

Section 911.10. - Commercial districts.

- (1) *Purpose and intent.* The commercial districts are established to implement the Indian River County Comprehensive Plan policies for commercial development. These districts are intended to permit the development of commercial property to provide an efficient use of land and public infrastructure, promote the economic well being of the county, protect the natural resources and beauty of the county and ensure commercial development compatible with existing and proposed development.

In order to achieve this purpose, these districts shall regulate the size, scope, and location of commercial uses and provide standards to ensure development compatible with the built and natural environment.

- (2) *Districts.* The following districts are established to implement the provisions of this chapter:

- (a) *PRO: Professional office district.* The PRO, professional office district, is designed to encourage the development of vacant land and the redevelopment of blighted or declining residential areas along major thoroughfares in selected areas of the county. The selected areas will be deemed as no longer appropriate for strictly single-family use but which are not considered appropriate for a broad range of commercial uses, as permitted in a commercial zoning district. The PRO district may serve as a buffer between commercial and residential uses or be established in areas in transition from single-family to more intensive land uses. The PRO district shall be limited in size so as not to create or significantly extend strip commercial development.

In order to further encourage redevelopment, any legally nonconforming structure may continue to be utilized, and its use may be changed from one nonconforming or conforming use category to another use category permitted in the PRO district, provided the change of use of the legally nonconforming structure receives site plan approval, or any other necessary approvals.

- (b) *OCR: Office, commercial, residential district.* The OCR, office, commercial, residential district, is intended to provide areas for the development of restricted office, commercial, and residential activities in a manner which will be compatible with surrounding neighborhoods. The OCR district is further intended to provide land use controls for ensuring the separation of potentially incompatible activities, such as intense commercial uses, from established residential areas.
- (c) *MED: Medical district.* The MED, medical district, is intended to provide a variety of uses which support a major medical facility, and to protect such major medical facility from encroachment by land uses which may have an adverse effect on the operation and potential expansion of the facility. Land uses that could cause an adverse effect would generally include those uses that are likely to be objectionable to neighboring properties because of noise, vibration, odors, smoke, amount of traffic generated, or other physical manifestations.
- (d) *CN: Neighborhood commercial district.* The CN, neighborhood commercial district, is intended to provide areas for the development of highly restricted commercial activities to serve primarily the residents of the immediate area. The CN district is further intended to limit the intensity of commercial activities in order to ensure compatibility with nearby residential uses.
- (e) *CL: Limited commercial district.* The CL, limited commercial district, is intended to provide areas for the development of restricted commercial activities. The CL district is intended to accommodate the convenience retail and service needs of area residents, while minimizing the impact of such activities on any nearby residential areas.
- (f) *CG: General commercial district.* The CG, general commercial district, is intended to provide areas for the development of general retail sales and selected service activities. The CG district is not intended to provide for heavy commercial activities, such as commercial service uses, heavy repair services nor industrial uses.
- (g) *CH: Heavy commercial district.* The CH, heavy commercial district, is intended to provide areas for establishments engaging in wholesale trade, major repair services and restricted light manufacturing activities. The CH district is further intended to provide support services

necessary for the development of commercial and industrial uses allowed within other nonresidential zoning districts.

- (3) *Relationship with land use map.* The commercial districts may be established in the following land use designations:

	Commercial Land Use Designation		
District	C/I	PUB	RC
PRO ¹	X	-	-
OCR	X	-	-
MED	X	-	-
CN ²	-	-	-
CL	X	X	-
CG	X	X	X
CH	X	X	-

C/I - Commercial industrial

PUB - Public

RC - Regional commercial

¹ PRO may also be established in L-1, L-2, M-1, and M-2 land use designations.

² CN may also be established in AG-1, AG-2, AG-3, R, L-1, L-2, M-1, and M-2 land use designations.

- (4) *Uses.* Uses in the commercial districts are classified as permitted uses, administrative permit uses, and special exception uses. Site plan review shall be required for the construction, alteration and use of all structures and buildings except single-family dwellings.

