

AN ORDINANCE AMENDING ORDINANCE NUMBER 82-2, THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY BY ADDING SECTION 8.23 A. "THE IMMOKALEE CENTRAL BUSINESS DISTRICT: STANDARDS FOR REQUIRED PARKING WITHIN DISTRICT BOUNDARIES"; AND BY ESTABLISHING THE LIMITS OF THE CENTRAL BUSINESS DISTRICT THROUGH THE ADOPTION OF THE ZONING MAP WHICH DESIGNATES THE BOUNDARIES, BY PROVIDING FOR CONFLICT AND SEVERABILITY; AND BY PROVIDING AN EFFECTIVE DATE.

FILED
FEB 8 4 02 PM '82
SECRETARY OF STATE

WHEREAS, on JANUARY 5, 1982, the Board of County Commissioners approved Ordinance Number 82-2, which established the Comprehensive Zoning Regulations for Unincorporated Collier County; and

WHEREAS, Community Development Services Division, petitioned the Board of County Commissioners of Collier County, Florida, to amend Ordinance Number 82-2 by adding Section 8.23 A "The Immokalee Central District: Standards for required parking within District Boundaries", and by establishing the limits of the Central Business District through adoption of the zoning map which designates the boundaries and made a part of this ordinance as Addendum A;

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

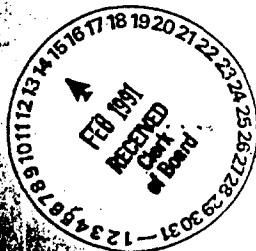
SECTION ONE: Amendments to Section 8, Supplementary District Regulations, Subsection 8.23, Off-Street Parking: Required Amounts, of Ordinance 82-2, as amended.

Section 8, Supplementary District Regulations, Subsection 8.23 A., Immokalee Central Business District: Standards for Required Parking Within District Boundaries, of Ordinance 82-2, the Zoning Ordinance of Collier County, Florida is hereby amended to read as follows:

A. The Immokalee Central Business District:
Standards for parking within District boundaries.

1. Primary Area: Lots, parcels, or uses which have frontage on West Main Street (S.R. 29) or First Street (C.R. 846).

a. Existing Uses: Uses in existence as of the effective date of this ordinance are exempt from the minimum parking requirement as set forth in Section 8.23, except that existing uses shall not reduce the number of spaces



Words-struck-through are deleted; words underlined are added.

below that which is provided as of the effective date of this ordinance.

- b. Expansion: The expansion of any use shall require parking at 50% of the minimum requirement as set forth in Section 8.23, for the expansion only.
- c. Change in Existing Use: A change of any use shall be exempt from the minimum parking requirements as set forth in Section 8.23 up to an intensity level of one (1) parking space per 100 square feet. A change of use to an intensity of greater than one (1) space per 100 square feet shall require parking at one (1) parking space per 150 square feet.
- d. Uses in New Buildings: Any use in a building constructed after the effective date of this ordinance will be required to provide parking at 50% of the minimum requirement as set forth in Section 8.23.

2. Secondary Area: Lots, parcels, or uses which do not have frontage on Main Street or First Street.

- a. Existing Uses: Uses in existence as of the effective date of this ordinance are exempt from the minimum parking requirement as set forth in Section 8.23, except that existing uses shall not reduce the number of spaces below that which is provided as of the effective date of this ordinance.
- b. Expansion: The expansion of any use shall require an addition to any existing parking of the minimum number of required spaces as set forth under Section 8.23, for the expansion only.
- c. Change of Use: A change of any use shall be exempt from the minimum parking requirement as set forth under Section 8.23 up to an intensity level of one (1) parking space per 100 square feet. A change of use to an intensity greater than one (1) parking space per 100 square feet shall require parking at 50% of the minimum requirement as set forth under Section 8.23. No change in use shall allow for a reduction of the current number of parking spaces provided.
- d. Uses in New Buildings: Any use in a building constructed after the effective date of this ordinance shall provide parking at 67% of the minimum requirement as set forth under Section 8.23.

3. In no way shall the provisions of the Immokalee Central Business District (ICBD) be construed so as to prevent establishments within the boundaries from taking advantage of off-site parking arrangements as set forth in Section 8.12.d. Furthermore, the maximum distances set forth in Section 8.12.d shall be increased to 600 feet within the boundaries of the ICBD. Properties within the ICBD entering into off-site parking agreements with properties outside the ICBD may utilize the 600 foot rule.

4. Boundaries of the District: The physical limits of the Immokalee Central Business District are as shown on the official zoning atlas map of the subject area, and as described below:

Beginning at the intersection of First Street and Third Avenue, the I CBD boundary proceeds westerly along the center line of Third Avenue to its intersection with North Fifth Street, then southerly along the center line of North Fifth Street to its intersection with Second Avenue, then westerly along the center line of Second Avenue to the northerly extension of the east line of Lot 33, Block A, Joyce Park Subdivision, then southerly along said lot line to the southeast corner of said lot, then westerly along the south lot line of Lots 33, 34, and 35 to the southwest corner of Lot 35, then northerly along the western lot line of Lot 35 to the center line of Second Avenue, then westerly to the center line of North Ninth Street, then southerly to the westerly extension of the north lot line of Lot 12, Block 6, Carson's Subdivision, then easterly, northerly and easterly with the north lot line of Lot 12 and continuing easterly to the northeast corner of Lot 6, Block 4, Carson's Subdivision, then southerly to the center line of Boston Avenue, then easterly to the center line of Fourth Street South, then southerly to the western extension of the south lot line of Lot 5, Block 9, Carson's Addition Subdivision, then easterly to the center line of Third Street South, then southerly to the center line of Colorado Avenue, then easterly to the center line of Second Street South, then southerly to the center line of Eustis Avenue, then easterly to the southern extension of the center line of Fahrney Street, then northerly with the center line of Fahrney Street to the center line of Delaware Avenue, then westerly to the southern extension of the east lot line of Lot 14, Block 1, Mainline Subdivision, then northerly to the center line of Rose Avenue, then westerly to the center line of South First Street, then northerly to the Point of Beginning.

