u>Automobile service station⁴</u>	<u>I-A</u>	<u>I-C</u>	<u>I-C</u>	<u>I-C</u>	<u>I-C</u>	<u>I-C</u>	<u>I-C</u>	<u>I-A</u>	<u>I-C</u>	<u>*</u>	<u>I-D</u>	<u>I-C</u>	<u>I-C</u>	<u>-</u>

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¹ Buffering in agriculture (A) districts shall be applicable at the time of site development plan (SDP) submittal.

² Industrial (I) zoned property, where abutting industrial (I) zoned property, shall be required to install a minimum five (5)-foot-wide type I-A landscape buffer adjacent to the side and rear property lines. The buffer area shall not be used for water management. In addition, trees may be reduced to 50 feet on center along rear and side perimeter buffers only. This reduction in buffer width shall not apply to buffers adjacent to vehicular rights-of-way or nonindustrial zoned property. Abutting industrial zoned properties may remove a side or rear buffer along the shared property line in accordance with LDC section 4.02.27 B.4.c.viii. This exception to buffers shall not apply to buffers abutting vehicular rights-of-way.

³ Buffer areas between commercial outparcels located within a shopping center, Business Park, or similar commercial development may have a shared buffer 15 feet wide with each abutting property contributing seven and a one-half (7.5) feet. The outparcels may remove a side or rear buffer along the shared property line between comparable uses within the same zoning designation in accordance with LDC section 4.02.27.B.4.c.viii. These provisions shall not apply to right-of-way buffers.

⁴ Refer to LDC section 4.02.27 B.3.b and c. for automobile service station landscape requirements.

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- vi. Business Parks. A 15-foot-wide landscape buffer shall be provided around the boundary of the business park when abutting residential zoning district or uses. A six (6)-foot tall opaque architecturally finished masonry wall, or berm, or combination thereof shall be required, and one row of trees spaced no more than 30 feet on center shall be located on the outside of the wall, berm, or berm/wall combination.
 - vii. Buffering and screening standards. In accordance with the provisions of this Code, loading areas or docks, outdoor storage, trash collection, mechanical equipment, trash compaction, vehicular storage excluding new and used cars, recycling, roof top equipment and other service function areas shall be fully screened and out of view from adjacent properties at ground view level and in view of roadway corridors.
 - viii. Joint Project Plan. Abutting platted parcels may submit a joint project plan to remove one side or rear landscape buffer along a shared property line in order to share parking or other infrastructure facilities, provided the following criteria are met:
 - a) A joint project plan shall include all necessary information to ensure that the combined site meets all of the design requirements of this Code and shall be submitted as either a single SDP or SIP consisting of both parcels, or separate SDPs or SIPs for each parcel that are submitted concurrently. Joint project plans require a shared maintenance and access easement that is recorded in the public records.
 - b) The following are eligible for a joint project plan. One outparcel shall be no greater than three ~~(3)~~ acres and the combined parcel acreage shall not exceed five ~~(5)~~ acres:
 - i) Abutting commercial outparcels located within a shopping center.
 - ii) Abutting commercial parcels in a Business Park.
 - iii) Abutting commercial parcels with the same zoning designation.
 - iv) Abutting industrial parcels with the same zoning designation.
 - c) The buffer to be eliminated shall not be a perimeter buffer or adjacent to any internal main access drives.

1 d. Standards for retention and detention areas in buffer yards. Unless
2 otherwise noted, all standards outlined in section 4.06.05 C apply. Trees
3 and shrubs must be installed at the height specified in this section.

4 Water management systems, which must include retention and detention
5 areas, swales, and subsurface installations, are permitted within a required
6 buffer provided they are consistent with accepted engineering and
7 landscaping practice and the following criteria:

8
9
10 i. Water management systems must not exceed 50 percent of the
11 square footage of any required side, rear, or front yard landscape
12 buffer.

13
14 ii. Water management systems must not exceed, at any location
15 within the required side, rear, or front yard landscape buffer, 70
16 percent of the required buffer width. A minimum five (5)-foot wide
17 10:1 level planting area shall be maintained where trees and
18 hedges are required.

19
20 iii. Exceptions to these standards may be granted on a case-by-case
21 basis, evaluated on the following criteria:

22
23 a) Water management systems, in the form of dry retention,
24 may utilize an area greater than 50 percent of the buffer
25 when existing native vegetation is retained at natural grade.

26
27 b) For lots of record 10,000 square feet or less in size, water
28 management areas may utilize an area greater than 50
29 percent of the required side and rear yard buffers. A level
30 planting area of at least three feet in width must be provided
31 in these buffers.

32
33 iv. Sidewalks and other impervious areas must not occupy any part of
34 a required I-A, I-B, I-C, or I-D type buffer, except when:

35
36 a) Driveways and sidewalks are constructed perpendicular to
37 the buffer and provide direct access to the parcel.

38
39 b) Parallel meandering sidewalks occupy the buffer, and its
40 width is increased by the equivalent sidewalk width.

41
42 c) A required 15—20-foot-wide buffer is reduced to a minimum
43 of 10 feet wide and is increased by the five-to-ten-foot
44 equivalent width elsewhere along that buffer.

45
46 e. Vehicular use areas.

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48 i. Applicability. The provisions of this section shall apply to all new off-
49 street parking or other vehicular use areas.

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- 1 a) Existing landscaping which does not comply with the
- 2 provisions of this Code shall be brought into conformity to
- 3 the maximum extent possible when: the vehicular use area
- 4 is altered or expanded except for restriping of lots/drives,
- 5 the building square footage is changed, or the building
- 6 improvements exceed 50 percent of the value of the
- 7 structure.
- 8
- 9 b) These provisions shall apply to all non-residential
- 10 development within the IUAOD.
- 11
- 12 c) Any appeal from an administrative determination relating to
- 13 these regulations shall be to the ~~B~~oard of ~~Z~~oning
- 14 ~~A~~ppeals or equivalent.
- 15
- 16 d) Prior to issuing occupancy permits for new construction,
- 17 implementation, and completion of landscaping
- 18 requirements in off-street vehicular facilities shall be
- 19 required.
- 20
- 21 e) Where a conflict exists between the strict application of this
- 22 section and the requirements for the number of off-street
- 23 parking spaces or area of off-street loading facilities, the
- 24 requirements of this section shall apply.
- 25
- 26 ii. Standards for landscaping in Vehicular Use Areas. For projects
- 27 subject to architectural design standards, see LDC section 4.02.27
- 28 B.2. for related provisions.
- 29
- 30 a) Landscaping required in interior of vehicular use areas. At
- 31 least ten percent of the amount of vehicular use area onsite
- 32 shall be devoted to interior landscaping areas. The width of
- 33 all curbing shall be excluded from the required landscaped
- 34 areas. All interior landscaped areas not dedicated to trees
- 35 or to preservation of existing vegetation shall be landscaped
- 36 with grass, ground cover, shrubs, or other landscape
- 37 treatment. One tree shall be provided for every 250 square
- 38 feet of the required interior landscaped area. Interior
- 39 landscaped areas shall be a minimum of five feet in width
- 40 and 150 square feet in area. The amount of required interior
- 41 landscape area provided shall be shown on all preliminary
- 42 and final landscape plans.
- 43
- 44 b) All rows of parking spaces shall be bordered on each end
- 45 by curbed terminal landscape islands. Each terminal
- 46 landscape island shall measure inside the curb not less than
- 47 eight feet in width and extend the entire length of the single
- 48 or double row of parking spaces bordered by the terminal
- 49 landscape island. Type D or Type F curb per current FDOT
- 50 Design Standards is required around all terminal landscape

1 islands. A terminal landscape island for a single row of
 2 parking spaces shall be landscaped with at least one
 3 canopy tree. A terminal landscape island for a double row of
 4 parking spaces shall contain not less than two canopy trees.
 5 The remainder of the terminal landscape island shall be
 6 landscaped with sod, ground covers or shrubs or a
 7 combination of any of the above.

8
 9 c) Interior landscaping areas shall be provided within the
 10 interior of all vehicular use areas. Landscaped areas, wall
 11 structures, and walks shall require protection from vehicular
 12 encroachment through appropriate wheel stops or curbs or
 13 other structures.

14
 15 d) Required landscape islands and perimeter planting beds
 16 shall be graded to provide positive drainage. Curbing
 17 around landscape areas shall include curb cuts where
 18 necessary so as not to inhibit positive drainage.

19
 20 e) Green space required in shopping centers and freestanding
 21 retail establishments with a floor area greater than 40,000
 22 square feet. An area that is at least seven percent of the size
 23 of the vehicular use areas must be developed as green
 24 space within the front yard(s) or courtyards of shopping
 25 centers and retail establishments and must be in addition to
 26 the building perimeter planting area requirements. The
 27 courtyards must only be located in areas that are likely to be
 28 used by pedestrians visiting the shopping center and retail
 29 establishment. The seven percent green space area must
 30 be in addition to other landscaping requirements of this
 31 division, may be used to meet the open space requirements
 32 (section 4.02.01), and must be labeled "Green Space" on all
 33 subdivision and site plans (Refer to section 4.02.27 A.). The
 34 interior landscape requirements of these projects must be
 35 reduced to an amount equal to five percent (5 percent) of
 36 the vehicular use area on site. Green space must be
 37 considered areas designed for environmental, scenic, or
 38 noncommercial recreation purposes and must be
 39 pedestrian-friendly and aesthetically appealing. Green
 40 space may only include the following: lawns, mulch,
 41 decorative plantings, nonprohibited exotic trees, walkways
 42 within the interior of the green space area not used for
 43 shopping, fountains, manmade watercourses (but not water
 44 retention areas), wooded areas, park benches, site lighting,
 45 sculptures, gazebos, and any other similar items that the
 46 County Manager or designee ~~planning service director~~
 47 deems appropriate. Green space must include: walkways
 48 within the interior of the green space area not used for
 49 shopping, a minimum of one (1) foot of park bench per 1,000
 50 square feet of building area. The green space area must use

1 existing trees where possible and landscaping credits will be
2 allowed as governed by table 4.06.04 B. The green space
3 areas must be located in areas that are in close proximity to
4 the retail shopping area. Benches may also be located in
5 interior landscaped areas and 75 percent of the benches
6 may be located adjacent to the building envelope along
7 paths, walkways and within arcades or malls.

