

Sec. 34-843. - Applicability of use and property development regulations.

No land, body of water or structure may be used or permitted to be used and no structure may hereafter be erected, constructed, moved, altered or maintained in any conventional commercial district for any purpose other than as provided in section 34-844, pertaining to use regulations for conventional commercial districts, and section 34-845, pertaining to property development regulations for conventional commercial districts, except as may be specifically provided for in article VIII (nonconformities) of this chapter, or in section 34-620.

(Ord. No. 93-24, § 7(450.02), 9-15-93; Ord. No. 98-11, § 5, 6-23-98; Ord. No. 13-10, § 10, 5-28-13)

Note— See the editor's note to § 34-842.

Sec. 34-844. - Use regulations table.

Use regulations for conventional commercial districts are as follows:

TABLE 34-844. USE REGULATIONS FOR CONVENTIONAL COMMERCIAL DISTRICTS

	Special Notes or Regulations	C-1A	C-1	C-2	C-2A	CN-1	CN-2	CN-3 (21, 23)	CC	CG	CS-1	CS-2	CH	CT
Accessory apartment	Note (1) & (25), <u>34-1177</u>	P	P	P	—	—	—	—	—	—	—	—	—	—
Administrative offices		P	P	P	P	P	P	P	P	P	P	P	P	P
Aircraft landing facilities, private:														
Lawfully existing:														
Expansion of aircraft landing strip, helistop or heliport landing pad	<u>34-1231</u> et seq.	SE	SE	SE	SE	SE	SE	—	SE	SE	SE	SE	SE	SE
New accessory buildings	<u>34-1231</u> et seq.	P	P	P	P	P	P	—	P	P	P	P	P	P
New:														
Helistop	<u>34-1231</u> et seq.	SE	SE	SE	SE	SE	SE	—	SE	SE	SE	SE	SE	SE

Amateur radio antennas and satellite earth stations when accessory to an existing principal use	<u>34-1175</u>	Refer to <u>34-1175</u> for regulations.												
Animals:														
Clinic	<u>34-1321</u> et seq.	—	P	P	P	—	—	—	P	P	—	—	—	—
Keeping and breeding of Class I or Class II(df)	<u>34-1291</u> et seq.	—	SE	SE	SE	—	—	—	—	—	—	—	—	SE
Kennel	<u>34-1321</u> et seq.	—	—	P (3)	—	—	—	—	—	P (3)	—	—	—	—
Control center (Including Humane Society)		P	P	P	P	—	—	—	—	P	P	SE	—	—
Assisted living facility	Note (9), (29), <u>34-1411</u> et seq.	—	P	P	—	—	—	P	—	—	—	—	—	P(13)
ATM (automatic teller machine)		P	P	P	P	P	P	P(16)	P	P	P	SE	—	P
Auto parts store	<u>34-1351</u> , <u>34-1353</u>	P	P	P	P	—	P	P	P	P	—	—	—	—
Automobile repair and service (34-622(c)(2)):														
Group I	<u>34-1351</u> , <u>34-1353</u>	—	P	P	P	—	—	—	P	P	—	—	—	—
Group II	<u>34-1351</u> , <u>34-1353</u>	—	—	P	P	—	—	—	—	P	—	—	—	—
Automobile service station	Note (34), <u>34-1351</u> , <u>34-1353</u>	—	P	P	P	—	P	—	P	P	—	—	P	SE

Bait and tackle shop	Note (33)	P	P	P	P	P	P	P	P	P	P	—	SE(5)	—	P
Banks and financial establishments (34-622(c)(3)):															
Group I		P	P	P	P	—	P	P(16)	P	P	P	P	P(16)	—	P
Group II		—	P	P	P	—	—	—	P	P	P	P	P(16)	—	—
	Special Notes or Regulations	C-1A	C-1	C-2	C-2A	CN-1	CN-2	CN-3 (21, 23)	CC	CG	CS-1	CS-2	CH	CT	
Bar or cocktail lounge	<u>34-1201</u> et seq. <u>34-1261</u> et seq.	—	AA/SE	AA/SE	AA/SE	—	—	—	AA/SE	AA/SE	—	—	AA/SE (6)	AA/SE	AA/SE
Bed and breakfast (df)	Note (25), <u>34-1494</u>	—	P	P	P	—	—	—	—	—	—	SE	—	—	P
Boarding house	Note (25)	—	P	P	P	—	—	—	—	—	—	SE	—	—	P
Boats:															
Boat parts store		P	P	P	P	—	P	P(2, 4)	P	P	—	—	—	—	—
Boat ramp		EO/SE	EO/SE	P	P	—	—	—	P	P	—	—	—	—	P
Boat rental		P	P	P	P	—	P	—	P	EO	—	—	P	—	P (7)
Boat repair and service	<u>34-1352</u> , <u>34-3001</u> et seq.	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Boat sales		—	P	P	P	—	—	—	—	P	—	—	—	—	—
Boat storage, dry, not exceeding 18 feet above grade	Note (32)	—	P	P	P	—	—	—	—	P	—	—	—	—	—
Boat storage, dry, exceeding 18 feet above grade	Note (32)	—	SE	SE	SE	—	—	—	—	SE	—	—	—	—	—

