

ARTICLE III. - CG COMMERCIAL GENERAL DISTRICT

Sec. 53-36. - Relationship to Comprehensive Plan.

The Zoning Regulations in this section implement Objective 1 of the Future Land Use Element of the Comprehensive Plan, which states: "Future development activities shall continue to be directed in appropriate areas as depicted on the Future Land Use Map, and shall encourage the use of innovative land development regulations, consistent with sound planning principles, minimal natural limitations, the goals, objectives and policies contained within this plan, and the community character," as well as the following policy:

Policy 1.1: Land development regulations adopted to implement this Comprehensive Plan shall be consistent with F.S. 163.3202(1), as amended, and based on and be consistent with the following densities and intensities, presuming concurrency requirements are satisfied, for residential and non-residential development as indicated below:

Commercial - These lands are designated to provide areas in which customary and traditional conduct of trade, retail services, commerce and residential uses may be carried on without disruption by the encroachment and intrusion of incompatible residential and other uses (0.95 FAR, fifteen (15) DU/acre excluding bonuses, incentives or transfer of development rights. As a guideline, the residential should not exceed fifty percent (50%) of the floor area).

Sec. 53-37. - Intent.

The CG Commercial General 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 protection from the adverse effects of undesirable industrial uses. All commercial uses listed herein shall be conducted within completely enclosed buildings unless otherwise exempted.

Sec. 53-38. - Permitted principal uses and structures.

A. Permitted principal uses and structures shall be as follows:

- (1) Retail sales and services, provided that all merchandise shall be stored and displayed within fully enclosed buildings, except for those uses approved by special exception, which customarily display their merchandise outdoors, including but not limited to garden centers, hardware stores, etc. [Amended 3-30-1998 by Ord. No. 98-8]
- (2) Banks and other financial institutions.
- (3) Restaurants. This is not considered an accessory use in conjunction with any other use.
- (4) Parking lots and parking garages.
- (5) Automotive service stations (including "quick lube" establishments), repair and service garages.
- (6) Post offices.
- (7) Libraries.
- (8) Automotive parts, provided all installation is performed, and all parts are stored within, a completely

- enclosed building.
- (9) Sports and resort marinas.
 - (10) Automotive car wash.
 - (11) Houses of worship, provided that minimum parcel size shall not be less than two (2) acres, except that houses of worship may be permitted on less than two (2) acres provided that the house of worship occupies a unit within a shopping center on a lease basis and provided that the house of worship waives its right to be protected under Sec. 53-239(B), Alcoholic Beverages of these regulations
 - (12) Animal hospitals with boarding of animals in completely enclosed buildings.
 - (13) Laundromats and dry-cleaning facilities.
 - (14) Garden shops, including the sale of plants, fertilizers and customary garden supplies, equipment and furniture.
 - (15) Indoor commercial recreational facilities, such as motion-picture theaters, swimming pools, bowling alleys, billiard parlors, family game arcades and similar uses.
 - (16) Vocational, trade, business schools, colleges and universities.
 - (17) Automobile rental agencies.
 - (18) Funeral homes.
 - (19) Essential and emergency services.
 - (20) Exercise gymnasiums.
 - (21) Transportation terminals.
 - (22) Adult living facilities, in accordance with Sec. 53-240(B) of these regulations.
 - (23) Hotels (not less than one hundred (100) rooms).
 - (24) Personal services.
 - (25) Business services.
 - (26) Professional services, licensed and approved by the State and/or Federal government.
 - (27) *Lumber establishments. Permitted principle use in The Shire, (AC #6) only, Special exception within Activity Center No. 1. [Amended 3-30-1998 by Ord. No. 98-8] and AC #4 and #5. Not permitted in AC #2, #3, #7, & #8.
 - (28) Heavy machinery and equipment sales and service or rental, provided that repair is conducted within a fully enclosed building. Permitted principle use in The Shire, (AC #6) only, (special exception within Activity Center No. 1.) [Amended 3-30-1998 by Ord. No. 98-8] and AC #4 and #5. Not permitted in AC #2, #3, #7, & #8.
 - (29) Equipment rental. (Special exception within Mediterranea - Activity Center No. 1.) [Amended 3-30-1998 by Ord. No. 98-8]
 - (30) Auditorium and convention centers.
 - (31) Plant nurseries. (Special exception within Mediterranea - Activity Center No. 1.) [Amended 3-30-1998 by Ord. No. 98-8]
 - (32) Convenience stores. This is not considered an accessory use in conjunction with any other use.

