

AN ORDINANCE AMENDING ORDINANCE 76-30 THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF THE COASTAL AREA PLANNING DISTRICT BY AMENDING SECTION 3-DEFINITIONS; SECTION 8-SUPPLEMENTARY DISTRICT REGULATIONS; SECTION 13.II-SPECIAL REGULATIONS RESTRICTING THE PARKING OF COMMERCIAL AND MAJOR RECREATIONAL EQUIPMENT; SECTION 15-NON-CONFORMING USES; SECTION 18-OFFSTREET PARKING AND LOADING; SECTION 25-RESIDENTIAL TOURIST DISTRICT; SECTION 34-GENERAL RETAIL COMMERCIAL DISTRICT; SECTION 35-COMMERCIAL INDUSTRIAL DISTRICT; SECTION 37-AGRICULTURAL DISTRICT AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Coastal Area Planning Commission petitioned the Board of County Commissioners of Collier County, Florida, to amend the Comprehensive Zoning Regulations for the unincorporated area of the Coastal Area Planning District of Collier County, Florida, as hereinafter described;

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

SECTION ONE:

The Comprehensive Zoning Regulations for the unincorporated area of the Coastal Area Planning District of Collier County, Florida, Ordinance 76-30 are hereby amended as hereinafter described:

AMEND SECTION 3-DEFINITIONS BY ADDING THE FOLLOWING DEFINITIONS:

Boatdock: A boatdock is a walkway protruding into a waterway which provides access to a moored boat. A boatdock may include a boatshelter.

Boatshelter: A boatshelter is a roofed structure adjacent to a waterway, open on all sides and providing covered protection to a boat.

AMEND SECTION 3-DEFINITIONS BY CHANGING THE FOLLOWING DEFINITIONS TO READ AS FOLLOWS:

Boatyard and Way: A boatyard and way are premises used as a commercial establishment for the provision of all such facilities and services as are customary and necessary to the construction and/or reconstruction of boats, and for dredge or barge dockage and storage.

FILED
NOV 28 2 48 PM '77
BRUCE S. SATHERS
SECRETARY OF STATE

RECEIVED
77 DEC 1 2 59 PM '77
WILLIAM J. PEGAN
CLERK OF BOARD
COLLIER COUNTY FLORIDA

Marina: A boating establishment which provides covered or uncovered boat slips or dock space, charter and sight-seeing boat dockage, dry boat storage, marine fuel and lubricants, marine supplies and accessories, restaurants or refreshment facilities, boat and boat motor sales or rentals. Pleasure boat and boat motor outfitting, maintenance and repair is permitted as an accessory use; however, no dredge, barge or other work boat dockage or service is permitted, and no boat manufacturing or major reconstruction is permitted.

Street: A street is a public or approved private thoroughfare which affords the principal means of access to abutting property. Streets may be called, but not limited to, lanes, ways, places, drives (not including private drives or driveways), boulevards, roads, avenues, or other means of access, regardless of the descriptive term used. (See Collier County Subdivision Regulations).

AMEND SECTION 8-SUPPLEMENTARY DISTRICT REGULATIONS
BY CHANGING PARAGRAPH 7 TO READ AS FOLLOWS:

7. Parking, Storage or Use of Major Recreational Equipment:

A. Major recreational equipment is hereby defined as including boats and boat trailers, travel trailers, pickup campers or coaches (designed to be mounted on motorized vehicles), motorized dwellings or motor homes over twenty (20) feet in length, tent trailers, popout campers, houseboats, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No major recreational equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residentially zoned lot or any location not approved for such use. Major recreational equipment may be parked or stored only in a rear yard or in a completely enclosed building or carport "or on davits or cradles adjacent to waterways" on residentially zoned property' provided, however, that such equipment may be parked anywhere on residential premises for not to exceed twenty-four (24) hours during loading, unloading, and/or cleaning prior to or after a trip.

B. The following exceptions may be granted by the Director upon application by the property owner:

(1) Such major recreational equipment may, upon obtaining a permit from the Director, be parked upon the premises of the resident for a period not exceeding three (3) days for the purpose of loading, unloading, and/or cleaning prior to or after a trip. The permit for such period shall be affixed to the vehicle in a conspicuous place on the street side thereof.

(2) The Director may, for good cause shown, authorize the issuance of second consecutive permit not to exceed three (3) days. An additional permit for the parking of such vehicle will not be issued until after such application has been reviewed and approved by the Board of County Commissioners.

(3) The Director may, for good cause shown, issue a renewable on-site parking permit for one (1) year to a resident who for reasons of disability must park such vehicle on residential property.

AMEND SECTION 8-SUPPLEMENTARY DISTRICT REGULATIONS
PARAGRAPH 12 BY ADDING THE FOLLOWING NEW PARAGRAPH:

In lieu of the above distance requirement, the property owner may elect to construct a six (6) foot high solid masonry wall along the subject property lines which abut residential zoned property.

AMEND SECTION 13.II-SPECIAL REGULATIONS RESTRICTING
THE PARKING OF COMMERCIAL AND MAJOR RECREATIONAL
EQUIPMENT BY ADDING THE FOLLOWING TO PARAGRAPH 3(A)
(1) (a):

The Director may, for good cause shown, issue a renewable on-site parking permit for one (1) year to a resident who for reasons of disability must park such vehicle on residential property.