8
9 f) Required landscaping for buildings over 20,000 square feet
10 shall be pursuant to LDC section 4.02.27 A. The following
11 requirements will be counted toward the required
12 greenspace and open space requirements of this Chapter
13 of this Code.

14
15 i) Trees in vehicular use areas must be a minimum of
16 14- to 16-feet height with a six- to eight-(6-8) foot
17 spread and a three- to four- (3-4) inch caliper and
18 must have a clear trunk area to a height of six feet.

19
20 ii) The first row of landscape islands located closest to
21 the building front and sides must be landscaped with
22 trees, palms, shrubs, and groundcovers and must
23 have a clear trunk area to a height of seven (7) feet.

24
25 f. Building foundation plantings.

26
27 i. All non-residential buildings shall provide building foundation
28 plantings in the amount of 10 percent of the overall building footprint
29 area and a minimum planting width of five (5) feet.

30
31 ii. Foundation planting areas, with the exception of trees, shall be
32 located adjacent to building entrance(s), and along primary
33 façades.

34
35 iii. Building foundation plantings shall consist of shrubs, ground cover,
36 raised planter boxes, and/or ornamental grass plantings.

37
38 iv. A maximum of 50 percent of the required foundation planting may
39 be located in perimeter buffers.

40
41 v. Water management shall not occur in foundation planting areas.

42
43 5. Off-street parking.

44
45 a. Purpose and Intent. The following standards are intended to guide the
46 development of off-street parking, loading and transportation access within
47 the IUAOD to recognize the higher levels of bicycle and pedestrian activity
48 in Immokalee, to encourage the continued use of alternative modes of
49 transportation, and to provide safe and functional circulation patterns and
50 connectivity for off-street parking.

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- b. Applicability. In addition to LDC section 4.05.00 Off-street Parking and Loading, the following regulations shall apply to all non-residential development within the IUAOD. If any of the provisions noted herein conflict with other regulations within LDC section 4.05.00, the following shall apply.
- i. The provisions of this section shall apply to all new off-street parking or other vehicular use areas.
 - ii. Existing landscaping which does not comply with the provisions of this Code shall be brought into conformity to the maximum extent possible when: the vehicular use area is altered or expanded except for restriping of lots/drives, the building square footage is changed or building improvements exceed 50 percent of the value of the structure.
 - iii. Prior to issuing occupancy permits for new construction, implementation, and completion of landscaping requirements in off-street vehicular facilities shall be required.
- c. Shared Parking. Shared parking arrangements between adjoining developments shall be encouraged.
- d. Parking Reduction. Off-street parking requirements may be reduced ~~by up to 25 percent~~ through the substitution of one required parking space by providing and maintaining a bicycle rack able to hold four bicycles throughout the IUAOD. The maximum reduction is 25 percent of the required off-street parking or 25 spaces, whichever is less.
- e. Bicycle parking.
- i. Applicability. Due to the significance of pedestrian and bicycle modes of travel within the IUAOD, bicycle parking spaces shall be required for safe and secure parking of bicycles. These regulations replace LDC section 4.05.08 Bicycle Parking Requirements. If any of the provisions noted herein conflict with other regulations within the Land Development Code, the following shall apply.
 - ii. Number. Provisions for the safe and secure parking of bicycles shall be furnished at a ratio of five (5 percent) percent of requirements for motor vehicles as set forth in section 4.05.04. but not to exceed a maximum of 20 total bicycle parking spaces. A minimum of two (2) bicycle parking spaces shall be provided.
 - iii. Design.
 - a) A bicycle parking facility suited to a single bicycle ("parking space") shall be of a stand-alone inverted-U design measuring a minimum of 36 inches high and 18 inches wide

1 [of one and one-half (1½) inch Schedule 40 pipe, ASTM F
2 1083] bent in one (1) piece ("bike rack") mounted securely
3 to the ground [by a ¾-inch thick steel base plate, ASTM A
4 36] so as to secure the bicycle frame and both wheels.

5
6 b) Each parking space shall have a minimum of three (3) feet
7 of clearance on all sides of the bike rack.

8
9 c) Bicycle spaces shall be surfaced with the same or similar
10 materials approved for the motor vehicle parking lot, lighted
11 and located no greater than 100 feet from the main building
12 entrance.

13
14 d) Extraordinary bicycle parking designs which depart from the
15 bike rack standard but are consistent with the
16 development's design theme shall be considered by the
17 County architect. Bike racks which function without securing
18 the bicycle frame, require the use of a bicycle kick stand, or
19 which may be freely reoriented are not allowable.

20
21 6. Fencing and Walls, Excluding Sound Walls.

22
23 a) Applicability. The provisions of LDC section 5.03.02 Fence and Walls,
24 Excluding Sound Walls, are applicable within the IUAOD with the following
25 exceptions:

26
27 i. LDC section 5.03.02.G Supplemental Standards

28
29 b. Supplemental standards.

30
31 i. All fences shall have their finished side facing outward.

32
33 ii. Fences on sites with structures which are subject to section 5.05.08
34 Architectural & Site Design Standards must comply with the
35 following additional standards:

36
37 a) Chain link (including wire mesh) and wood fences are
38 permitted forward of the primary façade.

39
40 b) Fences forward of the primary façade, including chain link,
41 wire mesh, and wood are permitted under the following
42 conditions:

43
44 i) Fences shall not exceed four 4 feet in height.

45
46 ii) The fence provides either an open view at a
47 minimum of 25 percent of its length or provides
48 variation in its height for a minimum of 15 percent of
49 its length with a deviation of at least 12 inches.

50

1 conflict with LDC section 5.06.00 Sign Regulations and Standards by Land
2 Use Classification, the following shall apply.

3
4 b. Murals and Wall Art. Murals are allowed as public art within the IUAOD and
5 subject to the following:

6
7 i. Murals are only allowed on commercial, civic, or institutional
8 buildings.

9
10 ii. One mural is allowed per building.

11
12 iii. Murals are permitted on sections of buildings where there are no
13 windows or doors or where the mural will not interfere with the
14 building's architectural details.

15
16 iv. The mural shall not contain text for the purpose of advertising any
17 business or commercial activity.

18
19 v. The mural cannot be temporary in nature and the building owner
20 must commit to maintaining the mural.

21
22 vi. Review and approval from the CRA Advisory Board is required to
23 ensure the mural complies with the conditions above and that the
24 artwork complements the design of the building in color, shape, and
25 location.

26
27 C. Immokalee Urban Area Mainstreet Overlay Subdistrict (MSOS).

28
29 1. Purpose and Intent. The standards described in this section shall apply to all non-
30 residential uses in this overlay subdistrict. Where a conflict may arise between
31 these regulations and LDC section 4.02.27, the subdistrict regulations shall control.

32
33 2. Dimensional Standards.

34
35 a. Height. Structures shall be no more than 35 feet in height, except that
36 hotel/motel uses shall be no more than 50 feet in height.

37
38 b. Setback. The Main Street Overlay Subdistrict contains four (4) design
39 districts as described below, which were created in order to maintain and
40 enhance the urban character of downtown Immokalee and to encourage
41 the desired pattern of development.

42
43 i. Main Street Corridor.

44
45 a) Main Street Corridor. The Main Street Corridor is for those
46 properties abutting Main Street from Second Street East to
47 Hancock Street or 11th.

48
49 b) First Street Corridor. The First Street Corridor extends along
50 First Street from Eustis Avenue to West Main Street and is

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the connection between the Seminole Casino and the Main Street corridor.

c) Fifteenth Street Corridor. The Fifteenth Street Corridor is for those properties abutting Fifteenth Street from Hancock Street to Immokalee Drive.

d) Side Streets. The interior streets include all streets running perpendicular and parallel to the Main Street, First Street and Fifteenth Street Corridors within the Main Street Overlay Subdistrict.

Table 1. Dimensional Requirements in the MSOS

<u>DESIGN DISTRICT</u>	<u>SETBACK FROM THE STREET(FRONT/CORNER)</u>	<u>SIDE YARD SETBACK</u>	<u>REAR YARD SETBACK</u>
<u>MAIN STREET CORRIDOR</u>	<u>0' from property line or 10' maximum from the back of the curb*</u>	<u>Min. = 0' if neighboring building has 0' setback, otherwise maintain a building separation of 10' (see Illustration 3) Max. = 50% of lot width (both sides combined) (see Illustration 4)</u>	<u>5' or 20' when abutting residential</u>
<u>FIRST STREET CORRIDOR</u>	<u>0' from property line or 8' maximum from the back of the curb*</u>	<u>Min. = 0' if neighboring building has 0' setback, otherwise maintain a building separation of 10' (see Illustration 3) Max. = 50% of lot width (both sides combined) (see Illustration 4)</u>	<u>5' or 20' when abutting residential</u>
<u>FIFTEENTH STREET CORRIDOR</u>	<u>0' from property line or 25' maximum from the back of the curb*</u>	<u>Per LDC</u>	<u>5' or 20' when abutting residential</u>

