

LDC Amendment Request

NOTE: Header to be amended

ORIGIN: Immokalee CRA

AUTHOR: Immokalee CRA Staff

DEPARTMENT: N/A

AMENDMENT CYCLE: 2012 Cycle 1

LDC SECTION(S):

- 2.03.07 – Overlay Zoning Districts,
- 4.02.27 – Specific Design Standards for the Immokalee-State Road 29A Commercial Overlay Subdistrict,
- 4.02.28 – Specific Design Standards for the Immokalee-Jefferson Avenue Commercial Overlay Subdistrict,
- 4.02.29 – Specific Design Standards for the Immokalee-Farm Market Overlay Subdistrict,
- 4.02.30 – Specific Design Standards for the Immokalee-Agribusiness Overlay Subdistrict,
- 4.02.31 – Specific Design Standards for the Immokalee-Central Business Overlay Subdistrict,
- 4.02.32 – Specific Design Standards for the Immokalee-Main Street Overlay Subdistrict,
- 4.02.33 – Specific Design Standards for the Immokalee-Mobile Home Park Overlay Subdistrict

CHANGE: The Immokalee CRA recently completed an extensive update to the Immokalee Area Master Plan (IAMP) and the IAMP Future Land Use Map (CP-2008-5), which recognizes that the unique economic, geographic, and social make-up of Immokalee differentiates it from the rest of Collier County. The amended IAMP element of the Growth Management Plan (GMP) established new goals, objectives and policies to promote economic development and efficient delivery of infrastructure and services; encourages dense, clustered development along major thoroughfares that transition to lower densities; incorporates smart growth principles; and thereby provides greater development flexibility through mixed-use Subdistricts. Several of the IAMP objectives and policies recommend specific amendments to the Land Development Code.

Specifically, Objective 7.1 of the IAMP states that “Collier County shall develop Immokalee-specific land development regulations to the extent required by this Master Plan, and which reflect the unique character and cultural diversity of the residents, encourage pedestrian-friendly urban form, and promote energy efficiency.” The purpose of the LDC amendments to the Immokalee Urban Overlay District (IO) is to improve the existing format, structure and language, and to implement the vision espoused by the updated IAMP.

The major changes to the IO are as follows:

1. Revise the Overlay Subdistricts by:
 - a. Eliminating the State Road 29A, Jefferson Road, Agribusinesses, and Mobile Home Park Overlay Subdistricts;

- b. Combining the Central Business and Main Street Overlay Subdistricts into a new Central Business Subdistrict;
 - c. Establishing the Lake Trafford Ecotourism and the Lake Trafford Urban Wetlands Subdistricts.
2. Establish supplementary standards for new uses, including Agricultural Industry or Research Facility, Live Work Units and Cottage Industries.
 3. Establish new urban form provisions and architectural standards for the Central Business Subdistrict.
 4. Incorporate the wetland protection measures required by the Growth Management Plan, CCME Policy 6.2.5.
 5. Develop Nonconforming provisions specific for Immokalee.

The existing LDC provisions related to the Immokalee Urban Area are located in LDC Sections 2.03.07 - Overlay Zoning Districts and 4.02.27 through 4.02.33 – Specific Design Standards for the Immokalee Subdistricts. The amended provisions seek to restructure the existing code sections in order to improve organization and readability. Section 2.03.07 G. will provide a description of the Immokalee Urban Overlay and Subdistricts, identify the permitted uses and provide the density standards. All design and development standards will be located in Section 4.02.27 (Sections 4.02.28 through 4.02.33 will be consolidated into this section). This section will specify standards that apply to the entire Immokalee area, as well as any additional standards that apply to the specific IO Subdistricts.

The following table reflects the layout proposed by this amendment and references the existing LDC provisions.

<u>PROPOSED OVERLAY OUTLINE</u>	<u>EXISTING LDC PROVISION</u>
2.03.07 OVERLAY ZONING DISTRICTS	2.03.07
G. Immokalee Urban Overlay.	2.03.07 G
1. Purpose and Intent	2.03.07 G
2. Applicability	New
3. Relationship to Underlying Zoning and Comprehensive Plan	New
4. Immokalee Overlay Subdistricts	
a. Central Business Overlay Subdistrict	2.03.07 G.5.
b. Lake Trafford Ecotourism Overlay Subdistrict	New
c. Lake Trafford Urban Wetlands Overlay Subdistrict	New
d. Farmers Market Overlay Subdistrict	2.03.07 G.3. and 2.03.07 G.4.
5. Use Standards	4.02.29 B.; 4.02.30
6. Density Standards	New
4.02.27 Design Standards for the Immokalee Urban Overlay District	4.02.27 through 4.02.23
A. Applicability	New
B. Dimensional and Design Standards	4.02.27 C.; 4.02.28 A.; 4.02.29 A.; 4.02.32 A.
C. Additional Standards for Specific Uses	
1. Mobile Homes and Mobile Home Parks and Subdivisions	4.02.33 A. through D.
2. Agricultural Industry or Research Facility	New
3. Farm Labor Housing	5.05.03
4. Live Work Units	New
5. Cottage Industries	New
6. Accessory Dwelling	New (5.03.03 and 4.02.18 B.6.)
7. Outdoor Sales of Agricultural Products	2.03.07 G.3.a.3. and 4.02.29 C.
8. Outdoor Display	4.02.32 F.
9. Petroleum Bulk Stations and Terminals	2.03.07 G.3.a.4.
D. Architectural Design Standards	4.02.27 C.4. and 4.02.32 D.5.
E. Landscaping, Buffers and Open Space	New (4.02.27 C.3. and 4.02.32 D.4.)
F. Signage	New

Text underlined is new text to be added.
 Text strikethrough is current text to be deleted.
Bold text indicates a defined term

G. Parking	New (4.02.27 D.1; 4.02.31 A-C; 4.02.32 B)
H. Central Business Overlay Subdistrict	4.02.31 and 4.02.32
1. Purpose	New
2. Dimensional Standards	4.02.32 A
3. Architectural Design Standards	New (4.02.32 D)
4. Landscaping, Buffers and Open Space	New (4.02.32 E)
5. Parking	New (4.02.31 A-C; 4.02.32 B)
6. Signs	New (4.02.32 C)
I. Lake Trafford Ecotourism Subdistrict	New
1. Dimensional Standards	New
2. Required Buffers for New Development Adjacent to Lake Trafford	New
J. Lake Trafford Urban Wetlands Overlay Subdistrict	New
1. Additional wetland protection measures	New
2. Transfer of Development Rights	New (2.03.07 D.4.b.)
K. Farmers Market Subdistrict	4.02.29
1. Dimensional Standards	4.02.29 A
L. Nonconforming Provisions	New
1. Nonconforming Lots	New
2. Nonconforming Structures	New
3. Nonconforming Features	New
4. Nonconforming Mobile Homes, Mobile Home Parks / Subdivisions	2.03.07 G.6.

REASON: The proposed amendment will update existing Overlay District and establish new land development regulations for the Immokalee Urban Area in order to implement the recently updated IAMP and the Immokalee Community’s vision.

FISCAL & OPERATIONAL IMPACTS: Fiscal and operational impacts for the County will be minimal and limited to increased time in becoming familiar with new regulations. Many regulations have been modified to allow for administrative approvals, which should minimize the staff time dedicated to organizing and preparing for a public hearing.

RELATED CODES OR REGULATIONS: The Immokalee Area Master Plan (IAMP)

GROWTH MANAGEMENT PLAN IMPACT: The amendments will not have any impacts on the GMP, but will serve to help implement the Immokalee Area Master Plan (IAMP).

OTHER NOTES/VERSION DATE:

Prepared by the Immokalee CRA staff and Chris Scott, Senior Planner, Land Development Services on November 17, 2011.

Amend the LDC as follows:

2.03.07 Overlay Zoning Districts

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~~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.~~
- ~~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.~~
- ~~e. 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.~~
- ~~6. Nonconforming Mobile Home Park Overlay Subdistrict. 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. Insubstantial 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 variances 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;~~

- e) ~~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.~~

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~~**4.02.27 – Specific Design Standards for the Immokalee State Road 29A Commercial Overlay Subdistrict**~~

~~A. Access points to SR-29 shall comply with Florida State Department of Transportation (FDOT) permitting regulations. Parcels that have 440 feet or less of street frontage shall provide access off existing adjacent roadways, when possible, and should not directly access SR-29.~~

~~B. Owners of lots or combinations of lots having less than the required street frontage may petition the Board of Zoning Appeals for a variance from the standard in this subdistrict as will not be contrary to the public interest when owing to special conditions peculiar to the property, a literal enforcement of these standards would result in unnecessary and undue hardship.~~

~~C. Building design standards.~~

~~1. Buildings shall be set back from SR-29 a minimum of twenty-five (25) feet and from the rear lot line a minimum of twenty-five (25) feet.~~

~~2. Projects with a total building square footage of less than or equal to 5,000 square feet shall provide a ten (10) foot Type A landscape buffer as described in section 4.06.00 between vehicular rights-of-way with required sidewalks and adjacent residential development. adjacent commercial projects shall provide coordinated landscape plans.~~

~~3. Projects with a total building square footage of less than or equal to 5,000 square feet shall provide an area equal to a minimum of two and one-half (2½) percent of the total interior vehicular use area which shall be landscaped to provide visual relief.~~

~~4. Projects with a total building square footage exceeding 5,000 square feet shall provide landscape buffering in accordance with section 4.06.00 of this LDC.~~

