



ORDINANCE NO. 2000- 08

AN ORDINANCE AMENDING ORDINANCE NUMBER 91-102, AS AMENDED, THE COLLIER COUNTY LAND DEVELOPMENT CODE, WHICH INCLUDES THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA, BY PROVIDING FOR: SECTION ONE, RECITALS: SECTION TWO, FINDINGS OF FACT: SECTION THREE, ADOPTION OF AMENDMENTS TO THE LAND DEVELOPMENT CODE, MORE SPECIFICALLY AMENDING THE FOLLOWING: ARTICLE 2, ZONING, DIVISION 2.1. GENERAL; DIVISION 2.2. ZONING DISTRICTS, PERMITTED USES, CONDITIONAL USES, DIMENSIONAL STANDARDS, DIVISION 2.3. OFF-STREET PARKING AND LOADING; DIVISION 2.4. LANDSCAPING AND BUFFERING; DIVISION 2.5. SIGNS; DIVISION 2.6. SUPPLEMENTAL DISTRICT REGULATIONS; ARTICLE 3, DIVISION 3.2. SUBDIVISIONS; DIVISION 3.4. EXPLOSIVES; DIVISION 3.9. VEGETATION REMOVAL, PROTECTION AND PRESERVATION; ARTICLE 6, DIVISION 6.3. DEFINITIONS, INCLUDING, BUT NOT LIMITED TO THE DEFINITIONS OF MONUMENT SIGN, BEACON LIGHT, ROADSIDE SALES AND RIPARIAN LINE; APPENDIX B, TYPICAL ROAD CROSS-SECTIONS; SECTION FOUR, CONFLICT AND SEVERABILITY; SECTION FIVE, INCLUSION IN THE COLLIER COUNTY LAND DEVELOPMENT CODE; AND SECTION SIX, EFFECTIVE DATE.

WHEREAS, on October 30, 1991, the Collier County Board of County Commissioners adopted Ordinance No. 91-102, the Collier County Land Development Code (hereinafter LDC) , which has been subsequently amended; and

WHEREAS, the LDC may not be amended more than two times in each calendar year pursuant to Section 1.19.1., LDC; and

WHEREAS, this is the second amendment to the LDC, Ordinance 91-102, commencing calendar year 1999; and

WHEREAS, on March 18, 1997, the Board of County Commissioners adopted Resolution 97-177 establishing local requirements and procedures for amending the LDC; and

WHEREAS, all requirements of Resolution 97-177 have been met; and

WHEREAS, the Board of County Commissioners, in a manner prescribed by law, did hold advertised public hearings on December 15, 1999 and January 5, 11 and 25, 2000, and did take action concerning these amendments to the LDC; and

WHEREAS, all applicable substantive and procedural requirements of the law have been met.

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

SECTION ONE: RECITALS

The foregoing recitals are true and correct and incorporated by reference herein as if fully set forth.

SECTION TWO: FINDINGS OF FACT

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DEPARTMENT OF STATE
TALLAHASSEE FLORIDA

The Board of County Commissioners of Collier County, Florida, hereby makes the following findings of fact:

1. Collier County, pursuant to Sec. 163.3161, et seq., Fla. Stat., the Florida Local Government Comprehensive Planning and Land Development Regulations Act (hereinafter the "Act"), is required to prepare and adopt a Comprehensive Plan.

2. After adoption of the Comprehensive Plan, the Act and in particular Sec. 163-3202(1). Fla. Stat., mandates that Collier County adopt land development regulations that are consistent with and implement the adopted comprehensive plan.

3. Sec. 163.3201, Fla. Stat., provides that it is the intent of the Act that the adoption and enforcement by Collier County of land development regulations for the total unincorporated area shall be based on; be related to, and be a means of implementation for, the adopted Comprehensive Plan as required by the Act.

4. Sec. 163.3194(1)(b), Fla. Stat., requires that all land development regulations enacted or amended by Collier County be consistent with the adopted Comprehensive Plan, or element or portion thereof, and any land development regulations existing at the time of adoption which are not consistent with the adopted Comprehensive Plan, or element or portion thereof, shall be amended so as to be consistent.

5. Sec. 163.3202(3), Fla. Stat., states that the Act shall be construed to encourage the use of innovative land development regulations.

6. On January 10, 1989, Collier County adopted the Collier County Growth Management Plan (hereinafter the "Growth Management Plan" or "GMP") as its Comprehensive Plan pursuant to the requirements of Sec. 163.3161 et seq. Fla. Stat., and Rule 9J-5, F.A.C.

7. Sec. 163.3194(1)(a), Fla. Stat., mandates that after a Comprehensive Plan, or element or portion thereof, has been adopted in conformity with the Act, all development undertaken by, and all actions taken in regard to development orders by, governmental agencies in regard to land covered by such Comprehensive Plan or element or portion thereof shall be consistent with such Comprehensive Plan or element or portion thereof.

8. Pursuant to Sec. 163.3194(3)(a), Fla. Stat., a development order or land development regulation shall be consistent with the Comprehensive Plan if the land uses, densities or intensities, in the Comprehensive Plan and if it meets all other criteria enumerated by the local government.

9. Section 163.3194(3)(b). Fla. Stat., requires that a development approved or undertaken by a local government shall be consistent with the Comprehensive Plan if the land uses, densities or intensities, capacity or size, timing, and other aspects of development are compatible with, and further the objectives, policies, land uses, densities or intensities in the Comprehensive Plan and if it meets all other criteria enumerated by the local government.

10. On October 30, 1991, Collier County adopted the Collier County Land Development Code, which became effective on November 13, 1991 and may be amended twice annually.

11. Collier County finds that the Land Development Code is intended and necessary to preserve and enhance the present advantages that exist in Collier County; encourage the most appropriate use of land, water and resources, consistent with the public interest; overcome present handicaps; and deal effectively with future problems that may result from the use and development of land within the total unincorporated are of Collier County and it is intended that this Land Development Code preserve, promote, protect, and improve the public health, safety, comfort, good order, appearance, convenience, and general welfare of Collier County; prevent the overcrowding of land and avoid the undue concentration of population; facilitate the adequate and efficient provision of transportation, water, sewerage schools, parks, recreational facilities, housing, and other requirements and services, conserve, develop, utilize, and protect natural resources within the jurisdiction of Collier County; and protect human, environmental, social, and economic resources; and maintain through orderly growth and development, the character and stability of present and future land uses and development in Collier County.

12. It is the intent of the Board of County Commissioners of Collier County to implement the Land Development Code in accordance with the provisions of the Collier County Comprehensive Plan, Chapter 125, Fla. Stat., and Chapter 163, Fla. Stat., and through these amendments to the Code.

SECTION THREE: ADOPTION OF AMENDMENTS TO THE LAND DEVELOPMENT CODE

SUBSECTION 3.A AMENDMENTS TO DIVISION 2.1., GENERAL

Division 2.1, General, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 2. 1 GENERAL

Sec. 2.1.15. Prohibited uses and structures

1. Any use or structure not specifically permitted in a zoning district as a permitted use, conditional use or use allowed by reasonable implication shall be prohibited in such zoning district. ~~Roadside sales shall be prohibited in all zoning districts unless a temporary use permit and appropriate licenses have been obtained.~~
2. Roadside sales shall be prohibited in all zoning districts. No temporary use permit or license can be obtained for any type of roadside sale.
- ~~23.~~ Subject to exceptions in Ordinance No. 76-11, as amended, the storage, display, or sale of any items, services, materials, or products, whether finished or unfinished, processed or natural, within public rights-of-way shall be prohibited. Notwithstanding anything in Ordinance No. 76-11, as amended, or any other part of the Collier County Code, in unincorporated Collier County no person shall be upon or go upon any public road, when the road is open to vehicular traffic, for the purpose of displaying any advertising to, or distributing any tangible thing or soliciting any business, contribution or any other tangible thing from any occupant of any motorized vehicle that is being operated on the public road. No person shall be within four feet of any edge or such road for the purpose of distributing any tangible thing or soliciting any business, contribution or any other tangible thing from any occupant of any motorized vehicle being operated on the public road. As used in this section, "road" means all public areas between two exterior most edges of all paved and unpaved surfaces that are available and used for either travel of, or in the road parking of, motorized vehicles. "Road" includes all medians in all such interior areas, and includes shoulders. All roads, including roads that are separated by one or more medians, have only two exterior edges. "Road" includes streets, highways and other words that describe such facilities and no differentiations are intended.
- ~~34.~~ The storage, display, or sale of any items, services, materials, or products whether finished or unfinished, processed or natural, other than form within, or as part of the normal operation of a permanent structure authorized by the Collier County land development code shall only be allowed in accordance with section 2.6.33.
5. When the operating characteristics of a duty authorized business require the utilization of shopping carts by customers provision shall be made for outside storage areas to be illustrated on a site development plan, and said shopping carts shall be collected at the close of business each day and stored at the front of that business establishment. It shall be the responsibility of the merchant to collect any and all shopping carts that stray from the premises upon which they are intended to be utilized. A name-plate on a shopping cart shall be prima-facia evidence of ownership.

SUBSECTION 3.B. AMENDMENTS TO ZONING DISTRICTS, PERMITTED USES CONDITIONAL USES, DIMENSIONAL STANDARD DIVISION

Division 2.2., Zoning Districts, Permitted Uses, Conditional Uses, Dimensional Standards, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

Division 2.2. ZONING DISTRICTS, PERMITTED USES, CONDITIONAL USES, DIMENSIONAL STANDARDS

Sec. 2.2.12 Commercial professional district (C-1) and commercial professional transitional district (C-1/T).

2.2.12.4.3 Minimum yard requirements.

1. Front yard. 25 feet or one-half of the building height as measured from each exterior wall, whichever is greater.
3. Rear yard. 15 feet or one-half of the building height as measured from each exterior wall, whichever is greater.

Sec. 2.2.13 Commercial convenience district (C-2).

2.2.13.4.3 Minimum yard requirements.

1. Front yard. 25 feet or one-half of the building height as measured from each exterior wall, whichever is greater.
3. Rear yard. 15 feet or one-half of the building height as measured from each exterior wall, whichever is greater.

Sec. 2.2.14. Commercial intermediate district (C-3).

2.2.14.2.1. Permitted uses.

1. Unless otherwise provided for in this section, all permitted uses of the C-2 commercial convenience district.
2. Apparel and accessory stores (groups 5611--5699).
3. Auto and home supply stores (5531).
4. Automotive services (7549).
5. Business services (groups 7311, 7313, 7322--7338, 7361--7379, 7384, 7389 except auctioneering service, field warehousing, bottle labeling, packaging and labeling, salvaging of damaged merchandise, scrap steel cutting and slitting).
6. Eating places (5812 only). All establishments engaged in the retail sale of alcoholic beverages for on-premise consumption are subject to locational requirements of section 2.6.10.
7. Food stores (groups 5411--5499).
8. General merchandise stores (groups 5311--5399).
9. Group care facilities (category I and II, except for homeless shelters); care units, except for homeless shelters; nursing homes; assisted living facilities pursuant to § 400.402 F.S. and ch. 58A-5 F.A.C.; and continuing care retirement communities pursuant to § 651 F.S. and ch. 4-193 F.A.C.; all subject to section 2.6.26.
10. [Reserved.]

11. Home furniture, furnishing, and equipment stores (groups 5712--5736).
12. Libraries (8231).
13. Marinas (4493), subject to section 2.6.22.
14. Membership organizations (8611--8699).
15. Miscellaneous repair services (groups 7629--7631).
16. Miscellaneous retail (groups 5912--5963 except pawnshops and building materials, 5992—5999 except auction rooms).
17. Museums and art galleries (8412).
18. Nondepository credit institutions (groups 6111--6163).
19. Paint, glass and wallpaper stores (5231).
20. Personal services (groups 7211, 7212, 7215, 7216 nonindustrial dry cleaning only, 7221--7251, 7291).
21. Public administration (groups 9111--9199, 9229, 9311, 9411--9451, 9511--9532, 9611--9661).
22. Retail nurseries, lawn and garden supply stores (5261).
23. Veterinary services (groups 0742, 0752 excluding outside kenneling).
24. Videotape rental (7841).
25. United States Postal Service (4311 except major distribution centers).
26. Any use which was permissible under the prior GRC zoning district and which was lawfully existing prior to the adoption of this code.
27. Any other general commercial use which is comparable in nature with the foregoing uses including buildings for retail, service and office purposes consistent with the permitted uses and purpose and intent statement of the district.

2.2.14.4.3 *Minimum yard requirements.*

1. *Front yard.* 25 feet or one-half of the building height as measured from each exterior wall, whichever is greater.
3. *Rear yard.* 15 feet or one-half of the building height as measured from each exterior wall, whichever is greater.

Sec. 2.2.15. General commercial district (C-4).

2.2.15.4.3 *Minimum yard requirements.*

1. *Front yard.* 25 feet ~~plus one foot for each one foot of building height over 50 feet~~ or one-half of the building height as measured from each exterior wall, whichever is greater.
2. *Rear yard.* 15 feet or one-half of the building height as measured from each exterior wall, whichever is greater.

Sec. 2.2.15½. Heavy commercial district (C-5).

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2.2.15-1/2.4.3 *Minimum yard requirements.*

1. *Front yard.* 25 feet, ~~plus one foot for each foot of building height over 50 feet~~ or one-half of the building height as measured from each exterior wall, whichever is greater.
3. *Rear yard.* Zero feet or five feet or one-half of the building height as measured from each exterior wall, whichever is greater.

Sec. 2.2.16. Industrial district (I).

2.2.16.1. *Purpose and intent.* The purpose and intent of the industrial district (I) is to provide lands for manufacturing, processing, storage and warehousing, wholesaling, and distribution. Service and commercial activities that are related to support manufacturing, processing, storage and warehousing, wholesaling, and distribution activities, as well as commercial uses relating to automotive repair and heavy equipment sales and repair are also permissible in the I district. The I district corresponds to and implements the industrial land use designation on the future land use map of the Collier County growth management plan.

2.2.16.2.1. *Permitted uses.*

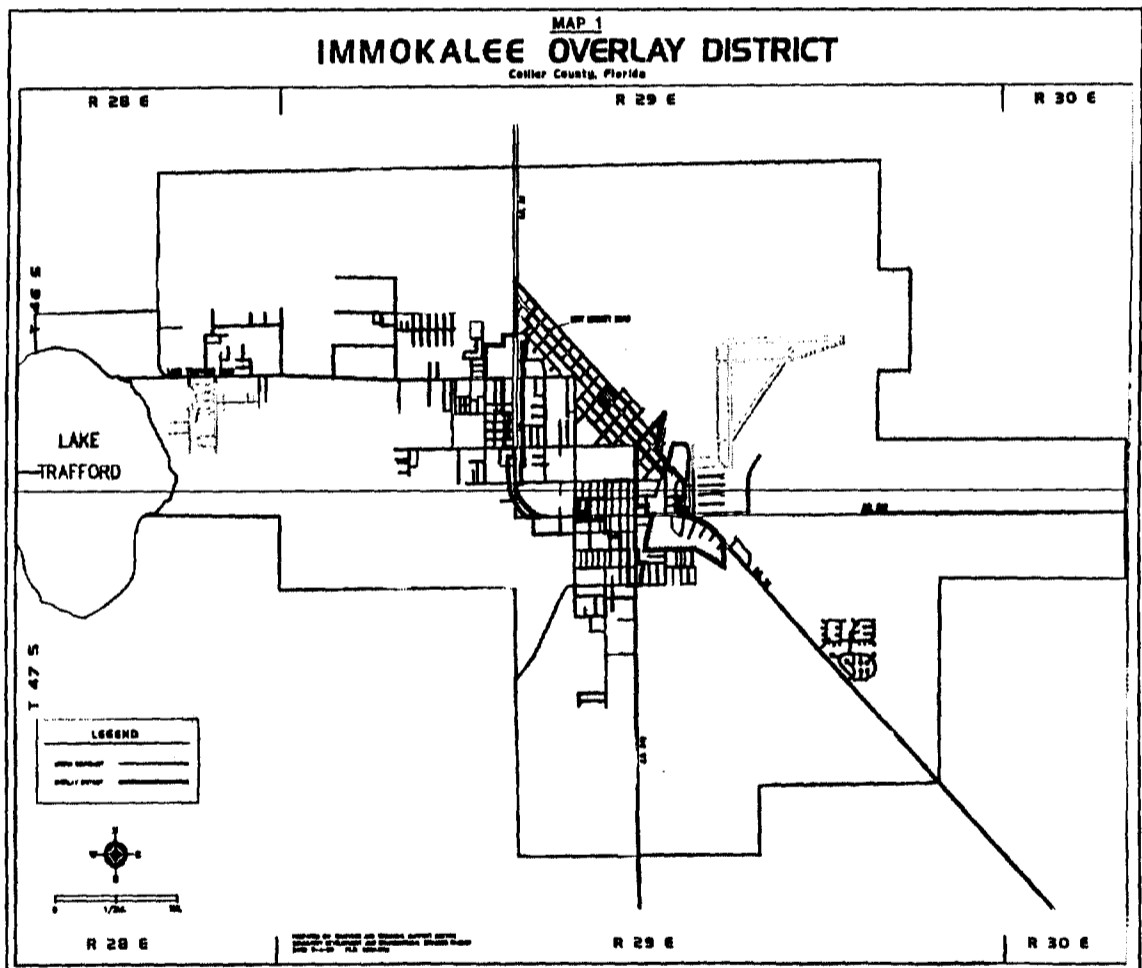
1. Agricultural services (groups 0711, except that chemical treatment of soil for crops, fertilizer application for crops and lime spreading for crops shall be a minimum of 500 feet from a residential zoning district, 0721, except that aerial dusting and spraying, disease control for crops, spraying crops, dusting crops, and insect control for crops (with or without fertilizing) shall be a minimum of 500 feet from a residential zoning district, 0722-0724, 0761, 0782, 0783).
2. Apparel and other finished products (groups 2311-2399).
3. Automotive repair, service, and parking (groups 7513-7549).
4. Barber shops (group 7241).
5. Beauty shops or salons (7231).
6. Building construction (groups 1521-1542).
7. Business services (groups 7312, 7313, 7319, 7334-7336, 7342-7389, including auction rooms (5999), subject to parking and landscaping for retail use).
8. Communications (groups 4812-4899 including communications towers up to specified heights, subject to section 2.6.35).
9. Construction--Special trade contractors (groups 1711-1799).
10. Depository and nondepository institutions (groups 6011-6163).
11. Eating places (5812).
12. Educational services (8243--8249).
13. Electronic and other electrical equipment (groups 3612--3699).
14. Engineering, accounting, research, management and related services (groups 8711--8748).
15. Fabricated metal products (groups 3411--3479, 3491--3499).

16. Food and kindred products (groups 2011--2099 except slaughtering plants).
17. Furniture and fixtures (groups 2511--2599).
18. Gunsmith shops (group 7699) with accessory shooting range for testing and training except for outdoor shooting ranges.
19. Heavy construction (groups 1611--1629).
20. Health services (8011 accessory to industrial activities conducted on-site only).
21. Industrial and commercial machinery and computer equipment (3511--3599).
22. Leather and leather products (groups 3131--3199).
23. Local and suburban transit (groups 4111--4173).
24. Lumber and wood products (groups 2426, 2431--2499).
25. Measuring, analyzing, and controlling instruments; photographic, medical and optical goods; watches and clocks (groups 3812--3873).
26. Membership organizations (groups 8611, 8631).
27. Miscellaneous manufacturing industries (groups 3911--3999).
28. Miscellaneous repair services (groups 7622-7699) with no associated retail sales.
29. Motor freight transportation and warehousing (groups 4212, 4213--4225, 4226 except oil and gas storage, and petroleum and chemical bulk stations).
30. Outdoor storage yards pursuant to the requirements of section 2.2.15½.6.
- ~~31.30.~~ Paper and allied products (2621--2679).
- ~~32.31.~~ Personal services (groups 7211-7219).
- ~~33.32.~~ Physical fitness facilities (7991).
- ~~34.33.~~ Printing, publishing and allied industries (groups 2711--2796).
- ~~35.34.~~ Railroad transportation (4011, 4013).
- ~~36.35.~~ Real estate brokers and appraisers (6531).
- ~~37.36.~~ Rubber and miscellaneous plastics products (groups 3021, 3052, 3053).
- ~~38.37.~~ Stone, clay, glass, and concrete products (groups 3221, 3251, 3253, 3255--3273, 3275, 3281).
- ~~39.38.~~ Textile mill products (groups 2211--2221, 2241--2259, 2273-2289, 2297, 2298).
- ~~40.39.~~ Transportation equipment (groups 3714, 3716, 3731, 3732, 3751, 3761, 3764, 3769, 3792, 3799).

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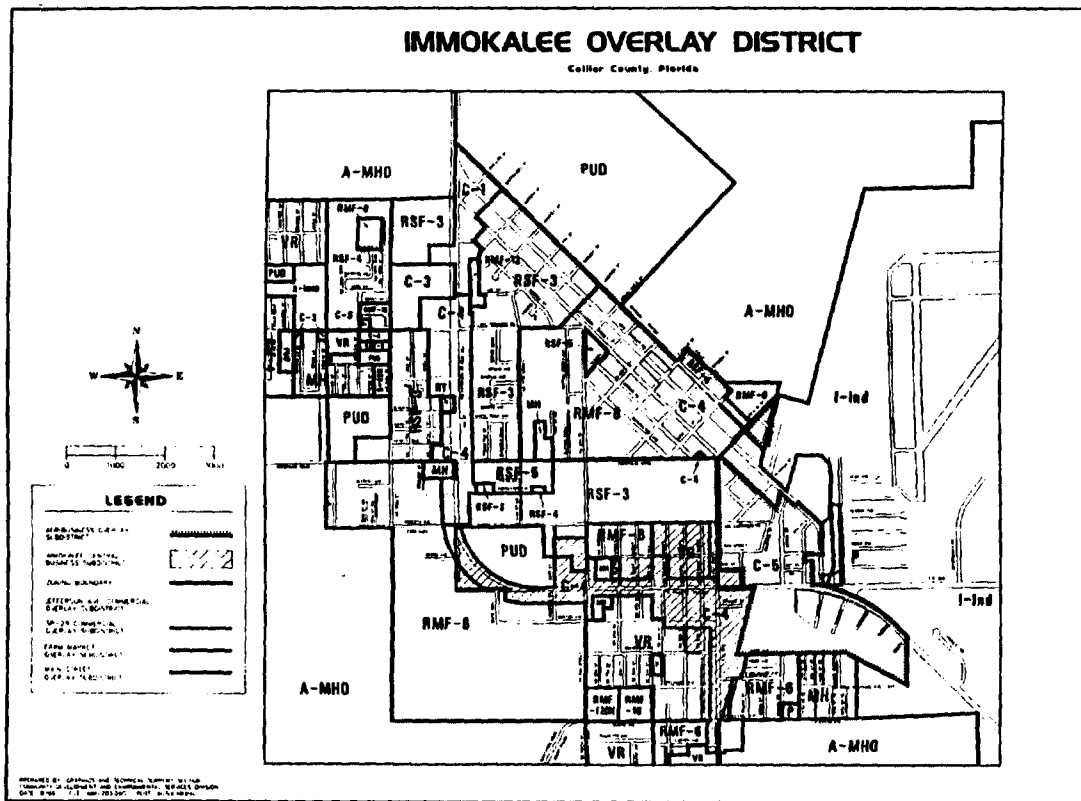
- ~~41.40.~~ Transportation by air (groups 4512--4581 except airports and flying fields).
- ~~42.41.~~ Transportation services (groups 4731-4724-4783, 4789 except stockyards).
- ~~43.42.~~ United States Postal Service (4311).
- ~~44.43.~~ Welding repair (7692).
- ~~45.44.~~ Wholesale trade--durable goods (groups 5012--5014, 5021--5049, 5063--5092, 5094--5099).
- 46.45 Wholesale trade--nondurable goods (groups 5111--5159, 5181, 5182, 5191 except that wholesale distribution of chemicals, fertilizers, insecticides, and pesticides shall be a minimum of 500 feet from a residential zoning district (5192--5199).
- 47.46. Any other use which is comparable in nature with the foregoing uses and is otherwise clearly consistent with the intent and purpose statement of the district.

