

BUSINESS DISTRICTS

§ 155.179 ATLANTIC BOULEVARD OVERLAY DISTRICT.

(A) Intent and purpose. The Atlantic Boulevard Overlay District (AOD) is a mix of commercial entertainment, office, hotel accommodations, and residential uses. The district is primarily oriented to local residents and tourists and will be compatible with adjacent neighborhoods. The purpose of this district is to promote cohesive development and redevelopment that will create a safe, attractive and pedestrian oriented area through the implementation of design standards, landscaping, public art and property owner incentives. These regulations are intended to invigorate the economic and social vitality of the Atlantic Boulevard corridor, while cultivating an attractive gateway to the Municipal Pier, Public Beach, and the Intracoastal Waterway.

(B) Applicability. All properties located within the Atlantic Boulevard corridor and beach area, as defined by the adopted Atlantic Boulevard Overlay map. To the extent that conflicts occur between standards of the overlay district and other regulations, excepting approved § 155.210, Planned Commercial Overlay Districts. The provisions set forth in the Atlantic Boulevard Overlay District shall prevail.

(C) Exceptions. Approved § 155.210, Planned Commercial Overlay Districts, lying within the Atlantic Boulevard Overlay District shall be exempted from the provisions of the Atlantic Boulevard Overlay District and shall prevail, the Planned Commercial Overlay District shall adhere to the terms and provisions approved under § 155.210.

(D) Permitted uses.

(1) All uses permitted in the underlying zoning district, unless prohibited by this section.

(2) Establishments for the sale of alcoholic beverages: Establishments for the sale of alcoholic

beverages shall not be subject to the provisions of the city Zoning Code § 155.069 including, but not limited to: Bar and lounge; restaurant, restaurant bar; outdoor restaurant or bar; sidewalk café; hotel; hotel bar and package liquor store; any other duly licensed to sell and/serve alcoholic beverages located within the AOD.

(3) Hotels.

(4) Mixed uses of commercial, office and residential: Residential and commercial uses will be allocated in land use districts through the utilization of reserve units or flexibility pursuant to the Broward County and City of Pompano Beach Land Use Plans.

(a) The requirement for affordable housing, as provided in § 155.018(D) Reserve and Flexibility Units shall not be applicable to properties located within the AOD.

(b) The following provisions apply for all commercial/residential mixed-use developments:

1. The mixed-use development shall include multifamily residential uses in conjunction with commercial uses within the same building.

2. The minimum floor area for each multifamily residential dwelling unit shall be 450 net square feet.

3. Commercial uses shall be limited to the floor(s) below the multifamily residential use.

(c) For mixed-use developments with residential dwelling units on commercial land use designated parcels:

1. The multifamily residential floor area of the mixed-use development does not exceed 50% of the gross floor area of the building.

2. The commercial uses permitted within a mixed-use development on commercial land

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use designated property shall be limited to the following uses:

- a. Retail sales;
 - b. Services/office; and
 - c. Food and beverage, including accessory outdoor dining and sidewalk café.
- (d) For mixed-use developments with commercial uses on residential land use designated parcels:

1. The commercial uses permitted within a mixed-use development within a residential land use designated property shall be limited to the following uses:

- a. Neighborhood retail and service;
- b. Professional office; and
- c. Food and beverage, including accessory outdoor dining and sidewalk café.

2. No contiguous area used for offices and/or retail sales of merchandise or services may exceed ten acres. For the purpose of this provision, contiguous is defined as: attached; located within 500 feet; or separated only by streets and highways, canals and rivers, or easements.

3. Regardless of 1. and 2. above, the following additional limitations shall apply:

a. Space within residential buildings in areas designated for Medium-High (25) Residential or High (50) Residential density may be used for offices and/or retail sales of merchandise or services, as long as no more than 50% of the floor area is used for said purpose.

b. Space within residential buildings in areas designated for Medium (16) Residential density may be used for offices, as long as

no more than 50% of the floor area is used for office uses.

(5) Outdoor display of merchandise for sale or rental may be permitted as an accessory to a principal commercial retail or service use, subject to the following criteria:

(a) The outdoor display of new or used merchandise shall only be used for the purpose of sale or rental and shall not be used for service of said merchandise.

(b) The outdoor display area shall be accessory to or under the same ownership or control as the retail or rental use which is operated within a totally and permanently enclosed building located on the same lot and shall only be located adjacent the building, limited to 100 square feet in area and operated in concert with a business operated within the enclosed premises.

(E) Prohibited uses.

(1) Adult bookstore, adult entertainment lounge, adult motion picture theater, adult video store, adult domination/submission, encounter/modeling studio.

(2) Auction house.

(3) Automobile care center.

(4) Automobile parts store.

(5) Automobile, truck or trailer sales and/or rental.

(6) Big-box retail establishment.

(7) Blood donation centers.

(8) Flea market.

(9) Filling stations.

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(10) Fortune telling and kindred trades or professions.

(11) Hospitals and clinics.

(12) Labor pools.

(13) Showrooms with wholesaling and sampling.

(14) Tattoo parlors/body piercing.

(15) Thrift/consignment shops.

(16) Window tinting, burglar alarm, stereo and telephone installation for automobiles.

(F) Development regulations.

(1) All utilities will be located underground, including those located to the rear of developments.

(2) Direct pedestrian access shall be provided from rear parking areas to ground floor uses. Connections can be interior throughways with rear or side entrances. Pedestrian throughways may also be exterior, located adjacent or between buildings. Interior and exterior throughways shall be a minimum of five feet unless located between buildings, in which case, throughways shall be a minimum of ten feet.

(a) Exterior throughways and outside areas shall provide a minimum .5 foot candle of illumination. Lighting fixtures, placement and design shall comply with the Atlantic Boulevard Design Manual.

(3) The setbacks for the Atlantic Boulevard Overlay District shall conform to the following:

(a) Front setback: Atlantic Boulevard from US Highway 1 to 25th Avenue, building walls shall be setback zero feet from the right-of-way, in order to conform to current development patterns.

Atlantic Boulevard from 25th Avenue to 28th Avenue and US Highway 1, building walls shall be setback five feet from right-of-way. In the event that outdoor seating areas are provided, building walls shall be setback a minimum of ten feet from right-of-way. Roofed areas and upper floors must maintain a setback of five feet, unless an interior courtyard is provided.

(b) Side street setback: Building walls shall be setback zero feet from the right-of-way if a sidewalk exists. When deemed appropriate a sidewalk or walkway shall be required either on or off site and should be dedicated to the public. Specifications and setbacks shall be determined by the Planning and Zoning Board.