~~5. Buildings shall have a maximum height of fifty (50) feet.~~

~~D. Transportation.~~

~~1. Shared parking arrangements between adjoining developments shall be encouraged.~~

~~2. Deceleration and acceleration lanes shall be consistent with the ROW Permitting and Inspection Handbook and subject to FDOT approval where applicable.~~

~~3. Pedestrian traffic shall be encouraged by providing sidewalks. The location of these sidewalks shall be coordinated with adjacent projects.~~

* * * * *

~~**4.02.28 – Specific Design Standards for the Immokalee Jefferson Avenue Commercial Overlay Subdistrict**~~

~~A. Building design standards.~~

- ~~1. Projects with a total building square footage of less than or equal to 5,000 square feet shall provide a ten (10) foot Type A landscape buffer as identified in section 4.06.00 of this LDC on Jefferson Avenue.~~
- ~~2. Projects with a total building square footage exceeding 5,000 square feet shall provide landscape buffering in accordance with section 4.06.00 of this LDC.~~
- ~~3. Commercial buildings shall be set back from Jefferson Avenue a minimum of twenty-five (25) feet.~~
- ~~4. Commercial building shall have a maximum height of fifty (50) feet excluding ten (10) feet for under building parking.~~

~~B. Transportation.~~

- ~~1. Access points for future commercial development shall be limited to a maximum one (1) per 150 feet of street frontage. Properties with less than the required street frontage, shall be encouraged, and may be required as a condition of site development plan approval, to utilize shared access points with adjoining commercial development.~~
- ~~2. Owners of lots or combination of lots having less than the 150-foot of required frontage may petition the Board of Zoning Appeals for a variance from the standard in this subdistrict as will not be contrary to the public interest when owing to special conditions peculiar to the property, a literal enforcement of these standards would result in unnecessary and undue hardship.~~
- ~~3. Provisions for shared parking arrangements with adjoining developments shall be encouraged.~~

* * * * *

4.02.29 – Specific Design Standards for the Immokalee-Farm Market Overlay Subdistrict

~~A. Dimensional standards shall be as required for the C-5 zoning district except that the minimum floor area shall be 500 square feet gross floor area for permitted principal agricultural structures.~~

~~B. The following uses, as identified in the Standard Industrial Classification Manual (1987), are exempt from the provisions set forth in section 5.05.08, Architectural and Site Design Standards for Commercial buildings and Projects.~~

- ~~1. Agricultural Services (0723)~~
- ~~2. Wholesale Trade (5148)~~
- ~~3. Agricultural Outdoor Sales~~

* * * * *

4.02.30 – Specific Design Standards for the Immokalee-Agribusiness Overlay Subdistrict

~~The following uses, as identified in the Standard Industrial Classification Manual (1987), are exempt from the provisions set forth in section 5.05.08. of the Architectural and Site Design Standards for Commercial buildings and Projects: Agricultural Services (0723) and Wholesale Trade (5148).~~

* * * * *

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.~~
- ~~E. To encourage redevelopment, the following landscape criteria shall apply to all commercially zoned properties and those residential properties with permitted commercial uses, except where otherwise prohibited by this subdistrict. The following landscape buffering criteria shall be applicable to projects with a total building square footage of less than or equal to 5,000 square feet:~~
 - ~~1. Properties adjacent to residentially zoned lots/parcels shall provide a minimum ten (10) foot wide landscape buffer, six (6) foot high hedge or wall (four (4) feet at planting; six (6) feet within one (1) year) with trees spaced no more than twenty (25) feet on center;~~
 - ~~2. Properties adjacent to commercially zoned lots/parcels shall provide a minimum five (5) foot wide landscape buffer with a single row hedge and trees spaced no more than thirty (30) feet on center. The hedge shall at a minimum consist of three (3) gallon plants, two (2) feet in height spaced a minimum of three (3) feet on center at planting.~~
 - ~~3. A minimum five (5) foot buffer, with at least two (2) trees per lot/parcel or one (1) tree per forty (40) linear feet whichever is greater, shall be required adjacent to all rights-of-way;~~
 - ~~4. Lots/parcels that are unable to meet the above minimum landscape criteria, shall be required to provide landscape planters and/or flower boxes for each such property, as recommended by the County Manager or designee.~~

* * * * *

4.02.33 – Specific Design Standards for the Immokalee-Mobile Home Park Overlay Subdistrict

A. Dimensional standards.

Table 15. Dimensional standards for the Mobile Home Park Overlay

Design Standard	
Minimum lot requirements	
Single-wide units	2,400 square feet
Double-wide units	3,500 square feet
Minimum lot width	
Single-wide units	35 feet
Double-wide units	45 feet

Text underlined is new text to be added.
 Text strikethrough is current text to be deleted.
Bold text indicates a defined term

Minimum setback requirements	
Interior roads	
Front yard	10 feet
Side yard	5 feet
Rear yard	8 feet
Public road frontages	20 feet
Minimum space between structures for cluster development or zero lot line development	10 feet
Minimum floor area for replacement units	320 square feet

- ~~B. Where a public water line is available, a hydrant will be required to serve the park. Should water line pressure be inadequate, arrangements shall be made to seek approval of the Immokalee Fire Department to confirm that supplemental fire apparatus is adequate for fire protection.~~
- ~~C. A dumpster or enclosure for individual containers is required in accordance with section 5.03.04. of this LDC. No dumpster shall be located closer than fifteen (15) feet from any public street.~~
- ~~D. Private roads leading to and serving the mobile home park or mobile home lots must be improved and maintained, and shall consist of a dust free surface with a minimum width of twenty (20) feet. The dust free surface may consist of aggregate material treated with oil-based material that will bind the aggregate material into a form of macadam road finish. A drainage ditch capable of storing the first one inch of rainfall shall be incorporated into the right-of-way design cross section, exclusive of the required twenty (20) feet. Drainage shall be directed to a public road via the private road and/or easement conveyance, unless it can be proved that the on-site percolation rates exceed the on-site retention requirement.~~

1 **2.03.07 Overlay Districts**

2 **G. Immokalee Urban Overlay District (IO)**

3 This section provides special conditions for properties located within the Immokalee
4 Urban Designated Area as identified on the Collier County Future Land Use Map.

5 **1. Purpose and Intent.**

6 The purpose of the IO is to enhance and diversify the local economy and
7 encourage revitalization of the Immokalee portion of the Collier County Community
8 Redevelopment Area (CRA) by establishing land development regulations suitable
9 for the unique land use needs of the Immokalee community. The intent of these
10 regulations is to:

- 11 a. Allow a mixture of complementary land uses, including housing, retail, offices,
12 commercial services, industrial, and civic uses, in order to: create economic
13 and social vitality; increase mobility and reduce vehicle miles traveled (VMT);
14 and reduce energy consumption.
15 b. Encourage efficient land use by facilitating compact, high-density mixed-use
16 development and minimizing the amount of land that is needed for surface
17 parking;
18 c. Enhance pedestrian and bicycle safety and convenience;
19 d. Provide appropriate and flexible development standards for new development
20 and redevelopment to promote economic development and diversity;
21 e. Redesign streetscape in the downtown Main Street corridor as a public place to
22 support and further encourage pedestrian and bicycle travel;
23 f. Enhance mobility within the Immokalee Overlay by providing roadway and
24 pedestrian interconnection, and well-designed, safe transitions between high
25 traffic streets and neighborhoods;
26 g. Promote future development that is transit-ready and facilitates an efficient
27 multi-modal transportation system.
28 h. Provide appropriate and flexible locational and design standards for agri-
29 business and similar industrial and commercial uses;
30 i. Promote economic development in support of new and existing industries; and
31 j. Allow for the creation of affordable and market-rate housing to meet the needs
32 of current and future residents.

33 **2. Applicability**

- 34 a. These regulations shall apply to the Immokalee Urban Designated Area as
35 identified on the Collier County Future Land Use Map. The Immokalee Urban
36 Overlay District regulations shall apply to the properties identified by the
37 designation "IO" on the applicable official Collier County Zoning Atlas Maps.
38 b. Planned Unit Developments (PUDs) that existed prior to [Insert Date of
39 Adoption], including amendments or boundary changes to these PUDs, are not
40 subject to the IO provisions.

41 **3. Relationship to the Underlying Zoning Classification and Collier County**
42 **Growth Management Plan**

- 43 a. The purpose of the IO is to fulfill the goals, objectives and policies of the Collier
44 County Growth Management Plan (GMP), as may be amended. Specifically,
45 the District implements the provisions of the Immokalee Area Master Plan and
46 the Immokalee Future Land Use Map.
47 b. Properties within the IO shall be subject to the additional uses, densities and
48 intensities of this Section and the dimensional and design and dimensional
49 standards of Section 4.02.27. Except as provided for in this Overlay, all other

1 provisions of the Collier County Land Development Code (LDC) and the
2 underlying zoning designation of the property shall apply.

3 **4. Immokalee Urban Overlay Subdistricts**

4 The following overlay subdistricts have been established to provide for additional
5 uses and design and dimensional standards for specific areas of the Immokalee
6 Urban Area

7 **a. Central Business Subdistrict (CB)**

8 The Central Business Subdistrict is intended to provide for pedestrian oriented,
9 higher density residential and mixed-use development, employment and
10 recreational opportunities, cultural and civic activities, and public places to
11 serve residents of, and visitors to, the Immokalee Urban Area. The Subdistrict
12 should be designed to give priority to pedestrians, promote transit-ready
13 development and support an efficient multi-modal transportation system.
14 Commercial and mixed-use developments located within individual buildings or
15 projects are appropriate uses in this area. A multicultural character will be
16 encouraged through architectural and design guidelines. The Central Business
17 Subdistrict regulations shall apply to the properties identified by the designation
18 "CB" on the applicable official Collier County Zoning Atlas Maps.

