

**DIVISION 5. COMMUNITY FACILITIES
DISTRICTS**

Sec. 34-811. Purpose and intent.

(a) The purpose and intent of the community facilities districts is to accommodate and provide opportunities for the suitable location of community services and facilities which are not approved as part of a planned development.

(b) There are four CF districts provided for in this division:

- (1) CF-1, which is primarily to accommodate cultural facilities.
- (2) CF-2, which is primarily to accommodate social and limited health related services.
- (3) CF-3, which is primarily government service facilities.

Sec. 34-813. Use regulations table.

Use regulations for the community facilities districts are as follows:

TABLE 34-813. USE REGULATIONS FOR COMMUNITY FACILITIES DISTRICTS

	<i>Special Notes or Regulations</i>	<i>CF-1</i>	<i>CF-2</i>	<i>CF-3</i>	<i>CF-4</i>
Administrative offices		P	P	P	P
Assisted living facility	Note (1), 34-1411	—	P	—	—
Animal control facility (Humane Society)	Note (2)	—	—	EO/SE	—
Animal or reptile exhibits		SE	—	—	—
Art galleries, noncommercial		P	—	—	—
Aquariums		SE	—	—	—
Boat ramps	Note(5)	EO/SE	EO/SE	EO/SE	—
Botanical gardens		P	P	—	—
Caretaker's residence		SE	SE	SE	SE
Cemetery, columbarium, mausoleum		P	P	—	—
Clubs:					
Country		P	P	—	—
Fraternal		—	SE	SE	—
Private		P	P	P	—
Communication tower					
100 feet or less in height	34-1441 et seq.	SE	SE	P	P
Over 100 feet in height	34-1441 et seq.	SE	SE	SE	SE
Consumption on premises	34-1261 et seq.	—	AA/SE	AA/SE	—
Day care center:					
Adult		—	P	P	—
Child	Note (4) & (6)	—	SE	P	—
Emergency operations center	Note (2)	—	—	P	—
EMS, fire or sheriff's station		—	—	P	—
Entrance gates and gatehouse	34-1741 et seq.	P	P	P	P
Essential services		P	P	P	P

(4) CF-4, which is temporarily retained pending rezonings.

(Ord. No. 93-24, § 7(440.01), 9-15-93)

Sec. 34-812. 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 community facility district for any purpose other than as provided in section 34-813, pertaining to use regulations for community facility districts, and section 34-814, pertaining to property development regulations for community facility 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(440.02), 9-15-93; Ord. No. 98-11, § 5, 6-23-98)

	<i>Special Notes or Regulations</i>	<i>CF-1</i>	<i>CF-2</i>	<i>CF-3</i>	<i>CF-4</i>
Essential service facilities (34-622(c)(13)):					
Group I	34-1611 et seq.	P	P	P	P
Group II	34-1611 et seq.	SE	SE	SE	—
Excavation:					
Oil or gas		SE	SE	SE	SE
Water retention	34-1651 et seq.	P	P	P	P
Forestry tower		—	—	P	—
Government agencies, offices only, restricted to maximum of 500 square feet of floor area		—	P	P	—
Gun range	Note (7)	—	—	P	—
Health care facilities (34-622(c)(20)):					
Group I	Note (1)	—	P	—	—
Group II	Note (1)	—	P	—	—
Group III	Note (1)	—	—	EO	P
Group IV	Note (1)	—	—	EO	P
Helistop	34-1231 et seq.	SE	SE	SE	—
Historical sites		P	P	P	—
Hospice	Note (1), 34-1411	—	P	—	P
Library		P	P	—	—
Maintenance facility (government)	Note (2)	—	—	EO/SE	—
Mass transit depot or maintenance facility		—	—	EO/SE	—
Museums		P	—	P	—
Parking lot:					
Accessory		P	P	P	P
Temporary		P	P	P	—
Parks (34-622(c)(32)):					
Group I	Note (2)	P	P	P	P
Group II	Note (2)	P	P	P	—
Place of worship	34-2051 et seq.	—	P	—	—
Planetarium		SE	—	—	—
Post office	Note (2)	—	—	P	—
Recreation facilities:					
Personal		P	P	P	—
Private—On-site		EO/SE	EO/SE	EO/SE	—
Private—Off-site		EO/SE	EO/SE	EO/SE	—
Religious facility	Note (2), 34-2051 et seq.	—	SE	—	—
Restaurants (34-622(c)(43)), group II	Note (3)	P	P	P	—
Sanitary landfill	IPD only, 34-1831 et seq.	—	—	EO	—
Schools, noncommercial:					
Lee County School District	34-2381	—	P	—	—
Other	Note (2), 34-2381	—	P	—	—
Signs in accordance with chapter 30		P	P	P	P
Social services (34-622(c)(46)):					
Group III	Note (1)	—	P	—	P
Group IV	Note (1)	EO	P	—	—
Specialty retail shops (34-622(c)(47)), group I	Note (3)	P	P	P	—
Storage, indoor only		P	P	P	—
Temporary uses		P	P	P	—
Zoos		SE	—	—	—