Broadcast studio, commercial radio and television	<u>34-1441</u> et seq.	—	—	P	P	—	—	—	P	P	—	—	—	—
Building materials sales (34-622(c)(4))		—	—	P	P	—	—	—	—	P	—	—	—	—
Business services (34-622(c)(5)):														
Group I		P	P	P	P	P	P	P	P	P	P	P (8)	—	P
Group II	Note (34), <u>34-1352</u>	—	P	P	P	—	—	SE	—	P	—	—	—	—
Bus station/depot	<u>34-1381</u> et seq.	—	—	P	P	—	—	—	SE	P	—	—	P	—
Caretaker's residence	Note (30)	—	P	P	SE	P	P	P	P	P	—	—	—	—
Car wash	<u>34-1353</u>	—	P	P	P	—	—	—	P	P	—	—	P	—
Cleaning and maintenance services (34-622(c)(7))		P	P	P	P	—	—	SE	P	P	P	P	—	—
Clothing stores, general (34-622(c)(8))		P	P	P	P	—	—	—	P	P	—	—	—	P
Clubs:														
Commercial		—	—	P	P	—	—	—	P	EO	—	SE	—	—
Fraternal	<u>34-2111</u>	—	P	P	P	—	—	—	P	EO	—	SE	—	P
Membership organization	<u>34-2111</u>	—	P	P	P	—	—	—	P	EO	—	—	—	—
Private		—	—	—	—	P	P	—	P	—	—	SE	—	P
Cold storage warehouse and processing plant (including precooling)		—	—	P	—	—	—	—	—	—	—	—	—	—

Commercial fishery		—	—	EO	—	—	—	—	—	—	—	—	—	—
Commercial use of beachfront seaward of the water body setback line	<u>34-3151</u>	SE (7)	SE (7)	SE (7)	SE (7)	—	—	—	SE (7)	SE (7)	—	—	—	SE (7)
Communication facility, wireless	<u>34-1441</u> et seq.	Refer to <u>34-1441</u> et seq. for regulations.												
Community residential home	Note (29)	P	P	P	P	—	—	P	—	—	—	—	—	—
Consumption on premises	<u>34-1261</u> et seq., Note (33)	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE(22)	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE
Contractors and builders (34-622(c)(9)):														
Group I		P	P	P	P	—	—	P	P	P	—	—	—	—
Group II		—	P	P	P	—	—	—	P	P	—	—	—	—
Group III		—	—	—	—	—	—	—	—	P	—	—	—	—
Convenience food and beverage store	<u>34-1353</u>	P(19)	P(19)	P(19)	P(19)	—	SE(19)	—	P	P	—	—	P	SE(19)
Cultural facilities (34-622(c)(10))		—	P	P	P	—	—	—	—	—	—	—	—	P
Day care center, adult, child	<u>34-206</u> , Note (25)	P	P	P	P	P	P	P	P	P	—	—	—	P
Department store		P	P	P	P	—	—	—	P	P	—	—	—	—
Dormitory	Note (25)	—	—	—	—	—	—	—	—	—	—	—	—	P
Drive-through facility for any permitted use		P	P	P	P	—	SE	—	P	P	SE	SE	P	P
Drugstore, pharmacy		P	P	P	P	—	P	P	P	P	—	—	—	—

Dwelling unit:															
Duplex	<u>34-3107</u> , <u>34-3108</u> , Note (25)	P	P	P	P	—	—	—	—	—	—	P	—	—	—
Single-family	Note (26)	P	P	P	P	—	—	—	—	—	—	P	—	—	—
Two-family attached	<u>34-3107</u> , <u>34-3108</u> , Note (25)	P	P	P	P	—	—	—	—	—	—	—	—	—	—
Townhouse	Note (25)	EO	P	P	EO	—	—	—	—	—	—	—	—	—	—
Live-work	<u>34-1773</u>	—	P	P	P	SE	SE	—	—	—	SE	SE	—	—	—
Multiple-family building	Note (25)	EO	P	P	EO	SE (10)	SE (10)	SE (10)	—	—	SE (10)	SE (10)	—	—	P
Entrance gates and gatehouse	<u>34-1748</u>	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Emergency operations center		P	P	P	P	—	—	—	—	—	P	P	SE	—	—
EMS, fire or sheriff's station	34-3152	P	P	P	P	—	—	—	—	—	P	P	—	—	—
Essential services	<u>34-1611</u> et seq.	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Essential service facilities:	<u>34-622(c)</u> (13)														
Group I	<u>34-1611</u> et seq., <u>34-1741</u> et seq., <u>34-2142</u>	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Group II	<u>34-1611</u> et seq., <u>34-1741</u> et seq., <u>34-2141</u> et seq.	EO	—	—	—	—	—	—	—	—	—	—	—	—	—
Excavation:															

