

ARTICLE 5. USES

5.1 GENERAL USE REGULATIONS

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5.3 USE MATRIX

5.1 GENERAL USE REGULATIONS

A. No structure or land may be used or occupied unless allowed as a permitted or special use within the zoning district.

B. All uses must comply with any applicable Federal and State regulations and any additional City ordinances.

C. Uses that are not included in the Use Matrix are prohibited within all Zoning districts. However, uses which are substantially similar to the uses permitted herein, that are not indicated in the following sections, which are determined to promote the intent and purposes of a zoning district shall be permitted following a review process by the development approval authority. The development approval authority may, at its discretion, request determination by the Board of Adjustments. Such determinations shall be final.

D. In some instances a site may contain more than one principle use, so long as each principle use is allowed in the district. Each principle use is approved separately. In certain cases, uses are defined to include ancillary uses that provide necessary support or are functionally integrated into the principle use.

E. All uses must comply with the applicable Use Standards identified in Article 6 as well as all other regulation of this Code.

F. Special Uses in any district are subject additional conditions which may be required as a condition of approval. These special conditions may include, but are not limited to additional landscaping, screening, lot area, lot coverage, lot width, yard, and building height requirements and any other requirement that the planning and development department and/or board of adjustment may deem necessary.

5.2 USE DEFINITIONS

Alcoholic Beverage. Distilled spirits and all beverages containing one-half of one percent or more alcohol by volume. The percentage of alcohol by volume shall be determined by measuring the volume of the standard ethyl alcohol in the beverage and comprising it with the volume of the remainder of the ingredients as though said remainder ingredients were distilled water.

Agriculture. Land and associated structures used to grow crops and/or raise livestock for sale, commercial use, personal food production, donation, or educational purposes.

Airport. Land, water, and/or structures used for the landing and takeoff of aircraft, including airport buildings, hangars, and maintenance equipment. An airport includes passenger terminals for that airport and any ancillary uses within the passenger terminal, such as restaurants and retail goods establishments.

Amusement Facility - Indoor. A facility for spectator and participatory uses conducted within an enclosed building, such as movie theaters, gymnasiums (excluding those within public parks), sports arenas, bowling alleys, tumbling centers, skating centers, roller rinks, and pool halls. Indoor amusement facilities do not include live performance venues. An indoor amusement facility may include uses such as, but not limited to, concession stands, restaurants, and retail sales as ancillary uses.

Amusement Facility - Outdoor. A facility for spectator and participatory uses conducted outdoors or within partially enclosed structures, such as outdoor stadiums, fairgrounds, race tracks, batting cages, miniature golf courses, and amusement parks. An outdoor amusement facility may include uses such as, but not limited to, concession stands, restaurants, and retail sales as ancillary uses.

Animal Care Facility. An establishment which provides care for domestic animals, including veterinary offices for the treatment of animals, where animals may be boarded during their convalescence, pet grooming facilities, animal training centers and clubs, and pet boarding facilities, where animals are boarded during the day and/or for short-term stays. Animal care facilities do not include commercial breeders and animal shelters.

Animal Shelter. An establishment that houses and provides care for homeless, lost, or abandoned dogs, cats, and/or other animals until such animals are reclaimed by their owner, placed in a new home, placed with another organization for adoption, and/or euthanized.

Art Gallery. An establishment that sells, loans and/or displays paintings, sculpture, photographs, video art, or other works of art. Art gallery does not include a cultural facility, such as a library or museum, which may also display paintings, sculpture, photographs, video art, or other works.

Arts Studio. An establishment where an art, type of art or activity is taught, studied, or practiced such as dance, martial arts, photography, music, painting, gymnastics, Pilates, or yoga. An arts studio also includes private exercise studios for private sessions with trainers and/or private classes.

Assisted Living Facility. Any building, section of a building, or distinct part of a building residence, private home, boarding home, home for the aged, or other place, whether operated for profit or not, which undertakes through its ownership or management to provide, for a period exceeding 24 hours, housing, food service, and one or more personal services for four or more adults, not related to the owner or administrator by blood or marriage, who require such services; or to provide extended congregate care, limited nursing services, or limited mental health services, when specifically licensed to do so pursuant to F.S. § 429.075, unless the facility is licensed as an adult family-care home. The term "assisted living facility or facility" includes a facility offering personal services, extended congregate care, limited nursing services, or limited mental health services for fewer than four adults if it formally or informally advertises to or solicits the public for residents or referrals and holds itself out to the public to be an establishment which regularly provides such services, unless the facility is licensed as an adult family-care home.

Automated Teller Machine (ATM) - Standalone. A freestanding machine used by bank and financial service patrons for conducting transactions including deposits, fund transfers, and withdrawals without contact with financial institution personnel.

Bar. An establishment for the sale of alcoholic beverages for consumption on the premises. Snack foods or other prepared food may be available for consumption on the premises as an ancillary use. In accordance with Chapter 10 of the Code of Ordinances, any restaurant where sales of food items makes up less than 51% of all gross sales is considered a bar.

Bed and Breakfast. A single-family residential dwelling where a resident/owner, who lives on the premises, provides lodging for a daily fee in guest rooms with no in-room cooking facilities and prepares meals for guests. A bed and breakfast may include dining facilities.

Benevolent Distribution Center. A nonreligious charitable organization providing distribution of food and/or supplies to more than ten persons per day.

Boardinghouse. A dwelling used for the purpose of providing meals and/or lodging for a fee to persons other than family members occupying such dwelling, including bed and breakfast facilities.

Boat. Any watercraft, including barges and air boats, designed, used, or capable of being used as a means of transportation on water.

