

ORDINANCE 88- 70

AN ORDINANCE AMENDING ORDINANCE NO. 82-2, THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY BY ADDING A NEW ZONING DISTRICT ENTITLED THE C-6, COMMERCIAL PROFESSIONAL INFILL DISTRICT AS SECTION 7.24.1; AND AMENDING SECTION 7., SCHEDULE OF DISTRICT REGULATIONS, BY ADDING THE C-6 DISTRICT TO SECTION 7.2, DISTRICTS; AMENDING SECTION 7.3, DEFINITIONS OF GROUPINGS OF VARIOUS DISTRICTS, BY ADDING THE C-6 DISTRICT TO SUBSECTION 7.3(c); AMENDING SECTION 8.31, SIGNS, BY ADDING THE C-6 DISTRICT TO SUBSECTION 8.31 f.4); AMENDING SECTION 8.40, INTEGRAL CARETAKER'S RESIDENCE IN COMMERCIAL AND INDUSTRIAL DISTRICTS, BY ADDING THE C-6 DISTRICT AND BY PROVIDING AN EFFECTIVE DATE.

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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COLLIER COUNTY

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

SECTION ONE:

Section 7, Subsection 7.2, Districts, of Ordinance No. 82-2, the Zoning Ordinance of Collier County, Florida is hereby amended to read as follows:

7.2 Districts. Districts as shown on the Official Schedule of District Regulations and as delineated on the Official Zoning Atlas, are as follows with titles and abbreviations for symbol purposes as indicated:

- CC Golf Course District
- RO Recreation and Open Space District
- A-1 Agriculture District
- A-2 Rural Agriculture District
- E Estates District
- RSF-1 Residential Single-Family District
- RSF-2 Residential Single-Family District
- RSF-3 Residential Single-Family District
- RSF-4 Residential Single-Family District
- RSF-5 Residential Single-Family District
- RMF-6 Residential Multiple-Family District
- RMF-12 Residential Multiple-Family District
- RMF-16 Residential Multiple-Family District
- RT Residential Tourist District
- VR Village Residential District
- MHSD Mobile Home Subdivision District
- MHRP Mobile Home Rental Park District
- TTRVC Travel Trailer-Recreational Vehicle Campground District
- C-1 Commercial Professional District
- C-2 Commercial Convenience District
- C-3 Commercial Intermediate District
- C-4 Commercial General District
- C-5 Commercial Industrial District
- C-6 Commercial Professional Infill District
- IL Industrial, Light District
- I Industrial District
- PUD Planned Unit Development District

SECTION TWO:

Section 7, Subsection 7.3(c), Definitions of Groupings of Various Districts, of Ordinance No. 82-2, is hereby amended to read as follows:

7.3 Definitions of Groupings of Various Districts:

- a. Where the phrases "agricultural districts", "zoned agricultural", "agriculturally zoned", "agricultural zoning", "rural zoning" or phraseology of similar intent, are used in this zoning ordinance, the phrases shall be construed to include: A-1, A-2, and E.
- b. Where the phrases "all residential districts", "residential districts", "zoned residentially", or "residentially zoned", or phraseology of similar intent, are used in this Zoning Ordinance, the phrases shall be construed to include the following districts: RSF-1, RSF-3, RSF-4, RSF-5, RMF-6, RMF-12, RMF-16, RT, MHRP and MHSD.
- c. Where the phrases "commercial districts", "zoned commercially", "commercially zoned", "commercial zoning", or phraseology of similar intent, are used in this Zoning Ordinance, the phrases shall be constructed to include: C-1, C-2, C-3, C-4, C-5, C-6, and TRVC.
- d. Where the phrases "industrial districts", "zoned industrially", "industrially zoned", "industrial zoning", or phraseology of similar intent, are used in this Zoning Ordinance, the phrases shall be construed to include: C-5, IL and I.

SECTION THREE:

Section 7, Subsection 7.24 of Ordinance No. 82-2, the Zoning Ordinance of Collier County, Florida is hereby amended by adding a new Subsection 7.24.1, C-6, Commercial Professional Infill District to read as follows:

7.24.1, C-6, Commercial Professional Infill District

- a. District Purpose: The provisions of this district are intended to provide an alternative to retail commercial uses in the Urban area as designated on The Comprehensive Plan's Future Land Use Map, and will function as an appropriate transitional use between areas of higher and lower intensity development that are no longer suitable or appropriate as residential land uses. The C-6 Commercial Professional Infill District is intended to permit those uses which minimize pedestrian and vehicular traffic, provide suitable landscaping, control ingress and egress, and are generally compatible with abutting residential districts by providing low profile, office development and other similar lower intensity uses.
- b. Uses and Structures: No building or structure, or part thereof shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:
 - 1) Permitted Principal Uses and Structures:
 - (a) Art, graphic and design studios.
 - (b) Business and real estate offices .
 - (c) Mortgage brokers.
 - (d) Professional offices.

