

Lehigh Acres Commercial Land Use Study

IMPLEMENTATION REPORT
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Prepared by:

Spikowski Planning Associates
1617 Hendry Street, Suite 416
Fort Myers, Florida 33901
(941) 334-8866

For:

Lee County Community Redevelopment Agency
2180 West First Street, Suite 306
Fort Myers, Florida 33901
(941) 338-3161

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1. Introduction

The *Lehigh Acres Commercial Land Use Study*¹ was completed in May 1996. That study proposed many measures to forestall a shortage of land in Lehigh Acres that would be suitable for commercial purposes and to ensure a continuous network for the Lehigh Acres road system.

This implementation report identifies actions taken since 1996 plus other actions that are still needed to implement the study's recommendations.

2. Amendments to the Lee County Comprehensive Plan

The most important recommendations of the *Lehigh Acres Commercial Land Use Study* were to create three different commercial overlay zones on the Lee Plan's Future Land Use Map:

- # "Lehigh Commercial" for the most promising commercial lands;
- # "Reclaimed Strip" for portions of existing commercially zoned strips along Gunnery Road and S.R. 82 that could be reclaimed for actual commercial use; and
- # "Lot Assembly" where private lot assembly would be encouraged to create suitable commercial parcels.

Lee Plan amendments were adopted in 1998 to create the three overlays and to identify specific land parcels for each. The Lee Plan's text describing each overlay is included in this report as Appendix A, as adopted by Ordinance No. 98-09. Maps of the specific parcels that are included in each overlay are available for inspection at the Lee County Division of Planning, or a map can be purchased from the Map Sales Room of the Lee County Property Appraiser, 2480 Thompson Street, Third Floor, Fort Myers, Florida 33901, (941) 339-6159.

3. Gunnery Road Access Management Plan

New Lee Plan Policy 1.8.2 will allow commercial uses of all lots within the "Reclaimed Strip" overlay once access management plans are approved.

The lots in this category front on Immokalee Road (S.R. 82) or Gunnery Road and have been subdivided and sold off in very small parcels, typically 50 by 175 feet

¹ Copies of the May 1996 final report may be purchased for \$15.00 from the Lee County Economic Development Office, 2180 West First Street, Suite 306, Fort Myers, Florida 33901, (941) 338-3161.

each. Commercial development on parcels this small would be problematic due to the multitude of curb cuts that would be needed to serve each small lot. In addition, once S.R. 82 and Gunnery Road are widened, restrictive medians will block access to nearly all of these lots from eastbound traffic on S.R. 82 and northbound traffic on Gunnery Road.





The solution identified in the *Lehigh Acres Commercial Land Use Study* (see Chapter 8-b) is to take advantage of the parallel road that lies between these lots and the residential neighborhoods behind. That parallel road will become the primary access to these parcels. Access between these roads and S.R. 82 or Gunnery will be improved and coordinated with widening plans for both roads so that motorists will have a reasonable opportunity to reach these businesses.

Gunnery Road is a two-lane road that is in the process of being upgraded to a four-lane divided road between S.R. 82 and Lee Boulevard. This improvement is needed because of the additional traffic that will be created when Daniels Parkway is completed to Gunnery Road later this year.

Lee DOT engineers have coordinated the design for this widening with the goals of the *Lehigh Acres Commercial Land Use Study*. Table 1 and Figure 1 identify the proposed access improvements and restrictions along this segment of Gunnery Road. Gretchen Avenue, one block west of Gunnery, will become the primary access for these lots.

A formal access management plan should be adopted for Gunnery Road by resolution of the Board of County Commissioners in accordance with §10-285(h) of the land development code. (Similar controlled-access resolutions have been adopted for Summerlin Road, Daniels Parkway, and Six Mile Cypress Parkway.)

This access management plan is also illustrated on a color aerial photograph which is included in this report as Appendix B, using the following legend:

-  **FULL INTERSECTION; SIGNALIZED IF WARRANTED**
-  **DIRECTIONAL INTERSECTION – LEFT TURNS ONLY AS SHOWN**
-  **LEFT TURNS ALLOWED ONLY IN THE DIRECTION INDICATED**
-  **RIGHT TURNS ONLY ALLOWED AT THIS INTERSECTION**

Appendix B identifies three lots on the west side of Gunnery Road that will be needed in order to construct three of these access points illustrated on this plan. Lee DOT should be directed to acquire these lots in the immediate future.

Table 1

GUNNERY ROAD
DESIGNATED FUTURE ACCESS POINTS FROM
LEE BOULEVARD TO IMMOKALEE ROAD (S.R. 82)

Distance (in feet)	Street Name	Median Opening	Movements
-----	Lee Blvd.	full	all
360	4 th St. W	none	rights only
310	3 rd St. W	directional	NB & SB lefts
755	Douglas Lane	directional	NB left
565	1 st St. SW	directional	SB left
550	3 rd St. SW (westbound)	directional	NB left
215	3 rd St. SW (eastbound)	none	right only
765	6 th St. SW (eastbound)	none	right only
275	7 th St. SW (westbound)	directional	NB left
505	8 th St. SW	full	all
755	11 th St. SW	directional	NB & SB lefts
780	13 th St. SW (eastbound)	none	right only
565	14 th St. SW (westbound)	directional	NB left
400	15 th St. SW (westbound)	directional	NB left
240	16 th St. (eastbound)	none	right only
770	18 th St. SW	directional	NB & SB lefts
770	21 st St. SW	none	right only
805	23 rd St. SW — Leonard Blvd	full	all
985	26 th St. SW (westbound)	directional	NB left
405	28 th St. SW (eastbound)	none	right only
1840	Immokalee Rd. (S.R. 82)	full	all

Figure 1

GUNNERY ROAD

DESIGNATED FUTURE ACCESS POINTS FROM
LEE BOULEVARD TO IMMOKALEE ROAD (S.R. 82)



4. S.R. 82 Access Management Plan

In a similar manner, an access management plan has been developed for Immokalee Road (S.R. 82) between Lee Boulevard and Gunnery Road, as described in Table 2 and Figure 2. Meadow Lane, one block north of S.R. 82, will become the primary access for the commercial lots on the north side.

Land on the south side has not been subdivided but much of it has been approved for development as part of the Gateway DRI; a major portion of that property is being withdrawn from that DRI and will be developed by the Worthington Group, retaining the approved access point across from Red Road.

The access management plan for S.R. 82 is also illustrated in color in Appendix B. Appendix B also shows the realignment of Hawalaska Avenue so that it intersects S.R. 82 at right angles and then extends to an existing access point on Colonial Boulevard. This new road link would fulfill the connector road recently added to the MPO 2020 plan and the Lee Plan's transportation element.

The Board of County Commissioners can use a resolution similar to the one for Gunnery to approve the access management plans for S.R. 82. Because S.R. 82 is a state road, the Florida DOT will have to hold a separate public hearing before they adopt the same (or similar) plan as a state-sanctioned "corridor access management plan."² This public hearing cannot take place until after Lee County has adopted its own resolution. (This access management plan has been prepared in consultation with FDOT engineers to minimize conflicts between state and county goals.)

Appendix B also identifies 6 lots facing S.R.82 and land to extend Hawalaska that will need to be acquired in order to construct the access points illustrated on this plan. Although S.R. 82 is a state road, Lee DOT should be directed to acquire these lots in the near future so that commercial development does not occur on them. Without early acquisition, the complete access management system may not be able to be constructed when S.R. 82 is finally widened to four or six lanes.

² Rule 14-97.004(5) of the *Florida Administrative Code* states:

Corridor Access Management Plans may be developed and adopted by the Department in cooperation with the appropriate local governments for specific segments of the State Highway System based on analysis of special circumstances for the particular segment location and adjacent land use. These plans shall be based on an engineering analysis by the Department and will allow for more site specific classifications. Prior to the adoption of such plans, the Department shall notify the local governmental entities and abutting property owners and shall hold a public hearing. After consideration of public input, the Department shall, in cooperation with the affected local government finalize the plan. Upon adoption of the plan, the Department shall notify affected local government(s). These plans shall specify the highway, termini, and the specific standards for connections, medians, intersections, and signals, that shall apply.

