

**Sec. 24-112. - Commercial general district (CG).**

- (a) *Intent.* Within the City of Atlantic Beach, the CG zoning district is intended for uses, which provide general retail sales and services for the City of Atlantic Beach and the closely surrounding neighborhoods.
- (b) *Permitted uses.* It is not possible to list all potential permitted or prohibited general commercial uses within this section, but typical uses permitted within the CG zoning district shall include neighborhood serving uses, which shall mean low intensity commercial uses intended to serve the daily needs of residents of the surrounding neighborhoods. Such uses shall not include manufacturing, warehousing, storage or high intensity commercial activities, or commercial uses of a regional nature, or such uses that have the potential for negative impacts to surrounding neighborhoods and properties due to excessive traffic, noise, light or extremely late hours of operation or other factors that may adversely affect existing commercial uses or any nearby residential uses.

Where a proposed use is not specifically listed in this section, the permissibility of the use will be determined based upon its similarity to listed uses and the compatibility and potential for adverse impacts to existing nearby uses. The uses permitted in the CG zoning district shall include the following subject to the limitations as set forth within the following subsection (d). Unless otherwise and specifically provided for herein, all business activities, products for sale and services must be located within an enclosed building properly licensed for such use.

Permitted uses shall also not include adult entertainment establishments, indoor or outdoor firing ranges, indoor or outdoor flea markets, vendors on public rights-of-way, amusement or game centers, tattoo or body artists, pawn shops, bingo halls, billiard or pool halls, game arcades, gaming, video poker establishments, computer game centers, or games played on individual machines or computers, including any type of card, token or coin-operated video or simulated games or similar activities or machines which are played for any type of compensation or reward.

The uses permitted in the CG zoning district shall include the following subject to the limitations as set forth within the following subsection (d). Unless otherwise and specifically provided for herein, all business activities, products for sale and services must be located within an enclosed building properly licensed for such use.

- (1) Retail sales of food and nonprescription drugs, clothing, toys, books and stationery, luggage, jewelry, art, florists, photographic supplies, sporting goods, hobby shops and pet shops (not animal kennel or veterinarian), bakery (but not wholesale bakery), home furnishings and appliances, office equipment and furniture, hardware, lumber and building materials, auto, boat and marine related parts, and similar retail uses.

(2)

Service establishments such as barber or beauty shop, shoe repair, restaurants with indoor or outdoor seating areas but without drive-through facilities, health clubs and gyms, laundry or dry cleaner, funeral home, printing, radio and television and electronics repair, lawn care service, pest control companies, surf board repair in association with surf shops, but not the production of surfboards, and similar service uses.

- (3) Banks with or without drive-through facilities, loan companies, mortgage brokers, stockbrokers, and similar financial service institutions.
- (4) Child care facilities in accordance with section 24-152.
- (5) Business and professional offices.
- (6) Retail plant nursery, landscape and garden supplies. Live plants and nursery stock may be located outside of the adjacent building licensed for such business, provided no obstruction to walkways, parking and internal driving aisles is created.
- (7) Retail sale of beer and wine only for off-premises consumption.
- (8) On-premises consumption of beer and wine only in conjunction with a full-service restaurant, which is a food service use where unpackaged ready-to-consume food is prepared onsite and served to the customer while seated at tables or counters located in a seating area within or immediately adjacent to the building.
- (9) Minor automotive service
- (10) Theaters, but not a multi-screen [exceeding two (2) screens] or regional cineplex.
- (11) Hotel, motel, motor lodge, resort rental and short-term rentals as defined within section 24-17.
- (12) Institutional and government uses, buildings and facilities.
- (13) Churches in accordance with section 24-153.
- (14) Residential use, consistent with the comprehensive plan, which permits residential uses not exceeding the applicable density set forth in the comprehensive plan when in conjunction with, or adjacent to commercial development and redevelopment, provided that such residential development shall not be permitted within the coastal high hazard area. Policy A.1.11.1(b).
- (15) The CG District shall permit those uses listed as permitted uses and uses-by-exception in the commercial limited (CL) and commercial, professional and office (CPO) zoning districts except off-street parking lots.
- (16) Mixed use projects combining the above uses and those approved as a use-by-exception pursuant to subsection (c) below.
- (17) Pharmacies and medical marijuana treatment center dispensing facilities subject to the requirements of section 24-169.
- (18) Gas stations, subject to the requirements of section 24-165.

(19) Convenience stores subject to the requirements of chapter 13, article 4 as applicable.

(20) Electric charging stations.

(21) Car washes.

