

ARTICLE 10

TOURIST DISTRICTS

SECTION 1: TOURIST DISTRICTS ESTABLISHED

1.1 Districts. The tourist districts are hereby established as T-1 (tourist accommodations), T-2 (tourist, office, restaurant), T-2a (tourist, office), T-3 (tourist, office, retail), T-4 (tourist, office, retail, auto service), and T-5 (tourist, highway interchange).

1.2 Purpose. The tourist districts are intended to provide for the wide variety of uses associated with tourism, including retail uses, accommodations, and restaurants. The T-1 through T-4 districts are intended as general tourist areas. The T-5 district is intended to be located near highway interchanges, with many services permitted in order to minimize frequent ingress and egress to arterial roads, and to provide an attractive well-planned entrance to the urban area.

SECTION 2: TOURIST DISTRICTS USE SCHEDULE

| Zoning District | Permitted Uses | Conditional Uses Refer to Section 3 or Article 17 | Special Uses Refer to Section 4 or Article 17 |
|---|--|---|--|
| Tourist Accom. T-1 | Accommodations Clubs & Lodges Duplexes Hotel Motel Multifamily Dwellings Parking Lots & Garages Single Family Dwellings | Auto Rental Office Carnivals & Circuses Churches Cocktail Lounges Drug, Florist, Gift, & Beach Apparel Shops Games of Skill Multifamily Complex Newsstands Personal Services Poolside Activities Restaurants A1 & A2 Snack Bars Swimming Pools Ticket Office Underground Parking Facilities | Additional Floors Cemeteries Country Club & Golf Courses Day Care Centers Off-Site Parking Parellelogram and Corner Lot Side Setbacks Rear Setback Schools Townhouse Subdivisions |
| Tourist, Office, & Rest. T-2 | T-1 Permitted Uses Business Services Professional Services Restaurant A1 | T-1 Conditional Uses Community Res. Homes Day Care Centers Nursing/Convalescent Homes Schools | Cemeteries Country Club & Golf Courses Fraternities & Sororities Off-Site Parking Townhouse Subdivisions |

| Zoning District | Permitted Uses | Conditional Uses Refer to Section 3 or Article 17 | Special Uses Refer to Section 4 or Article 17 |
|--|--|---|---|
| Tourist & Office T-2A | T-1 Permitted Uses Business Services Professional Services | T-2 Conditional Uses | T-2 Special Uses except Fraternities & Sororities |
| Tourist, Office, & Retail T-3 | T-2 Permitted Uses Personal Services Pick Up, Self Serve, & Coin Laundries Retail Sales & Services Restaurant A2 | T-2 Conditional Uses Alcoholic Beverages accessory to food service establishment | T-2a Special Uses Alcoholic Beverages Funeral Homes |
| Tourist, Office, Retail, & Auto. Service T-4 | T-3 Permitted Uses Indoor Recreation Area Vehicular Service, light | T-2 Conditional Uses Alcoholic Beverages accessory to food service establishment Beach Concession Vehicle Storage Vehicle Rentals | T-3 Special Uses |
| Tourist, Highway Inter-change T-5 | Business Services Clubs & Lodges Cocktail Lounges Hotels Motels Multifamily Residential Personal Services Professional Services Retail Sales & Services Restaurants A1 & A2 Tourist Accommodations Vehicular Service, light | T-1 Conditional Uses | T-1 Special Uses |

SECTION 3: CONDITIONAL USE REQUIREMENTS

3.1 Beach Concession Vehicle Storage. The storage of beach concession vehicles shall be permitted as an accessory use to a light vehicular service facility in accordance with the following restrictions:

- (a) The rental of vehicles, trucks, or trailers shall not be an accessory use at the same time.
- (b) No more than one beach concession vehicle shall be parked at a facility.
- (c) The beach concession vehicle shall not be parked closer to the right-of-way than the principal building, and not closer to the right-of-way than 25 feet.

3.2 Games of Skill. A game of skill shall be permitted as an accessory use in any tourist district, pursuant to the following restrictions:

(a) In hotels, motels, tourist accommodations, and apartments, one game per five rental units shall be permitted up to a maximum of 30 games.

