

Sec. 115-40. - Schedule of permitted uses.

<b>Legend</b>		
P	-	Permitted
A	-	Permitted accessory use only
#, #	-	(Ex: 1, 2) Permitted subject to the conditions of use numbered 1 and 2 found in <u>section 115-50</u>
SE	-	Permitted special exception use only, pursuant to <u>article 630</u>
SE(#, #)	-	(Ex: 1, 2) Permitted as a special exception only, and subject to conditions of use numbers 1 and 2 found in <u>section 115-50</u> .
<b>NP</b>	-	not permitted

USES	IROM	IROM-AA	IROC	IRO	IG	IR	PEDD	MA-1
<b>LIGHT INDUSTRIAL USES</b>								
Airport-related and airport-compatible uses	33, 34	33, 34	NP	NP	NP	NP	NP	NP
Assembly of products from prefabricated parts	1, 2	1, 2	1, 2	1	P	SE	P	NP
Assembly, repair, and fabrication of furniture, home furnishings, art objects, clothing, leather goods, and jewelry	P	P	P	NP	P	NP	P	P

Bakery	P	P	P	P	P	P	NP	P
Brewery or craft distillery or winery with/or without tasting room [subject to <u>section 110-50</u> ]	P	P	P	P	NP	P	NP	P
Catering establishments	P	NP	P	P	P	A 70	NP	P
Distribution facility, accessory use	51	51	51	51	51	NP	P	51
Distribution, principal use	SE 2, 4, 52	SE 2, 4, 52	SE 2, 4, 52	SE 46, 50	SE	NP	P	2, 5
Document preparation and processing service (including publishing and printing)	P	P	P	NP	NP	NP	NP	NP
Fish smoking, curing, and canning	NP	NP	A 17, 64	NP	NP	NP	71	NP
Fleet parking, associated with a contractor's office	NP	80	NP	NP	80	NP	NP	NP
Light industrial uses not itemized in this section	1, 2	1, 2	1, 2	1	P	NP	71	NP
Light manufacturing	1, 2	1, 2	1, 2	1	P	NP	71	NP
Medical and dental laboratories	P	P	P	NP	P	NP	NP	P

Overnight fleet parking for vehicles owned or leased by the business legally operating at same location. Storage in rear or internal side yard, must not be visible from any street & cannot be parked in required parking spaces.	A	A	A	NP	A	NP	NP	NP
Pest control service, storage or fleet yard	NP	NP	79	NP	79	NP	NP	P
Railroad and truck terminal	NP	NP	NP	NP	SE 50	NP	P	NP
Research, product development and testing, engineering development, and marketing development	1, 2	1, 2	1, 2	1	P	NP	71	NP
Self-storage facility	NP	2, 4, 52	NP	SE 2, 46	P 2	P	NP	SE 2
Warehousing facilities with up to twenty (20) percent ancillary office space	2, 4, 51	2, 4	P	7, 8	P 2	P	P	2, 5

Watchman or caretaker dwelling unit as an accessory use to a primary marine use or storage facility [subject to sections <u>110-30, 230-20</u> ]	A	A	A	A	A	A	A	A
Wholesale: combined office-distribution-warehouse facilities with up to twenty (20) percent ancillary office space	SE 2, 4	2, 4	SE 2, 4	69	SE 2	NP	P	2, 5
Wholesale: combined office-showroom-warehouse facilities with up to twenty (20) percent ancillary office space	2, 4, 7, 51, 69	2, 4, 7, 69	2, 7, 51, 69	69	P 2	7	7	NP
<b>GENERAL BUSINESS USES</b>								
Adult entertainment [subject to <u>115-60</u> ]	P	P	NP	NP	NP	NP	NP	NP
Bail Bond [subject to <u>section 110-310</u> ]	P	P	P	P	NP	P	NP	P
Banks, financial institutions	6	6	6	NP	NP	NP	6	6
Business office	P	P	P	P	A	P	P	P
Convenience food store (without fuel sales)	NP	NP	NP	NP	NP	NP	NP	6

Data processing and computer centers, including service and maintenance of electronic data processing equipment	P	P	P	P	P	P	P	NP
Gym, fitness center, or health club	P 6	P 6	P 6	NP	NP	NP	NP	P 6
Live entertainment	SE	SE	SE	SE 46	NP	NP	P	SE 48
Marine-related retail	6	6	6	NP	6, 36	NP	A 6	6
Medical Marijuana Retail Center	6	6	6	15	NP	NP	A6	6
Mobile vendor	NP	NP	NP	NP	NP	NP	NP	NP
Mobile food vendor [subject to <u>section 110-320</u> ]	P	P	NP	NP	NP	NP	NP	NP
Office, medical [subject to <u>section 110-40</u> ]	P	P	P	P	NP	NP	NP	P
Office, professional	P	P	P	P	NP	NP	P	P
Parts store, including vehicle, aircraft or boat parts within a completely enclosed building	NP	6	6	NP	NP	NP	NP	6
Pawnshop	NP	NP	NP	NP	NP	NP	NP	NP

Personal service establishments	24	24	24	15	NP	NP	NP	6
Pharmacy, nonretail (includes compounding)	NP	NP	NP	NP	NP	NP	NP	NP
Pharmacy or drug store	6	6	6	15	NP	NP	A 6	6
Private sport or athletic training facility not open to general public for viewing or participation	NP	NP	P	NP	NP	NP	NP	NP
Restaurant, fast food [including outdoor seating subject to <u>section 115-80</u> ]	SE 6, 63	SE 6, 63	SE 6, 63	NP	A 6, 70	NP	6	6
Restaurant, full service (including accessory bars or lounges, including outdoor seating)	6	6	6	SE 6, 46	A 6, 70	NP	6	6
Restaurant, takeout	SE 6, 63	SE 6, 63	SE 6, 63	NP	A 6, 70	NP	6	6
Retail uses not itemized in this section	9, 24	9, 24	9, 24	15	NP	NP	A 6	3, 6
Tattoo, body piercing	NP	NP	NP	NP	NP	NP	NP	22, 6
Retail sales of guns or ammunition	NP	NP	38, 39, 6	NP	NP	NP	NP	NP

