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ORDINANCE NO. 19-

AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA AMENDING LAND DEVELOPMENT REGULATIONS CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE II. DEFINITIONS, ARTICLE III. RELATIONSHIP TO COMPREHENSIVE PLAN, AND ARTICLE IV. REDEVELOPMENT PLANS; CHAPTER 3. ZONING, ARTICLE III. ZONING DISTRICTS AND OVERLAY ZONES, TO CONTINUE IMPLEMENTATION OF REVISIONS RELATED TO MODIFICATION OF THE FUTURE LAND USE CATEGORIES AND TO OTHER RECOMMENDATIONS OF THE COMMUNITY REDEVELOPMENT PLAN, INCLUDING CREATION OF THE CULTURAL DISTRICT AND BOYNTON BEACH BOULEVARD OVERLAYS; AND CHAPTER 4, SITE DEVELOPMENT STANDARDS, CORRECTING REFERENCES TO OVERLAYS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the Boynton Beach CRA Community Redevelopment Plan was adopted by the City Commission on October 4, 2016 and is now being implemented through incremental amendments to the Comprehensive Plan and Land Development Regulations; and

WHEREAS, these proposed amendments primarily involve the future land use (FLU) and zoning district schemes including the merging of certain future land use classifications and zoning districts, establishment of a new future land use classification and zoning district and minor changes to the titles of the mixed use future land use classifications and corresponding zoning districts; and

WHEREAS, staff proposes the attached amendments to continue implementing the CRA's new Community Redevelopment Plan and to support continued quality development and redevelopment of the downtown and remaining CRA area; and

WHEREAS, the City Commission has considered the recommendations and has determined and finds that it is in the best interest of the citizens and residents of the City of Boynton Beach, Florida to approve the amendments to the Land Development Regulations as contained herein.

33 **NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF**
34 **THE CITY OF BOYNTON BEACH, FLORIDA, THAT:**

35 **Section 1.** The foregoing whereas clauses are true and correct and are now ratified and
36 confirmed by the City Commission.

37 **Section 2.** The Land Development Regulations of the City of Boynton Beach Code
38 of Ordinances is hereby amended as reflected in Exhibits “B” and “C” respectively attached
39 hereto and incorporated herein.

40 **Section 3.** Each and every other provision of the Land Development Regulations not
41 herein specifically amended, shall remain in full force and effect as originally adopted.

42 **Section 4.** All laws and ordinances applying to the City of Boynton Beach in conflict
43 with any provisions of this ordinance are hereby repealed.

44 **Section 5.** Should any section or provision of this Ordinance or any portion thereof
45 be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the
46 remainder of this Ordinance.

47 **Section 6.** Authority is hereby given to codify this Ordinance. The City Clerk is
48 directed to work with the Land Development Regulations publisher to consolidate this ordinance
49 and the exhibit for publication.

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51 {Remainder of page intentionally left blank}

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Section 7. This Ordinance shall become effective immediately.

FIRST READING this ____ day of _____, 2019.

SECOND, FINAL READING AND PASSAGE this ____ day of _____, 2019.

CITY OF BOYNTON BEACH, FLORIDA

YES NO

Mayor – Steven B. Grant

Vice Mayor – Justin Katz

Commissioner – Mack McCray

Commissioner – Christina L. Romelus

Commissioner – Ty Penserga

VOTE

ATTEST:

Queenester Nieves
Deputy City Clerk

(Corporate Seal)

Chapter 1. General Administration

Article II. Definitions

USABLE OPEN SPACE - Active or passive space designed as, 1) public spaces for the purpose of gathering/socialization, such as plazas, public squares, gardens, outdoor dining courtyards, enhanced pedestrian areas, etc. This area may also include public art easements.; and/or, 2) private space for the use primarily of the residents/occupants of the property, such as park space, gardens, courtyards, enhanced pathways with seating and shade structures, etc. This space does not include areas such as private/fenced courtyards, patios, or the like, of individual unit owners.

ACTIVE/COMMERCIAL USES ON GROUND FLOOR - Mixed use projects within urban mixed use zoning districts will meet ground floor ACTIVE/COMMERCIAL USE requirement by including commercial uses serving general public such as retail, restaurants, bars, entertainment, personal services, and live-work. Resident-only serving amenities such as lounges, gyms, common rooms, and recreation spaces may be included in addition to the above uses.

Residential-only projects within urban mixed use zoning districts will meet ACTIVE USE requirement by using design features—including street-fronting access—to allow residential use to engage with the street and provide the opportunity for interaction. Such features may be combined with building amenities such as lounges, gyms, common rooms, and recreation spaces on the ground floor.

B. *FLUM Classifications and Corresponding Zoning Districts (Table 1-1).*

[illegible]

Article IV. Redevelopment Plans

Sec. 1. General.

A. *Purpose and Intent.* The city's Land Development Regulations are intended to further the goals, objectives, guidelines, and recommendations of the adopted redevelopment plans.

B. *Identification of City's Redevelopment Plans.* Each redevelopment plan approved by the City Commission is hereby adopted by reference in these Land Development Regulations and identified as the following:

1. ~~Federal Highway Corridor~~ Boynton Beach CRA Community Redevelopment Plan;
- ~~2. Heart of Boynton Community Redevelopment Plan;~~
- ~~3. Ocean District Community Redevelopment Plan; and~~
- ~~4. Downtown Vision and Master Plan.~~

CHAPTER 3. Zoning

ARTICLE III. ZONING DISTRICTS AND OVERLAYS ZONES

Sec. 1. Overview.

A. *General.* Pursuant to Chapter 1, Article III, Section 5.B., any given parcel of land in the city shall have a zoning district that corresponds with the fFuture land use map (FLUM) classification of the Comprehensive Plan.

B. *Residential Building and Site Regulations (Table 3-1).*

RESIDENTIAL	R-1 AAB	R-1 AA	R-1 A	R-1	R-2 Duplex	R-3 Multi	R-4 Multi	IPUD	PUD	MHPD
Density (dwelling units per acre):	5	5.5	6	7.5	10	11	15	Flexible ¹⁰	Flexible ¹⁰	Flexible ¹⁰
Project Area, Minimum (acres)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	5+	10+
Lot Area per unit, Minimum (square feet):	9,000	8,000 ⁸	7,500	6,000	4,500	4,000 ¹²	4,000 ¹²	Flexible	Flexible	4,200
Lot Frontage, Minimum (feet):	90	75	60	60	75	100	100	Flexible	Flexible	N/A
Living Area, Minimum A/C (square feet):	1,800	1,600	1,400	1,200	750	750	650	Flexible	Flexible	N/A
Lot Coverage, Maximum:	45%	45%	45%	50%	40%	40%	50%	50%	N/A	N/A
Floor-Area-Ratio (FAR) for Non-Residential, Maximum:	N/A	N/A	N/A	N/A	0-10 ⁴ N/A	N/A	N/A	N/A	N/A	N/A
Structure Height, Maximum (feet):	30	30	30	30	25	45 ⁶	45	45 ⁷	45 ⁶	30
Building Setbacks, Minimum (feet):										
Front:	25	25	25	25	25	40	20	Flexible ⁵	Flexible ⁵	20
Interior side:	10	10 ⁸	7.5	7.5	10	20	20	Flexible ⁵	Flexible ⁵	5
Corner side:	25 ⁴	25 ⁴	25 ⁴	25 ⁴	25 ⁴	40	20	Flexible ⁵	Flexible ⁵	10 ¹¹
Rear:	20 ⁴	20 ⁴	20 ⁴	20 ⁴	25 ⁴	40	40	Flexible ⁵	Flexible ⁵	10 ¹¹
Special rear yard setback reductions for 1-story building additions abutting:	Maximum Percentage of Reduction:									
I-95 or railroad tracks:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Intracoastal Waterway (ICWW):	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Lake:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Golf course:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Canal wider than 150 feet:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Canal narrower than 150 feet:	33%	33%	33%	33%	N/A	N/A	N/A	N/A	N/A	N/A
Commercial/industrial:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Public/private park:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Perimeter wall abutting non-residential:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A

Administrative Adjustment:	Maximum Percentage of Reduction (to standard yard setback):									
Front yard:	20%	20%	20%	20%	N/A	N/A	N/A	N/A	N/A	N/A
Side yard:	20%	N/A	20%	20%	N/A	N/A	N/A	N/A	N/A	N/A
Rear yard:	25%	25%	25%	25%	N/A	N/A	N/A	N/A	N/A	N/A
General Notes:	1, 2	1, 2	1, 2	1, 2	3	3	1, 3	9	9	11

1. The setback reduction provisions shall not supersede any setbacks that are recorded on a plat and shall not be used in conjunction with the setback reductions allowed by administrative adjustments.
2. An administrative adjustment to reduce a setback may be granted if any first floor addition follows the building line of a legally non-conforming single-family structure, or a building line previously approved by a variance.
3. Existing and/or planned single-family homes shall conform to the R-1 district requirements. Duplex homes shall conform to the R-2 district requirements.
4. Where orientation of adjacent lots on both street frontages provides typical front yard setbacks, the corner lot shall provide for front yard setbacks along both streets. When two (2) front yard setbacks are provided for on a corner lot, no rear yard back setback shall be required, only side yard setbacks shall be imposed.
5. Minimum required perimeter setbacks of an IPUD or PUD are flexible except where adjacent to single-family residential zoning. Where adjacent to single-family zoning, required perimeter setbacks shall resemble the setbacks of the adjacent development based upon the orientation of structures with said development. Also, perimeter buildings shall have an increased setback of one (1) additional foot for every foot of building height in excess of thirty (30) feet. Project design along abutting roadway(s), including setbacks, shall be based on existing development patterns or applicable recommendation from the respective development plan.
6. See Note #5 for additional setback requirements relative to building height.
7. A lesser building height may be required for compatibility with adjacent properties. See Note #5 for more setback requirements relative to building height.
8. The minimum lot area shall be seven thousand, five hundred (7,500) square feet and the minimum side yard shall be seven and one-half (7-1/2) feet for properties developed and/or platted prior to June 13, 1975.
9. Total usable open space shall be calculated at two hundred (200) square feet per dwelling unit (also see Chapter 4, Article III, Section 8.).
10. The maximum allowable density is determined by the applicable future land use classification of the Comprehensive Plan.
11. Perimeter building setbacks of the mobile home park district shall mirror the building setbacks of adjacent zoning district(s), but with a minimum of the setback required for a single-family residence.
12. Multi-family dwellings and group homes require four thousand (4,000) square feet. All other uses allowed in R-3 and R-4 require twenty thousand (20,000) square feet.

C. Non-Residential Building and Site Regulations (Table 3-2).

NON-RESIDENTIAL	C-1	C-2	C-3	C-4	CBD	PCD	M-1	PID	RE C	PU
Density (dwelling units per acre):	N/A	N/A	44 N/A	N/A	44 N/A	Flexible ^{1,2} N/A	N/A	Flexible ^{1&2}	N/A	N/A
Project Area, Minimum (acres)	N/A	N/A	N/A	N/A	N/A	3 ^{4,11}	N/A	25 ^{4,11}	N/A	N/A
Lot Area per unit, Minimum (square feet):	9,000	5,000	15,000	5,000	15,000	Flexible	10,000	Flexible	43,560	8,000
Lot Frontage, Minimum:	75	50	75	50	75	Flexible	0	Flexible	100	75

Lot Depth, Minimum:	120	100	N/A	100	100	N/A	N/A	N/A	N/A	N/A
Lot Coverage, Maximum:	40%	40%	40%	40%	75% ¹³	40% ^{12,12}	60%	60% ¹⁴	N/A	N/A
Floor-Area-Ratio (FAR), Maximum:	0.40	0.50	0.50	0.50	N/A	0.50	0.50	0.50	N/A 0.50	N/A 1.00
Structure Height, Maximum (feet):	30 ^{12,2}	25 ⁴	45 ¹⁴	45 ¹⁴	45 ^{14,12}	45 ¹⁴	45 ¹⁴	45 ^{14,14}	45 ¹⁴	45 ¹⁴
Building Setbacks, Minimum (feet)^{23,13}:										
Front	30	30	20	25	0	40	15	30	25	25 ^{2,13}
Rear	20	20	20 ²	20 ⁵	20 ⁶	40	20 ³	30	25	25 ^{2,13}
Interior side	10	15	0 ¹	15 ⁵	0	30	15 ⁴	20	25	15 ^{2,13}
Corner side	10	20	20	15 ⁵	8 ⁷	30	15	30	25	15 ^{2,13}
Building Setbacks, Minimum if abutting a residential district (feet)^{23,13}:										
Rear	30	30	30	30	N/A	N/A	30	N/A	N/A	30
Interior side	30	30	30	30	N/A	N/A	30	N/A	N/A	30
Corner side	30	30	30	30	N/A	N/A	N/A	N/A	N/A	N/A
Waterfront yard	N/A	N/A	N/A	N/A	8 ⁸	N/A	N/A	N/A	N/A	N/A

1. Where rear access is not available from a public street or alley, a side yard of not less than fifteen (15) feet shall be provided on one (1) side.
2. Where rear yard access is available from a public street or alley, rear yard may be decreased by one-half (1/2) the width of such street or alley, but in no case shall a rear yard be less than ten (10) feet.
3. Where rear yard abuts a railroad right-of-way or any paved alley, the rear yard may be reduced to ten (10) feet.
4. Where rear yard abuts a paved alley or street, then no side setback shall be required.
5. Where rear property line abuts a public street or alley, rear yard setback may be reduced to ten (10) feet and no side yard shall be required, except on corner lots.
6. Where rear property line abuts a public street or alley, rear yard setback may be reduced to eight (8) feet at first floor level, in which case, no setback shall be required at all other floor levels.
7. Eight (8) feet is required at first floor level. No setback shall be required at all other floor levels.
8. Waterfront setbacks shall be measured from the property where the body of water is under different ownership than the subject property line. However, setbacks are measured from the mean high water line if the body of water is under the same ownership as the subject property.
- ~~9. Not to exceed two (2) stories.~~
- ~~10. Not to exceed four (4) stories.~~
- ~~11. Buildings designed with under-story parking shall be allowed a maximum building height of thirty-five (35) feet but only with conditional use approval.~~
- ~~12. The maximum building height shall be forty-five (45) feet, except for buildings which contain a mix of uses (residential in combination with non-residential uses). In these instances, the maximum building height may be increased to one hundred (100) feet, but contingent upon conditional use approval. Mechanical equipment which exclusively serves the structure shall not be included in the calculations of height.~~
- ~~13. The total ground floor area of all buildings and accessory structures shall not exceed forty percent (40%) of the plot on which they are constructed.~~
- ~~14. Contiguous acres.~~

~~1512.~~ Residential uses are only allowed within a mixed use pod of a PID that has a DRI future land use classification. Maximum residential densities shall be in accordance with the thresholds established for the respective DRI.

~~16.~~ The gross floor area of the building and accessory structures shall not exceed sixty percent (60%) of the plot on which it is constructed.

~~17.~~ The maximum allowable density is determined by the applicable future land use classification of the Comprehensive Plan.

~~18.~~ The maximum lot coverage is eighty five percent (85%) for parking garages.

~~19.~~ No more than four (4) stories, with the exception of buildings in a mixed use pod of a PID, pursuant to Section 6.B.8. below.

~~2013.~~ For hospital buildings, additional setbacks in excess of thirty (30) feet shall be required for any height over forty-five (45) feet. The additional setback shall be measured by calculating three (3) additional feet of setback for each foot in height above forty-five (45) feet, not including minimal rooftop equipment that are eligible for height exception pursuant to Chapter 2, Article II, Section 4.

~~2114.~~ May be subject to the Martin Luther King Jr. Blvd Overlay Zone (MLKBOZ) or Urban Commercial District Overlay Zone (UCDOZ), where applicable. Overlay regulations may apply. See Section 8 for regulations pertaining to overlays, both the MLKBOZ and UCDOZ.

D. Mixed-Use Suburban Building and Site Regulations (Table 3-3).

SUBURBAN MIXED-USE (SMU) DISTRICT	Types of Uses			
Building/Site Regulations	Residential Single-Family (Attached or Detached)		Multi-Family	Other Uses (includes Mixed Use)
Density (dwelling units per acre)	20		20	N/A
Project Area, Minimum:	SMU district - 10 acres ¹			
Lot Area per unit, Minimum (square feet):	Flexible ¹⁴¹²		Flexible ¹⁴¹²	10,000 ²
Lot Frontage <u>per Use</u> , Minimum (feet):	Flexible ¹⁴¹²		100	100
Living Area, Minimum A/C (square feet):	1,200 ¹⁵		750 ¹⁵	750 ¹⁵
Floor Area Ratio (FAR), Maximum:	N/A		N/A	1.02.5 ⁸⁶
Structure Height, Minimum (feet):	35 ⁹²		35 ⁹²	35 ⁹²
Structure Height, Maximum (feet):	35		55 ^{6, 104.8}	55 ^{6, 104.8}
Build-to-line (feet):				
Front:	10 ³¹		10 ^{4, 5, 62.3.4}	10 ^{5, 6, 73.4.5}
Building Setbacks, Minimum (feet):				
Side:	15 corner	10 end	10 ⁶⁴	0 ^{64, 124}
Rear:	Flexible ¹⁴¹²		15 ⁶⁴	Flexible ^{6, 144.12}

Usable Open Space, Minimum (square feet):

30%^{11, 12, 10}

20%^{9, 10, 11, 13}

20%^{9, 11, 13}

~~1. Minimum project size. A minimum of ten (10) acres shall be required for any project developed under the provisions of the SMU regulations.~~

~~2. Hotels must be part of a mixed use project of at least three (3) acres in size.~~

~~31. Porches may be placed forward of the build-to line and shall maintain a minimum two (2)-foot setback from any public sidewalk. Porches shall be placed outside of clear sight triangle. Minimum setback for a garage facing or accessing the street is twenty (20) feet. Where less than twenty (20) feet, garage access required from side or rear.~~

~~42. Projecting feature(s) such as awnings, balconies, porches and/or stoops may be placed forward of the build-to line and shall maintain a minimum two (2)-foot setback from any public sidewalk.~~

~~53. Front yard build-to line along major arterial roads, a maximum of ninety (90) feet inclusive of a twenty-five (25)-foot landscape buffer.~~

~~64. The height setback envelope in accordance with Section 5.C. below shall apply where adjacent to developed single-family residential zoning districts.~~

~~7.5 One (1) or more projecting feature(s) such as awnings, balconies, colonnades, porches and/or stoops required forward of the build-to line and shall maintain a minimum five (5)-foot clearance from any vehicle use area. Elements projecting over a pedestrian walkway shall allow a minimum nine (9)-foot vertical clearance and five (5)-foot horizontal pedestrian clearance.~~

~~86. Excluding residential uses and parking structures.~~

~~97. Applies to any façade with arterial roadway frontage. Multiple-story buildings are encouraged along arterial roadways. The intent of this provision is to create the appearance, or simulate the intensity of, a minimum two (2)-story building. Conditional use approval required if less than the thirty- five (35) foot minimum.~~

~~108. Building heights between fifty-five (55) feet and seventy-five (75) feet to the peak of the structure or any architectural details may be allowed only for interior buildings (those buildings separated from the property line by another project building or use), if approved as a conditional use. The building/structure height measurement shall be conducted in accordance with Section 5.C. below. Exceptions to the maximum height shall not be allowed.~~

~~119. Usable open space shall provide active or passive recreational space and shall not be occupied by water bodies, streets, drives, parking areas, or structures other than recreational structures.~~

~~1210. At least fifty percent (50%) of the required usable open space for single-family residential uses shall be contained in one (1) or more common pooled areas and a rectangle inscribed within each common pooled area shall have no dimension less than seventy-five (75) feet.~~

~~1311. Up to fifty percent (50%) of the usable open space required for "multi-family" and "other uses" may be hardscaped plazas and public gathering places.~~

~~1412. To be determined on a case by case basis, depending on the overall project design.~~

~~15. Accessory apartments must be at least seven hundred fifty (750) square feet in area (air conditioned space).~~

E. Mixed Use Urban Building and Site Regulations (Table 3-4).

MIXED USE, URBAN	MU-1	MU-2	MU-3	MU-4	MU-C
Lot Area, Minimum (acres):					
Public park	N/A	N/A	N/A	N/A	N/A
All other uses	0.50	0.75	1	1	1
Lot Frontage, Minimum (ft.)¹	100	100	150 ²	200	200
Structure Ht., Minimum (ft.)	30	30	30	45	45

Maximum Height (ft.) ³	45	65	75	100	150/125 ⁴
Maximum Density (DUs/Acre) ^{10, 12}	20	40	50	60	80
Maximum F.A.R. ¹¹	1.0	2.0	3.0	4.0	4.0
Build-to-line (ft.) ⁸					
All sides abutting a collector or arterial road	Factor of Pedestrian Zone Requirement ⁷				
Abutting a Local street	0 ⁷	0 ⁷	0 ⁷	0 ⁷	0 ⁷
Interior side	0 ⁷	0 ⁷	0 ⁷	0 ⁷	0 ⁷
Building Setback, Minimum (ft.) ⁸					
Rear abutting:					
Residential single-family	25 ⁵ /0 ^{5, 6}	25 ⁵	25 ⁵	25 ⁵	25 ⁵
Intracoastal waterway	25 ⁵	25 ⁵	25 ⁵	25 ⁵	25 ⁵
Side abutting					
Residential single-family	25 ⁵ /0 ^{5, 6}	25 ⁵	25 ⁵	25 ⁵	25 ⁵
Usable Open Space, Minimum (sq. ft.) ⁹	N/A	N/A	N/A 0.5%	1%	2%

- May be reduced if frontage extends from right-of-way to right-of-way.
- Minimum of fifty (50) feet, if frontage is on a collector/local collector roadway.
- Maximum height on any street frontage is forty-five (45) feet. Maximum height on Intracoastal Waterway is thirty-five (35) feet consistent for a depth of a minimum of thirty (30) feet. Heights may require reduction where adjacent to a single-family zoning district where necessary to achieve the compatibility requirements of these regulations. Height bonus may be granted through participation in the Workforce Housing Program.
- Maximum height reduced to one hundred twenty-five (125) feet for the entire project where property abuts any other MU or residential zoning district not separated by a right-of-way.
- Plus one (1) additional foot for each foot of height over thirty-five (35) feet.
- Where there is an intervening right-of-way of at least forty (40) feet.
- Buildings and structures shall be located no farther than zero (0) feet from the property line, except in conjunction with providing required visibility at intersections, driveways; open spaces and public plazas; or when additional setback is necessary to provide for required "Pedestrian Zone (PZ). Building placement is a factor of roadway type and CRA district, which determines the min. width and design of the PZ. Except for the Downtown District, where the minimum PZ width is 18', the minimum PZ in all other districts is 16 ft. See Section 5.C.2. below for additional relief provisions from build-to line requirements.
- ~~Listed eligible~~ Locally registered historic structures are not required to meet these standards.
- Usable open space shall be required for all developments two (2) acres in size or larger which shall be devoted to plazas or other public open space, excluding private recreation. See Chapter 4, Article III, Section 8 for additional regulations.
- Projects within the transit core shall have minimum densities as follows: MU-1 - eleven (11), MU-2 - twenty (20), MU-3 - thirty (30), MU-4 - thirty-five (35) and MU-C - forty (40) dwellings per acre (except that minimum density for the MU-C district applies to projects located within the entire station area).
- Projects within the transit core shall have a minimum FAR as follows: MU-3 - one and three-quarters (1.75), MU-4 (2.0) and MU-C - two (2.0) (except that minimum FAR for the MU-C district applies to projects to be located within the entire station area). Maximum FAR for MU-3 may be increased to 3.5 if abutting property with the Mixed Use High future land use classification.
- The maximum density for projects within the Downtown Transit-Oriented Development District (the Station Area) may be increased up to twenty-five percent (25%) over the maximum density allowed in the underlying zoning district through

participation in the City's Workforce Housing Program.