(c) Side setback: The creation of pedestrian walkways, plazas and courtyards, adjacent to buildings are encouraged to provide access to rear parking areas and to create outside areas. If provided, setbacks shall be a minimum of ten feet from property line. Adjacent property owners are encouraged to engage in joint development of plazas or courtyards. Side entrances are also encouraged. If plazas, courtyards or walkways are not created, there shall be no building separation and setbacks shall be zero feet.

(d) Permitted uses in front/side setback: Arcades, walkways and pedestrian plazas/courtyards, landscaping, lighting, street furniture, and outdoor seating that does not obstruct pedestrian movement.

(G) Design theme. The general design theme of the district is that of Old Florida/Maritime. The design of buildings should emphasize covered open air walkways or arcades integrated into the building design with structures supported overhead by architectural arches, columns or overhangs. Rooflines should be sloped and varied in elevation. Pedestrian orientation and safety should be emphasized through walkways, lighting and high visibility areas. Design standards, which include signage, lighting, fencing, site improvements and building facades, are discussed in detail in the Atlantic Boulevard Design Manual, when available.

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The Atlantic Boulevard Design Manual is hereby adopted by reference and will be updated periodically. Said manual was developed to supplement the regulations set forth in this section and guide property owners in the design and construction of new structures as well as the rehabilitation of existing structures. Funding assistance for facade, sign and landscaping improvements may be available through the City of Pompano Beach. All new or improved structures, site improvements and appurtenances must comply with the standards in the Atlantic Boulevard Design Manual and this section.

(H) Sign regulations. Signage in the Atlantic Boulevard Overlay District shall compliment the Old Florida/Maritime theme and create consistency using compatible colors, materials, size and location. Design guidelines are established in the Atlantic Boulevard Design Manual. Signage shall comply with the Atlantic Boulevard Design Manual and where not specifically defined by this regulation, the underlying sign ordinance.

(1) A principal building or shopping center, having more than one tenant shall be permitted one wall, marquee or monument sign for identification, per street frontage. In addition, a principal building is permitted one directory sign. Size, height and location are as follows:

(a) Signs may be located on the principal frontage and along a side street. Side street signs shall not exceed 25% of the total square footage in sign area and letter size of the primary sign.

(b) Letter size shall not exceed 36 inches in height.

(c) In addition to identification sign(s), principal buildings containing more than one tenant are permitted one directory sign. Directory sign may be a wall sign or freestanding sign located in an internal courtyard and shall not exceed 25 square feet or six feet in height.

(d) Wall or Marquee Sign: Signs located on the principal frontage shall not exceed 10% of the total square footage of the facade area or 100 square feet, whichever is smaller.

(e) Monument Sign: Signs are allowed, one per parcel. Parcels must have a minimum frontage of 100 feet. Sign area shall not exceed 50 square feet. Sign height shall not exceed eight feet. Monument signs shall be located in front of central interior courtyard or entrance.

(2) Individual establishments within a principal building, shopping center or single tenant building are permitted one non-illuminated, primary identification sign and one secondary identification sign. The following sign types and dimensions shall be permitted in the Atlantic Boulevard Overlay District:

(a) Secondary signs shall not exceed 25% of the primary sign area in size and nine inches in letter size. Secondary signs shall be located at the rear or side.

(b) Awning Sign: One line of lettering shall be permitted.

(c) Under-Canopy Sign: Sign shall be mounted perpendicular to the face of the entrance. Identification sign shall not exceed five square feet in sign area. Sign shall be located at least eight feet above the grade of sidewalk or walkway under sign. Sign shall be located equal distance from establishment wall or entrance as adjacent business establishment signs. If no adjacent signs exist, sign shall not be located more than two feet from establishment wall or entrance.

(d) Occupant Nameplate Sign: Letters not to exceed three inches.

(e) Projecting Sign: Sign shall be mounted perpendicular to the face of the entrance. Sign shall not exceed five square feet in sign area. Sign shall be located at least eight feet above the

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grade of sidewalk or walkway under sign. Sign shall be located equal distance from establishment wall or entrance as adjacent business establishment signs. If no adjacent signs exist, sign shall not be located more than two feet from establishment wall or entrance.

(f) Wall Sign: Sign shall not exceed one square foot of sign area per one linear foot of tenant frontage.

(3) Primary signs for individual establishments within a principal building or shopping center shall be of a homogenous sign type.

(4) Wall murals that promote the Old Florida/Maritime theme are encouraged in the Atlantic Boulevard Overlay District. All murals will be reviewed and approved by the Architectural Appearance Committee for appropriateness and consistency with the district objectives. In order to promote art in public places, wall murals may be commercialized; however, the commercial portion can not exceed 5% of the total mural space. Commercialized portions of a mural shall not be counted toward sign coverage limitations.

(5) Nonconforming Signs: Nonconforming signs are required to conform to this section if there is any destruction, modification or improvement to a structure, site characteristic or appurtenance that is more than 25% of the replacement value, in accordance with subsection (F) of this section. All nonconforming signs shall be removed or made to conform by April 1, 2011. Nonconforming signs shall not be:

(a) Structurally altered to extend its useful life.

(b) Demolished, modified or improved by more than 25% of its replacement value.

(c) Re-established if there is a change in use.

(d) Re-established after a business has been abandoned for more than 90 days.

(I) Landscape requirements. Landscaping in the Atlantic Boulevard Overlay District will compliment the Old Florida/Maritime theme, using native plant materials and street furnishings that carry the theme. In addition, public safety will be a priority using the principles of CPTED, to create high visibility areas and natural access control.

(J) Parking provisions. Parking requirements shall be calculated in accordance with § 155.113 for each permitted use. Property owners are entitled to a maximum 40% reduction in off-street parking if provisions for reduction are utilized. The total percentage of parking reductions are summed, then reduced from the amount required by § 155.113. If the adjusted parking requirement is a fraction of a whole number, it shall be rounded to the nearest whole number. The following methods, which are described in more detail in the Atlantic Boulevard Design Manual, may be used to reduce off-street parking:

(1) Mixed-use developments, incorporating a residential component, may reduce off-street parking for non-residential uses by 20%.

(2) Enhancement of pedestrian circulation to link rear parking areas building entrances and other establishments using features such as arcades, walkways, and courtyards shall reduce required off-street parking for non-residential uses by 20%.

(3) Creation of additional public landscaped areas, courtyards or plazas with pedestrian amenities shall reduce required off-street parking for non-residential uses by 20%.

(4) The Atlantic Boulevard Overlay District falls within the Beach Master Parking Area. Additional reductions requiring parking fees paid in lieu of provision of parking may be requested in accordance with § 155.115.

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(K) Bonus provisions.

(1) Mixed-use developments incorporating a residential component, may request an increase in permitted lot coverage by up to 20%.

