

Sec. 5.6.13. CG, general commercial.

A. *Statement of intent.* This district is intended to permit and encourage general commercial activity and automotive oriented uses that require a conspicuous and accessible location convenient to streets carrying substantial volumes of traffic. Such activities generally require sizable land areas, do not necessarily cater directly to pedestrians, though pedestrian traffic will be found in the district, and require ample off-street parking and loading space. This district permits uses more extensive in nature than neighborhood commercial types, but may serve much of the entire city. No new single and two-family dwellings are permitted. It is the intent of the zoning chapter that this district not be used to encourage extension of strip commercial areas.

B. *Permitted principal uses and structures.*

1. Retail outlets for sale of food, wearing apparel, toys, sundries and notions, books and stationery, leather goods and luggage, jewelry, (including watch repair but not pawn shop), art, cameras or photographic supplies (including camera repair), sporting goods, hobby shops and pet shops (but not animal kennels or veterinarians), musical instruments, television and radio (including repair incident to sales), florist or gift shops, delicatessens, bake shops (but not wholesale bakery), drugs, gardens, hardware and similar products.
2. Service establishments such as barber or beauty shop, shoe repair shop, restaurant, drive-in restaurant, interior decorator, photographic studio, dance or music studio, reducing salon or gymnasium, self-service laundry or dry cleaning pick up station, and similar activities.
3. Banks and financial establishments, travel agencies, employment offices, newspaper business offices (but not printing), and similar establishments.
4. Professional and business offices.
5. Multiple family dwellings (but not new one or two-family dwellings.)
6. Retail outlet for sale of home furnishings and appliances (including repair, incidental to sales), office equipment or furniture in a completely enclosed building.
7. Service establishments such as radio or television stations, funeral homes, radio and television repair shop in a completely enclosed building.
8. Commercial recreational facilities such as indoor motion picture theater, billiard parlor, swimming pool, nightclub, bowling alley, and similar uses in completely enclosed buildings.
9. Hotels and motels.
10. Vocational, trade, and business schools.
11. Retail establishments manufacturing goods for sale in a completely enclosed building at retail, and only on the premises.

12. Printing establishment or print shops including: lithograph printing, blueprinting, computer word processing and laser printing, copying, and offset printing but not to include newspaper publishing.
13. Governmental uses.
14. Wholesaling only from sample stock only in a completely enclosed building, providing no manufacturing for distribution is permitted on the premises.
15. Convention centers.
16. Existing single family and two-family dwellings.
17. Retail outlets for sale of new and used automobiles, motor cycles, trucks and tractors, manufactured homes, boats, automotive vehicle parts and accessories (but not to include salvage and junkyards, or automobile wrecking yards), heavy machinery and equipment, dairy supplies, feed, fertilizer, lumber and building supplies, monuments and similar uses. Retail establishments within this zoning district, excluding new and used auto sales, must be housed and/or conducted in a completely enclosed building.
18. Service establishments such as automobile filling station, truck stop, repair garage, motor vehicle body shop, rental of automobile vehicles, trailers, and trucks, auto laundry, drive-in restaurant, auction house, laundry and or dry cleaning establishment, veterinarian or animal boarding kennels in soundproof buildings, pest control, plant nursery or landscape contractor, carpenter or cabinet shop, home equipment rental, ice delivery station, job printing or newspaper establishment, upholstery shop, boat sales, and dry storage of pleasure craft. Service establishments, excluding new and used auto sales, within this zoning district must be housed and/or conducted in a completely enclosed building.
19. Miscellaneous uses such as outdoor fruit, vegetables, poultry, or fish market.
20. Churches or houses of worship.
21. Bed and breakfast establishments.
22. Existing single family homes which are owner occupied and maintain a homestead exemption.
23. Outdoor display shall be permitted within ten percent of the business store front subject to the following conditions:
 - a. A site plan shall be provided distinguishing the proposed outdoor display area and the items proposed outdoor display, i.e. vending and/or ice machines.
 - b. Outdoor display area shall be allowed only to the area set for on the site plan, shall be paved and all electrical outlets supplying power to display area shall meet all applicable codes.
 - c. A clearance of five feet on the sidewalk and/or walkway shall be required.

