



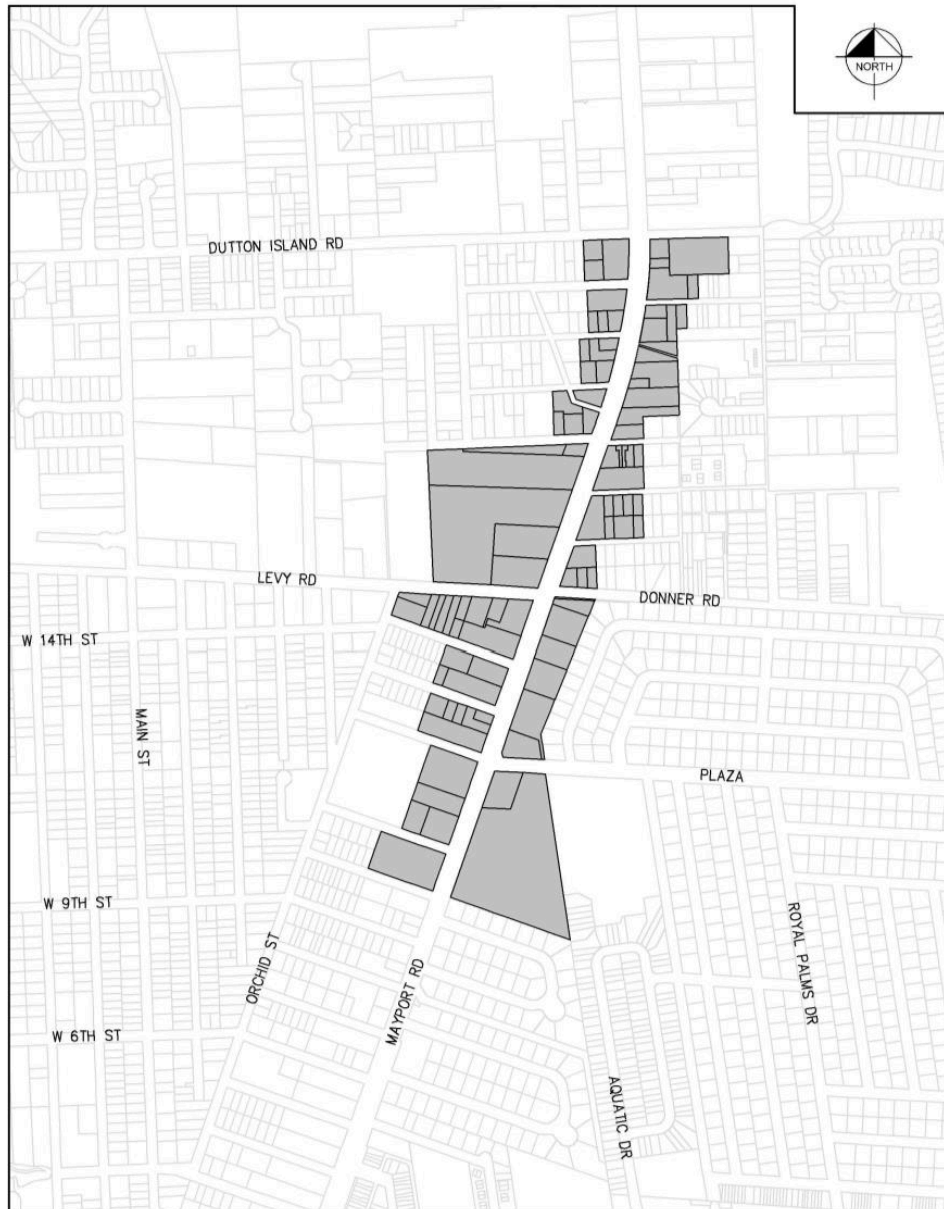
645 Mayport Rd
Atlantic Beach, FL 32084
(904) 688-0217

What is Traditional Marketplace Zoning and Can I operate my Business Here

Traditional Marketplace Zoning in City of Atlantic Beach, FL

The traditional marketplace district was established to allow redevelopment along commercial corridors with a development pattern more consistent with development that was common prior to the 1950's. This development style is characterized by having minimum setbacks, parking areas in the rear or side yards, and access through rear Exhibit A Ordinance No. 90-19-240 (Clean Version) 101 alleyways. Typically, this style of development also has a mixture of uses with commercial on the first floors and upper stories residential. Today, this style of development is often referred to as new urbanism and is characterized as being walkable and pedestrian friendly.

Mayport Rd
Traditional Marketplace Overlay



(b) Permitted uses. The uses permitted in the traditional marketplace district shall be:

- (1) Service establishments such as barber or beauty shops, shoe repair, laundromat, (but not dry cleaners), tailors or dressmakers; retail sales of items such as wearing apparel, toys, sundries and notions, books, stationery, luggage, jewelry, or similar uses.
- (2) Medical and dental offices, but not clinics or hospitals.
- (3) Professional offices such as accountants, architects, attorneys, engineers, and similar uses.
- (4) Business offices such as real estate broker, insurance agents, and similar uses.
- (5) Banks and financial institutions without drive-through facilities.
- (6) Restaurants, café, coffee shops without drive-up or drive-through service.
- (7) Art galleries, libraries, museums, cultural centers.
- (8) Municipal, government buildings and facilities.
- (9) Uses within the rights-of-way pursuant to the revocable license agreement.
- (10) A single dwelling unit within a building occupied by a permitted retail use on the ground floor or a public amenity as described in 24-116 (d) every forty-five (45) feet.
- (11) Multifamily dwelling units within a building occupied by a permitted retail use on the ground floor or a public amenity as described in 24-116 (d) every forty-five (45) feet.
- (12) Spas, gyms, health clubs and schools for the fine or performing arts or martial arts.
- (13) Retail outlets for the sale of food, art, florists, photographic supplies, sporting goods, hobby shops and pet shops (not animal kennel or veterinarian), bakery (but not wholesale bakery), home furnishings and appliances, office equipment and furniture, hardware, lumber and building materials, auto, boat and marine related parts, and similar retail uses.

