MINUTES
Land Development Regulations Workshop of the Immokalee Community Redevelopment Agency Advisory Committee on
October 01, 2015.
750 South 5th Street, Immokalee, FL

A. Call to Order.
The Workshop was called to order by Mr. Estil Null, CRA Advisory Board member at 5:45 P.M.

B. Roll Call and Announcement of a Quorum.
Advisory Committee/EZDA Members Present:
Jim Wall, Estil Null, Cindy Lozano, and Andrea Halman.
Advisory Committee/EZDA Members Absent/Excused:
Mike Facundo, Martha Williams, Joe Mucha, Frank Nappo, Ski Olesky, and Julio Estremera

Action: A quorum was announced as not being present for all boards.

Staff: Brad Muckel, Christie Betancourt, and James Sainvilus.

C. Introductions.
The board members present and members of the public introduced themselves.

D. Announcements.
Staff gave an overview of the purpose of today’s workshop. We are going to have this workshop to familiarize ourselves with the Form Based Guidelines and the Public Realm Plan. We will make the guidelines adhere to the setback requirements, the architectural features, color palette, and other sort of standards.

August 19, 2015
As you recall at the August 19, 2015 meeting Fred’s Drive Thru came to us to request that we help remove the Main Street Overlay Subdistrict from his property on First Street. Staff provided board with a revised Immokalee Main Street Overlay Subdistrict (MSOSD) Map. Staff came up with two options for the board to review. Option A is to reduce the size of the overlay from First Street through Ninth Street. Option B would be to leave the footprint of that overlay as-is and go through and pick out which prohibited uses you would like to have stricken from the list identified in the overlay language within the current LDC. We also provided the board with the current language in the Land Development Code regarding that overlay. The (Standard Industrial Classification) Code Definitions as Prohibited in the Immokalee Main Street Overlay Subdistrict. Following previous Board direction, Staff would like to codify the Central Business District Form Based Guidelines. After discussion at the August meeting the Advisory board made a motion to reduce the size of the Immokalee Main Street Overlay Subdistrict (IMSOSD) to what is shown of Enclosure 2a (from First Street through Ninth Street.) Motion was approved by a unanimous vote of 7-0.
Board and Staff discussed holding an evening workshop in September to discuss the Central Business District Form Based Guidelines, the Prohibited Uses, and the Permitted Uses.
**September 16, 2015**

At the September 16, 2015 meeting Staff provided board with an update on the Fred’s Drive Thru situation that we had been working on for about two months now. Fred’s Drive Thru is within the Main Street Overlay Subdistrict. Mr. Fred Gaston has a buyer who wants to redevelop the property into a gas station. Currently this use is prohibited in the Main Street Overlay Subdistrict. The CRA will be taking a Land Development Code amendment to the Board of County Commissioners at the next review cycle. We are going to propose that we reduce the size of it and this will allow Fred Gaston to move forward with the sale to all property to become a gas station. This item is also being discussed under new business.

Staff provided board with an update on the LDC Amendment. We have two amendments that we are proposing to bring to the Board of County Commissioners: 1.) Reduce the size of the Main Street Overlay Subdistrict 2.) is to adopt the Form Based Guidelines or Public Realm plan or a hybrid of both that this board put together and which was approved in 2010 by the Board of County Commissioners. Staff briefly reviewed the guidelines with the board.

After much discussion board agreed to have a Special Breakfast Meeting on Tuesday, September 22, 2015 to review each section in detail of the Land Development Code Amendment for Immokalee regarding the Central Business District Form Based Guidelines.

**September 22, 2015**

At the September 22, 2015 Special Meeting After discussion the CRA Advisory Board members present decided to make the guidelines applicable to the areas depicted in the red boundary on Figure 1 and to also include 15th Street Subdistrict depicted by the black boundary.

Board also briefly discussed the Immokalee Commercial Façade Improvement Grant Program. They requested that staff 1) change the liability provisions within the program, 2) hire an Architect to provide renderings of key commercial properties within the CBD, and 3) provide an Opinion of probable Construction Costs (OPC) for the examples to illustrate to the owners the visual impact of a minimal investment.

They also requested that the photographs contained within the document be changed to pictures of Immokalee.

