

ARTICLE II. DISTRICT REGULATIONS

**Section 2.2.3.2. ~~3-9-41. Commercial, Neighborhood Neighborhood (CN).~~**

- (a) *Intent.* ~~The purpose and intent of this district is to allow small-scale commercial uses within or adjacent to residential neighborhoods in order to encourage pedestrian activity and reduce the number and length of automobile trips, as well as provide increased convenience to all users. The commercial, neighborhood (CN) district is intended to apply to areas where selected establishments may be appropriately located to provide small-scale neighborhood shopping and personal needs of the surrounding residential areas and within convenient traveling distance. It is further specifically intended that the internal development be of a residential scale and appearance comparable with the surrounding residential area. It is generally intended to utilize this district to implement the comprehensive plan. The purpose and intent of the commercial, neighborhood district is to permit the designation of suitable locations for small-scale commercial facilities within or adjacent to areas or neighborhoods which are essentially residential in nature; and to facilitate their small retail and service establishments in close proximity to residential land uses, it will encourage pedestrian activity and otherwise reduce the number and length of automobile trips, as well as providing increased convenience to all users. It is further intended that substantial buffering and other design techniques shall be used to prevent negative impacts on nearby or adjacent residential/or lower intensity land uses.~~
- (b) *Permitted principal Uses (P) and Structures.* ~~The following uses and structures are permitted in this district:~~
- (1) ~~Day care center, adult or child~~ Personal services.
  - (2) ~~Medical or dental office, clinic~~ Professional services and business offices.
  - (3) ~~Park, public or not-for-profit~~ Laundromats and dry cleaners.
  - (4) ~~General offices, professional services~~ Restaurants not exceeding three thousand (3,000) square feet in floor area.
  - (5) ~~General retail sales and service~~ Ice cream shops.
  - (6) ~~Art, dance, music, photo studio or gallery~~ Butcher shops and delicatessens.
  - (7) ~~Bank, financial services~~ Repair shops for small appliances and shoes.
  - (8) ~~Bar, cocktail lounge, nightclub, tavern~~ Jewelry, florist, gift, clothing, and accessory shops.
  - (9) ~~Business services~~ Branch banks and financial services not exceeding three thousand (3,000) square feet in floor area.
  - (10) ~~Drug store, pharmacy~~ Package stores for the sale of liquor.
  - (11) ~~Dry cleaner~~ Convenience stores.
  - (12) ~~Laundromat~~ Drug stores or variety stores not exceeding eight thousand (8,000) square feet in floor area.
  - (13) Liquor, package store.
  - (14) Personal services.
  - (15) Professional services.

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(16) Restaurant.

Supermarkets not exceeding thirty thousand (30,000) square feet in floor area.

(14) Houses of worship in accordance with section 3-9-80.1

(c) Permitted Accessory Uses and Structures. (For additional conditions, see Article 3.1. Accessory Uses and Structures) Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are also permitted in this district, including post offices.

(d) Conditional Use (C): (For rules and regulations for any use designated as a Conditional Use, see Article 3.2. Conditional Uses)

(1) Telecommunications facility, 50 feet or less in height. (see Division 3.7.5. Communication Towers)

Section ?? "Special Use Standards") (2) Animal hospital, boarding facility. (see Division 3.7.2. Animal Hospital, Boarding Facility) Section ?? "Special Use Standards")

(de) Prohibited Uses and Structures. Any use or structure not expressly or by reasonable implication permitted herein or by special exception, including the outside storage or display of merchandise, shall be unlawful in this district.

(ef) Special Exceptions (S): (For procedure see section 3-9-7 Division 1.1.5. Special Exceptions); "Special exceptions.") The following are special exceptions in this district:

(1) Public building Gas pumps.

(2) Essential services Essential and emergency services.

(3) Outdoor market or exhibition space. (see Division 3.7.9. Outdoor Retail Sales, Display, and Storage) Section ?? "Special Use Standards")

(4) Gas station with or without retail sales.

(5) 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.

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.

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

Minimum lot requirements:

Area, square feet .....20,000

Width, feet .....100

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Minimum yard requirements:

Front yard, feet .....25

Side yard:

Interior, feet .....25

Abutting a road, feet .....20

Abutting water, feet .....20

Rear yard:

Abutting a lot, feet .....25

Abutting a road, feet .....25

Abutting water, feet .....20

Maximum lot coverage, percent .....35

Maximum building size, square feet .....60,000

Maximum height of structures, feet .....20

<b>Lot (min.)</b>	
Area (sq. ft.)	20,000
Width (ft.)	100
<b>Yards (min. ft.)</b>	
Front	15
Side (interior)	7.5
Side (street)	15
Rear (interior)	15
Rear (street)	15
Abutting water	20
<b>Bulk (max.)</b>	
Lot Coverage	40%
Height (ft.)	38
Density (units/acre)	0

Site plan approval pursuant to section 3-9-5.1 is required prior to all development in this district. 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, of the Code, as the same may be amended. If the CN district abuts a residential district, no structure other than screening required pursuant to Article 4.7. Landscaping and Buffering, article XXII, 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.

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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.

- (gh) *Off-street parking.* Off-street parking shall be in accordance with ~~section 3-9-90~~ Article 4.9. Parking Standards.
- (hi) *Lighting.* Maximum height of lighting fixtures shall be fifteen (15) feet, arranged so that no direct source of light is visible from any residentially zoned property.
- (ij) *Utility areas.* Utility areas, including trash receptacles, shall be completely screened from the view of customers and adjacent property owners and shall be located in the rear yard in case of interior lots and in the side yard in case of corner lots.
- (kj) *Signs.* Signs shall be in accordance with ~~section 3-9-95~~ Article 4.10. Sign Code.  
(Ord. No. 89-34, § 15, 5-31-89; Ord. No. 94-58, §§ 1—5, 11-3-94; Ord. No. 2001-031, § 1(l), 6-12-01; Ord. No. 2002-008, § 1, 1-28-02)

**Editor's note**—

The provisions of former § 3-9-41 are now found in § 3-9-45