

PART III—UNIFIED LAND DEVELOPMENT AND GROWTH MANAGEMENT CODE

Chapter 2. Zoning

Article 2.2. Conventional Zoning Districts

Division 2.2.3. Commercial

Chapter 3-9—ZONING

ARTICLE II. DISTRICT REGULATIONS

**Section 2.2.3.3. ~~3-9-42. Commercial, Ggeneral (CG).~~**

- (a) ~~Intent. The purpose and intent of this district is to allow general commercial activity. The commercial, general (CG) district is intended to provide areas in which the customary and traditional conduct of trade, retail sales and commerce may be carried on without disruption by the encroachment and intrusion of incompatible residential uses and protected from the adverse effects of undesirable industrial uses.~~
- (b) ~~Permitted principal uses (P) and structures. The following uses and structures are permitted in this district:~~
- ~~(1) Assisted living facility, nursing home. Hotels, motels and restaurants.~~
  - ~~(2) Day care center, adult or child. Professional services.~~
  - ~~(3) Emergency services. Personal services.~~
  - ~~(4) Homeless shelter. Business services.~~
  - ~~(5) Public building. Retail sales and services, provided that all merchandise shall be stored and displayed within fully enclosed buildings.~~
  - ~~(6) Elementary, middle, or high school. Parking lots and parking garages in support of permitted uses in the CG zoning district.~~
  - ~~(7) University or college. Automotive specialty services, including the sale and repair of starters, generators, alternators and electrical parts, carburetors, speedometers and instruments, provided the services are performed on parts off the vehicle and no installation or removal of parts from the vehicle is performed on the premises.~~
  - ~~(8) Vocational, trade, or business school. Automotive parts, provided no installation is performed on the premises and all parts are stored within a completely enclosed building.~~
  - ~~(9) Hospital. Resort marinas.~~
  - ~~(10) Medical or dental office, clinic. Sport marinas.~~
  - ~~(11) Park, public or not-for-profit. Garden shops, including the sale of plants, fertilizers and customary garden supplies, equipment and furniture. Storage and sales areas for plants and live vegetation may be outside the building.~~
  - ~~(12) Mass transit station. Private clubs.~~
  - ~~(13) Essential services. Post offices.~~
  - ~~(14) General offices, professional services. Indoor commercial recreational facilities such as motion picture theaters, swimming pools, bowling alleys and similar uses.~~
  - ~~(15) Hotel, motel, inn. Vocational, trade, business schools, colleges and universities, provided all activities are conducted in completely enclosed buildings.~~
  - ~~(16) Paid or public parking lot, garage, structure. Banks and other financial institutions.~~
  - ~~(17) Auditorium, convention center, performing arts center. Animal hospitals with boarding of animals in completely enclosed buildings.~~

PART III-UNIFIED LAND DEVELOPMENT AND GROWTH MANAGEMENT CODE

Chapter 2. Zoning

Article 2.2. Conventional Zoning Districts

Division 2.2.3. Commercial

Chapter 3-9-ZONING

ARTICLE II. DISTRICT REGULATIONS

- (18) Clubhouse, community center.~~Adult congregate living facilities in accordance with section 3-9-63.1~~
- (19) Package stores for the sale of liquor.Place of worship
- (20) ~~Houses of worship in accordance with section 3-9-80.1~~ section 3-9-80.1
- (21) Recreation, indoor~~Model homes not intended to be used for residential purposes.~~
- (22) Recreation, outdoor~~Funeral homes, crematoria.~~
- (23) General retail sales and service.~~Laundromats and dry cleaning facilities.~~
- (24) Animal hospital, boarding facility. (see Division 3.7.2. Animal Hospital, Boarding Facility)~~Section ?? "Special Use Standards")~~Bars, cocktail lounges, nightclubs and taverns for on-premises consumption of alcoholic beverages, greater than one thousand (1,000) feet from a church or school.
- (25) Art, dance, music, photo studio or gallery.~~Billiard parlors and game arcades.~~
- (26) Bank, financial services~~Essential and emergency services.~~
- (27) Bar, cocktail lounge, nightclub, tavern~~Gas pumps with site plan approval by the development review committee.~~
- (28) Business services~~Car wash with site plan approval by the development review committee.~~
- (29) Drug store, pharmacy~~Laboratories, class 3, provided central sewer is available.~~
- (30) Dry cleaner~~Child and adult day care facilities.~~
- (31) Laundromat~~Photocopying shops.~~
- (32) Liquor, package store.
- (33) Personal services.
- (34) Professional services.
- (35) Restaurant.
- (36) Self-storage facility, indoor only.
- (37) Gas station with or without retail sales.
- (38) Motor vehicle wash.
- (39) Marina, commercial.
- (40) Marina, sport.
- (41) Printing.
- (c) Permitted accessory~~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 a residential dwelling unit within the same structure as the principal use for occupancy by owners or employees of permitted uses.