Thrift shop, secondhand goods sales	NP	NP	NP	NP	NP	NP	NP	SE, 6
Tool and equipment rental	NP	19	NP	NP	NP	NP	NP	P
<b>CIVIC, GOVERNMENT AND PUBLIC ASSEMBLY USES</b>								
City of Dania Beach governmental, administrative, community, service, or office facilities	P	P	P	P	P	NP	P	P
Convention and conference centers as a principal use	NP	NP	NP	NP	NP	NP	NP	NP
Charitable, civic, fraternal and professional organizations (including union halls)	NP	NP	NP	NP	NP	NP	NP	P
Day care center	NP	NP	NP	NP	NP	NP	NP	P
Governmental facilities	NP	NP	NP	NP	NP	NP	P	NP
Library or art gallery	NP	NP	45	NP	NP	NP	SE 40, 46, 47, 49	P

Museum	NP	NP	45	NP	NP	NP	SE 40, 46, 47, 49	P
Place of worship	NP	NP	NP	NP	NP	NP	NP	P
<b>EDUCATIONAL FACILITIES</b>								
Colleges and specialty schools	P	P	P	NP	P	NP	SE 40, 46, 47, 49, 67	P
<b>COMMERCIAL USES</b>								
Athletic training facility (indoors) including, but not limited to a facility offering gymnastics, fitness training, boxing, yoga, or dance, with no spectator seating	P	P	P	P	P	P	NP	P
Auction as an accessory use, limited to one auction monthly, only on off hours (i.e. evenings or weekends)	P	P	P	P	NP	NP	NP	NP
Auto body repair	NP	73	P	NP	<u>P_16</u>	NP	NP	SE

Automobile automated car washes	NP	NP	NP	NP	NP	NP	NP	P
Automobile rental (indoor/outdoor)	33, 74	33, 74	32, 2	2, 17, 74, 76	NP	SE	P	P
Automobile repair, minor or major	NP	73	P	NP	<u>P_16</u>	P	P	P
Automotive fuel pump stations	NP	P	NP	NP	NP	NP	P	NP
Boarding or breeding kennel, veterinary clinic (indoor only)	NP	NP	SE 6, 17	NP	NP	NP	NP	6
Boarding or breeding kennel, veterinary clinic (outdoors)	NP	NP	NP	NP	NP	NP	NP	SE 6
Cabinet or furniture shop (wood working)	P	P	P	P	P	P	NP	P
Contractor shops, repair or service shops, including, but not limited to, air conditioning and other appliances, marine, cloth or canvas	2	2	2	P	P	P	NP	P
Copy or printing shop	P	P	P	P	P	P	NP	P
Courier service/package delivery	NP	NP	79	NP	NP	NP	NP	P

Day labor or temporary employment office	SE 53-60	SE 53-60	NP	NP	NP	NP	NP	NP
Dry cleaning or laundry, excluding self-service laundromat	NP	NP	NP	NP	NP	NP	NP	6
Fortune teller or palm reader	NP	NP	NP	NP	NP	NP	NP	6, 22
Funeral home or mortuary	NP	NP	NP	NP	NP	NP	NP	6, 22,45
Indoor pistol and rifle ranges	NP	NP	38, 18	NP	NP	NP	NP	NP
Indoor sales, service, display, rental or repair of automobiles, motorcycles, or trucks	33, 73, 74	33, 73, 74	32, 2	NP	P	SE	NP	P
Machine shop, sheet metal shop, welding shop, or tool and die shop	2, 17	2, 17	2, 17	NP	<u>P 16</u>	SE	P	NP
Motion picture production studio, indoors	P	P	P	NP	P	NP	NP	P
Motion picture production studio, outdoors	SE	SE	SE	NP	NP	NP	NP	NP

Outdoor or indoor sales and display of fully assembled outdoor recreational merchandise	NP	P	68	NP	P 62	NP	NP	NP
Outdoor or indoor sale or rental of new or late-model construction equipment	NP	17	NP	NP	62	NP	NP	SE
Outdoor sales, leasing, rental, and display of automobiles, motorcycles, or trucks, including maintenance and service thereof in an opaque-covered facility or indoors	NP	17	32, 2	NP	62	SE	NP	P
Outdoor or indoor storage of passenger vehicles, trailers, and tractor-trailers	NP	NP	NP	NP	35	NP	NP	NP
Recording or broadcasting studio (no transmission antenna tower)	P	P	P	NP	P	NP	NP	P
Repair of bicycles in an enclosed building	P	P	P	P	P	P	NP	P
Roadside vendors	NP	NP	NP	NP	NP	NP	NP	NP

Sales, rental, leasing, display (indoors/outdoors), or repair of fully-assembled recreational vehicles or campers	26	17, 26	25, 26, 30, 31	NP	NP	SE	NP	P
Spray painting/spray booth	P	P	P	P	P	P	NP	P
Telecom web-hosting facilities	P	P	P	P	P	P	NP	P
<b>LODGING USES</b>								
Hotels containing one hundred (100) or more rooms	6, 72	6, 72	6, 72	SE 6, 46, 72	NP	NP	SE 6, 40, 46, 47, 49, 72	SE 6, 72
<b>MARINE AND HEAVY INDUSTRIAL USES</b>								
Assembly of boats not over two hundred (200) feet in length	19	19	19	NP	21, 36, 37	NP	71	NP
Boat sanitary waste pump-out facilities	A, SE 65	A, SE 65	NP	NP	A 65	A 65	A 65	A 65

Docks and docking of boats and ships not over two hundred (200) feet in length, including the operation of charter boats	23	23	NP	NP	23, 36	NP	70	NP
Docks and docking of boats, ships, and cargo or shipping barges not over two hundred fifty (250) feet in length	NP	NP	NP	NP	35	NP	P	NP
Fuel tanks for fueling of vehicles and ships, including retail sale of fuel	SE 65, 66	SE 65, 66	NP	NP	35, 36	SE 65, 66	A 65, 66	SE 65, 66ental, display, storage of used b
Indoor or outdoor sales, leasing, display, or storage of fully-assembled new boats (including new boat trailers)	P	P	P	NP	P	SE	NP	P
Indoor sales, leasing, roats and marine vessels	P	P	P	NP	P	SE	NP	P

