

AGENDA ITEM SUMMARY

REQUESTED MOTION:

First reading and public hearing of the following Ordinance:

AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTERS 3 (DEVELOPMENT STANDARDS) AND 4 (ZONING); AMENDING SECTION 3-491 RELATED TO SITE DESIGN STANDARDS; AMENDING SECTIONS 4-408, 4-661, 4-718, 4-740, 4-1098, 4-1122, 4-1465, 4-1467, 4-1472, 4-1473 AND 4-2072; CREATING SECTIONS 4-888 THROUGH 4-895, THE U.S. 41 OVERLAY DISTRICT; PROVIDING FOR PURPOSE AND INTENT, APPLICABILITY, DEFINITIONS, PERMITTED USES, SPECIFIC SITE DESIGN STANDARDS FOR THE U.S. 41 OVERLAY DISTRICT, PARKING AND CIRCULATION, INTERSECTION DESIGN AND CORNER LOTS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE.

The Ordinance will be scheduled on December 2, 2015 at 5:30 p.m., City Council Chambers, for its Second Reading and Public Hearing, with Local Planning Agency review on November 12, 2015.

MEETING DATE: November 18, 2015

AGENDA:	REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
<input type="checkbox"/> PRESENTATIONS	<input checked="" type="checkbox"/> STATUTE 166.041	Audrey E. Vance City Attorney And John Dulmer, Director, Community Development
<input type="checkbox"/> CONSENT	<input checked="" type="checkbox"/> ORDINANCE - LDC 3 & 4	
<input type="checkbox"/> PUBLIC HEARING	ADMIN. CODE	
<input type="checkbox"/> APPEALS	OTHER	
<input type="checkbox"/> MAYOR AND COUNCIL MEMBER'S REPORTS		
<input checked="" type="checkbox"/> CITY ATTORNEY		
<input type="checkbox"/> CITY MANAGER		

BACKGROUND:

In May of 2014, City Council adopted changes to the LDC which limited certain uses on US 41, requiring them to be developed by planned development or special exception. The objective was not to prohibit or eliminate any use that is currently permitted within its conventional district (e.g., C-1A or CC), but to require conditions to be formulated and applied to address unique aspects of the parcel to protect a bona fide public interest. Staff retained planner Alexis Crespo, Waldrop Engineering, to prepare the attached ordinance, which creates the U.S. 41 Overlay District, to implement changes in the Land Development Code to guide future growth and redevelopment along U.S. 41 in a manner that maintains and enhances the aesthetic/visual quality of the corridor, makes efficient use of public infrastructure, protects existing neighborhoods, and balances automobile-oriented development patterns with the pedestrian realm. A primary objective of these changes is to prevent the expansion of a "strip" commercial development pattern, and create a physically attractive, and functionally integrated built environment through cohesive and complimentary site development and design standards.

Continued on page 2
 Attachment: Draft Ordinance

Is this a Strategic Decision? YES NO
 If YES, related to which Strategic Objective? **1** Maintain and enhance the quality of life.

STAFF RECOMMENDATIONS:

Hold the first public hearing and move to a second public hearing on December 2, 2015.

REVIEWED BY:

City Manager: _____
 City Attorney: _____
 City Clerk: _____
 Department Director: _____

COUNCIL ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

On November 4, 2015, City Council heard a presentation by Ms. Crespo and scheduled the ordinance for public hearings. The ordinance was reviewed by the Local Planning Agency at its November 12, 2015 public meeting for consistency with the comprehensive plan, with comments being brought back to City Council for their public hearings.

Summary of Proposed Ordinance Change

1. Amend §3-491 to clarify drive-through design standards on a city-wide basis.
2. Amend §4-408, Use activity groups, to re-organize "Used Merchandise Stores, Groups I-V". [Note: Further examination and re-organization of use activity groups will be completed in a subsequent amendment]
3. Amend §4-661, Use Regulations for Conventional Commercial Districts, to implement special exception review requirements for specified uses in the US 41 Overlay District.
4. Amend §4-718, Use Regulations for Conventional Industrial Districts, to implement special exception review requirements for specified uses in the US 41 Overlay District.
5. Amend §4-740, Use Regulations for Planned Development Districts, to implement special exception review requirements for specified uses in the US 41 Overlay District.
6. Create Subdivision IV. US 41 Overlay District section in Chapter 4 to implement specific use and enhanced design standards for the district.
7. Create US 41 Overlay District Map.
8. Provide for applicability for existing and new developments, and existing Planned Development zoning districts.
9. Provide for uses permitted by special exception only, and provide for prohibited uses to uphold the intent of the district.
10. Provide for site design standards including, enhanced right-of-way buffers, pedestrian access, vehicular interconnection between parcels (where possible), and standards for corner lots within the district.
11. Amend §4-1098, Automotive Businesses, Display, Rental, Repair or Storage of Vehicles or Equipment, to require screening of service bays.
12. Amend §4-1122, Convenience Food and Beverage Stores, Automotive Service Stations, Fast Food Restaurants, and Carwashes, to require enhanced landscape buffer standards and screening of drive-through facilities.
13. Amend §4-1472, Entrance gates and gatehouses, to require a turnaround on the ingress side of the gate sufficient to allow a single unit truck to turn around.
14. Amend Chapter 4, Division 17, Fences, Walls, Gates and Gatehouses, to place further restrictions on barbed wire fencing on a citywide basis.

CITY OF BONITA SPRINGS, FLORIDA

ORDINANCE NO. 15-__

AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTERS 3 (DEVELOPMENT STANDARDS) AND 4 (ZONING); AMENDING SECTION 3-491 RELATED TO SITE DESIGN STANDARDS; AMENDING SECTIONS 4-408, 4-661, 4-718, 4-740, 4-1098, 4-1122, 4-1465, 4-1467, 4-1472, 4-1473 AND 4-2072; CREATING SECTIONS 4-888 THROUGH 4-895, THE U.S. 41 OVERLAY DISTRICT; PROVIDING FOR PURPOSE AND INTENT, APPLICABILITY, DEFINITIONS, PERMITTED USES, SPECIFIC SITE DESIGN STANDARDS FOR THE U.S. 41 OVERLAY DISTRICT, PARKING AND CIRCULATION, INTERSECTION DESIGN AND CORNER LOTS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE.

WHEREAS, the City of Bonita Springs, Florida is the governing body of Bonita Springs; and

WHEREAS, Florida Statutes §166.021 authorizes the City of Bonita Springs to establish, coordinate and enforce laws that are necessary for the protection of the public; and

WHEREAS, City Council directed staff to establish certain standards by creation of a U.S. 41 Overlay District, to implement changes in the Land Development Code to guide future growth and redevelopment along U.S. 41 in a manner that maintains and enhances the aesthetic/visual quality of the corridor, makes efficient use of public infrastructure, protects existing neighborhoods, and balances automobile-oriented development patterns with the pedestrian realm; and

WHEREAS, Council has determined that U.S. 41 Overlay District is intended to prevent the expansion of a "strip" commercial development pattern, and create a physically attractive, and functionally integrated built environment through cohesive and complimentary site development and design standards provided within this ordinance; and

WHEREAS, City Council finds that adopt of this ordinance will revise the development standards for property abutting U.S. 41, maintaining and enhancing the quality of life within the City of Bonita Springs.

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

SECTION ONE: BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 3

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DATE PREPARED: October 16, 2015

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Sections 3-491, Site Design Standards, of the Bonita Springs Land Development Code is hereby amended to read as follows, with strike-through identifying deleted language and underline identifying additional language:

SECTION ONE: BONITA SPRINGS LAND DEVELOPMENT CODE

CHAPTER 3

ARTICLE IV. – DESIGN STANDARDS AND GUIDELINES FOR COMMERCIAL BUILDINGS AND DEVELOPMENTS

Sec. 3-491. - Site design standards.

- (a) Required plans. Compliance with the standards set forth in this section shall be demonstrated by submittal of architectural drawings and a site development plan in accordance with section 3-487(e), required site development or improvement plan.
- (1) Off-street parking design. For details regarding standards for parking design and location of parking, see section 3-487 design standards applicable to structures subject to article IV of this chapter, guidelines for commercial buildings and developments.
- (2) Pedestrian walkways.
- a. Purpose and intent. To provide safe opportunities for alternative modes of transportation by connecting with existing and future pedestrian and bicycle pathways within the city and to provide safe passage from the public right-of-way to the building or project which includes the area between the parking areas and the building perimeter walk, and between alternative modes of transportation. The on-site pedestrian system must provide adequate directness, continuity, street and drive aisle crossings, visible interest and security as defined by the standards in this section.
 - b. Pedestrian access standards. Pedestrian walkways shall be provided from the building entry to surrounding streets, external sidewalks, out-parcels and parking areas. Pedestrian walkways may be incorporated within a required landscape perimeter buffer, provided said buffer is consistent with the requirements of section 3-418, landscape standards. Shared pedestrian walkways are encouraged between adjacent projects.
 - c. Minimum ratios. Pedestrian walkways shall be provided at a minimum ratio of one for each public vehicular entrance to a project, excluding ingress and egress points intended primarily for service or delivery vehicles. Drive aisles leading to main entrances shall have, at a minimum, a walkway on one side of the drive aisle.
 - d. Minimum dimensions. Pedestrian walkways shall be a minimum of five feet wide.
 - e. Materials. Pedestrian walkways shall be consistent with the provisions of section 4.5 of the Americans with Disabilities Act (ADA), Accessibility Guidelines. Materials may include specialty pavers, concrete, colored concrete or stamped pattern concrete.

- f. Building perimeter walk. A minimum five-foot wide building perimeter walk is required as specified below:
 - 1. A continued building perimeter walk, interconnecting all entrances and exits of a building, is required. Emergency exits-only are excluded.
 - 2. If the parking area is proposed along the building facade within 15 feet of a building wall, a building perimeter walk must be provided along the full length of the row of parking spaces facing the building.
 - g. Pedestrian crosswalks at building perimeter. Building perimeter crosswalks shall be designed and coordinated to move people safely to and from buildings and parking areas by identifying pedestrian crossings with signage and variations in pavement materials or markings.
 - h. Shade, and site amenities.
 - 1. Pedestrian walkways shall provide intermittent shaded areas when the walkway exceeds 50 linear feet in length at a minimum ratio of one shade canopy tree per every 50 linear feet of walkway. The required shade trees shall be located no more than ten feet from the edge of the sidewalk, taking into consideration the angle of the sun to shade the walkway.
 - 2. Development plans shall include site amenities that enhance safety and convenience and promote walking or bicycling as an alternative means of transportation. Site amenities may include bike racks (as required by section 3-438, required facilities) drinking fountains, canopies and benches.
- (b) Service function areas and facilities. Service function areas include, but are not limited to: loading areas and docks, outdoor storage, vehicle storage excluding car display areas, trash collection areas, trash compaction and recycling areas, roof top equipment, utility meters, antennas, mechanical and any other outdoor equipment and building services supporting the main use of operation of the property.
- (1) Purpose and intent. To diminish the visual and acoustic impacts of service functions that may detract from, or have a negative impact on, the surrounding properties and the overall community image.
 - (2) Buffering and screening standards. Service function areas shall be located and screened so that the visual and acoustic impacts of these functions are fully screened from adjacent properties, and public and private streets.
 - (3) Screening material and design standards. Screening materials, colors and design shall be consistent with design treatment of the primary facades of the building or project and the landscape plan.
 - (4) Trash enclosures. For the location, size, and design standards for trash enclosures, see section 3-268, refuse and solid waste disposal facilities.
 - (5) Loading areas, and docks. Vehicle loading areas shall be screened from streets and adjacent residential districts. Screening shall consist of wing walls, shrubs, trees, berms, or combination thereof.
 - (6) Conduits, meters and vents. Conduits, meters and vents and other equipment attached to the building or protruding from the roof shall be screened or painted to match

surrounding building surfaces. Conduits and meters cannot be located on the primary facade of the building.

- (7) All rooftop mechanical equipment protruding from the roof shall be screened from ground-level public view by integrating it into a building and roof design, see section 3-489(l), roof treatments.
 - (8) Outdoor vending machines shall be located so that they are out of view from adjacent properties and street.
- (c) Fencing standards. For restrictions on fence material, fence height, and design, see appendix C to this chapter.
- (d) Drive-through facilities standards.
- (1) Drive-through facilities location and buffering standards. All drive-through facilities, regardless of principal use, shall be secondary in emphasis and priority to any other access and circulation functions. Such facilities shall be located at side or rear locations that do not interrupt direct pedestrian access, and avoid potential pedestrian/vehicle conflict. Each drive-through facility shall provide a walk-up service option, as well as drive-in. Pedestrian access cannot be routed through drive through lanes. If site constraints limit the location for the drive-through facility to the area between the right-of-way and associated building, the vegetation required by a type B landscape buffer shall be installed within the buffer width required for the project and maintained along the entire length of the drive-through lane and adjacent right-of-way. Where the site cannot accommodate the drive-through window and queuing lanes on the side and rear of building, an enhanced 25-foot wide right-of-way buffer shall be provided in accordance with Section 4-1122(h). In addition to the vegetative buffer referenced above, a permanent, covered, porte-cochere or similar structure, (canvas awning, and canopies are excluded), shall be installed extending the width of the drive-through with the roof covering the service window. Such structure shall be an integral part of the design of the building.
 - (2) Required floor area. One drive-through facility is permitted per tenant. The minimum building size is 1,000 square feet of gross floor area. For multi-tenant building, each tenant must have a minimum of 5,000 square feet of gross floor area to qualify them for an additional drive-through facility.
- (e) Lighting.
- (1) Purpose and intent. All building sites and projects, including out-parcels, shall be designed to provide safe, convenient, and efficient lighting for pedestrians and vehicles. Lighting shall be designed in a consistent and coordinated manner for the entire site. The lighting and lighting fixtures shall be integrated and designed so as to enhance the visual impact of the project on the community and/or blend with the landscape.
 - (2) Shielding standards. Lighting shall be designed so as to prevent direct glare, light spillage and hazardous interference with automotive and pedestrian traffic on adjoining streets and all adjacent properties. Light sources shall be concealed or shielded.
 - (3) Fixture height standards. Lighting fixtures within the parking lot shall be a maximum of 25 feet in height, and 15 feet in height for the non-vehicular pedestrian areas.
 - (4) Design standards. Lighting shall be used to provide safety while accenting key architectural elements and to emphasize landscape features. Light fixtures shall

complement the design of the project. This can be accomplished through style, material or color.

(5) Illumination. Background spaces, such as parking lots, shall be illuminated as unobtrusively as possible to meet the functional needs of safe circulation and of protecting people and property. Foreground spaces, including building entrances and plaza seating areas, shall utilize local lighting that defines the space without glare.

(6) Compliance. All lighting must meet the standards in section 3-269

(7) These provisions shall not preclude the illumination of sidewalks on or adjacent to property lines to provide for pedestrian safety.

(f) Water management areas. For design standards for water management areas, including location and the required amenities, see section 3-489, building design standards.

SECTION TWO: BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4

Sections 4-408, 4-661, 4-718, 4-740, 4-1098, 4-1122, 4-1465, 4-1467, 4-1472, 4-1473 and 4-2072; creating sections 4-888 through 4-895 of the Bonita Springs Land Development Code are hereby amended and sections 4-888 through 4-895 are hereby created to read as follows, with strike-through identifying deleted language and underline identifying additional language:

Sec. 4-408. - Use activity groups.

(a) Purpose and intent. The purpose and intent of this section is to provide a method whereby lengthy lists of use activities can be categorized into simplified groups for insertion and use in the zoning district regulations.

(b) Applicability; interpretation of schedule.

(1) When a particular activity group is shown as a permitted or permissible use within the use regulations of a zoning district, it shall be interpreted to mean any of the uses listed under that particular use activity group in this section, unless specifically noted to the contrary.

(2) When an individual use which is included within an activity group is listed specifically within the use regulation, it shall be interpreted to mean only that use and shall not be interpreted to mean other uses within the activity group in which it is located.

(3) When a section, article or division number is indicated in parentheses following a particular activity, it is an indication that supplemental regulations affect the use, and the reader should refer to the indicated provisions.

(4) When a number precedes or follows a use activity, it is a reference to the Standard Industrial Classification Manual, 1972 edition, and all uses listed within the SIC code are permitted unless specifically indicated to the contrary.

(5) Whenever a use group title includes the word "manufacturing," it shall be interpreted to also include repair of the type of product contained within the listing. However, this is not to be interpreted as requiring repair establishments to be placed within one of these use groups if:

- a. No manufacturing is involved; and
 - b. The repair establishment qualifies under a different use activity group or defined term.
- (c) Use activity groups are as follows:
- (1) Apparel, manufacturing.
 - a. Marine canvas tops and tents, etc.
 - b. 231 Men's, youths' and boys' suits, coats, and overcoats.
 - c. 232 Men's, youths' and boys' furnishings, work clothing and allied garments.
 - d. 233 Women's, misses' and juniors' outerwear.
 - e. 234 Women's, misses' children's and infants' undergarments.
 - f. 235 Hats, caps and millinery.
 - g. 236 Girls', children's and infants' outerwear.
 - h. 237 Fur goods.
 - i. 238 Miscellaneous apparel and accessories.
 - j. 239 Miscellaneous fabricated textile products.
 - (2) Automotive repair and service (article VI, division 8 of this chapter).
 - a. Group I.
 - 1. Automotive air conditioning equipment, sales and installation.
 - 2. Automotive interior shops.
 - 3. Automotive paint shops.
 - 4. Automotive tops (canvas or plastic) installation or repair.
 - 5. Automotive trim shops.
 - 6. Brake linings, sale and installation.
 - 7. Brake repairing.
 - 8. Carburetor repair.
 - 9. Cellular phone installation.
 - 10. Diagnostic centers.
 - 11. Drive-in oil change.
 - 12. Electrical service, automotive (battery and ignition repair).
 - 13. Exhaust system service (muffler shops).
 - 14. Fuel system repair, motor vehicle.
 - 15. Generator and starter repair.
 - 16. Glass replacement and repair.
 - 17. Inspection service.

18. Mufflers, automotive, sale and installation.
 19. Radiator repair shops.
 20. Radio, sales and installation.
 21. Tire repair shops, no vulcanizing.
 22. Transmission repair.
 23. Undercoating cars.
 24. Upholstery repair.
 25. Wheel alignment.
- b. Group II.
1. Automotive body shops.
 2. Automotive repair shops not listed in Group I.
 3. Automotive springs, rebuilding and repair.
 4. Automotive top (other than canvas or plastic) and body repair.
 5. Axle straightening.
 6. Bump shops (automotive repair).
 7. Diesel engine repair.
 8. Engine repair.
 9. Frame repair shops.
 10. Front end repair.
 11. Garages, general automotive repair and service.
 12. Motor repair.
 13. Rebuilding and retreading tires for the trade.
 14. Retreading tires.
 15. Tire recapping.
 16. Vulcanizing tires and tubes (repair service).

(3) Banks and financial establishments.

- a. Group I.
1. ATM's (automatic teller machines).
 2. 602 Commercial and stock savings banks.
 3. 603 Mutual savings banks.
 4. 605 Establishments performing functions closely related to banking.
 5. 612 Savings and loan associations.
 6. 613 Agricultural credit institutions.
 7. 614 Personal credit institutions.

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8. 615 Business credit institutions.
 9. 616 Mortgage bankers and brokers.
- b. Group II.
1. 601 Federal reserve banks.
 2. 604 Trust companies not engaged in deposit banking.
 3. 611 Rediscount and financing institutions for credit agencies other than banks.
 4. 621 Security brokers, dealers and flotation companies.
 5. 622 Commodity contracts brokers and dealers.
 6. 623 Security and commodity exchanges.
 7. 628 Services allied with the exchange of securities or commodities
 8. 671 Holding offices.
 9. 672 Investment offices.
 10. 673 Trusts.
 11. 674 Miscellaneous investing.
- (4) Building materials, sales (article VI, division 36 of this chapter). This group includes establishments engaged in selling primarily lumber, or lumber and a general line of building materials, to the general public. While these establishments may also sell to contractors, they are known as "retail" in the trade. The lumber which they sell may include rough and dressed lumber, flooring, molding, doors, sashes, frames and other millwork. The building materials may include roofing, siding, shingles, wallboard, paint, brick, tile, cement, sand, gravel and other building materials and supplies. Hardware is often an important line of retail lumber and building materials dealers. Asphalt and concrete batch plants are specifically excluded.
- a. Brick and tile dealers.
 - b. Building materials dealers.
 - c. Buildings, prefabricated.
 - d. Cabinets, kitchen, to be installed.
 - e. Cement dealers.
 - f. Concrete and cinderblock dealers.
 - g. Fallout shelters.
 - h. Fencing dealers.
 - i. Flooring, wood.
 - j. Garage doors, sale and installation.
 - k. Insulation material, building.
 - l. Jalousies.
 - m. Lime and plaster dealers.