Sec. 2.2.28. Immokalee Overlay District.



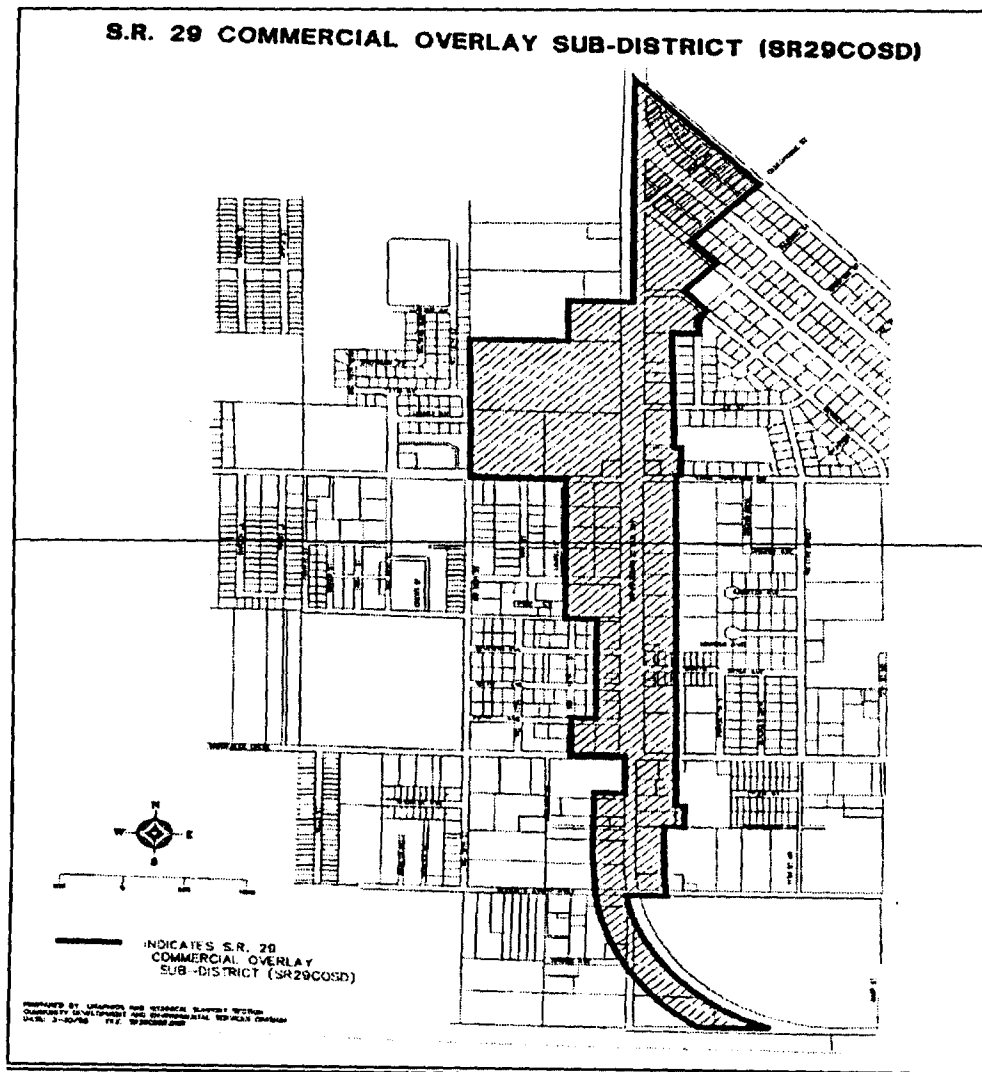
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Map 1

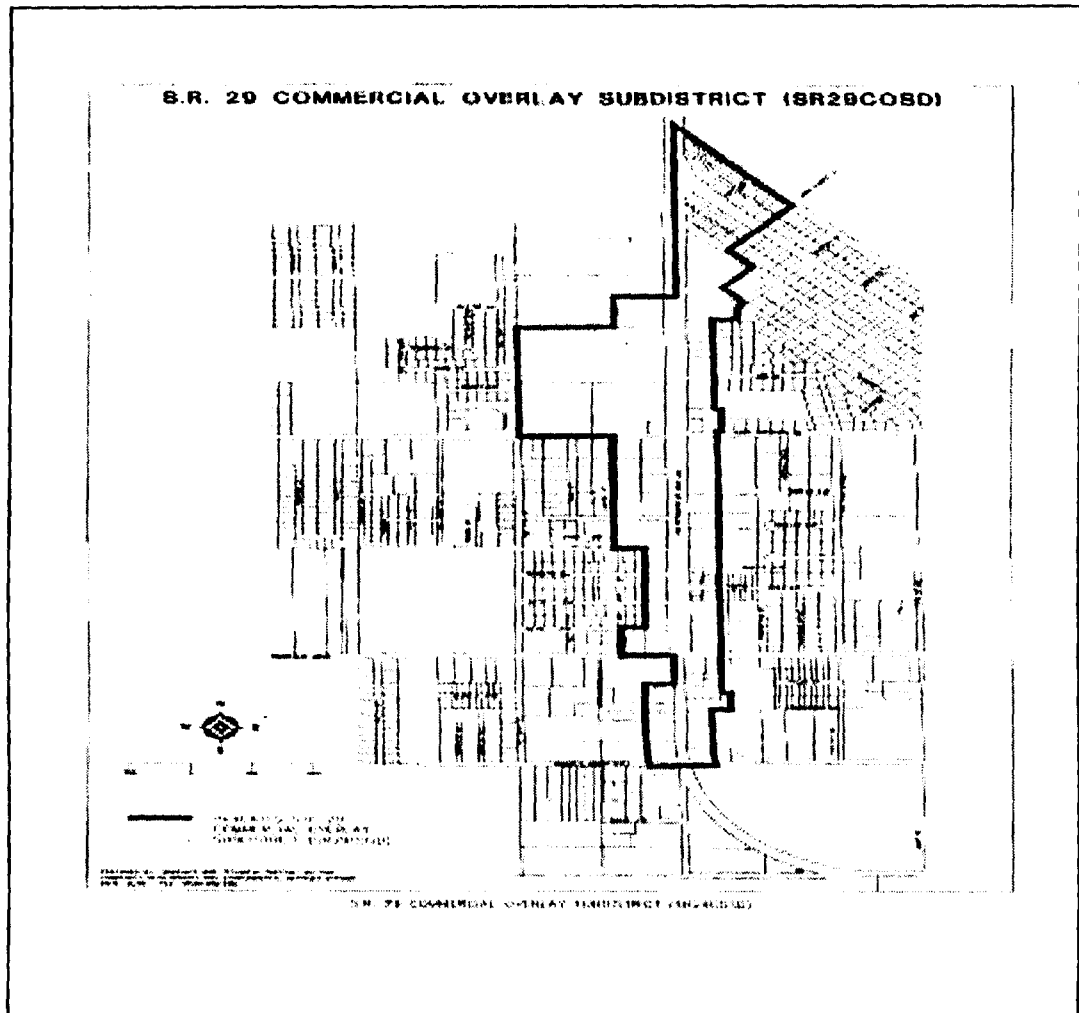


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Map 2



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Map 2

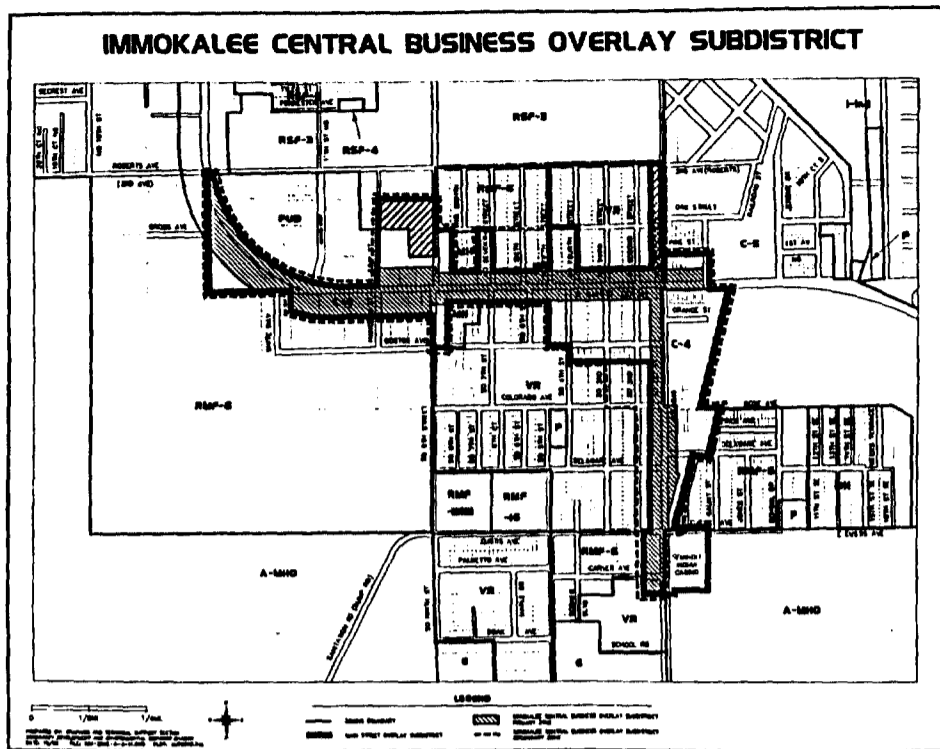
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~~2.2.28.7.4. *Boundaries of the district.* The physical limits of the Immokalee central business district (ICBSD) are as shown on the official zoning atlas map of the subject area, and as described below:~~

~~Beginning at the intersection of First Street and Third Avenue, the ICBSD boundary proceeds westerly along the centerline of Third Avenue to its intersection with North Fifth Street to its intersection with Second Avenue, then westerly along the centerline 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 centerline of Second Avenue, then westerly to the centerline 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 centerline of Boston Avenue, then easterly to the centerline 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 centerline of Third Street South, then southerly to the centerline of Colorado Avenue, then easterly to the centerline of Second Street South, then southerly to the centerline of Eustis Avenue, then easterly to the southern extension of the centerline of Fahrney Street to the centerline 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 centerline of Rose Avenue, then westerly to the centerline of South First Street, then northerly to the point of beginning.~~

2.2.28.7.4. *Boundaries of the district.* The physical limits of the Immokalee central business district (ICBSD) are as shown on the official zoning atlas map of the subject area, and on the map below:

Map 6

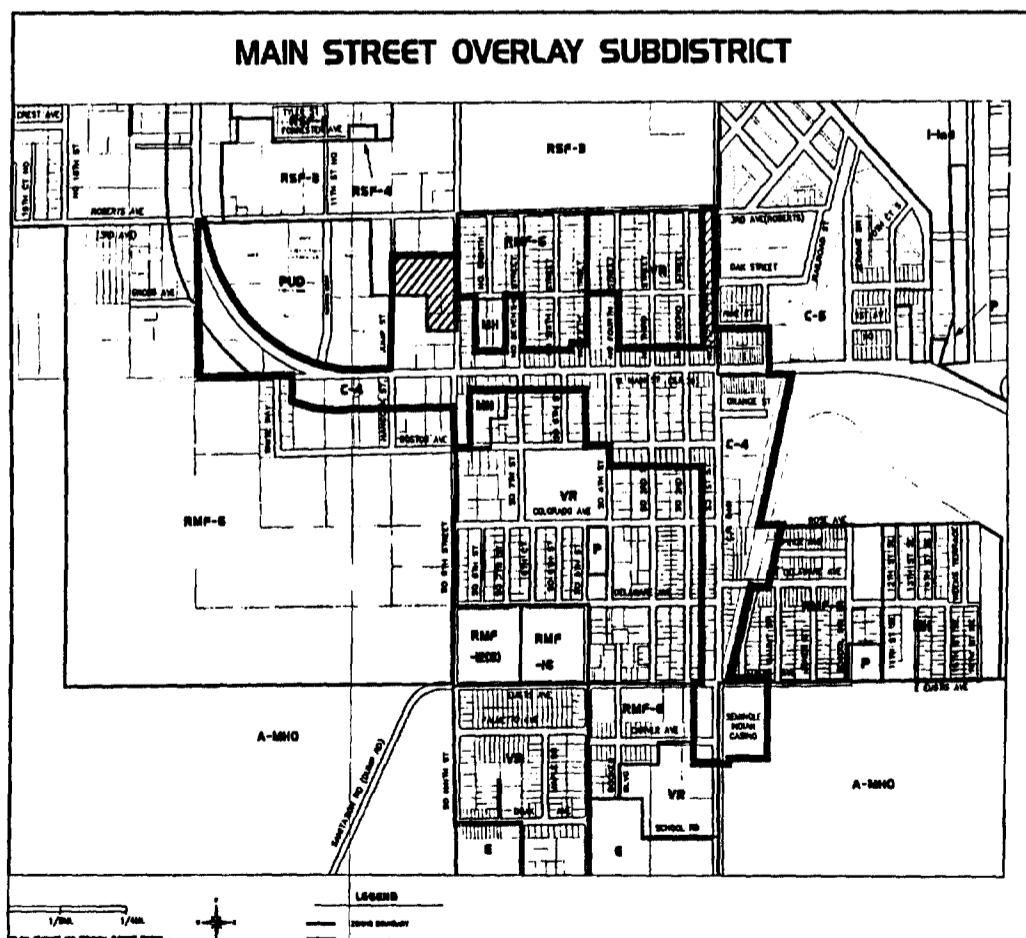


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2.2.28.8 Main Street Overlay Subdistrict:

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.

Map 7



Add this Map

- 2.2.28.8.1 Purpose and intent. 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.
- 2.2.28.8.2 Applicability. These regulations shall apply to the Main Street Overlay Subdistrict as identified on Map 7 and further identified by the designation "MSOSD" on the applicable official Collier County zoning atlas maps.
- 2.2.28.8.3 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 underlying zoning districts contained within this subdistrict, and the following uses are permitted as of right in this subdistrict:
1. Hotels and motels (group 7011).
- 2.2.28.8.4 Permitted uses. For hatched properties within the Main Street Overlay Subdistrict, all permitted uses within the underlying zoning districts contained within this subdistrict, and the following uses are permitted as of right in this subdistrict:
1. All uses permitted in the Commercial Professional District (C-1), of this code, except for group (7521).
- 2.2.28.8.5 Prohibited uses. All uses prohibited within the underlying residential and commercial zoning districts contained within this subdistrict, and the following uses, shall be prohibited in the Main Street Overlay Subdistrict:
1. Automobile parking (group 7521) on all properties having frontage on Main Street, North First Street, South First Street and North 9th Street within the Main Street Overlay Subdistrict.
 2. Automotive dealers (groups 5511, 5521, 5531 installation, 5551,5561,5571,5571,5599) on all properties having frontage on Main Street, North First Street and South First Street within the Main Street Overlay Subdistrict.
 3. Gasoline service stations (group 5541) on all properties having frontage on Main Street and gasoline service stations (group 5541 with services and repairs as described in section 2.6.28) are prohibited on all properties having frontage on North First Street and South First Street within the Main Street Overlay Subdistrict.
 4. Primary uses such as convenience stores and grocery stores are prohibited from servicing and repairing vehicles in conjunction with the sale of gasoline, on all properties having frontage on Main Street, North First Street and South First Street within the Main Street Overlay Subdistrict.
 5. Automotive repair, services, parking (groups 7514, 7515, 7521) and carwashes (group 7542) on all properties having frontage on Main Street, North First Street and South First Street within the Main Street Overlay Subdistrict.
 6. Radio and television repair shops (group 7622 automotive) is prohibited on all properties having frontage on Main Street, North First Street and South First Street within the Main Street Overlay Subdistrict.
 7. Outdoor storage yards and outdoor storage are prohibited within any front, side or rear yard on all properties within the Main Street Overlay Subdistrict.
 8. Drive-through areas shall be prohibited on all properties having frontage on Main Street, North First Street and South First Street within the Main Street Overlay Subdistrict.
 9. Warehousing (group 4225)
 10. Any other heavy commercial use which is comparable in nature with the forgoing uses and is deemed inconsistent by the development services director with the intent of this subdistrict shall be prohibited.

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2.2.28.8.6 Accessory uses.

1. Uses and structures that are accessory and incidental to the permitted uses as of right in the underlying zoning districts contained within this subdistrict and are not otherwise prohibited by this subdistrict.

2.2.28.8.7 Conditional uses.

1. Uses permitted in the underlying zoning districts contained within this subdistrict, subject to the standards and procedures established in section 2.7.4. and as set forth below:
 - A. Local and suburban passenger transportation (groups 4131 - 4173) located upon commercially zoned properties within the Main Street Overlay Subdistrict.

2.2.28.8.8 Outdoor display and sale of merchandise.

1. 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 as 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:
 1. Vehicular and pedestrian traffic safety measures.
 2. Location of sale/display of merchandise in relation to parking areas.
 3. Fire protection measures.
 4. Limited hours of operation from dawn until dusk.
2. 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:
 1. Location of sale/display of merchandise in relation to road rights-of-way;
 2. Vendor carts are located on sidewalks that afford the applicant a five foot clearance for non-obstructed pedestrian traffic; and
 3. Limited hours of operation from dawn until dusk.

2.2.28.8.9 Dimensional standards. Subject to the provisions of this code, for each respective zoning district, except as set forth below:

2.2.28.8.9.1 Yard requirements.

Maximum yard requirements.

1. Front yard. 7 or 10 feet.
2. Side yard. 0 - 10 feet.

Minimum yard requirements.

1. Rear yard. 0 or 5 feet.
2. Abutting residential. 20 feet.

2.2.28.8.9.2 Maximum height of structures.

1. All structures shall be no more than 35 feet in height, except that hotel/motel uses shall be no more than 50 feet in height.

2.2.28.8.10 Minimum off-street parking and off-street loading. As permitted by section 2.2.28.7, standards for parking within the Immokalee Central Business District, and as set forth below:

1. Outdoor café areas, shall be exempt from parking calculations.

Words ~~struck through~~ are deleted, words underlined are added.

2. All properties within the Main Street Overlay Subdistrict, having frontage on Main Street, First Street or Ninth Street are required, by this subdistrict to locate all parking areas in the rear yard and/or in side yards.

2.2.28.8.11 Signs. As required in division 2.5., and as set forth below:

1. Projecting signs are permitted in addition to permitted signs provided such signs do not exceed 6 square feet in size and are elevated to a minimum of 8 feet above any pedestrian way.
2. Sandwich boards are permitted, one per eating establishment, not to exceed 6 square feet in size and shall only be displayed during business hours.

2.2.28.8.12 Commercial design guidelines. Subject to the provisions of division 2.8., Architectural and Site Design Standards for Commercial Buildings and Projects, except as set forth below:

1. Properties having frontage on Main Street or First Street or Ninth Street are required to locate their primary business entrance on that street. Parcels fronting both Main Street and First Street or both Main Street and Ninth Street are required to locate their primary business entrance on Main Street.
2. Reflective or darkly tinted glass is prohibited on ground floor windows.
3. Properties with less than 50 feet of road frontage shall only require a minimum of one roof change.
4. Commercial projects 5,000 square feet in size or less shall only require a minimum of two design features, as described within section 2.8.4.4.6 of this code.
5. To encourage redevelopment within the Main Street Overlay Subdistrict, for proposed redevelopment of existing projects that do not increase impervious surface area and whose total building area is less than or equal to 5,000 square feet in size, the applicant shall be exempt from section 2.4.3.1. of the landscaping and buffering provisions, requiring the seal of a landscape architect and shall also be exempt from division 2.8., Architectural and Site Design Standards and Guidelines for Commercial Buildings and Projects, requiring the seal of an architect.
6. The minimum commercial design criteria, as set forth above, are not applicable to projects greater than 5,000 square feet in size.

2.2.28.8.13 Landscaping and buffering. Subject to provisions of division 2.4., of this code, except as set forth below:

1. 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:
 - a. properties adjacent to residentially zoned lots/parcels shall provide a minimum 10 foot wide landscape buffer, 6 feet in height, with trees spaced no more than 25 feet on center;
 - b. a minimum perimeter buffer of 5 feet in width, with a single row hedge with trees spaced no more than 30 feet on center, shall be required for all properties;
 - c. a minimum 5 foot buffer, with at least two trees on each parcel, shall be required adjacent to all rights-of-way;
 - d. 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 landscape architect or county planning director; and
 - e. the minimum landscape buffering criteria, as set forth above, are not applicable to commercial projects greater than 5,000 square feet in size.

SUBSECTION 3.C. AMENDMENTS TO OFF-STREET PARKING AND LOADING DIVISION

Division 2.3., Off-Street Parking and Loading, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 2.3. OFF-STREET PARKING AND LOADING

Sec. 2.3.3. General applicability.

Sec. 2.3.4. Off-street vehicular facilities: design standards.

Off-street parking facilities and other vehicular facilities, both required and provided, shall:

2.3.4.1. *Identification.* Be identified as to purpose and location when not clearly evident.

2.3.4.2. *Surfacing.* Be surfaced with asphalt, bituminous, concrete or dustless material and maintained in smooth, well-graded condition. Up to 70 percent of the parking spaces for houses of worship and schools may be surfaced with grass or lawn. Spaces that are not paved shall be compacted, stabilized, well drained and surfaced with a durable grass cover. Driveways, handicapped spaces and access aisles shall be paved. When the development services director determines that the paving of some or all parking spaces for houses of worship and schools will have significant negative environmental impacts, the director may require that these parking spaces not be paved. Upon approval of the development services director, a suitable material (limerock excluded) with a suitable stabilized subgrade may be substituted for the above materials. This section 2.3.4.2 shall not apply to single-family dwellings.

2.3.4.3. *Drainage and slope.* Be drained and sloped so as not to cause any nuisance to adjacent property or to public property or rights-of-way. Such facilities must also be sloped to meet the provisions of the Americans with Disabilities Act.

2.3.4.4. *Lighting.* Be so lighted, if lighted, as to shield streets and all adjacent properties from direct glare, excessive light, and hazardous interference with automotive and pedestrian traffic. Lighting shall conform to the applicable provisions of division 2.8.