(14) Retail sale of beer and wine only for off-premises consumption.

(15) On-premises consumption of beer and wine only in conjunction with a full service restaurant, which is a food service use where unpackaged ready-to-consume food is prepared onsite and served to the customer while seated at tables or counters located in a seating area within or immediately adjacent to the building.

(16) Theaters, but not a multi-screen (exceeding two (2) screens) or regional complex.

(17) Live entertainment indoors and non-amplified.

(18) Craftsman and artisan studios including metal welding and fabrication shops not to exceed 2,500 sq. ft.

(19) Mixed use projects combining the above uses and those approved as a use-by exception pursuant to subsection (c) below. Exhibit A Ordinance No. 90-19-240 (Clean Version) 102

(20) Tap room in conjunction with a brewery or a distillery.

(21) Hotel, motel, motor lodge, resort rental or tourist court and short term rental as defined within section 24-17.

(c) Uses-by-exception. Within the traditional marketplace district, the following uses may be approved as a use-by-exception.

(1) Businesses offering amplified live entertainment both indoor and outdoor. This does not include adult entertainment establishments as defined by F.S § 847.001(2) and also does not include outdoor entertainment such as putt-putt golf and driving ranges, skate park, firing ranges, amusement centers and video game arcades and any type of token or coin-operated video or arcade games.

(2) On-premise consumption of alcoholic beverages in accordance with chapter 3 of the Code.

(3) Veterinary clinics, pet grooming, and pet kennel and facilities for the boarding of animals.

(d) Lot size and yard requirements. Subject to meeting required impervious surface area limits, stormwater requirements, access and parking standards, landscaping and buffering, there are no required setbacks within the traditional marketplace district. However, buildings shall build no more than five (5) feet from a side or front lot line unless the development provides an amenity which activates the street and is accessible to the public. Buildings may be setback farther than five (5) feet from a side yard or front yard setback in order to accommodate one or more of the following amenities:

- (1) Outdoor seating for a restaurant, retail, or similar use accessible to the public;
- (2) Shelter or canopy between the building and the property line accessible to the public;
- (3) Public art such as a sculpture accessible to the public; and
- (4) Greenspace, pocket park, parklet or square accessible to the public.

(e) General restrictions. The following restrictions shall apply to development and redevelopment the traditional marketplace district:

- (1) Maximum impervious surface: Seventy (70) percent, provided where existing development exceeds seventy (70) percent, redevelopment shall not increase impervious surface area beyond that existing.
- (2) Required landscaping shall be provided in accordance with division 8 of this chapter
- (3) Stormwater management requirements shall apply to infill development and to redevelopment projects involving substantial exterior site changes.
- (4) Maximum building height: Thirty-five (35) feet.

(f) Right-of-way lease restrictions. Outside seating for restaurants, coffee shops and sidewalk cafes may be operated by the management of adjacent permitted food service establishments, subject to the following provisions:

(1) Outside seating within public rights-of-way may be permitted under a renewable revocable license agreement approved by the City Commission. As a condition of the license agreement, the owner of such establishment shall agree in writing to maintain that portion of the right-of-way where the outside seating is located. The own leasee/lessor of the business establishment and the property owner shall agree in writing to hold the City of Atlantic Beach harmless for any personal injury or property damage resulting from the existence or operation of, and the condition and Exhibit A Ordinance No. 90-19-240 (Clean Version) 103 maintenance of the right-of-way upon which any outside seating is located, and shall furnish evidence of general liability insurance in the amount of one million dollars (\$1,000,000.00) per person and two million dollars (\$2,000,000.00) per occurrence with the City of Atlantic Beach as additional named insured.

(2) Outside seating shall not be permitted on the sidewalk closer than five (5) feet from the curb line of the street or from any fire hydrants located in the right-of-way.

(3) Outside seating areas shall be defined by an enclosure of at least three (3) feet in height measured from the ground or sidewalk level. Enclosures shall be designed in compliance with ADA accessibility guidelines and shall provide safe pedestrian access to the public right-of-way and designated parking spaces. Such enclosure may consist of screens, planters, fencing or other similar materials.

(4) Lighting to serve outside seating areas shall not spill over to adjacent properties.

(5) The City Commission shall determine and establish by resolution the charges, terms and termination procedures for right-of-way leases.

(6) The City Commission may permit nonfood service uses in right-of-way revocable license agreements provided such uses are permitted an approved use-by-exception process, and further provided such uses are special event related and not continuous.

Make sure to verify whether the property you're interested in doesn't fall within an area with additional zoning restrictions, such as being located in an Overlay District or requiring a Change in Use or have Recent Updates. You can always call the City Zoning Department and Community Redevelopment Agency to confirm.

Additional Resources

City of Atlantic Beach - Zoning (904) 247-5826

www.jacksonville.gov/departments/planning-and-development

CRA Zoning Regulations

https://library.municode.com/fl/atlantic_beach

Ordinance No. 90-19-240

Ready to Submit your LOI and Application?

Send your **LOI and supporting documents** to:

 info@lvlcommercial.com

 645 Mayport Rd. | Atlantic Beach, FL 32084

 (904) 688-0217

We look forward to reviewing your application and welcoming you to our commercial space!