(2) Developments that incorporate public plazas or public courtyards into site design, may request an increase in lot coverage by up to 20%.

(3) Developments in the West and Civic Areas and Cental Retail Village that incorporate parking structures accommodating at least 75% of required parking may request an increase in lot coverage of up to 20%.

(4) Developments are only entitled to a maximum lot coverage increase of 20%.

(5) Plazas, courtyards and arcades paved with an impervious material may be considered open space and counted toward the requirement up to 50%.

(6) Plazas, courtyards and arcades paved with a pervious material may be considered open space and counted toward the requirement up to 75%.

(7) Improvements to an existing property or structure, which conform to the regulations and design guidelines of the Atlantic Boulevard Overlay District, are eligible for a 20% reduction in parking or increased lot coverage.

(L) Nonconforming uses, structures and site characteristics. Any use, structure, site characteristic or appurtenance established prior to the effective date of this section, which does not comply with, or is prohibited by this section, is considered nonconforming. These uses, structures, site characteristics or appurtenances shall not be required to comply with the Atlantic Boulevard Overlay District regulations until partial destruction or modification occurs, in which case the following provisions apply:

(1) Any change in the use of a structure deemed nonconforming will result in compliance with subsection (H) of this section.

(2) A nonconforming structure, site characteristic or appurtenance which is destroyed, modified or improved by more than 25% of its assessed value shall be required to comply with subsection (H) of this section. Nonconforming signs are subject to further restrictions and provisions pursuant to subsection (H) of this section.

(3) A nonconforming site characteristic, such as parking or landscaping, which is destroyed, modified or improved by more than 20% of the total area shall be required to comply with subsection (I) of this section.

(4) A nonconforming structure which is destroyed, improved or modified by more than 50% of its assessed value shall be required to conform to all of the regulations of the Atlantic Boulevard Overlay District.

(Ord. 99-27, passed 3-23-99; Am. Ord. 2000-30, passed 1-25-00; Am. Ord. 2010-21, passed 3-9-10; Am. Ord. 2010-52, passed 9-28-10)

§ 155.180 B-1 LIMITED BUSINESS DISTRICT.

(A) Intent. This district is intended to be applied to the frontage of selected major streets where traffic volumes and street widenings have lessened the desirability of residential uses. The limited office, retail and service uses are intended to serve as a buffer to adjacent housing. This conforms with the Commercial category of the Future Land Use Element.

(B) Permitted uses.

(1) Professional, governmental and business offices;

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- (2) Retail sales of new merchandise;
 - (3) Antique stores;
 - (4) Personal and office service establishments;
 - (5) Financial institutions;
 - (6) Restaurants;
 - (7) Day care center; and
 - (8) Public park.
- (C) Special exception uses.

(1) Residential apartments as part of a commercial structure but not exceeding 50% of the floor area of the structure and not located on the ground floor. Subject to allocation of flex or reserve units by City Commission.

(2) Free standing multiple-family residential use up to 20 units per net acre of site area. Subject to allocation of flex or reserve units by City Commission.

(3) Churches.

(D) Accessory uses.

(1) All customary accessory uses;

(2) Outdoor dining in accordance with the provisions of § 155.074.

(E) Lot area and width.

(1) Minimum lot area of 7,000 square feet; and

(2) Minimum lot width of 70 feet.

(F) Setbacks.

(1) Front yard, none except where §§ 155.140 through 155.143 applies due to a right-of-way width which is less than that shown in the Comprehensive Plan Traffic Circulation Element.

(2) Side yard, none except where district abuts a residential district, see § 155.130 for details on the ten-foot buffer strip required therein.

(3) Rear yard, minimum of 30 feet.

(G) Lot coverage, maximum of 35%.

(H) Pervious area, minimum of 20%.

(I) Height, maximum of 50 feet.

(J) Site plan. Site plan review by the Planning and Zoning Board is required, in accordance with Chapter 157.

(K) Special regulations, see sections governing parking, landscaping, signs and lighting.

(Ord. 91-63, passed 6-25-91; Am. Ord. 95-66, passed 5-23-95; Am. Ord. 2001-56, passed 5-22-01; Am. Ord. 2002-26, passed 1-22-02; Am. Ord. 2007-58, passed 7-24-07)

§ 155.181 B-2 COMMUNITY BUSINESS DISTRICT.

(A) Intent. This district is intended to provide those retail, personal service and office uses needed to serve adjacent residential neighborhoods. This conforms with the Commercial category of the Future Land Use Element.

(B) Permitted uses.

(1) Any use permitted in B-1;

(2) Electronic game and billiards establishments;

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(3) Post office substations; and

(4) Filling stations for automotive vehicles but not in connection with auto repair garages. No filling station shall be located within 750 feet of another filling station. Convenience food sales and an automatic car wash are permitted as accessory uses. Pumps or pump islands shall be located not closer than 25 feet from any street line or ultimate right-of-way as shown on the Trafficways Plan, whichever is greater. See also § 155.068.

(C) Special exception uses.

(1) Residential apartments up to 30 units per net acre as a part of a commercial structure but not exceeding 50% of the floor area of the structure and not located on the ground floor. Subject to allocation of flex or reserve units by City Commission.

(2) Free-standing multiple-family residential use up to 30 units per net acre of site area. Subject to allocation of flex or reserve units by City Commission.

(3) Churches.

(D) Accessory uses, all customary accessory uses.

(E) Lot area and width.

(1) Minimum lot area of 10,000 square feet; and

(2) Minimum lot width of 100 feet.

(F) Setbacks.

(1) Front yard, none except where §§ 155.140 through 155.143 applies due to a right-of-way width which is less than that shown in the Comprehensive Plan Traffic Circulation Element.

(2) Side yard, none except where district abuts a residential district and the provisions of § 155.130 shall apply.

(3) Rear yard, minimum of 30 feet.

(4) High rise setbacks, any structure with a building height exceeding 50 feet shall have a side and rear setback, in addition to what is specified above, of at least one foot for every four feet of building height, or major fraction thereof, above the first 50 feet of building height.

(G) Lot coverage, maximum of 45%.

(H) Pervious area, minimum of 20%.

(I) Height, maximum of 105 feet.

(J) Site plan. Site plan review by the Planning and Zoning Board is required, in accordance with Chapter 157.

(K) Special regulations, see sections governing parking, landscaping, signs and lighting.

(Ord. 91-63, passed 6-25-91; Am. Ord. 95-82, passed 7-25-95; Am. Ord. 2001-56, passed 5-22-01; Am. Ord. 2002-26, passed 1-22-02; Am. Ord. 2004-30, passed 3-23-04; Am. Ord. 2004-75, passed 9-28-04)

§ 155.182 BSC-PLANNED SHOPPING CENTER BUSINESS DISTRICT.