Manufacture of bulk materials with up to twenty (20) percent ancillary office space	NP	NP	NP	NP	NP	SE	NP	NP
Manufacturing of boats not over two hundred (200) feet in length	17	17	17	NP	<u>16</u> , 20, 36	NP	P	NP
Manufacturing, painting and repair of boats in excess of two hundred (200) feet in length, associated assembly, fabrication, outfitting and maintenance, marine construction and equipment loading and handling operations	NP	NP	NP	NP	36	P	NP	NP
Marinas, dry stack	NP	P	NP	NP	P	NP	P	P
Marinas, wet	P	P	NP	NP	P	NP	P	P
Marine cargo handling facilities (indoor/outdoor)	NP	SE	NP	NP	35	NP	P	NP
Marine-related educational facilities	P	P	P	NP	P	NP	P	P
Office trailer	NP	NP	NP	NP	36	NP	NP	NP

Outdoor sales, leasing rental, display and accessory repair of used boats and marine vessels	NP	17, 73, 74	NP	NP	62	NP	NP	NP
Outdoor sales, leasing, rental, display and accessory repair of used boats accessory to new boat sales	P	P	P	NP	P	SE	NP	P
Outdoor storage accessory to seaport and marine shipping	NP	SE 77	NP	NP	A 35, 36	NP	A	NP
Outdoor storage, accessory other	NP	NP	NP	NP	NP	NP	NP	NP
Outdoor storage/parking of fully assembled & operational automobiles, aircraft, bus, truck, recreation vehicles, motor home, motorcycle, tractor trailer, boat or construction equipment.	NP	NP	NP	NP	NP	NP	NP	NP
Painting of boats not over two hundred (200) feet in length	17	17	17	NP	<u>16</u> , 20	NP	71	NP
Parking for vehicles and equipment	NP	NP	NP	NP	NP	NP	P(81)	NP

Passenger terminal	65, 33	65, 33	NP	NP	NP	NP	P	NP
Petroleum processing, transmission and storage	NP	NP	NP	NP	NP	NP	P	NP
Petroleum tanks, storage in bulk of petroleum and petroleum products including oils, gasoline fuels, grease, and lubricants	NP	NP	NP	NP	NP	NP	P	NP
Repair of boats of not over two hundred (200) feet in length	19	P	19	NP	21, 36, 37	SE	71	P
Security gatehouses	NP	P	NP	NP	35, 36	NP	NP	NP
Shipbuilding and repair	NP	SE	NP	NP	36	NP	P	NP
Storage containers required for storage of shipyard/boatyard materials, vessel supplies, cargo	NP	17, 76, 77	NP	NP	35, 36	NP	P	NP
U.S. border patrol facilities	NP	NP	NP	SE 46, 61	NP	NP	NP	NP
<b>UTILITIES</b>								

Electrical power plants	NP	NP	NP	SE 46, 50	SE 50	NP	P	NP
Electrical substations or related electrical facilities	SE 17	SE 17	SE 17	SE 17, 46	SE 17	NP	P	NP
Municipal water or sanitary sewer treatment facilities	SE 17	SE 17	SE 17	SE 46, 50	NP	NP	P	P
Utilities including electric, gas and sanitary	NP	NP	NP	NP	NP	NP	P	NP
<b>MISCELLANEOUS</b>								
Commercial recreation facilities (indoors)	NP	NP	NP	SE 6, 46	SE 6	NP	NP	NP
Crop raising and plant nursery (commercial and noncommercial, excluding marijuana)	NP	P	NP	NP	NP	NP	NP	NP
Indoor private sports or athletic training facility without spectator seating	NP	NP	P 6	NP	NP	NP	NP	NP
Mobile vendors, except as permitted in conjunction with a temporary use approved under <u>article 675</u>	NP	NP	NP	NP	NP	NP	NP	NP

Parking garage	NP	P	NP	NP	NP	NP	P	NP
Recreational facilities	NP	NP	NP	NP	NP	NP	P	NP
Solid waste disposal, transfer or recycling facilities	NP	NP	NP	NP	NP	NP	NP	NP

(Ord. No. 2010-20, § 2(Exh. A), 9-14-10; Ord. No. 2010-025, § 3, 11-23-10; Ord. No. 2011-001, § 2, 1-11-11; Ord. No. 2011-007, § 6, 2-22-11; Ord. No. 2011-024, § 5, 8-9-11; Ord. No. 2012-008, § 5, 5-8-12; Ord. No. 2013-004, § 3, 6-25-13; Ord. No. 2014-004, § 4, 5-27-14; Ord. No. 2014-006, § 2, 5-27-14; Ord. No. 2014-012, § 3, 9-23-14; Ord. No. 2014-016, § 3, 10-28-14; Ord. No. 2015-009, § 4, 4-28-15; Ord. No. 2015-024, § 3, 10-27-15; Ord. No. 2016-004, § 5, 3-22-16; Ord. No. 2016-006, § 2, 3-22-16; Ord. No. 2016-007, § 4, 3-22-16; Ord. No. 2015-027, § 2, 1-12-16; Ord. No. 2017-018, § 2, 6-13-17; Ord. No. 2017-022, § 3, 7-25-17; Ord. No. 2017-026, § 3, 8-22-17; Ord. No. 2018-002, § 2, 1-23-18; Ord. No. 2018-018, § 2, 9-25-18; Ord. No. 2019-026, § 3, 12-10-19)

Sec. 115-50. - Conditions of use.

1 *Conditions of use:* applicant must demonstrate that the use will not cause or result in dissemination of dust, smoke, corrosion, noxious fumes, odor, noise, vibration, harsh glare or visual hazard to vehicle or air traffic beyond the building within which the use is conducted, and that the use will not pose a risk of chemical fire, explosion, radiation, discharge of waste materials, or other environmental hazards.

*Applies to the following uses and districts:*

- a. Research, product development and testing, engineering development and marketing development: IROM, IROC, IRO, IROM-AA.
- b. Light manufacturing: IROM, IROC, IRO, IROM-AA.
- c. Assembly of products from pre-manufactured parts: IROM, IROC, IRO, IROM-AA.
- d. Light industrial uses not itemized: IROM, IROC, IRO, IROM-AA.