- d. All propane tanks and other related-type vending stations shall be properly enclosed to avoid any potential hazards.
 - e. Outdoor display exceeding the ten percent allowance shall require a conditional use permit (see section 20.2.2.)
 - f. All outdoor storage shall require a conditional use permit (see section 20.2.2).
24. The above are uses permitted subject to the following limitations:
- a. Sale, display, preparation and storage to be conducted within a completed enclosed building and no more than 20 percent of floor space to be devoted to storage.
 - b. Products to be sold only at retail.
 - c. No sale, display, or storage of secondhand merchandise except as incidental to sale of new merchandise.
25. New retail outlets for sale of second hand and/or used merchandise.
26. Medical marijuana dispensing facilities.
27. Private child care centers. Subject to the requirements of Florida Statutes, provided:
- a. Must have a minimum of 20 square feet of usable indoor floor space for each child.
 - b. Must have a minimum of 45 square feet of usable outdoor play area for each child. Outdoor play area shall be calculated at the rate of 45 feet per child in any group using the play area at one time. A minimum play area shall be provided for one-half of the licensed capacity. This standard applies as long as the child care facility remains licensed at the site occupied on October 1, 1992 and shall not be affected by any change in the ownership of the site.
 - c. A child care facility that does not hold a valid license on October 1, 1992, and seeks regulatory approval to operate as a child care facility must have a minimum of 35 square feet of usable floor space for each child and a minimum of 45 square feet of usable outdoor play area for each child.
 - d. The minimum standard for outdoor play area does not apply in calculating square footage for children under one year of age. However, appropriate outdoor infant equipment shall be substituted for outdoor play space. The center shall provide facilities and equipment conducive to the physical activities appropriate for the age and physical development of the child.
 - e. No portion of the fenced play area shall be closer than five feet to any residential lot line not closer than 40 feet to any public street.
 - f. A five-foot high solid masonry wall, or vegetative screening which furnishes equal protection against noise, shall be provided between fenced play areas and residential lot lines in such locations as may be directed by the city commission.

- g. All outdoor play activities shall be conducted within the fenced play area, and no outdoor play activities shall be conducted before 8:00 a.m. or after 8:00 p.m.
- h. All facilities, operation and maintenance shall meet city, county and state requirements of the operation of child care centers.

C. *Permitted uses and structures.* Uses and structures which:

- 1. Are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures.
- 2. Are located on the same lot as the permitted or permissible use or structure, or on a contiguous lot held by the same owner or owners.
- 3. Do not involve operations or structures not in keeping with the character of the district.
- 4. Dwelling units, when a part of the permitted principal use, provided all minimum requirements for area, setback, height and related requirements for the district are met; and provided further, that all such dwellings shall be at other than first floor level of the principal permitted use. Dwelling units shall be limited to two for each permitted principal use and in no case shall the aggregate residential floor area exceed the aggregate floor area of the permitted principal use. One off-street parking space shall be provided for each dwelling unit in addition to the required off-street parking for the permitted principal use and shall be provided at the rear or side of the principal permitted use.

D. *Prohibited uses and structures.*

- 1. New single or two-family (or duplex) dwellings.
- 2. Manufacturing activities, except as specifically permitted or permissible.
- 3. Warehousing or storage, except in connection with a permitted or permissible use.
- 4. Any use or structure not specifically or provisionally permitted by this section shall be considered prohibited.
- 5. Any use which is potentially dangerous, noxious or offensive to neighboring uses in the district or to those who pass on public ways by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio or television reception, radiation, or likely for other reasons to be incompatible with the character of the district.

