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### **Sec. 30-182. Permitted uses.**

The following uses, as identified with a number from the North American Industry Classification System (1997), or as otherwise provided for within this section, are permitted as of right, or as uses accessory to permitted uses in the C-1 commercial professional district and the C-1/T commercial professional/transitional district:

- (1) Administrative and support services (Groups 56111, 56141, 56144, 56145, 561492).
- (2) Cemeteries and crematories (Group 81222).
- (3) Computer and electronic product marketing (Group 334611).
- (4) Credit intermediation and related activities (Groups 52221, 52222, 52231, 52232, 52239, 522291, 522292, 522293, 522294, 522298).
- (5) Educational services (Group 61171).
- (6) Funds, trusts and other financial vehicles (Groups 52511, 52512, 52519, 52599).
- (7) Information and data processing (Groups 51421, 514191).
- (8) Insurance carriers and related activities (Groups 52413, 52421, 524113, 524114, 524126, 524127, 524128, 524291, 524292, 524298).
- (9) Justice, public order and safety activities (Group 92215).
- (10) Museums, historical sites and like institutions (Groups 71211, 71212).
- (11) Parking lots and garages (Group 81293).
- (12) Professional, scientific and technical services (Groups 54111, 54131, 54132, 54133, 54136, 54137, 54169, 54181, 54182, 54184, 54186, 541191, 541213, 541214, 541219, 541511, 541512, 541513, 541519, 541611, 541612, 541613, 541614, 541618).
- (13) Publishing industries (Groups 51114, 51121).
- (14) Real estate (Groups 53121, 53132, 53139, 531311, 531312).
- (15) Security, commodity contracts and like activities (Groups 52391, 52392).

(Ord. No. 01-20, § 2, 10-1-2001; Ord. No. 13-11, § 2, 10-21-2013)

### **Sec. 30-183. Uses accessory to permitted uses.**

[The following uses are deemed accessory:]

- (1) Uses and structures that are accessory and incidental to the uses permitted as of right in the C-1, C-1/T district.
- (2) Caretaker's residence, subject to the land development code.

(Ord. No. 01-20, § 3, 10-1-2001; Ord. No. 13-11, § 2, 10-21-2013)

### **Sec. 30-184. Conditional uses.**

The following uses are permissible as conditional uses in the commercial professional/transitional district (C-1, C-1/T), subject to the standards and procedures established in the land development code:

- (1) Religious/like/professional/like organizations (Groups 81311, 81341, 81399).

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- (2) Monetary authorities-central bank (Group 52111).
- (3) Credit intermediation and related activities (Groups 52211, 52212, 52213, 52219, 52221, 52232, 52239, 52293, 52298).
- (4) Security, commodity contracts and like activities (Groups 52313, 523991).
- (5) Educational services (Groups 61111, 61121, 61131).
- (6) Information and data processing services (Group 51412).
- (7) Ambulatory health care services (Groups 62121, 62131, 62132, 62133, 62134, 62161, 621111, 621112, 621391, 621399, 621491, 621493).
- (8) Reserved.
- (9) Increased building height to a maximum of 50 feet.
- (10) Mixed residential and commercial uses only within the following architectural overlay districts and subject to the following criteria:
  - I. Architectural overlay district two—b. (Collier Boulevard pedestrian tourist subdistrict (south section)) described and illustrated in section 30-628:
    - a. Based upon surrounding land uses, location, and compatibility, the commercial uses in the development, hours of operation, dumpster locations, size of delivery trucks, and type of equipment may be limited;
    - b. Residential and commercial uses may occupy the same floor of a building, except residential uses are prohibited on the first habitable floor;
    - c. The number of residential dwelling units shall be controlled by the dimensional standards of the C-1, C-1/T 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;
    - d. 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;
    - e. A minimum of 24 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 island may not be used unless existing native vegetation is maintained);
    - f. 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 access ways and parking areas from residential units, to the greatest extent possible;
    - g. Maximum building height: Two stories, not to exceed 35 feet;
    - h. The maximum height of a mixed use structure shall be measured from the base flood elevation to the mid-point of the roof;
    - i. The location of proposed uses within the site and the degree of compatibility of such uses with each other and surrounding property;

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- j. The existing residential density and intensity of commercial use of surrounding property;
- k. The availability and location of utilities, services, and public facilities; and
- l. The access to and suitability of transportation systems and routes.

- II. Architectural overlay district two—c. (Barfield subdistrict) described and illustrated in section 30-628:
  - a. Based upon surrounding land uses, location, and compatibility, the commercial uses in the development, hours of operation, dumpster locations, size of delivery trucks, and type of equipment may be limited;
  - b. Residential and commercial uses may occupy the same floor of a building, except residential uses are prohibited on the first habitable floor;
  - c. The number of residential dwelling units shall be controlled by the dimensional standards of the C-1, C-1/T 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;
  - d. 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;
  - e. A minimum of 24 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 island may not be used unless existing native vegetation is maintained);
  - f. 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 access ways and parking areas from residential units, to the greatest extent possible;
  - g. Maximum building height: Two stories, not to exceed 35 feet;
  - h. The maximum height of a mixed use structure shall be measured from the base flood elevation to the mid-point of the roof;
  - i. The location of proposed uses within the site and the degree of compatibility of such uses with each other and surrounding property;
  - j. The existing residential density and intensity of commercial use of surrounding property;
  - k. The availability and location of utilities, services, and public facilities; and
  - l. The access to and suitability of transportation systems and routes.

(11) Veterinary services (Group 54194).

(12) Social assistance (Groups 62411, 62412, 62419, 62421, 62423, 62441, 624221, 624229).

(Ord. No. 01-20, § 4, 10-1-2001; Ord. No. 06-10, § 1, 8-21-2006; Ord. No. 07-01, § 1, 1-22-2007; Ord. No. 13-11, § 2, 10-21-2013)