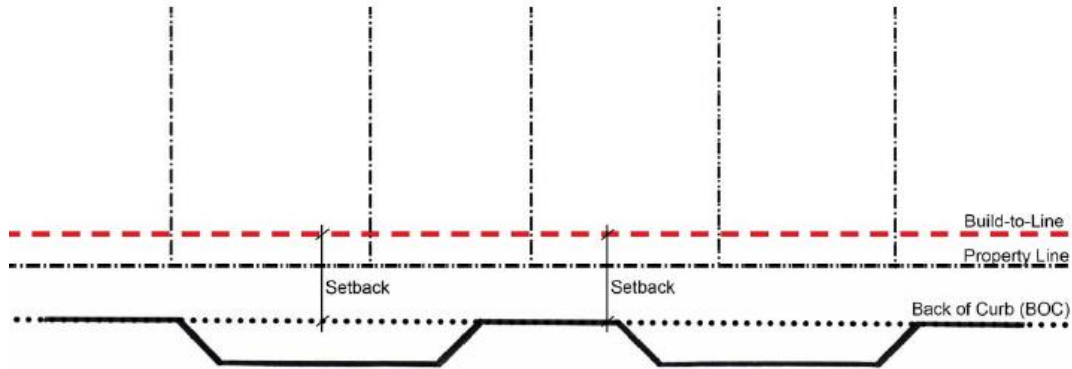
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<u>INTERIOR STREETS</u>	<u>5' maximum for the first two stories, plus 5' additional setback for buildings over two stories; measured from property line</u>	<u>Per LDC</u>	<u>5' or 20' when abutting residential</u>
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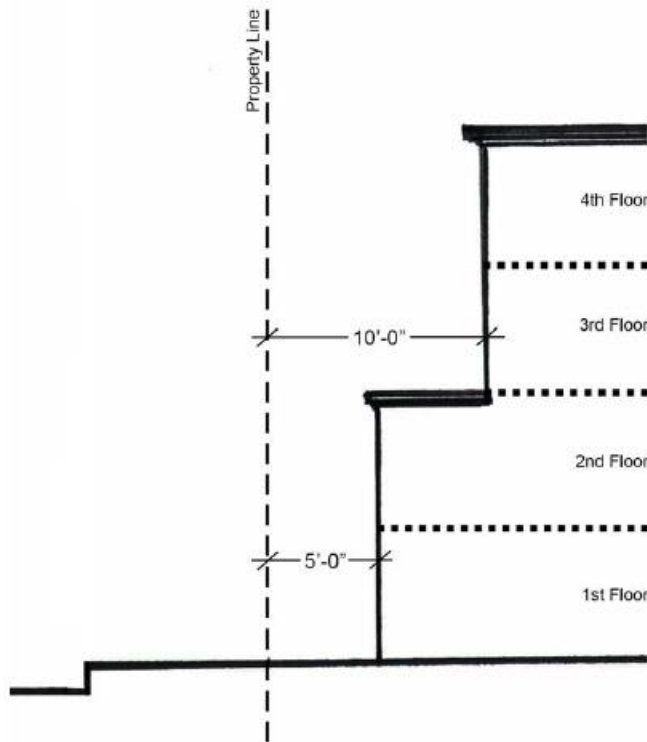
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Illustration #1 General Building Setbacks Plan View



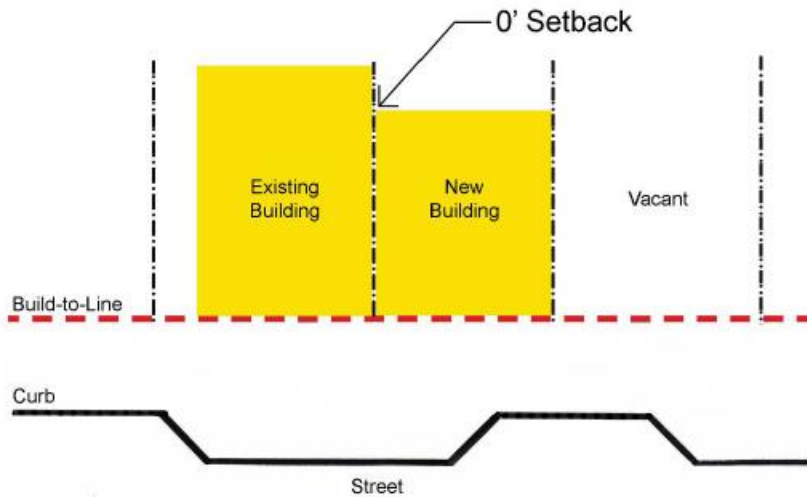
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Illustration #2 Setback requirements along Side Streets



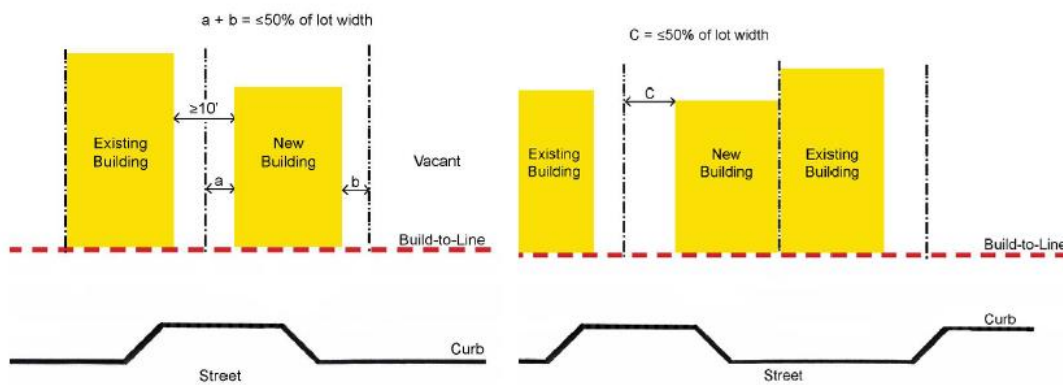
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Illustration #3 Side Yard Setback Requirements – Alternative 1



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Illustration #4 Side Yard Setback Requirements – Alternative 2



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c. Exceptions to Building Setback Requirements.

- i. Public Space: Street setbacks may be permitted up to 30 feet if pedestrian courtyards, plazas, cafes, fountains, or other public gathering places are provided in front of the recessed portion of the building. For buildings greater than 40 feet in width, the increased setback area shall not exceed 50 percent of the building frontage and shall incorporate a street wall along the original setback line.
- ii. Arcades: The use of arcades is encouraged and therefore allowed to extend up to the property line. They may have enclosed space, balconies, or verandas above them. Arcades should be open and non-air conditioned.

3. Building and site design standards.

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a. Architectural Styles. All new non-residential buildings within the MSOS are required to adopt architectural elements consistent with one of the following types of architecture. Architectural style descriptions and their attributes are listed below and in Table 1.

Table 1. Architectural style descriptions

	<u>Spanish Vernacular</u>		<u>Frame Vernacular</u>	<u>Contemporary</u>
	<u>Mediterranean</u>	<u>Mission</u>		
<u>Roof Types</u>	<u>Multi-level roofs</u> <u>Gable</u> <u>Hip</u> <u>Pent/Visor</u> <u>Parapets</u>	<u>Flat roof with curvilinear parapets are most common</u> <u>Gable and Hip also used.</u> <u>Pent/Visor</u>	<u>Gable</u> <u>Hip</u> <u>Pent/Visor</u> <u>Parapets</u>	<u>Flat overhanging roof</u> <u>Gable</u> <u>Hip</u> <u>Pent</u>
<u>Roof Materials</u>	<u>Barrel Tile (half cylinders) or Spanish Tile (s-curved shape) in red and earth tones.</u>	<u>Barrel Tile (half cylinders) or Spanish Tile (s-curved shape)</u>	<u>Metal roof (5v panels or narrow standing seam)</u>	<u>Metal roof</u> <u>Concrete tiles</u> <u>Solar tiles</u>
<u>Façade Materials</u>	<u>Stucco with sand finish or hand troweled</u>	<u>Stucco with sand finish or hand troweled</u>	<u>Lapped siding with corner boards (wood or vinyl)</u> <u>Vertical board & batten siding</u> <u>Pattern shingles (for accent only)</u>	<u>Concrete</u> <u>Glass</u> <u>Steel</u>
<u>Windows</u>	<u>Arched windows (some triple-arched)</u> <u>Vertical in proportion</u> <u>Half round transom above windows</u> <u>Sashed</u>	<u>Vertical</u> <u>Half round transom</u> <u>Sashed</u>	<u>Tall and narrow proportion</u> <u>Sashed</u> <u>Window and door trim projects out from wall cladding</u>	
<u>Building Color</u>	<u>Typically earth tones; however, due to heavy influence from Central & South America brighter colors are encouraged</u>	<u>Typically earth tones; however, due to heavy influence from Central & South America brighter colors are encouraged</u>	<u>Typically, pastel colors with white trim/accent; however, due to heavy influence from Central & South America brighter colors are encouraged</u>	

<u>Ornamentation</u>	<u>Arcades</u> <u>Balconies</u> <u>Full arches</u> <u>Wrought iron, wood or cast stone railings.</u> <u>Patterned tiles or single tiles used for accent.</u> <u>Carved stonework</u> <u>Wood or iron window grilles</u> <u>Tile vents</u>	<u>Arcades</u> <u>Balconies</u> <u>Full arches</u> <u>Wrought iron, wood or cast stone railings.</u> <u>Patterned tiles or single tiles used for accent.</u> <u>Carved stonework</u> <u>Wood or iron window grilles</u> <u>Tile</u>	<u>Porches</u> <u>Columns, spindles (square or turned)</u> <u>Gable end or eave brackets</u> <u>Shutters</u> <u>Transom windows</u>	
<u>Fences</u>	<u>Combination of masonry and wrought iron</u>	<u>Combination of masonry and wrought iron</u>	<u>Wood picket fences</u>	

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i. Spanish vernacular.

a) Mediterranean Style: Also known as Spanish Eclectic or Spanish Colonial Revival. Characteristics typically include barrel tile, low-pitched roofs usually with little or no overhang, parapets, arches, stucco, and asymmetrical facades. Mediterranean style buildings typically contain the following: multi-level roofs composed of barrel tile (half cylinders) or Spanish Tiles (s-curved shape) in red and earth tones, façade of stucco and sand finish or hand troweled, arched windows (some triple-arched), ornamentation contain full arches and patterned tiles or single tile for accent.

b) Mission Style: Influenced by the Spanish Colonial Style. Characteristics typically include barrel tile roofs, arches, earth tone colors, and asymmetrical façades finished in stucco. Similar to the Mediterranean Style but exhibiting much less ornamentation and detailing. Mission Style buildings typically contain flat roof with curvilinear parapets are most common, barrel tile (half cylinders) or Spanish Tile (s-curved shape), stucco with sand finish or hand troweled, and ornamentation containing full arches.

c) Frame Vernacular: Also known as Florida Cracker or Key West Style. Some frame vernacular buildings in Florida exhibit a Caribbean influence, while others are more utilitarian or rural in nature. Most familiar elements of this style are the use of horizontal siding for façade finish, elaborate wood balustrades, large porches, and metal roofs. Frame Vernacular buildings typically contain metal roofs (5v panels or narrow standing seam), lapped siding with corner

1 boards (wood or vinyl) and ornamentation of gable end or
2 eave brackets.