~~PART III—UNIFIED LAND DEVELOPMENT AND GROWTH MANAGEMENT CODE~~

~~Chapter 2. Zoning~~

~~Article 2.2. Conventional Zoning Districts~~

~~Division 2.2.3. Commercial~~

~~Chapter 3-9—ZONING~~

ARTICLE II. DISTRICT REGULATIONS

~~(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) Private off-site parking.~~
- ~~(3) Farm equipment, supply establishment.~~
- ~~(4) Lumberyard.~~
- ~~(5) Sexually oriented business.~~
- ~~(6) Passenger vehicle rental.~~
- ~~(7) Motor vehicle sales.~~
- ~~(8) Motor vehicle repair, service.~~
- ~~(9) Building trades contractor's office with no more than 10 service vehicles and without anywith no heavy equipment.~~

~~(de) 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.~~

~~(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) Animal sanctuary, zooBars, cocktail lounges, nightclubs and taverns for on-premises consumption of alcoholic beverages, subject to the provisions of section of section 3-9-66 of this Code, less than one thousand (1,000) feet from a church or school.~~
- ~~(2) Heliport, helistopMass transit stations.~~
- ~~(3) Telecommunications facility, greater than 50 feet in heightMiniature golf courses. (see Section ?? “Special Use Standards”)~~
- ~~(4) AmphitheaterElementary, middle, and high schools.~~
- ~~(5) Leisure vehicle rentalOutdoor markets.~~
- ~~(6) Commercial laundryTelevision and radio transmitter towers.~~
- ~~(7) Outdoor market or exhibition spaceWindow tinting and radio installation within an enclosed building. (see Division 3.7.9. Outdoor Retail Sales, Display, and Storage)Section ?? “Special Use Standards”~~
- ~~(8) Truck or trailer rentalHeliport or helistop.~~
- ~~(9) Marina, industrialMini-warehouse.~~
- ~~(10) Automobile rental agencies.Biofuel production, 5,000 gal per day or less. (see Division 3.7.3. Biofuel Production, Storage)~~
- ~~(11) Carpentry, cabinetmaking.~~
- ~~(12) Building trades contractor's office with storage yard on-premises, or with more than 10 service vehicles.~~

PART III - UNIFIED LAND DEVELOPMENT AND GROWTH MANAGEMENT CODE

Chapter 2. Zoning

Article 2.2. Conventional Zoning Districts

Division 2.2.3. Commercial

Chapter 3-9 - ZONING

ARTICLE II. DISTRICT REGULATIONS

(13) Truck stop.

(14) 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~~ 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 .....~~12,000~~

Width, feet .....~~100~~

Minimum yard requirements:

Front yard, feet .....~~25~~

Side yard:

Interior .....~~None~~

Abutting a road, feet .....~~20~~

Rear yard:

Abutting a lot, feet .....~~10~~

Abutting a road, feet .....~~25~~

Side and rear yard, abutting water, feet .....~~20~~

Maximum lot coverage, percent .....~~50~~

Maximum height of structures, feet .....~~60~~

<b>Lot (min.)</b>	
Area (sq. ft.)	<u>12,000</u>
Width (ft.)	<u>100</u>
<b>Yards (min. ft.)</b>	
Front	<u>150</u>

