



Sec. 2.2.14. Commercial intermediate district (C-3).

2.2.14.1. Purpose and intent. The purpose and intent of the commercial intermediate district (C-3) is to provide for a wider variety of goods and services intended for areas expected to receive a higher degree of automobile traffic. The type and variety of goods and services are those that provide an opportunity for comparison shopping and have a trade area consisting of several neighborhoods and are preferably located at the intersection of two arterial level streets. Most activity centers meet this standard. This district is also intended to allow all of the uses permitted in the C-1 and C-2 zoning districts typically aggregated in planned shopping centers. This district is not intended to permit wholesaling type of uses, or land uses that have associated with them the need for outdoor storage of equipment and merchandise. A mixed-use project containing a residential component is permitted in this district subject to the criteria established herein. The C-3 district is permitted in accordance with the locational criteria for commercial and the goals, objectives and policies as identified in the future land use element of the Collier County growth management plan. The maximum density permissible in the commercial intermediate district and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County growth management plan. The maximum density permissible or permitted in a district shall not exceed the density permissible under the density rating system.

2.2.14.2. Permitted uses. The following uses, as defined with a number from the Standard Industrial Classification Manual (1987), or as otherwise provided for within this section, are permitted as of right, or as uses accessory to permitted uses in the commercial intermediate district (C-3).

2.2.14.2.1. Permitted uses.

1. Unless otherwise provided for in this section, all permitted uses of the C-2 commercial convenience district.
2. Apparel and accessory stores with 5,000 square feet or less of gross floor area in the principal structure (groups 5611--5699).
3. Auto and home supply stores with 5,000 square feet or less of gross floor area in the principal structure (5531).
4. Automotive services (7549) except that this shall not be construed to permit the activity of "wrecker service (towing) automobiles, road and towing service."
5. Business services (groups 7311, 7313, 7322--7338, 7361--7379, 7384, 7389 except auctioneering service, automobile recovery, automobile repossession, batik work, bottle exchanges, bronzing, cloth cutting, contractors' disbursement, cosmetic kits, cotton inspection, cotton sampler, directories-telephone, drive-away automobile, exhibits-building, filling pressure containers, field warehousing, fire extinguisher, floats-decoration, folding and refolding, gas systems, bottle labeling, liquidation services, metal slitting and shearing, packaging and labeling, patrol of electric transmission or gas lines, pipeline or powerline inspection, press clipping service, recording studios, repossession service, rug binding, salvaging of damaged merchandise, scrap steel cutting and slitting, shrinking textiles, solvent recovery, sponging textiles, swimming pool cleaning, tape slitting, texture designers, textile folding, tobacco sheeting, window trimming, and yacht brokers).
6. Eating places with 6,000 square feet or less in gross floor area in the principal structure (5812 only). All establishments engaged in the retail sale of alcoholic beverages for on-premise consumption are subject to locational requirements of section 2.6.10.
7. Food stores with 5,000 square feet or less of gross floor area in the principal structure (groups 5411--5499).