3
4 d) Contemporary: Contemporary architecture focuses on
5 innovation while being in harmony with nature through the
6 use of clean geometric lines and elements such as
7 openness both in interiors and to the outside, natural light,
8 eco-friendly materials and creative styles. This is achieved
9 through the use of a range of building materials such as
10 concrete, glass, wood, and metals.

11
12 b. Building Façade Design. Buildings shall have architectural features and
13 patterns that provide visual interest from the perspective of the pedestrians
14 and motorists. All additions and alterations shall be compatible with the
15 principal structure in design, color, and materials.

16
17 i. Façade orientation. New buildings shall orient the principal
18 entrance façade parallel to the public right-of-way. If the building
19 fronts on more than one public right-of-way, all facades facing the
20 public rights-of-way shall be designed consistent with primary
21 façade requirements.

22
23 ii. Façade continuity. Facades along Main Street should limit building
24 gaps along the block. If a gap is created between two buildings, one
25 of the following should be provided.

26
27 a) A pedestrian courtyard (connecting to rear parking areas or
28 alleys), or

29
30 b) A decorative façade connecting the two buildings, or

31
32 c) A low street wall along that portion of the lot along the right-
33 of-way not devoted to pedestrian or vehicular access.

34
35 iii. Façade variation.

36
37 a) Primary façades shall not exceed 20 horizontal feet and 10
38 vertical feet, without three (3) of the following elements.
39 When selecting these elements, there shall be a
40 combination of vertical and horizontal elements in order to
41 create variation in the façade.

42
43 i) A change in plane, such as an offset, reveal, or
44 projecting rib (columns, built in planters, arches,
45 voids, etc.). Such plane projections or recesses
46 shall have a width of no less than 20 inches, and a
47 depth of at least six (6) inches.

48
49 ii) Awnings.

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- ii. Windowless façades facing the public right-of-way are prohibited.
 - iii. Transparency requirements include the following:
 - a) The ground floor building wall facing the street shall contain windows and doors occupying at least 50 percent of the first-floor façade. The first-floor windows shall be located between three ~~(3)~~ and eight ~~(8)~~ feet measured from ground level. All other floors and elevations shall contain at least 25 percent glazing.
 - b) Clear glass (88 percent light transmission) should be installed on the first floor. Tinted glass allowing a minimum of fifty percent light transmission should only be allowed on second floor windows and above. Stained or art glass is allowed only if it is in character with the style of the building, such as in a church.
 - c) Office uses shall have front exterior walls containing a minimum of 25 percent transparent or translucent materials on each story. The side exterior walls (facing the street) shall each contain a minimum of 15 percent transparent or translucent materials on each story.
 - d) Transparent materials on walls that are not parallel or approximately parallel to the public right-of-way and on doors shall not be counted toward the minimum transparency requirement.
 - e) Garage or service bay doors shall not be included in the transparency/translucency calculation.
 - e. Landscaping and buffering. To encourage redevelopment, the following landscape criteria shall apply to all commercially zoned properties and those residential properties with permitted commercial uses, except where otherwise prohibited by this subdistrict. The following landscape buffering criteria shall be applicable to projects with a total building square footage of less than or equal to 5,000 square feet. For all others, 4.02.27 B.4 applies:
 - i. Properties adjacent to residentially zoned lots/parcels shall provide a minimum 10-foot-wide landscape buffer, six- ~~(6)~~ foot-high hedge or wall (four ~~(4)~~ feet at planting; six ~~(6)~~ feet within one ~~(1)~~ year) with trees spaced no more than 25 feet on center;
 - ii. Properties adjacent to commercially zoned lots/parcels shall provide a minimum seven and a one-half ~~(7.5)~~-foot-wide landscape buffer with a single row hedge and trees spaced no more than 30 feet on center. The hedge shall at a minimum consist of three ~~(3)~~

1 gallon plants, two (2) feet in height, spaced a minimum of three (3)
2 feet on center at planting.

3
4 iii. A minimum seven and a one-half (7.5)-foot-wide buffer, with at least
5 two (2) trees per lot/parcel or one (1) tree per 40 linear feet
6 whichever is greater, shall be required adjacent to all rights-of-way;

7
8 iv. Lots/parcels that are unable to meet the minimum landscape criteria
9 above, shall be required to provide landscaping to the greatest
10 extent practicable, or an alternative enhancement plan that may
11 include planters and/or flower boxes for each property, as approved
12 by the County Manager or designee.

13
14 f. Off-street parking. Minimum off-street parking and off-street loading.
15 Standards for parking within the MSOS, and as set forth below:

16
17 i. Outdoor café/seating areas shall be exempt from parking
18 calculations.

19
20 ii. All properties within the MSOS, having frontage on Main Street,
21 First Street, or Ninth Street are required by this subdistrict to locate
22 all parking areas in the rear yard and/or side yards.

23
24 a) Lots, parcels, or uses which have frontage on West Main
25 Street (SR 29) or First Street (CR 846) shall comprise the
26 primary areas within the MSOS.

27
28 b) Uses in existence, as of the effective date of this LDC
29 section, are exempt from the minimum parking
30 requirements as set forth in LDC section 4.05.00, except
31 that existing uses shall not reduce the number of spaces
32 below what is provided as of the effective date of this LDC.

33
34 c) A change of use shall be exempt from the minimum parking
35 requirements as set forth in LDC section 4.05.00 up to an
36 intensity level of one (1) parking space per 100 square feet.
37 A change of use to an intensity of greater than one (1) space
38 per 100 square feet shall require parking at one (1) parking
39 space per 150 square feet.

40
41 d) Any use in a building constructed after the effective date of
42 this LDC will be required to provide parking at 50 percent of
43 the minimum requirement as set forth in LDC section
44 4.05.00.

45
46 iii. Lots, parcels, or uses which do not have frontage on Main Street or
47 First Street shall comprise the secondary area within the MSOS.

48
49 a) Uses in existence as of the effective date of this LDC
50 Section are exempt from the minimum parking requirements

1 as set forth in LDC section 4.05.00 except that existing uses
2 shall not reduce the number of spaces below that which is
3 provided as of the effective date of this LDC.

4
5 b) A change of use shall be exempt from the minimum parking
6 requirements as set forth in LDC section 4.05.00 up to an
7 intensity level of one (4) parking space per 100 square feet.
8 A change of use to an intensity greater than one (4) parking
9 space per 100 square feet shall require parking at 50
10 percent of the minimum requirement as set forth under LDC
11 section 4.05.00. No change in use shall allow for a reduction
12 of the current number of parking spaces provided.

13
14 iv. The provisions of the MSOS do not prevent establishments utilizing
15 shared parking agreements and off-site parking arrangements as
16 set forth in LDC section 4.05.00. Furthermore, the maximum
17 distances set forth in LDC section 4.05.00 shall be increased to
18 1,000 feet within the boundaries of the MSOS. Properties within the
19 MSOS entering into off-site parking agreements with properties
20 outside the MSOS may utilize the 1,000-foot rule.

21
22 v. Standards for landscaping in vehicular use areas within the MSOS.

23
24 a) Landscaping is required in the interior of vehicular use
25 areas. At least ten percent of the gross square footage of
26 onsite vehicular use area shall be devoted to interior
27 landscaping areas.

28
29 b) All rows of parking spaces shall be bordered on each end
30 by curbed landscape islands/Terminal Landscape Islands.
31 Each terminal island shall measure no less than eight feet
32 in width from inside the curb and extend the entire length of
33 the single or double row of parking spaces bordered by the
34 island. Type D or Type F curb per current FDOT Design
35 Standards is required around all landscape islands.
36 Terminal islands shall be landscaped with at least one
37 canopy tree. The remainder of the terminal island shall be
38 landscaped with sod, ground covers or shrubs or a
39 combination of any of the above.

40
41 c) Vehicular use areas under ~~twenty-five (25)~~ required parking
42 spaces within the MSOS are exempt from the LDC section
43 4.065.00 requirement that does not allow more than 10
44 contiguous parking spaces without being separated by a
45 landscape island. In lieu of landscape islands, ten percent
46 of the gross square footage of onsite vehicular use area
47 shall be added to the perimeter landscape buffer area.

48
49 g. Fencing.