2 *Conditions of use:* the architectural treatment of the building(s) shall resemble that of an office building, particularly in those portions of the building(s) facing public rights-of-way and adjoining residential areas. This may include use of substantial construction materials (ex: stucco or stone over concrete for exterior building walls), pedestrian scale architectural treatment, significant use of window and door glass, landscaping directly adjacent to a building, and overhead doors and loading activities to be located to the rear of buildings, within interior areas between buildings, or within interior side yards.

*Applies to the following uses and districts:*

- a. Research, product development and testing, engineering development and marketing development: IROM, IROC, IROM-AA.
  - b. Light manufacturing: IROM, IROC, IROM-AA.
  - c. Assembly of products from pre-manufactured parts: IROM, IROC, IROM-AA.
  - d. Light industrial uses not itemized: IROM, IROC, IROM-AA.
  - e. Warehousing facilities: IROM, MA-1, IROM-AA.
  - f. Self-storage facility: IRO, IG, MA-1, IROM-AA.
  - g. Combined office-distribution-warehouse facilities: MA-1, IROM-AA.
  - h. Combined office-showroom-warehouse facilities: IROM, IROC, IG, IROM-AA.
  - i. Distribution facility: IROM, IROC, IROM-AA.
  - j. Machine shop, sheet metal shop, welding shop, or tool and die shop: IROM, IROC, IROM-AA.
  - k. Contractor shops, repair or service shops, including air conditioning and other appliances, marine, cloth or canvas: IROM, IROC, IROM-AA.
  - l. Sales, service, display or repair of automobiles, motorcycles or trucks: IROC, IROM-AA.
- 3 *Conditions of retail uses not itemized:* in the MA-1 District, includes, but is not limited to, the following:
- a. Carpet and flooring sales.
  - b. Furniture store.
  - c. Glass and mirror shop.
  - d. Lawn and garden shop.
  - e. Swimming pool supplies and sales.
  - f. Hardware, home improvement, hobby or craft store.

- 4 *Conditions of use:* the office floor area, showroom floor area, or any combination of office and showroom floor area, shall comprise at least ten (10) percent of the total gross floor area of the building(s). All office area must be fully enclosed air conditioned space.

*Applies to the following uses and districts:*

- a. Combined office/distribution/warehouse and Distribution facility in the: IROM, IROC, IROM-AA districts.
- b. Combined office-showroom-warehouse facilities: IROM, IROM-AA districts. In IROM, less than ten (10) percent combined office and showroom area may be permitted as a special exception use.

- c. Warehousing in the IROM and IROM-AA.
  - d. Self-storage in the IROM-AA District.
  - e. Combined office/showroom/warehouse in the IROM and IROM-AA districts. In the IROM District, less than ten (10) percent combined office and showroom may be permitted by special exception pursuant to article 630.
- 5 Conditions of use: minimum of ten (10) percent of the gross floor area of the building(s) must be devoted to office use.

*Applies to the following uses and districts:* Combined office-distribution-warehouse facility, distribution facility, and warehouse in the MA-1 District. Less than ten (10) percent office may be permitted as a special exception use, pursuant to article 630.

- 6 *Conditions of use:* subject to the provisions of the Future Land Use Element of the Comprehensive Plan pertaining to commercial uses in the Industrial and Employment Center future land use categories.
- 7 *Conditions of use:* excludes self-storage warehouses.
- 8 *Conditions of use:* not to exceed ninety (90) percent of the gross floor area of a light industrial or office building.

*Applies to the following uses and districts:*

- a. Warehousing facilities: IRO.

- 9 *Conditions of use:* retail is permitted as an accessory use to a marina, office, industrial, or office-showroom-warehouse use. Retail use shall not exceed twenty (20) percent of the gross floor area of the office, industrial or office-showroom-warehouse building. Retail permitted as a principal use within shopping centers is regulated by condition number 24 of this section.

*Applies to the following uses and districts:*

Retail uses not itemized: IROM, IROC, IROM-AA

- 10 *Conditions of use:* excludes the display or sale of preowned or used furniture.

[11—14 are reserved]

*Applies to the following uses and districts:*

Furniture store: MA-1

- 15 *Conditions of use:* permitted accessory to an office building only.

*Applies to the following uses and districts:*

Retail uses not itemized: IRO

Pharmacy or drug store: IRO

Personal service establishments: IRO

- 16 *Conditions of use:* permitted only must be conducted within a completely enclosed building with two hundred fifty (250) feet of minimum separation from any property with a "residential" land use plan designation.

*Applies to the following uses and districts:*

Assembly of products from prefabricated parts: IG

Light manufacturing: IG

Light industrial uses not itemized: IG

Machine shop, sheet metal shop, welding shop, or tool and die shop: IG

Manufacturing and painting of boats not over two hundred (200) feet in length: IG

- 17 *Conditions of use:* must be located at least five hundred (500) feet from any property with a "residential" land use plan designation.

*Applies to the following uses and districts:*

Fish smoking, curing and canning: IROC

Outdoor storage/parking: IROM-AA

Repair and painting of automobiles, recreational vehicles and tractor trailers; IROM-AA

Machine shop, sheet metal shop, welding shop, or tool and die shop: IROM, IROC, IROM-AA

Indoor boarding or breeding kennel, veterinary clinic: IROC

Manufacturing, repair and painting of boats not over two hundred (200) feet in length: IROM, IROC, IROM-AA

Municipal water or sanitary sewer treatment facilities: IROM, IROC, IROM-AA

Electrical substations or related electrical facilities: IROM, IROC, IRO, IG, IROM-AA

Outdoor sales, leasing, rental, display and repair of new and used boats and marine vessels: IROM-AA

Sales, rental, leasing, display (Indoor/outdoor) or repair of fully-assembled recreational vehicles or campers. IROM-AA

Storage containers required for storage of shipyard/boatyard material, vessel supplies, cargo and construction tools and materials: IROM-AA

Outdoor sales, rental or repair of new or late-model construction equipment: IROM-AA

Outdoor sales, leasing, rental, service display or repair of automobiles, motorcycles or trucks: IROM-AA

- 18 *Conditions of use:* must be located at least seven hundred fifty (750) feet from any property with a "residential" land use plan designation.

