



AN ORDINANCE ESTABLISHING THE "COASTAL PLANNING AREA" OF COLLIER COUNTY, FLORIDA; ADOPTING THE ATLAS OF MAPS DESCRIBING THE ZONING DISTRICTS WITHIN THE COASTAL AREA PLANNING AREA; PROVIDING FOR CHANGES TO SUCH ZONING DISTRICTS; PROVIDING APPEAL, PENALTY, CONFLICT, SEVERANCE AND CONSTRUCTION CLAUSES AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Coastal Area Planning Commission has received petitions, advertised, held public hearings and recommended zoning area and district boundaries to be approved and adopted by the Board of County Commissioners of Collier County, Florida, and

WHEREAS, the Board of County Commissioners in public hearings have approved and adopted such zoning districts and caused the same to be entered upon the official records of the Board of County Commissioners of Collier County, Florida.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA:

SECTION ONE:

1. That the Official Zoning Atlas of land use districts within the Coastal Area Planning District be and is hereby adopted. Dated April 30, 1974 and designated as Exhibit "A" attached hereto and made a part hereof.

2. Changes to the Official Zoning Atlas.

a. Changes to the Official Zoning Atlas of Land Use Districts within the Coastal Planning Area shall be made by Ordinance from time to time by designating the land use classification, or classifications and describing the area or areas of the Zoning District or Districts so classified by legal description or official Zoning Atlas Map or Maps.

b. Such Ordinance shall be enacted in accordance with the provisions of Florida Statute Section 125.66.

3. Appeal. Any person aggrieved by this Ordinance or any decision of any administrative officer or agency in the application of this Ordinance, other than the Board of County Commissioners, shall file a written request to the Board of County Commissioners not later than thirty (30) days after the date the disputed decision shall have become final, which shall, at a public hearing, hear the complaint of such aggrieved person. Said public hearing shall be held within thirty (30) days of the date of filing of the hearing request. After the hearing the Board of County Commissioners shall, within fifteen (15) days render its decision in writing affirming, overruling, or modifying the decision of the administrative official, or body, or grant a variance from the provisions hereof based upon hardship unnecessary in the public interest.

SECTION TWO:

1. Penalty. Any person violating the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be punished as provided by general law.

2. Severance. If any portion of this Ordinance is declared unconstitutional or held invalid in application, the validity of the remaining portions and applicability to other persons and circumstances shall not be affected.

3. Conflict. Should any substantive provision of this Ordinance conflict with other ordinances, codes or law, the more restrictive shall apply. Should any procedural provision of this Ordinance conflict with other ordinances or special law the former shall control.

4. Construction. The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes in the interests of public health, safety, welfare and convenience of the public.

5. Effective Date. The provisions of this Ordinance shall become effective upon receipt of notice from the Secretary of State that this Ordinance has been filed with the Department of State.

Dated: April 30, 1974

BOARD OF COUNTY COMMISSIONERS
OF COLLIER COUNTY, FLORIDA

By: Clifford Wenzel
Clifford Wenzel, Chairman

ATTEST:

Margaret T. Scott
Clerk of Circuit Court

Approved as to form and legality:

D. E. Bruner
David Emerson Bruner
Collier County Attorney

EMERGENCY
REQUIREMENTS
FOR
MULTI-FAMILY
FOLLOWS
SECTION 11.7

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A resolution of Collier County, Florida, establishing zoning districts within the unincorporated portion of Collier County, Florida and regulating within such zoning districts: the height, number of stories, size, location, relocation, erection, construction, reconstruction, alteration, removal, and use of buildings, structures and signs; the use of land and water for commerce, industry, residence, agriculture, recreation, forestry, resource, conservation, flood control and other lawful purposes, the size of yards, courts and other open spaces; percentage of lot that may be occupied; the density and distribution of population; expansion, change, or elimination of non-conformity; damage or nuisance-producing characteristics such as, but not limited to, noise, vibration, glare, and the handling of gaseous, liquid and solid wastes, including junk and wrecked automobiles, appliances, or parts, thereof, and trash; creating districts for said purposes and establishing boundaries thereof; defining certain terms used herein; repealing conflicting resolutions and for other purposes.

WHEREAS Collier County, Florida is authorized by Chapter 67-1246, Laws of Florida, to provide by resolution, regulations governing the use of land and water for commerce, industry, residence, agriculture, recreation, forestry, resource, conservation, flood control, and other purposes; regulating the height, number of stories, size, location, relocation, erection, construction, alteration, removal and use of buildings, structures and signs; regulating the size of yards, courts and other open spaces, percentage of lot that may be occupied; regulating the density and distribution of population, regulating the expansion, change of elimination of non-conformity, regulating damage and nuisance-producing characteristics; and creating districts for said purposes; and

WHEREAS the Collier County Planning Commission has prepared a Comprehensive General Plan for the physical development of the area, based on existing and anticipated needs, showing existing and proposed improvements in the area, stating the principles according to which future development should proceed and the manner in which such development should be controlled and that said plan was prepared with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the area in accordance with existing and future needs and does best promote public health, safety, order, comfort and convenience, appearance and the general welfare, as well as efficiency and economy in the process of development; and

WHEREAS the Board of County Commissioners of Collier County, after due consideration and duly authorized and conducted public hearing, did on the 25th day of April of 1967 adopt, fully in a legal manner, said Comprehensive Plan of Collier County; and

WHEREAS the Collier County Planning Commission has adopted a zoning regulation for the unincorporated portions of Collier County and that said zoning regulation corresponds to the purposes and scope of the said Comprehensive Plan of Collier County and is intended to implement and promote said Comprehensive Plan of Collier County; and

WHEREAS, the Board of County Commissioners of Collier County deems it necessary in order to accomplish the purposes and scope of the Comprehensive Plan of Collier County, and in order to preserve and enhance land values and use and to prevent or minimize problems of development and enjoyment of land and water resources and the provisions of this regulation are designed to promote, protect, and improve the public health, safety, order, comfort, convenience, appearance and general welfare of Collier County; and

WHEREAS due public notice and duly authorized public hearing was held;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, AS FOLLOWS:

ARTICLE I

SHORT TITLE

These rules and regulations shall be known and may be cited as the Collier County Zoning Regulations, done this 8th day of October 1968.

ARTICLE II

DEFINITIONS

Section 2.1 - Interpretation of Certain Terms and Words. For the purpose of this Regulation, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural, the singular; the word "building" shall include the word "structure", the word "lot" includes the word "plot" or "parcel"; the word "shall" is always mandatory and not merely directory; the word "used" or "occupied" as applied to any land or buildings shall be construed to include the words "intended, arranged, or designed to be used or occupied."

Section 2.2 - List of Definitions.

1. ACCESSORY USE, BUILDING OR STRUCTURE: A secondary residence, garage, or other building or structure on a lot or parcel, subordinate to and not forming an integral part of the main or principal building, but pertaining to the use of the main building. An accessory building may include servants' quarters. See also: Guest House and Boat House.
2. ACRE: An area containing 43,560 square feet.

- A. Acre Gross: A gross acre is an area of land used for a particular use including rights-of-way.
- B. Acre Net: A net acre is an area of land for a specific use exclusive of rights-of-way.
- 3. ADVERTISING SIGN: A surface whereon advertising matter is set in public view, including reference to any use of premises whereon it is displayed or posted. (See also Chapter XXIII - SIGNS AND OUTDOOR DISPLAYS- Collier Building Code.) See Section 11.34.
- 4. ALCOHOLIC BEVERAGE: All beverages containing more than one (1) per cent alcoholic by weight.
 - A. INTOXICATING BEVERAGE: (OR INTOXICATING LIQUOR):
Beverages including only those liquors, wines and beer containing more than 3.2% of alcoholic by weight.
 - B. ALCOHOLIC BEVERAGE DISTRIBUTOR: Any person who sells and distributes or offers to sell and distribute alcoholic beverages in the county to other licensed distributors, licensed vendors, licensed operators or lounges, bars or clubs.
 - C. ALCOHOLIC BEVERAGE VENDOR: Any person who sells or offers for sale alcoholic beverages at retail in the county in any quantity.
 - D. ALCOHOLIC BEVERAGE QUOTA LICENSE: A license or licenses issued by the State Beverage Department of Florida pursuant to the provisions of paragraph (1) of Section 561.20, restricted or limited by population.
 - E. ALCOHOLIC BEVERAGE SPECIAL LICENSE: The license or licenses issued by the State Beverage Department of Florida to any bona fide hotel, motel, motor court or other facility of not less than one hundred guest rooms, pursuant to Section 561.20 (2), Florida Statutes.
- 5. ALLEY: A roadway dedicated to public use which affords only secondary means of access to abutting property and which is not intended for general traffic circulation.
- 6. ALLOWABLE USE: A use specifically permitted.
- 7. ALLOWED USE: See Definition 78.
- 8. ALTERATION OF BUILDING: Any change in the arrangement of a building including any work affecting the structural parts of a building or any change in wiring, plumbing, air conditioning or heating systems.

9. ANTIQUÉ SHOP & STORE: A store or shop conducted entirely within a fully enclosed structure dealing in the sale of old articles which, due to their demand as collector's items, historical background, or scarcity, have an intrinsic value.
10. APARTMENT BUILDING: A principal building which is used or intended to be used as a home or residence for more than two families living in separate quarters.
11. APARTMENT HOTEL: An apartment building, under resident supervision, which maintains an inner lobby through which tenants customarily pass to gain access to the apartment and which may furnish dining room service.
12. AUTOMOBILE OFF-STREET PARKING SPACE: A clearly defined and appropriately marked area containing a space measuring at least ten feet by twenty feet having sufficient ways of ingress and egress thereto when all adjacent spaces are occupied. Such space shall be provided with a suitable surface for parking and shall be, except as otherwise allowed (See Section 8.2), located entirely upon the principal lot and shall not encompass any area of street, alley or pedestrian right-of-way.

13. BEER: The word "beer" shall be as defined in Section 561.01 (3), Florida Statutes.
14. BLOCK: A piece or parcel of land customarily surrounded by public streets, (other than alleys), or any other major physical barriers.
15. BLOCK FACE: That portion of a block with continuous frontage along a single street.
16. BOAT HOUSE:
- A. Private: An accessory building for the express purpose of providing space for housing boats and boating accessories.
 - B. Commercial: A building adjacent to a canal, waterway, river or bay for the express purpose of housing, hauling, launching, repairing, servicing, maintaining or storing boats, for a fee.
17. BOAT YARD & WAY: A commercial establishment which provides facilities for the construction or reconstruction, repair, maintenance or sale of boats, marine engines, marine equipment and marine services of all kinds; including but not limited to rental of covered or uncovered boat slips, dock space, enclosed dry storage space, marine railways or lifting or launching services.
18. BUILDING: Any structure either temporary or permanent, having a roof, and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind. This definition shall include tents, awnings or vehicles which function as a building.
19. BUILDING HEIGHT: The vertical distance measured from the average crown of the abutting road to the highest point of the roof, to the deck line of a mansard roof, and to the mean height between eaves and ridge of a gable, hip or gambrel roof.
20. "BUILDING LINE: The extreme overall dimensions of a building as staked on the ground, including all area covered by any vertical projection to the ground or overhang of walls, roof or any other part of a structure, whichever is nearest to the property line, will be considered as the building line. Eaves or overhangs may project a maximum of 18" into any required yard. (See also definition Number 94 SETBACK)"
21. BUILDING SITE: The ground area of a building or buildings together with all open spaces surrounded by said building or buildings.
22. CABARET: See Cocktail Lounge. Definition Number 28.

23. CAFETERIA: A place where food is obtained by self-service and eaten on premises.
24. CENTERLINE: A line running parallel with the two edges of a right-of-way, located, in general, a distance halfway between the extreme edges of official and platted rights-of-way.
25. CERTIFIED SURVEY: A Survey, sketch, plan map or other exhibit is said to be certified when a written statement regarding its accuracy or conformity to specified standards is signed by the registered surveyor who prepared said certified survey.
26. CHILD CARE CENTER: An enterprise involving the care of three or more children at one and the same time either by day or night, which children are not foster children or related by blood or marriage to the operator.
- 26.1 CHURCH: Any building or structure used exclusively for religious services and religious education regularly and the title to which said building is owned or held by said church.
27. CLINIC: Any structure or premise used as an establishment for medical, physical or surgical examination of persons classified as outpatients.
28. COCKTAIL LOUNGE: An establishment which is licensed to sell intoxicating liquors by the drink; where music, dancing or other entertainment may be permitted.
- 28.1 COLLEGE: An institution of higher learning not established and operated for profit or as a commercial enterprise and is recognized by the State of Florida as an institution offering post high school curriculum. Unless specifically prefaced with the proper descriptive terms, a college shall not encompass dormitories or unusual facilities not normally associated with college operations.
29. COMMERCIAL FISHERY: An establishment for the receiving, processing, packaging, storage and wholesale or retail distribution and sale of products of the sea for human consumption. Such an establishment may include facilities for the docking, loading, unloading, fueling, icing, and provisioning of vessels and for the drying, maintenance and storage of equipment.
30. CONDITIONAL PERMIT: A permit issued subject to revisions or cancellation by the issuing department.
31. CONDOMINIUM: Condominium is that form of ownership of condominium property under which units of improvements are subject to ownership by one or more owners, and there is appurtenant to each unit as part thereof and undivided share in the common elements.

Revised March 7, 1972 and April 11, 1972

32. CONVENTION HALL: An assembly or meeting place for delegates for action on particular matters, such as business, political, fraternal, veteran's affairs, and the like.
33. COURT: An open unoccupied space, other than a yard, unobstructed except for trees, shrubs, foundations, or statuary, on the same lot as a building.
- A. Inner Court: A court surrounded by a structure and not extending to a street or alley or to a front, side or rear yard.
- 33.1. DENSITY, NET RESIDENTIAL: The net residential density for a given project shall be determined by dividing the total number of project dwelling units by the net residential acreage, excluding public or private street rights of way. Artificial water bodies within the project area may be calculated as part of the net residential area, up to a maximum of 50% of said area.

B. Outer Court: A court extending to a street or alley or to a front, side or rear yard.

34. DEPTH OF LOT: The depth of a lot is the depth between its mean front street line and its mean rear line.
35. DIRECTOR: The director of the Building and Zoning Department, unless the context clearly indicates otherwise.
36. DRIVE-IN BUSINESS: Any place of business or premise which serves, sells or otherwise makes available its service to patrons situated in vehicles.
37. DRIVE-IN RESTAURANT: A prepared food and beverage sales enterprise which is operated in such a manner that all or a portion of its patrons consume their food and beverage while situated in vehicles parked on the premises.
38. DRIVE-IN THEATER: A place of business designed for dramatic presentations, either live or on a screen, and viewed by patrons from vehicles.
39. DUE PUBLIC NOTICE: At least fifteen (15) days public notice, published one time in newspaper of general circulation in Collier County, which states the date, place, time and nature of the business with which the notice is concerned.
40. DWELLING UNIT: Living accommodations for a single family, whether a single-family residence, or residence in a multi-family residential building, or a single-family living unit in a transient lodging facility.
41. FALLOUT SHELTER: A structure or portion of a structure intended to provide protection to human life during periods of danger to human life from nuclear fallout, air raids, storms or other emergencies.
42. FAMILY: Any number of individuals related by blood, marriage or legal adoption, living together as a single housekeeping unit. Foster children and domestic servants are considered part of a family.
43. FLOOR AREA: Floor area shall be that area within a structure, accessible from the interior, which shall be enclosed from direct and open access from the out-of-doors or from an interior unroofed court, and provided such areas are under roof. For purposes of this regulation, basements, attics, garages and carports are not considered as "floor area".
44. FRONTAGE: Distance measured along a highway, street or waterfront right-of-way.

45. GARAGE, PRIVATE: A structure normally not larger than five hundred (500) square feet or 20% of the total floor area of the principal building, solely for private use by the owner or occupants of a residential structure, or of his family or domestic employees, for the storage of motor vehicles, and which has no public shop or mechanical service in connection therewith.
46. GARAGE, PUBLIC: A structure for the storing, care, repair or re-finishing of motor vehicles, or a structure containing a public shop where automobile mechanical service is provided.
47. GASOLINE SERVICE STATION: A structure designed or used for the retail sale or supply of fuels, lubricants, air, water and other operating commodities for motor vehicles and including the customary space and facilities for the installation or application of such commodities on or in such vehicles, but not including space or facilities for the storage, painting, repair, refinishing, body work or other servicing of motor vehicles or other accessory uses or structures.
48. GRADE: In such expressions as "at grade" or "to grade" it denotes the elevation of a point either on a grade line or at some established elevation as in construction work.
49. GUEST HOUSE: An accessory dwelling unit which may or may not include cooking facilities, which is incorporated in, attached to, or detached from a principal dwelling and which is used exclusively for the non-commercial accommodation of friends or relatives of the occupant or owner of the principal dwelling.
50. HIGHWAY: Any public thoroughfare (Federal, State, or County), the principal purpose of which is to afford primary access to the general area in which it is located.
51. HOME OCCUPATION: An accessory use in a residential area consisting of an occupation carried on entirely within a dwelling and only by members of the family permanently living therein, where no evidence of the home occupation is noticeable from off the premises, where no pedestrian or vehicular traffic in excess of that customary in residential areas is generated, and where no commercial vehicles are kept on the premises or parked overnight on the premises unless otherwise permitted by these regulations. See Section 11.34.
52. HOTEL: A building occupied as the more or less temporary residence of individuals who are lodged, with or without meals, and in which there are ten or more sleeping rooms and customarily no provisions are made for

cooking in any individual room or apartment, and entrance is through a common lobby or office.

53. HUNTING LODGE: A temporary structure or shelter used primarily during the hunting seasons, and which shall not be designed or intended to be used as a permanent residence or structure.
54. INTOXICATING LIQUOR: For the purpose of these regulations, "intoxicating liquor" shall be as defined in Section 561.71 (8), Florida Statutes.
55. JUNK: Inoperative, dilapidated, abandoned or wrecked materials, including but not limited to automobiles, trucks, tractors, wagons, boats and other kinds of vehicles and parts thereof, scrap materials, scrap building material, scrap contractors' equipment, tanks, casks, cans, barrels, boxes, drums, piping, bottles, glass, old iron, machinery, rags, paper, excelsior, hair, household appliances or furniture, or any other kind of scrap or waste material which is stored, kept, processed or displayed within the county limits.
56. JUNK YARD: An area where junk is stored, processed or sold.
57. KENNELING: The keeping of any dog or dogs, regardless of number, for sale, breeding, boarding or treatment purposes, except in a dog hospital, dog beauty parlor or pet shop, as permitted by law, or the keeping of three or more dogs, six months old or older, on premises used for residential purposes, or the keeping of more than one dog, on vacant property used for business or commercial purposes, shall constitute kenneling.
58. LOADING AND UNLOADING SPACE: Space reserved for pick up and delivery of goods and merchandise scaled to the size of the vehicle expected to be used, and designed so as to be accessible to such vehicle when adjoining spaces, building sites and other open or reserved space is used. Such space shall be clearly marked and defined and be provided with a suitable hard surface covering for its intended use. Such space shall be so designed that no portion of the vehicles extend over any public street, alley or pedestrian right-of-way and do not make direct use of such right-of-way maneuvering into or out of such loading and unloading space.
59. LOT: As used in this ordinance, a lot is a lawful building site.
 - A. Corner Lot: Any lot situated at the junction of and abutting on two or more intersections or intercepting streets or public highways. If the angle of intersection of the direction lines of two highways is more than 135 degrees, the lot fronting on said intersection is not a corner lot.
 - B. Interior Lot: Any lot which is not a corner lot.

60. LOT COVERAGE: The amount of square foot of the living area of the principal building on the ground floor.
61. LOT LINE: A dimension and location describing the edge of a parcel whether platted, described by metes and bounds or agreed upon by adjoining parties.
- A. Front Lot Line: The front lot line is the line separating a lot from a street.
- B. Rear Lot Line: The rear lot line is that boundary which is opposite and most distant from the front lot line. In the case of a lot pointed at the rear or any odd-shaped lot, the rear lot line shall be determined by the director of the Building and Zoning Department.
- C. Side Lot Line: A side lot line is any boundary lot line not a front lot line or a rear lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.
62. LOT OF RECORD: A lot which is a part of a platted subdivision or a parcel of land recorded in a Collier County Deed Book or official record book.
63. MARINA: A recreational boating establishment located on a navigable waterway, which may provide covered or uncovered boat slips or dock space, dry boat storage, marine fuel and lubricants, marine supplies, restaurants or refreshment facilities, boat and boat motor sales or rentals. Minor pleasure boat and boat motor repair which is incidental to the principal marina use is permitted as an accessory use; however, no dredge, barge or other work dockage or service is permitted, and no boat construction or reconstruction is permitted.
64. MILK PROCESSOR: A person who does not produce milk or milk products, but purchases the same from a producer for the purpose of preparing for resale to the public in packaged form by the different acts of processing, such as pasteurization, cooling, packaging, etc.
65. MILK PRODUCER: A person who owns or operates a dairy farm and offers milk products produced by him to any firm or plant for processing for resale to the public in package form.

66. MILK PRODUCER-DISTRIBUTOR: A person who owns or operates a dairy farm and offers his milk or milk products produced by him for sale to the public in package form.
67. MOBILE HOME: A detached residential living unit Ten (10) feet or more in width designed to be transported after fabrication on streets and highways on its own wheels, but which may be transported on a flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling, complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, possible location on jacks or permanent foundations, connections to utilities, or the like. A trailer as defined herein is not considered a mobile home for purposes of this ordinance.
68. MOBILE HOME AND TRAVEL TRAILER PARK: An area of ten (10) acres or more designed, constructed, equipped, operated or maintained for the purpose of providing spaces for mobile homes, and trailers (except camping trailers) intended to be used as temporary or permanent living facilities, and where on-site management is provided.
69. MODEL HOME: A residential structure used for demonstration purposes or sales promotion, not occupied as a dwelling unit, and open to the public for inspection.
70. MOTEL OR MOTOR HOTEL: A building or group of two or more buildings designed to provide sleeping accommodations for transient or overnight guests, customarily having no common entrance or lobby, and which generally have direct private openings to a street, drive, court, patio, etc.
71. MULTIPLE-FAMILY: Three or more families.
72. NEW AND UNUSUAL USE: A use which is unique, and unusual to the uses permitted for the area, but which does not tend to downgrade or does not substantially change the intent of the district purpose of the area, but will tend to improve the economy, welfare, health and overall benefit of the public, provided such use is not defined as an allowable or allowed use within a zoning district classification established by this regulation.
73. NIGHT CLUB: See Cocktail Lounge.
74. NON-CONFORMITY: A lot, structure, or use of land, or any combination thereof, which was lawful when established, the new establishment of which would be prohibited by current zoning regulations.
75. NURSERY SCHOOL: Any structure, lot or premise where a commercial or institutional establishment is maintained or operated temporarily or per-

manently for the training or care - other than medical care - of pre-school age children.

76. NURSING OR CONVALESCENT HOME: A home, institution, building or residence, public or private, whether operated for profit or not which provides maintenance, personal care or nursing for a period exceeding twenty-four (24) hours to three or more ill, physically infirm or aged persons, who are not related by blood or marriage to the operator.
77. OLD SUBDIVISION: A subdivision on which the plat has been officially accepted and recorded prior to June 21, 1966, and which has not reverted to acreage, tracts or blocks.
78. PLACE OF BUSINESS: Any vehicle, building, structure, yard, area, lot, premise or part thereof, or any other place in or on which one or more persons engage in a profit-seeking business.
79. PREMISES: Any lot, plot, parcel or tract of land, with or without a building or buildings or structure or structures thereon.
80. PRINCIPAL BUILDING: A building which houses the main use or activity occurring on a lot or parcel of ground.
81. PRIVATE CLUB: A property owned or leased and operated by a group or an association of persons and maintained and operated solely by and for the members of such a group or association and their guests and which is not available for unrestricted public access or use.
82. PROVISIONAL USE: As used in connection with the provisions of these regulations dealing with zoning, a provisional use is a use that would not be appropriate generally or without restriction throughout the particular zoning district or classification, but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, good order, appearance, convenience, prosperity, morals and the general welfare. Such uses may be permitted in such zoning district or classification as provisional uses, if specific provision for such provisional use is made in the zoning ordinance and does not substantially change the intent of the district purpose.
83. PUBLIC UTILITY: Any facility for rendering electrical, gas, communications, transportation, water supply, sewage disposal, drainage, garbage or refuse disposal or fire protection service or the like, to the general public.
84. RECREATIONAL AREA OR FACILITY: A place designed for use for art, sports, hobbies, health and similar leisure hour activities.

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85. REGULATION: A component part, requirement or total requirements of a duly authorized, resolved, or ordained requirement of a government or government agency or organization.
86. RESIDENCE: A single-family dwelling or a dwelling unit in a multiple-family dwelling, which contains sleeping, bathroom, food refrigeration, cooking, and dining facilities.
87. RESTAURANT: A building, room or rooms, where food is prepared and served as a commercial enterprise to the public and for consumption on the premises; and where at least 51% of the operator's gross receipts come from the sale of food.
88. RETAIL BAKERY: Baked goods sales shop at which more than 50% of the baked goods produced are sold at retail from the premises.
89. RETAIL SHOP & STORE: A business activity which sells commodities at retail.
90. RETAIL SERVICE OR DISPLAY LOTS: A business conducted in part or wholly within open display lots or areas.
91. RIGHT - OF - WAY: A path or route which may lawfully be used for the purpose of roads, streets, or alleys, utility and transmission lines or canals.
92. RIGHT - OF - WAY LINE: The outside boundary of a right -of -way, whether such right-of-way be established by usage, dedication, or by official right - of - way map.
- 92.1 SCHOOL: An educational institution, not established and operated for profit or as a commercial enterprise, offering a curriculum acceptable by local and state educational officials to fulfill legal requirements of education for elementary through high school levels, or any part thereof. Unless specifically prefaced with the proper descriptive terms, a school shall not include boarding schools or special other purpose schools.
93. SCREENING (CONCEALING): A structure of metal, masonry, wood or landscape planting or other suitable opaque material, for the purpose of concealing from view those areas so screened.
94. SETBACK: The minimum horizontal distance from a right-of-way line, property line, bulkhead line, established shore line or other defined location and the nearest portion of a structure or use of land.

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95. SHORELINE: A straight or smoothly curving line which, on tidal waters, follows the general configuration of the mean high water line; and which, on non-tidal waters, is determined by the annual average water level. Boat slips and other man-made or minor indentations shall be construed as lying landward of the shoreline and are considered upland when computing the lot area of waterfront property.
96. SIGNS: SEE SECTION 11.34.
97. SITE: Area of premise to be covered by a structure.

98. STORY: That portion of a building included between a floor which is calculated as a part of a building's "floor area" and the floor or roof next above it.
99. STREET: A public and dedicated thoroughfare which affords the principal means of access to abutting property.
100. STRUCTURE: Anything constructed or erected, the use of which requires a permanent location on the ground or attachment to something having a permanent location on the ground.
- 100.1. USABLE OPEN SPACE: That space upon the lot or parcel to which it is appurtenant, which can be used by inhabitants of the property for outdoor living, activity and/or recreation and may include landscaping. Such space shall have a minimum dimension of 9.0 feet. Balconies may be credited as usable open space. All such areas shall be readily accessible to the inhabitants of the property.