19 **b. Lake Trafford Ecotourism Subdistrict (LTE)**

20 Recognizing the importance of Lake Trafford to potential ecotourism activities
21 in Immokalee, the Lake Trafford Ecotourism Subdistrict is intended to provide
22 for recreational and tourist activities related to the natural environment, and to
23 allow for limited compact residential development. Proposed development
24 adjacent to Lake Trafford should not adversely impact the health of the lake, its
25 surrounding wetlands or habitat. The Lake Trafford Ecotourism Subdistrict
26 regulations shall apply to the properties identified by the designation "LTE" on
27 the applicable official Collier County Zoning Atlas Maps.

28 **c. Urban Wetlands Subdistrict (UW)**

29 The Urban Wetlands Subdistrict is intended to protect high quality wetland
30 systems connected to the Lake Trafford/Camp Keais Strand system by
31 requiring greater protection measures than wetlands located in other portions
32 of the Urban Designated Area and limiting the types, densities and intensities
33 of uses located therein. The Urban Wetlands Subdistrict regulations shall
34 apply to the properties identified by the designation "UW" on the applicable
35 official Collier County Zoning Atlas Maps.

36 **d. Farmers Market Subdistrict (FM)**

37 The Farmers Market subdistrict recognizes the importance of agriculture to the
38 Immokalee Urban Area's economy and social makeup and is intended to
39 provide retail and wholesale opportunities for agricultural businesses as well as
40 provide truck parking for agricultural sales. The subdistrict permits wholesale
41 and retail uses, outdoor agricultural product displays and sales areas, truck
42 parking, and packing houses and associated uses and incorporates
43 development standards to enhance and encourage development and
44 redevelopment. The Farmers Market Subdistrict regulations shall apply to the
45 properties identified by the designation "FM" on the applicable official Collier
46 County Zoning Atlas Maps.

47 **5. Use Standards**

48 Permitted, Conditional and Accessory Uses shall be prescribed by the underlying
49 zoning designation of the property, unless otherwise allowed or prohibited by the
50 IO.

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a. Table of Uses: The Table of Uses identifies additional permitted, accessory and conditional uses, as well as any applicable conditions or restrictions, for the IO and its subdistricts. These additional uses, conditions and restrictions are over and above what may be allowed by the underlying zoning designation. These uses are identified as permitted uses (P), accessory uses (A), conditional uses (CU), or a combination of the three.

Text underlined is new text to be added.
~~Text strikethrough is current text to be deleted.~~
Bold text indicates a defined term

USE TYPE	SIC CODE	IO	IO SUBDISTRICT				ADDITIONAL STANDARDS
			CB	LTE	UW	FM	
i. Agricultural Services	0723					P	
ii. Agricultural Outdoor Sales/Open Air Market			P			P	XXXXX
iii. Wholesale Trade	5148					P	
iv. Petroleum Bulk Stations and Terminals	5171					P	
v. Amusement and Recreation Services	7991, 7992, 7999			P			Limited to boat or canoe rental, day camps, picnic grounds, horseback riding, parks and conservation areas, shooting ranges, tourist attractions and tourist guides
vi. Civic and Cultural Facilities				P			
vii. Equestrian Paths, Riding Stables	7999			P			
viii. Hotels, Motels	7011, 7041		P	CU			Limited to 26 units per acre
ix. Marinas	4493			P			
x. Museums and Art Galleries	8412		P	P		P	
xi. Recreational Vehicle Parks and Campsites	7033			CU			5.05.10
xii. Sporting and Recreational Camps	7032			P			
xiii. Farmworker Housing		P		CU		CU	4.02.27 C.3
xiv. Live Work Units		P/CU	P				4.02.27 C.4
xv. Mobile Homes		P		CU	CU	CU	4.02.27 C.1
xvi. Agricultural Industry or Research Facility		P					4.02.27 C.2
xvii. Mixed Use Developments			P				4.02.27 H
xviii. Home Based Business		A	A	A	A	A	5.02.00
ixx. Cottage Industry		A					4.02.27 C.5
xx. Accessory Dwelling (Guesthouse)		A					4.02.27 C.6.
xxi. C1-C3 Uses			P				

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6. Density Standards

The Immokalee Urban Area density standards, including the base density, maximum density, and density bonuses are different from those which apply to other parts of unincorporated Collier County. These standards are set forth in the Immokalee Area Master Plan (IAMP), as amended. The base and maximum density provisions for each applicable IAMP Subdistrict are provided in Paragraph A of the Urban-Mixed Use District. Potential Density Bonuses are set forth under the Density Rating System, also found under the Urban-Mixed Use District.

4.02.27 Design Standards for the Immokalee Urban Overlay District

A. Applicability

The design standards in this section are for the Immokalee Urban Overlay Area.

B. Dimensional and Design Standards

Lot and building dimensional requirements in the Immokalee Urban Area shall be in accordance with the Dimensional Standards of Section 4.02.01 and 4.02.02 for the underlying zoning designation in which it is located, unless otherwise noted in this section or as provided for in the Overlay Subdistrict provisions of Section 4.02.27 H. through K.

1. Buildings adjacent to SR 29:

- a. Minimum Front Setback: 25 feet
- b. Minimum Rear Setback: 25 feet
- c. Maximum Building Height: 50 feet

2. Buildings adjacent to Jefferson Avenue:

- a. Minimum Front Setback: 25 feet
- b. Maximum Building Height: 50 feet

3. Accessory Structures may not be located in the front yard and shall be setback a minimum of 10 feet from the rear and side property lines.

4. For infill lots, the minimum the minimum front and side setbacks shall be equal to the average setback dimensions on lots within 500 feet on the same block.

C. Additional Standards for Specific Uses.

Certain uses may be established, constructed, continued, and/or expanded provided they meet certain mitigating standards specific to their design and/or operation. These conditions ensure compatibility between land uses and building types and minimize adverse impacts to surrounding properties.

1. Mobile Homes and Mobile Home Parks and Subdivisions

a. Mobile homes are permitted under the following conditions:

- i. As a temporary residence as identified in LDC Section 5.04.02 C; or
- ii. Within an existing mobile home park or subdivision that has an approved Site Development Plan (SDP) or Site Improvement Plan (SIP); or
- iii. Within of a new mobile home park or subdivision approved in the Low Residential (LR) or Medium Residential (MR) Subdistricts of the IAMP Future Land Use Map.

b. All other mobile homes and mobile home parks or subdivisions are considered nonconforming uses and are subject to the provisions of LDC Section 4.02.27 L.

c. Design Standards for Mobile Home Parks

i. Dimensional Standards:

	Single-Wide	Double-Wide
Min. Lot Width (ft)	35	45
Min. Lot Size (sq ft)	2,400	3,500
Min. Front Setback Internal Road (ft)	10	10
Min. Front Setback Public Road (ft)	20	20
Min. Side Setback (ft)	5	5
Min. Rear Setback (ft)	8	8
Min Building Separation	10	10

Min. Floor Area for Replacement Units	320	640
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2 ii. Fire Service: Where a public water line is available, a hydrant will be
3 required to serve the park. Should water line pressure be inadequate,
4 arrangements shall be made to seek approval of the Immokalee Fire
5 Department to confirm that supplemental fire apparatus is adequate for
6 fire protection.
7 iii. Dumpster: A dumpster or enclosure for individual containers is required in
8 accordance with section 5.03.04 of this LDC. No dumpster shall be
9 located closer than fifteen (15) feet from any public street.
10 iv. Private Road: Private roads leading to and serving the mobile home park
11 or mobile home lots must be improved and maintained, and shall consist
12 of a dust free surface with a minimum width of twenty (20) feet. The dust
13 free surface may consist of aggregate material treated with oil-based
14 material that will bind the aggregate material into a form of macadam road
15 finish. A drainage ditch capable of storing the first one inch of rainfall shall
16 be incorporated into the right-of-way design-cross section, exclusive of
17 the required twenty (20) feet. Drainage shall be directed to a public road
18 via the private road and/or easement conveyance, unless it can be
19 proved that the on-site percolation rates exceed the on-site retention
20 requirement

21 **2. Agricultural Industry or Research Facility**

22 Agricultural Industries and Agricultural Research Facilities, including packing,
23 processing or similar facilities, may be approved as a Conditional Use in the Rural
24 Agricultural District (A) subject to the following conditions:

- 25 a. The use shall be located on a major or minor arterial street, or shall have
26 access to an arterial street by a public street that does not abut residentially
27 zoned properties.
28 b. A buffer yard of not less than 75 feet in width shall be provided along each
29 boundary of the site which abuts any residentially zoned or used property, and
30 shall contain an Alternative B type buffer as defined within section 4.06.00.
31 c. The facility shall not emit any noxious, toxic, or corrosive dust, dirt, fumes,
32 vapors, or gases which can cause damage to human health, to animals or
33 vegetation, or to other forms of property beyond the lot line of the use.

34 **3. Farm Labor Housing**

35 Farm Labor Housing shall be in accordance with Section 5.05.03, except as provided
36 in this section.

- 37 a. Farm Labor Housing proposed to be located on properties zoned as Rural
38 Agricultural (A) district in the Immokalee Urban Area shall be required to
39 follow the LDC process for and obtain approval of a Conditions Use as
40 set forth in LDC Section 5.05.03 and in the A – Agriculture Zoning
41 District. 3.
42 b. The 1,000 foot setback for farm labor housing from any state, Federal or
43 County highway right-of-way line may be reduced to no less than 100 feet
44 provided a thirty foot opaque landscaped buffer is provided.