(Ord. 10-025, passed 12-7-10; Am. Ord. 12-016, passed 10-2-12; Am. Ord. 14-009, passed 7-1-14; Am. Ord. 15-006, passed 3-2-15; Am. Ord. 16-023, passed 1-3-17; Am. Ord. 17-023, passed 9-19-17)

Sec. 2. Residential Districts.

A. R-1-AAB Single-family Residential District.

1. General. The purpose of the R-1-AAB zoning district is to implement the low density residential (LDR) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to promote the suburban character of the city by preserving and encouraging single-family dwellings and structures on large lots at densities no greater than five (5) dwelling units per acre, and allowing limited types of non-residential uses.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

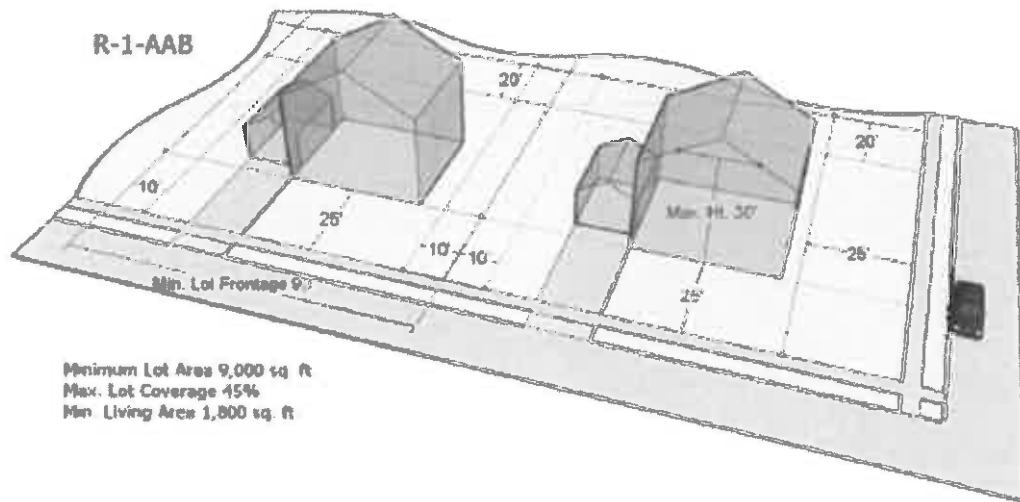
3. Building and Site Regulations (Table 3-5).

a. The following lot and building setback requirements shall be observed:

BUILDING/SITE REGULATIONS	
R-1-AAB District	
Minimum lot area:	9,000 s.f.
Minimum lot frontage:	90 feet
Minimum yard setbacks:	
Front:	25 feet
Rear:	20 feet
Special rear yard setback reduction for single-story building ¹ :- additions: ²	
Abutting: I-95 or railroad tracks:	50%
Abutting: Intracoastal:	50%
Abutting: Lakes:	50%
Abutting: Golf Course:	50%
Abutting: Canals wider than 150 ft	50%
Abutting: Canals narrower than 150 ft	33%
Abutting: Perimeter walls of community that abut other than residential:	50%
Abutting: Commercial or Industrial	50%
Abutting: Public or private park:	
Interior side:	10 feet
Corner side:	25 feet ²
Minimum living area:	1,800 s.f.
Maximum lot coverage:	45%
Maximum structure height:	30 feet

¹ These special rear yard setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

² On corner lots, the side yard setback adjacent to the street shall be not less than one-half (1/2) the front yard setback. However, where orientation of adjacent lots on both street frontages provides typical front yard setbacks, the corner lot shall provide for front yard setbacks along both streets. When two (2) front yard setbacks are provided for on a corner lot, no rear yard setback shall be required, only side yard setbacks shall be imposed.



4. Administrative Adjustments.

a. For lots platted prior to August 19, 2008, the following administrative adjustments to the minimum yard setbacks for first floor additions to existing residential structures may be allowed:

Front and side yard: 20% reduction

Rear yard: 25% reduction

These setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

b. An administrative adjustment may be granted if for any first floor addition following the building line of a legally nonconforming single-family structure, or a building line previously approved by a variance.

c. See Chapter 2, Article II, Section 4.A. for the administrative adjustment process.

5. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

6. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review.

c. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

7. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

B. R-1-AA Single-family Residential District.

1. General. The purpose of the R-1-AA zoning district is to implement the ~~moderate-low~~ density residential (LDRM~~o~~DR) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to promote the suburban character of the city by preserving and encouraging single-family dwellings and structures at densities no greater than five and one-half (5.5) dwelling units per acre, and allowing limited types of non-residential uses.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-6). The following lot and building requirements shall be observed:

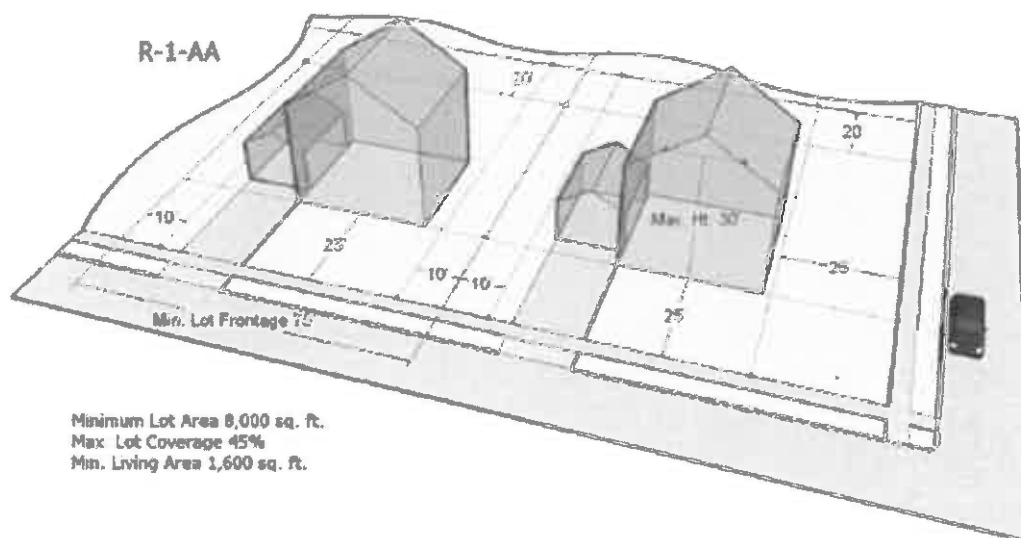
BUILDING/SITE REGULATIONS	
R-1-AA District	
Minimum lot area:	8,000 s.f. ¹
Minimum lot frontage:	75 feet
Minimum yard setbacks:	

Front:	25 feet
Rear:	20 feet
Special rear yard setback reduction for single-story building ² additions: ²	
Abutting: I-95 or railroad tracks:	50%
Abutting: Intracoastal:	50%
—Special rear yard setback reduction for single-story building additions: ²	
Abutting: Lakes:	50%
Abutting: Golf Course:	50%
Abutting: Canals wider than 150 ft	50%
Abutting: Canals narrower than 150 ft	33%
Abutting: Perimeter walls of community that abut other than residential:	50%
Abutting: Commercial or Industrial	50%
Abutting: Public or private park:	50%
Interior side:	10 feet ¹
Corner side:	25 feet ³
Minimum living area:	1,600 s.f.
Maximum lot coverage:	45%
Maximum structure height:	30 feet

¹ In areas developed and/or platted prior to June 13, 1975, the minimum lot area shall be seven thousand, five hundred (7,500) square feet and the minimum side yard shall be seven and one-half (7-1/2) feet.

² These special rear yard setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

³ On corner lots, the side setback adjacent to the street shall be not less than one-half (1/2) the front yard setback. However, where orientation of adjacent lots on both street frontages provide typical front yard setbacks, the corner lot shall provide for front yard setbacks along both streets. When two (2) front yard setbacks are provided for on a corner lot, no rear yard setback shall be required, only side yard setbacks shall be imposed.



4. Administrative Adjustments.

a. For lots platted prior to August 19, 2008, the following administrative adjustments to the minimum yard setbacks for first floor additions to existing residential structures may be allowed:

Front and side yard: 20% reduction*

* Side yard reduction shall only be eligible for lots platted on or after June 13, 1975 and prior to August 19, 2008.

Rear yard: 25% reduction

These setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

b. An administrative adjustment may be granted if any first floor addition follows the building line of a legally nonconforming single-family structure, or a building line previously approved by a variance.

c. See Chapter 2, Article II, Section 4.A. for the administrative adjustment process.

5. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

6. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review.

c. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

7. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

C. *R-1-A Single-family Residential District.*

1. General. The purpose of the R-1-A zoning district is to implement the ~~moderate-low~~ density residential (~~LDRMeDR~~) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to promote the suburban character of the city by preserving and encouraging single-family dwellings and structures at densities no greater than six (6) dwelling units per acre, and allowing limited types of non-residential uses.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

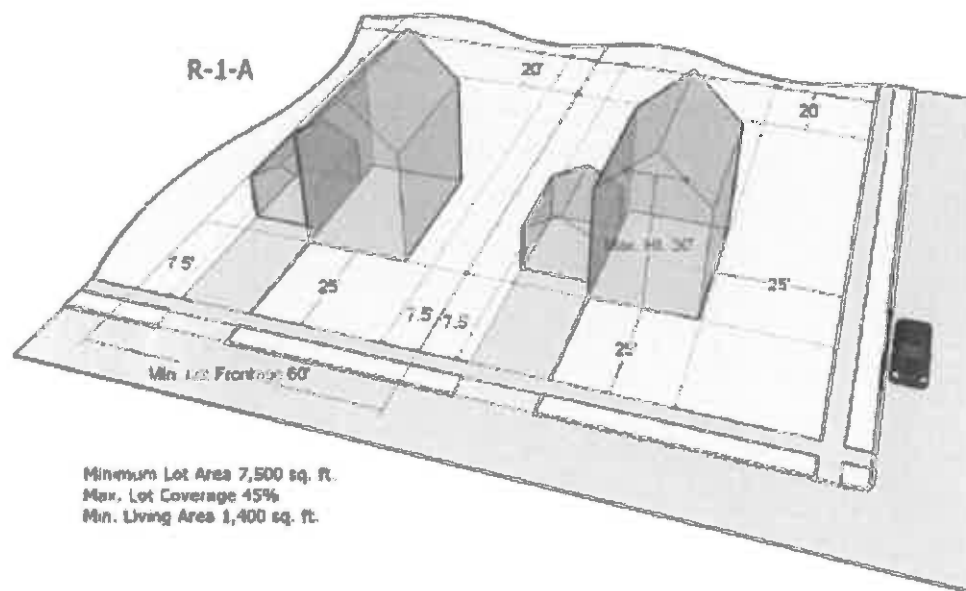
3. Building and Site Regulations (Table 3-7). The following lot and building requirements shall be observed:

BUILDING/SITE REGULATIONS	
R-1-A District	
Minimum lot area:	7,500 s.f.
Minimum lot frontage:	60 feet
Minimum yard setbacks:	
Front:	25 feet
Rear:	20 feet
Special rear yard setback reduction for single-story building additions: ¹	
Abutting: I-95 or railroad tracks:	50%
Abutting: Intracoastal:	50%
Abutting: Lakes:	50%
Abutting: Golf Course:	50%
Abutting: Canals wider than 150 ft	50%
Abutting: Canals narrower than 150 ft	33%
Abutting: Perimeter walls of community that abut other than residential:	

Abutting: Commercial or Industrial	50%
Abutting: Public or private park:	50%
Interior side:	7.5 feet
Corner side:	25 feet ²
Minimum living area:	1,400 s.f.
Maximum lot coverage:	45%
Maximum structure height:	30 feet

¹ These special rear yard setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

² On corner lots, the side setback adjacent to the street shall be not less than one-half (1/2) the front yard setback. However, where orientation of adjacent lots on both street frontages provides typical front yard setbacks, the corner lot shall provide for front yard setbacks along both streets. When two (2) front yard setbacks are provided for on a corner lot, no rear yard setback shall be required, only side yard setbacks shall be imposed.



4. Administrative Adjustments.

a. For lots platted prior to August 19, 2008, the following administrative adjustments to the minimum yard setbacks for first floor additions to existing residential structures may be allowed:

Front and side yard: 20% reduction

Rear yard: 25% reduction

These setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

b. An administrative adjustment may be granted if any first floor addition follows the building line of a legally nonconforming single-family structure, or a building line previously approved by a variance.

c. See Chapter 2, Article II, Section 4.A. for the administrative adjustment process.

5. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

6. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review.

c. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

7. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

D. R-1 Single-family Residential District.

1. General. The purpose of the R-1 zoning district is to implement the moderate-low density residential (LDR-MoDR) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to encourage single-family dwellings and structures at densities no greater than seven and one-half (7.5) dwelling units per acre, and allowing limited types of non-residential uses.

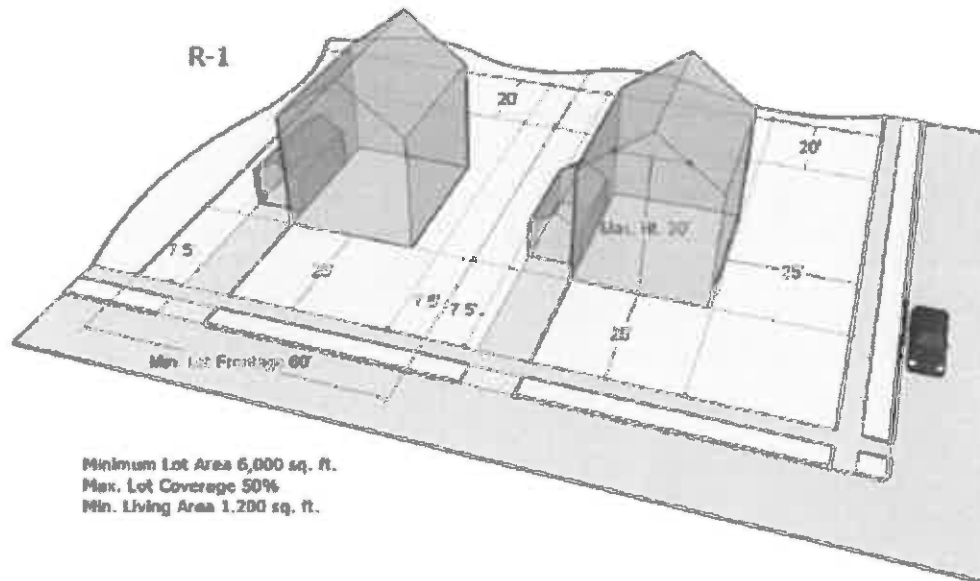
2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-8). The following lot and setback requirements shall be observed:

BUILDING/SITE REGULATIONS	
R-1 District	
Minimum lot area:	6,000 s.f.
Minimum lot frontage:	60 feet
Front:	25 feet
Rear:	20 feet
Special rear yard setback reduction for single-story building ¹ , additions: ²	
Abutting: I-95 or railroad tracks:	50%
Abutting: Intracoastal:	50%
Abutting: Lakes:	50%
Abutting: Golf Course:	50%
Abutting: Canals wider than 150 ft	50%
Abutting: Canals narrower than 150 ft	33%
Abutting: Perimeter walls of community that abut other than residential:	
Abutting: Commercial or Industrial	50%
Abutting: Public or private park:	50%
Interior side:	7.5 feet
Corner side:	25 feet ²
Minimum living area:	1,200 s.f.
Maximum lot coverage:	50%
Maximum structure height:	30 feet

¹ These special rear yard setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

² On corner lots, the side setback adjacent to the street shall be not less than one-half (1/2) the front yard setback. However, where orientation of adjacent lots on both street frontages provide typical front yard setbacks, the corner lot shall provide for front yard setbacks along both streets. When two (2) front yard setbacks are provided for on a corner lot, no rear yard setback shall be required, only side yard setbacks shall be imposed.



4. Administrative Adjustments.

a. For lots platted prior to August 19, 2008, the following administrative adjustments to the minimum yard setbacks for first floor additions to existing residential structures may be allowed:

Front and side yard: 20% reduction

Rear yard: 25% reduction

These setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

b. An administrative adjustment may be granted if any first floor addition follows the building line of a legally nonconforming single-family structure, or a building line previously approved by a variance.

c. See Chapter 2, Article II, Section 4.A. for the administrative adjustment process.

5. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

6. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review.

c. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

7. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

E. R-2 Single and Two-family Residential District.

1. General. The purpose of the R-2 zoning district is to implement the medium density residential (MeDR) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to stabilize and protect existing residential neighborhoods with densities no greater than ten (10) dwelling units per acre, and allowing limited types of non-residential uses.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-9). Existing and/or planned single-family homes shall conform to the R-1 district requirements; however, for duplex homes, the following lot and building requirements shall be observed:

BUILDING/SITE REGULATIONS R-2 District	
Minimum lot area (per unit):	4,500 s.f. ¹
Minimum lot frontage:	75 feet
Minimum yard setbacks:	
Front:	25 feet ²
Rear:	25 feet ³
Interior side:	10 feet ²
Corner side:	25 feet ^{2,3}
Minimum living area:	750 s.f.
Maximum lot coverage:	40%
Maximum Floor Ratio Area (FAR):	0.10 ⁴
Maximum structure height:	25 feet ⁵

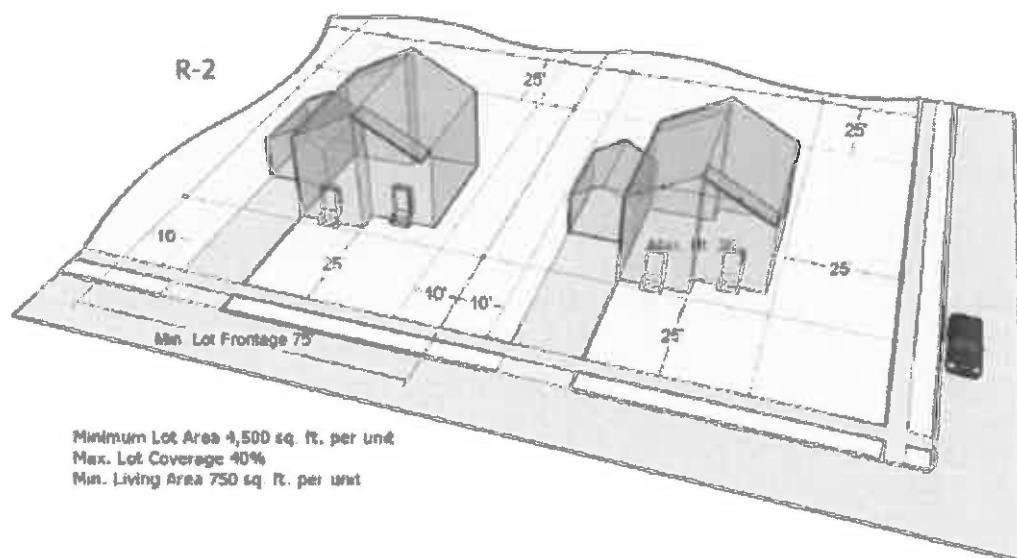
¹ Single-family dwellings shall be constructed on lots that are no less than six thousand (6,000) square feet.

² Pursuant to Section 8.B. below, parcels that have frontage on Martin Luther King Jr. Boulevard and are located within the Martin Luther King Boulevard Overlay Zone shall have front, side interior, and side corner setbacks in accordance with the mixed-use low intensity 1 zoning district (see Section 6.H. below). Overlay regulations may apply. See Section 8 for regulations pertaining to overlays.

³ On corner lots, the side setback adjacent to the street shall be not less than one-half (1/2) the front yard setback. However, where orientation of adjacent lots on both street frontages provide typical front yard setbacks, the corner lot shall provide for front yard setbacks along both streets. When two (2) front yard setbacks are provided for on a corner lot, no rear yard setback shall be required, only side yard setbacks shall be imposed.

⁴ A floor area ratio (FAR) up to 0.10 may be considered for non-residential uses allowed within the R-2 district (see "Use Matrix" - Chapter 3, Article IV, Section 3), pursuant to the medium density residential land use category of the Comprehensive Plan.

⁵ Not to exceed two (2) stories.



4. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are

regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

5. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review.

c. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

6. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

F. *R-3 Multi-family Residential District.*

1. General. The purpose of the R-3 zoning district is to implement the medium density residential (MDR) high-density residential (HDR) and special high density residential (SHDR) future land use map (FLUM) classifications of the Comprehensive Plan. The intent of this conventional district, with a maximum density of eleven (11) dwelling units per acre, is to provide for higher residential densities that encourage vertical structures and viable multiple-family living environments. The preferred development pattern shall be designed such that it would provide adequate buffering, graduation of uses, and a layout that considers and complements adjacent uses and districts. Ideally, the R-3 district should be in close proximity to large concentrations of business and employment activities, as well as near sufficient roadways and public transportation routes. Site design should encourage safe traffic patterns, ingress and egress, adequate light, drainage, off-street parking, open space, on-site recreation areas, and community meeting provisions for the inhabitants. Densities of such developments shall correspond with the respective FLUM classification.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-10).

a. Existing and/or future single-family dwellings shall conform to the building and site regulations of the R-1 district (see Table 3-8 in Section 2.D.3. above).

b. Duplex dwellings shall conform to the building and site regulations of the R-2 district (see Table 3-9 in Section 2.E.3. above).

c. Multiple-family and group homes shall conform to the lot and building requirements of that portion of Table 3-10 below pertaining to "residential uses".

d. All uses, excluding single-family, duplex, multi-family, and group homes, shall conform to the lot and building requirements of that portion of Table 3-10 below pertaining to "non-residential uses".

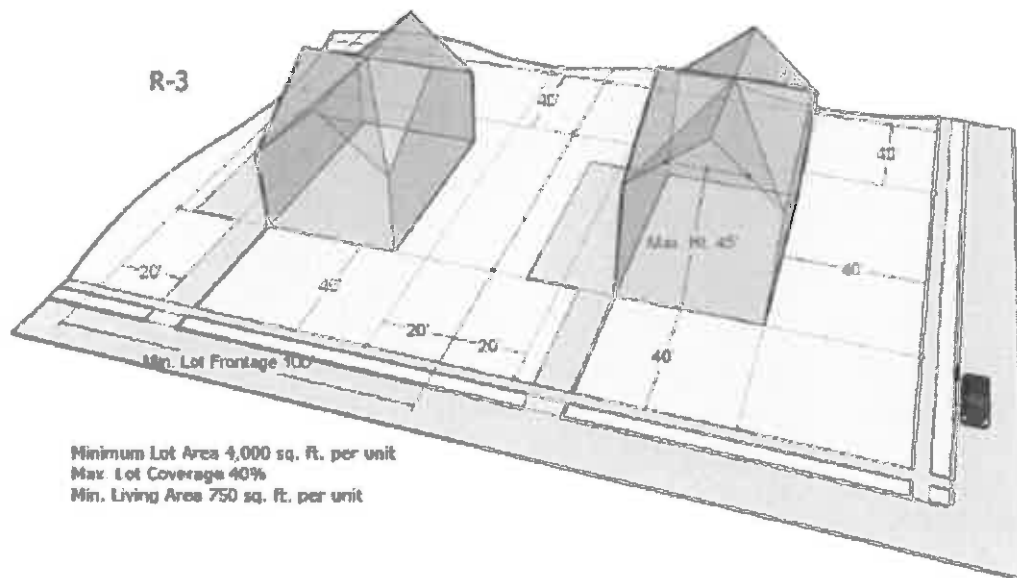
BUILDING/SITE REGULATIONS	
R-3 District	
(Residential Uses)	
Minimum lot area (per unit):	4,000 s.f.
Minimum lot frontage:	100 feet
Minimum yard setbacks:	
Front:	40 feet
Rear:	40 feet
Interior side:	20 feet
Corner side:	40 feet
Minimum living area:	750 s.f.
Maximum lot coverage:	40%
Maximum structure height:	45 feet [†]
Maximum separation: (for Group Homes)	1,000 (radius)
(Non-Residential Uses)	

Minimum lot area:	20,000 s.f.
Minimum lot frontage:	100 feet
Minimum yard setbacks:	
Front:	40 feet
Rear:	40 feet
Interior side:	20 feet
Corner side:	40 feet
Minimum living area:	N/A ² 750 sq. ft. per unit
Maximum lot coverage:	40%
Maximum Floor Area Ratio (FAR)	0.10 ³
Maximum structure height:	45 feet [†]

[†] Not to exceed four (4) stories.

² As governed by the applicable regulatory agency.

³ A floor area ratio (FAR) up to 0.10 may be considered for non-residential uses allowed within the R-3 district (see "Use Matrix" Chapter 3, Article IV, Section 3.D.), pursuant to the high density residential land use category of the Comprehensive Plan.



4. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

5. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review. In these instances, site plan approval shall be required prior to application for building permit.

c. Multiple-family dwellings and non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

6. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

G. R-4 Multi-family Residential District.

1. General. The purpose of the R-4 zoning district is to implement the High Density Residential (HDR) future land use map classification of the Comprehensive Plan. The intent of this conventional district is to provide for higher residential densities that support infill development opportunities. At the allowed maximum density of fifteen (15) dwelling units per acre, intended development can provide a graduated transition to densities and intensities of mixed use redevelopment projects in a compact form. Although this district is not a planned zoning district, development attributes should similarly emphasize design that is sensitive to its context within the urban redevelopment area, including interconnectivity and pedestrian accommodations, sustainable and/or smart growth building and landscaping design, building placement and orientation of project to the local street network and on-street parking.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-10).

a. Existing and/or future single-family dwellings shall conform to the building and site regulations of the R-1 district (see Table 3-8 in Section 2.D.3. above).

b. Duplex dwellings shall conform to the building and site regulations of the R-2 district (see Table 3-9 in Section 2.E.3. above).

c. Multiple-family and group homes shall conform to the lot and building requirements of that portion of Table 3-10 below pertaining to "residential uses".

d. All uses, excluding single-family, duplex, multi-family, and group homes, shall conform to the lot and building requirements of that portion of Table 3-10 below pertaining to "non-residential uses".

BUILDING/SITE REGULATIONS	
R-4 District	
(Residential Uses)	
Minimum lot area (per unit):	4,000 s.f.
Minimum lot frontage:	100 feet
Minimum yard setbacks:	
Front:	40 feet
Rear:	40 feet
Interior side:	20 feet
Corner side:	40 feet
Minimum living area:	650 s.f.
Maximum lot coverage:	50%
Maximum structure height:	45 feet
(Non-Residential Uses)	
Minimum lot area:	20,000 s.f.
Minimum lot frontage:	100 feet
Minimum yard setbacks:	
Front:	40 feet
Rear:	40 feet
Interior side:	20 feet
Corner side:	40 feet
Minimum living area:	N/A 650 sq.ft. per unit
Maximum lot coverage:	40%
Maximum Floor Area Ratio (FAR)	N/A
Maximum structure height:	45 feet

4. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

5. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review. In these instances, site plan approval shall be required prior to application for building permit.

c. Multiple-family dwellings and non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

6. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V. Minimum Off-Street Parking Requirements.

H. *IPUD Infill Planned Unit Development District.*

1. General.

a. Purpose and Intent. The purpose of the IPUD zoning district is to implement the special high density residential (SHDR) future land use map (FLUM) classification of the Comprehensive Plan.—This district is intended for infill purposes, promoting new development and redevelopment ~~within the Community Redevelopment Agency (CRA) area consistent with land use recommendations from the Community Redevelopment Plan in areas located east of Interstate 95,~~ at densities no greater than twenty (20) dwelling units per acre. This district is also intended to promote water access and recreational opportunities with accommodations of uses, including marine-oriented and water dependent uses, in both mixed use developments and limited single-use projects. The IPUD district ~~will include~~ design standards that exceed the standards of the basic development standards in terms of site design, building architecture and construction materials, amenities and landscape design. The extent of variance or exception to basic design standards, including but not limited to requirements for parking spaces, parking lot and circulation design, and setbacks, will be dependent on how well the proposed ~~project~~ otherwise exceeds the other applicable standards.

The IPUD shall minimize adverse impacts on surrounding property. The city is not obligated to automatically approve the level of development intensity requested for the IPUD. Instead, it is expected to approve only such level of intensity that is appropriate for a particular location in terms of land use compatibilities. The city may require, as a condition of approval, any limitation, condition, or design factor that will provide a reasonable transition to adjacent development.

In order to be approved, an IPUD project must be compatible with and preserve the character of adjacent residential neighborhoods. Factors to consider in determining compatibility may include, but not necessarily be limited to, proposed use, massing, and layout. Further, it must be an enhancement to the local area and the city in general. Projects that fail to do so will be denied.

Each IPUD project is independent and will be evaluated solely on its own merits. The inclusion of certain features in a previously approved IPUD project will not automatically be entertained as a valid argument for the inclusion of that same feature in any other IPUD project if the city determines to reject those features.

b. Prerequisite Location Standards. The IPUD district ~~is optimum when there is~~ creates an opportunity to promote sustainability with respect to land use, energy conservation, and resource management, ~~and social equity.~~ Rezoning to the IPUD district is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and modes, employment centers, community areas, or have ~~sustained or are complicated been impacted~~ by environmental contamination. In reaching recommendations and decision as to zoning land to IPUD, the Advisory Board and City Commission shall apply the following location standards, in addition to the standards applicable to the rezoning of land generally:

(1) Any IPUD district that contains non-residential uses must principally front on streets classified as "Arterial" on the "Functional Classification of Roadways" map in the city Comprehensive Plan;

(2) Any non-residential component must front on the arterial roadway or on an access road wholly

contained within the project with neither entrances nor exit on or visible from or disruptive to adjacent properties, local streets, and rights-of-way.

2. Use(s) Allowed. See Chapter 3, Article IV, Section 3.C. for specific regulations pertaining to the IPUD district and Chapter 3, Article IV, Section 3.D. ("Use Matrix Table 3-28") for a list of allowable uses.

3. Building and Site Regulations (Table 3-1+2). The following building/site regulations apply to the entire IPUD development.

BUILDING/SITE REGULATIONS IPUD District-	
Minimum project area:	<u>N/A-None</u>
Maximum project area:	<u>Flexible</u> <u>Less than 5 acres</u>
Minimum lot frontage⁴:	<u>Flexible</u> ¹
Minimum perimeter yard setbacks:	
Front:	<u>Flexible</u> ²
Rear:	<u>Flexible</u> ²
Interior side:	<u>Flexible</u> ²
Corner side:	<u>Flexible</u> ²
Maximum lot coverage:	<u>50%</u>
Minimum usable open space (per dwelling unit):	<u>200 square feet</u>
Maximum Floor Area Ratio (FAR)-	<u>0.20</u> ³
Maximum structure height:	<u>45 feet</u> ⁴³

¹ Individual lots within an IPUD development contain flexible standards relative to minimum required lot frontage and lot area for each unit. ~~Lot frontage shall be determined on a case by case basis, depending on the overall project design. Pursuant to Chapter 3, Article IV, Section 3.D., a marina use shall require a minimum lot frontage of one hundred fifty (150) feet and a minimum average width of two hundred (200) feet.~~

² The minimum required perimeter building setbacks of an IPUD are flexible except where adjacent to single-family residential zoning. Where adjacent to single-family residential zoning, the required perimeter building setbacks of the IPUD shall resemble the setbacks of the adjacent development based upon the orientation of structures with said development. Also, perimeter buildings shall have an increased setback of one (1) additional foot for every foot of building height in excess of thirty (30) feet. If vegetation, screening, or other barriers and/or creative design on the perimeter of an IPUD achieve compatibility with adjacent uses, the city may grant some relief from the aforementioned requirement. A structure shall be considered to be on the perimeter if there is no intervening building between it and the property line. Project design along abutting roadway(s), including setbacks, shall be based on existing development patterns or applicable recommendation from the respective development plan.

³ ~~A maximum floor area ratio (FAR) of 0.20 may be allowed for non-residential uses within the IPUD district (see "Use Matrix" Chapter 3, Article IV, Section 3.C.), pursuant to the special high density residential land use category of the Comprehensive Plan.~~

⁴³ A lesser building height may be required for compatibility with adjacent development. See Note #2 above for additional setback requirements relative to building height.

⁴ Project sites must front on two (2) intersecting rights-of-ways and must have an uninterrupted lot frontage.

4. Review and Approval Process.

a. All development and redevelopment within the IPUD district shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

b. Site plan approval shall be required in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6. Modifications. Any modification proposed within the IPUD shall be in conformance with Master Plan modifications pursuant to Chapter 2, Article II, Section 2.D.6.

7. Miscellaneous.

- a. See Chapter 4, Article II, Section 4.B.5 for additional standards pertaining to the required landscaping along rights-of-way.
- b. See Chapter 4, Article III, Section 4. for community design standards regarding required site design in instances where the subject IPUD project is adjacent to single-family residential zoning districts.
- c. See Chapter 4, Article VIII, Section 3.C.4.b.(2) for additional standards pertaining to the minimum width of rights-of-way and vehicular circulation.
- d. If an IPUD is located with frontage on the Intracoastal Waterway, conditions of approval shall include a deed restriction requiring that any marina or dockage built will not exceed in width the boundaries of the project's actual frontage on the water, regardless of what any other governing or permitting entity may allow or permit.
- e. Exterior lighting of the exterior, parking areas and watercraft docking facilities of the planned development shall be of the lowest height, intensity, and energy use adequate for its purpose, and shall not create conditions of glare that extend onto abutting properties.
- f. The physical attributes of the site shall be respected with particular concern for preservation of natural features, tree growth, and open space.
- g. Special emphasis shall be placed on trash collection points.
- h. Trash containers or dumpsters must be screened and designed such that they are not visible from or disruptive to adjacent properties, streets, and rights-of-way while still being conveniently accessible to their users and collectors.

I. PUD Planned Unit Development District.

1. General.

a. Purpose and Intent. The purpose of the PUD zoning district is to implement any of the residential future land use map (FLUM) classifications of the Comprehensive Plan. The intent of this planned district is to promote efficient and economical land use, improved amenities, appropriate and harmonious physical development, creative design, improved living environment, orderly and economical development in the city, and the protection of adjacent and existing and future city development. The district is suitable for development, redevelopment and conservation of land, water and other resources of the city.

Regulations for planned unit developments are intended to accomplish the purposes of zoning, subdivision regulations and other applicable city regulations to the same degree that they are intended to control development on a lot-by-lot basis. In view of the substantial public advantages of planned unit development, it is the intent of PUD regulations to promote and encourage development in this form where tracts suitable in size, location, and character for the uses and structures proposed are to be planned and developed as unified and coordinated units. Densities of such developments shall correspond with the respective FLUM classification.

b. Prerequisite Location Standards. The PUD district ~~is optimum when there is~~ creates an opportunity to promote sustainability with respect to land use, energy conservation, and resource management, ~~and social equity.~~ Rezoning to the PUD district is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and modes, employment centers, community areas, or have sustained or are complicated by environmental contamination.

In reaching recommendations and decisions as to zoning land to PUD, the advisory board(s) and City Commission shall apply the following location standards, in addition to the standards applicable to the rezoning of land generally:

(1) Major Transportation Facility. ~~A PUD shall be so located as to major roadways or other transportation facilities as to provide direct access to it without creating or generating traffic along streets in residential areas or districts outside it.~~ A PUD shall have a direct access to a major roadway or a transportation facility so as not to create or generate traffic along streets in residential areas or districts outside it.

(2) Public Facilities and Services. A PUD shall be located in relation to sanitary sewers, water lines, storm and surface drainage systems, and other utilities systems and installations so that neither extension nor enlargement of such systems will be required in manner, form, character, location, degree, scale or timing resulting in higher net public cost or earlier incursion of public cost than would development

in forms permitted under existing zoning in the area.

Such PUD's shall be so located with respect to necessary public facilities (e.g., schools, parks, playgrounds) as to have access to those facilities in the same degree as under existing zoning, and shall be so located, designed and scaled so that access for public services is equivalent to, and net cost for the services under existing zoning.

(3) Topography. The site shall be suitable for development in the manner proposed without hazards to persons or property, on or off the tract, from probability of flooding, erosion, or other dangers, annoyances, or inconveniences. Condition of the soil, groundwater level, drainage, and topography shall all be appropriate to both kind and pattern of use intended.

(4) Access. Every dwelling unit, or other use permitted in the PUD, shall have access to a public street directly or via an approved private road, pedestrian way, court, or other area dedicated to public or private use, or common element guaranteeing access. Permitted uses shall not be required to front on a dedicated public road.

(5) Utilities. Direct residential and/or consumer service should be by underground installation to the maximum extent practicable; however, primary service to a general geographic area may be served with overhead installation. Appurtenances to these systems which require above ground installation shall be effectively screened, and, thereby, may be exempted from this requirement. Primary facilities providing service to the site of the PUD may be exempted.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D. The PUD district allows principal and accessory uses and structures substantially related to the character of the development itself and the surrounding area of which it is a part.

3. Building and Site Regulations (Table 3-123). The following building/site regulations apply to the entire PUD development.

BUILDING/SITE REGULATIONS	
PUD District	
Minimum project area:	5 acres
Minimum lot area:	Flexible ¹
Minimum lot frontage:	Flexible ¹
Minimum perimeter yard setbacks:	
Front:	Flexible ²
Rear:	Flexible ²
Interior side:	Flexible ²
Corner side:	Flexible ²
Maximum lot coverage:	N/A
Minimum Usable open space (per dwelling unit)	<u>200 square feet</u>
Maximum structure height:	45 feet ³

¹ Individual lots within a PUD development contain flexible standards relative to minimum required lot frontage and lot area for each unit. To be determined on a case by case basis, depending on the overall project design.

² The minimum required perimeter building setbacks of a PUD are flexible except where adjacent to single-family residential zoning. Where adjacent to single-family residential zoning, the required perimeter building setbacks of the PUD shall resemble the setbacks of the adjacent development based upon the orientation of structures with said development. Also, perimeter buildings shall have an increased setback of one (1) additional foot for every foot of building height in excess of thirty (30) feet. Project design along abutting roadway(s), including setbacks, shall be based on existing development patterns or applicable recommendation from the respective development plan.

³—No more than four (4) stories.

4. Review and Approval Process.

a. All development and redevelopment within the PUD district shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

b. Site plan approval shall be required in accordance with Chapter 2, Article II, Section 2.F. prior to

application for building permit.

5. **Parking.** Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6. **Modifications.** Any modification proposed within the PUD shall be in conformance with Master Plan modifications pursuant to Chapter 2, Article II, Section 2.D.6.

7. **Miscellaneous.** The boundaries of land zoned to PUD classification shall be indicated on the official zoning map with the symbol "PUD."

The PUD district contains additional standards relative to building design and compatibility with adjacent single-family residential zoning. Refer to Chapter 4, Article III, Section 3.J. for these additional development standards.

J. MHPD Mobile Home Planned Development District.

1. General.

a. **Purpose and Intent.** The purpose of the MHPD zoning district is to implement the low density residential (LDR) and moderate density residential (MoDR) future land use map (FLUM) classifications of the Comprehensive Plan. The intent of this planned district is to provide efficient and imaginative design approaches to community planning, and to accommodate the housing needs of those residents who prefer mobile home living and/or desire a more affordable ~~solution~~ alternative to conventional dwellings. ~~Densities of such developments shall correspond with the respective FLUM classification.~~

The MHPD district ~~is optimum when there is~~ creates an opportunity to promote sustainability with respect to land use, energy conservation, and resource management, ~~and social equity.~~ Rezoning to the MHPD district is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and modes, employment centers, community areas, ~~or have sustained or~~ and that are away from high hazard areas.

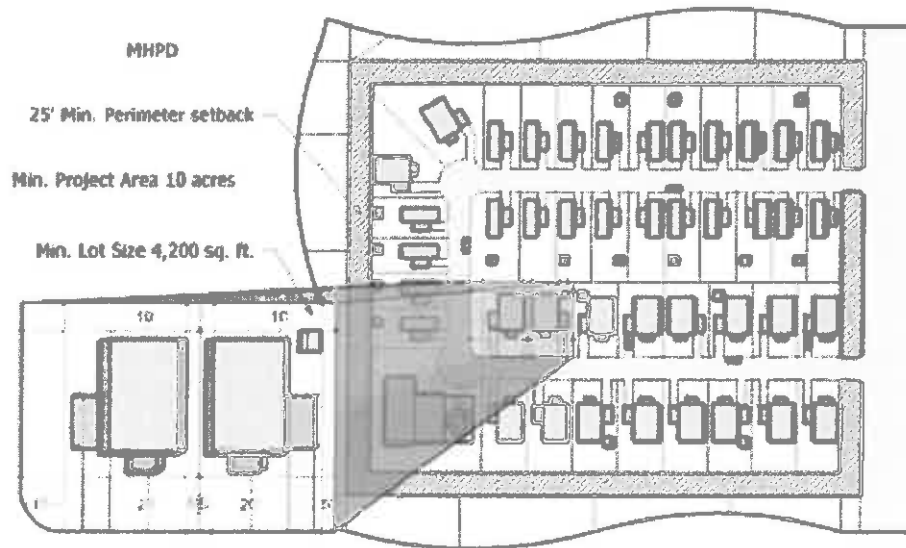
b. **Existing Developments.** For those mobile home parks in existence prior to the adoption of these Regulations, or annexed to the city subsequent to the adoption of these Regulations, the site regulations under which the park was developed shall continue in force. General maintenance and minor modifications to existing improvements shall be allowed, if such maintenance and improvements do not worsen the extent of nonconformity. Should the park be damaged in excess of seventy-five percent (75%), redevelopment shall require submittal of a site plan for review and processing as a major site plan modification, to indicate how redevelopment will provide maximum compliance with development regulations, with particular emphasis on perimeter setbacks and buffering, and internal roadway design and access for service and emergency vehicles.