50

- 1 i. Street walls are required to screen off-street parking facilities
- 2 (spaces or driveways) from the right-of-way.
- 3
- 4 ii. Street walls shall be a minimum of three ~~(3)~~ feet and a maximum of
- 5 five ~~(5)~~ feet in height.
- 6
- 7 iii. Street walls greater than three ~~(3)~~ feet in height above grade shall
- 8 be no more than 50 percent solid.
- 9
- 10 iv. Street walls should be designed to complement the principal
- 11 building style, materials, and colors.
- 12
- 13 v. In lieu of a street wall, a continuous hedge row no more than four
- 14 ~~(4)~~ feet in height can be provided.
- 15
- 16 vi. Utilities/service areas.
- 17
- 18 a) Accessory structures shall have the same architectural
- 19 detail, design elements and roof design as the primary
- 20 structure.
- 21
- 22 b) Rooftop mechanical equipment should be integrated into
- 23 the overall mass of a building by screening it behind
- 24 parapets or by recessing equipment into hips, gables,
- 25 parapets, or similar features. Plain boxes as the only
- 26 screening mechanism are not acceptable.
- 27
- 28 c) Equipment installed at ground level shall be screened by low
- 29 walls or landscaping.
- 30
- 31 d) Areas for outdoor storage, trash collection, and loading shall
- 32 be incorporated into the primary building design. The
- 33 materials used shall be of comparable quality and
- 34 appearance to those of the primary building.
- 35
- 36 e) Loading areas or docks, outdoor storage, waste disposal,
- 37 mechanical equipment, satellite dishes, truck parking, and
- 38 other service support equipment shall be located behind the
- 39 building line and shall be fully screened from the view of
- 40 public rights-of-way.
- 41
- 42 h. Signage.
- 43
- 44 i. Projecting signs are permitted in addition to permitted signs
- 45 provided such signs do not exceed six ~~(6)~~ square feet in size and
- 46 are elevated to a minimum of eight ~~(8)~~ feet above any pedestrian
- 47 way.
- 48

1 ii. Sandwich boards are permitted, one (1) per establishment, not to
2 exceed six (6) square feet in size and shall only be displayed during
3 business hours.

4
5 D. State Road 29A Commercial Overlay Subdistrict (SR 29OS).

6
7 1. Purpose and intent. The standards described in this section shall apply to all non-
8 residential uses in this overlay subdistrict. Where a conflict may arise between
9 these regulations and LDC section 4.02.27, the subdistrict regulations shall control.

10 a. Exceptions. Owners of lots or combination of lots having less than the
11 required street frontage may petition the Board of Zoning Appeals for a
12 variance from the standard in this subdistrict as will not be contrary to the
13 public interests when owing to special conditions peculiar to the property,
14 a literal enforcement of these standards would result in unnecessary and
15 undue hardship.

16
17
18 2. Dimensional standards.

19 a. Height. Buildings shall have a maximum height of 50 feet.

20 b. Setback.

21 i. Front Setback – Minimum 25 feet when abutting S.R. 29, all others
22 shall comply with their underlying zoning and use standards.

23 ii. Rear Setback – Minimum of 25 feet when abutting S.R. 29, all
24 others shall comply with their underlying zoning and use standards.

25
26
27 3. Landscaping and buffering.

28 a. Projects with a total building square footage of less than or equal to 5,000
29 square feet shall provide a 10-foot Type A landscape buffer as described
30 in LDC section 4.06.00 along vehicular rights-of-way with required
31 sidewalks and adjacent residential development. Where abutting a
32 commercially zoned or developed property, a Type A landscape buffer as
33 described in LDC section 4.06.00 must be provided.

34 b. Projects with a total building square footage exceeding 5,000 square feet
35 shall provide landscape buffering in accordance with LDC section 4.02.27
36 B.4. of this LDC.

37
38
39 4. Off-street parking.

40 a. Access points to SR-29 shall comply with Florida State Department of
41 Transportation (FDOT) access management regulations. Parcels that have
42 less than 440 feet of street frontage shall provide access off existing
43 adjacent roadways, when possible, and should not directly access SR-29.

1 b. Shared parking arrangements and interconnections between adjoining
2 developments shall be encouraged.

3
4 c. Sidewalks shall be provided to encourage pedestrian traffic. The location
5 of said sidewalks shall be coordinated with adjacent projects.

6
7 E. Jefferson Avenue Commercial Overlay Subdistrict (JACOS).

8
9 1. Purpose and intent. The standards described in this section shall apply to all non-
10 residential uses in this overlay subdistrict. Where a conflict may arise between
11 these regulations and LDC section 4.02.27, the subdistrict regulations shall control.

12
13 2. Dimensional standards.

14
15 a. Height. Commercial buildings shall have a maximum height of 50 feet
16 excluding 10 feet for under-building parking.

17
18 b. Setback.

19
20 i. Front Setback – A minimum of 25 feet for all commercial buildings
21 when abutting Jefferson Avenue. All other setbacks shall comply
22 with their underlying zoning and use standards.

23
24 ii. All other setbacks shall be in accordance with the underlying zoning
25 and use standards.

26
27 3. Landscaping and buffering.

28
29 a. Projects with a total building square footage of less than or equal to 5,000
30 square feet shall provide a 10 foot Type I-A landscape buffer, as identified
31 in LDC section 4.02.27 B.4, on Jefferson Avenue.

32
33 b. Projects with a total building square footage exceeding 5,000 square feet
34 shall provide landscape buffering in accordance with LDC section 4.02.27
35 B.4.

36
37 4. Off-street parking.

38
39 a. Access points for future commercial development shall be limited to a
40 maximum of one (1) per 150 feet of street frontage.

41
42 b. Properties with less than the required street frontage, shall be encouraged,
43 and may be required as a condition of site development plan approval, to
44 utilize shared access points with adjoining commercial development.

45
46 i. Owners of lots or combination of lots having less than the 150-foot
47 of required frontage may petition the Board of Zoning Appeals for a
48 variance from the standard in this subdistrict as will not be contrary
49 to the public interest when owing to special conditions peculiar to

1 the property, a literal enforcement of these standards would result
2 in unnecessary and undue hardship.

3
4 ii. Provisions for shared parking arrangements with adjoining
5 developments shall be encouraged.

6
7 F. Loop Road Overlay Subdistrict (LROS).

8
9 1. Purpose and intent. The standards described in this section shall apply to all non-
10 residential uses in this overlay subdistrict. Where a conflict may arise between
11 these regulations and LDC section 4.02.27, the subdistrict regulations shall control.

12
13 a. Access management within the LROS shall be coordinated with Florida
14 Department of Transportation (FDOT) and Collier County Transportation
15 Operations.

16
17 b. Access management shall be consistent with FDOT regulations and is
18 subject to applicable regulations and review by Collier County
19 Transportation Operations and Growth Management Community
20 Development Department.

21
22 c. Cross-access connections shall be consistent with FDOT requirements.

23
24 2. Dimensional standards.

25
26 a. Height – Buildings shall have a maximum height of 50 feet.

27
28 b. Setbacks shall be determined by the underlying zoning district.

29
30 3. Buffers. All non-residential development shall provide a Type I-C Buffer when
31 abutting Residential uses. All other buffers shall comply with 4.02.27.B.4.

32
33 G. Agribusiness/Farm Market Overlay Subdistrict (AFOS).

34
35 1. Purpose and intent. The standards described in this section shall apply to all non-
36 residential uses in this overlay subdistrict. Where a conflict may arise between
37 these regulations and LDC section 4.02.27, the subdistrict regulations shall control.

38
39 2. Exceptions. The following uses, located within the AFOS and as identified in the
40 Standard Industrial Classification Manual, are exempt from the provisions set forth
41 in LDC section 5.05.08, Architectural and Site Design Standards for Commercial
42 Buildings and Projects and LDC section 4.02.27.

43
44 a. Agricultural Services (0723).

45
46 b. Wholesale Trade (5148).

47
48 c. Agricultural Outdoor Sales.

49
50 3. Dimensional standards.

1
2 a. Dimensional standards shall be as required for the C-5 zoning district
3 except that the minimum floor area shall be 500 square feet of gross floor
4 area for permitted principal agricultural structures.

5
6 b. Building height shall have a maximum height of 50 feet.
7

8 H. Industrial Mixed Use Commercial Overlay Subdivision (IMCOS).
9

10 1. Purpose and intent. The standards described in this section shall apply to all non-
11 residential uses in this overlay subdistrict. Where a conflict may arise between
12 these regulations and LDC section 4.02.27, the subdistrict regulations shall control.

13
14 2. Dimensional standards.

15
16 a. Height. Building height shall be a maximum of 50 feet.
17

18 b. Setback. A minimum 75-foot building setback is required for all
19 development adjacent to residentially or agriculturally zoned properties.
20 This setback may be reduced to 50 feet if a minimum six (6) foot tall
21 decorative wall or fence, providing at least 80 percent, opacity is installed
22 within the reduce setback, and the required 20-foot landscape buffer is
23 located between the wall or fence and the adjacent residentially and/or
24 agriculturally-zoned properties.

25
26 3. Landscaping and buffering.

27
28 a. A minimum 20-foot-wide vegetated landscape buffer shall be provided.
29 This vegetated buffer shall be located adjacent to all property lines and
30 shall contain, at a minimum, two staggered rows of trees that shall be
31 spaced no more than 30 feet on center, and a double hedge row at least
32 24 inches in height at time of planting and attaining a minimum of three (3)
33 feet in height within one year.

34
35 b. Existing native trees must be retained within this 20-foot-wide buffer area
36 to aid in achieving this buffer requirement; other existing native vegetation
37 shall be retained where possible, to aid in achieving this buffer requirement.

38
39 c. Water retention/detention areas shall be allowed in this buffer area if left in
40 a natural state, and drainage conveyance thorough the buffer area shall be
41 allowed if necessary to reach an external outfall.
42

43 I. Specific Design Standards for New Mobile Home Lots in the Immokalee Urban Area
44 Overlay District (IUAOD).
45

46 1. Purpose and intent. The purpose of this section is to provide relief form the
47 dimensional standards established in LDC section 4.02.01 for new mobile home
48 lots approved through an existing conditions site improvement plan or
49 amendments thereof within the Nonconforming Mobile Home Site Overlay
50 Subdistrict as established in LDC section 2.03.07 G.3.g. This section shall not

1 apply to the replacement of mobile home units identified on lots established by an
2 existing conditions site improvement plan.