Commercial uses and activities shall be contained within an enclosed area unless otherwise specifically allowed herein or unless allowed as an accessory or temporary use approved by the community development director.

	District						
	PRO	OCR	MED	CN	CL	CG	CH ¹
<i>Agriculture</i>							
Agricultural Production							
Horticultural and landscape plants and specialties			-			P	
Kennels and animal boarding			-			A	
Pet-grooming (no boarding)			-			P	
Agricultural Services							
Landscape services			-			P	
Commercial fishery			-			A	
<i>Commercial</i>							
Construction							
General building contractors/special trade contractors/construction yards ⁴			-			-	
Finance, Insurance, Real Estate, Legal Services							
Banks and credit institutions			-			P	
Small-scale banks and credit institutions			-			P	
Security and commodity brokers			-			P	
Insurance agents, brokers and service			-			P	
Automatic teller machines			P			P	

	District						
	PRO	OCR	MED	CN	CL	CG	CH ¹
Real Estate			-			P	
Holding and other investment offices			-			P	
Legal services			-			P	
Services							
Lodging facilities hotels and motels			P			P	
Boardinghouses			-			P	
Bed and breakfast			A			A	
Membership based hotels			-			P	
Personal Services							
Laundries and laundromats (excluding drycleaners)			-			P	
Garment pressing and drycleaners drop-off/pickup			-			P	
Linen supply			-			P	
Carpet and upholstery cleaning			-			P	
Drycleaning plants			-			-	
Photographic studios			-			P	
Beauty shops			-			P	
Barber shops			-			P	

	District						
	PRO	OCR	MED	CN	CL	CG	CH ¹
Shoe repair			-			P	
Funeral homes			-			P	
Funeral chapels			-			P	
Crematoriums			-			P	
Business Services							
Advertising			-			P	
Credit reporting and collection			-			P	
Mailing, reproduction and stenographic services			-			P	
Equipment rental and leasing			-			P	
Employment agencies			-			P	
Help supply services			-			P	
Computer and data processing			-			P	
Bail bondsman			-			P	
General and professional office ⁴			-			P	
Auto Repair, Services and Parking							
Automotive rentals			-			P	
Automobile parking and storage			-			P	
Body and paint shops			-			-	

	District						
	PRO	OCR	MED	CN	CL	CG	CH ¹
General automotive repair			-			P	
Carwashes			-			P	
Automotive fluid sales and services (other than gasoline)			-			P	
Miscellaneous Repair							
Electrical repair			-			P	
Watch, clock, jewelry			-			P	
Reupholsters and furniture			-			-	
Welding			-			-	
Motion Pictures							
Production and distribution services			-			P	
Motion picture theaters			-			P	
Drive in theaters (unenclosed commercial amusement)			-			-	
Video tape rentals			-			P	
Amusement and Recreation							
Dance studios, school and halls, gyms			-			P	
Theatrical production including music			-			P	
Enclosed commercial amusements			-			P	

	District						
	PRO	OCR	MED	CN	CL	CG	CH ¹
Unenclosed commercial amusements except miniature golf courses and driving ranges			-			-	
Health and fitness centers			-			P	
Membership sports and recreation			-			P	
Coin-operated amusements			-			P	
Miniature golf courses			-			S	
Driving ranges			-			A	
Health and Medical Services							
Offices and clinics			P			P	
Total care facilities			P			-	
Hospitals			P			-	
Medical and dental laboratory			P			P	
Home health care services			P			P	
Specialty outpatient clinics			P			P	
Veterinarian clinic			-			A	
Wholesale Trade							
Durable goods (not including demolition debris site, junkyards, recycling center)			-			-	
Nondurable goods			-			-	

	District						
	PRO	OCR	MED	CN	CL	CG	CH ¹
Recycling center (including vegetation debris mulching)			-			-	
Retail Trade							
Convenience stores			-			P	
Building materials and garden supplies			-			A	
Paint, glass and wallpaper stores			-			P	
Hardware stores			-			P	
Retail nurseries and garden supplies			-			P	
Model mobile home display			-			A	
Mobile home trailer sales			-			-	
General Merchandise							
Department stores			-			P	
Variety stores			-			P	
Flea market			-			-	
Auction facilities, unenclosed			-			-	
Auction facilities, enclosed			-			P	
Used merchandise (including pawn shops)			-			P	
Food Stores							
Grocery stores			-			P	