2. **Use(s) Allowed.** See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. **Building and Site Regulations (Table 3-143).**

BUILDING/SITE REGULATIONS MHPD District	
Minimum project area:	10 acres
Minimum lot size:	4,200 s.f.
Minimum perimeter setbacks:	25 feet
Special perimeter setback reduction for principal and accessory structures:	
Abutting: I-95 or railroad tracks:	50%
Abutting: Intracoastal:	50%
Abutting: Lakes:	50%
Abutting: Golf Course:	50%
Abutting: Canals wider than 150 ft	50%
Abutting: Canals narrower than 150 ft	33%
Abutting: Perimeter walls of community that abut other than residential:	50%

Abutting: Commercial or Industrial	50%
Abutting: Public or private park:	50%
Minimum yard setbacks (per lot):	
Front:	20 feet
Rear:	10 feet
Interior side:	5 feet
Corner side:	10 feet
Maximum lot coverage:	N/A
Maximum structure height:	30 feet



4. Accessory Structures.

- a. Structures of a permanent nature shall not be added or attached to a mobile home, unless such mobile home is placed upon a site conforming to the minimum requirements for a mobile home.
- b. The combined area of all additions or attachments shall not exceed the gross area of the mobile home itself. Carports are not included in the above limitation provided that the width of the individual lot is adequate for separation requirements.

5. Review and Approval Process.

- a. All development and redevelopment within the IPUD-MHPD district shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.
- b. Site plan approval shall be required in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

6. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

7. Modifications. Any modification proposed within the MHPD shall be in conformance with Master Plan modifications pursuant to Chapter 2, Article II, Section 2.D.6.

8. Miscellaneous.

a. No part of any mobile home, or any addition or appurtenances thereto shall be located within ten (10) feet of any accessory or service building or structure used in connection with a mobile home park.

b. Additional perimeter buffering and landscape material may be required as recommended by the Director of Planning and Zoning to ensure compatibility with adjacent properties.

(Ord. 10-025, passed 12-7-10; Am. Ord. 12-010, passed 6-19-12; Am. Ord. 12-016, passed 10-2-12; Am. Ord. 16-024, passed 1-3-17; Am. Ord. 17-023, passed 9-19-17)

Sec. 3. Commercial Districts.

A. C-1 Office and Professional Commercial District.

1. General. The purpose of the C-1 zoning district is to implement the office commercial (OC) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to provide appropriate space for office and professional uses, while also serving as a transitional area between residential and higher intensity commercial areas.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-154). No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged or used unless the premises and buildings shall comply with the following regulations:

BUILDING/SITE REGULATIONS	
C-1 District (Overlay regulations may apply. See Section 8 below.)	
Minimum lot area:	9,000 s.f.
Minimum lot frontage:	75 feet
Minimum lot depth:	120 feet
Minimum yard setbacks:	
Front:	30 feet
Rear:	20 feet
Abutting: Residential district(s)	30 feet
Interior side:	10 feet
Abutting: Residential district(s)	30 feet
Corner side:	10 feet
Abutting: Residential district(s)	30 feet
Maximum lot coverage:	40%
Maximum Floor Area Ratio (FAR)	0.4 ¹
Maximum structure height:	30 feet ²
(For hospitals only)	45 feet

¹ A floor area ratio (FAR) up to 0.40 may be considered for office commercial and related uses allowed within the C-1 district (see "Use Matrix" – Chapter 3, Article IV, Section 3.D.), pursuant to the office commercial future land use classification of the Comprehensive Plan.

² Buildings designed with under-story parking shall be allowed a maximum building height of thirty-five (35) feet but only with conditional use approval.

4. Review and Approval Process. Pursuant to Chapter 2, Article II, Section 2.F., site plan approval shall be required for the construction or modification of a non-residential building, structure, or improvement, including any area allocated to an accessory residential unit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

B. C-2 Neighborhood Commercial District.

1. General. The purpose of the C-2 zoning district is to implement the local retail commercial (LRC) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to allow low-intensity commercial uses of a retail convenience that are intended to serve and which are in close proximity to individual residential neighborhoods. Generally, the desired locations of these commercial areas would be at the periphery of one (1) or more neighborhoods along roadway classifications that are able to support the additional traffic.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-1516). No building or portion thereof shall be erected,

constructed, converted, established, altered, enlarged or used unless the premises and buildings shall comply with the following regulations:

BUILDING/SITE REGULATIONS	
C-2 District (Overlay regulations may apply. See Section 8 below.)	
Minimum lot area:	5,000 s.f.
Minimum lot frontage:	50 feet
Minimum lot depth:	100 feet
Minimum yard setbacks:	
Front:	30 feet ^{1,2}
Rear:	20 feet
Abutting: Residential district(s)	30 feet
Interior side:	15 feet ^{1,2}
Abutting: Residential district(s)	30 feet ¹
Corner side:	20 feet ^{1,2}
— Abutting: Residential district(s)	30 feet ¹
Maximum lot coverage:	40%
Maximum Floor Area Ratio (FAR)	0.50 ^{3,1}
Maximum structure height:	25 feet ⁴

¹ ~~Reduced setbacks will be applied to property located within the Urban Commercial District Overlay Zone, Section 8.C. below.~~

² ~~Pursuant to Section 8.B. below, parcels that have frontage on Martin Luther King Jr. Boulevard and are located within the Martin Luther King Boulevard Overlay Zone shall have front, side interior, and side corner setbacks in accordance with the mixed-use low intensity 1 zoning district (see Section 5.C. below).~~

^{3,1} A floor area ratio (FAR) up to 0.50 may be considered for local retail commercial uses allowed within the C-2 district (see "Use Matrix" – Chapter 3, Article IV, Section 3.D.), pursuant to the local retail commercial future land use classification of the Comprehensive Plan.

⁴ ~~Not to exceed two (2) stories.~~

4. Review and Approval Process. Pursuant to Chapter 2, Article II, Section 2.F., site plan approval shall be required for the construction or modification of a non-residential building, structure, or improvement, including any area allocated to an accessory residential unit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

C. C-3 Community Commercial District.

1. General.

a. Purpose and Intent. The purpose of the C-3 zoning district is to implement the local retail commercial (LRC) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to encourage the development or use of property for appropriate intensive retail commercial uses providing for a wide range of goods and services, located along major thoroughfares. ~~The C-3 district allows a maximum density of eleven (11) dwelling units per acre; however, all residential developments must adhere to the R-3 district building and site regulation in accordance with Section 2.F. above.~~

b. Prerequisite Location Standard. In reaching recommendations and decisions as to zoning land to C-3, the advisory board and City Commission shall apply the following location standards, in addition, to the standards applicable to the rezoning of land generally:

- (1) Centrally and accommodating multiple neighborhoods; and
- (2) Abutting to at least one (1) major thoroughfare arterial roadway.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-167). No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged or used unless the premises and buildings shall comply with the following regulations:

BUILDING/SITE REGULATIONS	
C-3 District (Overlay regulations may apply. See Section 8 below.)	
Minimum lot area:	15,000 s.f.
Minimum lot frontage:	75 feet
Minimum yard setbacks:	
Front:	20 feet [†]
Rear:	20 feet ²¹
Abutting: Residential district(s)	30 feet
Interior side:	0 feet ^{†,22}
Abutting: Residential district(s)	30 feet [†]
Corner side:	20 feet [†]
— Abutting: Residential district(s)	30 feet [†]
Maximum lot coverage:	40%
Maximum Floor Area Ratio (FAR)	0.50 ⁴³
Maximum structure height:	45 feet ⁵

[†] Reduced setbacks will be applied to property located within the Urban Commercial District Overlay Zone, Section 8.C. below.

²¹ Where rear yard access is available from a public street or alley, rear yard may be decreased by one-half (1/2) the width of such street or alley, but in no case shall a rear yard be less than ten (10) feet.

²² Where rear access is not available from a public street or alley, a side yard of not less than fifteen (15) feet shall be provided on one (1) side.

⁴³ A floor area ratio (FAR) up to 0.50 may be considered for local retail commercial uses allowed within the C-3 district (see "Use Matrix" – Chapter 3, Article IV, Section 3.D.), pursuant to the local retail commercial future land use classification of the Comprehensive Plan.

⁵ Not to exceed four (4) stories.

~~4. Review and Approval Process:~~

~~a. Single family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.~~

~~b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review.~~

~~c. Non residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.~~

5.4 Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6.5. Exterior Storage of Merchandise and Equipment. See Chapter 3, Article V, Section 8 for the regulations pertaining to the permanent exterior storage of merchandise and equipment.

D. C-4 General Commercial District.

1. General. The purpose of the C-4 zoning district is to implement the general commercial (GC) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to accommodate service and intensive commercial establishments and limited light industrial uses, and to serve as a transitional area between lighter commercial areas and general industrial uses or operations.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-178). No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged or used unless the premises and buildings shall comply with the following regulations:

BUILDING/SITE REGULATIONS	
C-4 District (Overlay regulations may apply. See Section 8 below.)	
Minimum lot area:	5,000 s.f.
Minimum lot frontage:	50 feet
Minimum lot depth:	100 feet
Minimum yard setbacks:	
Front:	25 feet ^{1,2}
Rear:	20 feet ^{3,1}
Abutting: Residential district(s)	30 feet
Interior side:	15 feet ^{1,2,3}
Abutting: Residential district(s)	30 feet
Corner side:	15 feet ^{1,2}
— Abutting: Residential district(s)	30 feet
Maximum lot coverage:	40%
Maximum Floor Area Ratio (FAR)	0.50 ^{4,2}
Maximum structure height:	45 feet ⁵

¹ Reduced setbacks will be applied to property located within the Urban Commercial District Overlay Zone, Section 8.C. below.

² Pursuant to Section 8.B. below, parcels that have frontage on Martin Luther King Jr. Boulevard and are located within the Martin Luther King Boulevard Overlay Zone shall have front, side interior, and side corner setbacks in accordance with the mixed-use low intensity I zoning district (see Section 5.C. below).

^{3,1} Where rear property line abuts a public street or alley, rear yard setback may be reduced to ten (10) feet and no side yard shall be required, except on corner lots or where abutting single-family uses.

^{4,2} A floor area ratio (FAR) up to 0.50 may be considered for general commercial uses allowed within the C-4 district (see "Use Matrix" – Chapter 3, Article IV, Section 3.), pursuant to the general commercial future land use classification of the Comprehensive Plan.

⁵ Not to exceed four (4) stories; however, those parcels located within the Martin Luther King Boulevard Overlay Zone (Section 8.B. below) shall be limited to thirty (30) feet in height.

~~4. Review and Approval Process. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.~~

54. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6. Exterior Storage of Merchandise and Equipment. See Chapter 3, Article V, Section 8 for the regulations pertaining to the permanent exterior storage of merchandise and equipment.

E. CBD Central Business District.

1. General. ~~The purpose of the CBD zoning district was established with the intent to serve the entire community, create a high volume of pedestrian activity, provide business, recreation and residential opportunities, and maximize the potential of the waterfront. This district is is to implement the mixed use (MX) and mixed use core (MX-C) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to provide a highly visible community focal point integrating office, retail, and residential uses concentrated in the historic downtown and marina district. In addition, this district is considered the predecessor to the high density urban mixed use zoning districts, and will eventually~~

~~be supplanted by them. , particularly, the mixed-use high intensity district. The uses allowed in the central business district are intended to serve the entire community, create a high volume of pedestrian activity, provide business, recreation, and residential opportunities, and maximize the potential of the waterfront.~~

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-189). No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged, or used unless the premises and buildings shall comply with the following regulations:

BUILDING/SITE REGULATIONS CBD District	
Minimum lot area:	15,000 s.f.
Minimum lot frontage:	75 feet
Minimum lot depth:	100 feet
Minimum yard setbacks:	
Front:	0 feet
Rear:	20 feet ¹
Interior side:	0 feet
Corner side:	8 feet ²
Waterfront yard (from navigable water):	8 feet ³
Minimum living area:	750 s.f.
Maximum lot coverage:	75%
Parking garages:	85%
Maximum Floor Area Ratio (FAR)	N/A
Maximum structure height:	45 feet ⁴

¹ Where rear property line abuts a public street or alley, rear yard setback may be reduced to eight (8) feet at first floor level, in which case, no setback shall be required at all other floor levels.

² Eight (8) feet is require at first floor level. No setback shall be required at all other floor levels.

³ Waterfront setbacks shall be measured from the property where the body of water is under different ownership than the subject property line; however, setbacks are measured from the mean high water line if the body of water is under the same ownership as the subject property.

⁴ ~~Forty-five (45) feet, not to exceed four (4) stories.~~ The maximum building height shall be forty-five (45) feet, except for buildings which contain a mix of uses (residential in combination with non-residential uses). In these instances, the maximum building height may be increased to one hundred (100) feet, but contingent upon conditional use approval. Mechanical equipment which exclusively serves the structure shall not be included in the calculations of height.

4. Review and Approval Process. All development and redevelopment shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking.

a. General Requirements. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

b. Specific for CBD District. As required by Chapter 4, Article V, Section 3.E. The CBD district contains additional standards relative to location and appearance of off-street parking facilities. Refer to Chapter 4, Article III, Section 3.C. for these additional development standards.

6. Miscellaneous.

a. Building Location and Massing. See Chapter 4, Article III, Section 3.H. for additional regulations pertaining to mixed use developments.

b. Shade and Shelter. See Chapter 4, Article III, Section 3.H. for additional regulations pertaining to mixed use developments.

F. PCD Planned Commercial Development District.

1. General.

a. Purpose and Intent. The purpose of the PCD zoning district is to implement the office commercial (OC), local retail commercial (LRC), and general commercial (GC) future land use map (FLUM) classifications of the Comprehensive Plan. The intent of this planned district is to provide a place for commercial developments that will better satisfy current demands for commercially zoned lands by encouraging development which will reflect changes in the concepts and the technology of land development and relate the development of land to the specific site, to conserve natural amenities and to allow for the mitigation of negative impacts which result from land development. In addition, this district is considered the predecessor to the suburban mixed use (SMU) zoning district. ~~With respect to residential uses, the PCD district allows a maximum density of eleven (11) dwelling units per acre; however, all residential developments must adhere to the R-3 district building and site regulation in accordance with Section 2.F. above.~~

b. Prerequisite Location Standards. ~~The PCD district is optimum when there is creates an opportunity to promote sustainability with respect to land use, energy conservation and, resource management, and social equity.~~ Rezoning to the PCD district is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and modes, employment centers, community areas, or have sustained or are complicated by environmental contamination.

In reaching recommendations and decision as to zoning land to PCD, the advisory board and City Commission shall apply the following location standards, in addition to the standards applicable to the rezoning of land generally:

(1) Along major roadways or other transportation facilities as to provide direct access without creating or generating an unacceptable level of traffic along streets in residential areas or districts outside it.

(2) Extensions of publicly owned and maintained utilities and storm sewers, etc. shall be constructed by the applicant at no expense to the city and said utilities, etc. shall be deeded to the city clear of any encumbrances. Construction standards employed in the installation of publicly maintained utilities and storm sewers shall be those promulgated by the Engineering and Utility Departments as amended periodically. Concerning streets, consistent with the intent of these Regulations, any required roadway improvements shall be constructed at the applicant's expense including the dedication of additional rights-of-way as noted in the ~~traffic and circulation~~ Transportation Element of the Comprehensive Plan and the replacement of roadway capacity when applicable.

(3) The site shall be suitable for development in the manner proposed without hazards to persons or property, on or off the tract, from probability of flooding, erosion, or other dangers, annoyances, or inconveniences. Condition of the soil, groundwater level, drainage, and topography shall all be appropriate to both kind and pattern of use intended.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-19-20). In addition to the design and construction criteria established in other chapters or sections of the Boynton Beach Land Development Regulations, the following design criteria shall be applicable to the zoning, design, and construction of planned commercial developments:

BUILDING/SITE REGULATIONS	
PCD District	
Minimum lot area:	3 acres [†]
Minimum lot frontage:	Flexible
Minimum perimeter yard setbacks:	
Front:	40 feet
Rear:	40 feet
Interior side:	30 feet
Corner side:	30 feet

Maximum lot coverage:	40% ²¹
Maximum Floor Area Ratio (FAR)	0.5 ³²
Maximum structure height:	45 feet ⁴

¹—Three (3) contiguous acres.

²⁻¹—The total ground floor area of all buildings and accessory structures shall not exceed forty percent (40%) of the plot on which they are constructed.

³⁻²—A floor area ratio (FAR) of up to 0.50 may be considered for local retail commercial uses allowed in the PCD zoning district (see "Use Matrix" – Chapter 3, Article IV, Section 3.D.), pursuant to the local retail commercial future land use classification of the Comprehensive Plan.

⁴—No more than four (4) stories.

4. Review and Approval Process.

a. All development and redevelopment within the PCD district shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

b. Site plan approval shall be required in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6. Modifications. Any modification proposed within the PCD shall be in conformance with Master Plan modifications pursuant to Chapter 2, Article II, Section 2.D.6.

7. Miscellaneous.

a. Perimeter Landscape Buffer. See Chapter 4, Article II, Section 4.C.3.

b. Off-street Loading. See Chapter 4, Article VI, Section 3.D.

c. Platting. All planned commercial developments are subject to and shall be developed consistent with the requirements of Chapter 2, Article III, Section 2 and Chapter 4 of the Boynton Beach Land Development Regulations.

d. Site plan. All plans for lots or parcels proposed to be developed within planned commercial developments are subject to and shall be developed consistent with the requirements of Chapter 2, Article II, Section 2.F., Land Development Regulations.

e. Building Permit. No building permits shall be issued unless and until platting procedures and the requirements outlined in Chapter 2, Article IV, Section 2 of the Land Development Regulations are completed in every respect.

(Ord. 10-025, passed 12-7-10)

Sec. 4. SMU Mixed-Use Suburban District.

A. General.

1. Purpose and Intent. The purpose of the SMU zoning district is to implement the mixed use suburban ~~low (MXS/MXL), and~~ development of regional impact (DRI), and other subsequently established future land use map (FLUM) classifications of the Comprehensive Plan. In order to guide the redevelopment and envisioned growth of the suburban area, the SMU zoning district requires a diversity of land uses, accommodating a mixture of residential, office, retail, recreational, and other miscellaneous uses. Ideally, the SMU district is intended to supplant the PCD district for new developments and projects to encourage the inclusion of residential uses and well-planned mixed use projects designed in accordance with smart growth principles and best planning practices. Densities of such developments shall ~~correspond with the respective FLUM classification, but in no case be~~ no greater than twenty (20) dwelling units per acre. This mix of uses may be arranged either vertically or horizontally within low-to-mid-rise developments. The review of SMU applications will emphasize aesthetics and design quality, and physical compatibility with adjacent land uses. The specific objectives of the SMU district are as follows:

a. Support and enhance development and redevelopment efforts in suburban areas outside of the downtown redevelopment area;

- b. Create major new mixed use areas in planned locations with appropriate densities, heights, and mixture of uses;
 - c. Create attractive pedestrian environments through appropriate separation from and design of vehicular circulation areas;
 - d. Provide public plazas and gathering places that are both well-designed and integrated into the overall design of the development;
 - e. Allow flexibility in architectural design and building bulk, while maximizing compatibility and harmony with adjoining development;
 - f. Create higher quality environments for residents, businesses, employees, and visitors; and
 - g. Encourage innovative design that achieves vertical and horizontal integration of uses.
2. Prerequisite Location Standards. The SMU district ~~is optimum when there is~~ creates an opportunity to promote sustainability with respect to land use, energy conservation ~~and~~ resource management, ~~and~~ social equity. Rezoning to the IPUD-SMU district is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and modes, employment centers, community areas, or have sustained or are complicated by environmental contamination.

The SMU district shall only be applicable to lands located west of I-95 on assembled parcels along major arterials, ~~outside of the downtown redevelopment district.~~

B. *Use(s) Allowed.* See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

C. *Additional Use Regulations.*

1. Mixed Uses. Buildings containing residential and non-residential uses are required within the SMU zoning district and shall be subject to the development standards indicated in Section 4.D. below. With the exception of designated live/work units, no residential uses are allowed on the ground floor of mixed use buildings fronting on arterial streets. The ground floor of mixed use buildings shall be reserved for non-residential uses.

2. Design. Mixed use projects containing residential components shall include appropriate design, materials, and site layout in order to maximize compatibility with residential uses located on upper floors.

3. Live-Work Units. The city contains special regulations regarding required parking and allowable signage for live/work units (see Chapter 4, Article V, Section 2 and Chapter 4, Article IV, Section 3.C.13., respectively).

D. *Building and Site Regulations.*

1. Building and Site Regulation (Table 3-210).

SUBURBAN MIXED-USE (SMU) DISTRICT	Types of Uses		
<i>Building/Site Regulations</i>	Residential Single-Family (Attached or Detached)	Multi-Family	Other Uses (includes Mixed-Use)
Density (dwelling units per acre)	20	20	N/A
Project Area, Minimum:	SMU district - 10 acres ¹		
Lot Area per unit, Minimum (square feet):	Flexible ¹⁺¹²	Flexible ¹⁺¹²	10,000 ²
Lot Frontage, Minimum (feet):	Flexible ¹⁺¹²	100	100
Living Area, Minimum A/C (square feet):	1,200 ¹⁵	750 ¹⁵	750 ¹⁵
Floor Area Ratio (FAR), Maximum:	N/A	N/A	4.02.5 ⁶
Structure Height, Minimum (feet):	35 ⁹⁷	35 ⁹⁷	35 ⁹⁷
Structure Height, Maximum (feet):	35	55 ^{61, 448}	55 ^{61, 448}
Build-to-line (feet):			
Front:	10 ³¹	10 ^{2, 3, 4, 5, 6}	10 ^{53, 61, 725}

Building Setbacks, Minimum (feet):				
Side:	15 corner	10 end	10 ^{6d}	0 ^{6d, 11, 12}
Rear:	Flexible ^{1, 12}		15 ^{6d}	Flexible ^{6d, 11, 12}
Usable Open Space, Minimum (square feet):	30% ^{1, 9, 10, 11}		20% ^{9, 10, 11, 12}	20% ^{9, 11, 12}

~~1. Minimum project size. A minimum of ten (10) acres shall be required for any project developed under the provisions of the SMU regulations.~~

~~2. Hotels must be part of a mixed-use project of at least three (3) acres in size.~~

31. Porches may be placed forward of the build-to line and shall maintain a minimum two (2)-foot setback from any public sidewalk. Porches shall be placed outside of clear sight triangle. Minimum setback for a garage facing or accessing the street is twenty (20) feet. Where less than twenty (20) feet, garage access required from side or rear.

