

6.05.15      HCD - Highway Commercial Development District

A. Purpose: This district is designed to provide for a wide range of uses in appropriate and easily accessible locations adjacent to major transportation corridors and having access to a wide market area. This district is intended to be situated along selected segments of major thoroughfares in the vicinity of major intersections.

Automobiles and other vehicular service establishments, motels and hotels, business and professional offices, general retail and eating and drinking establishments, primarily characterize this district. This district should be situated in the vicinity of existing general commercial uses and should be buffered from residential areas.

Additionally, this district is generally located adjacent to districts characterized by medium to high density residential development and areas of more intensive commercial use. Bulk regulations and site plan criteria within the district are designed to maximize compatibility with lesser intense use of land and buildings in the district and provide for smooth transition in areas where activities of varying intensity exist.

Similarly, it is intended that the site plan criteria assist in evaluating economic implications with a view toward generating a stable economy and efficient, timely and economical delivery of needed public facilities and services.

B. Permitted Uses: In this district a building or premises may only be used for the following purposes:

1. Community facilities limited to public and private not-for-profit clubs, cultural and civic activities; places of worship and child care services.
2. Commercial activities limited to:
  - a. Business and professional offices, financial and banking services, and medical services, personal services;
  - b. indoor commercial amusement activities;
  - c. restricted sales and services; general retail sales and services;
  - d. funeral homes only where adequate space is provided on the premises for the formation of funeral processions, and no such activity shall take place on public streets or rights-of-way;
  - e. restaurants with or without drive-thru facilities;
  - f. parking garages or lots;
  - g. trade services and repair, provided all activities and storage are contained in an enclosed building;

- h. automobile maintenance, garages and gas stations, subject to the following provisions;
  - 1) all hydraulic hoists, pits, lubricating, washing repair and service not of emergency nature or short term diagnostic or minor repair work shall be conducted entirely within a building.
  - 2) all merchandise and material for sale shall be displayed within an enclosed building except that oil for use in motor vehicles may be displayed or sold from an appropriate rack or compartment at the convenience of the customer and station attendant.
  - 3) flammable materials shall be stored within the building setback lines and in a manner satisfactory to the Fire Department Chief and the Director of the Building Department.
  - 4) storage of inoperative or unregistered motor vehicles generally shall not be permitted on the premises. However, motor vehicles which are being serviced may be stored in appropriate outside parking areas for a period not to exceed eight (8) weeks. Motor vehicles which may have been towed from the scene of an accident may be held or stored in a fully enclosed building or behind an eight (8) foot completely screened area in the rear yard of the business.
  - 5) when a service station dispensing flammable materials becomes vacant for a period exceeding one (1) year, the property owner shall be required to remove or treat in a safe manner, approved by the Building Department Director, all flammable materials or storage tanks on the site.
- i. vehicular sales and services but all service activities shall be confined to minor repair and maintenance and all such activities must be confined to enclosed buildings;
- j. veterinary services provided all such activities are located in a fully enclosed, soundproof building;
- k. wholesale trades and services limited expressly to establishments where all activities and storage are contained in an enclosed building.
- l. travel trailer parks and campgrounds under one ownership, which have been approved for development in accordance with applicable state and county regulations, service buildings which shall include space and separation for a park manager's office and storage of maintenance equipment and supplies, and space for self-service laundry facilities provided that such uses are restricted for use to paying park users only.
- m. self storage facilities

- n. retail and wholesale bakeries
  - o. retail nurseries.
  - p. Nursing homes
  - q. Hotels and motels
  - r. Special Residential Facilities
3. Accessory uses or structures to any principal use permitted in the district.
  4. Mobile homes are prohibited in this district except where being offered as a product for sale at a licensed mobile home sales facility.

C. Conditional Uses: In this district, as a conditional use, a building or premises may be used only for the following purposes upon determination by the County Board of Adjustment (Zoning Review and Appeals Board) that the respective use complies with standards regulating conditional uses in Section 6.09.00 et. seq. and complies with the site plan requirements listed in Section 4.04.00: Single and multiple family dwelling structures; guest homes; boarding homes; transient quarters oriented to serving seasonal or transient residents; public and private utilities and public facilities; wholesale plant nurseries and landscape services; recreation and park areas; vehicular paint and body shops; kennels; limited manufacturing and assembly; recreational activities; towers and telecommunications facilities; commercial antennas; and commercial outdoor amusement activities.

D. Site Plan Approval: Site plan review, as provided for in Section 4.04.00, is required for all development proposals in this district.

