

ORDINANCE NO. 04-2018

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE ZONING CODE WHICH IS LOCATED IN CHAPTER 78; PROVIDING FOR THE AMENDMENT OF ARTICLE I PERTAINING TO DEFINITIONS; PROVIDING FOR AMENDMENTS TO ARTICLE III TO CREATE SECTION 78-83, TO BE ENTITLED THE "MIXED USE DISTRICT" AND SECTION 78-84, TO BE ENTITLED THE "FEDERAL HIGHWAY MIXED USE DISTRICT OVERLAY"; PROVIDING FOR THE AMENDMENT OF THE ZONING MAP TO REZONE PARCELS FROM C1, C-1/PUD, C-1B, R-1, R-1A, R-2, PUBLIC AND R-2A TO A "MIXED USE DISTRICT" WITH A "FEDERAL HIGHWAY MIXED-USE DISTRICT OVERLAY" ADOPTED BY REFERENCE IN TOWN CODE SECTION 78-32; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission has adopted general provisions pertaining to land development and zoning, which have been codified in Chapter 78 of the Code of Ordinances of the Town of Lake Park; and

WHEREAS, the Town's Community Development Department has recommended the creation of a Mixed Use District in Town Code Section 78-83 along with the creation of a Federal Highway Mixed Use District Overlay in Town Code Section 78-84 to promote mixed use development initiatives; and

WHEREAS, the Town's Community Development Department has recommended modifications to the definitions in Town Code Section 78-2; and

WHEREAS, the Town's Community Development Department has recommended the rezoning of certain parcels within the recommended Federal Highway Mixed Use District Overlay to be rezoned from C-1, C-1/PUD, C-1B, R-1, R-1A, R-2 and R-2A zoning district to Mixed Use District with a Federal Highway Mixed Use District Overlay as identified and legally described in Exhibit 'A'; and

WHEREAS, the Town's Planning and Zoning Board has reviewed the proposed amendments to the Town Code and rezoning of parcels and has provided its recommendation of approval to the Town Commission; and

WHEREAS, the Town Commission has determined that the amendments to the Town Code and the rezoning of parcels would not be adverse to the health, safety and general welfare of the residents of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The whereas clauses are incorporated herein as true and correct and as the legislative findings of the Town Commission.

Section 2. Chapter 78, Article I, Section 78-2, entitled "Definitions" is hereby amended and enclosed as Exhibit 'B'.

Section 3. Chapter 78, Article II, Section 78-32 hereby amends the Zoning Map adopted by reference by rezoning the parcels legally described in Exhibit 'A'.

Section 4. Chapter 78, Article III, Section 78-83 hereby creates the Mixed Use (MU) district enclosed as Exhibit 'B'.

Section 5. Chapter 78, Article III, Section 78-84 of the Code hereby creates the Federal Highway Mixed Use District Overlay (FHMUDO) enclosed as Exhibit 'B'.

Section 6. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 7. **Repeal of Laws in Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 8. **Codification.** The sections of the Ordinance may be made a part of the Town Code of Laws and Ordinances and may be renumbered or relettered to accomplish such, and the word “ordinance” may be changed to “section,” “article,” or any other appropriate word.

Section 9. **Effective Date.** This Ordinance shall take effect upon execution.

Upon First Reading this 7 day of February, 2018, the foregoing Ordinance was offered by Vice-Mayor Glas-Castro, who moved its approval. The motion was seconded by Commissioner Michaud, and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER ANNE LYNCH	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____

PUBLISHED IN THE PALM BEACH POST THIS 13 DAY OF April, 2018

Upon Second Reading this 18 day of April, 2018, the foregoing Ordinance, was offered by Vice-Mayor Glas-Castro, who moved its adoption. The motion was seconded by Commissioner Flaherty, and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER ANNE LYNCH	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____

The Mayor thereupon declared **Ordinance No.** 04-2018 duly passed and adopted this 18 day of April, 2018.