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(e) Any other professional or commercial use which is comparable in nature with the foregoing uses and which the Zoning Director determines to be compatible in this district.

2) Permitted Accessory Uses and Structures:

(a) Accessory uses and structures customarily associated with uses permitted in this district.

(b) Caretaker's residence (See Section 8.40).

3) Permitted Provisional Uses and Structures

(a) Child care centers.

(b) Churches and other places of worship, civic and cultural facilities, fraternal and social clubs.

(c) Funeral homes.

(d) Rest homes, homes for the aged, adult foster homes, and rehabilitation centers.

(e) Veterinary Clinics (no outside kenneling).

4) Prohibited Uses and Structures: Any use or structure not specifically, or by reasonable implication permitted herein:

(a) Mobile homes or mobile offices, except as provided for in Section 10.6.

(b) Retail and wholesale land uses.

c. Development Standards:

1) Any permitted principal uses or structures, when taken in combination, shall not generate vehicular traffic in excess of ten percent of the annual average daily level of service "C" capacity on abutting streets. On parcels with frontage on more than one street, the roadway with the largest capacity will be used for traffic counts.

2) Minimum Lot Area: Seventy-five hundred (7,500) square feet

3) Minimum Lot Width: Seventy-five (75) feet (supersedes Section 14.13a. frontage requirement).

4) Minimum Yard Requirements:

(a) Front Yard - Twenty-five (25) feet

(b) Side Yard - Fifteen (15) feet

(c) Rear Yard - Twenty-five (25) feet

5) Minimum Lot Area That Can Be Rezoned: Twenty thousand (20,000) square feet (supersedes Section 14.13a. square footage requirement).

6) Maximum Height of Structures: Twenty-five (25) feet plus ten (10) feet for under building parking.

7) Minimum Floor Area of Principal Structure: One thousand (1,000) square feet per building on ground floor.

8) Minimum Distance Between Structures: Twenty (20) feet or 1/2 the sum of the height of the two structures, whichever is greater.

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- 9) Signs: As permitted in Section 8.31.
- 10) Minimum Off-Street Parking and Off-Street Loading Requirements: As required in Section 8.
- 11) Minimum Landscaping Requirements: As required in Section 8.30.
- 12) Required Landscape Buffer Area: When abutting residentially zoned districts, a ten (10) foot landscape buffer meeting the minimum standards of Section 8.37 a-d which may be increased through the Site Development Plan process based on surrounding conditions of the property.
- 13) Site Development Plan Approval: All uses are subject to Site Development Plan approval as per Section 10.5.

SECTION FOUR:

Section 8, Subsection 8.31, Signs, of Ordinance No. 82-2 is hereby amended by adding the C-6 District to the title of Subsection 8.31(f)4 to read as follows:

Signs in the C-1, C-3, and C-4 and C-6 Districts.

SECTION FIVE:

Section 8, Subsection 8.40, Integral Caretaker's Residence in Commercial and Industrial Districts, of Ordinance No. 82-2 is hereby amended to read as follows:

8.40 Integral Caretaker's Residence in Commercial and Industrial Districts. The Zoning Director may authorize the construction of a caretaker's residence in the C-1, C-2, C-3, C-4, C-5, C-6, IL and I Districts subject to the following:

- a. The residence shall be constructed as an integral part of the principal structure and shall be entered from within the principal structure. Exits required to comply with fire code shall be permitted.
- b. The caretaker's residence shall be an accessory use and shall be for the exclusive use of the property owner, tenant, or designated employee operating or maintaining the principal structure.
- c. Off-street parking shall be as for a single family residence in accordance with Section 8.

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- d. Any other requirement which the Zoning Director determines necessary and appropriate to the case.

SECTION SIX:

In the event this Ordinance conflicts with any other ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion.

SECTION SEVEN:

This Ordinance shall become effective upon receipt of notice from the Secretary of State that this Ordinance has been filed with the Secretary of State.


PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this 13th day of September, 1988.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

ATTEST:
JAMES C. GILES, CLERK

BY: Burt L. Saunders
BURT L. SAUNDERS, CHAIRMAN

Ray Benjamin Maggi
Deputy Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Marjorie M. Student
MARJORIE M. STUDENT
ASSISTANT COLLIER COUNTY ATTORNEY

This ordinance filed with the Secretary of State's Office the 13th day of Sept, 1988 and acknowledgment of that filing received the 23rd day of Sept, 1988
James Charles
Deputy Clerk

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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 copy of:

Ordinance No. 88-70

which was adopted by the Board of County Commissioners on the 13th day of September, 1988, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 13th day of September, 1988.

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

Virginia Magri
By: Virginia Magri
Deputy Clerk