* * * * *

2.3.4.11. *Locational requirements.*

- ~~1.~~ **All required off street parking facilities shall be located on the same lot they serve or may be located on another lot under the same or different ownership, provided:**
 - ~~a.~~ **The lots are contiguous or would be contiguous except for a roadway that is not designated as a collector or arterial in the traffic circulation element of the growth management plan; and**
 - ~~b.~~ **The lot proposed for parking permits parking facilities or the same or more intensive land uses than the lot on which the principal structure is located, or the locational requirements for commercial uses identified in the future land use element of the growth management plan can be met.**
 - ~~e.~~ **That in the case of off site parking facilities proposed to be located on a lot or lots not under the same ownership as the lots on which the business or use said parking is intended to serve is located, such off site parking may be approved as follows:**

1. ~~Subject to the procedures set forth in Section 2.3.5 of this code; or~~
 2. ~~When off-site parking is located on property contiguous to the property on which the business or use it is intended to serve is located and is in excess of the minimum amount of parking required pursuant to section 2.3.16 of this code.~~
2. ~~Where off-site parking cannot be approved because the properties are not contiguous as described above, the community development services administrator, after review of a site development plan submitted in accordance with division 3.3 may allow some required parking to be located off-site, provided:~~
- a. ~~All of the lots are under the same ownership;~~
 - b. ~~No off-site parking space is located further than 300 feet from the building or use they are intended to serve, measured by the shortest feasible walking distance, unless special circumstances exist under section 2.3.4.11.5;~~
 - c. ~~The lots are not separated by an arterial roadway as designated in the traffic circulation element of the growth management plan;~~
 - d. ~~At least 67 percent of the required parking for the development is located on the lot with the principal structure unless special circumstances exist under section 2.3.4.11.5; and~~
 - e. ~~The lot proposed for parking permits the same or more intensive land uses than the lot on which the principal structure is located or is commercially zoned.~~
3. ~~The community development services administrator shall base his determination of requests for off-site parking under section 2.3.4.11.2 on the following review criteria:~~
- a. ~~The proposed off-site parking facility, including its ingress and egress, is safe and convenient for motorists and pedestrians;~~
 - b. ~~The proposed off-site parking facility does not adversely impact the character and quality of the neighborhood nor will hinder the proper future development of surrounding properties; and~~
 - c. ~~Approval of the petition will not create parking problems for any neighboring property.~~
4. ~~Where off-site parking cannot be approved because the property is located in an agriculturally or residentially zoned district, an application for off-site parking approval may be submitted and shall be processed in conjunction with a site development plan, pursuant to division 3.3. The procedural requirements set forth in section 2.7.5 of this code shall be followed in the review and approval of off-site parking petitions. The board of zoning appeals, after review and recommendation by the planning commission, may approve the request, provided:~~
- a. ~~All of the lots are under the same ownership;~~
 - b. ~~No off-site parking space is located further than 300 feet from the building or use they are intended to serve, measured by the shortest feasible walking distance, unless special circumstances exists [exist] under section 2.3.4.11.5;~~

- e. ~~The lots are not separated by an arterial roadway as designated in the traffic circulation element of the growth management plan;~~
 - d. ~~At least 67 percent of the required parking for the development is located on the lot with the principal structure unless special circumstances exist under section 2.3.4.11.5;~~
 - e. ~~The off-site parking will serve an existing structure or land use;~~
 - f. ~~Where off-site parking is proposed for commercial uses, all of the lots proposed for off-site parking shall meet the locational requirements for commercial uses as identified in the future land use element of the growth management plan or are designed to serve water-dependent and/or water-related uses as described in the urban residential subdistrict of the future land use element of the growth management plan; and~~
 - g. ~~The off-site parking facility shall be designed to mitigate any negative effects of this parking facility on neighboring residentially zoned property. Mitigation shall include, unless specifically determined by the board of zoning appeals not to be necessary:~~
 - (1) ~~No vehicular egress shall occur on local streets opposite of residential homes or within the building lines of unimproved single-family residentially zoned property;~~
 - (2) ~~Lighting shall be shielded, pointing downward, and not over 20 feet in height so as to prevent glare upon all neighboring residential properties; and~~
 - (3) ~~A 15-foot wide landscape buffer strip shall be provided around the entire perimeter where it directly abuts residentially zoned property. Six-foot high architecturally finished wall, fence, hedge, or berm combination and ten-foot tall shade trees spaced no more than 20 feet apart on center shall be required. The board of zoning appeals may reduce the six-foot high screening requirement to four-foot-high within front yard setback areas.~~
5. ~~Where the following special circumstances exist, the community development services administrator or the board of zoning appeals, whichever is applicable, may reduce the requirements of section 2.3.4.11.2.b and/or section 2.3.4.11.2.d. These special circumstances shall include, but shall not be limited to:~~
- a. ~~Where the proposed off-site parking will serve water-dependent and/or water-related uses;~~
 - b. ~~Where the proposed off-site parking will serve temporary parking for sports events, religious events, or community events as described in section 2.3.16;~~
 - e. ~~Where the proposed off-site parking will serve uses within the Immokalee central business district as described in section 2.3.21.4, 2.3.23.4;~~
 - d. ~~Where the proposed off-site parking spaces will only be for valet parking; or~~

- e. ~~Where the proposed off-site parking spaces will be for employees (limited to a maximum of 15 percent of the project's total parking requirement).~~
6. ~~The board of zoning appeals shall base their determination of requests for off-site parking on the following review criteria:~~
- a. ~~The proposed off-site parking facility, including its ingress and egress, is safe and convenient for motorists and pedestrians;~~
 - b. ~~The proposed off-site parking facility does not adversely impact the character and quality of the neighborhood nor will hinder the proper future development of surrounding properties;~~
 - e. ~~Approval of the petition will not create parking problems for any neighboring property;~~
 - d. ~~Other more viable parking solutions are not available to the petitioner.~~
7. ~~Where parking is approved under section 2.3.4.11.2 or 2.3.4.11.4, the following provisions shall apply:~~
- a. ~~The community development services administrator or the board of zoning appeals, whichever is applicable, may impose requirements or conditions upon approval as appropriate to promote the public, health, safety, and welfare. These requirements or conditions may include, but shall not be limited to: pedestrian ground level and overhead walkways, traffic signals, traffic control devices, directional signs, controlled ingress and egress, parking setbacks, lighting restrictions, extra landscaping, buffers, screens and limited hours of operation;~~
 - b. ~~The owner of the land upon which such required off-street parking facilities are located shall enter into a written agreement with the county, to be filed with the clerk of the circuit court, with enforcement running to the county providing that the land comprising the required off-street parking facilities shall never be encroached upon, used, sold, leased or conveyed for any purpose except in conjunction with the building or use which the required off-street parking facilities serves so long as the off-street parking facilities are required;~~
 - e. ~~The owner of the land upon which such required off-street parking facilities are located agrees to bear the expense of recording the agreement, which agreement shall bind his heirs, successors, and assigns; and~~
 - d. ~~The written agreement shall be voided by Collier County if other required off-street parking facilities are provided in accordance with the requirements of this code.~~
1. All required off-street parking facilities shall be located on the same lot they serve, on a contiguous lot under the same ownership that is zoned for use as a parking lot, or shall be approved under the provisions of section 2.3.4.11.2., below.
2. Exemptions to locational requirements:
- a. Off-site parking on non-contiguous lots under same ownership.

1. The planning services director may approve off-site parking on lots under the same ownership that are separated by a roadway that is not designated an arterial or a collector roadway of greater than 2 lanes in the traffic circulation element of the growth management plan. A site development plan shall be submitted to the director which indicates that:

- (1) At least 67% of the required parking is on the lot with the principal structure; or
- (2) The off-site lots are zoned for use as a parking lot or are zoned the same as the lot with the principal structure; or
- (3) The off-site parking will serve a water dependent and/or a water related use or will only be used for valet parking.

b. Off-site parking on lots under different ownership.

1. The planning services director may approve off-site parking on contiguous lots that are under different ownership. A site development plan shall be submitted to the director which includes:

- (1) A minimum ten-year lease agreement between the property owners, including a provision that if and when the lease expires, the property owner requiring the off-site parking shall make other provisions for the required parking. The county attorney shall review this agreement for form and legal sufficiency. The petitioner shall record the lease in the official records of Collier County before approval of the site development plan; and
- (2) At least 67% of the required parking is on the lot with the principal structure; or
- (3) The off-site lots are zoned for use as a parking lot or are zoned the same as the lot with the principal structure; or
- (4) The off-site parking will serve a water dependent and/or water related use or will only be used for valet parking.

c. Parking exemption

1. The board of zoning appeals, after review and recommendation by the planning commission, may approve a parking exemption under the following circumstances:

- (1) The permitted use and the proposed off-site parking lot are separated by a collector or arterial roadway;
- (2) The lot proposed for off-site parking is not zoned commercial;

- (3) Shared parking, in which two or more permitted uses utilize the same, or a portion of the same required parking.
- (4) Parking reservation, in which the petitioner believes that the number of required parking spaces is excessive and wishes to reduce the number of parking spaces required to be constructed, while reserving the land area for future parking spaces if determined necessary by the planning services director, or the board of zoning appeals.

2. The planning commission and the board of zoning appeals shall consider the following criteria for the approval of a parking exemption:

- (1) Whether the amount of off-site parking is required by section 2.3.16, or is in excess of these requirements.
- (2) The distance of the farthest parking space from the facility to be served.
- (3) Pedestrian safety if the lots are separated by a collector or arterial roadway.
- (4) If the lot is not zoned commercial, it must meet the locational criteria for commercial uses as identified in the future land use element of the growth management plan.
- (5) Pedestrian and vehicular safety.
- (6) The character and quality of the neighborhood and the future development of surrounding properties.
- (7) Potential parking problems for neighboring properties.
- (8) Whether the internal traffic flow is required to leave the site to reach the proposed off-site parking.
- (9) Whether vehicular access shall be from or onto residential streets.
- (10) Whether buffers adjacent to the property zoned residential are 15 feet in width and include a wall in addition to required landscaping.
- (11) Whether the off-site parking area will be used for valet parking.
- (12) Whether the off-site parking area will be used for employee parking.
- (13) Whether there are more viable alternatives available.

8.3. Each off-street parking space areas must be directly accessible from a street, alley or other public right-of-way and all off-street parking facilities must be so arranged that no motor vehicle shall have to back onto any

Words ~~struck through~~ are deleted, words underlined are added.

street, excluding single-family and two-family residential dwellings and churches approved under section 2.3.16.

9. ~~No more than ten percent of a shopping center's total parking requirement may be placed in the rear of the shopping center unless the center has convenient and well lighted front and rear accesses for patrons and employees and where the rear buildings are architecturally finished adjacent to rear accesses.~~

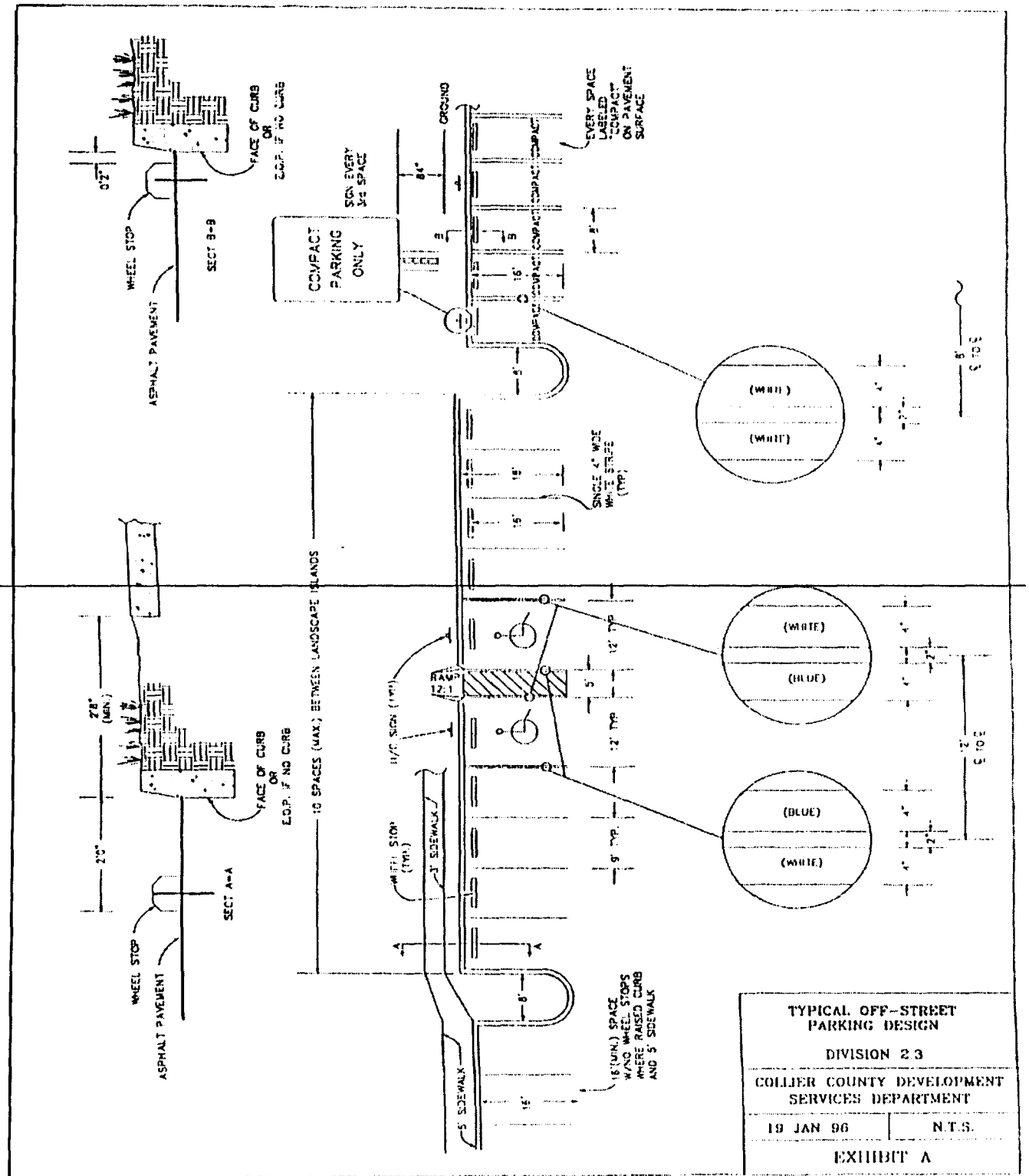
2.3.4.12. *Dimensional standards.*

2.3.4.12.1. *Minimum aisle widths.* Minimum aisle widths shall be as follows:

<i>Angle of Parking</i>	<i>Aisle Width (One-Way)</i>	<i>Aisle Width (Two-Way)</i>
Parallel	12 feet*	20 feet
30 degrees	12 feet*	22 feet
45 degrees	12 feet*	22 feet
60 degrees	18 feet	24 feet
90 degrees	22 feet	24 feet

*Fire districts may require these to be increased to 14 feet where an acute turning radius is present.

The following illustration is deleted:



2.3.4.12.2. *Minimum space size.* Each parking space shall be a minimum of nine feet by 18 feet in size or 16 feet in depth measured from the isle width to the face of the wheelstop ~~except for compact parking spaces allowed within section 2.3.4.12.3.~~ See Exhibit "A" for typical off-street parking design. All parking spaces for the exclusive use of compact vehicles indicated on an approved site development plan, and any subsequent amendments thereto, shall be counted as standard parking spaces.

2.3.4.12.3. *Minimum compact space size.* ~~In retail commercial projects, up to 15 percent, and in all residential, office and industrial projects, up to 25 percent of the required parking spaces may be designated as compact spaces with minimum dimensions of eight feet by 16 feet. Compact spaces will only be allowed in projects requiring 20 or more parking spaces. The compact spaces shall be clustered in one or more groups of spaces and dispersed throughout the site so that drivers using either compact or full-sized spaces have equal access to the most convenient parking locations. Compact spaces shall be designated by signs on every third space, painted "Compact" on each pavement space and double striped to indicate their status. Spaces provided in excess of the required number of spaces may all be compact spaces as long as compact spaces never exceed 33 percent of the total number of spaces provided.~~

2.3.4.12.4 3. *Secondary parking from alley access.* For any nonresidential development which abuts an alley, a maximum of ten parking spaces, not to exceed 30 percent of the required parking for the proposed use, may be accessed solely from the alley. Said parking spaces shall be clearly marked and arranged in such a manner so that each parking space meets the minimum size required in section 2.3.4.12.2 of this code. Additionally, these spaces shall be arranged in a manner which allows for full compliance with any required landscaped buffer requirement. These spaces shall be for the exclusive use of employees and service vehicles and shall be clearly designated as such by appropriate signage.

Sec. 2.3.5. ~~Off-street parking; shared parking.~~ [RESERVED]

~~For the purposes of this section, shared parking shall be defined as: off site parking on property that normally is not under the same ownership as the structure or use the parking is designed to serve and consists of joint parking, where parking serves and is credited for land uses on two or more properties, and/or leased parking, where credited parking space is excess to the parking requirements of the lot on which it is located based on section 2.3.16.~~

~~2.3.5.1. *Application procedures.* An application for shared parking approval may be submitted, and shall be processed in conjunction with a site development plan, pursuant to division 3.3. The determination of the request shall be made by the board of zoning appeals, after review and recommendation by the planning commission. The procedural requirements set forth in section 2.7.5 of this code shall be followed in the review and determination of shared parking petitions.~~

~~2.3.5.2. *Application contents.* The petition for shared parking approval shall include:~~

- ~~1. A site development plan with all necessary attachments, pursuant to division 3.3;~~
- ~~2. The site development plan shall also depict: the proposed shared parking facility and its vehicular access drives and parking spaces; pedestrian walkways between the shared parking facility and all buildings or uses they are designed to connect; lighting and landscaping of the shared parking facility; and the alternate parking plan or land reservation plan described in section 2.3.5.6 unless a minimum ten year leased parking agreement is proposed;~~
- ~~3. Notarized documentation demonstrating that the petitioner has permission for all involved property owners to obtain the necessary approvals and describing all buildings or uses that will be receiving credit for the shared parking including normal operating hours for such buildings or uses; and~~
- ~~4. A proposed shared parking agreement between all involved property owners, with notarized signatures, describing the rights and limitations of all property owners and businesses. Such agreement shall bind the heirs, successors and assigns of each such owner.~~

~~2.3.5.3. *Requirements for shared parking.* Proposed shared parking facilities shall meet all of the following provisions:~~

~~2.3.5.3.1. All parking spaces that are to be shared shall be paved.~~

~~2.3.5.3.2. No shared parking space shall be located further than 300 feet from the buildings or uses they serve unless special circumstances exist including, but not limited to:~~

- ~~1. Where the proposed off site parking will serve temporary parking for sports events, religious events, or community events as described in section 2.3.16;~~

2. ~~Where the proposed off-site parking will serve uses within the Immokalee central business district as described in section 2.3.23.4;~~
 3. ~~Where the proposed off-site parking spaces will only be for valet parking;~~
 4. ~~Where the proposed off-site parking will serve water dependent and/or water related uses; and~~
 5. ~~Where the proposed off-site parking will only be for employees (limited to a maximum of 15 percent of the project's total parking requirement).~~
- 2.3.5.3.3. ~~The shared parking spaces shall not be separated from the buildings or uses they are designed to serve by a roadway designated as a collector or arterial in the traffic circulation element of the growth management plan.~~
- 2.3.5.4. ~~*Credit for joint parking spaces.* Credit for joint parking spaces shall be limited to the following amounts:~~
1. ~~Where the request involves a church and another property whose predominant parking demand is between 7:00 a.m. and 6:00 p.m., Monday through Friday, or two other properties, where the business hours of one property do not overlap with the business hours of the other property, the credit for joint parking spaces shall not exceed 50 percent of the minimum required spaces for the property requiring the least amount of spaces. The credit may be applied all to one property or split between the two properties; or~~
 2. ~~In all other cases, the credit for joint parking spaces shall not exceed 25 percent of the minimum required spaces for the property requiring the least amount of spaces. The credit may be applied all to one property or split between the two properties.~~
- 2.3.5.5. ~~*Credit for leased off-site parking spaces.* Credit for leased off-site parking spaces shall be limited in all cases to 35 percent of the land use's parking requirement that the parking spaces are proposed to serve.~~
- 2.3.5.6. ~~*Review criteria for shared parking.* The board of zoning appeals shall base their determination of the requests for shared parking on the following review criteria:~~
- 2.3.5.6.1. ~~The proposed shared parking facility, including its ingress and egress, is safe and convenient for motorists and pedestrians;~~
 - 2.3.5.6.2. ~~The proposed shared parking facility will not adversely impact the character and quality of the neighborhood nor hinder the proper future development of surrounding properties;~~
 - 2.3.5.6.3. ~~The shared parking plan will have environmental, economic or traffic flow benefits for the community;~~
 - 2.3.5.6.4. ~~The shared parking plan will solve parking problems that were not created by the owners or lessees of the subject properties;~~
 - 2.3.5.6.5. ~~Other more viable parking alternatives are not available for the subject properties;~~
 - 2.3.5.6.6. ~~The operating hours, types of land uses, and other applicable factors are conducive for shared parking at the present time and are likely to remain constant;~~
 - 2.3.5.6.7. ~~Approval of the shared parking agreement would be consistent with the future land use element of the growth management plan;~~

- ~~2.3.5.6.8. Where the shared parking plan shows no land reservation or a minimum ten-year leased parking agreement, the petitioner has demonstrated that the alternative parking plan is feasible at the present time, and should be feasible in the future;~~
- ~~2.3.5.6.9. Failure of the shared parking plan and the alternative parking plan or the minimum ten-year leased parking agreement would not have serious implications on the public health, safety and welfare; and~~
- ~~2.3.5.6.10. Approval of the petition will not create parking problems for any neighboring property.~~
- ~~2.3.5.7. *Conditions of approval for shared parking.* Where shared parking is approved under section 2.3.5.6, the following provisions shall apply:~~
- ~~2.3.5.7.1. The board of zoning appeals may impose requirements or conditions upon approval as appropriate to promote the public health, safety and welfare. These requirements or conditions may include, but shall not be limited to: pedestrian ground-level or overhead walkways, traffic signals, traffic control devices, directional signs, signs to designate shared parking spaces, lighting standards, extra landscaping, buffers, screens and limited hours of operation;~~
- ~~2.3.5.7.2. The shared parking agreement shall be recorded in the public records of Collier County, Florida at the owner's expense. Collier County shall release the parties to the shared parking agreement and from the terms thereof, if other required off-street facilities are provided in accordance with the requirements of this ordinance; and~~
- ~~2.3.5.7.3. The board of zoning appeals shall determine that the minimum ten-year leased parking agreement or the alternative parking plan is feasible or the petitioner and/or owner of the shared facility reserves sufficient land areas required to meet future parking needs. A land reservation shall be required for all shared parking approvals except where the shared parking is between a church and another land use or only between existing structures for joint parking or an existing structure for leased parking that have received certificates of occupancy. Such land reservation may include any number of parking spaces so long as there are sufficient spaces to accommodate the parking needs of both the sharing facility and the facility needing the additional parking. This reservation shall be recorded in the public records of Collier County, Florida at the owner's expense. Collier County shall release the parties to the land reservation agreement from the terms thereof, if other required off-street facilities are provided in accordance with the requirements of this code.~~

Sec. 2.3.14. Off-street parking: reservation. [RESERVED]

~~Where the developer believes that the parking spaces required for a specific project are excessive, that developer may request a reservation of the parking spaces that are deemed excessive. An application to reserve off-street parking shall be processed through the normal variance procedures, but shall not be subject to the variance review standards listed in section 2.7.5.6 of this code. If the parking reservation is approved by the board of zoning appeals after review and recommendation by the planning commission, the developer shall reserve an area that is sufficient in size to provide this parking, in case the parking is needed in the future. The developer shall provide additional landscaping (trees and shrubs). This increased landscaping shall be the same percentage increase over the normal required landscaping that the parking spaces were approved to be reduced by, and further provided:~~

- ~~2.3.14.1. A site development plan is submitted to [the county] and approved in accordance with section 3.3.5.~~

- 2.3.14.2. ~~The owner of the land upon which such parking is being reserved shall enter into a written agreement with the county, to be filed with the clerk of the circuit court, with enforcement running to the county ensuring that the reserved parking area shall never be encroached upon, used, sold, leased or conveyed for any purpose except in conjunction with the building or use which the reserved parking area serves so long as the off street parking facilities are required.~~
- 2.3.14.3. ~~The owner of the land upon which such reserved parking area is located agrees to bear the expense of recording the agreement, which agreement shall bind his heirs, successors or assigns.~~
- 2.3.14.4. ~~The written agreement shall be voided by the county if the reserved parking area is converted to usable parking area or if the reserved parking area is no longer required.~~
- 2.3.14.5. ~~Any other condition(s) that the board of zoning appeals determines appropriate with a recommendation of approval. Such condition(s) may include provisions of eserow money that can be used to develop the parking spaces at a later date, if necessary.~~

Sec. 2.3.16. Off-street parking and stacking: required amounts.