*Applies to the following uses and districts:*

Indoor pistol and rifle ranges: IROC

- 19 *Conditions of use:* must be conducted within either a completely enclosed building or an interior side yard or rear yard that is located at least two hundred fifty (250) feet from any property with a "residential" land use plan designation.

- 20 *Conditions of use:* shall not be located within one hundred (100) feet of a limited access trafficway.

*Applies to the following uses and districts:*

Manufacturing and painting of boats not over two hundred (200) feet in length: IG

- 21 *Conditions of use:* must be conducted within either a completely enclosed building or an interior side yard or rear yard that is located at least one hundred (100) feet from any property with a "residential" land use plan designation.

*Applies to the following uses and districts:*

Assembly and repair of boats not over two hundred (200) feet in length: IG, IROM-AA

- 22 *Conditions of use:* must be located at least two thousand five hundred (2,500) feet from any similar use.

*Applies to the following uses and districts:*

Fortune teller or palm reader: MA-1

Tattoo [or] body piercing: MA-1

- 23 *Conditions of use:* specifically excludes and prohibits the operation of gaming vessels and personal watercraft rental or leasing.

*Applies to the following uses and districts:*

Docks and docking of boats and ships not over two hundred (200) feet in length, including operation of charter boats: IROM, IG, IROM-AA

- 24 *Conditions of use:* permitted only within shopping centers with a minimum building gross floor area of fifty thousand (50,000) square feet, subject to the provisions of the Future Land Use Element of the Comprehensive Plan pertaining to commercial uses in the Industrial and Employment Center future land use categories. Uses within shopping centers shall be those of the C-2 Commercial district set forth in section 110-20 (list of permitted, special exception and prohibited uses for commercial and mixed-use districts).

*Applies to the following uses and districts:*

Retail uses not itemized: IROM, IROC, IROM-AA

Personal service establishments: IROM, IROC, IROM-AA

- 25 *Conditions of use:* the following uses in the IROC District shall not be located on the site of buildings planned, designed, built, or used for industrial or warehouse use.

*Applies to the following uses and districts:*

Outdoor sales, rental, leasing, display or repair of fully assembled new recreational vehicles or campers.

Outdoor sales, service, display or repair of automobiles, motorcycles or trucks.

- 26 *Conditions of use:* the sale, rental, leasing, display or repair of fully assembled recreational vehicles or new campers is limited to new vehicles only in the IROC district, IROM district, and IROM-AA district. Such use is limited to well-maintained FDOT-ready, vehicles in a front, street, side, or rear yard if separated from the adjacent roadways or rights-of-way by landscaping pursuant to the requirements of this Land Development Code.

- 30 *Conditions of use:* must be located on the same site as a shopping center containing in excess of one hundred thousand (100,000) square feet of gross floor area.

*Applies to the following uses and districts:*

Sales, rental, leasing, display or repair of fully assembled new recreational vehicles or campers: IROC.

- 31 *Conditions of use:* the combined square footage of sales, leasing, display and storage area shall not occupy more than twenty-five (25) percent of the gross land area occupied by the shopping center development.

*Applies to the following uses and districts:*

Sales, rental, leasing, display or repair of fully assembled new recreational vehicles or campers: IROC

- 32 *Conditions of use:* not permitted as a freestanding use, or within a shopping center.

*Applies to the following uses and districts:*

Sales, service, display, repair, or any combination of these, of automobiles, motorcycles or trucks: IROC

- 33 *Conditions of use:* the uses listed below are permitted on those properties identified as plats 3, 7, and 8 in the interlocal agreement between Broward County and the City of Dania Beach pertaining to expansion and jurisdiction of Fort Lauderdale-Hollywood International Airport, executed by the City of Dania Beach on October 17, 1995, and by Broward County on September 12, 1995.

*Applies to the following uses and districts:*

Airport-related and airport-compatible uses: IROM, IROM-AA

Automobile rental car agency: IROM, IROM-AA

Passenger terminal: IROM, IROM-AA

- 34 *Conditions of use:* airport related and airport compatible uses shall include, but not be limited to, rental car facilities and storage lots, longterm passenger parking facilities, employee parking facilities, airline in-flight services, air cargo services, specialized aircraft and ground transportation equipment repair and maintenance excluding aircraft testing, and aviation-oriented training facilities.

*Applies to the following uses and districts:*

Airport-related and airport-compatible uses: IROM, IROM-AA

- 35 *Conditions of use:* the uses listed below are permitted in the IG district on parcels abutting the Dania Cut-Off Canal and Port Everglades, not including easements and rights-of-way, with a required setback [of] at least five hundred (500) feet from any residential zoning district, and a required opaque fence eight (8) to ten (10) feet in height adjacent to any public street.

*Applies to the following uses in the IG district:*

- a. Marine cargo handling facilities
- b. Parking for vehicles and equipment
- c. Outdoor storage of materials, supplies, machinery, equipment, vehicles, trailers, cargo shipping equipment (i.e. flat racks, chassis, and containers), or products being processed

in or transported through the property.

- d. Shipping and storage containers in shipyards or cargo port facilities may be stacked four (4) high not to exceed forty (40) feet as an accessory use. Outdoor activities and operations shall be permitted only between the hours from 8:00 a.m. to 10:00 p.m. During named hurricanes or tropical storms, no storage containers shall be stacked.
- e. Fuel tanks for fueling of vehicles and ships as an accessory use and as regulated and permitted by the applicable Broward County environmental agency.
- f. Security gatehouses, as an accessory use, including manufactured modular buildings, when set back at least one hundred (100) feet from NE 7th Avenue or Taylor Lane and complying with any applicable building code requirements, subject to the approval of the Broward Sheriff's Office and the Dania Beach Fire Department.
- g. Docks and docking of boats, ships and cargo or shipping barges not over two hundred fifty (250) feet in length. For the purpose of this provision, the term "barge" shall mean a non self-propelled cargo or shipping vessel, which includes a bow and stern and possesses the appearance of a ship. "Barge" does not include a flat-bed, rectangular or raft-like vessel.
- h. When located on property no larger than three (3) net acres, having frontage on Taylor Lane and NE 7th Avenue, with access limited to NE 7th Avenue, the following are permitted:
  - (1) Outdoor storage of materials, supplies, machinery, equipment, vehicles, trailers, and cargo shipping equipment (i.e. flat racks, chassis, and containers) or products being processed in or transported through the property.
  - (2) Outdoor storage of cargo containers not to exceed two (2) stacks and sixteen (16) feet in height (no storage containers may be stacked during named hurricanes or tropical storms)