- n. Lumber and building material dealers.
 - o. Lumber and planing mill product dealers.
 - p. Millwork and lumber dealers.
 - q. Roofing material dealers.
 - r. Sand and gravel dealers.
 - s. Storm windows and sash, wood or metal.
 - t. Structural clay products.
 - u. Wallboard (composition) dealers.
- (5) Business services. This group includes establishments primarily engaged in providing business services to other businesses or individuals, which are not classified elsewhere in this section.
- a. Group I. Business service establishments which customarily occupy standard office space and do not require outdoor storage of supplies or the use of vehicles other than cars or small vans. Establishments of this type include but are not limited to:
 - 1. Advertising agencies (excluding sign construction).
 - 2. Appraisers.
 - 3. Attorneys.
 - 4. Bail bonding.
 - 5. Blood banks.
 - 6. Blood donor stations.
 - 7. Blueprinting and photocopying services.
 - 8. Business agents and brokers.
 - 9. Caterers.
 - 10. Check exchanges.
 - 11. Clerical services.
 - 12. Collection agencies.
 - 13. Commercial photography, art and graphics.
 - 14. Computer or data processing services.
 - 15. Consulting services such as architects, attorneys, engineers, planners, etc.
 - 16. Credit reporting services.
 - 17. Detective agencies and protective services, but not including armored car or animal (guard dog) rental.
 - 18. Drafting services.
 - 19. Employment agencies.
 - 20. Film processing or developing, retail.

21. Insurance agents.
 22. Interior decorators (not painters or paperhangers).
 23. Management, consulting and public relations services.
 24. Map making.
 25. Medical photography and art.
 26. Message answering services.
 27. Microfilm recording and developing services.
 28. Notary publics.
 29. Oxygen tent services.
 30. Personal investigation services.
 31. Real estate agents and brokers.
 32. Sign painting and lettering (not construction).
 33. Stenographic services.
 34. Telephone solicitation services.
 35. Travel agencies.
 36. Visiting nurse associations.
 37. Welcome wagon services.
- b. Group II. Business services which, due to equipment and vehicle storage or to processes used, usually require facilities in addition to standard office space. Included in this group are services similar to:
1. Aircraft food services and catering.
 2. Armored car services.
 3. Automobile claims adjusters.
 4. Automobile repossessing services.
 5. Horticultural services.
 6. Lawn and garden services.
 7. Messenger services.
 8. Packaging services.
 9. Parcel and express services.
 10. Pest control (exterminators).
 11. Swimming pool cleaning and maintenance services.
 12. Water softening services.
- (6) Chemicals and allied products, manufacturing.
- a. Group I.

1. 283 Drugs.
- b. Group II.
 1. 281 Industrial inorganic chemicals.
 2. 282 Plastics materials and synthetic resins, synthetic rubber, and synthetic and other manmade fibers, except glass.
 3. 284 Soap, detergents and cleaning preparations, and perfumes, cosmetics and other toilet preparations.
 4. 285 Paints, varnishes, lacquers, enamels and allied products.
 5. 286 Industrial organic chemicals.
 6. 287 Agricultural chemicals, excluding 2875, Fertilizers, mixing only.
 7. 289 Miscellaneous chemical products (including explosives).
- (7) Cleaning and maintenance services (no repairs). This group includes establishments primarily engaged in providing a service to individual homes or businesses on a contract or fee basis, and wherein the particular service is performed at the individual home or business.
 - a. Building cleaning (interior).
 - b. Carpet cleaning (not laundry).
 - c. Floor waxing.
 - d. Housecleaning.
 - e. Janitorial services on contract basis.
 - f. Office cleaning.
 - g. Upholstery cleaning.
 - h. Window cleaning.
- (8) Clothing stores, general. This group includes establishments primarily engaged in selling a variety of new clothing, shoes, hats, underwear and related articles for personal wear and adornment.
 - a. Children's and infants' wear stores.
 - b. Family clothing stores.
 - c. Men's and boys' clothing.
 - d. Shoe stores.
 - e. Women's ready-to-wear stores.
- (9) Contractors and builders. This group includes all general, operative and special trade contractors and builders, including:
 - a. Carpentering and flooring.
 - b. Concrete work.
 - c. Electrical contractors.

- d. General contractors.
 - e. Heavy construction.
 - f. Bridge, tunnel and elevated highway.
 - g. Water, sewer, pipelines, communication and power lines.
 - h. Other.
 - i. Highway and street construction.
 - j. Masonry, stone setting and other stonework.
 - k. Operative builders.
 - l. Painting, paperhanging and decorating.
 - m. Plumbing, heating and air conditioning.
 - n. Roofing and sheetmetal.
 - o. Special trades.
 - p. Structural steel erection.
 - q. Glass and glazing.
 - r. Excavation and foundation.
 - s. Wrecking and demolition.
 - t. Installation or erection of building equipment.
 - u. Other.
 - v. Water well drilling.
 - w. Group I. Permits offices and indoor storage facilities but specifically excludes any fabrication work or outdoor storage, other than parking of cars.
 - x. Group II. Permits offices, indoor storage and light fabrication work. Outdoor storage of materials and equipment is permitted if enclosed. Specifically prohibited is any heavy construction equipment such as cement trucks, cranes, bulldozers, well-drilling trucks and other similar heavy equipment, or wrecking or demolition debris.
 - y. Group III. Permits offices, storage (indoor or outdoor), fabrication work and outdoor storage of heavy construction equipment. Storage of wrecking debris is prohibited.
- (10) Cultural facilities. This group includes facilities of historic, educational or cultural interest.
- a. Animal or reptile exhibits.
 - b. Art galleries.
 - c. Aquariums.
 - d. Botanical or zoological gardens.
 - e. Historical sites.
 - f. Museums.
 - g. Planetaria.

h. Zoos.

(11) Electrical machinery and equipment manufacturing.

- a. 361 Electric transmission and distribution equipment.
- b. 362 Electrical industrial apparatus.
- c. 363 Household appliances.
- d. 364 Electric lighting and wiring equipment.
- e. 365 Radio and television receiving equipment, except communication types.
- f. 366 Communication equipment.
- g. 367 Electronic components and accessories.
- h. 369 Miscellaneous electrical machinery, equipment and supplies.

(12) Essential services. See the definition in section 4-2

(13) Essential service facilities. This group includes buildings or aboveground structures, exceeding 27 cubic feet in volume, required to provide essential services, including electricity, communications, telephone, cable television, gas, water, sewage, solid waste and resource recovery. This does not include wireless communication facilities which are regulated by section 4-1215 et seq. or telephone booths or pay phone stations which are addressed in section 4-1893

- a. Group I (article VII, division 14 of this chapter).
 1. Natural gas or water regulation stations.
 2. Pumping stations (excluding above-groundwater storage facilities).
 3. Transmission or metering stations.
- b. Group II.
 1. Above-groundwater storage facilities.
 2. Electric substations.
 3. Sewage disposal or treatment facilities.
 4. Solid waste transfer station.
 5. Water treatment facilities.
- c. Group III.
 1. Electric power generating plants.
 2. Resource recovery facilities such as incinerators or generation of energy from waste materials.
 3. Landfills (article VI, division 20 of this chapter).

(14) Fabricated metal products, manufacturing.

- a. Group I.
 1. 346 Metal forgings and stampings.
 2. 347 Coating, engraving and allied services.

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3. 348 Ordnance and accessories, except vehicles and guided missiles.
 - b. Group II.
 1. 341 Metal cans and shipping containers.
 2. 342 Cutlery, hand tools and general hardware.
 3. 343 Heating equipment, except electric and warm air; and plumbing fixtures.
 4. 344 Fabricated structural metal parts, excluding 3444, Sheetmetal work, and 3448, Prefabricated metal buildings and components.
 5. 345 Screw machine products and bolts, nuts, screws, rivets and washers.
 6. 349 Miscellaneous fabricated products.
 - c. Group III.
 1. 3448 Prefabricated metal buildings and components.
- (15) Food and kindred products, manufacturing.
- a. Group I.
 1. 2011 Meat packing plants (slaughtering).
 2. 2016 Poultry dressing plants (slaughtering).
 3. 2017 Poultry and egg processing.
 4. 2026 Fluid milk (pasteurizing, homogenizing and bottling).
 5. 2041 Flour and other grain mill products.
 6. 2044 Rice milling.
 7. 2046 Wet corn milling.
 8. 2047 Dog, cat and other pet food (slaughtering).
 9. 2048 Prepared foods and feed ingredients for animals and fowl.
 10. 2061 Cane sugar, except refining only.
 11. 2062 Cane sugar, refining.
 12. 2063 Beet sugar.
 - b. Group II.
 1. 2013 Sausages and other prepared meat products.
 2. 202 Dairy products (excluding 2026, Fluid milk).
 3. 203 Canned and preserved fruits and vegetables.
 4. 2043 Cereal breakfast foods.
 5. 2045 Blended and prepared flour.
 6. 207 Fats and oils.
 7. 2082 Malt beverages.
 8. 2083 Malt.

9. 2084 Wines, brandy, and brandy spirits.
10. 2085 Distilled, rectified and blended liquors.
11. 2087 Flavoring extracts and flavoring syrups.
12. 2091 Canned and cured fish and seafoods.
13. 2092 Fresh or frozen packaged fish and seafoods.
14. 2098 Macaroni, spaghetti, vermicelli and noodles.
15. 2099 Food preparation, not elsewhere classified.

c. Group III.

1. 205 Bakery products.*
2. 2065 Candy and other confectionery products.*
3. 2066 Chocolate and cocoa products.
4. 2067 Chewing gum.
5. 2086 Bottled and canned soft drinks and carbonated waters.
6. 2095 Roasted coffee.
7. 2097 Manufactured ice.

*Not including establishments manufacturing primarily for direct retail sale on the premises to household consumers.

(16) Food stores. This group includes retail stores primarily engaged in selling food for home preparation and consumption. This group shall not be interpreted to include establishments primarily engaged in selling prepared foods or drinks for consumption on the premises or stores primarily engaged in selling packaged beers, ales or other liquors.

a. Group I.

1. Confectionery stores, including candy, nuts, sweetmints, popcorn and other confections.
2. Dairy products, but not including ice cream or frozen custard stands.
3. Delicatessens.
4. Fish (seafood) markets, enclosed.
5. Fruit and vegetable markets, enclosed.
6. Groceries.
7. Meat or poultry markets (no slaughtering).
8. Produce markets.
9. Specialty food stores, including specialty food items such as but not limited to health foods, spices, herbs, coffee, tea, vitamins, dietetic foods and mineral water.
10. Supermarkets.

b. Group II.

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1. Freezer and locker meat provisioners; primarily the retail sale, on a bulk basis, of meat products for freezer storage.
- (17) Freight and cargo handling establishments. This group includes establishments primarily engaged in undertaking the packaging for, or the transportation of, freight or cargo.
- a. Agents, shipping.
 - b. Brokers, custom house.
 - c. Brokers, shipping.
 - d. Brokers, transportation.
 - e. Cargo checkers and surveyors, marine.
 - f. Crating goods for shipping.
 - g. Customs clearance of freight.
 - h. Domestic forwarding.
 - i. Foreign forwarding.
 - j. Freight agencies.
 - k. Freight consolidation.
 - l. Freight forwarding.
 - m. Freight rate information services.
 - n. Inspection services connected with transportation.
 - o. Packing goods for shipping.
 - p. Shipping documents preparation.
 - q. Transport clearinghouses.
 - r. Transportation rate services.
 - s. Weighing services connected with transportation.
- (18) Furniture and fixtures, manufacturing.
- a. 251 Household furniture.
 - b. 252 Office furniture.
 - c. 253 Public building and related furniture.
 - d. 254 Partitions, shelving, lockers, and office and store fixtures.
 - e. 259 Miscellaneous furniture and fixtures.
- (19) Health care facilities. The group includes establishments primarily engaged in furnishing medical, surgical or nursing care to persons, as well as certain related activities.
- a. Group I. Nursing and personal care facilities. Establishments primarily engaged in providing some nursing and health-related personal care, but not continuous nursing services. These establishments have at least one shift with a licensed or registered nurse to provide routine health care and observation.

- b. Group II. Skilled nursing care facilities, hospices. Establishments primarily engaged in providing care and treatment for patients who require continuous health care, but not hospital services. These establishments have an organized medical staff, including physician and continuous nursing services.
 - c. Group III. Outpatient care facilities. Establishments primarily engaged in outpatient care with permanent facilities and with medical staff to provide diagnosis or treatment, or both, for patients who are ambulatory and do not require inpatient care.
 - d. Group IV. Hospitals. Establishments primarily engaged in providing diagnostic services, extensive medical treatment, including surgical services, and other hospital services, as well as continuous nursing services. These establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care.
- (20) Hobby, toy and game shops. This group includes establishments primarily engaged in the retail sale of toys, games, hobby kits and supplies, artist supplies, collectors items, cameras, sewing and piece goods, etc.
- a. Architectural supplies.
 - b. Art dealers.
 - c. Artificial flowers.
 - d. Artists supplies and materials.
 - e. Autograph supplies.
 - f. Banner shops.
 - g. Binoculars.
 - h. Camera shops.
 - i. Coin shops (numismatist).
 - j. Fabric shops.
 - k. Flag shops.
 - l. Game shops.
 - m. Gemstones.
 - n. Hobby shops.
 - o. Knitting and yarn shops.
 - p. Mill end stores.
 - q. Needlework supplies.
 - r. Photographic supplies.
 - s. Piece goods.
 - t. Remnant stores.
 - u. Rock and stone specimens.
 - v. Rubber stamp stores.

- w. Stamp (philatelist) stores.
- x. Stones, crystalline, rough.
- y. Telescopes.
- z. Toy and game stores.
- aa. Trophy shops.
- bb. Yard goods.
- cc. Yarn shops.

(21) Household and office furnishings. This group includes establishments primarily engaged in the retail sale of household or office furniture, appliances, floor coverings and miscellaneous furnishings.

a. Group I.

1. Air conditioners.
2. Appliances.
3. Awnings and awning products.
4. Beds, mattresses and bed springs.
5. Cabinets.
6. Carpets and rugs.
7. Computers.
8. Floor tile.
9. Freezers, household.
10. Furniture.
11. Garbage disposals.
12. Kitchen sinks, cabinets and counters.
13. Linoleum.
14. Office machines.
15. Organs and pianos.
16. Radios, televisions and video equipment.
17. Ranges or stoves.
18. Refrigerators.
19. Sewing machines.
20. Tape recorders and audio and video equipment.
21. Trading stamp redemption centers.
22. Typewriters.
23. Vacuum cleaners.

- b. Group II.
 - 1. Aluminumware, metalware, enamelware and tinware.
 - 2. Bedding (sheets, blankets, spreads, pillows, linen, etc.).
 - 3. Brooms and brushes.
 - 4. China, cookware, crockery and pottery.
 - 5. Curtains and draperies.
 - 6. Cutlery, glassware and housewares.
 - 7. Electric razor shops.
 - 8. Fireplace accessories.
 - 9. Kitchenware.
 - 10. Lamps, shades and lights.
 - 11. Luggage.
 - 12. Mirrors and pictures.
 - 13. Musical instruments, records and sheet music.
 - 14. Slipcovers and upholstery materials.
 - 15. Venetian blinds.
 - 16. Window shades.
- c. Group III (article VI, division 36 of this chapter).
 - 1. Hot tubs and spas.
 - 2. Swimming pools, prefabricated.

(22) Insurance companies.

- a. 631 Life insurance.
- b. 632 Accident and health insurance and medical services plans.
- c. 633 Fire, marine and casualty insurance.
- d. 635 Surety insurance.
- e. 636 Title insurance.
- f. Pension, health and welfare funds.
- g. Insurance carriers, not elsewhere classified.

(23) Laundry or dry cleaning. This group includes establishments primarily engaged in laundering or dry cleaning on the premises. It does not include laundry agents or coin-operated laundries classified as a personal service Group I, nor shall it include agencies which provide pickup and delivery service only, but do not perform the actual laundering or dry cleaning on the same premises.

- a. Group I. Enclosed systems. Dry cleaning, laundry and dyeing establishments employing completely sealed and enclosed systems, providing the following provisions are met; services are limited to individual retail sales on the premises,

excluding commercial bulk dry cleaning and laundry services, and use of materials and solvents is limited to those which do not require special fire prevention regulation.

b. Group II. Includes but is not limited to:

1. Carpet cleaning.
2. Diaper services.
3. Dry cleaning.
4. Enclosed systems (Group I).
5. Laundries.
6. Linen supply.
7. Uniform supply.
8. Upholstery cleaning.

(24) Leather and leather products, manufacturing.

a. Group I.

1. 311 Leather tanning and finishing.

b. Group II.

1. 313 Boot and shoe cut stock and bindings.
2. 314 Footwear, except rubber.
3. 315 Leather gloves and mittens.
4. 316 Luggage.
5. 317 Handbags and other personal leather goods.
6. 319 Leather goods, not elsewhere classified.

(25) Lumber and wood products, manufacturing.

a. Group I.

1. Woodchipping operations.
2. 242 Sawmills and planing mills.

b. Group II.

1. 2431 Millwork.
2. 2434 Wood kitchen cabinets.
3. 2499 Wood products, not elsewhere classified.

c. Group III.

1. 2435 Hardwood veneer and plywood.
2. 2436 Softwood veneer and plywood.
3. 2492 Particleboard.

- d. Group IV.
 - 1. 2439 Structural wood members, not elsewhere classified.
 - 2. 244 Wood containers.
- e. Group V.
 - 1. 2451 Mobile homes.
 - 2. 2452 Prefabricated wood buildings and components.
- f. Group VI.
 - 1. 2491 Wood preserving.

(26) Machinery, manufacturing.

- a. Group I.
 - 1. 3524 Garden tractors and lawn and garden equipment.
- b. Group II.
 - 1. 3546 Power-driven hand tools
 - 2. 357 Office, computing and accounting machines
- c. Group III.
 - 1. 351 Engines and turbines.
 - 2. 3523 Farm machinery and equipment.
 - 3. 353 Construction, mining and materials handling machinery and equipment.
 - 4. 354 Metalworking machinery and equipment, excluding 3546, Power-driven hand tools.
 - 5. 355 Special industry machinery, except metalworking machinery, excluding 357 Office, computing and accounting machines.
 - 6. 356 General industrial machinery and equipment.
 - 7. 358 Refrigeration and service industry machinery.
 - 8. 359 Miscellaneous machinery, except electrical.

(27) Measuring, analyzing and controlling instruments, manufacturing.

- a. 381 Engineering, laboratory, scientific and research instruments and associated equipment.
- b. 382 Measuring and controlling instruments.
- c. 383 Optical instruments and lenses.
- d. 384 Surgical, medical and dental instruments and supplies.
- e. 385 Ophthalmic goods.
- f. 386 Photographic equipment and supplies.
- g. 387 Watches, clocks and clockwork operated devices, and parts.

(28) Novelties, jewelry, toys and signs, manufacturing.

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- a. Group I.
 - 1. 391 Jewelry, silverware and plated ware.
 - 2. 3961 Costume jewelry and costume novelties, except precious metal.
- b. Group II.
 - 1. 393 Musical instruments.
 - 2. 394 Toys and amusements, and sporting and athletic goods.
 - 3. 3993 Signs and advertising displays.
- c. Group III.
 - 1. 395 Pens, pencils and other office and artists materials.
 - 2. 3962 Feathers, plumes and artificial trees and flowers.
 - 3. 3963 Buttons.
 - 4. 3964 Needles, pins, hooks and eyes, and similar notions.
 - 5. 3991 Brooms and brushes.

(29) Nonstore retailers.