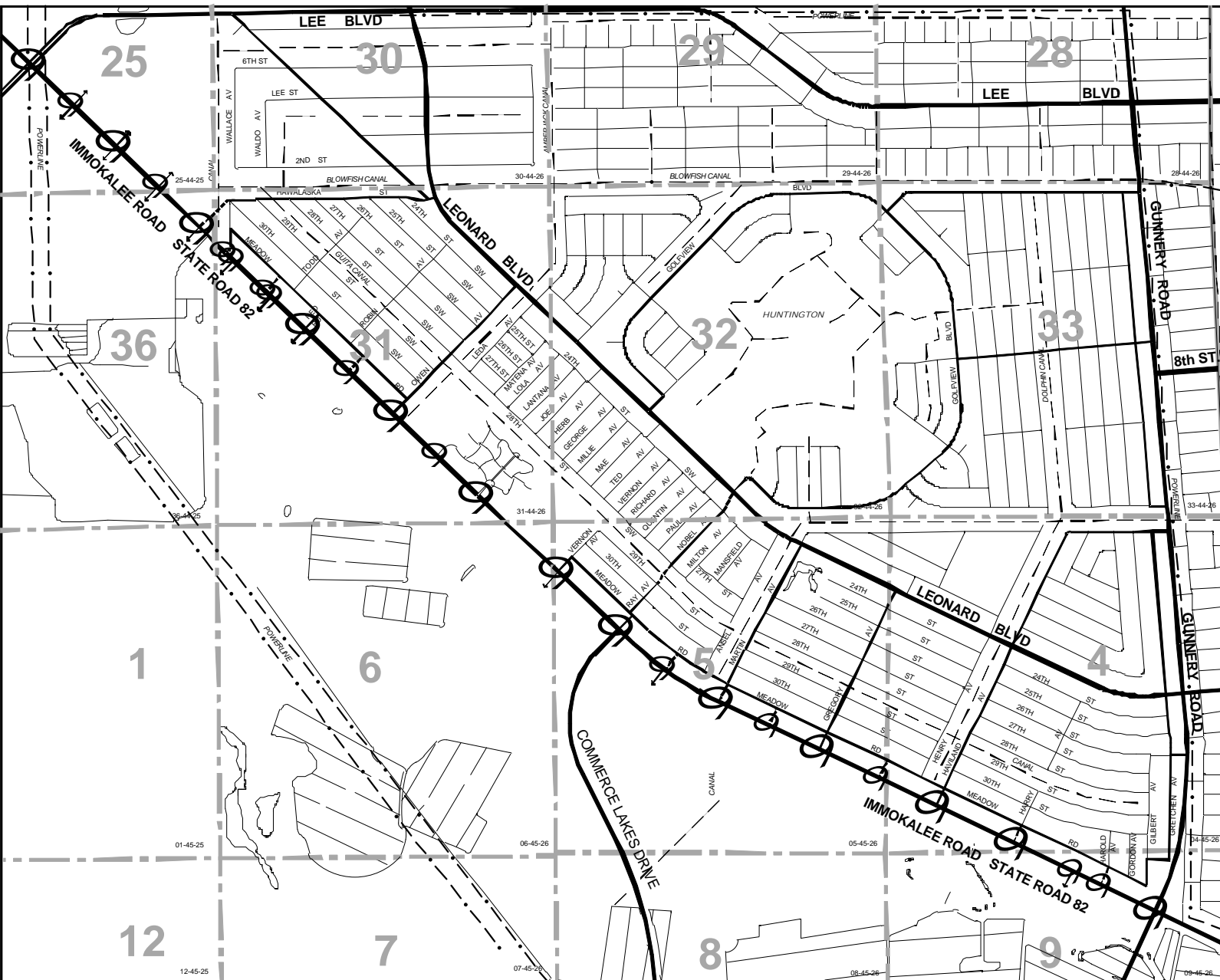
Table 2

**IMMOKALEE ROAD (STATE ROAD 82)
DESIGNATED FUTURE ACCESS POINTS FROM
LEE BLVD. TO DANIELS PKWY./GUNNERY RD.**

Distance (in feet)	Street Name	Median Opening	Movements
-----	Colonial Blvd. — Lee Blvd.	full	all
895	(future secondary access)	none	rights only
895	Future primary access point	full	all
895	(future secondary access)	none	rights only
895	Hawalaska Extension	full	all
685	Wallace Ave.	none	right only
140	(future secondary access)	none	right only
605	(future road to Meadow)	none	right only
220	(future secondary access)	none	right only
820	Gateway DRI entrance — Red Rd.	full	all
950	(future road to Meadow)	none	right only
950	Owen Ave.	directional	SEB left
930	Funeral home entrance	none	right only
900	Cemetery entrance	full	all
1765	Vernon Ave.	directional	SEB left
1340	Commerce Lakes Dr. — Ray Ave.	full	all
970	(future road to Meadow)	none	rights only
970	Martin Ave.	directional	SEB left
890	(future road to Meadow)	none	right only
890	Gregory Ave.	directional	SEB left
1025	(future road to Meadow)	none	right only
1025	Haviland Ave.	full	all
1325	Harry Ave.	directional	SEB left
1250	(future secondary access)	none	right only
275	Harold Ave.	none	right only
975	Daniels Pkwy. — Gunnery Rd.	full	all

Figure 2

IMMOKALEE ROAD (STATE ROAD 82) DESIGNATED FUTURE ACCESS POINTS FROM LEE BOULEVARD TO GUNNERY ROAD



5. New Neighborhood Commercial Zoning District

The *Lehigh Acres Commercial Land Use Study* suggested the creation of a new small-scale commercial zoning district that might allow the rezoning of some Lehigh Acres lots with commercial potential without the time and expense required to obtain CPD (Commercial Planned Development) zoning.

CPD zoning works well when a landowner has specific development plans because it is negotiated on a site- and use-specific basis. However, it is not well suited when particular uses have not yet been identified. In this situation, current regulations allow owners to request either of two neighborhood commercial zones (CN-1 or CN-2). However, the CN-1 district has very limited uses; and the CN-2 district allows service stations (also convenience stores with gas pumps by special exception), as well as night-time operations, making it incompatible with adjoining residential uses. The new district envisioned in this study would allow a broader range of commercial uses and most office uses, but would *not* allow service stations or typical “convenience stores.”

A proposed new CN-3 district has been drafted in response to this suggestion, as detailed in Appendix C of this report. The CN-3 district allows a broader range of uses than either the CN-1 or CN-2 districts, allowing non-intrusive uses such as health clubs, computer repairs, pack-and-send shops, or contractor’s offices. However, the CN-3 district would forbid gasoline pumps as well as business operations of any kind later than 8:00 P.M. This district could be used in many parts of Lehigh Acres, and could also be requested by landowners anywhere in the unincorporated area.

6. Transportation Issues

a. Year 2020 Road Network

The *Lehigh Acres Commercial Land Use Study* analyzed the Lehigh Acres road system’s ability to handle traffic in the year 2020, based on the land-use forecasts that were used to forecast commercial development.³

This analysis showed that increased commercial development within Lehigh Acres would have generally positive effects on traffic because more shopping trips would be satisfied locally within Lehigh Acres. However, there are several significant gaps in Lehigh Acres’ internal road network which will cause circuitous travel, increased traffic congestion, and greater trip lengths than would exist with a properly

³ See chapters 14, 15, and 16 of the *Lehigh Acres Commercial Land Use Study*, which were prepared by David Plummer & Associates, Inc.

interconnected road network. Also, Lee Boulevard will be overcrowded by the year 2020 despite its recent six-laning because there are so few continuous east-west corridors.

To relieve these conditions, the study proposed several improvements to road connectivity in the network that is being planned for 2020. For instance, the following east-west corridors would be created by strategically linking existing two-lane roads:

- # Cemetery Road and 61st Street
- # Buckingham Road, Sunset Road and 9th Street
- # Hawalaska Street and Leonard Blvd
- # Paddock Street and Sunrise Boulevard
- # 40th Street and Grant Boulevard

Since that time, the Lee County Metropolitan Planning Organization has considered these recommendations and revised its official plan accordingly. Subsequently Lee County amended its 2020 road network to mirror the MPO through a map in the Lee Plan's transportation element.