TOWN OF LAKE PARK, FLORIDA

BY: [Signature]
Mayor, Michael O'Rourke

ATTEST:

[Signature]
TOWN OF LAKE PARK
Town Clerk, Vivian Mendez
(Town Seal)

Approved as to form and legal sufficiency:

[Signature]
Town Attorney, Thomas J. Baird

FLORIDA

EXHIBIT 'A'

LEGAL DESCRIPTION

MIXED USE DISTRICT (with Federal Highway Mixed Use District Overlay)

PORTIONS OF SECTION 21, TOWNSHIP 42 SOUTH, RANGE 43 EAST, LYING WITHIN THE TOWN OF LAKE PARK, PALM BEACH COUNTY, FLORIDA. SAID PORTIONS BEING BOUNDED ON THE SOUTH BY THE CENTERLINE OF SILVER BEACH ROAD (SOUTH LINE OF SAID SECTION 21), ON THE WEST BY THE CENTERLINE OF 2ND STREET, ON THE EAST BY THE CENTERLINE OF LAKESHORE DRIVE AND THE EAST LINE OF THE SEAWALL CAP AT THE SOUTHWEST CORNER OF THE LAKE PARK MARINA AND ON THE NORTH BY THE CENTERLINE OF PALMETTO DRIVE, SAID BOUNDED AREA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT OF INTERSECTION OF SAID 2ND STREET CENTERLINE AND SAID SILVER BEACH ROAD CENTERLINE (SOUTH LINE OF SAID SECTION 21); THENCE NORTHERLY ALONG SAID 2ND STREET CENTERLINE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF EAST KALMIA DRIVE; THENCE EASTERLY ALONG SAID EAST KALMIA DRIVE CENTERLINE TO A POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 18, BLOCK 44, LAKE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 35 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTHERLY ALONG SAID SOUTHERLY EXTENSION AND SAID WEST LINE TO NORTHWEST CORNER OF SAID LOT 18, ALSO BEING THE SOUTHEAST CORNER OF LOT 2 OF SAID BLOCK 44; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT 2 TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT 2 AND THE NORTHERLY PROLONGATION THEREOF TO A POINT OF INTERSECTION WITH THE CENTERLINE OF PALMETTO DRIVE; THENCE SOUTHEASTERLY ALONG SAID PALMETTO DRIVE CENTERLINE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF LAKE SHORE DRIVE; THENCE SOUTHERLY ALONG SAID LAKE SHORE DRIVE CENTERLINE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF GREENBRIAR DRIVE; THENCE WESTERLY ALONG SAID GREENBRIAR DRIVE CENTERLINE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF FEDERAL HIGHWAY / U.S. 1 (STATE ROAD NO. 5); THENCE SOUTHERLY ALONG SAID FEDERAL HIGHWAY / U.S. 1 (STATE ROAD NO. 5) CENTERLINE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF FORESTERIA DRIVE; THENCE EASTERLY ALONG SAID FORESTERIA DRIVE CENTERLINE TO A POINT OF INTERSECTION WITH SAID LAKE SHORE DRIVE CENTERLINE; THENCE SOUTHERLY ALONG SAID LAKE SHORE DRIVE CENTERLINE TO A POINT OF INTERSECTION WITH THE WESTERLY PROJECTION OF THE NORTH LINE OF THE EAST-WEST EXISTING SEAWALL CAP ON THE SOUTH SIDE OF THE BOAT RAMP AT THE SOUTHWEST CORNER OF THE LAKE PARK MARINA; THENCE EASTERLY, ALONG SAID NORTH LINE TO A POINT OF INTERSECTION WITH THE EAST LINE OF THE EXISTING NORTH-SOUTH SEAWALL CAP; THENCE SOUTHERLY, ALONG SAID EAST LINE TO A POINT ON THE SOUTH LINE OF SAID SECTION 21 AND THE EASTERLY PROJECTION OF SAID SILVER BEACH ROAD CENTERLINE; THENCE WESTERLY ALONG SAID EASTERLY PROJECTION, SAID SOUTH LINE AND SAID SILVER BEACH ROAD CENTERLINE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF SAID 2ND STREET AND THE POINT OF BEGINNING.

