



47           **WHEREAS**, the Planning Board has found that, as a result of the foregoing, this  
48 Ordinance will promote the public health, safety, aesthetics, and welfare of the  
49 community; and

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51           **WHEREAS**, the City Council adopts the findings of the Planning Board, also sitting  
52 as the City’s Local Planning Agency.

53  
54 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF**  
55 **MARCO ISLAND, FLORIDA:**

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57           **SECTION 1. Recitals.** Each and all the foregoing recitals be and the same are  
58 hereby incorporated into this Ordinance as if specifically set forth herein.

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60           **SECTION 2. Amendment and Adoption.** That section 30-222 of the Code of  
61 Ordinances, City of Marco Island, Florida, is hereby amended to read as follows:

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63           **DIVISION 9. - COMMERCIAL INTERMEDIATE (C-3) DISTRICT**

64 **Sec. 30-221. Purpose and intent.**

65           The purpose and intent of the commercial intermediate district (C-3) is to provide for  
66 a wider variety of goods and services in areas that have a higher degree of automobile  
67 traffic. This district is intended to be compatible with residential areas and is not intended  
68 to permit wholesaling, or activities which require outside storage of merchandise and  
69 equipment. The maximum density permissible in the commercial intermediate district  
70 shall not exceed the density rating system contained in the future land use element of the  
71 comprehensive plan.

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73 **Sec. 30-222. Permitted uses.**

74           The following uses, as defined with a number from the North American Industry  
75 Classification System (1997), or as otherwise provided for within this section, are  
76 permitted as of right, or as uses accessory to permitted uses in the commercial  
77 intermediate district (C-3); uses permitted as of right in the C-1 and C-2 commercial  
78 zoning districts shall also be permitted as of right hereunder:

- 79           (1) Admin housing/urban planning/community development (Groups 92511,  
80           92512).
- 81           (2) Administration of economic programs (Groups 92611, 92612, 92613, 92614,  
82           92615).
- 83           (3) Administration of environmental quality programs (Groups 92411, 92412).
- 84           (4) Administration of human resource programs (Groups 92311, 92312, 92313,  
85           92314).
- 86           (5) Administrative and support services (Groups 56111, 56132, 56133, 56141,  
87           56144, 56145, 56179, 56191, 56192, 56199, 561421, 561422, 561431,  
88           561439, 561491, 561492, 561499, 561591, 561599).
- 89           (6) Ambulatory health care services; dental or physician's office; chiropractor's  
90           office; optometrist office; mental health office; physical/occupational/speech

- 91 therapist office; osteopath's office; or other miscellaneous health offices  
92 (Groups 62161, 62121, 62131, 62132, 62133, 62134, 621111, 621112,  
93 621391, 621399).
- 94 (7) Building material and garden equip and supplies dealers (Groups 44412,  
95 44413, 44419, 44422).
- 96 (8) Clothing and clothing accessories stores (Groups 44811, 44812, 44813,  
97 44814, 44815, 44819, 44821, 44831, 44832).
- 98 (9) Computer and electronic product manufacturing (Group 334611).
- 99 (10) Credit intermediation and related activities (Groups 52211, 52212, 52213,  
100 52219, 52221, 52222, 52231, 52232, 52239, 522291, 522292, 522293,  
101 522294, 522298).
- 102 (11) Dental laboratories (Group 339116).
- 103 (12) Educational services (Groups 61111, 61121, 61131, 61171, 611511).
- 104 (13) Electronic and appliance stores (Groups 44312, 44313, 443111, 443112).
- 105 (14) Food and beverage stores (Groups 44511, 44512, 44521, 44522, 44523,  
106 44531, 45291, 445292, 445299).
- 107 (15) Food manufacturing (Groups 31133, 31134, 311811).
- 108 (16) Food service and drinking places (Groups 72211, 72231, 72232, 72233,  
109 722211, 722212, 722213).
- 110 (17) Funds, trusts and other financial vehicles (Groups 52511, 52512, 52519,  
111 52599).
- 112 (18) Furniture and home furnishings store (Groups 44211, 44221, 442291,  
113 442299).
- 114 (19) Furniture and related product manufacturing (Groups 33711, 337121,  
115 337122).
- 116 (20) Gasoline station (Groups 44711, 44719; without automotive and related  
117 repair services).
- 118 (21) General government administration (Groups 92111, 92112, 92113, 92114,  
119 92115, 92119).
- 120 (22) General merchandise stores (Groups 45211, 45291, 45299).
- 121 (23) Group care facilities (category I only); care units; nursing homes; assisted  
122 living facilities pursuant to F.S. § 400.402 and ch. 58A-5 F.A.C.; and  
123 continuing care retirement communities pursuant to F.S. ch. 651 and ch. 4-  
124 193 F.A.C.; all subject to the land development code.
- 125 (24) Health and personal care stores (Groups 44611, 44612, 44613, 446191,  
126 446199).
- 127 (25) Information and data processing services (Groups 51412, 51421, 514191,  
128 514199).
- 129 (26) Insurance carriers and related activities (Groups 52413, 52421, 524113,  
130 524114, 524126, 524127, 524128, 524292, 524298).
- 131 (27) Justice, public order and safety activities (Groups 92215, 92219).
- 132 (28) Marinas (Group 71393).
- 133 (29) Miscellaneous store retailers (Groups 45311, 45321, 45322, 45331, 45391,  
134 45392, 453991, 453998) excluding recreational marijuana stores.
- 135 (30) Monetary authority-central bank (Group 52111).
- 136 (31) Motion picture and sound recording industries (Groups 51224, 51229).

