

RECEIVED

SEP 22 PM 2:33

AN ORDINANCE AMENDING ORDINANCE 82-2, THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA, BY AMENDING SECTION 7.22, C-3 COMMERCIAL INTERMEDIATE, SUBSECTION 7.22 b.1)(m) PERMITTED PROVISIONAL USES AND STRUCTURES, TO INCLUDE NIGHT CLUBS AS A PROVISIONAL USE; SECTION 7.23, C-4 COMMERCIAL GENERAL, SUBSECTION 7.23 b.1)(m) PERMITTED PRINCIPAL USES AND STRUCTURES AND SECTION 7.24, C-5 COMMERCIAL INDUSTRIAL DISTRICT, SUBSECTION 7.24 b.1)(m) PERMITTED PRINCIPAL USES AND STRUCTURES TO INCLUDE NIGHT CLUBS AS A PERMITTED PRINCIPAL USE; AMENDING SECTION 20, DEFINITIONS, CLUB, NIGHT, TO CLARIFY MEANING OF NIGHT CLUB; AND BY PROVIDING AN EFFECTIVE DATE:

WHEREAS, Ordinance 82-2, the Comprehensive Zoning Regulations for the Unincorporated Area of Collier County defines night clubs as "a restaurant, dining room, bar, or other similar establishment, providing food or refreshments, wherein paid floor shows or other forms of paid entertainment are provided for customers as a part of the commercial enterprise"; and

WHEREAS, the definition of night club needs clarification; and

WHEREAS, night clubs are defined by the Zoning Ordinance but not listed as a use in any district; and

WHEREAS, night clubs as a use should be permitted in the appropriate zoning district as a principal or provisional use; and

WHEREAS, the C-3, Commercial Intermediate district permits uses of similar character as a night club as a provisional use which provides for a use that would not be appropriate generally or without restriction throughout a particular zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare; and

WHEREAS, the C-4, Commercial General, and the C-5, Commercial Industrial, districts permit uses of similar character as a night club such as restaurants and cocktail lounges;

NOW, THEREFORE BE IT ORDAINED by the Board of County Commissioners of Collier County, Florida:

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SECRETARY OF STATE

SEP 18 3 20 PM '86

FILED

SECTION ONE:

Collier County Ordinance 82-2, Section 7.22, C-3 Commercial Intermediate, Subsection 7.22 b.3)(f) Permitted Provisional Uses and Structures, shall be amended as follows:

- 3) Permitted Provisional Uses and Structures
 - (a) Indoor recreational uses.
 - (b) Commercial schools.
 - (c) Motion picture theatres.
 - (d) Uses over 50 feet in height with a maximum height of 100 feet.
 - (e) Radio stations (offices and studios) and auxiliary transmitters and receiving equipment, but not principal transmission tower.
 - (f) Night Clubs (See Section 8.11).

SECTION TWO:

Collier County Ordinance 82-2, Section 7.23, C-4 Commercial General Subsection 7.23 b.1)(m) shall be amended as follows:

- (m) New car dealership - outside display permitted, news stores, night clubs. (See Section 8.11).

SECTION THREE:

Collier County Ordinance 82-2, Section 7.24, C-5 Commercial Industrial District, Subsection 7.24 b.1)(m) shall be amended as follows:

- (m) New car dealerships - outside display permitted; news stores; night clubs. (See Section 8.11).

SECTION FOUR:

Collier County Ordinance 82-2, Section 20, Definitions, Club, Night, shall be amended as follows:

Club, Night: A restaurant, dining room, discotheque, bar or other similar establishment providing food or refreshments, wherein ~~paid floor-shows-or-other-form-of-paid~~ entertainment and/or live music such as bands, floor shows or similar forms of entertainment are provided for customers as a part of and attraction to the commercial enterprise.

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WORDS UNDERLINED ARE ADDITIONS; WORDS ~~STRUCK-THROUGH~~ ARE DELETIONS

SECTION FIVE:

This Ordinance shall become effective upon receipt of notice that it has been filed by the Office of the Secretary of State.

DATE: September 9, 1986

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

ATTEST:
JAMES C. GILES, CLERK

BY: John A. Pistor
JOHN A. PISTOR, CHAIRMAN

By Virginia Magri, D.C.
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:
Kenneth B. Cuyler
KENNETH B. CUYLER
COLLIER COUNTY ATTORNEY

This ordinance filed with the Secretary of State's Office the 16th day of Sept, 1986 and acknowledgement of that filing received this 22nd day of Sept 1986
By Debrae Chavis
Deputy Clerk

20-86-9C Ordinance Amendment

STATE OF FLORIDA)
COUNTY OF COLLIER)

I, JAMES C. GILES, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true original of:

ORDINANCE NO. 86-60

that was adopted by the Board of County Commissioners during a Regular Session on the 9th day of September, 1986.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 16th day of September, 1986.

JAMES C. GILES
Clerk of Courts and Clerk
Ex-officio to the Board of
County Commissioners

By: Virginia Magri
Virginia Magri, Deputy Clerk

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WORDS UNDERLINED ARE ADDITIONS; WORDS STRUCK-THROUGH ARE DELETIONS