
Sec. 94-106. - General uses with special requirements.

a. *General uses with special requirements.* The uses listed in this section are uses permitted within the districts indicated, subject to special requirements or special use permit approval.

1. *Bars and night clubs.* In addition to the provision of this chapter, bars and night clubs shall be regulated by chapter 6 of the City Code.

1.a. *Brewpub/microbrewery/micro-distillery/micro-winery.*

- a. Shall be permitted by right within all subdistricts, except for NWD-R-C1, BPD-R, PPD-R, and PPD-PO subdistricts.
- b. The maximum size of a building containing a brewpub, microbrewery, micro-distillery, or micro-winery use shall be 6,000 square feet for new structures and 6,300 square feet for existing structures.
- c. Shall meet subdistrict minimum active use and minimum active use linear depth regulations by including at least one of the following within the building: restaurant, bar, or tasting room.
 1. Tasting rooms shall not qualify as required ground floor retail uses.
- d. No outdoor storage shall be permitted.
- e. Shall meet the parking requirements for restaurants.
- f. Site plan with identified loading areas must be presented with certificate of use application.
- g. In addition to the provision of this chapter, the sale of alcohol for consumption on-premises or off-premises shall be regulated by chapter 6 of the City Code.

2. *Community centers.*

- a. Community centers shall be permitted by right within all subdistricts, except for R subdistricts.
- b. Community centers shall be permitted within the R subdistricts only as accessory uses to schools and places of worship and shall comply with section 94-106(a)(12)b.

3. *Cultural uses.*

- a. Cultural uses shall be permitted in the urban core planning area and the special district planning area with the approval of the special review by the DAC.
- b. Cultural uses may be permitted within the residential enclave districts, except PPD-R, provided a class B special use permit is obtained and the following conditions are met:
 1. Maximum lot area of 20,000 square feet.
 2. When adjacent to residential uses, minimum interior setback shall be ten feet.
 3. Parking areas shall be located behind the main structure, when possible. When not behind the structure, parking areas shall not occupy more than 40 percent of the lot frontage.

4. *Day care facilities for children.*

- a. Day care facilities as a primary use, or accessory use to places of worship or schools shall be permitted within the urban core planning area, special district planning area and residential enclave planning area except within R subdistricts, and shall comply with the additional requirements of subsections 94-273(a) and 94-273(d)(18).
- b. Day care facilities as an accessory use to places of worship or schools shall be permitted in the R subdistricts, and shall comply with the additional requirements of subsections 94-273(a) and 94-273(d)(17).
- c. Family day care homes for six children or fewer as an accessory use to a residential use, shall be permitted by right in all planning areas.
- d. Large family child care homes for 12 or fewer children, as an accessory use to a residential use, shall be permitted in the zoning districts reflected in Table IX-1 subject to the extra requirements of section 94-273(d)(19.1).

5. *Day care facilities for adults.*

- a. Adult day care facilities for three or more clients shall be permitted in all planning areas, except R subdistricts, provided a class B special use permit is obtained, and shall comply with the additional requirements of subsections 94-273(a) and 94-273(d)(15).
- b. Adult day care facilities for three or more, as an accessory use to places of worship or schools, shall be permitted in R subdistricts and shall comply with the additional requirements of subsections 94-273(a) and 94-273(d)(15).
- c. Adult day care as an accessory use to a residential use shall be permitted by right in all planning areas for not more than two adults.
- d. Overnight lodging of clients shall be prohibited.

6. *Firearms sales.* Retail establishments dedicated to the sale of firearms shall be permitted in the urban core planning area, and the special district planning area.

7. *Family and transitional community residences*

- a. Community residences shall be permitted in all subdistricts with special requirements as listed in Section 94-273.
- b. Community residences shall be permitted within the residential enclaves planning area provided a class B special use permit is obtained in compliance with the requirements in section 94-273(3)(c).
- c. Community residences shall be permitted within the urban core and special district planning areas with special requirements as listed in Section 94-273(a)(3).
- d. Skilled Nursing and Rehabilitation Facilities shall be permitted within the urban core, special district planning areas and Brelsford Park District-5 provided they comply with the requirements in section 94-273(a)(2) and (d)(152).

8. *Home occupations.* Home occupations shall be permitted within all planning areas and shall comply with the additional requirements of subsection 94-273(a). Within R subdistricts, home occupations shall be permitted in the main structure or in the outbuilding, if outbuildings are permitted under the requirements of the subdistrict.