(A) For the purpose of this section the following definitions shall apply unless the contents clearly indicates or requires a different meaning.

DEVELOPMENT PLAN. A comprehensive plan for the integrated development and improvement of an entire regional shopping center site including any supporting data required herein or requested by the Zoning Board or the City Commission.

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GROSS LEASABLE RETAIL AREA. The total floor area designed for tenant occupancy and exclusive use, including basement, mezzanine, and upper floors, if any, expressed in square feet measured from center lines of joint partitions and exteriors of outside walls.

MAJOR DEPARTMENT STORE. A full line department store offering for sale at retail a broad, general variety of retail goods and services to the general public, occupying at least 100,000 square feet of gross leasable retail area and the owner of which has at least one department store in each of five states in the eastern time zone of the United States.

PLANNED REGIONAL SHOPPING CENTER. A concentrated and integrated commercial facility designed to serve as a convenient shopping nucleus providing a variety and depth of “shopping goods” comparable to a central business district, including general merchandise, apparel, and home furnishings as well as a variety of services and recreational uses. It shall contain three department stores, at least, one of which shall be a primary department store and the other two of which shall, at a minimum, be major department stores; but the number of lesser retail stores in addition thereto shall not be limited except as may be otherwise required herein.

PRIMARY DEPARTMENT STORE. A full line department store offering for sale at retail a broad, general variety of retail goods and services to the general public, occupying at least 125,000 square feet of gross leasable retail area and the owner of which has at least one department store in one state in each time zone of the United States, except Alaska and Hawaii.

TIME SCHEDULE. A stated period of time allotted for the completion of each progressive stage of development of a planned regional shopping center as designated on the development plan.

(‘58 Code, § 50.188.1)

(B) Intent. A Planned, Regional Shopping Center District is designed and intended to allow locations for planned, regional shopping center developments providing retail shopping facilities, goods and services for the people of the region to be served, minimize traffic congestion on thoroughfares and public streets in its vicinity and provide such locations in a manner which shall best fit the general land use pattern of the area to be served. The protective standards for site development provided for herein are intended to minimize any adverse effect of the shopping center on nearby property values and to provide for safe and efficient use of the shopping center itself. Therefore, the planned, regional shopping center shall be a unified development, presenting a functional and pleasing architectural arrangement compatible with its surroundings. Inasmuch as these objectives can only be defined in general terms, and their realization will depend on the details of design of the buildings, structures, and appurtenances and the facilities for traffic, parking, and service in connection with the use, development, and maintenance of the proposed site, review and recommendation of the site and development plans by the Planning and Zoning Board and the approval thereof by the City Commission shall be required as provided for herein. (‘58 Code, § 50.188.2)

(C) Procedure for establishment of a Planned, Regional Shopping Center District. A Planned, Regional Shopping Center District may be sought by application for rezoning made to the Planning and Zoning Board; however, the application shall not be acted upon until the following requirements have been met by the applicant for the rezoning.

(1) An application for a Planned, Regional Shopping Center District shall be filed with the Planning and Zoning Board and shall be accompanied by a development plan prepared by an engineer or architect licensed in the state, which plan shall be in conformance with all requirements hereof, and any supporting data required herein or by the Planning and Zoning Board.

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(2) The Planning and Zoning Board shall meet and study the development plan and shall determine if the development will consist of a harmonious grouping of buildings, service and parking areas, circulation and open spaces, planned and designed as an integrated unit, in such a manner as to constitute a safe, efficient, and convenient planned regional shopping center in conformance with all the requirements hereof and it shall then make its recommendation to the City Commission. The Planning and Zoning Board, in reviewing and making its recommendations on any such plan and the City Commission in approving them, shall consider the location, size, height, spacing, appearance, character, and utilization of any building, structure, or use and their appurtenances, access, and circulation for vehicles and pedestrians, streets, parking areas, yards and open spaces, and relationship to adjacent property. The Planning and Zoning Board shall not recommend for approval and the City Commission shall not approve the development plan unless they find that the same conforms to all applicable provisions of this chapter, except §§ 155.110 through 155.114 relating to off-street parking, such off-street parking provisions being hereafter set forth in division (1) below; that the safety and convenience of the public are properly provided for; that adequate off-street parking and loading facilities are provided for employees, customers, and visitors; and that adequate protection and separation is provided for contiguous and nearby residential property. The Planning and Zoning Board and the City Commission may attach to their recommendation and approval, respectively, of the development plan any reasonable conditions, limitations, or requirements which are found necessary in their judgment to effectuate the purposes of this zoning district and to carry out the spirit and purpose of this chapter in its entirety.

('58 Code, § 50.188.3)

(Ord. 67-14, passed 11-28-66; Am. Ord. 2007-50, passed 4-24-07)

(D) Procedure for acquiring a building permit. When an area is zoned for a Planned, Regional

Shopping Center District, a building permit cannot be issued until the applicant secures approval of the development plan, in the manner herein set forth. Once the approval has been obtained, however, building permits may be issued for different stages of construction in accordance with the time table approved in the development plan.

('58 Code, § 50.188.4)

(E) Requirements for the development plan. The applicant shall submit to the Planning and Zoning Board four paper prints of the development plan for the shopping center showing the following.

(1) Shopping center name, owner, brief statement of purpose, name of designer of plan, scale, date, and north arrow.

(2) Site plan with grades or contours.

(3) Existing property lines, streams, drainage facilities, alleys, and buildings, streets, including right-of-way and pavement widths, utilities and easements, parks and playgrounds, city limit lines, and, if required, topography and ground cover.

(4) A preliminary architectural drawing showing elevations, location, and general exterior dimensions of all main and accessory buildings and structures. A perspective of the completed shopping center shall also be submitted.

(5) Location and character of all outside facilities.

(6) Location, size, character, height, and orientation of all exterior signs.

(7) Location, height, and character of walls and fences.

(8) Location and character of landscaping.

(9) Location, arrangement, and dimensions of automobile parking spaces, width of aisles, width

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of bays and angle of parking; truck loading and unloading spaces and docks; vehicular entrances, exits, and drives; pedestrian entrances, exits, walks, malls, and walkways; all curb cuts, driveways, parking areas, loading areas, and the surfacing materials of same.

(10) Designation of successive development stages and time schedule. The developer must undertake the construction of each stage as scheduled in the time schedule.

(11) Any other information required by the Planning and Zoning Board or the City Commission.

