

**Sec. 656.361.5.1. - Uses Permitted Generally—Applicable to all Overlay Districts Zoned CCBD.**

The use provisions in the various Overlay Districts are exclusive and a use not included under permitted or permissible uses shall be prohibited in the District. The following uses are permitted throughout Downtown (in all Overlay Districts) for parcels zoned CCBD:

A. Retail and wholesale sales of food, pharmacies, wearing apparel, toys, sundries and notions, books and stationery and newsstands, leather goods and luggage, jewelry stores, watch repairs and art, camera and photographic supplies (including camera repair), sporting goods, hobby shops, and pet shops (but not including animal kennels), musical instruments, florist or gift shops, delicatessens, bakeries (including outdoor display of any of the foregoing merchandise during the normal business hours of the adjacent business,) home furnishings and appliances (including repair incidental to sale) in completely enclosed buildings, office merchandise in completely enclosed buildings, hardware, new automobile parts (including rebuilt parts but not installation, repair or rebuilding of parts) in completely enclosed buildings, tire sales only if sales and display are entirely within an enclosed building.

B. Service establishments such as barber or beauty shops, shoe repair shops, interior decorators, spas and skin care salons, tailors or dressmakers, radio and television broadcasting offices and studios (but not antenna or transmitting facilities), funeral homes (but not crematories), blueprinting, job printing, newspapers, radio and television repair shops, travel agencies, employment offices (but not day labor pools) and similar uses.

C. Other Service establishments including laundry or dry cleaning pick up or drop off establishments with no cleaning to occur on premises and veterinarians but not animal boarding kennels, carpenter or cabinet shops and similar uses.

D. Restaurants without the sale of beer, wine or other alcoholic beverages in all Overlay Districts. In all Overlay Districts with the exception of the Church District, restaurants, with the retail sale and service of all alcoholic beverages, for on-premises consumption, but not drive-in or drive-thru facilities. Part 8 of the Zoning Code shall not apply to this use except within the Church District.

E. Banks, loan companies, mortgage brokers, stockbrokers and similar financial institutions.

F. All types of professional and business offices, union halls and similar uses (excluding day labor pools).

G. Schools, colleges, universities, business, trade or vocational schools.

H. Art galleries, museums, community centers, dance, art or music studios, and similar uses.

I. Hotels and motels, bed and breakfasts.

J. Floral, fruit, vegetable, poultry or fish markets.

K. In all Overlay Districts with the exception of the Church District, entertainment establishments or facilities, including nightclubs, billiard parlors, dance halls, and private clubs, etc. with or without the retail sale and service of all alcoholic beverages for either on-premises or off-premises consumption, or both, (but not adult entertainment or dancing entertainment establishments) and with no minimum liquor distance limitations between a church and such establishment except within the Church District.

L. Automobile parking garages.

M. Multiple-family dwellings as standalone uses or as part of a mixed-use building, and dormitories when in conjunction with a college or university.

N. Housing for the elderly, Assisted Living Facilities (ALF) and nursing homes.

O. Day care or adult care centers meeting the performance standards and development criteria set forth in Part 4.

P. Churches, places of worship, and other places of assembly including a rectory and similar uses, providing that minimum liquor distance limitations do not apply except within the Church District.

Q. Medical or dental clinics.

R. Medical or dental laboratories when incorporated within a medical or dental clinic.

S. Marinas.

T. Public utilities such as lift stations, pump stations, wells, electric substations and chilled water plants (but not a hazardous waste transfer station).

U. In All Overlay Districts With the Exception of the Church District: An establishment or facility in which beer, wine, or other alcoholic beverages, as those terms are defined in Chapter 561 through Chapter 565, Florida Statutes, are produced for on-site consumption and off-site sales that meet the following criteria: (1) Beer production not to exceed 10,000 barrels (310,000 gallons), and off-site sales to a state licensed wholesaler not to exceed 75 percent of production; (2) An on-site retail sales and service area shall comprise at least ten percent of the gross square foot area of the facility; and (3) The on-site retail sales and service area shall be accessible from the main public entrance, identified for access by the public.

V. In All Overlay Districts With the Exception of the Church District: Within the Private Realm (not within the right-of-way), permanent or restricted outside sale and service of food and beverages, including beer, wine and alcohol, meeting the performance standards and development criteria set forth in Part 4 of this [Chapter 656](#). Within the Public Realm, outside sale and service of food and beverages, including beer, wine and alcohol, meeting the requirements of Part 8 (Downtown Sidewalk Cafes) of [Chapter 250](#). Part 8 (Alcoholic Beverages) of this [Chapter 656](#) shall not apply to this use except as measured to uses within the Church District.

W. Retail sales of new or used automobiles and trucks (providing that all activities, including vehicle storage and showrooms, are within an enclosed building), Rental of automotive vehicles with no surface lot storage except in conjunction with a hotel.

X. In All Overlay Districts: Commercial recreational or entertainment facilities in completely enclosed buildings such as theaters, art studios, fitness centers, etc. but not adult entertainment or service or adult arcades, indoor shooting galleries or gaming establishments.