Notes:

- (1) 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, or which changes the use, must request and be approved as a PD. See section 34-341 and Table 34-934.
- (2) 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 or that changes the use, must request and be approved as a PD. See section 34-341 and Table 34-934.
- (3) Permitted only when clearly subordinate to the permitted use of the property and when conducted wholly within the principal building.
- (4) Family day care home exemption. The operation of a family day care home under F.S. § 125.0109 requires an exemption from the special exception requirements for child day care facilities. See section 34-203(e)(9).
- (5) Non-commercial only.
- (6) A day care center, owned by the entity with title to the place of worship, that is operated within the building housing the place of worship is not required to obtain special exception approval.
- (7) Limited to indoor gun range owned or operated by a government agency.
(Ord. No. 93-24, § 7(table 440.A), 9-15-93; Ord. No. 94-24, § 49, 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. 00-14, § 5, 6-27-00; Ord. No. 01-18, § 5, 11-13-01)

Sec. 34-814. Property development regulations table.

Property development regulations for the community facilities districts are as follows:

TABLE 34-814. PROPERTY DEVELOPMENT REGULATIONS FOR COMMUNITY FACILITIES DISTRICTS

	<i>Special Notes or Regulations</i>	<i>CF-1</i>	<i>CF-2</i>	<i>CF-3, CF-4</i>
Minimum lot dimensions and area: Minimum lot area: Place of worship Religious facility All other Minimum lot width (feet) Minimum lot depth (feet)	34-2051 et seq. 34-2051 et seq.	Except as may be set forth in the referenced sections for specific uses, there are no minimum lot area or dimensions required, provided that the area is of sufficient size to accommodate the proposed use as well as all setbacks, parking, open space, drainage and buffering requirements of this chapter and any other applicable county development regulations.		
Minimum setbacks: Street (feet)	Notes (1) and (2), 34-2191 et seq., 34-1261 et seq.	Variable according to the functional classification of the street or road (see section 34-2192).		
Side yard (feet)		15	15	15
Rear yard (feet)	34-2191 et seq.	25	25	25
Water body (feet): Gulf of Mexico Other	34-2191 et seq.	50 25	50 25	50 25
Special regulations: Animals, reptiles, marine life Consumption on premises	34-1291 et seq. 34-1261 et seq.	Refer to the sections specified for exceptions to the minimum setback requirements listed in this table.		

	<i>Special Notes or Regulations</i>	<i>CF-1</i>	<i>CF-2</i>	<i>CF-3, CF-4</i>
Docks, seawalls, etc. Essential services Essential service facilities (34-622(c)(13)) Fences, walls, gatehouses, etc. Nonroofed accessory structures Railroad right-of-way	34-1865 34-1611 et seq. 34-1611 et seq., 34-2142 34-1741 et seq. 34-2194(c) 34-2195			
Maximum height (feet)	34-2171 et seq.	35	35	35
		Note: Bonita Beach, Captiva, San Carlos Island, Gasparilla Island conservation district, Greater Pine Island and areas within the airport hazard zone have special limitations (see section 34-2175).		
Maximum lot coverage (percent of total lot area)		35%	35%	35%