- a. Group I. Mail order houses. Establishments primarily engaged in the retail sale of products by catalog and mail order.
 - 1. Book clubs, not publishing.
 - 2. Books, mail order.
 - 3. Catalog (order taking) offices of mail order houses.
 - 4. Coins, mail order.
 - 5. Fruit in fancy baskets, mail order.
 - 6. Jewelry, mail order.
 - 7. Mail order houses.
 - 8. Novelty merchandise, mail order.
 - 9. Order taking, offices of mail order houses.
 - 10. Record clubs, mail order.
 - 11. Stamps, mail order.
- b. Group II. Automatic merchandising machine operators. Office or storage facilities for establishments primarily engaged in the retail sale of products by means of automatic merchandising units, also referred to as vending machines.
 - 1. Coin-operated machines selling merchandise.
 - 2. Merchandising, automatic (sale of products through vending machines).
- c. Group III. Direct selling establishments. Offices or storage facilities for establishments primarily engaged in the retail sale of merchandise by telephone or house-to-house canvass. Included are individuals who sell products by this method and who are not employees of the organization which they represent, and

establishments which are retail sales offices from which employees operate to sell merchandise from door to door.

1. Bakery goods (purchased), house-to-house.
2. Canvassers (door-to-door), headquarters for retail sale of merchandise.
3. Dairy products, house-to-house.
4. Direct selling organizations (headquarters of door-to-door canvassers).
5. Food carts.
6. House delivery of purchased milk.
7. House-to-house distribution of coffee, soda, beer and bottled water.
8. Hucksters.
9. Ice cream wagons.
10. Lunch wagons, mobile.
11. Magazines, house-to-house selling.
12. Newspapers, home delivery, not by newspaper printers or publishers.
13. Party-plan merchandising.

(30) Paper and allied products, manufacturing.

a. Group I.

1. 2611 Pulp mills.
2. 2621 Paper mills, except building paper mills.
3. 2631 Paperboard mills.
4. 2661 Building paper and building paper mills.

b. Group II.

1. 2642 Envelopes.
2. 2643 Bags, except textile bags.
3. 2647 Sanitary paper products.
4. 2648 Stationery, tablets and related products.

c. Group III.

1. 2641 Paper coating and glazing.
2. 2645 Die-cut paper and paperboard and cardboard.
3. 2646 Pressed and molded pulp goods.
4. 2649 Converted paper and paperboard products, not elsewhere classified.
5. 265 Paperboard containers and boxes.

(31) Parks. A tract of land (including customarily associated buildings and structures), designated and used for recreational purposes by the public, and which is owned or operated by the city, county, state or federal government.

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- a. Group I.
 - 1. Beach access.
 - 2. Beaches.
 - 3. Fishing piers.
 - 4. Highway rest stops.
 - 5. Nature or wildlife preserves.
 - 6. Neighborhood parks.
 - 7. Passive and active recreational and educational activities including but not limited to, hiking, nature trails and similar activities which require few or no on-site facilities or capital investment and which utilize the natural environment with little or no alteration of the natural landscape.
- b. Group II.
 - 1. Arenas.
 - 2. Boat ramps.
 - 3. Civic center.
 - 4. Community parks.
 - 5. Fairgrounds.
 - 6. Nature centers.
 - 7. Regional parks.
 - 8. State or federal parks.

(32) Personal services. This major group includes establishments primarily engaged in providing services generally involving the care of the person or his apparel.

- a. Group I.
 - 1. ATM's (automatic teller machines).
 - 2. Barbershops or beauty shops.
 - 3. Clothing alterations and repair, including dressmakers, seamstresses and tailors.
 - 4. Laundromats.
 - 5. Shoe repair services where shoe repair or shoe shining for individual customers is performed.
- b. Group II. The following uses are permitted provided that lodging facilities or resorts are not included:
 - 1. Beauty spas.
 - 2. Health clubs or spas.
 - 3. Massage establishments.
 - 4. Massage parlors (article VI, division 3 of this chapter).

5. Reducing or slenderizing salons.
6. Steam or Turkish baths.
- c. Group III. Establishments primarily engaged in the sale, rental or service of health-related devices such as:
 1. Artificial limbs.
 2. Crutches.
 3. Hearing aids.
 4. Hospital beds.
 5. Optical supplies.
 6. Orthopedic supplies.
 7. Wheelchairs.
- d. Group IV. Personal service agencies. Establishments primarily engaged in providing a personal service not classified elsewhere, including but not limited to:
 1. Babysitting bureaus.
 2. Dating services.
 3. Debt counseling or adjustment service to individuals.
 4. Escort services.
 5. Palm readers, fortunetellers or card readers.
 6. Portrait copying.
 7. Shopping services.
 8. Tattoo parlors.
 9. Tax return preparation services.

(33) Petroleum manufacturing.

- a. 291 Petroleum refining.
- b. 295 Paving and roofing materials, not including asphalt batch plants.
- c. 299 Miscellaneous products of petroleum and coal.

(34) Primary metal industries, manufacturing.

- a. 331 Blast furnaces, steel works, and rolling and finishing mills.
- b. 332 Iron and steel foundries.
- c. 333 Primary smelting and refining of nonferrous metals.
- d. 334 Secondary smelting and refining of nonferrous metals.
- e. 335 Rolling, drawing and extending of nonferrous metals.
- f. 336 Nonferrous foundries (castings).
- g. 339 Miscellaneous primary metal products.

(35) Printing and publishing.

- a. Blankbooks, looseleaf binders, and bookbinding and related work.
- b. Books.
- c. Commercial printing.
- d. Greeting card publishing.
- e. Manifold business forms.
- f. Miscellaneous publishing.
- g. Newspapers publishing, publishing and printing.
- h. Periodicals publishing, publishing and printing.
- i. Service industries for the printing trade.

(36) Racetracks (article VI, division 35 of this chapter).

- a. Group I. Auto-oriented.
 1. Drag strips.
 2. Go-cart tracks.
 3. Motorcycle racing.
 4. Racetracks.
 5. Speedways.
- b. Group II. Non-auto-oriented.
 1. Dog tracks.
 2. Horse racing.

(37) Recreation facilities, commercial. This use group includes recreational facilities, not specifically regulated elsewhere in this LDC, that are operated as a business and open to the public for a fee. This does not include facilities owned or operated by a government unit.

- a. Group I.
 1. Billiard halls or pool halls.
 2. Coin-operated amusement establishments that primarily provide coin-operated amusement devices; coin-operated includes coins, tokens or other similar devices.
 3. Indoor model car racecourses.
- b. Group II. Reserved.
- c. Group III. Outdoor facilities. With the exception of water slides, Group III does not include amusement devices, amusement attractions or structures regulated by F.S. ch. 616 and the state department of agriculture and consumer services.
 1. Any outdoor cultural facility operated as a commercial establishment.
 2. Golf courses, miniature.

3. Golf driving ranges (article VI, division 35 of this chapter).
 4. Passive and active recreational and educational activities including but not limited to, hiking, nature trails and similar activities requiring few or no on-site facilities or capital investment and which utilize the natural environment with little or no alteration of the natural landscape.
 5. Swimming pools, tennis courts and other similar outdoor activities not grouped elsewhere.
 6. Water slides, aquatic centers.
- d. Group IV. Indoor facilities.
1. Any indoor cultural facility operated as a commercial establishment.
 2. Bingo halls.
 3. Bowling alleys.
 4. Convention or exhibition halls.
 5. Dancehalls or ballrooms.
 6. Gymnasiums.
 7. Health clubs.
 8. Racquetball, handball, squash or tennis courts.
 9. Skating rinks.
 10. Swimming pools or aquatic centers.
 11. Theaters, indoor.
- e. Group V. Large recreation facilities not owned or operated by a government agency, including but not limited to:
1. Arenas.
 2. Convention or exhibition halls.
 3. Fairgrounds.
 4. Stadiums.
- (38) Rental or leasing establishments. (Section 4-1099, section 4-2271 and article VI, division 36 of this chapter). This group includes establishments primarily engaged in renting or leasing machinery, tools and other equipment and supplies to individuals or businesses for use off the premises. This shall not include businesses which rent items for use in conjunction with an on-premises activity such as golf carts, clubs, etc.
- a. Group I.
1. Beach chairs, umbrellas and similar facilities.
 2. Bicycles.
 3. Mopeds and scooters.
 4. Passenger car pick-up and drop-off (no maintenance or repairs, limited storage only).

- b. Group II. Household.
 - 1. Appliances.
 - 2. Bicycles.
 - 3. Costumes.
 - 4. Furniture.
 - 5. Garden equipment.
 - 6. Movies, videotapes and similar home entertainment.
 - 7. Party or banquet supplies.
 - 8. Tools and equipment primarily for home use.
- c. Group III. Automotive.
 - 1. Passenger cars.
 - 2. Small vans or trucks.
 - 3. Recreation vehicles.
 - 4. Utility trailers.
- d. Group IV. Construction equipment and trucks.
 - 1. Construction equipment (cranes, bulldozers, etc.).
 - 2. Portable toilets.
 - 3. Trucks, truck tractors and semitrailers.

(39) Repair shops. This group includes establishments primarily engaged in performing miscellaneous repair work not elsewhere grouped.

- a. Group I. Establishments primarily engaged in repairing small household appliances and equipment, excluding furniture and gasoline-driven motorized items. This group includes but is not limited to the following:
 - 1. Bicycles (non-motorized).
 - 2. Clocks, watches or jewelry.
 - 3. Hand tools, motorized and other, excluding gasoline-driven equipment.
 - 4. Key duplicating (not locksmiths).
 - 5. Miscellaneous repairs such as fountain pens, luggage, leather goods, mirrors, pocketbooks, umbrellas and venetian blinds.
 - 6. Musical instruments, including piano or organ tuning.
 - 7. Picture framing.
 - 8. Sharpening and repair of knives, saws or tools.
 - 9. Small appliances such as radios, televisions, stereos, video equipment, electric razors, microwave ovens, sewing machines, typewriters, home computers, etc.

- b. Group II. Establishments primarily engaged in repairing laboratory, office and other precision instruments and equipment, excluding furniture. This group includes but is not limited to:
 - 1. Calculators, adding machines and typewriters.
 - 2. Cameras and photographic equipment.
 - 3. Computers.
 - 4. Gunsmiths.
 - 5. Locksmiths.
 - 6. Mechanical instruments.
 - 7. Optical devices and instruments such as binoculars, microscopes, telescopes, etc.
 - 8. Precision instruments such as drafting, laboratory, measuring and control, navigational, nautical, scientific, surgical, surveying and thermostat instruments.
 - 9. Taxidermists.
 - 10. Window shades, etc.
- c. Group III. Establishments primarily engaged in repairing household appliances and furniture, office furniture and other similar equipment not elsewhere classified. This group includes but is not limited to:
 - 1. Air conditioning and heating.
 - 2. Antique repair and refurbishing.
 - 3. Furniture repair or refinishing.
 - 4. Large appliances such as refrigerators, stoves, washers and dryers.
 - 5. Reupholstering, including mattress renovating.
- d. Group IV. Establishments primarily engaged in repairing gasoline-driven motorized equipment (not automotive) or which are engaged in welding, electric motor rewinding or other similar major repair work.
 - 1. Armature rewinding.
 - 2. Blacksmith shops.
 - 3. Coppersmithing (other than construction).
 - 4. Engine repair, except automotive.
 - 5. Gasoline-driven motorized tools or equipment such as lawnmowers, motorcycles, dune buggies, etc.
 - 6. Tinsmithing (other than construction).
 - 7. Welding repair (not automotive).
- e. Group V. Establishments primarily engaged in repair or services not elsewhere classified, such as:

1. Boiler repair.
2. Bowling pin refinishing or repair.
3. Brick cleaning.
4. Farm machinery.
5. Mirror re-silvering.
6. Re-plating ships.
7. Septic tank cleaning services.
8. Sewer cleaning and rodding.
9. Tank and boiler cleaning.
10. Tank truck cleaning.
11. Tractor repair.

(40) Research and development laboratories. This group includes establishments or other facilities primarily engaged in laboratory or field research and development in the natural, physical or social sciences, or engineering and development as an extension of investigation.

- a. Group I. Agricultural research. Establishments primarily concerned with improving soil, crops, livestock or other agricultural products.
- b. Group II. Medical and dental laboratories. Establishments primarily engaged in providing professional analytic or diagnostic services to the medical profession, or to the patient on prescription of a physician, or in making dentures and artificial teeth to order for the dental profession.
 1. Bacteriological laboratories (not manufacturing).
 2. Biological laboratories (not manufacturing).
 3. Chemists, biological laboratories of (not manufacturing).
 4. Dental laboratories.
 5. Dentures, made in dental laboratories to order for the dental profession.
 6. Medical laboratories (clinical).
 7. Pathological laboratories.
 8. Teeth, artificial, made in dental laboratories to order for the profession.
 9. X-ray laboratories (not manufacturing).
- c. Group III. Chemical. Establishments primarily concerned with research and development of chemicals or other hazardous materials.
- d. Group IV. General. Establishments primarily concerned with research and development of computer, engineering, food, general industry and other type projects, excluding those listed in Group III.

- (41) Residential accessory uses (article VI, division 2 of this chapter). This group includes uses customarily accessory to residences provided all property development regulations of the zoning district in which located are complied with.
- a. Carports and garages.
 - b. Decks, gazebos, patios and screen enclosures.
 - c. Docks, personal (section 4-1588).
 - d. Fences (article VI, division 17 of this chapter).
 - e. Garage or yard sales, limited to not more than one week in duration, with sales limited to two garage or yard sales per year.
 - f. Garden sheds.
 - g. Recreational facilities, personal, such as pools, spas, Jacuzzis, hot tubs, swings, sand boxes and similar equipment.
 - h. Seawalls.
- (42) Restaurants. This group includes establishments primarily engaged in the retail sale of prepared food and drinks for consumption on the premises.
- a. Group I. Refreshment stands. Establishments which do not normally provide indoor seating, such as:
 1. Box lunch stands.
 2. Dairy bars.
 3. Frozen custard stands.
 4. Hot dog stands.
 5. Ice cream stands.
 6. Soft drink stands.
 - b. Group II. Convenience restaurants. Establishments primarily pedestrian-oriented. These facilities are usually located in business or recreational areas for the convenience of walk-in customers.
 1. Automats (eating).
 2. Beaneries.
 3. Cafes.
 4. Cafeterias and commissaries.
 5. Diners.
 6. Food stands.
 7. Grills.
 8. Ice cream shops.
 9. Lunch bars.
 10. Lunch counters.

11. Luncheonettes.
 12. Lunchrooms.
 13. Oyster bars.
 14. Sandwich bars or shops.
 15. Soda fountains.
 16. Tearooms.
 17. Yogurt shops.
- c. Group III. Standard restaurants. Establishments wherein customers usually arrive via automobile and are seated within the establishment. Service may be provided or may be by the customer himself.
 1. Buffets.
 2. Pizzerias.
 3. Restaurants, standard.
 - d. Group IV. Dinner theaters. Establishments which provide paid entertainment, such as singers, dancers, comedians or theater plays, along with food service.
 1. Dinner theaters.
- (43) Rubber and plastics products, manufacturing.
- a. Group I.
 1. 301 Tires and inner tubes.
 2. 302 Rubber and plastics footwear.
 3. 303 Reclaimed rubber.
 4. 304 Rubber and plastics hose and belting.
 5. 306 Fabricated rubber products, not elsewhere classified.
 - b. Group II.
 1. 308 Miscellaneous plastics products.
 2. Hot tubs and swimming pools, plastic or fiberglass.
- (44) Schools, commercial.
- a. Art schools.
 - b. Aviation, ground school only.
 - c. Bartending.
 - d. Business, general.
 - e. Clerical, including court reporting, secretarial and similar areas.
 - f. Computer and data processing.
 - g. Crafts.
 - h. Dance instruction, including folk, tap, ballet, modern and ballroom.

- i. Driving school (automobile and motorcycle only).
 - j. Gymnastics.
 - k. Law, including paralegal.
 - l. Oriental martial arts.
 - m. Real estate, including appraisal.
 - n. Sailing and marine-oriented outdoor lifestyle.
- (45) Social services (article VI, division 38 of this chapter). This major group includes establishments providing social services and rehabilitation services to those persons with social or personal problems requiring special services and to the handicapped and the disadvantaged.
- a. Group I. Establishments primarily engaged in providing counseling and guidance services to individuals or families, but which do not provide resident facilities.
 - 1. Adoption services.
 - 2. Child guidance agencies.
 - 3. Disaster services.
 - 4. Family location services.
 - 5. Family (marriage) counseling services.
 - 6. Helping hand services, e g., Big Brother, Big Sister, etc.
 - 7. Job counseling.
 - 8. Public welfare centers (offices).
 - 9. Referral services for personal and social problems.
 - 10. Traveler's aid centers.
 - 11. Other social services of a similar type, not specifically listed elsewhere.
 - b. Group II. Establishments primarily engaged in providing training and support services to individuals, but which do not provide resident facilities, such as:
 - 1. Job training.
 - 2. Manpower training.
 - 3. Self-help organizations, e.g., Alcoholics Anonymous and Gamblers Anonymous.
 - 4. Skill training centers.
 - 5. Vocational rehabilitation agencies and counseling.
 - 6. Vocational training agencies.
 - 7. Work experience centers, e.g., OIC, Goodwill, Job Corps, Lighthouse for the Blind, etc.

- c. Group III. Establishments primarily engaged in providing rehabilitation or other social services for individuals with personal or social problems but which do not provide resident facilities, such as:
 - 1. Day shelters.
 - 2. Offender rehabilitation agencies.
 - 3. Offender self-help organizations.
 - 4. Outpatient substance abuse and addiction treatment facilities.
 - 5. Settlement houses.
 - 6. Social service centers, e.g., Salvation Army.
 - 7. Soup kitchens.
- d. Group IV. Establishments primarily engaged in providing temporary living facilities for individuals with personal or social problems.
 - 1. Domestic violence abuse centers.
 - 2. Halfway homes for delinquents and offenders.
 - 3. Halfway or self-help group homes for persons with social or personal problems.
 - 4. Juvenile correctional homes.
 - 5. Training schools for delinquents.
 - 6. Homeless shelters f/k/a homes for destitute men and women.
- e. Group V. Community residential homes and similar establishments primarily engaged in providing long-term living facilities for individuals and for which health care is incidental.
 - 1. Homes for children.
 - 2. Developmental disability centers.
 - 3. Homes for the deaf or blind.
 - 4. Homes for the emotionally disturbed.
 - 5. Homes for the physically handicapped.
 - 6. Rehabilitation centers.

(46) Specialty retail shops.

- a. Group I.
 - 1. Antique or curio shops.
 - 2. Bookstores (article VI, division 3 of this chapter).
 - 3. Christian Science reading rooms.
 - 4. Cigar stores.
 - 5. Clock or watch shops.
 - 6. Fishing equipment, excluding boats, motors and trailers.

7. Florists.
 8. Gift, novelty and souvenir shops.
 9. Gift shops.
 10. Golfing equipment.
 11. Jewelry stores.
 12. Music stores.
 13. Newsstands.
 14. Novelty shops.
 15. Souvenir shops.
 16. Tennis equipment.
 17. Tobacco stores.
- b. Group II. Clothing and accessory specialty retail shops.
1. Apparel accessory stores, retail.
 2. Bathing suit stores.
 3. Belts, apparel, custom.
 4. Blouse stores.
 5. Bridal shops, except custom.
 6. Clothing, ready to wear, women's.
 7. Corset and lingerie stores.
 8. Cosmetic shops.
 9. Costume jewelry stores.
 10. Custom tailors.
 11. Dress shops.
 12. Dressmakers' shops, custom.
 13. Foundation garments.
 14. Fur apparel made to custom order.
 15. Fur shops.
 16. Furriers.
 17. Glove stores.
 18. Haberdashery stores.
 19. Handbag stores.
 20. Hat stores.
 21. Hosiery stores.
 22. Knit dresses, made to order.

23. Knitwear stores.
 24. Maternity shops.
 25. Millinery stores.
 26. Raincoat stores.
 27. Riding apparel stores.
 28. Screen painting (T-shirts, etc.).
 29. Shirts, custom made.
 30. Sports apparel stores.
 31. Tie shops.
 32. Umbrella stores.
 33. Uniforms.
 34. Wig, toupee and wiglet stores, including custom made.
- c. Group III.
1. Ammunition.
 2. Bicycle and bicycle parts, except gasoline motors.
 3. Bowling equipment and supplies.
 4. Camping equipment.
 5. Firearms.
 6. Hunters equipment.
 7. Riding goods and equipment.
 8. Saddlery stores.
 9. Skiing equipment.
 10. Sporting goods, general.
 11. Tent shops.
- d. Group IV.
1. Gymnasium equipment.
 2. Playground equipment.
 3. Pool and billiard tables.
 4. Swimming pool supplies.