- 137 (32)Motor vehicle and parts dealers (Groups 44131, 44132).  
 138 (33)Museums, historical sites and like institutions (Groups 71211, 71212, 71213,  
 139 71219).  
 140 (34)Nonstore retailers (Groups 4541, 45421).  
 141 (35)Ophthalmic goods manufacturing (Group 339115).  
 142 (36)Perform arts, spectator sports and related industries (Groups 71111, 71141).  
 143 (37)Personal and laundry services (Groups 81222, 81231, 81232, 81293, 81299,  
 144 812111, 812112, 812113, 812921, 812922).  
 145 (38) Other personal care services (Group 812199 - Excluding tattoo parlor)  
 146 ~~(398)~~Postal services (Group 49111).  
 147 ~~(4039)~~ Professional, scientific and technical services (Groups 54111,  
 148 54131, 54132, 54133, 54134, 54135, 54136, 54137, 54141, 54142, 54143,  
 149 54149, 54169, 54181, 54182, 54184, 54186, 54187, 54189, 54193, 54199,  
 150 541191, 541199, 541211, 541213, 541214, 541219, 541511, 541512,  
 151 541513, 541519, 541611, 541612, 541613, 541614, 541618, 541921,  
 152 541922).  
 153 ~~(410)~~Publishing industries (Groups 51114, 51121).  
 154 ~~(424)~~Real estate (Groups 53121, 53132, 53139, 531311, 531312).  
 155 ~~(432)~~Religious/like/professional/like organizations (Groups 81311, 81341,  
 156 81391, 81392, 81393, 81394, 81399, 813312).  
 157 ~~(443)~~Rental and leasing services (Groups 53223, 53242).  
 158 ~~(454)~~Repair and maintenance (Groups 81143, 81149, 811211, 811212, 811213,  
 159 811219, 811412).  
 160 ~~(465)~~Security, commodity contracts and like activities (Groups 52311, 52312,  
 161 52313, 52314, 52321, 52391, 52392, 52393, 523991, 523999).  
 162 ~~(476)~~Social assistance (Groups 62411, 62412, 62419, 62421, 62423, 62441,  
 163 624221, 624229).  
 164 ~~(487)~~Space research and technology (Group 92711).  
 165 ~~(498)~~Sporting goods, hobby, book and music stores (Groups 45111, 45112,  
 166 45113, 45114, 45122, 451211, 451212).  
 167 ~~(5049)~~ Transportation support activities (Group 488111).  
 168 ~~(510)~~Wholesale trade (Group 42186).  
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170 **Sec. 30-10. Definitions.**

171 Massage Parlor means the manipulation by a licensed massage therapist of the soft tissues  
 172 of the human body with the hand, foot, knee, arm, elbow, or instrument by a licensed massage  
 173 therapist.

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175 **SECTION 4. Severability/Interpretation.**

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177 (a) If any term, section, clause, sentence or phrase of this Ordinance is for any  
 178 reason held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction,  
 179 the holding shall not affect the validity of the other or remaining terms, sections, clauses,

180 sentences, or phrases portions of this Ordinance, and this Ordinance shall be read and/or  
181 applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or  
182 section did not exist.

183 (b) In interpreting this Ordinance, underlined words indicate additions to  
184 existing text, and ~~stricken through~~ words include deletions from existing text. Asterisks (\*  
185 \* \* \*) indicate a deletion from the Ordinance of text, which continues to exist in the Code  
186 of Ordinances. It is intended that the text in the Code of Ordinances denoted by the  
187 asterisks and not set forth in this Ordinance shall remain unchanged from the language  
188 existing prior to adoption of this Ordinance.

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190 **SECTION 5. Effective Date.** This Ordinance shall be effective immediately upon  
191 adoption by the City Council on second reading.

192  
193 ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND this  
194 \_\_\_\_ day of \_\_\_\_\_, 2021.

195  
196 **ATTEST:**  
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198 \_\_\_\_\_  
199 Laura M. Litzan, City Clerk

**CITY OF MARCO ISLAND, FLORIDA**  
By: \_\_\_\_\_  
Jared Grifoni, Chair

200  
201 Approved as to form and legal sufficiency:  
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204 \_\_\_\_\_  
205 Alan L. Gabriel, City Attorney