

Sec. 98-55. - B-3 general business.

- (a) *Purpose and intent.* The purpose of this district is to provide for heavy commercial activities which can serve as a transition between commercial and industrial areas and, with proper buffering, be compatible with residential development. This district is intended to be applied to those areas identified by the land use element of the comprehensive plan as C-2 land use where the existing lot pattern or development pattern makes an industrial district inappropriate. With the exception of outdoor seating for craft/artisan production facilities and outdoor storage as provided herein, all business must be conducted within a fully enclosed building.
- (b) *Permitted uses.* The following uses shall be permitted principal uses in the B-3 district:
- (1) Building materials supply/distribution to the trade - (includes, but not limited to, hardware, lumber, millwork, plumbing);
  - (2) Printing;
  - (3) Trade shops: metal work, woodworking, plumbing, roofing, electrical and associated building trades;
  - (4) Store, retail (in accordance with land use plan limitations);
  - (5) Essential services;
  - (6) Lawn service;
  - (7) Commercial bakery;
  - (8) Exterminator;
  - (9) Medical or dental lab;
  - (10) Offices, business and professional;
  - (11) Warehouses;
  - (12) Wholesale trade;
  - (13) Boat repair;
  - (14) Plant nursery;
  - (15) Automotive services;
  - (16) Marina;
  - (17) Commercial kitchen;
  - (18) School, vocational;
  - (19) Building cleaning and maintenance services;
  - (20) Sports performance training facility;
  - (21) Indoor recreation, provided:
    - a. The location, design and operation of an indoor recreation shall not adversely affect the continued use, enjoyment and development of adjacent properties. In considering this requirement, particular attention shall be focused on noise, pollution and traffic;
    - b. The use is in accordance with the land use plan limitations;
    - c. Alcoholic beverage sales may not be permitted as an accessory use.
  - (22) Craft/artisan production (in accordance with land use plan limitations) provided:
    - a. There is a non-production area dedicated for uses such as retail, eating, drinking or tasting that is at least ten percent, but no more than 30 percent of the total floor area;

- b. The facility must front a street or have a well-marked and visible entrance;
  - c. All production, processing and distribution activities are to be conducted within an enclosed building;
  - d. Access and loading bays shall not face any street, excluding alleys;
  - e. Silos are permitted as accessory structures and must obtain site plan approval; the maximum height shall be as allowed in the dimensional requirements of the zoning district;
  - f. 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 building;
  - g. Outdoor seating shall be permitted as an accessory use and limited in size to 20 percent of the gross floor area of the tenancy space.
- (23) Dry cleaning establishment;
- (24) Dry cleaning plant;
- (25) Automobile accessories retail establishment provided that such facility is located at least 1,000 feet from any other automobile accessories retail store. 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 an automobile accessories retail store is located to the nearest point of the building or structure in which automobile accessories retail store is proposed to be located;
- (26) Thrift shop.
- (27) 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, provided that the property 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 the city commission where applicable) as set forth herein, and be consistent with the goals, objectives and policies of the city's comprehensive plan.
- (1) Automobile repair garage provided the requirements of this Code are complied with. No vehicle may be stored in the public right-of-way while such vehicle is in the custody of the automobile repair garage. No vehicle may be stored in the required parking spaces for the business except temporarily while a customer is picking up or dropping off the vehicle. No vehicle may be stored in any required landscaped area. For the purpose of this section, the term "vehicle" shall mean any vehicle regardless of type, including, but not limited to cars, trucks, motorcycles, scooters, boats, trailers, all-terrain and recreational vehicles. An automotive body shop shall contain within said shop, a spray paint booth constructed in compliance with the National Fire Code;
  - (2) Fabricating, assembly and processing operations which produce no noise, smoke or other pollutants noticeable at the property line of the subject site;
  - (3) Outside storage provided:
    - a. The outside storage is subordinate to the principal use located on the same property; and
    - b. The outside storage area does not abut a residential district; and
    - c. The storage area is in a rear or side yard and screened according to the requirements of this Code; and

- d. The height of the material stored does not exceed the height of the screening.
- (4) Boat yard/boat basis;
  - (5) Auto rental agency;
  - (6) Check cashing store; and
  - (7) Astrologist, palmist, psychic, and related services;
  - (8) Halfway house; provided the parcel upon which it is located is at least 1,000 feet from the nearest RS-5, RS-7, RM-10 or RM-15 zoning district and no halfway house is located within a radius of 1,000 feet of an existing halfway house;
  - (9) Pain management clinics, subject to the requirements set forth in section 98-65 of this Land Development Code.;
  - (10) Smoke shop provided:
    - a. No smoke shop shall be located within 1,000 feet of any other smoke shop or within 1,000 feet of any school (public or private as defined in Sections 1002.01 or 1003.01 Florida Statutes), house of worship, licensed day care center, medical clinic or specialty hospital treating persons for substance abuse; or located 100 feet from any residentially zoned property, alcoholic beverage establishment, nightclub or private club; and
    - b. 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 an existing smoke shop, public or private school, house of worship, licensed day care center, medical clinic or specialty hospital treating persons for substance abuse is located to the nearest point of the building or structure in which a smoke shop is proposed to be located;
  - (11) Pawn shop in accordance with section 98-99 of the Land Development Code;
  - (12) Secondhand store in accordance with section 98-99 of the Land Development Code.
- (d) *Accessory uses.* The following use shall be permitted accessory use in the B-3 district:
- (1) Accessory uses customarily incidental to a principal, permitted or approved conditional use.
- (e) *Property development requirements.* Property development regulations addressing minimum lot requirements, minimum floor area, required yards, maximum lot coverage, floor area ratio, minimum landscape area and height are presented in tabular form contained herein.
- (f) *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. 2000/001, § 20, 4-5-00; Ord. No. 2002/026, § 1, 8-20-02; Ord. No. 2005/027, § 14, 9-6-05; Ord. No. 2008/013, § 9, 5-20-08; Ord. No. 2008/019, § 1, 8-19-08; Ord. No. 2011/036, § 3, 8-1-11; Ord. No. 2012/017, § 1, 5-15-12; Ord. No. 2012/018, § 1, 5-15-12; Ord. No. 2013/034, § 6, 12-3-13; Ord. No. 2014/017, § 4, 6-17-14; Ord. No. 2014/033, § 5, 12-2-14; Ord. No. 2016/003, § 2, 2-2-16; Ord. No. 2016/024, § 6, 12-6-16; Ord. No. 2018/005, § 5, 1-16-18; Ord. No. 2018/008, § 3, 2-6-18; Ord. No. 2019/014, § 5, 5-21-19)