The *Lehigh Acres Commercial Land Use Study* also recommended several changes to Lee County's "Required Access Road Map," which shows where developers would be required to provide a parallel access road to reduce the need for individual driveways onto major roads. However, in 1998 the county reduced the scope of that map considerably, eliminating the need for any of the changes identified in the study.

b. Official Trafficways Map

The *Lehigh Acres Commercial Land Use Study* also examined the county's longer-term (build-out) road network as depicted in its Official Trafficways Map. The purpose of that map is to identify adequate rights-of-way and the ultimate continuity of the road network even beyond the normal long-range planning period. The study made a series of recommendations for additions and deletions to the Official Trafficways Map for the Lehigh Acres area.

Lee County has not made any changes to its Official Trafficways Map for many years. When revisions are again being considered, the specific recommendations of the *Lehigh Acres Commercial Land Use Study* should be examined and incorporated wherever feasible. The original list of recommendations is reprinted in Appendix D.

7. Lot Purchases Needed to Complete Road Network

In addition to the three lots that need to be acquired along Gunnery Road and seven lots along S.R.82, there are similar vacant lots that will be needed to complete the road network in Lehigh Acres. Despite the prompt action taken by the MPO and Lee County to amend their 2020 road plans as just discussed, no action has been taken to acquire the vacant lots that will be needed for these vital “missing links” in the future collector and arterial road network.

The needed lots can be acquired very inexpensively now in advance of homes being built upon them, and Lee DOT should be directed to begin this process immediately. The cost of delay is apparent in the case of the Hawalaska Extension to S.R. 82 — in the last two years, four new homes have been built on the formerly vacant lots that were needed for the optimal alignment of this extension. To avoid purchasing those homes, a less optimal alignment will now have to be used. Lee DOT should make a high priority of acquiring these lots while they are still available cheaply.

8. Future Redevelopment Planning for Lehigh Acres

It is possible that no further planning efforts will be undertaken by Lee County for Lehigh Acres due to the demise of its Community Redevelopment Agency and its active local redevelopment planning committee. This would be unfortunate because Lehigh Acres has unique problems resulting from its origin as a massive lot-sales subdivision and the absence of advance planning that should have been performed by the original developer. These problems were spelled out in considerable detail in the *Lehigh Acres Commercial Land Use Study*.

A few of the more important unfinished planning tasks are summarized here.

- 1. DOWNTOWN REDEVELOPMENT:** The current downtown along Homestead Road is nearly built out and is healthy now, but it is just a series of shopping centers, with no internal connections or real “town center.” The shopping centers use land inefficiently; the buildings are so spread out that people drive from store to store. This layout also makes poor use of the vacant commercially zoned land behind the stores (on both sides of Homestead). Older people find it impossible to cross Homestead Road, with its five wide lanes and no medians where pedestrians might wait for a break in traffic. Even drivers find it difficult crossing Homestead to get from one store to another.

The Community Redevelopment Agency is coordinating a beautification effort along Homestead Road that will improve the situation in the short run.

However, a true redevelopment plan would help Homestead Road remain the commercial center of Lehigh Acres for the future. Element of such a plan would include:

- < reducing parking requirements to get buildings closer together and encourage more intense commercial uses;
- < allowing buildings to be placed up to the sidewalk, creating (over time) a true downtown;
- < creating a “Main Street” streetscape, with sidewalks on both sides, street trees, and improved pedestrian circulation throughout;
- < redesigning Homestead Road itself, with fewer but better-delineated access points, and landscaped medians between accesses.

- 2. RESIDENTIAL REDEVELOPMENT:** There are few remaining opportunities for creating true neighborhoods in Lehigh Acres. Most unfragmented parcels are either already developed or now in the planning stages. Once these are completed, there will no neighborhoods where a developer would control enough lots to spread out the cost of installing water/sewer lines, sidewalks, and other public amenities to create distinctive neighborhoods. Future development will be limited to building homes on scattered lots, with no neighborhood amenities.

A residential redevelopment plan would seek ways to assemble blocks of lots for coordinated development by private sector builders. The CRA’s power of eminent domain would probably be needed (if only to supplement private sector reassembly efforts). Water/sewer/sidewalk extensions would be a critical element, possibly requiring MST/BU financing since the utility company is privately owned.

Land banking of vacant lots could play an important role in a lot-trading program to assist in assembly. A crisis is developing in Lehigh Acres over the tax-delinquency of many thousands of vacant lots; these lots could be turned to advantage if they can be used as the basis for a lot-trading program that would serve other important public purposes.

- 3. FUTURE SCHOOL AND PARK SITES:** Just as the original developers of Lehigh Acres failed to provide enough commercial sites, they also did not reserve any sites for public facilities such as schools and parks (see Chapter 13 of the *Lehigh Acres Commercial Land Use Study*).

Lee County used considerable foresight in purchasing a large site to expand Veterans Park when it suddenly came on the market. That kind of opportunity may not arise again.

However, even without the powers granted to a Community Redevelopment Agency, county government and school boards have the power to acquire sites for public purposes through eminent domain. This option is affordable even for whole blocks of vacant lots, as was shown when the school board acquired three entire blocks to build Sunshine Elementary School. However, once homes are being built on those lots, the costs increase dramatically, and public resistance to condemnation begins.

Lee County and the school board should not wait until this technique for acquiring public sites becomes impractical. The only alternative may be to locate parks and schools *outside* Lehigh Acres, which obvious very negative effects on the future of Lehigh Acres as a well-rounded community.

9. Immediate Actions Required

The County Manager should appoint a coordinator for the county activities that are needed to correct some of the inherent flaws in the physical structure of Lehigh Acres while such corrective actions still remain practical. The most immediate activities are:

- # adoption of the two access management resolutions and the CN-3 zoning district;
- # prompt acquisition of the vacant lots along S.R. 82, Gunnery Road, and elsewhere in Lehigh Acres that will be needed to complete the road network;
- # a thorough investigation into “land banking” techniques for tax-delinquent lots throughout Lehigh Acres

If no one in county government is made responsible for coordinating these activities and ensuring their timely completion, much of the prior planning will have been for naught.

Appendix A — New Lee Plan Objective and Policies

OBJECTIVE 1.8: LEHIGH ACRES COMMERCIAL USES. Designate additional overlay zones on the Future Land Use Map to designate potential commercial land uses in Lehigh Acres. The distinction in Policy 6.1.2(7) between the two major types of commercial uses does not apply in Lehigh Acres.

POLICY 1.8.1: Commercial uses are permitted on lands in the *Lehigh Commercial* overlay once commercial zoning has been approved in accordance with this plan. Land in the *Lehigh Commercial* overlay may also be used for schools, parks, and other public facilities; churches and synagogues; and residential uses that provide housing alternatives to the typical ¼ to ½ acre subdivision lots. Creation of new single-family lots smaller than one acre is not permitted due to the oversupply of standard subdivision lots. If cumulative new residential development takes place on more than 1% of this land per year, Lee County shall take steps to provide additional commercial land in Lehigh Acres to offset the loss. Lee County shall take steps to reduce any emerging surplus of commercial land in Lehigh Acres if cumulative new commercial development exceeds an average floor-area ratio of 1.0 (the ratio of interior floor space to total lot area).

The prohibition on single-family development does not apply in the following portions of the Lehigh Commercial overlay: (1) that portion of Section 6, Township 45S, Range 27E lying south of 23rd Street Southwest and its easterly extension beyond Beth Stacey Boulevard, containing about 92 acres; and (2) those portions of Section 5, Township 45S, Range 27E described as follows: (a) that part of the southwest quarter of the northeast quarter lying southwest of Homestead Road, containing 22.12 acres, and (b) the west 364 feet of the north half of the southeast quarter, containing 11.00 acres, and (c) the southwest quarter of the southeast quarter less the south 175 feet of the east 125 feet, containing 39.50 acres.