After a considerable amount of discussion between Board members and staff, the Advisory Board suggested that the elements within the Form-Based Design Guidelines by enforced via a sliding scale point-based system in which each specific design element be assigned a point level depending on the cost of the specific element, with developers being required to meet a minimum point threshold in the overall design scheme of their projects. For example, choosing a color from the color palette may be worth 1 point since the developer would be required to paint the building regardless of the regulations, but a clay barrel roof system would be worth 8 points given the expense in adhering to that specific design element in lieu of an asphalt shingle roof. Other items such as decorative roof brackets (page 39 of the Guidelines) may be worth 3 points, whereas variations in the roof line may (page 39)
be worth 8. In other words, the expense of each element would dictate the point level of each design element used by the developer.

Board stopped on Page 34 of the Form Based Guidelines. Board would like for staff to get county staff and an architect or builder involved in these workshops and meetings.

E. Adoption of Agenda.
Agenda was not approved for lack of quorum. Board and public with still follow the agenda and take meeting notes.

F. Communications
1. Public Notices
   Staff reviewed the communications folder with the board members present.

G. Open Discussion
We will be conducting a series of workshops once a month until we review these guidelines.
1. Overlay Maps
   Staff provided board with the Immokalee area Overlay Map

   i. Enforcing documents for Overlays in place
      1. Immokalee Area Master Plan
         Staff provided board with a copy of the existing Immokalee Area Master Plan so they could see what overlays are implemented by the master plan and which ones are a function of the County Land Development Code. The SR29 & Jefferson Avenue Overlay districts are dictated by the Immokalee Area Master Plan, the Agribusiness, Farmers Market, and Main Street Overlays are dictated by the Land Development Code.
Staff read GOAL 1 of the Immokalee Area Master Plan.

GOAL 1: TO GUIDE LAND USE SO AS TO ENHANCE IMMOKALEE’S QUALITY OF LIFE, NATURAL BEAUTY, ENVIRONMENT, SMALL-TOWN CHARACTER, STABLE NEIGHBORHOODS, STATUS AS AN URBAN HUB FOR SURROUNDING AGRICULTURAL REGION, TOURISM INDUSTRY, AND THE IMMOKALEE AIRPORT’S DESIGNATION AS A PORT – OF – ENTRY.

2. Land Development Code

Staff reviewed the LDC section 2.03.07 (G) with the board.

LDC Section 2.03.07(G) – Immokalee Urban Overlay District

G. Immokalee Urban Overlay District. To create the Immokalee Urban Overlay District with distinct subdistricts for the purpose of establishing development criteria suitable for the unique land use needs of the Immokalee Community. The boundaries of the Immokalee Urban Overlay District are delineated on the maps below.
1. **State Road 29 Commercial Overlay Subdistrict**: Special conditions for the properties abutting SR-29, as identified in the Immokalee Area Master Plan; referenced on Map 2; and further identified by the designation “SR29COSD” on the applicable official Collier County Zoning Atlas Maps. The purpose of this designation is to provide for retail, office, transient lodging facilities, and highway commercial uses that serve the needs of the traveling public. These commercial uses must be located on a major arterial or collector roadway. The provisions of this subdistrict are intended to provide an increased commercial depth along SR-29 with development standards that will ensure coordinated access and appropriate landscaping and buffering compatible with nearby residential properties.
2. **Jefferson Avenue Commercial Overlay Subdistrict:** Special conditions for the properties abutting Jefferson Avenue as identified in the Immokalee Area Master Plan; referenced on Map 3; and further identified by the designation “JACOSD” on the applicable official Collier County Zoning Atlas Maps. The purpose of this designation is to provide for retail, office, transient lodging facilities and highway commercial uses that serve the needs of the traveling public. These commercial uses must be located on a major arterial or collector roadway. The provisions of this subdistrict are intended to provide an increased commercial opportunity along Jefferson Avenue with development standards that will ensure coordinated access and appropriate landscaping and buffering to be compatible with nearby residential properties.