42. Projecting feature(s) such as awnings, balconies, porches and/or stoops may be placed forward of the build-to line and shall maintain a minimum two (2)-foot setback from any public sidewalk.

53. Front yard build-to line along major arterial roads, a maximum of ninety (90) feet inclusive of a twenty-five (25)-foot landscape buffer, including a berm.

~~6.4~~ The height setback envelope in accordance with Section 4.D.3. below shall apply where adjacent to developed single-family residential zoning districts.

75. One (1) or more projecting feature(s) such as awnings, balconies, colonnades, porches and/or stoops required forward of the build-to line and shall maintain a minimum five (5)-foot clearance from any vehicle use area. Elements projecting over a pedestrian walkway shall allow a minimum nine (9)-foot vertical clearance and five (5)-foot horizontal pedestrian clearance.

86. ~~Excluding residential uses and parking structures.~~

97. Applies to any façade with arterial roadway frontage. Multiple-story buildings are encouraged along arterial roadways. The intent of this provision is to create the appearance, or simulate the intensity of, a minimum two (2)-story building. Conditional use approval required if less than the thirty-five (35) foot minimum.

~~10.8. Building heights between fifty-five (55) feet and seventy-five (75) feet to the peak of the structure or any architectural details may be allowed only for interior buildings (those buildings separated from the property line by another project building or use), if approved as a conditional use. The building/structure height measurement shall be conducted in accordance with Section 4.D.2. below. Exceptions to the maximum height shall not be allowed.~~

149. Usable open space shall provide active or passive recreational space and shall not be occupied by water bodies, streets, drives, parking areas, or structures other than recreational structures.

1210. At least fifty percent (50%) of the required usable open space for single-family residential uses shall be contained in one (1) or more common pooled areas and a rectangle inscribed within each common pooled area shall have no dimension less than seventy-five (75) feet.

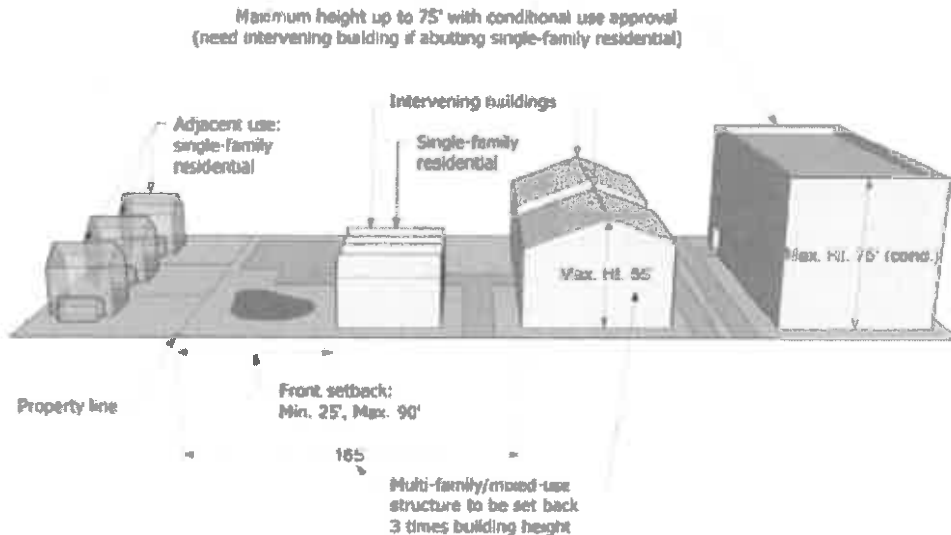
1311. Up to fifty percent (50%) of the usable open space required for "multi-family" and "other uses" may be hardscaped plazas and public gathering places.

1412. To be determined on a case by case basis, depending on the overall project design.

~~15. Accessory apartments must be at least seven hundred fifty (750) square feet in area (air conditioned space).~~

~~2. Building Height Measurement. Building heights shall be measured to the peak of structures, in order to more accurately predict and regulate the overall heights of buildings proposed within the SMU district to ensure compatibility with the adjacent, potentially less intense and dense suburban areas.~~

32. Height Setback Envelope. Minimum building setbacks shall be based on building heights. The height setback envelope is applicable where the SMU development is adjacent to a developed single-family residential zoning district. This minimum setback shall be three (3) times the building height for any multi-family or non-residential structure. The setback shall be measured from the common boundary of the SMU and the single-family residential zoning district or the midpoint of any intervening right-of-way.



E. Review and Approval Process.

1. All development and redevelopment within the SMU district shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

2. Site plan approval shall be required in accordance with Chapter 2, Article II, Section .F. prior to application for building permit.

F. *Parking.* Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements. See Chapter 4, Article III, Section 6.F.4 for additional community design standards pertaining to off-street parking.

G. *Modifications.* Any modification proposed within the SMU district shall be in conformance with Master Plan modifications pursuant to Chapter 2, Article II, Section .D.6.

H. Miscellaneous.

1. Common Areas. Prior to approval of the final plat by the City Commission, the developer shall file association documents or alternative agreements that assign responsibility for and ensure the perpetual operation and maintenance of all common facilities of the development. The common facilities addressed within this agreement shall include but not be limited to the following: private streets, drive aisles, parking areas, plazas, open space, landscaping, and recreation facilities. All documents are subject to the review of the City Attorney.

2. Landscaping.

a. Trees. See Chapter 4, Article II, Section 4.A.3.a.

b. Irrigation. See Chapter 4, Article II, Section 4.A.6.

c. Perimeter Buffer. See Chapter 4, Article II, Section 4.C.3.

3. Dumpster Location. See Chapter 4, Article VI, Section 5.A.

4. Sidewalks. See Chapter 4, Article VIII, Section 3.D.

(Ord. 10-025, passed 12-7-10; Am. Ord. 12-016, passed 10-2-12)

Sec. 5. Mixed-Use (Urban) Districts.

A. General.

1. Purpose and Intent. The urban mixed-use zoning districts are ~~mostly~~ intended to implement the CRA Community Redevelopment Plans, ~~in part,~~ by providing for a mixture of land uses, accommodating varying densities and intensities appropriate for each CRA district, and by establishing quality streetscapes and pedestrian environments as part of a compact urban setting. The mixed use districts also support transit ridership, in particular through higher density and intensity development within the designated Downtown Transit-Oriented Development District (DTODD). Additional standards and requirements of this section are based on the proximity to the planned train station, and location within the transit core, which is defined as the area extending one-quarter (1/4) mile from the train station. To ensure compliance with these Regulations, an application for site plan approval shall be required and reviewed concurrently with any

request to rezone lands to a mixed-use (urban) district, except as provided in Section 2.D.1.e. Also see Chapter 4, Article III, Section 6.H. for design and compatibility standards. The objectives of the mixed-use (urban) districts are as follows:

- a. Support and enhance revitalization efforts in the city's traditional commercial core area through the provision of compact, transit-supportive, high density and intensity development;
- b. Allow for commercial services to be provided to new residential developments in planned locations with appropriate densities, heights, and mixtures of uses;
- c. Create optimal pedestrian environments and spaces through well located public plazas, expanded public sidewalks, maximized internal and external interconnectivity and design of pedestrian-friendly vehicular circulation areas;
- d. Allow flexibility in architectural design and building bulk while maximizing compatibility and harmony with adjoining development;
- e. Create surrounding areas that complement rather than compete with the downtown; and
- f. Create higher quality environments for residents, businesses, employees, and visitors as determined by how well the urban centers function seamlessly with respect to interconnectivity between the principal uses, activity centers, and transportations systems, forming a cohesive and desirable sense of place.

2. Description of Districts.

a. Mixed Use 1 (MU-1). The MU-1 district implements the Mixed Use Low (MXL) future land use map (FLUM) classification of the Comprehensive Plan and has a maximum residential density of twenty (20) dwelling units per acre, except within the Downtown Transit-Oriented Development District (DTODD) (the Station Area), where the maximum density may be twenty-five (25) dwelling units per acre through participation in the City's Workforce Housing Program. In addition, projects located within the transit core of the Station Area shall have a minimum density of eleven (11) dwelling units per acre. This minimum density requirement shall be applicable to any such project regardless of whether the site is partially or entirely located within the transit core.

b. Mixed Use 2 (MU-2). The MU-2 district implements the Mixed Use Medium (MXM) future land use map (FLUM) classification of the Comprehensive Plan and has a maximum residential density of ~~thirty~~ forty (40) dwelling units per acre, except within the Downtown Transit-Oriented Development District (DTODD) (the Station Area), where the maximum density may be ~~thirty-seven and one-half~~ thirty-seven and one-half (37.5) dwelling units per acre through participation in the City's Workforce Housing Program. In addition, projects located within the transit core of the Station Area shall have a minimum density of twenty (20) dwelling units per acre. This minimum density requirement shall be applicable to any such project regardless of whether the site is partially or entirely located within the transit core.

c. Mixed Use 3 (MU-3). The MU-3 district implements the Mixed Use Medium (MXM) future land use map (FLUM) classification of the Comprehensive Plan and has a maximum residential density of ~~forty~~ fifty (50) dwelling units per acre, except within the Downtown Transit-Oriented Development District (DTODD) (the Station Area), where the maximum density may be ~~fifty-sixty two and one-half~~ fifty-sixty two and one-half (56.25) dwelling units per acre through participation in the City's Workforce Housing Program. In addition, projects located within the transit core of the Station Area shall have a minimum density of thirty (30) dwelling units per acre. This minimum density requirement shall be applicable to any such project regardless of whether the site is partially or entirely located within the transit core.

d. Mixed Use-4 (MU-4). The MU-4 district implements the Mixed Use High (MX-H) future land use map (FLUM) classification of the Comprehensive Plan and has a maximum residential density of sixty (60) dwelling units per acre, except within the Downtown Transit-Oriented Development District (DTODD) (the Station Area), where the maximum density may be seventy-five (75) dwelling units per acre through participation in the City's Workforce Housing Program. In addition, projects located within the transit core of the Station Area shall have a minimum density of thirty five (35) dwelling units per acre. This minimum density requirement shall be applicable to any such project regardless of whether the site is partially or entirely located within the transit core. The intent of this new district is to facilitate the establishment of high density and intensity development nodes at strategic locations that support downtown redevelopment, while in certain location also providing a proper continuum of, or transition in scale between the Mixed Use Core (MU- C) and Mixed Use 3 (MU-3) Districts.

e. Mixed Use Core (MU-C). The MU-C district implements the Mixed Use ~~Core-High~~ (MXH-C) future land use map (FLUM) classification of the Comprehensive Plan and has a maximum residential density of eighty (80) dwelling units per acre, except within the Downtown Transit-Oriented Development District (DTODD) (the Station Area), where the maximum density may be one hundred (100) dwelling units per acre through participation in the City's Workforce Housing Program. In addition, projects located within the Station Area shall have a minimum density of thirty (30) dwelling units per acre. This minimum density requirement shall be applicable to any such project regardless of whether the site is partially or entirely located within the transit core. The intent of this district is to supplant the Central Business District (CBD) in the historic downtown and marina.

3. Location and General Use Requirements.

a. General. The mixed use (urban) districts are intended for projects that promote sustainable design with respect to land use, energy conservation, resource management, and social equity. Rezoning to any of these districts is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and modes, employment centers, community areas, or have sustained or are complicated by environmental contamination.

The mixed use (urban) zoning districts shall be applied to selected geographic areas east of I-95, where a mixture of uses and building intensities is intended to implement the ~~city's Comprehensive Plan, CRA~~ Community Redevelopment Plan, and urban design guidelines including goals involving compact design, transit-oriented development, employment, population, transportation, housing, public facilities, and environmental quality. Permitted uses and associated standards for development vary between the zoning districts each reflecting the importance of the district's location and relationship to the downtown. Maximum heights, densities, and intensities of development are regulated to achieve, in part, the intended vision as established within the CRA Community Redevelopment Plan for each of the six planning districts, while ensuring land use compatibility. A master plan as a whole, comprised of individual buildings and parcels, would be reviewed for compliance with the requirements below pertaining to a residential component to the project, and commercial use on the first floor of a project. ~~Projects not meeting the requirement for a residential component shall be reviewed for contribution to employment targets in accordance with FDOT standards for a community center TOD.~~

b. Mixed Use 1 (MU-1), Mixed Use 2 (MU-2), and Mixed Use 3 (MU-3).

(1) In order to complement the revitalization efforts in the downtown area, ~~these MU-1 zoning districts shall be applied to lands consistent with the Comprehensive Plan Future Land Use Map and CRA Community Redevelopment Plan. Such areas are generally described as Woolbright Road between I-95 and the FLC Railroad, Boynton Beach Boulevard between I-95 and Northwest 1st Street, Martin Luther King Jr. Boulevard, Southeast 4th Street south to Southeast 5th Avenue, and Ocean Avenue between Southeast 4th Street and Southeast 1st Street. See the Community Redevelopment Plan for specific recommendations on locations and boundaries.~~

(2) These MU districts are appropriate for low- to mid-rise developments that provide for medium density residential and low to medium intensity commercial and office uses.

(3) The review of these applications will emphasize compactness, aesthetics and design quality, and physical compatibility with adjacent land uses.

(4) Except where limited by Table 3-2+2 in Chapter 3, Article III, Section 5.C., all new developments within the MU-1 and MU-2 districts that contain a non-residential use shall front on streets designated as "arterial", or "collector", roadways on the Functional Classification of Roadways Map. All projects within the MU-3 district and proposed within the transit core must contain a residential component, and all projects proposed within these Mixed Use intensity districts that front on an arterial road must have space on the first floor devoted to commercial or an active use.

(5) Maximum height may be further limited in certain geographic areas to further applicable redevelopment plans and maintain compatibility with an abutting single-family district.

c. Mixed Use-4 (MU-4).

(1) The Mixed Use 4 (MU-4) district shall only be applied to land classified as mixed use ~~core-high~~ (MXH-C) on the future land use map as recommended by the Community Redevelopment Plan.

(2) The MU-4 district is appropriate for high density/intensity development intended for designated

nodes, such as properties at the intersection of US 1 and Woolbright Road, and the downtown area, which is generally located east of the FEC Railroad, including the marina district, and which extends out from the planned train station by approximately three (3) to four (4) blocks. Such developments shall include a mix of uses designed in a compact vertical style. Developments proposed within the Downtown Transit-Oriented Development District (the Station Area) must contain a residential component and have space on the first floor which shall be devoted to commercial uses for those portions of the project having frontage along Ocean Avenue or an arterial road.

(3) All new developments within this district shall front on streets designated as "arterial" roadways on the Functional Classification of Roadways Map.

d. Rezoning of ~~s~~Single-family ~~d~~Districts. All requests to rezone any single-family residential district to a mixed use zoning district shall be subject to the following additional requirements:

(1) Height, density and intensity of development shall be consistent with the CRA Redevelopment Plan for the applicable district; ~~Redevelopment District~~;

(2) Ratio of lot frontage to depth that is no more than one (1) foot (frontage) to one and one-quarter (1.25) foot (depth);

(3) Vehicular access to the property located to minimize impacts on adjacent single-family developments and meet safety standards; and

(4) Landscape barriers provided, in accordance with the landscape regulations of this Code, where the rezoned property abuts single-family residential zoning.

e. Mixed Use Core (MU-C).

(1) The Mixed Use C (MU-C) district shall only be applied to lands classified as mixed use-high (MX-H) on the future land use map.

(2) The MU-C district is appropriate for high density/intensity development intended for the downtown area, which is generally located east of the FEC Railroad, including the marina district, and which extends out from the planned train station by approximately three (3) to four (4) blocks. Such developments shall include a mix of uses designed in a compact vertical style. Developments proposed within the Downtown Transit-Oriented Development District (the Station Area) must contain a residential component and have space on the first floor which shall be devoted to commercial uses for those portions of the project having frontage along Ocean Avenue or an arterial road.

(3) All new developments within this district shall front on streets designated as "arterial" roadways on the Functional Classification of Roadways Map.

f. Rezoning of ~~s~~Single-family ~~d~~Districts. All requests to rezone any single-family residential district to a mixed use zoning district shall be subject to the following additional requirements:

(1) Height, density and intensity of development based on the standards indicated in Table 3-24~~2~~;

(2) Ratio of lot frontage to depth that is no more than one (1) foot (frontage) to one and one-quarter (1.25) foot (depth);

(3) Vehicular access to the property located to minimize impacts on adjacent single-family developments and meet safety standards; and

(4) Landscape barriers provided, in accordance with the landscape regulations of this Code, where the rezoned property abuts single-family residential zoning.

B. *Use(s) Allowed.* See "Use Matrix, Table 3-28" in Chapter 3, Article IV, Section 3.D.

C. *Building and Site Regulations.*

1. Building and Site Regulation (Table 3-24~~2~~).

MIXED USE, URBAN (Overlay regulations may apply. See Section 8 below.)	MU-1	MU-2	MU-3	MU-4	MU-C
Lot Area, Minimum (acres):					
Public park:	N/A	N/A	N/A	N/A	N/A
All other uses:	0.50	0.75	1	1	1
Lot Frontage, Minimum (ft.) ¹	100	100	150 ²	200	200

Structure Ht., Minimum (ft.)	30	30	30	45	45
Maximum Height (ft.)³	45-55	65	75	100	150/125 ⁴
Maximum Density (DUs/Acre)^{10, 12}	20	40	50	60	80
Maximum F.A.R.¹¹	1.02.5	2.03.0	3.0	4.0	4.0
Build-to-line (ft.)⁸:					
All sides abutting a collector or arterial road	Factor of Pedestrian Zone Requirement ⁷				
Abutting a Local street	0 ⁷	0 ⁷	0 ⁷	0 ⁷	0 ⁷
Interior side	0 ⁷	0 ⁷	0 ⁷	0 ⁷	0 ⁷
Building Setbacks, Minimum (ft.)⁸:					
Rear abutting					
Residential single-family	25 ⁵ /0 ^{5, 6}	25 ⁵	25 ⁵	25 ⁵	25 ⁵
Intracoastal waterway	25 ⁵	25 ⁵	25 ⁵	25 ⁵	25 ⁵
Side abutting					
Residential single-family:	25 ⁵ /0 ^{5, 6}	25 ⁵	25 ⁵	25 ⁵	25 ⁵
Usable Open Space, Minimum (sq. ft.)⁹	N/A	N/A	N/A 0.5%	1%	2%

1. May be reduced if frontage extends from right-of-way to right-of-way.
2. Minimum of fifty (50) feet, if frontage is on a collector/local collector roadway. Reserved.
3. Maximum height on any street frontage is forty-five (45) feet. Maximum height on Intracoastal Waterway is thirty-five (35) feet consistent for a depth of a minimum of thirty (30) feet. Heights may require reduction where adjacent to a single-family zoning district where necessary to achieve the compatibility requirements of these regulations. Maximum heights may be increased in the DTODD through participation in the Workforce Housing Program.
4. Maximum height reduced to one hundred twenty-five (125) feet for the entire project where property abuts any other MU or residential zoning district not separated by a right-of-way.
5. Plus one (1) additional foot for each foot of height over thirty-five (35) feet.
6. Where there is an intervening right-of-way of at least forty (40) feet.
7. Buildings and structures shall be located no farther than zero (0) feet from the property line, except in conjunction with providing required visibility at intersections, driveways; open spaces and public plazas; or when additional setback is necessary to provide for required "Pedestrian Zone" (PZ). Building placement is a factor of roadway type and CRA district, which determines the minimum width and design of the PZ. ~~Except for the Downtown District, where the minimum PZ width is 18', the minimum PZ in all other districts is 16 ft.~~ The minimum PZ width is 18'. The minimum PZ is comprised of three components: 1) a five (5) foot wide street tree area, measured from the back of the curb, or future curb on roads requiring a right-of-way dedication, 2) an eight (8) to ten (10) foot wide sidewalk, free from obstructions, measured from the centerline of street trees, and 3) an eight (8) foot wide active area, measured from the sidewalk. The PZ components may vary in placement order only on sites with conflicting right-of-way regulations. -See Section 5.C.2. below for additional relief provisions from build-to line requirements.
8. Listed eligible historic structures are not required to meet these standards.
9. Usable open space shall be required for all developments two (2) acres in size or larger which shall be devoted to plazas or other public open space, excluding private recreation. See Chapter 4, Article III, Section 8 for additional regulations.
10. Projects within the transit core shall have minimum densities as follows: MU-1 - eleven (11), MU-2 - twenty (20), MU-3 - thirty (30), MU-4 - thirty-five (35) and MU-C - forty (40) dwellings per acre (except that minimum density for the MU-C district applies to projects located within the entire station area).

11. Projects within the transit core shall have a minimum FAR as follows: MU-3 - one and three-quarters (1.75), MU-4 (2.0) and MU-C - two (2.0) (except that minimum FAR for the MU-C district applies to projects to be located within the entire station area).

12. The maximum density for projects within the Downtown Transit-Oriented Development District (the Station Area) may be increased up to twenty-five percent (25%) over the maximum density allowed in the underlying zoning district through participation in the City's Workforce Housing Program.

2. Minor and Major Variations to Build-to Line Requirements. Notwithstanding the required build-to line and pedestrian zone requirements of Note #740 above, portions of buildings and structures may be constructed in excess of the distance specified in the above table, but not to exceed fifteen (15) feet in order to 1) optimize landscape design; 2) maximize on-site drainage solutions; 3) accommodate architectural features and building enhancements; or 4) to otherwise enhance public spaces such as sidewalks, plazas, fountains, or outdoor seating areas in order to farther the purpose and intent of the Overlay-Zone. Major deviations from the build-to line requirement above (in excess of fifteen (15) feet) may be allowed, but only with sufficient justification and contingent upon the approval of a Community Design Appeal application (see Chapter 2, Article II, Section 4.B.).

3. Additional Standards. See Chapter 4, Article III, Section 6.H. for additional standards related to urban design and building location for properties located in within the transit core of the Downtown Transit-Oriented District Overlay Zone (the Station Area).

D. Review and Approval Process.

1. All development and redevelopment within the urban mixed use districts shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

2. Site plan approval shall be required in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

E. Parking.

1. General Requirements. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

2. Reduced Parking Requirements in MU-H District. See reduced parking requirements for specific uses within the MU-H district in accordance with Chapter 4, Article V, Section 2.B.

