

7.09.00 - Highway Commercial Zoning District

In the highway commercial zoning district, no minimum lot size is specified for commercial establishments, since floor space requirements differ widely, being dependent upon the size and nature of the businesses involved.

7.09.01 Permitted uses

In the Highway Commercial District, the following land uses are permitted:

1. Hotels, theaters, businesses and professional offices, private or public schools, auto sales, repair and service establishments.
2. Any retail or wholesale business not specifically restricted or prohibited under this code.
3. Manufacturing and/or industrial business operations which are not prohibited under the provisions of this section.
4. Churches, synagogues, temples or similar places of worship and their accessory uses;
5. Restricted personal service uses.
6. Urban agriculture (indoor crop production prohibited).
7. All uses which further the adopted comprehensive plan, upon approval by the development review committee. The applicant shall demonstrate that the use is consistent with the comprehensive plan.

(Ord. No. 2016-2072, § III, 3-1-2016; Ord. No. 2016-2073, § IX, 6-21-2016)

7.09.02 Conditional Uses

The land development review board may recommend to the city council for their approval the location of the following use(s) in the Highway Commercial Zoning District. These uses differ from special exceptions in that the use may not be appropriately placed in all areas of this commercial zoning district and has little to no impact on residential uses. Conditions may be placed depending on the specific location of the intended use.

1. Children day care centers (including nursery or kindergarten schools), provided that:
 - a. The property, parcel, or lot proposed for the location of this use is not located or has frontage on U.S. Highway 19; and
 - b. A fenced area is provided; and
 - c. Adequate on-site driveway access is provided for the queuing of drop-off and pick-up traffic; and
 - d. Additional conditions may be applied depending on site conditions and location.

7.09.03 Land uses prohibited

In the highway commercial zoning district, the following land uses are prohibited:

1. Manufacture or refining of ammonia, bleaching powder, chlorine, asphalt, brick, terra cotta, tile, or pottery (except in handicrafts), cement, gypsum, lime, plaster of paris, coke, creosote, dextrin, glucose, starch, dye, explosives, fireworks or storage thereof, fertilizer; manufacture of fuel or illuminating gas; gelatin, hydrochloric, nitric, picric, sulfuric or sulphurous acids, lampblack, linoleum or oilcloth, matches, pyroxylin materials or articles composed thereof, or storage in excess of five hundred (500) pounds; rubber or treatment thereof involving offensive odor, tar, turpentine, or varnish, manufacture of blast furnace products, coal chemicals, distillation of bones, coal, wood or tar, fat, grist mill; hot rolling mill or drop forge; incineration, reduction or dumping of dead animals, offal, or refuse except by the city or its agents, or when

accumulated and consumed on the same premises without the emission of odor; petroleum or other flammable liquids production or refining; storage of above ground petroleum, flammable liquids, fuel gasses are permitted provided:

- a. Said products are used on site for purposes of heating, cooking, emergency power generation or similar uses;
 - b. Are not intended for resale purpose; and
 - c. Meet all state and local codes and requirements applying to the protection of the underground water aquifer, containment against spillage, damage, fire and for the protection of surrounding properties; slaughtering or stockyards; tanning, curing or storage of raw hides or skins; tire recapping; or exterior storage of more than one hundred (100) scrap or used tires; junk or wood yards.
2. All sanitariums, hospitals.
 3. No privately owned access roads to any use in this district shall be permitted through any property in a residential district.
 4. No single-family, two-family, triplex, townhouse or multi-family apartments.

7.09.04 Yard regulations

1. Setbacks:
 - a. *Front setback*: The minimum setback of the front building line from U.S. Highway 19 shall be no less than thirty-five (35) feet, measured to the nearest permanent part of projection of the structure.
 - b. *Rear setback*: The minimum setback of the rear building line shall be no less than ten (10) feet on an alley. If the property to be developed is abutting a different land use district, the rear setback shall be at least the required buffer space as defined in the buffer matrix.
 - c. *Side setback*: The minimum setback of the side building line shall be no less than five (5) feet on an alley. If the property to be developed is abutting a different land use district, the side setback shall be at least the required buffer space as defined in the buffer matrix.

7.09.05 Area and lot width requirements

1. Because of previous development patterns and the various nature of permitted land uses, no specific minimum width or lot size requirements are required in the highway commercial zoning district.

7.09.06 Maximum height of structures

In the highway commercial zoning district, the following provisions shall apply for all structures:

1. All plans and specifications for structures must be signed by a registered architect or engineer, duly registered in the State of Florida. During construction of approved structures, supervision by a competent registered engineer or architect at the expense of the owner/developer must be supplied by the builder.
2. All plans and specifications must include all provisions provided by the building department.
3. No building may be higher than five (5) stories or seventy-five (75) feet without the prior written approval of the city council.

(Ord. No. 1268, §§ 8, 9, 11-19-91; Ord. No. 1307, § 11, 2-2-93; Ord. No. 1440, § 3, 1-6-98; Ord. No. 1461, § 1, 8-4-98)

7.09.07 Restricted personal service use regulations

[1. Development standards.]

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|--------------------|---|
| Front setback | <ul style="list-style-type: none"> • 35 feet (artery or collector street) • 25 feet (local street) |
| Side setbacks | 10 feet or required buffer |
| Rear setback | 20 feet or required buffer |
| Minimum lot area | 5,000 square feet |
| Width requirement | 50 feet |
| Height maximum | 25 feet |
| Off-street parking | Refer to general retail and shopping center parking standards in Chapter 11 |
| Design criteria | <ul style="list-style-type: none"> • The building in which the use is located is painted or otherwise finished in materials and colors which are muted |
| | <ul style="list-style-type: none"> • There are no security bars on the outside of doors or windows which are visible from a public right-of-way |

2. Restricted personal service uses shall be a minimum distance from the uses set forth in the table below. Measurements shall be made in a straight line in any direction from the edge of the parcel containing the restricted personal service use.

| Use or Use Classification | Separation Requirement (Feet) |
|--|-------------------------------|
| Another restricted personal service use (regardless of jurisdiction) | 500 |
| Day care center, public or private | 500 |

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| Place of worship | 500 |
| Public park, library or recreation center | 500 |
| School, public or private | 500 |
| Adult use | 500 |

3. Business tax receipts. Business tax receipts shall be actively maintained. Both the business type and use of property specified on the city business tax receipt application form shall plainly and clearly indicate the restricted personal service use.

(Ord. No. 2016-2072, § IV, 3-1-2016)