(b) In restaurants, cocktail lounges, clubs, and lodges, one game shall be permitted per 15 seats up to a maximum of ten games.

(c) In motion picture theaters, one game shall be permitted per 100 seats up to a maximum of ten games per establishment. Games shall be accessible only to theater ticket holders and not to the general public.

(d) In other retail establishments, two games shall be permitted for the first 10,000 square feet of gross floor area and one additional game for every additional 10,000 square feet of gross floor area, up to a maximum of ten games per establishment.

(e) In indoor recreation areas, a maximum of 30 games shall be permitted.

(f) No outside advertising and no separate entrance shall be permitted for the accessory use.

3.3 Poolside Activities. Outside sale of sun tanning products and other articles related to guest recreation activities, and outside sale and preparation of beverages and food, including alcoholic beverages, shall be permitted in accordance with the following conditions:

(a) Sales and service shall be primarily for the guests of the facility and there shall be no outside advertising of the outside activities or use.

(b) Sales and service shall be provided from no more than two portable bars, one no greater than 120 square feet and the other no greater than 80 square feet. If there are two structures, one shall be for the sale of food and beverage only, and the other for the sale of suntanning products and recreational items only.

(c) Walls beneath the portable bar surface may be completely enclosed, but not more than one solid wall above the bar surface shall be permitted. Shutters may be allowed above the bar surface to protect the contents of the bar when it is not in use. The overall height of the bar shall not exceed 12 feet. These requirements are intended to insure that structures located oceanward of the building restriction line are relatively small portable bars and not permanent buildings. In case of severe storm, portable bars shall be temporarily relocated inside the principal building, or anchored to the principal building, or otherwise secured.

3.4 Underground Parking Facilities. Underground parking facilities may be constructed in tourist districts on lots or parcels fronting the Atlantic Ocean beach in accordance with the following:

- (a) The parking facility shall not extend beyond the bulkhead line.
- (b) Maximum elevation of the structure shall not exceed 20 feet above mean sea level.
- (c) The facility may be constructed within required side or rear yards that do not abut a public street.

3.5 Uses in Tourist and Apartment Facilities. Hotels, motels, tourist accommodations, and apartment buildings shall be permitted to establish A2 restaurants, newsstands, snack bars, automobile rental offices, and ticket offices, provided the following conditions are met:

- (a) The use shall be located within the principal building and designed to serve primarily the guests of the facility. The use shall be accessible only from an interior court, lobby, corridor, or pool deck. The use shall have no outside advertising.
- (b) One parking space for each rental automobile shall be provided up to 10% of the total guest rooms with a maximum of 25 cars permitted.
- (c) Ticket offices shall be excluded from the requirements to serve primarily the guests of the facility and from the prohibition on outside advertising. At least two off-street parking spaces per ticket office shall be provided. Parking shall be located on the same side of the street and contiguous to the principal building housing the office. The spaces shall be identified as reserved for ticket customers only during ticket office hours.

3.6 Uses in Facilities With 100 or More Rental Units. Establishments with 100 or more rental units may have drug and sundry shops, florists, gift and confectionery shops, personal services, beach and swimming apparel shops, type A-1 restaurants with dancing and entertainment areas, and cocktail lounges as accessory uses as follows:

- (a) The accessory use shall meet all conditions in 3.5 above.
- (b) The accessory use shall occupy no more than six square feet of floor area per rental unit.

(c) Parking shall be provided for A1 restaurants and cocktail lounges. The restaurant or lounge may be accessible from the exterior of the building and may be located in a separate accessory building structurally attached to the principal building, but shall not be directly accessible from the Atlantic Ocean beach.

3.7 Vehicle Rental. The rental of light vehicles, trucks, and trailers shall be permitted as an accessory use to a vehicular service facility in accordance with the following restrictions:

(a) Only one portion of the service station lot, not exceeding 50% of the entire lot, shall be used for the accessory use.

(b) No individual rental vehicle shall be parked for storage closer to the right-of-way than the principal building, and no rental vehicle shall be parked closer to the right-of-way than 25 feet .

