

Sec. 3-9-39. - Office medical institutional (OMI).

- (a) *Intent.* The purpose and intent of this district is to allow professional and business offices, as well as institutional and cultural activities. Although this district may allow both residential and nonresidential uses, it is not a mixed-use district, and it is the further intent of this district that individual lots be developed with a single use.
- (b) *Permitted uses (P) and structures:*
- (1) Art, dance, music, photo studio or gallery.
 - (2) Assisted living facility or day care center, adult, six (6) or less. (See [section 3-9-62](#), assisted living facility.)
 - (3) Bank, financial services.
 - (4) Business services.
 - (5) Day care center, child.
 - (6) Drug store, pharmacy.
 - (7) Elementary, middle, or high school.
 - (8) Emergency services.
 - (9) General offices.
 - (10) Government uses and facilities.
 - (11) Homeless shelter.
 - (12) Hospital.
 - (13) Medical or dental office, clinic.
 - (14) Minor home occupation. (See [section 3-9-74](#), home occupations.)
 - (15) Model home. (See [section 3-9-78](#), model homes.)
 - (16) Nursing home.
 - (17) Pain management clinic. (See [section 3-9-80](#), pain management clinics.)
 - (18) Park, public or not-for-profit.
 - (19) Personal services.
 - (20) Place of worship. (See [section 3-9-82](#), places of worship.)
 - (21) Professional services.
 - (22) Sanitariums.
 - (23) Telecommunications facility, fifty (50) feet or less in height. (See [section 3-9-68](#), communication towers.)
 - (24) Telecommunications facility, greater than fifty (50) feet in height. (See [section 3-9-68](#), communication towers.)

- (25) University or college.
 - (26) Vocational, trade, or business school.
- (c) *Permitted accessory uses and structures:* Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures, including approved conditional or special exception uses, are permitted in this district, including, but not limited to:
- (1) Non-commercial Boat docks, boat lifts, and boat ramps.
 - (2) Fences or walls may be permitted prior to the principal uses and structures.
 - (3) Keeping of pets, excluding animal breeding, boarding, and training.
 - (4) For single-family residential uses located in the OMI zoning district the permitted accessory uses and structures shall be the same as those in the RSF zoning district.
 - (5) For multifamily residential uses located in the OMI zoning district the permitted accessory uses and structures shall be the same as those in the RMF zoning district.
 - (6) Swimming pools, tennis courts, or other similar noncommercial recreational uses and structures.
- (d) *Conditional use (C):* (For rules and regulations for any use designated as a conditional use or structure, see section 3-9-69, conditional uses and structures.)
- (1) Animal hospital, boarding facility.
 - (2) Assisted living facility or day care center, adult, seven (7) or more. (See section 3-9-62, assisted living facility.)
 - (3) Detox center and substance abuse center.
 - (4) Duplex or triplex.
 - (5) Laboratories, class 1, 2, 3.
 - (6) Manufactured home (DCA), minimum requirement is one hundred fifty (150) miles per hour exposure C.
 - (7) Multifamily.
 - (8) Private off-site parking.
 - (9) Single-family attached or detached, which may have a guest suite that is structurally attached, with or without cooking facilities.
 - (10) Transitional/halfway housing.
- (e) *Prohibited uses and structures:* Any use or structure not expressly or by reasonable implication permitted herein or permitted as a conditional use or by special exception shall be unlawful in this district.
- (f) *Special exceptions (S):* (For procedure, see section 3-9-6.2, special exceptions.)
- (1) All conditional uses and structures that cannot meet all conditions set forth in this Code.

- (2) Essential services. (See section 3-9-71, essential services.)
- (3) Heliport, helistop.
- (4) Major home occupation. (See section 3-9-74, home occupation.)
- (5) Paid or public parking lot, garage, structure.
- (6) 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, board of zoning appeals. It is expressly intended by these regulations that any use permitted as a principal use or by special exception in another zoning district or districts which is not specially listed in this section is excluded by its omission and cannot be a special exception considered or approved by the BZA as one (1) permitted by reasonable implication and intent of the district.

(g) *Development standards:*

OMI	
Lot (min.)	
Area (sq. ft.)	7,500
Width (ft.)	80
Setbacks (min. ft.)	
Front	10
Side (interior) for multifamily or nonresidential development	Half the building height, but not less than 7.5
Side (interior) for single-family development	7.5
Side (street)	10

Rear (interior)	10
Rear (street)	10
Abutting water	20
Bulk (max.)	
Lot coverage of all buildings	40%
Height (ft., nonresidential uses, residential uses with special exception)	60
Height (ft., residential uses)	38
Density (units/acre)	10

If an OMI 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.

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.

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 3-9-88, waterfront property.

(h) *Signs*. Signs shall be in accordance with section 3-9-85.

(i) *Off-street parking*. Off-street parking shall be in accordance with section 3-9-79.

(Ord. No. 2014-060, § 1(Exh. A), 11-25-14; Ord. No. 2018-027, § 1(Exh. A), 9-11-18)

Editor's note— Ord. No. 2014-060, § 1(Exh. A), adopted Nov. 25, 2014, repealed § 3-9-39, which pertained to office, medical and institutional (OMI) and derived from minutes of Dec. 8, 1981, § 7; Res. No. 87-78, § 19, adopted May 19, 1987; Res. No. 87-254, § 21, adopted Oct. 28, 1987; Ord. No. 89-34, § 13, adopted May 31,

1989; Ord. No. 91-08, §§ 1—3, adopted Feb. 26, 1991; Ord. No. 91-51, § 1, adopted Oct. 1, 1991; Ord. No. 94-55, §§ 23—25, adopted Nov. 3, 1994; Ord. No. 2001-031, § 1(j), adopted June 12, 2001; Ord. No. 2002-008, § 1, adopted Jan. 28, 2002; and Ord. No. 2011-030, § 2, adopted July 26, 2011.