Water retention	34-1651 et seq.	P	P	P	P	P	P	P	P	P	P	P	P	P
Oil or gas		SE	SE	SE	SE	SE	SE	—	SE	SE	SE	—	SE	SE
Farm equipment, sales, storage, rental or service		—	—	—	—	—	—	—	—	P	—	—	—	—
Feed or fertilizer, mixing and sales		—	—	—	—	—	—	—	—	—	—	—	—	—
Fish house, wholesale		—	—	P (11)	—	—	—	—	—	—	—	—	—	—
Flea market:														
Open		—	—	SE	SE	—	—	—	—	SE	—	—	—	—
Indoor		—	P	P	P	—	—	—	—	P	—	—	—	—
Food and beverage service, limited		SE	SE	SE	SE	SE	SE	SE	SE	SE	—	SE	—	—
Food stores (34-622(c)(16)):														
Group I	34-3152	P	P	P	P	P (12)	P	P (12)	P	P	—	—	—	P
Group II		P	P	P	P	—	P	P	P	P	—	—	—	—
Fraternity house	Note (25)	—	—	—	—	—	—	—	—	—	—	—	—	P
Freight and cargo handling establishments (34-622(c)(17))		—	—	—	—	—	—	—	—	—	—	—	—	—
Funeral home or mortuary:														
No cremation		P	P	P	P	—	—	—	—	P	P	SE	—	—
With cremation		SE	SE	SE	SE	—	—	—	—	P	P	SE	—	—

Gasoline dispensing system, special		—	—	—	—	—	—	—	—	—	—	—	—	—	
Hardware store		P	P	P	P	P	P	P	P	P	—	—	—	—	
Health care facility (34-622(c)(20)):															
Group I (less than 50 beds)	Note (9) & (25)	—	—	—	—	—	—	—	—	—	P (13)	SE (13)	—	—	
Group II (less than 50 beds)	Note (9) & (25)	—	—	—	—	—	—	—	—	—	P (13)	SE (13)	—	—	
Group III		P	P	P	P	—	P	P	P	P	P	SE(13)	—	—	
Group IV	Note (9) & (25)	—	—	—	—	—	—	—	—	—	P (13)	SE (13)	—	—	
Hobby, toy and game shops (34-622(c)(21))		P	P	P	P	—	P	P	P	P	—	—	—	—	
Home care facility	Note (25)	P	P	P	P	SE	SE	—	—	—	SE	SE	—	P	
Home occupation:															
No outside help	Note (27), <u>34-1771</u> et seq.	P	P	P	P	P	P	P	P	—	—	P	P	—	P
With outside help	Note (27), <u>34-1771</u> et seq.	AA	AA	AA	AA	AA	AA	AA	AA	—	—	AA	AA	—	AA
Hotel/motel	Note (31), <u>34-1801</u> et seq.	—	P	P	P	—	—	—	—	—	—	SE	P	P	
Household and office furnishings (34-622(c)(22)):															
Group I		P	P	P	P	—	—	P	P	P	—	—	—	—	
Group II		P	P	P	P	—	—	P	P	P	—	—	—	—	
Group III		—	—	—	—	—	—	—	—	P	—	—	—	—	

impound yard	34-3152	—	EO	EO	—	—	—	—	EO	EO	—	—	—	—
Insurance companies (34-622(c)(23))		P	P	P	P	—	—	—	—	—	P	—	—	—
Laundromat		P	P	P	P	P	P	P	P	P	—	SE(5)	—	P
Laundry or dry cleaning (34-622(c)(24)):														
Group I		P	P	P	P	—	P	P	P	P	—	—	—	P
Group II		—	—	P	—	—	—	—	—	—	—	—	—	—
Lawn and garden supply store	34-2081	P	P	P	P	—	—	—	P	P	—	—	—	—
Library	Note (25)	P	P	P	P	—	P	P	P	P	—	—	P	P
Maintenance facility (government)		P	P	P	P	—	—	—	—	P	P	SE	—	—
Manufacturing of:														
Apparel products (34-622(c)(1))		—	—	P	—	—	—	—	—	—	—	—	—	—
Dairy products (SIC 202 only)		—	—	P	—	—	—	—	—	—	—	—	—	—
Electrical machinery and equipment (34-622(c)(11))		—	—	P	—	—	—	—	—	—	—	—	—	—
Fabricated metal products (34-622(c)(14)), group III		—	—	P	—	—	—	—	—	—	—	—	—	—