Minimum off-street parking space requirements are set forth below. Where stacking is required, the amount listed does not include the first vehicle being serviced (for drive-in windows, stacking starts ten feet behind the middle of the pickup window) and is computed at 20 feet per vehicle (turns are computed at 22 feet per vehicle, measured at the outside of the driveway). Stacking for one lane may be reduced if the reduction is added to the other lane(s).

Bank or financial institution	1 per 250 square feet on the first floor and 1 per 300 square feet on any other floors. Stacking for 6 <u>4</u> vehicles for each drive-up window not to exceed a total requirement of 25 <u>15</u> vehicles, <u>exclusive of automated deposit lanes which require no stacking.</u>
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2.3.16.1. *Bicycle Parking for ~~Non-residential~~ commercial Developments.*

1. Provisions for the safe and secure parking of bicycles shall be furnished at a ratio of five percent of requirements for motor vehicles as set forth in section 2.2.16. but not to exceed a maximum of 15 total bicycle parking spaces. A minimum of two bicycle parking spaces shall be provided.
2. 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 [of 1½ inch Schedule 40 pipe, ASTM F 1083] bent in one piece ("bike rack") mounted securely to the ground [by a 3/8 inch thick steel base plate, ASTM A 36] so as to secure the bicycle frame and both wheels.
3. Each parking space shall have a minimum of three feet of clearance on all sides of the bike rack.
4. Bicycle spaces shall be surfaced with the same or similar materials approved for the motor vehicle parking lot, lighted and located no greater than 100 feet from the main building entrance.
5. Extraordinary bicycle parking designs which depart from the bike rack standard but are consistent with the development's design theme shall be considered by the county architect. Bike racks which function without securing the bicycle frame, require the use of a bicycle kick stand, or which may be freely reoriented are not allowable.

Words ~~struck through~~ are deleted, words underlined are added.

SUBSECTION 3.D. AMENDMENTS TO LANDSCAPING AND BUFFERING DIVISION

Division 2.4., Landscaping and Buffering, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 2.4. LANDSCAPING AND BUFFERING

Sec. 2.4.4. Plant material standards and installation standards.

* * * * *

2.4.4.11. *Prohibited species.* The following plant species shall not be planted:

2.4.4.11.1. Enterolobium cyclocarpum (ear tree).

2.4.4.11.2. Melia azedarach (Chinaberry tree).

2.4.4.11.3. Bischofia javanica (bishopwood).

2.4.4.11.4. Scaevola frutescens (Australian inkberry).

2.4.4.11.5. Dalbergia sissoo (Indian rosewood).

2.4.4.11.6. Sapium sebiferum (Chinese tallow tree).

2.4.4.11.7. Ardisia elliptica (shoe button ardisia).

2.4.4.11.8. Ficus microcarpac (laurel fig).

This list shall be subject to revision as exotic plant species are determined to be noxious, invasive, cause environmental degradation to native habitats, or to be detrimental to human health, safety, or the public welfare.

2.4.4.12 *Prohibited Exotic Species.* In addition to the prohibitions outlined in section 2.4.4.11, the following species or seeds thereof shall not be grown, offered for sale, or transported inter-county or intra-county.

2.4.4.12.1. Melaleuca spp. (pauk tree).

2.4.4.12.2. Schinus terebinthifolius (Brazilian pepper).

2.4.4.12.3. Any member of the family Casuarinaceae (Australian pine).

2.4.4.12.4. Rhodomyrtus tomentosa (downy rosemyrtle).

2.4.4.12.5. Dioscorea bulbifera (air potato)

2.4.4.12.6. Colubrina asiatica (lather leaf).

2.4.4.12.7. Lygodium spp. (climbing fern).

2.4.4.12.8. Syzygium cumini (Java plum).

2.4.4.12.9. Mimosa pigra (catclaw mimosa).

2.4.4.12.10. Acacia auriculiformis (earleaf acacia).

2.4.4.12.11. Albizia lebbeck (Women's tongue).

2.4.4.12.12. *Ficus microcarpa* (laurel fig):

Sec. 2.4.7. Minimum landscape buffering and screening between uses.

2.4.7.4. *Types of buffers.* Within a required buffer strip, the following alternative shall be used based on the matrix in table 2.4.

TABLE 2.4 TABLE OF BUFFER REQUIREMENTS BY LAND USE CLASSIFICATIONS

Subject Property's District/Use	Adjacent Properties District													
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
1. Agriculture (A ¹)	-	B	B	B	B	B	A	A	A	A	D	A	-	A
2. Residential (E, RSF) single-family	A	A	B	B	B	B	B	C	B	*	D	B	-	C
3. Residential (RMF-6, RMF-12, RMF-16) multifamily	A	B	A	N	A	B	B	B	B	*	D	B	-	C
4. Residential tourist (RT)	A	B	A	A	B	B	A	B	B	*	D	B	-	B
5. Village residential (VR)	A	A	B	B	A	B	B	B	B	*	D	B	-	B
6. Mobile home (MH)	A	B	B	B	B	A	B	B	B	*	D	B	B	B
7. Commercial ^{3,4} (C-1, C-1/T, C-2, C-3, C-4, C-5); Business Park (BP)	A	B	B	B	B	B	A	A	A	*	D	B	B	B
8. Industrial ² (I)	A	C	B	B	B	B	A	A ²	A	*	D	B	B	B
9. Public use (P), community facility (CF), Golf Course Clubhouse, Amenity Center	A	B	B	B	B	B	A	A	A	*	D	B	-	C
10. Planned unit development (PUD)	*	*	*	*	*	*	*	*	*	*	D	*	*	*
11. Vehicular rights-of-way	D	D	D	D	D	D	D	D	D	D	-	B	-	D
12. Golf course maintenance building	B	B	B	B	B	B	B	B	B	B	B	A	B	C
13. Golf course	-	-	-	-	-	-	-	-	-	-	-	B	-	C
14. Automobile service station	A	C	C	B	B	B	B	B	C	*	D	C	C	D

* * * * *

The letter listed under "Adjacent Properties District" shall be the landscape buffer and screening alternative 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 use with the most similar types, densities and intensities of use. 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.

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

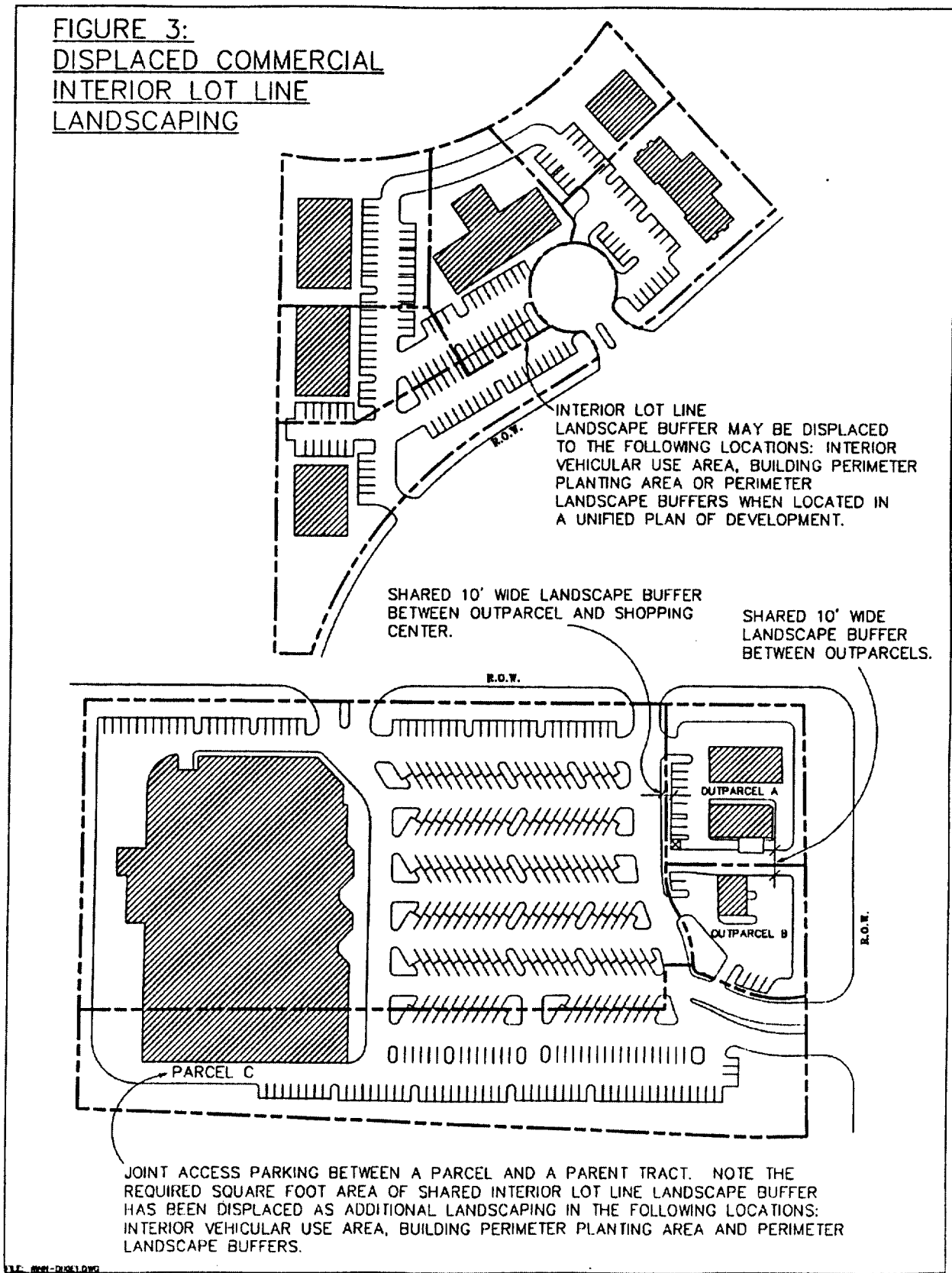
² Industrial (I) zoned property, where abutting industrial (I) zoned property, shall be required to install a minimum five-foot-wide type A landscape buffer adjacent to the side and rear property lines. This area shall not be used for water management. In addition, trees may be reduced to 50 feet on 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.

³ Buffer areas between commercial outparcels located within a shopping center may ~~have~~ be a shared buffer 10' wide. This does not apply to right-of-way buffers.

⁴ Buffer areas between interior lot lines of commercial parcels may be displaced to other locations as schematically shown in figure 3, displaced commercial interior lot line landscaping. Approval shall be obtained from the planning services director subject to the following conditions:

- (i) The project is part of a unified plan of development as illustrated by a master site development plan which includes all of the individual building parcels which comprise the unified plan of development; and
- (ii) An agreement between all owners of the separate parcels is recorded in the public records of the county to the effect that there is a system of cross-access easements and that the entire parking lot functions as a common parking lot; and
- (iii) All of the buildings share a common architectural and landscape theme; and
- (iv) The land area normally associated with landscaping that will be displaced as a result of the elimination of some interior lot line landscaping will be proportionately added to other required interior vehicular use area landscaping, building perimeter plantings or perimeter buffering.

**FIGURE 3:
DISPLACED COMMERCIAL
INTERIOR LOT LINE
LANDSCAPING**



SUBSECTION 3.E. AMENDMENTS TO SIGNS DIVISION

Division 2.5, Signs, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 2.5. SIGNS

Sec. 2.5.5. Permitted signs.

2.5.5.1. Signs within residential zoned districts and as applicable to residential designated portions of PUD zoned properties.

2.5.5.1.1. *Development standards.*

1. Maximum allowable height. All signs within residential zoned districts and as applicable to residential designated portions of PUD zoned

properties are limited to a maximum height of eight feet, or as provided within this code. Height shall be measured from the lowest centerline grade of the nearest public or private R.O.W. or easement to the uppermost portion of the sign structure.

2. Minimum setback. All signs within residential zoned districts and as applicable to residential designated portions of PUD zoned properties shall not be located closer than ~~15~~ 10 feet from the property line, unless otherwise noted below or as provided for in section 2.1.13.

2.5.5.1.2. *Real estate signs.* The following signs classified as real estate signs shall be permitted in residential districts subject to the following:

1. One ground sign with a maximum height of 6 feet or wall "For Sale," "For Rent," or similar sign, with a maximum of four square feet in size, per street frontage for each parcel, or lot less than one acre in size. Said sign shall be located no closer than ten feet from any adjacent residentially used property and may be placed up to the property line abutting a right-of-way, provided it is a minimum of ten feet from the edge of pavement. (No building permit required.)
2. One ground sign with a maximum height of 8 feet or wall "For Sale," "For Rent," or similar sign, with a maximum of 12 square feet in size, per street frontage for each parcel, or lot one to ten acres in size. (No building permit required.)
3. One pole sign with a maximum height of 15 feet or wall "For Sale," "For Rent," or similar sign, with a maximum of 64 square feet in size, per street frontage for each parcel or lot in excess ten acres in size.
4. Real estate signs shall not be located closer than ~~15~~ 10 feet from any property line. In the case of undeveloped parcels where the existing vegetation may not allow the location of the sign ~~15~~ 10 feet from the property line, the planning services director may allow a reduction in the amount of the required setback however, in no case shall said sign be located closer than five feet from any property line unless authorized by the board of zoning appeals through the variance process.
5. Real estate signs shall be removed when an applicable temporary use permit has expired, or within seven days of any of the following conditions: ownership has changed; the property is no longer for sale; rent or lease; or, the model home is no longer being used as a model home.
6. A sign advertising that a property has been sold or leased shall not be displayed for more than ~~30~~ 14 days after it is erected.

2.5.5.1.3. *Model home signs.* One on-premises sign for model homes, approved in conjunction with a temporary use permit in any zoning district not to exceed 32 square feet. Model home sign copy shall be limited to the model name, builder's name, name and address, phone number, price, logo, and model home. Model home signs shall not be illuminated in any manner (No building permit required.)

2.5.5.1.4. *Construction signs.* All supports for such signs shall be securely built, constructed, and erected and shall be located on the site under construction, subject to the following:

1. One ground sign with a maximum height of 6 feet or wall sign, with a maximum of four square feet in size, may be used as a construction sign by the general contractor of the development or as a permit board, within

each front yard for each parcel less than one acre in size. (No building permit required.)

2. One ground sign with a maximum height of 8 feet or wall sign, with a maximum of 12 square feet in size, may be used as a construction sign by the general contractor of the development or as a permit board, within each front yard for each parcel one to ten acres in size. (No building permit required.)
3. One pole sign with a maximum height of 15 feet or wall sign, with a maximum of 64 square feet in size, may be used as a construction sign by the general contractor of the development or as a permit board, within each front yard for each parcel in excess of ten acre in size.
4. One ground or wall sign, with a maximum of four square feet in size, may be used as a construction sign by each contractor, lending institution, or other similar company involved with the development, regardless of parcel size, (No building permit required.)

2.5.5.1.5. *Residential directional or identification signs.* Directional or identification signs no greater than four square feet in size, and located internal to the subdivision or development may be allowed subject to the approval of the planning services director, or his designee. Such signs shall only be used to identify the location or direction of approved uses such as models or model sales centers, club house, recreational areas, etc. These signs may be clustered together to constitute a sign with a maximum area of 24 square feet and a maximum height of eight feet. Such clustered signs shall require a building permit. For signage to be located ~~alone~~ along the Golden Gate Parkway see division 2.2, section 2.2.21.1 and 2.2.21.6.2.

2.5.5.1.6. *On-premises signs within residential districts.* Two ground signs with a maximum height of 8 feet or wall residential entrance or gate signs may be located at each entrance to a multi-family, single-family, mobile home or recreational vehicle park subject to the following requirements:

1. Such signs shall contain only the name of the subdivision, the insignia or motto of the development and shall not contain promotional or sales material. Said signs shall maintain a 10 ~~15~~-foot setback from any property line unless placed on a fence or wall subject to the restriction set forth in section 2.6.11.
2. The ground or wall signs shall not exceed a combined area of 64 square feet, and shall not exceed the height or length of the wall or gate upon which it is located.

2.5.5.1.7. *Conditional uses within the residential and agricultural districts.*

1. Conditional uses within the residential district are permitted one wall sign with a maximum of 32 square feet. Corner lots are permitted two such wall signs.
2. Conditional uses within the agricultural district in the urban area, residential and estates districts with a street frontage of 150 feet or more and a land area of 43,560 square feet or larger are permitted a ground sign with a maximum height of 8 feet with and a maximum area of 32 square feet.
3. Bulletin boards and identification signs for public, charitable, educational or religious institutions located on the premises of said institutions and not exceeding 12 square feet in size. (No building permit required.)

4. The Board of County Commissioners may approve additional signage as may be deemed appropriate during the conditional use approval process.

2.5.5.2. *Signs within non-residential districts:*

2.5.5.2.1. Design criteria and Unified sign plan. Where multiple on-premise signs are proposed for a single site or project, or in the case of a shopping center or multi-use building, a unified sign plan shall be employed. An application for site development or site improvement plan approval shall be accompanied by a graphic and narrative representation of the unified sign plan to be utilized on the site. The unified sign plan must be applied for by the property owner, or his or her authorized agent. The unified sign plan may be amended and resubmitted for approval to reflect style changes or changing tenant needs. Design elements which shall be addressed in both graphic and narrative form include:

- (a) Colors;
- (b) Construction materials and method;
- (c) Architectural design;
- (d) Illumination method;
- (e) Copy style;
- (f) Sign type(s) and location(s); and, conformance with the following:
- (g) No wall sign shall exceed 80 percent of the width of the unit(s) or the building occupied by a business with a minimum of ten percent clear area on each outer edge of the unit(s) or the building;
- ~~(g)~~ ~~In the case of multi-use buildings, and parcels with multiple structures on site, including outparcels, the unified sign plan shall indicate conformance with the following:~~
 - ~~(1) No wall sign shall exceed 80 percent of the width of the unit(s) occupied by a business with a minimum of ten percent clear area on each outer edge of the unit(s);~~
- ~~(2)~~(h) All wall signs for multi-use buildings shall be located at a consistent location on the building facade, except that anchor tenants may vary from this locational requirement in scale with the anchor's tenant's larger primary facade dimensions. All signs shall adhere to the dimensions provided for in the unified sign plan; and
- ~~(3)~~(i) Pole signs shall provide a pole cover no less than 50 percent of the width of the sign, with architectural design features including colors and/or materials common to those used in the design of the building the sign is accessory to. A minimum 100 square foot planting area shall be provided around the base of any ground or pole sign, consistent with the provisions of division 2.5. of this Code ~~(see Illustration 16 below).~~

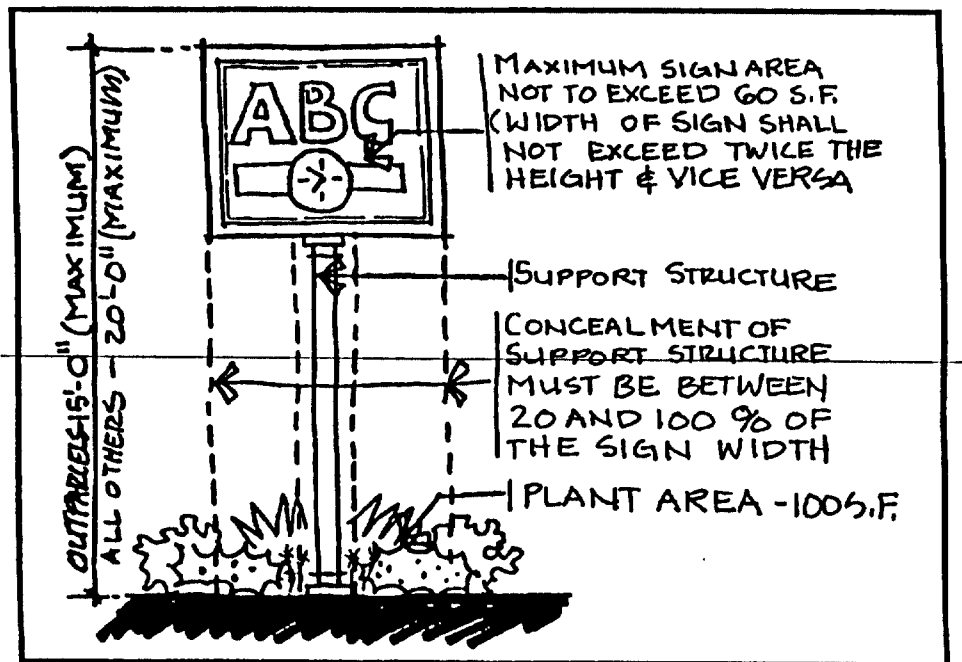


Illustration 16

(Illustration 16 is deleted)

- (j) The sign shall not be in the shape of a logo and the logo shall not protrude from the sign.
- (k) The use of fluorescent colors is prohibited.

2.5.5.2.1.1. *Outparcels.* In addition to the above requirements, ~~unified sign plans for~~ outparcels, regardless of the size of the outparcel, shall be limited to the following:

- (a) ~~A wall sign for any facade adjacent to a public right-of-way and a wall sign for any facade facing the main commercial center with a maximum of 60 square feet, not to exceed a maximum of two wall signs for any single use~~ In addition to any wall signs permitted by this code, outparcels may be allowed one additional sixty square foot wall sign facing the shopping center if the additional sign is not oriented towards any public right-of-way. In no case shall the number of wall signs for an outparcel exceed 2 signs; and,
- (b) A single ground ~~or pole~~ sign for outparcels having a frontage of 150 feet or more, not to exceed 60 square feet. Pole Ground signs shall be limited to 15 8 feet in height.