Usable open space does not include driveways, open or covered parking areas; utility space such as trash or garbage areas. The required yards may be counted if they are directly accessible to the apartment units. Roof area which is fully developed, as recreation area may be credited as usable open space.

Artificial water area, created from privately owned land within lots or project areas in which this regulation applies, may be calculated as usable open space, provided that water area shall not be credited as more than 50% of the total required open space. When development projects include several dwelling structures and common land and/or water open space, the total usable open space shall equal or exceed the area required by the total number of dwelling units.

102. SUBDIVISION, OLD: See Old Subdivision.
103. TRAILER: A portable living unit other than a Mobile Home and less than 10 feet in width, and may include the following.
- A. Dependent Trailer: A trailer having sleeping and usually kitchen facilities only and which is dependent upon a service building for toilet and lavatory facilities.
 - B. Self-Contained Trailer: A trailer which can operate for short periods of time independent of connections to sewer, water, and electric systems. It contains a water-flushed toilet, lavatory, shower and kitchen sink, all of which are connected to water storage and sewage holding tanks located within the trailer.

- C. Travel Trailer: A travel trailer is a vehicular, portable structure built on a chassis, designed as a temporary dwelling for travel, recreation and vacation, having body width not exceeding eight feet and being of any length provided its gross weight does not exceed 4,500 pounds or being of any weight provided its body length does not exceed 29 feet.
- D. Pick-Up Coach: A pick-up coach is a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation.
- E. Motor Home: A motor-home is a portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.
- F. Camping Trailer: A camping trailer is a canvas, folding structure, mounted on wheels and designed for travel, recreation and vacation use.

104. TRAVEL TRAILER PARKING AREA: A parcel of land under single ownership, or control, in which two or more spaces are occupied or intended for occupancy by trailers for transient dwelling purposes, in which on site management is provided.
105. TRANSIENT LODGING FACILITY: A single, two family or multiple-family dwelling in which each dwelling unit contains sleeping facilities, and which may or may not include cooking facilities, intended for more or less temporary occupancy. Hotels and motels are typical transient lodging facilities.
106. VEHICLE: A conveyance for persons or materials.
- A. Commercial Vehicle: Any bus, truck or other vehicle designed, intended or used for transportation of people, goods or things, and any vehicle requiring commercial licenses, other than private passenger vehicles and private trailers used for non-profit transportation of goods or boats. Specifically excluded from this definition are panel or pickup trucks upon which no advertising is displayed and which are used as personal transportation.
- B. Private Vehicle: A vehicle no larger than three-quarter (3/4) ton capacity, the principal use of which is to furnish transportation to the owner thereof or his immediate family, and upon which no advertising is displayed.
107. WATERFRONT: Any site shall be considered as waterfront premises provided any or all of its lot lines abut on or are contiguous to any body of water, including creek, canal, bay, gulf, river or any body of water, natural or artificial, not including a swimming pool, whether said lot line is front, side or rear.
108. YARD: An open space of prescribed width or depth on the same land with a building or group of buildings, which open space lies between the building or group of buildings, and the nearest lot line and is unoccupied and unobstructed from the ground upward, except as otherwise provided in this Section.
- a. Yard, Front: The required space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the main building. In the case of a corner lot, the required setback for the longest yard may be reduced when so specified within the District Regulations.

- b. Yard, Rear: A yard extending across the full width of the lot between a building and the rear lot line; the depth of a rear yard is the minimum horizontal distance between the nearest part of the building and the rear lot line.
- c. Yard, Side: A yard which is the shortest distance between the side lot line and the nearest use or building on the lot.
- d. Yard, Width (how measured): Yard widths shall be measured from the nearest lot lines and, in case such lot line is a street lot line, from the right of way line of the existing streets provided, however, that if a proposed right of way line of such street has been officially established, then the required yard width shall be measured from such proposed right of way line.
- e. Yard, Gulf: Any yard which abuts the Gulf of Mexico shoreline within the County of Collier.
- f. Yard, Required: Shall mean the minimum yard required by the Zoning Ordinance for a specific district.

ARTICLE III

ESTABLISHMENT OF DISTRICTS

Section 3.1 - Use Districts. For the purpose of this regulation, the unincorporated portion of Collier County, Florida, are hereby divided into districts designed as follows:

	Single Family Residential District
SF-2	Single Family Residential District
SF-3	Single Family Residential District
SF-4	Single Family Residential District
SF-5	Single Family Residential District
SF-6	Single Family Residential District
MF-1	One and Two Family Residential District
MF-1A	Non-Conforming Development Supplemental District
MF-2	One, Two, and Multiple Family Residential District
MF-3	Two and Multiple Family Residential District
MF-4	Multiple Family Residential District
MF-5	Multiple Family Residential District
MHSD	Mobile Home Subdivision District
MHTT	Mobile Home Travel Trailer Park District
CP	Commercial Parkway District
C-1	Commercial District
C-2	Commercial District
C-3	Commercial District
C-4	Commercial-Light Industrial District
I	Industrial District
E	Suburban Estates District
GC	Golf Course District
A-1	Agricultural District
A-2	Agricultural District
FL	Farm Labor Camp Supplementary District
W	Waterfront Supplementary District
GH	Group Housing Supplementary District
FVR	Fishing Village Residential District
PUD	Planned Unit Development District
CT-4	Commercial Tourist District
CT-5	Commercial Tourist District
	Naples Airport Supplementary District

Section 3.2-District Boundaries. The boundaries of each district are hereby established as shown on maps in the map atlas entitled "Official Zoning Map, Collier County, Florida." Said maps shall be identified by the signature of the Chairman of the Board of County Commissioners of Collier County, Florida and so attested by the Clerk of the Circuit Court under the following words: "This is to certify that this is Map Sheet No. ___ of ___ sheets of the Official Zoning Map and Atlas of Collier County, Florida referred to in Section 3.2 of the Zoning Regulation of Collier County, Florida dated October 8; 1968." Said maps and all explanatory matter thereon accompanies and are hereby made a part of this Regulation and will be hereafter referred to as the "Zoning Map". Original copies shall be the Official Zoning Map and shall be retained in the office of the Building and Zoning official.

Section 3.3-Map Amendment. If, in accordance with the provisions of this regulation, changes are made in district boundaries or other subject matter portrayed on the Zoning Map, such changes shall be made on the Zoning Map promptly after the amendment has been adopted, together with an entry upon the margin of the Zoning Map or by instrument attached thereto, indicating the date of amendment, a brief description of the amendment and a signature by the Chairman of the Collier County Commission which shall be attested to by the Clerk of the Circuit Court.

No changes of any nature shall be made in the Zoning Map or matter shown thereon except in conformity with the procedures set forth in this ordinance.

Regardless of the existence of purported copies of the Zoning Map which may from time to time be made or published, the Official Zoning Map which shall be located in a designated place easily accessible to the public, shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the county.

Section 3.4 - Replacement of Official Zoning Map. In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the County Commission may by resolution adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original zoning ordinance or any subsequent amendment thereof. Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved together with all available records pertaining to its adoption or amendment.

Section 3.5 - Rules for Interpretation of District Boundaries. Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines;
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
3. Boundaries indicated as approximately following political boundaries shall be construed as following such political boundaries;
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
5. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines;
6. Boundaries indicated as parallel to or extensions of features indicated in sub-

sections 1 through 5 above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map;

7. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by sub-sections 1 through 6 above, the Board of Zoning Appeals shall interpret the district boundaries;
8. Where a district boundary divides a lot which was in single ownership at the time of passage of this ordinance, the Board of Zoning Appeals may permit the extension of the regulations for either portion of the lot not to exceed fifty (50) feet beyond the district line into the remaining portion of the lot.

ARTICLE IV

APPLICATION OF REGULATIONS

Except as hereinafter provided:

Section 4.1 - Uses. No building, structure, land, or water shall hereafter be used or occupied and no building or structure or part thereafter be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all the regulations herein specified for the district in which it is located.

Section 4.2 - Buildings. No building or structure shall hereafter be erected, constructed, or altered so as to exceed the height limitations, to accommodate or house a greater number of families, to occupy a greater percentage of lot area, to enclose a floor area below the minimum specified, to have narrower or smaller yard space or other open spaces than herein required for the district in which it is located, except as hereinafter provided.

Section 4.3 - Lots. No lot, even though it may consist of one or more adjacent lots of record, shall be reduced in size so that lot width or depth or required yard and open space, lot area per family or other requirements of this regulation, are not maintained. This section shall not apply when a portion of a lot is acquired for public use.

Section 4.4 - Yard Space. No part of a yard or other open space including off-street parking and loading spaces required about any building shall be included as a part of a yard or other open space similarly required for another building.

Section 4.5 - Submerged Land. Land lying below the main high water line or land which is normally under water during the dry season shall not be calculated as a part of a lot in determining the minimum lot or yard area required herein, except as otherwise provided. In the event a dyke, sea wall or other obstruction designed to prevent intrusion of water is provided to completely protect the lot or yard area,

Board of Zoning Appeals may have construction in said lot cover said yard area upon the presentation of reasonable and professional evidence that the obstruction is sufficient to prevent flooding and undermining of foundations.

Section 4.6 - Minimum Requirements. Within each district, the regulations set forth shall be minimum requirements and shall apply uniformly to each class or kind of structure or land.

ARTICLE V

GENERAL PROVISIONS

Section 5.1 - Number of Buildings Per Lot. Within any district, more than one structure and its attendant accessory structures may be constructed upon any parcel of land provided that yard use and other requirements of this ordinance are complied with for each structure as though it were on an individual lot.

Section 5.2 - Street Access. Buildings shall hereafter be constructed only on a lot or tract to which there is legal access, (including dedicated, public or private easements).

Section 5.3 - Establishment of Setback Lines for Street Widening. Where setback lines are established on streets, roads or highways, the front yards of lots and side yards of corner lots shall be measured from the edge of said setback lines, effective the date such setback lines are officially established.

Existing and proposed rights-of-way for street, road and highway construction may be defined on a major street plan map and such other documents and materials as are necessary, adopted by the County Commission for the purpose of establishing such setback lines.

Section 5.4 - Uncompleted Buildings. Any building or structure for which a lawful building permit has been issued, and the construction of which has been started prior to the effective date of this regulation, or its subsequent amendment, may be completed and used in accordance with the plans and specifications upon which said permit was granted, provided such construction is completed within six months after the effective date of this regulation or amendment, except for a demonstrated cause approved by the County Commission.

Section 5.5 - Time Limit For Special Permit or Variance. Where there has been given or granted a permit for a Provisional Use pursuant to the provisions of this regulation or where the Board of Zoning Appeals has granted a variance pursuant to the provisions of this regulation, such approval, grant or permit shall become null and void unless the work thereon is substantially underway within six months of the date of such action or unless underway in a shorter period as required by said Board or Commission.

Section 5.6 - Obstruction to Vision at Street Intersections. In order to minimize

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Accidents caused by obstruction to vision at street intersection, the following regulations shall apply:

1. Within the area formed by the rights-of-way lines of intersecting streets, a straight line connecting points on such right-of-way lines at a distance of forty (40) feet from their point of intersection, such connecting line extending beyond the points to the curb lines, there shall be a clear space with no obstruction to vision between the height of three (3) feet and a height of eight (8) feet above the average grade of each street as measured at the centerline thereof.
2. The requirements of this Section shall not be deemed to prohibit any necessary retaining wall.
3. Trees shall be permitted in the clear space provided that foliage is cut away within the prescribed heights.
4. Lamp posts and street name sign posts shall also be permitted, provided that illuminating fixtures or name plates are not within the prescribed clear space.

Section 5.7 - Location of Accessory Structures. In residential districts and on any lot used for residential purposes, no accessory structure, including for the purposes of this section: automotive vehicles, boats, travel trailers, and sporting equipment used for camping or similar recreation; shall be located in required front or side yards. Accessory structures shall not exceed two and one-half (2½) stories in height, shall not cover more than 30% of any required rear yard and shall be at least five (5) feet from side lot lines and common rear lot line or alleys, or shall have the same setbacks as principal structures, whichever is greatest. Accessory structures shall be located at least ten (10) feet from any other structure on the same lot. Accessory structures must be constructed simultaneously with or following the construction of the main structure, and shall not be used until after the principal structure has been fully erected.

Section 5.8 - Essential Services. Essential service uses shall be permitted as authorized and regulated by law, it being the intention hereof to exempt such uses from the application of the Zoning Regulation. Essential services are those regulated by the State and Public Service Commission and include, for example transportation routes and utility transmission lines.

Section 5.9 - Special Setbacks. In Certain Residential and Agricultural Districts:

In all Agricultural Districts, the following special setbacks shall prevail, notwithstanding other provision of this Resolution:

1. No permanent or temporary building or structure shall be closer than one hundred (100) feet to any Federal or State primary right-of-way.

2. No permanent building shall be closer than seventy-five (75) feet to a section line or one hundred (100) feet to a township or range line.
3. No permanent or temporary building or structure shall be closer than thirty (30) feet to any property line.

SPECIAL GULF OF MEXICO FRONTAGE SETBACK. No dwelling house, hotel, motel, apartment building, seawall, revetment, industrial or commercial structure or other structure accessory to any such structures, including patios, swimming pools, garages and the like, shall be excavated or constructed within fifty (50) feet of the line of mean high water at any riparian location fronting the Gulf of Mexico, exclusive of bays, inlets, rivers, bayous, creeks, passes and the like; except, however, as such requirements and other requirements of this Regulation may be waived or varied in accordance with Part I Chapter 161 (Section 161.052) Florida Statutes or by methods established herein. Violations shall be punishable as provided by law.

Section 5.10 LOCATIONAL RESTRICTIONS FOR USE INVOLVING INTOXICATING BEVERAGES.

It shall be unlawful for persons to sell or offer for sale at retail any alcoholic beverages, wine or beer within the county except in a store, establishment or place of business licensed by the State of Florida and the County for the sale of alcoholic beverages.

The following locational restrictions shall apply to uses which involve the sale or distribution of intoxicating beverages in the County in any quantity as follows:

1. No such use shall be located within four hundred (400) feet of any established school or church. The distance of four (400) feet shall be measured from the front door of the established schools or churches to the front door of the proposed license, along the route of ordinary pedestrian traffic.
2. No certificate of occupancy shall be issued to any applicant for consumption or sale of liquor under the Laws of Florida, either on the premises or off the premises, if the place of business of such applicant is situated less than five hundred (500) feet from an established licensee; such five hundred (500) feet distance to be measured and computed from the front door of the proposed licensee, along the route of ordinary pedestrian traffic; and provided further that the restrictions herein set forth shall not be applicable to restaurants, or hotels with one hundred (100) or more guest rooms, and such restaurants or hotels may contain places of business for the sale of liquor to be consumed on the premises where such sale of liquor in such restaurants or hotels is strictly incidental to the principal use and where there are no signs of any type exhibited or the room for the sale of liquor as conducted, does not open upon any street or sidewalk. Not more than one certificate of occupancy for consumption on the premises shall be issued for hotels.
3. Any restaurant or hotel herein licensed to sell or offer for sale any alcoholic beverages, wine or beer shall upon demand of the zoning enforcement official make or cause to be made under oath a statement itemizing what percentage of his gross receipts are from the sale of food and non-intoxicating beverages.

Section 5.11 - MINIMUM USABLE OPEN SPACE REQUIREMENTS:

Minimum usable open space shall be provided in certain developments as part of the development's standards.

1. In any district which permits multiple family residences, the following minimum usable open space is required:
 - a. Each efficiency apartment - 600 square feet.
 - b. Each one-bedroom apartment - 675 square feet.
 - c. Each two-bedroom apartment - 750 square feet.
 - d. Each additional bedroom - 125 square feet.
2. The following area shall be computed as usable open space:
 - (1) Private patios.
 - (2) Balconies.
 - (3) Normal recreation facilities such as swimming pools, tennis courts and the like.
 - (4) Recreation structures accessory to outdoor recreation uses provided such structures do not exceed five (5) per cent of the required total usable open space.
 - (5) Landscaped area.
3. PLAN APPROVAL: A plot plan showing the required open space shall be submitted as part of the application for a building permit.

ARTICLE VI

EXCEPTIONS AND MODIFICATIONS

Section 6.1 - Front Yard Requirements. Front setback requirements of this regulation for dwellings shall not apply in the following cases:

To any lot where the average setback on developed lots within one hundred (100)

feet on each side is less than the minimum required setback, providing, however, that the adjacent developed lots are located within the same zoning district and within the same block face as the lot where such exception is given. A front setback which is not less than the average of the existing setbacks on developed lots may be used.

This exception or modification shall not apply when the required setback is established for the purpose of defining rights-of-way under Section 5.3 hereof.

Section 6.2 - Exception to Height Limitations: The height limitations of this regulation shall not apply to elevator equipment rooms, stairwell housing, church spires, belfries, cupolas, domes, monuments, utility towers, forest fire observation towers when operated by a branch of government, transmission towers, chimneys, aerials, or other appurtenances, either temporary or permanent, usually required to be placed above the roof level and not intended for human occupancy.

Section 6.3 - Exception to Height Limitations for Public or Semi-Public Use: The height limitations of this Regulation shall not apply to churches, schools, hospitals, sanitariums, and other public or semi-public buildings provided that the minimum depths for yards required in the district are increased by two (2) feet for each foot by which the height limit in feet prescribed for other structures in the district is exceeded.

Section 6.4 - Exception to Yard Requirements in Certain Instances: In case of irregularly shaped lots or unusual circumstances where minor variations in yards appear necessary, the zoning administrator may allow smaller yards than are otherwise required elsewhere in the district providing that :

1. The Zoning administrator only allows yards that are as similar as possible to yards required elsewhere in the same district, and in no event allows yards over twenty-five (25) percent smaller than are required elsewhere in the same district.
2. The zoning administrator only allows yards that achieve the same purpose as required elsewhere in the same district.

Section 6.5 - Temporary Recreation Permits: The Board of County Commissioners may, after public hearing and subject to appropriate conditions and safeguards, recommended by the Planning Department, grant a temporary temporary recreation permit for the following uses: exhibitions, circuses, fairs, recreation events such as a horse show, regatta, race or other similar activity provided that:

1. There be no existing building available within the area which would lend itself to such activity and be available for such use;
2. That all requiremets as to providing sufficient parking and loading and unloading space be assured;
3. That sufficient setbacks to all lot lines be prescribed by the Board so as to protect the use and enjoyment of the adjoining property;
4. That adequate sanitary facilities meeting the approval of the Collier County Health Department be provided;
5. That a bond be posted in addition to an agreement with a responsible person sufficient to guarantee that the ground area during the conduct of the activity be returned to a condition acceptable to the Board and agreed upon as a condition to the temporary permit.

Section 6.6 - Temporary Construction and Development Permits: In the case of real estate development projects in any zoning district, the developer may request a Temporary Use Permit for a period not to exceed 12 months to allow promotional, storage and fabrication activities which are needed during construction and sale of the project. The following uses may be permitted under the terms of such a temporary permit:

1. Temporary on premises - Real Estate Sales Offices.
2. Equipment and Construction Materials, storage, processing and Fabrication Facilities.
3. Temporary office space for persons engaged in the development.
4. Temporary signs, in conformity with all current sign regulations.
5. Mobile Radio or Television Equipment and Antennae.
6. Temporary Mobile Home as office or storage but not for residency other than for a watchman or caretaker.
7. Temporary structures and equipment for road building, public utility construction, and public governmental projects.

Applicants for the temporary use permit shall submit plans to the Zoning Department indicating the area in which the temporary use permit is to apply, the nature of the use and activities requested and the time period requested.

The Zoning Department may grant or deny a temporary construction and development use permit and in addition, may also stipulate:

1. Traffic Safety Measures
2. Additional Parking Requirements
3. Limited Activity Hours
4. Additional Landscaping for temporary permit areas
5. Additional on premise safeguards, which may include but not limited to:
 - A. Watchman
 - B. Fencing
 - C. Lighting
 - D. Sanitary Measures
6. A faithful performance bound to guarantee compliance with the conditions of the permit.
7. Upon the termination of the first one year permit period, application must be filed for an extension of the permit stating the reason for extension and the time required. The Zoning Director may extend the permit, on a year to year basis or less, for the development life of the project. Such extension may be made subject to the stipulations of the previous permit or may be amended as determined necessary by the Zoning Director.

If the temporary use is not discontinued upon expiration of the permit, it shall be deemed a violation of the Zoning Ordinance and shall be subject to the penalties therein.

Section 6.7 - Temporary Sales and Sports Events: In the case of temporary sales such as Christmas tree sales, grand openings, going out of business sales (exclusive of garage sales, lawn sales and similiar private home sales), special promotional sales, and sports events, the director may grant a non-renewable two-week permit for such events and may include the placement of temporary signs, merchandise, temporary structures and equipment, and temporary mobile home as office, but not for residency.

In making such approval, the Zoning Director may stipulate the following requirements as he deems appropriate to the case:

1. Traffic Safety Measures
2. Additional Parking Requirements
3. Limited Activity Hours
4. Watchman, Fencing, Lighting
5. Sanitary Facilities
6. A faithful performance bond to guarantee compliance with the conditions of the permit.

If the temporary use is not discontinued upon expiration of the permit, it shall be deemed a violation of the Zoning Ordinance and shall be subject to the penalties therein.

Conflict With Other Ordinances:

The adoption of this amendment shall automatically repeal the Emergency Ordinance 73-17.

ARTICLE VII

NON-CONFORMING LOTS, NON-CONFORMING USES
OF LAND, NON-CONFORMING STRUCTURES, AND
NON-CONFORMING USES OF STRUCTURES AND
PREMISES

Section 7.1 - Intent: Within the districts established by this ordinance or amendments that may later be adopted, there exist lots, structures, uses of land and structures and characteristics of use which were lawful before this ordinance was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this ordinance or future amendments.

It is the intent of this ordinance to permit these non-conformities to continue until they are removed, but not to encourage their survival. Such uses are declared by this ordinance to be incompatible with permitted uses in the districts involved. It is further the intent of this ordinance that non-conformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

Section 7.2- Extension and Enlargement: A non-conforming use of a structure, a non-conforming use of land, or a non-conforming use of a structure and land shall not be extended or enlarged after passage of this ordinance by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be prohibited generally in the district involved.

To avoid undue hardship, nothing in this ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Except that where demolition or removal of an existing building has been substantially begun preparatory to

rebuilding, such demolition or removal shall be deemed to be actual construction, provided that work shall be diligently carried on until completion of the building involved. In no event shall the time of such construction exceed a period of one year except for a demonstrated cause approved by the County Commission.

Section 7.3 - Non-Conforming Lots of Record. In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and other requirements not involving area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of area and width shall be obtained only through action of the Board of Zoning Appeals.

If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this ordinance, and if all or part of the lots do not meet the requirements for lot width and area as established by this ordinance, the lands involved shall be considered to be an undivided parcel for the purposes of this ordinance, and no portion of said parcel shall be used which does not meet lot width and area requirements established by this ordinance, nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this ordinance.

Section 7.4 - Non-Conforming Uses of Land. Where, at the effective date of adoption or amendment of this ordinance, lawful use of land exists that is made no longer permissible under the terms of this ordinance as enacted or amended, and where such use involves no individual structure with a replacement cost exceeding five percent of the assessed value of the structure, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

1. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance; unless such use is changed to a use permitted in the district in which such use is located;
2. No such non-conforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this ordinance;
3. If any such non-conforming use of land ceases for any reason for a period of more than ninety (90) consecutive days, any subsequent use of such land shall conform to the regulations specified by this ordinance for the district in which such land is located;

4. No additional structure which does not conform to the requirements of this ordinance shall be erected in connection with such non-conforming use of land.

Section 7.5 - Non-Conforming Structures. Where a lawful structure exists at the effective date of adoption or amendment of this ordinance that could not be built under the terms of this ordinance by reason of restrictions on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such structure may be enlarged or altered in a way which, in the opinion of the zoning administrator, increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity;
2. Should such structure be destroyed by any means to an extent of more than 50% of its assessed value at time of destruction, it shall not be reconstructed except in conformity with the provisions of this ordinance;
3. Should such a structure be destroyed by any means to an extent less than 50% and more than 35%, it may be restored only upon application for variance to the Board of Zoning Appeals;
4. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

Section 7.6 - Non-Conforming Uses of Structures or of Structures and Premises in Combination. If a lawful use involving individual structures with a replacement cost of at least 5% of the assessed value of the structure or more, or of structure and premises in combination, exists at the effective date of adoption or amendment of this ordinance, that would not be allowed in the district under the terms of this ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure devoted to a use not permitted by this ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located;
2. Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this ordinance, but no such use shall be extended to occupy any land outside such building;

3. If no structural alterations are made, any non-conforming use of a structure, or structure and premises, may be changed to another non-conforming use provided that the Board of Zoning Appeals, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing non-conforming use. In permitting such change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accord with the provisions of this ordinance;
4. Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district in which such structure is located, and the non-conforming use may not thereafter be resumed;
5. When a non-conforming use of a structure, or structure and premises in combination, is discontinued or abandoned for six consecutive months or for eighteen (18) months during any three-year period - except when government action impedes access to the premises - the structure, or structure and premises in combination, shall not thereafter be used except in conformance with the regulations of the district in which it is located;
6. Where non-conforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land. Destruction for the purpose of this subsection is defined as damage to an extent of more than 50% of the assessed value at time of destruction.

Section 7.7 - Repairs and Maintenance. On any building devoted in whole or in part to any non-conforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, to an extent not exceeding 10% of the current replacement value of the building, provided that the cubic content of the building as it existed at the time of passage or amendment of this ordinance shall not be increased.

Nothing in this ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety.

Section 7.8 - Uses Under Exception Provisions Not Non-Conforming Uses. Any use which is a provisional use permitted as provided in this ordinance - other than a change through Board of Zoning Appeals action from a non-conforming use to another use not generally permitted in the district - shall not be deemed a non-conforming use, but shall without further action be deemed a conforming use in such district.

Section 7.9 - Termination Requirements for Certain Non-Conformities. The use of all buildings and structures, except those for residential use, shall be made to conform to the provisions of this ordinance on the basis of 100% of the 1971 assessed valuation as fixed by the County Tax Assessor at the time this ordinance becomes effective. Time allowed before required termination of such non-conforming buildings and structures shall be counted from the date such non-conformity commenced, as determined by the Building Official, but in no case shall any such non-conformity be considered to exist prior to the effective date of the ordinance. The following shall be followed to determine time allowed before required termination:

<u>1971 Assessed Value</u>	<u>Years to Conform</u>
0 - \$ 2,000	2
\$ 2,001 - \$ 5,000	3
\$ 5,001 - \$10,000	4
\$10,001 - \$25,000	8
\$25,001 - \$50,000	12
\$50,001 - and above	15

Non-conformities not involving the use of a principal structure, e.g., open storage, building supplies, vehicles, mobile homes, trailers, implement and machinery storage, signs, billboards, junk yards, commercial animal yards and the like, shall be discontinued within one (1) year of the effective date of this ordinance or amendment.

ARTICLE VIII

OFF-STREET PARKING, LOADING AND UNLOADING REGULATIONS

Section 8.1 - Definition. For the purposes of this ordinance, the term "off-street parking space" shall consist of a minimum net area of two hundred (200) square feet of appropriate dimensions for parking an automobile, exclusive of the area required for access drives or aisles thereto.

Section 8.2 - General Requirements and Specifications.