Food and kindred products (34-622(c) (15)), group III		—	—	P	—	—	—	—	●	—	—	—	—	—
Leather products (34-622(c) (25)), group II		—	—	P	—	—	—	—	●	—	—	—	—	—
Lumber and wood products (34-622(c) (26)), group II		—	—	P	—	—	—	—	●	—	—	—	—	—
Measuring, analyzing and controlling instruments (34-622(c) (28))		—	—	P	—	—	—	—	●	—	—	—	—	—
Novelties, jewelry, toys and signs (34-622(c) (29)), all groups		—	—	P	—	—	—	—	●	—	—	—	—	—
Rubber and plastic products (34-622(c) (44)), group II		—	—	P	—	—	—	—	●	—	—	—	—	—
Marina	<u>34-1862</u>	EO	EO	EO	EO	—	—	—	●	EO	—	—	—	EO
Marina, ancillary uses		EO	EO	EO	EO	—	—	—	●	EO	—	—	—	EO
Mass transit depot or maintenance facility (government-operated)		P	P	P	P	—	—	—	●	P	P	SE	—	—
Medical office		P	P	P	P	—	P	P	●	P	P	P	—	P

Mobile home dealers	<u>34-1352</u>	—	—	P	—	—	—	—	—	SE	—	—	—	—
Model:														
Home	<u>34-1951 et seq.</u>	P	P	P	P	—	—	—	—	—	—	—	—	SE
Unit	<u>34-1951 et seq.</u>	P	P	P	P	—	—	—	—	—	—	—	—	SE
Display center	<u>34-1951 et seq.</u>	—	P	P	P	—	—	—	—	P	P	—	—	SE
Multislip docking facility		—	P	P	P	—	—	—	—	—	—	—	—	P
Nightclubs	<u>34-1201 et seq.</u> <u>34-1261 et seq.</u>	—	AA/SE	AA/SE	AA/SE	—	—	—	—	AA/SE	AA/SE	—	—	AA/SE(6) AA/SE
Nonstore retailers (34-622(c)(30)), all groups		P	P	P	P	—	—	—	—	P	—	—	—	—
Package store	<u>34-1261 et seq.</u>	P	P	P	P	P	P	P	P	P	P	—	—	P
Paint, glass and wallpaper		P	P	P	P	—	—	P	—	P	P	—	—	—
Parks (34-622(c) (32))														
Group I		P	P	P	P	—	—	—	—	P	P	—	—	P
Group II		SE	SE	P	P	—	—	—	—	—	P	—	—	P
Parking lot:														
Accessory		P	P	P	P	P	P	P	P	P	P	P	P	P
Commercial		—	SE	SE	SE	—	—	—	—	SE	SE	—	—	—
Garage, public parking		—	SE	SE	P	—	—	—	—	SE	SE	—	—	—
Park-and-ride	<u>34-1388</u>	P	P	P	P	P	P	P	P	P	P	P	P	P
Temporary	Note (14), <u>34-3049</u>	P	P	P	P	P	P	—	—	P	P	P	P	P

Personal services (34-622(c)(33)):															
Group I		P	P	P	P	P	P	P	P	P	—	SE(5)	—	P	
Group II		P	P	P	P	—	—	P	P	P	—	—	—	P	
Group III		P	P	P	P	—	—	P	P	P	SE	SE(5)	—	P	
Group IV		P	P	P	P	—	P	P	P	P	—	—	—	—	
Pet services		P	P	P	P	—	—	—	P	P	—	—	—	—	
Pet shop		P	P	P	P	—	P	P	P	P	—	—	—	—	
Pharmacy		P	P	P	P	P	P	P	P	P	—	—	—	—	
Place of worship		Note (25), 34-2051	P	P	P	P	P	P	P	P	P	P	P	P	
Plant nursery		34-2081	P	P	P	P	—	—	—	P	P	—	—	—	
Post office			P	P	P	P	—	—	—	P	P	SE	—	—	
Printing and publishing (34-622(c)(36))			—	—	P	—	—	—	—	EO	—	—	—	—	
Processing and warehousing			—	—	P	—	—	—	—	—	—	—	—	—	
Produce stand		34-1713	—	—	—	—	—	—	—	—	—	—	—	—	
Recreation, facilities:															
Commercial (34-622(c)(38))															
Group I		P	P	P	P	—	—	P	P	P	—	—	—	P	
Group III	Note(20)	—	P/SE	P/SE	P/SE	—	—	—	—	—	—	—	—	P/SE	
Group IV	Note(20)	—	—	—	—	—	—	—	—	P/SE	P/SE	—	—	P/SE	
Personal			P	P	P	P	P	P	P	P	—	—	—	—	
Private:															
On-site		P	P	P	P	—	—	—	P	—	—	—	—	P	
Off-site		SE	P	P	P	—	—	—	—	—	—	—	—	P	