3
4 2. Dimensional standards.

5
6 Table 1. Dimensional Standards for New Mobile Home Lots within the IUAOD
7

<u>Design Standard</u>	
<u>Minimum lot requirements</u>	
<u>Single-wide units</u>	<u>2,400 square feet</u>
<u>Double-wide units</u>	<u>3,500 square feet</u>
<u>Minimum lot widths</u>	
<u>Single-wide units</u>	<u>35 feet</u>
<u>Double-wide units</u>	<u>45 feet</u>
<u>Minimum setback requirements</u>	
<u>Interior roads</u>	<u>10 feet</u>
<u>Front yard</u>	<u>5 feet</u>
<u>Side yard</u>	<u>8 feet</u>
<u>Rear yard</u>	<u>20 feet</u>
<u>Public Road frontages</u>	
<u>Minimum separation between structures</u>	<u>10 feet</u>
<u>Minimum floor area for replacement units</u>	<u>320 square feet</u>

8
9 3. Dumpster/Enclosure. A dumpster or enclosure for individual containers is required
10 in accordance with LDC section 5.03.04. No dumpster shall be located closer than
11 ~~fifteen (15)~~ feet from any public street.

12
13 4. Private Roads. Private roads leading to and serving the mobile home park or
14 mobile home lots must be improved and maintained and shall consist of a dust-
15 free surface with a minimum width of 20 feet. The dust free surface may consist of
16 aggregate material treated with oil-based material that will bind the aggregate
17 material into a form of macadam road finish. A drainage ditch capable of storing
18 the first one inch of rainfall shall be incorporated into the right-of-way design-cross
19 section, exclusive of the required 20 feet. Drainage shall be directed to a public
20 road via the private road and/or easement conveyance, unless it can be proved
21 that the on-site percolation rates exceed the on-site retention requirement.

22
23 J. Deviation Regulations (previously LDC section 2.03.07 G.7). Property owners within the
24 Immokalee Urban Overlay District may request deviations from specific dimensional
25 requirements as described in this section. A deviation request may be reviewed
26 administratively or by the Planning Commission depending upon its scope. This section
27 addresses the permissible deviations, limitations thereon, and the review process.

28
29 1. Review process. Insubstantial deviations will be reviewed administratively by the
30 County Manager or designee. Substantial deviations will be reviewed by the
31 Hearing Examiner. This section is not intended to replace the current established
32 process of requesting deviations through the PUD rezoning process. Any
33 deviations from the LDC which are not expressly provided for in this section shall
34 be processed as variances in accordance with LDC section 9.04.00.
35

- 1 2. Concurrent deviation application required. All deviation requests shall be made
- 2 concurrently with an application for an SDP or amendment, SIP, or Final
- 3 Subdivision Plat, or in the case of sign deviations, with a building permit. The
- 4 applicant shall list all requested deviations on the required site plan(s) and shall
- 5 depict the deviation(s) graphically on the plan(s). Additional graphic information
- 6 may also be required by staff, on a case-by-case basis.
- 7
- 8 3. Insubstantial deviation. Requested deviations that do not exceed 10 percent of the
- 9 required dimension, amount, size, or other applicable dimensional standard, with
- 10 the exception of the required number of parking spaces, which may not exceed 20
- 11 percent of the LDC requirement (not more than 10 spaces), are insubstantial. To
- 12 be approved, the following criteria must be considered:
- 13
- 14 a. The proposed deviation is compatible with adjacent land uses and
- 15 structures, achieves the requirements of the regulations as closely as is
- 16 practicable, and meets the intent of the related LDC provisions; and
- 17
- 18 b. The applicant proposes equitable tradeoffs for the proposed diminution in
- 19 development standards, such as increased open space, landscaping,
- 20 pedestrian spaces, buffering or architectural features, in order to meet the
- 21 intent of the regulation being diminished.
- 22
- 23 4. Substantial deviations. Requested deviations that do not qualify as insubstantial
- 24 deviations are substantial deviations. The CCPC shall consider the following:
- 25
- 26 a. Whether or not the proposed deviation is compatible with adjacent land
- 27 uses and achieves the requirements and/or intent of the regulations as
- 28 closely as is practicable.
- 29
- 30 b. Whether the proposed deviation is the minimum amount necessary to allow
- 31 for reasonable use of the property and/or address the issue necessitating
- 32 the deviation request.
- 33
- 34 c. Whether the reduced or increased standard requested by the deviation is
- 35 mitigated for, either on the subject site or by providing a public benefit on
- 36 the subject site. Examples of such on-site mitigation include but are not
- 37 limited to: increasing setbacks from the adjacent road right-of-way when
- 38 proposing to deviate from sign size limitations; increasing plantings or
- 39 planting sizes or installing a fence or wall where a reduced buffer width is
- 40 proposed; providing public pedestrian and/or bicycle pathway easements
- 41 or other similar mobility improvements including transit enhancements;
- 42 providing public parking; providing beautification in the public realm,
- 43 including street trees, street furniture, lighting and other similar public
- 44 benefits.
- 45
- 46 5. Applicability – List of Development Standards Eligible for Deviation Requests.
- 47 Property owners shall be eligible to seek a deviation from the dimensional
- 48 requirements of the following LDC sections, unless otherwise noted.
- 49
- 50 a. LDC section 2.03.01, limited to subsection A.1.b.4.ii.

- 1
- 2 b. LDC section 2.03.03, limited to the following subsections:
- 3
- 4 i. A.1.c.11.vii. limited to a maximum of three stories, viii., and ix.; and
- 5
- 6 ii. E.1.c.4.iv.
- 7
- 8 c. LDC section 2.03.04, limited to subsection A.1.c.2.iv., minimum lot area
- 9 only.
- 10
- 11 d. LDC section 3.05.07 B.1 Preservation Standards, Specific Standards
- 12 Applicable Outside the RMFU and RLSA districts, Required Preservation
- 13 Percentages (Table 1 inset).
- 14
- 15 e. LDC section 4.02.01 A Dimensional Standards for Principal Uses in Base
- 16 Zoning Districts:
- 17
- 18 i. Table 1. Lot Design Requirements for Principal Uses in Base
- 19 Zoning Districts.
- 20
- 21 ii. Table 2. Building Dimension Standards for Principal Uses in Base
- 22 Zoning Districts, excluding building height and in the case of
- 23 commercial parcels, no deviation shall be granted, for new
- 24 development, from the required 50-foot building setback when
- 25 abutting residentially zoned properties, or from the minimum 10-foot
- 26 wide landscaped strip between the abutting road right-of-way and
- 27 the off-street parking area for new development, but deviations from
- 28 these requirements may be considered in the case of
- 29 redevelopment where existing structures and/or encroachments
- 30 are proposed to remain;
- 31
- 32 iii. Table 2.1 - Table Of Minimum Yard Requirements (Setbacks) for
- 33 Base Zoning Districts.
- 34
- 35 f. LDC section 4.02.02 Dimensional Standards for Conditional Uses and
- 36 Accessory Uses in Base Zoning Districts, limited to subsection E, except
- 37 building height.
- 38
- 39 g. LDC section 4.02.03 Specific Standards for Location of Accessory
- 40 Buildings and Structures, Dimensional Standards, except that in the case
- 41 of new development on commercial parcels, no deviation shall be granted
- 42 from the required 50-foot building setback when abutting residentially
- 43 zoned properties, or from the minimum 10-foot wide landscaped strip
- 44 between the abutting road right-of-way and the off-street parking area.
- 45 Deviations from these requirements may be considered in the case of
- 46 redevelopment where existing structures and/or encroachments are
- 47 proposed to remain.
- 48
- 49 h. LDC section 4.02.03 B. Accessory Building Lot Coverage.
- 50

- 1 i. LDC section 4.02.27 D. Specific Design Standards for the Immokalee—
- 2 State Road 29A Commercial Overlay Subdistrict, Building Design
- 3 Standards.
- 4
- 5 j. LDC section 4.02.27 E. Same—Jefferson Avenue Commercial Overlay
- 6 Subdistrict, Building Design Standards.
- 7
- 8 k. LDC section 4.02.27 G. Same—Agribusiness/Farm Market Overlay
- 9 Subdistrict, Dimensional Standards.
- 10
- 11 l. LDC section 4.02.27 C. Same—Main Street Overlay Subdistrict, limited to
- 12 the following subsections: A.; C.1; D.3 and D.4; and E.1, E.2, and E.3.
- 13
- 14 m. LDC section 4.05.04 G. (Spaces Required) Table 17 and 4.05.06 B
- 15 Loading Space Requirements, utilizing the existing administrative deviation
- 16 process set forth in LDC Section 4.05.04 F.4., recognizing that the reduced
- 17 need for off-street parking in Immokalee may be offered as a viable basis
- 18 for such administrative deviation.
- 19
- 20 n. LDC section 4.02.27 B.4 Buffer Requirements (limited to required width)
- 21 except that in the case of new development on commercial parcels, no
- 22 deviation shall be granted from the required 50-foot building setback when
- 23 abutting residentially zoned properties, or from the minimum 10-foot-wide
- 24 landscaped strip between the abutting road right-of-way and the off-street
- 25 parking area. Deviations from these requirements may be considered in
- 26 the case of redevelopment where existing structures and/or
- 27 encroachments are proposed to remain.
- 28
- 29 o. LDC section 4.02.27 B.4.e Landscaping Requirements for Vehicular Use
- 30 Areas and Rights-of-Way, Standards for Landscaping in Vehicular Use
- 31 Areas.
- 32
- 33 p. LDC section 4.06.05 B. General Landscaping Requirements, Landscaping
- 34 requirements for industrial and commercial development, limited to
- 35 subsection B.3.
- 36
- 37 q. LDC section 4.02.27 B.4.f. General Landscaping Requirements, Building
- 38 Foundation Planting Requirements.
- 39
- 40 r. LDC section 4.02.27 B.2. Architectural and Site Design Standards, Building
- 41 Design Standards. Deviations from non-dimensional provisions of this
- 42 Section are also allowed as substantial deviations.
- 43
- 44 s. LDC section 4.02.27 B.3. Design Standards for Specific Uses. Deviations
- 45 from non-dimensional provisions of this section are also allowed as
- 46 substantial deviations.
- 47
- 48 t. LDC section 4.02.27 B.3. Architectural and Site Design Standards, Site
- 49 Design Standards, limited to subsections a, b, c. Deviations from non-
- 50 dimensional provisions of this section are also allowed as substantial

1 deviations. Note: Nothing in LDC section 5.05.08, Architectural and Site
2 Design Standards, shall be deemed to prohibit the use of murals on exterior
3 walls of commercial buildings in the Immokalee Urban Overlay District,
4 provided that: 1) such murals are reviewed and accepted by the Collier
5 County Redevelopment Agency staff; and 2) such murals do not contain
6 text for the purpose of advertising any business or commercial activity.