~~PART III—UNIFIED LAND DEVELOPMENT AND GROWTH MANAGEMENT CODE~~

~~Chapter 2. Zoning~~

~~Article 2.2. Conventional Zoning Districts~~

~~Division 2.2.3. Commercial~~

~~Chapter 3-9—ZONING~~

**ARTICLE II. DISTRICT REGULATIONS**

<u>Side (interior)</u>	<u>0</u>
<u>Side (street)</u>	<u>10</u>
<u>Rear (interior)</u>	<u>10</u>
<u>Rear (street)</u>	<u>10</u>
<u>Abutting water</u>	<u>20</u>
<b>Bulk (max.)</b>	
<u>Lot Coverage</u>	<u>55%</u>
<u>Height (ft.)</u>	<u>60</u>
<u>Density (units/acre)</u>	<u>0</u>

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 CG 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.

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

~~(hi)~~ Off-street parking. Off-street parking shall be in accordance with ~~section 3-9-90~~ Article 4.9. Parking Standards.

(Minutes of 12-8-81, § 7; Res. No. 83-11, § 1, 2-15-83; Res. No. 83-18, § 1, 3-22-83; Res. No. 85-105, § 1, 6-11-85; Res. No. 87-254, § 22, 10-20-87; Res. No. 87-255, § 6, 10-20-87; Res. No. 87-258, §§ 1, 2, 10-20-87; Ord. No. 89-34, § 16, 5-31-89; Ord. No. 92-44, §§ 1-3, 6-2-92; Ord. No. 94-55, §§ 28, 29, 11-3-94; Ord. No. 2001-031, § 1(m), 6-12-01; Ord. No. 2002-008, § 1, 1-28-02; Ord. No. 2003-061, § 8, 8-26-03)

**Editor's note—**

These provisions were formerly found in ~~§ 3-9-38~~. The provisions of former ~~§ 3-9-42~~ are now found in ~~§ 3-9-47~~

**Sec. 3-9-43. Commercial, intensive (CI).**

~~(a)~~ Intent. The purpose and intent of the commercial, intensive (CI) district is to permit the designation of suitable locations for and to facilitate the proper development and use of land for those commercial activities which are like or which have many of the same needs as industrial land uses. Such uses often rely on large ground areas for storage or display of goods, are relatively insensitive to the impacts of adjacent land uses, while generating substantial impacts on their neighbors. Commercial,

~~PART III—UNIFIED LAND DEVELOPMENT AND GROWTH MANAGEMENT CODE~~

~~Chapter 2. Zoning~~

~~Article 2.2. Conventional Zoning Districts~~

~~Division 2.2.3. Commercial~~

~~Chapter 3-9—ZONING~~

~~ARTICLE II. DISTRICT REGULATIONS~~

~~intensive land uses are generally services, particularly warehousing, distribution and compatible businesses oriented to the sale and service of automobiles and boats. The CI district is and is intended to be intermediate between consumer-oriented commercial and light industrial uses.~~

~~(b) — Permitted principal uses and structures. The following uses and structures are permitted in this district:~~

~~(1) — All uses and structures permitted in the CG district except adult congregate living facilities.~~

~~(2) — Automotive sales and service, provided major mechanical and body overhaul and repair are conducted within a fully enclosed building.~~

~~(3) — Boat, trailer and motor sales and services.~~

~~(4) — Service stations and truck stops.~~

~~(5) — Lumber and building supply establishments, except ready-mixed concrete asphalt plants and concrete product manufacturing plants.~~

~~(6) — Sale and storage of mobile homes, travel trailers and campers.~~

~~(7) — Heavy machinery and equipment sales and service provided repair is conducted within a fully enclosed building.~~

~~(8) — Equipment rental.~~

~~(9) — Drive-in theaters, golf driving ranges, par-3 golf courses and outdoor commercial recreational facilities.~~