Recycling facility		—	—	SE	—	—	—	—	—	SE	—	—	—	—
Religious facilities	Note (25), <u>34-2051</u> et seq.	—	—	P	—	—	P	P	P	P	P	SE	—	SE
Rental or leasing establishments (34-622(c)(39)):														
Group I	<u>34-1352</u> , <u>34-3001</u> et seq., <u>34-3152</u>	P	P	P	P	—	P	P	P	P	—	—	P	P
Group II	<u>34-1352</u> , <u>34-3001</u> et seq.	P	P	P	P	—	P	P	P	P	—	—	P	P
Group III	<u>34-1352</u> , <u>34-3001</u> et seq.	—	P	P	P	—	—	—	P	P	—	—	P	P(17)
Group IV	<u>34-1352</u> , <u>34-3001</u> et seq.	—	—	—	—	—	—	—	—	—	—	—	—	—
Repair shops (34-622(c)(40)):														
Group I		P	P	P	P	P	P	P	P	P	—	—	—	P
Group II		P	P	P	P	—	—	P	P	P	—	—	—	—
Group III		—	—	P	P	—	—	—	P	P	—	—	—	—
Group IV		—	—	P	—	—	—	—	P	P	—	—	—	—
Group V		—	—	—	—	—	—	—	P	P	—	—	—	—
Research and development laboratories (34-622(c)(41)):														
Group II		P	P	P	—	—	—	—	P	P	P	SE	—	—
Group IV		—	—	P	—	—	—	—	P	P	—	—	—	—
Residential accessory uses (34-622(c)(42))	Note (27)	P	P	P	P	P	P	P	P	P	P	P	—	P

Restaurant, fast food	<u>34-1353</u>	—	P	P	P	—	—	—	P	P	—	—	P	P
Restaurants (34-622(c)(43)):														
Group I	34-3152	P	P	P	P	—	P	P	P	P	—	SE(5)	P	P
Group II	34-3152	P	P	P	P	—	P	P (24)	P	P	SE	SE(5)	P	P
Group III	34-3152	P	P	P	P	—	P	P (24)	P	P	—	SE(5)	P	P
Group IV		—	P	P	P	—	—	—	P	P	—	SE(5)	P	P
Rooming house	Note (25)	—	—	—	—	—	—	—	P	—	—	SE	—	P
Schools:														
Commercial (34-622(c)(45))	<u>34-2381</u>	P	P	P	P	—	—	—	P	P	P	SE	—	—
Non-commercial	Note (25), <u>34-2381</u>	P	P	P	P	—	—	—	P	P	P	SE	—	—
Self-service fuel pumps	Note (18)	SE	SE	SE	SE	—	SE	—	P	P	—	—	SE	SE
Signs in accordance with <u>chapter 30</u>		P	P	P	P	P	P	P	P	P	P	P	P	P

	Special Notes or Regulations	C-1A	C-1	C-2	C-2A	CN-1	CN-2	CN-3 (21, 23)	CC	CG	CS-1	CS-2	CH	CT	CR	CI	CP
Social services, group I	<u>34-622(c)(46)</u>	P	P	P	P	—	—	—	P	P	P	—	—	—	—	—	—
Specialty retail shop (34-622(c)(47)):																	
Group I		P	P	P	P	P	P	P	P	P	SE	SE(5)	P	P	P	—	—
Group II		P	P	P	P	—	P	P	P	P	—	SE(5)	—	P	—	—	—
Group III		P	P	P	P	—	—	P(2)	P	P	—	—	—	—	—	—	—

Group IV		P	P	P	P	—	—	—	P	P	—	—	—	—	—	—	—
Stable, commercial	<u>34-1291</u> et seq.	—	—	—	—	—	—	—	—	—	—	—	—	—	SE	—	—
Storage:																	
Indoor only	<u>34-3001</u> et seq.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	—
Storage, open	<u>34-3001</u> et seq., <u>34-1352</u>	—	P	P	P	—	—	—	P	P	—	—	—	—	—	P	—
Studios (34-622(c) (49))		P	P	P	P	—	—	P	P	EO	—	SE	—	P	—	—	—
Supermarket		P	P	P	P	—	P	—	P	P	—	—	—	P	—	—	—
Temporary uses	<u>34-3041</u> et seq.	TP	TP	TP	TP	—	TP	TP	TP	TP	TP	—	TP	TP	TP	TP	TP
Theater:																	
Indoor	<u>34-2471</u> et seq.	—	EO	EO	—	—	—	—	P	P	—	—	—	P	—	—	—
Drive-in	Note (25), CPD or MPD only <u>34-2471</u> et seq.	—	—	EO	—	—	—	—	—	—	—	—	—	—	—	—	—
Timeshare units	Note (25)	EO	SE	SE	SE	—	—	—	—	—	—	—	—	P	—	—	—
Transportation services (34-622(c)(53)):																	
Group I		—	—	P	P	—	—	—	—	—	—	—	—	—	—	—	—
Group II		—	—	P	P	—	—	—	P	P	—	—	—	—	—	P	—
Group III		—	—	P	P	—	—	—	—	P	—	—	P	—	—	P	—
Group IV		—	—	P	P	—	—	—	—	—	—	—	—	—	—	P	—
Truck stop		—	—	—	—	—	—	—	—	P	—	—	P	—	—	P	—