7
8 u. LDC section 5.06.04 Development Standards for Signs in Nonresidential
9 Districts, limited to subsection F.

10
11 6. Public notice. Public notice, including signage, notice to property owners and an
12 advertised public hearing, is required for substantial deviation requests, and shall
13 be provided in accordance with the applicable provisions of section 10.03.05 B, for
14 Variances.

15
16 7. Appeals. Within 30 days of the issuance of the decision of staff or of the CCPC,
17 the owner or any aggrieved person may appeal the decision to the Board of Zoning
18 Appeals pursuant to section No. 250-58 of the Codes of Laws and Ordinances.

19
20 ~~A. Access points to SR-29 shall comply with Florida State Department of Transportation~~
21 ~~(FDOT) permitting regulations. Parcels that have 440-foot or less of street frontage shall~~
22 ~~provide access off existing adjacent roadways, when possible, and should not directly~~
23 ~~access SR-29.~~

24
25 ~~B. Owners of lots or combinations of lots having less than the required street frontage may~~
26 ~~petition the Board of Zoning Appeals for a variance from the standard in this subdistrict as~~
27 ~~will not be contrary to the public interest when owing to special conditions peculiar to the~~
28 ~~property, a literal enforcement of these standards would result in unnecessary and undue~~
29 ~~hardship.~~

30
31 ~~C. Building design standards:~~

32
33 ~~1. Buildings shall be set back from SR-29 a minimum of twenty five (25) feet and from~~
34 ~~the rear lot line a minimum of twenty five (25) feet.~~

35
36 ~~2. Projects with a total building square footage of less than or equal to 5,000 square~~
37 ~~feet shall provide a ten (10) foot Type A landscape buffer as described in section~~
38 ~~4.06.00 between vehicular rights-of-way with required sidewalks and adjacent~~
39 ~~residential development. adjacent commercial projects shall provide coordinated~~
40 ~~landscape plans.~~

41
42 ~~3. Projects with a total building square footage of less than or equal to 5,000 square~~
43 ~~feet shall provide an area equal to a minimum of two and one-half (2½) percent of~~
44 ~~the total interior vehicular use area which shall be landscaped to provide visual~~
45 ~~relief.~~

46
47 ~~4. Projects with a total building square footage exceeding 5,000 square feet shall~~
48 ~~provide landscape buffering in accordance with section 4.06.00 of this LDC.~~

49
50 ~~5. Buildings shall have a maximum height of fifty (50) feet.~~

- 1
- 2 ~~D. Transportation.~~
- 3
- 4 ~~1. Shared parking arrangements between adjoining developments shall be~~
- 5 ~~encouraged.~~
- 6
- 7 ~~2. Deceleration and acceleration lanes shall be consistent with the ROW Permitting~~
- 8 ~~and Inspection Handbook and subject to FDOT approval where applicable.~~
- 9
- 10 ~~3. Pedestrian traffic shall be encouraged by providing sidewalks. The location of~~
- 11 ~~these sidewalks shall be coordinated with adjacent projects.~~
- 12

13 **4.02.28 – Reserved Specific Design Standards for the Immokalee Jefferson Avenue**

14 **Commercial Overlay Subdistrict**

- 15
- 16 ~~A. Building design standards.~~
- 17
- 18 ~~1. Projects with a total building square footage of less than or equal to 5,000 square~~
- 19 ~~feet shall provide a ten (10) foot Type A landscape buffer as identified in section~~
- 20 ~~4.06.00 of this LDC on Jefferson Avenue.~~
- 21
- 22 ~~2. Projects with a total building square footage exceeding 5,000 square feet shall~~
- 23 ~~provide landscape buffering in accordance with section 4.06.00 of this LDC.~~
- 24
- 25 ~~3. Commercial buildings shall be set back from Jefferson Avenue a minimum of~~
- 26 ~~twenty-five (25) feet.~~
- 27
- 28 ~~4. Commercial building shall have a maximum height of fifty (50) feet excluding ten~~
- 29 ~~(10) feet for under building parking.~~
- 30

- 31 ~~B. Transportation.~~
- 32
- 33 ~~1. Access points for future commercial development shall be limited to a maximum~~
- 34 ~~one (1) per 150 feet of street frontage. Properties with less than the required street~~
- 35 ~~frontage, shall be encouraged, and may be required as a condition of site~~
- 36 ~~development plan approval, to utilize shared access points with adjoining~~
- 37 ~~commercial development.~~
- 38
- 39 ~~2. Owners of lots or combination of lots having less than the 150-foot of required~~
- 40 ~~frontage may petition the Board of Zoning Appeals for a variance from the standard~~
- 41 ~~in this subdistrict as will not be contrary to the public interest when owing to special~~
- 42 ~~conditions peculiar to the property, a literal enforcement of these standards would~~
- 43 ~~result in unnecessary and undue hardship.~~
- 44
- 45 ~~3. Provisions for shared parking arrangements with adjoining developments shall be~~
- 46 ~~encouraged.~~
- 47

48 **4.02.29 – Reserved Specific Design Standards for the Immokalee Farm Market Overlay**

49 **Subdistrict**

50

1 ~~A. Dimensional standards shall be as required for the C-5 zoning district except that the~~
2 ~~minimum floor area shall be 500 square feet gross floor area for permitted principal~~
3 ~~agricultural structures.~~

4
5 ~~B. The following uses, as identified in the Standard Industrial Classification Manual (1987),~~
6 ~~are exempt from the provisions set forth in section 5.05.08, Architectural and Site Design~~
7 ~~Standards for Commercial buildings and Projects.~~

8
9 ~~1. Agricultural Services (0723)~~

10
11 ~~2. Wholesale Trade (5148)~~

12
13 ~~3. Agricultural Outdoor Sales~~

14
15 **4.02.30 – Reserved ~~Specific Design Standards for the Immokalee Agribusiness Overlay~~**
16 **~~Subdistrict~~**

17
18 ~~The following uses, as identified in the Standard Industrial Classification Manual (1987),~~
19 ~~are exempt from the provisions set forth in section 5.05.08. of the Architectural and Site Design~~
20 ~~Standards for Commercial buildings and Projects: Agricultural Services (0723) and Wholesale~~
21 ~~Trade (5148).~~

22
23 **4.02.31 – Reserved ~~Specific Design Standards for the Immokalee Central Business~~**
24 **~~Overlay Subdistrict~~**

25
26 ~~Parking within the Immokalee Central Business Subdistrict shall meet the following~~
27 ~~standards:~~

28
29 ~~A. Lots, parcels, or uses which have frontage on West Main Street (SR 29) or First Street~~
30 ~~(CR 846) shall comprise the primary areas.~~

31
32 ~~1. Uses in existence as of the effective date of this LDC are exempt from the minimum~~
33 ~~parking requirements as set forth in section 4.05.00 except that existing uses shall~~
34 ~~not reduce the number of spaces below that which is provided as of the effective~~
35 ~~date of this LDC.~~

36
37 ~~2. The expansion of any use shall require parking at fifty (50) percent of the minimum~~
38 ~~requirement as set forth in section 4.05.00 for the expansion only.~~

39
40 ~~3. A change of any use shall be exempt from the minimum parking requirements as~~
41 ~~set forth in section 4.05.00 up to an intensity level of one (1) parking space per 100~~
42 ~~square feet. A change of use to an intensity of greater than one (1) space per 100~~
43 ~~square feet shall require parking at one (1) parking space per 150 square feet.~~

44
45 ~~4. Any use in a building constructed after the effective date of this LDC will be~~
46 ~~required to provide parking at fifty (50) percent of the minimum requirement as set~~
47 ~~forth in section 4.05.00.B.Lots, parcels, or uses which do not have frontage on~~
48 ~~Main street or First street shall comprise the secondary area.1.Uses in existence~~
49 ~~as of the effective date of this LDC are exempt from the minimum parking~~
50 ~~requirements as set forth in section 4.05.00 except that existing uses shall not~~

1 ~~reduce the number of spaces below that which is provided as of the effective date~~
 2 ~~of this LDC.2.The expansion of any use shall require an addition to any parking of~~
 3 ~~the minimum number of required spaces as set forth under section 4.05.00, for the~~
 4 ~~expansion only.3.A change of any use shall be exempt from the minimum parking~~
 5 ~~requirements as set forth in section 4.05.00 up to an intensity level of one (1)~~
 6 ~~parking space per 100 square feet. A change of use to an intensity greater than~~
 7 ~~one (1) parking space per 100 square feet shall require parking at fifty (50) percent~~
 8 ~~of the minimum requirement as set forth under section 4.05.00. No change in use~~
 9 ~~shall allow for a reduction of the current number of parking spaces provided.4.Any~~
 10 ~~use in a building constructed after the effective date of this LDC will be required to~~
 11 ~~provide parking at sixty-seven (67) percent of the minimum requirement as set~~
 12 ~~forth in section 4.05.00.~~