AMEND SECTION 15-NON-CONFORMING USES, PARAGRAPH 4B
TO READ AS FOLLOWS:

4. Non-Conforming Structures:

B. Should such non-conforming structure or non-conforming portion of such structure be destroyed by any means to an extent of more than fifty (50%) percent of its replacement cost at time of destruction, as determined by a cost estimate prepared by the Building Administrator, it shall not be reconstructed except in conformity with provisions of this Zoning Ordinance.

AMEND SECTION 18-OFFSTREET PARKING AND OFFSTREET
LOADING BY ADDING THE FOLLOWING NEW PARAGRAPHS TO
PARAGRAPH 3:

F. Whenever the number of offstreet parking spaces required by this Ordinance is five (5) or more, all spaces shall be marked with paint or other suitable pavement marking material.

G. Offstreet parking areas shall be designed so as not to create deadend aisles, unless waived by the Director. Aisles designed for one-way traffic flow shall have painted arrows not less than four (4) feet in length at each end of the aisle indicating the direction of travel.

H. Whenever any part of an offstreet parking area is redesigned, those pavement markings which no longer apply shall be completely obliterated.

AMEND SECTION 25-RESIDENTIAL TOURIST DISTRICT
PARAGRAPH 8 TO READ AS FOLLOWS:

8. Maximum Height: Two hundred (200) feet above grade.

AMEND SECTION 34-GENERAL RETAIL COMMERCIAL DISTRICT
PARAGRAPH 2A, PERMITTED USES TO READ AS FOLLOWS:

- (17) Carpet and Floor Covering Sales - Which may include storage and installation.
- (20) Cocktail Lounges - Subject to Section 8, Paragraph 12
- (32) Funeral Homes - May include accessory residence
- (38) Glass and Mirror Sales - Which may include storage and installation.

AMEND SECTION 34-GENERAL RETAIL COMMERCIAL DISTRICT
PARAGRAPH 2C, PROVISIONAL USES TO READ AS FOLLOWS:

- (7) Permitted use with less than 1,000 square feet gross floor area in the principal structure.
- (8) Equipment Rentals - Including lawn mowers, power saws, etc.
- (9) Vehicle Rentals

AMEND SECTION 35-COMMERCIAL INDUSTRIAL DISTRICT BY
ADDING THE FOLLOWING TO PARAGRAPH 2A PERMITTED USES:

- (52) Drive-In Theatres - See Section 8, Paragraph 18.

AMEND SECTION 35-COMMERCIAL INDUSTRIAL DISTRICT BY
ADDING THE FOLLOWING TO PARAGRAPH 2C PROVISIONAL USES:

- (3) Shopping Centers - More than 25,000 square feet gross floor area on ground floor.
- (4) Residence in conjunction with business.
- (5) Permitted use with less than 1000 square feet gross floor area in the principal structure.

AMEND SECTION 34-GENERAL RETAIL COMMERCIAL DISTRICT
PARAGRAPH 7 TO READ AS FOLLOWS:

7. Maximum Height: One hundred (100) feet above
the finished grade of the lot.

AMEND SECTION 34-GENERAL RETAIL COMMERCIAL DISTRICT
BY ADDING A NEW PARAGRAPH 12 TO READ AS FOLLOWS:

12. Required Buffer for Property Adjacent to Residential Zoned Property: Where such commercial area abuts property zoned for residential purposes, there shall be provided a landscaped buffer area designed and planted so as to be eight (80) percent opaque when viewed horizontally at three (3) feet above ground level, and said plant materials should reach a height of five (5) feet within two years after planting. A fifteen (15) feet wide landscaping area may be substituted for the required three (3) foot high planted buffer. Such landscaped buffer shall be located between the common lot line and the commercial activity or off-street parking area exposed to the abutting residential property so that the purpose of screening the commercial area is accomplished.

AMEND SECTION 37-AGRICULTURAL DISTRICT BY CHANGING
PARAGRAPH 2A, NUMBER 7 TO READ AS FOLLOWS:

(7) Wholesale and retail plant nurseries and sales
(not to include the sale of garden supplies).

SECTION TWO:

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

DATE: November 22, 1977

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA,

ATTEST:
WILLIAM J. REAGAN, CLERK

BY: Russ Wimer

William J. Reagan

APPROVED AS TO FORM AND LEGALITY:

Donald A. Pickworth
DONALD A. PICKWORTH, COUNTY ATTORNEY

STATE OF FLORIDA)

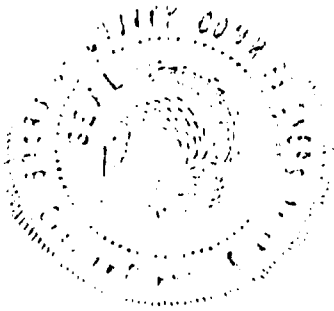
COUNTY OF COLLIER)

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

ORDINANCE NO. 77-63

which was adopted by the Board of County Commissioners during Regular Session November 22, 1977.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 23rd day of November, 1977.



WILLIAM J. REAGAN
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

By Jean C. Purville
Deputy Clerk

This ordinance filed with the Secretary of State's office the 28th day of November, 1977 and acknowledgment of that filing received this 1st day of December, 1977.

Jean C. Purville
Deputy Clerk