46 **4. Live Work Units**

47 Live Work Units in the IUOD are allowed as a permitted use in the Central Business
48 subdistrict and as a conditional use in an accessory use to a residential dwelling in

1 the Rural Agricultural District (A), subject to an approved Conditional Use permit.

2 The cottage industry must meet the following conditions:

- 3 a. All live-work units must fully comply with any and all Building Code
4 requirements applicable to the collocation of uses at the particular site.
- 5 b. The non-residential use areas shall meet accessibility requirements of the
6 applicable Building Code (including site access and parking).
- 7 c. Size: The Live-Work unit shall have a minimum total size of 1200 square feet
8 and a maximum total size of 3000 square feet and three stories in height. The
9 non-residential use area must occupy less than 50% of total unit.
- 10 d. The same individual(s) must occupy the non-residential use area and living
11 area.
- 12 e. The Live-Work unit may employ a maximum of two (2) non-resident
13 worker/employees at any one time.
- 14 f. Limitations on use. The non-residential component of a live work unit shall be
15 limited in the following manner:
- 16 i. Live-work units in the Commercial Mixed-Use subdistrict (shall be
17 limited to uses permitted within the underlying zoning district in which it
18 is located.
- 19 ii. Live-work units approved as a conditional use in a residential district
20 shall be limited to non-residential uses including artists studio,
21 professional office, professional service such as hair salon, tailor or any
22 other use deemed to be similar in nature during the Conditional Use
23 process.
- 24 iii. Prohibited uses include Adult Businesses, Vehicle Maintenance or
25 Repair, Entertainment, Drinking and Public Eating Establishment, the
26 sale of food and beverages, veterinary services, and activities involving
27 biological or chemical substances that require a controlled environment
28 or may pose a health hazard.
- 29 g. Parking: Two (2) parking spaces per 1000 square feet of the non-residential
30 portion of the live-work unit plus one (1) space for the residential unit.
- 31 h. Signage: Signage for live-work units in a commercial underlying zoning district.
32 Live-work units located in a residential underlying zoning district shall be limited
33 to one (1) non-illuminated sign with a maximum sign area of four (4) square
34 feet.

35 **5. Cottage Industry**

36 Cottage Industries in the IUOD are allowed as an accessory use to a residential
37 dwelling in the Rural Agricultural District (A), subject to an approved Conditional Use
38 permit. The cottage industry must meet the following conditions:

- 39 a. General Conditions:
- 40 i. The cottage industry shall be clearly incidental and secondary to the use
41 of the property as a primary residence;
- 42 ii. The cottage industry shall be owned and conducted by at least one
43 individual residing on the property;
- 44 iii. The cottage industry shall not adversely affect the residential character of
45 an area, or interfere with the management and utilization of resource
46 lands; and
- 47 iv. The cottage industry shall comply with any applicable standards and
48 permit requirements of the County Building Department, Health
49 Department, and local fire protection authority.
- 50 b. Minimum Lot Size: One (1) acre.

- 1 c. The Cottage Industry may employ a maximum of two (2) non-resident
2 worker/employees at any one time.
3 d. Limitations on Use:
4 i. The particular uses conducted by the cottage industry, and their operation
5 and appearance, shall not change or disturb the residential or rural
6 character of the premises or its surrounding;
7 ii. The particular use conducted by the cottage industry shall not create
8 additional service demands to potable water and wastewater;
9 iii. Cottage Industries may include small manufacturing, small engine repair,
10 vehicle repair, pottery, photography studio, beauty and barber shops,
11 welding and metal fabrication, woodworking, including cabinet and
12 furniture making, organized classes with up to six students at a time, and
13 similar uses.
14 e. Outside storage of materials must be screened from view from the public right-
15 of-way and adjacent properties by fencing and/or landscaping.
16 f. Hours of operation shall be limited to dawn to dusk.

17 **6. Accessory Dwelling (Guesthouse)**

- 18 a. Ownership of an accessory dwelling shall not be transferred independently of
19 the primary residence.
20 b. The maximum area of an accessory dwelling is 750 square feet, limited to one
21 (1) habitable floor; the minimum area is 500 square feet.
22 c. The accessory dwelling must be of new construction and must meet NFIP first
23 habitable floor elevation requirements. The guesthouse may be above a
24 garage or may be connected to the primary residence by an enclosed
25 breezeway or corridor not to exceed eight (8) feet in width.
26 d. The accessory dwelling must meet the dimensional requirements for
27 accessory structures for the underlying zoning district in which it is
28 located.
29 e. Mobile homes or Recreational Vehicles may not be used as an accessory
30 dwelling/guesthouse.
31

32 **7. Outdoor sales of agricultural products.**

- 33 Outdoor sales of agricultural products are permitted on improved or
34 unimproved properties. The applicant shall demonstrate that the use and
35 location adequately address public health, safety, and welfare concerns by
36 submitting a site development or site improvement plan addressing, as
37 determined to be applicable, the following:
38 a. Vehicular and pedestrian traffic safety measures.
39 b. Adequate Parking. For undeveloped properties, parking is not required
40 to be paved but shall be clearly delineated and may require a stabilized
41 subgrade. For developed properties, a maximum of twenty (20) percent
42 of the existing parking may be utilized for the placement of temporary
43 structures, equipment, signs, and merchandise in support of outdoor
44 sales of agricultural products. Placement of such structures shall not be
45 located on or impede the use of existing handicapped parking spaces.
46 Parking is not required for temporary outdoor agricultural sales located
47 within a public park, plaza, or similar public place.
48 c. Limited hours of operation.
49 d. Fencing, lighting.
50 e. Fire protection measures.

- f. Sanitary facilities.
- g. The applicant shall provide a notarized letter from the property owner granting permission to utilize the subject property for agricultural outdoor sales.
- h. The placement of signage.
- i. Agricultural products may be sold from a vehicle provided that the vehicle is not located in the road right-of-way.
- j. 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.

8. Outdoor Display

Outdoor display and sale of merchandise is permitted subject to the following provisions:

- a. The outdoor display/sale of merchandise is limited to the sale of comparable merchandise sold on the premises and as indicated on the proprietors' occupational license.
- b. Outdoor display may be conducted between dawn and dusk and all merchandise will be removed and placed inside a fully-enclosed building at the end of each business day.
- c. Outdoor display will not impair the ability of pedestrians to use the sidewalk or parking areas by providing a minimum of five (5) foot clearance for non-obstructed pedestrian traffic.
- d. No outdoor storage or display is permitted within any required buffer area or foundation planting area.
- e. Merchandise may not be displayed in any type of shipping container, such as crates or pallets.

9. Petroleum Bulk Stations and Terminals

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

- a. Maximum lot area: Two acres
- b. 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.
- c. Separation from residentially zoned lands: There shall be a minimum distance of 500 linear feet from all residentially zoned land.
- d. Waiver of separation requirements: The board of zoning appeals may by resolution grant a waiver of the minimum separation requirements set forth above pursuant to section 10.08.00.

D. Architectural Design Standards

All new construction, renovations and redevelopment of non-residential, mixed-use, and multi-family uses within the Immokalee Urban Overlay District shall meet the architectural design standards set forth in section 5.05.08 unless otherwise specified in this Section or as required for the Central Business Subdistrict.

- 1. Buildings 5,000 square feet in size or less shall not be required to submit architectural drawings that have been sealed by an architect and shall only be required to provide two (2) of the design design treatments of Section 5.05.08 C.5.c.

E. Landscaping, Buffering and Open Space

- 1 **1. Applicability:** Landscaping and Buffering in the Immokalee Overlay shall be
2 provided in accordance with Section 4.06.00, unless as specified in this Section or as
3 provided for in the Central Business Subdistrict.
- 4 **2. Buffer Requirements:** Buffers shall be provided to give spatial separation and visual
5 screening between incompatible uses.
- 6 **a. Perimeter Buffers:** The following buffer standards shall be required for MUPs,
7 PUDs, commercial developments and other non-residential developments
8 adjacent to SR 29 and Jefferson Avenue.
- 9 **i. Buffers adjacent to residential uses and residentially zoned properties**
10 shall be consistent with one of the following:
- 11 **a) Ten (10) foot wide buffer including a six-foot high opaque masonry**
12 wall and a row of trees spaced no more than 30 feet on center;
- 13 **b) Fifteen (15) foot wide buffer including trees spaced no more than**
14 25 feet on center and a hedge consisting of ten gallon plants five
15 feet in height, three feet in spread and spaced a maximum four
16 feet on center at the time of planting;
- 17 **c) Projects with a total building square footage of less than or equal**
18 to 5,000 square feet shall provide a ten (10) foot Type A
19 landscape buffer as described in section 4.06.00 between
20 vehicular rights-of-way with required sidewalks and adjacent
21 residential development.
- 22 **ii. Buffers adjacent to non-residential uses shall include a shared ten (10)**
23 foot wide buffer. Each property must contribute a minimum of five (5) feet
24 to the buffer. This buffer area may be provided in the form of landscaped
25 area with plantings consistent with the Type A buffer requirements and/or
26 hardscaped courtyards, mini-plazas, outdoor eating areas, and
27 building foundation planting areas. This buffer requirement is not required
28 in the side yard between non-residential uses that share a common wall
29 or between shared parking facilities.
- 30 **iii. Right-of-Way Buffers:** Right-of-way buffers for multi-family and non-
31 residential developments shall be provided as follows:
- 32 **a) Projects along Jefferson Avenue, with a total building square**
33 footage of less than or equal to 5,000 square feet, shall provide a
34 ten (10) foot Type A landscape.
- 35 **b) All other developments shall provide a minimum ten (10) foot wide**
36 Type D Buffer meeting the design standards of Section 4.06.02
37 C.4.
- 38 **3. Parking Lot Landscaping:**
- 39 **a. Up to 30 percent of the landscape islands shall have a minimum width of 5 feet**
40 inside planting area and may be planted with a palm tree equivalent.
- 41 **b. Minimum tree size shall be 1-3/4" caliper and a minimum of 10 feet in height.**
- 42 **c. Parking lot perimeter shall be a minimum of five (5) feet in width. Shrubs shall**
43 be arranged in a staggered pattern with a minimum size of 3 gallons at the time
44 of planting to provide year-round screening. Trees shall be included in the
45 perimeter landscape area at a minimum spacing of one tree/palm per 25 feet of
46 linear frontage.
- 47 **4. Building Foundation Planting:** Building foundation plantings shall be required per
48 section 4.06.05 of the Code, except as follows. The building shall provide the
49 equivalent of 10 percent of its ground level floor area, in building foundation planting
50 area. A continuous building foundation planting width is not required per section
51 4.06.05 of the Code. However, the foundation plantings shall be located within 25

feet of the building edge in the form of landscaped courtyards and seating area landscaping.

