

**ORDINANCE NO. 02-2026**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BRINY BREEZES, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT TITLE XV LAND USAGE, MODIFYING CHAPTER 153 SECTION 153.029 COMMERCIAL DISTRICT (C-1), TO BETTER CONFORM THE LDR USES TO THE TOWN'S CURRENT COMPREHENSIVE PLAN; PROVIDING THAT ALL OTHER SECTIONS AND SUBSECTIONS OF TITLE XV LAND USAGE, SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Town's land development regulations (LDRs) provide certain permissible uses for the Town's commercial zoning district which presently do not align with the Town's current Comprehensive Plan Future Land Use Element Goals, Objectives, and Policies; and

**WHEREAS**, the Town Council desires to more accurately conform the Town LDRs to the Town's Comprehensive Plan Future Land Use Element and include those commercial uses specified in the Comprehensive Plan Future Land Use Element in the Town's commercial zoning district LDRs; and

**WHEREAS**, the Town's Comprehensive Plan Future Land Use Element, Policy 1.3 specifically contemplates inclusion of the uses that are proposed to be added into the Town's LDRs at Sec. 153.029 for the Town's commercial zoning district through this ordinance herein-below; and

**WHEREAS**, the Town Council has determined that adoption of this ordinance is in the best interest of the Town and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Briny Breezes, Florida as follows:

**Section 1:** The foregoing recitals are true and correct and are hereby incorporated into this ordinance as if fully set forth in this section.

**Section 2:** The Briny Breezes Code of Ordinances Title XV Land Usage, is hereby amended at section 153.029 and shall hereafter read as follows:

**§ 153.029 COMMERCIAL DISTRICT (C-1).**

(A) *Location of district.* The commercial or business use district of the town shall consist of the Commercial (C-1) District which is so designated on the official zoning map and is a portion of the block in the Park Plat bounded by Cardinal Drive, Banyan

Boulevard, West Bamboo Drive and Highway A1A; and, a portion of the block bounded by Marina Drive, Banyan Boulevard, Cordova Avenue and Highway A1A.

(B) *Purpose and intent.* The purpose and intent of this district is to provide suitable sites for the development of low impact commercial and business activities of a community-oriented nature such as general office, retail store and service shops in a centralized location consistent with the adopted Comprehensive Land Use Plan of the town.

(C) Permitted uses ~~Existing uses permitted.~~ In the Commercial (C-1) District, land, buildings or premises may ~~continue to~~ be used by right only for one or more of the following:

- (1) Beauty shop and barber shop;
- (2) Business and professional office;
- (3) Clubs and social organizations;
- (4) Drug store; small restaurant, deli, small grocery/convenience store, sandwich shop, coffee shop; ice cream shop; café or similar retail food concept;
- (5) Laundry and dry cleaning operation;
- (6) Real estate sales office;
- (7) Retail sales and services, bakery;
- (8) Spas;
- (9) Utility service facilities; and/or
- (10) Vehicle parking.

(D) *Uses prohibited.* In Commercial District (C-1), the following uses are specifically excluded:

- (1) ~~Reserved Retail convenience stores and mini-markets, typified by the 7-11, Little General and Cumberland type stores;~~
- (2) Fast food restaurants with drive-thru service ~~and snack shops,~~ typified by McDonald's ~~MacDonald's~~, Burger King, Wendy's ~~Wendys~~ and ~~take-out sandwich shops;~~
- (3) Bars, taverns and cocktail lounges;
- (4) Gasoline filling stations and automotive service stations;

- (5) Automotive service shops, including Quick Lube shops, tire sales and repair shops and automobile washing facilities; and
  - (6) New and used automobile sales and service establishments.
- (E) *Site development standards.* The land area comprising the Commercial District (C-1) is fully developed. It is the purpose and intent of this subchapter to permit and allow each building and structure within this district to continue the activities, use and occupancy thereof as it lawfully existed in this mobile home park prior to the enactment of this code.
- (F) *Structural changes, remodeling and new development.* Any building in the Commercial District (C-1) to which structural changes are proposed or the exterior is to be remodeled, modified or re-constructed or a new development is to be constructed shall require the issuance of a special exception by the town prior to the issuance of a building permit for any work.

**Section 3:** Each and every other section and subsection of Title XV Land Usage shall remain in full force and effect as previously adopted.

**Section 4:** All ordinances or parts of ordinances in conflict be and the same are hereby repealed.

**Section 5:** Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

**Section 6** Specific authority is hereby granted to codify this Ordinance.

**Section 7:** This Ordinance shall take effect immediately upon adoption.

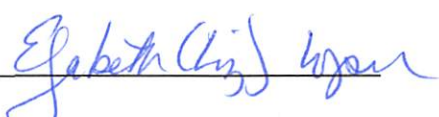
FIRST READING this 26th day of March 2026.

SECOND AND FINAL READING this 23rd day of April 2026.

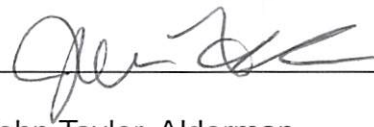
TOWN COUNCIL OF THE TOWN OF BRINY BREEZES



William Birch, Mayor



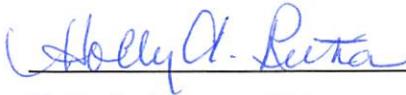
Elizabeth 'Liz' Loper, President



John Taylor, Alderman



Jeffrey Duncan: Alderman



Holly Reitnauer, Alderman



David White, Alderman



ATTEST:



Sandi DuBose, Town Clerk

APPROVED AS TO FORM AND CORRECTNESS:



Keith Davis

Attorney For Town of Briny Breezes

For relevant testimony, discussion, or oral reports, etc. please refer to the audio CD available at the Town Hall.