1. ENTRANCES & EXITS: Each parking space shall be directly accessible from a street, alley or other public right-of-way or from an adequate access aisle or driveway leading to or from a street, alley or other public right-of-way. Except for one or two family dwellings, all off-street parking facilities shall be so arranged that no automobile shall have to back into any street. All entrance and exit driveways shall not be permitted closer than ten (10) feet from a street intersection.
2. SURFACE MATERIAL & DRAINAGE: Except for one and two family dwellings, and uses permitted in industrial use districts, all off-street parking facilities including access aisles, driveways, and maneuvering areas shall be surfaced

with a hard, dustless material as approved by the enforcement official, and such surfacing shall be maintained in good condition at all times. All off-street parking facilities shall be suitably sloped and drained so as not to cause any nuisance to adjacent or public property. When storm sewers are available to the property, such drainage shall be connected to the storm sewers through catch basins and underground sewers.

3. LOCATION:

- A. Parking Space: Required off-street parking shall be provided either on the same site it serves, or on contiguous land, or on land located within a radius of six hundred (600) feet from the site.
- B. Loading and Unloading Space: A loading and unloading space shall be provided either in the building or on the same lot as the principal structure.

4. APPLICATION AND EXHIBITS REQUIRED: Prior to the issuance of a building permit for the erection of a new building or structure, or for an addition thereto or remodelling thereof, or prior to the issuance of a certificate of use and occupancy for a different use of an existing building or structure, the applicant shall complete and execute a form and submit a plot plan as may be prescribed, which shall, among other things, show the ownership of subject property and provide the necessary information upon which the required off-street parking, loading and unloading spaces may be determined, and the applicant shall therein acknowledge that such information is submitted for such determination and in the event a change in the use or additional use is contemplated, such additional off-street parking, if any, as may be required by these regulations, must be furnished prior to such use change or additional use.

5. SPECIAL REQUIREMENTS FOR "MF" DISTRICTS: All off-street parking areas in "MF-2", MF-3", "MF-4" and "MF-5" Districts shall be set back ten feet from the front property line and 7½ from side and rear property lines, providing landscaping is not provided off-street parking areas shall be set back twenty feet from the front property line and ten feet from side and rear property lines.

Landscaping shall consist of at least one row of decorative or ornamental trees, shrubs and other landscaping devices suited to the climate and soils of Collier County designed and placed in a manner rendering such visual screen at least eighty percent opaque from the ground to not less than four feet in height within a period of five years after planting. Such landscaped area may be calculated as part of Useable Open Space requirements.

Section 8.3 - Requirements for Off-Street Parking: There shall be provided at the time of the erection of any main building or structure or at the time any main building or structure is enlarged or increased in capacity by adding dwelling units, guest rooms, floor area or seats, minimum off-street parking space with adequate provisions for ingress in accordance with the following requirements:

1. OFFICE AND PROFESSIONAL BUILDINGS: Provide at least two parking spaces for each three hundred (300) square feet of usable floor space up to three thousand (3,000) square feet, and no less than one for every three hundred (300) square feet of usable floor space thereafter, exclusive of hallway, stairway, or elevator space and similar common areas. In no event shall there be fewer than five spaces provided per building.
2. MULTIPLE FAMILY DWELLINGS AND TRANSIENT LODGING FACILITIES:
 - A. Multiple family dwellings and transient lodging facilities which provided

cooking facilities in the dwelling units - one and one-half (1-1/2) parking spaces per dwelling unit.

B. Transient lodging facilities which do not provide cooking facilities in the dwelling units - one and one-fourth (1-1/4) parking spaces per dwelling unit for the first one hundred (100) dwelling units; one space per dwelling unit for the next one hundred fifty (150) dwelling units; and one-half space per dwelling unit thereafter.

C. Multiple family dwellings and transient lodging facilities which provide meeting rooms or auditoriums which will accommodate one hundred (100) or more persons, restaurants or cocktail lounges - 60% of the parking spaces which would be required if these uses were not associated with a multiple family dwelling or transient lodging facility.

3. HOSPITALS, NURSING HOMES, CONVALESCENT HOMES, SANITARIUMS, ETC.:

A. Hospitals: Provide one parking space per bed.

B. Nursing Homes, Convalescent Homes, Sanitariums, Etc.: Provide one parking space for each two beds. In no event shall there be fewer than five spaces provided per building.

4. COMMERCIAL USES:

A. Automobile, Heavy Construction Machinery, Trailer and Mobile Homes Sales and Repair Agencies: Provide 10 parking spaces, plus one space for each 200 square feet of office and principal showroom space, plus one space for each 1000 square feet of repair and maintenance space, none of which may be used for merchandise inventory parking. In no event shall there be less than one space for each 10,000 square feet of gross land area.

B. Other Commercial Uses: Provide one parking space for each 300 square feet or any part thereof of gross floor area for the first 9000 square feet, and one parking space per 400 square feet or any part thereof of gross floor area in excess of 9000 square feet for the following commercial uses: Food or grocery stores, drug and sundry stores, department stores, banks, post offices, clinics, waiting rooms and stations for common carriers, and shopping centers. For all other commercial uses except as otherwise provided in these regulations, there shall be provided three parking spaces for the first 2500 square feet of floor area and one parking space for each additional 500 square feet or any part thereof of floor area. In no event shall there be fewer than five spaces provided per building.

5. RESTAURANTS (OTHER THAN DRIVE-IN), BARS, COCKTAIL LOUNGES, NIGHT CLUBS, CHURCHES, THEATRES, AUDITORIUMS, MEETING ROOMS, FRATERNAL LODGES, STADIUMS, FUNERAL HOMES, OR ANY BUILDING USED AS A PUBLIC GATHERING PLACE: Provide one parking space for each four seats. In addition, one parking space must be provided for every four persons employed or intended to be employed.
6. DRIVE-IN RESTAURANTS AND SIMILAR PLACES SERVING FOOD, DRINK OR REFRESHMENTS TO VEHICULAR PATRONS OUTSIDE OF BUILDING: Parking layout shall be subject to the approval of the appropriate Planning Commission or the Zoning Director. In no event shall there be fewer than five spaces provided per building.
7. GOLF COURSES & OUTDOOR RECREATIONAL FACILITIES:
 - A. Golf Courses: Provide four parking spaces for each golf hole. Where restaurants, bars, cocktail lounges and transient accommodations are made an integral part of a golf course enterprise, then 50% of the spaces required for the golf course shall be credited to the parking requirements of such supplemental facilities.
 - B. Outdoor Recreational Facilities: Other outdoor recreational facilities not otherwise covered herein, such as skeet, archery range, tennis courts, miniature golf course, driving range, etc., shall require one parking space for each two anticipated participants, as may be determined by the appropriate Planning Commission or the Zoning Director. In no event shall there be fewer than five spaces provided per facility.
8. SCHOOLS:
 - A. High Schools: One parking space for each eight seats in auditorium, plus two spaces for each classroom.
 - B. Junior High Schools and Elementary Schools: One parking space for each ten seats in auditorium, plus one space for each classroom.
9. INDUSTRIAL USES, INCLUDING THOSE LIGHT INDUSTRIAL USES PERMITTED OR ALLOWABLE IN THE "C-4" LIGHT INDUSTRIAL DISTRICT:
 - A. Off-Street Parking: Provide one parking space (exclusive of service roads, entrances and exits) for each 1,000 square feet of the gross floor area in the building up to 10,000 square feet, and then one parking space for each 2,000 square feet of gross floor area thereafter, or one parking space for each two anticipated employees, whichever requires the greater number of parking spaces. If retail sales are conducted in connection

with such industrial use, additional off-street parking shall be provided as required by the provisions hereof relating to such commercial uses. The portion of the structure allocated for retail sales shall be used as a basis for determining the additional off-street parking to be provided. In no event shall there be fewer than five (5) parking spaces provided per building.

10. PRIVATE OR PUBLIC RECREATIONAL & ENTERTAINMENT USE INVOLVING THE ASSEMBLING OF PERSONS & NOT GOVERNED BY ANY OF THE PRECEDING PROVISIONS: Provide one parking space for every 200 square feet of floor area of the assembly rooms or one space for each four seats, whichever is greater.
11. PARKING OF COMMERCIAL VEHICLES: Commercial vehicles and mobile machinery or equipment shall not habitually, customarily, or regularly be parked in any residential district between the hours of 8:00 p.m. and 8:00 a.m. unless effectively screened from streets and abutting property. This prohibition shall not apply during construction as authorized by the Zoning Director.

Section 8.4 - Requirements for Off-Street Loading and Unloading.

1. Uses with 10,000 Square Feet or More Gross Floor Area: Every single-occupancy permitted use having a floor area of ten thousand (10,000) square feet or more gross floor area requiring the receipt or distribution by vehicles of materials or merchandise shall have at least one permanently maintained off-street loading/unloading space for the first 10,000 square feet, and one additional space for each 20,000 square foot or fraction thereof of gross floor area over and above the first 10,000 square feet.
2. Uses With Less Than 10,000 Square Feet Gross Floor Area: Single occupancy retail operations, wholesale and industrial operations with a gross floor area of less than 10,000 square feet shall provide sufficient receiving space on the property so as not to hinder the movement of vehicles and pedestrians over a sidewalk, street or alley.
3. Multiple-Family Dwellings and Transient Lodging Facilities: Shall be provided with one off-street loading space for the first 20 units, two spaces for 21 to 40 units, three spaces for more than 40 units.
4. Location and Dimension: Each space shall have direct access to an alley or street and shall have the following dimensions: length, 25 feet; width, 12 feet; height, 14 feet. Loading and unloading areas are to be marked as such so that service vehicles may use this space without interfering with the use of streets, sidewalks, alleys or parking areas.

Section 8.5 - Permanent Reservation. Areas reserved for off-street parking, loading or unloading, in accordance with the requirements of these regulations, shall not be reduced in area or changed to any other use unless the allowed or allowable use which it serves is discontinued or modified, except where equivalent parking or loading space is provided to the satisfaction of the Planning Commission or Zoning Director.

Section 8.6 - Exceptions to Off-Street Parking and Loading Requirements.

1. CENTRAL BUSINESS DISTRICT: Unless otherwise provided, areas designed as the Central Business District of a community shall not be required to meet the requirements for off-street parking and loading herein.

Such Central Business Districts may be designed on a map or such other documents and materials as are necessary, adopted by the County Commission upon recommendation of the Planning Commission for the purpose of exempting such area from off-street parking and loading regulations.

2. USES NOT LISTED: The requirement for off-street parking for any uses that are not specifically mentioned in this section shall be the same as provided in this section for the use most similar to the one sought, it being the intent to require off-street parking facilities with all uses except those uses in designated Central Business Districts. Such determinations are to be made by the enforcement official. When units or measurements determining the number of required off-street parking spaces result in requirement of a fractional space, any such fraction equal to or greater than one-half shall require a full space and any fraction less than one-half shall be dropped.
3. MIXED USES: In case of mixed uses, the total requirements for off-street parking shall be the sum of the requirements of the various uses computed separately and off-street parking space for one use shall not be considered as providing the required off-street parking for any other use, except that when in the opinion of the enforcement official, one or more uses of a mixed use occupancy are subordinate to and basically dependent upon, a primary use, the enforcement official may reduce the requirements of such subordinate use or uses to a percentage deemed appropriate. Where a greater number is not elsewhere required in this ordinance, each and every separate and individual store, office or other business shall be provided with at least one off-street parking space.

ARTICLE IX

PROVISIONAL USES

Section 9.1 - Procedure for Obtaining Permit. The enforcement official shall issue a building permit/certificate of occupancy for any uses permitted in any district as a provisional use only after the County Commission, upon recommendation of

the Planning Commission, has found as a fact that such use complies with the spirit and intent of the Zoning Ordinance and with particular provisions specified for such use. Any party wishing to obtain a building permit/certificate of occupancy for a provisional use shall comply with the following procedure:

1. Submit an application in form specified by the enforcement official listing, among other things, the type of use requested to be permitted, the zoning district in which the use is permitted as a provisional use, the exact location of the use, and such other information as may be required. A filing fee shall be submitted to defray the cost of advertising and holding a public hearing upon such application, as may be set from time to time by the County Commission.
2. Concurrent with the application, a plot plan shall be submitted showing among other things, the following particulars, where applicable:
 - A. The actual shape, proportion and dimensions of the lot to be built upon or used.
 - B. The shape, size, height and location of all buildings to be erected, altered, or moved as well as the disposition and use of structures and buildings already upon the lot.
 - C. The use and intended use of all buildings and structures and land area.
 - D. The setback lines of buildings upon adjoining lots and such other information concerning the lot or parcel or adjoining lots and parcels and rights-of-way as may be essential for determining that the provisions of this ordinance are being observed.
 - E. Information on any proposed excavation or other alteration of the ground level or water course.
 - F. Major points of access onto and off the site; internal circulation ways for vehicular movement; and location and treatment of off-street parking and loading spaces.
3. The enforcement official shall submit the application and plot plan to the Planning Commission for review. The Planning Commission shall hold a public hearing, after due public notice has been given as required. The Planning Commission shall then forward its finding and recommendation to the County Commission for final action.
4. Upon receipt of the Planning Commission's finding and recommendation, and prior to final approval, the County Commission must find as fact that the proposed use complies with the spirit and intent of the Zoning Ordinance.

and with particular provisions specified for such use.

5. Subsequent to such finding by the County Commission, the customary procedure for obtaining a building permit or certificate of occupancy shall take effect.

Section 9.2 - General Criteria for Provisional Uses. In making a finding of fact that a provisional use complies with the spirit and intent of the Zoning Ordinance, the reviewing boards shall consider, among other things, the following particulars:

1. The use, as permitted in a specific location, is not detrimental to the safety, health, morals and general welfare of the public, including the fact that the use does not create or contribute to a fire hazard, sanitation inadequacies or other community facilities inadequacies.
2. The lot and building regulations or standards for such use meet either the most restrictive requirements for such use specified in any other zoning district where such use is otherwise permitted, or, if no such standards exist, the standards proposed by the applicant are adequate and do not tend to:
 - A. Lower the property values elsewhere in the district or in adjacent districts;
 - B. Alter the essential character of the district;
 - C. Interfere with the zoning plan for the area;
 - D. Interfere with the rights of other property owners in the district or in adjacent districts; or
 - E. Cause or contribute to overcrowding of property or persons;
 - F. Be situated on a plot or parcel of land which cannot yield a reasonable return (in money or other thing of value) when used only for purposes authorized as of course in the above district.

In no event shall yard setbacks be less than required elsewhere in the district.

3. The use is compatible with uses in surrounding areas in its function, its hours of operation, the type and amount of traffic expected to be generated, its site and building size and height and other factors that may be used to measure compatibility.
4. The use does not create nor contribute to unusual traffic hazards nor generate excessive traffic on residential streets, nor does the use create or contribute to unusual parking problems.

- (5. The use does not create nor contribute to any nuisance, public or private, or hazard incidental to its operation that may detract from the value or amenity of surrounding properties.

Section 9.3 - Specific Provisions for Provisional Uses. Any provisional use may be required to comply with one or more of the following provisions if such requirement is specified for said provisional use under the Schedule of District Regulations. In making a finding of fact that a provisional use complies with particular provisions required for such use, the reviewing boards shall consider one or more of the following requirements specified:

1. The use shall provide access into and off the site only from a non-residential street.
2. The use shall comply with performance standards to be measured at the boundaries of the site as specified for uses permitted in the "I" Industrial District.
3. The use shall provide a visual screen around the boundary of the site, which shall be approved by the Planning Commission, or Zoning Director.
4. Another provisional use of the same type shall not be located within the same block face and shall not be closer than 600 lineal feet, as measured from the closest point of one site to the closest point of another site.
5. The use complies with any additional requirements specified for such use under the Schedule of District Regulations.
6. The applicant has satisfactorily demonstrated the need for the provisional use.

ARTICLE X

HOME OCCUPATIONS

Section 10.1 - General Provisions for Home Occupations. In any district where a home occupation is allowed, it shall be conducted by an occupant thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof; and provided that all the following conditions are met:

1. There shall be no display of goods or advertising visible from any street.
2. A non-illuminated name plate, not exceeding two square feet in area, may be displayed providing the same is affixed flat against the exterior surface at a position not more than two feet distance from the main entrance to the residence.

3. No home occupation shall occupy more than 25% of the first floor area of the residence, exclusive of the area of any open porch or attached garage or similar space not suited or intended for occupancy as living quarters. No rooms which have been constructed as an addition to the residence, nor any attached garage or porch which has been converted into living quarters, shall be considered as floor area until two (2) years after the date of completion thereof.
4. No home occupation shall be conducted in an accessory building, but must be conducted in the residence of the proprietor.
5. No persons except the members of the immediate family who reside on the premises shall be employed in any home occupation.
6. No motor or engine having greater than one-third ($1/3$) horsepower rating shall be used in the conduct of any home occupation, and the total combined ratings of such permitted motors or engines shall not exceed one horsepower.
7. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, furnace odors, or electrical interference detectable to the normal senses of the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
8. Fabrication of articles such as are commonly classified under the term "arts and crafts" is permitted.
9. Occupations which generate greater volumes of traffic than would normally be expected in a residential area, such as barber shops, beauty shops, retail sales and service, public dining or tea room facilities, antique or gift shops, fortune telling or clairvoyance, repair shops (except watch repair) are prohibited.

Section 10.2 - Procedure for Obtaining Home Occupation Permit: Any person desiring to conduct a home occupation in a district where such use is permitted shall first apply to the enforcement official for a permit therefor. Such application shall include, but not by way of limitation, the following information:

1. Name of applicant.
2. Location of residence wherein the home occupation, if approved, will be conducted.

3. Total floor area of the first floor of the residence.
4. Area of room or rooms to be utilized in the conduct of the home occupation.
5. A sketch showing the floor plan and the area thereof to be utilized for the conduct of the home occupation.
6. The nature of the home occupation sought to be approved.

Upon compliance with Sections 10.1 and 10.2, a permit shall be issued for such home occupation. Any home occupation permit may be revoked by the enforcement official at any time when it has been determined that the home occupation has become a public nuisance. Such home occupation permit is required in addition to any other permit or occupational license required by law.

ARTICLE XI

SCHEDULE OF DISTRICT REGULATIONS

Section 11.1 - District Regulations Adopted. District regulations shall be as set forth in the Schedule of District Regulations, hereby adopted by reference and declared to be a part of this ordinance, and such other sections of this ordinance as may pertain to these District Regulations.

Section 11.2 - SF - 1 Single-Family Residential District.

1. DISTRICT PURPOSE: The provisions of this district are intended to apply to an area of estate density, single-family residences not exceeding one dwelling unit per net residential acre, or less, as specified.
2. USES PERMITTED: No building or structure or part thereof shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

A. PRINCIPAL USES:

- (1) Single Family Residences

B. ACCESSORY USES:

- (1) Private boat houses and docks, with or without boat hoists, on canal or waterway lots, not protruding more than five feet into the canal or waterway; except if such canal or waterway has a width of 100 feet or more, the dock may protrude not more than twenty (20) feet into such canal or waterway; providing, however, that no boat or boat house is used as a residence.

- (2) Customary accessory uses and structures, including private garages.

(3) Guest houses and household servants quarters, the floor area of which is not less than 25 per cent or more than 40 per cent of the minimum required floor area of the principal structure.

(4) Signs as permitted in Section 11.34-Sign Regulations.

C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:

(1) Non-commercial boat launching facilities, and multiple docking areas.

(2) Recreational clubs, intended to serve the surrounding residential area.

(3) Churches and other places of worship.

3. MAXIMUM LOT COVERAGE: 25 %

4. MINIMUM LOT AREA: 45,000 square feet.

5. MINIMUM LOT WIDTH: 150 feet average between front and rear lot lines.

6. MINIMUM YARDS:

A. Front Yard - 50 feet.

B. Side Yard - 15 feet.

C. Rear Yard - 35 feet. A residential pool or patio, which is screen enclosed or open on one or more sides for use in residential units, and which is incidental to that of the main building, rear yard setback may be reduced to 15 feet. This requirement shall not apply to boat houses.

7. MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURE:

A. One Story - 2,000 square feet.

B. Two Story - 2,500 square feet.

8. MAXIMUM HEIGHT: 30 feet above grade. Guest houses, boat houses and other accessory buildings limited to 20 feet.

9. MINIMUM OFF - STREET PARKING: Two spaces per residence, located within the permitted building area.

Section 11.3 - SF - 2. Single - Family Residential District.

1. DISTRICT PURPOSE: The provisions of this district are intended to apply to an area of low density single-family residences, not exceeding 2.9 dwelling units per net residential acre, or less, as specified.
2. USES PERMITTED: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:
 - A. PRINCIPAL USES:
 - (1) Single Family Residence
 - B. ACCESSORY USES:
 - (1) Private boat houses and docks, with or without boat hoists, on canal or waterway lots, not protruding more than five feet into the canal or waterway; except if such canal or waterway has a width of 100 feet or more, the dock may protrude not more than twenty (20) feet into such canal or waterway; providing, however, that no boat or boat house is used as a residence.
 - (2) Customary accessory uses and structures, including private garages.
 - (3) Guest houses and household servants quarters, the floor area of which is not less than 25 per cent or more than 40 per cent of the minimum required floor area of the principal structure.
 - (4) Signs as permitted in Section 11.34-Sign Regulations.
 - C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:
 - (1) Non-commercial boat launching facilities, and multiple docking areas.
 - (2) Recreational clubs, intended to serve the surrounding residential area.
 - (3) Churches and other places of worship.
3. MAXIMUM LOT COVERAGE: 25%.
4. MINIMUM LOT AREA: 15,000 square feet.
5. MINIMUM LOT WIDTH: 100 feet average between front and rear lot lines.

6. MINIMUM YARDS:

- A. Front Yard - 40 feet.
- B. Side Yard - One story, 10 feet, two story 15 feet.
- C. Rear Yard - 25 feet. A residential pool or patio, which is screen enclosed, or open on one or more sides for use in residential units, and which is incidental to that of the main building, rear yard setback may be reduced to 15 feet. This requirement shall not apply to boat houses.
- D. On lots which front on more than one street, the front yard which has the longest street frontage may be reduced to 35 feet; the yard opposite the front yard with the least street frontage shall be considered a rear yard for setback purposes.

7. MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURE:

- A. One Story - 1,500 square feet.
- B. Two Story - 1,800 square feet.

- 8. MAXIMUM HEIGHT: 30 feet, above grade. Guest houses, boat houses and other accessory buildings limited to 20 feet.
- 9. MINIMUM OFF - STREET PARKING: Two spaces per residence, at least one of which shall be located within the permitted building area, and in no event shall a space be located in a side yard setback.

Section II.4 - SF - 3 Single-Family Residential District.

- 1. DISTRICT PURPOSE: The provisions of this district are intended to apply to an area of low density single-family residences not exceeding 4.4 dwelling units per net residential acre, or less, as specified.
- 2. USES PERMITTED: No building or structure, or part thereof, shall be erected altered or used, or land or water used, in whole or in part, for other than the following:
 - A. PRINCIPAL USES:
 - (I) Single Family Residences
 - B. ACCESSORY USES:
 - (I) Private boat houses and docks, with or without boat hoists, on canal or waterway lots, not protruding more than five feet into the canal or waterway; except if such canal or waterway has a width of 100 feet or more, the dock may protrude not more than twenty (20) feet into such

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canal waterway; providing, however, that no boat or boat house be used as a residence.

(2) Customary accessory uses and structures, including private garage.

(3) Guest houses, and household servants quarters when constructed as an integral part of the principal structure.

(4) Signs as permitted in Section 11.34-Sign Regulations.

C. PROVISIONAL USES: The following uses may be permitted subject to provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:

(1) Non - commercial boat launching facilities, and multiple docking areas.

(2) Recreational Clubs, intended to serve the surrounding residential area.

(3) Churches and other places of worship.

3. MAXIMUM LOT COVERAGE: 30%

4. MINIMUM LOT AREA: 10,000 square feet.

5. MINIMUM LOT WIDTH:

A. Corner Lots - 100 feet average between front and rear lot lines.

B. Interior Lots - 85 feet average between front and rear lot lines.

6. MINIMUM YARDS:

A. Front Yard - 30 feet.

B. Side Yard - One story, 10 feet; two story, 15 feet.

C. Rear Yard - 25 feet. A residential pool or patio, which is screen enclosed, or open on one or more sides for use in residential units, and which is incidental to that of the main building, rear yard setback may be reduced to 15 feet. This requirement shall not apply to boat houses.

D. On lots which front on more than one street, the front yard which has the longest street frontage may be reduced to 25 feet; the yard opposite the front yard with the least frontage shall be considered a rear yard for setback purposes.

7. MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURE:

A. One Story - 1,200 square feet.

B. Two Story - 1,500 square feet.

8. MAXIMUM HEIGHT: 30 feet above grade. Boat houses and other accessory buildings limited to 20 feet.
9. MINIMUM OFF-STREET PARKING: Two spaces, at least one of which shall be located within the permitted building area, and in no event shall a space be located in a side yard setback.

Section 11.5 - SF - 4 Single-Family Residential District.

1. DISTRICT PURPOSE: The provisions of this district are intended to apply to an area of low to medium density single-family residences, not exceeding 5.1 dwelling units per net residential acre, or less, as specified.
2. USES PERMITTED: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or part, for other than the following:

A. PRINCIPAL USES:

- (1) Single Family Residences

B. ACCESSORY USES:

- (1) Private boat houses and docks, with or without boat hoists, on canal or waterway lots, not protruding more than five feet into the canal or waterway; except if such canal or waterway has a width of 100 feet or more, the dock may protrude not more than twenty (20) feet into such canal or waterway; providing, however, that no boat or boat house is used as a residence.

- (2) Customary accessory uses and structures, including private garages.

- (3) Guest houses, and household servants quarters, when constructed as an integral part of the principal structure.

- (4) Home occupations, as provided for in Article X.

- (5) Signs as permitted in Section 11.34-Sign Regulations.

C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:

Rev. March 3, 1970

- (1) Non - commercial boat launching facilities, and multiple docking areas.
 - (2) Recreational clubs, intended to serve the surrounding residential area.
 - (3) Churches and other places of worship.
 - (4) Schools and Colleges.
3. MAXIMUM LOT COVERAGE: 30 %
 4. MINIMUM LOT AREA: 8,500 square feet.
 5. MINIMUM LOT WIDTH:
 - A. Corner Lots - 85 feet average between front and rear lot lines.
 - B. Interior Lots - 75 feet average between front and rear lot lines.
 6. MINIMUM YARDS:
 - A. Front Yard - 25 feet.
 - B. Side Yard - One story, 7 - $\frac{1}{2}$ feet; two story, 10 feet.
 - C. Rear Yard - 20 feet. A residential pool or patio, which is screen enclosed, or open on one or more sides for use in residential units, and which is incidental to that of the main building, rear yard setback may be reduced to 15 feet. This requirement shall not apply to boat houses.
 - D. On lots which front on more than one street, the front yard which has the longest street frontage may be reduced to 20 feet; the yard opposite the front yard with the least street frontage shall be considered a rear yard for setback purposes.
 7. MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURE:
 - A. One story - 1,000 square feet.
 - B. Two story - 1,200 square feet.
 8. MAXIMUM HEIGHT: 30 feet above grade. Boat houses and other accessory buildings limited to 20 feet.
 9. MINIMUM OFF - STREET PARKING: One space per residence, located within the permitted building area.

Section 11.6 - SF - 5 Single Family Residential District.

