

Sec. 98-53. - B-1 business, community.

- (a) *Purpose and intent.* The purpose of this district is to identify within the area defined by the land use element of the comprehensive plan for commercial development, areas where selected commercial activities can be established in a manner consistent with any surrounding uses and districts. With the exception of restaurants and brewpubs which may be allowed to have outdoor seating, all activities including any sale, display, preparation and storage, shall be conducted entirely within a fully-enclosed building. Note that section 98-79 provides for additional outdoor seating regulations east of the Intracoastal Waterway.
- (b) *Permitted uses.* The following uses shall be permitted principal uses in the B-1 district.
- (1) Package store, in accordance with Section 98-104 of the Land Development Code.
  - (2) Brewpub provided:
    - a. Revenue from food sales shall constitute more than 50 percent of the total gross sales;
    - b. Live music or entertainment shall only be allowed as an accessory use. All noise generated by live music or entertainment activities shall be fully contained within the indoor space occupied by the brewpub.
    - c. No more than 50 percent of the total gross floor area of the establishment shall be used for the brewery function including, but not limited to, the brew house, boiling and water treatment areas, bottling and kegging lines, malt milling and storage, fermentation tanks, conditioning tanks and serving tanks;
    - d. Outdoor seating for not in excess of 48 patrons is permitted;
  - (3) Clinic, medical;
  - (4) Financial institution;
  - (5) Office, business, government and professional;
  - (6) Public park and recreation area;
  - (7) Restaurant (including outdoor seating for not in excess of 48 patrons);
  - (8) Store, convenience goods;
  - (9) Store, retail (excluding stores which sell firearms or ammunition for firearms);
  - (10) Store, personal service;
  - (11) Store, business service;
  - (12) Shopping center (consisting of permitted or approved conditional uses as contained herein);
  - (13) Theatre;
  - (14) Health and fitness club;
  - (15) Funeral home;
  - (16) Animal hospital;
  - (17) Amusement establishment/game center (subject to the restrictions contained within Code section 18-143);
  - (18) Laundromat, provided that such facility is located at least 1,000 feet from any other laundromat facility. The distance requirements shall be measured and computed by following a straight line from the nearest point of the existing building or structure, or part thereof, in which a laundromat facility is located to the nearest point of the building or structure in which a laundromat facility is proposed to be located;
  - (19) Marina;

- (20) Laboratory, medical/dental;
  - (21) Parking facility, commercial;
  - (22) Parking facility, public;
  - (23) Church or other house of worship;
  - (24) Tutoring center;
  - (25) Dry cleaning establishment;
  - (26) Dry cleaning plant provided that such facility is located at least 1,000 feet from any other dry cleaning plant. The distance requirements shall be measured and computed by following a straight line from the nearest point of the existing building or structure or part thereof, in which a dry cleaning plant is located to the nearest point of the building or structure in which a dry cleaning plant is proposed to be located;
  - (27) Thrift shop;
  - (28) Fire and police stations.
  - (29) Pharmacy, provided that such facility is located at least 250 feet from any other pharmacy. The distance requirements shall be measured and computed by following a straight line from the nearest point of the existing building or structure, or part thereof, in which a pharmacy is located to the nearest point of the building or structure in which a pharmacy is proposed to be located;
- (c) *Conditional uses.* Upon application and after a favorable determination by the zoning appeals special master or the city commission (where the conditional use is part of the site plan application) that all conditions and provisions of a conditional use have been met, the uses listed below may be permitted as conditional uses in this district. In addition to any provisions listed herein, all proposed conditional uses shall comply with the requirements of this code, be heard and decided by the zoning appeals special master (or city commission where applicable as part of a site plan) as set forth herein and be consistent with the goals, objectives and policies of the city's comprehensive plan.
- (1) Dwellings, multiple-family provided that:
    - a. Less than 50 percent of the building is utilized for residential purposes;
    - b. Dwelling units conform to the requirements of the RM-15 districts;
    - c. Dwellings are not on ground floor.
  - (2) Hotels and motels. Density is limited to 38 dwelling units per gross acre;
  - (3) Child and adult day-care centers;
  - (4) School;
  - (5) School, arts;
  - (6) School, vocational;
  - (7) Assisted living facilities, subject to the provision of section 98-93 of this Code. Building height shall not exceed 45 feet. All other dimensional requirements are the same as RM-15 zoning district. Density requirements are the same as RM-15 zoning district;
  - (8) Automobile dealership providing new car sales, provided that:
    - a. All motor vehicles must be located within a completely enclosed building.
    - b. There shall be no outside storage, no outside display nor outside parking of any vehicles which are offered for sale.
    - c. There shall be no vehicle repair work, no vehicle service, no vehicle painting and no vehicle detailing or other vehicle work of any kind or nature, permitted on the premises either inside or outside the building.

- (9) Nightclub in accordance with section 98-104 of the Land Development Code.
- (10) Bar, lounge or saloon in accordance with section 98-104 of the Land Development Code.
- (11) Indoor recreational facilities (excluding pool halls) located within a shopping center of at least ten acres in gross land area, or a freestanding building with at least three acres gross area; provided that only one such facility shall be permitted in any shopping center;
- (12) Club, private/public;
- (13) Outdoor seating in excess of 48 seats for a restaurant or brewpub.
- (d) *Accessory uses.* The following uses shall be permitted accessory uses in the B-1 district.
  - (1) Accessory uses customarily incidental to a principal permitted or approved conditional use.
- (e) *Property development requirements.* The property development regulations addressing minimum lot requirements, minimum floor area, required yards, maximum lot coverage, floor area ratio, height and minimum landscape area are presented in tabular form contained herein.
- (f) *Other development regulations.* All other applicable lot and use regulations are set forth in this Code.
- (g) *Signs.* No sign shall be constructed or erected which exceeds the height of the tallest building on the lot upon which the sign is to be erected, or the maximum height as permitted in Chapter 102 of the Land Development Code, whichever is less.

(Ord. No. 1998/037, § 1, 12-15-98; Ord. No. 2000/001, § 17, 4-5-00; Ord. No. 2002/023, § 1, 7-31-02; Ord. No. 2004/028, § 1, 9-7-04; Ord. No. 2005/027, § 11, 9-6-05; Ord. No. 2008/013, § 7, 5-20-08; Ord. No. 2012/029, § 11, 7-10-12; Ord. No. 2013/034, § 4, 12-3-13; Ord. No. 2014/017, § 2, 6-17-14; Ord. No. 2014/033, § 3, 12-2-14; Ord. No. 2015/029, § 2, 10-6-15; Ord. No. 2016/024, § 3, 12-6-16; Ord. No. 2018/005, § 3, 1-16-18; Ord. No. 2019/011, § 2, 4-16-19; Ord. No. 2019/014, § 3, 5-21-19)