POLICY 1.8.2: Commercial uses will also be permitted on all lots in the *Reclaimed Strip* overlay facing S.R. 82 once a corridor access management plan is adopted by FDOT governing that portion of S.R. 82. This plan would provide for additional road connections between S.R. 82 and Meadow Road at about 1/8-mile spacing with full access median crossings at about 1/4-mile spacing. All lots would ultimately have access to S.R. 82 via Meadow Road, which would serve as a reverse frontage street. Commercial uses would also be permitted on all *Reclaimed Strip* lots facing Gunnery Road if Lee County adopts a similar plan, with access to all lots being provided via Gretchen Avenue which would serve as the reverse frontage street. Until such plans are in place, those lots in the *Reclaimed Strip* overlay that do not qualify for commercial development under the location standards of Policy 6.1.2 may be used only for the residential uses permitted in the C-2 zoning district.

POLICY 1.8.3: Because of the shortage of suitable undivided tracts in Lehigh Acres (whose boundaries for the purposes of this plan are shown on Map 16), commercial uses may also be appropriate on certain other lands that might otherwise be used for residential lots.

1. Many such lands are designated with the *Lot Assembly* overlay. These lands are platted for single-family lots and are under multiple ownerships. Commercial uses on individual lots or small assemblies of lots would generally be intrusive to existing or emerging neighborhoods. However, assemblies of entire blocks would provide suitable commercial parcels. Major lot assemblies could qualify for commercial zoning whether assembled by government action, private sector purchases, cooperative arrangements between individual lot-owners, or similar arrangements.
2. Other tracts or combinations of platted lots in Lehigh Acres may also be considered for commercial rezoning (even if they are outside any of the three overlays) through the normal

zoning processes or by requesting a new conventional commercial zoning district that may be created to address Lehigh Acres conditions. Lands suitable for such rezoning would include:

- a. Tracts that are assembled from vacant lots at the intersection of future collector or arterial roads in sparsely developed areas where there are very limited or no suitable commercial locations in any of the commercial overlays; or
- b. Tracts that separate existing commercial and residential land uses where some commercial uses may be appropriate if they provide a substantial buffer and reasonably protect the privacy of existing dwellings. Landowners seeking commercial zoning under this subsection should expect a minimal level of commercial uses and/or to provide extra levels of buffering.

Decisions on the suitability of any proposal shall be made by Lee County on a case-by-case basis in order to implement the intent of these regulations.

3. Commercially zoned land not placed within one of these overlays can be developed in accordance with previous regulations, but may be subject to county-initiated rezonings to restrict or eliminate future commercial uses there.

Appendix B — Color Map of Access Management Plans

[fold-out map]

Appendix C — Proposed New CN-3 Zoning District

DIVISION 6. COMMERCIAL DISTRICTS

Sec. 34-841. Purpose and intent.

(a) *Generally.* The purpose and intent of the conventional commercial districts is to regulate the continuance of certain land uses and structures lawfully existing as of August 1, 1986, which were originally permitted by the county zoning regulations of 1962, as amended, or 1978, as amended, and to encourage and guide new commercial development in accordance with the goals, objectives and policies set forth in the Lee Plan. Commercial development shall be permitted primarily in the future urban areas where requisite infrastructure exists or can feasibly be extended. Some limited commercial activities will be permitted in the nonurban areas to serve rural residents. Subsequent to August 1, 1986, with the exception of rezonings to recognize and accommodate existing developments, no parcel of land of ten or more acres in size shall be rezoned to any of the conventional commercial districts.

(b) *C-1A, C-1 and C-2 commercial districts.* [no change]

(c) *C-2A commercial district.* [no change]

(d) *CN-1 neighborhood commercial district.* The purpose and intent of the CN-1 district is to permit the designation of suitable locations for small-scale commercial facilities within or adjacent to areas or neighborhoods which are essentially residential in nature, and to facilitate their proper development and use. It is anticipated that locating small retail and service establishments in close proximity to low- to moderate-density residential land uses will encourage pedestrian activity and otherwise reduce the number and length of automobile trips, as well as providing increased convenience to all users. It is further intended that substantial buffering and other design techniques shall be used to prevent negative impacts on nearby or adjacent residential or lower-intensity land uses.

(e) *CN-2 neighborhood commercial district.* The purpose and intent of the CN-2 district is to permit the designation of suitable locations for consumer-oriented commercial facilities of moderate scale, including neighborhood shopping centers, and to facilitate their proper development and use. Such facilities include the functions of CN-1 commercial places, but the greater floor area and the broader mix of goods and services available results in a wider market or service area, a larger population served, and a greater impact on surrounding land uses. The primary uses provided for include retail trade in food, drugs, sundries, hardware and similar items, and the provision of personal services.

(f) *CN-3 neighborhood commercial district.* The purpose and intent of the CN-3 district is to designate suitable intersection locations for a broad range of compatible retail, office and personal service facilities and some residential units adjacent to residential neighborhoods. To protect the residential character of those neighborhoods, certain potentially incompatible uses

including convenience stores and fuel pumps are not permitted. Regular business hours may not extend later than 8:00 P.M. in this district.

(g) ~~(f)~~ *CC community commercial district. [no change]*

(h) ~~(g)~~ *CG general commercial district. [no change]*

(i) ~~(h)~~ *CS-1 special commercial office district. [no change]*

(j) ~~(i)~~ *CS-2 special commercial office district. [no change]*

(k) ~~(j)~~ *CH highway commercial district. [no change]*

(l) ~~(k)~~ *CT tourist commercial district. [no change]*

(m) ~~(l)~~ *CP commercial parking district. [no change]*

(n) ~~(m)~~ *CI intensive commercial district. [no change]*

(o) ~~(n)~~ *CR rural commercial district. [no change]*

Sec. 34-842. Applicability of use and property development regulations. [no change]

Sec. 34-843. Use regulations table.

Use regulations for conventional commercial districts are as follows:

TABLE 34-843. USE REGULATIONS FOR CONVENTIONAL COMMERCIAL DISTRICTS

	Special Notes or Regulations	C-1A	C-1	C-2	C-2A	CN-1	CN-2	<u>CN-3</u> <u>Note 21</u>	CC	CG	CS-1	CS-2	CH	CT	CR	CI	CP
Accessory apartment	Note (1), 34-1177	P	P	P	--	--	--	--	--	--	--	--	--	--	--	--	--
Administrative offices		P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P (13)	P	P	--
Assisted living facility	34-1411 et seq.	--	--	--	--	--	--	<u>P</u>	--	--	--	--	--	P	--	--	--
Aircraft landing facilities, private:																	
Lawfully existing:																	
Expansion of aircraft landing strip, heliport or heliport landing pad	34-1231 et seq.	SE	SE	SE	SE	SE	SE	--	SE	SE	SE	SE	SE	SE	SE	SE	--
New accessory buildings	34-1231 et seq.	P	P	P	P	P	P	--	P	P	P	P	P	P	P	P	--
New:																	
Aircraft landing strip and ancillary hangars, sheds and equipment	34-1231 et seq.	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Heliport	34-1231 et seq.	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Heliport	34-1231 et seq.	SE	SE	SE	SE	SE	SE	--	SE	SE	SE	SE	SE	SE	SE	SE	--
Amusement park, less than ten acres		--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Animals:																	
Clinic	34-1321 et seq.	--	P	P	P	--	--	--	P	P	--	--	--	--	P	--	--
Kennel	34-1321 et seq.	--	--	P (3)	--	--	--	--	--	P (3)	--	--	--	--	P	--	--
Control center (including Humane Society)		P	P	P	P	--	--	--	--	P	P	SE	--	--	--	P	--
ATM (automatic teller machine)		P	P	P	P	P	P	<u>P</u>	P	P	P	SE	--	P	P	--	--
Auto parts store:																	
No installation service		P	P	P	P	--	P	<u>P</u>	P	P	--	--	--	--	--	--	--
With installation service		--	P	P	P	--	--	--	P	P	--	--	--	--	--	--	--
Automobile service station		--	P	P	P	--	P	--	P	P	--	--	P	SE	P	P	--
Auto repair and service (34-622(c)(2)):																	
Group I		--	P	P	P	--	--	--	P	P	--	--	--	--	--	P	--
Group II		--	--	P	P	--	--	--	--	SE	--	--	--	--	--	P	--
Bait and tackle shop		P	P	P	P	P	P	<u>P</u>	P	P	--	SE (5)	--	P	P	--	--
Banks and financial establishments (34-622(c)(3)):																	
Group I		P	P	P	P	--	P	<u>P</u>	P	P	P	P (16)	--	P	--	--	--
Group II		--	P	P	P	--	--	<u>P</u>	P	P	P	P (16)	--	--	--	--	--
Bar or cocktail lounge	34-1261 et seq.	--	AA/SE	AA/SE	AA/SE	--	--	--	AA/SE	AA/SE	--	--	AA/SE (6)	AA/SE	AA/SE	--	--
Bed and Breakfast		--	P	P	P	--	--	--	--	--	--	SE	--	P	--	--	--