![Diagram of Jefferson Avenue Commercial Overlay Subdistrict]

3. **Farm Market Overlay Subdistrict:** Special conditions for the properties identified on Map 4; and further identified by the designation “FMOSD” on the applicable official Collier County Zoning Atlas Maps. The purpose of this designation is to provide for wholesale and retail uses, outdoor agricultural product displays and sales areas, truck parking, and packing houses and associated uses. The provisions of this subdistrict are intended to provide retail and wholesale opportunities for agricultural businesses as well as provide truck parking for agricultural sales but not within roadways and rights-of-way. The development standards contained herein have been designed to enhance and encourage development and redevelopment.

   a. Permitted uses: All permitted uses within the underlying zoning districts, and the following uses, as identified in the Standard Industrial Classification Manual (1987), are permitted as a right in this sub-district.

   1. Agricultural Services (0723)
   2. Wholesale Trade (5148)
   3. Agricultural Outdoor Sales. Outdoor sales of agricultural products are permitted on improved or unimproved properties provided the applicant submits a site development plan which demonstrates that provisions will be made to adequately address the following:

      i. Vehicular and pedestrian traffic safety measures.
      
      ii. Parking for undeveloped properties will be calculated at a rate of 1/250 square feet of merchandise area. A maximum of ten (10) percent of the parking required by
section 4.05.04 of this LDC may be occupied or otherwise rendered unusable by the placement of temporary structures, equipment, signs, and merchandise. The minimum number of disabled parking spaces pursuant to section 4.05.07 shall be required.

iii. Limited hours of operation.

iv. Fencing, lighting.

v. Fire protection measures.

vi. Sanitary facilities.

vii. The applicant shall provide a notarized letter from the property owner granting permission to utilize the subject property for agricultural outdoor sales.

viii. The placement of one (1) sign, a maximum of thirty-two (32) square feet, or two (2) such signs for properties containing more than one (1) street frontage shall be permitted.

ix. Agricultural products may be sold from a vehicle provided that the vehicle is not located in the road right-of-way.

x. Agricultural products may be displayed within any front yard provided it does not adversely affect pedestrian or vehicular traffic or public health or safety and is not located within the road rights-of-way.

xi. A minimum 5-foot landscape buffer shall be required adjacent to any road rights-of-way.

4. Petroleum Bulk Stations and Terminals (5171) and Petroleum and Petroleum Products Wholesalers, (5172 — gasoline: Buying in bulk and selling to farmers — wholesale only) provided:

i. Separation requirements: There shall be a minimum distance of 500 linear feet between the nearest points on any lot or parcel of land containing such proposed operations, and any lot or parcel which is already occupied by such operation, of for which a building permit has been issued.

ii. Waiver of separation requirements: The board of zoning appeals may by resolution grant a waiver of part or all of the minimum separation requirements set forth above pursuant to section 10.08.00

iii. Separation from residentially zoned lands: There shall be a minimum distance of 500 linear feet from all residentially zoned land.

iv. Maximum lot area: Two acres.

c. Accessory uses:

1. Uses and structures that are accessory and incidental to the permitted uses.
4. **Agribusiness Overlay Subdistrict.** Special conditions for the properties identified on Map 5; and further identified by the designation “AOSD” on the applicable official Collier County Zoning Atlas Maps. The purpose of this designation is to provide for wholesale uses and agricultural packing houses and associated uses. The provisions of this subdistrict are intended to provide additional lands for agricultural related businesses and expansion opportunities for existing agribusiness. The **development** standards contained herein have been designed to permit consistent land uses within the AOSD boundary.

a. Permitted uses: All permitted uses within the underlying zoning districts, and the following uses, as identified in the Standard Industrial Classification Manual (1987), are permitted as a right in this sub-district.

1. Agricultural Services (0723)
2. Wholesale Trade (5148)

b. **Accessory uses.**

1. Uses and structures that are accessory and incidental to the permitted uses.
5. **Main Street, Overlay Subdistrict.** Special conditions for the properties identified in the Immokalee Area Master Plan; referenced on Map 7; and further identified by the designation "MSOSD" on the applicable official Collier County Zoning Atlas Maps. The purpose of this designation is to encourage development and redevelopment by enhancing and beautifying the downtown Main Street area through flexible design and development standards.

a. Permitted uses. For all properties within the Main Street Overlay Subdistrict, except for properties hatched as indicated on Map 7, the Main Street Overlay Subdistrict, all permitted uses within the uses within the underlying zoning districts contained within this Subdistrict, and the following uses may be permitted as of right in this Subdistrict:

1. Hotel and motels (7011)
2. Communication towers, as defined in section 5.05.09, subject to the following:
   i. Such tower is an essential service use as defined by subsection 2.01.03 A.4; and
   ii. Such tower may not exceed a height of 75 feet above grade including any antennas attached thereto.

b. Permitted uses. For hatched properties within the Main Street Overlay Subdistrict, all permitted uses within the underlying zoning districts contained within this Subdistrict, and the following uses are permitted as of right in this Subdistrict:

1. All uses allowed in the Commercial Professional District (C-1), of this Code, except for group 7521.
2. Communication towers, as defined in section 5.05.09 subject to the following:

   i. Such tower is an essential service use as defined by subsection 2.01.03 A.4; and
   ii. Such tower may not exceed a height of 75 feet above grade including any antennas attached thereto.

c. Prohibited uses. All uses prohibited within the underlying residential and commercial zoning districts contained within this
Subdistrict, and the following uses, shall be prohibited in the Main Street Overlay Subdistrict:

1. Automobile parking (7521) on all properties having frontage on Main Street, North First Street, South First Street and North 9th Street within the Main Street Overlay Subdistrict.

2. Automotive dealers (5511, 5521, 5531 installation, 5551, 5561, 5571, 5599) on all properties having frontage on Main Street, North First Street, South First Street and North 9th Street within the Main Street Overlay Subdistrict.

3. Gasoline service stations (5541) on all properties having frontage on Main Street and gasoline service stations (5541 with services and repairs as described in section 5.05.05) are on all properties having frontage on North First Street and South First Street within the Main Street Overlay Subdistrict.

4. Primary uses such as convenience stores and grocery stores are prohibited from servicing and repairing vehicles in conjunction with the sale of gasoline, on all properties having frontage on Main Street, North First Street, South First Street and North 9th Street within the Main Street Overlay Subdistrict.

5. Automotive repair, services, parking (7514, 7515, 7521) and carwashes (7542) on all properties having frontage on Main Street, North First Street, South First Street and North 9th Street within the Main Street Overlay Subdistrict.

6. Radio and television repair shops (7622 automotive) is prohibited on all properties having frontage on Main Street, North First Street, South First Street and North 9th Street within the Main Street Overlay Subdistrict.

7. Outdoor storage yards and outdoor storage are prohibited within any front, side or rear yard on all properties within the Main Street Overlay Subdistrict.

8. Drive-through areas shall be prohibited on all properties having frontage on Main Street, North First Street, South First Street and North 9th Street within the Main Street Overlay Subdistrict.

9. Warehousing (4225).

10. Communication towers, as defined in section 5.05.09 of this Code, except as otherwise permitted in this Subdistrict.

11. Any other heavy commercial use which is comparable in nature with the forgoing uses and is deemed inconsistent with the intent of this Subdistrict shall be prohibited.

d. Accessory uses.

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

2. Communication towers, as defined in section 5.05.09 subject to the following:

   i. Such tower is an essential service use as defined by subsection 2.01.03 A.4.; and

   ii. Such tower may not exceed a height of 75 feet above grade including any antennas attached thereto.

e. Conditional uses.

1. Conditional uses of the underlying zoning districts contained within the subdistrict, subject to the standards and procedures established in section 10.08.00 and as set forth below:

   i. Local and suburban passenger transportation (4131, 4173) located upon commercially zoned properties within the Main Street Overlay Subdistrict.
ii. Communication towers, as defined in section 5.05.09 of this Code for essential service uses as defined by subsection 2.01.03 A.4 that exceed a height of 75 feet above grade including any antennas attached thereto.

f. Special requirements for outdoor display and sale of merchandise.

i. Outdoor display and sale of merchandise, within the front and side yards on improved properties, are permitted subject to the following provisions:

a) The outdoor display/sale of merchandise is limited to the sale of comparable merchandise sold on the premises and is indicated on the proprietors' occupational license.

b) The outdoor display/sale of merchandise is permitted on improved commercially zoned properties and is subject to the submission of a site development plan that demonstrates that provisions will be made to adequately address the following:

i) Vehicular and pedestrian traffic safety measures.

ii) Location of sale/display of merchandise in relation to parking areas.

iii) Fire protection measures.

iv) Limited hours of operation from dawn until dusk.

ii. Outdoor display and sale of merchandise within the sidewalk area only shall be permitted in conjunction with "Main Street" approved vendor carts, provided the applicant submits a site development plan which demonstrates that provisions will be made to adequately address the following:

a) Location of sale/display of merchandise in relation to road rights-of-way;

b) Vendor carts are located on sidewalks that afford the applicant a five (5) foot clearance for non-obstructed pedestrian traffic; and

c) Limited hours of operation from dawn until dusk.