	District						
	PRO	OCR	MED	CN	CL	CG	CH ¹
Meat and fish markets			-			P	
Fruit and vegetable markets			-			P	
Candy, nut and confectionery stores			P			P	
Dairy product stores			-			P	
Retail bakeries			-			P	
Automotive Dealers and Services							
New and used cars dealers			-			P	
Used vehicle sales			-			S	
Auto and home supply stores			-			P	
Gasoline service stations			-			P	
Boat sales and rentals			-			A	
Recreational vehicle sales			-			A	
Motorcycle dealers			-			P	
Automotive fuel sales			-			P	
Commercial marina			-			A	
Marine repair and service			-			A	
Apparel and Accessory Stores			-			P	
Furniture and Home Furnishings							

	District						
	PRO	OCR	MED	CN	CL	CG	CH ¹
Furniture and home furnishing stores			-			P	
Small-scale home furnishings showrooms (excluding furniture and major appliances)			-			P	
Household appliance stores			-			P	
Radio, television and computer stores			-			P	
Eating and Drinking Establishments							
Restaurants			A			P	
Carry out restaurants			A			P	
Drive through restaurants			-			P	
Bars and lounges			-			P	
Bottle clubs			-			S	
Miscellaneous Retail							
Drug stores			P			P	
Liquor stores			-			P	
Miscellaneous shopping goods			-			P	
Florists			P			P	
News stands			P			P	
Sporting goods			-			P	
Optical goods			P			P	

	District						
	PRO	OCR	MED	CN	CL	CG	CH ¹
Gift stores			P			P	
Book and card store			P			P	
Catalogue and mail order house			-			P	
Fuel Dealers			-			P	
Food and Kindred Products			-			-	
Fruit and vegetable packing houses			-			A	
Fruit and vegetable juice extraction			-			-	
<i>Community Services</i>							
Educational Services							
Educational centers including primary and secondary schools			A			A	
Colleges and universities			A			A	
Libraries			A			P	
Vocational, technical and business			P			P	
Institutional							
Individual and family services			P			P	
Job training services			-			P	
Child care and adult care			P			P	
Homes for aged, including nursing homes and			A			S	

	District						
	PRO	OCR	MED	CN	CL	CG	CH ¹
rest homes							
Residential treatment center			P			S	
Place of worship			-			P	
Group homes (residential centers)			P			S	
Adult congregate living facility (21+ residents)			P			S	
Cultural and Civic Facilities			A			P	
Civic and social membership organizations			A			P	
Public Administration							
Government administrative buildings			A			P	
Courts			-			P	
Emergency services			P			P	
<i>Industrial</i>							
Printing and publishing			-			-	
Machine shops			-			-	
Chemicals and Plastics							
Rubber and plastic footwear			-			-	
Hose, belts, gaskets packing			-			-	
Assembly production (not including manufacturing)			-			-	

	District						
	PRO	OCR	MED	CN	CL	CG	CH ¹
<i>Transportation and communication</i>							
Railroad/Bus Transportation Services							
Local and suburban transit			-			P	
Trucking and courier services			-			-	
Commercial warehousing and storage			-			-	
Moving and storage			-			-	
Trucking terminals			-			-	
Self-service storage facilities			-			A	
Outdoor storage			-			-	
Vehicle storage lot (paved/unpaved) ³			-			-	
Post Office			P			P	
Water transport services			-			-	
Air transport services			-			-	
Pipelines			-			-	
Heliport/helipad			S			S	
Recycling centers			-			-	
Travel and tour agencies			-			P	
Freight transport arrangement			-			P	