	Special Notes or Regulations	C-1A	C-1	C-2	C-2A	CN-1	CN-2	CN-3 Note 21	CC	CG	CS-1	CS-2	CH	CT	CR	CI	CP
Boarding house		--	P	P	P	--	--	==	--	--	--	SE	--	P	--	--	--
Boats:																	
Boat parts store		P	P	P	P	--	P	<u>P</u>	P	P	--	--	--	--	--	--	--
Boat ramp		EO/SP	EO/SP	P	P	--	--	==	P	P	--	--	--	P	P	--	--
Boat rental		P	P	P	P	--	P	==	P	EO	--	--	P	P (7)	--	--	--
Boat repair and service	34-1352,34-3001 et seq.	--	--	--	--	--	--	==	--	--	--	--	--	--	--	--	--
Boat sales		--	P	P	P	--	--	==	--	P	--	--	--	--	--	--	--
Boat storage, dry, not exceeding two tiers or 18 feet above natural grade		--	P	P	P	--	--	==	--	P	--	--	--	--	--	--	--
Boat storage, dry, exceeding two tiers or 18 feet above natural grade		--	SE	SE	SE	--	--	==	--	SE	--	--	--	--	--	--	--
Broadcast studio, commercial radio and television	34-1441 et seq.	--	--	P	P	--	--	==	P	P	--	--	--	--	--	--	--
Building materials sales (34-622(c)(4))		--	--	P	P	--	--	==	--	P	--	--	--	--	--	P	--
Business services (34-622(c)(5)):																	
Group I		P	P	P	P	--	P	<u>P</u>	P	P	P	P (8)	--	P	P	P	--
Group II		--	P	P	P	--	--	<u>P</u>	--	P	--	--	--	--	--	P	--
Bus station/depot	34-1381 et seq.	--	--	P	P	--	--	==	SE	P	--	--	P	--	--	P	--
Caretaker's residence		--	SE	SE	SE	--	SE	<u>SE</u>	SE	SE	--	--	--	--	--	--	--
Car wash		--	P	P	P	--	--	==	P	P	--	--	P	--	--	--	--
Cleaning and maintenance services (34-622(c)(7))		P	P	P	P	--	--	<u>P</u>	P	P	P	P	--	--	--	--	--
Clothing stores, general (34-622(c)(8))		P	P	P	P	--	--	<u>P</u>	P	P	--	--	--	P	--	--	--
Clubs:																	
Country		--	--	--	--	--	--	==	--	--	--	--	--	--	--	--	--
Commercial		--	--	P	P	--	--	==	P	EO	--	SE	--	--	--	--	--
Fraternal	34-2111	--	P	P	P	--	--	==	P	EO	--	SE	--	P	--	--	--
Membership organization	34-2111	--	P	P	P	--	--	==	P	EO	--	--	--	--	--	--	--
Private		--	--	--	--	P	P	<u>P</u>	P	--	--	SE	--	P	P	--	--
Cold storage warehouse and processing plant (including precooling)		--	--	P	--	--	--	==	--	--	--	--	--	--	--	--	--
Commercial fishery		--	--	EO	--	--	--	==	--	--	--	--	--	--	--	--	--
Commercial use of beachfront seaward of the water body setback line	34-3151	SE (7)	SE (7)	SE (7)	SE (7)	--	--	==	SE (7)	SE (7)	--	--	--	SE (7)	--	--	--
Communication towers																	
100 feet or less in height	34-1441 et seq.	P	P	P	P	--	--	==	P	P	--	--	P	--	P	P	--
Over 100 feet in height	34-1441 et seq.	SE	SE	SE	SE	--	--	==	SE	SE	--	--	SE	--	SE	SE	--
Community residential home		P	P	P	P	--	--	<u>P</u>	--	--	--	--	--	--	--	--	--
Consumption on premises	34-1261 et seq.	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	==	AA/SE	AA/SE	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	--	--	<u>P</u>	P	P	--	--	--	--	--	--	--
Group II		--	P	P	P	--	--	==	P	P	--	--	--	--	--	--	--

	Special Notes or Regulations	C-1A	C-1	C-2	C-2A	CN-1	CN-2	CN-3 Note 21	CC	CG	CS-1	CS-2	CH	CT	CR	CI	CP
Group III		--	--	--	--	--	--	--	--	P	--	--	--	--	--	--	--
Convenience food and beverage store		P (19)	P (19)	P (19)	P (19)	--	SE(19)	--	P	P	--	--	P	SE(19)	P	P	--
Cultural facilities (34-622(c)(10))		--	P	P	P	--	--	--	--	--	--	--	--	P	--	--	--
Day care center, adult, child		P	P	P	P	P	P	<u>P</u>	P	EO	--	--	--	P	P	--	--
Department store		P	P	P	P	--	--	--	P	P	--	--	--	--	--	--	--
Dormitory		--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--
Drive-through facility for any permitted use		P	P	P	P	--	SE	<u>SE</u>	P	P	SE	SE	P	P	P	P	--
Drive-in theater		--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Drugstore, pharmacy		P	P	P	P	--	P	<u>P</u>	P	P	--	--	--	--	P	--	--
Dwelling unit:																	
Duplex		P	P	P	P	--	--	--	--	--	--	P	--	--	--	--	--
Single-family		P	P	P	P	--	--	--	--	--	--	P	--	--	--	--	--
Two-family attached		P	--	--	P	--	--	--	--	--	--	--	--	--	--	--	--
Townhouse		EO	--	--	EO	--	--	--	--	--	--	--	--	--	--	--	--
Mobile home		--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Multiple-family building		EO	P	P	EO	SE(10)	SE(10)	<u>P (10)</u>	--	--	SE(10)	SE(10)	--	P	--	--	--
Entrance gates and gatehouse	34-1749	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P	P	P	P
Emergency medical service (ambulance station)		P	P	P	P	--	--	<u>P</u>	--	P	P	SE	--	--	--	P	--
Emergency operations center		P	P	P	P	--	--	--	--	P	P	SE	--	--	P	P	--
Essential services	34-1611 et seq.	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P	P	P	P
Essential service facilities (34-622(c)(13)):																	
Group I	34-1611 et seq.	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P	P	P	P
Group II	34-1611 et seq.	SE	SE	SE	SE	SE	SE	<u>SE</u>	SE	SE	SE	SE	SE	SE	SE	SE	SE
Excavation:																	
Mining		--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Water retention	34-1651 et seq.	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P	P	P	P
Oil or gas		SE	SE	SE	SE	SE	SE	--	SE	SE	SE	--	SE	SE	SE	SE	--
Farm equipment, sales, storage, rental, service		--	--	--	--	--	--	--	--	P	--	--	--	--	P	--	--
Feed or fertilizer, mixing and sales		--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--
Fire station		P	P	P	P	--	--	<u>SE</u>	--	P	P	SE	--	--	P	P	--
Fish house, wholesale		--	--	P (11)	--	--	--	--	--	--	--	--	--	--	--	--	--
Flea market:																	
Open		--	--	SE	SE	--	--	--	--	SE	--	--	--	--	--	--	--
Indoor		--	P	P	P	--	--	--	P	P	--	--	--	--	--	--	--
Food and beverage service, limited		SE	SE	SE	SE	SE	SE	<u>SE</u>	SE	SE	--	SE	--	--	--	--	--
Food stores (34-622(c)(16)):																	
Group I		P	P	P	P	P (12)	P	<u>P</u>	P	P	--	--	--	P	P	--	--
Group II		P	P	P	P	--	P	--	P	P	--	--	--	--	--	--	--
Forestry tower		P	P	P	P	--	--	--	--	P	P	SE	--	--	--	P	--
Fraternity house		--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--