Establishment of special conditions for these properties which by virtue of actions preceding the adoption of Ordinance No. 91-102, on October 30, 1991, were deemed to be nonconforming as a result of inconsistencies with the land development code, and are located within the Immokalee Urban Boundary as depicted on the Immokalee Area Master Plan.

   a. Purpose and intent. The purpose of these provisions is to recognize that there are nonconforming mobile home parks in the Immokalee Urban Area, to provide incentives to upgrade these parks while requiring the elimination of substandard units, and to allow park owners to take advantage of alternative development standards in order to cause some upgrading of conditions that would normally be required of conforming mobile home parks. Travel trailers, regardless of the square footage, are not permitted as a permanent habitable structure.

   b. Required site improvement plan application. The property owners of all nonconforming mobile home developments/parks that were in existence before November 13, 1991, i.e., that predate Ordinance No. 91-102, the land development code, shall be required to submit a site improvement plan (SIP) meeting the standards set forth below by January 9, 2003 or thereafter within the time frame set forth in an order of the Code Enforcement Board finding a violation of this section, or by the date set forth in a Compliance or Settlement Agreement entered into between Collier County and a property owner acknowledging such a violation and also establishing the date by which such violation will be cured through the SIP submittal process set forth below.

   c. The site improvement plan (SIP) master plan shall illustrate the way existing buildings are laid out and the infrastructure (i.e. utilities, streets, drainage, landscaping, parking and the like) to serve those buildings. The number and location of buildings shall be reviewed for consistency with Code requirements (i.e. setbacks, space between buildings, density, and the like). Similarly, the SIP shall serve to provide a basis for obtaining approval of required infrastructure improvements such as those referenced herein. The approved SIP showing all of the above shall become the official record acknowledging the legal use of the property. Failure to initiate this process within the time frames set forth above, will result in a Code violation in which the property owner will be required to immediately remove all mobile homes which have not received a building permit and all mobile homes deemed to be unsafe and unfit for human habitation, and otherwise contrary to the county's housing code unless otherwise prohibited by state law.

   d. For the specific requirements concerning the SIP submission referenced in b. and c. above, see Section 10.02.05 F. of this Code.

7. Interim Deviations: Property owners within the Immokalee Urban Overlay District may request deviations from specific dimensional requirements as described in this section. A deviation request may be reviewed administratively or by the Planning Commission depending upon its scope. This section addresses the permissible deviations, limitations thereon, and the review process.

   a. Review Process. Insufficient deviations will be reviewed administratively by the County Manager or designee. Substantial deviations will be reviewed by the Planning Commission. This section is not intended to replace the current established process of requesting deviations through the PUD rezoning process. Any deviations from the LDC which are not expressly provided for in this section shall be processed as variiances in accordance with Section 9.04.00 of the LDC.

   b. Concurrent Deviation Application required. All deviation requests shall be made concurrently with an application for an SDP or amendment, SIP or amendment or Final Subdivision Plat, or in the case of sign deviations, with a building permit. The applicant shall list all requested deviations on the required site plan(s), and shall
depict the deviation(s) graphically on the plan(s). Additional graphic information may also be required by staff, on a case-by-case basis.

c. Insubstantial Deviations. Requested deviations that do not exceed 10 percent of the required dimension, amount, size, or other applicable dimensional standard, with the exception of the required number of parking spaces, which may not exceed 20 percent of the LDC requirement (not more than 10 spaces), are insubstantial. To be approved, the following criteria must be considered:

i. The proposed deviation is compatible with adjacent land uses and structures, achieves the requirements of the regulations as closely as is practicable, and meets the intent of the related Land Development Code regulations; and

ii. The applicant proposes equitable tradeoffs for the proposed diminution in development standards, such as increased open space, landscaping, pedestrian spaces, buffering or architectural features, in order to meet the intent of the regulation being diminished.

