
INTEROFFICE MEMORANDUM

TO: PLANNING AND ZONING MEMBERS
FROM: JEFF BOWMAN, DEVELOPMENT SERVICES DIRECTOR
SUBJECT: PROPOSED AMENDMENTS TO THE UNIFIED LAND DEVELOPMENT CODE
CONDITIONAL USES WITHIN THE BUSINESS DISTRICTS
FEBRUARY 16, 2011 MEETING
DATE: 2/11/2011

Brief Synopsis of Agenda Item

New Business, Item #1: Conditional Uses

At the July 14, 2010 Commission Roundtable meeting, direction was given to staff to broaden the code to become more business friendly. While amending the Code to expand uses within the Business Districts (Ordinance 2010-15), and through additional research and analysis, several uses have been identified for possible inclusion in the Business Districts as "Conditional Uses." "Conditional Uses" were outside the scope of the Permitted Business Uses Notice of Intent which governed Ordinance 2010-15, and staff was directed to bring back recommended "Conditional Uses" at a later time under a new Notice of Intent. The proposed Conditional Uses would apply in both the B-1 and B-1-A business districts.

A conditional use permit allows a use with conditions to minimize possible adverse impacts. Conditions may include such things as number, area, location, hours of operation, and relation to the neighborhood or impacted vicinity, would promote the public health, safety, welfare, order, comfort, convenience, appearance, or prosperity of the neighborhood. These uses can, with appropriate conditions, be permitted on specific sites where the proposed use may be adequately accommodated without generating adverse impacts on properties and land uses within the immediate vicinity. Conditional use permits are granted at a public hearing before the Town Commission.

Attached, highlighted in red, are the proposed amendments that staff has prepared for your review and recommendations to the Town Commission.

Please contact me (954-776-3611) if you have any questions or if you prefer I would be happy to meet with you individually to answer any questions you may have. Thank you.

Section 30-155. Definitions

* * *

Paid Private Parking. Any onsite parking, other than in stand alone parking lots, that is made available to the public for a fee.

* * *

Sections 30-261 and 30-271. Business Districts

B-1 district—Business and B-1-A district—Business.

Permitted Uses within the B-1 and B-1-A districts:

No building or premises shall be used and no building with the usual accessories shall be erected or altered other than a building or premises arranged, intended, or designed for any of the following uses:

- A. Antiques store,
- B. Art galleries,
- C. Arts and crafts supply store,
- D. Automobile rental or leasing agencies (no outdoor display),
- E. Bait and tackle shop,
- F. Bakery,
- G. Beauty schools, barber shops and hair salons,
- H. Bicycle rental shop with no outside storage,
- I. Book store,
- J. Business and professional employment agency,
- K. Camera and photographic supply store,
- L. Card and stationery store,
- M. Catering businesses,
- N. Church and place of worship,
- O. Clothing,
- P. Coin-operated dry cleaning and laundry and/or pickup station,
- Q. Community theaters, dinner theaters and cultural centers,
- R. Computer/software store,
- S. Consignment
- T. Convenience store,
- U. Cooking schools,
- V. Copy center,
- W. Courier service,
- X. Delicatessen,
- Y. Dental laboratory,
- Z. Drug store/pharmacy (no on-site prescription writing for controlled substances identified in Schedule II, III, or IV in F.S. §§ 893.03, 893.035, or 893.0355),
- AA. Fabric/needlework/yarn shop,
- BB. Fishing pier,
- CC. Florist shop,
- DD. Formal wear sales and rental,
- EE. Fruit and produce store,
- FF. Furniture, and home furnishings,
- GG. Gift shop,
- HH. Government administration,
- II. Grocery/food store/supermarket,

- JJ. Hardware,
- KK. Health and fitness center,
- LL. Household appliances store,
- MM. Ice cream/yogurt store,
- NN. Interior decorator,
- OO. Jewelry store,
- PP. Library branch,
- QQ. Linen/bath/bedding store,
- RR. Luggage/handbag/leather goods store,
- SS. Mail/postage/fax service,
- TT. Marine parts and supplies store,
- UU. Market,
- VV. Massage therapist (licensed therapist to be on premises at all times of operation),
- WW. Meat and poultry store,
- XX. Medical supplies sales,
- YY. Motorized scooter sales or moped sales and rentals (indoor only, outdoor sales, storage or display prohibited),
- ZZ. Museum,
- AAA. Music/musical instrument store,
- BBB. Office building,
- CCC. Optical store,
- DDD. Party supply store,
- EEE. Personnel services,
- FFF. Photographic studio,
- GGG. Police and fire substation,
- HHH. Retail electronic sales and repair,
- III. Restaurant, including sidewalk cafes which would be appurtenant to, and a part of, a restaurant,

- JJJH. Seafood store,
- KKKJJJ. Shoe sales and repair,
- LLLKKK. Shop for marking articles sold at retail on the premises,
- MMMLLL. Specialty shop,
- NNNMMM. Sporting goods store, including dive shops,
- OOQNNN. Studios for artists, photographers, musicians (including recording studios), and dance,
- PPPOOO. Sundries,
- QQQPPP. Tailor/dressmaking store, direct to the customer,
- RRRQQQ. Tapes/videos/music CD stores,
- SSSRRR. Tool rental (small tools and equipment, indoor display only),
- TTTSSS. Toy/game store,
- UUUTTT. Trade/business school,
- VVVUUU. Travel agency,
- WWWVVV. Veterinarian or animal grooming with all activities enclosed within the building with no outside noise,
- XXXWWW. Watch and jewelry repair, and
- XXX. ~~Drive-through services that are accessory to a use in this zoning district shall be allowed only as a conditional use requiring Planning and Zoning Board review and Town Commission approval, provided that any approval of the drive-through use by the Town Commission shall specifically establish the location and traffic flow pattern of the drive-through.~~
- YYY. Uses not listed. Any use not covered by the above list may be authorized in the B-1 district by the Town Manager or designee only if the proposed use is similar to a listed use; otherwise, an amendment to this chapter is required. The Town Manager or designee shall consult with the Town Commission on any proposal to find that a use is similar, prior to authorizing such use in the B-1 district.

Proposed Conditional Uses within the B-1 and B-1-A districts:

The following conditional uses may be permitted upon approval pursuant to the conditional use procedures of this Code:

- A. Car wash/Outdoor hand wash
- B. Check cashing store
- C. Dry Cleaner
- D. Water craft sales and rental (new or used)
- E. Charter and sightseeing Boat
- F. Child and adult day-care centers
- G. Drive-through services that are accessory to a primary use, provided that any approval of the drive-through use by the Town Commission shall specifically establish the location and traffic flow pattern of the drive-through.
- H. Bicycle taxi (no outside storage or display)
- I. "Paid Private Parking" on parcels with a primary use, excluding standalone parking lots, that exceed the minimum required parking by fifteen (15) or more spaces
 - 1) During business operational hours, only non-required parking spaces, may be used as Paid Private Parking.
 - 2) After business hours, required parking may also be used for Paid Private Parking.
- A.J. Outside seating for restaurants, on private property, that are accessory to the primary use and that are not regulated under Article VI Chapter 17-85

Formatted: Bullets and Numbering