Trucking terminal, motor, rail, air, including warehousing of goods awaiting shipment, parking, and storage of rolling stock		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—
Used merchandise stores (34-622(c)(54)):																		
Group I		—	P	P	P	—	P	—	P	P	—	—	—	—	—	—	—	—
Group I, limited to indoor display only,		P	—	—	—	—	—	P	—	—	—	—	—	—	—	—	—	—
Group II		—	P	P	P	—	—	P (2)	P	P	—	—	—	—	—	—	—	—
Group III		—	P	P	P	—	—	—	P	P	—	—	—	—	—	—	—	—
Group IV		—	—	P	P	—	—	—	—	P	—	—	—	—	—	—	—	—
Variety store		P	P	P	P	—	P	P	P	—	—	—	—	—	—	—	—	—
Vehicle and equipment dealers (34-622(c)(55)):																		
Group I	<u>34-1352</u>	—	P	P	P	—	—	—	—	P	—	—	—	—	—	—	—	—
Group II	<u>34-1352</u>	—	P	P	P	—	—	—	—	P	—	—	—	—	—	—	—	—
Group III	<u>34-1352</u>	—	P	P	P	—	—	—	—	P	—	—	—	—	—	—	—	—
Group IV	<u>34-1352</u>	—	P	P	P	—	—	—	—	P	—	—	—	—	—	—	—	—
Group V	<u>34-1352</u>	—	—	—	—	—	—	—	—	P	—	—	—	—	—	—	—	—
Warehouse:																		
Mini-warehouse		—	—	P	—	—	SE	—	SE	SE	—	—	—	—	—	—	P	—
Private		—	—	P	—	—	—	—	—	—	—	—	—	—	—	—	P	—
Public		—	—	P	—	—	—	—	—	—	—	—	—	—	—	—	P	—
Wholesale establishment (34-622(c)(56)):																		
Group I		—	P(15)	P	P	—	—	—	P(15)	P(15)	P(15)	P(15)	—	P(15)	P(15)	P	—	—

Group III		—	P (15)	P	P	—	—	—	P (15)	P (15)	P (15)	P (15)	—	P (15)	P (15)	P	—
Group IV		—	P (15)	P (15)	P (15)	—	—	—	P (15)	P (15)	—	—	—	—	—	P	—

Notes:

- (1) Permitted only when accessory to a lawfully permitted single-family dwelling unit.
- (2) No outdoor display of merchandise permitted.
- (3) Permitted only if completely enclosed within a building.
- (4) No installation service permitted.
- (5) Limited to 500 square feet when in conjunction with one dwelling unit on the same premises.
- (6) Use only permitted when clearly incidental to a hotel or motel.
- (7) The following uses may be permissible seaward of the water body setback line only by special exception: boat rentals (inflatables, sailboats, jet skis, windsurfers and the like), foodstands, rental of cabanas and beach furniture, outdoor amusements including boat balloonist, and seaplane rides, water ski tows, parasail tows and similar activities, fishing and sightseeing piers and towers.
- (8) Bail bonding, blood banks, blood donor stations and caterers permitted only by special exception.
- (9) Not permitted in Coastal High Hazard areas unless in compliance with section 2-485 (b)(5)a.
- (10) The total square footage of the residential uses shall not exceed the total square footage of all existing and proposed commercial uses on the subject property, and the total number of residential units shall not exceed the number of units permitted by the Lee Plan, whichever is less.
- (11) Not permitted within 500 feet of the nearest residence.
- (12) Excluding supermarkets.
- (13) New facilities of 50 or more beds, or the expansion of an existing facility that will bring the number of beds to 50 or more, requires a special exception.
- (14) Use not permitted on Captiva Island or within the Gasparilla Island conservation district.
- (15) Limited to those commodities and products which are permitted to be sold at retail, provided that parking meets the requirements for retail sales.
- (16) ATM's that are to be available to the public 24 hours a day, must be approved by Special Exception and located so that their uses will not cause a disturbance to adjacent property owners. ATM's located within a building housing a permitted use and available to the public only during normal working hours do not require a Special Exception.
- (17) Limited to rental of passenger cars, vans, and pick-up trucks less than three-quarter ton capacity. Maintenance activities limited to washing, waxing, vacuuming and minor repairs but excluding activities classified as Automotive Repair and Service-Groups I and II. See section 34-622 (c)(2).
- (18) Two pumps are permissible as an accessory use to businesses (other than a convenience food and beverage store which is listed separately) to provide fuel for their own fleet of vehicles and equipment. Additional pumps require approval of a special exception.
- (19) Limited to eight pumps unless a greater number is approved as part of a special exception or as specifically approved in the master concept plan. An existing business with more than eight lawfully permitted pumps as of January 31, 1998 will not be considered non-conforming. Existing pumps may be modernized, replaced, or relocated on the same premises but additional new pumps will not be permitted.
- (20) Facilities proposed for ten or more acres or the expansion of an existing facility that will bring the number of acres to ten or more acres must request and be approved as a special exception.
- (21) Regular business hours limited to 7:00 a.m. to 9:00 p.m. unless extended hours are approved by Special Exception for a specific use.
- (22) Use may only be approved when clearly incidental to a permitted restaurant.
- (23) Total floor area of a single use building may not exceed 5,000 square feet. A multi-use building may not exceed 7,500 square feet. If more than one building is in a development, there must be a minimum separation between buildings of fifteen feet.
- (24) No outdoor seating.

- (25) Not permitted in Airport Noise Zone B.
- (26) Not permitted in Airport Noise Zone B. See section 34-1004 for exceptions.
- (27) Not permitted in Airport Noise Zone B unless accessory to a lawful mobile home or single-family residence. See section 34-1004 .
- (28) Limited to active recreation only (ball fields and tennis courts, for example) in Airport Noise Zone B.
- (29) Not permitted in Airport Noise Zone B unless pre-empted by state law.
- (30) Not permitted in Airport Noise Zones B unless required to support a noise compatible use and constructed in compliance with limitations for dwelling unit type set forth in section 34-1004 as applicable.
- (31) Sound attenuating insulation should be considered for hotels and motels in Airport Noise Zone B.
- (32) For purposes of this use only, grade is the average elevation of the street or streets abutting the property measured along the centerline of the streets, at the points of intersection of the streets with the side lot lines (as extended) and the midpoint of the lot frontage.
- (33) Limited to four pumps, unless a greater number is approved as part of a special exception.
- (34) Automobile auctions, on-site or internet, are permitted only when all vehicles are stored inside. Projects with outdoor storage will be considered vehicle and equipment dealers, group I, and must comply with section 34-1352 .

(Ord. No. 93-24, § 7(table 450.A), 9-15-93; Ord. No. 94-02, § 16, 1-10-94; Ord. No. 94-24, § 49, 8-31-94; Ord. No. 95-07, § 35, 5-17-95; Ord. No. 96-06, § 5, 3-20-96; Ord. No. 96-17, § 5, 9-18-96; Ord. No. 97-10, § 6, 6-10-97; Ord. No. 98-03, § 5, 1-13-98; Ord. No. 98-11, § 5, 6-23-98; Ord. No. 99-05, § 9, 6-29-99; Ord. No. 00-14, § 5, 6-27-00; Ord. No. 01-03, § 5, 2-27-01; Ord. No. 01-18, § 5, 11-13-01; Ord. No. 02-20, § 5, 6-25-02; Ord. No. 03-11, § 1, 4-8-03; Ord. No. 03-16, § 6, 6-24-03; Ord. No. 04-05, § 1, 4-27-04; Ord. No. 05-14, § 6, 8-23-05; Ord. No. 06-10, § 1, 6-12-06; Ord. No. 07-24, § 7, 8-14-07; Ord. No. 09-23, § 10, 6-23-09; Ord. No. 11-08, § 10, 8-9-11; Ord. No. 13-10, § 10, 5-28-13; Ord. No. 14-13, § 7, 6-17-14)

Note— See the editor's note to § 34-842.

Sec. 34-845. - Property development regulations table.