3. Off-Street Parking Facilities. The mixed use (urban) districts contain additional standards relative to location and appearance of off-street parking facilities. Refer to Chapter 4, Article III, Section 6.F. for these additional development standards.

F. Miscellaneous.

1. Access. See Chapter 4, Article VI, Section 3.C.8.

2. Building Location. See Chapter 4, Article III, Section 6.

3. Location of Dumpsters and Trash Receptacles. See Chapter 4, Article VI, Section 4.C.

4. Shade and Shelter. See Chapter 4, Article III, Section 6.

5. Sidewalks in MU-H District. See Chapter 4, Article III, Section 6 for community design standards related to sidewalks.

6. Landscape and Streetscape Design. See Chapter 4, Article II, Section 4.B.5.
(Ord. 10-025, passed 12-7-10; Am. Ord. 12-016, passed 10-2-12; Am. Ord. 13-013, passed 6-4-13; Am. Ord. 14-009, passed 7-1-14; Am. Ord. 15-006, passed 3-2-15; Ord. 15-023, passed 10-6-15; Am. Ord. 16-023, passed 1-3-17; Am. Ord. 17-023, passed 9-19-17)

Sec. 6. Industrial Districts.

A. M-1 Industrial District.

1. General. The purpose of the M-1 zoning district is to implement the industrial (I) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to allow industrial uses that provide opportunities for the retention and expansion of economic activities associated with manufacturing, processing, or assembly plants, including their support enterprises for warehouse, storage, distribution, research, and development.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-223).

BUILDING/SITE REGULATIONS

M-1 District	
Minimum lot area:	10,000 s.f. ¹
Minimum lot frontage:	0 feet
Minimum yard setbacks:	
Front:	15 feet
Rear:	20 feet ²
Abutting: Residential district(s)	30 feet
Interior side:	15 feet ³
Abutting: Residential district(s)	30 feet
Corner side:	15 feet
Maximum lot coverage:	60%
Maximum Floor Area Ratio (FAR)	0.50 ⁴
Maximum structure height:	45 feet ⁵

¹ A property that does not meet this minimum size shall be considered conforming only if it contains a whole platted lot and was not in combination with other lots under the same ownership at the time of the effective date of this ordinance (October 2, 2012), in which the cumulative size would have met the minimum required by code. Any such undersized lots that are further subdivided and reduced in size shall be considered non-conforming pursuant to Chapter 3, Article V, Section 11.

² Where rear yard abuts a railroad right-of-way or any paved alley, the rear yard may be reduced to ten (10) feet.

³ Where rear yard abuts a paved alley or street, then no side setback shall be required.

⁴ A floor area ratio (FAR) up to 0.50 may be considered for industrial uses allowed within the M-1 district (see "Use Matrix" – Chapter 3, Article IV, Section 3.D.), pursuant to the industrial future land use classification of the Comprehensive Plan.

⁵ ~~Not to exceed four (4) stories.~~

4. Review and Approval Process. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6. Exterior Storage of Merchandise and Equipment. See Chapter 3, Article V, Section 8 for the regulations pertaining to the permanent exterior storage of merchandise and equipment.

B. PID Planned Industrial Development District.

1. General.

a. Purpose and Intent. The purpose of the ~~M-1~~PID zoning district is to implement the industrial (I) and development of regional impact (DRI) future land use map (FLUM) classifications of the Comprehensive Plan. The intent of this planned district is to:

(1) Provide for current demands for light industrial and other compatible uses in a planned setting. This district is intended for development that reflects changes in technology and is capable of being designed sensitive to the environment;

(2) Create a desirable environment for employees, customers and others traversing the PID as well as with respect to ~~current and future adjacent residential development~~; require economies of scale in providing public services; require placement within close proximity to other employment centers; and provide internal and external connectivity through optimal design and access to available modes of transportation.

b. Prerequisite Location Standards. The PID district ~~is optimum when there is~~creates an opportunity to promote sustainability with respect to land use, energy conservation, ~~and~~ resource management, ~~and~~ social equity. Rezoning to the PID district is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and

modes, employment centers, community areas, or have sustained or are complicated by environmental contamination.

In reaching recommendations and decisions as to zoning land to PID, the advisory board and City Commission shall apply the following location standards, in addition to the standards applicable to the rezoning of land generally:

(1) Relation to major transportation facilities. A PID shall be so located with respect to major roadways or other transportation facilities as to provide direct access to it without creating or generating traffic along streets in residential areas or districts outside it.

(2) Extensions of city-maintained waterlines, sewer lines, pumping stations, streets and storm sewers, etc., shall be constructed at no expense to the city and all such construction shall be in accordance with city ordinances and specifications.

(3) The site shall be suitable for development in the manner proposed without hazards to persons or property, on or off the tract, from probability of flooding, erosion, or other dangers, annoyances, or inconveniences. Condition of the soil, groundwater level, drainage and topography shall all be appropriate to both kind and pattern of use intended.

2. Use(s) Allowed and Use Approval. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-234).

BUILDING/SITE REGULATIONS	
PID District	
Minimum project area:	25 acres ¹
Minimum lot frontage:	Flexible
Minimum yard setbacks:	
Front:	30 feet
Rear:	30 feet
Interior side:	20 feet
Corner side:	30 feet
Maximum lot coverage:	60% ²
Building Separation:	25 feet
Maximum Floor Area Ratio (FAR)	0.5 ³
Maximum structure height:	45 feet ^{4,2}

¹ Twenty-five (25) contiguous acres.

² ~~The gross floor area of the building and accessory structures shall not exceed sixty percent (60%) of the lot on which it is constructed.~~

³ ~~A floor area ratio (FAR) of up to 0.50 may be considered for industrial land uses allowed in the PID zoning district (see "Use Matrix" Chapter 3, Article IV, Section 3.D.), pursuant to the industrial future land use classification of the Comprehensive Plan.~~

^{4,2} No more than four (4) stories, with the exception of buildings in mixed use pod of the PID pursuant to Section 6.B.8. below.

4. Review and Approval Process.

a. All development and redevelopment within the PID district shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

b. Site plan approval shall be required in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6. Modifications. Any modification proposed within the PID shall be in conformance with Master Plan modifications pursuant to Chapter 2, Article II, Section 2.D.6.

7. Miscellaneous.

- a. Perimeter Landscape (Greenbelt) Buffer. See Chapter 4, Article II, Section 4.C.3.
- b. Off-street Loading. See Chapter 4, Article VI, Section 3.B.
- c. Building Permit. No building permits shall be issued unless and until platting procedures and the requirements outlined in Chapter 2, Article III, Section 2 of the Land Development Regulations are completed in every respect.
- d. Exterior Storage of Merchandise and Equipment. See Chapter 3, Article V, Section 8 for the regulations pertaining to the permanent exterior storage of merchandise and equipment.

8. Mixed Use Pods.

a. Intent. The purpose of these provisions is to establish small mixed use nodes containing a combination of residential, commercial and office uses in close proximity to employment centers and available modes of transportation, while also meeting the intent of the PID district described above. The mixed use pod is intended for a master planned setting that provides optimal internal and external connectivity for residents, employees, and other visitors, and generally follows the livability and connectivity standards promoted in the smart growth initiative. For the purpose of this subsection, a mixed use pod is defined as a development project located within a previously approved PID. The following criteria shall apply to mixed use pods proposed for development within an approved PID.

b. Establishment of a Mixed Use Pod. To ensure attainment of these design objectives, as well as to accommodate adequate buffering to ensure compatibility among varying uses, a PID district eligible for a mixed use pod must contain a minimum of five hundred (500) consolidated acres. The establishment of a mixed use pod shall also conform to the requirements of this section, and be in accordance with the process requirements of Master Site Plan within a mixed use pod (Chapter 2, Article II, Section 3.A.).

c. Density. The PID district corresponds with the industrial (I) and development of regional impact (DRI) FLUM classifications; however, residential uses are only allowed within a mixed use pod of a PID that has a DRI FLUM classification. Maximum residential densities shall be in accordance with the thresholds established for the respective DRI.

d. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

e. Building and Site Regulations.

(1) The maximum building height within a mixed use pod shall not be greater than seventy-five (75) feet. Any building exceeding forty-five (45) feet in height shall be processed as a conditional use.

~~(2) Building height measurement. Building height shall be measured from the lowest finish floor-slab elevation of the proposed building to the peak of the structure, including any architectural details, stairwells, elevator shafts, etc.~~

(32) Height setback envelope. Minimum building setbacks shall be based on building heights for buildings greater than forty-five (45) feet in height. The height setback envelope is applicable where the mixed use development is adjacent to an existing developed single-family residential zoning district outside the PID. This minimum setback shall be three (3) times the building height for any multi-family or non-residential structure. The setback shall be measured from the common boundary of the PID and the existing single-family residential zoning district of the midpoint of any intervening right-of-way.

f. Parking. As required by Chapter 4, Article V.

g. Modifications.

(1) Any modification proposed to a Master Site Plan for a mixed use pod within a PID shall be in conformance Chapter 2, Article II, Section 3.A.6.

(2) Any modification proposed to a technical site plan within a master site plan of a mixed use pod within a PID shall be in conformance with Chapter 2, Article II, Section 4.H.

h. Miscellaneous. Any request to waive a standard zoning regulation within the mixed use pod shall be in accordance with Chapter 2, Article II, Section 3.D.

(Ord. 10-025, passed 12-7-10; Am. Ord. 12-010, passed 6-19-12; Am. Ord. 12-016, passed 10-2-12)

Sec. 7. Miscellaneous Districts.

A. REC Recreation District.

1. General. The purpose of the REC zoning district is to implement the recreational (R) future land use map (FLUM) classification of the Comprehensive Plan. It is the intent of this conventional district to

accommodate and preserve recreational areas for current and future uses consistent with the Comprehensive Plan. This district shall apply to those existing and proposed recreational areas not located in planned unit developments. Included in these areas are both public and privately-owned recreational tracts and the Intracoastal Waterway (ICWW).

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-254). No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged or used unless the premises and buildings shall comply with the following regulations:

BUILDING/SITE REGULATIONS REC District	
Minimum lot area:	1 acre
Minimum lot frontage:	100 feet
Minimum yard setbacks:	
Front:	25 feet
Rear:	25 feet
Interior side:	25 feet
Corner side:	25 feet
Maximum lot coverage:	50%
Maximum Floor Area Ratio (FAR)	0.5
Maximum structure height:	45 feet ⁺

⁺—Not to exceed four (4) stories.

4. Review and Approval Process. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

B. PU Public Usage District.

1. General. The purpose of the PU zoning district is to implement the public and private governmental/institutional (PPGI) future land use map (FLUM) classification of the Comprehensive Plan. This district shall apply to those areas within the city whose ownership and/or operation is public, or whose use is primarily public or institutionally-oriented, exclusive of those areas whose use is primarily recreational.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-256). No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged or used unless the premises and building comply with the following regulations:

BUILDING/SITE REGULATIONS PU District	
Minimum lot area:	8,000 s.f. ²
Minimum lot frontage:	75 feet ²
Minimum yard setbacks²:	
Front:	25 feet ¹
Rear:	25 feet ¹
Abutting: Residential district(s)	30 feet
Interior side:	15 feet ¹
Abutting: Residential district(s)	30 feet
Corner side:	15 feet

Maximum lot coverage:	50% ²
Maximum Floor Area Ratio	1.0 ²
Maximum structure height: Hospitals only:	45 feet ² 60 feet ²

¹ For hospital buildings, additional setback in excess of thirty (30) feet shall be required for any height over forty-five (45) feet. The additional setback shall be measured by calculating three (3) additional feet of setback for each foot in height above forty-five (45) feet, not including minimal roof top equipment that are eligible for height exception in accordance with Chapter 2, Article II, Section 4.C

² ~~Not to exceed four (4) stories.~~

² Municipal operations and emergency facilities, essential services and support infrastructure are exempt from selected site standards in the Public Usage Zoning District and other applicable districts in accordance with Chapter 3, Zoning, Article II, Section 11.

4. Review and Approval Process. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.
(Ord. 10-025, passed 12-7-10)

Sec. 8. Overlays Zones.

~~A. Urban Central Business District Overlay Zone. In compliance with Florida Administrative Code, the city has established a single urban core area to attract high intensity, high density, multi-use development in the downtown through the redesignation of the central business district to an urban central business district, which will permit additional development density opportunities suitable to attract mixed use business, while ensuring the scale, design, function and character of any new development is compatible with, and complements, the city's redevelopment plans. The land that shall comprise the Urban Central Business District Overlay Zone is bordered on the east by the Intracoastal Waterway (ICWW), excluding all lands designated with a conservation overlay on the city's future land use map, and city lands utilized for stormwater retention; on the west by the Florida East Coast Railroad right-of-way, on the north by northeast 6th Avenue, and on the south by S.E. 2nd Avenue and consists of approximately eighty three (83) acres. These boundaries shall be utilized for increased development of regional impact guidelines and standards, consistent with the criteria of this section. The area is further delineated in map format on Ordinance No. 03-054, Exhibit "A."~~

~~The Urban Central Business District Overlay Zone is consistent with the City of Boynton Beach Comprehensive Plan and future land use map intensities.~~

~~The Urban Central Business District Overlay Zone is wholly within the jurisdictional boundaries of the City of Boynton Beach.~~

~~The future land use classification and zoning district allow for high intensity multi-use development within the proposed overlay zone. The uses and intensity are regulated by the respective future land use classification and zoning district.~~

~~Within the Urban Central Business District Overlay Zone, the DRI guidelines and standards set forth in Florida Administrative Code Rule 28-24.014(10), as they may be amended from time to time shall apply to the development approved by the city.~~

~~B.A. Martin Luther King Jr. Boulevard Overlay Zone.~~

1. Intent. This overlay zone has been established to implement recommendations from the Vision 20/20 Redevelopment Plan, which identified a segment of the Martin Luther King Jr. Boulevard as an opportunity for redevelopment and revitalization. This overlay identifies a segment of the Martin Luther King Jr. Boulevard as an opportunity for redevelopment and revitalization. The ultimate design and site standards of this section are intended to create a traditional street corridor with pedestrian improvements, storefronts along

the sidewalk, and a mixture of uses. The corridor is to contain an ambience supported by pleasant signage and building appearance, potted landscaping, store windows and public open spaces. This overlay zone is also appropriate for development of small properties to allow for consistency with the vision represented by the respective mixed use zoning district, and/or as an interim redevelopment mechanism until greater redevelopment occurs using the respective mixed use zoning district. All development within the Martin Luther King Jr. Boulevard corridor shall occur according to the provisions of the adopted plan as stated below.

2. **Defined.** The Martin Luther King Jr. Boulevard Overlay Zone (MLKBOZ) is hereby established as the area defined by the parcels fronting on that portion of the Boulevard located east of Seacrest Boulevard and west of Federal Highway right-of-way, along with those parcels adjacent to the north and south of these parcels that front on the Boulevard if assembled and development as a unified project.

3. **Use(s) Allowed.** (See "Use Matrix" - Chapter 3, Article IV, Section 3.D.).

4. **Building and Site Regulations.** Development within this Overlay Zone shall be in accordance with building and site regulations applicable to the underlying zoning district except as follows:

a. ~~_____~~ a. ~~Parcels that have frontage along Martin Luther King Jr. Boulevard shall have the same front setback in accordance with the Mixed Use 1 zoning district (see Section 5.C. above).~~ shall provide for the required "Pedestrian Zone" (PZ). The minimum PZ is comprised of three components: 1) a five (5) foot wide street tree area, measured from the back of the curb, or future curb on roads requiring a right-of-way dedication, 2) an eight (8) foot wide sidewalk, free from obstructions, measured from the centerline of street trees, and 3) an eight (8) foot wide active area, measured from the sidewalk. The PZ components may vary in placement order only on sites with conflicting right-of-way regulations. See Section 5.C.2. below for additional relief provisions from build-to line requirements.

b. Notwithstanding the required build-to line and pedestrian zone requirements, portions of buildings and structures may be constructed in excess of the distance specified above, but not to exceed 15 feet when necessary to 1) optimize landscape design; 2) maximize on-site drainage solutions; 3) accommodate architectural features and building enhancements; and/or 4) to otherwise enhance public spaces such as sidewalks, plazas, fountains, or outdoor seating areas in order to further the purpose and intent of the Overlay. Major deviations from the build-to line requirement above (in excess of 15 feet) may be allowed, but only with sufficient justification and contingent upon the approval of a Community Design Appeal application (see Chapter 2, Article II, Section 4.B).

~~c. Minimum interior and corner side setbacks and rear setbacks shall be in accordance with the Mixed Use 1 zoning district (see Section 5.C. above).~~

~~d. Maximum building height shall be fifty-five (55) feet.~~ Buildings fronting Martin Luther King Jr. Boulevard shall be a maximum of thirty-five (35) feet consistent for a depth of ten (10) feet.

~~e. Minimum building height shall be thirty (30) feet.~~

5. **Parking.** As required by Chapter 4, Article V, Section 3.D.

6. **Landscape and Streetscape Design.** See Chapter 4, Article II, Section 4.B.5.

~~C-B. Urban Commercial District Overlay Zone:~~

1. **Intent.** The purpose of this zone overlay is to encourage the development and redevelopment of commercially-zoned parcels in a manner consistent with the pattern of development of parcels with mixed use zoning classifications.

2. **Objectives.** The objectives of this overlay zone are as follows:

a. Support and enhance revitalization efforts along the city's commercial corridors within the redevelopment areas.

b. Improve aesthetic and pedestrian streetscape environments by preventing the placement of off-street parking between the front of the building(s) and the rights-of-way.

c. Allow flexibility in architectural design and building bulk; while maximizing compatibility and harmony with adjoining development within the defined area.

3. **Defined.** The Urban Commercial District Overlay Zone (UCDOZ) is established in the city redevelopment plans as the geographical area defined by the following boundaries:

a. ~~Federal Highway Corridor Community Redevelopment Plan.~~ The boundary is the city limits to the north, the Intracoastal Waterway to the east, the city boundary to the south, and the Florida East Coast Railroad (F.E.C.) and Palm Boulevard (Northeast 4th Street) to the west. The legal description is more particularly described in Exhibit 1.1, Appendix of the Federal Highway Corridor Community Redevelopment Plan.

b. ~~The Ocean District Community Redevelopment Plan.~~ The boundary is Northeast 3rd Avenue to the north, Seacrest Boulevard to the west, F.E.C. Railroad to the east, and Southeast 2nd Avenue to the south.

c. ~~Boynton Beach Boulevard Corridor.~~ The boundary is the commercially zoned parcels located along west Boynton Beach Boulevard, east of Interstate 95, and west of Seacrest Boulevard.

4. Conflict. In the event of any conflict between the provisions of the Urban Commercial District Overlay Zone (UCDOZ) and any other sections of the Land Development Regulations, the provisions of this section shall prevail. These provisions shall not be construed to supersede any federal, state, or county laws; and/or any rezoning of lands to a mixed use zoning district.

5. Building and Site Regulations (Table 3-267). Development within this Overlay Zone shall be in accordance with building and site regulations applicable to the underlying zoning district except as follows:

BUILDING SITE REGULATIONS Urban Commercial District Overlay Zone	
Build-to line^{1,2}:	
Front (abutting any public right-of-way):	0 ft. ¹
Rear:	0 ft. ¹
Interior side:	0 ft. ¹
Minimum yard setbacks:	
Rear (abutting residential district):	30 feet
Interior side (abutting residential district):	15 feet
Maximum structure height:	Zoning ^{2,3}

¹ Buildings and structures fronting Federal Highway, or other roads described in the CRA Plan, shall be located no farther than zero (0) feet from the property line, except in conjunction with providing required visibility at intersections, driveways, open spaces and public plazas; or when additional setback is necessary to provide for required "Pedestrian Zone" (PZ). The minimum PZ is comprised of three components: 1) a five (5) foot wide street tree area, measured from the back of the curb, or future curb on roads requiring a right-of-way dedication, 2) a ten (10) foot wide sidewalk, free from obstructions, measured from the centerline of street trees, and 3) an eight (8) foot wide active area, measured from the sidewalk. The PZ components may vary in placement order only on sites with conflicting right-of-way regulations. See Section 5.C.2. below for additional relief provisions from build-to line requirements.

^{1,2} Buildings and structures shall be located no farther than zero (0) feet from the property line, excluding those instances where strict adherence hereto would cause visual obstructions to vehicular traffic, particularly within the triangular shaped area of property formed by the intersection of two (2) rights of way. Notwithstanding the required build-to line and pedestrian zone requirements, portions of buildings and structures may be constructed in excess of the distance specified above, but not to exceed 15 feet when necessary to 1) optimize landscape design; 2) maximize on-site drainage solutions; 3) accommodate architectural features and building enhancements; and/or 4) to otherwise enhance public spaces such as sidewalks, plazas, fountains, or outdoor seating areas in order to further the purpose and intent of the Overlay Zone. Major deviations from the build-to line requirement above (in excess of 15 feet) may be allowed, but only with sufficient justification and contingent upon the approval of a Community Design Appeal application (see Chapter 2, Article II, Section 4.B).

3 Shall be defined by the applicable zoning district.

6. Parking. As required by Chapter 4, Article V.

7. Miscellaneous.

a. Landscape and Streetscape Design. See Chapter 4, Article II, Section 4.B.5.

- b. **Building Location.** See Chapter 4, Article III, Section 6.
- c. ~~_____~~ e. **Shade and Shelter.** See Chapter 4, Article III, Section 6.