~~2.5.5.2.1.2. *Building permit requests.* Requests for building permits for permanent on-premise signs shall adhere to the unified sign plan, which shall be kept on file in the community development and environmental services division. Requests to permit a new sign, or to relocate, replace or structurally alter an existing sign shall be accompanied by a unified sign plan for the building or project the sign is accessory to. Existing permitted signs may remain in place; however, all future requests for permits, whether for a new sign, or relocation, alteration, or replacement of an existing sign, shall adhere to the unified sign plan for the property.~~

2.5.5.2.2. Development standards.

1. Maximum allowable height. All pole or ground signs within non-residential zoned districts and as applicable to non-residential designated portions of PUD zoned properties are limited to a maximum height of 15 feet when located along an arterial or collector roadway and 12 feet for all other roads, except as provided in this code for pole or ground signs for automobile service stations and outparcels which are limited to a maximum height of 8 feet; the maximum height for directory signs is

Words ~~struck through~~ are deleted, words underlined are added.

~~limited to 20 feet, eight feet, except wall or pole signs, or as otherwise provided for within this section.~~ Height shall be measured from the lowest centerline grade of the nearest public or private R.O.W. or easement to the uppermost portion of the sign structure.

2. Minimum setback. All pole or ground signs within non-residential zoned districts and as applicable to non-residential designated portions of PUD zoned properties shall not be located closer than ~~15~~ 10 feet from the property line. Directory signs shall not be closer than 15 feet from the property line, unless otherwise noted below or as provided for in section 2.1.13.
3. Maximum allowable sign area: 80 square feet for pole or ground signs located along an arterial or collector roadway and 60 square feet for all other roads, 60 square feet for outparcels and automobile service stations and 150 square feet for directory signs.
4. The location of all permanent pole, ground and directory signs shall be shown on the landscape plans as required by section 2.4.4.17.
5. The maximum size limitation shall apply to each structure. Pole or ground signs may be placed back to back or in V-type construction with not more than one display on each facing for a maximum of two display areas for each V-type sign, and such sign structure shall be considered as one sign.
6. Spot or floodlights shall be permitted only where such spot or floodlight is non-revolving and said light shines only on the owner's premises or signs and away from any right-of-way.

2.5.5.2.3. *Real estate signs:* The following signs classified as real estate signs shall be permitted in non-residential districts subject to the following:

1. One ground sign with a maximum height of 10 feet or wall "For Sale," "For Rent," or similar sign with a maximum area of twelve square feet in size per street frontage for each parcel, or lot less than one acre in size. (No building permit required.)
2. One ground sign with a maximum height of 10 feet or wall "For Sale," "For Rent," or similar sign, with a maximum 32 square feet in size, per street frontage for each parcel, or lot one to ten acres in size. (No building permit required.)
3. One ~~pole~~ ground sign with a maximum height of 15 feet or wall "For Sale," "For Rent," or similar sign, with a maximum of 64 square feet in size, per street frontage for each parcel or lot in excess of ten acres in size.
4. Real estate signs shall not be located closer than ~~15~~ 10 feet from any property line. In the case of undeveloped parcels where the existing vegetation may not allow the location of the sign ~~15~~ 10 feet from the property line, the planning services director may allow a reduction in the amount of the required setback however, in no case shall said sign be located closer than five feet from any property line unless authorized by the board of zoning appeals through the variance process.
5. Real estate signs shall be removed when an applicable temporary use permit has expired, or within seven days of any of the following conditions: ownership has changed; or, the property is no longer for sale, rent or lease.
6. A sign advertising that a property has been sold or leased shall not be displayed for more than ~~30~~ 14 days after it is erected.

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2.5.5.2.4. *Construction signs.* All supports for such signs shall be securely built, constructed, and erected and shall be located on the site under construction and no closer than ~~45~~ 10 feet from any property line, and subject to the following:

1. One ground sign with a maximum height of 10 feet or wall sign, with a maximum of 12 square feet, may be used as a construction sign by the general contractor of the development or as a permit board, within each front yard for each parcel less than one acre in size. (No building permit required.)
2. One ground sign with a maximum height of 10 feet or wall sign, with a maximum of 32 square feet in size, may be used as a construction sign by the general contractor of the development or as a permit board, within each front yard for each parcel one to ten acres in size. (No building permit required.)
3. One pole sign with a maximum height of 15 feet or wall sign, with a maximum of 64 square feet in size, may be used as a construction sign by the general contractor of the development or as a permit board, within each front yard for each parcel in excess of 10 acres in size.
4. One ground or wall sign, with a maximum of 4 square feet in size, may be used as a construction sign by each contractor, lending institution, or other similar company involved with the development, regardless of parcel size. (No building permit required).
5. All construction signs must be removed prior to the issuance of a certificate of occupancy.

2.5.5.2.5. *On-premise signs.* On-premise pole signs, ground signs, projecting signs, wall signs, and mansard signs shall be allowed in all nonresidentially zoned districts subject to the restrictions below:

2.5.5.2.5.1. *Pole or ground signs.* Single-occupancy parcels, shopping centers, office complexes, business parks, or industrial parks having frontage of 150 feet or more on a public street, or combined public street frontage of 220 linear feet or more for corner lots, shall be permitted one pole or ~~two~~ ground signs. Additional pole or ground signs may be permitted provided that there is a minimum of a 1,000-foot separation between such signs, and all setback requirements are met. In no case shall the number of pole or ground signs exceed two per street frontage. In addition, multiple-occupancy parcels such as shopping centers, office complexes, business parks, or industrial parks containing 25,000 square feet or more of gross leasable floor area, and eight or more independent businesses will be permitted one directory sign ~~with a maximum size of 250 square feet~~ for a single entrance on each public street. When a directory sign is proposed then any pole or ground signs shall be limited to the name and logo of the complex and shall not contain name of any tenant. The directory sign shall contain a minimum of 4 and a maximum of 8 tenant names. The name of businesses located on outparcels shall not appear on directory signs.

- ~~1. Maximum allowable sign area: 100 square feet for each pole or ground signs, or a maximum combined area of 120 square feet for two ground signs, except for approved directory signs.~~
- ~~2. Setbacks: 15 feet from any property line, public or private right of way, or easement, unless otherwise noted below or as provided for in section 2.1.13., and with the exception of directory signs which may be located within the medians of private streets or easements, provided that there is a minimum of a 15-foot setback from all project boundaries and public rights of ways and easements, and their location presents no visual~~

Words ~~struck through~~ are deleted, words underlined are added.

~~obstructions, or traffic hazards to motorists or pedestrians, unless otherwise noted below or as provided for in section 2.1.13.~~

3.2.5.5.2.5.1.1.

The minimum 15-foot setback requirement may be administratively reduced by a maximum of ten feet by the planning services director upon submission of the administrative variance fee and a written request. However in no case shall the required setback be reduced to less than 5 feet. The planning services director's decision to reduce the required ~~15-foot~~ setback shall be based on the following:

- a) Where it can be demonstrated that within the adjacent right-of-way the area between the property line and the edge of pavement is excessively wide and that the actual paved area is unlikely to be widened to the extent that reduction in the required setback will result in the sign being any closer than 30 feet to the edge of pavement;
- b) Where due to the existing site conditions and improvements, it can be demonstrated that adherence to the required minimum required 15-foot setback will have a deleterious effect on the safety of users of the site from the perspective of vehicular parking and vehicular and pedestrian ingress and egress;
- c) Where due to the nature and location of existing landscape features and/or specimen trees, it would be prudent to allow for a reduction in the required setback so as to most appropriately locate the sign structure; or,
- d) The extent of the reduction is the minimum amount necessary to provide relief from the applicable conditions cited above.

~~4. Maximum allowable height: 20 feet in height, except for directory signs as permitted in section 2.5.5.2.4.1., which may be 25 feet in height. Height shall measure from the lowest centerline grade of the nearest public or private right of way or easement to the uppermost portion of the sign structure.~~

~~5. The maximum size limitation shall apply to each structure. Monument Pole or ground signs may be placed back to back, side by side, or in V-type construction with not more than one display on each facing, and such sign structure shall be considered as one sign.~~

~~6. Spot or floodlights shall be permitted only where such spot or floodlight is non-revolving and said light shines only on the owner's premises or signs and away from any right of way.~~

2.5.5.2.5.2.

Wall, mansard, canopy or awning signs. One wall, mansard, canopy or awning sign shall be permitted for each single-occupancy parcel, or for each establishment in a multiple-occupancy parcel. End units within shopping centers, or single occupancy parcels where there is double frontage on a public right-of-way, shall be allowed two signs, but such signs shall not be placed on one wall. ~~In addition, outparcels within shopping centers may be allowed one additional 60 square foot wall sign facing the shopping center if the additional sign is not oriented towards any public right of way. In no case shall the number of wall signs for an outparcel exceed 2 signs.~~ Retail businesses with a floor area of larger than ~~15,000~~ 25,000 square feet and a front wall length of more than 200 linear feet, are allowed three wall signs; however, the combined area of those signs shall not exceed the maximum allowable display area for signs by this code.

1. The maximum allowable display area for signs shall not be more than 20 percent of the total square footage of the visual facade of the building to
- Words ~~struck through~~ are deleted, words underlined are added.

which the sign will be attached and shall not, in any case, exceed 150 square feet for buildings or units up to 24,999 square feet, 200 square feet for buildings or units between 25,000 and 59,999 square feet and 250 square feet for buildings over 60,000 ~~250 square feet in area for any sign.~~

2.5.5.2.5.3. *Projecting signs.* Projecting signs may be substituted for wall or mansard signs provided that the display area of the projecting sign shall not exceed 60 square feet of display area.

1. Projecting signs shall not project more than four feet from the building wall to which it is attached.
2. Projecting signs shall not extend above the roofline of the building to which it is attached.
3. Projecting signs shall not project into the public right-of-way.
4. Projecting signs which project over any pedestrian way shall be elevated to a minimum height of eight feet above such pedestrian way.

2.5.5.2.5.4. *Under-canopy signs.* In addition to any other sign allowed by this code, one under-canopy sign shall be allowed for each establishment in a shopping center. This sign shall not exceed six square feet in area and shall be a minimum of eight feet above finished grade. Under canopy signs do not require a building permit unless the sign is equipped with an electrical component.

2.5.5.2.5.5. *Signage for automobile service stations.*

The followings are the only signs allowed in automobile services stations and convenience stores with gas pumps.

1. Window signs: ~~may only show the building address, hours of operation, emergency telephone numbers, and acceptable credit cards~~ as allowed in section 2.5.6.13 of this code.
2. An illuminated corporate logo with a maximum area of 12 square feet shall be allowed on a canopy face which is adjacent to a dedicated street or highway. Otherwise, accent lighting, ~~and back lighting~~ and accent striping ~~are~~ is prohibited on canopy structures.
3. ~~Pole signs are prohibited, however, o~~ One (1) ground sign shall be permitted for each site and shall be placed within a 200 square foot landscaped area. Height is limited so that the top edge of the sign face is less than eight feet above grade. Maximum permitted area 70 ~~60~~ square feet.
4. ~~Illuminated~~ Signage, logos, advertising and information are prohibited above gas pumps.
5. Wall signs: As allowed in section 2.5.5.2.5.2. of this code.
6. Signs: As allowed in section 2.5.6.2. of this code.

* * * * *

2.5.5.2.5.8.1. *Political signs.* Political campaign signs and posters shall be permitted subject to the following requirements:

1. Prior to the erection, installing, placing, or displaying of a political sign a bulk temporary permit shall be obtained. The permit number shall appear on every sign or on the pole supporting the sign. The fee for said bulk
- Words ~~struck through~~ are deleted, words underlined are added.

permit shall be as adopted by resolution by the board of county commissioners. A cash bond in the amount of \$500.00 shall be posted with the Collier County Community Development and Environmental Services Division to insure adequate clean up and removal of all political signs installed under the said permit. This bond is not intended to replace the applicant's responsibility to remove all political signs installed under the said permit. The Collier County Community Development and Environmental Services Division shall return such bond to the permittee if all signs for the candidate or the issue for which the permit was issued are removed within seven days after the election. In the case of non-compliance with the requirements of this code, the bond will be forfeited.

2. Political campaign signs or posters within residentially zoned or used property shall not exceed four square feet in size, and shall not be located closer than five feet to any property line. Political signs placed within residential districts shall require written permission from the property owner.
3. Political campaign signs or posters will be permitted in all other zoning districts within a maximum copy area of ~~40~~ 32 square feet per sign, and shall be located no closer than ~~15~~ 10 feet to any property line. The number of such signs shall be limited to one ~~two~~ signs for each lot or parcel per bulk permit issued for each candidate or issue.
4. All supports shall be securely built, constructed and erected to conform with the requirements of this code.
5. The maximum height of any political campaign sign or poster, except those that may be affixed to a wall, shall be limited to eight feet.
6. Political signs shall be erected not more than ~~60~~ 45 calendar days prior to an election or political event, and shall be removed within seven calendar days after the election, event, or after the campaign issue has been decided.

* * * * *

2.5.5.2.5.8.3. *Special events signs.* A special events sign not exceeding 32 square feet in size may be displayed to announce or advertise such temporary uses as fairs, carnivals, circuses, revivals, sporting events, or any public, charitable, educational event. Such sign shall be located no closer than ~~15~~ 10 feet to any property line. Such signs shall require a building permit.

2.5.5.2.9. *Special purpose signs (on-site).* Due to the unique and varied nature of the following uses, additional signs may be required to provide the desired level of service to the public. Special purpose signs shall be permitted as follows:

2.5.5.2.5.9.1. *Time and temperature signs.* One time and temperature sign having a surface area not exceeding 12 square feet shall be permitted at each industrial, commercial or other non-residentially zoned property. Such signs may be affixed to the structure of a pole or ground sign. Such sign shall require a building permit.

2.5.5.2.5.10. *Commercial, business park and industrial directional or identification signs.* Directional or identification signs no greater than six square feet in size, four feet in height, and located internal to the subdivision or development and with a minimum setback of 10 ~~15~~ feet, may be allowed subject to the approval of the community development and environmental services administrator, or his designee. Such sign shall only be used to identify the location or direction of approved uses such as sales centers, information centers, or the individual components of the development. ~~Directional or identification signs~~ Directional or identification signs maintaining a common architectural theme may be combined into a single sign not to exceed six feet in height and 64 square feet in area. Such signs shall require a

building permit. For signage to be located along the Golden Gate Parkway, see division 2.2, sections 2.2.21.1 and 2.2.21.6.2 and the Golden Gate Master Plan. ~~Logos on all directional signs shall not exceed 20 percent of the sign area.~~ Logos shall not occupy more than 20 percent of the directional sign area when the said sign is more than six square feet in area. Directional signs are also subject to the restrictions of section 2.5.6.2. of this code.

2.5.5.2.5.11. *On-premise signs within agricultural districts in the rural agricultural area designated on the future land use map of the growth management plan.* On-premises signs shall be permitted within agriculturally zoned or used property, for agri-commercial uses defined within the Collier County zoning ordinance only, and subject to the following restrictions:

2.5.5.2.5.11.1. One pole or ground sign identifying the farm organization, located at the entrance or gate of each street frontage, and only for permitted agricultural uses. The maximum allowable sign area for each pole or ground sign shall not exceed 100 square feet with a maximum height of 20 feet, and shall be located a minimum of 15 feet from any property lines, public or private right-of-way or easement.

2.5.5.2.5.11.1.1. On premise signs within agricultural zoned districts in the urban area shall comply with the requirements of section 2.5.5.2. of the land development code.

2.5.5.2.5.11.2. *Seasonal farm signs (on-site).* One temporary ~~pole or~~ ground sign, with a maximum height of 10 feet, and located a minimum of 10 feet from any property line, public or private right-of-way or easement, identifying the farm, farm organization, entrance, or gate not exceeding ~~40~~ 32 square feet in area. This sign shall be used to identify temporary agricultural offices so as to expedite the exportation of crops to various parts of the county. Such signs shall be permitted for a period not to exceed 30 days and may be issued only twice in any calendar year. Such signs shall require a building permit.

2.5.5.2.5.11.3. *U-Pic signs.* One U-Pic sign located at the entrance on each street frontage. The maximum allowable sign area for each U-Pic sign shall not exceed 32 square feet in area and a maximum height of 10 feet, and shall be located a minimum of ~~15~~ 10 feet from any property line, public or private right-of-way or easement.

2.5.5.2.5.11.4. *Wall, mansard canopy or awning signs within agricultural districts.* Wall, mansard, canopy or awning signs shall be permitted within agriculturally zoned or used property, for agri-commercial uses defined within the Collier County zoning ordinance only, and subject to the following restrictions:

1. One wall or mansard, canopy or awning sign shall be permitted for each principal use structure on the parcel. Corner parcels or double-frontage parcels shall be allowed one sign per street frontage, but such signs shall not be combined for the purpose of placing the combined area on one wall. The maximum allowable display area for any sign shall not be more than 20 percent of the total square footage of the wall to which it is affixed, and shall not in any case exceed 250 square feet in area per sign.

2.5.5.2.5.12. *Off-premises directional signs.* Off-premises directional signs are permitted subject to review and approval of the design and location of such signs by the community development and environmental services administrator, or his designee, if the following requirements are met:

1. Off-premises directional signs shall only be permitted in nonresidentially zoned, or agricultural districts.
2. No more than two one-sided or one double-sided off-premise directional signs shall be permitted, identifying the location and nature of a building,

structure, or use which is not visible from the arterial roadway serving such building, structure, or uses, provided:

- ~~1-~~ a. Each sign is not more than 12 square feet in area.
 - ~~2-~~ b. The sign is not more than eight feet in height above the lowest center grade of the arterial roadway.
 - ~~3-~~ c. The sign is located no closer than ~~45~~ 10 feet to any property line.
 - ~~4-~~ d. The applicant must submit with the permit application notarized, written permission from the property owner where the off-site sign is located.
 - ~~5-~~ e. The sign shall only be located within 1,000 feet of the intersection of the arterial roadway serving the building, structure, or use.
3. Off-premises directional signs shall not be located closer than 50 feet from a residentially zoned district.
 4. Off-premises directional signs shall not be located closer than 100 feet from another off-premises directional sign.

* * * * *

Sec. 2.5.6. Signs exempt from permitting.

In addition to those signs identified elsewhere in this code, the following signs are exempt from the permit requirements of this code, and shall be permitted in all districts subject to the limitations set forth below:

- 2.5.6.1. Signs required to be maintained or posted by law or governmental order, rule, or regulation.
- 2.5.6.2. On-premises directional signs, not exceeding six square feet in area and four feet in height, intended to facilitate the movement of pedestrians and vehicles within the site upon which such signs are posted. On-premises directional signs shall be limited to two at each vehicle access point and a maximum of four internal to the development. Internal signs are not intended to be readily visible from the road. Directional signs are also subject to the restrictions of section 2.5.5.2.5.10. of this code.
- 2.5.6.3. One identification sign, professional nameplate, or occupational sign for each professional office, or business establishment not to exceed two square feet in sign area and placed flush against a building face or mailbox side, and denoting only the name of the occupant and, at the occupant's election, the occupant's profession or specialty and/or the street address of the premise.
- 2.5.6.4. Memorial plaques, cornerstones, historical tablets, and similar types of commemorative signs when cut into any masonry surface or when constructed of bronze or other noncombustible materials.
- 2.5.6.5. "No Trespassing," "No Dumping," or other prohibitory or safety type signs, provided each sign does not exceed three square feet in size.
- 2.5.6.6. One ground or wall "For Sale," "For Rent," or similar sign per street frontage for each parcel, or lot less than ten acres in size.
- 2.5.6.7. One on-premises sign for model homes, approved in conjunction with a temporary use permit in any zoning district.