5. Water Management Area: The water management area may be located within any required buffer area provided all buffer plantings can be accommodated.

6. Plant Materials: Landscaping in the Immokalee Overlay shall utilize tree and shrub plants that are identified in the Collier County Native Plant List in order to minimize maintenance and water demands after establishment. Ornamental plantings should be drought-tolerant in nature, consistent with Florida Yards & Neighborhoods Program, and cross-referenced with the latest FLEPPC listing of invasive species (Categories I and II).

7. Landscape Plan: Projects with building size 5,000 square feet or less shall be exempt from the requirement to include a landscape plan sealed by a landscape architect.

F. Signage

Signage shall be provided in compliance with Section 5.06.00, except as provided in Section 4.02.27 H. for the Central Business Subdistrict.

G. Parking

The purpose of the parking standards is to regulate the location, siting, and design of on-street and off-street parking in a manner that provides convenient access to adjoining uses, reduces increased surface level heat and glare, and enhances pedestrian, bicyclist and motorist safety and visibility within the built environment. Parking in the IO shall be as provided for in Section 4.05.00, except as specified in this Section.

1. Parking Space Requirements: Parking spaces shall be provided in accordance with the following table. For uses not specifically listed, the most similar category shall be used to calculate the minimum parking requirements. Net Floor Area is defined as total floor area excluding mechanicals and core space.

Use Type	Minimum Parking Spaces
Single-Family Residential	2.0/dwelling unit
Multi-family Residential	
1-bedroom	1.0/dwelling unit
2-bedroom	1.5/dwelling unit
3 or more bedrooms	2.0/dwelling unit
Lodging	0.75/room
Places of worship	1/4 seats (pews: 1 seat = 1.5 feet)
Assembly/Museum/Gallery	1/500 sq. ft. of net floor area open to the public
Institutional	1/300 sq. ft. of net floor area
General Office	1/350 sq. ft. of net floor area
Retail	1/300 sq. ft. of net floor area
Restaurant ⁽¹⁾	1/150 sq. ft. of net floor area
Industrial/Manufacturing	1/500 sq. ft. of net floor area
Warehousing	1/1,000 sq. ft. of net floor area

(1) Outdoor café seating shall be exempt from parking calculations

1 b. Given the prevalence of nonvehicular modes of travel within Immokalee,
2 the County Manager or designee may allow a reduction in the minimum
3 parking requirements for these uses. In making such a determination, the
4 County Manager or designee may require submission of parking generation
5 studies; evidence of parking ratios applied by other counties and
6 municipalities for the specific use; and other conditions and safeguards
7 deemed to be appropriate to protect the public health, safety and welfare.

8 **2. Bicycle Parking Requirements:**

9 a. Minimum Spaces Required. Provisions for the safe and secure parking of
10 bicycles shall be furnished at a ratio of ten (10) percent of requirements for
11 motor vehicles as set forth above. A minimum of four (4) bicycle parking
12 spaces shall be provided. Shared bicycle parking facilities for multi-tenant
13 buildings are encouraged.

14 b. Design.

15 i. Bicycle parking will be provided through the use of bicycle lockers,
16 bike rails (inverted-U design), three-point locking racks, freestanding
17 racks, or ribbon racks. Traditional, "wheelholder" design racks are
18 not permitted. Other bicycle parking designs, which depart from the
19 bike rack standard, but are consistent with the Immokalee Public
20 Realm design theme, will be considered by the County architect.
21 Bike racks which function without securing the bicycle frame, require
22 the use of a bicycle kick stand, or which may be freely reoriented,
23 are not permitted.

24 ii. Each bicycle rack must be accessible from all sides with a minimum
25 of three (3) feet of clearance on each side.

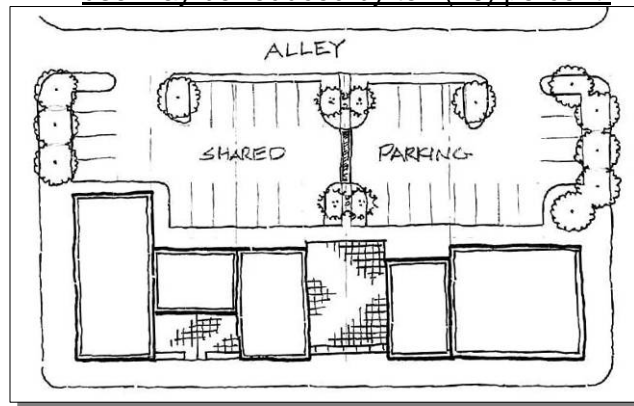
26 iii. Location. Bicycle parking will be located no greater than one
27 hundred (100) feet from the main building entrance.

28 **3. Adjustments to minimum parking requirements.** Developments which meet
29 any of the following standards may be exempted from the minimum parking
30 requirements of this section.

31 a. Public parking facilities. The CRA can make public parking available to
32 meet the minimum parking requirements for new construction or
33 redevelopment projects. An applicant must provide documentation stating
34 the parking allocation has been approved by the CRA as part of the site
35 development or site improvement plan process. The public parking facility
36 must be located within one-half mile of the development. Once spaces
37 are allocated to a specific property through the approval of the, SDP or
38 SIP, the applicant has one year to obtain a building permit for the
39 construction. If a building permit is not obtained within one year, the
40 spaces will be made available for reallocation and the applicant must
41 submit for a site development or site improvement plan amendment,
42 either to reconfigure the site to accommodate parking on-site, or to re-
43 apply for the allocation of public parking spaces, if spaces are available.

44 b. Off-site parking. Off-site parking may be used in order to meet the
45 minimum parking requirements, provided the off-site parking is located no
46 farther than 1200 feet from the use it will serve. The location and design
47 of the off-site parking will be shown on the SDP or SIP and approved as
48 part of the SDP or SIP review and approval process. The required parking
49 spaces will be committed by a recordable covenant, lease, or other
50 agreement, acceptable to the County Attorney.

- 1 c. Shared parking. Shared parking is permitted for new development if the
2 applicant establishes that the peak parking demands for the new uses
3 clearly occur at different times. A shared parking agreement must be
4 recorded by a recordable covenant, lease, or other agreement,
5 acceptable to the County Attorney. Shared parking lots must be within
6 600 feet of each use and may not be separated from the use by a street
7 right-of-way or easement exceeding 60 feet in width.
- 8 d. On-street parking. Where on-street parking exists or is permitted, a
9 development may count the spaces directly along the site's frontage
10 toward the minimum parking requirement, however the on-street parking
11 spaces are considered public spaces and are not for the exclusive use of
12 the adjacent use. On-street parking on local streets requires an
13 agreement with the County to use the public right-of-way for parking and
14 shall be designed in accordance with Section 4.02.16 E.3.
- 15 e. Connectivity: Parking lots are encouraged to connect to adjacent lots
16 through the use of a joint access easement. If a joint access easement is
17 provided for connectivity, then the minimum parking requirement for the
18 use may be reduced by ten (10) percent.



Shared parking facility

- 19 f. Tree preservation. The minimum number of spaces required may be
20 adjusted by the County Manager or designee when it has been
21 determined that the reduction is necessary to preserve a healthy tree or
22 trees (with a twelve inch or greater diameter at breast height) from being
23 damaged or removed, and where the site plan provides for the retention
24 of said tree or trees.
- 25 g. Permeable parking surface. When a site utilizes permeable surfaces in
26 accordance with G.4., Surface of Parking Lots and Spaces, below, the
27 number of required parking spaces will be reduced by 10 percent. The
28 parking reduction applies only to the parking areas utilizing approved
29 permeable surfaces.
- 30 **4. Surface of Parking Lots and Spaces.** In order to reduce stormwater run-off and
31 water pollution, and to allow for groundwater recharge, permeable surfaces will
32 be encouraged within parking lots and spaces. Acceptable permeable surfaces
33 include:
- 34 a. pervious concrete;
35 b. pervious pavers;
36 c. gravel when reinforced to provide adequate load-bearing;
37

- d. grass, if compacted, stabilized, well-drained and surfaced with a durable grass cover;
- e. other permeable surfaces as may be approved by the County Manager or his designee.