(47) Stone, clay, glass and concrete products, manufacturing.

- a. Group I.
1. 323 Glass products, made of purchased glass
- b. Group II.
1. 3273 Ready-mix concrete.

- c. Group III.
 - 1. 3271 Concrete block and brick.
 - 2. 3272 Concrete products, except block and brick.
- d. Group IV.
 - 1. 3211 Flat glass.
 - 2. 3221 Glass and glassware, pressed or blown.
 - 3. 3241 Cement, hydraulic.
 - 4. 3251 Structural clay products.
 - 5. 3261 Pottery and related products, but not to include pouring of molds or firing of greenware which is done ancillary to a hobby shop.
 - 6. 3274 Lime.
 - 7. 3275 Gypsum products.
 - 8. 3281 Cut stone and stone products.
 - 9. 3291 Abrasive, asbestos and miscellaneous nonmetallic mineral products.

(48) Studios.

- a. Artists.
- b. Enamalists.
- c. Interior decorators.
- d. Modeling.
- e. Painters.
- f. Photographers.
- g. Potters.
- h. Recording.
- i. Sculptors.
- j. Weavers.

(49) Textile mill products, manufacturing.

- a. Group I.
 - 1. 2211 Broad woven fabric mills, cotton.
 - 2. 2221 Broad woven fabric mills, manmade fiber and silk.
 - 3. 2241 Narrow fabrics and other small wares mills, cotton, wool, silk and manmade fiber.
 - 4. 2251 Knitting mills.
 - 5. 2281 Yarn and thread mills.
 - 6. 22921 Lace goods.

- b. Group II.
 - 1. 2231 Broad woven fabric mills, wool (including dyeing and finishing).
 - 2. 2261 Dyeing and finishing textiles, except wool fabric and knit goods.
- c. Group III.
 - 1. 2271 Floor covering mills.
 - 2. 2291 Felt goods, except woven felts and hats.
 - 3. 2293 Paddings and upholstery filling.
 - 4. 2294 Processed waste and recovered fibers and flock.

(50) Tobacco manufacturing.

- a. 2111 Cigarettes.
- b. 2121 Cigars.
- c. 2131 Tobacco (chewing and smoking) and snuff.
- d. 2141 Tobacco stemming and redrying.

(51) Transportation equipment, manufacturing.

- a. Group I.
 - 1. 3714 Motor vehicle parts and accessories.
 - 2. 3724 Aircraft engines and engine parts.
 - 3. 3728 Aircraft parts and auxiliary equipment, not elsewhere classified.
- b. Group II.
 - 1. 3732 Boatbuilding.
- c. Group III.
 - 1. 3751 Motorcycles, bicycles and parts.
 - 2. 3799 Transportation equipment, not elsewhere classified, excluding trailers.
- d. Group IV.
 - 1. 3711 Motor vehicles and passenger car bodies.
 - 2. 3713 Truck and bus bodies.
 - 3. 3715 Truck trailers.
 - 4. 3721 Aircraft.
 - 5. 3731 Shipbuilding.
 - 6. 3743 Railroad equipment.
 - 7. 3761 Guided missiles and space vehicles.
 - 8. 3792 Travel trailers and campers.
 - 9. 3795 Tanks and tank components.
 - 10. 3799 Car or boat trailers.

(52) Transportation services. This group includes establishments which provide land or water transportation services to individuals and in which the driver or instructor is provided by the leasing agency.

a. Group I. Water-oriented.

1. Airboats.
2. Boat charter.
3. Boats, party fishing.
4. Excursion rides.
5. Fishing charter.
6. Sailing or boating classes.
7. Sightseeing boats.
8. Water taxis.

b. Group II. Automobile.

1. Ambulances (nonemergency transport).
2. Automobile rental with driver provided.
3. Cabs.
4. Hearses or limousines with driver provided.
5. Taxicabs.

c. Group III. Bus.

1. Bus stations/depots (article VI, division 9 of this chapter).
2. Bus terminals (article VI, division 9 of this chapter).
3. Charter buses.
4. Interstate buses.
5. Sightseeing buses.
6. Local or other buses.

d. Group IV. Trucking.

1. Interstate trucking, without storage facilities.
2. Local trucking, without storage facilities.
3. Truck driving school.

(53) Used merchandise stores. This group includes establishments primarily engaged in the retail sale of used merchandise, antiques and secondhand goods such as clothing and shoes or furniture, musical instruments, office furniture or equipment, store fixtures and similar items. This group does not include dealers selling used motor vehicles, trailers, boats or mobile homes, which are separately grouped, nor does it include scrap, waste or junk dealers:

a. Group I. Household.

1. Antique stores (furniture, glassware, home furnishings or art).
 2. Bookstores.
 3. Clothing stores.
 4. Home furnishing stores.
 5. Musical instrument stores.
 - ~~6. Pawnshops.~~
 - ~~7~~6. Phonograph and phonograph record stores, secondhand.
 - ~~8~~7. Shoe stores.
- b. Group II. Office and business.
 1. Office furniture stores.
 2. Store fixture and equipment stores.
 - c. Group III. Automotive (not junkyard or auto wrecking yard).
 1. Automobile accessories and parts.
 2. Batteries, automotive.
 3. Tire (automobile) dealers.
 - d. Group IV. Building materials.
 1. Brick.
 2. Building materials.
 3. Lumber.

e. Group V.

1. Pawnshops

(54) Vehicle and equipment dealers (section 4-1099). This group includes establishments primarily involved in the retail sale or storage of motor vehicles, trailers, boats and other similar equipment. Incidental servicing and repairs and the stocking of replacement parts is a normal ancillary function.

- a. Group I. Auto and truck dealers. Establishments primarily engaged in the retail sale, storage or leasing of automobiles, small trucks and vans.
- b. Group II. Motorcycle and lawnmower dealers. Establishments primarily engaged in the retail sale of new or used lawnmowers, motorcycles, motorbikes, dune buggies, go-carts, golf carts and other similar type small vehicles.
- c. Group III. Boat and yacht dealers. Establishments primarily engaged in the retail sale of new or used motorboats, yachts and other watercraft, including boat trailers.
- d. Group IV. Recreational vehicle/bus dealers. Establishments primarily engaged in the retail sale of new or used recreational vehicles or campers, or utility trailers.
- e. Group V. Construction equipment dealers. Establishments primarily engaged in the retail sale of large trucks, bulldozing cranes, semitrailers, earthmovers and other similar large transportation, construction or hauling equipment.

(55) Wholesale establishments. This group includes establishments or places of business primarily engaged in selling merchandise to retailers, to industrial, commercial, institutional or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

- a. Group I. Farm produce. Establishments primarily engaged in buying or marketing farm produce other than livestock.
- b. Group II. Livestock. Establishments primarily engaged in buying or marketing livestock.
- c. Group III. Indoor storage. Establishments primarily engaged in buying or selling, on a wholesale basis, durable or nondurable goods, excluding hazardous chemicals, petroleum products or explosives which are stored totally within a building.
- d. Group IV. Open storage. Establishments primarily engaged in buying or selling, on a wholesale basis, durable or nondurable goods, excluding hazardous chemicals, petroleum products or explosives, which because of their size are normally stored out-of-doors or under a roofed shed.

Sec. 4-661. - Use regulations table.

Use regulations for conventional commercial districts are as follows:

TABLE 4-661. USE REGULATIONS FOR CONVENTIONAL COMMERCIAL DISTRICTS

	Special Notes or Regulations	C-1A	C-1	C-2	CN-1	CN-2	CC	CG	CS-1	CS-2	CT
Accessory apartment	Note (1), 4-929	P	P	P	-	-	-	-	-	-	-
Administrative offices		P	P	P	P	P	P	P	P	P	P
Aircraft landing facilities, private:											
Lawfully existing:											

Expansion of aircraft landing strip, helistop or heliport landing pad	4-982 et seq.	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
New accessory buildings	4-982 et seq.	P	P	P	P	P	P	P	P	P	P	P
New:												
Aircraft landing strip and ancillary hangars, sheds and equipment	4-982 et seq.	-	-	-	-	-	-	-	-	-	-	-
Heliport	4-982 et seq.	-	-	-	-	-	-	-	-	-	-	-
Helistop	4-982 et seq.	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
Amateur, radio antennas and satellite earth stations when accessory to an existing principal use	4-927	Refer to 4-927 for regulations.										
Amusement park, less than ten acres		-	-	-	-	-	-	-	-	-	-	-
Animals:												
Clinic	4-1071 et seq.	-	P	P	-	-	P	P	-	-	-	-
Kennel	4-1071 et seq.	-	-	P (3)	-	-	-	P(3)	-	-	-	-
Control center (including Humane Society)		P	P	P	-	-	-	P	P	SE	-	-

Assisted living facility	4-1182 et seq.	-	-	-	-	-	-	-	-	-	-	P (13)
ATM (automatic teller machine)		P	P	P	P	P	P	P	P	P	SE	P
Auto parts store:												
No installation service	Note (2)	P	P	P	-	P	P	P	-	-	-	-
With installation service	Note (2)	-	P	P	-	-	P	P	-	-	-	-
Automobile service station	Note (2), (22)	-	P	P	-	P	P	P	-	-	-	SE
Auto repair and service (4-408(c)(2)):												
Group I	Note (2), (22)	-	P	P	-	-	P	P	-	-	-	-
Group II	Note (2), (22)	-	-	P	-	-	-	SE	-	-	-	-
Bait and tackle shop		P	P	P	P	P	P	P	-	SE (5)	-	P
Banks and financial establishments (4-408(c)(3)):												
Group I		P	P	P	-	P	P	P	P	P	P(16)	P
Group II		-	P	P	-	-	P	P	P	P	P(16)	-
Bar or cocktail lounge		-	AA/S E	AA/SE	-	-	AA/S E	AA/S E	-	-	-	AA/S E
Bed and breakfast		-	P	P	-	-	-	-	-	-	SE	P
Boardinghouse		-	P	P	-	-	-	-	-	-	SE	P

Boats:											
Boat parts store		P	P	P	-	P	P	P	-	-	-
Boat ramp		EO/S E	EO/S E	P	-	-	P	P	-	-	P
Boat rental		P	P	P	-	P	P	EO	-	-	P (7)
Boat repair and service	4-1099, 4-2069 et seq., Note (2)	-	-	-	-	-	-	-	-	-	-
Boat sales	Note (2)	-	P	P	-	-	-	P	-	-	-
Boat storage, dry, not exceeding 18 feet above grade	Note (2), (21) and (22)	-	P	P	-	-	-	P	-	-	-
Boat storage, dry, exceeding 18 feet above grade	Note (2), (21) and (22)	-	SE	SE	-	-	-	SE	-	-	-
Broadcast studio, commercial radio	4-1215 et seq.	-	-	P	-	-	P	P	-	-	-
Building materials sales (4-408(c)(4))	Note (2)	-	-	P	-	-	-	P	-	-	-
Business services (4-408(c)(4))											
Group I		P	P	P	-	P	P	P	P	P (8)	P
Group II		-	P	P	-	-	-	P	-	-	-
Bus station/depot	4-1153 et seq. Note (2), (22)	-	-	P	-	-	SE	P	-	-	-
Caretaker's residence		-	SE	SE	-	-	SE	SE	-	-	-
Car wash	Note (2), (22)	-	P	P	-	-	P	P	-	-	-

Cleaning and maintenance services (4-408(c)(7))		P	P	P	-	-	P	P	P	P	-
Clothing stores, general (4-408(c)(8))	Note (4)	P	P	P	-	-	P	P	-	-	P
Clubs:											
Country	-	-	-	-	-	-	-	-	-	-	
Commercial	-	-	P	-	-	P	EO	-	SE	-	
Fraternal	4-1818	-	P	P	-	-	P	EO	-	SE	P
Membership organization	4-1818	-	P	P	-	-	P	EO	-	-	-
Private		-	-	-	P	P	P	-	-	SE	P
Cold storage warehouse and processing plant (including pre-cooling)	Note (2), (22) and Note (14)	-	-	P	-	-	-	-	-	-	-
Commercial fishery		-	-	EO	-	-	-	-	-	-	-
Commercial use of beachfront seaward of the water body setback line	4-2271	SE (7)	SE (7)	SE (7)	-	-	SE (7)	SE (7)	-	-	SE (7)
Community residential home		P	P	P	-	-	-	-	-	-	-
Communication facility, wireless	4-1215 et seq.										
Consumption on premises	4-1020 et seq.	AA/S E	AA/S E	AA/SE	AA/S E	AA/S E	AA/S E	AA/S E	AA/S E	AA/S E	AA/S E
Contractors and											

builders (4-408(c)(9)):											
Group I		P	P	P	-	-	P	P	-	-	-
Group II		-	P	P	-	-	P	P	-	-	-
Group III	Note (2), (22)	-	-	-	-	-	-	P	-	-	-
Convenience food and beverage store	Note (2), (22)	P (19)	P (19)	P (19)	-	SE (19)	P	P	-	-	SE (19)
Cultural facilities (4-408(c)(10))		-	P	P	-	-	-	-	-	-	P
Day care center, adult, child		P	P	P	P	P	P	EO	-	-	P
Department store	Note (4)	P	P	P	-	-	P	P	-	-	-
Dormitory		-	-	-	-	-	-	-	-	-	P
Drive-through facility for any permitted use		P	P	P	-	SE	P	P	SE	SE	P
Drive-in theater		-	-	-	-	-	-	-	-	-	-
Drugstore, pharmacy	Note (4)	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	-	-	-	-	-	-	-	-	-
Mobile home		-	-	-	-	-	-	-	-	-	-
Multiple-family building		EO	P	P	SE (10)	SE (10)	-	-	SE (10)	SE (10)	P
Entrance gates and gatehouse	4-1472	P	P	P	P	P	P	P	P	P	P

Emergency medical service (ambulance)		P	P	P	-	-	-	P	P	SE	-
Emergency operations center		P	P	P	-	-	-	P	P	SE	-
Essential services	4-1362 et seq.	P	P	P	P	P	P	P	P	P	P
Essential service facilities (4-408(c)(13)):											
Group I	4-1362 et seq.	P	P	P	P	P	P	P	P	P	P
Group II	4-1362 et seq.	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
Excavation:											
Mining		-	-	-	-	-	-	-	-	-	-
Water retention	4-1380 et seq.	P	P	P	P	P	P	P	P	P	P
Oil or gas		SE	SE	SE	SE	SE	SE	SE	SE	-	SE
Farm equipment, sales, storage, rental, service	Note (2), (22)	-	-	-	-	-	-	P	-	-	-
Feed or fertilizer, mixing and sales	Note (2), (22) and (14)	-	-	-	-	-	-	-	-	-	-
Fire station		P	P	P	-	-	-	P	P	SE	-
Fish house, wholesale	Note (2), (22) and (14)	-	-	P (11)	-	-	-	-	-	-	-
Flea market:											
Open	Note (2), (22)	-	-	SE	-	-	-	SE	-	-	-
Indoor	Note (2), (22)	-	P	P	-	-	P	P	-	-	-

Food and beverage service, limited		SE	SE	SE	SE	SE	SE	SE	-	SE	-
Food stores (4-408(c)(16)):	Note (4)										
Group I		P	P	P	P (12)	P	P	P		-	P
Group II		P	P	P	-	P	P	P		-	-
Forestry tower		P	P	P	-	-	-	P	P	SE	-
Fraternity house		-	-	-	-	-	-	-	-		P
Freight and cargo handling establishments (4-408(c)(17))	Note (2), (22) and (14)	-	-	-	-	-	-	-	-	-	-
Funeral home or mortuary:											
No cremation		P	P	P	-	-	P	P	P	SE	-
With cremation		-	-	-	-	-	-	P	P	SE	-
Gasoline dispensing system, special	Note (2), (22) and (14)	-	-	-	-	-	-	-	-	-	-
Government maintenance facility		P	P	P	-	-	-	P	P	SE	-
Hardware store	Note (4)	P	P	P	P	P	P	P	-	-	-
Health care facility (4-408(c)(19)):											
Group I		-	-	-	-	-	-	-	P (13)	SE (13)	-

Group II		-	-	-	-	-	-	-	P (13)	SE (13)	-
Group III		P	P	P	-	P	P	P	P	SE(1 3)	-
Group IV		-	-	-	-	-	-	-	P (13)	SE (13)	-
Heliport or helistop		See Aircraft facilities, private.									
Hobby, toy, game shops (4-408(c)(20))	Note (4)	P	P	P	-	P	P	P	-	-	-
Home care facility		P	P	P	SE	SE	-	-	SE	SE	P
Home occupation:											
No outside help	4-1495 et seq.	P	P	P	P	P	-	-	P	P	P
With outside help	4-1495 et seq.	AA	AA	AA	AA	AA	-	-	AA	AA	AA
Hotel/motel:	4-1528 et seq.	-	P	P	-	-	-	-	-	SE	P
Household and office furnishings (4-408(c)(21)):	Note (4)										
Group I		P	P	P	-	-	P	P	-	-	-
Group II		P	P	P	-	-	P	P	-	-	-
Group III		-	-	-	-	-	-	P	-	-	-
Laundry or dry cleaning (4-408(c)(23)):											
Group I		P	P	P	-	P	P	P	-	-	P
Group II		-	-	P	-	-	-	-	-	-	-
Lawn and garden supply store	4-1792 Note (4)	P	P	P	-	-	P	P	-	-	-
Library		P	P	P	-	P	P	P	-	-	P

Manufacturing of:	<u>Note (14)</u>											
Apparel products (4-408(c)(1))	Note (2) , (22)	-	-	P	-	-	-	-	-	-	-	-
Dairy products (SIC 202 only)	Note (2) , (22)	-	-	P	-	-	-	-	-	-	-	-
Electrical machinery and equipment (4-408(c)(11))	Note (2) , (22)	-	-	P	-	-	-	-	-	-	-	-
Fabricated metal products (4-408(c)(14)), Group III	Note (2) , (22)	-	-	P	-	-	-	-	-	-	-	-
Food and kindred products (4-408(c)(15)), Group III	Note (2) , (22)	-	-	P	-	-	-	-	-	-	-	-
Leather products (4-408(c)(24)), Group II	Note (2) , (22)	-	-	P	-	-	-	-	-	-	-	-
Lumber and wood products (4-408(c)(25)), Group II	Note (2) , (22)	-	-	P	-	-	-	-	-	-	-	-
Measuring, analyzing and controlling instruments (4-408(c)(27))	Note (2) , (22)	-	-	P	-	-	-	-	-	-	-	-
Novelties, jewelry, toys and signs (4-	Note (2) , (22)	-	-	P	-	-	-	-	-	-	-	-

408(c)(28)), all groups											
Rubber and plastic products (4- 408(c)(43)), Group II	Note (2), (22)	-	-	P	-	-	-	-	-	-	-
Marina	4-1587	EO	EO	EO	-	-	-	EO	-	-	EO
Marina, ancillary uses		EO	EO	EO	-	-	-	EO	-	-	EO
Mass transit depot or maintenance facility (government- operated)	Note (2), (22)	P	P	P	-	-	-	P	P	SE	-
Medical office	P	P	P	-	P	P	P	P	P	P	
Mobile home dealers	Note (2), (22)	-	-	P	-	-	-	SE	-	-	-
Model:											
Home	4-1662 et seq.	P	P	P	-	-	-	-	-	-	SE
Unit	4-1662 et seq. Note (2)	P	P	P	-	-	-	-	-	-	SE
Display center	4-1662 et seq. Note (2)	-	P	P	-	-	P	P	-	-	SE
Multislip docking facility		-	P	P	-	-	-	-	-	-	P
Night clubs	4-951 et seq. 4- 1020 et seq. Note (2), (22)	-	AA/S E	AA/ S E	-	-	AA/S E	AA/S E	-	-	AA/S E
Nonstore retailers (4- 408(c)(29)), all groups	Note (2)	P	P	P	-	-	P	-	-	-	-