Borrow Pit. A temporary use of a place or premises where dirt, soil, sand, gravel, or other natural material is removed by excavation or other means of extraction for use at another location. It includes any property used for the storage or stockpiling of such material for use at any other location. Borrow pit does not include:

1. Excavation in connection with a valid building permit.
2. Grading work in connection with an approved grading plan.
3. Trenching incidental to the construction and installation of approved utilities.
4. Excavation in conjunction with road or drainage construction.
5. Excavation of a limited duration where the excavated material is not removed from the site; e.g., swimming pools; septic tanks; agricultural drainage work incidental to agricultural operations and irrigation/stock watering ponds; lakes or ponds created for aesthetic purposes, etc.
6. Emergency work necessary to protect life or property.
7. Removal of hazardous material or waste required for construction of improvements on the same property.

Body Modification Establishment. An establishment that offers tattooing services, body piercing, and/or nonmedical body modification. Body modification establishment does not include an establishment that offers only ear piercing as an ancillary service.

Broadcasting Facility - TV/Radio. A facility engaged in broadcasting and information relay services for radio and television signals, including studio facilities. A broadcasting facility may or may not include antennas to broadcast the signal.

Camper.

1. The term "camper" means any separate structure designed or used for human habitation, which can be attached to or detached from a pickup truck, and which has sufficient headroom for an adult six feet in height to stand upright.
2. The term "camper" does not include a pickup truck with a cab shall not be construed as a camper.

Campground. An area to be used for transient occupancy by camping in tents, camp trailers, travel trailers, motor homes, or similar movable or temporary sleeping quarters.

Car Wash. An establishment for the washing and cleaning of vehicles or other light duty equipment, whether automatic, by hand, or self-service. The car wash facility may be within an enclosed structure, an open bay structure, or similar configurations.

Cemetery. Land and structures reserved for the interring of human remains or the interring of animal remains. Cemeteries may include structures for performing religious ceremonies related to the entombment of the deceased, mortuaries, including the sales of items related to the internment of remains, and related accessory structures, such as sheds for the storage of maintenance equipment.

Commercial Breeder. An establishment where dogs over six months of age are boarded, bred, raised, and trained for commercial gain. Commercial breeder does not include animal shelters or shelter and training facilities for canine units of public safety agencies.

Community Center. A facility used as a place of meeting, recreation, or social activity, that is open to the public and is not operated for profit, and offers a variety of social, educational, community service activities. A community center may serve as a local “food hub” where regionally grown food, including value added food, can be grown and/or brought for distribution and sale.

Contractor Office. Offices for businesses in the conduct of any building trade or building craft, together with land and/or structures used for the storage of equipment, vehicles, machinery, or building materials related to and used by the building trade or craft. If a contractor office has no on-site accessory storage of equipment, vehicles, machinery, or building materials and is used only for office functions, such use is considered an office.

Convention Center. A facility designed and used for conventions, conferences, seminars, product displays, recreation activities, and entertainment functions, along with ancillary functions including temporary outdoor displays and food and beverage preparation and service for on premise consumption.

Community Garden. The cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family. Community gardens do not include the raising of any livestock or the use of heavy machinery.

Community Residential Homes. A dwelling unit as defined in F.S. Ch. 419.

Conservation Area. Designated open space that preserves and protects natural features, wildlife, and critical environmental features. A conservation area may include opportunities for passive recreation, such as hiking trails and lookout structures, and environmental education.

Country Club. An establishment open to members, their families, and invited guests organized and operated for social and recreation purposes with indoor and/or outdoor recreation facilities, restaurants and bars, meeting rooms, and similar uses.

Cultural Facility. A facility open to the public that provides access to cultural exhibits and activities including, but not limited to, museums, cultural centers, non-commercial galleries, historical societies, and libraries. A cultural facility may include uses such as, but not limited to, retail sales of related items and restaurants as ancillary uses.

Day Care Center. A facility where, for a portion of a 24 hour day, care and supervision is provided for:

1. Children not related to the owner or operator of the facility; or

2. Elderly and/or functionally-impaired adults in a protective setting that are not related to the owner or operator.

Day Care Home. A residential dwelling where care and supervision is provided by a permanent occupant of the dwelling for:

1. Care children not related to the owner or operator of the facility; or
2. Elderly and/or functionally impaired adults in a protective setting that are not related to the owner or operator of the facility. A child day care home does not include a dwelling that receives children from a single household. For the purposes of applying district dimensional standards, day care homes are subject to the standards for the dwelling type.

Development Order. An order granting, denying, or granting with conditions an application for approval of a development project or activity. A distinction is made between a development order and a building permit. The term "development order" is the authorization of a development project. Such authorization must be granted by the city prior to the issuance of a building permit by the county as defined for the purposes of these regulations. (The development order authorizes the project, whereas the building permit authorizes specific components of the project, such as building construction, sign installation, and the like.) For purposes of these regulations, the development plan approval is the development order.

Domestic Animals.

1. The term "domestic animals" means a tame animal such as a cow, horse, sheep, pig, or chicken, but not necessarily limited to, these animals.
2. The term "domestic animals" does not include dogs, cats, and other household pets.

Drive-Through Facility. That portion of a business where business is transacted directly with customers via a service window that allows customers to remain in their vehicle. A drive through facility is approved separately as a principal use in conjunction with other principal uses such as restaurants and financial institutions. A standalone ATM is not considered a drive-through facility for the purposes of this definition and is regulated separately.

Dwelling, Above the Ground Floor. Dwelling units located within a single multi-story buildings located above nonresidential uses on the ground floor or to the rear of non-residential uses on the ground floor. In the case of dwelling units located behind non-residential uses on the ground floor, non-residential uses must front on the primary street frontage.