~~(10) — Railroad sidings.~~

~~(11) — Auditorium and convention centers.~~

~~(12) — Wholesale sales.~~

~~(13) — Mass transit terminals and yards.~~

~~(14) — Car wash.~~

~~PART III—UNIFIED LAND DEVELOPMENT AND GROWTH MANAGEMENT CODE~~

~~Chapter 2. Zoning~~

~~Article 2.2. Conventional Zoning Districts~~

~~Division 2.2.3. Commercial~~

~~Chapter 3-9—ZONING~~

ARTICLE II. DISTRICT REGULATIONS

~~(15) Mini-warehouses or storage facilities, but not bulk storage of flammable liquids.~~

~~(16) Laboratories, class 3, provided central sewer is available.~~

~~(17) Automobile rental agencies.~~

~~(c) *Permitted 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 a residential dwelling unit within the same structure as the principal use for occupancy by owners or employees of permitted uses.~~

~~(d) *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.~~

~~(e) *Special exceptions.* (For procedure see section 3-9-7, "Special exceptions.") The following are special exceptions in this district:~~

~~(1) Bars, cocktail lounges, nightclubs and taverns for on-premises consumption of alcoholic beverages within one thousand (1,000) feet from a church or school, subject to the provisions of section 3-9-66 of this Code.~~

~~(2) Sale and display in other than completely enclosed building of any merchandise otherwise allowed as a permitted use in this district.~~

~~(3) Warehouses or storage facilities for flammable liquids.~~

~~(4) Building trades contractor with storage yard for materials and equipment on premises.~~

~~(5) Television and radio transmitter towers.~~

~~(6) Light manufacturing and assembly in a completely enclosed building.~~

~~(7) Heliports and heli-stops.~~

~~(8) Outdoor markets.~~

~~(9) Carpentry, cabinet and machine shops.~~

~~(10) Laboratories, class 2, provided central sewer is available.~~

~~PART III—UNIFIED LAND DEVELOPMENT AND GROWTH MANAGEMENT CODE~~

~~Chapter 2. Zoning~~

~~Article 2.2. Conventional Zoning Districts~~

~~Division 2.2.3. Commercial~~

~~Chapter 3-9—ZONING~~

ARTICLE II. DISTRICT REGULATIONS

~~(11) — 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 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 of these regulations.~~

~~(f) — *Development standards.* The following development standards shall apply in this district:~~

~~Minimum lot requirements:~~

~~Area, square feet .....12,000~~

~~Width, feet .....100~~

~~Minimum yard requirements:~~

~~Front yard, feet .....25~~

~~Side yard:~~

~~Interior .....None~~

~~Abutting a road, feet .....20~~

~~Abutting water, feet .....20~~

~~Rear yard:~~

~~Abutting a lot, feet .....10~~

~~Abutting a road, feet .....25~~

PART III—UNIFIED LAND DEVELOPMENT AND GROWTH MANAGEMENT CODE

Chapter 2. Zoning

Article 2.2. Conventional Zoning Districts

Division 2.2.3. Commercial

Chapter 3-9—ZONING

ARTICLE II. DISTRICT REGULATIONS

Abutting water, feet .....20

Maximum lot coverage, percent .....50

Maximum height of structures, feet .....60

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

~~If the CI district abuts a residential district, no structure other than screening required pursuant to 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.~~

~~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.~~

~~(g) — Signs. Signs shall be in accordance with section 3-9-95~~

~~(h) — Off-street parking. Off-street parking shall be in accordance with section 3-9-90~~

~~(Minutes of 12-8-81, § 7; Res. No. 87-254, § 23, 10-20-87; Res. No. 87-255, § 7, 10-20-87; Res. No. 87-258, § 3, 10-20-87; Ord. No. 89-34, § 17, 5-31-89; Ord. No. 94-59, §§ 1-3, 11-3-94; Ord. No. 2001-031, § 1(n), 6-12-01; Ord. No. 2002-008, § 1, 1-28-02)~~

**Editor's note —**

~~These provisions were formerly found in § 3-9-39. The provisions of former § 3-9-43 are now found in § 3-9-48~~