Package store	4-1020 et seq. Note (4)	P	P	P	P	P	P	P	-	-	P
Paint, glass and wallpaper	Note (4)	P	P	P	-	-	P	P	-	-	-
Parks (4-408(c)(31))		P	P	P	-	-	P	P	-	-	P
Group I		SE	SE	P	-	-	-	P	-	-	P
Group II											
Parking lot:											
Accessory		P	P	P	P	P	P	P	P	P	P
Commercial		-	SE	SE	-	-	SE	SE	-	-	-
Garbage, public parking		-	SE	SE	-	-	SE	SE	-	-	-
Temporary	Note (14), 4-2132	P	P	P	P	P	P	P	P	P	P
Personal services (4-408(c)(32)):											
Group I		P	P	P	P	P	P	P	-	SE (5)	P
Group II		P	P	P	-	-	P	P	-	-	P
Group III	<u>Note (5)</u>	P	P	P	-	-	P	P	SE	SE (5)	P
Group IV	Note (2)	P	P	P	-	P	P	P	-	-	-
Pet services		P	P	P	-	-	-	P	-	-	-
Pet shop	Note (4)	P	P	P	-	P	P	P	-	-	-
Pharmacy	Note (4)	P	P	P	P	P	P	P	-	-	-
Place of worship	4-1762	P	P	P	P	P	P	P	P	P	P
Plant nursery	4-1792	P	P	P	-	-	-	P	-	-	-
Police or sheriff's station		P	P	P	-	-	-	P	P	SE	-
Post office		P	P	P	-	-	-	P	P	SE	-

Printing and publishing (4-408(c)(35))		-	-	P	-	-	-	EO	-	-	-
Processing and warehousing	Note (2), (22) and (14)	-	-	P	-	-	-	-	-	-	-
Racetracks (4-408(c)(36)): Group I and II	CPD only	-	-	-	-	-	-	-	-	-	-
Recreation facilities											
Commercial (4-408(c)(37)):											
Group I		P	P	P	-	-	P	P	-	-	P
Group III	Note (20 and 22)	-	P/SE	P/S E	-	-	-	-	-	-	P/SE
Group IV	Note (20)	-	-	-	-	-	P/SE	P/SE	-	-	P/SE
Personal		P	P	P	P	P	-	-	-	-	-
Private											
On-site		P	P	P	-	-	P	-	-	-	P
Off-site		SE	P	P	-	-	-	-	-	-	P
Recycling facility	Note (2) (22) and (14)	-	-	SE	-	-	-	SE	-	-	-
Religious facilities	4-1762 et seq.	-	-	P	-	P	P	P	P	SE	SE
Rental or leasing establishments											
Group I	4-1099, 4-2069 et seq. Note (2), (22)	P	P	P	-	P	P	P	-	-	P
Group II	4-1099, 4-2069 et seq.	P	P	P	-	P	P	P	-	-	P
Group III	4-1099, 4-2069 et	-	P	P	-	-	P	P	-	-	P(17)

	seq. Note (2), (22)										
Group IV	4-1099, 4-2069 et seq. Note (2), (22)	-	-	-	-	-	-	-	-	-	-
Repair shops (4-408(c)(39)):											
Group I		P	P	P	P	P	P	P	-	-	P
Group II		P	P	P	-	-	P	P	-	-	-
Group III	Note (2), (22)	-	-	P	-	-	-	P	-	-	-
Group IV	Note (2), (22)	-	-	P	-	-	-	P	-	-	-
Group V	Note (2), (22)	-	-	-	-	-	-	-	-	-	-
Research and development laboratories (4-408(c)(40)):											
Group II		-	-	P	-	-	P	-	P	SE	-
Group IV		-	-	P	-	-	-	-	-	-	-
Residential accessory uses (4-408(c)(41))		P	P	P	P	P	-	P	P	P	P
Restaurant, fast food	Note (2), (22)	-	P	P	-	-	P	P	-	-	P
Restaurants (4-408(c)(42)):											
Group I		P	P	P	-	P	P	P	-	SE (5)	P
Group II		P	P	P	-	P	P	P	SE	SE (5)	P
Group III		P	P	P	-	P	P	P	-	SE (5)	P

Group IV		-	P	P	-	-	P	P	-	SE (5)	P
Roadside stand	4-1432	TP	TP	TP	TP	TP	TP	TP	TP	TP	TP
Roominghouse		-	-	-	-	-	-	-	-	SE	P
Schools, commercial (4-408(c)(44))	4-1970	P	P	P	-	-	P	P	P	SE	-
Self-service fuel pumps	Note (18)	SE	SE	SE	-	SE	P	P	-	-	SE
Signs in accordance with chapter 6		P	P	P	P	P	P	P	P	P	P
Social services (4-408(c)(45)):											
Group I		P	P	P	-	-	P	-	P	-	-
Group II		-	-	-	-	-	-	-	-	-	-
Group III		-	-	-	-	-	-	-	-	-	-
Group IV		-	-	-	-	-	-	-	-	-	-
Group V		-	-	-	-	-	-	-	-	-	-
Specialty retail shops (4-408(c)(46)):	Note (4)										
Group I		P	P	P	P	P	P	P	SE	SE (5)	P
Group II		P	P	P	-	P	P	P	-	SE (5)	P
Group III		P	P	P	-	-	P	P	-	-	-
Group IV	Note (2), (22)	P	P	P	-	-	P	P	-	-	-
Stable, commercial	4-1045 et seq.	-	-	-	-	-	-	-	-	-	-
Storage:											

Indoor only	4-2069 et seq.	P	P	P	P	P	P	P	P	P	P
Storage, open	4-2069 et seq. Note (2), (22)	-	P	P	-	-	P	P	-	-	-
Studios (4-408(c)(48))		P	P	P	-	-	P	EO	-	SE	P
Supermarket	Note (4)	P	P	P	-	P	P	P	-	-	P
Temporary uses	4-2124 et seq.	P	P	P	-	P	P	P	P	-	P
Theater:											
Indoor	4-2037 et seq. Note (2), (22)	-	EO	EO	-	-	P	P	-	-	P
Drive-in	CPD or MPD only 2-2037 et seq. Note (2), (22)	-	-	EO	-	-	-	-	-	-	-
Timeshare units		EO	SE	SE	-	-	-	-	-	-	P
Transportation services (4-408(c)(52)):											
Group I	Note (2), (22)	-	-	P	-	-	-	-	-	-	-
Group II	Note (2), (22)	-	-	P	-	-	P	P	-	-	-
Group III	Note (2), (22)	-	-	P	-	-	-	P	-	-	-
Group IV	Note (2), (22)	-	-	P	-	-	-	-	-	-	-
Truck stop	Note (2), (22) and (14)	-	-	-	-	-	-	P	-	-	-
Trucking terminal, motor, rail, air, including warehousing of goods awaiting	Note (2), (22) and (14)	-	-	-	-	-	-	-	-	-	-

shipment, parking, and storage of rolling stock											
Used merchandise stores (4-408(c)(53)):	Note (4)										
Group I		-	P	P	-	P	P	P	-	-	-
Group I, limited to indoor display only		P	-	-	-	-	-	-	-	-	-
Group II		-	P	P	-	-	P	P	-	-	-
Group III	Note (2), (22)	-	P	P	-	-	P	P	-	-	-
Group IV	Note (2), (22)	-	-	P	-	-	-	P	-	-	-
Group V	Note (14)	=	P	P	=	P	P	P	=	=	=
Variety store	Note (2)	P	P	P	-	P	P	-	-	-	-
Vehicle & equipment dealers (4-408(c)(54)):											
Group I	4-1099 Note (2), (22)	-	P	P	-	-	-	P	-	-	-
Group II	4-1099 Note (2), (22)	-	P	P	-	-	P	P	-	-	-
Group III	4-1099 Note (2), (22)	-	P	P	-	-	-	P	-	-	-
Group IV	4-1099 Note (2), (22)	-	P	P	-	-	-	P	-	-	-
Group V	4-1099 Note (2), (22)	-	-	-	-	-	-	P	-	-	-
Warehouse:											

Mini-warehouse	Note (2), (22)	-	-	P	-	SE	SE	SE	-	-	-
Private	Note (2), (22)	-	-	P	-	-	-	-	-	-	-
Public	Note (2), (22)	-	-	P	-	-	-	-	-	-	-
Wholesale establishments (4-408(c)(55)):											
Group I	Note (2), (22)	-	-	-	-	-	-	-	-	-	-
Group II	Note (2), (22)	-	-	-	-	-	-	-	-	-	-
Group III	Note (2), (15) (22)	-	P (15)	P	-	-	P (15)	P (15)	P (15)	P (15)	P (15)
Group IV	Note (2), (15) (22)	-	P (15)	P (15)	-	-	P (15)	P (15)	-	-	-

Notes:

- (1) Permitted only when accessory to a lawfully permitted single-family dwelling unit.
- (2) ~~If located within 100 feet from the right-of-way of U.S. 41, this use is permitted only by planned development (PD) zoning on parcels larger than one acre. On parcels one acre or less in area, special exception approval is required. If located within the US 41 Overlay District, special exception approval required. See section 4-891.~~
- (3) Permitted only if completely enclosed within a building.
- (4) Establishments exceeding 40,000 square feet require PD zoning. See section 4-1560 et seq.
- (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 Bonita 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 4-272 and Table 4-740
- (14) ~~Reserved.~~ Use is prohibited within US 41 Overlay District. See section 4-891.
- (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 pickup 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 4-408(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 nonconforming. 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) For purposes of this use only, grade is the average elevation of the street or streets abutting the property. Average elevation of the street is measured along the centerline of the streets, at the points of intersection of the streets with the lot lines (as extended) and the midpoint of the lot frontage.
- (22) If located within the Bonita Beach Road Corridor, this use permitted only by Planned Development (PD) zoning on parcels larger than one acre. On parcels one acre or less in area, special exception approval is required.

Section 4-718 Industrial Use Regulations Table

Use regulations for industrial districts are as follows:

DRAFT FOR DISCUSSION PURPOSES

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DATE PREPARED: October 16, 2015

U.S. 41 Overlay District VER 3 - 10/09/15

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TABLE 4-718. USE REGULATIONS FOR INDUSTRIAL DISTRICTS

	Special Notes or Regulations	IL	IG
Administrative offices		P	P
Agricultural services: office/base operations	Note (9)	-	-
Aircraft landing facility, private:			
Lawfully existing:			
Expansion of aircraft landing strip or heliport or heliport landing pad	4-982 et seq.	SE	SE
New accessory buildings	4-982 et seq.	P	P
New:			
Aircraft landing strip or heliport, ancillary hangers, sheds and equipment	4-982 et seq.	SE	SE
Heliport	4-982 et seq.	SE	SE
Amateur radio antennas and satellite earth stations when accessory to a principal use	4-927	Refer to 4-927 et seq. for regulations	
Animals:			
Animal clinic	4-1071 et seq.	P	P
Animal kennel, when completely enclosed within a building	4-1071 et seq.	P	P
Control center (including Humane Society)	4-1071 et seq.	P	P
ATM (automatic teller machine)		P	P
Automobile repair and service (4-408(c)(2)):			
Group I	4-1098 Notes (12) and 13	P	P
Group II	4-1098 Notes (12) and Note 13	P	P
Bar or cocktail lounge	4-1020 et seq. Note (12)	SE	SE
Blacksmith shop	Note (9)	P	P
Boat ramps		EO/SE	EO/SE
Broadcast studio, commercial radio and television	4-1215 et seq.	P	P

Building materials sales (4-408(c)(4))	4-2069 et seq. Notes (12) and (13)	P	P
Business services (4-408(c)(5)):			
Group I		P	-
Group II		P	P
Bus station/depot	4-1153 et seq. Notes (12) and Note 13	P	P
Caretaker's residence		SE	SE
Caterers		P	P
Cleaning and maintenance services (4-408(c)(7))		P	P
Cold storage warehouse and processing plant (including pre-cooling)	Notes (12) and (14)	P	P
Communication facility, wireless	4-1215 et seq.	Refer to 4-1215 et seq. for regulations	
Computer and data processing services		P	P
Consumption on premises	4-1020 et seq.	AA/SE	AA/SE
Contractors and builders (4-408(c)(9)):			
Group I		P (1)	P
Group II		P (1)	P
Group III	4-1099, 4-2069 et seq. Notes (12) and (13)	P (1)	P
Day care center, child	Note (10)	SE	-
Dumps, refuse and trash	IPD only, 4-1551 et seq., Note (9)	-	-
Emergency medical service (ambulance station)		P	P
Emergency operations center		P	P
Entrance gates and gatehouses	4-1464 et seq.	P	P
Essential services	4-1362 et seq.	P	P
Essential service facilities (4-408(c)(13)):			
Group I	4-1362 et seq.	P	P
Group II	4-1362 et seq.	SE	SE

Group III	4-1362 et seq. CFPD, IPD or MPD only	EO	-
Excavation:			
Mining	4-1400 et seq.	-	-
Water retention	4-1380	P	P
Oil or gas		SE	SE
Farm equipment, sales, storage, rental or service	4-1099, 4-2069 et seq. Notes (12) and (13)	-	-
Farm machinery and tractor repair	Note (12)	-	-
Fire station	Note (2)	P	P
Flea market, open	Notes (12) and (13)	SE	-
Freight and cargo handling establishments (4-408(c)(17))	4-2069 et seq., Notes (9) and (12) and 14	SE	P
Gasoline dispensing system, special	Notes (12) and (14)	P	P
Government maintenance facility	Note (2)	P	P
Hatcheries, poultry	Notes (9) and (12)	-	-
Health care facility, Group III (4-408(c)(19))	Note (4)	SE	SE
Health club or spa		P	P
Heliport or helistop	4-982(b)	See Aircraft landing facilities, private	
Junkyard or salvage yard	IPD only, 4-1551 et seq., Note (9)	-	-
Landfills, sanitary	IPD only, 4-1551 et seq., Note (9)	-	-
Laundry or dry cleaning (4-408(c)(23)), Group II		P	P
Machine shop		P	P
Manufacturing, repair or wholesale sales of:	<u>Note (14)</u>		
Apparel (4-408(c)(1))	Notes (9) and (12)	P	P
Boats	Notes (9) and (12)	SE	P
Chemicals and allied products (4-408(c)(6)):			
Group I	IPD only, Notes (9) and (12)	EO	EO

Group II:			
Cosmetics, perfumes, etc.	Notes (9) and (12)	P (5)	P (5)
All other chemicals	IPD only, Notes (9) and (12)	-	EO
Electrical machinery and equipment (4-408(c)(11))	Notes (9) and (12)	P	P
Fabricated metal products (4-408(c)(14)):			
Group I	IPD only, Notes (9) and (12)		
Group II	Notes (9) and (12)	SE	P
Group III	Notes (9) and (12)	-	P
Food and kindred products (4-408(c)(15)):			
Group I	Notes (9) and (12)	-	P
Group II	Notes (9) and (12)	SE	P
Group III	Notes (9) and (12)	P	P
Furniture and fixtures (4-408(c)(18))	Notes (9) and (12)	P	P
Leather products (4-408(c)(24)):			
Group I	Notes (9) and (12)	-	P
Group II	Notes (9) and (12)	P	P
Lumber and wood products (4-408(c)(25)):			
Group I	Notes (9) and (12)	-	P
Group II and IV	Notes (9) and (12)	P	P
Group III	Notes (9) and (12)	-	P
Group V	IPD only, Notes (9) and (12)	-	EO
Group VI	IPD only, Notes (9) and (12)	-	EO
Machinery (4-408(c)(26)):			
Group I	Notes (9) and (12)	P (6)	P
Group II	Notes (9) and (12)	P (6)	P
Group III	Notes (9) and (12)	-	P

Measuring, analyzing and controlling instruments (4-408(c)(27))	Notes (9) and (12)	P	P
Novelties, jewelry, toys and signs (4-408(c)(28)), Groups I, II and III	Notes (9) and (12)	P	P
Paper and allied products (4-408(c)(30)):			
Group I	IPD only, Note (9)	-	-
Group II	Notes (9) and (12)	P	P
Group III	Notes (9) and (12)	P (7)	P
Petroleum (4-408(c)(33))	IPD only, Note (9)	-	-
Primary metal industries (4-408(c)(34))	IPD only, Note (9)	-	-
Rubber and plastic products (4-408(c)(43)):			
Group I	IPD only, Note (9)	-	EO
Group II	Notes (9) and (12)	P	P
Stone, clay, glass or concrete products (4-408(c)(47)):			
Group I	Notes (9) and (12)	P	P
Group II	Notes (9) and (12)	-	P
Group III	Notes (9) and (12)	P (8)	P
Group IV	IPD only, Note (9)	-	-
Textile mill products (4-408(c)(49)):			
Groups I and II	Notes (9) and (12)	P	P
Group III	IPD only, Note (9)	-	-
Tobacco (4-408(c)(50))	Notes (9) and (12)	-	P
Transportation equipment (4-408(c)(51)):			
Group II	Notes (9) and (12)	SE	P
Groups I, III and IV	Notes (9) and (12)	-	P
Marina	4-1587	EO	EO
Mass transit depot or maintenance facility (government)	Note (12)	P	P
Message answering service		P	P
Mini-warehouse	Notes (12) and (13)	P	P

Mobile home dealers	4-1099 Note (12) <u>and</u> <u>13</u>	P	P
Motion picture production studios	Notes (9) and (12)	P	P
Night club	4-951 et seq., 4-1020 et seq. Notes (12) <u>and</u> <u>(13)</u>	SE	SE
Nonstore retailers (4-408(c)(29)), all groups	<u>Note (13)</u>	P	P
Oxygen tent services		P	P
Parcel and express services		P	P
Parking:			
Accessory		P	
Garage, public		-	-
Temporary	4-1734	P	P
Parks (4-408(c)(32)), Group I	Note (2)	P	P
Personal services (4-408(c)(32)), Group III		P	P
Photofinishing laboratory	Note (9)	P	P
Place of worship	4-1762 et seq.	P	P
Police or sheriff station	Note (2)	P	P
Post office	Note (2)	P	P
Printing and publishing (4-408(c)(35))		P	P
Processing and warehousing	Notes (12) <u>and</u> (14)	P	P
Recreational facilities:			
Commercial (4-408(c)(37)):			
Group I		-	-
Group III and IV	Note (12) for Group III	P	P
Personal		P	P
Private—On-site		P	P
Private—Off-site		SE	SE
Recycling facility (df)	Notes (12) <u>and</u> (14)	P	P
Religious facilities	Note (2), 4-1762 et seq.	P	P
Rental or leasing establishments (4- 408(c)(38)):			
Group II	4-951 et seq., 4-1099, 4-2069 et seq.	P	P

Group III	4-1099, 4-2069 et seq., Note (12) <u>Note (13)</u>	P	P
Group IV	4-1099, 4-2069 et seq., Notes (9) and (12) <u>and</u> <u>(13)</u>	P	
Repair shops (4-408(c)(39)):			
Groups I and II		P	P
Groups III, IV and V	Notes (9) <u>and</u> (12) <u>and</u> <u>(13)</u>	P	P
Research and development laboratories (4-408(c)(40)):			
Group I	Note (9)	-	-
Groups II and IV		P	P
Group III	IPD only, Note (9)	-	-
Restaurant (4-408(c)(42)):			
Group I		P	P
Group II	4-1020 et seq.	P	P
Resource recovery facilities:			
Recovery facilities to produce energy	IPD only	-	EO
Recovery facilities, other	4-2069 et seq. Note (12)	SE	SE
Retail and wholesale sales, when clearly incidental and subordinate to a permitted principal use on the same premises		P	P
Roadside stand (defined in section 4-1430	4-1429 et seq.	TP	TP
Schools, commercial (4-408(c)(44))		P	P
Schools, noncommercial:			
Lee County School District	4-1970	P	P
Other	4-1970	-	-
Self-service fuel pumps	Note (11)	-	P(11)
Signs in compliance with chapter 6		P	P
Social services (4-408(c)(45)), Group II	Note (9)	P	P
Storage:			
Indoor	4-2069 et seq.	P	P

Open	4-2069 et seq. Note (12)	P	P
Studios (4-408(c)(48))		P	P
Transportation services (4-408(c)(52)), Groups II, III and IV	Notes (12) and (13)	P	P
Trucking terminal	4-1099 Notes (12) and (14)	SE	P
Vehicle and equipment dealers (4-408(c)(54)):			
Group III	4-1099 Notes (12) and (13)	P	-
Group IV	4-1099 Notes (12) and (13)	P	P
Group V	4-1099 Note (12) and Note 13	P	P
Warehouse:			
Mini-warehouse	Notes (12) and (13)	P	P
Private	Notes (12) and (13)	P	P
Public	Notes (12) and (13)	P	P
Wholesale establishment (4-408(c)(55)):			
Group III	4-2069 et seq. and (12)	P	P
Group IV	4-2069 et seq. and (12)	P	P
Wrecking yard:			
Auto	IPD only 4-1551 et seq., Note (9)	-	-
Other	IPD only, 4-1551 et seq., Note (9)	-	-

Notes:

- (1) Excluding asphalt or concrete batch plants that were not lawfully existing as of February 4, 1978.
- (2) New facilities of ten or more acres or expansion of an existing facility to ten or more acres requires PD zoning. See section 4-272
- (3) Limited to agricultural products, livestock and equipment.