8. General merchandise stores with 5,000 square feet or less of gross floor area in the principal structure (groups 5331--5399).
9. Group care facilities (category I and II, except for homeless shelters); care units, except for homeless shelters; nursing homes; assisted living facilities pursuant to § 400.402 F.S. and ch. 58A-5 F.A.C.; and continuing care retirement communities pursuant to § 651 F.S. and ch. 4-193 F.A.C.; all subject to section 2.6.26.
10. [Reserved.]
11. Home furniture, furnishing, and equipment stores with 5,000 square feet or less of gross floor area in the principal structure (groups 5712--5736).
12. Libraries (8231).
13. Marinas (4493), subject to section 2.6.22.
14. Membership organizations (8611--8699).
15. Miscellaneous repair services (groups 7629--7631, 7699 bicycle repair, binocular repair, camera repair, key duplicating, lawnmower repair, leather goods repair, locksmith shop, picture framing, and pocketbook repair only).
16. Miscellaneous retail with 5,000 square feet or less of gross floor area, except drug stores (groups 5912--5963 except pawnshops and building materials, 5992--5999 except auction rooms, awning shops, gravestones, hot tubs, monuments, swimming pools, tombstones and whirlpool baths).
17. Museums and art galleries (8412).
18. Nondepository credit institutions (groups 6111--6163).
19. Paint, glass and wallpaper stores with 5,000 square feet or less of gross floor area in the principal structure (5231).
20. Personal services with 5,000 square feet or less of gross floor area in the principal structure (groups 7211, 7212, 7215, 7216 nonindustrial dry cleaning only, 7291, 7299, babysitting bureaus, clothing rental, costume rental, dating service, depilatory salons, diet workshops, dress suit rental, electrolysis, genealogical investigation service, and hair removal only).
21. Physical fitness facilities (7991).
22. Public administration (groups 9111--9199, 9229, 9311, 9411--9451, 9511--9532, 9611--9661).
23. Retail nurseries, lawn and garden supply stores with 5,000 square feet or less of gross floor area in the principal structure (5261).
24. Veterinary services (groups 0742, 0752 excluding outside kenneling).
25. Videotape rental with 5,000 square feet or less of gross floor area in the principal structure (7841).
26. United States Postal Service (4311 except major distribution centers).

27. Any use which was permissible under the prior GRC zoning district and which was lawfully existing prior to the adoption of this Code.
28. Any of the foregoing uses that are subject to a gross floor area limitation shall be permitted by right without the maximum floor area limitation if the use is developed as an individual structure that is part of a shopping center.

2.2.14.2.2. *Uses accessory to permitted uses.*

1. Uses and structures that are accessory and incidental to the uses permitted as of right in the C-3 district.
2. Caretaker's residence, subject to section 2.6.16.

2.2.14.3. *Conditional uses.* The following uses are permissible as conditional uses in the commercial intermediate district (C-3), subject to the standards and procedures established in division 2.7.4.

1. Amusements and recreation services (groups 7911, 7922 community theaters only, 7933, 7993, 7999 boat rental, miniature golf course, bicycle and moped rental, rental of beach chairs and accessories only).
2. Drinking places (5813) excluding bottle clubs. All establishments engaged in the retail sale of alcoholic beverages for on-premise consumption are subject to the locational requirements of section 2.6.10.
3. Educational services (8221, 8222).
4. Food stores with greater than 5,000 square feet of gross floor area in the principal structure (groups 5411--5499).
5. Homeless shelters, as defined by this Code.
6. Hospitals (groups 8062--8069).
7. Justice, public order and safety (groups 9211, 9222, 9224, 9229).
8. Social services (8322--8399).
9. Mixed residential and commercial uses, subject to the following criteria:
 - a. A site development plan is approved pursuant to division 3.3 that is designed to protect the character of the residential uses and neighboring lands;
 - b. The commercial uses in the development may be limited in hours of operation, size of delivery trucks, and type of equipment;
 - c. The residential uses are designed so that they are compatible with the commercial uses;
 - d. Residential dwelling units are located above principal uses;
 - e. Residential and commercial uses do not occupy the same floor of a building;
 - f. The number of residential dwelling units shall be controlled by the dimensional standards of the C-3 district, together with the specific requirement that in no instance shall the residential uses exceed 50 percent of the gross floor area of the