('58 Code, § 50.188.5)

(F) Amendments to development plan. The approved development plan shall limit and control the issuance of all building permits and shall restrict the construction, location, and operation of all land and structures to all conditions set forth in the plan. However, upon application to the Planning and Zoning Board for review and recommendation and the City Commission for approval, changes in the location of structures, and other similar matters may be permitted. In addition, and in order not to cause an undue burden upon the developer and to permit efficient construction of the development, the City Commission may, by resolution, determine certain criteria or areas within which the City Manager shall be given the authority to approve amendments or changes in the development plan involving items considered to be minor details in nature, without the necessity for prior recommendation by the Planning and Zoning Board or approval by the City Commission. No change shall be authorized by the City Manager or the City Commission, nor recommended by the Planning and Zoning Board, which materially differs from the approved development plan or which violates the spirit and intent hereof, nor shall the City Manager, the City Commission or the Planning and Zoning Board have the power or authority to vary the terms of any ordinance or to grant variances or special exceptions

or in any fashion excuse strict compliance with the requirements of all of the city's ordinances.

('58 Code, § 50.188.6)

(G) Permitted uses. In any Planned Regional Shopping Center Zone, no building or premises shall be erected, used, arranged, or designed to be used in whole or in part for any industrial or manufacturing purpose or for any other than one or more of the following specified uses.

(1) Principal uses.

(a) Any use permitted in B-1 and B-2 Business Districts, except that there shall be no residence district usage nor any uses subsequently specifically prohibited herein.

(b) Filling or service station for automotive vehicular service subject to the district limitations and other restrictions imposed by this chapter upon such use generally and, in addition, the distance limitations imposed upon such use in districts zoned Business 3, Central Retail Businesses. For purposes of construction permits and distance limitations, the filling or service station site or plot shall be that as shown on the approved development plan.

(2) Accessory uses. All customary accessory uses and structures incidental to the permitted uses, including the repair of goods of the type sold in stores in the center, provided that such repair may not be carried on as a separate business unless specifically permitted herein. No such accessory use shall be of a nature prohibited as a principal use.

('58 Code, § 50.188.7) (Ord. 68-15, passed 12-4-67; Am. Ord. 91-63, passed 6-25-91)

(H) Injurious or hazardous businesses. All of the permitted uses as described above may be allowed in Planned, Regional Shipping Center Districts unless they shall be carried on in a manner which is injurious or hazardous to the operating personnel of the

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business, or to other properties or to the occupants thereof, by reason of the objectionable emission of cinders, dust, dirt, fumes, gas, odor, noise, refuse matter, smoke, vapor, vibration, radiation (nuclear or other), fire, or danger of explosion. ('58 Code, § 50.188.8)

(I) Prohibited uses. Any use permitted in residence districts; all uses prohibited in Business and 1 and Business 2 districts; and all uses or structures not similar in nature to those specifically or conditionally permitted herein are prohibited.

('58 Code, § 50.188.9)

(J) Interpretation. Any question concerning the interpretation of uses permitted or prohibited shall be referred to the Planning and Zoning Board at a regular scheduled meeting for interpretation and the decision of the Planning and Zoning Board thereon shall be final.

('58 Code, § 50.188.10)

(K) Limitations on uses. Except for automobile parking lots and service stations, all activities of permitted uses, whether principal or accessory, and including sale, display, preparation, and storage shall be conducted entirely within a completely enclosed building, as defined in that portion of this chapter, setting forth the definitions and requirements in connection with B-1 Business Zoning as existing on August 8, 1966, unless otherwise indicated and approved on the development plan. No secondhand or used merchandise shall be offered for sale, displayed, or stored except in an antique store or incidental to the sale of new merchandise. All products produced incidental to a permitted use shall be sold at retail on the premises.

('58 Code, § 50.188.11)

(L) Off-street parking.

(1) Off-street parking space shall be provided at the rate of not less than 5.5 car parking spaces per

1,000 square feet of gross leasable area for stores or tenants occupying 50,000 square feet or more gross leasable area. Off-street parking space shall be provided at the rate of not less than 4.0 car parking spaces per 1,000 square feet of gross leasable area for stores or tenants occupying less than 50,000 square feet of gross leasable area; provided, however, that theaters will provide one parking space for each four seats. Gross leasable area is the total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines, and upper floors, if any, expressed in square feet, measured from center lines of joint partitions and exteriors of outside walls.

(2) Off-street parking space shall be provided by all filling stations for servicing of customers; cars and for one car waiting for servicing in each possible lane of service. Gas pumps shall be so positioned that neither the car being serviced nor the one in each waiting line shall protrude at either end or side into the street or sidewalk apace. Where services, tire or other repairs are carried on, parking space must be provided for each car being so serviced, and for one waiting car for each service booth.

(3) There shall be no off-street parking requirement for a community hall provided for the public at a nominal charge to cover janitorial service and utility costs, and the community hall shall be for the exclusive use of public charitable, educational, fraternal, scientific, literary, civic, civic improvement, trade association, or other similar groups; however, any such group must be both nonprofit and nonpolitical.

(4) No permit shall be issued for land use for the construction of new buildings or the reconstruction or repair of existing buildings where expansion of the building is made to accommodate the existing use of the building or to provide for a change of use, in whole or in part, or to provide for space for another use, without provision being made from off-street parking, loading, unloading and servicing to the extent herein required for the classification under which the permit is sought.

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(5) For a seven or less passenger car, a space ten feet by 20 feet shall be provided. For larger cars, buses, freight trailers, trucks, or any combination thereof, that may be regularly parked thereof, a space ten feet in width by the overall lengths of the combination vehicles, plus six feet, shall be considered a parking space. The dimensions shall be taken from the face of any structural column or portion of a structure and shall be clear dimensions. The motor vehicle spaces required shall be laid out according to the parking layout diagrams on file in the Planning Department. However, parking arrangements other than those shown on the diagrams may be approved at the discretion of the Planning Department if access aisles and driveways are of sufficient size to permit convenient maneuvering of cars, and each space is accessible without driving over or through any other space. All parking spaces provided shall be on the same lot with the principal building, or any lot with 500 feet of the principal building served thereby, provided that the lot is not in a single-family or duplex use zone and provided that the lot is owned in fee simple or leased under a 99-year lease by the owner and dedicated to parking purposes for the building, the form of the dedication to be approved by the city Attorney. Any parking areas shall be surfaced in accordance with specifications prepared by the City Engineer and on file in the office of the City Clerk, and shall be properly marked according to the parking layout referred to herein.

(6) Adequate drainage shall be provided for all parking areas in accordance with plans approved by the City Engineer. All off-street parking, loading, and unloading space shall be so designed, site planned, regulated, and controlled as to eliminate the use of streets or highways for maneuvering incidental to parking, loading, or unloading. The path of ingress or egress to such parking, loading, or unloading space shall be separated from the circulation pattern of the parking areas, and in all cases the loading spaces, including the maneuvering areas for such spaces, shall be entirely off-street or alley. All parking areas shall be clearly marked.