1. DISTRICT PURPOSE: The provisions of this district are intended to apply to an area of medium density single-family residences, not exceeding 5.8 dwelling units per net residential acre, or less, as specified.
2. USES PERMITTED: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or part, for other than the following:
 - A. PRINCIPAL USES:
 - (1) Single Family Residences.
 - B. ACCESSORY USES:
 - (1) Private boat houses and docks, with or without boat hoists, on canal or waterway lots, not protruding more than five feet into the canal or waterway; except if such canal or waterway has a width of 100 feet or more, the dock may protrude not more than twenty (20) feet into such canal or waterway; providing however, that no boat or boat house is used as a residence.
 - (2) Customary accessory use and structures, including private garages.
 - (3) Guest houses, and household servants quarters, when constructed as an integral part of the principal structure.
 - (4) Home occupation, as provided for in Article X.
 - (5) Signs as permitted in Section 11.34-Sign Regulations.
 - C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:
 - (1) Non-commercial boat launching facilities, and multiple docking area.
 - (2) Recreational clubs, intended to serve the surrounding residential area.
 - (3) Churches and other places of worship.
 - (4) Schools and Colleges.
3. MAXIMUM LOT COVERAGE: 30%.

4. MINIMUM LOT AREA: 7,500 square feet.
5. MINIMUM LOT WIDTH:
 - A. Corner lots - 75 feet average between front and rear lot lines.
 - B. Interior lots - 60 feet average front and rear lot lines.
6. MINIMUM YARDS:
 - A. Front Yard - 25 feet.
 - B. Side Yard - One Story, 7 - 1/2 feet; two story 10 feet.
 - C. Rear Yard - 20 feet. A residential pool or patio, which is screen enclosed, or open on one or more sides for use in residential units, and which is incidental to that of the main building, rear yard setback may be reduced to 15 feet. This requirement shall not apply to boat houses.
 - D. On lots which front on more than one street, the front yard which has the longer street frontage may be reduced to 20 feet; the yard opposite the front yard with the least frontage shall be considered a rear yard for setback purposes.
7. MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURE:
 - A. One Story - 800 square feet.
 - B. Two Story - 1,000 square feet.
8. MAXIMUM HEIGHT: 30 feet above grade. Boat houses and other accessory buildings limited to 20 feet.
9. MINIMUM OFF - STREET PARKING: One space per residence, located within the permitted building area.

Section 11.7 - SF - 6 Single - Family Residential District.

1. DISTRICT PURPOSE: The provisions of this district are intended to apply to an area of medium density single - family residences, not exceeding 7.25 dwelling units per net residential acre, or less, as specified.
2. USES PERMITTED: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or part, for other than the following:
 - A. PRINCIPAL USES:

(1) Single Family Residences

B. ACCESSORY USES:

- (1) Customary accessory uses and structures including private garages.
- (2) Home occupations, as provided for in Article X.
- (3) Signs as permitted in Section 11.34-Sign Regulations

C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:

- (1) Non - commercial boat launching facilities and multiple docking areas
- (2) Recreational clubs, intended to serve the surrounding residential area.
- (3) Churches and other places of worship.
- (4) Private Boat Houses and Docks.
- (5) Schools and Colleges.
- (6) Civic and Cultural facilities.

3. MAXIMUM LOT COVERAGE: 30 %.

4. MINIMUM LOT AREA: 6,000 square feet.

5. MINIMUM LOT WIDTH: 60 feet average between front and rear lot lines.

6. MINIMUM YARDS:

A. Front Yard - 25 feet.

B. Side Yard - 7 - 1/2 feet.

C. Rear Yard - 20 feet. A residential pool or patio, which is screen enclosed, or open on one or more sides for use in residential units, and which is incidental to that of the main building, rear yard setback may be reduced to 15 feet.

D. On lots which front on more than one street, the front yard which has the long street frontage may be reduced to 20 feet; the yard opposite the front yard with the least street frontage shall be considered a rear yard for setback purposes.

7. MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURE:

- A. One Story - 600 square feet.
 - B. Two Story - 800 square feet, of which at least 600 square feet shall be on the ground floor.
8. MAXIMUM HEIGHT: 30 feet above grade. Accessory buildings limited to 20 feet.
9. MINIMUM OFF-STREET PARKING: One space per residence, located within the permitted building area.

Section 11.8 - MF-1 One and Two-Family Residential District.

- 1. DISTRICT PURPOSE: The provisions of this district are intended to apply to an area of medium density single and two-family residences not exceeding 13.2 dwelling units per net residential acre, or less, as specified.
- 2. USES PERMITTED: No building or structure, or part thereof, shall be erected, altered, or used, or land or water used, in whole or in part, for other than the following:

A. PRINCIPAL USES:

- (1) Single Family Residences.
- (2) Two Family Residences.

B. ACCESSORY USES:

- (1) Accessory uses and structures, including private garages.
- (2) Home occupations, as provided for in Article X.
- (3) Signs as permitted in Section 11.34-Sign Regulations.

- C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:

- (1) Non-commercial boat launching facilities, and multiple docking areas.
- (2) Recreational clubs, intended to serve the surrounding residential area.
- (3) Churches and other places of worship.

ORDINANCE NO. 22

AN ORDINANCE ESTABLISHING DWELLING UNIT MAXIMUM DENSITY LEVELS; MINIMUM FRONT, SIDE AND REAR YARD SETBACK; AND MAXIMUM LOT COVERAGE AND MINIMUM FLOOR AREA FOR APPLICATION IN MULTI-FAMILY RESIDENTIAL AREAS WITHIN THE COLLIER-COUNTY COASTAL PLANNING AREA; PROVIDING FOR APPEAL, ESTABLISHING A PENALTY AND EFFECTIVE DATE.

WHEREAS, Florida Law grants to Collier County regulatory authority over land use and specifically grants authority to regulate and restrict the size, location and use of buildings, structures and fixtures, and

WHEREAS, Collier County has the responsibility and commensurate authority to deter disease and discomfort by providing and regulating waste and sewage collection and disposal, water supply; providing and regulating fire and police protection, recreation facilities, street lighting; establish and administer drainage, water management, pollution control programs, and

WHEREAS, Collier County has the obligation to the general public to prevent the overcrowding of land and water beyond the capacity of present resources, and

WHEREAS, it is the responsibility of Collier County to provide for the health, safety, general welfare, quality of life and convenience of the public and to insure the maintenance of fair and equitable property values of all sections for the economic welfare of the entire county, and

WHEREAS, the relationships existing between the above enumerated and other factors is of such complexity as to require comprehensive master planning for the future development of the Western portion of Collier County, and

WHEREAS, it is known that hastily conceived and thoughtless improperly planned development of land and exploitation

3 of resources adds needlessly to the ultimate continuing tax
4 burden of all present and future population, and permanent
5 residents in order to provide essential services and facilities,
6 and results in a degradation of the areas so developed, and

7 WHEREAS, Collier County has been and is now engaged in
8 the completion of a master comprehensive development plan
9 study to resolve the above enumerated and other factors of
10 vital concern to the present and future citizens and residents
11 of Collier County, and

12 WHEREAS, the State of Florida and Federal Government have
13 passed laws that allow the alternatives for local governments
14 to either enact local laws consistent with those factors and
15 objectives or in effect, abdicate to State and Federal authority
16 and control.

17 THEREFORE:

18 Section One: BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS
19 OF COLLIER COUNTY, FLORIDA:

20 1. Legislative Intent: It is the purpose of this ordinance
21 to promote, protect and improve the public health, safety, com-
22 fort, good order, appearance, convenience, morals and general
23 welfare of the citizens of Collier County, Florida: to conserve
24 the value of land, buildings and resources; to protect the
25 character and maintain the stability of residential, agricul-
26 tural, business and industrial areas; to provide an opportunity
27 for the Board of County Commissioners of Collier County, Florida
28 to enact and adopt a comprehensive land use plan, zoning code,
29 subdivision regulations, subdivision platting law, uniform codes,
30 county-wide fire code, water management law and sign ordinance,
31 all of which are in various stages of preparation, amendment,
32 review and drafting; to resolve and clarify problems relating

2
3 to the furnishing of water and sewer, roads and schools; for the
4 preservation, protection, development and conservation of
5 natural resources of land, water and air; for convenience of
6 traffic and circulation of people and goods; for healthful and
7 convenient distribution of population; for adequate public
8 utilities and facilities; for promotion of civic amenities of
9 beauty and visual interest.

10 2. Permit Required: It shall be unlawful to construct or
11 alter any multi-family building or structure within the unincor-
12 porated coastal planning area of Collier County, Florida when
13 the cost of such construction exceeds one hundred dollars (\$100)
14 or where the effect of such construction or alteration is to
15 enlarge the capacity or affect the bearing walls of any building
16 or the roof thereof, without having first secured a permit
17 therefor.

18 3. Application: Application for such permits shall be made
19 to the building official, and shall be accompanied by plans and
20 specifications in duplicate showing the work to be done; such
21 plans shall be verified by the signature of either the owner of
22 the premises or by the architect or contractor in charge of the
23 operations.

24 NOTE: It is recommended that a certified plot survey be
25 submitted to insure compliance with the provisions of this
26 Ordinance and the Zoning Regulations. Errors in plot plans are
27 considered self-induced and not to constitute hardship.

28 4. Approval of Plans: The Building, Zoning and Planning
29 Officials shall examine such applications with plans to deter-
30 mine whether the proposed construction or alteration will comply
31 with the ordinance, code and regulation provisions relative
32 thereto including the provisions hereof. Upon approval one set

of plans shall be returned to the applicant with a permit, and the other shall be retained by the building inspector. No permit shall be issued until after approval of the plans.

5. Variations: It shall be unlawful to vary materially or substantially from the submitted plans and specifications unless such variations are submitted in an amended plan to the Building Official and approved by him.

6. Enforcement of Provisions: The Building Official shall make or cause to be made such inspections as are necessary to see to the enforcement of the provisions of this and other ordinances, codes and regulations, and to make any tests or examinations of materials or methods to be used for the purpose of seeing that they comply with the provisions of this and other ordinances, codes and regulations.

7. Expiration of Permit: Building permits issued by Collier County shall be valid for a period not to exceed six (6) months from the issue date.

8. Criteria: In addition to any other requirements the Zoning and Planning Officials shall review and determine that the application and the related plans and specifications conform with:

a. The Master Plan sector maps of the Coastal Planning Area produced by Candeb, Fleissig and Associates, a copy of which is available from the Clerk to the Board of County Commissioners.

b. The maximum lot coverage; minimum front, side and rear setback from property line requirements; minimum floor area; maximum height; and open space requirements detailed for the multi-family residential areas below:

1) Multi-Family Residential - 1 (MF-1) Areas:

- a) Maximum Lot Coverage: 25% or 8 dwelling units per acre whichever is less.
- b) Setbacks: - Front Yard - 35 feet.
- Side Yard - 12 feet for 1 or 2 story.
- Rear Yard - 30 feet.
- c) Minimum Floor Area:
- Single Family - 1000 Sq. Feet
- Duplex (2 family) - 750 Sq. Feet per unit.

2) Multi-Family 2 Areas (MF-2):

- a) Maximum Lot Coverage: 25% or 10 dwelling units per acre whichever is less.
- b) Setbacks: - Front Yard - 35 feet.
- Side Yard - 15 feet.
- Rear Yard - 30 feet.
- c) Minimum Floor Area: 750 Sq. Feet per unit for two family units;
1000 Sq. Feet per unit for single family units.

3) Multi-Family - 3 (MF-3) Areas:

- a) Maximum Lot Coverage: 35% or ¹²~~20~~ dwelling units per acre whichever is less.
- b) Setbacks: - Front Yard - 35 feet.
- Side Yard - 15 feet.
- Rear Yard - 35 feet.
- c) Minimum Floor Area: 750 Sq. Feet per unit for two-family units.

4) Multi-Family - 4 (MF-4) Areas:

- a) Maximum Lot Coverage: 35% or ¹²~~20~~ dwelling units per acre whichever is less.
- b) Setbacks: - Front Yard - 40 feet plus one foot for each two feet of building height over 45 feet with a maximum of 75 feet in height.
- Side Yard - ²⁰20 feet regardless of height.
- Rear Yard - 40 feet regardless of height.
- c) Minimum Floor Area: 750 Sq. Feet per unit.

3 5) Multi-Family - 5 (MF-5) Areas:

4 a) Maximum Lot Coverage: 20% or ¹²~~25~~ dwelling units
5 per acre whichever is less.

6 b) Setbacks: - Front Yard - 40 feet plus one foot for
7 each 2 feet over 45 feet.
8 - Side Yard - 20 feet plus one foot for
each 2 feet over 45 feet.
- Rear Yard - 40 feet plus one foot for
each 2 feet over 45 feet.

9 c) Minimum Floor Area: 720 Sq. Feet per unit

10 d) Maximum Height - Limited as to setbacks, open space,
parking, etc.

11 6) Open space requirements in all multi-family districts
12 shall be 750 square feet for (1) bedroom and 150 square
feet for each additional bedroom.

13 9. Right of Appeal. If any applicant for a permit to construct
14 a multi-family building is aggrieved by or desires to appeal
15 application of the provisions of this ordinance in his case,
16 said appeal shall be filed with the Board of County Commissioners
17 for processing in accordance with Chapter 28 of the Code of
18 Collier County, Florida.

19 10. Penalty. A violation of any provision of this Ordinance
20 is a misdemeanor and shall be prosecuted in the name of the State
21 in the County Court by the Prosecuting Attorney, and upon con-
22 viction shall be punished by a fine not to exceed \$500.00 or by
23 imprisonment in the County Jail not to exceed 60 days, or by
24 both such fine and imprisonment. Each violation and each day a
25 violation continues shall constitute a separate offense. The
26 Board of County Commissioners shall have the power to collater-
27 ally enforce the provisions of this Ordinance by appropriate
28 Judicial Writ or proceeding notwithstanding any prosecution as
29 a misdemeanor.

30 SECTION TWO:

31 Collier County Ordinance No. 73-8 and 73-9 are repealed
32 effective upon the provisions hereof becoming law.

1
2
3 Section Three:

4 The provisions of this Ordinance shall be cumulative and
5 in addition to Federal and State Laws and Statutes not in con-
6 flict or inconsistent therewith. If part of this or any other
7 County Ordinance, Resolution or Regulation, or parts thereof
8 are in conflict or inconsistent with any other part of this
9 Ordinance the more restrictive shall apply.

10 Section Four:

11 In order to carry out the legislative intent of protec-
12 ting the public health, safety, welfare, well-being and pre-
13 serving present and future public and private interests, this
14 Ordinance shall be liberally construed. If any portion, word,
15 or phrase of this Ordinance, or its application to any natural,
16 or artificial person, or circumstance is held invalid, the re-
17 maining portions, and their application to other persons and
18 circumstances shall not be affected.

19 PASSED AND DULY ADOPTED by the Board of County Commissioners
20 of Collier County, Florida, this ____ day of June, 1973.

21
22 BOARD OF COUNTY COMMISSIONERS
 OF COLLIER COUNTY, FLORIDA

23 ATTEST:

24 By _____
 Clifford F. Menzel, Chairman

25 Margaret T. Scott
26 Clerk of Circuit Court

27 APPROVED AS TO FORM AND CONTENT

28 _____
29 David Emerson Bruner
 County Attorney

AN ORDINANCE AMENDING ORDINANCE NO. 73-13
BY REVISING THE FRONT, SIDE AND REAR YARD
SETBACK REQUIREMENTS APPLICABLE TO SINGLE
FAMILY RESIDENCES ERECTED IN MF-1 AND MF-2
ZONING DISTRICTS.

SECTION ONE:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
COLLIER COUNTY, FLORIDA THAT Paragraph 8.b.1) and 2) of
Ordinance No. 73-13 pertaining to MF-1 and MF-2 areas be revised
to read as follows:

"1) Multi-Family Residential - 1 (MF-1) Areas:

a) Maximum Lot Coverage: 25% or 8 dwelling
units per acre whichever is less.

b) Setbacks in feet:

<u>Multi-Family Uses</u>	<u>Single Family Residence uses on lots of 75 foot frontage or less</u>
Front Yard - 35feet	25 feet
Side Yard -	
1-Story 12 feet	7-1/2 feet
Side Yard -	
2-story 12 feet	10 feet
Rear Yard - 30 feet	*20 feet

c) Minimum Floor Area:

- Single Family - 1000 Sq. Feet
- Duplex (2 family) - 750 Sq. Feet
per unit.

2) Multi-Family 2 Areas (MF-2):

a) Maximum Lot Coverage: 25% or 10 dwelling
units per acre whichever is less.

b) Setbacks in feet:

<u>Multi-Family Uses</u>	<u>Single Family Residences Uses on Lots of 75 foot frontage or less</u>
Front Yard - 35 feet	25 feet
Side Yard -	
1-story 15 feet	7-1/2 feet
Side Yard -	
2-story 15 feet	10 feet
Rear Yard - 30 feet	*20 feet

c) Minimum Floor Area: 750 Sq. Feet per unit for two
family units;
1000 Sq. Feet per unit for single
family units.

*Note: A screened pool or patio incidental to a single family
residence ~~may be constructed~~ may be constructed
with a rear yard setback of fifteen (15) feet."

SECTION TWO:

BE IT DECLARED that an Emergency exists and the immediate
enactment of this Ordinance is necessary, therefore, notice

Requirements are waived and this Ordinance shall take effect immediately upon its placement in the United States Mail to the Secretary of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this 14th day of August, 1973.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

ATTEST:

Margaret T. Scott
Clerk of Circuit Court

By: Clifford Wenzel, Chairman

Approved as to form and legality:

David Emerson Bruner
Collier County Attorney

(4) Child care centers, nursing or rest homes.

(5) Schools and Colleges.

(6) Civic and cultural facilities.

3. MAXIMUM LOT COVERAGE: 35%.

4. MINIMUM LOT AREA:

A. Corner Lots - 7,000 square feet.

B. Interior Lots - 6,600 square feet.

5. MINIMUM LOT WIDTH:

A. Corner Lots-70 feet average between front and rear lot lines.

B. Interior Lots-60 feet average between front and rear lot lines.

6. MINIMUM YARDS:

A. Front Yard - 25 feet.

B. Side Yard - One story, 7-1/2 feet; two story, 10 feet.

C. Rear Yard - 20 feet.

D. On lots which front on more than one street, the front yard which has the longest street frontage may be reduced to 20 feet; the yard opposite the front yard with least frontage shall be considered a rear yard for setback purposes.

7. MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURE:

A. Single-family dwelling - 800 square feet, one story; 1,000 square feet two stories, of which at least 600 square feet shall be on the ground floor.

B. Two-family dwelling - 500 square feet per unit.

8. MAXIMUM HEIGHT: 30 feet above grade.

9. MINIMUM OFF-STREET PARKING: One space per residence or unit, located within the permitted building area.

10. See also Article VIII-Off-Street Parking, Loading and Unloading Regulations.

Section 11.9 - MF-2 One, Two and Multiple-Family Residential District.

Revised April 11, 1972

1. DISTRICT PURPOSE: The provisions of this district are intended to apply to an area of medium to high density residences with a variety of housing types.

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Revised April 11, 1972 - October 10, 1972, Revised June 12, 1973

2. USES PERMITTED: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

A. PRINCIPAL USES:

- (1) Single-family residences.
- (2) Two-family residences.
- (3) Multiple-family residences.

B. ACCESSORY USES:

- (1) Accessory uses and structures, including private garages.
- (2) Home occupations, as provided for in Article X.
- (3) Signs as permitted in Section 11.34-Sign Regulations.

C. PROVISIONAL USES:

- (1) Non-commercial boat launching facilities, and multiple docking areas.
- (2) Recreational clubs, intended to serve the surrounding residential area.
- (3) Churches and other places of worship.
- (4) Child care centers, nursing or rest homes.
- (5) Hospitals for the care of humans.
- (6) Schools and Colleges.
- (7) Civic and Cultural Facilities.

3. MAXIMUM DENSITY PERMITTED: 14 dwelling units per net residential acre.

4. MINIMUM LOT AREA:

A. Single and two-family residence: corner lots 7,000 square feet; interior lots 6,600 square feet.

B. Multiple-family residence: 8,400 square feet.

5. MINIMUM LOT WIDTH:

A. Corner Lot-70 feet average between front and rear lot lines.

B. Interior Lot-60 feet average between front and rear lot lines.

6. MINIMUM YARDS:

A. Front Yard - 25 feet.

B. Side Yard - 10 feet.

C. Rear Yard - 20 feet.

D. On lots which front on more than one street, the front yard which has the longest street frontage may be reduced to 20 feet; the yard opposite the front yard with the least frontage shall be considered a rear yard for setback purposes.

7. MINIMUM FLOOR AREA:

A. Single-family dwelling-800 square feet, one story; 1,000 feet, two story, of which at least 600 square feet shall be on the ground floor.

B. Two-family dwelling-500 square feet per dwelling unit.

C. Three or more family dwelling-360 square feet per dwelling unit.

8. MAXIMUM HEIGHT: 30 feet above grade.

9. MINIMUM OFF-STREET PARKING: Single family residence one (1) space per dwelling unit, located within the lot boundaries, but in no event shall be permitted in the side yard setback.

A. Multiple-family dwellings and transient lodging facilities which provide cooking facilities in the dwelling units: one and one half (1-1/2) spaces per dwelling unit.

B. See also Article VIII-Off-Street Parking, Loading and Unloading Regulations.

Section 11.10 MF-3 Two and Multiple-Family Residential District:

DISTRICT PURPOSE: The provisions of this district are intended to apply to an area of medium to high density residences with a variety of housing types.

2. **USES PERMITTED:** No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

A. PRINCIPAL USES:

- (1) Two-family residences.
- (2) Multiple-family residences.

B. ACCESSORY USES:

- (1) Customary accessory uses and structure, including private garages.
- (2) Signs as permitted in Section 11.34-Sign Regulations.

C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:

- (1) Non-commercial boat and launching facilities, and multiple docking areas.
- (2) Recreational clubs, intended to serve the surrounding residential area.
- (3) Churches and other places of worship.
- (4) Child care centers; nursing or rest homes.
- (5) Hospitals for the care of humans.
- (6) Schools and Colleges.
- (7) Civic and cultural facilities.

3. **MAXIMUM DENSITY PERMITTED:** 21 dwelling units per net residential acre.

4. MINIMUM LOT AREA:

A. Two-family residences: Corner lots 12,000 square feet;
Interior lots 12,000 square feet.

B. Multiple-family residences: 12,000 square feet.

5. MINIMUM LOT WIDTH:

A. Corner Lot- 100 feet average between front and rear lot lines.

B. Interior Lot - 80 feet average between front and rear lot lines.

6. MINIMUM YARDS:

A. Front Yard - 30 feet.

B. Side Yard - 10 feet.

C. Rear Yard - 25 feet.

7. MINIMUM FLOOR AREA:

A. Two-family dwelling - 500 square feet per dwelling unit.

B. Three or more family dwelling- 400 square feet per dwelling unit.

8. MAXIMUM HEIGHT: 30 feet above grade.

9. MINIMUM OFF-STREET PARKING:

A. Multiple-family dwellings and transient lodging facilities which provide cooking facilities in the dwelling units: one and one-half (1- $\frac{1}{2}$) spaces per dwelling unit.

B. See also Article VIII - Off -Street Parking, Loading and Unloading Regulations.

Section 11.11 - MF- 4 Multiple-Family Residential District

1. DISTRICT PURPOSE: The provisions of this district are intended to apply to an area of high density residences serving both transients and residents.

2. USES PERMITTED: No building or structure, or part thereof, shall be

Revised April 11, 1972 - October 10, 1972 - December 12, 1972
Revised June 12, 1973

erected, altered or used, or land or water used, in whole or in part, for other than the following:

A. PRINCIPAL USES:

- (1) Multiple-family residences..

B. ACCESSORY USES:

- (1) Customary accessory uses and structure, including covered parking areas.
- (2) Shops, personal service establishments, eating or drinking establishments, dancing, and staged entertainment facilities, meeting rooms and auditoriums, when such uses are an integral part of a hotel, apartment hotel or motel.
- (3) Signs as permitted in Section 11.34-Sign Regulations.

C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:

- (1) Non-commercial boat launching facilities, and multiple docking areas.
- (2) Recreational clubs, intended to serve the surrounding residential area.
- (3) Churches and other places of worship.
- (4) Fraternal and social clubs.

3. MAXIMUM DENSITY PERMITTED: 28 dwelling units per net residential acre.

4. MINIMUM LOT AREA: 15,000 square feet.

5. MINIMUM LOT WIDTH: 100 feet average between front and rear lot lines.

6. MINIMUM YARDS:

- A. Front Yard - 30 feet plus one foot for each two feet of building height over 45 feet.
 - B. Side Yard- 15 feet plus one foot for each two feet of building height over 45 feet on each side. Principal structures less than 75 feet in height may be placed 15 feet from one side property line providing the remainder of the total of both required side set-backs is provided on the opposite side and that at least 40 feet between principal structures on the shortest side is maintained. Principal structures more than 75 in height may be placed 15 feet from one side property line providing the remainder of the total of both side set-backs is provided on the opposite side and that at least 60 feet between principal structures on the shortest side is maintained.
 - C. Rear Yard - 25 feet plus one foot for each two feet of building height over 45 feet.
 - D. Gulf Frontage - 50 feet from mean high water line, regardless of building height.
7. MINIMUM FLOOR AREA:
- A. Multiple-family dwelling - 450 square feet per dwelling unit.
 - B. Hotel or Motel:
 - (1) Residence dwelling units and transient dwelling units with cooking facilities- 400 square feet, including bathroom and closet.
 - (2) Residence dwelling units and transient dwelling units without cooking facilities - 300 square feet, including bathroom and closet.
8. MAXIMUM HEIGHT: 75 feet above grade.
9. MINIMUM OFF-STREET PARKING:
- A. Multiple-family dwellings and transient lodging facilities which provide cooking facilities in the dwelling units: one and one-half ($1\frac{1}{2}$) spaces per dwelling unit.
 - B. Transient lodging facilities which do not provide cooking facilities in the dwelling units: one and one-fourth ($1\frac{1}{4}$) spaces per dwelling unit for the first 100 dwelling units; one space per dwelling unit for the next 150 dwelling units; one-half ($\frac{1}{2}$) space per dwelling units thereafter.

ended August 8, 1971

- C. Meeting rooms or auditoriums which will accommodate 100 or more persons, restaurants and cocktail lounges: 60% of the spaces which would be required if these uses were not associated with a multiple-family dwelling or transient lodging facility.
- D. See Also Article VIII - Off-Street Parking, Loading and Unloading Regulations.

Section 11.12 - MF- 5 Multiple-Family Residential District.

1. DISTRICT PURPOSE: The provisions of this district are intended to apply to an area of high density residences serving both transients and residences. There are no height limitations, the intent being to apply these provisions to high rise area.

2. USES PERMITTED: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

A. PRINCIPAL USES:

(1) Multiple-family residences.

B. ACCESSORY USES:

(1) Customary accessory uses and structures, including covered parking areas.

(2) Shops, personal service establishments, eating or drinking establishments, dancing and staged entertainment facilities, meeting rooms and auditoriums, when such uses are an integral part of a multiple-family residence, apartment hotel or motel subject to the provisions of Section 5.10 of these Regulations.

(3) Signs as permitted in Section 11.34-Sign Regulations.