d. Substantial Deviations. Requested deviations that do not qualify as insubstantial deviations are substantial deviations:

i. Considerations for Review and Approval: The CCPC shall consider the following:

a) Whether or not the proposed deviation is compatible with adjacent land uses and achieves the requirements and/or intent of the regulations as closely as is practicable; and

b) Whether the proposed deviation is the minimum amount necessary to allow for reasonable use of the property and/or address the issue necessitating the deviation request; and

c) Whether the reduced or increased standard requested by the deviation is mitigated for, either on the subject site or by providing a public benefit on the subject site. Examples of such on-site mitigation include but are not limited to: increasing setbacks from the adjacent road right-of-way when proposing to deviate from sign size limitations; increasing plantings or planting sizes or installing a fence or wall where a reduced buffer width is proposed; providing public pedestrian and/or bicycle pathway easements or other similar mobility improvements including transit enhancements; providing public parking; providing beautification in the public realm, including street trees, street furniture, lighting and other similar public benefits.

e. Applicability - List of Development Standards Eligible for Deviation Requests. Property owners shall be eligible to seek a deviation from the dimensional requirements of the following Code provisions, unless otherwise noted.

i. 2.03.01 Agricultural Zoning Districts, limited to subsection A.1.b.4.ii.

ii. 2.03.03 Commercial Zoning Districts, limited to the following subsections:

a) A.1.c.11.vii. limited to a maximum of three stories, viii., and ix.; and

b) E.1.c.4.iv.

iii. 2.03.04 Industrial Zoning Districts, limited to subsection A.1.c.2.iv., minimum lot area only.

iv. 3.05.07 B.1 Preservation Standards, Specific Standards Applicable Outside the RMFU and RLSA districts, Required Preservation Percentages (Table 1 inset).

v. 4.02.01 A Dimensional Standards for Principal Uses in Base Zoning Districts:

a) Table 1. Lot Design Requirements for Principal Uses in Base Zoning Districts;
b) Table 2. **Building Dimension Standards for Principal Uses** in Base Zoning Districts, excluding **building height** and in the case of commercial **parcels**, no deviation shall be granted, for new **development**, from the required 50-foot **building setback** when **abutting** residentially zoned properties, or from the minimum 10-foot wide landscaped strip between the **abutting road right-of-way** and the off-street parking area for new **development**, but deviations from these requirements may be considered in the case of redevelopment where existing structures and/or encroachments are proposed to remain.

c) Table 2.1 - **Table Of Minimum Yard Requirements (Setbacks)** for Base Zoning Districts.

vi. 4.02.02 Dimensional Standards for **Conditional Uses** and **Accessory Uses** in Base Zoning Districts, limited to subsection E (Table Inset), except **building height**.

vii. 4.02.03 A Specific Standards for Location of **Accessory Buildings** and **Structures**, Dimensional Standards (Tables 3 and 4), except that in the case of new development on commercial parcels, no deviation shall be granted from the required 50-foot **building setback** when **abutting** residentially zoned properties, or from the minimum 10-foot wide landscaped strip between the **abutting road right-of-way** and the off-street parking area. Deviations from these requirements may be considered in the case of redevelopment where existing structures and/or encroachments are proposed to remain.

viii. 4.02.03 B **Accessory Building Lot Coverage**.

ix. 4.02.27 C Specific Design Standards for the Immokalee—State Road 29A Commercial Overlay Subdistrict, Building Design Standards.

x. 4.02.28 A Same—Jefferson Avenue Commercial Overlay Subdistrict, Building Design Standards.

xi. 4.02.29 A Same—Farm Market Overlay Subdistrict, Dimensional Standards.

xii. 4.02.32 Same—Main Street Overlay Subdistrict, limited to the following subsections: A.; C.1; D.3 and D.4; and E.1, E.2, and E.3.

xiii. 4.05.04 H (Spaces Required) Table 17 and 4.05.06 B Loading Space Requirements, utilizing the existing administrative deviation process set forth in LDC Section 4.05.04 G.2., recognizing that the reduced need for off-street parking in Immokalee may be offered as a viable basis for such administrative deviation.