Dwelling - Accessory Dwelling Unit. An additional dwelling unit associated with and incidental to a principal single-family – detached or attached or two-family dwelling on the same lot. An accessory dwelling unit must include separate cooking and sanitary facilities, with its own legal means of ingress and egress, and is a complete, separate dwelling unit. The accessory dwelling unit must be within or attached to the principal dwelling unit structure or within an existing structure, such as a garage or carriage house, and designed so that the appearance of the principal structure remains that of a single-family residence.

Dwelling - Manufactured Home. A manufactured home is a prefabricated structure that is regulated by the U.S. Department of Housing and Urban Development (HUD), via the Federal National Manufactured Housing Construction and Safety Standards Act of 1974, rather than local Florida building codes. A manufactured home is built in a factory on an attached chassis before being transported to a site. Manufactured homes do not include those transportable factory built housing units built prior to the

Federal National Manufactured Housing and Safety Standards Act (HUD Code), also known as mobile homes. Modular buildings and modular homes are not considered manufactured homes, and refer to a method of construction. Manufactured homes must display the HUD label pursuant to 24 CFR, Section 3280.11.

Dwelling – Mobile Home. A residential structure, transportable in one or more sections, which is 8 body feet or more in width, over 35 body feet in length with the hitch, built on an integral chassis, designed to be used as a dwelling when connected to the required utilities, and not originally sold as a recreational vehicle, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. This term refers specifically to those manufactured homes built prior to 1976 and to the passage of the Federal National Manufactured Housing Construction and Safety Standards Act of 1974.

Dwelling - Multi-Family. A structure containing three or more attached dwelling units used for residential occupancy. A multi-family dwelling does not include a townhouse dwelling.

Dwelling - Townhouse. A structure consisting of three or more dwelling units, the interior of which is configured in a manner such that the dwelling units are stacked horizontally or vertically, separated by a party wall, ceiling, or floor. A townhouse is typically designed so that each unit has a separate exterior entrance. A townhouse dwelling does not include a multi-family dwelling.

Dwelling - Single-Family - Detached. A structure containing only one dwelling unit on a single lot.

Dwelling - Single-Family - Attached. A structure that contains two dwelling units attached by a party wall at a lot line but located on separate lots.

Dwelling - Two-Family. A structure containing two dwelling units on a single lot.

Educational Facility - Primary or Secondary. A public, private, or parochial facility that offers instruction at the elementary, junior high, and/or high school levels.

Educational Facility - University or College. A facility for post-secondary higher learning that grants associate or bachelor degrees. The institution may also have research facilities and/or professional schools that grant master and doctoral degrees. Educational facilities – university or college include ancillary uses such as dormitories, cafeterias, restaurants, retail sales, indoor or outdoor recreational facilities, and similar uses.

Educational Facility - Vocational. A facility that offers instruction in industrial, clerical, computer, managerial, automotive, repair (electrical, plumbing, carpentry, etc.), or commercial skills, or a business conducted as a commercial enterprise, such as a school for general educational development or driving school. Educational facility - vocational also applies to privately operated schools that do not offer a complete educational curriculum.

Emergency Shelter. A facility that provides temporary or transitional shelter for the homeless in general or for specific populations of the temporary homeless.

Farmers Market. Temporary use of structures and/or land for the sale of a variety of fresh fruits, flowers, vegetables, or ornamental plants, and other locally produced farm and food products, including value-added products, directly to consumers from two or more farmers or from vendors that have taken such items on consignment for retail sale.

Fast Food Restaurant. Generally, an establishment where food, designed for ready availability, use, or consumption and with little consideration given to quality or significance, is prepared and served quickly

to persons for consumption on or off the premises. Such facilities may or may not provide drive-in windows for service and typically have a high customer turnover rate.

Financial Institution. A bank, savings and loan, credit union, or mortgage office.

Fraternity/Sorority. A structure used by a chartered fraternal or sororital membership organization or association, used as a residence and/or a dining and recreational facility for members of organizations or associations who are students at a university, which permits the organization or association to use its facilities because of the relationship of such organization or association to the body of students enrolled in such institution.

Freight Terminal. A facility for freight pick-up or distribution by rail, air, truck, or shipping transport.

Funeral Home. An establishment where the dead are prepared for burial display and for rituals before burial or cremation, including chapels for the display of the deceased and the conducting of rituals before burial or cremation, and crematoriums.

Garage Apartment. An accessory or subordinate building containing living facilities and space for at least one automobile, not a part of or attached to the principal building.

Gas Station. An establishment where fuel for vehicles is stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. A gas station may also include ancillary retail uses, an ancillary car wash bay, ancillary minor vehicle repair facilities, and solar and/or electric charging stations.

Golf Course/Driving Range. A tract of land design with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms and shelters as ancillary uses. A driving range may be designed as a standalone facility or included as part of a golf course, which is defined as a tract of land equipped with distance markers, clubs, balls, and tees for practicing the hitting of golf balls, and may include a snack-bar and pro-shop.

Government Office. Offices owned, operated, or occupied by a governmental agency to provide a governmental service to the public. Government offices do not include public safety or public works facilities.

Greenhouse/Nursery - Retail. An establishment where flowers, shrubbery, vegetables, trees, and other horticultural and floricultural products are propagated and sold, and may include gardening and landscape supplies and products, such as hardware, garden tools and utensils, paving stones and bricks, and other related items for sale.

Group Home. A group care facility in a residential dwelling for: 1) care of persons in need of personal services or assistance essential for activities of daily living; 2) care of persons in transition or in need of supervision; or 3) the protection of the individual. Group homes include facilities for drug and alcohol rehabilitation and those transitioning from homeless status. Group home does not include facilities for adults or minors who have been institutionalized for criminal conduct and require a group setting to facilitate transition into society.

Guest Cottage. A living quarters within a detached accessory building located on the same lot or parcel of land as the principal building, to be used exclusively for housing members of the family occupying the principal building and their nonpaying guests. Such quarters shall not be rented or otherwise used as a separate dwelling.