C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:

(1) Non-commercial boat launching facilities, and multiple docking areas.

(2) Recreational clubs, intended to serve the surrounding residential area.

(3) Churches and other places of worship.

(4) Marinas.

(5) Fraternal and social clubs, subject to the provisions of Section 5.10, of these Regulations.

3. MAXIMUM DENSITY PERMITTED: 35 dwelling units per net residential acre.

4. MINIMUM LOT AREA: 25,000 square feet.
5. MINIMUM LOT WIDTH: 150 feet average between front and rear lot li
6. MINIMUM YARDS:
 - A. Front Yard-30 feet plus one foot for each two feet of building he over 45 feet.
 - B. Side Yard-15 feet plus one foot for each two feet of building height o 45 feet.
 - C. Rear Yard-25 feet plus one foot for each two feet of building height o 45 feet.
 - D. Gulf Frontage-50 feet from the mean high water line, regardless building height.
7. MINIMUM FLOOR AREA FOR EACH DWELLING UNIT:
 - A. Residence dwelling units and transient dwelling units with cooking faciliti - 400 square feet.
 - B. Transient dwelling units without cooking facilities - 300 square feet.
8. MAXIMUM HEIGHT: None.
9. MINIMUM OFF-STREET PARKING:
 - A. Multiple-family dwellings and transient lodging facilities which provide cooking facilities in the dwelling units: one and one-half ($1\frac{1}{2}$) spaces per dwelling unit.
 - B. Transient lodging facilities which do not provide cooking facilities i the dwelling units: one and one-fourth ($1\frac{1}{4}$) spaces per dwelling uni for the first 100 dwelling units, one space per dwelling unit for the nex 150 dwelling units; one-half ($\frac{1}{2}$) space per dwelling unit thereafter
 - C. Meeting rooms or auditoriums which will accommodate 100 or more persons, restaurants and cocktail lounges: 60% of the spaces which woul be required if these uses were not associated with a multiple-family

dwelling, or transient lodging facility. Required off-street parking shall be provided either on the same site it serves, or within 600 feet of said site, on land zoned other than for single-family residences.

Amended June 12, 1973, Revised August 14, 1973

Section 11.13 - MHSD Mobile Home Subdivision District

1. DISTRICT PURPOSE: The provisions of this district are intended to apply to an area of medium density residential development not exceeding 5 dwelling units per residential acre, or less, as specified, and where mobile homes are permitted on individual lots, and wherein lots may be sold.
2. USES PERMITTED: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

A. PRINCIPAL USES:

- (1) Mobile Homes
- (2) Accessory uses and structures customarily associated with mobile home development, such as recreation facilities, administration buildings, utilities, and additions which complement the mobile homes.

- B. PROVISIONAL USES: The following uses may be permitted by the Board of County Commissioners after the Planning Commission has held a duly advertised Public Hearing and submitted a recommendation to the Board.

USE

- (1) Marinas; country, yacht clubs
 - (2) Civic and cultural facilities
 - (3) Churches and other places of worship
3. PLAN APPROVAL REQUIRED: Plans for mobile home subdivision districts shall be processed in the same manner as subdivision plans. Mobile homes subdivision plats shall be recorded in the Collier County Plat Book.
 4. REQUIRED UTILITIES: All utilities shall be installed as required by the State of Florida, Collier County Health Department, Collier County Building Code, and such other regulations and requirements as may apply.

5. MINIMUM SITE OR LOT AREA:

- A. Mobile Homes - 6,000 square feet

6. MINIMUM () E OR LOT WID. ()

A. Mobile Homes - 60 feet average between front and rear lot lines.

7. MAXIMUM LOT COVERAGE: 40%

8. MINIMUM SETBACKS FROM SITE OR LOT BOUNDARY:

A. Mobile Home sites or lots served by central water and sewer systems:

(1) Front - 25 feet

(2) Side - 5 feet

(3) Rear - 10 feet

B. Mobile Home sites or lots not served by central water and sewer systems:

(1) Front - 25 feet

(2) Side - 7½ feet

(3) Rear - 25 feet

9. MINIMUM FLOOR AREA:

A. Mobile Home - 600 square feet

10. MINIMUM MOBILE HOME SUBDIVISION SIZE: 40 acres. Every mobile home subdivision shall have a minimum of forty (40) acres of land, unless the proposed development is within the bounds of city sewer and city water then the minimum size shall be determined by the Coastal Area Planning And Zoning Commission.

11. MAXIMUM HEIGHT: Thirty (30) feet above grade. Accessory buildings limited to twenty (20) feet.

12. MINIMUM OFF-STREET PARKING: Two spaces per dwelling unit.

13. COMPLIANCE: All MHSD and MHTT erected after the effective date of this ordinance shall comply with all requirements of this ordinance. No MHSD and MHTT that exists on the effective date of this ordinance shall be altered so as to provide a lesser degree of conformity with the provisions of this section than existed on the effective date of this ordinance. Land already zoned MHSD and MHTT which does not meet the acreage requirement may be developed; however, the development shall conform with all other regulations of this ordinance.

Section 11.14 - MHIT Mobile Home Travel Trailer Park

1. **DISTRICT PURPOSE:** This is a managed travel trailer and mobile home park ordinance, wherein lots may not be sold to individuals and on-site management is provided. These regulations are designated to promote high quality mobile home living; thereof in any district in which mobile home and travel trailer parks are permitted, or permitted as Provisional Uses, by the Board of County Commissioners, the following regulations and minimum standards shall apply.
2. **USES PERMITTED:** No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:
 - A. Mobile Homes, travel trailers, pick-up coaches and motor homes (one per lot or site).
 - B. Accessory uses and structures customarily associated with mobile home and travel trailer parks, including patios, recreation facilities, administration buildings, service buildings, and utilities.
3. **PROVISIONAL USES:** The following may be permitted by the Board of County Commissioners after the Planning Commission has held a duly advertised Public Hearing and submitted a recommendation to the Board.
 - A. Marinas; country, yacht clubs.
 - B. Civic or cultural facilities.
 - C. Churches.
 - D. Convenience establishments of a commercial nature, including stores, laundry and dry cleaning agencies, beauty shops and barber shops, may be permitted in mobile home parks subject to the following restrictions: Such establishments and the parking area primarily related to their operations shall not occupy more than 10% of the area of the park; shall be subordinate to the residential use and character of the park; shall be located, designed, and intended to serve frequent trade of service needs of persons residing in the park; and shall present no visible evidence of their commercial character from any portion of any residential district outside the park.
 - E. Mobile Home Sales, providing the restrictions are met:
 - (1) Such uses shall not occupy more than ten (10) per cent of the area of the park or two (2) acres, whichever is smaller.

- (2) The outside display area shall be treated with a hard surface of either concrete or plant mixed bitumenous material except desirable landscaped areas which shall be separated from all paved areas.
- (3) A visual buffer shall be provided around the area of outside display adjacent to residential or mobile home park development or vacant land.
4. PLAN APPROVAL REQUIREMENTS: Layout plans for a mobile home and travel trailer park shall be submitted to the Planning Commission and construction shall be in accordance with approved plans and specifications.
5. REQUIRED UTILITIES: All utilities shall be installed as required by the State of Florida, Collier County Health Department, Collier County Building Code, and such other regulations and requirements as may apply.
6. MINIMUM LOT OR SPACE REQUIREMENTS:
 - A. Mobile Home Spaces:
 - (1) Minimum size of lot or space: 3,600 square feet.
 - (2) Minimum average width of lot or space: 45 feet.
 - B. Travel Trailer Spaces:
 - (1) Minimum size of lot or space: 1,200 square feet.
 - (2) Minimum average width of lot or space: 20 feet.
7. MINIMUM SETBACKS FROM LOT OR SPACE BOUNDARIES:
 - A. Mobile Home and Travel Trailer Spaces:
 - (1) Front - 10 feet.
 - (2) Side - 5 feet.
 - (3) Rear - 8 feet.
 - (4) From exterior boundary of park or from any required buffer area - 10 feet.
 - (5) From Public Streets - 25 feet.
 - (6) From Buildings or Structures - 10 feet.
8. MINIMUM PARK SIZE: Every mobile home and travel trailer park shall have a minimum of twenty (20) acres of land.

9. **REQUIRED RECREATION AREA:** The following amount of land or water shall be set aside and developed for recreational purposes within the mobile home park site:
- A. 300 square feet for each lot or space for the first one hundred (100) spaces.
 - B. 200 square feet for each lot or space in excess of one hundred (100) spaces.
 - C. One-half($\frac{1}{2}$) of the water surface within the park may be credited toward the required recreation area, except that at least 50 per cent of the required recreation area shall be land area.
10. **REQUIRED BUFFERS:** Visual screens are required in the following areas:
- A. Parking area adjacent to the entrance and exit-way areas, as may be required under Paragraph 4 hereof.
 - B. Mobile Home and travel trailer parks fronting on a highway shall provide and maintain a clear area not less than twenty (20) feet in width alongside and parallel to the highway to facilitate safe and rapid entrance and exit from the highway by arriving and departing vehicles.
 - C. Mobile home and travel trailer parks abutting highways or lands zoned other than for such parks shall be effectively screened from such highways or land by a buffer strip at least five (5) feet wide, in which ornamental screening composed of structural or plant material shall be placed. Such screen shall be attractively maintained at all times.
11. **REQUIRED INTERNAL PARK STREET SYSTEM:** All lots or spaces within a mobile home and travel trailer park shall have direct access from an internal street. All internal streets within the mobile home park shall provide safe and convenient access to a public street.
- A. **General Requirements:** The right-of-way widths, paving widths, and other construction standards, including gradient and alignment of all internal streets, shall be reviewed by the County Engineer and approved by the Planning Commission, considering the recommendations of the County Engineer; or shall conform to such other regulations and requirements as may apply.
12. **MAXIMUM HEIGHT:** Twenty (20) feet above grade except for utility structures such as standpipes, relay towers, antennae, and the like.

13. MINIMUM OFF-STREET PARKING:

- A. One space per dwelling unit shall be provided, located within the boundaries of the mobile home park.
- B. All commercial uses and other uses accessory to the park shall comply with the provisions of Article VIII.

14. COMPLIANCE: All MHSD and MHTT erected after the effective date of this ordinance shall comply with all requirements of this ordinance. No MHSD and MHTT that exists on the effective date of this ordinance shall be altered so as to provide a lesser degree of conformity with the provisions of this section than existed on the effective date of this ordinance. Land already zoned MHSD and MHTT which does not meet the acreage requirement may be developed; however, the development shall conform with all other regulations of this ordinance.

Section 11.15 - C P Commercial Parkway District.

- 1. DISTRICT PURPOSE: The provisions of this district are intended to apply to areas located adjacent to highway approaches. Large lot sizes and other restrictions are intended to minimize frequent ingress and egress to the highway from abutting uses.
- 2. USES PERMITTED: No building or structure, or part thereof shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

A. PRINCIPAL USES:

- (1) Retail shops and stores.
- (2) Professional, business, financial, utilities, offices and services, including clinics and medical laboratories.
- (3) Transient lodging facilities with a minimum of twenty (20) dwelling units.
- (4) Restaurants.

- (5) Cocktail lounges and retail package sales of liquor and other beverages, "subject to the provisions of Section 5.10, of these Regulations."
- (6) Commercial recreation such as motion picture theatres, live-theatres, driving ranges and bowling alleys.
- (7) Research, design and development activities and laboratories, provided that:
 - a. Operation of heavy machinery or equipment is not conducted.
 - b. All work is done within enclosed structures.
 - c. No product is manufactured or sold, except incidental to development activities.
- (8) Private clubs and lodges, "subject to the provisions of Section 5.10, of these Regulations."
- (9) Museums and similar uses providing that such use is conducted entirely within an enclosed structure.

ACCESSORY USES:

- (1) Accessory uses and structures customarily associated with uses permitted in this district.
- (2) Signs as permitted in Section 11.34-Sign Regulations.

PROVISIONAL USES: The following uses may be permitted subject to provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:

- (1) Gasoline service stations, not engaged in mechanical repair work.

MINIMUM LOT AREA: 40,000 square feet.

MINIMUM LOT WIDTH: 200 feet average between front and rear lot line.

MINIMUM YARDS:

- A. Front yard - 50 feet
- B. Side yard - 15 feet.
- C. Rear yard - 25 feet.

MINIMUM FLOOR AREA: 1,000 feet per building on the ground floor.

MAXIMUM HEIGHT: 35 feet above grade within 150 feet of any district restricted to 30 feet or less in height. 45 feet elsewhere within the district.

Revised June 29, 1971

8. MINIMUM OFF - STREET PARKING: See Off- Street Parking Regulations.
9. MINIMUM OFF - STREET LOADING SPACES: All uses except transient lodging facilities shall be provided with one off - street loading space for each 5,000

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square feet, or fraction thereof, of principal building floor area. b. Transient lodging facilities shall be provided with one off-street loading space for the first 20 units, two spaces for 21 to 40 units, three spaces if there are more than 40 units. Loading and unloading areas are to be marked as such so that service vehicles may use the space without interfering with the use of streets, sidewalks, alleys or parking areas.

Section 11.16 - C-1 Commercial District.

1. **DISTRICT PURPOSE:** This district is composed of land and structures used primarily to provide for the retailing of commodities and the furnishing of selected services, and is the County's most restrictive commercial district, and particularly adaptable to planned shopping centers and prestige shopping areas. In this district, no merchandise shall be stored or displayed between the front building line and the front property line.
2. **USES PERMITTED:** No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:
 - A. **PRINCIPAL USES:**
 - (1) Transient lodging facilities with a minimum of twenty (20) dwelling units.
 - (2) Schools and colleges.
 - (3) Restaurants - no drive-ins.
 - (4) Cocktail lounges and retail package sales of liquors and other beverages, no drive-ins, subject to the provisions of Section 5.10, of these Regulations.
 - (5) Retail shops and stores. Retail shops and stores may include incidental processing and repair activities, provided they are accessory and subordinate to the retail sales use, and provided that all storage, processing and repair of merchandise occurs within the principal building.
 - (6) Financial institutions.
 - (7) Professional, business, financial, utilities offices and services.
 - (8) Medical offices and clinics - for humans.
 - (9) Art and photographic studios and galleries.
 - (10) Private clubs, subject to the provisions of Section 5.10, of these Regulations.

- (11) Barber and beauty shops.
- (12) Shoe repair shops.
- (13) Laundry and dry cleaning pickup establishments and self-service laundries.
- (14) Retail bakeries.
- (15) Motion picture theatres and live theatres - no drive-ins.
- (16) Tailoring, millinery, garment alteration and repair.
- (17) Commercial and private parking lots and parking garages.
- (18) Museums.

B. ACCESSORY USES:

- (1) Accessory uses and structures customarily associated with the uses permitted in this district.
- (2) Multiple-family dwellings with a minimum of five (5) units, in accordance with Paragraph 7 of the MF-3 regulations.
- (3) Signs as permitted in Section 11.34-Sign Regulations.

C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:

- (1) Marinas.
- (2) Gasoline service stations, not engaged in mechanical repair work.
- (3) Private amusement and recreation uses.

3. MINIMUM LOT AREA: None.

4. MINIMUM LOT WIDTH: None.

5. MINIMUM YARDS:

- A. Front Yard - 15 feet in which no parking shall be allowed nor any merchandise stored or displayed.

- REVISED MARCH 20, 1971
- B. Side Yard - None or a minimum of five (5) feet with unobstructed passage from front yard to rear yard.
- C. Rear Yard - 25 feet. No rear yard required for marinas.
6. MINIMUM FLOOR AREA: 1,000 square feet per building on the ground floor.
7. MAXIMUM HEIGHT: None, except 35 feet above grade within 150 feet of any district restricted to 30 feet in height, and except 45 feet within 150.1 to 400 feet or any such district.
8. MINIMUM OFF-STREET PARKING: See Off-Street Parking Regulations (Article VIII).
9. OFF-STREET LOADING AND UNLOADING SPACES: All uses other than multiple-family dwelling units or transient lodging facilities shall be provided with one off-street loading space for each 5,000 square feet, or fraction thereof, of principal building floor area.
10. Landscaping - See Article VIII-7

SECTION 11.17 - C-2 Commercial District:

1. DISTRICT PURPOSE: This district is composed of land and structures used primarily to provide for the retailing of commodities and furnishing of selected services of less restrictive nature than permitted under "C-1". One intended purpose of this district is to provide for attractive development of main highway frontage in approaches to urban areas.
2. USES PERMITTED: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

A. PRINCIPAL USES:

- (1) Transient lodging facilities with a minimum of 20 dwelling units.
- (2) Schools and Colleges.
- (3) Restaurants - including drive-ins.
- (4) Cocktail lounges and retail package sales of liquor and other beverages, subject to the provisions of Section 5.10, of these Regulations.

- (5) Retail shops and stores. Retail shops and stores may include incidental processing and repair activities, provided they are accessory and subordinate to the retail sales use, and provided that all storage, processing and repair of merchandise occurs within the principal building.
- (6) Financial Institutions.
- (7) Professional, business, financial, utilities offices and services.
- (8) Medical Offices and clinics - for humans.
- (9) Art and photographic studios and galleries.
- (10) Private clubs, "subject to the provisions of Section 5.10, of these regulations."
- (11) Barber and beauty shops.
- (12) Shoe repair shops.
- (13) Laundry and dry cleaning pickup establishments and self-service laundries.
- (14) Retail bakeries.
- (15) Motion picture theatres and live theatres, including drive-ins.
- (16) Tailoring, millinery, garment alteration and repair.
- (17) Commercial and private parking lots and parking garages.
- (18) Museums.
- (19) Marinas. Maintenance and repair activities shall occur either under roof, in rear yards or at dockside.
- (20) Amusement or recreational uses, including bowling alleys and pool and billard parlors.
- (21) Gasoline service stations which are not engaged in mechanical repair work.
- (22) Automobile agencies franchised to sell new automobiles.
- (23) Printing and publishing.
- (24) Transportation, communication and utilities businesses.

R. ACCESSORY USES:

- (1) Accessory uses and structures customarily associated with the uses permitted in this district.
- (2) Multiple-family dwellings with a minimum of 5 units, in accordance with Paragraph 7 of the MF-3 regulations.
- (3) Signs as permitted in Section 11.34 - Sign Regulations.

PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:

- (1) Churches and other places of worship and cemeteries.
- (2) Hospitals, nursing homes, child care centers, convalescent homes, massage parlors, sanitariums, funeral homes and crematoriums.
- (3) Commercial boat yards and ways and commercial fisheries.
- (4) Research and development operations compatible with other permitted uses.
- (5) Clothing fabrication and repair.
- (6) Vehicle and equipment rentals, not including trucks, trailers and heavy equipment unless stored and displayed within screened areas.
- (7) Apartments and dwellings as permitted in "MF-2", multiple-family residential district.
- (8) Commercial retail garden center.

3. MINIMUM LOT AREA: None

4. MINIMUM LOT WIDTH: None

5. MINIMUM YARDS:

- A. Front Yard - 15 feet in which no parking shall be allowed nor any merchandise stored or displayed.
- B. Side Yard - None or a minimum of five (5) feet with unobstructed passage from front yard to rear yard.

C. Rear Yard - 25 feet. No rear yard required for
marinas.

6. MINIMUM FLOOR AREA: Business establishments - 1,000 square feet per building on the ground floor.
7. MAXIMUM HEIGHT: None, except 35 feet above grade within 150 feet of any district restricted to 30 feet in height, and except 45 feet within 150.1 to 400 feet of any such district.
8. MINIMUM OFF-STREET PARKING: See Off-Street Parking Regulations.
9. OFF-STREET LOADING SPACES: See Article VIII.
10. Landscaping - See Article VIII - 7

Section 11.18 C-3 Commercial District:

1. DISTRICT PURPOSE: This district is composed of land and structures used primarily to provide for the retailing of commodities and furnishing of selected services of less restrictive nature than permitted under "C-2".
2. USES PERMITTED: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

A. PRINCIPAL USES:

- (1) Transient lodging facilities with a minimum of 10 dwelling units.
- (2) Schools and colleges.
- (3) Restaurants - including drive-ins
- (4) Cocktail lounges and retail package sales of liquors and other beverages, subject to the provisions of Section 5.10, of these Regulations.
- (5) Financial Institutions
- (6) Professional, business, financial and utilities offices and services.
- (7) Medical offices and clinics - for humans
- (8) Art and photographic studios and galleries.

- (9) Private clubs, subject to the provisions of Section 5.10, of these Regulations.
- (10) Barber and beauty shops.
- (11) Shoe repair shops.
- (12) Laundry and dry cleaning pickup establishments and self-service laundries.
- (13) Retail bakeries.
- (14) Motion picture theatres and live theatres - including drive-ins.
- (15) Tailoring, millinery, garment alteration and repair.
- (16) Commercial and private parking lots and parking garages.
- (17) Museums.
- (18) Commercial boat houses.
- (19) Marinas. Maintenance and repair activities shall occur either under roof, in rear yard, or at dockside.
- (20) Amusement or recreational uses, including bowling alleys and pool and billard parlors.
- (21) Gasoline service stations, including those engaged in mechanical repair work.
- (22) Retail sales of new and used goods.
- (23) New and used vehicle sales and rentals.
- (24) Printing and publishing.
- (25) Transportation, communication and utilities businesses.
- (26) Repair shops, including furniture, appliance, locksmiths, etc.
- (27) Small animal grooming, animal clinics and veterinary hospitals with no outside kenneling for boarding or exercising.

(28) Hospitals, nursing homes, child care centers, convalescent homes, massage parlors, sanitariums, funeral homes and crematoriums.

(29) Retail and wholesale nurseries.

(30) Automobile Laundry, providing such use shall be screened from view of adjacent properties.

B. ACCESSORY USES:

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

(2) Single, two-family and multiple-family dwellings, as permitted in MF-2 multi-family residential district.

(3) Signs as permitted in Section 11.34-Sign Regulations.

C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:

USE

(1) Churches and other places of worship; Cemeteries..

(2) Commercial boat building, boat ways and commercial fisheries.

(3) Research and development operations compatible with other permitted uses.

(4) Clothing fabrication and repair.

(5) Body repair, mechanical repair, light machine work and fabricating.

3. MINIMUM LOT AREA: None

4. MINIMUM LOT WIDTH: None

5. MINIMUM YARDS:

A. Front Yard - 15 feet, in which no parking shall be allowed nor any merchandise stored or displayed.

B. Side Yard - None or a minimum of five (5) feet with unobstructed passage from front yard to rear yard.

C. Rear Yard - 25 feet. No rear yard required for marinas.

6. MINIMUM FLOOR AREA: Business establishments - 600 square feet per building on the ground floor.
7. MAXIMUM HEIGHT: None, except 35 feet above grade within 150 feet of any district restricted to 30 feet in height, and except 45 feet within 150.1 to 400 feet of any such district.
8. MINIMUM OFF-STREET PARKING: See Off-Street Parking Regulations (Article VIII).
9. OFF-STREET LOADING AND UNLOADING: All uses other than multiple-family dwelling units or transient lodging facilities shall be provided with one off-street loading and unloading space for each 5,000 square feet, or fraction thereof, of principal building floor area. Multiple-family dwelling and transient lodging facilities shall be provided with one off-street loading space for the first 20 units, two spaces for 21 to 40 units, three spaces if there are more than 40 units; loading and unloading area to be marked as such so that service vehicles may use this space without interfering with the use of streets, sidewalks, alleys or parking areas.
10. Landscaping - See Article VIII - 7

Section 11.19 C-4 COMMERCIAL -LIGHT INDUSTRIAL DISTRICT:

1. DISTRICT PURPOSE: This district is composed of land and structures used primarily to provide for light manufacturing and furnishing of selected services which are not obnoxious by reason of emission of odor, fumes, dust, smoke, noise or vibration.
2. USES PERMITTED: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:
 - A. PRINCIPAL USES:
 - (1) Restaurants - including drive-ins.
 - (2) Cocktail lounges and retail package sales of liquors and other beverages, subject to the provisions of Section 5.10, of these Regulations.
 - (3) Professional, business, financial and utilities offices and services.

- (4) Commercial and private parking lots and parking garages.
- (5) Commercial boat houses.
- (6) Laundry and dry cleaning establishments.
- (7) Warehousing, wholesaling, distribution, not including inflammable liquids or gases.
- (8) Contractors' storage and supply establishments.
- (9) Building Supplies.
- (10) Retail, wholesale, rental, distribution, auction and storage of new or used goods, not including junk yards.
- (11) Funeral homes, crematoriums and cemeteries.
- (12) Maintenance, repair, renovation, reconditioning, cleaning, transportation, utilities, printing, cooking, baking, processing and packaging.
- (13) Testing, manufacturing, assembling operations and totally enclosed packing plants.
- (14) Kenneling, stabling, animal clinics, and veterinary hospitals.
- (15) Gasoline service stations, including those engaged in mechanical repair.
- (16) Marinas, commercial boat houses, boat building, boat ways and commercial fisheries.
- (17) Amusement or recreational uses, including bowling alleys and pool and billard parlors.
- (18) Automobile Laundry.

B. ACCESSORY USES:

- (1) Accessory uses and structures customarily associated with the uses permitted in this district.
- (2) Signs as permitted in Section 11.34 - Sign Regulations.

- C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:
- (1) Airports and landing fields.
 - (2) Warehousing, wholesaling and distribution of inflammable liquids and gases.
3. MINIMUM LOT AREA: None
 4. MINIMUM LOT WIDTH: None
 5. MINIMUM YARDS: Except as otherwise allowed herein, the following minimum yard shall apply:
 - A. Front Yard - 15 feet in which no parking shall be allowed nor any merchandise stored or displayed.
 - B. Side Yard - None or a minimum of five (5) feet with unobstructed passage from front yard to rear yard.
 - C. Rear Yard - 25 feet. No rear yard required for marinas.
 - D. No setback is required from a railroad siding easement or railroad right-of-way.
 6. MINIMUM FLOOR AREA: None.
 7. MAXIMUM HEIGHT: None, except 35 feet above grade within 150 feet of any district restricted to 30 feet in height, and except 45 feet within 150.1 to 400 feet of any such district.
 8. MINIMUM OFF-STREET PARKING: See Off-Street Parking Regulations. (Article VIII)
 9. OFF-STREET LOADING SPACES: All uses shall be provided with one off-street loading space for each 5,000 square feet, or principal building floor area. (Article VIII):
 10. Landscaping - See Article VIII - 7

SECTION 11.20 - I INDUSTRIAL DISTRICT:

1. DISTRICT PURPOSE: The purpose of this district is to permit the normal operation of the majority of industrial uses under such conditions of operation as will protect residential and commercial uses and adjacent industrial uses.
2. USES PERMITTED: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

A. PRINCIPAL USES:

- (1) Manufacturing, warehousing, storing, processing, canning, packing, mining, extracting or similiar uses that are not obnoxious or offensive by reason of the emission of odors, fumes, dust, smoke, noise, vibration, radioactive waves or substances, and that do not possess abnormal explosion hazards.
- (2) Marinas, commerical boat houses, boat building, boat ways, boar yards and commercial fisheries.
- (3) Junk Yards, contractors' equipment storage yards, coal and wood yards of similiar uses not otherwise contained in an enclosed building shall be fenced in accordance with the provisions contained herein.
- (4) Wholesale storage of gasoline, liquified petroleum, gas, oil, or other inflammable liquids or gases, but not located within five hundred (500) feet of the nearest residential district ("SF", "MF", and "MH" Districts).