Notes:

- (1) Modifications to required setbacks for collector or arterial streets is permitted only by variance. Modifications for solar or wind energy purposes, are permitted only by special exception. See section 34-2191 et seq.
 - (2) Special street setback provisions apply to portions of Colonial Boulevard and Daniels Road. Refer to section 34-2192(b)(3) and (4).
- (Ord. No. 93-24, § 7(table 440.B), 9-15-93; Ord. No. 94-24, § 50, 8-31-94; Ord. No. 96-06, § 5, 3-20-96; Ord. No. 97-10, § 6, 6-10-97)

Secs. 34-815—34-840. Reserved.

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.* The purpose and intent of the C-1A, C-1 and C-2 districts is to regulate the continuance of commercial and select residential land uses and structures lawfully existing in the C-1A, C-1 and C-2 districts as of August 1, 1986, and as originally permitted by the county zoning regulations of 1962, as amended, and 1978, as amended, respectively. Subsequent to February 4, 1978, no land or water shall be rezoned into the C-1A, C-1 or C-2 districts. In no case shall new development be permitted in any existing C-1A, C-1 or C-2 district which is not consistent with the Lee Plan.

(c) *C-2A commercial district.* The purpose and intent of the C-2A district is to recognize and provide for the continuation of most commercial and residential uses as set forth in the C-2 zoning district use regulations but prohibiting the industrial and manufacturing uses permitted by the C-2 district. This district is not available to landowners through normal procedures, but shall be used only by the Board of County Commissioners on its own initiative to achieve the purpose stated in this subsection.

(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 will 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. The 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 permit the designation of suitable intersection locations for a broad range of small-scale retail, office and personal service facilities adjacent to and within future residential neighborhoods without the need to obtain CPD (Commercial Planned Development) zoning. This district is especially suited to those portions of Lehigh Acres that meet the criteria found in Lee Plan Policy 1.8.3(2). To protect the residential character of adjoining neighborhoods, certain potentially incompatible uses such as, but not limited to, convenience stores and fuel pumps are prohibited in the CN-3 district. Hours of operation for permitted uses are restricted to minimize night-time operations.

(g) *CG general commercial district.* The purpose and intent of the CG district is to permit the designation of suitable locations for and to facilitate the proper development and use of consumer-oriented commercial facilities which are of a type or scale which are not suited for and do not generally seek locations in neighborhood, community or regional shopping centers. Such uses frequently consist of a single principal building containing sales, administration, repair services or manufacture; often rely on large ground areas for storage or display of goods; and are relatively insensitive to the impacts of adjacent land uses while generating substantial impacts on their neighbors. High visual exposure and easy accessibility, usually from arterial roads or suburban highways, are important.

(h) *CS-1 special commercial office district.* The purpose and intent of the CS-1 district is to permit the designation of suitable locations for and to facilitate the proper development and use of land for standard office space for various purposes, and a minimum level of retail sales and personal services required to provide convenient access to goods and services for the workforce and clientele. While it is recognized that such uses will demand easy access from arterial or high-volume collector roads, this district is intended to be used to separate and buffer residential and other low- or medium-intensity land uses, such as schools or parks, from higher-intensity commercial and light industrial land uses.

(i) *CS-2 special commercial office district.* The purpose and intent of the CS-2 district is to permit the designation of suitable locations for the proper development of standard office space for various purposes, as well as a number of other low-impact uses that can be allowed by special exception in particular circumstances. This district is intended to be used to separate and buffer residential and other low- or medium-intensity land uses, such as schools or parks, from higher-intensity commercial and light industrial land uses.

(j) *CH highway commercial district.* The purpose and intent of the CH district is to permit the designation of suitable locations for and to facilitate the proper development and use of land for

the commercial provision of services and goods to the public using the major through highways of the county. Such uses require high visual exposure and ready access from major roads. The market of such uses is presumed to be made up of transient visitors rather than residents or longterm visitors to the county.