C. Cultural District Overlay

1. Purpose and Intent. The Cultural District Overlay (CDO) is comprised of multiple properties and a mix of zoning districts that currently accommodates residential (single-, two- and multi-family), commercial, and institutional land uses. The CRA Redevelopment Plan recommends the Mixed Use Medium Future Land Use Classification for a majority of the District, which allows a maximum density of fifty (50) dwelling units per acre. The remainder of the District is recommended for the Mixed Use High Future Land Use Classification and the corresponding maximum density of 80 dwelling units per acre. The purpose and intent of the CDO are as follows:

- a. Provide for a mix of selected commercial, residential, office, and entertainment uses and activities, with an emphasis on arts and cultural ventures that will encourage the adaptive re-use of existing buildings, restoration of historic structures, and maintain and further enhance the pedestrian scale and historic character of the area;
- b. Encourage the location of specialty retail, art related uses and entertainment establishments, along with pedestrian-friendly improvements that would complement and support relationships between the downtown district and marina / waterfront attractions to the east and the cultural / civic campus to the west;
- c. Initiate implementation of various recommendations contained within the CRA Redevelopment Plan;
- d. Stimulate greater awareness of and pride in the City's architectural, historical, and cultural heritage;
- e. Ensure that redevelopment within this area, regardless of underlying zoning district, will maintain an appropriate development scale; and
- f. Improve overall livability of the general area and enhance property values.

2. Defined. The Cultural District Overlay (CDO) shall be bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by Seacrest Boulevard, on the south by Southeast 2nd Avenue, and on the north by Northeast 1st Avenue.

3. Conflict. Unless deemed otherwise by the Planning & Zoning Administrator, in the event of any conflict between the provisions of the Cultural District Overlay Zone and any other sections of the Land Development Regulations, the provisions of this section shall prevail. These provisions shall not be construed to supersede any county, state, or federal laws.

4. Uses. Active commercial uses shall be required on the street frontage of Ocean Avenue.

- a. Uses shall be determined by the underlying zoning district, see "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D, with the exception of the following prohibited uses:

Dwelling, Single- family (detached)
Dwelling, Two-family (duplex)
Auto Broker
Automobile Rental
Automotive, Major Repair
Automotive, Minor Repair
Auto/Car Wash, Self- serve Bay
Auto Dealer, New
Auto Dealer, Used
Automotive Parts Store
Auto/Car Wash (Polishing, Waxing, Detailing)
Automotive Window Tinting/Stereo Installation/Alarms
Drive-thru facilities

Day & Trade Labor Pool (Temporary Help)
Boat Dealer/Rental
Cleaning Supply Store (Swimming Pool, Janitorial)
Convenience Store
Gasoline Station
Showroom warehouse (single-product line)
Merchandise, Used (Other)
Merchandise, New (Supercenter, Discount, Department, Club)
Home Improvement Center
Coin-operated Laundry
Funeral Home
Pet Care (Boarding and Daycare)
Cemetery
Church
Civic & Fraternal Club/ Organization
Group homes Type I, II, III, and IV
College, Seminary, University
School, Primary and Secondary
School, Industrial & Trade
Shooting Range, Indoor
Adult entertainment
Temporary employment agency
Tutoring or Testing Center
Private Parking Lots
Social service agency

b. Any other automobile-oriented uses not listed above are prohibited.

(1) An "automobile oriented use" shall be construed as a business which has a principal purpose of servicing an automobile or consists of a building type or feature which is designed for an automobile, such as drive-thru facilities.

c. Live-work units are permitted, but may not front East Ocean Avenue or Seacrest Boulevard

d. School, Professional & Technical schools are limited to those that teach the culinary and visual arts.

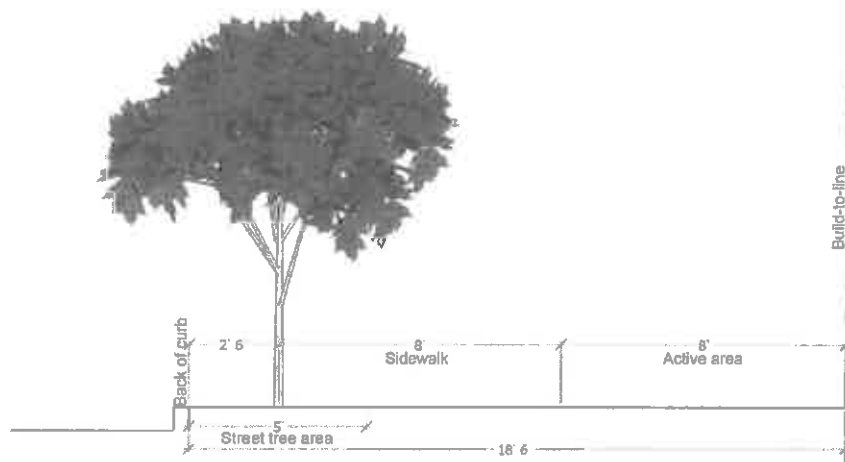
e. Additionally, no legally existing use shall be deemed non-conforming as a result of the CDO regulations.

5. Modified Building and Site Regulations. Development within this Overlay, including proposed expansions and additions to existing structures shall be in accordance with the building and site regulations as follows:

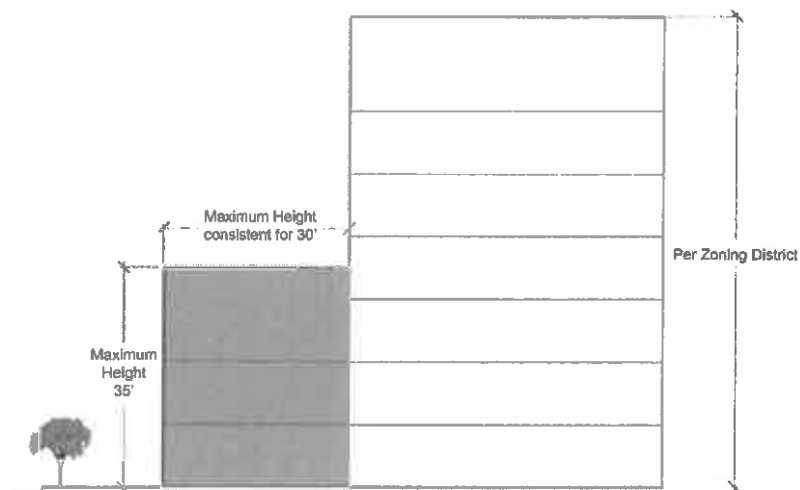
<u>MODIFIED BUILDING/SITE REGULATIONS¹</u>	
<u>Cultural District Overlay</u>	
<u>Minimum Lot Area:</u>	<u>10,000 square feet</u>
<u>Minimum Lot Frontage:</u>	<u>100 feet</u>
<u>Pedestrian zone:</u>	
<u>Minimum street tree area²:</u>	<u>5 feet</u> <u>*Measured from the back of curb</u>
<u>Minimum sidewalk width²:</u>	<u>8 feet clear</u>

	<u>*Measured from the centerline of street trees</u>
<u>Minimum active area width:</u> <u>(Applicable to Ocean Avenue, Seacrest Boulevard, NE/SE 1st Street, and NE/SE 3rd Street frontages)</u>	<u>8 feet⁶</u> <u>*Measured from edge of the sidewalk</u>
<u>Overhead utilities:</u>	<u>Must be undergrounded in conjunction with any new development or major modification of existing developments.</u>
<u>Build-to line:</u>	<u>Abuts the pedestrian zone</u>
<u>Minimum building frontage</u> <u>(Applicable to Ocean Avenue, Seacrest Boulevard, NE/SE 1st Street, and NE/SE 3rd Street frontages)</u>	<u>75% of the lot frontage must be occupied by structure adjacent to the pedestrian zone</u>
<u>Maximum structure height⁵:</u>	<u>Per Corresponding Zoning District</u>
<u>Ocean Avenue</u>	<u>35 feet consistent for a depth of a minimum of 30 feet</u>
<u>Any properties abutting or adjacent to SE 2nd Avenue</u>	<u>35 feet</u>
<u>Minimum structure height:</u> <u>Ocean Avenue</u>	<u>30 feet</u>
<u>On-street parking:</u>	<u>Required where possible</u>
<u>Minimum yard setbacks:</u>	
<u>Rear:</u>	<u>10 feet</u>
<u>Interior side:</u>	<u>0 feet⁴</u>
<u>Minimum Usable Open Space:</u>	<u>1% of lot area</u>
<u>¹ No legally existing building or structure shall be deemed non-conforming with respect to setbacks, lot coverage, or building height.</u> <u>² Sidewalks shall be constructed of Holland-stone pavers, red/charcoal color mix by Paver Systems, Inc., or equal, laid in a 45 herringbone pattern</u> <u>³ Canopy trees are required 1 per 25 feet of street frontage</u> <u>⁴ Minimum interior side setback standards may require increases when adjacent to registered historic structures</u> <u>⁵ Maximum height standards may require reductions when adjacent to registered historic structures.</u> <u>⁶ Permanent structures such as columns and walls are not permitted within the required active area. Self-supporting architectural elements such as awnings and balconies may overhang onto the active area.</u>	

Pedestrian Zone Requirements



Building Mass



6. Accessory Structures.

a. Fences:

- (1) Fences along street frontages are not permitted on East Ocean Avenue or Seacrest Boulevard.
- (2) Fences along any other street frontage shall not exceed three (3) feet in height.

- (3) Any fence that is proposed in the remainder of the District shall be decorative in nature. Walls, chain link, board on board, shadowbox, and similar types of fences are expressly prohibited.
- b. All parking, mechanical equipment, trash containers, and miscellaneous equipment shall be landscaped to be screened from view.

7. Building Design.

- a. Buildings in the Cultural District Overlay (CDO) shall reflect a Coastal Village style of architecture, consisting primarily of hip and/or gable roof, rectilinear forms with stepbacks, porches, and building articulation. This style derives its character from various elements associated with the Key West Vernacular and Bungalow styles of architecture found throughout South Florida. Overhangs for pedestrian canopies and visual interest should be incorporated whenever possible. Overhead structures, gateways, and arches, help define space, provide pedestrian comfort, and reinforce character and identity. New structures shall be constructed with the pedestrian building entries oriented towards the street and shall be sensitive to the scale, massing and design envisioned in the CRA Redevelopment Plan.
- b. Additions and Modifications to Existing Buildings. All building additions shall be sensitive to the original building design relative to the architectural style, building materials/components and treatments, and proportions.
- c. Fenestration Requirements

<u>Ground-level building facade occupied by transparent window or door openings (minimum area)</u>		
<u>Street Frontage</u>	<u>Commercial Mixed-Use Developments (%)</u>	<u>Residential Development (%)</u>
<u>Ocean Avenue</u>	<u>50²</u>	<u>30¹</u>
<u>SE 2nd Avenue</u>	<u>30</u>	
<u>Seacrest Boulevard</u>	<u>50²</u>	
<u>NE/SE 1st Street</u>	<u>50²</u>	
<u>NE/SE 3rd Street</u>	<u>50²</u>	
<u>NOTES:</u>		
<u>1. These standards also apply to any portion of a ground-level facade facing a courtyard or patio.</u>		
<u>2. To count toward this transparency requirement, a window or door opening must have a maximum sill height of 2 feet above grade and a minimum head height of 6 feet, 8 inches above grade.</u>		

- (1) Any transparent window and door openings occupying a ground-level street-facing building facade shall comply with the following standards:
- The opening shall be filled with glazing that has a minimum visible light transmittance of 75 percent and a maximum reflectance of 15 percent.
 - The opening shall be designed to allow view of an interior space at least five feet deep (e.g., transparent openings may include traditional storefront display windows, but not merely glass display cases). The view into a commercial use shall not be permanently obstructed by screens, shades, shutter, or opaque films applied to the glazing.

8. Parking.

- a. Minimum Number of Required Spaces. The minimum number of required off-street parking spaces shall be calculated in accordance with Chapter 4, Article V, Section 2 ; however, the total number of required spaces may be reduced by up to fifty percent (50%) for all new developments, excluding residential projects. When two (2) or more adjacent property owners combine their off-street parking in accordance with the code and construct a shared parking facility with common access drives, the total number of required off-street parking spaces may be reduced by an additional ten percent (10%).
- b. Allowable Location of Off-Street Parking Spaces.
 - (1) The intent of the CDO is to screen off-street parking areas from abutting rights-of-way and locate buildings along front and side corner property lines. Therefore, on-site parking areas shall be located within rear and side interior yards for all new projects and those in which parking areas would be altered to accommodate a proposed building renovation or expansion.
 - (2) Existing parking areas for existing developments may remain if the spaces are unaltered as part of any building renovation or expansion. In these instances, the existing off-street parking area shall be substantially screened from off-premises by a hedge, decorative fencing, arcades, or a combination thereof, provided that such proposal remains consistent with the intent of the CDO, and to the standards of the urban landscape code to the maximum extent possible. Any deviation from the above standards would require the approval of a waiver in accordance with Chapter 2, Article II, Section 4.E.
 - (3) If one hundred percent (100%) of the required off-street parking spaces cannot be provided on-site, they may be provided at an off-site location provided the following conditions are met: 1) the proposed location is not farther than five hundred (500) feet from the subject property as measured by a straight line from a point on the boundary of the property to the closest boundary line of the property to be leased (distances for municipal projects may be greater in conjunction with an overall or downtown parking strategy); and 2) the off-site location is owned or leased by the owner or operator of the subject business or property owner. Any lease agreement must be approved by the City Commission. The parent business property shall be posted with signage indicating the location of the off-site parking spaces. All spaces provided by the property/business owner on and off-site shall be maintained as unreserved, unrestricted parking available to the public, except designated handicap spaces required by law.
- c. Exceptions to Providing Required Parking. See Chapter 4, Article V, Section 4.A. for additional provisions regarding exceptions to providing required off-street parking.

9. Signage and Exterior Lighting Standards.

- a. Signs allowed within the Cultural District Overlay shall be externally illuminated only, and be limited to -wall mounted, and projecting signs.
- b. The size of wall mounted signs shall be calculated at one-half (0.5) square foot of sign area per one (1) lineal foot of building frontage measured along the main building entrance.
- c. Projecting signs are only permitted on the first floor. Projecting signs and mounting brackets shall be decorative in nature, and the sign face shall not exceed five (5) square feet in size.
- d. Undercanopy signs are permitted one per doorway and shall not exceed 3 square feet each. All undercanopy signs must have a minimum clearance of 8'
- e. A-frame signs are permitted only within required active areas when included and reviewed as a part of an overall Sign Program.
- f. Prohibited sign types: Freestanding signs, roof mounted signs, any signs above 35 feet (first 3 stories), animated, or moving signs, and all other signs prohibited by Code.
- g. All Mixed-use developments are required to provide a plan for parking signage to maximize awareness of and access to public parking locations.
- h. General lighting of the site shall harmonize with and blend into residential/mixed use environment. Ground lighting and up lighting of the building and landscaping is encouraged.

However, when the use of pole lighting is necessary, the fixture height shall not exceed fifteen (15) feet, be decorative in nature and compatible with the color and architecture of the building.

- i. These standards exclude municipal signage designed to promote or represent a greater signage plan or branding initiative.

~~D. Ocean Avenue Overlay Zone (OAOZ).~~

~~1. Purpose and Intent. The Ocean Avenue Overlay Zone (OAOZ) is comprised of multiple properties containing varying future land use map (FLUM) classifications and zoning districts. As such, the densities of developments shall correspond with the respective FLUM classifications. For new developments however, the maximum allowable density shall be eleven (11) dwelling units per acre for projects on properties with single lot depth. Up to twenty (20) dwelling units per acre may be allowed for when reclassifying lots with double depth to mixed use (MX), and where such project creates a through lot between two (2) or more streets. The purpose and intent of the OAOZ are as follows:~~

~~a. Provide for a mix of selected commercial, residential, office, and entertainment activities, with an emphasis on arts and cultural ventures that will encourage the adaptive re-use of existing buildings, restoration of historic structures, and maintain and further enhance the pedestrian and historic scale of the area;~~

~~b. Encourage the location of specialty retail, artist related uses and entertainment establishments in concentrations that will enable and encourage pedestrian movements between businesses, and between the marina / waterfront attractions to the east and the cultural / civic activities to the west;~~

~~c. Initiate implementation of various recommendations contained within approved redevelopment plans;~~

~~d. Stimulate greater awareness and pride in the City's architectural, historical, and cultural heritage; and~~

~~e. Improve overall livability of the general area and stabilize and improve property values.~~

~~2. Defined. The Ocean Avenue Overlay Zone (OAOZ) shall be bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by Seacrest Boulevard, on the south by Southeast 1st Avenue, and on the north by Northeast 1st Avenue, except between Northeast 1st Street and Northeast 3rd Street, the north boundary shall be the alley between Northeast 1st Avenue and Boynton Beach Boulevard.~~

~~3. Conflict. In the event of any conflict between the provisions of the Ocean Avenue Overlay Zone and any other sections of the Land Development Regulations, the provisions of this section shall prevail. These provisions shall not be construed to supersede any federal, state, or county laws; and/or any rezoning of lands to a mixed-use zoning district.~~

~~4. Uses Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D. Additionally, no existing use shall be deemed non-conforming.~~

~~5. Building and Site Regulations (Table 3-27). Development within this Overlay Zone, including proposed expansions and additions to existing structures shall be in accordance with the building and site regulations as follows:~~

BUILDING/SITE REGULATIONS Ocean Avenue Overlay Zone¹	
(Single Lot Depth)	
Minimum lot area:	5,000 s.f.
Minimum lot frontage:	50 feet
Build to line:	-
— Front:	5 ft — 15 ft²
— Corner side:	5 ft — 15 ft²
Minimum yard setbacks:	-
— Rear:	10 feet

— Abutting: Residential district:	20 feet ³
— Interior side:	7.5 feet ⁴
— Abutting: Historic structures:	10 feet
Maximum lot coverage:	65%
Maximum structure height:	35 feet ⁵
(Double Lot Depth)	
All new developments with double lot depth shall be constructed in accordance with the mixed-use low intensity (MU-L1) zoning district building and site regulation Table 3-21 in Section 5.C. above, except as contained herein. See "Single Lot Depth" above for all proposed expansions or additions to existing structures.	
Maximum structure height:	35 feet ⁵

³—No existing building or structure shall be deemed non-conforming with respect to setbacks, lot coverage, or building height.

⁴—A paver plaza or "streetscape" design shall be required within the reduced building setback area where buildings are constructed in excess of five (5) feet from the property line.

⁵—Excluding property boundaries that abut rights of way. In these instances, the required setback shall be 10 feet.

⁴—The minimum side interior setback shall be five (5) feet for lots with 50 feet of frontage (but less than 75 feet).

⁵—Not to exceed three (3) stories.

~~— 6. Accessory Structures.~~

~~— a. Fences along the front of the property are discouraged. Any fence that is proposed however, shall be decorative in nature, opaque, and not exceed three (3) feet in height. Walls, chain link, board on board, shadowbox, and similar types of fences are expressly prohibited.~~

~~— b. All parking, mechanical equipment, trash containers, and miscellaneous equipment shall be landscaped to be screened from view.~~

~~— 7. Parking.~~

~~— a. Minimum Number of Required Spaces. The minimum number of required off-street parking spaces shall be calculated in accordance with Chapter 4, Article V, Section 2 above; however, the total number of required spaces may be reduced by up to fifty percent (50%) for all new developments, excluding multi-family residential projects. When two (2) or more adjacent property owners combine their off-street parking in accordance with the code and construct a shared parking facility with common access drives, the total number of required off-street parking spaces may be reduced by an additional ten percent (10%).~~

~~— b. Allowable Location of Off-Street Spaces.~~

~~— (1) The intent of the OAOZ is to screen off-street parking areas from abutting rights of way and locate buildings along front and side corner property lines. It is therefore, a requirement to locate off-street parking areas within rear and side interior yards for all new projects and those in which parking areas would be altered to accommodate a proposed building renovation or expansion. Only existing parking areas for existing developments may remain if the spaces are unaltered as part of any building renovation or expansion. In these instances, the existing off-street parking area shall be substantially screened from off-premises by a hedge, decorative fencing, or a combination thereof, provided that such hedge and/or fencing would be compliant with the intent of the OAOZ, and to the standards of the urban landscape code to the maximum extent possible. Any deviation from the above standards would require the approval of a waiver in accordance with Chapter 2, Article II, Section 4.E.~~

~~— (2) If one hundred percent (100%) of the required off-street parking spaces cannot be provided on-site, they may be provided at an off-site location provided the following conditions are met: 1) the proposed location is not farther than five hundred (500) feet from the subject property as measured by a straight line from a point on the boundary of the property to the closest boundary line of the property to be leased; and 2) the off-site location is owned or leased by the owner or operator of the subject business or property owner. Any lease agreement must be approved by the City Commission. The parent business property shall be posted with signage indicating the location of the off-site parking spaces. All spaces provided by the property/business owner on and off-site shall be maintained as unreserved, unrestricted parking available to~~

the public, except designated handicap spaces required by law.

~~— e. Exceptions to Providing Required Parking. See Chapter 4, Article V, Section 4.A. for additional provisions regarding exceptions to providing required off street parking.~~

~~— 8. Landscape and Streetscape Design. See Chapter 4, Article II, Section 4.B.5. for additional regulations regarding required landscaping and streetscape design.~~

~~— 9. Building Design.~~

~~— a. New Buildings. All new buildings used for non-residential purposes shall be designed to be residential in character. The building design is encouraged to utilize sloped roofs, gables, porches, residential style windows and other elements normally associated with the typical frame vernacular buildings found in the City and throughout South Florida, and those of historic structures anticipated to be relocated to the area. New structures shall be constructed with the building entry oriented towards the street and shall be sensitive to the scale, massing and design envisioned in the Downtown Master Plan.~~

~~— b. Additions to Existing Buildings and Structures. All building additions shall be sensitive to the original building design relative to the architectural style, building materials/components and treatments, and proportions. Original materials and details, as well as distinctive form and scale features, which contribute to the character of the building and/or surroundings, shall be preserved to the maximum extent feasible. Rehabilitation work shall not destroy the distinguishing quality or character of the property or its environment.~~

~~— For historic structures, any new additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the structure. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic structure and its environment would be unimpaired.~~

~~— 10. Signage and Exterior Lighting Standards.~~

~~— a. Signs allowed within the Ocean Avenue Overlay Zone shall be externally illuminated only, and consist of the prototypical monument sign designed for the area, wall mounted, and/or a projecting sign.~~

~~— b. The size of wall mounted signs shall be calculated at one half (0.5) square foot of sign area per one (1) lineal foot of building frontage measured along the main building entrance.~~

~~— c. Projecting signs and mounting brackets shall be decorative in nature, and the sign face shall not exceed six (6) square feet in size.~~

~~— d. General lighting of the site shall harmonize with and blend into residential/mixed use environment. Ground lighting and up lighting of the building and landscaping is encouraged. However, when the use of pole lighting is necessary, the fixture height shall not exceed fifteen (15) feet, be decorative in nature and compatible with the color and architecture of the building.~~

D. Boynton Beach Boulevard Overlay (BBBO)

1. Purpose and Intent. The Boynton Beach Boulevard Overlay (BBBO) is comprised of multiple properties and a mix of zoning districts that currently accommodates primarily commercial, residential, and institutional land uses. The CRA Redevelopment Plan recommends the Mixed Use Low, Mixed Use Medium, and Mixed Use High Future Land Use Classification along Boynton Beach Boulevard, increasing in intensity as the Downtown District is approached. The purpose and intent of the BBBO are as follows:

- a. Provide for a mix of selected commercial, residential, and office uses, with an emphasis on employment and entertainment uses that will encourage redevelopment of underutilized property and enhance the pedestrian scale and character of the area;
- b. The western area is to act as a welcoming and attractive entry to the City, while the eastern area is to act as the entry to the City's Downtown District;
- c. Encourage the location of restaurant, retail, office, and entertainment establishments, along with pedestrian-friendly improvements that would complement and support the Downtown.