SECTION TWO: Conflict and Severability

In the event this Ordinance conflicts with any other Ordinance of Collier County and other applicable law, the more restrictive shall apply. If any phrase or portion of the 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 THREE: Effective Date

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 29th day of January, 1991.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

James C. Giles
JAMES C. GILES, CLERK

BY: *Patricia Anne Knight*
CHAIRMAN

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

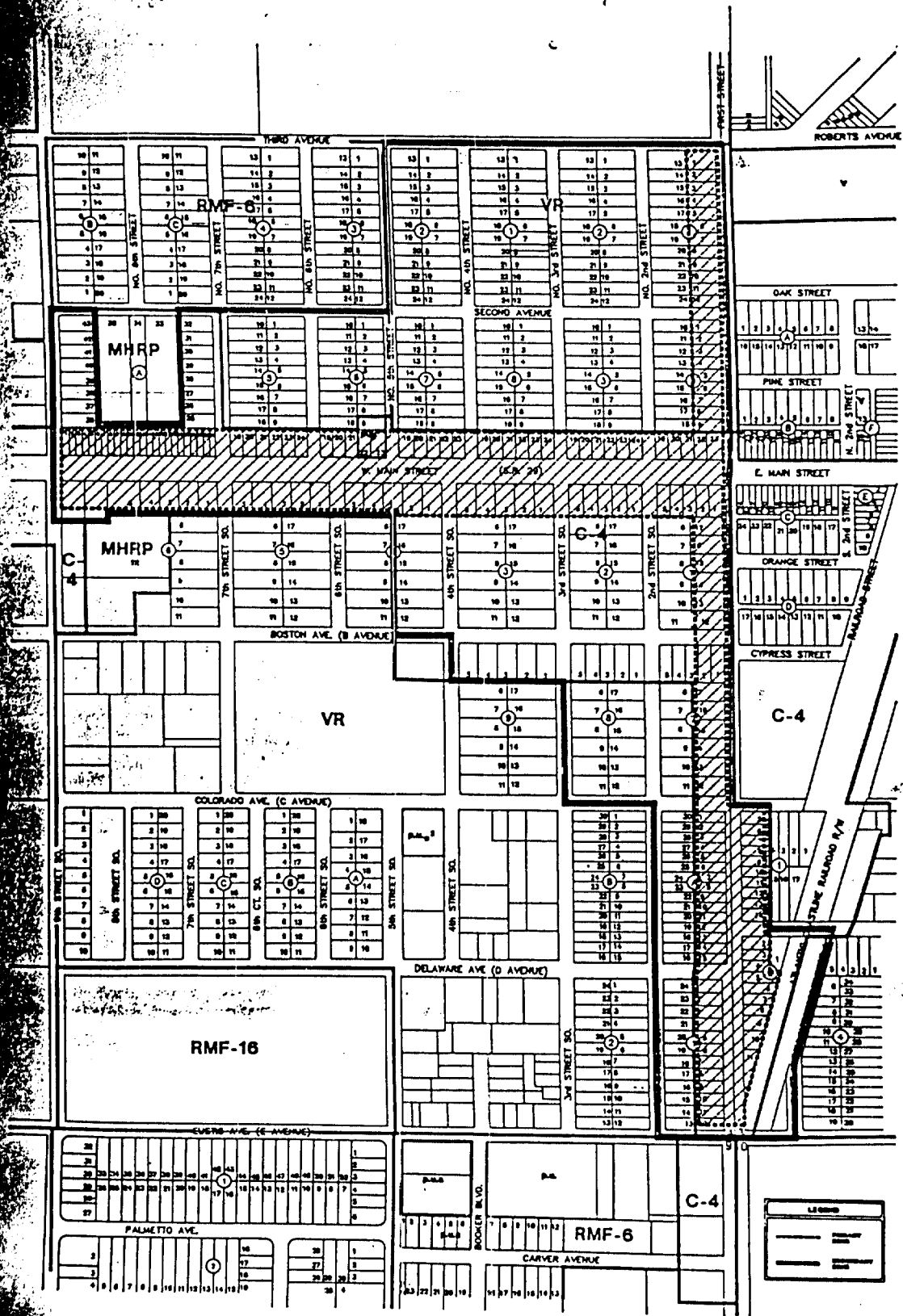
Marjorie M. Student
MARJORIE M. STUDENT
ASSISTANT COUNTY ATTORNEY

ZO-90-20 ORDINANCE
nb/4916

This ordinance filed with the Secretary of State's Office the 8th day of Feb, 1991 and acknowledgement of that filing received this 14th day of Feb, 1991

By *Janice Chanis*
Deputy Clerk

PROPOSED IMMOKALEE CENTRAL BUSINESS DISTRICT



Ordinance of Collier County, Florida
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. 91-12

which was adopted by the Board of County Commissioners on
the 29th day of January, 1991, during Special Session.

WITNESS my hand and the official seal of the Board of
County Commissioners of Collier County, Florida, this 5th
day of February, 1991.

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


By: /s/Maureen Kenyon
Deputy Clerk