	Special Notes or Regulations	C-1A	C-1	C-2	C-2A	CN-1	CN-2	CN-3 Note 21	CC	CG	CS-1	CS-2	CH	CT	CR	CI	CP
Freight and cargo handling establishments (34-622(c)(17))		--	--	--	--	--	--	<u>==</u>	--	--	--	--	--	--	--	P	--
Funeral home or mortuary:																	
No cremation		P	P	P	P	--	--	<u>==</u>	P	P	P	SE	--	--	--	--	--
With cremation		--	--	--	--	--	--	<u>==</u>	--	P	P	SE	--	--	--	--	--
Gasoline dispensing system, special		--	--	--	--	--	--	<u>==</u>	--	--	--	--	--	--	--	P	--
Government maintenance facility		P	P	P	P	--	--	<u>==</u>	--	P	P	SE	--	--	--	P	--
Hardware store		P	P	P	P	P	P	<u>P</u>	P	P	--	--	--	--	--	P	--
Health care facility (34-622(c)(20)):																	
Group I		--	--	--	--	--	--	<u>==</u>	--	--	P (13)	SE(13)	--	--	--	--	--
Group II		--	--	--	--	--	--	<u>==</u>	--	--	P (13)	SE(13)	--	--	--	--	--
Group III		P	P	P	P	--	P	<u>P</u>	P	P	P	SE(13)	--	--	P	--	--
Group IV		--	--	--	--	--	--	<u>==</u>	--	--	P (13)	SE(13)	--	--	--	--	--
Heliport or helistop		See Aircraft landing facilities, private															
Hobby, toy, game shops (34-622(c)(21))		P	P	P	P	--	P	<u>P</u>	P	P	--	--	--	--	--	--	--
Home care facility		P	P	P	P	SE	SE	<u>P</u>	--	--	SE	SE	--	P	--	--	--
Home occupation:																	
No outside help	34-1771 et seq.	P	P	P	P	P	P	<u>P</u>	--	--	P	P	--	P	--	--	--
With outside help	34-1771 et seq.	AA	AA	AA	AA	AA	AA	<u>AA</u>	--	--	AA	AA	--	AA	--	--	--
Hotel/motel	34-1801 et seq.	--	P	P	P	--	--	<u>==</u>	--	--	--	SE	P	P	--	--	--
Household and office furnishings (34-622(c)(22)):																	
Group I		P	P	P	P	--	--	<u>P</u>	P	P	--	--	--	--	--	--	--
Group II		P	P	P	P	--	--	<u>P</u>	P	P	--	--	--	--	--	--	--
Group III		--	--	--	--	--	--	<u>==</u>	--	P	--	--	--	--	--	--	--
Insurance companies (34-622(c)(23))		P	P	P	P	--	--	<u>P</u>	--	--	P	--	--	--	--	--	--
Laundromat		P	P	P	P	P	P	<u>P</u>	P	P	--	SE (5)	--	P	P	--	--
Laundry or dry cleaning (34-622(c)(24)):																	
Group I		P	P	P	P	--	P	<u>P</u>	P	P	--	--	--	P	P	--	--
Group II		--	--	P	--	--	--	<u>==</u>	--	--	--	--	--	--	--	--	--
Lawn and garden supply store	34-2081	P	P	P	P	--	--	<u>==</u>	P	P	--	--	--	--	P	--	--
Library		P	P	P	P	--	P	<u>P</u>	P	P	--	--	P	P	--	--	--
Manufacturing of:																	
Apparel products (34-622(c)(1))		--	--	P	--	--	--	<u>==</u>	--	--	--	--	--	--	--	--	--
Dairy products (SIC 202 only)		--	--	P	--	--	--	<u>==</u>	--	--	--	--	--	--	--	--	--
Electrical machinery and equipment (34-622(c)(11))		--	--	P	--	--	--	<u>==</u>	--	--	--	--	--	--	--	--	--
Fabricated metal products (34-622(c)(14)), group III		--	--	P	--	--	--	<u>==</u>	--	--	--	--	--	--	--	--	--
Food and kindred products (34-622(c)(15)), group III		--	--	P	--	--	--	<u>==</u>	--	--	--	--	--	--	--	--	--
Leather products (34-622(c)(25)), group II		--	--	P	--	--	--	<u>==</u>	--	--	--	--	--	--	--	--	--

	Special Notes or Regulations	C-1A	C-1	C-2	C-2A	CN-1	CN-2	CN-3 Note 21	CC	CG	CS-1	CS-2	CH	CT	CR	CI	CP
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	34-1862	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	--	--	--	P	--
Medical office		P	P	P	P	--	P	<u>P</u>	P	P	P	P	--	P	P	--	--
Mobile home dealers	34-1352	--	--	P	--	--	--	==	--	SE	--	--	--	--	--	--	--
Model:																	
Home	34-1951 et seq.	P	P	P	P	--	--	==	--	--	--	--	--	SE	--	--	--
Unit	34-1951 et seq.	P	P	P	P	--	--	==	--	--	--	--	--	SE	--	--	--
Display center	34-1951 et seq.	--	P	P	P	--	--	==	P	P	--	--	--	SE	--	--	--
Multislip docking facility		--	P	P	P	--	--	==	--	--	--	--	--	P	--	--	--
Night clubs	34-1201 et seq. 34-1261 et seq.	--	AA/SE	AA/SE	AA/SE	--	--	==	AA/SE	AA/SE	--	--	AA/SE (6)	AA/SE	AA/SE	--	--
Nonstore retailers (34-622(c)(30)), all groups		P	P	P	P	--	--	==	P	--	--	--	--	--	--	--	--
Package store	34-1261 et seq.	P	P	P	P	P	P	<u>P</u>	P	P	--	--	--	P	P	--	--
Paint, glass and wallpaper		P	P	P	P	--	--	<u>P</u>	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	<u>P</u>	P	P	P	P	P	P	P	P	P
Commercial		--	SE	SE	--	--	--	==	SE	SE	--	--	--	--	--	--	--
Garage, public parking		--	SE	SE	P	--	--	==	SE	SE	--	--	--	--	--	--	--
Temporary	Note (14),34-3049	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P	P	P	P
Personal services (34-622(c)(33)):																	
Group I		P	P	P	P	P	P	<u>P</u>	P	P	--	SE (5)	--	P	--	--	--
Group II		P	P	P	P	--	--	<u>P</u>	P	P	--	--	--	P	--	--	--
Group III		P	P	P	P	--	--	<u>P</u>	P	P	SE	SE (5)	--	P	--	--	--
Group IV		P	P	P	P	--	P	==	P	P	--	--	--	--	--	--	--
Pet services		P	P	P	P	--	--	==	--	P	--	--	--	--	--	--	--
Pet shop		P	P	P	P	--	P	==	P	P	--	--	--	--	--	--	--
Pharmacy		P	P	P	P	P	P	<u>P</u>	P	P	--	--	--	--	P	--	--
Place of worship	34-2051	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P	P	P	--
Plant nursery	34-2081	P	P	P	P	--	--	==	--	P	--	--	--	--	P	--	--
Police or sheriff's station		P	P	P	P	--	--	<u>P</u>	--	P	P	SE	--	--	--	P	--