(k) *CT tourist commercial district.* The purpose and intent of the CT district is to permit the designation of suitable locations for and to facilitate the proper development and use of land for the commercial provision of accommodations and services for tourists and other visitors and short-term or seasonal residents. The term "accommodations," as used in this subsection, is intended to include housing, various amenities including recreational facilities, and local retail trade in goods and service, both general and specific to the locality or attractor or principal activities. Areas designated tourist commercial are expected to be located near or adjacent to an attractor of tourism such as gulf beach frontage, theme parks, major public or private parks and other recreational or scenic resources.

(l) *CP commercial parking district.* The purpose and intent of the CP district is to facilitate the provision of automobile parking subordinate to other land uses on other parcels of land where it is not appropriate to permit the full range of uses allowed by the zoning district under which the principal use is allowed.

(m) *CI intensive commercial district.* The purpose and intent of the CI district is to permit the designation of suitable locations for and to facilitate the proper development and use of land for those commercial activities which are like or which have many of the same needs as industrial land uses. Intensive commercial land uses are generally services, particularly warehousing, distribution and transportation of goods. However, in type and size of buildings, relation to modes of transportation, and demands on various services, they are often indistinguishable from industrial land uses. The CI district is and is intended to be intermediate between consumer-oriented commercial and light industrial uses.

(n) *CR rural commercial district.* The purpose and intent of the CR district is to designate and to facilitate the proper development and use of land for limited commercial purposes in the nonurban areas of the county. In addition to the neighborhood scale provision of basic goods and services, it is the intent that the rural commercial district be used to provide other goods and services, specific to rural productive activities, such as farming or ranching, and for the rural lifestyle in general. The standard of physical development shall be or shall closely approximate that of a minor commercial place as set forth in standard 13.1(2) of the Lee Plan.

(Ord. No. 93-24, § 7(450.01), 9-15-93; Ord. No. 96-17, § 5, 9-18-96; Ord. No. 01-03, § 5, 2-27-01)

Sec. 34-842. 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 34-843, pertaining to use regulations for conventional commercial districts, and section 34-844, 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)