Y. Hospitals.

Z. Temporary parking for:

1. No longer than two years entirely for governmental uses on the site of the governmental use;
2. Special Event parking approved in advance by the Office of Special Events, for special events such as sporting events, concerts, theatrical performances, boat shows, car sales, or other City and DIA authorized special events that last no longer than three days in duration; or

3. Construction Staging lots approved by DDRB that last no longer than the schedule of construction for the buildings/structures or two years, whichever is less, and which are properly maintained for the duration of the authorized period.

AA. Homeless centers and rescue missions that exist as of March 1, 2019; provided, however that: by July 1, 2024, all of these existing facilities must have all activities, including waiting or queuing lines, in a completely enclosed structure; and, these existing facilities may not be expanded in scope or footprint unless such structural expansion is directly related to enclosing space for the activities, waiting or queuing lines.

(Ord. [2019-196-E](#), § 6)

## **Sec. 656.361.5.2. - Uses Regulated by District.**

### *A. Brooklyn District.*

#### *1. Bonus uses.*

(a) Warehousing, storage or distributorship businesses when in conjunction with an on-site point of sale, and where the total operation does not require more than 10,000 square feet or where the warehousing, storage or distribution business is equal to or less than 75 percent of the total building area, whichever is less.

(b) Detached Single-Family Homes.

#### *2. Uses permissible by exception.*

(a) Drive-in or drive through facilities for any permitted use (including but not limited to restaurants, dry cleaners, and banks) are permissible only by exception and provided the service window or device and all queuing lines are located entirely within an enclosed structure such as a parking garage.

(b) Personal property storage establishments meeting the criteria contained in [Section 656.361.5.4](#).

(c) Commercial Surface Parking Lot meeting the exception criteria contained in [Section 656.361.5.3](#).

(d) Filling or Fueling Stations with fewer than eight fueling stations.

(e) Service garage for minor repairs provided there is no outdoor storage of vehicles and vehicle service bays do not face the public right-of-way.

(f) Auto laundry.

(g) Thrift stores (retail outlets for the sale of used goods).

(h) Wholesaling or distributorship businesses in conjunction with on-site retail sales where the total operation requires more than 10,000 square feet of floor space or where the warehousing, storage or distribution business is greater than 75 percent of the total building area; in all instances warehousing, storage or distribution business must be in conjunction with an on-site point of sale and cannot exceed 25,000 square feet in area.

(i) Manufacturing of medical, dental or optical products in conjunction with a retail point of sale or a clinic; or as a standalone facility not to exceed 10,000 square feet.

(j) Day Labor pool provided all activities, including waiting or queuing, are completely located within an enclosed facility.

**B. LaVilla District.**

**1. Bonus uses.**

(a) Warehousing, storage or distributorship businesses when in conjunction with an on-site point of sale, and where the total operation does not require more than 10,000 square feet or where the warehousing, storage or distribution business is equal to or less than 75 percent of the total building area, whichever is less.

(b) Detached Single-Family Homes.

**2. Uses permissible by exception.**

(a) Drive-in or drive through facilities for any permitted use (including but not limited to restaurants, dry cleaners, and banks) are permissible only by exception and provided the service window or device and all queuing lines are located entirely within an enclosed structure such as a parking garage.

(b) Service garage for minor repairs provided there is no outdoor storage of vehicles and vehicle service bays do not face the public right-of-way.

(c) Personal property storage establishments meeting the criteria contained in [Section 656.361.5.4](#).

(d) Commercial Surface Parking Lot meeting the exception criteria contained in [Section 656.361.5.3](#).

(e) Filling or Fueling Stations with fewer than eight fueling stations.

(f) Auto laundry.

(g) Thrift stores (retail outlets for the sale of used goods).

(h) Wholesaling or distributorship businesses in conjunction with on-site retail sales where the total operation requires more than 10,000 square feet of floor space or where the warehousing, storage or distribution business is greater than 75 percent of the total building area; in all instances warehousing, storage or distribution business must be in conjunction with an on-site point of sale and cannot exceed 25,000 square feet in area.

(i) Manufacturing of medical, dental or optical products in conjunction with a retail point of sale or a clinic; or as a standalone facility not to exceed 10,000 square feet.

(j) Day Labor pool provided all activities, including waiting or queuing, are completely located within an enclosed facility.

(k) Multi-story mixed use facility including not more than 16 filling or fueling stations, and a minimum 5,000 square feet of restaurant space as well as at least one other permitted use such as office or retail.

**C. Church District.**

**1. Bonus uses.**

(a) Detached Single-Family Homes.

(b) Sale and service of beer, wine or alcohol for on-premises consumption only when in conjunction with a bona fide restaurant and provided that:

- (1) At least 51 percent of the gross revenue of the restaurant must be from the sale of food and non-alcoholic beverages;
- (2) There is no outside sale or service of food or drink either as a sidewalk café or within the property boundaries, other than a rooftop restaurant meeting these standards which allows no amplified music;
- (3) Service of full course meals is available at all times beer, wine or alcohol is being served; and
- (4) Roll up doors or movable walls open to the street frontage with service visible are prohibited.