xiv. 4.06.02 C **Buffer Requirements** (limited to required width) except that in the case of new **development** on commercial **parcels**, no deviation shall be granted from the required 50-foot **building setback** when **abutting** residentially zoned properties, or from the minimum 10-foot wide landscaped strip between the **abutting road right-of-way** and the off-street parking area. Deviations from these requirements may be considered in the case of redevelopment where existing structures and/or encroachments are proposed to remain.

xv. 4.06.03 B **Landscaping Requirements for Vehicular Use Areas and Rights-of-Way**, Standards for Landscaping in Vehicular Use Areas.

xvi. 4.06.05 B **General Landscaping Requirements**, Landscaping requirements for industrial and commercial **development**, limited to subsection B.3.

xvii. 4.06.05 C **General Landscaping Requirements**, **Building Foundation Planting Requirements** (including Table Inset).

xviii. 5.05.08 C **Architectural and Site Design Standards**, **Building Design Standards**. Deviations from non-dimensional provisions of this section are also allowed as substantial deviations.
xix. 5.05.08 D Design Standards for Specific Uses. Deviations from non-dimensional provisions of this section are also allowed as substantial deviations.

xx. 5.05.08 E Architectural and Site Design Standards, Site Design Standards, limited to subsections 1.b; 2; 3; 4; 5 and 7. Deviations from non-dimensional provisions of this section are also allowed as substantial deviations. Note: Nothing in LDC Section 5.05.08, Architectural and Site Design Standards, shall be deemed to prohibit the use of murals on exterior walls of commercial buildings in the Immokalee Urban Overlay District, provided that: 1) such murals are reviewed and accepted by the Collier County Redevelopment Agency staff; and 2) such murals do not contain text for the purpose of advertising any business or commercial activity.

xxi. 5.06.04 Development Standards for Signs in Nonresidential Districts, limited to subsection F.

f. Duration of these provisions. These provisions are interim in nature and will be in effect until the earlier of either the effective date of the Comprehensive Immokalee Overlay LDC amendments or 24 months from June 11, 2010. An extension of these provisions may be granted by the BCC by Resolution if the BCC deems an extension is warranted.

g. Public Notice. Public notice, including signage, notice to property owners and an advertised public hearing, is required for substantial deviation requests and shall be provided in accordance with the applicable provisions of Section 10.03.05 B, for Variances.

h. Appeals. Within 30 days of the issuance of the decision of staff or of the CCPC, the owner or any aggrieved person may appeal the decision to the Board of Zoning Appeals pursuant to Section No. 250-58 of the Codes of Laws and Ordinances.

Board also reviewed the Special Design Standards for the Immokalee Central Business Overlay Subdistrict and the Main Street Overlay Subdistrict.

4.02.31 - Specific Design Standards for the Immokalee—Central Business Overlay Subdistrict

Parking within the Immokalee Central Business Subdistrict shall meet the following standards:

A. Lots, parcels, or uses which have frontage on West Main Street (SR 29) or First Street (CR 846) shall comprise the primary areas.

1. Uses in existence as of the effective date of this LDC are exempt from the minimum parking requirements as set forth in section 4.05.00 except that existing uses shall not reduce the number of spaces below that which is provided as of the effective date of this LDC.

2. The expansion of any use shall require parking at fifty (50) percent of the minimum requirement as set forth in section 4.05.00 for the expansion only.

3. A change of any use shall be exempt from the minimum parking requirements as set forth in section 4.05.00 up to an intensity level of one (1) parking space per 100 square feet. A change of use to an intensity of greater than one (1) space per 100 square feet shall require parking at one (1) parking space per 150 square feet.

4. Any use in a building constructed after the effective date of this LDC will be required to provide parking at fifty (50) percent of the minimum requirement as set forth in section 4.05.00

B. Lots, parcels, or uses which do not have frontage on Main street or First street shall comprise the secondary area.

1. Uses in existence as of the effective date of this LDC are exempt from the minimum parking requirements as set forth in section
4.05.00 except that existing uses shall not reduce the number of spaces below that which is provided as of the effective date of this LDC.

2. The expansion of any use shall require an addition to any parking of the minimum number of required spaces as set forth under section 4.05.00, for the expansion only.