- building or the density permitted under the growth management plan;
- g. Building height may not exceed two stories;
 - h. Each residential dwelling unit shall contain the following minimum floor areas: efficiency and one-bedroom, 450 square feet; two-bedroom, 650 square feet; three-bedroom, 900 square feet;
 - i. The residential dwelling units shall be restricted to occupancy by the owners or lessees of the commercial units below;
 - j. A minimum of 30 percent of the mixed use development shall be maintained as open space. The following may be used to satisfy the open space requirements: areas used to satisfy water management requirements; landscaped areas; recreation areas; or setback areas not covered with impervious surface or used for parking (parking lot islands may not be used unless existing native vegetation is maintained);
 - k. The mixed commercial/residential structure shall be designed to enhance compatibility of the commercial and residential uses through such measures as, but not limited to, minimizing noise associated with commercial uses; directing commercial lighting away from residential units; and separating pedestrian and vehicular accessways and parking areas from residential units, to the greatest extent possible.
- 10. Motion picture theaters, except drive-in (7832).
 - 11. Permitted personal services, video rental or retail uses (excluding drug stores (5912)), with more than 5,000 square feet of gross floor area in the principal structure.
 - 12. Permitted food service (eating places) uses with more than 6,000 square feet of gross floor area in the principal structure.
 - 13. Permitted use with less than 700 square feet gross floor area in the principal structure.
 - 14. Soup kitchens, as defined by this Code.
 - 15. Vocational schools (8243--8299).
 - 16. Any other intermediate commercial use which is comparable in nature with the foregoing list of permitted uses and consistent with the permitted uses and purpose and intent statement of the district, as determined by the board of zoning appeals.

2.2.14.4. Dimensional standards. The following dimensional standards shall apply to all permitted, accessory, and conditional uses in the commercial intermediate district (C-3). Where specific development criteria and standards also exist in the Golden Gate Master Plan, Immokalee Master Plan or the future land use element of the Collier County growth management plan, they shall supersede any less stringent requirement or place additional requirements on development.

2.2.14.4.1. Minimum lot area. 10,000 square feet.

2.2.14.4.2. Minimum lot width. 75 feet.

2.2.14.4.3. Minimum yard requirements.

- 1. *Front yard.* 25 feet or one-half of the building height as measured from grade, whichever

is the greater.

2. *Side yard.* One-half of the building height as measured from grade with a minimum of 15 feet.
3. *Rear yard.* 15 feet or one-half of the height of the building as measured from grade, whichever is the greater.
4. *Any yard abutting a residential parcel.* 25 feet.
5. *Waterfront.* 25 feet, except none for marinas.

2.2.14.4.4. *Maximum height.* 50 feet.

2.2.14.4.5. *Minimum floor area of principal structure.* 700 square feet gross floor area for each building on the ground floor.

2.2.14.4.6. *Maximum lot coverage.* (Reserved.)

2.2.14.4.7. *Floor area ratio.* (Reserved.)

2.2.14.4.8. *Minimum off-street parking and off-street loading.* As required in division 2.3.

2.2.14.4.9. *Landscaping.* As required in division 2.4.

2.2.14.4.10. *Lighting.* Lighting facilities shall be arranged in a manner that protects roadways and neighboring properties from direct glare or other interference.

2.2.14.4.11. *Distance between structures.* If there is a separation between any two principal structures on the same parcel, said separation shall be a minimum of 15 feet or a distance equal to one-half the sum of their heights, whichever is the greater.

2.2.14.5. *Merchandise storage and display.* Unless specifically permitted for a use, outside storage or display of merchandise is prohibited.

2.2.14.6. *Signs.* As required in division 2.5.

2.2.14.7. *Architectural and site design standards.* All commercial buildings and projects shall be subject to the provisions of Division 2.8.

(Ord. No. 92-73, § 2; Ord. No. 93-89, § 3; Ord. No. 94-27, § 3; Ord. No. 95-58, § 3; Ord. No. 96-66, § 3.B.; Ord. No. 97-26, § 3.B.; Ord. No. 97-83, § 3.B.; Ord. No. 98-63, § 3.A.; Ord. No. 99-6, § 3.A.; Ord. No. 99-46, § 3.A.; Ord. No. 00-8, § 3.B.; Ord. No. 01-60, § 3.A.; Ord. No. 02-3, § 3.B.; Ord. No. 02-31, § 3.B., 6-19-02; Ord. No. 03-01, § 3.B.)