Halfway House. A residential facility for adults or minors who have been institutionalized for criminal conduct and who require a group setting to facilitate the transition to a functional member of society.

Healthcare Institution. Facilities, such as hospitals, used for primary health services and medical or surgical care to people, primarily inpatient, and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities, dormitories, or educational facilities, and ancillary uses such as, but not limited to, cafeterias, restaurants, retail sales, and similar uses.

Heavy Retail, Rental, and Service. Retail, rental, and/or service establishments of a heavier and larger-scale commercial character typically requiring permanent outdoor service or storage areas and/or partially enclosed structures. Examples of heavy retail, rental, and service establishments include large-scale home improvement centers with outdoor storage, display, and rental components, lumberyards, truck rental establishments, and sales, rental, and repair of heavy equipment. Wholesale establishments that sell to the general public, including those establishments where membership is required, are considered heavy retail, rental, and service establishments.

Helipad. An area of land or portion of a structure used for the landing and take-off of helicopters with no facilities for service or permanent basing of such aircraft.

Heliport. A designated landing area for discharging or picking up passengers or goods by helicopter or similar vertical lift aircraft, and includes terminal facilities for passengers, goods, aircraft servicing, or storage.

Home Occupation. An occupation, in which any part of a business is operated, directed, managed, or conducted on a residential property by members of the household residing on such premises in any residential district.

Hotel. A facility that provides sleeping accommodations for a fee and customary lodging services. Related ancillary uses include, but are not be limited to, meeting facilities, restaurants, bars, and recreational facilities for the use of guests.

Industrial - Artisan. A manufacturing establishment for artisan-related crafts that are more intensive uses, such as small-scale metalworking, glassblowing, furniture making, pottery, leathercraft, hand-woven articles, and related items.

Industrial - Heavy. The manufacturing of products from processed or unprocessed raw materials, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products. This manufacturing may produce noise, vibrations, illumination, or particulate that is perceptible to adjacent land users. These industrial uses typically have ancillary outdoor storage areas.

Industrial - Light. The manufacturing from previously prepared materials of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental storage, sales, and distribution of such products, provided all manufacturing activities are contained entirely within a building, and noise, odor, smoke, heat, glare, and vibration resulting from the industrial activity are confined entirely within the building. A light industrial use may also include a showroom, ancillary sales of products related to the items manufactured or stored on-site, and/or ancillary outdoor storage.

Industrial Design. An establishment where the design, marketing, brand development and sales of various products are researched and developed. An industrial design establishment may create prototypes of products, but may not manufacture products for direct sale and distribution from the premises.

Live Entertainment - Ancillary Use. A live performance, performed live by one or more persons including, but not limited to, musical acts including disc jockeys (DJs), theatrical plays, performance art, stand-up comedy, and magic, included as part of the operation of a bar, restaurant, amusement facility, or similar use. As an ancillary use, the other principal use operating on the site must be open to public during hours when no performance is scheduled. Live entertainment - ancillary use is approved separately as a principal use. Live entertainment - ancillary use does not include:

1. Any sexually-oriented business.
2. Nightclubs.
3. Live performance venue.
4. Periodic entertainment at educational facilities or places of worship, performances at cultural facilities, performances at reception facilities, and performances at weddings and similar religious events.
5. Incidental entertainment, which is defined as background music provided at a bar or restaurant.

Live Performance Venue. A facility for the presentation of live entertainment, including musical acts including disc jockeys (DJs), theatrical plays, stand-up comedy, and similar performances. Performances are scheduled in advance and tickets are required for admission and are available for purchase in advance, though tickets may be purchased at the venue's box office on the day of the performance. A live performance venue is only open to the public when a live performance is scheduled. A live performance venue may include classroom space utilized during hours it is not open to the public for a performance. A live performance venue may include concession stands, including sale of alcohol, but only when it is open to the public for a performance. A live performance venue does not include any sexually oriented businesses or nightclubs.

Lodge/Meeting Hall. A facility operated by an organization or association for a common purpose, such as, but not limited to, a meeting hall for a fraternal or social organization or a union hall, but not including clubs organized primarily for-profit or to render a service which is customarily carried on as a business.

Manufactured Home Park. A parcel of land with single control or unified ownership that has been planned and improved for the placement of manufactured homes for residential use.

Marina. A premises or site used for the rental of covered or uncovered boat slips or dock space, marine fuel and lubricant sales, boat and motor facilities, live boat sales, and boat dry storage.

Medical/Dental Office. A facility operated by one or more physicians, dentists, chiropractors, psychiatrists, physiotherapists, or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis. Medical/dental offices also include alternative medicine clinics, such as acupuncture and holistic therapies, and physical therapy offices for physical rehabilitation.

Micro-Brewery. A facility for the production and packaging of malt beverages of alcoholic content for wholesale distribution, with a capacity of less than 15,000 barrels per year and may include a tasting

room. A tasting room allows customers to taste samples of products manufactured on site and purchase related sales items. Brewery facilities that exceed this capacity are considered light industrial uses.

Micro-Distillery. A facility for the production and packaging of alcoholic beverages in quantities not to exceed twelve 12,000 gallons per year and may include a tasting room. A tasting room allows customers to taste samples of products manufactured on site and purchase related sales items. Distillery facilities that exceed this capacity are considered light industrial uses.

Micro-Winery. A facility for the production and packaging of any alcoholic beverages obtained by the fermentation of the natural contents of fruits or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or spirits, in quantities not to exceed 25,000 gallons per year and may include a tasting room. A tasting room allows customers to taste samples of products manufactured on site and purchase related sales items. Wineries that exceed this capacity are considered light industrial uses.