(c) Restaurants that do not engage in the sale and service of beer, wine or alcohol for on-premises consumption, may provide outdoor sales and service of food and non-alcoholic beverages, either meeting the criteria of [Chapter 250](#), Part 8 (Downtown Sidewalk Cafés), or within the Private Realm.

(d) Warehousing storage or distributorship businesses when in conjunction with an on-site point of sale, and where the total operation does not require more than 10,000 square feet or where the warehousing, storage or distribution business is equal to or less than 75 percent of the total building area, whichever is less.

2. *Uses permissible by exception.*

(a) Drive-in or drive through facilities for any permitted use (including but not limited to restaurants, dry cleaners, and banks) are permissible only by exception and provided the service window or device and all queuing lines are located entirely within an enclosed structure such as a parking garage.

(b) Personal property storage establishments meeting the criteria contained in [Section 656.361.5.4](#).

(c) Commercial Surface Parking Lot meeting the exception criteria contained in [Section 656.361.5.3](#).

(d) Auto laundry.

(e) Thrift stores (retail outlets for the sale of used goods).

(f) Day Labor pool provided all activities, including waiting or queuing, are completely located within an enclosed facility.

D. *Cathedral District.*

1. *Bonus uses.*

(a) Detached Single-Family homes.

2. *Uses permissible by exception.*

(a) Drive-in or drive through facilities for any permitted use (including but not limited to restaurants, dry cleaners, and banks) are permissible only by exception and provided the service window or device and all queuing lines are located entirely within an enclosed structure such as a parking garage.

(b) Commercial Surface Parking Lot meeting the exception criteria contained in [Section 656.361.5.3](#).

(c) Auto laundry.

(d) Thrift stores (retail outlets for the sale of used goods).

(e) Day Labor pool provided all activities, including waiting or queuing, are completely located within an enclosed facility.

*E. Central Core District.*

1. *Bonus uses:* None.

2. *Uses permissible by exception.*

(a) Drive-in or drive through facilities for any permitted use (including but not limited to restaurants, dry cleaners, and banks) are permissible only by exception and provided the service window or device and all queuing lines are located entirely within an enclosed structure such as a parking garage.

(b) Auto laundry.

(c) Thrift stores (retail outlets for the sale of used goods).

(d) Day Labor pool provided all activities, including waiting or queuing, are completely located within an enclosed facility.

(e) Private clubs.

*F. Sports and Entertainment District.*

1. *Bonus uses.*

(a) Commercial recreational or entertainment facilities in completely enclosed buildings or outdoors such as billiard parlors, bowling alleys, swimming pools, skating rinks, dance halls, carnivals or circuses, theaters (including open-air theaters), indoor shooting galleries, archery or blade throwing ranges, pony rides, athletic complexes, arenas, auditoriums, convention centers, go-cart tracks, driving ranges and similar uses, but not adult entertainment or service or adult arcades.

(b) Manufacturing uses in existence on March 1, 2019.

(c) Private Clubs.

2. *Uses permissible by exception.*

(a) Drive-in or drive through facilities for any permitted use (including but not limited to restaurants, dry cleaners, and banks) are permissible only by exception and provided the service window or device and all queuing lines are located entirely within an enclosed structure such as a parking garage.

(b) Auto laundry.

(c) Thrift stores (retail outlets for the sale of used goods).

*G. Working Waterfront District.*

1. *Bonus uses:* All uses permitted within the IW Zoning District.

2. *Uses permissible by exception.*

(a) Drive-in or drive through facilities for any permitted use (including but not limited to restaurants, dry cleaners, and banks) are permissible only by exception and provided the service window or device and all queuing lines are located entirely within an enclosed structure such as a parking garage.

- (b) Day Labor pool provided all activities, including waiting or queuing, are completely located within an enclosed facility.
- (c) Service garage for minor repairs provided there is no outdoor storage of vehicles and vehicle service bays do not face the public right-of-way.
- (d) Bulk storage yard.
- (e) Bulk processing, including flammable liquids.

H. *Southbank District.*

1. *Bonus uses:* None.

2. *Uses permissible by exception.*

- (a) Drive-in or drive through facilities for any permitted use (including but not limited to restaurants, dry cleaners, and banks) are permissible only by exception and provided the service window or device and all queuing lines are located entirely within an enclosed structure such as a parking garage.
- (b) Filling or Fueling Stations with fewer than eight fueling stations.
- (c) Commercial Surface Parking Lot meeting the exception criteria contained in [Section 656.361.5.3](#).
- (d) Auto laundry.
- (e) Thrift stores (retail outlets for the sale of used goods).
- (f) Service garage for minor repairs provided there is no outdoor storage of vehicles and vehicle service bays do not face the public right-of-way.
- (g) Manufacturing of medical, dental or optical products in conjunction with a retail point of sale or a clinic; or as a standalone facility not to exceed 10,000 square feet.
- (h) Private clubs.