H. Central Business Subdistrict

- 1. Purpose.** The purpose of the Central Business Subdistrict designation is to encourage development and redevelopment by enhancing and beautifying the downtown Immokalee area through flexible design and development standards. This area should be designed to give priority to pedestrians, promote transit-ready development and support an efficient multi-modal transportation system.. Commercial and mixed-use developments are appropriate uses in this area. A multicultural character will be encouraged through architectural and design guidelines.
- 2. Dimensional Standards**
 - a. Lot and building dimensional requirements for new development are provided below and are based on fronting street.

	Main Street	First Street	All Other Streets
Min. Lot Width (ft)	75	75	Per Underlying Zoning
Min. Lot Size (sq ft)	8,000	8,000	Per Underlying Zoning
Min. Front Setback (ft)	0	0	5
Max. Front Setback (ft)	15	10	n/a
Min. Side Setback (ft) ¹	10	10	Per Underlying Zoning
Min. Rear Setback (ft) ²	5	5	5
Min. Floor Area (sq ft)	700	700	Per Underlying Zoning
Min Building Separation ¹	10	10	10
Max. Building Height (ft)	50	50	35

¹ If shared wall is provided with adjacent building, then no setback is required
² Rear Setback shall be a minimum of 20 feet if adjacent to residential use or zoning

- b. When a maximum front setback is required, the front building façade must be located between the minimum and maximum front setback for a minimum of at least sixty percent of the lot width.
- c. Exceptions to Dimensional Standards:
 - i. Arcades may project into the front setback and extend to the property line. Arcades must be open and non-air conditioned and may have enclosed balconies or verandas above them.
 - ii. Awnings may project over the public sidewalk a maximum of five feet.
 - iii. Accessory structures shall meet the setback requirements of Section 4.02.27 B.3.
 - iv. Building Height: Height limitations shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy, monuments, transmission towers, chimneys, smokestacks, flagpoles,

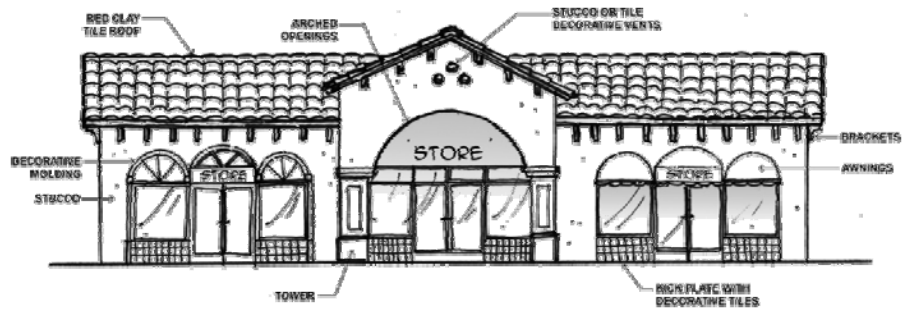
masts and antennas. Hotels and motels may be no more than fifty feet regardless of street frontage.

3. Architectural Design Standards

a. Architectural Style. Buildings shall complement the historic and architectural heritage of the Immokalee area. All new buildings shall adopt design characteristics that adhere to the following architectural styles. Additional design characteristics can be found in the Immokalee Central Business District Form-Based Guidelines, Appendix A: Architectural Styles.

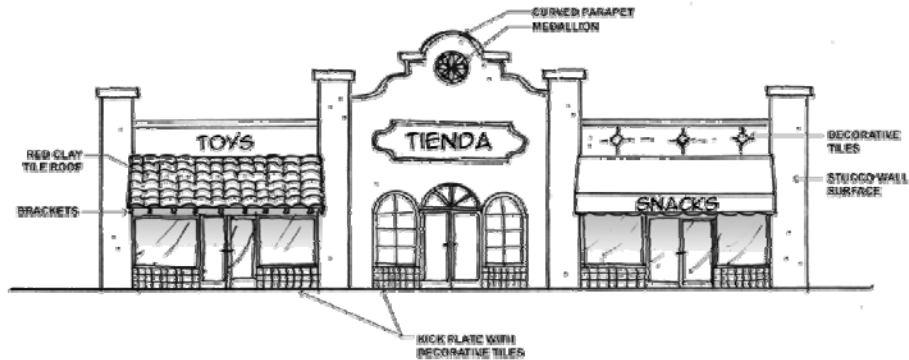
i. Spanish Vernacular:

a) Mediterranean Style: Characteristics include red tile, low-pitched roofs usually with little or no overhang, parapets, arches, stucco and asymmetrical facades. Also referred to as Spanish Eclectic or Spanish Colonial Revival.

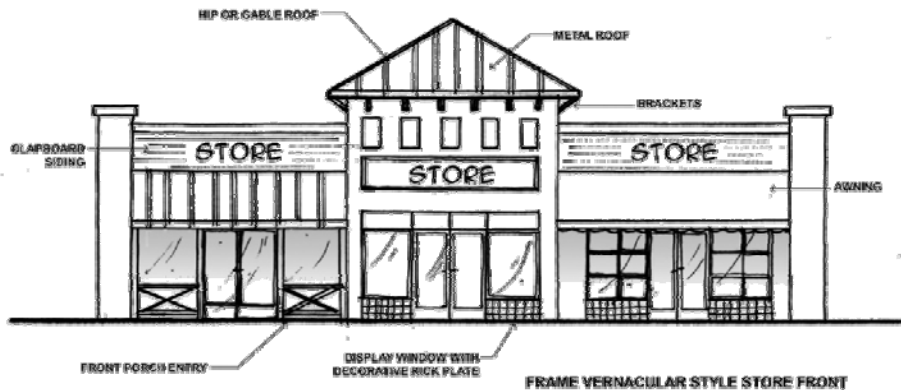


b) Mission Style: Characteristics include red barrel clay tile roofs, arches, earth tone colors, and asymmetrical facades finished in stucco. Mission Style typically exhibits much less ornamentation and detailing than Mediterranean Style.

ii. Frame Vernacular: Characteristics include the use of horizontal



siding for façade finish, elaborate wood balustrades, large porches, and metal roofs. Also referred to as Florida Cracker or Key West Style.



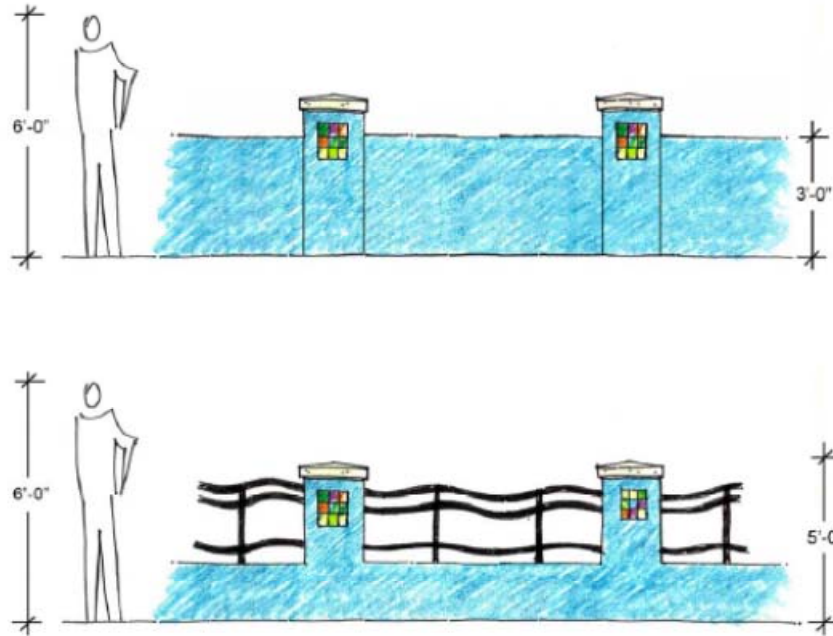
- 1 b. *Building Orientation.* Buildings shall be oriented to maintain and enhance the
2 attractiveness of the streetscape and public realm.
3 i. New buildings shall be located parallel to the right-of-way on which they
4 front.
5 ii. The primary façade shall be oriented toward a street and include an entry
6 door. Buildings may be located interior to a site provided the site has
7 buildings that otherwise meet this requirement.
8 c. *Building Massing.* Proposed buildings should relate to adjacent buildings in
9 similarity of scale, height, architectural style, and/or configuration. A single,
10 large, dominant building mass must be avoided.
11 i. Buildings shall not extend for more than fifty (50) horizontal feet without a
12 major volume shift or a substantial break in volume. Such break may be
13 achieved through an architectural feature that projects up and out (a
14 tower, bay or similar element), and/or a substantial recess into the
15 building. The difference in plane should be a minimum of three (3) feet.
16 d. *Building Facades.* All facades of a building must be designed with consistent
17 style, detail, colors and materials, and shall be designed to provide visual
18 interest from the perspective of the pedestrian and motorists. The design of
19 secondary and rear facades shall be consistent with the front façade. Major
20 architectural treatments, such as cornices, arches, exposed brackets,
21 overhangs and architectural details should be continued around all sides of the
22 building.
23 i. Façade elements. The following architectural treatments may be utilized
24 to create variations in the building façade:
25 a) Change in plane, such as an offset, reveal, column, or arch, with a
26 minimum width of 20 inches and minimum depth of six inches.
27 b) Awnings.
28 c) Arcades/colonnades.
29 d) Balconies.
30 e) Complementary change in material or texture.
31 f) Doors and/or Windows.
32 g) Decorative architectural elements, such as medallions or tiles.
33 h) Raised bands or cornices.
34 ii. Primary Facades shall provide a minimum of three of the façade elements
35 in Section d.i., above. The primary façade shall not exceed twenty feet in
36 horizontal length and ten feet in vertical length without a façade element.
37 iii. Secondary Facades. The secondary façade shall include a minimum of
38 two of the façade elements identified Section i. above.