Movie Studio. Facilities for the production of motion pictures and film, including stages, exterior sets, film laboratories, sound recording facilities, construction, repair and storage facilities, caretaker and temporary housing, related commercial vehicles, and accessory fabrication activities.

Neighborhood Commercial Establishment. A commercial use within a primarily residential neighborhood that is non-residential in its original construction and/or use.

Nightclub. An establishment that provides entertainment of a participatory nature, including disc jockeys (DJs), by providing a place for dancing designed with an area designated as a dance floor, including any stage area; however portions of the floor area may be set up for alcohol service, including a bar counter, with or without stools, and other seating areas. A nightclub is only open to the public when it is providing such entertainment and admission (cover charge) is generally charged for admittance.

Nursing, Convalescent, or Rest Home.

1. The term "nursing, convalescent, or rest home" means a home for the aged, convalescent, chronically ill, or incurable person, in which two or more persons not of the same immediate family are received, kept or provided with food and shelter or care.
2. The term "nursing, convalescent, or rest home" does not include hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.
3. Unlike Assisted Living Facility's, nursing homes provide around the clock care and medical services for residents.

Office. An establishment that engages in the processing, manipulation, or application of business information or professional expertise. Such an office may or may not offer services to the public. An office is not materially involved in fabricating, assembling, or warehousing of physical products for the retail or wholesale market, nor engaged in the repair of products or retail services. An office does not include financial institution, government office, or industrial design.

Outdoor Dining. A seating area that is located outdoors and contiguous to a restaurant or bar, typically in addition to an indoor seating area. Outdoor dining is approved separately as a principal use. Outdoor dining areas may be roofed or covered with an awning.

Parking Lot. An open, hard-surfaced area, other than a street or public way, used for the storage of operable vehicles, whether for compensation or at no charge.

Parking Space. A parcel of property no less than nine-foot by 18-foot or 162 square feet in area used for the parking of a motorized vehicle.

Parking Structure. A structure of one or more levels or floors used for the parking or storage of operable vehicles, whether for compensation or at no charge.

Passenger Terminal. A facility for the handling, receiving, and transferring of passengers.

Pay Day/Title Loan Agency. An establishment providing loans to individuals in exchange for receiving personal checks or the original title to the borrower's motor vehicle as collateral.

Personal Service Establishment. An establishment that provides frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, beauty shops, barbershops, tanning salons, electronics repair shops, nail salons, laundromats, health clubs, dry cleaners, and tailors.

Place of Worship. A facility where persons regularly assemble for religious purposes and related social events, and may include group housing for persons under religious vows or orders. Places of worship may also include ancillary day care facilities and/or classrooms for weekly religious instruction.

Planned Development Project (PDP). Also known as a Planned Unit Development is used to describe a type of development and the regulatory process that permits a developer to meet overall community density and land use goals without being bound by existing zoning requirements.

Public Park. A facility that serves the recreational needs of residents and visitors. Public park includes, but is not limited to, playgrounds, ballfields, football fields, soccer fields, basketball courts, tennis courts, dog parks, skateboard parks, passive recreation areas, and gymnasiums. Public parks may also include non-commercial indoor or outdoor amusement facilities, including zoos and amphitheaters, ancillary uses such as, but not limited to, restaurant and retail establishments, and temporary outdoor uses such as festivals and performances.

Public Safety Facility. A facility operated by and for the use of public safety agencies, such as the fire department and the police department, including the dispatch, storage, and maintenance of police and fire vehicles. Public safety facilities include shelter and training facilities for canine units of public safety agencies.

Public Works Facility. A facility operated by the City of Milton public works department to provide municipal services, including dispatch, storage, and maintenance of municipal vehicles.

Reception Facility. A facility that provides hosting and rental services of a banquet hall or similar facilities for private events including, but not limited to, wedding receptions, holiday parties, and fundraisers, with food and beverages that are prepared and served on-site or by a caterer to invited guests during intermittent dates and hours of operation.

Live entertainment may be provided as an ancillary use as part of an event. A reception facility is not operated as a restaurant with regular hours of operation.

Recreational Vehicle (RV) Park. Land used for the accommodation of two or more recreational vehicles for transient dwelling purposes.

Recycling Collection Center. A site where recyclable materials are collected and often sorted for processing. It may or may not be opened to the public for personal deposit of recyclable materials. Processing of materials shall not occur at the site.

Research and Development. A facility where research and development is conducted in industries that include, but are not limited to, biotechnology, pharmaceuticals, medical instrumentation or supplies, communication, and information technology, electronics and instrumentation, and computer hardware and software. A research and development establishment may create prototypes of products, but may not manufacture products for direct sale and distribution from the premises.

Residential Care Facility. A licensed group care facility that provides 24-hour medical or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. A residential care facility includes nursing homes, assisted living, hospice care, and continuum of care facilities.

Restaurant. An establishment where food and drinks are provided to the public, primarily for on-premises consumption by seated patrons. If the establishment also serves alcoholic beverages, a full menu of food and drinks must also be prepared on premises and a minimum of 51% of gross sales must come from food sales, as documented and determined in accordance with Section 61 A-3.0141 of the Florida Administrative Code or any amendment thereof.

Retail Goods Establishment. An establishment that provides physical goods, products, or merchandise directly to the consumer, where such goods are typically available for immediate purchase and removal from the premises by the purchaser. Sale of alcohol products is regulated separately as retail sales of alcohol.

Retail Sales of Alcohol. Retail sales of alcoholic beverages in factory original containers for consumption off-premises.

Salvage Yard. Land where vehicles or other machinery are collected, accumulated, or stored, and broken up, where parts may be saved and processed for resale. This includes any land where two or more wrecked, junked, burned, salvaged, disassembled, or inoperative motor vehicles are collected, accumulated, or stored not within a completely enclosed structure.