	Special Notes or Regulations	C-1A	C-1	C-2	C-2A	CN-1	CN-2	CN-3 Note 21	CC	CG	CS-1	CS-2	CH	CT	CR	CI	CP
Post office		P	P	P	P	--	--	<u>P</u>	--	P	P	SE	--	--	--	P	--
Printing and publishing (34-622(c)(36))		--	--	P	--	--	--	<u>--</u>	--	EO	--	--	--	--	--	--	--
Processing and warehousing		--	--	P	--	--	--	<u>--</u>	--	--	--	--	--	--	--	--	--
Racetracks (34-622(c)(37)), Groups I and II	CPD only	--	--	--	--	--	--	<u>--</u>	--	--	--	--	--	--	--	--	--
Recreation facilities, commercial (34-622(c)(38)):																	
Group I		P	P	P	P	--	--	<u>P</u>	P	P	--	--	--	P	--	--	--
Group III	Note (20)	--	P/SE	P/SE	P/SE	--	--	<u>--</u>	--	--	--	--	--	P/SE	--	--	--
Group IV	Note (20)	--	--	--	--	--	--	<u>P</u>	P/SE	P/SE	--	--	--	P/SE	--	--	--
Recreation facilities:																	
Personal		P	P	P	P	P	P	<u>P</u>	--	--	--	--	--	--	--	--	--
Private:																	
On-site		P	P	P	P	P	P	<u>P</u>	P	--	--	--	--	P	--	--	--
Off-site		SE	P	P	P	--	--	<u>--</u>	--	--	--	--	--	P	--	--	--
Recycling facility		--	--	SE	--	--	--	<u>--</u>	--	SE	--	--	--	--	--	--	--
Religious facilities	34-2051 et seq.	--	--	P	--	--	P	<u>P</u>	P	P	P	SE	--	SE	--	--	--
Rental or leasing establishments (34-622(c)(39)):																	
Group I	34-1352, 34-3001 et seq.	P	P	P	P	--	P	<u>P</u>	P	P	--	--	P	P	--	--	--
Group II	34-1201 et seq., 34-1352, 34-3001 et seq.	P	P	P	P	--	P	<u>P</u>	P	P	--	--	P	P	P	--	--
Group III	34-1352, 34-3001 et seq.	--	P	P	P	--	--	<u>--</u>	P	P	--	--	P	P (17)	--	--	--
Group IV	34-1352, 34-3001 et seq.	--	--	--	--	--	--	<u>--</u>	--	--	--	--	--	--	--	--	--
Repair shops (34-622(c)(40)):																	
Group I		P	P	P	P	P	P	<u>P</u>	P	P	--	--	--	P	P	P	--
Group II		P	P	P	P	--	--	<u>P</u>	P	P	--	--	--	--	P	P	--
Group III		--	--	P	P	--	--	<u>--</u>	--	P	--	--	--	--	--	P	--
Group IV		--	--	P	--	--	--	<u>--</u>	--	P	--	--	--	--	P	P	--
Group V		--	--	--	--	--	--	<u>--</u>	--	--	--	--	--	--	--	--	--
Research and development laboratories (34-622(c)(41)):																	
Group II		--	--	P	--	--	--	<u>P</u>	P	--	P	SE	--	--	--	--	--
Group IV		--	--	P	--	--	--	<u>--</u>	--	--	--	--	--	--	--	--	--
Residential accessory uses (34-622(c)(42))		P	P	P	P	P	P	<u>P</u>	--	P	P	P	--	P	--	--	--
Restaurant, fast food		--	P	P	P	--	--	<u>--</u>	P	P	--	--	P	P	SE	--	--
Restaurants (34-622(c)(43)):																	
Group I		P	P	P	P	--	P	<u>P</u>	P	P	--	SE (5)	P	P	P	--	--
Group II		P	P	P	P	--	P	<u>P</u>	P	P	SE	SE (5)	P	P	--	--	--

	Special Notes or Regulations	C-1A	C-1	C-2	C-2A	CN-1	CN-2	CN-3 Note 21	CC	CG	CS-1	CS-2	CH	CT	CR	CI	CP
Group III		P	P	P	P	--	P	<u>P</u>	P	P	--	SE (5)	P	P	P	--	--
Group IV		--	P	P	P	--	--	<u>--</u>	P	P	--	SE (5)	P	P	--	--	--
Roadside stand	34-1714	TP	TP	TP	TP	TP	TP	<u>TP</u>	TP	TP	TP	TP	TP	TP	TP	TP	TP
Rooming house		--	--	--	--	--	--	<u>--</u>	--	--	--	SE	--	P	--	--	--
Schools, commercial (34-622(c)(45))	34-2381	P	P	P	P	--	--	<u>P</u>	P	P	P	SE	--	--	--	--	--
Self-service fuel pumps	Note 18	SE	SE	SE	SE	--	SE	<u>--</u>	P	P	--	--	SE	SE	SE	P	--
Signs in accordance with chapter 30		P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P	P	P	P
Social services (34-622(c)(46)):																	
Group I		P	P	P	P	--	--	<u>P</u>	P	--	P	--	--	--	--	--	--
Group II		--	--	--	--	--	--	<u>--</u>	--	--	--	--	--	--	--	--	--
Group III		--	--	--	--	--	--	<u>--</u>	--	--	--	--	--	--	--	--	--
Group IV		--	--	--	--	--	--	<u>--</u>	--	--	--	--	--	--	--	--	--
Specialty retail shop (34-622(c)(47)):																	
Group I		P	P	P	P	P	P	<u>P</u>	P	P	SE	SE (5)	P	P	P	--	--
Group II		P	P	P	P	--	P	<u>P</u>	P	P	--	SE (5)	--	P	--	--	--
Group III		P	P	P	P	--	--	<u>P</u>	P	P	--	--	--	--	--	--	--
Group IV		P	P	P	P	--	--	<u>P</u>	P	P	--	--	--	--	--	--	--
Stable, commercial	34-1291 et seq.	--	--	--	--	--	--	<u>--</u>	--	--	--	--	--	--	SE	--	--
Storage:																	
Indoor only	34-3001 et seq.	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P	P	P	P
Storage, open	34-3001 et seq.	--	P	P	P	--	--	<u>--</u>	P	P	--	--	--	--	--	P	--
Studios (34-622(c)(49))		P	P	P	P	--	--	<u>P</u>	P	EO	--	SE	--	P	--	--	--
Supermarket		P	P	P	P	--	P	<u>P</u>	P	P	--	--	--	P	--	--	--
Temporary uses	34-3041 et seq.	P	P	P	P	--	P	<u>P</u>	P	P	P	--	P	P	P	P	P
Theater:																	
Indoor	34-2471 et seq.	--	EO	EO	--	--	--	<u>--</u>	P	P	--	--	--	P	--	--	--
Drive-in	CPD or MPD only; 34-2471 et seq.	--	--	EO	--	--	--	<u>--</u>	--	--	--	--	--	--	--	--	--
Timeshare units		EO	SE	SE	SE	--	--	<u>--</u>	--	--	--	--	--	P	--	--	--
Transportation services (34-622(c)(53)):																	
Group I		--	--	P	P	--	--	<u>--</u>	--	--	--	--	--	--	--	--	--
Group II		--	--	P	P	--	--	<u>--</u>	P	P	--	--	--	--	--	P	--
Group III		--	--	P	P	--	--	<u>--</u>	--	P	--	--	P	--	--	P	--
Group IV		--	--	P	P	--	--	<u>--</u>	--	--	--	--	--	--	--	P	--
Truck stop		--	--	--	--	--	--	<u>--</u>	--	P	--	--	P	--	--	P	--
Trucking terminal, motor, rail, air, including warehousing of goods awaiting shipment, parking, and storage of rolling stock		--	--	--	--	--	--	<u>--</u>	--	--	--	--	--	--	--	P	--
Used merchandise stores (34-622(c)(54)):																	
Group I		--	P	P	P	--	P	<u>P</u>	P	P	--	--	--	--	--	--	--
Group I, limited to indoor display only,		P	--	--	--	--	--	<u>--</u>	--	--	--	--	--	--	--	--	--
Group II		--	P	P	P	--	--	<u>P</u>	P	P	--	--	--	--	--	--	--
Group III		--	P	P	P	--	--	<u>--</u>	P	P	--	--	--	--	--	--	--

	Special Notes or Regulations	C-1A	C-1	C-2	C-2A	CN-1	CN-2	CN-3 Note 21	CC	CG	CS-1	CS-2	CH	CT	CR	CI	CP
Group IV		--	--	P	P	--	--	--	--	P	--	--	--	--	--	--	--
Variety store		P	P	P	P	--	P	<u>P</u>	P	--	--	--	--	--	--	--	--
Vehicle and equipment dealers (34-622(c)(55)):																	
Group I	34-1352	--	P	P	P	--	--	--	--	P	--	--	--	--	--	--	--
Group II	34-1352	--	P	P	P	--	--	--	P	P	--	--	--	--	--	--	--
Group III	34-1352	--	P	P	P	--	--	--	--	P	--	--	--	--	--	--	--
Group IV	34-1352	--	P	P	P	--	--	--	--	P	--	--	--	--	--	--	--
Group V	34-1352	--	--	--	--	--	--	--	--	P	--	--	--	--	--	--	--
Warehouse:																	
Mini-warehouse		--	--	P	--	--	SE	--	SE	SE	--	--	--	--	--	P	--
Private		--	--	P	--	--	--	--	--	--	--	--	--	--	--	P	--
Public		--	--	P	--	--	--	--	--	--	--	--	--	--	--	P	--
Wholesale establishment (34-622(c)(56)):																	
Group I		--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Group II		--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
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) Reserved.
- (3) Permitted only if completely enclosed within a building.
- (4) Reserved.
- (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) Excluding fast food restaurants for which drive-through facilities are permitted by right.
- (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 PD zoning - see section 34-341 and Table 34-934.
- (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) Automatic teller machines may only be approved by 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 (8) 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 (8) 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 may not extend later than 8:00 P.M. in the CN-3 district.*

Sec. 34-844. Property development regulations table.