(c) No more than 25 vehicles for rental may be parked on the site.

SECTION 4: SPECIAL USE REQUIREMENTS

4.1 Off-Site Parking for Accommodation Facilities. Off-site parking may be permitted as a special use on the west side of Atlantic Avenue for accommodation facilities located on the east side of Atlantic Avenue, provided the following requirements are met:

(a) Surface parking and drives, not including fire lanes, shall be limited to not more than 15% of the site east of Atlantic Avenue. The balance of the site east of Atlantic Avenue, not including any surfaces above underground parking structures, shall be landscaped. Where a site is adjacent to the Atlantic Ocean beach, the site shall include all property between the bulkhead line, the front property line, and the side property lines. There shall be no above-ground parking garages on sites adjacent to the beach.

(b) Access to the parking facility shall be from Atlantic Avenue. Alternatively, or in addition, access may be from a side street provided such access is not across from a residential district.

(c) The parking facility shall be set back a minimum of 50 feet from a residential district. The setback area shall be landscaped and a six foot screening wall or landscape screening shall be provided.

(d) If the parking facility contains a structure, the structure shall architecturally compliment and be consistent with the design features of the accommodation facility, so that the entire complex maintains a continuity of exterior design and materials.

(e) Any structure on the parking facility site shall be used exclusively for parking above the ground floor. Parking and any use permitted in the district shall be permitted on the ground floor, except accommodations and residential uses. Any use other than parking shall provide off-street parking required for the use.

(f) The site on which the parking facility is located shall have at least 30 feet of frontage directly across from the accommodations site, measured at a right angle to Atlantic Avenue.

(g) An enclosed pedestrian walkway over Atlantic Avenue shall link the accommodation site and parking facility. The pedestrian walkway shall be exempt from front yard setback requirements, and must be approved by the Florida Department of Transportation.

4.2 Fraternities and Sororities. Fraternity houses, sorority houses, and student cooperatives may be permitted as a special use in T-2 districts, provided the use does not adversely impact the neighborhood.

4.3 Additional Floors in T-1 Districts. A maximum of 3 additional floors may be allowed in T-1 districts on sites east of A-1-A with ocean frontage to replace floors used as parking at a 1 to 1 ratio, without increasing setback requirements, provided:

(a) Signs.

1. Pole signs shall not be permitted. Any permitted ground sign shall be a monument sign.
2. No signage shall be permitted on the seawall.
3. Signage shall be integrated into architectural and/or landscaping plans.

(b) Landscaping shall exceed normal requirements. Palm tree groves shall be established on the A-1-A frontage, ocean frontage, and within side setbacks. Washingtonians and Sabal palms shall be mixed with Date palms and included on the A-1-A frontage. Flowering plants shall be incorporated into the design.

(c) Driveways and parking areas to the north and south of the structure shall be constructed of colored interlocking pavers.

(d) Structures should incorporate a high level of urban design and attention to architectural and construction quality. The effects of environmental factors such as sun, wind, noise, shadow, and reflections on the quality of outdoor space shall be considered in the design.

4.4 Parallelogram and Corner Lot Side Setbacks in T-1 Districts. Parallelogram lots and corner side lots in T-1 districts on sites east of A-1-A with ocean frontage may be permitted a maximum 10% reduction in side setback requirements provided all of the requirements of §4.3 above are met, and the design considers and does not unduly impact upon the ocean views of adjacent properties.

4.5 Rear Setback in T-1 Districts. Rear setback may be established as follows on any lot in a T-1 district located east of A-1-A with ocean frontage which meets the requirements of §4.3 above and the design ensures that the structure will not unduly impact the ocean views of adjacent properties:

(a) For lots 250 feet or less in depth, the rear setback shall be 25 feet from the most westward of the bulkhead or property line.

(b) For lots over 250 feet in depth, the rear setback shall be 50 feet from the most westward of the bulkhead or property line.

(c) State Coastal Construction Control Line (CCCL) review and approval is required.

This portion intentionally left blank.