Self-Storage Facility. A facility for the storage of personal property where individual renters control and access individual storage spaces. Ancillary retail sales of related items, such as moving supplies, and facility offices may also be included.

Sexually-Oriented Business. Any establishment that is an adult arcade, adult bookstore, adult novelty store, adult video store, adult arcade, adult cabaret, adult motel, adult motion picture theater, dual purpose business, escort agency, exotic dance service, or semi-nude model studio as defined in this section.

1. Adult Bookstore, Adult Novelty Store, or Adult Video Store. A commercial establishment that devotes 50% or more of its interior sales or display space to the sale or rental, for any form of consideration, of any one or more of the following:

a. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual representations which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas.

b. Instruments, devices, or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of themselves or others.

2. Adult Arcade. A business where, for any form of consideration, one or more still or motion picture projectors, slide projectors or similar machines are used to show films, motion pictures, video cassettes, DVD, slides, computer generated graphics, or other photographic reproductions which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

3. Adult Cabaret. A business that features dancers, go-go dancers, exotic dancers or similar entertainers, or live entertainment, in which persons regularly appear in a state of semi-nudity, or where live performances are characterized by the exposure of specified anatomical areas or by specified sexual activities. Adult cabaret establishments specifically exclude minors, or minors are specifically prohibited by statute or ordinance, regardless of whether any such business is licensed to sell alcoholic beverages.

4. Adult Motion Picture Theater. A business used for presenting motion pictures that are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas for observation by patrons.

5. Adult Motel. A motel or similar business establishment that rents, leases, or lets any room for less than a 10 hour period, or rents, leases or lets any single room more than twice in a 24 hour period.

6. Dual Purpose Business. A commercial establishment that devotes at least 20% of its interior sales or display space to the sale or rental, for any form of consideration, of any one or more of the following:

a. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual representations which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas.

b. Instruments, devices, or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of themselves or others.

7. Escort Agency. A person or business association who, whether on or off the licensed premises, furnishes, offers to furnish, or advertises to furnish escorts, as defined herein, for compensation.

8. Exotic Dance Service. Any business or person who provides exotic dancers to perform at a private residence, business or other location (other than an adult cabaret).

9. Semi-Nude Model Studio. Any place where a person, who regularly appears in a state of semi-nudity, is provided for money or any form of consideration to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons. It is a defense to prosecution for any violation of this definition that a person appearing in a state of nudity or semi-nudity did so in a modeling class operated in accordance with the provisions of Chapter 72 of the City of Milton Code of Ordinances.

10. The following definitions describe the sexually-oriented activities contained within the general definitions for the above sexually-oriented business:

a. Sexually Oriented Devices. Any artificial or simulated specified anatomical area or other device or paraphernalia that is designed in whole or part for specified sexual activities.

b. Specified Anatomical Area. Less than completely and opaquely covered human genitals, anus, and the female breast areola or nipple, or human male genitals in a discernible turgid state, even if completely and opaquely covered.

c. Specified Sexual Activities. Any activity that includes human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse, or sodomy; or fondling or erotic touching of human genitals, pubic regions, buttocks, or female breasts, even if completely or opaquely covered.

Single Room Occupancy (SRO). A residential facility where individual secure rooms, which do not have full kitchens or cooking facilities, are rented to a single- or two-person household.

Solar Farm. An energy system operated by a public, private, or cooperative company for the generation, transmission, distribution, storage, or processing of solar energy for the purposes of heating and cooling, electricity generation, and/or water heating.

Specialty Food Service. A business that specializes in the sale of certain food products, such as a delicatessen, bakery, candy maker, meat market, catering business, cheese monger, coffee roaster, frozen desserts, or fishmonger, and may offer areas for ancillary retail sales or restaurants that serve the products processed on-site. Specialty food service also includes preparation, processing, canning, or packaging of food products where all processing is completely enclosed and there are no outside impacts.

Storage Yard - Outdoor. The storage of material outdoors as a principal use of land for more than 24 hours.

Take-Out Only Restaurant. A Restaurant designed for the preparation of food only. There may be a lobby or waiting area for the pick-up of prepared food only. This waiting area may provide a seating area. Food is not consumed by the customer within the restaurant.

Temporary Contractor's Office. A temporary structure utilized as a watchman's quarters, construction office, equipment shed, or sales center during the construction of a new development.

Temporary Mobile Food Sales. A mobile food establishment where food preparation and service is housed in a truck or trailer or a non-motorized mobile food cart.

Temporary Outdoor Entertainment. A temporary live entertainment event, such as the performance of live music, revue, or play within an outdoor space. Temporary outdoor entertainment event includes fireworks shows, horse shows, carnivals/circuses, temporary worship services, and others.

Temporary Outdoor Sales. Temporary uses, which may include temporary structures, where goods are sold, such as consignment auctions, arts and crafts fairs, flea markets, rummage sales, temporary vehicle sales, and holiday sales, such as Christmas tree lots and pumpkin sales lots. This temporary use category does not include outdoor sales related to a retail goods establishment where such goods are part of the establishment's regular items offered for purchase.

Temporary Outdoor Storage Container. Temporary self-storage containers delivered to a residence or business owner to store belongings, and then picked up and returned to a warehouse until called for.

Transient Vacation Rentals. A dwelling or a room or suites of rooms, with or without culinary facilities, that is subject to a transient vacation rental agreement with a duration of occupancy of less than 30 days. All transient vacation rentals must be licensed by _____.

Truck Repair. Establishments involved in the repair and service of trucks. As used in this definition the term truck does not include any vehicle whose maximum gross weight is 10,000 pounds or less as rated by the Florida Department of Motor Vehicles.