E. *Conditional use.* Permissible by the city commission after public hearing and subject to appropriate conditions and safeguards. The city commission may approve, deny or add additional conditions for all conditional use requests. (See section 19.2.4. of the LDR.)

- 1. Package store sale of alcoholic beverages, bar or tavern for on premises consumption of alcoholic beverages.

2. Mini warehouses subject to the following conditions:
 - a. The design and architecture of the building and the materials used is consistent with the existing development in the surrounding area.
 - b. Enhanced landscaping shall be used as a tool to minimize the visual impact of blank walls in excess of 50 feet.
 - c. A six-foot buffer masonry wall with landscaping shall be provided adjacent to residentially zoned properties.
3. Commercial recreation facilities such as an indoor shooting range housed in a soundproof building, skating rinks, or miniature golf courses.
4. Outdoor display and storage. Outdoor display or storage of merchandise for sale or rent may be permitted by conditional use permit subject to the following conditions:
 - a. The location and extent of outdoor storage and display areas are identified on a site plan and are approved as part of the conditional use.
 - b. Display and storage areas are subordinate in area and incidental to permitted principal uses.
 - c. Outdoor storage areas shall be effectively screened by a solid fence or commercial grade, 70 percent opaque, mesh material applied to a fence.
 - d. Display and storage areas shall be paved according to the standards of the Land Development Regulations.
 - e. Outdoor display areas shall be indicated on the site plan as permanent or temporary and approved as part of the conditions of approval.
 - f. Additional landscaping and/or site enhancements may be required as part of the site plan to insure site compatibility or improve visual screening.
 - g. A minimum five-foot-wide clearance on the sidewalk and/or walkway shall be required.
 - h. All propane tanks and other related-type vending stations shall be properly enclosed or secured to avoid any potential hazards.
5. Pawn shops, day labor office and probation offices.
6. Fortune-telling businesses.
7. Social service facilities. New facilities for social services whether separately or in conjunction with a retail outlet, retail outlets for sale of second hand clothing, furniture and major household appliances and expansion of existing retail outlets for sale of second hand and/or used merchandise are allowable, based on the requirements of the applicable zoning district and subject to the following conditions:
 - a. An itemized list of all services and amenities that will be provided by the social service facility during operation hours.

- b. Operating hours for the social service facilities shall be no earlier than 8:00 a.m. to no later than 6:00 p.m.
 - c. Preparation and/or selling of meals are prohibited on the premises.
8. Transitional housing. Transitional housing establishments, allowed as a conditional use are permissible by the city commission after public hearing and subject to appropriate conditions and safeguards. The city commission may approve, deny or add additional conditions for all conditional use request. (See section 19.2.4. of the LDR). Transitional housing establishments shall conform to the following conditions:
- a. The house manager or owner manager of the establishment shall be present on the premises during a majority of the time that there are residents at the transitional house.
 - b. Temporary accommodations shall not exceed one year for any one resident unless an extension of the specified duration is approved by the conditional use.
 - c. Reserved.
 - d. Reserved.
 - e. Transitional housing establishments shall have direct access to a collector or arterial roadway.
 - f. The number of residents shall be established at the time of the conditional use approval.
 - g. A transitional housing establishment shall be limited to one wall sign not to exceed six square feet in size and shall be in keeping with the architectural character of the establishment.
 - h. Transitional housing establishments shall comply with all city, county and state, including but not limited to health permits, building and fire codes, and business licenses.
9. Commercial infill: Site specific redevelopment plans for infill development. Where a parcel exists adjacent to a minimum of two developed parcels, the developer may file for a site specific redevelopment plan. The administrative official may approve the proposed infill development plan and authorize up to a 25 percent reduction in zoning standards as an administrative conditional use. The city commission may approve the proposed infill plan and authorize up to a 50 percent reduction in zoning standards for setbacks, height, parking, buffering, and other related zoning standards, subject to the following standards:
- a. A public hearing has been held in accordance with this section.
 - b. All activities conducted as part of the business shall be contained within an enclosed structure.