- 1 a) Secondary facades located on a side property line are exempt from
2 this requirement.
- 3 b) A mural, as allowed in 4.02.27 H.7.a, may be substituted for this
4 requirement.
- 5 e. Glazing/Fenestration. Windows shall be provided along all facades fronting a
6 street.
- 7 i. Multifamily and Office Buildings shall provide windows along a minimum
8 of 25% of the primary building façade width and 15% along any
9 secondary street frontage, for each building story.
- 10 ii. Mixed Use and Commercial Buildings shall provide windows along a
11 minimum of 50% of the first floor primary building façade width.
12 Secondary building facades and windows along the second story and
13 above shall be provided along a minimum of 25% of the building façade
14 width.
- 15 iii. Windows along the first building floor shall be transparent, with a
16 maximum tint of 25%, and shall be located between 3 and 8 feet above
17 sidewalk grade.
- 18 f. Building Materials and Colors.
- 19 i. Building materials should be compatible to the building style and
20 character of the surrounding area. Specific material types can be found
21 in the Immokalee Central Business District Form-Based Guidelines,
22 Appendix A: Architectural Styles.
- 23 a) Building materials may include decorative ceramic tiles with any
24 architectural style.
- 25 b) Corrugated and smooth concrete block may be allowed for up to
26 thirty-three (33%) percent of the area.
- 27 c) Cedar shakes, unfinished block, corrugated or reflective metal
28 panels, textured plywood, plastic siding, mirrored glass and glass
29 walls are prohibited.
- 30 ii. Exterior building colors shall be selected from the Immokalee Design
31 District Color Palette as provided in the Central Business District Form-
32 Based Guidelines and shall be consistent with the architectural style of
33 the building.
- 34 a) Spanish influenced architectural buildings are encouraged to include
35 intense, deep colors for the building body with trim and accents of
36 another color.
- 37 b) Frame Vernacular buildings shall utilize less intense, softer color
38 shades for the building body and white trim and accents.
- 39 c) No more than three (3) different colors or color shades shall be used
40 on a single building.
- 41 g. Roof Design.
- 42 i. Flat Roofs:
- 43 a) Flat roofs shall include a parapet at least three (3) feet in height.
44 Parapets shall be capped with a cornice that includes curved or
45 straight moldings.
- 46 b) Flat roofs shall incorporate roofline offsets, such as towers, steps or
47 curves, to lend architectural interest and variety to the massing of a
48 building and to relieve the effect of a single, long roof. The
49 maximum length of an uninterrupted flat roof is fifty (50) feet.
- 50 ii. Sloped Roofs:

- 1 a) Sloped roofs shall not exceed the average height of the supporting
- 2 walls.
- 3 b) Sloped roofs shall have a minimum overhang of two feet beyond the
- 4 building wall. Roof support brackets are encouraged if it is
- 5 consistent with the building style.
- 6 c) Sloped roofs shall incorporate roofline offsets, such as towers,
- 7 dormers, chimneys or cupolas, to lend architectural interest and
- 8 variety to the massing of a building and to relieve the effect of a
- 9 single, long roof. The maximum length of an uninterrupted sloped
- 10 roof is fifty (50) feet.
- 11 d) Sloped roof materials are limited to metal (standing seam, 5V
- 12 crimp), terracotta tiles or architectural asphalt shingles, depending
- 13 on the building style.
- 14 e) False mansard roofs are prohibited.

15 **4. Landscaping, Buffers and Open Space**

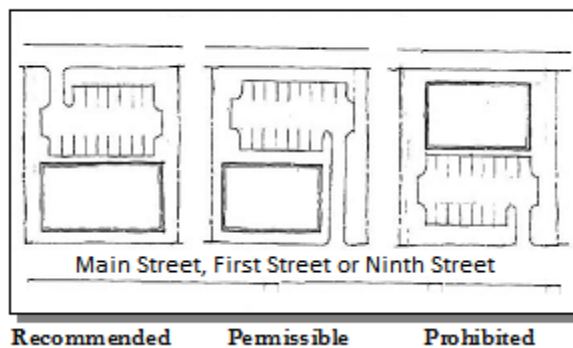
- 16 a. Landscape Buffer Requirements. The following buffer requirements are for
- 17 multifamily and nonresidential uses.
- 18 i. Right-of-way buffer. A landscape buffer adjacent to external rights-of-way
- 19 is not required. The area between the front building façade and the public
- 20 sidewalk shall be an extension of the public realm, and may include
- 21 plazas, courtyards, fountains, or other public gathering places.
- 22 ii. No buffer is required between similar land uses.
- 23 iii. A minimum ten-foot, Type A landscape buffer as described in Section
- 24 4.06.02 is required adjacent to residential land uses or residentially zoned
- 25 properties.
- 26 b. Landscaping and building foundation plantings for commercial and mixed-use
- 27 developments. Recognizing the significant streetscape and landscape
- 28 improvements that have been made within the Central Business District,
- 29 commercial and mixed-use developments within the CBOSD are not required
- 30 to comply with section 4.06.05.B, Landscape requirements for industrial and
- 31 commercial development, or 4.06.05.C, Building foundation plantings. This
- 32 provision does not preclude properties within the CBOSD from providing
- 33 additional landscaping.
- 34 c. Parking lots adjacent to Main Street and First Avenue shall provide a street wall
- 35 to screen off-street parking from the right-of-way.
- 36 i. Streetwalls shall be a minimum of three (3) feet and a maximum of five
- 37 (5) feet in height. Streetwalls greater than three (3) feet in height above
- 38 grade shall be no more than fifty (50) percent solid.
- 39 ii. Streetwalls should be designed to complement the principal building
- 40 style, materials and colors.



1
2
3 **5. Parking**

- 4 a. Expansion of existing use. The expansion of any use will require additional
5 parking at fifty (50) percent of the minimum requirement for the expansion only.
6 b. Change in use. A change in use that does not increase the minimum parking
7 required by more than twenty-five (25) percent will not be required to provide
8 additional parking.
9 c. Parking for new development. New development within the CBD will be
10 required to provide parking at sixty-seven (67) percent of the minimum
11 requirement of this section.
12 d. Location of parking. Parking shall be located in the rear or side yard for
13 properties with frontage on Main Street, First Street or Ninth Street. A street
14 wall will be required to screen any parking area adjacent to the street.

Parking Lot Placement



- 15
16 e. Payment in lieu. For uses located within the Immokalee Central Business
17 District, compliance with parking requirements may be achieved by making
18 payments to the Immokalee CBD parking fund in accordance with payment-in-
19 lieu fees established by the Immokalee CRA and approved by Collier County.

1 Fees collected will be used to acquire, construct, maintain, and administer
2 public parking facilities.

3 **7. Signs**

- 4 a. Murals. Mural signs, as defined in section 5.06.00, that do not contain
5 commercial content, are allowed within this Subdistrict without a sign permit,
6 with the following conditions:
7 i. One (1) mural is allowed per building.
8 ii. Murals are permitted on walls with no doors, windows, or architectural
9 details.
10 iii. The mural shall not advertise the business within the subject building, or
11 any off-site commercial activity or business, through the use of text or
12 corporate logos and trademarks.
13 iv. Approval from CRA staff is required to ensure the artwork complements
14 the design of the building in color, shape, and location.
15 b. Ground or pole signs. The only ground sign permitted within this Subdistrict is
16 a monument sign, with the following conditions:
17 i. One monument sign per parcel is allowed if the building is set back a
18 minimum of fifteen (15) feet from the front property line.
19 ii. The maximum allowed height is seven (7) feet.
20 iii. The maximum allowed sign area is twenty-eight (28) square feet.
21 iv. The design of the monument sign shall be architecturally compatible
22 with the style, composition, materials, and colors of the principal
23 structure.
24 c. Wall, mansard, canopy, or awning signs. In addition to the requirements of
25 section 5.06.04.F.4, wall, mansard, canopy or awning signs shall be subject to
26 the following additional requirements:
27 i. No sign shall cover any architectural detailing, windows, or building
28 ornamentation.
29 ii. Awning signs shall not be placed on the curved or diagonal portion of
30 the awning. The width of the sign cannot exceed seventy-five (75)
31 percent of the width of the awning.
32 d. Sandwich board or sidewalk signs. One sandwich board sign is allowed on the
33 public right-of-way between the curb or travel lane and the private property line
34 per business establishment as long as it is no more than ten (10) square feet
35 per side, allows for a passageway on the sidewalk of thirty-six (36) inches for
36 ADA accessibility, and it is removed from the right-of-way when the business is
37 not open. A sign permit is not required.
38 e. Projecting Signs. Projecting signs are permitted in addition to permitted signs
39 provided such signs do not exceed six (6) square feet in size and are elevated
40 to a minimum of eight (8) feet above any pedestrian way

41 **I. Lake Trafford Ecotourism Subdistrict**

42 **1. Dimensional Standards.** Dimensional standards are as set forth in the underlying
43 zoning district, except as provided below:

- 44 a. Maximum zoned building height for Hotels and Motels (7011) is fifty (50) feet
45 height.
46 b. Principal Structures shall be setback a minimum of fifty (50) feet from Lake
47 Trafford, except that any existing legally permitted structure with less than a
48 100 foot may be replaced, improved, expanded or enlarged, providing the
49 existing setback line is maintained. Water dependent and water related uses

1 such as, but not limited to, marinas and related ancillary uses need only
2 maintain a 20 foot setback from the lake.

