

AN ORDINANCE AMENDING ORDINANCE 76-30 THE COMPREHENSIVE ZONING REGULATIONS FOR THE COASTAL AREA PLANNING DISTRICT BY AMENDING SECTION 8, SUPPLEMENTARY DISTRICT REGULATIONS; SECTION 21, RS-RESIDENTIAL SINGLE FAMILY; SECTION 22.1, RM-1 DISTRICT; SECTION 22.11, RM-1A DISTRICT, SECTION 22.111, TDR-1 TRANSFER OF DEVELOPMENT RIGHTS, MULT-FAMILY DISTRICT; SECTION 22.IV, RM-1B DISTRICT; SECTION 23, RM-2 RESIDENTIAL MULTI-FAMILY DISTRICT; SECTION 25, RT RESIDENTIAL TOURIST DISTRICT; SECTION 27, FVR FISHING VILLAGE RESIDENTIAL DISTRICT; SECTION 28, MHSD MOBILE HOME SUBDIVISION DISTRICT; 29 MHRP MOBILE HOME RENTAL PARK; SECTION 32, PROFESSIONAL COMMERCIAL DISTRICT; 37, A - AGRICULTURE DISTRICT; AND SECTION 38, E - ESTATES DISTRICT AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Coastal Area Planning Commission has recommended to the Board of County Commissioners of Collier County, Florida to amend the Zoning Regulations;

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

SECTION ONE:

The Zoning Ordinance 76-30 hereby amend as follows:

1. Amend Section 8 of Ordinance 76-30 by adding a new Paragraph 30 which reads as follows:

30. Private boat houses and docks. Individual or multiple private boat houses and docks including mooring pilings to serve the residents of a development, with or without boat hoists, on canal or waterway lots, not protruding more than five (5) feet into the canal or waterway, unless such canal or waterway has a width of one hundred (100) feet or more, in which case the boat house or dock may protrude twenty (20) feet into such canal or waterway. Additional length beyond said 20' may be requested and shall require public hearing by the CAPC. After public hearing of due public notice, the CAPC may recommend for either approval or denial of any additional length. The CAPC's recommendation shall be based upon consideration of the following factors:

1. The number of boat houses or docks to be located on the subject property in relation to the length of waterfront property available for the location of the boat houses or docks.
2. The water depth where the boat house or dock facility is to be located and the distance to the location of the navigable channel.
3. The nature and speed of water currents in the navigable channel.
4. The land contour of the property on which the boat house or dock facility is to be located.
5. The effect the boat house or dock facility will have on the safety of the users of the navigable channels and adjacent waters.

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WILLIAM J. REAGAN
CLERK OF COUNTY
COLLIER COUNTY, FLORIDA

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Prior to the approval of such boat house or dock facility, the Board shall publish a notice of such matter of business in a newspaper of local circulation at least fifteen days prior to the date on which the petition will be considered by the Board.

There shall be a filing fee of \$100.00 for a petition to extend about house(s) or dock(s) beyond twenty (20) feet into a body of water.

All docks, or mooring pilings, whichever protrudes the greater into the water, regardless of length, shall have reflectors four (4) inches minimum size installed at the outmost end, on both sides.

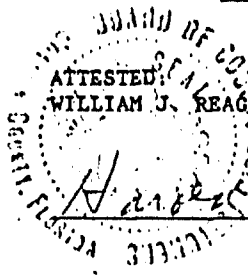
2. Amend Section 21,2,A (3) of Ordinance 76-30, (RS-Residential, Single Family) to read as follows:
 - (3) Private Boat Houses and Docks as per Section 8, Paragraph 30.
3. Amend Section 21,2,B (1) of Ordinance 76-30, (RS-Residential Single Family) by deleting (1) in its entirety and renumbering the following subparagraphs accordingly.
4. Amend Section 21,2,C, (1) of Ordinance 76-30, (Residential Single Family) by deleting (1) as follows and renumbering following subparagraphs accordingly.
 - (1) Non-commercial boat launching facilities.
5. Amend Section 22.1, 2, A, (2) of Ordinance 76-30 (RM-1 District) to read as follows, and renumber following subparagraphs accordingly.
 - (2) Private boat houses and docks as per Section 8, paragraph 30.
6. Amend Section 22.1, 2, B, (3) of Ordinance 76-30, (RM-1 District) to read as follows:
 - (3) Non-commercial boat launching facilities.
7. Amend Section 22.1, 2, B, (4) of Ordinance 76-30, (RM-1 District) by deleting (4) in its entirety.
8. Amend Section 22.11, 2, A, (3) of Ordinance 76-30 (RM-1A District) to read as follows:
 - (3) Private boat houses and docks as per Section 8, paragraph 30.
9. Amend Section 22.111, 3, B, (3) of Ordinance 76-30 (TDR-1 Transfer of Development Rights, Multi-family District) to read as follows:
 - (3) Non-commercial boat launching facilities.
10. Amend Section 22.111, 3, B, (4) of Ordinance 76-30 (TDR-1, Transfer of Development Rights, Multi-family District) by deleting (4) in its entirety and substituting a new paragraph (3) which reads as as follows:
 - (3) Private boat houses and docks as per Section 8, paragraph 30.
11. Amend Section 22.IV, 2, A, (2) of Ordinance 76-30, (RM-1B District) to read as follows:
 - (2) Private boat houses and docks as per Section 8, paragraph 30.
12. Amend Section 22.IV, 2, B, (3) of Ordinance 76-30 (RM-1B District) to read as follows:
 - (3) Non-commercial boat launching facilities.
13. Amend Section 22.IV, 2, B (4) of Ordinance 76-30, (RM-1B District) by deleting (4) in its entirety.