- c. The reduction of the specific zoning development standards are necessary to allow a reasonable development of the property shall not impeded the use and development of any adjoining property.
 - d. The administrative official or the city commission may establish any conditions which are warranted.
10. Other uses that are interpreted to be consistent with the intent of the CG district and with the application of conditions are determined to be compatible with the other permitted and conditional uses in the CG district.
 11. Medical marijuana dispensing facilities (Located less than 500 feet from a school).

F. *Minimum lot requirements (area and width).*

1. Other permitted or permissible uses and structures:
None, except as needed to meet all other requirements specified in this zoning district.

G. *Maximum lot coverage by all buildings (includes accessory buildings).*

1. Other permitted or permissible uses and structures:
None, except as needed to meet all other requirements specified in this zoning district.

H. *Maximum impervious surface coverage: 70 percent.*

I. *Minimum yard requirements (depth of front and rear yard, width of side yards).*

1. Commercial, service, office, or similar activities:
Front: None.
Side: None, if building on adjacent lot is built to property line, or if adjacent lot is vacant and the owner thereof agrees by deed restriction with enforcement running to the city than any building constructed on vacant lot will either be built in such a manner as to:
 - a. Leave no space between the building n his property and the building on the subject property; or
 - b. To leave at least six feet of space between the buildings involved.
Rear: Ten feet, except where CG parcel abuts on an R-1-AAA, R-1-AA, R-1-AX, R-1-A, R-1, R-2, R-3,R-3-X, or RIO district, then 20 feet rear yard must be provided.
2. Activities other than those covered immediately above for this district.
Front: 20 feet.
Side: Same as for commercial, service, office or similar activities in this district.
Rear: Same commercial, service, office or similar uses in this district.

J. *Maximum height of structures.* No portion shall exceed:

1. Other permitted or permissible uses: 60 feet, except for structures exceeding 60 feet, that portion of the building above 60 feet must be set back one horizontal foot for each six vertical feet in excess of 60 feet on all sides, or the entire building mass may be set back from all property lines to comply with this requirement.

K. *Minimum off-street parking requirements.* Refer to parking chapter 11.

L. *Administrative conditional use.* These uses are permitted by a waiver granted by the administrative official, with denials of an administrative waiver appealable to the city commission.

1. Sign, electronic community bulletin board. Permitted subject to the following conditions:
 - a. Located on arterial or collector roadways.
 - b. Maximum height eight feet, maximum width 12 feet and designed as a monument sign.
 - c. Maximum size for electronic bulletin board is 20 square feet.
 - d. All signs will need to be brought into conformity.
 - e. Bulletins shall be incidental in the principal use.
 - f. No off premise signs will be permitted.
 - g. The applicant must own the property on which the sign is to be located.
 - h. Color and intensity of illumination shall be appropriate for the specific site and sign location.
 - i. Illumination shall be limited to a maximum of 11 watt incandescent bulbs and limited to the hours between 6:00 a.m. to 11:00 p.m.
 - j. The base of the monument sign shall be landscaped with appropriate shrubbery and ground material as approved by the technical review board.
 - k. Subject to any other condition deemed appropriate by the administrative official or the city commission including but not limited to hours of operation and level of illumination.

(Ord. No. 08-1328, § 2, 5-15-2008; Ord. No. 09-1346, § 9, 8-6-2009; Ord. No. 11-1403, §§ 4, 8, 8-18-2011; Ord. No. 12-1417, § 6, 3-15-2012; Ord. No. 14-1476, § 2, 10-16-2014; Ord. No. 17-1584, § 2, 11-16-2017; Ord. No. 18-1594, § 2, 3-1-2018)

Sec. 5.6.14. CH, highway commercial.

A. *Statement of intent.* These districts are intended to apply to areas where adequate lot depth is available to provide meaningful development for service oriented automotive uses, tourist accommodations, and supporting facilities. One stop complexes of automobile filling