- (5) Restaurants including drive-ins.
- (6) Cocktail lounges and retail package sales of liquor and other beverages, subject to the provisions of Section 5.10 of these Regulations.
- (7) Commercial and private parking lots and parking garages.
- (8) Gasoline service stations, including those engaged in mechanical work.
- (9) Airports and landing fields.
- (10) Kenneling, stabling, animal clinics, and veterinary hospitals.

B. ACCESSORY USES:

- (1) Accessory uses and structures customarily associated with the uses permitted in this district.
- (2) Signs as permitted in Section 11.34-Sign Regulations.

C. PROVISIONAL USES: These uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable. The following uses shall include but not be limited to any other uses which in the opinion of the Planning Commission is of a similar character as those specified below:

MANUFACTURING: Involving primary production of the following products from raw materials: asphalt, cement, charcoal and fuel briquettes, aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black and bone black, creosote, hydrogen and oxygen, industrial alcohol, nitrates of explosive nature, potash, plastic materials and synthetic resins, pyroxylin, rayon yard and hydrochloric, nitric, phosphoric, picric, and sulphuric acids, coal coke and tar products, explosives, fertilizers, gelatin, animal glue and size, gas manufacturing: unless incidental to a principal use, turpentine, matches, rubber, soaps, fat rendering.

PROCESSING:

Involving the following: nitration of cotton, or other materials; magnesium foundry, reduction, refining, smelting of metal or metal ores; refining of petroleum products, such as gasoline, kerosene, naphtha, curing or tanning of raw, green or salted hides or skins; melting and alloying of metals, stockyards, junkyards, slaughter houses, slag piles, and storage of explosives or explosives.

3. **PERFORMANCE STANDARDS:** All uses in the "I" Industrial District shall conform to the standards of performance regulated by all County, State or Regional regulations, as well as standards of performance described below and shall be so constructed, maintained, and operated so as not to be injurious or offensive to the occupants of adjacent premises by reason of the emission or creation of noise, vibration, smoke, dust or other particulate matter, toxic or noxious waste materials, odors, fire and explosive hazard or glare.

A. **Noise**--Every use shall be so operated as to comply with the maximum performance standards governing noise described below. Objectionable noises due to intermittance, low frequency or shrillness shall be muted or eliminated so as to not become a nuisance to adjacent uses. Sound levels shall be measured with a sound level meter and associated octave band filter manufactured according to standards proscribed by the American Standards Association.

Octave Bands in Cycles per Second	Along Property Line Adjacent to a Residential District Between 8:00 a.m. and 6:00 p.m. * Maximum permitted sound level in decibels	Along Property Line Adjacent to an Industrial or Commercial District. Maximum permitted sound level in decibels
0-75	72	79
75-150	67	74
150-300	59	66
300-600	52	59
600-1,200	46	53
1,200-2,400	40	47
2,400-4,800	34	41
Over 4,800	32	39

* Permissible sound level between 6:00 p.m. and 8:00 a.m. shall be decreased by 3 decibels in each of the octave bands.

B. Vibration - Every use shall be so operated that ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point on the property line of the property on which the use is located.

C. Smoke and Particulate Matter - Every use shall be so operated so as to control the emission of smoke or other particulate matter measurable in ambient air does not exceed 200 milligrams per cubic meter during any 24-hour period of continuous measurement. The amount of particulate matter in ambient air shall be measured by a high-volume sampler, capable of pulling approximately 30 to 50 cubic feet of air per minute through a pre-weighed filter, and approved for use by the Florida State Board of Health.

D. Industrial Sewage and Waste - Every use shall be so operated as to prevent the discharge into any stream, lake or the ground of any waste which will be dangerous or discomforting to persons, animals or marine life, or which will damage crops or plants beyond the lot line of the property on which the use is located.

E. Odors and Gases - Every use shall be so operated as to prevent the emission of objectionable or offensive odors or gases in such concentration as to be readily perceptible at or beyond the lot line of the property on which the use is located.

F. Glare - Every use shall be so operated as to prevent emission of glare of such intensity as to be objectionably perceptible at any point on the lot line.

of the property on which the use is located, or to be detectable from any public right-of-way.

G. Fire and Safety Hazard - Each use shall be so operated as to minimize the danger from fire and explosion.

(1) All uses which store, process, or produce highly-combustible material shall be located entirely within buildings or structures having exterior incombustible walls.

(2) All materials or products which produce flammable or explosive vapors or gases under ordinary weather conditions shall not be permitted within 100 feet of any lot line.

(3) All buildings and structures containing explosives shall set back from all property lines at least 100 feet.

H. Electrical Disturbance and Radioactivity - Each use shall be so operated as to prevent the emission of quantities of radioactive materials in excess of limits established as safe by the United States Bureau of Standards or the emission of electrical disturbance sufficient to adversely affect the operation at any point of any equipment other than that of the creator of the disturbance.

4. FENCE REQUIREMENT: A fence shall be of masonry or wood, or other materials approved by the Building Director, at least seven (7) feet in height above ground level. In the case of junk yards said fence or wall shall be of such construction so as to completely conceal and block the fenced junk from the view of neighboring land owners and passersby, and shall meet all rules and regulations concerning zoning and construction in Collier County. See Section 11.35-Fence Regulation.

5. SETBACK REGULATIONS: In the "I" Industrial District, the following minimum yards shall be observed:

A. Front not less than 50 feet measured from any street line to the building.

B. Side not less than 20 feet measured from any other lot line.

C. Rear not less than 25 feet measured from any alley line to the building. No rear yard is required for marinas.

D. No setback is required from a railroad siding easement or right-of-way.

E. The centerline of the base of towers shall be located a minimum distance equal to its height plus ~~from~~ from the nearest property line of the land on which it is located or from the nearest power transmission line or residential dwelling.

6. MAXIMUM HEIGHT: None, except 35 feet above grade within 150 feet of any district restricted to 30 feet in height, and except 45 feet within 150.1 to 400 feet of any such district.

7. MINIMUM OFF-STREET PARKING: See Off-Street Parking Regulations (Article VIII).

8. MINIMUM LOT & BUILDING REGULATIONS: None

Section 11.21 - "E" Suburban Estates District:

1. DISTRICT PURPOSE: The provisions of this district are intended to apply to an area of low density residences in a semi-rural to rural environment, permitting all necessary residential activities and limited agricultural activities.

2. USES PERMITTED: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

A. PRINCIPAL USES:

(1) Single residences. (Not including Mobile Homes)

(2) Non-commercial field crops, horticulture, fruit and nut production, and forestry.

(3) Non-commercial poultry, horses and cattle, used solely by the resident.

B. ACCESSORY USES:

(1) Accessory uses and structures which are incidental to and customarily associated with the uses permitted by the District.

C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:

USE

(1) Recreational clubs intended to serve the surrounding residential area.

(2) Churches and other places of worship, cemeteries, schools and colleges.

3. MINIMUM LOT AREA: Two and One-half acres (2½)
4. MAXIMUM LOT COVERAGE OF PRINCIPAL STRUCTURES: 10%
5. MINIMUM LOT WIDTH: 165 feet average between front and rear lot lines.
6. MINIMUM YARDS:
 - A. Front - 75 feet
 - B. Side - 50 feet
 - C. Rear - 75 feet
7. MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURES:
 - A. Single dwelling unit residence - 1,200 square feet, one story - 1,600 square feet, two story.
8. MAXIMUM HEIGHT: 30 feet above grade

SECTION 11.22 - GC GOLF COURSE DISTRICT:

1. DISTRICT PURPOSE: The provisions of this district are intended to apply to areas developed to golf courses and normal accessory and satellite uses of golf courses, including some uses of a commercial nature.
2. USES PERMITTED: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:
 - A. PRINCIPAL USES:

(1) Golf Courses.

(2) Shuffleboard courts, tennis courts, swimming pools, and other types of facilities intended for outdoor recreation.

B. ACCESSORY USES:

(1) Clubhouses, pro-shop, practice driving range and other customary accessory uses of golf courses, or other recreational facilities.

(2) Small commercial establishments, including gift shops, golf equipment sales, restaurants, cocktail lounges, and similar uses, intended to serve patrons of the golf course or other recreational facilities, subject to the provisions of Section 5.10, of these Regulations.

(3) Signs as permitted in Section 11.34-Sign Regulations.

3. PLAN APPROVAL REQUIREMENTS: Plans for the golf course or other outdoor recreation facility and all accessory uses shall be submitted to the Planning Commission, and construction shall be in accordance with approved plans and specifications. Such plans shall be processed in the same manner as a subdivision plat.

A. GENERAL REQUIREMENTS:

(1) Overall site design shall be harmonious in terms of landscaping, enclosure of structures, location of access streets and parking areas and location and treatment of buffer areas.

(2) Buildings and activities shall be set back a minimum of 50 feet from abutting residential districts, and the set-back area shall be attractively maintained to act as a buffer zone.

(3) Lighting facilities shall be arranged in a manner which will protect roadways and neighboring properties from direct glare or other interference.

(4) The plan shall include standards showing parcel sizes, floor area and other pertinent construction data.

4. MAXIMUM HEIGHT: 35 feet above grade within 150 feet of any district restricted to 30 feet or less in height, and except 45 feet elsewhere within the district.

5. MINIMUM OFF-STREET PARKING: See Off-Street Parking Regulations, Section VIII.

Section 11.23 - A-1 Agricultural District.

1. **DISTRICT PURPOSE:** This agricultural district is intended to apply to those areas, the present or prospective use of which is primarily agricultural, or the future development of which is uncertain, and for which a more restricted zoning would be premature. The regulations in this district are intended to permit a reasonable use of the property, while at the same time prevent the creation of conditions which would blight or prevent the proper future use of this and contiguous property.
2. **USES PERMITTED:** No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

A. PRINCIPAL USES:

- (1) Agricultural activities, such as field crops, horticulture, fruit and nut production, forestry, ranching, bee-keeping, poultry and egg production, milk production, animal breeding, raising, training, stabling or kenneling (except hogs and goats in excess of ten each of such animals).
- (2) Single Family Residences, in accordance with and subject to the provisions of the SF-6 District, Section 11.7 of these regulations, except as modified herein.
- (3) Any use clearly intended as a measure for conservation.
- (4) Yacht, fraternal and other recreational clubs, subject to the provisions of Section 5.10, of these Regulations.
- (5) Churches and other places of worship.
- (6) Muck, sand, fill material, limerock and gravel extraction.
- (7) Outdoor recreation activities, such as hunting, fishing, camping, hiking, and nature studios.
- (8) Signs as permitted in Section 11.34-Sign Regulations.

B. ACCESSORY USES:

- (1) Home occupations, as provided for in Article X, and other customary home occupations associated with agricultural activities.
- (2) Structures other than mobile homes and trailers, which are necessary or customarily incidental to the principal uses; providing that such structures conform to the Collier County Building Code and a permit is obtained from the Collier County Building Department.

(3) A mobile home or trailer, used in connection with the principal uses is permitted on a temporary basis only, not to exceed three years, providing that a permit for such temporary use is obtained from the Collier County Building Department, and further providing that the applicant is utilizing, for such principal use a tract of forty (40) acres or more, except that part lying in public road rights-of-way. Such mobile homes or trailers shall not be located closer than 100 feet from any county highway line, 200 feet from any state highway right-of-way, or 500 feet from any federal highway right-of-way line.

C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:

Use

(1) Airports and landing fields.

(2) Cemeteries.

(3) Race tracks.

(4) Sawmills, provided that no sawmill shall be located nearer than 660 feet from any county, state or federal highway right-of-way.

(5) Oil and gas extraction.

(6) Commercial camping areas, with on-site management provided, including convenience establishments of a commercial nature including stores, laundry and dry cleaning agencies, and personal services may be permitted in commercial camping areas subject to the following restrictions: (a) such establishments and the parking area primarily related to their operations shall not occupy more than 10% of the area of the camp or one acre whichever is the least; (b) such establishments shall be subordinate to the recreational character of the park and shall be located, designed and intended to serve the frequent trade and service needs of persons residing in the camp ground; and (c) such establishments shall provide off-street parking spaces in the number required by this ordinance.

(7) Schools and Colleges.

3. MINIMUM SETBACKS:

A. No permanent building shall be closer than 25 feet to any federal, state or county primary or secondary right-of-way.

B. No permanent building shall be closer than 75 feet to a section line or 100 feet to a township or range line.

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- C. No permanent or temporary building or structure shall be closer than 30 feet to any property line other than a federal, state or county primary or secondary highway right-of-way line.

SPECIAL REQUIREMENTS FOR COMMERCIAL CAMPING AREAS. All Commercial camping areas shall meet the following minimum requirements:

A. **MINIMUM SITE SIZE:** 10 ACRES.

B. **MAXIMUM DENSITY:** 9 Campsites per acre, gross density. Gross density (for campgrounds only) is defined as the number of campsites per acre considering all land inside the campground, including campsites, utility areas, natural areas, water areas and other supporting uses.

C. **REQUIRED FACILITIES:**

- (1) Sanitary facilities, including flush toilets, and showers within 400' walking distance of every campsite approved by the Collier County Health Department. Lighting shall be provided in sanitary facilities at all times.
- (2) Potable water supply approved by the Collier County Health Department with a spigot for every 2 campsites.
- (3) At least 1 garbage or trash receptacle for every 2 camp sites.
- (4) Administration building and safety building open at all times wherein a portable fire extinguisher in operable condition and first aid equipment is available, and a telephone is available for public use.
- (5) One parking space per camp site.
- (6) One picnic table per camp site.
- (7) One fireplace or cooking area per camp site.

DESIGN STANDARDS:

- (1) Camp sites shall be set back a minimum of 500 feet from any county, state or federal highway right-of-way.
- (2) Each camp site shall be directly accessible by an interior road.
- (3) Tracts of land to be used for commercial camping areas which contain less than fifty (50) acres shall have a minimum average width equal to not less than forty (40) per cent of the average depth of the tract. Tracts of land to be used for commercial camping areas more than fifty (50) acres shall contain a minimum average width of 750 feet.
- (4) At least 20% of the total area of the camp ground shall be covered by vegetation at least 2 feet high or which will be 2 feet high within one

year after planting. At least one-half the total amount of vegetation will be distributed at or between camp sites. Such vegetation shall be maintained in good condition.

5. A vegetation screen or ornamental fence which will substantially screen the camp sites from view of public rights-of-way and neighboring properties shall be provided around or near the perimeter of that part of the camp ground containing camp sites. such screen shall be maintained in good condition at all times.
6. Each camp site shall contain a level area containing at least 600 square feet for erecting camping equipment.
7. No camping vehicle, or camping equipment shall be used for human habitation, for a period exceeding 60 consecutive days. The intent of this provision is to prohibit the use of camping areas for permanent or semi-permanent use as a dwelling. (Seasonal)
8. Each separate campsite shall contain a minimum of 3,600 square feet.
9. Each campground shall reserve at least twenty five (25) percent of its total area as natural open space excluding perimeter screening. Such open space may include non-public drives and accessways, recreational open space and water areas, but may not include utility areas, administration buildings, commercial areas and similar activities.

Section 11.24 - A- 2 Agriculture District

DISTRICT PURPOSE: This district is designed to accomodate traditional agriculture uses and outdoor recreational activities, while protecting the rural areas of the County against premature, inappropriate, and substandard.

urban development. Principal and Provisional uses allowed in this district are less restrictive than in A-1 Agriculture District. -

2. USES PERMITTED: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or part, for other than the following:

A. PRINCIPAL USES:

- (1) Agricultural activities, such as field crops, horticulture, fruit and nut production, forestry, ranching, beekeeping, poultry and egg production; animal raising, breeding (except hogs and goats in excess of ten each of such animals), training, stabling, or kenneling, and home occupations.
- (2) Farming, milk production, milk processing and distribution.
- (3) Outdoor recreation activities, such as hunting, fishing, camping, hiking, and nature studies.
- (4) Marinas.
- (5) Single, two-family or multiple-family residences in accordance with and subject to the provisions of "SF-6" and "MF-2" of these regulations. Subject also to minimum floor area and maximum height.
- (6) Mobile homes, provided that there be no more than one mobile home on any 5-acre tract, and no mobile home shall be located nearer than 100 feet from any county highway right-of-way, 200 feet from any state highway right-of-way or 500 feet from any federal highway right-of-way line.
- (7) Churches and other places of worship.
- (8) Country, yacht, fraternal and other recreational clubs, subject to the provisions of Section 5.10, of these Regulations.
- (9) Schools and colleges.
- (10) Advertising signs and structures, as permitted in Section 11.34- Sign Regulations.
- (11) Oil, gas, muck, sand, fill material, limerock and gravel extraction.

B. ACCESSORY USES:

- (1) Accessory uses and structures which are incidental to and customarily associated with the uses permitted in this district.

(2) Retail outlets in conjunction with a principal use.

C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:

Use

- (1) Airports and landing fields.
- (2) Race tracks.
- (3) Commercial recreation uses, commercial tourist attractions including accessory accommodations.
- (4) Commercial and non-profit rifle, skeet, trap, pistol and archery ranges.
- (5) Hog and goat breeding and raising in excess of 10 each of such animals; stock yards, slaughter houses, meat packing plants, canning and processing plants for agricultural products.
- (6) Oil and gas processing, and other mineral extraction and processing not otherwise provided for.
- (7) Commercial fisheries.
- (8) Cemeteries.
- (9) Child care centers; nursing and rest homes; medical institutions.
- (10) Packing houses, not including animal slaughter or meat packing.
- (11) Sawmills, provided that no sawmill shall be located nearer than 660 feet from any county, state or federal highway right-of-way.
- (12) New and unusual uses.
- (13) Commercial camping areas, with on-site management provided, including convenience establishments of a commercial nature including stores, laundry and dry cleaning agencies, and personal services may be permitted in commercial camping areas subject to the following restrictions:
 - (a) such establishments and the parking area primarily related to their operations shall not occupy more than 10% of the area of the camp or one acre whichever is the least;
 - (b) such establishments shall be subordinate to the recreational character of the park and shall be located, designed and intended to serve the frequent trade and service needs of persons residing in the camp ground;
 - (c) such establishments shall provide off-street parking spaces in the number required by this ordinance.

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3. MINIMUM LOT AREA: 5 acres, or one-half ($\frac{1}{2}$) of the one-fourth ($\frac{1}{4}$) of the one-fourth ($\frac{1}{4}$) of the one-fourth ($\frac{1}{4}$) section of land in which the lot is located, less dedicated rights-of-way and easements of record.
4. MINIMUM LOT WIDTH: 165 feet average between front and rear lot lines.
5. MINIMUM YARDS:
 - A. Front yard - 50 feet.
 - B. Side yard - 30 feet.
 - C. Rear yard - 50 feet.
6. MINIMUM FLOOR AREA: None, except as provided for specific uses.
7. MINIMUM SETBACKS:
 - A. No permanent building shall be closer than 25 feet to any federal, state, or county primary or secondary right-of-way.
 - B. No permanent building shall be closer than 75 feet to a section line or 100 feet to a township or range line.
 - C. No permanent or temporary building or structure shall be closer than 30 feet to any property line other than a federal, state or county primary or secondary highway right-of-way line.
8. SPECIAL REQUIREMENTS FOR COMMERCIAL CAMPING AREAS. All Commercial camping areas shall meet the following minimum requirements:
 - A. MINIMUM SITE SIZE: 10 ACRES.
 - B. MAXIMUM DENSITY: 9 Campsites per acre, gross density. Gross density (for campgrounds only) is defined as the number of campsites per acre considering all land inside the campground, including campsites, non-public streets and access ways, recreation areas, utility areas, natural areas, water areas and other supporting uses.
 - C. REQUIRED FACILITIES:
 - (1) Sanitary facilities, including flush toilets, and showers within 400 walking distance of every camp site approved by the Collier County Health Department. Lighting shall be provided in sanitary facilities at all times.
 - (2) Potable water supply approved by the Collier County Health Department with a spigot for every 2 camp sites.
 - (3) At least 1 garbage or trash receptacle for every 2 camp sites.

- (4) Administration building and safety building open at all times wherein a portable fire extinguisher in operable condition and first aid equipment is available, and a telephone is available for public use.
- (5) One parking space per camp site.
- (6) One picnic table per camp site.
- (7) One fireplace or cooking area per camp site.

D. DESIGN STANDARDS:

- (1) Camp sites shall be set back a minimum of 500 feet from any county, state or federal highway right-of-way.
- (2) Each camp site shall be directly accessible by an interior road.
- (3) Tracts of land to be used for commercial camping areas which contain less than fifty (50) acres shall have a minimum average width equal to not less than forty (40) per cent of the average depth of the tract. Tracts of land to be used for commercial camping areas more than fifty (50) acres shall contain a minimum average width of 930 feet.
- (4) At least 20% of the total area of the camp ground shall be covered by vegetation at least 2 feet high or which will be 2 feet high within one year after planting. At least one-half the total amount of vegetation will be distributed at or between camp sites. Such vegetation shall be maintained in good condition.
- (5) A vegetation screen or ornamental fence which will substantially screen the camp sites from view of public rights-of-way and neighboring properties shall be provided around or near the perimeter of that part of the camp ground containing camp sites. Such screen shall be maintained in good condition at all times.
- (6) Each camp site shall contain a level area containing at least 600 square feet for erecting camping equipment.
- (7) No camping vehicle, or camping equipment shall be used for human habitation, for a period exceeding 60 consecutive days. The intent of this provision is to prohibit the use of camping areas for permanent or semi-permanent use as a dwelling. (Seasonal)

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- (8) Each separate campsite shall contain a minimum of 3,600 square feet.
- (9) Each campground shall reserve at least twenty-five (25) percent of its total area as its total area as natural open space, excluding perimeter screening. Such open space may include non-public drives and accessways, recreational open space and water areas, but may not include utility.

SECTION 11.25 RURAL FARMLAND DISTRICT:

1. District Purpose: This district is created exclusively for housing farm labor. It is intended that this supplementary district, because of its liberal minimum requirements, be only applicable when and where large areas are used for farming activities and labor needs are primary. This supplementary district is applicable to "A-1" and "A-2" Agricultural District only and shall be designated A-1RF and A-2RF.
2. Definition of Rural Farmland District: A planned area of shelters erected on leased or owned land capable of housing people for a period not exceed the abandonment of the farming operations.
3. Definition of Farming Operation: The use of land for agricultural purposes: including farming, dairying, pasturage, apiculture, horticulture, agriculture, floraculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating or storing the produce raised on the premises.
4. Farm Labor Committee: An advisory committee consisting of five (5) members appointed by the Board of County Commissioners is hereby created for the following purposes:
 - A. To review plans for any farm labor housing requests.
 - B. To determine that such plans adhere to criteria set forth in this section.
 - C. To advise the Board of County Commissioners of their recommendations.
 - D. To act as the advisory enforcement agency in relation to these regulations.
5. Setback From Highway: All developments shall be setback a minimum of 1,000 feet measured from the nearest point of construction to any State, Federal, or County highway right-of-way line.
6. Total Area Determination: No on-site farm labor housing shall exceed 3% of the total farming operation. Off-site farm labor housing shall have a minimum of 1 acre and shall not exceed 10 acres.

7. Required Utilities: All utilities shall be installed as required by the State of Florida, Collier County Health Department and the Collier County Building Code and any other regulations that may apply.
8. Plan Approval Requirements: The Farm Labor Committee will certify to the appropriate planning commission that the plans meet the requirements set forth herein. After review by the appropriate Planning Commission, it will be forwarded to the Board of County Commissioners for approval.
9. Revision of Land: All facilities erected under the provisions stated herein, shall be removed and the Zoning Classification of RF placed back into A-1 or A-2 Thirty (30) days after discontinuance of Farming Operation.
10. Plans For Frame, CBS Construction, Or Mobile Homes: All plans shall be submitted to the appropriate Planning Commission for review through the Farm Labor Committee. The Plans shall be of an appropriate scale to work with and shall include but not be limited to the following:
 - (A) Land area in acres.
 - (B) Street Patterns:
 - (1) All streets must be of a hard dustless material.
 - (C) Open space and Recreation Area:
 - (1) 300 square feet for each lot or space.
 - (D) Building Sites.
 - (E) Actual or minimum yard dimensions.
 - (F) Size of Units.
 - (G) Utilities to be provided.
 - (H) Services to be provided.
11. Minimum Standards For CBS OR FRAME DWELLINGS:
 - (A) Yards:
 - (1) Front - 30 feet
 - (2) Side - 10 feet
 - (3) Rear - 20 feet

Yards are measured from front, back, or side lines; however, all dwellings will have the minimum separation between them.

(B) Floor Area:

For purposes of this section there will be a minimum of 120 square feet for 2 people and an additional 50 square feet for each person thereafter for sleeping purposes only. Any other utilization of the dwelling will adhere to minimum square footage as outlined by State Standards.

(C) There shall be a Resident Manager on duty and he (she) shall reside on the premises.

12. Mobile Home Utilization: Mobile homes may be used for housing of farm labor if the following conditions are met:

- (A) There shall be a Resident Manager on duty and he (she) shall reside on the premises.
- (B) There shall be no integration of frame or CBS dwellings intermingled with mobile homes. There shall be a 60 feet separation between CBS complexes and mobile home complexes.
- (C) There may be one building allowed and it shall be subordinate to the residential use solely for the purpose of serving the residents in the complex. It may be utilized for laundry facilities, centralized mail room, or an administration complex. This building shall not occupy more than 2% of the project in its entirety;
- (D) Minimum Square Footage: The interior square footage of the mobile home shall be 120 square feet for 2 people and 50 square feet for each person thereafter, for the purpose of sleeping accommodations, all other utilization of the mobile home shall adhere to the State minimums on square footage.

13. Minimum Lot Or Space Requirements For Regular Home:

- (A) Minimum size of lot or space - 6,000 square feet.
- (B) Minimum average width of lot or space - 60 feet.
- (C) Minimum Yards:

- (1) Front - 30
- (2) Side - 20
- (3) Rear - 20

- (D) Travel Trailers are permitted in this district provided all the restrictions of this district are adhered to.

14. MINI LABOR CAMP:

- (A) Mobile homes may be utilized for housing migrant labor in groups providing:

- (1) the area in question is of 1 acre minimum
- (2) three basic units are utilized (minimum)
 - (a) one for sleeping facilities
 - (b) one for dining and recreation facilities
 - (c) one for a utility unit, consisting of showers and restrooms.

- (B) All units shall be of the following in size and area:

- (1) 12' x 65' that sleeps a maximum of 12 workers (non mixed)
- (2) 12' x 65' containing the kitchen, dining facilities, this facility may accomodate 24 workers maximum.
- (3) 12' x 45' unit for bathing purposes which accomodates 24 workers.

- (C) All areas shall be landscaped surrounding the mini complex and the surface must be of a hard dustless material.

- (D) All other applicable regulations above must be met.

SECTION 11.26. - W Waterfront Supplementary District:

1. DISTRICT PURPOSE: Other zoning districts in this ordinance require water-front setbacks for principal buildings. There are, however, waterfront lands in Collier County on which the erection of principal buildings, which do not set back from the water's edge, can enhance the character of waterfront development without being detrimental to adjacent properties. This supplementary zoning district, when used in conjunction with other zoning districts, makes

possible the placement of principal buildings at the bulkhead line, shoreline, or building limit line as provided in Paragraph 3 hereof. Where provisions of this supplementary district are in conflict with any other district to which it is supplemental, this district shall govern. All other requirements of the district to which this ordinance is made supplementary shall remain in effect. It is intended that this supplementary district, because of its liberal waterfront regulations is most applicable when planning the use of tidewater islands or areas of the County of such size and location as not to substantially affect areas not so zoned.

