

Chapter 3-9 - ZONING

ARTICLE II. DISTRICT REGULATIONS

Chapter 2. Zoning

Article 2.2. Conventional Zoning Districts

Division 2.2.3. Commercial

Section 2.2.3.1. ~~3-9-39. Office M, medical and institutional (OMI):~~

- (a) ~~Intent. The purpose and intent of this district is to allow professional amedical,nd business offices, and as well as institutional and cultural activities. Although this district may allow both residential and non-residential uses, it is not a mixed-use district, and it is the further intent of this district that individual lots be developed with a single use~~The office, medical and institutional (OMI) district is intended for professional and business offices and institutional and cultural activities.
- (b) ~~Permitted UPrincipal uses (PS) and Sstructures. The following uses and structures are permitted in this district:~~
- (1) ~~Assisted living facility, nursing home~~Professional and business offices.
 - (2) ~~Community residential home~~Hospitals and nursing homes, but no such facility shall have a lot area less than two and one half (2.5) acres.
 - (3) ~~Day care center, adult or child~~Medical and dental clinics.
 - (4) ~~Emergency services~~Art galleries, libraries, museums, community centers, publicly owned recreational facilities, and theaters for live stage productions.
 - (5) ~~Homeless shelter~~Laboratories, class 3, provided central sewer is available.
 - (6) ~~Public building~~Houses of worship, in accordance with section 3-9-80.1.
 - (7) ~~Elementary, middle, or high school~~Elementary, middle and high schools.
 - (8) ~~University or college~~Public parks, playgrounds and buildings.
 - (9) ~~Vocational, trade, or business school~~Dance, art, music and photographic studios.
 - (10) ~~Hospital~~Funeral homes and crematoria.
 - (11) ~~Medical or dental office, clinic~~Private clubs.
 - (12) ~~Park, public or not-for-profit~~Animal hospitals, provided the boarding of animals occurs in completely enclosed buildings.
 - (13) ~~General offices, professional services~~Child and adult day care facilities and group home facilities.
 - (14) ~~Art, dance, music, photo studio or gallery~~Adult congregate living facilities.
 - (15) ~~Bank, financial services~~Helistop in conjunction with hospitals.
 - (16) ~~Business services~~Emergency services.
 - (17) ~~Personal~~professional services. Model homes, in compliance with section 3-9-87
 - (18) ~~Multiple family, two family and single family dwelling units excluding mobile homes.~~
- (c) ~~Permitted Aaccessory Uuses and Sstructures; (For additional conditions, see Article 3.1. Accessory Uses and Structures)~~

Chapter 3-9 - ZONING

ARTICLE II. DISTRICT REGULATIONS

Chapter 2. Zoning

Article 2.2. Conventional Zoning Districts

Division 2.2.3. Commercial

- (d) Conditional Use (C): (For rules and regulations for any use designated as a Conditional Use, see Article 3.2. Conditional Uses) ~~XX~~
- (1) Multifamily.
 - (2) Transitional housing.
 - (3) Pain management clinic.
 - (4) Telecommunications facility, 50 feet or less in height. (see Division 3.7.5. Communication Towers) Section ?? "Special Use Standards"
 - (5) Telecommunications facility, greater than 50 feet in height. (see Division 3.7.5. Communication Towers) Section ?? "Special Use Standards"
 - (6) Private off-site parking.
 - (7) Animal hospital, boarding facility. (see Division 3.7.2. Animal Hospital, Boarding Facility)
 - (8) Home Occupation Type #1. (see Article 3.4. Home Occupations) Section ?? "Special Use Standards"

~~Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are also permitted in this district.~~

- (e) Prohibited Uses and Structures: Any use or structure not expressly or by reasonable implication permitted herein or permitted by special exception shall be unlawful in this district.
- (f) Special Exceptions (S): (For procedure see ~~section 3-9-7~~ Division 1.1.5. Special Exceptions) ~~section 3-9-7, "Special exceptions."~~ The following are special exceptions in this district:
- (1) Heliport, helistop ~~Colleges and universities.~~
 - (2) Essential services ~~Vocational, trade or business schools, provided all activities are conducted in completely enclosed buildings.~~
 - (3) Paid or public parking lot, garage, structure ~~Sanitariums.~~
 - (4) Home Occupation Type #2. (see Article 3.4. Home Occupations)
 - (4) ~~Detoxification centers, substance abuse centers and halfway houses which comply with state and federal regulations.~~
 - (5) ~~Pain management clinics.~~
 - (6) ~~Heliports or helistops.~~
 - (7) ~~Essential services.~~
 - (8) Such other uses as determined by the Zoning official or his/her designee to be:
 - a. Appropriate by reasonable implication and intent of the district.
 - b. Similar to another use either explicitly permitted in that district or allowed by special exception.
 - c. Not specifically prohibited in that district.