36 *Conditions of use:* the uses listed below are permitted in the IG district on lots generally located along the Dania Cut-Off Canal from the east end of the city limits, west one hundred eighty (180) feet past the end of Taylor Lane, south of Taylor Lane to the north bank of the Dania Cut-Off Canal, and more specifically described as Parcel A and Parcel B of Transworld Plat, Powell Brothers Barge Terminal Plat, Derecktor's South Plat and Port Laudania Plat, less than east three hundred thirty-three (333) feet of the South seven hundred forty-three and eight-two hundredths (743.82) feet and Dania Canal, not including easements and rights-of-way, and unless otherwise stated below, set back a minimum of one hundred (100) feet from any residential zoning district. If there is any conflict between the provisions of this subsection and any other provision of this code, the provisions of this subsection will prevail.

Uses permitted in the IG district within the location described above:

- a.

Manufacturing, painting and repair of ships and boats in excess of two hundred (200) feet in length, associated assembly, fabrication, outfitting and maintenance, marine construction and equipment loading and handling operations.

- b. Retail sales of material and supplies for construction and repair of vessels.
- c. Warehousing of materials, supplies, cargo and equipment related to shipyards, boatyards and marine construction businesses.
- d. Outdoor storage of materials, supplies, cargo, equipment, machinery, staging, vehicles, vessels, trailers, ladders and other associated items related to shipyard, boatyard and marine construction.
- e. Storage containers required for storage of shipyard/boatyard materials, vessel supplies, cargo, and construction tools and materials. Storage containers shall not exceed fifty (50) containers per property. The containers shall not be stacked or used as shipbuilding or repair work shops, and shall be set back a minimum of twenty-five (25) feet from Taylor Lane and at least twenty-five (25) feet from the Dania Cut-Off Canal. During named storms, all containers and loose materials shall be secured.
- f. One (1) office trailer not to exceed one thousand (1,000) square feet, set back a minimum of thirty-five (35) feet from Taylor Lane. The trailer shall be properly secured.
- g. Fuel tanks, including mobile fueling from fuel trucks or fuel barges, for fueling of vehicles and ships as an accessory use and as regulated and permitted by the State of Florida Department of Environmental Protection and Broward County's environmental protection agency.
- h. For those properties located along and with access to Taylor Lane, including those properties on the north side of Taylor Lane, parking of vehicles on hard surface or good rolled, crushed rock base, as an accessory use.
- i. Security gatehouse, including manufactured modular buildings, complying with applicable building code requirements, as an accessory use, when approved by the Broward Sheriff's Office, the city fire department, and the city public services director.
- j. Shipbuilding and repair.
- k. The following shipping, marine transportation and barge operation uses are recognized by the city as special uses for those certain properties as described above, and they shall be permitted for up to one hundred twenty (120) days in any calendar year, subject to the following conditions:
  - (1) Prior written approval by the city manager and the community development director is required, if the length of time any one (1) use will be in operation will exceed fourteen (14) days.
  - (2)

For uses, excluding barges, which will be in operation for fourteen (14) days or less, written notice shall be provided to the community development department indicating the location and duration of the operation.

(3) Prior written approval for barges shall be required regardless of duration.

(4) Barges shall not exceed one hundred ninety (190) feet in length.

(5) No more than two (2) barges are permitted at any one (1) time within the confines of the area described above.

(6) The city commission may grant waivers of the above conditions based upon an applicant's demonstration of unique circumstances, practical hardship, or both, that are not generally applicable to other such uses.

37 *Conditions of use:* outdoor assembly and repair of boats shall not be located within a required yard abutting a street, and shall not be located within one hundred (100) feet of any limited access trafficway.

*Applies to the following uses and districts:*

Assembly and repair of boats not over two hundred (200) feet in length: IG

38 *Conditions of use:* must be located within a fully enclosed shopping center containing in excess of one hundred thousand (100,000) square feet of gross floor area.

*Applies to the following uses and districts:*

Retail sales of guns and ammunition: IROC

Indoor pistol and rifle ranges: IROC

39 *Conditions of use:* permitted accessory to a sporting goods store.

*Applies to the following uses and districts:*

Retail sales of guns and ammunition: IROC

40 *Conditions of use:* the development shall comply with the county land use plan provision that restricts land devoted to nonindustrial use to no more than twenty (20) percent of the acreage within an industrially designated flexibility zone.

*Applies to the following uses and districts:*

Convention and conference centers: PEDD

Library or art gallery: PEDD

Museum: PEDD

Colleges and specialty schools: PEDD

Hotel containing 100 or more rooms: PEDD

Hotel containing less than 100 rooms: PEDD

[41—44 are reserved]

45 *Conditions of use:* must be located within a freestanding building.

*Applies to the following uses and districts:*

Library or art gallery: IROC

Museum: IROC

Funeral home or mortuary: MA-1

46 *Conditions of use:* the following uses in the listed zoning districts are permitted only upon demonstration that vehicular traffic generated by the proposed use will not have an adverse effect upon, be detrimental to, nor interfere with, the surrounding land uses, the ability of the local and regional transportation network to operate at or above level of service "D", or the orderly and appropriate development of the area in accordance with the future land use plan.

*Applies to the following uses and districts:*

Restaurant, full-service: IRO

Convention and conference centers: IRO, PEDD

Library or art gallery: PEDD

Museum: PEDD

Colleges and specialty schools: PEDD

Hotel containing one hundred (100) or more rooms: IRO, PEDD

Hotel containing less than one hundred (100) rooms: PEDD

U.S. Border Patrol facilities: IRO

Electrical substations or related electrical facilities: IRO

Electrical power plants: IRO, IG

Commercial recreation facilities (indoors): IRO

47 *Conditions of use:* permitted only upon a city commission determination that the land upon which the use is proposed is not best reserved for future industrial uses.