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	CN-3 (21, 23)	CC	CG	CS-1	CS-2	CH	CT	CR	CI	CP
Accessory apartment	P	P	P	P	P	P										
Administrative offices																
Aircraft landing facilities, private:																
Lawfully existing:																
Expansion of aircraft landing strip, heliport or heliport landing pad	SE	SE	SE	SE	SE	SE		SE	SE	SE	SE	SE	SE	SE	SE	
New accessory buildings	P	P	P	P	P	P		P	P	P	P	P	P	P	P	
New:																
Aircraft landing strip and ancillary hangars, sheds and equipment																
Heliport																
Heliport	SE	SE	SE	SE	SE	SE		SE	SE	SE	SE	SE	SE	SE	SE	
Amusement park, less than ten acres																
Animals:																
Clinic		P	P	P	P	P		P	P	P	P	P	P	P	P	
Kennel			P (3)						P (3)					P		
Control center (including Humane Society)	P	P	P	P	P	P			P	P	P	P	P	P	P	
Assisted living facility																
ATM (automatic teller machine)		P	P	P	P	P	P (16)	P	P	P	P	P	P (13)	P	P	
Auto parts store:																
No installation service	P	P	P	P	P	P		P	P	P	P	P	P	P	P	
With installation service	P	P	P	P	P	P		P	P	P	P	P	P	P	P	
Automobile service station		P	P	P	P	P			P	P	P	P	P	P	P	
Auto repair and service (34-622(c)(2)):																
Group I		P	P	P	P	P		P	P	P	P	P	P	P	P	
Group II			P	P	P	P			SE							
Beit and tackle shop		P	P	P	P	P		P	P	P	P	P	P	P	P	
Banks and financial establishments (34-622(c)(3)):																
Group I	P	P	P	P	P	P	P (16)	P	P	P	P (16)	P	P	P	P	
Group II		P	P	P	P	P		P	P	P	P (16)	P	P	P	P	
Bar or cocktail lounge		AA/SE	AA/SE	AA/SE	AA/SE			AA/SE	AA/SE			AA/SE (6)	AA/SE	AA/SE	AA/SE	
Bed and breakfast			P	P	P	P										
Boarding house			P	P	P	P										
Boats:																
Boat parts store	P	P	P	P	P	P	P (2, 4)	P	P	P	P	P	P	P	P	
Boat ramp	EO/SE	EO/SE	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
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	-	-	-	-	-	-	-
Boat storage, dry, not exceeding 18 feet above grade	Note 25	-	P	P	P	-	-	-	-	P	-	-	-	-	-	-	-
Boat storage, dry, exceeding 18 feet above grade	Note 25	-	SE	SE	SE	-	-	-	-	SE	-	-	-	-	-	-	-
Broadcast studio, commercial radio and television	34-1441 et seq.	-	-	P	P	-	-	-	P	P	-	-	-	-	-	-	-
Building materials sales		-	-	P	P	-	-	-	-	P	-	-	-	-	-	P	-
Business services (34-622c(5)); Group I		P	P	P	P	-	P	P	P	P	P	P (6)	-	P	P	P	-
Group II		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bus station/depot	34-1381 et seq.	-	-	P	P	-	-	-	SE	P	-	-	-	-	-	-	-
Caretaker's residence		-	SE	SE	SE	-	-	-	SE	SE	-	-	-	-	-	-	-
Car wash		-	P	P	P	-	-	-	P	SE	-	-	-	-	-	-	-
Cleaning and maintenance services (34-622c(7))		P	P	P	P	-	-	-	P	P	P	P	-	-	-	-	-
Clothing stores, general (34-622c(8))		P	P	P	P	-	-	-	P	P	P	P	-	-	-	-	-
Clubs:																	
Country		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Commercial		-	-	-	-	-	-	-	-	EO	-	-	-	-	-	-	-
Fraternal	34-2111	-	P	P	P	-	-	-	P	EO	-	SE	-	-	-	-	-
Membership organization	34-2111	-	P	P	P	-	-	-	P	EO	-	SE	-	P	-	-	-
Private		-	-	-	-	P	P	-	P	EO	-	SE	-	P	P	-	-
Cold storage warehouse and processing plant (including precooling)		-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-
Commercial fishery		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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 tower																	
100 feet or less in height	34-1441 et seq.	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	-
Community residential home		P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-
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	AA/SE	-
Contractors and builders (34-622c(9)); Group I		P	P	P	P	-	-	-	P	P	-	-	-	-	-	-	-
Group II		-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-
Group III		-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-
Convenience food and beverage store		F(19)	F(19)	F(19)	F(19)	-	SE(19)	-	P	P	-	-	-	SE(19)	P	P	-
Cultural facilities (34-622c(10))		-	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-
Day care center, adult, child		P	P	P	P	P	P	P	P	EO	-	-	-	P	-	-	-
Department store		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
Dormitory																	
Drive-through facility for any permitted use		P	P	P	P		SE		P	P	SE	SE	P	P	P	P	
Drive-in theater																	
Drugstore, pharmacy		P	P	P	P			P	P	P					P		
Dwelling unit:																	
Duplex		P	P	P	P												
Single-family		P	P	P	P												
Two-family attached		P															
Townhouse		EO			EO												
Mobile home		EO			EO												
Multiple-family building		EO	P	P	EO	SE (10)	SE (10)	SE (10)			SE (10)	SE (10)		P			
Entrance gates and gatehouse	34-1749	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Emergency operations center		P	P	P	P						P	SE			P	P	
EMS, fire or sheriff's station		P	P	P	P				P	P	P				P	P	
Essential services	34-1611 et seq.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Essential service facilities																	
(34-622)(13):																	
Group I	34-1611 et seq.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Group II	34-1611 et seq.	SE	SE	SE	SE	SE	SE		SE	SE	SE	SE	SE	SE	SE	SE	SE
Excavation:																	
Mining																	
Water retention	34-1651 et seq.																
Oil or gas		SE	SE	SE	SE	SE	SE		SE	SE	SE	SE	SE	SE	SE	SE	SE
Farm equipment, sales, storage, rental, service																	
Feed or fertilizer, mixing and sales																	
Fish house, wholesale																	
Flea market:																	
Open																	
Indoor																	
Food and beverage service, limited		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
Food stores (34-622)(16):																	
Group I		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Group II		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Fraternity house																	
Freight and cargo handling establishments (34-622)(17)																	
Funeral home or mortuary:																	
No cremation		P	P	P	P				P	P	P	SE					
With cremation		SE	SE	SE	SE				SE	P	P	SE					
Gasoline dispensing system, special																	
Government maintenance facility		P	P	P	P												
Hardware store		P	P	P	P	P	P	P	P	P	P	SE					
Health care facility (34-622)(20):																	
Group I											P (13)	SE (13)					
Group II											P (13)	SE (13)					
Group III		P	P	P	P	P	P	P	P	P	P	SE (13)					