- (33) Child care.
 - (34) Wholesale establishments and wholesale clubs.
 - (35) Gas stations. This is not considered an accessory use in conjunction with any other use.
 - (36) Truck stops. Permitted in Panacea, (AC #4) and The Shire (AC #6) only. No truck stops are permitted in Activity Centers No. 1, 2, 3, 5, 7 and 8. [Added 3-30-1998 by Ord. No. 98-8]
 - (37) Retail mini storage facilities. Permitted in Panacea, (AC #4), The Shire (AC #6), and Central Parc (AC #9) only. No retail ministorage facilities are permitted in AC #1, 2, 3, 5, 7, or 8. In addition to any applicable zoning district and use regulations, see Sec. 53-257, Special Structures, Mini Storage Facilities. (Amended 7-23-2019 by Ord. 2019-09.)
 - (38) Bed and breakfast.
 - (39) Urban market gardens in accordance with Sec. 53-240(S). No urban market gardens are permitted within AC #1, 2, 3, or 7. [Added 11-26-2019 by Ord. No. 2019-11]
- B. If permitted uses are combined, each use will be reviewed separately.

Sec. 53-39. - Prohibited uses and structures.

Any use, or structure or activity not specifically permitted herein, including specifically adult entertainment, or exhibition establishments, adult bookstores or any other establishments whose primary purpose is to sell sexually explicit material or the exhibition of sexually explicit activities. Listed permitted or permissible uses do not include either as a principal or an accessory use any of the following which are listed for emphasis:

- A. Manufacturing or industrial establishments.
- B. Warehouse and storage.
- C. Junkyard or automobile wrecking yard.
- D. All communication towers, including but not limited to television and radio transmitter towers, are prohibited. [Amended 3-30-1998 by Ord. No. 98-8]
- E. Fireworks sales or manufacturing.
- F. Incinerators.

Sec. 53-40. - Special exceptions.

Any use not specifically permitted and not specifically prohibited in this zoning district may file for a special exception permit in accordance with Article XXII of this chapter, provided that the use applied for contributes to the intent of the zoning district as stated in the City's Comprehensive Plan and this Unified Land Development Code.

Sec. 53-41. - Maximum density/intensity.

15 DU/.95 FAR.

Sec. 53-42. - Minimum lot requirements.

Building sites in a CG District shall have an area of not less than seven thousand five hundred (7,500) square feet with a minimum width of fifty (50) feet measured along the front property line.

Sec. 53-43. - Maximum lot coverage.

Buildings shall not cover more than fifty percent (50%) of available lot area.

Sec. 53-44. - Minimum building size.

Minimum building size shall be unrestricted.

Sec. 53-45. - Minimum setback requirements.

Minimum setback requirements shall be as follows:

This zoning district may have a zero lot line at the front and side provided that there is no encroachment on City right-of-way or easements.

- A. Front yard: None.
- B. Side yard:
 - (1) Interior: none.
 - (2) Abutting a road: None.
- C. Rear yard: Fifteen (15) feet.
- D. Waterfront yard: Twenty (20) feet.

Sec. 53-46. - Maximum building height.

Maximum building height shall be seventy (70) feet.

Sec. 53-47. - Permitted signs.

- A. Permitted signs shall be as follows:
 - (1) Exempt signs.
 - (2) Freestanding monument and wall signs.
 - (3) Off-site/billboard signs permitted by special exception, and are only permitted along I-75 and attached to the inside of athletic field fences.
 - (4) Auxiliary signs.
 - (5) Flags.
- B. See Chapter 29, Sign Regulations, of this Unified Land Development Code for details on regulations governing number, size and height limitations.

Sec. 53-48. - Parking requirements.

See Chapter 25, Parking and Loading Regulations, of this Unified Land Development Code for parking requirements governing various land uses permitted within CG Districts.