2. **MANNER OF DESIGNATION & METHOD OF APPLICATION:** Waterfront lands in this supplementary "W" district shall be designated by their regular zone district symbol, followed by a dash and the letter "W". For example, land which is zoned "MF" Multiple-Family District, and which is in the "W" Waterfront Supplementary District, would carry the zone designation of "MF-W". Lands may be placed in or removed from the "W" zone in the same manner as any other zone.
3. **WATERFRONT SETBACK REGULATIONS:** Lands in the "W" district shall be exempt from all waterfront setbacks of their regular zone district. The following waterfront setbacks shall apply:
 - A. For waterfront lands along which a bulkhead line has been established, structures may be erected out to but not beyond the bulkhead line.
 - B. For waterfront lands along which an offshore building limit line has been established by the County Commission, buildings may be erected out to but not beyond the building limit line.
 - C. For waterfront lands along which neither a bulkhead line nor a building limit line has been established, principal buildings may be erected out to but not beyond the shoreline, as the shoreline exists prior to construction.
4. **USES PERMITTED:**
 - A. Uses permitted in any district to which this ordinance is supplementary.
 - B. The principal dwelling may be attached to or may be an integral part of a boat house or dock.

Section 11.27 - GH Group Housing Supplementary District.

1. **DISTRICT PURPOSE:** The provisions of this district are intended to apply to areas zoned for residential use where a more flexible placing of structures

on the land, the grouping of open space and accessory facilities and other design innovations are desired and constructed in accordance with a carefully drawn plan for development.

2. **MANNER OF DESIGNATION & METHOD OF APPLICATION:** Group housing developments in the GH District shall be designated by the appropriate residential district symbol, followed by a dash and the letters "GH". Lands may be placed in or removed from the GH District in the same manner as any other zoning district.
3. **USES PERMITTED:** The Group Housing Supplemental District may be requested in any residential district. Uses permitted shall be the same as those uses permitted in the residential district to which the land is zoned.
4. **PLAN APPROVAL REQUIREMENTS:** Plans for a group housing development shall be submitted to the Planning Commission and construction shall be in accordance with approved plans and specifications. Such plans shall be processed in the same manner as a subdivision plat. Such plans shall show that the following conditions are met:
 - A. Such group housing shall consist of two or more structures of the type permitted in the residential district.
 - B. Residential structures will be constructed upon a plot of ground not less than three (3) acres in area, with a minimum parcel size required for the use, whichever is greater.
 - C. The parcel of land is not subdivided into the customary streets and lots, and will not be so subdivided, or where the existing or contemplated street and lot layout make it impractical to apply the requirements of this regulation to the individual dwellings and structures in such group development.
 - D. The requirements for setbacks for accessory structures is fully observed.
 - E. Yards, distances between structures and other dimensional standards are satisfactory to carry out the intent of and spirit of the Zoning Ordinance, such standards to be specified by the applicant and approved by the County Commission, upon recommendation of the Planning Commission, if such standards are less than are required elsewhere in the same residential zoning district.
 - F. All other portions of the district regulations applicable elsewhere in the same zoning districts are fully observed.

- G. Any commercial operations or commercial activities required to provide basic service to the residents of such projects are completely enclosed and are constructed and maintained in such a manner as to require no change in the outside appearance of such structure and there is no structural evidence to mark that structure from or as unique when compared with other structures in the group project. Such structure shall, however, be identified by a wall plaque or other acceptable marker as a structure housing an essential service, to avoid possible safety hazards.

Section 11.28 - MF-1A ND Non-Conforming Development Supplemental District

1. **DISTRICT PURPOSE:** The provisions of this district are intended to apply only to existing developed or platted areas zoned for residential use where legal non-conformities were created by application of new zoning standards. The supplementary district is intended to permit certain development standards to be revised to achieve a higher standard of development for existing non-conforming residential developments.
2. **MANNER OF DESIGNATION & METHOD OF APPLICATION:** Eligible non-conforming residential developments shall be designated by the appropriate residential symbol, followed by a dash and the letters "ND". Eligible lands may be placed in or removed from the ND Supplemental District in the same manner as in any other zoning district.
3. **USES PERMITTED:** The ND Supplemental District may be requested in any existing residential development, including areas which are platted but where construction has not occurred, which has become non-conforming as a result of the adoption of new zoning district standards. Uses permitted shall be the same as those permitted in the residential district to which the land is zoned.
4. **PLAN APPROVAL REQUIREMENT:** Plans and standards for an eligible non-conforming residential development shall be submitted to the Planning Commission and the County Commission and construction shall be in accordance with approved plans and specifications. Such plans shall be processed in the same manner as a request for a zoning change. Such plans shall meet the following requirements:
 - A. Such non-conforming residential developments shall consist of ten (10) or more structures or platted lots.
 - B. Yards, distances between structures and minimum floor area requirements may be reasonably increased and shall be satisfactory to carry out the intent and spirit of the Zoning Ordinance. Such standards shall not be decreased except through the granting of a variance as specified herein.
 - C. All other portions of the district regulations applicable elsewhere in the same zoning districts are fully observed.

1. **DISTRICT PURPOSE:** The provisions of this district are intended to apply to non-conforming Subdivisions existing on the date of the adoption of these regulations, of an area of medium density single and two-family residences not exceeding 13.2 dwelling units per net residential acre, or less, as specified.

2. **USES PERMITTED:** No building or structure, or part thereof, shall be erected, altered, or used, or land or water used, in whole or in part, for other than the following:

A. PRINCIPAL USES:

(1) Single Family Residences.

(2) Two Family Residences.

B. ACCESSORY USES:

(1) Accessory uses and structures, including private garages.

(2) Home occupations, as provided for in Article X.

C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:

Use

(1) Non-commercial boat launching facilities, and multiple docking areas.

(2) Recreational clubs, intended to serve the surrounding residential area.

(3) Churches and other places of worship.

(4) Child care centers; nursing or rest homes.

(5) Schools and colleges.

(6) Civic and cultural facilities.

3. **MAXIMUM LOT COVERAGE:** 35%

4. **MINIMUM LOT AREA:**

A. Corner lots - 7,000 square feet.

B. Interior Lots - 6,600 square feet.

5. MINIMUM LOT WIDTH:

- A. Duplex (two-family dwelling) - 100 feet average between front and rear lot lines.**
- B. Single Family Dwelling - 50 feet average between front and rear lot lines.**

6. MINIMUM YARDS:

- A. Front Yard - 30 feet.**
- B. Side Yard - One story, 7 1/2 feet; two story, 10 feet.**
- C. Rear Yard - 20 feet.**
- D. On lots which front on more than one street, the front yard which has the longest street frontage may be reduced to 20 feet; the yard opposite the front yard with the least street frontage shall be considered a rear yard for setback purposes.**

7. MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURE:

- A. Single family dwelling - 900 square feet, excluding car port, utility room and screened porches, one story;
Single family dwelling - 1000 square feet, excluding car port, utility room and screened porches, two stories, of which at least 600 square feet shall be on the ground floor.**
- B. Two-family dwelling - 750 square feet per unit, or 1500 square feet per building, excluding car ports, utility rooms and screened porches.**

8. MAXIMUM HEIGHT: 30 feet above grade.

9. MINIMUM OFF-STREET PARKING: One space per residence or unit, located within the permitted building area.

10. See also ARTICLE VIII - Off-Street Parking, Loading and Unloading Regulations.

Section 11.29. Naples Airport Supplemental District

1. DISTRICT PURPOSE: The provisions of this district are intended to apply to areas where it is found that an airport hazard endangers the lives and property in its vicinity, and also, if of the obstruction type, in effect reduces the size of the area available for the landing, taking off and maneuvering of aircraft, thus tending to destroy or impair the utility of Naples Airport and the public investment therein.
2. DEFINITIONS: The words and phrases listed below shall have the following meanings unless the context hereof otherwise requires:
 - A. Airport - Naples Airport.
 - B. Airport Elevation - The established elevation of the highest point on the usable landing area, hereby determined to be 8' MSL.
 - C. Airport Hazard - Any structure, tree or use of land which obstructs the airspace required for, or is otherwise hazardous to the flight of aircraft in landing or taking off at the airport.
 - D. Height - For the purpose of determining the height limits in all zones set forth in this Ordinance and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.
 - E. Instrument Runway - A runway equipped or to be equipped with a precision electronic navigation aid or landing aid or other air navigation facilities suitable to permit the landing of aircraft by an instrument approach under restricted visibility conditions.
 - F. Landing Area - The area of the Airport used for the landing, taking off or taxiing of aircraft.
 - G. Nonconforming Use - Any pre-existing structure, tree, natural growth or use of land which is inconsistent with the provisions of this Ordinance or an amendment thereto.
 - H. VFR Runway - Means a runway other than an instrument runway.
 - I. Person - An individual, firm, partnership, corporation, company, association, joint stock association, or body politic and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.
 - J. Runway - The paved surface of an airport landing strip.

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K. Structure - An object constructed or installed by man, including, but without limitation, buildings, towers, smokestacks and overhead transmission lines.

L. Tree - Any object of natural growth.

3. MANNER OF DESIGNATION AND METHOD OF APPLICATION: All of the land lying within the instrument approach zones, VFR approach zones, transition zones, horizontal zone and conical zone may be designated and regulated as herein authorized. Lands within the various airport zones shall be designated on a map or maps, adopted by the County Commission as an amendment to this resolution. The various zones are hereby established and defined as follows:

- A. INSTRUMENT APPROACH ZONES - An instrument approach zone is established at the Northeast end of the instrument runway 22-4 for instrument landings and takeoffs. The instrument approach zone shall have a width of 1,000 feet at a distance of 200 feet Northeast of the end of the runway, widening thereafter uniformly to a width of 16,000 feet at a distance of 50,200 feet Northeast of the end of the runway, its centerline being the continuation of the centerline of the runway. An instrument approach zone is established at the Southwest end of the instrument runway for instrument landings and takeoffs. The instrument approach zone shall have a width of 1,000 feet at a distance of 200 feet Southwest of the end of the runway, widening thereafter uniformly to a width of 4,000 feet at a distance of 10,200 feet beyond the end of the runway, its centerline being the continuation of the centerline of the runway.
- B. VFR APPROACH ZONES - Visual flight rules approach zones are hereby established and shall have a width of 500 feet at a distance of 200 feet beyond each end of runway 31-13, widening thereafter uniformly to a width of 1,500 feet at a distance of 5,200 feet beyond each end of this runway.
- C. TRANSITION ZONES - Transition zones are hereby established adjacent to each instrument and VFR runway and approach zone as indicated on the zoning map. Transition zones symmetrically located on either side of runways have variable widths as shown on the zoning map. Safety zones extend outward to a line 150 feet on either side of the centerline of the VFR runway, for the length of such runway plus 200 feet on each end; and 250 feet on either side of the centerline of the instrument runway, for the length of such runway plus 200 feet on each end, and are parallel and level with such runway centerlines. The transition zones along such runways slope upward and outward from the edges of the safety zones one (1) foot vertically for each seven (7) feet horizontally to the point where they intersect the surface of the horizontal zone. Further, transition zones are established adjacent to both instrument and VFR approach zones and these transition zones have variable widths, as shown on the zoning map. Such transition zones flare symmetrically with either side of the runway approach zones from the base of such zones and slope upward and outward at the rate of one (1) foot vertically for each seven (7) feet horizontally.

to the points where they intersect the surfaces of the horizontal zone. Additionally, transition zones are established adjacent to the instrument approach zone where it projects through and beyond the limits of the horizontal zone, extending a distance of 5,000 feet measured horizontally from the edge of the instrument approach zone at right angles to the continuation of the centerline of the runway.

D. **HORIZONTAL ZONE** - A horizontal zone is hereby established as the area within an oval with its centers at the ends of the instrument runway and having a radius of 5,000 feet. The horizontal zone does not include the instrument and VFR approach zones and the transition zones.

E. **CONICAL ZONE** - A conical zone is hereby established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a distance of 4,000 feet. The conical zone shall slope upward and outward from this periphery at the rate of one (1) foot vertically for each twenty (20) feet horizontally. The conical zone does not include the instrument approach zones and transition zones.

4. **HEIGHT LIMITATIONS:** Except as otherwise provided in this resolution no structure or tree shall be erected, altered, allowed to grow, or maintained in any zone created by this ordinance to a height in excess of the height limit herein established for such zone. Such height limitations are hereby established for each of the zones in question as follows:

A. **INSTRUMENT APPROACH ZONES** - One (1) foot in height for each fifty (50) feet in horizontal distance beginning at a point 200 feet from and at the centerline elevation of the Northeast end of 22-4, the instrument runway, and extending Northerly a distance of 10,200 feet from the end of the runway; thence Northeasterly one (1) foot in height for each forty (40) feet in horizontal distance to a point 50,200 feet from the Northeast end of the runway.

One (1) foot in height for each thirty-four (34) feet in horizontal distance beginning at a point 200 feet from and at the centerline elevation of the Southwest end of the instrument runway and extending Southwesterly to a point 10,200 feet from the end of the runway.

B. **VFR AIRPORT APPROACH ZONES** - One (1) foot in height for each forty (40) feet in horizontal distance beginning at a point 200 feet from and at the centerline elevation of each end of runway 31-13 and extending to points 2,200 feet from the ends of the runway; thence one (1) foot in height for each twenty (20) feet in horizontal distance and extending to a point 5,200 feet from the ends of the runway.

- C. **TRANSITION ZONES** - One (1) foot in height for each seven (7) feet in horizontal distance beginning at the edge of each safety zone and at the elevation of the centerline of each runway, and extending to a height of 150 feet above the airport elevation which height is 158 feet above mean sea level. In addition to the foregoing, there are established height limits of one (1) foot vertical height for each seven (7) feet horizontal distance measured from the edges of all approach zones for the length of the approach zones as shown and extending upward and outward to the points where they intersect the horizontal surface. Further, to the Northeast, where the instrument approach zone projects through and beyond the conical zone, a height limit of one (1) foot for each seven (7) feet of horizontal distance shall be maintained beginning at the edge of the instrument approach zone and extending a distance of 5,000 feet from the edge of the instrument approach zone measured normal to the centerline of the runway extended.
 - D. **HORIZONTAL ZONE** - One hundred fifty (150) feet above the airport elevation or a height of 158 feet above mean sea level.
 - E. **CONICAL ZONE** - One (1) foot in height for each twenty (20) feet of horizontal distance beginning at the periphery of the horizontal zone, extending to a height of 350 feet above the airport elevation.
5. **USE RESTRICTIONS:** Notwithstanding any other provisions of the zoning regulations, no use may be made of land within the Northeast instrument approach zone established by this ordinance in such a manner as to create electrical interference with radio communication between the airport and aircraft; make it difficult for flyers to distinguish between airport lights and others; result in glare in the eyes of flyers using the airport; impair visibility in the vicinity of the airport or otherwise endanger the landing, taking off, or maneuvering of aircraft.
6. **NONCONFORMITIES:**
- A. **REGULATIONS NOT RETROACTIVE** - The regulations prescribed by this resolution shall not be construed to require the removal, lowering or other changes or alteration of any structure or tree not conforming to the regulations as of the effective date of this resolution, or otherwise interfere with the continuance of any nonconforming use. Nothing herein contained shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this resolution, and is diligently prosecuted.

- B. MARKING AND LIGHTING - Notwithstanding the preceding provision of this section, the owner of any nonconforming structure or tree is hereby required to permit the installation, operation and maintenance thereon of such markers and lights as shall be deemed necessary by the Airport Authority of the City of Naples to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport hazards. Such markers and lights shall be installed, operated and maintained at the expense of the Authority.

7. PERMITS:

- A. FUTURE USES - Except as specifically provided herein no material change shall be made in the use of land and no structure or tree shall be erected, altered, planted or otherwise established in any zone hereby created unless a permit therefor shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted.

- (1) In the area lying within the limits of the horizontal zone and the conical zone, no permit shall be required for any tree or structure less than 125 feet of vertical height above the ground.
- (2) In the areas lying within the limits of the instrument and VFR approach zones but at a horizontal distance of not less than 3,000 feet from each end of the runways, no permit shall be required for any tree or structure less than 50 feet of vertical height above the ground.
- (3) In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than 150 feet of vertical height above the ground.

Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, alteration or growth of any structure or tree in excess of any of the height limits established by this Ordinance except as set forth in Section IV.

- B. EXISTING USES - No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming use, structure, or tree to be made or become higher, or become a greater hazard to air navigation than it was on the effective date of this amendment or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.

11.30 FVR Fishing Village Residential District

(1) DISTRICT PURPOSE: The provisions of this district are intended to apply to certain area of Collier County where a mixture of low to medium density residential use exist in combination with fishing equipment and structures used for maintenance or repair of fishing equipment and storage or facilities for processing fishing catches on a temporary basis. Because of unusual nature of the development and the potential for tourist fishing industry, certain commercial uses may be permitted in close proximity to the residential uses. Standards for development are nominal, recognizing the unusual land ownership configurations which normally exist in such fishing villages.

(2) USES PERMITTED: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

A. Principal Uses:

- (1) Single-family residences
- (2) Two-family residences
- (3) Multiple family residences, providing that all such uses containing more than ten (10) dwelling units shall conform to the provisions of the MF-2 District.
- (4) Mobile Homes
- (5) Churches and other places of worship
- (6) Schools and colleges
- (7) Civic and cultural facilities
- (8) Transient lodging facilities
- (9) Fraternal, social and recreational clubs

B. ACCESSORY USES:

- (1) Accessory uses and structures, including private garages.
- (2) Home Occupations, as provided for in Article X.

- (3) 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.
- (4) Storage, repair and maintenance areas and structures for fishing equipment, when used by the residents of the principal use.
- (5) Boat yard & way when used by the residents of the principal use.
- (6) Signs as permitted in Section 11.34-Sign Regulations.

C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:

- (1) All commercial uses permitted in the C-3 Commercial District.
- (2) Fish loading and unloading, storage and processing activities, provided the performance standards of the Industrial District are observed.
- (3) Marinas; and Boat Yard and Ways

(3) MINIMUM SITE OF LOT AREA

- A. Single-family and two family residences: 6,000 square feet.
- B. Mobile Homes - 6,000 square feet
- C. Multiple-family - 1,500 square feet per dwelling unit
- D. All Others: None

(4) MINIMUM SITE OR LOT WIDTH:

- A. Single-family, two family and multiple-family residences: 60 feet average between front and rear lot lines.
- B. Mobile Homes-60 feet average between front and rear lot lines.

(5) MAXIMUM LOT COVERAGE: 50%.

(6) MINIMUM YARDS:

- A. Front Yard - 20 feet

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B. Side Yard - 5 feet

C. Rear Yard - 20 feet

(7) MINIMUM FLOOR AREA: OF PRINCIPAL STRUCTURE

A. Single-family residences - 600 square feet

B. Two family residences - 500 square feet per dwelling unit

C. Multiple family residences - 400 feet per dwelling unit.

(8) MAXIMUM HEIGHT - None

(9) MINIMUM OFF-STREET PARKING: As per Article VIII - Off-Street Parking, Loading and Unloading Regulations.

SECTION 11.31 PUD - PLANNED UNIT DEVELOPMENT DISTRICT

1. DISTRICT PURPOSE: This district is intended for the development of land areas, in accordance with approved development plans. The district is intended to offer flexibility of design and to encourage imaginative, functional, high quality land planning and development which is compatible with adjacent and nearby lands and activities. If approved by the Board of County Commissioners, planned unit development may either be platted subdivisions or may be unplatted condominium projects wherein the land remains in a single parcel.
2. USES PERMITTED: A Statement of Intent shall be submitted with the application stating the primary uses and supporting uses of the development. Every Planned Unit Development shall be designated to be used primarily for residential, commercial or industrial purposes, and other uses, if included, shall be subordinate to the primary uses. Land proposed for development under the "PUD" District may contain a mixture of residential, commercial, recreational and/or other uses. The amount of land and percentage of development devoted to each use shall be clearly identified and submitted with the application.

3. APPLICATION PROCEDURE: Applicants seeking to rezone lands to the "PUD" District shall submit, as part of the rezoning petition, a proposed development plan for the land involved.

The applicant shall submit a tentative land use sketch to the Planning Commission for review as a preliminary step prior to submitting the rezoning request.

After completion of the preliminary review, the applicant shall prepare a Proposed Development Plan and submit the rezoning Petition.

4. STANDARDS: In their analysis of the rezoning petition and the proposed development plan, and prior to official action recommending in favor of or approving the petition and plan, the approving authorities shall determine that the following standards and conditions are met:

- A. Land uses within the development shall be appropriate in their proposed location; in their relationships to each other; and in their relationships with uses and activities on adjacent and nearby properties.
- B. The development shall comply with applicable county plans and planning policies, and shall have a beneficial effect both upon the area of the county in which it is proposed to be established and upon the County as a whole.
- C. The total land area within the development, and the area devoted to each functional portion of the development, shall be adequate to serve its intended purpose.
- D. Streets, utilities, drainage facilities, recreation areas, building heights, sizes and yards, and vehicular parking and loading facilities shall be appropriate for the particular uses involved, and shall equal or exceed the level of design and construction quality required of similar land development elsewhere in the County.
- E. Visual character and community amenities shall be equal or better in quality than required by standard zoning districts for similar development.
- F. Land development and building standards shall be equal to those of regular zoning districts or, if varied, sufficient to carry out the intent of the Zoning Regulations. Any and all Variances of land development and building standards from those of regular zoning districts shall be clearly identified and quantified, and shall be included as part of the Proposed Development Plan.

- G. Areas proposed for common ownership shall be subject to a reliable and continuing maintenance guarantee.
- H. In the case of developments which are to be constructed in several units, the proposed units shall be shown on the overall development plan. The proposed construction units shall individually comply with the standards set forth in order that, if for any reason construction ceases prior to completion of the entire planned development, the resulting partially complete project will adequately serve its purchasers and occupants, and will not cause a general public problem.
- I. Maximum density for any residential use or group of uses shall not exceed the maximum density permitted for the same type of use in zoning districts.
- J. Any tract of land for which a PUD application is made shall be owned or controlled by a single person, or corporation, or group of individuals or corporations, and the application shall be filed jointly by all persons or corporations which own or control the tract of land.

If such a tract of land is owned or controlled by more than a single person or corporation, assurances shall be given that the project can be successfully carried out as specified on the plan of development.

EFFECT OF REZONING LAND TO "PUD" DISTRICT: Upon the rezoning of land to "PUD" District, the approved development plan, along with such requirements, safeguards, modifications, or stipulations as may have been included by the Board of County Commissioners in their rezoning action, shall be the basis for issuance of all building permits, zoning clearances, and certificates of occupancy by the County. Deviation from the approved development plan or failure to comply with any requirement, safeguard, modification or stipulation imposed by the County at the time of rezoning land to the "PUD" District shall constitute a violation of the Zoning Regulations.

CHANGES IN THE DEVELOPMENT PLAN: Any proposed change of an approved development plan shall be submitted and processed in the same manner as an original application for establishment of a "PUD" District. If the proposed change involved only a portion of the approved development plan, the requirement that the area included within the petition be at least ten acres shall not apply.

GUIDELINES FOR DEVELOPMENT: The following criteria shall be used for formally submitting an official request for a Planned Unit Development Project, applicants shall prepare and submit in addition to adhering to the above:

- A. The name and address of the owner, and, if applicable, evidence of the assignment of an agent who represents the owner.
- B. Plats and/or metes and bounds description of the area within the PUD.
- C. Evidence of unified control of the entire area within the PUD with all owners within the area of same identified.
- D. Contour lines at no greater than one foot interval, date and source of topographic survey. North point, scale, and date of plan.
- E. Natural features within the site, including drainage ways, bodies of water, and wooded areas, mean high water lines, salt barrier lines and bulkhead lines shall be shown where appropriate.
- F. Land area in acres including water area if applicable.
- G. Land uses proposed.
- H. Street pattern and a notation as to whether streets are proposed to be public or private.
- I. Street and sidewalk right-of-way widths and pavement widths, and the interconnection, if any, with existing as proposed streets and sidewalks outside the development.
- J. Open spaces and recreation areas.
- K. Commonly owned and used areas and the method by which they will be managed and maintained.
- L. Areas, if any, proposed to be conveyed, dedicated, or reserved for public or semi-public purposes.
- M. Building sites.
- N. Actual or maximum buildings heights.
- O. Actual or minimum yard dimensions.
- P. Actual or minimum building floor areas.
- Q. Actual or minimum useable open space per dwelling units.
- R. Actual or minimum off-street vehicular parking and off-street loading spaces.
- S. Utilities to be provided, and easements therefore.
- T. Means for handling surface water run off and avoiding flooding problems.

8. ADDITIONAL INFORMATION: The Planning Commission may request any additional information they may deem necessary for a logical determination on the entire project.

SECTION 11.32 CT-4 Commercial Tourist District

1. DISTRICT PURPOSE: The provisions of this district are intended to apply to an area of high density residences serving both transients and residents. Absence of height limitations are intended to encourage high rise developments with appropriate safeguards to regulate density and other development characteristics.
2. USES PERMITTED: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:
 - A. PRINCIPAL USES:
 - 1) Hotels, apartment hotels, motels, and multiple family dwellings.
 - B. ACCESSORY USES:
 - 1) Customary accessory uses and structures, including covered parking areas.
 - 2) Shops, personal service establishments, eating or drinking establishments, dancing and staged entertainment facilities, meeting rooms and auditoriums, when such uses are an integral part of a multiple-family residence, apartment hotel or motel subject to the provisions of Section 5.10 of these regulations.

(3) Signs as permitted in Section 11.34-Sign Regulations.

- C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:
 - 1) Non-commercial boat launching facilities, and multiple docking areas.
 - 2) Recreational clubs, intended to serve the surrounding residential area.
 - 3) Churches and other places of worship.
 - 4) Marinas.
 - 5) Fraternal and social clubs, subject to the provisions of Section 5.10 of these regulations.
 - 6) Restaurants.

3. MAXIMUM DENSITY PERMITTED:

- A. The maximum density for transient hotel and motel units and apartment hotels which do not have cooking facilities in the dwelling units shall be 35 dwelling units per net acre.
- B. The maximum density for transient hotel and motel units, apartment hotels and multiple family dwellings which contain cooking facilities in the dwelling units shall be 20 dwelling units per net acre.

4. MINIMUM LOT AREA: 15,000 square feet.

5. MINIMUM LOT WIDTH: 150 feet average between front and rear lot lines.

6. MINIMUM YARDS:

- A. Front Yard: 30 feet plus one foot for each two feet of building height over 45 feet.
- B. Side Yard: 15 feet plus one foot for each two feet of building height over 45 feet.
- C. Rear Yard: 25 feet plus one foot for each two feet of building height over 45 feet.
- D. Gulf Frontage: 75 feet from the mean high water line, regardless of building height.

7. MINIMUM FLOOR AREA FOR EACH DWELLING UNIT:

- A. Residence dwelling units and transient dwelling units with cooking facilities - 400 square feet.
- B. Transient dwelling units without cooking facilities-300 square feet.