E. Subdivision Conformance: Any land or lot within a plat of record (or not) on the effective date of this ordinance shall not be re-divided into two (2) or more lots unless the provisions of the Subdivision Regulations of Santa Rosa County, Florida (Section 4.03.00 et. seq.) have been met.

F. Density: All development proposals are subject to site plan criteria of Section 4.04.00. Impervious cover is limited to a maximum of 85% of the property. NOTE: Impervious cover may be reduced further depending on features associated with the property and the proposed use of said property.

G. Lot Size: The minimum width of any lot developed for commercial uses shall be one hundred (100) feet when measured at the minimum front setback line and shall have a minimum width at the street right-of-way line of not less than one hundred (100) feet to allow for adequate ingress and egress and accel. / decel. lanes; however, multiple attached businesses may occupy the same lot. Off-premise signs may be located on lots with less than one hundred (100) feet of road frontage, provided that the lot width can fully accommodate the required setbacks and the width of the sign and provided that the sign meets all of the locational requirements of Article Eight. Access to such parcels

shall be the minimum necessary to allow for maintenance of the sign.

H. Building Height: No building shall be erected in this district in excess of fifty (50) feet in height above the required minimum finished floor elevation, exclusive of chimneys, elevator shafts, air conditioning condensing units and cooling towers, except as provided for in Section 2.10.01 of this Ordinance.

I. Minimum Required Setbacks:

1. Setbacks Along Collector or Arterial Roads: The minimum required building setback along a collector or arterial road, as described in Section 4.04.03(D), shall be as follows:

- a) Along a collector road, the minimum required building setback shall be twenty-five (25) feet.
- b) Along an arterial road, the minimum required building setback shall be fifty (50) feet.

If any other setback requirement of this Code conflicts with the above requirements, the more restrictive requirement will apply.

2. Front Setback: There shall be a front building setback from any right-of-way of not less than fifty (50) feet for all uses except as provided in Section 2.10.02.

3. Side Setback: Except as provided in Section 2.10.04, there shall be a five (5) foot side building setback for Commercial Uses (excluding multiple family dwellings, hotels, motels, guest houses, and other transient quarters) except in the following situations:

- a) On any side of a lot or project parcel which abuts any residential use or zone, a side building setback of thirty (30) feet shall be provided.
- b) On any side of a lot or project parcel which abuts any right-of-way which is not classified as an arterial road, a side building setback of twenty-five (25) feet shall be provided.
- c) Additionally, when none of the above situations apply, the minimum side setback for multiple family dwellings, hotels, motels, guest houses, and other transient quarters, shall not be less than eight (8) feet.

4. Rear Setback: There shall be a rear building setback for all uses having a depth of not less than twenty-five (25) feet, except as provided in Section 2.10.03.

J. Performance Standards

1. Open Space/Landscaping: Every lot or project parcel in this district (excluding hotels, motels, guest houses and other transient quarters) shall have a minimum of fifteen (15) percent of the total parcel area set aside for open landscaped area. Hotels, motels, guest houses and other transient quarters shall have a minimum of twenty-five (25) percent of the total parcel area set aside for open landscaped area. All landscaped areas shall be planted and maintained in lawn, sod or natural foliage, and no part of any required open area shall be used for driveways or parking areas. Additionally, landscaping and other performance standards shall adhere to requirements as set forth in Article 7.

K. Public Services: Within one (1) year of central wastewater collection system availability, septic tank use shall be discontinued and connection made to the central collection system.

L. Itinerant Vendors: Itinerant vendors shall comply with the requirements of the land development code to the same extent as other commercial uses which occupy buildings and fixed locations. This shall include but not be limited to site plan approval and compliance with performance standard requirements prior to conducting business.

Itinerant Vendors shall be defined as all persons, firms and corporations who engage in the business of selling, offering for sale or exhibiting for sale, any goods, wares or merchandise from a fixed location, and in the course of carrying on such business, do not operate from a permanent building or in conjunction with a lawful commercial use which utilizes a permanent building. Itinerant vendors shall not include persons, firms, or corporations making sales by visiting individual homes or businesses.

Exemptions:

1. The sale of agricultural products when the products are sold by the person who grew said products.
2. The sale of merchandise by a charitable, religious, fraternal, youth, civic, service or other such organization when the sale is made by the members thereof and the proceeds are used exclusively in the charitable, religious, fraternal, youth, civic and service activities of the organization.
3. The sale of merchandise at fairs, festivals, celebrations or other special events sponsored or permitted by the appropriate governing body.