- 3 c. New residential developments shall meet the following lot provisions for single
4 family residential lots, in order to minimize impacts to the natural environment:
5 i. Maximum lot size: 12,000 square feet
6 ii. Average lot size: 6,000 square feet

7 **2. Required Buffers for New Development Adjacent to Lake Trafford.** New
8 development, excluding single-family dwellings, shall provide a minimum fifty (50)
9 foot vegetated upland buffer adjacent to Lake Trafford.

- 10 a. The buffer shall be measured landward from the approved jurisdictional
11 wetland line.
12 b. Existing native vegetation shall be retained within the buffer.
13 c. The buffer will be maintained free of Category I invasive exotic plants, as
14 defined by the Florida Exotic Pest Plant Council.
15 d. The following land uses are considered to be compatible with the function of
16 the buffer and may be provided:
17 i. Passive recreational areas, boardwalks and recreational shelters;
18 ii. Pervious nature trails;
19 iii. Water management structures;
20 iv. Mitigation areas;
21 v. Any other conservation and related open space activity or use which is
22 comparable in nature with the foregoing uses.

23 **J. Lake Trafford Urban Wetlands Subdistrict**

24 **1. Additional wetland protection measures.** Land uses will comply with the additional
25 wetland protection measures as set forth in CCME Policy 6.2.5. For the purposes of
26 this section, the existing vegetation shall be preserved in accordance with the
27 standards set forth for Neutral Lands. Exceptions to these measures include:

- 28 a. Developed properties. The additional wetland protection measures do not apply
29 to properties within the LTUWOSD that have been legally cleared as of the
30 adoption of this section.
31 b. Properties within the LTUWOSD east of the Seminole Reservation. If the
32 connectivity of the wetland system for properties within the LTUWOSD, east of
33 the Seminole Reservation, is severed by development on the Seminole
34 Reservation, the additional wetland protection measures will be reviewed to
35 see if they are still warranted, and the LTUWOSD boundary will be amended
36 by the County.

37 **2. Transfer of Development Rights (TDR).** Properties within the LTUWOSD may
38 participate in the Transfer of Development Rights Program as laid out in Section
39 2.03.07 D.4.b. However, development rights severed from land within the Lake
40 Trafford Urban Wetlands Overlay can only be transferred to lands located outside of
41 the LTUWOSD and within the Immokalee Urban Area. TDR provisions cannot be
42 used to transfer development rights into the RLSA District, but this does not prohibit
43 the use of the density and intensity blending provisions of the Immokalee Area
44 Master Plan.

45 **K. Farmers Market Subdistrict**

46 **1. Dimensional Standards.** Dimensional standards are as set forth in the underlying
47 zoning district, except that the minimum floor area for buildings in the C-5 zoning
48 district shall be 500 feet.

49 **L. Nonconforming Provisions**

50 The purpose of this section is to supplement the provisions of Section 9.03.00 of the LDC
51 and regulate and limit the continued existence of nonconforming lots, uses, structures and

1 features in the Immokalee Overlay while allowing opportunities for appropriate
2 redevelopment and reinvestment. The provisions of this section are intended and
3 designed to bring about the eventual elimination of nonconformities and/or lessen their
4 impact upon surrounding conforming uses, while providing flexibility for the reuse of
5 existing lots and structures that contain nonconforming features without requiring
6 unreasonable expenses to bring the property fully into compliance with this code.

7 **1. Nonconforming Lots**

8 a. Nonconforming lots are subject to the provisions of Section 9.03.03 A.

9 **2. Nonconforming Uses**

10 a. Nonconforming uses of land, structures or waters, other than mobile homes,
11 mobile home parks or mobile home subdivisions, shall be subject to the
12 provisions of Section 9.03.02.

13 **3. Nonconforming Structures**

14 a. A nonconforming principal structure may continue only in accordance with the
15 provisions of this Section.

16 b. Normal repair and maintenance may be performed to allow the continuation
17 of a nonconforming structure.

18 c. A nonconforming structure may not be enlarged or altered in any way which
19 increases its nonconformity, except that the replacement of nonconforming
20 residential structures may be permitted in accordance with section 9.03.03
21 B.4.

22 d. Replacement of a nonconforming structure that is damaged or destroyed by
23 any means to an extent of more than fifty (50) percent of its actual
24 replacement cost at the time of destruction, as determined by a cost estimate
25 submitted to the site development review director, may be rebuilt after
26 issuance of a permit subject to the following standards:

27 i. A building permit must be applied for no later than 180 days from the
28 date of the destruction;

29 ii. If possible, the structure shall be rebuilt on the same lot and meet all
30 subdistrict and building type requirements.

31 iii. If the structure cannot be rebuilt at the same size (ground floor area) in
32 accordance with the minimum standards of the subdistrict in which it is
33 located then it shall be placed on the lot in a manner that minimizes the
34 nonconformities, and in no case shall it be rebuilt in a manner that
35 increases its nonconformity.

36 iv. The reconstruction of a nonconforming non-residential structure at the
37 same or smaller size, shall require the installation of parking,
38 landscaping and buffering in accordance with the provisions of Section
39 4.02.27 D. or E.4., whichever is least restrictive.

40 e. A nonconforming structure may establish a new use that is permitted by the
41 underlying zoning or overlay subdistrict designation in which it is located,
42 provided that all other requirements of this section are met. The
43 establishment of a new use in an existing structure shall not require
44 improvements to other site related nonconformities unless the County
45 Manager or designee determines that existing site related conditions create
46 an unsafe condition.

47 **4. Nonconforming Features**

48 a. Site related nonconformities, including stormwater management facilities,
49 landscaping, open space, native vegetation, conservation areas, buffers and
50 preserves, on- or off-site parking, vehicle stacking, driveway locations and
51 throat lengths, or non-structural architectural design standards shall be

1 brought into compliance with requirements of the applicable design standards
2 for all redevelopment projects in the Immokalee Urban Overlay except as
3 provided in this Section.

4 b. The following types of redevelopment projects may be permitted without
5 bringing all site related nonconformities into compliance.

6 i. Improvements to an existing developed site, including interior
7 renovations, where the total value of the proposed improvements is
8 less than 50 percent of the total replacement value of the structures
9 and site improvements on the lot existing at the time of improvement.

10 The replacement value shall be calculated by a Florida licensed
11 property appraiser. Replacement value shall not include the following:

12 a) costs to bring structure(s) into compliance with the most recent
13 building code, unless there is a change in occupancy type;

14 b) costs to bring the structure(s) into compliance with the most
15 recent floodproofing standards,

16 c) costs associated with improved energy efficiency measures,
17 such as high efficiency windows, solar panels, green roofs.

18 ii. Existing structures may establish a new use that is allowed in the
19 underlying zoning district or overlay subdistrict in which it is located,
20 including the reestablishment of a use that has ceased for a period of
21 more than ninety (90) consecutive days, provided the new use does
22 not increase the number of parking spaces by more than 25 percent
23 or increase the required buffer width and/or type from the previous
24 use.

25 iii. If the County Manager or designee determines that existing
26 nonconforming features create an unsafe condition, then the
27 nonconforming features shall be remedied to the greatest extent
28 possible given the physical constraints on the property.

29 **5. Nonconforming Mobile Homes, Mobile Home Parks and Mobile Home**
30 **Subdivisions.**

31 a. Purpose and intent. The purpose of these provisions is to recognize that
32 there are nonconforming mobile home parks in the Immokalee Urban Area, to
33 provide incentives to upgrade these parks while requiring the elimination of
34 substandard units, and to allow park owners to take advantage of alternative
35 development standards in order to cause some upgrading of conditions that
36 would normally be required of conforming mobile home parks.

37 b. Required site improvement plan application. The property owners of all
38 nonconforming mobile home developments/parks that were in existence
39 before November 13, 1991, i.e., that predate Ordinance No. 91-102, the land
40 development code, shall be required to submit a site improvement plan (SIP)
41 meeting the standards set forth below by January 9, 2013 or thereafter within
42 the time frame set forth in an order of the Code Enforcement Board finding a
43 violation of this section, or by the date set forth in a Compliance or Settlement
44 Agreement entered into between Collier County and a property owner
45 acknowledging such a violation and also establishing the date by which such
46 violation will be cured through the SIP submittal process as set forth in
47 Section 10.02.05 F.

48 c. The site improvement plan (SIP) master plan shall illustrate the way existing
49 buildings are laid out and the infrastructure (i.e. utilities, streets, drainage,
50 landscaping, parking and the like) to serve those buildings. The number and
51 location of buildings shall be reviewed for consistency with Code

1 requirements (i.e. setbacks, space between buildings, density, and the like).
2 Similarly, the SIP shall serve to provide a basis for obtaining approval of
3 required infrastructure improvements such as those referenced herein. The
4 approved SIP showing all of the above shall become the official record
5 acknowledging the legal use of the property. Failure to initiate this process
6 within the time frames set forth above, will result in a Code violation in which
7 the property owner will be required to immediately remove all mobile homes
8 which have not received a building permit and all mobile homes deemed to
9 be unsafe and unfit for human habitation, and otherwise contrary to the
10 county's housing code unless otherwise prohibited by state law.
11 d. Nonconforming Mobile Homes shall be subject to the provisions of Section
12 9.03.07 C. Travel trailers, regardless of the square footage, are not permitted
13 as a permanent habitable structure.
14