Truck Stop. A structure or land used or intended to be used primarily for the retail sale of fuel for trucks and, usually, incidental service or repair of trucks. The site may also include attendant eating, sleeping, or truck parking facilities. As used in this definition, the term truck does not include any vehicle whose maximum gross weight is 10,000 pounds or less as rated by the Florida Department of Motor Vehicles.

Utility. Facilities that produce and/or transmit basic services, such as gas, sewer, water, cable, or communications, including large-scale developments such as electrical substations, high voltage transmission lines, and water towers and tanks. Utilities do not include public works facilities, wireless telecommunications, wind energy systems, or solar farms.

Vehicle Dealership. An establishment that sells or leases new or used automobiles, vans, motorcycles, and/or all-terrain vehicles (ATV) vehicles, or other similar motorized transportation vehicles. A motor vehicle dealership may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location, and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership. Vehicle dealerships do not include truck, trailer, boat, or heavy equipment sales, which are considered heavy retail, rental, and service.

Vehicle Operations Facility. A facility for the dispatch, storage, and maintenance of emergency medical care vehicles, taxicabs and similar vehicles for hire, school buses, utility vehicles, and similar vehicles. Vehicle operations facility does not include a public works or public safety facility.

Vehicle Rental. An establishment that rents automobiles and vans, including incidental parking and servicing of rental vehicles. A motor vehicle rental establishment may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location, and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership. Vehicle rental does not include truck rental establishments or rental of heavy equipment, which is considered part of heavy retail, rental, and service.

Vehicle Repair - Major. A business that provides services in engine rebuilding, major reconditioning of worn or damaged motor vehicles, motorcycles, all-terrain vehicles (ATV), recreational vehicles and trailers, towing and collision service, including body, frame or fender straightening or repair, and painting of motor vehicles, and may include minor vehicle repair services.

Vehicle Repair – Minor. A business the provides services in minor repairs to motor vehicles, motorcycles, and all-terrain vehicles (ATV) vehicles, including repair or replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining and repairs, wheel servicing, alignment and balancing, repair and replacement of shock absorbers, and replacement or adjustment of mufflers and tail pipes, hoses, belts, light bulbs, fuses, windshield wipers/wiper blades, grease retainers, wheel bearings, and the like.

Warehouse. An enclosed facility for the storage and distribution of manufactured products, supplies, and/or equipment.

Wholesale Establishment. A business where goods are sold to either retailers, or to industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.

Wind Energy System. An energy system operated by a public, private, or cooperative company for the generation, transmission, distribution, or processing of wind energy.

Wireless Telecommunications. Towers, antennas, and facilities used to transmit and receive signals that facilitate wireless telecommunications. The following definitions describe the wireless telecommunications infrastructure described within the general definition for wireless telecommunications:

- 1. Antenna.** A specific device, the surface of which is used to transmit and/or receive signals transmitted to or from other antennas. This does not include satellite dish antennae.
- 2. Facility.** A structure used to house and protect the equipment necessary for processing telecommunications signals, which may include air conditioning equipment and emergency generators. Facility also includes any necessary equipment that facilitates wireless transmission.
- 3. Tower.** A structure designed and constructed to support one or more wireless telecommunications antennae and including all appurtenant devices attached to it.

5.3 USE MATRIX

Table 5.3.1: Use Matrix identifies the temporary uses allowed within each zoning district. “P” indicates that the use is permitted in the district. “S” indicates that the use is a special use in the district and requires special use approval. If a cell is blank, the use is not allowed in the district. In the case of temporary uses, a P indicates the temporary use is allowed in the district and may require approval of a temporary use permit. For accessory uses, see Article 7. The special use approval process is outlined in Section _____.

	R-1AA	R-1A	R-1	R-2	R-3	R-U	R-C1	C-1	C-2	C-3	D-CM	UV	P-E	CON	REC	USE STANDARD
PRINCIPAL USE																
Agriculture						P										
Airport																
Amusement Facility Indoor					S	P	P	P	P	P	P	P				
Amusement Facility - Outdoor	S	S	S	S	S	P		P	P	P		P				
Animal Care Facility (Veterinary Clinic)			S	S	S	P	S	P	P	P	P	P				
Animal Shelter						S		S	P	P						
Animal Shelter – Operated by Public Authority						S	S	S	S	S			P			
Art Gallery				S	P	P	P	P	P	P	P	P				
Arts Studio						S	P	P	P	P	P	P				
Assisted Living Facility (ALF)	S	S	S	P	P	P	S	S	P	P			S			
Automated Teller Machine (ATM)				S	S	S	P	P	P	P	P	P				
Bar							P	S	P	P	P					
Bed and Breakfast		S	S	S	P	P	P	P	P	P		P				
Body Modification Establishment							S	P	P	P	P	P				
Broadcasting Facility TV/Radio with Antennae					S	P	S	S	S	P		P	P	S	S	
Broadcasting Facility TV/Radio with/out Antennae		S			S	P	S	S	S	P		P	P	S	S	
Antennae	P	P	P	P	P	P	P	P	S	S	S	S				
Campground						S						S			P	
Car Wash					S	P	P	P	P	P		P				
Casino																
Cemetery	S	S				S							S			
Commercial Breeder									S	P						
Community Center	S	S	S	P	P	P	P	S				P	P			
Community Garden	S	S	S	P	P	P	P	S				P				
Contractor Office						P			S	S						
Convention Center						S	P			S	S	P				
Conservation Area	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Country Club	S	S	S			P							P			
Cultural Facility			S	S	S	P	P	P	P	S	S	P				
Day Care Center			S	P	P	P	P	P	P	P		P				
Day Care Home	P	P	P	P	S	S	P	S				P				
Drive-Through Facility					S	S	S	P	P	P		S				
Dwelling – Above the Ground Floor				S	S	S	P	P	S	P	P	P				
Dwelling – Accessory Dwelling Unit	S	S	S			S	S									
Dwelling – Manufactured Home						P										
Dwelling – Multi-Family				S	P	P	P	P	P	P		P				
Dwelling – Townhouse				P	P	P	P	S				P				
Dwelling – Single-Family	P	P	P	P	P	P	P	S				P				
Dwelling – Two-Family			S	P	P	P	P	S				P				
Educational Facility – Primary or Secondary	S	S	S	S	S	S	S	S	S			P	P			

