AN ORDINANCE ADOPTING COMPREHENSIVE PLAN AMENDMENT 08-CPA2 ADDING A NEW FUTURE LAND USE DESIGNATION OF BUSINESS PARK COMMERCIAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 46-31 of the Code of Ordinances of the City of Naples and Chapter 163.3184 of the Florida Statutes provide for amendment of the City's Comprehensive Plan adopted January 21, 1998 by Ordinance 98-8165; and

WHEREAS, following the annexation of the Collier Park of Commerce, which currently has a County land use designation of Industrial, the City of Naples has deemed it necessary to create a new land use designation appropriate for the continued development and redevelopment of the commerce park; and

WHEREAS, following a public hearing, the Planning Advisory Board has considered the recommendation of the staff and the public input and has recommended by a vote of 7 to 2 that Petition 08-CPA3 be approved; and

WHEREAS, after considering the recommendation of the Planning Advisory Board and City staff, following a public hearing on the subject, and providing the petitioner, staff and the public an opportunity to present testimony and evidence, the City Council has determined that the petition should be granted;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That Comprehensive Plan Amendment 08-CPA2 is hereby adopted amending the Future Land Use Element of the Comprehensive Plan adding a new future land use designation of Business Park Commercial.

Section 2. That the City of Naples Comprehensive Plan Future Land Use Element Policy 1-1 is hereby amended as follows:

<table>
<thead>
<tr>
<th>Land Use Category</th>
<th>INTENSITY/DENSITY</th>
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<tbody>
<tr>
<td>Beach Front Estates</td>
<td>1 dwelling unit per 1.5 acres</td>
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<tr>
<td>Low Density Residential</td>
<td>6 dwelling units per acre</td>
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<tr>
<td>Medium Density Residential</td>
<td>0-12 dwelling units per acre</td>
</tr>
<tr>
<td>High Density Residential Low Rise Coquina Sands</td>
<td>0-15 dwelling units per acre</td>
</tr>
<tr>
<td>High Density Residential Low Rise Moorings</td>
<td>0-15 dwelling units per acre</td>
</tr>
<tr>
<td>High Density Residential Mid Rise</td>
<td>15-18 dwelling units per acre</td>
</tr>
<tr>
<td>High Density Residential High Rise</td>
<td>0-18 dwelling units per acre</td>
</tr>
<tr>
<td>High Density Residential Tower</td>
<td>0-25 units per acre and further limited by applicable PD/ Developer's Agreement</td>
</tr>
</tbody>
</table>
Mobile Home Residential  Total units capped at 141 mobile homes and 31 recreational vehicle spaces per approved Planned Development (Ordinance 92-6778 dated 10/21/92)

Limited Commercial  50% building coverage
Highway Commercial  30% building coverage
Airport Commercial  40% building coverage
Business Park Commercial  60% building coverage

Downtown Mixed Use  Commercial uses - 3 parking spaces per 1000 square feet (gross) of building area

Dwelling units as part of a mixed use development - 1 parking space per unit

Dwelling units developed as strictly residential - 1.5 parking spaces per unit

Transient lodging units - 1 parking space per unit

Places of seated assembly such as churches and theaters - 1 parking space per 4 seats

Unspecified Uses - No less than 2 parking spaces per 1,000 gross square feet of building area as determined through a parking needs analysis approved by City Council;

and a 45' height limit to building eave and 65' overall building height;

and the maximum height is 45 feet measured from the sidewalk abutting the property, except where commercial property is adjacent to, or across the street or alley from, property zoned residential, buildings at the street line cannot be higher than the height permitted in the residential zone. Roof eaves and overhangs must remain with a 12:12 slope passing through the 45-foot maximum height and may encroach no more than four feet from the build-to line. Maximum overall height to top of roof is 65 feet.

Within the Gateway, Civic Corridor and North Gateway areas: Maximum building height is limited to three stories

Within the Core area: Buildings are permitted to be an average of three stories in height, but no higher than four stories. If a four story building is built, the following restrictions apply:
The "average" three story height can be accomplished with one or more buildings, but the street frontage of the property must be equally divided between four story and two story wings or structures. Along U.S. 41 and between 9th and 10th Streets, the average is to be calculated on building frontages only. In other sections of the Core District, the average may include both parking areas, counted as one story (for no more than 50 percent of the fourth story frontage) and buildings (for no less than 50 percent of the fourth story frontage), provided that the buildings are visually tied together. The averaging may not be accomplished by varying heights on the same projected street frontage. The areas to be averaged must occur on the same parcel of property.

To encourage mixed use, a portion of the building(s) at least equivalent to the square footage of the fourth floor must be used for residential purposes.

<table>
<thead>
<tr>
<th>Waterfront Mixed Use</th>
<th>Marinas or marine research, development and testing 50%; other 40% building coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public, Semi-Public and Private Recreation</td>
<td>N/A</td>
</tr>
<tr>
<td>Public, Semi-Public Institutional</td>
<td>45% building coverage</td>
</tr>
<tr>
<td>Conservation</td>
<td>1 unit per 5 net acres (as determined through the DSEI)</td>
</tr>
</tbody>
</table>

Section 3. That the Comprehensive Plan is further amended under Generalized Future Land Use, Section 2 Commercial to read as follows:

f. The "Business Park Commercial" area designated on the Future Land Use Map is intended to accommodate a mix of industrial uses and office uses, with supporting commercial uses and service establishments. The primary function of this designation is to support the strengthening and diversification of the economic base of the city by situating industries, businesses, offices, institutional, commercial and service establishments in close proximity in an attractive park-like setting that benefits employees and patrons of the area. Landscaped streetscapes, architectural controls are encouraged to create a cohesive character within the Business Park area.
Section 4. The effective date of this plan amendment shall be the earliest date permitted under Section 163.3189, Florida Statutes.

APPROVED AT FIRST READING THIS 4TH DAY OF JUNE, 2008.


Bill Barnett, Mayor

Attest: 
Tara A. Norman, City Clerk

Approved as to form and legality:

Robert D. Pritt, City Attorney

Date filed with City Clerk: 10-8-08