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- 2.5.6.8. One on-premises open house sign not to exceed four square feet in size. Such sign shall not be located within ~~45~~ 10 feet of any property line, right-of-way or access easement.
- 2.5.6.9. Bulletin boards and identification signs for public, charitable, educational or religious institutions located on the premises of said institutions and not exceeding 12 square feet in size.
- 2.5.6.10. Signs located on fences or walls surrounding athletic fields, or within sports arenas, stadiums and the like, not to exceed 32 square feet in size, per sign. Signs shall be oriented along the fence or wall to face the field(s) or playing area, and away from any adjacent public or private roads.
- 2.5.6.11. Traffic control and safety signs or other municipal, county, state or federal signs, legal notices, railroad crossing signs, danger signs and such temporary emergency signs when erected by an appropriate authority.
- 2.5.6.12. Window merchandise displays which are changed on a regular basis, meaning no less frequently than every 30 days.
- 2.5.6.13. Non-electrical, non-illuminated and non-reflective ~~Window~~ signs not exceeding 25 percent of each window area.
- 2.5.6.14. Signs located at the entrance drive of residences located upon 2.25-acre lots or greater, displaying the name and address of the resident and not exceeding four square feet in area.
- 2.5.6.15. Flags, or insignias of governmental, religious, charitable, fraternal or other nonprofit organizations when displayed on property owned by or leased to said organization. Non-commercial flags that will be flown on a flagpole that does not exceed 15 feet in height above finished grade or extend more than ten feet from any building they are attached to, are allowable if the number of flags displayed does not exceed those described in section 2.5.5.2.3.8 and the flagpoles do not require a certified design or be sealed by a Florida registered engineer as described in section 2.5.5.2.3.8.
- 2.5.6.16. Advertising and identifying signs located on taxicabs, buses, trailers, trucks, or vehicle bumpers, provided such sign does not violate section 2.5.7 of this code.
- 2.5.6.17. Religious displays that do not constitute advertising.
- 2.5.6.18. Painting, repainting or cleaning without modifying the existing sign copy or design of an advertising structure, or changes which are determined by the planning services director to be less than a substantial improvement.
- 2.5.6.19. Copy changes for shopping centers, theaters, billboards or marquees that have routine changes of copy, or are specifically designed for changes of copy.
- 2.5.6.20. One ground or wall sign may be used as a construction sign by the general contractor of the development, within each front yard for each parcel less than ten acres in size
- 2.5.6.21. Temporary signs in conjunction with an approved temporary use permit.
- Sec. 2.5.7. Prohibited signs.**

It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained, any sign not expressly authorized by, or exempted from this code. The following signs are expressly prohibited:

- 2.5.7.1. Signs which are in violation of the building code or electrical code adopted by Collier County.
- 2.5.7.2. Abandoned signs.
- 2.5.7.3. Animated or activated signs, except time and temperature signs.
- 2.5.7.4. Flashing signs or electronic reader boards.
- 2.5.7.5. Rotating signs or displays.
- 2.5.7.6. Illuminated signs in any residentially zoned or used district, except residential identification signs, residential nameplates, and street signs that are illuminated by soft or muted light. Nonresidential uses within residentially used or zoned districts by conditional use, PUD ordinance, or as otherwise provided for within the ~~zoning ordinance~~ land development code, shall be allowed the use of illuminated signs, subject to the approval of the community services administrator or his designee.
- 2.5.7.7. Signs located upon, within, or otherwise encroaching upon county or public rights-of-way, except as may be permitted under the provisions of Ordinance [No.] 82-91, as amended, and those erected by a governmental agency or required to be erected by a governmental agency.
- 2.5.7.8. Billboards.
- 2.5.7.9. Strip lighted signs.
- 2.5.7.10. Neon type signs, except non-exposed neon signs covered with an opaque or translucent shield which will prevent radiation of direct light, within all commercial and industrial districts.
- 2.5.7.11. Roof signs.
- 2.5.7.12. Portable signs.
- 2.5.7.13. Signs which resemble any official sign or marker erected by any governmental agency, or which by reason of position, shade or color, would conflict with the proper function of any traffic sign or signal, or be of a size, location, movement, content, color, or illumination which may be reasonably confused with or construed as, or conceal, a traffic control device.
- 2.5.7.14. Signs, commonly referred to as snipe signs, made of any material whatsoever and attached in any way to a utility pole, tree, fence post, stake, stick or any other object located or situated on public or private property, except as otherwise expressly allowed by, or exempted from this code.
- 2.5.7.15. Wind signs (except where permitted as part of section 2.5.5 and 2.5.6 of this code).
- 2.5.7.16. Any sign which is located adjacent to a county right-of-way within the unincorporated areas of the county which sign was erected, operated or maintained without the permit required by section 2.5.12 having been issued by the community development services administrator or his designee shall be removed as provided in section 2.5.7. Such signs shall include but are not limited to structural signs, freestanding signs, [and] signs attached or affixed to structures or other objects.
- 2.5.7.17. Any description or representation, in whatever form, of nudity, sexual conduct, or sexual excitement, when it:

- 2.5.7.17.1. Is patently offensive to contemporary standards in the adult community as a whole with respect to what is suitable sexual material for minors; and
- 2.5.7.17.2. Taken as a whole, lacks serious literary, artistic, political, or scientific value.
- 2.5.7.18. ~~Any sign which~~ Beacon lights.
- 2.5.7.19. Any sign which ~~E~~ emits audible sound, vapor, smoke, or gaseous matter.
- 2.5.7.20. Any sign which ~~O~~ obstructs, conceals, hides, or otherwise obscures from view any official traffic or government sign, signal, or device.
- 2.5.7.21. Any sign which ~~E~~ employs motion, has visible moving parts, or gives the illusion of motion (excluding time and temperature signs).
- 2.5.7.22. Any sign which ~~I~~ is erected or maintained so as to obstruct any firefighting equipment, window, door, or opening used as a means of ingress or egress for fire escape purposes including any opening required for proper light and ventilation.
- 2.5.7.23. Any sign which ~~C~~ constitutes a traffic hazard, or detriment to traffic safety by reason of its size, location, movement, content, coloring, or method of illumination, or by obstructing or distracting the vision of drivers or pedestrians.
- 2.5.7.24. Signs mounted on a vehicle, be it the roof, hood, trunk, bed, and so on, where said sign is intended to attract or may distract the attention of motorists for the purpose of advertising a business, product, service, or the like, whether or not said vehicle is parked, or driven, excluding emergency vehicles, taxi cabs, and delivery vehicles, where a roof mounted sign does not exceed two square feet. This section shall not apply to magnetic type signs affixed to or signs painted on a vehicle, provided said vehicle is used in the course of operation of a business, and which are not otherwise prohibited by this code. It shall be considered unlawful to park a vehicle and/or trailer with signs painted, mounted or affixed, on site or sites other than that at which the firm, product, or service advertised on such signs is offered.
- 2.5.7.25. Any sign which ~~U~~ uses flashing or revolving lights, or contains the words "Stop," "Look," "Danger," or any other words, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse vehicular traffic.
- 2.5.7.26. Any sign which advertises or publicizes an activity not conducted on the premises upon which the sign is maintained, except as otherwise provided for within this code.
- 2.5.7.27. No sign shall be placed or permitted as a principal use on any property, in any zoning district except as follows: U-Pic signs, political signs or signs approved by temporary permit pursuant to the time limitations set forth herein.
- 2.5.7.28. Inflatable signs.
- 2.5.7.29. Accent lighting as defined in this code.
- 2.5.7.30. Illuminated signs, neon or otherwise, installed inside businesses and intended to be seen from the outside

Sec. 2.5.8. Termination of prohibited signs.

All signs expressly prohibited by section 2.5.7. and their supporting structures, shall be removed within 30 days of notification that the sign is prohibited by the Collier County Code Enforcement Director, or his designee, or, within 30 days of the end of the amortization period contained in section 2.5.9. or, in the alternative, shall be altered so that they no longer violate section 2.5.7. Billboards with an original cost of \$100.00 or more, and which have been legally permitted, shall be treated as nonconforming signs and removed pursuant to section 2.5.9.3.

Words ~~struck through~~ are deleted, words underlined are added.

Sec. 2.5.9. Nonconforming signs.

Existing signs not expressly prohibited by this code and not conforming to its provisions shall be regarded as nonconforming signs.

- 2.5.9.1. The following signs, and sign structures shall be removed or made to conform to this code within 90 days from the effective date thereof.
 - 2.5.9.1.1. Signs made of paper, cloth or other nondurable materials.
 - 2.5.9.1.2. All temporary signs.
 - 2.5.9.1.3. Those signs described in sections 2.5.6.7, 2.5.6.13, 2.5.6.14, 2.5.6.17, and 2.5.6.18.
 - 2.5.9.1.4. All non-conforming on-premises signs, and sign structures having an original cost or value of \$100.00 or more, and originally built prior to January 1st 1991, which do not conform to the requirements of the 1991 code and all illuminated and/or animated signs, neon or otherwise, installed inside commercial establishments and intended to be seen from the outside may be maintained until February 1st, 2003, at which date all such signs must be made to comply with the requirements of this code or removed, except as provided below:
- 2.5.9.2. Nonconforming off-premises signs. All nonconforming off-premises signs, and sign structures having an original cost or value of \$100.00 or more may be maintained for the longer of the following periods:
 - 2.5.9.2.1. Two years from the date upon which the sign became nonconforming under this ordinance.
 - 2.5.9.2.2. A period of three to seven years from the effective date of this ordinance, according to the amortization table below.

<i>Sign Cost/Value</i>	<i>Permitted Years from Effective Date of this Amendment</i>
\$100.00 to \$1,000.00	3
\$1,001.00 to \$3,000.00	4
\$3,001.00 to \$10,000.00	5
More than \$10,000.00	7

- 2.5.9.2.3. Any owner of an off-premises sign who requests an amortization period longer than two years shall, within one year from the date of enactment of these regulations, register the sign with the code enforcement director, or his designee. The following information shall be provided at the time of registration; the cost or value, whichever is greater, of the sign; the date of erection; or the cost or value and date of the most recent renovation; a photograph of the sign or signs and their supporting structure, not less than five inches by seven inches in size; and a written agreement to remove the sign at or before the expiration of the amortization period applicable to the sign. The off-premise sign owner's signature shall be witnessed before a notary public on all requests for extended amortizations. A registration fee of \$50.00 shall be paid at the time of registration.

Sec. 2.5.10. Continuation of nonconforming signs.

Subject to the limitations imposed by section 2.5.9 of this code, a nonconforming sign may be continued and ~~may~~ shall be maintained in good condition for the duration of amortization period as required by this code, but shall not be:

- 2.5.10.1. Structurally or mechanically extended or altered to further the nonconformity, except in cases where it has been determined that there exists imminent danger to the public safety.
- 2.5.10.2. Repaired or rebuilt when destroyed or damaged to the extent of 50 percent or more of its replacement value, except in conformity with this code.
- 2.5.10.3. A nonconforming permanent on-premises or off-premises sign shall not be replaced by another nonconforming sign. All non-conforming signs shall be brought into full compliance as part of any future change requiring a building permit. A permit for routine maintenance or non-structural repairs shall be exempt from the requirements of this sub-section provided the cost of such repairs does not exceed 50 percent of the replacement cost of the sign. ~~except that~~s Substitution or interchange of letters, on nonconforming signs shall be permitted through the period of nonconformity established by this code.
- 2.5.10.4. Continued in use when any land use to which the sign pertains has ceased for a period of 90 consecutive days, or has otherwise changed.
- 2.5.10.5. Nonconforming status shall not be afforded to any sign erected without the required permit issued by the county, state, or any federal agency either before or after the enactment of this code, or to any pre-existing signs which have been illegally installed, constructed, placed or maintained.
- ~~2.5.10.6. In the case of sign which would be permitted by, and conform to, the regulations of this code, except that such signs violate the maximum height, minimum setback from a property line, maximum sign area and other similar development standards, the planning services director, or his designee, may approve structural alterations upon written request, provided the sign and or supporting structure is redesigned so as to remove one or more of the nonconforming aspects of the sign.~~

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Sec. 2.5.12. Permit applications.

- 2.5.12.1. *General.* Any person wishing to erect, place, rebuild, reconstruct, relocate, alter, or ~~change~~ change the sign copy (see section 2.5.5. for exceptions) of any sign shall apply for and receive a building permit in accordance with Resolution 91-642, prior to the commencement of any work. A building permit will be issued by the community development services administrator, or his designee, provided that all permit requirements of the code and all other applicable provisions of Collier County's ordinances and regulations have been met.
- 2.5.12.2. *Permit fees.* A building permit fee shall be collected pursuant to the fee schedule set forth by resolution.
- 2.5.12.3. *Form.* Every application for a building permit shall be in writing upon forms to be furnished by the community development and environmental services administrator, or his designee.
- 2.5.12.4. *Application contents.* In order to obtain a permit to erect, place, rebuild, reconstruct, relocate, alter or ~~change~~ change the sign copy of any sign under the provision of this code, an applicant shall submit to the building official a building

permit application which shall set forth in writing a complete description of the proposed sign including:

- 2.5.12.4.1. The name, address and telephone number of the: (a) owner and lessee of the sign and (b) sign contractor or erector of the sign.
- 2.5.12.4.2. The legal description and the street address of the property upon which the sign is to be erected.
- 2.5.12.4.3. The dimensions of the sign including height.
- 2.5.12.4.4. The copy to be placed on the face of the sign.
- 2.5.12.4.5. Other information required in the permit application forms provided by the community development and environmental services administrator, or his designee; including two copies of the site plan, elevation drawings of the proposed sign and identification of the type, height, area and location of all existing pole signs, ground signs and directory signs on the subject parcel.
- 2.5.12.4.6. Two blueprints or ink drawings, certified by a Florida registered engineer or architect, of the plans and specifications and method of construction and attachment to the building or the ground for all pole signs and all projecting signs; and any ground sign over 32 square feet.
- 2.5.12.4.7. Wall signs, or any separate part thereof, which is to be affixed to a wall shall be fastened flush with the surface with fasteners which shall have the capacity to carry the full load of the sign or separate part thereof under wind load conditions of the approved Collier County Building Code Ordinance [Code § 22-106 et seq.], Flood Ordinance [Code ch. 62. art. II], and the Coastal Building Zone Ordinance [Code ch. 22, art. VIII]. Any such sign or separate part thereof which is not mounted flush with the surface and which weighs more than 20 pounds shall have a Florida registered engineer design the mounting or fastening system and depict the system on signed and sealed drawings which shall accompany the permit application.
- 2.5.12.4.8. If the sign or sign copy is to be illuminated or electronically operated, the technical means by which this is to be accomplished.
- 2.5.12.4.9. The permit number shall be displayed or affixed at the bottom of the sign face and shall have the same life expectancy as the sign. Such permit number shall be clearly legible to a person standing five feet in front of the base of the sign and in no case shall the permit number be less than one-half inch in size.
- 2.5.12.5. *Expiration of permit.* Building permits shall expire and become null and void if the work authorized by such permit is not commenced and inspected within six months from the date of issuance of the permit.
- 2.5.5.2.1.2. *Adherence to the unified sign plan: Requests for building permits for permanent on-premise signs shall adhere to the unified sign plan, which shall be kept on file in the community development and environmental services division. Requests to permit a new sign, or to relocate, replace or structurally alter an existing sign shall be accompanied by a unified sign plan for the building or project the sign is accessory to. Existing permitted signs may remain in place; however, all future requests for permits, whether for a new sign, or relocation, alteration, or replacement of an existing sign, shall adhere to the unified sign plan for the property.*

Sec. 2.5.13. Enforcement.

- 2.5.13.1. *General.* No sign shall hereafter be erected, placed, altered or moved unless in conformity with this code. All signs located within Collier County shall comply with the following requirements:
- 2.5.13.1.1. The issuance of a sign permit pursuant to the requirements of this code shall not permit the construction or maintenance of a sign or structure in violation of an existing county, state or federal law or regulation.
- 2.5.13.1.2. All signs for which a permit is required shall be subject to inspections by the county ~~manager~~ administrator or his designee. The county ~~manager~~ administrator, or his designee, is hereby authorized to enter upon any property or premises to ascertain whether the provisions of this code are being adhered to. Such entrance shall be made during business hours, unless an emergency exists. The county ~~manager~~ administrator, or his designee, may order the removal of any sign that is not in compliance with the provisions of this code, is improperly maintained, or which would constitute a hazard to the public health, safety, and welfare.

**SUBSECTION 3.F: AMENDMENTS TO SUPPLEMENTAL REGULATIONS
DIVISION**

Division 2.6., Supplemental District Regulations, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 2.6. SUPPLEMENTAL DISTRICT REGULATIONS

Sec. 2.6.2. Accessory buildings and structures.

2.6.2.4. *Canopy Tents / Shades.* Canopy tents/shades shall be permitted in residential and estates zoned areas in accordance with the side and rear setbacks for the applicable zoning district. These structures are expressly prohibited on the street side of the front wall of any structure or building in a residential zoning district, including estates zoning. A building permit shall be obtained for these structures accompanied by a plot plan and is limited to one structure per residential lot with a principal structure. These structures shall consist of metal poles supports with canopy tops and no sides. The maximum size of these structures shall be 300 square feet, not to exceed 15 feet in height. The use of these structures shall be for the storage/parking of recreational vehicles, vehicles authorized in residential areas, and as a sun shade for outdoor recreating. At no time shall these structures be used for any other type of storage or be permitted with electrical or other utility connections.

Sec. 2.6.4. Exceptions to required yards.

2.6.4.1.10. In commercial, industrial and multi-family residential developments, Carports which are open on all sides may encroach into the required yards provided they do not encroach into the required landscape buffers, as required by this code; and furthermore, if the landscaping is deficient where the carports are proposed, the landscaping must be upgraded to comply with the code requirements to the greatest extent possible prior to the issuance of a building permit for said carports. This shall be accomplished by a site development plan amendment or a site improvement plan approval.

2.6.4.3. *Minor improvements to legal nonconforming structures located within a residential zoning district.*

2.6.4.3.1. Where a structure was lawfully permitted within a residential zoning district under a previous code, and where said structure is considered nonconforming under the current land development code due to changes in the required front, side or rear yards, the site development review director may administratively approve a variance for an amount equal to or less than the existing front, side and/or rear

yard encroachment. Canopies, windowsills or other projections as provided for within section 2.6.4.1 shall not be used in the calculation of existing front, side and/or rear yard encroachments.

Sec. 2.6.21. Dock facilities.

2.6.21.2. *Dock facility requirements and restrictions.* The following criteria apply to dock facilities and boathouses. Platted waterway width, where available, shall be considered true waterway width for the purposes of this section.

2.6.21.2.1. For lots on a ~~canal or~~ waterway that is 100 feet or greater in width, no boathouse, dock facility/boat combination shall protrude more than 20 feet into the waterway (i.e. the total protrusion of the dock facility plus the total protrusion of the moored vessel).

2.6.21.2.2. For lots on a ~~canal or~~ waterway that is less than 100 feet in width, dock facilities may extend/protrude not greater than five feet into said ~~canal or~~ waterway. No dock extension shall be granted to allow a dock facility/boat combination to protrude more than 20 feet into the waterway and/or cause less than a minimum of 50 percent of the ~~platted canal~~ width of the waterway between dock structures/moored vessel(s) on the opposite side of the ~~canal~~ waterway to be unobstructed, whichever is more restrictive.

2.6.21.2.3. For lots on a ~~canal or~~ waterway that is less than 70 feet in width, the dock facility extension procedure identified in section 2.6.21.3 is not available (i.e., such lots are limited to a five-foot dock facility).

2.6.21.2.4 All dock facilities on lots with water frontage of 60 feet or greater shall have side setback requirement of 15 feet, except as provided in ~~sections~~ section 2.6.21.2.4.1 or 2.6.21.4 or as exempted below. All dock facilities (except boathouses) on lots with less than 60 feet of water frontage shall have a side setback requirement of 7½ feet. All dock facilities (except boathouses) on lots at the end or side end of a ~~canal or~~ waterway having regular (linear) water frontage shall have a side setback requirement of 7 ½ feet as measured from the side lot line or riparian line, whichever is appropriate. ~~For purposes of this section, riparian line shall be defined as a line extending from the corner of an end lot and side end lot into the canal or waterway bisecting equidistantly the angle created by the two intersecting lots. (See Exhibit A.)~~

2.6.21.2.4.1. Riparian lines (see division 6.3, definitions, riparian line) for lots at the end or side end of a waterway with a regular shoreline are established by a line extending from the corner of an end lot and side end lot into the waterway bisecting equidistantly the angle created by the two intersecting lots (see Exhibit A). Riparian lines for all other lots should be established by generally accepted methods, taking into consideration the configuration of the shoreline, and allowing for the equitable apportionment of riparian rights. Such methods include, but are not limited to, lines drawn perpendicular to the shoreline for regular (linear) shorelines, or lines drawn perpendicular to the centerline (thread) of the waterway, or perpendicular to the line of deep water (line of navigability or edge of navigable channel), as appropriate, for irregular shorelines.

2.6.21.3. *Dock facility extension; boathouse establishment criteria.* Additional length/protrusion beyond said respective distances specified in section 2.6.21.2.1 and 2.6.21.2.2 for dock facilities; and all boathouses, regardless of the extent of the protrusion into the waterway or the width of the waterway, shall require public notice and a hearing by the Collier County Planning Commission. As to any boat dock extension petition upon which the planning commission takes action, pursuant to section 5.2.11 of this Code, an aggrieved petitioner or adversely affected property owner may appeal such final action to the board of zoning appeals, except that such appeal shall be filed with the development services

director within 14 days of the date of the final action by the planning commission.

The board of zoning appeals may affirm, affirm with conditions, reverse, or reverse with conditions the action of the planning commission. Such appeal shall be filed with the community development and environmental services ~~commission~~ administrator, or his designee and shall be noticed for hearing with the board of zoning appeals pursuant to the procedures and applicable fee set forth in section 1.6.6 of this Code. The planning commission shall base its decision for approval, approval with conditions, or denial, on the following criteria:

- 2.6.21.3.1. Whether or not the number of dock facilities or slips to be located on the subject property is appropriate in relation to the length of waterfront property available for the location of the proposed dock facilities.
- 2.6.21.3.2. Whether or not the water depth where the proposed dock facility is to be located is sufficient to allow for safe mooring of the vessel, thereby necessitating the extension request.
- 2.6.21.3.3. Whether or not the proposed dock facility and moored vessel(s) in combination may have an adverse impact to navigation within an adjacent navigable channel.
- 2.6.21.3.4. Whether or not the proposed dock design and moored vessel protrude greater than 25 percent of the width of the ~~navigable canal~~ waterway greater than 20 feet for boathouses, and whether or not a minimum of 50 percent of the ~~platted canal~~ width of the waterway between dock structures/moored vessel(s) on the opposite side of the ~~canal~~ waterway is maintained in order to ensure reasonable waterway ~~width for~~ navigability.
- 2.6.21.3.5. Whether or not there are special conditions related to the subject property or waterway which justify the proposed dimensions and location of the subject dock.
- 2.6.21.3.6. Whether or not the proposed dock is of minimal dimensions necessary in order to adequately secure the moored vessel while providing reasonable access to the boat for routine maintenance, without the use of excessive deck area.
- 2.6.21.3.7. Whether or not the proposed structure is of minimal dimensions to minimize the impact of the view of the waterway by surrounding property owners.
- 2.6.21.3.8. Whether or not the proposed vessel is in excess of 50 percent of the length of the water frontage such that the addition of a dock structure will increase the impact on or negatively impact the view of the waterway by surrounding property owners.
- 2.6.21.3.9. Whether or not the proposed location and design of the dock/vessel combination is such that ~~is it~~ may infringe upon the use of neighboring properties, including any existing dock structures.
- 2.6.21.3.10. Regarding existing benthic organisms in the vicinity of the proposed extension.
 - (a) Whether or not seagrasses are located within 200 feet of the proposed dock; and
 - (b) Whether or not the proposed dock is subject to the manatee protection requirements of this Code (section 2.6.22).
- 2.6.21.3.11. If deemed necessary based upon review of the above criteria, the planning commission may impose such conditions upon the approval of an extension request it deems as necessary to accomplish the purposes of this code and protect the safety and welfare of the public. Such conditions may include, but shall not be limited to, greater side setback(s), provision of light(s), additional reflectors, or reflectors larger than four inches, and prohibiting or permitting mooring on the outside of the dock facility.

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Sec. 2.6.33. Temporary use permits.