	R-1AA	R-1A	R-1	R-2	R-3	R-U	R-C1	C-1	C-2	C-3	D-CM	UV	P-E	CON	REC	USE STANDARD
Educational Facility – University or College	S	S				S	S		P	P		P	P			
Educational Facility – Vocational	S	S				S	S		P	P		S	P			
Emergency Shelter				S	S	P	P	P	P	P		S	P			
Financial Institution				S	S	P	P	P	P	P		P				
Fraternity/Sorority	S	S			S		S	S								
Freight Terminal																
Funeral Home				S	S	P	S	P	P	P		S				
Gas Station					S	S	S	S	P	P		S				
Golf Course/Driving Range	S	S				P										
Government Office	P	P	P	P	P	P	P	P	P	P	P	P	P			
Greenhouse/Nursery - Retail				S	S	P	P	P	P	P		S				
Group Home	S	S	S	S	P	P	S	S	P	P		S				
Halfway House					S	S				S		S				
Healthcare Institution				S	S	P	S	P	P	P		P				
Heavy Retail, Rental and Service							S	S	P	P		S				
Helipad				S	S	S	S	S	P	P		S				
Heliport																
Home Occupation	P	P	P	P	P											
Hotel					S	P	P	P	P	P		S				
Industrial Artisan						S	S		S	S						
Industrial Heavy																
Industrial Light						S	S		S	S						
Industrial Design						S	S		S	S	S					
Live Entertainment – Ancillary Use							P	S	P	P						
Live Performance Venue						S	P									
Lodge/Meeting Hall			S	S	S	P	P	P	P	S		S				
Manufactured Home Park						P										
Marina						P	P	P	P		P	P				
Medical/Dental Office		S	S	S	S	P	P	P	P	P		P				
Micro-Brewery/Distillery/Winery									S	S						
Movie Studio							S									
Neighborhood Commercial Establishment				S	S	S	P	P	S			P				
Nightclub							S	S	P	P		S				
Office				S	S	S	P	P	P	P		P				
Outdoor Dining						S	P	P	P	S		P				
Pay Day/Title Loan Agency							S	S	P	P						
Parking Lot (Principle Use)					S	S	P	P	P	P		S				
Parking Structure (Principle Use)						S	P		P	P		S				
Passenger Terminal						S	S		S	P		S				
Personal Service Establishment					S	S	P	P	P	P		P				
Planned Development Project (PDP)	P	P	P	P	P	P	P	P	P	P		P				
Place of Worship	S	S	S	S	S	S	S	P	P	P		P				
Public Park	P	P	P	P	P	P	P	P	P	S	S	P	S	S	P	
Public Safety Facility	S	S	S	S	S	S	S	P	P	P		P	P			
Public Works Facility						P	S									

	R-1AA	R-1A	R-1	R-2	R-3	R-U	R-C1	C-1	C-2	C-3	D-CM	UV	P-E	CON	REC	USE STANDARD
Reception Facility			S	S	S	S	P	P	P	P		P	S			
Recreational Vehicle Park						P	P		S	S					S	
Recycling Collection Center						P		S	P	P			P			
Research and Development							S	P	P	P		S				
Residential Care Facility		S	S	P	P	P						P				
Restaurant					S	S	P	P	P	P	P	P				
Retail Goods Establishment					S	S	P	P	P	P		P				
Retail Sales of Alcohol							S	S	P	P	P	S				
Salvage Yard						S										
Self-Storage Facility						P		S	P	P						
Sexually Oriented Business																
Single Room Occupancy				S	S	S	S	S				S				
Solar Farm																
Specialty Food Service				S	S	S	P	P	P	P		P				
Storage Yard - Outdoor									P	P						
Transient Vacation Rental							P									
Truck Repair									P	P						
Truck Stop										P						
Utility	S	S	S	S	S	P	S	P	P	P		S	P	S	S	
Vehicle Dealership – Enclosed						S			P	P						
Vehicle Dealership – With Outdoor Storage/Display						S			P	P						
Vehicle Operation Facility										P			P			
Vehicle Rental – Enclosed						S			P	P						
Vehicle Rental – With Outdoor Storage/Display						S			S	P						
Vehicle Repair/Service - Major									P	P						
Vehicle Repair/Service - Minor								P	P	P						
Warehouse						S			P	P			P			
Wholesale Establishment						S			P	P						
Wind Energy	S	S	S	S	S	S	S	S	P	P		S	P	S	S	
Wireless Telecommunications								S	S	S			P	S		
Wireless Telecommunications – Stealth Design	S	S				S		P	P	P			P	S	S	

	R-1AA	R-1A	R-1	R-2	R-3	R-U	R-C1	C-1	C-2	C-3	D-CM	UV	P-E	CON	REC	USE STANDARD
TEMPORARY USE																
Borrow Pit						S				S			S			
Farmers' Market					S	S	S	S	S	S		S			S	
Temporary Contractor's Office				S	S	P	S	S	P	P		S	P			
Temporary Mobile Food Sales					S	S	P	P	P	P		S			S	
Temporary Outdoor Entertainment						S	P	P	P	P		S			S	
Temporary Outdoor Sales					S	S	P	P	P	P		S			S	
Temporary Outdoor Storage Container	S	S	S	S	S	P	S	P	P	P		S	P		P	

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