3. A change of any use shall be exempt from the minimum parking requirements as set forth in section 4.05.00 up to an intensity level of one (1) parking space per 100 square feet. A change of use to an intensity greater than one (1) parking space per 100 square feet shall require parking at fifty (50) percent of the minimum requirement as set forth under section 4.05.00. No change in use shall allow for a reduction of the current number of parking spaces provided.

4. Any use in a building constructed after the effective date of this LDC will be required to provide parking at sixty-seven (67) percent of the minimum requirement as set forth in section 4.05.00.

C. In no way shall the provisions of the Immokalee central business subdistrict (ICBSD) be construed so as to prevent establishments within the boundaries from taking advantage of off-site parking arrangements as set forth in section 4.05.00. Furthermore, the maximum distances set forth in section 4.05.00 shall be increased to 600 feet within the boundaries of the ICBSD. Properties within the ICBSD entering into off-site parking agreements with properties outside the ICBSD may utilize the 600-foot rule.

4.02.32 - Specific Design Standards for the Immokalee—Main Street Overlay Subdistrict

A. Dimensional Standards.

1. **Front yard.** Ten (10) feet except in the event of an awning, arcade or colonnade which may extend up to seven (7) feet into the required yard.

2. Side **yard.** Zero (0) in the event a wall is contiguous to another wall on an adjacent property, otherwise ten (10) feet.

3. Rear **yard.** Five (5) feet.

4. Rear **yard abutting** residential. Twenty (20) feet.

5. **Structures** shall be no more than thirty-five (35) feet in height, except that hotel/motel uses shall be no more than fifty (50) feet in height.

B. Minimum off-street parking and off-street loading. As permitted by section 4.02.31, standards for parking within the Immokalee Central Business district, and as set forth below:

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

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

C. **Signs.**

1. Projecting **signs** are permitted in addition to permitted **signs** provided such **signs** do not exceed six (6) square feet in size and are elevated to a minimum of eight (8) feet above any pedestrian way.

2. Sandwich boards are permitted, one (1) per eating establishment, not to exceed six (6) square feet in size and shall only be displayed during business hours.

D. **Development** shall be subject to the provisions of section 5.05.08. Architectural and site design standards for commercial **buildings** and projects, except as set forth below:

1. Properties having **frontage** on Main Street or First Street or Ninth Street are required to locate their primary business entrance on that street. **Parcels** fronting both Main Street and First Street or both
Main Street and Ninth Street are required to locate their primary business entrance on Main Street.

2. Reflective or darkly tinted glass is prohibited on ground floor windows.

3. Properties with less than fifty (50) feet of road frontage shall only require a minimum of one (1) roof change.

4. Commercial projects 5,000 square feet in size or less shall only require a minimum of two (2) design features, as described within section 5.05.08 of this LDC.

5. To encourage redevelopment within the Main Street Overlay subdistrict, for proposed redevelopment of existing projects that do not increase impervious surface area and whose total building area is less than or equal to 5,000 square feet in size, the applicant shall be exempt from section 4.06.00 of the landscaping and buffering provisions, requiring the seal of a landscape architect and shall also be exempt from section 5.05.08., Architectural and Site Design Standards and Guidelines for Commercial buildings and Projects, requiring the seal of an architect.

6. The minimum commercial design criteria, as set forth above, shall be applicable to projects with a total building square footage of less than or equal to 5,000 square feet.

Staff also provided board with 4.05.00 – Off Street Parking and Loading and 5.05.08 Architectural and Site Design Standards but did not review these Land Development code sections due to time constraint.

2. Proposed Land Development Code Amendments
   i. Application to Growth Management Division
      Staff provided board with a copy of the application submitted to Growth Management Division for review.
   ii. Immokalee Main Street Overlay Subdistrict reduction map
      Staff provided board with a copy of the reduction of the map the board voted to reduce at the August 19th Meeting.
After much discussion from staff, board, and public staff concluded that more meetings needed to be conducted before any final decisions are made. Dr. Francois made it vocal that his property on 1st Street should be excluded from the Main Street Overlay Subdistrict.

3. Special District Form Based Guidelines
   Staff provided board with an update on the Form Based Guidelines that board reviewed at the Special Meeting on September 22nd.

H. Citizen Comments.
I. Next Meeting Date. CRA & EZDA Regular Meeting on October 21, 2015 at 8:30 A.M.
J. Adjournment. This meeting Adjourned at 7:45 P.M.