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
Group IV																
See Aircraft landing facilities, private																
Heliport or helistop	P	P	P	P		P	P	P	P							
Hobby, toy, game shops (34-622(c)(21))	P	P	P	P	SE	SE				SE	SE		P			
Home care facility																
Home occupation:																
No outside help	AA	AA	AA	AA	AA	AA	AA			AA	AA		AA			
With outside help																
Hotel/motel		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																
Insurance companies (34-622(c)(23))																
Laundromat	P	P	P	P	P	P	P	P	P		SE (6)		P			
Laundry or dry cleaning (34-622(c)(24)):																
Group I	P	P	P	P			P	P	P				P			
Group II																
Lawn and garden supply store	P	P	P	P				P	P							
Library	P	P	P	P			P	P	P			P	P			
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													
Marinas	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		SE				P	
Medical office																
Mobile home dealers	P	P	P	P				P	P		P		P		P	
Model:									SE							

	Special Notes or Regulations	C-1A	C-1	C-2	C-2A	CN-1	CN-2	CN-3 (§1, 23)	CC	CG	CS-1	CS-2	CH	CT	CR	CI	CP
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	-	-	-
Multiplex docking facility		-	P	P	P	-	-	-	-	-	-	-	-	P	-	-	-
Nightclubs	34-1201 et seq. 34-1261 et seq.	-	AA/SE	AA/SE	AA/SE	-	-	-	AA/SE	AA/SE	-	-	AA/SE	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	P	P	P	-	-	-	P	P	-	-
Paint, glass and wallpaper		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
Commercial		-	SE	SE	-	-	-	-	SE	SE	-	-	-	-	-	-	-
Garages, public parking		-	SE	SE	P	-	-	-	SE	SE	-	-	-	-	-	-	-
Temporary	Note (14), 34-3049	P	P	P	P	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	-	-	-	P	-	-	-
Group II		P	P	P	P	-	-	-	P	P	-	-	-	P	-	-	-
Group III		P	P	P	P	-	-	-	P	P	SE	SE	-	-	-	-	-
Group IV		P	P	P	P	-	-	-	P	P	-	-	-	-	-	-	-
Group V		P	P	P	P	-	-	-	P	P	-	-	-	-	-	-	-
Pet services		P	P	P	P	-	-	-	-	P	-	-	-	-	-	-	-
Pet shop		P	P	P	P	-	-	-	-	P	-	-	-	-	-	-	-
Pharmacy		P	P	P	P	-	-	-	-	P	-	-	-	-	-	-	-
Place of worship	34-2051	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Plant nursery	34-2081	P	P	P	P	-	-	-	-	P	-	-	-	-	-	-	-
Post office		P	P	P	P	-	-	-	-	P	P	SE	-	-	-	-	-
Printing and publishing (34-622(c)(36))		-	-	-	-	-	-	-	-	EO	-	-	-	-	-	-	-
Processing and warehousing		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Racetracks (34-622(c)(37)); Groups I and II	CFD only	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Recreation, facilities:		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Commercial (34-622(c)(38))		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group I		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	-	-	-	-	-	-	-	-	-	-	-	-
Private:		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
On-site		P	P	P	P	-	-	-	P	-	-	-	-	P	-	-	-
Off-site		SE	P	P	P	-	-	-	-	-	-	-	-	P	-	-	-
Recycling facility		-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	-
Religious facilities		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Rental or leasing establishments (34-622(c)(39)):	34-2051 et seq.	-	-	-	-	-	-	-	-	P	P	SE	-	-	-	-	-