(7) Entrance and exits to the off-street parking areas shall be provided that are not less than ten feet nor more than 30 feet in width, measured at the property line. However, there may be a combined entrance-exit not exceeding 60 feet in width at the property line with a combined paved width not exceeding 48 feet, exclusive of a dividing island which shall be provided in a combination entrance-exit. There shall not be more than one entrance-exit, or combination thereof, for every 500 feet of street frontage; they shall not be closer than 200 feet to any street intersection located on the same side of the street; they shall not be closer together than 100 feet and shall not be closer than 15 feet to abutting property not a street. A deceleration lane shall be provided at every entrance in accordance with the specifications of the governmental body having jurisdiction over the subject right-of-way, except for designated store service entrances under 24 feet in width or filling station entrances.

(8) Except at entrance-exits and where deceleration lanes are required, all off-street parking shall be set back three feet from the property line along the street right-of-way lines, the three-foot setback to be exclusive of curbs.

(9) All references to “spaces,” “car spaces” or other vehicular “parking or unloading spaces” specified as required herein shall mean “off-street parking or unloading spaces” unless clearly specified otherwise.

(‘58 Code, § 50.188.12) (Ord. 67-14, passed 11-28-66; Am. Ord. 68-15, passed 12-4-67; Am. Ord. 75-15, passed 12-30-74; Am. Ord. 75-26, passed 2-5-75; Am. Ord. 82-1, passed 10-20-81)

(M) Lot area. The minimum lot area in this district shall be not less than 50 acres and shall abut a major artery as designated on the master arterial street plan of the city as set forth in this chapter. The tract shall have a minimum frontage on such major artery of 750 feet and the minimum average depth from the abutting artery right-of-way lie shall be not less than 500 feet.

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('58 Code, § 50.188.13)

(N) Building area. The minimum building area as shown on the development plan shall contain not less than 325,000 square feet of total floor area.

('58 Code, § 50.188.14)

(O) Percentage of lot coverage. Percentage of lot coverage in this district shall not exceed 50% of the lot area. Lot coverage shall not include any portion of any area designed and used exclusively for pedestrian traffic even though such area may be covered by a roof, but shall include all gross leasable retail area. Only 50% of any area above the ground level used exclusively for vehicular parking by the public, which is neither above nor below any gross leasable retail area, shall be included in such lot coverage.

('58 Code, § 50.188.25) (Ord. 68-15, passed 12-4-67)

(P) Building height. No building or other structure shall be erected to a height, not including basement, in excess of 105 feet. Above the fourth floor on all buildings exceeding four floors in height an additional setback of at least two feet per floor or equivalent shall be maintained along side and rear lot lines. However, no such additional two-foot setback shall be required on street fronts or street side.

('58 Code, § 50.188.16) (Ord. 73-40, passed 5-1-73; Am. Ord. 2004-75, passed 9-28-04)

(Q) Front, side, and rear yards. The front yard setback from any abutting street shall be a minimum of 150 feet from the abutting right-of-way line of the street. There shall be a minimum side yard setback of 50 feet. There shall be a minimum rear yard setback of 100 feet.

('58 Code, § 50.188.17)

(R) Courts. Court requirements shall be as required for Business 1 Districts.

('58 Code, § 50.188.18)

(S) Exterior signs. Only flat wall signs on the face of a marquee wall, canopy-suspended signs, and authorized overhanging signs will be permitted. All signs must relate only to the name and use of the store and premises. No signs shall be extended above or beyond the building walls nor project more than one foot from the structure, with the exception that two additional signs or structures to identify the shopping center shall be permitted. The identifying signs or structures shall be of permanent construction. Plans for the signs shall be submitted as a part of the development plan.

('58 Code, § 50.188.19)

(T) Use of yard requirements. The yard requirements specified above may be used for the following purposes.

(1) Off-street parking, loading, and traffic circulation, including lights for the illumination of such areas, except where landscaped areas are recommended by the Planning and Zoning Board or require by the City Commission.

(2) Signs necessary to direct and control vehicular and pedestrian traffic within the shopping center.

(3) Permitted signs identifying the shopping center.

(4) Required landscaping.

('58 Code, § 50.188.20)

(U) Number of buildings and ownership; contract. There may be one or more buildings in this district and there may be one or more owners of both land and buildings in this district. However, the entire Planned, Regional Shopping Center shall be designed, arranged, and constructed to conform to all the requirements of this district as a unit. No individual owner may change or alter in any manner

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the exterior of his building nor make any additions to the building nor relocate the same after the original approval of the development plan except after review by the Planning and Zoning Board and approval by the City Commission in the same manner as required above for amendments to the development plan.

('58 Code, § 50.188.21)

(V) Road construction. The owner or owners of the lands sought to be developed as a Planned, Regional Shopping Center shall be required to pay the construction or installation of the following facilities on that portion of the streets immediately adjacent to the shopping center, which streets provide access to the shopping center, to the extent that the facilities may be necessary to control traffic generated by the shopping center: street widening; ingress and egress driveways; acceleration and deceleration lanes; traffic-control devices and signs, including channelization. The standard for determining the extent of the owners' financial responsibility for traffic-control construction shall be the predictable increment of traffic caused by the shopping center over the normal peak load estimated on completion of the shopping center on the streets providing access to it. In the instance that the owners are found to be responsible for any such traffic-control construction, the responsibility shall be made the subject of a contractual agreement between the owners and the city; provided, that in any event, the owners shall be required to construct proper ingress and egress driveways to the shopping center and street curbing as required by city ordinances.

(1) The length of time the owners may be held responsible for further traffic-control construction shall be specified in the contractual agreement, and the contract, or a separate contract, may contain provisions for other street construction to be done by the owners as may be agreed between the owners and the city.

(2) The agreement may contain a provision requiring the owners to post a good and sufficient bond running to the city, with two or more sureties

acceptable to the city or with a surety company properly authorized to do business in the state as security in an amount equal to the estimated cost of the street and other improvements and conditioned that the owners shall faithfully perform all the provisions of the contract concerning the construction of the streets and other improvements and shall save the city harmless from all loss and damage occasioned to any person or property as a result of the owners' performing the provisions of the contract.

('58 Code, § 50.188.22)

(Am. Ord. 2007-58, passed 7-24-07)

(W) Miscellaneous regulations.