2.6.33.4. Model homes and model sales centers.

2.6.33.4.1. Model homes and model sales centers shall be of a temporary nature and may be allowed in any residential zoning district or residential component of a PUD, in the estates zoning district, and in the agricultural zoning district as part of a rural subdivision, by the issuance of a temporary use permit; however, a model center as a permitted use within a PUD, and not located within a dwelling unit, shall not require a temporary use permit. Model homes and model sales centers are intended to facilitate the sale of the model design, or of products similar in design to the model. Model homes and model sales centers located within residential zoning districts, or within a residential component of a PUD shall be restricted to the promotion of a product or products permitted within the residential zoning district or PUD in which the model home or model sales center is located and further subject to the following:

- 1. Model homes shall only be permitted for dwellings which have not been previously used as a residence.**
- 2. A model home or model sales center is not intended to allow the full scope of real estate activities and shall be restricted primarily to the sale and marketing of the model, or products similar to the model. A model home shall not include offices for builders, contractors, developers, or similar activities.**
- 3. Model homes may be "wet" or "dry." Model homes permitted as "dry" models (unoccupied by a sales office and/or representative) shall be limited to a conditional certificate of occupancy allowing the use of the structure as a model only provided all required infrastructure is in place to service the unit. Model homes permitted as "wet" models (occupied by a sales office and/or representative) shall not be occupied until such time as all required infrastructure is available to service the unit and a permanent certificate of occupancy has been issued. Transportation to and from unoccupied model homes is provided at a sales center, which also provides required parking and handicapped accommodations in accordance with section 2.6.33.2. Model homes occupied by a sales office and/or representative must have all required landscaping, parking, and handicapped access on site. A temporary use permit for a model home (occupied or unoccupied) shall be issued initially for a period of three years. Extensions in excess of this period shall require submittal and approval of a conditional use petition in accordance with section 2.7.4. of this code.**
- 4. Model sales centers may be located in either a temporary structure, usually a mobile home, or a permanent structure which is either a residential dwelling unit or a non-residential structure. Temporary use permits shall be issued as follows:**
 - a. A temporary use permit for a sales center in a temporary structure shall be issued initially for a period of three years and may be renewed annually based upon demonstration of need.**
 - b. A temporary use permit for a sales center in a permanent structure which is a residential dwelling unit shall be issued initially for a period of three years. Extensions in excess of this period shall require submittal and approval of a conditional use petition in accordance with section 2.7.4. of this code.**

- c. A temporary use permit for a sales center in a permanent structure other than a residential dwelling unit shall be issued initially for a period of three years and may be renewed annually on demonstration of need.
5. Temporary use permits for model homes or model sales centers to be located within a proposed single-family ~~or multi-family~~ development prior to final plat approval may be requested by the applicant and require 1) administrative approval of a plat and construction plans showing all required infrastructure for the lot(s) on which the model home or model sales center is located, and 2) a site development plan (SDP) pursuant to division 3.3, subject to the following:
- (a) A maximum of five models, or a number corresponding to ten percent of the total number of platted lots, whichever is lesser, per platted, approved development, shall be permitted ~~within an approved development~~ prior to final plat approval as specified permitted above.
 - (b) The applicant shall provide documentation that all required utilities will be available to the subject site, and, where required, shall depict such utilities in detail on the site development plan.
 - (c) The parcels on which the models are located must abut a privately owned and maintained road, temporary in nature or permanently constructed to Collier County roadway standards.
 - (d) The boundaries depicted on the preliminary subdivision plat shall be depicted on the site development plan in order to ensure compliance with the applicable development standards in effect on the subject property.
 - (e) Final lot grading and drainage conveyance shall be in conformance with the master grading plan for the project as depicted on the preliminary subdivision plat submittal documents.
6. Temporary use permits for model units or units used for sales centers in multi-family projects will not be issued prior to plat recordation and final approval of the project site development plan.
- ~~6.7.~~ All other temporary use requests for model homes shall require the submission of a conceptual plan which demonstrates that provisions will be made to adequately address the requirements of section 2.6.33.2.
- ~~7.8.~~ Temporary use permits for a model sales center within an existing subdivision shall require a site plan as follows: In the case of a permanent structure which is a dwelling unit, a site improvement plan (SIP) per section 3.3.8.4. of this code; in the case of a permanent structure which is other than a dwelling unit, a site development plan (SDP); in the case of a temporary structure (mobile home or sales trailer), either a conceptual site plan (CSP) which addresses the requirements of section 2.6.33.2. of this code, or a site improvement plan, depending on the extent of the work required.
- ~~8.9.~~ Temporary use permits for model homes to be located within a proposed single-family ~~or multi-family~~ development may be approved following administrative approval of a plat and construction drawings for all required infrastructure encompassing the lots on which the models are to be constructed pursuant to division 3.2, and a conceptual site plan which addresses the requirements of section 2.6.33.2. of this code. Unoccupied (dry) model homes will be permitted only in conjunction with an approved

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SDP for a model sales center which provides adequate parking to support the model(s).

- ~~9.10.~~ Temporary use permits for occupied (wet) model homes following subdivision approval shall require a conceptual site plan which addresses the requirements of section 2.6.33.2. of this code. Temporary use permits for unoccupied model homes following subdivision approval shall require a conceptual site plan and shall be issued only in conjunction with an approved site development plan or site improvement plan for a model sales center which provides adequate parking to support the model(s).

Sec. 2.6.35. Communication towers.

2.6.35.1. *Purpose and intent.* This section applies to specified communication towers that support any antenna designed to receive or transmit electromagnetic energy, such as but not limited to telephone, television, radio or microwave transmissions. This section sets standards for construction and facilities siting; is to minimize where applicable adverse visual impacts of towers and antennas through careful design, siting and vegetation screening; to avoid potential damage to adjacent properties from tower failure; to maximize the use of specified new communication towers and thereby to minimize need to construct new towers; to maximize the shared use of specified tower sites to minimize the need for additional tower sites; and to consider the concerns of the Collier Mosquito Control District ~~County mosquito control district~~ as to low flying mosquito control aircraft safety.

2.6.35.5.1. *Shared use plans.* Each shared use plan shall be in a standard format that has been approved by the county administrator ~~county manager~~. Each shared use plan shall specify in detail to what extent there exists tower and/or site capacity to accommodate additional antennas and/or additional towers, ancillary equipment and accessory uses. Available antenna capacity on a tower shall be stated in detailed clearly understandable terms, and may be stated in equivalent flat plate area and total additional available transmission line capacity. The tower owner (as to tower shared use plans) and the landowner (as to site shared use plans) shall update its respective approved shared use plans by promptly filing pertinent update information with the county ~~manager~~ administrator. Owners of old towers and/or old sites may file shared use plans in accord with this section.

1. *Reservation of capacity.* If an applicant for a shared use tower does not plan to install all of its proposed antennas during initial construction of the tower, the applicant must specify the planned schedule of installing such later added antennas as part of the shared use plan. An applicant cannot indefinitely prevent the use of unused available antenna space on a tower by reserving to itself such space. No available space can be reserved for the owner or anyone else unless approved in the shared use plan. If an antenna is not installed by the scheduled deadline, the reserved space shall automatically be rendered available for use by others unless the shared use plan has by the deadline been amended with the approval of the county ~~manager~~ administrator. Deadlines may be extended even if the tower is a nonconforming structure. If space has been reserved in a shared use plan for future additional antenna use by the tower owner and it becomes clear that such space will not be utilized by the owner, the shared use plan shall be amended promptly to reflect the availability of such space.
2. *Reservation of site capacity.* The policy stated above applies also to additional tower space on an approved tower site to prevent indefinite reservation of available site space.
3. *Protection of nonconformity.* As an incentive to promote the filing of shared use plans, old towers, whether or not conforming, and new towers and/or tower sites that are conforming at the date of approval of the initial shared use plan and/or any amendment thereto may proceed in accordance

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with the approved plan irrespective of the fact that the tower and/or tower site is then nonconforming. The intent of this provision is to grandfather towers and/or new tower sites against a nonconforming status to the extent that future capacity, including accessory structures, is provided for in the shared use plan. If the initial shared use plan or amendment to a shared use plan requires approval of the board of county commissioners and it appears that the site is threatened to become nonconforming for the intended use, the pending nonconformity will be a material element in deciding whether to approve or deny the application for the shared use plan or amendment.

Notwithstanding anything to the contrary in any Collier County ordinance, any then nonconforming tower that is destroyed by any means to an extent of more than 50 percent of its actual replacement cost at the time of destruction, as determined by a cost estimate submitted to the zoning director, shall not be reconstructed or repaired without conditional use approval.

Notwithstanding anything to the contrary in any Collier County ordinance, including any provision of division 1.8 of the land development code, a nonconforming tower and/or accessory structures may be voluntarily reconstructed in any zoning district at its site subject to the conditional use procedures of the land development code provided such reconstruction complies with section 1.8.3.1. The extended useful life of the tower and/or accessory structures that will result from reconstruction shall not be construed to be an enlargement, intensification, increase or extension of the nonconforming use. After nonconforming facilities and/or accessory structures are reconstructed under conditional use authorization, such facilities and/or accessory structures shall be deemed to have a conditional use permit under section 1.8.8 of the land development code.

4. Height bonus for sharing. Notwithstanding anything to the contrary in any Collier County ordinance, any existing conforming or nonconforming tower may be permitted a onetime increase in height, provided:
- a. Any such increase in height does not exceed 30 feet or 20 per cent of the height of the existing tower, whichever is less;
 - b. The cost of such increase in height does not exceed 50 per cent of the actual replacement cost of the tower at the time of the application;
 - c. A shared use plan covering the tower with the increased height is first approved by the county administrator;
 - d. The increase does not cause the proposed tower to exceed any required maximum height requirement for towers or make a legally conforming tower become nonconforming;

Substantiated proof that such proposed antenna(s) may not be placed on the existing tower by relocating or adjusting existing antennas and equipment shall be submitted by an appropriate professional engineer certified to practice in the state of Florida.

A site development plan shall be submitted for review and approval if an increase in tower height requires placement of, or addition to, an antenna equipment building or support building.

- 5.4. Filing shared use plans. Each approved shared use plan shall be filed and recorded in the office of the Collier County clerk of courts prior to any site development plan approval. A copy of the initial shared use plan shall be

Words ~~struck through~~ are deleted, words underlined are added.

filed with and approved by the county ~~manager~~ administrator prior to conditional use approval.

6.5. *Shared use plans for old towers and old tower sites.* Initial shared use plans and amendments for old towers require approval of the county ~~manager~~ administrator. Initial shared use plans and amendments for old tower sites require approval of the board of county commissioners, except where an amendment reduces site and/or antenna capacity.

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2.6.35.6.2. *Permitted ground-mounted towers.* Towers not exceeding the stated maximum heights are a permitted use subject to other applicable provisions of this section, including separate requirements and shared use provisions. Towers that exceed those specified maximum heights require variance approval in accordance with section 2.7.5.

1. All commercial and industrial zoning districts and urban designated area agricultural zoning districts: Any tower up to 75 feet in height is a permitted use provided the base of such tower is separated a minimum distance of 75 feet from the nearest boundary with any parcel of land zoned RSF-1 through RSF-6, RMF-6, E, RMF-12, RMF-16, RT, VR, MH, TTRVC, or PUD permitting six residential dwelling units or less. Any tower that exceeds 75 feet in height up to a height of 185 feet is a lawful use only if permitted or otherwise provided in the respective zoning district and the base of such tower is separated from the nearest boundary of any parcel of land zoned RSF-1 through RSF-6, RMF-6, E, RMF-12, RMF-16, RT, VR, MH, TTRVC, or PUD zoning of six residential dwelling units or less, by a minimum distance in feet determined by multiplying the height of the tower (in feet) by a factor of 2.5. (The minimum separation distance is 2 1/2 times the height of the tower.) Towers which do not meet the separation requirement may apply for a variance in accordance with section 2.7.5.

~~2. Agricultural zoning districts within the urban designated area: Towers not exceeding 200 feet.~~

2.3. Agricultural zoning districts within the rural designated area: Towers not exceeding ~~280~~ 250 feet.

3.4. All agricultural zoning districts: No tower that exceeds 250 ~~280~~ feet in height exclusive of any antenna affixed thereto shall be allowed on any site comprising less than 10 ~~20~~ acres under common ownership or control except such towers can be approved as a conditional use on sites of less than 10 ~~20~~ acres if ~~the tower is to be located in the general area of the proposed site and~~ the applicant cannot with economic feasibility acquire title to or control of a suitable tower site of at least 10 ~~20~~ acres in the required geographic vicinity of the proposed tower site.

* * * * *

2.6.35.6.6. With the exception of rooftop towers and towers on essential services sites, each new communication tower shall meet the following separation requirements:

1. Each new tower that exceeds 185 feet in height shall be located not less than 2.5 times the height of the tower from all RSF-1 through RSF-6, and RMF-6 zoning districts including planned unit developments (PUDs) where the adjacent use(s) is/are, or comparable to, RSF-1 through RSF-6 and RMF-6 zoning districts. If a part of a PUD is not developed and it is inconclusive whether the part of a PUD area within such minimum separation distance from the proposed tower site may be developed with a

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density of six units per acre or less, it shall be presumed that the PUD area nearest to the proposed site will be developed at the lowest density possible under the respective PUD.

2. In addition, each such new tower that exceeds a height of 75 feet excluding antennas, shall be separated from all boundaries of surrounding property zoned RMF-12, RMF-16, E, RT, VR, MH, TTRVC, H, and the residential areas of PUDs with existing or planned densities greater than six units per acre by not less than the total height of the tower including its antennas; and from all other surrounding property boundaries by a distance not less than one-half the height of the tower and its antennas, or the tower's certified collapse area, whichever distance is greater.
3. ~~Upon written application for exception(s) by the tower permit applicant, citing to specific provision(s) of controlling law, staff shall, in writing, grant one or more specifically articulated exceptions to these separation requirements, but only to the extent, in the opinion of the county attorney, each applied for exception is mandated by application of such law(s) as then applied to the specific tower site.~~

2.6.35.6.12. Tower lighting. Towers and antennas with a height greater than 150 feet shall be required to have red beacon or dual mode lights unless exempted in writing by the Collier county mosquito control district. Such lights shall meet the then existing Federal Aviation Administration (FAA) technical standards. ~~No other towers or antennas shall be~~ No tower shall be artificially lighted except as required by the ~~FAA~~ Federal Aviation Administration, the Federal Communications Commission, or other applicable laws, ordinances or regulations. If the FAA rules require lighting, then the applicant shall comply with such rules.

2.6.35.6.17. ~~All new communication towers shall require a site plan in accordance with division 3.3 as part of the building permit application. Additional towers, tower sites, buildings and accessory facilities necessary on site shall require an amendment to the approved site plan. The following are exempt from division 3.3:~~

1. ~~Ground-mounted amateur radio towers that do not exceed a height of 75 feet excluding antennas;~~
2. ~~Monopole towers that do not exceed a height of 75 feet including antennas; or~~
3. ~~Ground-mounted antennas that do not exceed a height of 20 feet above natural grade.~~

2.6.35.6.17. Site Plans.

1. Additional Requirements. All new telecommunication towers and facilities shall require a scaled site plan in accordance with division 3.3 and the following additional requirements as part of the building permit application:
 - a. Elevation drawings of the proposed telecommunications tower or alternative tower structure, other structures, type of construction, and whether construction will accommodate sharing of additional antennas for future users;
 - b. Separation distances from nearest platted and unplatted residential properties and existing and/or proposed towers that are permitted by Collier County, and all setbacks from adjacent properties and rights-of-way, and minimum separation distances as required;

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- c. Landscaping and buffering plan showing specific landscaping materials and method to maintain landscaping;
 - d. Location and type of fencing to be used;
 - e. Finished color, camouflaging, and illumination, if applicable;
 - f. Statement by applicant certifying compliance with all applicable federal, state, and local laws and requirements of the FCC and FAA;
 - g. On-site land uses and zoning designation(s);
 - h. Legal descriptions;
 - i. Identification of the entities providing the backhaul network for the tower(s);
 - j. A description of the suitability of the use of existing towers and other structures located within the applicable search radius; and
 - k. A map of the proposed coverage area and a propagation study contrasting the proposed tower and tower site versus use of other tower structures and sites within the effective radius.
2. Amendments. Additional towers, tower sites, buildings and accessory facilities on-site shall also require an amendment to the approved site plan.
3. Exemptions. The following are exempt from division 3.3:
- a. Ground-mounted amateur radio towers that do not exceed a height of 75 feet excluding antennas;
 - b. Ground-mounted antennas and receive-only dishes that do not exceed a height of 20 feet above natural grade.

2.6.35.6.26. Additional findings for variance and conditional use applications. In addition to the findings for conditional use applications and variance applications as required in sections 2.7.4 and 2.7.5 respectively of this code, the following additional findings shall be made by the Collier County planning commission when considering such applications:

- 1. The applicant must demonstrate that the telecommunications tower/antenna must be located where it is to serve the company's system and service area and that sharing capacity is unfeasible or unreasonable as to existing towers. Evidence must be provided which considers the following:
 - a. Proximity of all nearby towers located within the effective radius and whether or not they provide sharing of facilities.
 - b. If true, existing telecommunications towers and structures located within the effective radius are not of sufficient height for the proposed tower's service area. Such evidence must be certified by an appropriate professional engineer certified to practice in the state of Florida.
 - c. Existing towers and structures located within the effective radius are not of sufficient structural strength to support the applicant's proposed antennas and related equipment. Such evidence must be

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certified by an appropriate professional engineer certified to practice in the state of Florida.

d. Sharing would cause electromagnetic interference with either the applicant's communication system or with existing communication systems. Such evidence must be certified by an appropriate professional engineer certified to practice in the state of Florida.

e. Costs to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Fees and costs which exceed the costs to design and construct a new telecommunications tower shall be presumed to be unreasonable.

f. If applicable, other limiting factors, including but not limited to natural and man-made environmental limitations.

2. Required certification. The applicant shall provide certification by a professional engineer that the proposed telecommunications tower or alternative tower structure is designed in accordance with the standards specified in this article and those incorporated by reference into this article, and that in case of collapse the telecommunications tower or alternative tower structure will be contained on the parcel or site, and that no structure other than those in direct support to the operations of the telecommunications tower or alternative tower structure shall be located within the fall zone.

3. Compliance with aviation regulations. The applicant must demonstrate that the proposed tower complies with all state and federal laws and regulations concerning aviation safety, including part 77 of the federal aviation regulations and part 17 of the FCC regulations, and if planned to exceed 150 feet in height above grade, has been submitted for review by the Collier county mosquito control district.

4. Evidence of pursuing use of existing towers and tower sites. The applicant must provide evidence of pursuing the use of existing towers, structures, and facilities within the effective radius as specified in section 2.6.35.2. Evidence shall include written correspondence between the applicant and owner/operator of other structures in the effective radius including a request for space, the applicable rate structure for leasing, the applicable radio frequency, structural requirements, and any existing FCC limitations and other information as required in section 2.6.35.3. of this code.

5. Comparison of proposed site versus use of existing sites within effective radius. The applicant will provide a map of the proposed coverage area and a propagation study for the proposed telecommunications tower and any existing or proposed towers and structures within the effective radius, which may be used to facilitate the applicant's antenna(s) and equipment, including the input data for those maps for comparison of both proposed and existing towers, and any other technical parameter used; analyses which include the type of equipment to be used and the structural loading criteria used, and which address alternative scenarios, such as using an existing tower or placing a tower elsewhere versus using the proposed tower and site.

6. The above requirements may be waived by staff if the applicant presents good cause proving why the respective requirement is not applicable or such proof is irrelevant or superfluous to the specific application.

2.6.35.6.27. A copy of each application for a tower in excess of ~~200~~ 150 feet in height shall be supplied by the applicant to the Collier ~~County mosquito control district~~ Mosquito Control District or its successor in function.

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2.6.35.6.30. Controlling law. Upon written application for exception(s) by the tower permit applicant, citing to specific provision(s) of allegedly controlling law, staff shall, in writing, grant one or more specifically articulated exceptions to these requirements herein, but only to the extent, in the opinion of the county attorney, each applied-for exception is mandated by application of such law(s) as then applied to the specific tower site.

SUBSECTION 3.G: AMENDMENTS TO SUBDIVISIONS DIVISION

Division 3.2. Subdivisions, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 3.2 SUBDIVISIONS

Sec. 3.2.4. Exceptions.

3.2.4.11.5 Golden Gate Estates lot divisions. When a five acre parcel in Golden Gate Estates is subdivided into two lots, where one of the lots is not on the existing right-of-way, the owner may create an access easement to and through the parcel which is not on the right-of-way. The easement must be at least 20 feet in width, and extend at least 150 feet into the otherwise landlocked lot. The easement shall provide for access to the lot, and satisfy the frontage requirement.

Sec. 3.2.6. Subdivision review procedures.

3.2.6.5.3.3. *Completion certificate, record improvement plans and supportive documents.* The required improvements shall not be considered complete until a statement of substantial completion by the applicant’s professional engineer of record along with the final development records have been furnished to, reviewed and approved by the development services director for compliance with this division. The applicant’s professional engineer of record shall also furnish one set of record improvement plans on a mylar or similar acceptable material, with a minimum of two mil thickness, and two sets of certified prints acceptable to the development services director, showing the original design in comparison to the actual finished work. The myalrs shall be labeled as record drawings on each sheet prior to printing of the required sets of prints. The applicant’s professional engineer shall also submit a computer disk containing the drawing file in auto CAD software format, or a similar format, which is translatable to auto CAD and acceptable to the planning services director. In addition, a copy of applicable measurements, tests and reports made on the work and material during the progress of construction must be furnished. The record construction data shall be certified by the applicant’s professional engineer and professional land surveyor and shall include but not be limited to the following items which have been obtained through surveys performed on the completed required improvements:

* * * * *

Sec. 3.2.8. Improvement plans.

3.2.8.3.6. ~~Clearing, grading and filling. A site clearing, grading, filling and revegetation plan where applicable shall be submitted to the Community Development and Environmental Services Administrator, or his designee for review and approval prior to any clearing, grading or filling on the property. This plan may be submitted in phases to coincide with the development schedule. The site clearing plan shall clearly depict how the improvement plans incorporate and retain native vegetation. The site specific clearing, grading, and filling plan for a subdivision or site development plan may be considered for review and approval under the following categories and subject to the following requirements:~~

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1. ~~Removal of exotic vegetation:~~ Removal of exotic vegetation is permitted upon receipt of a vegetation removal permit pursuant to division 3.9. Additional site alteration may be permitted or required to stabilize and deter reinfestation by exotics subject to the following:
 - a) ~~Provision of a site filling and grading plan for review and approval by the county;~~
 - b) ~~Provision of a revegetation plan for review and approval by the county;~~
 - e) ~~Payment of the applicable review fee for site alteration plan review.~~

2. ~~Site alteration within existing platted single family subdivision:~~ Single family lots located within an approved platted residentially zoned subdivision may be approved for site alterations upon submission of a clearing, grading, filling and revegetation plan with a written statement of justification. The clearing and filling under this provision is limited to no more than three contiguous lots subject to submission of the following:
 - a) ~~Provision of site filling and grading plan for review and approval by the county;~~
 - b) ~~Provision of revegetation plan for review and approval by the county;~~
 - e) ~~Payment of the applicable fee for site alteration plan review.~~

~~Additional lots may be cleared, where under the same ownership, and where such clearing can be demonstrated to be necessary to implement the project's surface water masterplan or to comply with the conditions of any local, state or federal permit, or, where due to the development of required infrastructure, it can be demonstrated that clearing and filling will lessen any negative impacts to the public health, welfare and safety.~~

3. ~~Site alterations within new developments for which a subdivision or site development plan has been approved:~~ Clearing, grading and filling within an approved phase of a subdivision or site development plan may be approved by the Community Development and Environmental Services Administrator, subject to the below noted conditions and provided the entire phase to be altered does not exceed 25 acres. Site alterations requiring more than 25 acres to properly utilize fill generated on site will require approval of the BCC. Site filling exceeding 25 acres to properly utilize fill generated on site, but which does not require the removal of more than 25 acres of protected vegetation, may be approved by the Community Development and Environmental Services Administrator subject to submission of the following:
 - a) ~~A site clearing plan shall be submitted for review and approval that shows the acres to be cleared. A minimum of 25 percent of the natural vegetation shall be retained in accordance with section 3.9.5.3 of the LDC.~~
 - b) ~~The applicant shall submit a detailed description of the fill and site work activity including a plan indicating fill placement locations and depths, grading plan and water management improvements.~~

Words struck through are deleted, words underlined are added.