SECTION 5: LOT AND BUILDING REQUIREMENTS

Lot and building requirements are set forth in the table below, except that all single family uses in T districts shall comply with the lot and building requirements established for R-3 districts, Art. 9 §5, LDC.

| Zone | Min. Lot Area Sq. Ft. | Min. Lot Width at Bldg. Line | Min. Lot Depth | Min. Front Yard | Min Side Yard Interior | Min Side Yard Street | Min Rear Yard | Max % of Lot Cover. | Max. Bldg. or Struct. Hgt. | Max. Res. Dens. | Max. Acc. Per Acre | Park- ing |
|-------------|-----------------------|------------------------------|----------------|--|--|--|--|---------------------|----------------------------|-----------------|--------------------|-----------|
| T-1 | 10,000 | 50' | None | 20' | Notes 1, 2 | 10' and Note 2 | 10' + 4" for ea. ft. of bldg. hgt. over 35' | Note 3 | None | 40 upa | None | Reqd. |
| T-2 T-2a | 10,000 | 50' | None | 20' | Notes 1, 2 | 10' and Note 2 | Same as T-1 | Note 3 | None | 40 upa | None | Reqd |
| T-3 | 10,000 | 50' | None | 10' | Notes 1, 2 | 10' and Note 2 | Same as T-1 | Note 3 | None | 40 upa | None | Reqd |
| T-4 | 10,000 | 50' | None | 10' | Notes 1, 2 | 10' and Note 2 | Same as T-1 | Note 3 | None | 40 upa | None | Reqd |
| T-5 | 39,375 | 175' | 225' | 50' on Major Arterial 20' on Minor Arterial | 15' plus 4" for each ft. of bldg. ht. over 35' | 15' plus 4" for each ft. of bldg. ht. over 35' | 15' plus 4" for each ft. of bldg. ht. over 35' | Note 4 | None | 20 upa | None | Reqd |

Note 1. Side Yard. For lots with street frontage of 100 feet or less the yard shall be 10 feet plus 4 inches for each ft. of building height over 42.5 feet. For lots with street frontage over 100 feet the yard shall be 15 feet plus 4 inches for each foot of building height over 57.5 feet.

Note 2. Side Yard Waterfront. All land on the east side of Atlantic Avenue shall be subject to building requirements established for the Waterfront overlay classification. On property adjacent to the Atlantic Ocean beach, the principal building and accessory buildings shall be located and constructed in compliance with the following additional requirements:

(a) **Minimum Side Yard.** Fifteen feet plus one foot for each two feet of building height over 55 feet above mean sea level. For the purpose of this section, front yards for corner lots shall be adjacent to and face Atlantic Avenue.

(b) Maximum North-South Width.

1. Existing structures 250 feet in width or greater measured along Atlantic Avenue may not be increased in width. Existing structures less than 250 feet in width may be increased to 250 feet if all minimum setback requirements are met.
2. New structures shall not exceed 250 feet in width. Where two or more structures are to be developed on the same property, each structure shall be treated as though it were on an individual lot. In order to allow the proper relationship between structures and amenities, the side setbacks may be less than required, provided the separation between buildings shall not be less than the distance of the largest required side setback, and the setback that was lost shall be provided elsewhere on the site.

(c) Hotel, Motel, and Multifamily Incentive. In order to provide for future development of high quality facilities with expansive lobbies and accessory uses, the first three stories of any permitted use may exceed minimum side setbacks, provided:

1. The three stories must be primarily public space or parking. Accommodations may only be provided facing the ocean.
2. The minimum side setback for the three stories shall be no less than one-half of the normal minimum setback based on the height of the structure.
3. The length of the three story structure shall not exceed 250 feet.
4. The landscape plan shall meet the requirements in §4.3(b) of this Article.

Note 3. Lot Coverage. Buildings, including covered garages and carports, shall occupy no more than 60% of the gross lot area.

Note 4. Lot Coverage. Off-street parking, drives, and walkways shall occupy no more than 75% of any front, side, or rear yard. A minimum of 25% of the front, side, and rear side yards shall be landscaped.