14 ~~C. In no way shall the provisions of the Immokalee central business subdistrict (ICBSD) be~~
 15 ~~construed so as to prevent establishments within the boundaries from taking advantage~~
 16 ~~of off-site parking arrangements as set forth in section 4.05.00. Furthermore, the maximum~~
 17 ~~distances set forth in section 4.05.00 shall be increased to 600 feet within the boundaries~~
 18 ~~of the ICBSD, Properties within the ICBSD entering into off-site parking agreements with~~
 19 ~~properties outside the ICBSD may utilize the 600-foot rule.~~

21 **4.02.32 – Reserved ~~Specific Design Standards for the Immokalee—Main Street Overlay~~**
 22 **~~Subdistrict~~**

24 ~~A. Dimensional Standards:~~

- 26 ~~1. Front yard. Ten (10) feet except in the event of an awning, arcade or colonnade~~
 27 ~~which may extend up to seven (7) feet into the required yard.~~
- 29 ~~2. Side yard. Zero (0) in the event a wall is contiguous to another wall on an adjacent~~
 30 ~~property, otherwise ten (10) feet.~~
- 32 ~~3. Rear yard. Five (5) feet.~~
- 34 ~~4. Rear yard abutting residential. Twenty (20) feet.~~
- 36 ~~5. Structures shall be no more than thirty-five (35) feet in height, except that~~
 37 ~~hotel/motel uses shall be no more than fifty (50) feet in height.~~

39 ~~B. Minimum off-street parking and off-street loading. As permitted by section 4.02.31.~~
 40 ~~standards for parking within the Immokalee Central Business district, and as set forth~~
 41 ~~below:~~

- 43 ~~1. Outdoor cafe areas, shall be exempt from parking calculations.~~
- 45 ~~2. All properties within the Main Street Overlay subdistrict, having frontage on Main~~
 46 ~~Street, First Street or Ninth Street are required, by this subdistrict to locate all~~
 47 ~~parking areas in the rear yard and/or in side yards.~~

49 ~~C. Signs.~~

1 ~~1. Projecting signs are permitted in addition to permitted signs provided such signs~~
2 ~~do not exceed six (6) square feet in size and are elevated to a minimum of eight~~
3 ~~(8) feet above any pedestrian way.~~

4
5 ~~2. Sandwich boards are permitted, one (1) per eating establishment, not to exceed~~
6 ~~six (6) square feet in size and shall only be displayed during business hours.~~

7
8 ~~D. Development shall be subject to the provisions of section 5.05.08, Architectural and site~~
9 ~~design standards for commercial buildings and projects, except as set forth below:~~

10
11 ~~1. Properties having frontage on Main Street or First Street or Ninth Street are~~
12 ~~required to locate their primary business entrance on that street. Parcels fronting~~
13 ~~both Main Street and First Street or both Main Street and Ninth Street are required~~
14 ~~to locate their primary business entrance on Main Street.~~

15
16 ~~2. Reflective or darkly tinted glass is prohibited on ground floor windows.~~

17
18 ~~3. Properties with less than fifty (50) feet of road frontage shall only require a~~
19 ~~minimum of one (1) roof change.~~

20
21 ~~4. Commercial projects 5,000 square feet in size or less shall only require a minimum~~
22 ~~of two (2) design features, as described within section 5.05.08 of this LDC.~~

23
24 ~~5. To encourage redevelopment within the Main Street Overlay subdistrict, for~~
25 ~~proposed redevelopment of existing projects that do not increase impervious~~
26 ~~surface area and whose total building area is less than or equal to 5,000 square~~
27 ~~feet in size, the applicant shall be exempt from section 4.06.00 of the landscaping~~
28 ~~and buffering provisions, requiring the seal of a landscape architect and shall also~~
29 ~~be exempt from section 5.05.08., Architectural and Site Design Standards and~~
30 ~~Guidelines for Commercial buildings and Projects, requiring the seal of an~~
31 ~~architect.6. The minimum commercial design criteria, as set forth above, shall be~~
32 ~~applicable to projects with a total building square footage of less than or equal to~~
33 ~~5,000 square feet.~~

34
35 ~~E. To encourage redevelopment, the following landscape criteria shall apply to all~~
36 ~~commercially zoned properties and those residential properties with permitted commercial~~
37 ~~uses, except where otherwise prohibited by this subdistrict. The following landscape~~
38 ~~buffering criteria shall be applicable to projects with a total building square footage of less~~
39 ~~than or equal to 5,000 square feet:~~

40
41 ~~1. Properties adjacent to residentially zoned lots/parcels shall provide a minimum ten~~
42 ~~(10) foot wide landscape buffer, six (6) foot high hedge or wall (four (4) feet at~~
43 ~~planting; six (6) feet within one (1) year) with trees spaced no more than twenty~~
44 ~~(25) feet on center;~~

45
46 ~~2. Properties adjacent to commercially zoned lots/parcels shall provide a minimum~~
47 ~~five (5) foot wide landscape buffer with a single row hedge and trees spaced no~~
48 ~~more than thirty (30) feet on center. The hedge shall at a minimum consist of three~~
49 ~~(3) gallon plants, two (2) feet in height spaced a minimum of three (3) feet on center~~
50 ~~at planting.~~

- 1
- 2
- 3 ~~3. A minimum five (5) foot buffer, with at least two (2) trees per lot/parcel or one (1) tree per forty (40) linear feet whichever is greater, shall be required adjacent to all rights-of-way;~~
- 4
- 5
- 6 ~~4. Lots/parcels that are unable to meet the above minimum landscape criteria, shall be required to provide landscape planters and/or flower boxes for each such property, as recommended by the County Manager or designee.~~
- 7
- 8
- 9

10 **4.02.33 – Reserved ~~Specific Design Standards for New Mobile Home Lots in the Immokalee Urban Overlay Subdistrict~~**

11

12

13 The purpose of this section is to provide relief from the dimensional standards established in LDC section 4.02.01 for new mobile home lots approved through an existing conditions site improvement plan or amendments thereof within the Nonconforming Mobile Home Site Overlay Subdistrict, as established in LDC section 2.03.07 G.6. This section shall not apply to the replacement of mobile home units identified on lots established by an existing conditions site improvement plan.

14

15

16

17

18

19

20 A. ~~Dimensional standards.~~

21

22 ~~Table 15. Dimensional standards for the Nonconforming Mobile Home Site Overlay Subdistrict~~

23

Design Standard	
Minimum lot requirements	
Single wide units	2,400 square feet
Double wide units	3,500 square feet
Minimum lot width	
Single wide units	35 feet
Double wide units	45 feet
Minimum setback requirements	
Interior roads	
Front yard	10 feet
Side yard	5 feet
Rear yard	8 feet
Public road frontages	20 feet
Minimum separation between structures	10 feet
Minimum floor area for replacement units	320 square feet

24

25 B. ~~A dumpster or enclosure for individual containers is required in accordance with section 5.03.04. of this LDC. No dumpster shall be located closer than fifteen (15) feet from any public street.~~

26

27

28

29 C. ~~Private roads leading to and serving the mobile home park or mobile home lots must be improved and maintained, and shall consist of a dust free surface with a minimum width of twenty (20) feet. The dust free surface may consist of aggregate material treated with oil based material that will bind the aggregate material into a form of macadam road finish. A drainage ditch capable of storing the first one inch of rainfall shall be incorporated into the right of way design cross section, exclusive of the required twenty (20) feet. Drainage shall be directed to a public road via the private road and/or easement conveyance, unless~~

~~it can be proved that the on-site percolation rates exceed the on-site retention requirement.~~

#

5.03.02 - Fences and Walls, Excluding Sound Walls

* * * * * * * * * * * * * *

G. Supplemental Standards.

1. Fences on sites with structures which are subject to LDC section 5.05.08 Architectural & Site Design Standards, except for residential properties located in the IUAOD, must comply with the following additional standards:

a. Chain link (including wire mesh) and wood fences are prohibited forward of the primary façade and shall be a minimum of 100 feet from a public right-of-way. If these types of fences face a public or private street then they shall be screened with an irrigated hedge planted directly in front of the fence on the street side. Plant material shall be a minimum of 3 gallons in size and planted no more than 3 feet on center at time of installation. This plant material must be maintained at no less than three-quarters of the height of the adjacent fence.

b. Fences forward of the primary façade, excluding chain link, wire mesh and wood are permitted under the following conditions:

- i. Fences shall not exceed 4 feet in height.
- ii. The fence provides either an open view at a minimum of 25 percent of its length or provides variation in its height for a minimum of 15 percent of its length with a deviation of at least 12 inches.
- iii. The fence style must complement building style through material, color and design.

2. Use of chain link or wire mesh fencing (the requirements of this section are not applicable to single family dwellings):

a. If located adjacent to an arterial or collector road in the urban coastal area, the fence shall be placed no closer than three feet to the edge of the right-of-way or property line.

b. Except when located in the IUAOD, ~~the~~ fence shall be screened by an irrigated, living plant hedge at least thirty (30) inches in height at planting and spaced a distance apart that will achieve opacity of 80 percent sight-obscuring screen within one year of planting.

c. Residential properties within the IUAOD shall allow coated chain link fences (black or green) which shall not exceed four feet in height.

Exhibit A – List of LDC Amendments

Ord. 1982-29
Ord. 1982-32
Ord. 1991-12
Ord. 1991-72
Ord. 1995-58
Ord. 1997-26
Ord. 1998-63
Ord. 2000-08
Ord. 2000-92
Ord. 2001-34
Ord. 2002-03
Ord. 2002-31
Ord. 2004-72
Ord. 2008-63
Ord. 2010-23
Ord. 2015-44
Ord. 2016-27
Ord. 2019-35
Ord. 2022-04