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- (4) Expansion of an existing facility to over 50 beds requires PD zoning unless otherwise approved as part of another planned development. See section 4-272
- (5) Limited to manufacturing of cosmetics, perfumes and other toilet preparations only.
- (6) Limited to assembly of the finished product from its component parts.
- (7) Limited to SIC code 265 (Paperboard Containers and Boxes) only.
- (8) Limited to small custom-designed concrete products produced in molds, such as decorative architecture or ornamental features commonly associated with residential uses.
- (9) The use is subject to the special setback regulations as set forth in section 4-2014, minimum required setbacks.
- (10) Family day care home exemption. F.S. § 166.0445 exempts family day care homes from needing the special exception. See section 4-195(e)(9).
- (11) Two pumps are permissible as an accessory use to businesses to provide fuel for their own fleet of vehicles and equipment. Additional pumps require approval of a special exception.
- (12) If located within the Bonita Beach Road Corridor, this use permitted only by Planned Development (PD) zoning on parcels larger than one acre in area. On parcels one acre or less in area, Special Exception approval is required.
- (13) If located within the US 41 Overlay District, special exception approval is required. See section 4-891.
- (14) Use is prohibited if located within the US 41 Overlay District. See section 4-891.

Section 4-740 Planned Development Use Regulations Table

Use regulations for planned development districts are as follows:

TABLE 4-740. USE REGULATIONS FOR PLANNED DEVELOPMENT DISTRICTS

	Special Notes or Regulations	RPD	MHPD	RVPD	CFPD	CPD	IPD	MPD
Accessory uses and structures	Note (1), 4-923 et seq., 4-2012 et seq., 4-1588, 4-1840 et seq.	P	P	P	P	P	P	P
Accessory apartment	Note (2) (21), 4-929	P	-	-	-	-	-	P
Administrative offices	Note (1)	P	P	P	P	P	P	P

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Amateur radio antennas and satellite earth stations	4-927	Refer to 4-927 for regulations.						
Agricultural services: office/base operations		-	-	-	-	-	P	P
Agricultural uses and agricultural accessory uses		-	-	-	-	-	P	P
Aircraft food services and catering								P
Aircraft landing facilities, private	4-982 et seq.	P	P	P	P	P	P	P
Amusement park		-	-	-	-	P	-	P
Animals:								
Clinic or kennel	4-1071 et seq.	-	-	-	-	P	P	P
Control center (including Humane Society)		-	-	-	P	P	-	P
Assisted living facility	4-1280 et seq., 4-1182	P (3)	-	-	P	P	-	P
ATM (automatic teller machine)						P	P	P
Auto parts store	Notes (16) and (18)	P (4)	P (4)	-	-	P	-	P
Automobile service stations	Note (18)	P (4)	P (4)	-	-	P	P	P
Auto repair and service (4-408(c)(2)), all groups	4-1098 Note (18)	-	-	-	-	P	P	P
Bait and tackle shop		P (4)	P (4)	-	-	P	P	P
Banks and financial establishments (4-408(c)(3)):								
Group I		P (4)	P (4)	-	-	P	-	P
Group II		-	-	-	-	P	-	P
Bar or cocktail lounge	4-1020 et seq.	-	-	-	-	P	P	P
Bed and Breakfast		P	-	-	-	P	-	P
Boardinghouse		P	-	-	-	P	-	P
Boats:								
Boat parts store	Note (16)	P (4)	P (4)	-	-	P	P	P
Boat ramps and dockage (not marinas)		P	P	P	P	P	P	P

Boat rental		P (4)	P (4)	-	-	P	P	P
Boat repair and service	4-1099, 4-2069 et seq.	-	-	-	-	P	P	P
Boat sales	<u>Note (18)</u>	-	-	-	-	P	-	P
Boat storage, dry	<u>Note (18)</u>	-	-	-	-	P	-	P
Boatyard	Note (5)	-	-	-	-	-	P	P
Broadcast studio, commercial radio and television	4-1215 et seq.	-	-	-	-	P	P	P
Building material sales (4-408(c)(4))	4-2069 et seq. <u>Notes (16) and (18)</u>	-	-	-	-	P	P	P
Business services (4-408(c)(5)):								
Group I		P (4)	P (4)	-	-	P	P	P
Group II		-	-	-	-	P	P	P
Bus station/depot	4-1153 et seq. <u>Note (18)</u>	-	-	-	-	P	P	P
Camping cabins		-	-	P (6)	-	-	-	P
Caretaker's residence		-	-	-	P	P	P	P
Car wash	<u>Note (18)</u>	-	-	-	-	P	-	P
Cemetery, columbarium, mausoleum		-	-	-	P	-	-	P
Cleaning and maintenance services (4-408(c)(7))		-	-	-	-	P	P	P
Clothing stores, general (4-408(c)(8))	Note (16)	-	-	-	-	P	-	P
Clubs:								
Country		P	P	P	-	P	-	P
Commercial		-	-	-	-	P	-	P
Fraternal, membership organization	4-1818	-	-	-	-	P	-	P
Private	4-1818	P	P	P	-	P	-	P
Cold storage, pre-cooling, warehouse and processing plant	<u>Note (26)</u>	-	-	-	-	-	P	P
Commercial fishery		-	-	-	-	P	P	P

Commercial use of beachfront seaward of the coastal construction control line	Note (7), 4-2271	P	P	-	-	P	-	P
Communication facilities, wireless	Note (22) 4-1215 et seq.	Refer to 4-1215 for regulations						
Community Gardens	4-1435	AA	AA	AA	AA	AA	-	AA
Community residential home		P	P	-	-	P	-	P
Computer and data processing services		-	-	-	-	-	P	P
Consumption on premises	4-1020 et seq.	P (4)	P (4)	P (8)	-	P	P (9)	P
Continuing care facilities	4-1414	P	-	-	P	-	-	P
Contractors and builders (4-408(c)(9)), all groups	4-1099, 4-2069 et seq. <u>Note (18)</u>	-	-	-	-	P	P	P
Convenience food and beverage store	<u>Note (18)</u>	P (4), (27)	P (4), (27)	-	-	P	P	P(27)
Correctional facility		-	-	-	P	-	-	P
Cultural facilities (4-408(c)(10))		-	-	-	P	P	-	P
Day care center, child, adult		P (4)	P (4)	P (8)	P	P	P	P
Department store	Note (16)	-	-	-	-	P	-	P
Dormitory		P	-	-	-	P	-	P
Drive-through facility for any permitted use		P (4)	P (4)	-	-	P	P	P
Drugstore, pharmacy	Note (16)	P (4)	P (4)	-	-	P	-	P
Dwelling unit:								
Duplex, single-family		P	-	-	-	-	-	P
Two-family attached		P	-	-	-	-	-	P
Townhouse, multiple-family building		P	-	-	-	P(10)	-	P
Mobile home		-	P	-	-	-	-	P
Zero lot line		P	-	-	-	-	-	P
Entrance gates and gatehouse	4-1841 et seq.	P (3)	P (3)	P	P	P	P	P

Emergency medical service (ambulance station)		P (4)	P (4)	-	P	P	P	P
Emergency operations center		-	-	-	P	P	P	P
Essential services	Note (1), 4-1362 et seq., 4-1841 et seq.	P	P	P	P	P	P	P
Essential service facilities (4-408(c)(13)):								
Group I	Note (1), 4-1362 et seq., 4-1841 et seq., 4-1840 et seq.	P	P	P	P	P	P	P
Group II	Note (1), 4-1362 et seq., 4-1841 et seq., 4-1840 et seq.	P	P	P	P	P	P	P
Group III	Note (1), 4-1362 et seq., 4-1841 et seq., 4-1840 et seq.	-	-	-	P	-	P	P
Excavation:								
Mining	4-1380, 4-1400 et seq.	P	P	P	P	P	P	P
Water retention	4-1380	P	P	P	P	P	P	P
Oil or gas	4-1380	P (4)	P (4)	P	P	P	P	P
Factory outlets (point of manufacture only)	Note (16)	-	-	-	-	P	P	P
Farm equipment, sales, storage, rental or service	<u>Note (18)</u>	-	-	-	-	P	P	P
Farm labor housing		P	P	-	-	-	-	P
Feed or fertilizer, mixing and sales	<u>Note (26)</u>	-	-	-	-	P	-	P
Fences, walls	Note (1), 4-1841 et seq.	P	P	P	P	P	P	P
Fire station		P (3)	P (3)	-	P	P	P	P
Fish house, wholesale	<u>Note (26)</u>	-	-	-	-	P (11)	-	P
Fishing piers		P (3)	P (3)	-	-	-	-	P
Flea market:								

Open	<u>Note (18)</u>	-	-	-	-	P	P	P
Indoor	<u>Note (18)</u>	-	-	-	-	P	-	P
Food and beverage service, limited	Note (1)	P (4)	P (4)	-	-	P	-	P
Food stores (4-408(c)(16)):	Note (16)							
Group I		P (4)	P (4)	P	-	P	P (9)	P
Group II		P (4)	P (4)	-	-	P	P (9)	P
Forestry tower		-	-	-	P	P	-	P
Fraternity house		P	-	-	-	P	-	P
Freight and cargo handling establishments (4-408(c)(17))	<u>Note (26)</u>	-	-	-	-	P	P	P
Funeral home and mortuary (with or without a crematory)		-	-	-	P (19)	P	-	P
Gasoline dispensing system, special	<u>Note (26)</u>	-	-	-	-	P	P	P
Gift and souvenir shop	Note (16)	-	-	-	-	P	-	P
Golf course		P	P	P	-	P	-	P
Golf driving range		P	P	-	-	P	-	P
Government maintenance facility		-	-	-	P	P	P	P
Hardware store	Note (16)	P (4)	P (4)	-	-	P	-	P
Hatcheries, poultry		-	-	-	-	-	P	P
Health care facilities (4-408(c)(19)):								
Group I		P	-	-	P	P	-	P
Group II		P	-	-	P	P	-	P
Group III		P (4)	P (4)	-	P	P	P	P
Group IV		-	-	-	P	P	-	P
Heliport or helistop		P	P	-	P	P	P	P
Hobby, toy and game shops (4-408(c)(20))	Note (16)	P (4)	P (4)	-	-	P	-	P
Home care facility	Note (1)	P	P	-	-	P	-	P
Home occupation	Note (1), 4-1495 et seq.	P	P	-	-	P	-	P

Hospice		-	-	-	P	P	-	P
Hotel/motel	4-1528 et seq.	-	-	-	-	P	P (13)	P
Household and office furnishings (4-408(c)(21)), all groups	(Note (16))	-	-	-	-	P	-	P
Housing units for employees only		-	-	-	P	-	-	P
Insurance companies (4-408(c)(22))		-	-	-	-	P	-	P
Laundry or dry cleaning (4-408(c)(24)):								
Group I		P (4)	P (4)	P	-	P	-	P
Group II		-	-	-	-	-	P	P
Lawn and garden supply stores	4-1792, Note (16)	-	-	-	-	P	-	P
Library		-	-	-	P	P	-	P
Manufacturing of:	<u>Note (26)</u>							
Apparel products (4-408(c)(1))	Note (5)	-	-	-	-	P	P	P
Boats	Note (5)	-	-	-	-	-	P	P
Chemical and allied products (4-408(c)(6))								
Group I	Note (5)	-	-	-	-	-	P	-
Group II	Note (5)	-	-	-	-	-	P	P
Electrical machinery and equipment (4-408(c)(11))	Note (5)	-	-	-	-	P	P	P
Fabricated metal products (4-408(c)(14)):								
Group I	Note (5)	-	-	-	-	-	P	-
Group II	Note (5)	-	-	-	-	-	P	P
Group III	Note (5)	-	-	-	-	P	P	P
Food and kindred products (4-408(c)(15)):								
Group I	Note (5)	-	-	-	-	-	P	P
Group II	Note (5)	-	-	-	-	-	P	P
Group III	Note (5)	-	-	-	-	P	P	P

Furniture and fixtures (4-408(c)(18))	Note (5)	-	-	-	-	-	P	P
Leather products (4-408(c)(24)):								
Group I	Note (5)	-	-	-	-	-	P	-
Group II	Note (5)	-	-	-	-	P	P	P
Lumber and wood products(4-408(c)(25)):								
Groups I, III, IV, V and VI	Note (5)	-	-	-	-	-	P	-
Group II	Note (5)	-	-	-	-	P	P	P
Machinery (4-408(c)(26)), all groups	Note (5)	-	-	-	-	-	P	-
Measuring, analyzing and controlling instruments (4-408(c)(27))	Note (5)	-	-	-	-	P	P	P
Novelties, jewelry, toys and signs (4-408(c)(28)), all groups	Note (5)	-	-	-	-	P	P	P
Paper and allied products (4-408(c)(31))								
Group I	Note (5)	-	-	-	-	-	P	-
Group II	Note (5)	-	-	-	-	-	P	P
Group III	Note (5)	-	-	-	-	-	P	P
Petroleum (4-408(c)(33))	Note (5)	-	-	-	-	-	P	-
Primary metal industries (4-408(c)(34))	Note (5)	-	-	-	-	-	P	-
Rubber and plastic products (4-408(c)(43)):								
Group I	Note (5)	-	-	-	-	-	P	-
Group II	Note (5)	-	-	-	-	P	P	P
Stone, clay, glass and concrete products (4-408(c)(47))		-	-	-	-	-	-	-
Group I	Note (5)	-	-	-	-	-	P	P
Group II	Note (5)	-	-	-	-	-	P	-
Group III	Note (5)	-	-	-	-	-	P	-
Group IV	Note (5)	-	-	-	-	-	P	-

Textile mill products (4-408(c)(49)), all groups	Note (5)	-	-	-	-	-	P	-
Tobacco products (4-408(c)(50))	Note (5)	-	-	-	-	-	P	P
Transportation equipment (4-408(c)(51)):								
Group I	Note (5)	-	-	-	-	-	P	P
Groups II, III and IV	Note (5)	-	-	-	-	-	P	-
Marina	4-1587	P	P	-	-	P	P	P
Medical office		P (4)	P (4)	-	-	P	P	P
Mini-warehouse	<u>Note (18)</u>	-	-	-	-	P	P	P
Mobile home dealers	4-1099 <u>Note (18)</u>	-	-	-	-	P	P	P
Models:								
Display center	<u>Note (18)</u>	P	P	P	-	P	-	P
Model home	4-1662 et seq.	AA	AA	AA	-	AA	-	AA
Model unit	4-1662 et seq. <u>Note (18)</u>	AA	AA	AA	-	AA	-	AA
Motion picture production studio		-	-	-	-	P	P	P
Multislip docking facility		-	-	-	-	P	-	P
Night clubs	4-1020 et seq. <u>Note (18)</u>	-	-	-	-	P	P	P
Nonstore retailers (4-408(c)(29)), all groups	<u>Note (18)</u>	-	-	-	-	P	P	P
Parcel and express services		-	-	-	-	-	P	P
Package store	4-1020 et seq., <u>Note (16)</u>	P (4)	P (4)	-	-	P	-	P
Paint, glass and wallpaper	<u>Note (16)</u>	-	-	-	-	P	-	P
Parks (4-408(c)(31))								
Groups I		P	P	P	P	P	P	P
Group II		-	-	-	P	-	-	P
Park trailers		-	-	P (6)	-	-	-	P
Parking lot:								
Accessory	<u>Note (16)</u>	P	P	P	P	P	P	P
Commercial	<u>Note (16)</u>	-	-	-	-	P	-	P

Retail and wholesale sales, when clearly incidental and subordinate to a permitted principal use on the same premises	-	-	-	-	P	P	P	
Roominghouse		P	-	-	-	P	-	P
Salvage and disposal of materials, including auto junkyards, refuse disposal and processing plants, incinerators, landfills and similar uses		-	-	-	-	-	P(5)	-
Sanitary landfill	Note (5)	-	-	-	P	-	P	-
Schools:								
Commercial (4-408(c)(44))	4-1970	-	-	-	-	P	P	P
Noncommercial	4-1970	P	P	P	P	P	-	P
Self-service fuel pumps	Note (24)	P (4)	P (4)	-	-	P	P	P
Signs in accordance with chapter 6	Note (1)	P	P	P	P	P	P	P
Social services (4-408(c)(45)):	Note (28), 4-2190 et seq.							
Group I		-	-	-	-	P	-	P
Group II		-	-	-	P	P	P	P
Group III		-	-	-	P	P	-	P
Group IV		-	-	-	P	P	-	P
Group V		P			P	-	-	P
Special retail shops (4-408(c)(46)):	Note (16)							
Group I		P (4)	P (4)	-	P (1)	P	-	P
Group II		P (4)	P (4)	-	-	P	-	P
Group III		-	-	-	-	P	-	P
Group IV	<u>Note (18)</u>	P (4)	P (4)	-	-	P	-	P
Stable:								
Boarding	4-1045 et seq.	P	P	P	-	-	-	P
Commercial	4-1045 et seq.	-	-	-	-	P	-	P
Private	4-1045 et seq.	P	P	P	-	-	-	P
Storage:								

Indoor only	Note (1), 4-2069 et seq.	P (4)	P (4)	P	P	P	P	P
Storage, open	Note (5), 4-2069 et seq.	-	-	P (15)	-	P	P	P
Large-scale storage of noxious or hazardous materials (flammable, toxic, explosive, corrosive, etc.), including liquid petroleum, fractions and distillates thereof, and fuel gases	Note (4), 4-2069 et seq.	-	-	-	-	-	P	-
Studios (4-408(c)(48))		-	-	-	-	P	-	P
Temporary uses	Note (1), 4-2124 et seq.	P	P	-	P	P	-	P
Tents, transient parks only		-	-	P	-	-	-	P
Theater, indoor or outdoor (drive-in)	4-2037 et seq. <u>Note (18)</u>	-	-	-	-	P	-	P
Timeshare units		P	-	-	-	P	-	P
Transportation services (4-408(c)(52)):								
Group I	<u>Note (18)</u>	-	-	-	-	P	P	P
Group II	<u>Note (18)</u>	-	-	-	-	P	P	P
Group III	<u>Note (18)</u>	-	-	-	-	P	P	P
Group IV	<u>Note (18)</u>	-	-	-	-	P	P	P
Truck stop, trucking terminal	<u>Note (26)</u>	-	-	-	-	P	P	P
Used merchandise stores (4-408(c)(53)):	Note (16)							
Group I		P (4)	P (4)	-	-	P	-	P
Groups II, III and IV		-	-	-	-	P	-	P
<u>Group V</u>	<u>Note (26)</u>	<u>P(4)</u>	<u>P(4)</u>	<u>-</u>	<u>-</u>	<u>P</u>	<u>-</u>	<u>P</u>
Variety store	Note (16) <u>Note (18)</u>	P (4)	P (4)	-	-	P	-	P
Vehicle and equipment dealers (4-408(c)(54)):								
Groups I, II and III	4-1099 <u>Note (18)</u>	-	-	-	-	P	P	P
Group IV	4-1099 <u>Note (18)</u>	-	-	P (17)	-	P	P	P

Group V	4-1099 <u>Note (18)</u>	-	-	-	-	P	P	P
Warehouse:								
Mini-warehouse	<u>Note (18)</u>	-	-	-	-	P	P	P
Private		-	-	-	-	P	P	P
Public		-	-	-	-	P	P	P
Cold storage only		-	-	-	-	-	-	P
Wholesale establishments (4-408(c)(55)):								
Groups I, III and IV		-	-	-	-	P	P	P
Group II		-	-	-	-	P	P	-
Wrecking yard:								
Auto		-	-	-	-	-	P	-
Other		-	-	-	-	-	P	-

Notes:

- (1) If use or structure is customarily accessory to an approved permitted use it does not need to be shown on the master concept plan.
- (2) Permitted only when accessory to a lawfully permitted single-family dwelling unit.
- (3) If not shown on the master concept plan, but included in the approved list of enumerated uses, this use may be approved administratively, at the director's discretion, or as a planned development amendment after approval of the master concept plan.
- (4) Subject to limitations for commercial uses set forth in section 4-743
- (5) If the use or activity does not conform to the criteria set-forth in section, 4-744, then it is subject to the setback requirements set forth in sections 4-741(b)(4) and 4-2012 et seq.
- (6) Limited to non-transient parks only.
- (7) Uses anticipated include boat rentals (inflatable's, sailboats, jet skis, windsurfers and the like) food stands, rental of cabanas and beach furniture, outdoor amusements including balloonist, seaplane rides, ski tows and similar activities, fishing and sightseeing piers and towers.
- (8) Permitted as an accessory use when designed and intended primarily for use by people staying at the recreational vehicle development.
- (9) Permitted only when accessory to an airport or other transportation facility, hotel or motel, or an office complex of 50,000 or more square feet.
- (10) Permitted only in conjunction with at least 50,000 square feet or more of commercial or industrial uses.
- (11) Not permitted within 500 feet of nearest residence.