	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
Group I	34-1352, 34-3001 et seq.	P	P	P	P	-	P	P	P	P	-	-	P	P	-	-	-
Group II	34-1352, 34-3001 et seq.	P	P	P	P	-	P	P	P	P	-	-	P	P	P	-	-
Group III	34-1352, 34-3001 et seq.	-	P	P	P	-	-	-	P	P	-	-	P	P(17)	-	-	-
Group IV	34-3001 et seq.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group V	34-3001 et seq.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Repair shops (34-622(c)(40)):																	
Group I		P	P	P	P	P	P	P	P	P	-	-	-	P	P	P	-
Group II		P	P	P	P	-	-	-	P	P	-	SE	-	-	-	-	-
Group III		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group IV		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group V		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Research and development laboratories (34-622(c)(41)):																	
Group I		-	-	P	-	-	-	-	P	-	P	SE	-	-	-	-	-
Group II		-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-
Group III		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group IV		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group V		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Residential accessory uses (34-622(c)(42))																	
Group I		P	P	P	P	P	P	P	-	P	P	P	-	P	-	-	-
Group II		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group III		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group IV		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group V		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Restaurant, fast food																	
Group I		P	P	P	P	-	-	-	P	P	-	-	P	P	SE	-	-
Group II		P	P	P	P	-	-	-	P	P	-	SE(6)	P	P	P	-	-
Group III		P	P	P	P	-	-	-	P	P	-	SE(6)	P	P	P	-	-
Group IV		-	-	-	-	-	-	-	P	P	-	SE(6)	P	P	P	-	-
Group V		-	-	-	-	-	-	-	P	P	-	SE(6)	P	P	P	-	-
Roadside stand	34-1714	TP	TP	TP	TP	TP	TP	TP	TP	TP	TP	TP	TP	TP	TP	TP	TP
Rooming house																	
Schools:																	
Commercial (34-622(c)(45))	34-2381	P	P	P	P	-	-	-	P	P	P	SE	-	-	-	-	-
Non-commercial	34-2381	P	P	P	P	-	-	-	P	P	P	SE	-	-	-	-	-
Self-service fuel pumps	Note(18)	SE	SE	SE	SE	-	SE	-	P	P	-	-	SE	SE	P	P	-
Signs in accordance with chapter 30		P	P	P	P	-	-	-	P	P	P	P	P	P	P	P	P
Social services (34-622(c)(46)):																	
Group I		P	P	P	P	-	-	-	P	-	-	-	-	-	-	-	-
Group II		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group III		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group IV		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Specialty retail shop (34-622(c)(47)):																	
Group I		P	P	P	P	P	P	P	P	P	SE	SE(6)	P	P	P	-	-
Group II		P	P	P	P	-	-	-	P	P	-	SE(6)	-	-	-	-	-
Group III		P	P	P	P	-	-	-	P	P	-	-	-	-	-	-	-
Group IV		P	P	P	P	-	-	-	P	P	-	-	-	-	-	-	-
Stable, commercial	34-1291 et seq.	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	-
Storage:																	
Indoor only	34-9001 et seq.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Storage, open	34-3001 et seq.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