	District						
	PRO	OCR	MED	CN	CL	CG	CH ¹
Communications							
Telephone and telegraph			-			P	
Radio and television broadcasting			-			P	
Cable and pay T.V.			-			P	
Communications towers (wireless facilities)			A ⁵			A ⁵	
Communications towers (non-wireless facilities) ⁴							
Amateur radio (accessory use)							
Less than 80 feet			P			P	
80 feet or taller (see 971.44(4) for special criteria)			S			S	
Commercial							
Up to 70 feet:							
Camouflaged			P			P	
Non-camouflaged			P			P	
70 feet to 150 feet:							
Camouflaged			A			A	
Monopole (minimum of 2 users)			A			A	
Not camouflaged and not monopole			S			S	

	District						
	PRO	OCR	MED	CN	CL	CG	CH ¹
Over 150 feet:							
All tower types (see 971.44(1) for special criteria)			-			-	
Public and private utilities, limited			A			A	
Public and private utilities, heavy			-			-	
<i>Residential Uses</i>							
Single-family dwelling			-			-	
Duplex			-			-	
Multifamily dwelling			A			A	
Accessory housing (watchman)			-			-	

P = Permitted use

A = Administrative permit use

S = Special exception use

¹ No industrial use shall be permitted in the CH district unless public sewer service is provided to the subject property.

² The requirements of subsection 917.06(11), of the Accessory Uses and Structures Chapter, shall apply to towers less than 70'.

³ Standards for unpaved vehicle storage lots are found in subsection 954.08(6).

⁴ Uses, such as limousine services, construction offices, and contractors trades offices shall be considered general office uses if the following conditions are met:

- All types of vehicles [reference 911.15(3)(a)] kept on site shall be limited to those types of vehicles allowed in residential areas, except that commercial vehicles completely screened from adjacent streets and properties shall be allowed to be kept on site. All commercial vehicles allowed to be kept on site shall be parked in designated paved spaces.

- The number of vehicles used for business purposes and that meet the above condition and that are kept on site shall be limited to twenty-five (25) percent of the number of parking spaces required for the office use.

- Except for vehicle parking, all uses shall be conducted within an office building.

⁵ For wireless commercial facilities regulations, see subsection 971.44(5), Section 4 use table.

(5) *Accessory uses and structures* as provided in Chapter 917.

(6) *Required improvements.* All future subdivisions and site plans for development in commercial districts shall install the following improvements, designed and constructed to meet the requirements and specifications of the Code of Laws and Ordinances of Indian River County, Florida.

	District						
	PRO	OCR	MED	CN	CL	CG	CH
Bikeways	x	x	x	x	x	x	x
Sidewalks	x	x	x	x	x	x	x
Streetlights	x	x	x	x	x	x	x

(7) *Size and dimension criteria:*

	PRO	OCR	MED	CN	CL	CG	CH
Min. Lot Size sq. ft.			20,000			10,000	
Min. Lot Width ft.			100			100	
Min. Yards ft.							
Front			25			25	
Rear			20			10	
Side			20			10	
Max. Building Coverage %			40			40	
Min. Open Space %			30			25	

Max. Building Height ft.			35			35	
Residential District Regulations			RM-8			RM-8	
Hotel and motel minimum square feet of land area per unit			1200			1200	

Notes:

Yards - Front Yards abutting S.R. 60 shall be seventy-five (75) feet;

Rear Yards (CH only) 0 if abutting FEC Railroad;

Side Yards (CL, CG, CH) 0 if abutting a nonresidential use with interconnected parking and approved access easement 0 if abutting FEC Railroad (CH only).

Height - See section 911.15 for exceptions.

Maximum FAR (Floor Area Ratio):

- Retail trade 0.23 FAR
- Office, business/personal services, recreational, schools, institutional 0.35 FAR
- Industrial, storage, wholesale/distribution, utilities, heavy repair 0.50 FAR

*Maximum building coverage for a single story warehouse or industrial building is fifty (50) percent.