8.a. *Micro-units .*

- a. Micro-units shall be permitted within all districts.
 - b. A project with residential micro-units shall provide on-site car-share stations on a ratio of one per every 13 units. The total amount of car-share stations may be reduced by one car-share station per every 13 on-site parking spaces provided. The total number of car-share stations may be adjusted based on current system demands, but a minimum of one car-share station shall be provided. The remainder of the spaces shall be **Reserved** for future service expansion.
 - c. A project with residential micro-units shall provide 0.5 bicycle parking spaces per every unit. Required bicycle parking shall be provided in a secured area, covered from the elements.
 - d. A project with residential micro-units shall provide one bike sharing station on-site. The total number of docks required will be determined by the proximity of other bike sharing stations already installed within 500 feet from the subject project.
 - e. A project with residential micro-units shall contribute a trolley fee per unit per month to support the operation of the city's trolley system, as established by resolution of the city commission from time to time.
 - f. Projects with less than 13 micro-units shall be exempt from compliance with the car share and bike share provision, but shall provide a minimum of 0.5 parking spaces per unit, and one bike parking space per unit.
9. *Motor vehicle fuel sales, no service.* Fuel stations shall be permitted within the urban core planning area, and along the Dixie Highway corridor between Loftin Avenue and Palm Beach Lakes Boulevard, provided a class B special use permit is obtained. Fuel stations shall comply with the additional requirements of subsection 94-273(a).
10. *Motor vehicle sales and rental (no service) and passenger transportation operations.* Offices for motor vehicle sales, rental, and passenger transportation operations are permitted in all planning areas, except R

subdistricts. Surface parking lots for storage of vehicles are prohibited. Legally permitted surface parking lots may be utilized for standing of vehicles.

11. ***Pet sales.*** Commercial establishments dedicated to the sale of live animals shall be permitted in the urban core planning area, the special district planning area, except CWD-CD, and the BPD-5 and NWD-5 subdistricts designation, provided a class B special use permit is obtained. All licensing requirements of all applicable state and local agencies shall be met.
12. ***Schools, civic uses, and places of worship.***
 - a. Schools and places of worship shall be permitted by right within all subdistricts, except for R subdistricts.
 - b. Within R subdistricts, schools, civic uses, and places of worship shall be permitted by right with the following conditions:
 1. Maximum lot area of 25,000 square feet.
 2. The front setback shall be ten feet from the lot line. In the case of a corner lot, the proposed structure shall have a ten-foot setback from both sides.
 3. The side setbacks shall be a minimum of ten feet from the lot line.
 4. The rear setback shall be ten feet from the lot line.
 5. Parking areas shall be located behind the main structure, when possible. When not behind structure, parking areas shall not occupy more than 40 percent of the lot frontage.
13. ***Veterinary clinics, pet grooming, animal daycare, and boarding facilities.*** Veterinary clinics, pet grooming, animal daycare, and boarding facilities which do not include livestock animals and equines shall be permitted within the urban core planning area, the special district planning area, and within residential enclaves, except R subdistricts, provided the following additional standards are met:
 - a. All facilities shall be located within an enclosed building. This additional standard may be waived by the Downtown Action Committee as part of a Class B Special Use permit approval.
 - b. Facilities shall provide appropriate waste removal measures.
 - c. Facilities shall provide an attendant on-site at all times. In lieu of an attendant, a video monitoring system may be permitted.
 - d. Buildings shall be constructed and operated in a manner so that animal noise will not be detected at adjoining property lines. Buildings shall be completely air conditioned, and windows shall be opened only when air conditioning systems are not in working order.
 - e. Facilities shall include fire and smoke detection systems.
 - f. Animal daycare and boarding facilities are prohibited within the Clematis Waterfront District Conservation District (CWD-CD).
 - g. Veterinary clinics within the CWD-CD may only provide overnight boarding for animals receiving required treatment.
 - h. Animal daycare shall require a parking area, circular driveway, or dedicated on street parallel drop off/pick up parking spaces in the amount of one space per three pets that can be boarded, or three parking spaces, whichever is less. This additional standard may be waived by the Downtown Action Committee as part of a Class B Special Use permit approval.
14. ***Medical marijuana dispensaries.*** Medical marijuana dispensaries shall be permitted within the urban core planning area, special district planning area, and residential enclave planning area, except NWD-R-C1, BPD-R, PPD-PO and PPD-R, provided the following conditions are met:
 - a. Separation distance. A medical marijuana dispensary shall not be located within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school, unless waived by the city commission pursuant to F.S. § 381.986.

(Ord. No. 4213-09, § 6 (Exh. A), 6-29-2009; Ord. No. 4331-11, § 1, 3-21-2011; Ord. No. 4368-11, § 4, 9-19-2011; Ord. No. 4401-12, § 1, 2-21-2012; Ord. No. 4648-16, § 2, 9-26-2016; Ord. No. 4708-17, § 3, 6-19-2017; Ord. No. 4780-18, § 3, 6-18-2018; Ord. No. [4858-19](#), § 1 (Exh. A), 09-09-2019; Ord. No. [4952-21](#), § 3, 07-26-2021; Ord. No. [4957-21](#), § 5, 11-15-2021)