Property development regulations for conventional commercial districts are as follows:

TABLE 34-845. PROPERTY DEVELOPMENT REGULATIONS FOR COMMERCIAL DISTRICTS

	Special Notes or Regulations	C-1A	C-1	C-2, C-2A	CN-1	CN-2	CN-3	CC, CG	CS-1	CS-2	CH	CT	CR	CI
Maximum density	Note (1)				(2)	(2)	(2)		(2)	(2)				
Minimum lot area and dimensions:	<u>34-2221</u> , <u>34-2222</u> , <u>34-2142</u>													
Minimum lot size:														
Residential uses (square feet):														
First two units in same building		7,500	7,500	7,500	—	—	7,500	—	—	5,000	—	7,500	—	—

	Each additional unit in same building		—	3,000	2,000	—	—	2,000	—	—	—	—	2,000	—	—
	Nonresidential uses (square feet):														
	Corner lot		7,500	7,500	10,000	10,000	10,000	10,000	20,000	20,000	5,000	10,000	20,000	39,500	2 acres
	Interior lot		7,500	7,500	10,000	10,000	10,000	7,500	20,000	20,000	5,000	10,000	20,000	33,600	2 acres
	Lot width (feet)		75	75	75	75	100	75	100	100	50	100	100	100	150
	Lot depth (feet)		100	100	100	100	100	100	100	100	100	100	100	100	150
	Minimum setbacks:	<u>34-1174</u> et seq. & <u>34-2191</u> et seq.													{10}
	Street (feet)	Notes (3) and (4)	Variable according to the functional classification of the street or road (see <u>section 34-2192</u>).												
	Side yard (feet)	Notes (3) and (5)	15	15	15	15	15	10	15	20	10	15	20	15	15(10)
	Rear yard (feet)		25	25	25	20	20	20	25	20	20	20	25	20	25(10)
	Water body (feet):	<u>34-2191</u> et seq.	In accordance with <u>chapter 6</u> , article III, or 50 feet from mean high water, whichever is the most restrictive.												
	Gulf of Mexico														
	Other														
	Special regulations:		Refer to the sections specified for exceptions or additions to the minimum setback requirements listed in this t												
	Animals, reptiles, marine life	<u>34-1291</u> et seq.													
	Consumption on premises	<u>34-1261</u> et seq.													
	Dairy products (sic 202)	<u>34-2443</u>													

Docks, seawalls, etc.	<u>34-1863</u>													
Essential services	<u>34-1611 et seq.</u>													
Essential service facilities (34-622(c)(13))	<u>34-1611 et seq., 34-2142</u>													
Fences, walls, gatehouses, etc.	<u>34-1741 et seq.</u>													
Fertilizer mixing	<u>34-2443</u>													
Hotel/motel	<u>34-1801 et seq.</u>													
Nonroofed accessory structures	<u>34-2194(c)</u>													
Railroad right-of-way	<u>34-2195</u>													
Outdoor storage or display of merchandise	<u>34-3001 et seq. Note (8)</u>													
Maximum height (feet)	<u>34-2171 et seq.</u>	35	35	35	35	35	35	35	35	35	35	35	35	35
		Note: Bonita Beach, Captiva, San Carlos Islands, Gasparilla Island conservation district, Greater Pine Island and within the airport hazard zone have special height limitations (see <u>section 34-2175</u>).												
Maximum lot coverage (percent of total lot area)		40%	40%	40%	40%	40%	40%	40%	40%	50%	40%	40%	40%	40%

Notes:

- (1) Residential development shall not exceed that density permitted by the Lee Plan for the land use category in which the property is located.
- (2) The minimum lot area required for nonresidential uses shall be applicable to combined commercial and residential living units approved by special exception in the same manner as if the residential use did not exist.
- (3) Modifications to required setbacks for arterial or collector streets are permitted only by variance. Modifications for solar or wind energy purposes, are permitted only by special exception. See section 34-2191 et seq.
- (4) Special street setbacks apply to portions of Colonial Boulevard and Daniels Road. See section 34-2192(b).
- (5) No side yard setback is required from common lot line for two-family attached or townhouse.
- (6) Parking areas shall be ten feet from any residential land use and five feet from any other. Any structure in the CP district shall be set back a minimum of 15 feet from any side lot line and 25 feet from any rear lot line.
- (7) Where a parking lot permitted under CP zoning is adjacent to a residential land use, an opaque fence shall be erected and maintained to protect the latter from noise, glare and intrusion.
- (8) No outdoor display or storage of merchandise is permitted in the CN-1, CN-2, or CN-3 district.

(9) Lot coverage applies to structures only.

(10) Truck terminals shall be required to comply with the setback requirements as set forth in table 34-904.

(Ord. No. 93-24, § 7(table 450.B), 9-15-93; Ord. No. 94-24, § 50, 8-31-94; Ord. No. 96-06, § 5, 3-20-96; Ord. No. 96-17, § 5, 9-18-96; Ord. No. 97-10, § 6, 6-10-97; Ord. No. 98-03, § 5, 1-13-98; Ord. No. 01-03, § 5, 2-27-01; Ord. No. 13-10, § 10, 5-28-13)

Note— See the editor's note to § 34-842.

Secs. 34-846—34-870. - Reserved.