- d. Continue implementation of various recommendations contained within CRA Redevelopment Plan.
 - e. Ensure that redevelopment within this area, regardless of underlying zoning district, will maintain a consistent character; and
 - f. Improve overall livability of the general area and enhance property values.
- 2. **Defined.** The Boynton Beach Boulevard Overlay (BBBO) shall be bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by NW 5th Street, further by Interstate 95, on the south by NE and NW 1st Avenue, and on the north by NE 3rd Avenue and NW 3rd Court.
- 3. **Conflict.** Unless deemed otherwise by the Planning & Zoning Director, in the event of any conflict between the provisions of the Boynton Beach Boulevard Overlay and any other sections of the Land Development Regulations, the provisions of this section shall prevail. These provisions shall not be construed to supersede any federal, state, or county laws
- 4. **Uses:** Active commercial uses shall be required on the street frontage of Boynton Beach Boulevard.
 - a. Uses shall be determined by the underlying zoning district, see "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D, with the exception of the following prohibited uses:
 - Accessory Dwelling Unit
 - Dwelling, Single- family (detached)
 - Dwelling, Two-family (duplex)
 - Auto Broker
 - Automobile Rental
 - Automotive, Major Repair
 - Automotive, Minor Repair
 - Auto Dealer, New
 - Auto Dealer, Used
 - Automotive Parts Store
 - Auto/Car Wash, Self- serve Bay
 - Auto/Car Wash (Polishing, Waxing, Detailing)
 - Automotive Window Tinting/Stereo Installation/Alarms
 - Drive-thru facilities
 - Day & Trade Labor Pool (Temporary Help)
 - Boat Dealer/Rental
 - Cleaning Supply Store (Swimming Pool, Janitorial)
 - Convenience Store
 - Gasoline Station
 - Furniture & Home furnishing, unless integrated into a mixed use development
 - Showroom warehouse (single-product line)
 - Merchandise, Used (Other)
 - Merchandise, New (Supercenter, Discount, Department, Club)
 - Home Improvement Center
 - Coin-operated Laundry
 - Funeral Home
 - Pet Care (Boarding and Daycare)
 - Cemetery
 - Church

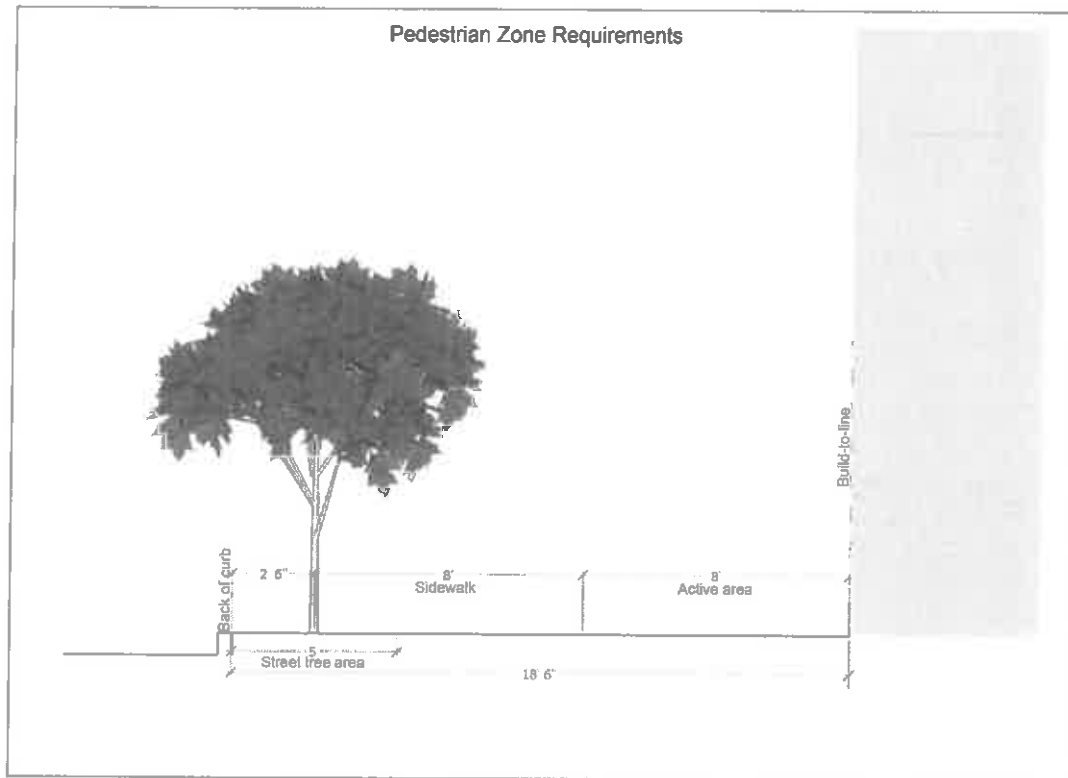
Civic & Fraternal Club/ Organization
Group homes Type I, II, III, and IV
College, Seminary, University
School, Primary and Secondary
School, Industrial & Trade
Shooting Range, Indoor
Adult entertainment
Temporary employment agency
Social service agency
All Industrial Uses

- b. Any other automobile-oriented use not listed above are prohibited.
- (1) An "automobile oriented use" shall be construed as a business which has a principal purpose of servicing an automobile or consists of a building type or feature which is designed for an automobile.
- c. Live-work units are permitted, but may not front Boynton Beach Boulevard or Seacrest Boulevard.
- d. Additionally, no legally existing use shall be deemed non-conforming as a result of the BBBO regulations.

5. Modified Building and Site Regulations.

<u>MODIFIED BUILDING/SITE REGULATIONS¹</u> <u>Boynton Beach Boulevard Overlay Zone</u>	
<u>Minimum Lot Area:</u>	<u>0.75 acre</u>
<u>Minimum Lot Frontage:</u> <u>Boynton Beach Boulevard</u>	<u>100 feet</u> <u>150 feet</u>
<u>Pedestrian zone:</u>	
<u>Minimum street tree area³:</u>	<u>5 feet</u> <u>*Measured from the back of curb</u>
<u>Minimum sidewalk width²:</u>	<u>8 feet clear</u> <u>*Measured from the centerline of street trees</u>
<u>Minimum active area width:</u> <u>(Applicable to Boynton Beach Boulevard and Seacrest Boulevard street frontages)</u>	<u>8 feet⁴</u> <u>*Measured from edge of the sidewalk</u>
<u>Overhead utilities:</u>	<u>Must be undergrounded in conjunction with any new development or major modification of existing developments.</u>
<u>Build-to line:</u>	<u>Abuts the pedestrian zone</u>
<u>Minimum building frontage:</u> <u>(Applicable to Boynton Beach Boulevard, Seacrest Boulevard)</u>	<u>75% of the lot frontage must be occupied by structure adjacent to the pedestrian zone</u>
<u>Maximum structure height:</u>	<u>Per Corresponding Zoning District</u>
<u>Boynton Beach Boulevard</u>	<u>45 feet</u>

	<u>Any additional height permitted by the zoning districts must be stepped back proportionately to the overall height, a minimum of 10' and for every 50 feet above 45 feet in height⁶ an additional 10 feet setback is required.</u>
<u>Minimum structure height:</u>	<u>30 feet</u>
<u>On-street parking:</u>	<u>Required where possible</u>
<u>Minimum yard setbacks:</u>	
<u>Rear:</u>	<u>10 feet</u>
<u>Abutting NW 1st Avenue, NE 3rd Avenue, NW 3rd Avenue:</u>	<u>20 feet</u> <u>The rear property line shall contain a continuous vegetative buffer.</u>
<u>Interior side:</u>	<u>0 feet</u>
<u>Minimum Usable Open Space:</u>	<u>1% of lot area</u>
¹ <u>No legally existing building or structure shall be deemed non-conforming with respect to setbacks, lot coverage, or building height.</u> ² <u>Sidewalks shall be constructed of Holland-stone pavers, red/charcoal color mix by Paver Systems, Inc., or equal, laid in a 45 herringbone pattern.</u> ³ <u>Canopy trees are required 1 per 25 feet of street frontage.</u> ⁴ <u>Permanent structures such as columns and walls are not permitted within the required active area. Self-supporting architectural elements such as awnings and balconies may overhang onto the active area.</u>	



6. Accessory Structures.

a. Fences:

- (1) Fences along street frontages are not permitted on Boynton Beach Boulevard or Seacrest Boulevard.
- (2) Fences along any other street frontages shall not exceed three (3) feet in height.
- (3) Any fence that is proposed in the remainder of the District shall be decorative in nature.
Walls, chain link, board on board, shadowbox, and similar types of fences are prohibited.

- b. All parking, mechanical equipment, trash containers, and miscellaneous equipment shall be landscaped to be screened from view.

7. Building Design.

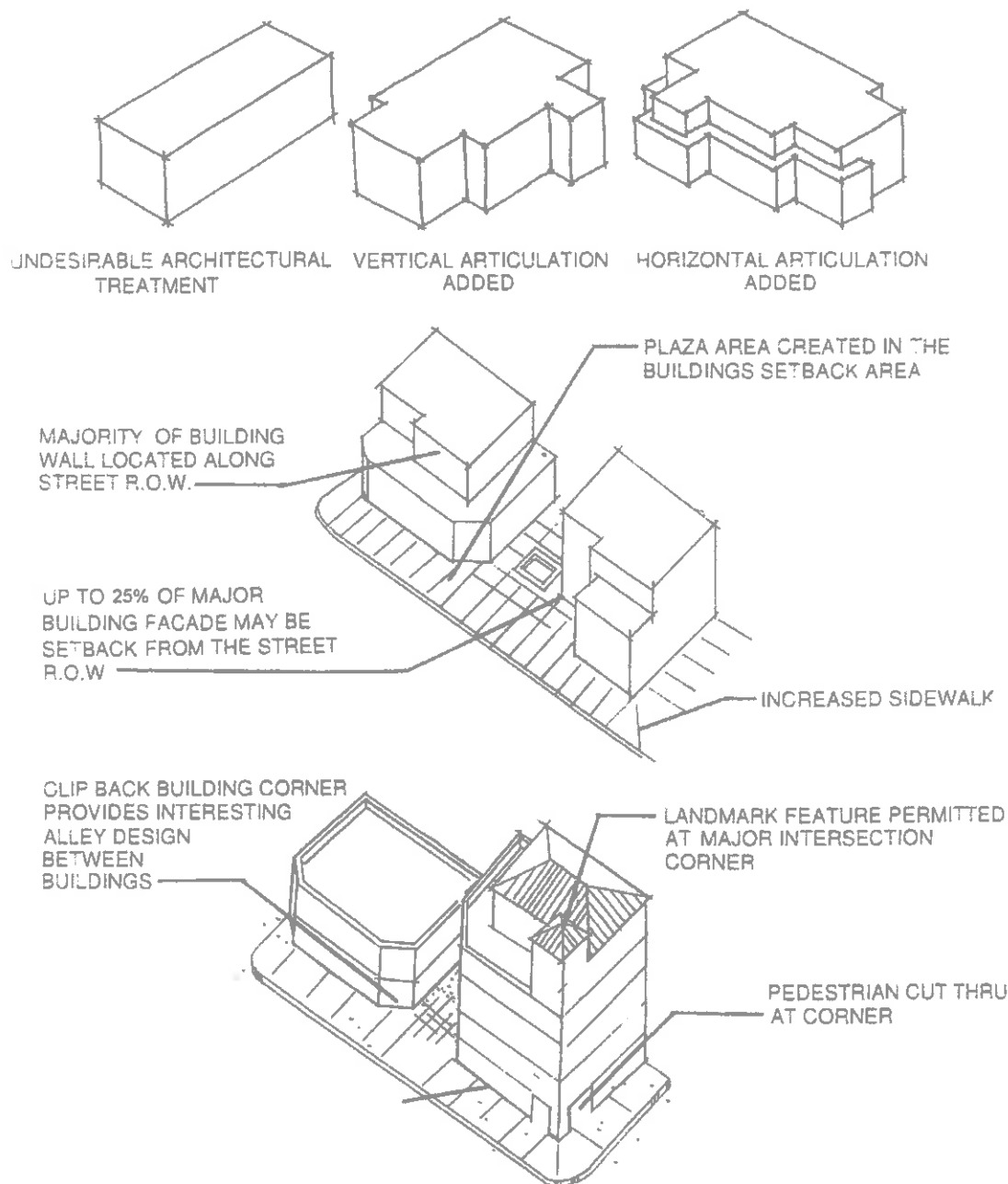
- a. Building orientation. Lots with frontage on Boynton Beach Boulevard must orient structures to Boynton Beach Blvd. The main pedestrian entry, or front door, must be fronting Boynton Beach Boulevard.
- b. Boynton Beach Boulevard and Seacrest Boulevard shall have maximized glazing on first floors.

<u>Fenestration Requirements</u>		
<u>Ground-level building facade occupied by transparent window or door openings (minimum area)</u>	<u>Commercial Mixed-Use Developments (%)</u>	<u>Residential Development (%)</u>
<u>Boynton Beach Boulevard</u>	<u>50²</u>	<u>30¹</u>
<u>Seacrest Boulevard</u>	<u>50²</u>	

NOTES:

1. These standards also apply to any portion of a ground-level facade facing a courtyard or patio.
2. To count toward this transparency requirement, a window or door opening must have a maximum sill height of 2 feet above grade and a minimum head height of 6 feet, 8 includes above grade.

- c. Any transparent window and door openings occupying a ground-level street-facing building facade shall comply with the following standards:
 - (1) The opening shall be filled with glazing that has a minimum visible light transmittance of 75 percent and a maximum reflectance of 15 percent.
 - (2) The opening shall be designed to allow view of an interior space at least five feet deep (e.g., transparent openings may include traditional storefront display windows, but not merely glass display cases). The view into a commercial use shall not be permanently obstructed by screens, shades, shutter, or opaque films applied to the glazing.
- d. Building Wall Articulation.
 - a. Vertical articulation. Walls shall be offset by a minimum depth of two (2) feet once every fifty (50) linear feet.
 - b. Horizontal Articulation. Buildings shall step-back a minimum of ten (10) feet once the structure reaches forty-five (45) feet in height. Buildings must step back an additional ten (10) feet for every additional fifty (50) feet in height; the additional required step-backs may be dispersed in varying offsets.



(Figure D.7.b.1)

8. Parking.

- a. Minimum Number of Required Spaces. The minimum number of required off-street parking spaces shall be calculated in accordance with Chapter 4, Article V, Section 2
- b. Allowable Location of Off-Street Parking Spaces.
 - (1) The intent of the BBBO is to screen off-street parking areas from abutting rights-of-way and locate buildings along front and side corner property lines. Therefore, on-site parking shall be located within rear and side interior yards for all new projects and those in which parking areas would be altered to accommodate a proposed building renovation or expansion.
 - (2) Existing parking areas for existing developments may remain if the spaces are unaltered as part of any building renovation or expansion. In these instances, the existing off-street parking area shall be substantially screened from off-premises by a hedge, decorative fencing, arcades,

or a combination thereof, provided that such proposal remain consistent with the intent of the BBBO, and to the standards of the urban landscape code to the maximum extent possible. Any deviation from the above standards would require the approval of a waiver in accordance with Chapter 2, Article II, Section 4.E.

- c. Exceptions to Providing Required Parking. See Chapter 4, Article V, Section 3 & 4 for additional provisions regarding exceptions to providing required off-street parking.

9. Signage and Exterior Lighting Standards.

- a. Signs permitted within the Boynton Beach Boulevard Overlay shall be externally illuminated only, and consist of wall mounted, and/or a projecting sign.
- b. The size of wall mounted signs shall be calculated at one (1) square foot of sign area per one (1) lineal foot of building frontage measured along the main building entrance.
- c. Projecting signs are only permitted on the first floor. Projecting signs and mounting brackets shall be decorative in nature, and the sign face shall not exceed nine (9) square feet in size.
- d. Undercanopy signs are permitted one per doorway and shall not exceed 3 square feet each. All undercanopy signs must have a minimum clearance of 8'
- e. Properties with over 250 feet of linear street frontage on Boynton Beach Boulevard are permitted one monument sign with a maximum height of five (5) feet, a maximum depth of eighteen (18) inches, and a maximum area of forty (40) square feet. Monuments signs shall be oriented perpendicular to the street.
- f. Prohibited sign types: Freestanding signs, roof mounted signs, any signs above 40 feet (first four (4) stories), animated, or moving signs, and all other signs prohibited by Code.
- g. All Mixed-use developments are required to provide a plan for parking signage to maximize awareness of and access to public parking locations.
- h. General lighting of the site shall harmonize with and blend into residential/mixed use environment. Ground lighting and up lighting of the building and landscaping is encouraged. However, when the use of pole lighting is necessary, the fixture height shall not exceed fifteen (15) feet, be decorative in nature and compatible with the color and architecture of the building.

E-C. Downtown Transit-Oriented Development District (DTODD) Overlay Zone:

1. **Intent.** This overlay zone implements Policy No. 1.18.1 of the Comprehensive Plan's future land use element which establishes the DTODD to improve land development patterns around the future station of the planned commuter service. The overlay's zone's features further enhance the vision embodied by mixed-use zoning districts with increased density and intensity as well as strong emphasis on interconnectivity throughout the area.

2. **Defined.** The DTODD Overlay Zone coincides with the Station Area of a one-half (½) mile radius around the intersection of Ocean Avenue and the Florida East Coast rail corridor, which is the anticipated location of the Downtown Boynton Beach Station for the planned commuter Tri-Rail Coastal Link service on the FEC Corridor.

3. **General.** See additional standards and requirements for mixed-use (urban) districts based on the proximity to the planned train station in Chapter 3, Article III, Section 5.A.

4. **Use(s) Allowed.** For the DTODD, allowed uses are based on the underlying zoning district. See "Use Matrix," Table 3-28 in Chapter 3, Article IV, Section 3.D.

5. **Building and Site Regulations.** See Chapter 3, Article III, Section 5.C.

6. **Additional Standards.** See Chapter 4, Article III, Section 6.H. for additional standards related to urban design and building location for properties located within the transit core of the Station Area.

(Ord. 10-025, passed 12-7-10; Am. Ord. 11-002, passed 3-1-11; Am. Ord. 12-016, passed 10-2-12; Am. Ord. 15-006, passed 3-2-15; Am. Ord. 17-023, passed 9-19-17)

Sec. 9. Penalties.

The city or any other legal authority shall enforce any violation of this article pursuant to the penalty provisions contained in Chapter 1, Article I, Section 7 of these Land Development Regulations.
(Ord. 10-025, passed 12-7-10)

Article IV. Use Regulations

...

D. Use Matrix (Table 3-28).

Footnotes

18. Cultural District ~~Ocean Avenue Overlay Zone~~.

a. This use is allowed in this zoning district only when proposed on a lot located within the Cultural District ~~Ocean Avenue Overlay Zone (CDOOAOZ)~~.

~~b. Any proposed non residential use that would abut a side property line of a residential use located on Northeast 1st Avenue or Southeast 1st Avenue requires conditional use approval.~~

~~c. Any allowable use is considered permitted by right, provided that it is proposed on property with frontage on Ocean Avenue; otherwise conditional use approval shall be required. Additionally, no existing uses shall be deemed non-conforming.~~

~~bd. Schools, Professional and Technical schools allowed in the CDO OAOZ are limited to those that teach the culinary and visual arts.~~

19. General Note. This use shall be prohibited on the ground level of buildings located on lots that front on Ocean Avenue located within the ~~Cultural District Ocean Avenue Overlay Zone~~.

~~20. General Note. This use is allowed as an accessory use to any lawful Arts Campus located within the Cultural District Ocean Avenue Overlay Zone.~~

Chapter 4. Site Development Standards

Article V. Minimum Off-Street Parking Requirements

...

Sec. 3. Special Reductions in Required Off-Street Parking

F. ~~Cultural District Ocean Avenue Overlay Zone~~. See Chapter 3, Article III, Section 8.D. for additional off-street parking provisions regarding the Cultural District Ocean Avenue Overlay Zone.

Sec. 4. Exceptions to Providing Required Off-Street Parking.

A. Adaptive Re-Use.

1. Applicability. The following described areas shall be eligible for specific parking reductions based upon adaptive re-use, including modifications, of existing buildings:

- a. Cultural District Ocean Avenue Overlay Zone (CDOOAOZ), as defined in Chapter 3, Article III, Section 8.D.
- b. No additional parking shall be required where:
 - (1) The structure is enlarged in a manner not exceeding a cumulative total of one hundred percent (100%) of the existing gross floor area; or
 - (2) The capacity of the structure is increased by adding subordinate dwelling units or floor area within the existing building envelop; or
 - (3) The use of a structure is changed; or
 - (4) The number of seats for eating and drinking establishments is increased by up to fifty percent (50%) of the existing total or up to forty (40) seats are provided where the previous use had none.