(1) Screening and landscaping. Fences, walls, or a year-round planting screen, as regulated by the zoning code or authorized by the City Commission, shall be used to shield the residential districts from parking lot illumination, headlights, fumes, heat, blowing papers, and dust, and to reduce the visual encroachment of commercial architecture, signs, and activity on residential privacy and residential neighborhood character. In addition, all center areas not used for buildings or other structures, loading and accessways, or pedestrian walks shall be landscaped with grass, trees, or shrubs. Parking areas shall be provided with appropriate landscaping.

(2) Access and traffic-control. All accessways to a public street or highway shall be located at least 200 feet from the intersection of any street lines, and shall be designed in a manner conducive to safe ingress and egress.

(3) Service areas. Areas provided for loading and unloading of delivery trucks and other vehicles, and for the servicing of shops by refuse collection, fuel, and other service vehicles shall be adequate in size, and shall be so arranged that they may be used without blockage, or interference with the use of accessways or automobile parking facilities.

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(4) Lighting. Accessways and parking areas shall be lighted adequately by lighting fixtures which shall be so installed as to protect the highway and neighboring properties from direct glare or hazardous interference of any kind.

('58 Code, § 50.188.23)

(Ord. 66-66, passed 8-8-66) Penalty, see § 10.99

§ 155.183 B-3 GENERAL BUSINESS DISTRICT.

(A) Intent. This district is intended to permit a broad range of commercial uses, including those of a highway-oriented nature.

(B) Permitted uses.

- (1) Any use permitted in the B-2 District;
- (2) Auction house;
- (3) Automobile rental or leasing agencies (outdoor display permitted).
- (4) Automobile sales agency and accessory used car sales and auto service. The service facilities shall be located behind the showroom facilities such that the service bays are not visible from the street;
- (5) Bars;
- (6) Bowling alleys and skating rinks;
- (7) Business and commercial colleges, night schools, adult training, and similar educational enterprises;
- (8) Community care facility;
- (9) Funeral homes;
- (10) Hospitals and clinics;

(11) Hotels and motels in conformance with Implementation Section 302 of the Future Land Use Element;

(12) Marinas - no dry storage or repair;

(13) Marine pleasure craft sales;

(14) Movie and other theaters, auditoriums or similar places of assembly;

(15) Printing, newspaper printing, blueprinting and other printing and reproduction facilities;

(16) Retail stores including thrift shops for the sale of secondhand clothing and household goods with not more than 20% of the floor space being secondhand merchandise.

(17) Shop for making articles sold at retail on the premises;

(18) Showrooms with wholesaling by sample only;

(19) Studios for artists, photographers and musicians, including recording studios;

(20) Transportation passenger stations; and

(21) Veterinarian, animal grooming and pet store with all activities enclosed within the building; soundproofing and lack of windows shall result in no outside noise detection from the treatment or boarding rooms.

(22) Window tinting, burglar alarm and stereo and telephone installation for automobiles.

(C) Accessory uses.

- (1) All customary accessory uses, including automobile parking lots and garages; and
- (2) Repair service for products sold at retail.

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(3) Beach chair and umbrella rental, sale of tanning products accessory to a hotel or motel with 100 or more sleeping rooms.

(D) Special exception uses.

(1) Truck and trailer rental agency;

(2) Automobile care center as defined in § 155.003;

(3) Residential apartments up to 46 units per net acre as a part of a commercial structure but not exceeding 50% of the floor area of the structure and not located on the ground floor. Subject to allocation of flex or reserve units by City Commission;

(4) Free-standing multiple-family residential use up to 46 units per net acre of site area. Subject to allocation of flex or reserve units by City Commission; and

(5) Churches.

(E) Lot area and width:

(1) Minimum lot area of 10,000 square feet; and

(2) Minimum lot width of 100 feet.

(F) Setbacks.

(1) Front yard, none except where §§ 155.140 through 155.143 applies due to a right-of-way width which is less than that shown in the Comprehensive Plan Traffic Circulation Element.

(2) Side yard, none except as required in subdivision (4) below or where a district abuts a residential district and the provisions of § 155.130 shall apply.

(3) Rear yard, minimum of 30 feet except as required in subdivision (4) below.

(4) High rise setbacks, any structure with a building height exceeding 50 feet shall have a side and rear setback, in addition to what is specified above, of at least one foot for every four feet of building height, or major fraction thereof, above the first 50 feet of building height.

(G) Lot coverage, maximum of 60%.

(H) Pervious area, minimum of 20%.

(I) Height, maximum of 105 feet.

(J) Site plan. Site plan review by the Planning and Zoning Board is required, in conformance with Chapter 157.

(K) Special regulations, see sections governing parking, landscaping, signs and lighting.

(Ord. 91-63, passed 6-25-91; Am. Ord. 94-51, passed 7-12-94; Am. Ord. 95-66, passed 5-23-95; Am. Ord. 95-82, passed 7-25-95; Am. Ord. 2001-56, passed 5-22-01; Am. Ord. 2002-26, passed 1-22-02; Am. Ord. 2004-30, passed 3-23-04; Am. Ord. 2007-58, passed 7-24-07)

§ 155.184 B-4 HEAVY BUSINESS DISTRICT.

(A) Intent. This district is intended to accommodate the full range of commercial uses, including automotive uses, wholesaling and limited manufacturing.

(B) Permitted uses.

(1) Any use permitted in a B-3 District except residential;

(2) Arcade amusement centers (subject to use regulations in §§ 155.064 and 115.21;

(3) Automobile repair garage;

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- (4) Drive-in restaurants;
- (5) Filling stations subject to § 155.068;
- (6) Secondhand stores and pawnbrokers;
- (7) Storage facilities for processed merchandise, wholesale or retail, and including the following:
- (a) Clothing materials;
- (b) Paper, paper products;
- (c) Furniture, hardware;
- (d) Metals, machines;
- (e) Paint and paint materials;
- (f) Feed, fertilizer and insecticides; and
- (g) Similar storage to above;
- (8) Veterinary hospitals and clinics;
- (9) Wholesaling, jobbing or distributing establishments;
- (10) Laundries and cleaning and dyeing plants;
- (11) Leather working upholstery and similar enterprises;
- (12) Metalworking, welding, plumbing, gas, steam or water pipe fitting;
- (13) Building material storage or sale. However, where building material is stored outdoors there shall be a solid concrete wall not less than six feet high surrounding the storage area, and solid gates. The storage area shall be confined to the building line.
- (14) Machine shops;
- (15) Production and sale of light art and craft, souvenirs and the like;
- (16) Cabinet, furniture, and similar woodworking manufacturing establishments, within a building, with a maximum floor space for manufacturing of 10,000 square feet. However, storage, display and office shall not be included in computing the maximum manufacturing floor space;
- (17) Truck and trailer rental and storage, including car-top carriers without limitation as to number, size or type; outdoor display permitted;
- (18) Commercial marina, including outdoor dry storage;
- (19) Light fabrication; and
- (20) Special services, including lawn service, pool service, and pest control.
- (C) Special exception use.
- (1) Boarding kennels, whether separate businesses or as part of a veterinary hospital or clinic, subject to the following conditions and limitations:
- (a) Adequate noise control must be provided. No operable windows shall be anywhere in the areas that house animals. All exterior doors shall be solid core in the areas that house animals.
- (b) A 15-foot wide landscape buffer shall be provided between the exercise runs and property lines.
- (c) All animals shall be housed within a totally enclosed structure after 10:00 p.m. and before 8:00 a.m.
- (d) No crematory facilities shall be allowed.