- e) ~~The applicant shall submit a detailed revegetation plan including a certified cost estimate by a registered landscape architect or professional engineer. The cost estimate shall include the cost of grading, revegetation and yearly maintenance cost and a time specific schedule on completion of the revegetation work.~~
- d) ~~The permittee shall post a surety bond or an irrevocable standby letter of credit in an amount of 110 percent of certified cost estimate as previously detailed including the maintenance cost for three years. The amount of the security may be reduced upon completion of the approved revegetation plan and upon occupation of the site. A separate security will not be required if such costs are included in subdivision security. In the event the developer shall fail or neglect to fulfill its obligations under the conditions set forth herein, or should the developer fail to meet the time limitations set forth in section 3.2.6.4.8 and 3.3.8 of this code, upon certification of such failure by the planning Services Director or his designee, the County Administrator may call upon the surety bond or irrevocable letter of credit to secure the completion, repair and maintenance of required improvements, including revegetation and regrading.~~

3.2.8.3.6.

- a) Clearing, grading and filling: Clearing of woody vegetation requires a permit with the following exceptions:
 - 1. Owners of lots with an existing single family home other than in Golden Gate Estates may remove non-native and native woody vegetation without permits unless specimen trees are involved. A minimum number of required native trees shall be maintained as required by section 2.4.6.1.
- b) Permitted removal of vegetation:
 - 1. Subdivisions: Residential, commercial or industrial subdivisions, upon approval of construction drawings for the entire project or any given phase thereof, may clear for the construction of the infrastructure within that phase. Road rights-of-way, and drainage and utility easement areas may be cleared.

Water management areas requiring excavation permits may be cleared upon issuance of an excavation permit and a required separate vegetation removal permit.

Individual single family lots or blocks of lots may not be cleared unless a separate vegetation removal and site filling permit (VRSFP) is obtained as required by section 3.2.8.3.6.b.3..
 - 2. Site development plans (SDPs):
 - a. Commercial and industrial: Approval of a commercial or industrial SDP or SIP includes permission to clear for all infrastructure improvements and for the building pad as shown on the approved SDP.
 - b. Residential SDPs: Approval of a residential SDP includes permission to clear for infrastructure only. Clearing and filling of building sites is not permitted unless a separate vegetation removal and site filling permit is obtained as required by section 3.2.8.3.6.b.3..

3. Vegetation removal and site filling permits (VPSFPs):

- a) A developer will be permitted to clear up to 25 acres of residential, commercial, or industrial lots to store excess fill generated by lake excavations within the PUD or project where the excavation is taking place.

An approved SDP or an approved plat must exist for the parcel on which the fill is to be stored.

The application to “clear and fill” in order to store excess fill must be accompanied by a plan drawn on the approved SDP or plat, showing the following:

- 1) The limits of each separate stockpile must be clearly delineated and the area, height, cross- section, and volume of each individual stockpile must appear on the drawing referenced to the stockpile. Slopes must not be steeper than a ratio of 4:1.
 - 2) The type of vegetation to be removed must be shown on the drawing.
 - 3) The source of the material, such as lake number (lake #) for each stock-pile must be indicated on the drawing.
 - 4) Clearing to store excess fill will be permitted in maximum blocks of 25 acres at a time. When a 25 acre block is nearing capacity, permission to excavate additional 25 acre blocks may be applied for.
- b) To allow for safety during tree removal, if a developer owns contiguous single family lots, the trees on the single family lots directly adjacent to a lot where a house is under construction may be removed, if removal at a future date may be a danger to life or property. A VRSFP must be granted prior to removal of these trees.
- c) Revegetation: For VRSFPs within subdivisions, a revegetation bond in the form of a performance bond, letter of credit, or cash bond and in the amount of \$5,000.00 per acre must be posted.

When fill is used to bring building lots to desired construction elevations, those lots shall immediately be seeded, to prevent erosion and exotic seed infestation.

Any stockpile in place for more than 6 months must be sodded or hydroseeded. Failure to do so within 14 calendar days of notification by the county will result in a fine of \$10.00 per acre, per day.

In the event that any portion of the stockpile is in place for two years, the county will order the fill to be removed and the land to be revegetated.

The density and type of revegetation shall closely match nearby ecosystems, but shall not be less than 64 trees per acre with associated mid-story and groundcover.

SUBSECTION 3.H: AMENDMENTS TO EXPLOSIVES DIVISION

Division 3.4., Explosives, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 3.4. EXPLOSIVES

Sec. 3.4.7. Permit application review procedures.

3.4.7.1.4. Pre-blast notification:

1. The applicant shall ~~notify~~ provide written notification to residents who have not received a pre-blast inspection of the pending blast at least ~~five~~ ten days prior to the commencement of the initial blast. The notification brochure shall be mailed or placed on the front door of each individual residence within the notification radius. A list of the property owners who were notified shall be furnished to the county.
2. Notification shall be distributed to all properties containing structures within a radius calculated for a scaled distance of 150 feet, plus an additional 50%.
3. The written notification shall describe the blasting which will take place, its effect on the residents, their ability to obtain a pre-blast survey and how to contact the user or his or her representative with any blast related complaints or claims. Property owners shall be given a five-day window to respond to the availability and their desire to obtain a pre-blast survey.
4. If blasting is suspended in an area for a period of 90 days or longer, re-notification of all residents within the radius calculated for a scaled distance of 150 feet plus an additional 50% shall be accomplished at least seven days prior to the re-commencement of blasting.

Sec. 3.4.9. Limitations and conditions.

3.4.9.4.3. The results from the seismic instrument shall be provided to and analyzed by a seismologist who shall sign the results of his analysis. The seismologist shall be an individual or firm specializing in the measurement and evaluation of short-term air and ground vibrations produced through detonation of explosives. The seismologist shall have experience in instrumentation, explosives, and the effects of vibration upon structures and a minimum of 5 years experience supervising and/or monitoring the use of explosives.

3.4.9.4.4. All original records of the seismic analysis will be the property of the user but a copy of the seismic results and/or analysis shall be furnished to the ~~development services director~~ community development and environmental services administrator, or his designee, with full and complete and supporting data ~~at monthly intervals or upon demand~~ within 7 days from the date of the actual blast.

SUBSECTION 3.I: AMENDMENTS TO VEGETATION, REMOVAL AND PRESERVATION DIVISION

Division 3.9., Vegetation, Removal and Preservation, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 3.9. VEGETATION REMOVAL, PROTECTION AND PRESERVATION

Sec. 3.9.3. Applicability: unlawful to remove or otherwise destroy vegetation.

It shall be unlawful for any individual, firm, association, joint venture, partnership, estate, trust, syndicate, fiduciary, corporation, group or unit of federal, state, county or municipal government to remove, ~~or cause to be removed~~ or otherwise destroy, vegetation, which includes placing of additional fill, without first obtaining a vegetation removal or vegetation removal and fill permit from the development services director except as hereinafter exempted.

Sec. 3.9.6. Review procedures.

3.9.6.4.1. A vegetation removal fee is not required to remove the following prohibited exotic vegetation from developed property or from undeveloped property after a vegetation removal permit has been issued.

- (1) Australian pine (Casuarina spp.).
- (2) Melaleuca (Melaleuca spp.).
- (3) Brazilian pepper (Schinus terebinthifolius).
- (4) Earleaf acacia (Acacia auriculiformis).
- (5) Catclaw mimose (Minosa pigra).
- (6) Java plum (Syzygium cumini).
- (7) Downy rosemyrtle (Rhodomyrtus tomentosus).
- (8) Women's tongue (Albizia lebbek).
- (9) Climbing fern (Lygodium spp.).
- (10) Air potato (Dioscorea bulbifera).
- (11) Lather leaf (Colubrina asiatica).

SUBSECTION 3.J: AMENDMENTS TO DEFINITIONS DIVISION

Division 6.3., Definitions, of Ordinance 91-102, as amended, the Collier County Land Development Code, is hereby amended to read as follows:

DIVISION 6.3 DEFINITIONS

Beacon light: Any light with one or more beams capable of being directed in any direction or directions, or capable of being revolved automatically, or having any part thereof revolve automatically, or a fixed or flashing high intensity light; search light.

~~Exotic vegetation~~ Prohibited exotic vegetation: The entire plant, or any part thereof, including seeds, of the following:

Earleaf acacia (*Acacia auriculiformis*).
Australian pine (*Casuarina* spp.).
Melaleuca (*Melaleuca* spp.).
Catclaw mimose (*Minosa pigra*).
Downy rosemyrtle (*Rhodomyrtus tomentosa*).
Brazilian pepper (*Schinus terebinthifolius*).
Java plum (*Syzygium cumini*).
Women's tongue (*Albizia lebbek*).
Climbing fern (*Lygodium* spp.).
Air potato (*Dioscorea bulbifera*).
Lather leaf (*Colubrina asiatica*).

Riparian line: An imaginary line beginning at the point at which property lines intersect the mean high water line of a waterway and continuing into the waterway indefinitely. The purpose of the riparian line, as employed by this code, is to provide a point of reference from which to measure setbacks for docking facilities.

Roadside sales: The sale or display of perishable or nonperishable merchandise for sale from any fixed or nonfixed location, upon unimproved or improved property, without a valid occupational license and, when applicable, temporary use permit.

Sign, monument: A detached sign typically containing design elements such as a base, columns, borders, toppers or caps, and a sign cabinet occupying at least two-thirds (2/3s) of the total sign area.

SUBSECTION 3.K: AMENDMENTS TO APPENDICES SECTION

Appendix B, Typical Street Sections, is hereby amended by replacing the existing typical roadway section illustrations with revised typical roadway section illustrations attached hereto and incorporated herein by reference as Exhibit "B".

SECTION FOUR: 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 FIVE: INCLUSION IN THE COLLIER COUNTY LAND DEVELOPMENT CODE

The provisions of this Ordinance shall become and be made a part of the Land Development Code of Collier County, Florida. The sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

SECTION SIX: EFFECTIVE DATE

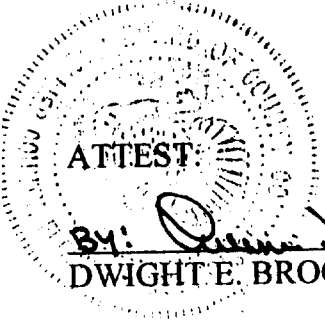
This Ordinance shall become effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida,

this 25TH day of JANUARY, 2000.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

BY: *Timothy J. Constantine*
TIMOTHY J. CONSTANTINE, CHAIRMAN



BY: *Dwight E. Brock, D.C.*
DWIGHT E. BROCK, CLERK **Attest as to Chairman's signature only.**

Approved As To Form And Legal Sufficiency

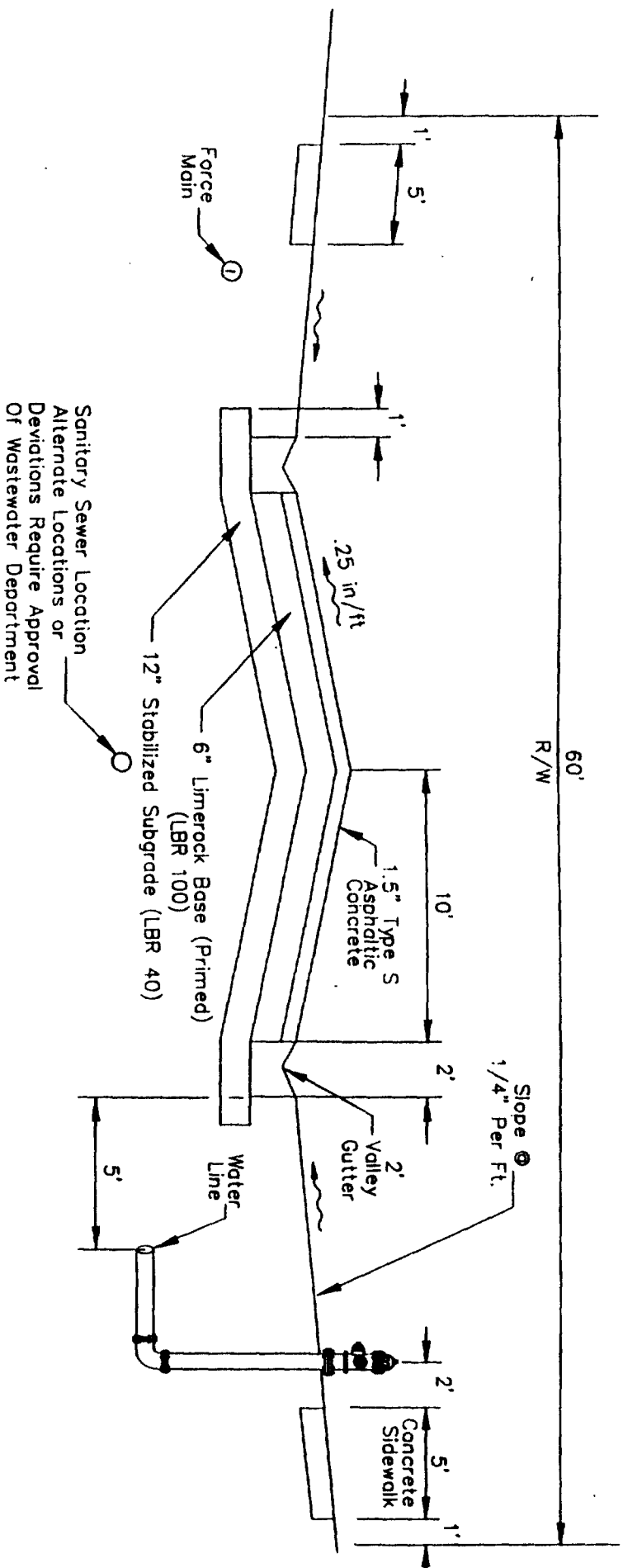
Marjorie M. Student
Marjorie M. Student
Assistant County Attorney

This ordinance filed with the Secretary of State's Office the 31st day of Jan., 2000 and acknowledgment of that filing received this 4th day of Feb., 2000
By: *Dwight E. Brock*
Deputy Clerk

LDC CYCLE 2-1999 ORDINANCE/md/f:

EXHIBIT "B"
(APPENDIX "B")

APPENDIX B-TYPICAL STREET SECTIONS



Local Street

- Notes:
- 1) Asphaltic concrete shall be type S or equal as approved by the county development engineer.
 - 2) Asphaltic concrete sidewalks may be substituted for concrete sidewalks when approved by the county development engineer. The Asphalt walk shall be: 1" asphalt (type III), 4" limerock base (primed).
 - 3) deviation from suggested location of infrastructure or sidewalk/bike path shall be subject to the development services director.

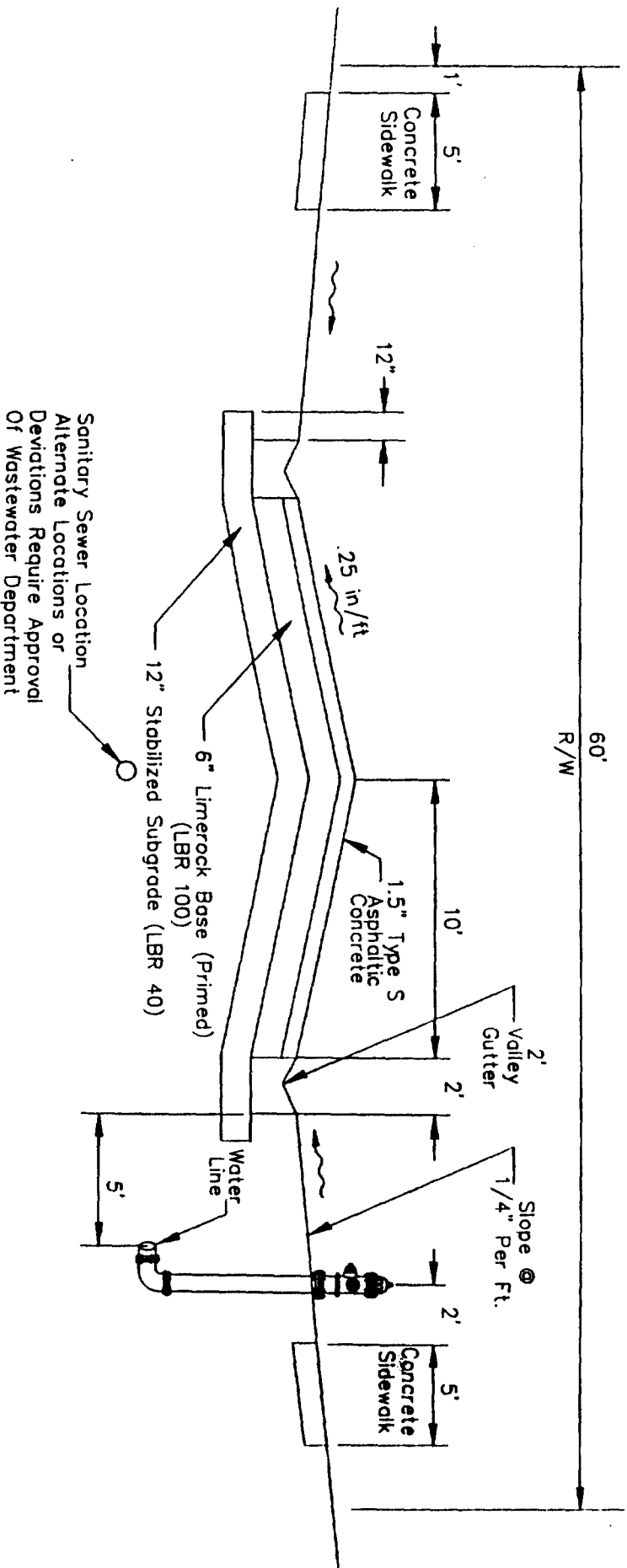
REVISIONS		DESCRIPTION
DATE	BY	DESCRIPTION
4/99	CD	Per Land Dev. Code Review
4/99	BB	

Collier County Development Services Department

Collier County Subdivision Typical Roadway Section

Not to scale
Date: 4/99
FILE: LCDB5.DWG

COLLIER COUNTY LAND DEVELOPMENT CODE



Notes:

- 1) Asphaltic concrete shall be type S or equal as approved by the county development engineer.
- 2) Asphaltic concrete sidewalks may be substituted for concrete sidewalks when approved by the county development engineer.
The Asphalt walk shall be: 1" asphalt (type III), 4" limerock base (primed).
- 3) Deviation from suggested location of infrastructure or sidewalk/bike path shall be subject to the development services director.
- 4) Cul-se-Soc radius shall be 40' (min) to back of valley gutter/with center island, radius shall be 45' (min).
- 5) Cul-de-sac R/W radius shall be 60' (min).

Cul-De-Sac

Supp. No. 5

REVISIONS	
DATE	BY
1/98	SB
1/99	SB

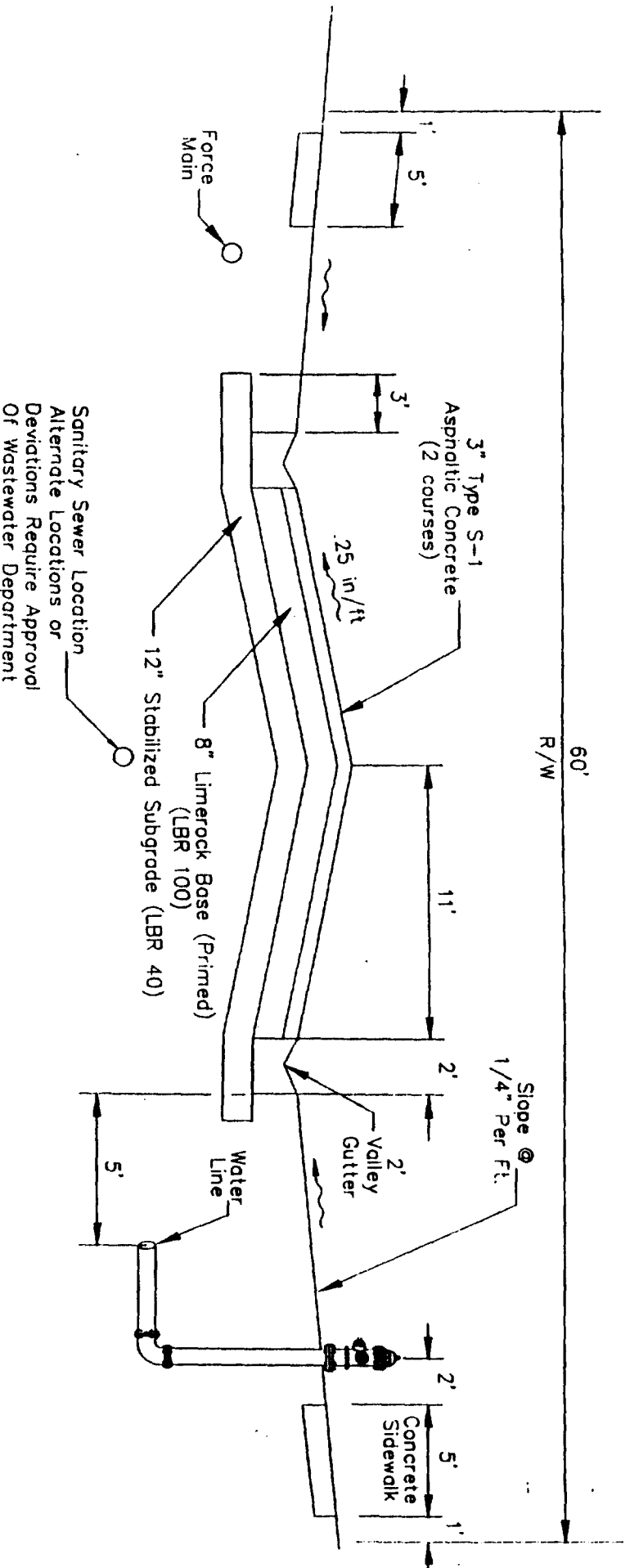
Per Land Dev. Code Review

Collier County Development
Services Department

Collier County Subdivision
Typical Roadway Section

Not to scale
Date: 4/99
FILE: LDCB4.DWG

COLLIER COUNTY LAND DEVELOPMENT CODE



COMMERCIAL/INDUSTRIAL

- Notes:
- 1) Asphaltic concrete shall be type S or equal as approved by the county development engineer.
 - 2) Asphaltic concrete sidewalks may be substituted for concrete sidewalks when approved by the county development engineer. The asphalt walk shall be: 1" asphalt (type III), 4" limerock base (primed).
 - 3) Deviation from suggested location of infrastructure or sidewalk/bike path shall be subject to the development services director.
 - 4) If roadway is divided, lanes shall be 14' and the minimum right of way shall be expanded proportional for the width of the median and the expanded lane width.
 - 5) Center line design curve radius shall be in accordance with the F.D.O.T. manual of uniform minimum standards for design (section III).
 - 6) Major & minor collectors require 6' sidewalk on both sides.

DATE	BY	REVISIONS
1/98	DD	Per Land Dev. Code Review
1/99	BB	

Collier County Development
Services Department

Collier County Subdivision
Typical Roadway Section

Not to scale
Date: 4/99
FILE: LDC95.DWG

STATE OF FLORIDA)

COUNTY OF COLLIER)


I, DWIGHT E. BROCK, 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. 2000-08

Which was adopted by the Board of County Commissioners on the 25th day of January, 2000, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 28th day of January, 2000.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners



Ellie Hoffman

By: Ellie Hoffman,
Deputy Clerk