*Applies to the following uses and districts:*

Convention and conference centers: PEDD

Library or art gallery: PEDD

Museum: PEDD

Colleges and specialty schools: PEDD

Hotel containing 100 or more rooms: PEDD

Hotel containing less than 100 rooms: PEDD

48 Conditions of use: must be accessory to a bar or restaurant.

*Applies to the following uses and districts:*

Live entertainment: MA-1

49 *Conditions of use:* must be designed in such a manner as to preserve, perpetuate and improve the natural environmental character of the proposed site and surrounding area.

*Applies to the following uses and districts:*

Convention and conference centers: PEDD

Library or art gallery: PEDD

Museum: PEDD

Colleges and specialty schools: PEDD

Hotel containing one hundred (100) or more rooms: PEDD

Hotel containing less than one hundred (100) rooms: PEDD

50 *Conditions of use:* must be located at least one thousand five hundred (1,500) feet from any property with a "residential" land use plan designation.

*Applies to the following uses and districts:*

Distribution facility: IRO, IG

Railroad and truck terminal: IG

Electrical power plants IRO, IG:

- a. Where any new electrical power plant site did not exist prior to 2001.
- b.

Where any new electrical generating unit would be built at an existing facility after 2001 (excluding facilities licensed through Florida Electrical Power Plant Siting Act applications PA89-26A2 and PA89-26H).

- c. Where any new type of fuel would be utilized.
- d. Solar generation and battery storage are not subject to Section 115-50.

Wastewater treatment facilities: IRO

51 *Conditions of use:* distribution is a permitted accessory use to the following principal uses:

*Applies to the following districts:*

To a primary light industrial or research use in the IROM, IROC, IROM-AA and IG districts

To a primary warehouse use in combined showroom-warehouse facilities in the IROC district

To a primary office-warehouse-showroom facility in the IROM, IROM-AA districts

To a primary warehouse or light industrial use in MA-1 District

To a primary warehouse in IRO.

52 *Conditions of use:* the lot coverage comprised of fully enclosed air conditioned space shall be a minimum of twenty-five (25) percent.

*Applies to the following uses and districts:*

Distribution facility: IROM, IROC, IROM-AA

Warehousing facilities: IROM, IROM-AA

53 *Conditions of use:* must be separated from similar uses by at least one thousand (1,000) feet, measured between property lines.

*Applies to the following uses and districts:*

Employment agency: IROM, IROM-AA

Day labor or temporary employment office: IROM, IROM-AA

54 *Conditions of use:* must be separated from parks, day care centers, academic schools, and residentially zoned or used land by at least one thousand (1,000) feet, measured between property lines.

*Applies to the following uses and districts:*

Employment agency: IROM, IROM-AA

Day labor or temporary employment office: IROM, IROM-AA

55 *Conditions of use:* must be separated from arterial or collector roadways by at least one thousand (1,000) feet, measured from property line to street line.

*Applies to the following uses and districts:*

Employment agency: IROM, IROM-AA

Day labor or temporary employment office: IROM, IROM-AA

60 *Conditions of use:* must be separated from similar uses, parks, schools, residentially zoned or used land, and from arterial and collector roadways—measured property line to street line—by at least one thousand (1,000) feet, and from limited access facilities as described in the transportation element of the Dania Beach Comprehensive Plan by at least five hundred (500) feet, measured property line to street line.

*Applies to the following uses and districts:*

Employment agency: IROM, IROM-AA

Day labor or temporary employment office: IROM, IROM-AA

61 *Conditions of use:* U.S. Border Patrol facilities in the IRO district shall be permitted when located east of U.S. 1, north of the Dania Cut-Off Canal, directly abutting Port Everglades, and at least three thousand (3,000) feet from any property with a City of Dania Beach "residential" or "commercial" land use plan designation. These facilities shall not be open to the general public for any purpose other than border patrol matters. The following are permitted uses when accessory and incidental to permitted U.S. Border Patrol facilities:

- a. Outdoor storage, loading and limited repair of boats and other similar watercraft
- b. Dog kennel
- c. Temporary holding cells within fully enclosed, air-conditioned building, not to exceed three thousand five hundred (3,500) square feet in floor area
- d. Temporary secure storage of illegal items, contraband or both (excluding explosives other than weapons and ammunition), seized by government authorities when stored entirely within an enclosed building
- e. Automobile storage, service, and limited repair facilities
- f. Limited storage and distribution of fuel
- g. Storage of weapons and ammunition generally associated with U.S. Border Patrol operations, not to exceed five hundred (500) square feet in floor area.
- h. Communications towers up to ninety (90) feet in height, subject to FAA requirements.

62 *Conditions of use:* Must be hidden/screened from public view and/or residential properties.

63

*Conditions of use:* fast food restaurants in the IROM, IROM-AA and IROC districts must be physically attached by a common wall to a shopping center containing in excess of fifty thousand (50,000) square feet of gross floor area, with no drive-in or drive-through facility.

- 64 *Conditions of use:* fish smoking, curing and canning in the IROC district is permitted only incidental and accessory to a restaurant.
- 65 *Conditions of use:* the following uses must be clearly incidental and accessory to an established marina.

*Applies to the following uses and districts:*

Fuel tanks for fueling of vehicles and ships, including retail sales of fuel: IROM, IG, IR, PEDD, MA-1, IROM-AA

Boat sanitary waste pump-out facilities: IROM, IG, IR, PEDD, MA1, IROM-AA

Passenger terminal: IROM, IROM-AA

- 66 *Conditions of use:* city commission may require provision of boat sanitary waste pump-out facilities in conjunction with the fuel facilities.

*Applies to the following uses and districts:*

Fuel tanks for fueling of vehicles and ships, including retail sales of fuel: IROM, IR, PEDD, MA-1, IG, IROM-AA

- 67 *Conditions of use:* permitted college and specialty schools in the PEDD district are business schools, colleges, private schools, and commercial schools (art, music, theatrical, business, technical).