PART III - UNIFIED LAND DEVELOPMENT AND GROWTH MANAGEMENT CODE

Chapter 3-9 - ZONING

ARTICLE II. DISTRICT REGULATIONS

Chapter 2. Zoning

Article 2.2. Conventional Zoning Districts

Division 2.2.3. Commercial

The board of zoning appeals BZA shall review a favorable determination of the Zoning Official under this provision at the time the Special Exception application is presented to it. An unfavorable determination of the Zoning Official or his/her designee shall be appealable pursuant to section 3-9-6 Division 1.1.1. BZA of these regulations. It is expressly intended by these regulations that any use permitted as a principal use or by Special Exception in another zoning district or districts which is not specially listed in this section is excluded by its omission and cannot be a special exception considered or approved by the BZA board of zoning appeals as one permitted by reasonable implication and intent of the district.

(g) ~~Development standards~~ Standards. The following development standards shall apply in this district:

Minimum lot requirements:

Area, square feet7,500

Width, feet80

Minimum yard requirements:

Front yard, feet25

Side yard:

Interior, half the building height but not less than seven and one half (7½) feet.

Abutting a road, half the building height but not less than fifteen (15) feet.

Rear yard:

Abutting another lot, half the building height but not less than fifteen (15) feet.

Abutting a road, feet25

Side and rear yard abutting water, minimum feet20

Maximum lot coverage, percent35

Maximum building height, sixty (60) feet (all buildings higher than 38 feet require special exception).

Maximum density units per acre10

Lot (min.)	
Area (sq. ft.)	7,500
Width (ft.)	80
Yards (min. ft.)	
Front	10
Side (interior)	7.5
Side (street)	10
Rear (interior)	10
Rear (street)	10

PART III - UNIFIED LAND DEVELOPMENT AND GROWTH MANAGEMENT CODE

Chapter 3-9 - ZONING

ARTICLE II. DISTRICT REGULATIONS

Chapter 2. Zoning

Article 2.2. Conventional Zoning Districts

Division 2.2.3. Commercial

Abutting water	20
Bulk (max.)	
Lot Coverage	40%
Height (ft., non-residential uses, residential uses with special exception)	60
Height (ft., residential uses)	38
Density (units/acre)	10

If an OMI district abuts a residential district, no structure other than screening required pursuant to Article 4.7. Landscaping and Buffering ~~article XXII, chapter 3-5 chapter 3-5~~, of the Code, shall be erected closer to the abutting residentially zoned property than twenty-five (25) feet or the building height, whichever is greater.

Landscape buffers and screening shall be required in this district in accordance with the provisions of Article 4.7. Landscaping and Buffering ~~article XXII, chapter 3-5 chapter 3-5~~, of the Code, as the same may be amended.

Where properties lie anywhere on a barrier island or within one thousand two hundred (1,200) feet of the water of Charlotte Harbor, the Gulf of Mexico, Lemon Bay, Gasparilla Sound, Placida Harbor, Red Fish Cove, the Myakka River, the Peace River, or Coral Creek, structures must also be constructed in accordance with ~~section 3-9-98~~ Article 4.12. Waterfront Property. ~~section 3-9-98~~.

(gh) Signs. Signs shall be in accordance with ~~section 3-9-95~~ Article 4.10. Sign Code.

(i) Off-street parking. Off-street parking shall be in accordance with Article 4.9. Parking Standards. ~~section 3-9-95~~

(Minutes of 12-8-81, § 7; Res. No. 87-78, § 19, 5-19-87; Res. No. 87-254, § 21, 10-28-87; Ord. No. 89-34, § 13, 5-31-89; Ord. No. 91-08, §§ 1-3, 2-26-91; Ord. No. 91-51, § 1, 10-1-91; Ord. No. 94-55, §§ 23-25, 11-3-94; Ord. No. 2001-031, § 1(j), 6-12-01; Ord. No. 2002-008, § 1, 1-28-02; ;hn0; Ord. No. 2011-030, § 2, 7-26-11)