- (12) Serving air transportation or improving intermodal capabilities.
- (13) Permitted only where clearly related to highway interchange, airports, sea or river ports, or wholesale marts.
- (14) Park-trailers permitted in non-transient parks only.
- (15) Limited to recreational vehicles, trailers, boats, and other vehicles and goods belonging to park residents.
- (16) Establishments exceeding 40,000 square feet require PD zoning. See section 4-1560 et seq.
- (17) Limited to recreational vehicles only.
- (18) Reserved. If located within the US 41 Overlay District, special exception approval is required. See section 4-891.
- (19) Only when clearly subordinate to a cemetery located on the same premises.
- (20) Recreational vehicle sites in mobile home planned developments (MHPD) must be designated on the approved master concept plan. All recreational vehicles approved as part of a MHPD are subject to the regulations in sections 4-577(1), 4-577(2), 4-604, 4-606 and sections 4-608 through 4-612
- (21) In RPDs, MHPDs, and residential areas of MPDs, a special exception is required.
- (22) Wireless communication facilities must be listed on the approved schedule of uses for the planned development; however, approval of a specific facility must be in accordance with section 4-1215 et seq.
- (23) Real estate sales offices in residential areas are limited to sales of lots, homes or units within the development, except as may be permitted in section 4-1662 et seq. The location of, and approval for, the real estate sales office will be valid for a period of time not exceeding five years from the date the certificate of occupancy for the sales office is issued. The director may grant one two-year extension at the same location.
- (24) Two pumps are permissible as an accessory use to businesses to provide fuel for their own fleet of vehicles and equipment. Additional pumps require approval of a special exception.
- (25) In the MPD district, use is limited to commercial areas only.
- (26) Reserved. Use is prohibited if located in the US 41 Overlay District. See section 4-891.
- (27) Limited to eight self-service fuel pumps (df) unless a greater number is specifically approved as part of the planned development and depicted on the master concept plan. An existing business with more than eight lawfully permitted pumps as of January 31, 1998 will not be considered nonconforming. Existing pumps may be modernized, replaced, or relocated on the same premises but additional new pumps will not be permitted.
- (28) Approved PDs that included Social Services, Groups III—V in the schedule of uses prior to May 1, 2013 are subject to the regulations in article VI, division 38

DIVISION 11. - REDEVELOPMENT OVERLAY DISTRICTS

Subdivision IV. U.S. 41 Overlay District

Sec. 4-888. - Purpose and intent.

The intent of the U.S. 41 Overlay District is to guide future growth and redevelopment along U.S. 41 in a manner that maintains and enhances the aesthetic/visual quality of the corridor, makes efficient use of public infrastructure, protects existing neighborhoods, and balances automobile-oriented development patterns with the pedestrian realm. The U.S. 41 Overlay District is intended to prevent the expansion of a "strip" commercial development pattern, and create a physically attractive, and functionally integrated built environment through cohesive and complimentary site development and design standards provided for herein.

Sec. 4-889. – Applicability

- (a) The U.S. 41 Overlay District as outlined within Exhibit IV.
- (b) Provisions of this division shall apply to all development and redevelopment located within the geographical boundaries set forth in Exhibit IV, which are further defined as Minor Development and Major Development, as follows:
- (c) Minor Development. Minor developments, for the purpose of this section, are defined below and must comply with sections 4-892, 4-893(a)(ii), 4-893(b), 4-894(c) of this division. Where size constraints preclude compliance with 4-893(b) and alternate landscape betterment plan may be approved in accordance with section 3-421.
 - 1. Projects requiring Type 1/A, Type 7/G and Type 9/I Limited review development order in accordance with section 3-159, or minor change development order approval; or
 - 2. Building expansion of more than 15% of the existing square footage, but less than 50%; or
 - 3. Building renovation or improvements performed over a period of five (5) years that exceed 15%, but are less than 50%.
- (d) Major Development. Major developments, for the purpose of this section, are defined below and must comply with all provisions of this subdivision.
 - 1. New construction requiring local development order approval or an amendment to an existing development order (including large and small projects as defined in Chapter 3); or
 - 2. Building expansion of more than 50% of the existing square footage; or

3. Building renovation or improvements performed over a period of five (5) years that exceed 50%.

Compliance with these provisions will be required in order to obtain development order approval.

- (e) If a parcel is located in one or more overlay districts, the more restrictive overlay standards shall apply.
- (f) Existing PDs may voluntarily bring a master concept plan into compliance with the regulations contained in this subdivision administratively. Uses that are prohibited, or subject to special exception approval in accordance with this subdivision, and are approved as part of an existing PD must comply with this subdivision unless subject to local development order approval. [Note: this is how we handled large-scale retail]

Sec. 4-890. – Definitions

Amenity zone is defined as the area internal to the site and within 50 feet of the public right-of-way, which is intended for pedestrian-oriented uses that are visually attractive, take into consideration the human scale and proportion, and provide for multi-modal connections between the right-of-way and development.

Sec. 4-891. – Permitted uses

Uses within the US 41 Overlay District shall be permitted in accordance with the underlying zoning district, except as provided for herein.

- (a) Special exception approval required. The following uses require Special Exception approval:
 - i. Auto parts store with installation or service, including self-service installation
 - ii. Auto repair and services, groups I and II
 - iii. Automobile service stations
 - iv. Boat sales
 - v. Boat storage, dry
 - vi. Building material sales
 - vii. Bus station/depot
 - viii. Car washes
 - ix. Contractors and builders, group III
 - x. Convenience food and beverage store
 - xi. Farm equipment, sales, storage, rental, service
 - xii. Flea market, open and indoor
 - xiii. Mini-warehouse, public and private
 - xiv. Mobile home dealers
 - xv. Models: display center, model units
 - xvi. Night clubs
 - xvii. Non-store retailers, all groups
 - xviii. Personal services, group IV
 - xix. Rental or leasing establishments, groups III and IV

- xx. Repair shop, groups III-V
- xxi. Restaurants, fast food
- xxii. Specialty retail, group IV
- xxiii. Theater, indoor or outdoor (drive-in)
- xxiv. Transportation services, groups I-IV
- xxv. Variety store (except when located within a large-scale retail establishment)
- xxvi. Vehicle and equipment dealers, groups I-V.

1. Approval criteria. The following criteria will be utilized to evaluate special exception requests in the US 41 Overlay:

- a) Consistency with the intent of the US 41 Overlay District in protecting and enhancing viewsheds from US 41 and other public roadways.
- b) The building and site design standards incorporate innovative techniques to address the project's visual impact on the US 41 corridor and demonstrate enhancements to the minimum standards.
- c) The request addresses the balance between auto-oriented design and pedestrian access through enhanced design standards.
- d) Exceptional or extraordinary conditions exist which warrant the proposed use, including but not limited to demonstrated market demand and minimum spatial separation of 500 feet from a similar use.
- e) Will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
- f) Will be compatible with existing or planned uses.
- g) Will cause damage, hazard, nuisance or other detriment to persons or property.
- h) Will protect, conserve or preserve environmentally critical areas and natural resources.
- i) Consistency with the goals, objectives, policies and intent of the Bonita Plan.
- j) In compliance with all general zoning provisions, supplemental regulations and performance standards pertaining to the use set forth in this chapter.

(b) Prohibited uses. The following uses are prohibited within the US 41 Overlay District:

- i. Cold storage warehouse
- ii. Feed or fertilizer, mixing and sales
- iii. Fish house, wholesales
- iv. Freight and cargo handling establishments
- v. Gasoline dispensing system, special (except as accessory to a principal use)
- vi. Manufacturing
- vii. Open storage, outdoor storage
- viii. Processing and warehousing
- ix. Recycling facility
- x. Truck stop
- xi. Truck terminal
- xii. Used merchandise stores, group V

- (c) Large-scale retail establishments. For developments defined as large-scale retail establishments within the U.S. 41 Overlay refer also to the supplementary regulations in Division 21.
- (d) Outdoor display. In addition to the requirements of Section 4-2072, outdoor display areas must be setback a minimum of 50 feet from the US 41 right-of-way. Outdoor display areas exceeding 2,500 square feet, or 1% of the total site area, whichever is lesser, are prohibited in front and side yards, unless approved through the special exception or planned development process. Outdoor storage is prohibited. Outdoor display of merchandise is limited to the hours of operation for the establishment.

Sec. 4-893. - Site design standards

- (a) Amenity zones. Developments that abut U.S. 41 must address the public realm through the incorporation of an amenity zone that meets the following minimum criteria. These standards may be administratively waived where principal structures are located within 50 feet of the US 41 right-of-way.
- i. Retention ponds smaller than five (5) acres and visible from the U.S. 41 right-of-way must enhance the public realm through two (2) or more of the following:
 - a. Fountain or water feature consistent with all other City Ordinances.
 - b. Enhanced littoral plantings with a minimum of two (2) native wetland herbaceous plants per three (3) linear feet of lake shoreline as measured from control elevation and a minimum of one (1) cluster of native wetland tree and shrubs within a 50-square feet area containing a minimum of 25 plants. The tree and shrub cluster may be used to off-set the minimum number of required herbaceous plants in accordance with LDC Section 3-420.
 - c. Gazebo, trellis, pergolas or other architectural feature
 - ii. Pedestrian amenities. Developments must provide sidewalks, benches, street furniture, planters, and other pedestrian amenities in their design. All accessories such as railings, trash receptacles, street furniture and bicycle racks must be complimentary to and consistent with the architectural design of principal building(s) within the development.
- (b) U.S. 41 Right-of-Way Buffer. U.S. 41 right-of-way buffer requirements. Developments that directly abut the U.S. 41 right-of-way must provide the following buffer
- i. The landscape buffer shall be a minimum of 20 feet in width with five (5) trees per 100 lineal feet. Clustering of trees and plant material is encouraged to promote healthy growth of vegetation, screen parking areas from public view, and generally uphold the view corridors along US 41.
 - ii. The required trees and palms shall be clustered in double rows with a minimum of three (3) trees per cluster. Canopy trees shall be planted a minimum of thirty (30) feet on center within a cluster. Palms shall be planted in staggered heights, a minimum of three (3) palms per cluster, spaced at a maximum of eight (8) feet on

center, with a minimum of three (3) feet in difference in height between each tree. The maximum spacing between canopy trees and/or palm clusters is fifty (50) feet.

- iii. All trees must be a minimum of fourteen (14) feet in height at the time of installation, and shrubs must be a minimum of three (3) feet in height at time of installation. The buffer must be designed in a manner that does not block signage.
- iv. The buffer must be designed in a manner that facilitates pedestrian access to the development. Where perimeter fences and walls are incorporated into the perimeter buffer design of the site, the pedestrian access point(s) must be visible and well-marked from the adjacent rights-of-way, and must include an archway, pergola, or other architectural feature to identify the pedestrian access.
- v. Where buildings are located a maximum of 25 feet from the U.S. 41 right-of-way line an alternative buffer may be permitted in accordance with LDC Section 3-421.
- vi. For developments defined as large-scale retail establishments within the U.S. 41 Overlay refer also to the supplementary regulations in Section 4-1560.

Sec. 4-894. – Parking and circulation.

- (a) Off-street parking location. Where off-street parking areas are located in the front or sides of buildings and exceed one (1) double row of parking, an enhanced buffer shall be required. The buffer shall meet the minimum requirements of LDC Section 4-893(b) except the buffer shall be a minimum of twenty five feet (25') in width, tree requirements shall be increased to 6 trees per 100 lineal feet, and an undulating berm with a maximum slope of 3:1, and a minimum average height of two feet (2') shall be constructed along the entire length of the landscape buffer.
- (b) Vehicular interconnections required. Developments are required to provide vehicular, interconnections to the adjacent property, regardless of existing or proposed land use, unless one of the following criteria are met:
 - i. It is not physically possible to provide the interconnection.
 - ii. The cost associated with the shared access or interconnection is unreasonable. For this application unreasonable will be considered when the cost exceeds the cost of a typical local road section or is above ten (10) percent of the value of the improvements being made to the development.
 - iii. The location of environmentally sensitive lands, either on-site or off-site precludes it and mitigation is not possible.
 - iv. The abutting use is found to be incompatible with the existing or proposed use. All developments required to provide interconnections to existing and future developments must dedicate sufficient right-of-way or easement for all required roads, sidewalks, and bike lanes. Bike lane and sidewalk interconnections must be constructed concurrently with the required vehicular interconnection.

(c) Pedestrian interconnections required. Sidewalks and crosswalks must be provided to separate pedestrians from vehicular traffic both internal and external to the site. Pedestrians will only share pavement with vehicular traffic in marked crosswalks.

- i. Sidewalks must be a minimum of five feet wide.
- ii. Sidewalks and crosswalks must be provided internal to the site, and connect pedestrians from parking areas to all principle building(s), including outparcels, and amenity zones.
- iii. External sidewalk connections must be provided at a ratio of one (1) sidewalk for each vehicular entrance to a project. Drive aisles leading to main entrances must provide a sidewalk on one (1) side of the drive aisle, at a minimum.
- iv. Internal sidewalks must connect to external sidewalk infrastructure on adjacent properties.
- v. A waiver of lighting standards found in LDC Section 3-269 may be granted to illuminate a sidewalk crossing on property or parcel lines, provided the lighting standards remain in compliance with the City's Dark Skies provisions.

Sec. 4-895. – Intersection design and corner lots.

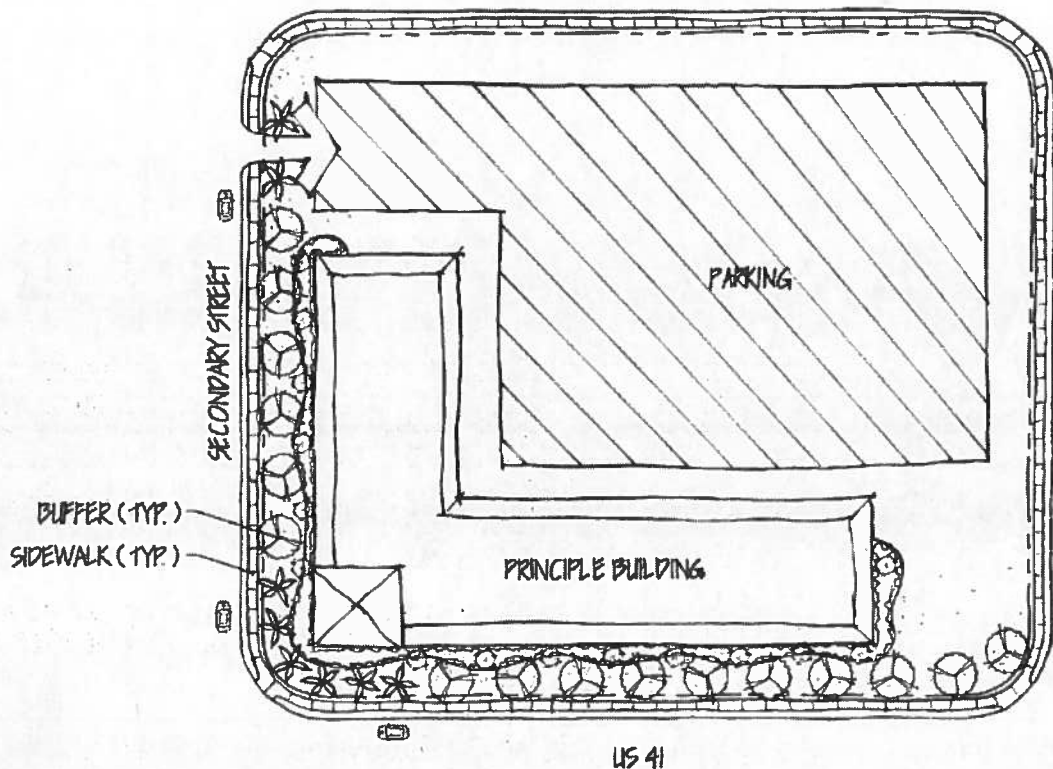
(a) Corner lots. Sites located at collector or arterial intersections along US 41 shall be designed to define and give prominence to the corner on which they are sited and contribute to the public realm through the use of building placement, both principal and accessory; accessory structures or architectural feature, such as pergolas, bell towers, monuments; landscape feature; or other focal point.

Developments subject to this subsection must be designed to include a minimum of one (1) of the following design elements:

1. Principal building placement. Corner lot design requirements may be accomplished through placement of the principal structure a maximum of 25 feet from each adjacent right-of-way. The building design and placement must also provide pedestrian access from the street intersection. The design of the building must also incorporate an architectural feature, or features, including but not limited to: dome, conical or pyramidal roof; storefront or building protrusion, bay, porch element or arcade that wraps around the corner; public entrance that protrudes or is cut-away from the corner; change in roofline; such as a gabled end to mark the corner.

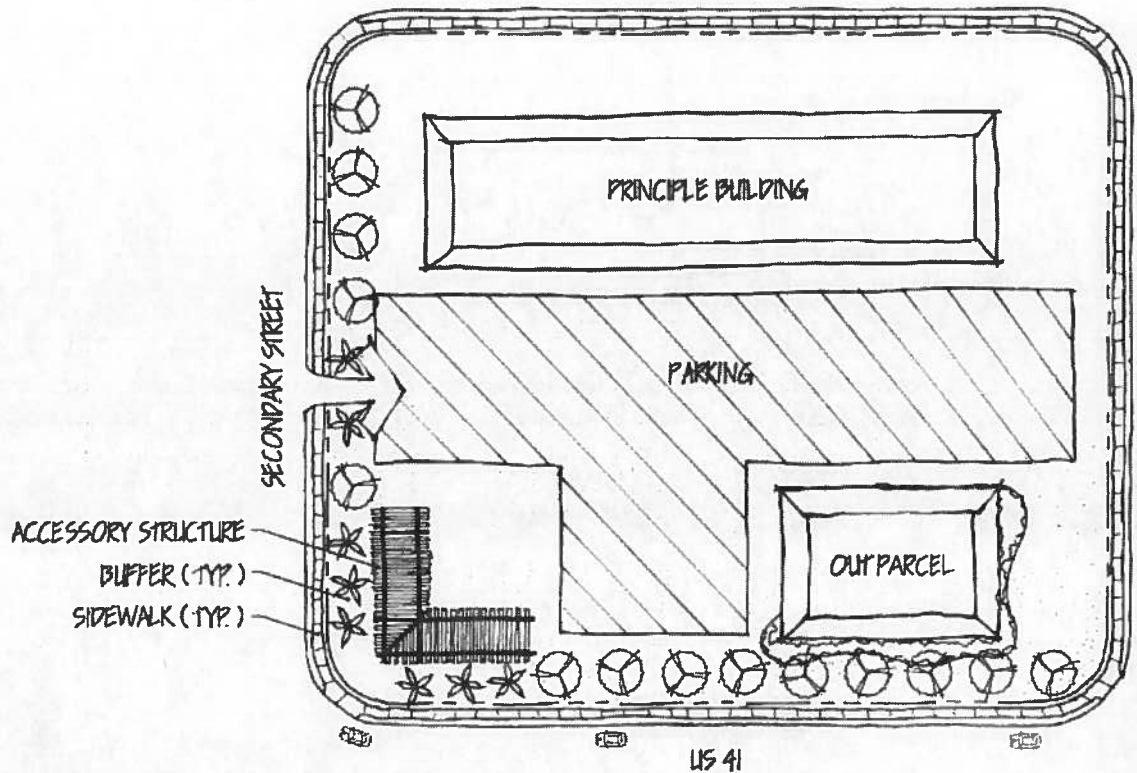
Where developments employ this design concept the director may administratively waive or modify right-of-way buffer requirements, building perimeter plantings, and minimum open space requirements.