8. MAXIMUM HEIGHT: 75 feet above grade.

9. MINIMUM OFF-STREET PARKING:

- A. Multiple-family dwellings and transient lodging facilities which provide cooking facilities in the dwelling units: one and one half (1 1/2) spaces per dwelling unit.
- B. Transient lodging facilities which do not provide cooking facilities in the dwelling units: one and one fourth (1 1/4) spaces per dwelling unit for the first 100 dwelling units, one space per dwelling unit for the next 150 dwelling units, one half (1/2) space per dwelling unit thereafter.
- C. Meeting rooms or auditoriums which will accommodate 100 or more persons, restaurants and cocktail lounges: 60% of the spaces which would be required if these uses were not associated with a multiple-family dwelling or transient lodging facility. Required off-street parking shall be provided either on the same site it serves, or within 600 feet of said site, on land zoned other than for single-family residences.

9. MINIMUM OFF-STREET PARKING: (Continued)

- D. For every four (4) spaces provide within the proposed confines of the structure on the ground floor, whether above or below grade, the maximum density permitted may be increased by one (1) dwelling unit per net residential acre.

10. OPEN SPACE REQUIREMENTS: The minimum open space requirements for apartments, hotels and multiple dwellings must still be met regardless of the amount of decked parking.

SECTION 11.33 CT-5 Commercial Tourist District

1. DISTRICT PURPOSE: The provisions of this district are intended to apply to an area of high density residences serving both transients and residents. Absence of height limitations are intended to encourage high rise developments with appropriate safeguards to regulate density and other development characteristics.
2. USES PERMITTED: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or part, for other than the following:
 - A. PRINCIPAL USES:
 - 1) Hotels, apartment hotels, motels, and multiple-family dwellings.
 - B. ACCESSORY USES:
 - 1) Customary accessory uses and structures, including covered parking areas.
 - 2) Shops, personal service establishments, eating or drinking establishments, dancing and stage entertainment facilities, meeting rooms and auditoriums, when such uses are an integral part of a multiple-family residence, apartment hotel or motel subject to the provisions of Section 5.10 of these regulations.
 - 3) Signs as permitted in Section 11.34-Sign Regulations.
 - C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:
 - 1) Non-commercial boat launching facilities, and multiple docking areas.
 - 2) Recreational clubs, intended to serve the surrounding residential area.

C. PROVISIONAL USES: (Continued)

3) Churches and other places of worship.

4) Marinas.

5) Fraternal and social clubs, subject to the provisions of Section 5.10 of these regulations.

3. MAXIMUM DENSITY PERMITTED:

A. The maximum density for transient hotel and motel units and apartment hotels which do not have cooking facilities in the dwelling units shall be 50 dwelling units per net acre.

B. The maximum density for transient hotel and motel units, apartment hotels and multiple family dwellings which contain cooking facilities in the dwelling units shall be 25 dwelling units per net acre.

4. MINIMUM LOT AREA: 25,000 square feet.

5. MINIMUM LOT WIDTH: 150 feet average between front and rear lot lines.

6. MINIMUM YARDS:

A. Front Yard: 30 feet plus one foot for each two feet of building height over 45 feet.

B. Side Yard: 15 feet plus one foot for each two feet of building height over 45 feet.

C. Rear Yard: 25 feet plus one foot for each two feet of building height over 45 feet.

D. Gulf Frontage: 75 feet from the mean high water line, regardless of building height.

7. MINIMUM FLOOR AREA FOR EACH DWELLING UNIT:

A. Residence dwelling units and transient dwelling units with cooking facilities - 400 square feet.

B. Transient dwelling units without cooking facilities - 300 square feet.

8. MAXIMUM HEIGHT: None.

9. MINIMUM OFF-STREET PARKING:

A. Multiple family dwellings and transient lodging facilities which provide cooking facilities in the dwelling units: one and one half (1 1/2) spaces per dwelling unit.

9. MINIMUM OFF-STREET PARKING: (Continued)

- B. Transient lodging facilities which do not provide cooking facilities in the dwelling units: one and one fourth (1 1/4) spaces per dwelling unit for the first 100 dwelling units, one space per dwelling unit for the next 150 dwelling units, one half (1/2) space per dwelling unit thereafter.
 - C. Meeting Rooms or auditoriums which will accommodate 100 or more persons, restaurants and cocktail lounges: 60% of the spaces which would be required if these uses were not associated with a multiple-family dwelling or transient lodging facility. Required off-street parking shall be provided either on the same site it serves, or within 600 feet of said site, on land zoned other than for single-family residences.
 - D. For every four (4) spaces provided within the proposed confines of the structure on the ground floor, whether above or below grade, the maximum density permitted may be increased by one (1) dwelling unit per net residential acre.
10. OPEN SPACE REQUIREMENTS: The minimum open space requirements for apartments, hotels and multiple dwellings must still be met regardless of the amount of decked parking.

SECTION 11.34 SIGN REGULATION

I. DISTRICT PURPOSE: The purpose of this article is to harmonize by regulations the legitimate purpose of signs; that is, the identification and promotion of the seller to the buyer, with public purposes of safety, health, and welfare. The public purposes most directly expressed in the regulations of signs in Collier County are traffic safety and the economic aesthetic welfare of the County as related to the quality of development. These economic bases depend upon the County's ability to maintain its reputation as an attractive area in which to visit and live.

II. A. GENERAL PROVISIONS, REQUIREMENTS AND SPECIFICATIONS:

1. All signs must conform to the State and the County statutes, codes and regulations, and also to the Southern Standard Building Code where applicable.
2. Signs erected by the County, State, or Federal governments are not regulated by this regulation.
3. No sign shall be placed or permitted as a principal use on any vacant property, in any zoning district, except as provided for in this ordinance.
4. All signs shall adhere to the required setbacks and shall be located within the permitted building area, except entrance and gate signs which may be located at property lines.
5. Entrance and exit signs may be placed at appropriate places, but not in the right-of-way.

B. MEASUREMENT OF SIGN AREA:

1. The area of a sign shall be measured from the outside edges of the sign or the sign frame, whichever is greater, excluding the area of the supporting structures, provided that the supporting structures are not used for advertising purposes and are of an equal to or less than the permitted sign class area.
2. Double faced signs shall be measured by only one side if both sides are advertising the same business, commodity or service.

C. PERMITS AND FEES:

1. A permit for a sign shall be issued by the Zoning Department prior to the issuance of a building permit. (See also Chapter XXIII of the Collier County Building Code).
2. A sign permit fee shall be collected by the Building Department, pursuant to any additional fees associated with the issuance of a building permit.

FEE SCHEDULE

Class	Fee
A	\$25
B	\$15
C	\$10
D	\$5
E	\$5
F	\$5
G	\$5
H	Equivalent to corresponding class
I	Equivalent to corresponding class

3. **Reinspection Fee:** The enforcement officer shall inspect at least once annually every sign, for which a permit is required, for its compliance with these regulations.

- a. The annual fee for such inspection shall be \$5.00 per sign or advertising structure.
- b. The reinspection fee, to be collected by the Building Department, shall be due within fifteen (15) days after notification by the enforcement officer.

D. REMOVAL OR ALTERATION OF SIGNS:

1. Any advertising sign or structure which advertises a business which is no longer in existence or any sign which is unsafe or insecure, or is a menace to the public or has been constructed or erected on or over public property to a greater extent than is permitted shall be taken down and removed by the owner, agent, or person having the beneficial use of the building, structure, or land upon which such a sign may be found, within thirty (30) days after written notification from the Planning and Zoning Department.

If said party fails to remove such sign or structure within thirty (30) days after notice, such sign shall be classified as abandoned sign and may be removed by the County at the expense of said party.

2. A non-conforming sign shall not be relocated elsewhere, unless it meets the requirements set forth in this regulation.
3. All sign alterations shall be subject to Section 7.5 of the Collier County Zoning Regulations.

E. TERMINATION REQUIREMENTS FOR NON-CONFORMING SIGNS:

1. All non-conforming temporary signs, banners, pennants, string lights, A-frame signs, signs displaying flashing or intermittent lights, and moving or rotating signs shall be discontinued within three (3) months from the date of their non-conformity.
2. Signs in violation of II A.3 shall be removed within one (1) year from the date of their non-conformity.
3. All other non-conforming signs and advertising structures shall be discontinued or made to conform within five (5) years from the date of their non-conformity.

F. CONFLICT WITH STATE OR FEDERAL REGULATIONS:

Whenever the issuance of a permit in conjunction with the requirements of these regulations would result in the construction or maintenance of an outdoor advertising sign or structure in violation of any existing County, State, or Federal law or regulation, then such permit shall not be issued.

G. APPEAL PROCEDURES:

Refer to Chapter 28.14 of the Collier County Code.

III. A. DEFINITIONS: For the purpose of this section, the following words have the following meanings:

1. **Abandoned Sign** - A sign is considered abandoned if a business advertised on that sign is no longer licensed, no longer has a certificate of occupancy, or is no longer doing business at that location.
2. **Advertising Sign** - A sign directing attention to a business, commodity, service, or entertainment conducted, sold or offered, either on premises or off premises.

3. **Advertising Structure** - Any structure erected for advertising purposes with or without any advertisement display thereon, situated upon or attached to real property, upon which any poster, bill, printing, painting, device or other advertisement may be placed, posted, painted, tacked, nailed, or otherwise fastened, affixed, or displayed; provided, however, that said term shall not include buildings.
4. **Animated Signs** - A sign with action or movement, whether by flashing lights, or color changes, wind, rotation, movement of any parts of the sign or letter or parts of the sign structure or any other motion.
5. **Billboards** - An off-premise sign (of more than 100 square feet). Any framework for signs advertising merchandise, services, or entertainment sold, produced, manufactured or furnished at a place other than the location of such structure.
6. **Bulk Permit** - A permit issued for any number of political signs.
7. **Bulletin Board** - An on-premises sign of permanent character, but with removable letters, words, or numerals indicating the names of persons associated with, or events conducted upon, or products or services offered upon the premises upon which such sign is maintained. This may be a free-standing sign, a marquee, or a wall sign.
8. **Canopy** - A permanent roof structure that does not project over public property, which may be free-standing, attached to a building, or supported in whole or in part by a building.
9. **Combination Sign** - A sign which is made up of two (2) or more signs, exclusive of billboards.
10. **Combination Farm Sign** - A temporary sign used for the purpose of identifying the owner or operator of a farm and the product produced on the farm which sign may also incidentally identify the contract buyer of the product.
11. **Construction Sign** - A temporary sign placed in advance of occupancy of a building or structure indicating the name of the building or structure, the architects, the contractors and other information regarding the building or structure.
12. **Directional Sign** - A sign designed to guide or direct pedestrians or vehicles.
13. **Double Faced Sign** - A sign having two (2) display surfaces, not necessarily displaying the same copy, which are usually parallel and back to back and not more than 24" apart.
14. **Double Decker Sign** - Two (2) or more billboards erected so that one is on top of the other.
15. **Farm Organization Sign** - A sign used for the purpose of indicating membership in a farm organization, such as Cattle-men's Association, Four-H Club, Farm Bureau, and the like.
16. **Free Standing Sign** - A sign supported by one or more poles, columns, uprights, or by other structural supports or the ground separated from a building. (also referred to as a Ground Sign-Section 2301. 2B, Southern Standard Building Code).
17. **Gate or Entrance Sign** - A sign attached to an entrance gate or entrance structure which identifies a permitted use.
18. **Height** - The vertical distance from the average crown of the road or the finished elevation at the base of the supporting structure whichever is lower, to the top of the sign, or its frame or supporting structures whichever is higher.

19. Major Intersection - The intersection of a Federal, State or County highway.
20. Marquee - A roofing structure projecting over an entrance of a building.
21. Marquee Sign - A sign attached to or constructed on a marquee.
22. Multi-Face Sign - A sign which is made up of three (3) or more faces.
23. Non-Conforming Sign - A sign or advertising structure existing on the effective date of this ordinance, which by its height, square foot area, location, use or structural support does not conform with the requirements of this section.
24. Off-Premise Sign - A sign not located on the same premises as the principle business, product, service, or activity being identified or advertised.
25. On-Premise Sign - A sign containing copy relating only to the principle business, product, service or activity conducted or sold on the same premises as that on which the sign is located.
26. Outdoor Advertising Sign - An off-premise sign.
27. Permanent Sign - A sign not specifically designated as being temporary.
28. Political Sign - A sign promoting, advertising, or identifying a political party, candidate, or issue.
29. Portable Sign - A sign not affixed to the ground or to a structure or only affixed by means of tie-down straps.
30. Projecting Sign - A sign mounted on the vertical surface of a building or structure in such a manner that all of the display surfaces are not parallel to the supporting structure.
31. Roof Sign - Any sign erected or constructed upon a roof and projecting wholly or partially above the crown of the roof.
32. Safety Sign - A sign used only for the purpose of identifying and warning of dangers.
33. Sandwich Sign - See Portable Sign.
34. Shopping Center, Plaza or Mall - A group of two or more retail and service establishments located on commonly owned property, sharing the same parking facilities and connected together by common walks, interior aisles or malls.
35. Sign - Any writing (including letter, word or numeral); pictorial representation (including illustration or decoration); emblem (including device, symbol, or trademark); flag (including banner or pennant); or any other figure of similar character, which: is designed to advertise or give direction to any business, product, service or other related function.
36. Street Frontage - That portion of the lot which borders on the street; Corner lots have two (2) frontages.
37. Strip Lighting - A continuous series of linear exterior lights designed to illuminate a sign or a structure.
38. Surface Area of a Sign - The actual area which may be covered by letters or symbols applied to a background.
39. Temporary Sign - A sign intended to advertise community or civic projects, construction projects, or other special events on a temporary basis for a designated period of time.

40. Wall Sign - A sign affixed in any manner to any exterior wall of a building or structure and which is parallel to and projects not more than eighteen (18) inches from the building or structure wall and which does not extend more than six (6) inches above the parapet wall or roof of the building on which it is located. Signs which are on architectural projections which do not extend more than six (6) inches above the roof or parapet wall of the building area, for the purpose of this article, are wall signs.

B. CLASSES OF SIGNS:

1. Class "A" (Billboards)

- a. One hundred (100) square feet minimum
- b. Five hundred (500) square feet maximum

2. Class "B"

- a. One hundred (100) square feet maximum

3. Class "C"

- a. Forty (40) square feet maximum

4. Class "D"

- a. Twelve (12) square feet maximum

5. Class "E"

- a. Six (6) square feet maximum

6. Class "F"

- a. Four (4) square feet maximum

7. Class "G"

- a. Two (2) square feet maximum

8. Class "H"

One sign with an area not more than twenty (20) percent of the total square footage of the front wall to which it shall be affixed, with a maximum of 250 square feet.

9. Class "I"

One hundred (100) square feet for the first hundred feet of frontage plus fifty (50) square feet for each additional hundred (100) feet of frontage with a maximum area of two hundred fifty (250) square feet.

IV. DISTRICT REGULATIONS:

- A. SIGNS IN E-SUBURBAN ESTATES, SINGLE FAMILY, MULTI-FAMILY, MHSD. AND MHTT. DISTRICTS: (Maximum Height-Twelve (12) feet)

1. One CLASS "B" on each major entrance to development
(Maximum of two (2))
 - a. Free Standing
 - b. Entrance or Gate Sign
 2. One CLASS "D" per non-conforming use
 - a. Wall
 3. One CLASS "E" on premise sign per home occupation or non-residential permitted use.
 - a. Wall
 4. One CLASS "C" wall sign advertising only the name of a Multi-Family residential building.
- B. SIGNS IN CP, C-1, C-2, and C-3 DISTRICTS: (Maximum Height twenty-five (25) feet)
1. One CLASS "B" on-premise sign (For lots with one hundred fifty (150) feet or more of frontage)
 - a. Free Standing
- OR
- One CLASS "H" on-premise sign (no maximum height)
- a. Wall
 - b. Marquee (Maximum projection six (6) inches)
2. Shopping Centers:
- a. One CLASS "I" free standing sign (applicable to parcels with one hundred (100) foot frontage or more)
 - b. One CLASS "H" per rental unit
 1. Wall
 2. Marquee (maximum projection 6")
- C. SIGNS IN C-4 AND I-IND. DISTRICTS: (Maximum Height twenty-five (25) feet)
1. One CLASS "A" (Billboard) only on vacant property with one hundred (100) feet or more of frontage and subject to provisions of Section V of this Article.
 2. One CLASS "H" on-premise sign
 - a. Wall
 - b. Marquee (Maximum Projection six (6) inches)
- OR
- One CLASS "B" on-premise sign (For lots with one hundred fifty (150) feet or more of frontage)
- a. Free Standing
- D. SIGNS IN GC-GOLF COURSE DISTRICT: (Maximum Height twelve (12) feet)
1. One CLASS "B" on-premise sign at the entrance
 - a. Wall
 - b. Gate
 - c. Free Standing

E. SIGNS IN CT-4 AND CT-5 DISTRICTS: (Maximum Height twenty-five (25) feet)

1. One CLASS "B" on-premise sign
 - a. Free Standing Combination Sign
 - b. Free Standing

OR

2. One CLASS "H" on-premise sign
 - a. Wall
 - b. Marquee (Maximum projection six (6) inches)

One CLASS "E" per accessory use

- a. Wall
- b. Projecting

F. SIGNS IN A-1 AND A-2 DISTRICTS: (Maximum Height twenty-five (25) feet)

1. One or more CLASS "A" (Billboard on vacant A-1 and A-2 property and subject to the provisions of Section V of this article.
2. One CLASS "B" per frontage and only for Permitted Agricultural uses.
 - a. Free Standing
3. One CLASS "C" per frontage and only for Permitted Non-Agricultural Uses.
 - a. Wall
 - b. Free Standing
 - c. Bulletin Board
 - d. Marquee (Maximum projection six (6) inches)
4. One or two CLASS "E" signs for home occupation
 - a. Non-illuminated Wall Sign

V. BILLBOARDS:

- A. No billboard shall be located or placed on a plot closer than two hundred (200) feet to a parcel containing a church, public or private school, public park or playground, beach, greenbelt area, cemetery, or residence.
- B. Maximum Height - thirty (30) feet.
- C. Maximum Length - fifty (50) feet.
- D. Location:
 1. Billboards may be located on vacant C-4 and I-Ind. property with one hundred (100) feet or more of frontage.
 2. Billboards may be located on vacant A-1 and A-2 property also and shall be set back six hundred sixty (660) feet from a common right-of-way, (See Chapter 479 of Florida State Statutes) and there shall be a minimum distance of 2,640 feet between any two (2) billboards along the same side of a common right-of-way except at a major intersection.

VI. CONSTRUCTION SIGNS: (See also the Temporary Permit Section of the Zoning Regulations)

A. One CLASS "B" per gate or entrance

1. Free Standing
2. Gate or entrance

B. One CLASS "E" per principal building or lot on-premise sign

1. Free Standing
2. Wall

VII. POLITICAL SIGNS:

- A. Political signs, advertisements, handbills, or billboards may be used for such purpose and shall be placed in the County in accordance with the Zoning Regulations. Such political signs shall be removed within a two (2) week period following the particular election that is involved.
- B. A bulk permit for political signs of Class, D,E,F, or G may be approved by the Zoning Administrator.
- C. Failure to remove and clean-up the permitted signs within the two (2) week period will result in violation of this regulation.

VIII. REAL ESTATE SIGNS: For the sale or rental of acreage, homes, property, and items of a similar nature, may be erected without a permit but must conform with this regulation in all other aspects.

A. One CLASS "E" on-premise

1. Free Standing
2. Wall

IX. SERVICE STATION SIGNS: Maximum Height 30 feet.

A. One CLASS "B" on-premise sign

1. Free Standing

X. PROHIBITED SIGNS IN ALL DISTRICTS:

- A. Animated signs.
- B. Neon type signs in all but Commercial and Industrial Districts.
- C. Portable signs except in accordance with the provisions of the Temporary Permit Section of the Zoning Regulations.
- D. Strip lighting and projecting signs over the right-of-way.
- E. Roof signs.
- F. Banners or flying paraphernalia.
- G. Any sign that is contemptible, vile, obscene, degrading or detracting from the surrounding neighborhood as determined by community standards.
- H. Any sign which creates a traffic hazard or affects public safety adversely as determined by the Zoning Administrator.

- XI. WAIVER OF REQUIREMENTS: The Board of County Commissioners may waive any requirement of this ordinance which in its opinion is of a minor nature and not contrary to the intent and purpose of the objectives of this ordinance.

Such waiver shall be made only after public hearing before the Coastal Area Planning Commission and upon receipt of said body's recommendation.

- XII. SPECIAL USES: The Zoning Administrator may permit the following signs after an on-site investigation of the subject premises:

- A. Directional, safety, and other signs of a non-commercial nature subject to the following criteria:

1. The sign is necessary in the public interest.
2. The sign is of four (4) square feet in area or less.
3. The maximum height is not to exceed five (5) feet.
4. The sign is a minimum distance of fifteen (15) feet to any right-of-way.

- B. Temporary signs for Sales and Sports Events:

1. In the case of temporary sales such as Christmas tree sales, grand openings, going out of business sales (exclusive of garage sales, lawn sales and similar private home sales), special promotional sales, and sports events, the director may grant a non-renewable two-week permit for the placement of temporary signs.
2. Such temporary signs shall be subject to the requirements set forth as to height, size, and location of signs within the specific district; and also subject to the applicable restrictions of this regulation.
3. If the temporary use is not discontinued upon expiration of the permit, it shall be deemed a violation of the Zoning Ordinance and shall be subject to the penalties therein.

SIGN PERMIT APPLICATION
(Original)

Name of Applicant (Firm)		Street Address	
City	State	Zip Code	Date of Application
LOCATION OF BILLBOARD, SIGN OR STRUCTURE			
Highway Number US _____ FLA. _____		Nearest Building	City or Town
Miles from Building or Structure _____ Miles _____ North _____ East _____ South _____ West		Dimensions Height _____ Ft. Width _____ Ft.	
Sign Material _____ Combination _____ Wood _____ Metal _____ Lighted _____		No. of Faces	Shape _____ Rectangular _____ Circular _____ Square _____ Triangular _____ Other _____
Copy (Name of Product, Attraction, Place, Firm, Person, Service or Event Advertised)			
Date To Be Erected		Firm or Person By Whom Erected	
Class of Sign	Check One (✓)	Cost of Sign	Fee
Class A			
Class B			
Class C			
Class D			
Class E			
Class F			
Class G			
Class H			
Class I			
CERTIFICATION I, _____ hereby certify that the statements made and the information given in this application are true and correct, that the sign meets all the requirements of Section 11.37 of the Collier County Zoning Regulations (Coastal Area) & Chapter 23-Signs & Outdoor Displays, Southern Standard Building Code.			
SIGNATURE OF APPLICANT OR REPRESENTATIVE			
OUTDOOR ADVERTISING PERMIT (Zoning Use Only) Pursuant to and subject to the provisions of Section 11.37, Collier County Zoning Regulations, and in consideration of the statements made and payment of the required fee by the applicant, this Permit is hereby issued for the erection, maintenance, and use of the advertisement, advertising sign, or advertising structure identified on the application and by this assigned permit number. Also subject to Chapter 23, Southern Standard Building Code.			
County Approval:		Date Received	Receipt No.
BY: _____			
DATE: _____			
Distribution: Copy 1. Zoning Dept. Copy 2: Applicant		WARNING: This permit is valid for one sign face at the location indicated and not transferable to other locations. A separate permit is required for each sign face.	

FEES: 25% of cost of the sign with a minimum fee of \$5.00.

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Amended July 10, 1973

SECTION 135 FENCE REGULATION.

1. DISTRICT PURPOSE: The provisions of this article are intended to regulate and limit the height, area and location of fences in Residential and Non-residential areas, and to provide for the administration and enforcement of this regulation.
2. FENCES RESIDENTIAL:
 - A. In any residential district no closed wall or fence shall be erected or maintained within twenty (20) feet from the corner intersection of street right-of-way.
 - B. Fences or walls outside of front building line shall be limited to a maximum height of four(4) feet. A fence or wall shall be limited to a maximum height of six(6) feet in the rear and side yards.
 - C. No barbed wire, spire tips, sharp objects, or electrically charged fences shall be erected in any residential area or district.
 - D. Fences shall be treated as a structure for building permit purposes, and a permit shall be obtained prior to erection. Setbacks shall remain measured from the principal structure.
3. FENCES IN NON-RESIDENTIAL DISTRICTS:
 - A. Fences involving agricultural purposes are exempt from height and type of construction.
 - B. Fences in Commercial and Industrial Districts are limited to eight(8) feet in height with the restriction to be lifted if an extreme emergency exists. The County Commission is authorized to allow a variance in height.
 - C. All fences shall be of sound, sturdy construction and not detract from the neighborhood.
 - D. Barb wire is authorized in all non-residential districts but shall be limited to three (3) strands.
 - E. No fence shall block the view of passing motorists or pedestrians so as to constitute a hazard.

Section 11.36 FALLOUT SHELTERS

1. DISTRICT PURPOSE: The purpose of this district is to regulate fallout shelters in relation to location, height, area, and utilization.
2. LOCATION:
 - A. One (1) family shelters shall be permitted in any single-family zoning classification district.
 - B. Community shelters shall be permitted in all multi-family, mobile home subdivision, and mobile home travel trailer park zoning classification districts only after Public Hearing by the Planning Commission and approval by the Board of County Commissioners.
 - C. Display shelters for commercial purposes shall not be occupied and shall be permitted in Commercial and Industrial zoning classification districts only.
3. DEFINITIONS: The following terms used in this regulation are defined as follows:
 - A. Above ground - entirely above the natural grade of the property, excepting the foundation.
 - B. Under ground - entirely below the natural grade of the property, excepting vents(not to exceed thirty six (36) inches in height) and entrance ways(not to exceed thirty six (36) inches in height when in open position).
4. SPECIFICATIONS:
 - A. All structures constructed as fallout shelters shall be those types approved by or in accordance with plans issued by the Office of Civil Defense; provided, however, any plans of structures erected prior to this regulation shall bear the signature and seal of a Florida architect or professional engineer. Such plans shall be subject to review by the Building Official of Collier County.
5. SETBACKS:
 - A. Above ground fallout shelters shall be considered as

accessory structures and as such must meet the setback requirements for an accessory structure.

- B. No accessory fallout shelter may be erected on any lot on which there is no principal structure.
- C. A fallout shelter may be attached to a principal structure, provided it meets with the same setback requirements as the principal structure.
- D. Underground fallout shelters may be located any where on the property in question; provided the entrance to the shelter and the vent pipes are the only portions thereof which are above ground or above the normal grade level.

6. UTILIZATION PERMITTED:

- A. All structures constructed under these regulations for use as a fallout shelter shall be for emergency use only and shall not be used as a habitable dwelling facility except by the occupants of the principal building under the terms of this regulation.

7. LANDSCAPING:

- A. All fallout shelters shall be landscaped so as not to appear obnoxious or detrimental to the neighborhood.

8. PERMIT REQUIRED:

- A. A building permit shall be issued for all fallout shelters whether above or underground prior to the construction being started.

9. EXCEPTIONS:

- A. A temporary fallout shelter may be constructed outside of but attached to a single-family unit during a period of increased international tension. The design must be in accordance with plans issued by the office of Civil Defense and will be subject to inspection. A special permit shall be obtained to construct a temporary fallout shelter.
- B. Temporary fallout shelters must be removed from the premises within 30 days after the threat of enemy attack ends. Failure to do so may result in a fine or other penalty.