(c) *Uses-by-exception.* Within the CG zoning district, the following uses may be approved as a use-by-exception where such proposed uses are found to be consistent with the uses permitted in the CG zoning districts with respect to intensity of use, traffic impacts and compatibility with existing commercial uses and any nearby residential uses:

(1) Pet kennel and facilities for the boarding of animals.

(2) Veterinary clinic.

(3) On-premises consumption of alcoholic beverages in accordance with chapter 3 of this Code.

(4) Restaurants with drive-through service where the site contains lanes dedicated solely to drive-through business (this shall not be construed to prohibit restaurants with carry-out service, which are a permitted use).

(5) Limited wholesale operations, not involving industrial products or processes or the manufacturing of products of any kind.

(6) Contractors, not requiring outside storage, provided that no manufacture, construction, heavy assembly involving hoists or lifts, or equipment that makes excessive noise or fumes shall be permitted. Not more than one (1) contractor related vehicle shall be parked outdoors on a continuous basis.

(7) Produce and fresh markets with outdoor sale and display of garden produce only.

(8) Cabinet shops, woodworking shops and surfboard production.

(9) Hospitals.

(10) Sale of new and used automobiles, motorcycles and boats, and automotive leasing establishments, but not temporary car, truck, boat or motorcycle shows or displays.

(11) Live entertainment in conjunction with a permitted use or approved use-by-exception, not including adult entertainment establishments as defined by F.S. § 847.001(2).

(12) Off-street parking lots. Parking lots shall conform to provisions of section 24-162.

(13) Tattoo or body artists or studios.

(14) Billiard and pool halls.

(d) *Limitations on certain uses.* Permitted uses within the CG zoning district shall not include large-scale retail establishments, which for the purposes of this chapter shall be defined by their size and as follows:

Large-scale retail establishments shall include those businesses, whether in a stand-alone building or in a multi-tenant building, which occupy a floor area exceeding sixty thousand (60,000) square feet including any interior courtyards, all areas under roof and also any other display,

sales or storage areas partially or fully enclosed by any means including walls, tarps, gates or fencing. Large-scale retail establishments are commonly referred to as "big-box" retailers, discount department stores, super-centers, warehouse clubs or by similar terms. Such establishments may offer a similar type of products such as electronics or appliances or office products, but more typically offer a wide variety of general merchandise and departments, which may include home improvement, house-wares and home furnishings, sporting goods, apparel, pharmacy, health and beauty products, automotive parts and services and may also include grocery items. This definition shall not be construed to limit the overall size of shopping centers as these are defined within section 24-17, but shall apply to any building where businesses with separate local business tax receipts may share the same interior space of a building which is not separated into individual units by structural fire rated walls or that do not contain separate and distinct exterior entrances.

- (e) *Minimum lot size.* The minimum size for lots within the commercial general zoning district shall be:
- (1) Lot or site area: Five thousand (5,000) square feet.
  - (2) Lot width: Fifty (50) feet.
  - (3) Lot depth: One hundred (100) feet.
- (f) *Minimum yard requirements.* The minimum yard requirements within the commercial general zoning district shall be:
- (1) Front yard: Twenty (20) feet, except that the front yard may be reduced to ten (10) feet where required off-street parking is located at the rear or side of the building site, and the primary business entrance is designed to face the street.
  - (2) Rear yard: Ten (10) feet.
  - (3) Side yard: Ten (10) feet where adjacent to existing residential use. Otherwise, a combined fifteen (15) total feet with a five (5) feet minimum on either side.
- (g) *General restrictions.* The following restrictions shall apply to all development in the commercial general zoning district:
- (1) Maximum impervious surface: Seventy (70) percent. Where existing impervious surface area exceeds seventy (70) percent on previously developed sites, new development shall not exceed the pre-construction impervious surface area, and required landscaping shall be provided in accordance with division 8 of this chapter. Stormwater management requirements shall apply to infill development and to redevelopment projects involving exterior site changes.
  - (2) Maximum building height: Thirty-five (35) feet.
  - (3)

Parking. Off-street parking shall be provided in accordance with section 24-161 of this chapter. Where existing uses, which do not provide the required number of off-street parking spaces as set forth within subsection 24-161(i) are replaced with similar uses (such as a restaurant replacing a restaurant), with no expansion in size or increase in number of seats, additional parking shall not be required. Any increase in floor area or expansion in building size, including without limitation the addition of seats shall require provision of additional parking for such increase or expansion.

(Ord. No. 90-10-212, § 2(Exh. A), 3-8-10; Ord. No. 90-18-233, § 1c, 6-11-18; Ord. No. 90-18-234, § 1c, 6-11-19; Ord. No. 90-19-240, § 3(Exh. A), 7-8-19)