14. Amend Section 23, 2, B, (4) of Ordinance 76-30, (RM-2 Residential Multi-family District) to read as follows:
 - (4) Non-commercial boat launching facilities.
15. Amend Section 23, 2, B, (5) of Ordinance 76-30, (RM-2 Residential Multi-family District) by deleting (5) in its entirety and substituting the following wording:
 - (5) Private boat houses and docks as per Section 8, Paragraph 30.
16. Amend Section 25, 2, B (2) of Ordinance 76-30, (RT-Residential Tourist District) to read as follows:
 - (2) Non-commercial boat launching facilities.
17. Amend Section 25, 2, B (5) of Ordinance 76-30, (RT-Residential Tourist District) by deleting (5) in its entirety and substituting the following wording:
 - (5) Private boat houses and docks as per Section 8, Paragraph 30.
18. Amend Section 27, 2, B, (2) of Ordinance 76-30, (FVR-Fishing Village Residential District) to read as follows:
 - (2) Private boat launching facilities and multiple docking areas, including those uses for charter business or party boats, when operated by the residents of the principal use subject to the requirements of Section 8, paragraph 30.
19. Amend Section 28, 2, B, of Ordinance 76-30, (MHSD-Mobile Home Sub-division District) to read as follows:
 - B. Accessory Uses: Accessory uses and structures customarily associated with mobile home development, such as recreation facilities, administration buildings, service buildings, utilities, and additions which compliment the mobile homes.
 - (1) Private boat houses and docks as per Section 8, paragraph 30.
20. Amend Section 29, 2, B of Ordinance 76-30, (MHRP-Mobile Home Rental Park) to read as follows:
 - B. Permitted Accessory Uses and Structures: Accessory uses and structures customarily associated with mobile home parks, including patios, recreation facilities, administration buildings, service buildings and utilities.
 - (1) Private boat houses and docks as per Section 8, paragraph 30.
21. Amend Section 32, 2, C of Ordinance 76-30, (PC Professional Commercial District) by adding a subparagraph (4) which reads as follows and renumbering the following subparagraphs accordingly:
 - (4) Private boat houses and docks for the exclusive use of the occupants and their guests in conjunction with Section 32, 2, C, (3), above; subject to the requirements of Section 8, paragraph 30.
22. Amend Section 37, B, (4) of Ordinance 76-30, (A-Agricultural District) by deleting (4) in its entirety and substituting the following wording:
 - (4) Private boat houses and docks as per Section 8, Paragraph 30.
23. Amend Section 38, 2, C of Ordinance 76-30, (E-Estates District) by adding a new (9) which reads as follows:
 - (9) Private boat houses and docks as per Section 8, Paragraph 30.

SECTION TWO:

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

ADOPTED this 3rd day of June, 1980.



ATTESTED:
WILLIAM J. REAGAN, CLERK

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

BY: *Clifford Wenzel*
CLIFFORD WENZEL, CHAIRMAN

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:

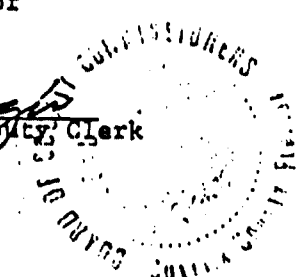
ORDINANCE NO. 80-49

which was adopted by the Board of County Commissioners during Regular Session June 3, 1980.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 3rd day of June, 1980.

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

By *Virginia Magfi*
Virginia Magfi, Deputy Clerk



This ordinance filed with the Secretary of State's Office the 6th day of June, 1980 and acknowledgement of that filing received this 9th day of June, 1980.

Virginia Magfi
Deputy Clerk

NJS/ke/46-G
Planning Department
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