Figure 1. Corner Lot Principal Building Placement (N.T.S)



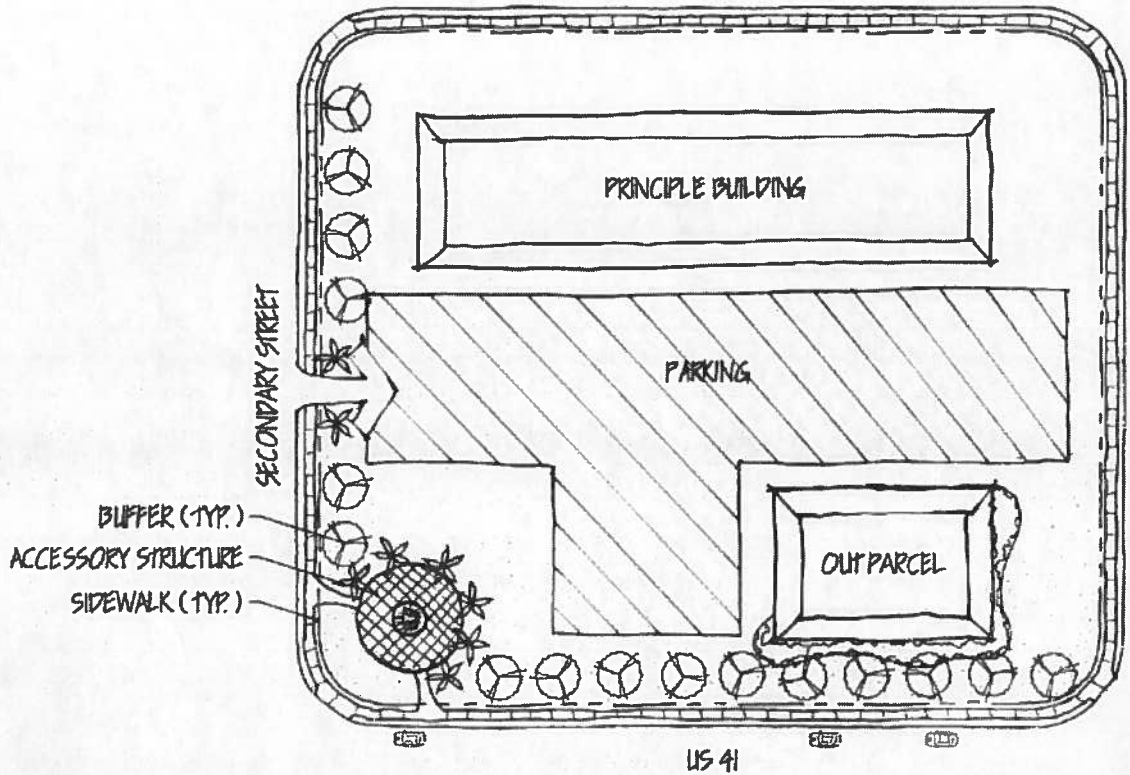
2. Accessory structure placement. Where buildings are setback more than 25 feet from the adjacent rights-of-way, the corner lot design requirements may be accomplished through the placement of an accessory structure(s) or architectural feature along the property frontage including but not limited to: pergolas, belltower, colonnades, gazebos, or other structure. The feature must be setback a maximum of 25 feet from the right-of-way and must be a minimum of eight (8) feet in height and maximum of twenty (20) feet in height to address the pedestrian realm. The accessory structure must be designed in a manner that is complimentary to and consistent with the architectural design of principal building(s) within the development.

Figure 2. Corner Lot Accessory Structure Placement (N.T.S)



3. Landscape/hardscape feature. The corner lot design requirements may also be met through the provision of a combination landscape/hardscape feature at the intersection. The landscape feature must comprise a minimum of 500 square feet in area, or 1% of the site, whichever is greater. The landscape/hardscape feature must be setback a maximum of 25 feet from the right-of-way, and must incorporate enhanced plantings and a minimum of one (1) hardscape feature, including but not limited to: seating, monuments, fountains, planters, and decorative walls. These requirements must be provided in addition to the amenity zone requirements set forth in Section 4-893. Permanent signage is permitted within the landscape/hardscape feature in accordance with Chapter 6.

Figure 3. Corner Lot Hardscape Feature Placement (N.T.S)



DIVISION 8. - AUTOMOTIVE BUSINESSES; DISPLAY, RENTAL, REPAIR OR STORAGE OF VEHICLES OR EQUIPMENT

Subdivision I. - In General

Sec. 4-1098. - Automotive repair and service.

- (a) All services performed by an automotive repair and service establishment, including repair, painting and body work activities, shall be performed within a completely enclosed building.
- (b) Automotive service bays. The entrance and exit to all service bays for automotive repair and service businesses, including car washes, must be located on the side or rear of the structure(s), and must be screened from view of any adjacent public street. In no case shall the service bays be visible from the right-of-way. See also Sec. 3-491(b).

- (c) Whenever an automotive repair and service establishment is within 75 feet of a residential use, all refuse and vehicle parts shall be stored within a completely enclosed area.

Secs. 4-1100—4-1121. - Reserved.

Subdivision II. - Convenience Food and Beverage Stores, Automotive Service Stations, Fast Food Restaurants, and Car Washes

Sec. 4-1122. - Purpose; applicability; separation; canopies; accent banding; primary facades.

- (a) Purpose and intent. The purpose and intent of this section is to ensure that establishments such as convenience food and beverage stores with or without gas pumps, automobile service stations with or without gas pumps, fast food restaurants, and car washes, accessory or stand alone, do not adversely impact adjacent land uses. The hours of operation, high levels of traffic, noise, glare and intensity associated with these uses may be incompatible with surrounding uses, specifically residential uses. In the interest of protecting the health, safety and welfare of the public, the following regulations apply to the location, design, operation, landscaping and related activities.
- (b) Applicability. This section applies to all stand-alone or accessory convenience food and beverage stores, automobile service stations, fast food restaurants and car washes.
- (c) Separation. Uses must be separated from adjacent residentially zoned or developed properties by:
 - (1) An eight-foot-high opaque wall or fence, or a combination berm and opaque wall or fence, a minimum of 25 feet from the property line and landscaped with a minimum of five trees and 18 shrubs per 100 lineal feet; or
 - (2) A 30-foot-wide Type F buffer with the hedge planted a minimum of 20 feet from the abutting property. Landscaping must be planted between the wall or fence and the abutting property.
- (d) Canopies. Canopy lighting must comply with section 3-269
- (e) Accent banding. Color accent banding on all structures, including canopies, is prohibited.
- (f) Primary facades. All sides of a building facing adjacent rights-of-way external to the development project must be designed with primary facade features in compliance with section 3-489
- (g) Drive-through facilities. Drive-through facilities and queuing lanes must be designed in accordance with Sec. 3-491(d). Where the site cannot accommodate the drive-through window and queuing lanes on the side and rear of the building, the buffering requirements set forth in section 4-1122(h) shall apply.

(h) Right-of-way buffer landscaping. The following landscape buffer is required where automobile service stations and carwashes abut rights-of-way external to the development, or where drive-through facilities do not meet the standards in subsection (g) above. These requirements are in addition to the requirements set forth in section 3-418. Convenience food and beverage stores not associated with an automobile service station are not subject to these requirements.

(1) Landscaping adjacent to rights-of-way external to the development project must be located within a landscape buffer easement that is a minimum of 25 feet in width.

(2) The buffer must include an undulating berm with a maximum slope of 3:1 constructed along the entire length of the landscape buffer. The berm must be constructed and maintained at a minimum average height of two feet. The berm must be planted with ground cover (other than grass), shrubs, hedges, trees and palms.

(3) The required plantings include five (5) canopy trees per 100 linear feet and a double hedgerow. Three sabal palm trees may be clustered to meet one canopy tree requirement. Palms are limited to a maximum of 50 percent of the right-of-way tree requirement. Palms must be clustered and planted in staggered heights, a minimum of three palms per cluster, spaced at a maximum of four feet on center, with a minimum of a four-foot difference in height between each tree.

(4) All of the trees must be a minimum of 14 feet in height at the time of installation. Trees must have a minimum of a 3½-inch caliper at 12 inches above the ground and a six-foot spread. At installation, shrubs must be a minimum of three gallons, 24 inches in height at time of planting and maintained at a minimum of 36 inches in height within one year of planting. The shrubs must be planted three feet on center.

Secs. 4-1123—4-1152. - Reserved.

DIVISION 17. - FENCES, WALLS, GATES AND GATEHOUSES

Sec. 4-1465. - Construction of fences.

- (a) Except for fences used for bona fide agricultural uses that are exempt under F.S. § 604.50, all fences and walls that are over 25 inches in height must comply with established building permit procedures.
- (b) All fences and fence walls on each property must be of uniform materials, design and color. Any additions to existing fences or walls that do not exceed the length of the existing fence

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or wall shall maintain a uniformity of materials, design and color with that of the existing fence or wall.

- (c) All fences and fence walls must be constructed and maintained in a manner that will not detract from the neighborhood or community. Fences must not contain missing materials or components of which it was built and must remain substantially vertical so that it serves the function or aesthetic purpose for which it was built and has not been compromised to the point that the fence would present a danger of flight or destruction during severe weather.
- (d) Fences and fence walls must be constructed of conventional and traditional building materials including, but not limited to, concrete block, brick, wood, decorative aluminum, iron or steel, chain link or composite products manufactured specifically for fences and walls. Non-traditional materials, including, but not limited to, tires, mufflers, hubcaps, etc., are prohibited. Fabric sheets or nets, or plastic, metal or vinyl sheets or slats may not be used as part of the fence or attached to a fence for the purpose of effecting privacy or required screening.
- (e) Fences and walls must be constructed to present the finished side of the fence or wall to the adjoining lot or any abutting right-of-way. Where there is an existing fence, wall or continuous landscape hedge on the adjoining parcel, this provision may be administratively waived upon written request.
- (f) ~~Except as provided below and unless exempted under F.S. § 604.50, no b~~Barbed wire, spire tips, sharp objects, hog wire, game fence, horse wire or other similar materials or electrically charged fences ~~may be erected within 100 feet of any residential area or residential zoning district under separate ownership: are prohibited in all zoning districts, except as provided below and unless exempted under F.S. § 604.50 for agricultural uses and permitted in accordance with section 4-1471.~~
 - (1) Fence material such as, hog wire, game fence, horse wire or other similar materials may be erected but cannot be the primary material when the property is within 100 feet of any residential area or residential zoning district under separate ownership.
 - (2) Bona fide agricultural uses may use barbed wire or electrically charged fences to control livestock when located in districts permitting the raising, keeping or breeding of livestock.
 - (3) The use of barbed wire for temporary security fences around construction materials or equipment in conjunction with an active construction project may be permitted when approved by the director.
 - (4) The use of chainlink fence with three strands of barbed wire on top of the fence with six-inch spacing between the strands of barbed wire may be required or approved by the director around structures or equipment of potential hazard to residents or passersby not otherwise protected.
- (g) Electrical fences must comply with National Electrical Safety Code requirements.

Sec. 4-1467. - Location and height of fences and walls other than residential project fences.

- (a) Setbacks. Except as may be specifically permitted or required by other sections of this chapter or chapter 3, no fence or wall, excluding seawalls, may be erected, placed or maintained:

- (1) Within any street right-of-way or street easement.

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- (2) Closer to the Gulf of Mexico than permitted by chapter 5, article III.
- (3) Closer than five feet to the mean high-water line along natural water bodies, including canals created from sovereign lands, except that, where the canal is seawalled, the fence may be built landward of the seawall.

(b) Fence or wall height.

- (1) Determination of height. Except as set forth in section 3-418 for required buffers, fence or wall height will be measured from the existing elevation of the abutting property. In rear and side yards, the building official has the discretion to allow a deviation of up to four inches in height where required to compensate for variations in grade, drainage, or weed maintenance; provided that the length of the structural materials for the fence do not exceed the permitted height.
- (2) Except as provided for in section 4-1465(b)(1), the maximum permitted height for fences and walls is as follows:

a. Residential areas.

1. A fence or wall located between a street right-of-way or easement and the minimum required street setback line may not exceed three feet in height, except that fences may be a maximum height of four feet so long as the fence is of open mesh screening* and does not interfere with vehicle visibility requirements (see section 4-2251) at traffic access points.

For purposes of this section only, open mesh screening may include vertical picket-type fencing; provided that the minimum space between vertical members must be a minimum of 1½ times the width and thickness of the vertical members or bars. i.e., if the vertical members are 2¼ inches wide and three-quarters of an inch thick (total three inches), then the minimum space between them must be 4½ inches (1.5 × 3.0 = 4.5). In no case may the space between vertical members or bars be less than four inches.

2. A fence or wall located between a side or rear lot line and the minimum required setback line for accessory buildings is limited to a maximum height of six feet. For purposes of this section, the side yard will be considered that portion of the lot extending from the minimum required street setback line to the rear lot line.
3. A fence located within 25 feet of a body of water must be open mesh screening above a height of 3½ feet.

- b. Commercial and industrial areas. A commercial fence or wall may be a maximum height of six feet around the perimeter of the commercial

development upon a finding by development services that the fence does not interfere with vehicle visibility requirements at traffic access points. A commercial fence or wall up to eight feet is permitted when adjacent to residential. See also Section 4-2251 and Chapter 3, Appendix C.

1. Chain link fences, barbed wire, and unpainted or unfinished block fences or walls are prohibited.
2. All walls or block fences visible from a public right-of-way or an adjacent parcel shall be architecturally finished (i.e. brick, stucco, or textured concrete masonry units) and consistent with and complimentary to the architectural character of the principal structure(s).
3. Fences and walls may not exceed 6 feet in height and must not prohibit pedestrian access to the development.

An ~~commercial~~ or industrial fence may be a maximum height of eight feet around the perimeter of the project upon a finding by development services that the fence does not interfere with vehicle visibility requirements (see section 4-2251) at traffic access points.

- c. Walls and fences along limited access or controlled access streets. A wall or fence may be placed or maintained along any property line abutting a limited access or controlled access street; provided it complies with the same regulations as are set forth for residential project fences in section 4-1465.
- d. Agricultural fences. An open mesh or wire fence for bona fide agricultural uses may be a maximum height of eight feet along any property line in an agricultural district; provided that the fence does not interfere with vehicle visibility requirements (see section 4-2251) at traffic access points, unless exempted under F.S. § 604.50.
- e. Community garden fences. Fences for community gardens located in residential zoning districts AG, RS, TFC, RM, MH, RV, CFPD, CPD, RPD, MHPD, RVPD, and MPD may be a maximum height of six feet high along any property line; provided the fence does not interfere with vehicle visibility requirements at traffic access points (see section 4-2251). The design of the fence must be in compliance with this division. Barbed wire, spire tips, sharp objects or electrically charged fences are prohibited.

Sec. 4-1472. - Entrance gates and gatehouses.

The following regulations apply to entrance gates or gatehouses that control access to three or more dwelling units or recreational vehicles, or any commercial, industrial or recreational facility:

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- (1) An entrance gate or gatehouse not approved as part of a planned development is permitted; provided that it is not located on a publicly dedicated street or right-of-way; and:
 - a. Appropriate evidence of consent from all property owners who have the right to use the subject road or from a property owners' association with sufficient authority is submitted; and
 - b. The gate or gatehouse is located a minimum of 100 feet back from the intersecting street right-of-way or easement; or
 - c. The gate or gatehouse is designed in such a manner that a minimum of five vehicles or one vehicle per dwelling unit, whichever is less, can pull safely off the intersecting street while waiting to enter; or
 - d. The development provides right-turn and left-turn auxiliary lanes on the intersecting street at the project entrance. The design of the auxiliary lanes must be approved by the development services director.
- (2) Access for emergency vehicles must be provided.
 - a. All new electronic access control gates to structures and properties that may require emergency services that restrict the free ingress and egress of emergency vehicles and are not constantly attended 24 hours a day shall be equipped with an electronic transmitter/receiver system capable of being programmed with a unique activation code and frequency approved by the authority having jurisdiction.
 - b. Such code or frequency shall not be used by or provided to other gate users.
 - c. Existing installations shall comply with 180 days subsequent to the notification date by the authority having jurisdiction.
 - d. All electronic access control gates shall be compatible with the uniform city-wide transmitters, which transmitters are carried only within emergency service vehicles.
 - e. With the following exceptions, all electronic access control gates shall have a visibly marked override feature that will allow the gate to be fully opened during a power failure.
 1. Exception 1: Any other override or back-up system acceptable to the fire district.
 2. Exception 2: Existing installations shall be given a reasonable time period to comply as determined by the fire district.
 - f. All non-electronic access control gates to structures and properties that may require emergency services that restrict the free ingress and egress of emergency vehicles and are not constantly attended 24 hours a day shall be provided with a key box.
 - g. If an emergency necessitates the breaking of an entrance gate, the cost of repairing the gate and the emergency vehicle if applicable, will be the responsibility of the owner or operator of the gate.
- (3) Extension of fences or walls to an entrance gate or gatehouse. A fence or wall may be extended into the required setback where it abuts an entrance gate or gatehouse; provided vehicle visibility requirements (see section 4-2251) are met.

(4) Turnarounds. A paved turnaround, having a turn radius sufficient to accommodate a three-point turn for a single-unit truck (SU) vehicle, as specified in the AASHTO Green Book current edition, must be provided on the ingress side of the gate or gatehouse.

Sec. 4-1473. - Walls and fences along limited access or controlled access streets.

A wall or fence may be placed or maintained along any property line abutting a limited access or controlled access street; provided:

- (1) The height of the fence or wall does not exceed eight feet for industrial developments, and six feet for commercial developments except where additional fence/wall height is permitted adjacent to residential in accordance with section 4-1467; and
- (2) Vehicle visibility requirements (see section 4-2251) are met.

Secs. 4-1474—4-1494. - Reserved.

DIVISION 36. - STORAGE FACILITIES AND OUTDOOR DISPLAY OF MERCHANDISE

Sec. 4-2072. - Outdoor display of merchandise for sale or rent.

- (a) Display setbacks. No merchandise displayed out-of-doors shall be located within ten feet of any property line, or within 25 feet of any street right-of-way or street easement. Where chapter 3 or chapter 4, Division 11 requires different setbacks due to landscaping or buffering, the regulation which requires the greatest setback shall control.
- (b) Display area.
 - (1) No required parking space or aisle, or required loading space, shall be used for display purposes.
 - (2) Areas used for display purposes do not need to be paved; provided, however, that the area is maintained in a sightly, dustfree manner.

SECTION THREE: CONFLICTS

Whenever the requirements or provisions of this amending ordinance are in conflict with the requirements or provisions of any other lawfully adopted ordinance or statutes, the most restrictive requirements shall apply.

SECTION FOUR: SEVERABILITY

DRAFT FOR DISCUSSION PURPOSES

DATE PREPARED: October 16, 2015

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If any part, section, subsection, or other portion of this Ordinance or any application thereof to any person or circumstance is declared void, unconstitutional or invalid for any reasons, such part, section, subsection, or other portion of the prescribed application thereof, shall be severable, and the remaining provisions of this Ordinance, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The City declares that no invalid or prescribed provision or application was an inducement to the enactment of this Ordinance, and that it would have enacted this Ordinance regardless of the invalid or prescribed provision application.

SECTION FIVE: CODIFICATION, INCLUSION IN CODE & SCRIVENER'S ERRORS

It is the intention of the City Council for the City of Bonita Springs that the provisions of this Ordinance shall become and be made part of the Bonita Springs City Code; and that sections of this ordinance may be renumbered or re-lettered and that the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or re-lettered and typographical errors which do not affect the intent may be authorized by the City Manager, or the City Manager's designee, without need or public hearing, by filing a corrected or recodified copy of same with the City Clerk.

SECTION SIX: EFFECTIVE DATE

The effective date of this ordinance shall be thirty (30) days from its adoption date.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this ___ day of _____, 2015.

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Nelson
McIntosh
Martin
Slachta

Simmons
Gibson
Lonkart

Date filed with City Clerk: _____