- 68 *Conditions of use:* The display of outdoor recreational merchandise shall be accessory to a permitted retail or wholesale use and items permitted within such displays shall be limited to assembled children's play structures including climbing equipment, platforms, slides, swings, and playhouses designed for playground and residential yard use. Outdoor sales displays of fully assembled outdoor recreational merchandise shall be subject to the following standards:

- a. The display shall be located in a contiguous area which shall not exceed seven hundred fifty (750) square feet in total display area per licensed business. The total maximum display area shall be calculated by measuring the perimeter of the display area and calculating the square footage within such area.
- b. The display shall not encroach into parking spaces or aisles, and assembled recreational items within the display shall be set back at least four (4) feet from a property line, sidewalk, or parking lot.
- c. The items contained within the display shall not exceed twenty (20) feet in height.

69 *Conditions of use:* showrooms may display furniture, lighting, home furnishings, electrical, mechanical and plumbing equipment, large appliances, carpeting, tile, cabinets, marine equipment, and similar items as determined by the community development director.

*Applies to the following uses and districts:*

Wholesale: combined office-showroom-warehouse facilities: IROM, IROC, IRO, IG, IROM-AA

Wholesale: combined office-distribution-warehouse facilities: IRO

70 *Conditions of use:* fast food restaurants, full-service restaurants, takeout restaurants and catering businesses are permitted in the IG district accessory to a wet marina.

71 *Conditions of use:* Whenever application is made for a building permit to erect any building or improvement upon any site in the PEDD [district] in which the premises may be or are contemplated to be used for industries or uses involving any processes, substance or mixture of substances which is toxic, corrosive, an irritant, a strong sensitizer, or which generates pressure through decomposition, heat or other means, if such substances or mixture of substances may cause substantial personal injury or substantial illness during, or as a proximate result of, any customary or reasonably foreseeable handling or use, or which is identified as hazardous by state or federal legislation, the use may be approved only by special exception pursuant to the procedures and requirements of [article 630](#). Furthermore, the city commission shall not approve the special exception use until it has received a written report by the city and port fire departments and any other governmental agency having jurisdiction. In determining whether to approve such use, the city commission shall consider its compatibility with other uses in the vicinity and the potentially harmful or dangerous effects of such use on persons and property.

72 *Conditions of use:* hotels shall comply with the following conditions:

- (1) Guestroom access shall be via interior corridors.
- (2) Individual wall- or window-mounted air conditioners (if used) shall not project beyond any exterior wall of the building.
- (3) A minimum of one hundred (100) rooms are required. For the purpose of [article 625](#), the minimum number of hotel rooms shall be deemed a development standard.

*Applies to the following uses and districts:*

Hotels in the IROM, IROC, IRO, PEDD, IROM-AA AND MA-1 Districts.

73 *Conditions of use:* garage doors not permitted to face a public right-of-way.

74 *Conditions of use:* on-site parking and storage of vehicles shall not be visible from the public right-of-way.

75

*Conditions of use:* Provided the area is secured and screened by an opaque fence or wall (chain link with slat not permitted) with a ten (10)-foot wide landscape buffer with a continuous hedge and a tree planted every forty (40) linear feet and is separated from adjacent roadways or rights-of-way by landscaping pursuant to the requirements of article 275, landscaping requirements. The fence or wall must be located on the inside of the landscape buffer area.

- 76 Properties larger than fifteen (15) acres must be secured and the area must be screened by providing an opaque fence or wall (chain link with slat not permitted) with a fifteen-foot wide landscape buffer with a two and one-half-foot high berm along the front property line and a minimum of seven and one-half-foot wide landscape buffer areas along the side and rear property lines. The landscape buffer areas shall also have a continuous hedge screen with a minimum height of three (3) feet and provide trees planted every forty (40) linear feet. The opaque fence or wall must be located on the inside of the landscape buffer area. Properties less than fifteen (15) net acres shall provide a ten-foot wide landscape buffer along the front property line and a five-foot wide landscape buffer on the side and rear with required linear trees and hedges.
- 77 A fifteen-foot wide landscape buffer with a two and one-half-foot high meandering or winding berm and an opaque fence or wall (chain link with slat not permitted) equaling eight (8) feet total height is required adjacent to residentially zoned or used land. The fence or wall must be located on the inside of the landscape buffer area.
- 78 a. Use shall not be permitted within the community redevelopment area.
- b. A five (5)-foot wide perimeter landscaped buffer shall be required on all sides of the property.
- c. Use must be separated from any arterial roadway by a minimum of five hundred (500) feet.
- d. Outdoor activities and movement of vehicles shall be permitted only between the hours from 7:00 a.m. to 7:00 p.m.
- 79 *Conditions of use:* Use must be fully enclosed with no outdoor storage of vehicles.
- 80 Use cannot be located on a parcel located immediately adjacent to residentially zoned or residentially used land, and must provide a solid wall of a minimum of six (6) feet in height surrounding the storage area. Where adjacent to a public right-of-way, a landscaped buffer area of a minimum of seven (7) feet in width must be provided, with a continuous hedge and trees planted 1 every thirty (30) feet.
- 81 Notwithstanding the requirements of article 265 and article 320 to the contrary, a parking facility which stores automobiles for customers, or provides attendants to receive, park, and deliver the automobiles to customers may be permitted subject to the following requirements:

- A. Parking, stacking, driveway aisle, drop-off and delivery areas, and stall dimensions shall be shown on the circulation plan for the automobile storage parking facility.
- B. Stacking rows for vehicles may be permitted. Stacking rows shall provide a minimum eight and one-half (8½) feet in width and a maximum of 140 feet in depth.
- C. Overnight storage of automobiles may be permitted in the designated automobile storage area.

(Ord. No. 2010-20, § 2(Exh. A), 9-14-10; Ord. No. 2010-025, § 3, 11-23-10; Ord. No. 2011-001, § 2, 1-11-11; Ord. No. 2011-024, § 5, 8-9-11; Ord. No. 2012-008, § 5, 5-8-12; Ord. No. 2013-001, § 3, 2-26-13; Ord. No. 2013-004, § 3, 6-25-13; Ord. No. 2014-004, § 4, 5-27-14; Ord. No. 2014-012, § 3, 9-23-14; Ord. No. 2015-024, § 3, 10-27-15; Ord. No. 2016-006, § 2, 3-22-16; Ord. No. 2017-028, § 2, 9-12-17; Ord. No. 2018-018, § 2, 9-25-18)