	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
Studios (34-622(c)(49))		P	P	P	P	-	-	P	P	EO	-	SE	-	P	-	-	-
Supermarket		P	P	P	P	-	-	-	P	P	-	-	-	P	-	-	-
Temporary uses	34-3041 et seq.	P	P	P	P	-	-	P	P	P	P	-	-	P	P	P	P
Theater:																	
Indoor Drive-in	34-2471 et seq. CPD or MPD only 34-2471 et seq.	-	EO	EO	-	-	-	-	P	P	-	-	-	P	-	-	-
Timeshare units		EO	SE	SE	SE	-	-	-	-	-	-	-	-	P	-	-	-
Transportation services (34-622(c)(53)):																	
Group I		-	-	P	P	-	-	-	P	P	-	-	-	-	-	-	-
Group II		-	-	P	P	-	-	-	P	P	-	-	-	-	-	-	-
Group III		-	-	P	P	-	-	-	P	P	-	-	P	-	-	-	-
Group IV		-	-	P	P	-	-	-	P	P	-	-	-	-	-	-	-
Truck stop		-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-
Trucking terminal, motor, rail, air, including warehousing of goods awaiting shipment, parking, and storage of rolling stock		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Used merchandise stores (34-622(c)(54)):																	
Group I		-	P	P	P	-	-	-	P	P	-	-	-	-	-	-	-
Group I, limited to indoor display only,		P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group II		-	P	P	P	-	-	-	P	P	-	-	-	-	-	-	-
Group III		-	P	P	P	-	-	-	P	P	-	-	-	-	-	-	-
Group IV		-	P	P	P	-	-	-	P	P	-	-	-	-	-	-	-
Variety store		P	P	P	P	-	-	-	P	P	-	-	-	-	-	-	-
Vehicles and equipment dealers (34-622(c)(56)):																	
Group I	34-1362	-	P	P	P	-	-	-	-	P	-	-	-	-	-	-	-
Group II	34-1362	-	P	P	P	-	-	-	-	P	-	-	-	-	-	-	-
Group III	34-1362	-	P	P	P	-	-	-	-	P	-	-	-	-	-	-	-
Group IV	34-1362	-	P	P	P	-	-	-	-	P	-	-	-	-	-	-	-
Group V	34-1362	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Warehouse:																	
Mini-warehouse		-	-	P	-	-	-	-	SE	SE	-	-	-	-	-	P	-
Private		-	-	P	-	-	-	-	-	-	-	-	-	-	-	P	-
Public		-	-	P	-	-	-	-	-	-	-	-	-	-	-	P	-
Wholesale establishment (34-622(c)(56)):																	
Group I		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group II		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group III		-	P (16)	P	P	-	-	-	P (16)	P (16)	-	-	-	P (16)	-	P (16)	-
Group IV		-	P (16)	P (16)	P (16)	-	-	-	P (16)	P (16)	-	-	-	-	-	P (16)	-

Notes:

(1) Permitted only when accessory to a lawfully permitted single-family dwelling unit.

- (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) Reserved.
- (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) 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) 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.
(Ord. No. 93-24, § 7(table 450.A), 9-15-93; Ord. No. 94-24, § 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)

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-3	CN-3	CC, CG	CS-1	CS-2	CH	CT	CR	CI	CP
Maximum density	Note (1)				(2)	(2)	(2)		(2)	(2)					
Minimum lot area and dimensions:	34-2221, 34-2222, 34-2142														
Minimum lot size:															
Residential uses (square feet):															
First two units in same building		7,500	7,500	7,500	10,000	10,000	10,000	20,000	20,000	5,000	10,000	7,500	39,500	2 acres	None
Each additional unit in same building		3,000	2,000	2,000	10,000	10,000	7,500	20,000	20,000	5,000	10,000	2,000	33,600	2 acres	None
Nonresidential uses (square feet):															
Corner lot		7,500	10,000	10,000	10,000	10,000	10,000	20,000	20,000	5,000	10,000	20,000	39,500	2 acres	None
Interior lot		7,500	10,000	10,000	10,000	10,000	7,500	20,000	20,000	5,000	10,000	20,000	33,600	2 acres	None
Lot width (feet)		75	75	75	100	100	75	100	100	50	100	100	100	100	150
Lot depth (feet)		100	100	100	100	100	100	100	100	100	100	100	100	150	150
Minimum setbacks:	34-1174 et seq. & 34-2191 et seq.														
Street (feet)	Notes (3) and (4)	15	15	15	15	15	15	15	20	10	15	20	15	15(10)	Note (6)
Side yard (feet)	Notes (3) and (5)	25	25	25	25	25	25	25	20	20	20	25	20	25(10)	Note (7)
Rear yard (feet)															
Water body (feet):	34-2191 et seq.														
Gulf of Mexico															
Other															
Special regulations:															
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 (34-622c)(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														
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
Maximum lot coverage (percent of total lot area)		40%	40%	40%	40%	40%	40%	40%	40%	50%	40%	40%	40%	40%	40% (9)

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)