(8) *Required buffer yards:*

	Abutting Use/District	
District	Single-Family Buffer Type	Multi-Family Buffer Type
PRO	C - 6 ft. Opaque	C - 3 ft. Opaque
OCR	C - 6 ft. Opaque	C - 3 ft. Opaque
MED	C - 6 ft. Opaque	C - 3 ft. Opaque
CN	B - 6 ft. Opaque	C - 6 ft. Opaque
CL	B - 6 ft. Opaque	C - 6 ft. Opaque
CG	B - 6 ft. Opaque	C - 6 ft. Opaque
CH	B - 6 ft. Opaque	B - 6 ft. Opaque

Buffer yards are required along rear/side property lines and measured at right angles to lot lines. All screening and buffering requirements shall meet the standards established in section 926, Landscaping and buffering. No parking or loading shall be permitted within buffer yards.

When a loading dock is proposed to serve a use that normally requires frequent deliveries (e.g., grocery store, department store, big box retail), and when the loading dock is to be located adjacent to a residentially designated site, and when the loading dock will not be screened from view from an adjacent residential site by an intervening building or structure, an eight-foot high wall shall be required between the loading dock and the residential site. Wall height shall be measured from the grade elevation of the parking area adjacent to the loading dock. Plantings along the wall are required in accordance with the standards of landscape section 926.08.

(9) *Special district requirements.*

(a) *PRO—Professional office district.*

1. *Location and land use.*

- a. The PRO district may be established in areas designated as L-1, L-2, M-1, M-2 or commercial on the future land use map.
- b. The PRO district may be established on residentially designated land if located on an arterial or collector road as identified in the comprehensive plan.

2. *District size.* The PRO district shall have a minimum district size of five (5) acres and a maximum district size of twenty-five (25) acres. The PRO district may be reduced to two and one-half (2½) acres if the parcel(s) under consideration to be zoned PRO satisfies all of the following criteria:

- a. The parcel(s) abuts a commercial node or corridor; and
- b. The parcel(s) is located within a substantially developed area; and
- c. The parcel(s) is located in an area dominated by nonresidential uses.

3. *District depth.* The PRO district shall have a maximum district depth of three hundred (300) feet, measured from the adjacent collector and/or arterial roadway. The maximum depth may exceed three hundred (300) feet for platted lots of record where the majority of the lot is within three hundred (300) feet of the collector on arterial roadway.

(b) *CN—Neighborhood commercial district.*

1. *Land use and location.* The CN, neighborhood commercial, district has been established on various sites throughout the county that are designated AG-1, AG-2, AG-3, R, L-1, L-2, M-1 or M-2 on the future land use map. No new CN neighborhood commercial districts shall be established, and no existing CN district shall be expanded.
2. *Allowable uses.* Uses allowed within a neighborhood node shall be those uses allowed within the neighborhood commercial (CN) zoning district.

(Ord. No. 90-16, § 1, 9-11-90; Ord. No. 91-7, §§ 6, 8, 2-27-91; Ord. No. 91-48, §§ 20, 22, 23, 12-4-91; Ord. No. 92-11, §§ 3, 14, 24, 4-22-92; Ord. No. 92-39, § 8, 9-29-92; Ord. No. 93-8 §§ 13, 18, 3-18-93; Ord. No. 93-29, §§ 5D, 11C, 9-7-93; Ord. No. 94-1, § 2E, 1-5-94; Ord. No. 94-25, §§ 1, 13, 8-31-94; Ord. No. 96-24, § 6, 12-17-96; Ord. No. 97-16, § 3(5), 5-6-97; Ord. No. 97-21, § 4(A), 7-15-97; Ord. No. 97-29, §§ 2(A), 6, 12, 12-16-97; Ord. No. 98-9, § 9, 5-19-98; Ord. No. 99-13, § 7A, 5-5-99; Ord. No. 2000-039, § 1, 11-21-00; Ord. No. 2002-016, § 1E, 4-2-02; Ord. No. 2002-031, § 1E, 11-12-02; Ord. No. 2003-004, § 1, 2-4-03; Ord. No. 2010-017, § 1, 10-5-10; Ord. No. 2012-016, §§ 4, 7E, 8, 9, 7-10-12; Ord. No. 2015-005, § 1, 6-2-15)