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(2) Telecommunications towers and their related telecommunications facilities.

(3) Used car sales and storage (outdoor display permitted).

(D) Accessory uses. All customary accessory uses, including automobile parking lots and garages.

(E) Lot area and width:

(1) Minimum lot area of 10,000 square feet; and

(2) Minimum lot width of 100 feet.

(F) Setbacks.

(1) Front yard, none except where §§ 155.140 through 155.141 apply due to a right-of-way width which is less than that shown on the Broward County Trafficways Plan.

(2) Side yard, none except as required in subdivision (4) below or where district abuts a residential district and the provisions of § 155.130 shall apply.

(3) Rear yard, minimum of 30 feet except as required in subdivision (4) below.

(4) High rise setbacks. Any structure with a building height exceeding 50 feet shall have a side and rear setback, in addition to what is specified above, of at least one foot for every four feet of building height, or major fraction thereof, above the first 50 feet of building height.

(G) Lot coverage, maximum of 60%.

(H) Pervious area, minimum of 20%.

(I) Height, maximum of 105 feet.

(J) Site plan. Site plan review by the Planning and Zoning Board is required, in accordance with Chapter 157.

(K) Special regulations, see section governing parking, landscaping, signs and lighting.

(Ord. 91-63, passed 6-25-91; Am. Ord. 97-80, passed 9-23-97; Am. Ord. 2001-70, passed 7-10-01; Am. Ord. 2004-30, passed 3-23-04; Am. Ord. 2004-75, passed 9-28-04; Am. Ord. 2005-09, passed 11-23-04)

§ 155.185 M—1 MARINA BUSINESS DISTRICT.

(A) Intent. This district is intended to accommodate commercial marinas but not waterfront industrial uses.

(B) Permitted uses.

(1) Commercial marinas, including docking facilities, boat sales, charter boats and commercial fishing;

(2) Retail uses to directly serve the above uses; and

(3) Routine maintenance incidental to the sale of boats but not boat repair.

(C) Special exception uses.

(1) Dry storage of boats, indoor or outdoor; and

(2) Restaurants with outdoor dining.

(D) Accessory uses, all customary uses, including parking lots.

(E) Other site standards. The lot area and width, setback, lot coverage, pervious area and site plan requirements shall be the same as the B-3 District except:

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(1) Height, the maximum height shall be 40 feet.

(2) Rear setback, the principal structure must be set back from the waterway by at least 10 feet.

(F) Special regulations, see sections governing parking, landscaping, signs and lighting.

(Ord. 91-63, passed 6-25-91)

§ 155.186 M—2 MARINA INDUSTRIAL DISTRICT.

(A) Intent. This district is intended to accommodate commercial marinas plus working waterfront uses such as boat repair and construction barges.

(B) Permitted uses.

(1) Any use permitted in the MB District; and

(2) Boat repair within a fully enclosed structure.

(C) Special exception uses.

(1) Boat repair not fully within a structure;

(2) Dry storage of boats, indoor or outdoor;

(3) Storage in conjunction with marine construction services, indoor or outdoor;

(4) Towing service; and

(5) Barge docking.

(D) Accessory uses. All customary accessory uses, including parking lots.

(E) Other site standards, same as division (E) of the MB Marina Business District.

(F) Special regulations, see sections governing parking, landscaping, signs and lighting.

(Ord. 91-63, passed 6-25-91)

§ 155.187 FREE-STANDING RESIDENTIAL BUILDINGS IN BUSINESS DISTRICTS.

Free-standing multiple family residential buildings on properties that have Commercial Land Use designation and are zoned for business shall have the following requirements and limitations.

(A) Business uses. Appropriate and compatible business uses, including home occupations, shall be allowed on the same parcel.

(B) Size and location. Properties shall be five acres or less in area, or ten acres or less in area for parcels within designated Urban Infill or the Community Redevelopment Areas.

(C) Density. Subject to the allocation of flex or reserve units by the City Commission, but not to exceed the number of units permitted by the appropriate zoning district.

(D) Setbacks.

(1) Front. Buildings may have a minimum of zero foot setback, but no more than a maximum of 15 feet, from front property line and other street sides.

(2) Side. Minimum of ten feet.

(3) Rear. Minimum of ten feet.

(E) Floor area.

(1) Efficiency dwelling units: 500 square feet of habitable living space.

(2) One bedroom dwelling units: 650 square feet of habitable living space.

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(3) For each additional bedroom, another 100 square feet of habitable living space shall be required.

(F) Other site standards. Lot coverage, pervious area and building height shall be as required by the underlying zoning district.

(G) Special regulations. Special regulations shall be as required by the underlying zoning district.

(Ord. 2001-56, passed 5-22-01)

§ 155.188 (RESERVED).

§ 155.189 BP BUSINESS PARKING DISTRICT.

(A) Intent. The intent of this district is to strike a balance between the need for parking to serve commercial development and the need to protect adjacent residential neighborhoods from parking lot noise, lighting and traffic hazard. A site plan shall be required in conformance with § 157.45 to assure that this functions as a transitional district.

(B) Uses permitted. Open parking lots for automobiles of the patrons, owners or employees of the adjacent commercial buildings as specified on the site plan.

(C) Hours of operation. Vehicles may be parked only from 7:00 a.m. to 11:00 p.m.; tow-away signs shall so indicate.

(D) Site plan and landscaping requirements. A site plan shall be approved in accordance with § 157.45 and shall demonstrate adequate access, circulation, channelization, landscaping and buffers. In addition to the landscaping and lighting provisions of this code, the following shall be required:

(1) A landscaped setback of ten feet from any public right-of-way.

(2) A six-foot wall at the property line directly abutting any residential property with a landscaped setback of ten feet inside the wall.

(3) No direct vehicular access to a residential street parallel and to the rear of the commercial street.

(E) Special regulations. In addition to the requirements above, the applicable provisions in the sections governing parking, landscaping, signs and lighting also apply.

(Ord. 91-63, passed 6-25-91)

Disclaimer:

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