**Sec. 3-9-44. Commercial, highway (CH).**

~~(a) — Intent. The purpose and intent of the commercial, highway (CH) district is to permit the designation of suitable locations for and to facilitate the property development and use of land for the commercial provision of services and goods to the public using the major through highways of the county. Such uses require high visual exposure and ready access from major roads. The market of such uses is presumed to be made up of transient visitors rather than residents or long-term visitors to the county.~~

~~(b) — Permitted principal uses and structures. The following uses and structures are permitted in this district:~~

~~PART III—UNIFIED LAND DEVELOPMENT AND GROWTH MANAGEMENT CODE~~

~~Chapter 2. Zoning~~

~~Article 2.2. Conventional Zoning Districts~~

~~Division 2.2.3. Commercial~~

~~Chapter 3-9—ZONING~~

~~ARTICLE II. DISTRICT REGULATIONS~~

~~(1) — Automotive service stations.~~

~~(2) — Motels and hotels.~~

~~(3) — Restaurants.~~

~~(4) — Gift, novelty and curio shops, sale of fruit and similar uses catering to tourists, provided all display of products shall be inside a completely enclosed building and carried on in connection with another use permitted in this district.~~

~~(5) — Essential and emergency services.~~

~~(6) — Convenience stores.~~

~~(7) — Houses of worship in accordance with section 3-9-80.1.~~

~~(c) — *Permitted 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 a residential dwelling unit within the same structure as the principal use for occupancy by owners or employees of permitted uses.~~

~~(d) — *Prohibited uses and structures.* Any use or structure not specifically, provisionally or by reasonable implication permitted herein, or permissible by special exception shall be unlawful in this district, including but not limited to adult congregate living facilities.~~

~~(e) — *Special exceptions.* (For procedure see section 3-9-7, "Special exceptions.") The following are special exceptions in this district:~~

~~(1) — Truck stops.~~

~~(2) — 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 2. Zoning~~

~~Article 2.2. Conventional Zoning Districts~~

~~Division 2.2.3. Commercial~~

~~Chapter 3-9-ZONING~~

~~ARTICLE II. DISTRICT REGULATIONS~~

~~The board of zoning appeals 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 of these regulations.~~

~~(f) ——— *Development standards.* The following development standards shall apply in this district:~~

~~Minimum lot requirements, except as otherwise provided in section 3-9-94 for automotive service stations:~~

~~Area, square foot .....20,000~~

~~Width, feet .....100~~

~~Minimum yard requirements:~~

~~Front yard, feet .....25~~

~~Side yard, feet .....10~~

~~Side yard abutting a road, feet .....20~~

~~Rear yard, feet .....20~~

~~Rear yard abutting a road, feet .....25~~

~~Rear and side yard, abutting water, feet .....20~~

~~Maximum lot coverage by all buildings, percent .....35~~

~~Maximum height of structure, feet .....45~~

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

~~If the CH district abuts a residential district, no structure other than screening required pursuant to 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.~~

~~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~~

PART III—UNIFIED LAND DEVELOPMENT AND GROWTH MANAGEMENT CODE

Chapter 2. Zoning

Article 2.2. Conventional Zoning Districts

Division 2.2.3. Commercial

Chapter 3-9—ZONING

ARTICLE II. DISTRICT REGULATIONS

~~Cove, the Myakka River, the Peace River, or Coral Creek, structures must also be constructed in accordance with section 3-9-98.~~

~~(g) *Signs*. Signs shall be in accordance with section 3-9-95~~

~~(h) *Parking*. Parking shall be in accordance with section 3-9-90~~

~~(Minutes of 12-8-81, § 7; Res. No. 87-255, § 7, 10-20-87; Ord. No. 89-34, § 18, 5-31-89; Ord. No. 94-60, §§ 1-4, 11-3-94; Ord. No. 2001-031, § 1(e), 6-12-01; Ord. No. 2002-008, § 1, 1-28-02)~~

**~~Editor's note~~**

~~These provisions were formerly found in § 3-9-40. The provisions of former § 3-9-44 are now found in § 3-9-29~~