Property development regulations for conventional commercial districts are as follows:

TABLE 34-844. 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	CP
Maximum density	Note (1)														
Minimum lot area and dimensions:	34-2221, 34-2222, 34-2142				(2)	(2)	(2)		(2)	(2)					
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	7,500	20,000	20,000	5,000	10,000	20,000	39,500	2 ac.	None
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 ac.	None
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:	34-1174 et seq. & 34-2191 et seq.												(10)		
Street (feet)	Notes (3) and (4)	Variable according to the functional classification of the street or road (see section 34-2192).													
Side yard (feet)	Notes (3) and (5)	15	15	15	15	15	10	15	20	10	15	20	15	15(10)	Note(6)
Rear yard (feet)		25	25	25	20	20	20	25	20	20	20	25	20	25(10)	Note(7)
Water body (feet):	34-2191 et seq.														
Gulf of Mexico		In accordance with chapter 6, article III, or 50 feet from mean high water, whichever is the most restrictive.													
Other		25	25	25	25	25	25	25	25	25	25	25	25	25	25
Special regulations:		Refer to the sections specified for exceptions or additions to the minimum setback requirements listed in this table.													
Animals, reptiles, marine life	34-1291 et seq.														
Consumption on premises	34-1261 et seq.														
Dairy products (SIC 202)	34-2443														
Docks, seawalls, etc.	34-1863														
Essential services	34-1611 et seq.														
Essential service facilities (34-622(c)(13))	34-1611 et seq., 34-2142														
Fences, walls, gatehouses, etc.	34-1741 et seq.														
Fertilizer mixing	34-2443														
Hotel/motel	34-1801 et seq.														
Nonroofed accessory structures	34-2194(c)														
Railroad right-of-way	34-2195														

	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	CP
Outdoor storage or display of merchandise	34-3001 et seq. Note (8)														
Maximum height (feet)	34-2171 et seq.	35	35	35	35	35	35	35	35	35	35	35	35	35	35
		Note: Bonita Beach, Captiva and San Carlos Islands, Gasparilla Island conservation district, Greater Pine Island and areas within the airport hazard zone have special height limitations (see section 34-2175).													
Maximum lot coverage (percent of total lot area)	Note (9)	40%	40%	40%	40%	40%	40%	40%	40%	50%	40%	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, whether allowed by right or 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 shall be permitted in the CN-1, ~~or~~ CN-2, or CN-3 districts.
- (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.

Appendix D — Proposed Changes to the Trafficways Map

[Formerly] Table 16-1

Existing and Proposed Arterial Streets to be Added to Trafficways Map		
<i>Street</i>	<i>From</i>	<i>To</i>
Cemetery Rd.	Buckingham Rd.	Stratton Rd./61st St. W
61st. St. W.	Stratton/Cemetery Rd.	Sunshine Blvd.
Sunshine Blvd.	61st St. W.	S.R. 80
N. Line of Sec. 6-44-27	Sunshine Blvd.	Greenbriar Blvd.
Greenbriar Blvd.	Wingford Dr.	N. Line of Sec. 6-44-27
E. 21st St.	Grant Ave.	Moore Ave.
E. 16th St.	Grant Ave.	Moore Ave.
E. 12th St.	Grant Ave.	Moore Ave.
19th St. W.	Sunshine Blvd.	Ann Ave.
Ann Ave.	19th St. W.	W. 9th St.
West/East 9th St.	Ann Ave.	Moore Ave.
Columbus Blvd.	Sunrise Blvd.	Sentinela Blvd.
Moore Ave.	Sentinela Blvd.	E. 21st St.
Jaguar Blvd.	S.R. 82	Homestead Rd.
Homestead Rd.	Jaguar Blvd.	S.R. 82
Nimitz Blvd.	Bell Blvd.	S.R. 82
40th St. SW	S.R. 82	Alabama Rd./Pelham Rd.
Pelham Rd.	Alabama Rd.	Grant Blvd./Pyramid Ave.
Grant Blvd.	Pyramid Ave./Pelham Rd.	Carrillon Ave./Grant Blvd.
Richmond Ave.	Sunrise Blvd.	Grant Blvd.
Paddock St.	Alabama Rd./Sunrise Bl.	Beth Stacey Blvd.
Burr St.	Buckingham Rd.	Abrams /Centennial Blvds.
Centennial Blvd.	Abrams Blvd.	Sunset/Yale Ave.
Sunset	Yale Ave.	Sunniland Blvd.
20th St. W.	Sunniland Blvd.	Sunshine Blvd./19th St. W
Hawalaska St.	Leonard Blvd.	S.R. 82
E. 5th St.	Grant Ave.	Moore Ave.
W. 12th St. Ext.	Lee St.	Connie Ave./Sunshine Blvd

[Formerly] **Table 16-2**

Existing and Proposed Collector Streets to be Added to Trafficways Map		
<i>Street</i>	<i>From</i>	<i>To</i>
Abrams Blvd.	Lee Blvd.	Buckingham Rd.
Sunniland Blvd.	Lee Blvd.	25th St. W.
25th St. W.	Sunniland Blvd.	Sunshine Blvd.
12th St. W.	Gunnery Rd.	Sunshine Blvd.
Lee St.	W. 12th St.	W. 16th St.
W. 16th St.	Lee St.	Connie Ave.
Connie Ave.	W. 16th St.	Lee Blvd.
Anita Ave.	Lee Blvd.	40th St. SW.
8th St. SW.	Sunshine Blvd.	Anita Ave.
Windermere Dr.	Wingford Dr.	Richmond Ave.
Woodburn Dr.	Richmond Ave.	Greenbriar Blvd.
Grant Blvd.	S.R. 82	Milwaukee Blvd.
Parkdale Blvd.	S.R. 82	Homestead Rd.
Delaware Rd.	Lee Blvd.	Homestead Rd.
North Ave.	Leeland Heights Blvd.	E. 16th St.
Blackstone Dr.	S.R. 82	S.R. 82
Wanda Ave./Villa Ave.	Lee Blvd.	40th St. SW
Lee St.	Lee Blvd.	Lee Circle. S.
Lee Circle. S.	Lee St.	Kenneth Ave.
Kenneth Ave.	Lee Circle. S.	Golfview Blvd.
Golfview Blvd.	Putter Ln.	Par Rd.
Putter La.	Golfview Blvd.	Leonard Blvd.
Par Rd.	Golfview Blvd.	Leonard Blvd.
7th St. S.W.	Golfview Blvd.	Gunnery Rd.

[Formerly] **Table 16-3**

Streets Shown as Collectors on Trafficways Map to be Designated as Arterials		
<i>Street</i>	<i>From</i>	<i>To</i>
West/East 5th St.	Williams Ave.	Grant Blvd.

[Formerly] **Table 16-4**

Streets Shown as Arterials on Trafficways Map to be Removed		
<i>Street</i>	<i>From</i>	<i>To</i>
32nd St. S.W.	Gunnery Rd.	Alabama Rd.
Beauty St.	Buckingham Rd.	Gunnery Rd.
16th St. W./W. 8th St.	Gunnery Rd.	Grant Ave.
W. 16th St.	Sunshine Blvd.	Buckingham Rd.
Unnamed Street	61st St. W.	Sunshine Blvd.