EXHIBIT 'B'

Sec. 78-2. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory use or *accessory building* means a subordinate use or building customarily incidental to and located on the lot occupied by the main use or building.

Active use means a use within an enclosed building designed for human occupation with a direct view to adjacent streets or public open space.

Active use, ground floor means an active use that attracts pedestrian activity, provides access to the general public, and conceals uses designed for parking and other non-active uses if present. Ground floor active uses generally include, but are not limited to, retail, other commercial, restaurants, coffee shops, libraries, institution, educational and cultural facilities, residential, and entrance lobbies.

Active use liner means an active use that serves to conceal uses designed for parking and other non-habitable uses. Active liner uses generally include, but are not limited to, commercial, residential, hotel, office and the commercial uses associated with live/work.

Animal day care establishment means an indoor facility operated between the hours of 7:00 a.m.-10:00 p.m., for the purpose of providing care and protection of domesticated animals, no overnight boarding.

Animal grooming establishment means an indoor facility operated between the hours of 7:00 a.m.-10:00 p.m. which accepts domesticated animals for bathing, clipping, dipping, pedicuring or other related grooming services (not to include breeding, veterinary, dentistry or overnight boarding).

Animal service establishment means any establishment having an outdoor component and any establishment which may include any of the following uses as specified in the individual zoning district.

- (1) *Pet stores.* An indoor facility operated for the sale of domesticated animals, which includes overnight boarding;
- (2) *Boarding kennel.* An indoor facility, where domesticated animals are boarded during the daytime or kept overnight.

Noise nuisances which exceed permitted decibel levels as prescribed in the section 10-155 shall be mitigated by requiring extra insulation or any other improvements which is certified by a licensed noise professional and submitted to the town's community development department under a building permit application. Boarding shall be limited to domesticated animals. The town commission may require sound proofing or additional setbacks and landscaping to minimize noise and visual impacts on adjacent properties. Outdoor runs shall be paved or turfed, fenced, and connected to a town-approved wastewater treatment facility and shall not be located any closer than 40 feet from adjacent residentially-zoned properties.

Animal indoor training center means a facility operated between the hours of 7:00 a.m.-10:00 p.m. for the teaching and training of domesticated animals.

Antiques means objects of an earlier period such as furniture, jewelry, stamps, coins, miniaturized replicas, works of art, or other decorative articles that are collected primarily because of their age, history or expectation of increasing value.

Architectural elements means building components attached to or part of a façade and consisting generally of projections intended to provide architectural character and façade articulation.

Architectural treatment means the provision of architectural and/or landscape elements on a façade which serve to visually screen non-active uses.

Auto-oriented uses means any use that discourages walkability such as but not limited to, large surface parking lots, drive-thru facilities, motor vehicle sales, service and repair, motor vehicle fuel sales and service and similar uses that, by their nature, are built with special accommodations for service directly to the automobile or the occupants of automobiles and require the extensive use of automobiles as part of their primary function.

Automotive service station means an establishment engaged in the retail sale of gasoline or other motor fuels, which may include accessory activities such as the sale of automotive accessories or supplies, the lubrication of motor vehicles, the minor adjustment or minor repair of motor vehicles, and a convenience store selling retail goods.

Awning means a roof-like projection without vertical supports placed above windows and doorways to provide pedestrian protection from sun and rain, and to enhance building façades and storefronts with color and dimension.

Balcony means a horizontal projection above the ground floor that is unenclosed and designed for human occupation.

Building means each of the independent units into which a building is divided by party walls. The term "building" shall also include "structure."

Building frontage means the percentage of a building façade that is generally parallel, facing, or oriented toward a street and that lies within the minimum and maximum setback area allowed and shall include a principal building and active use.

Cabana means an enclosed or screened-in structure which is constructed on a concrete slab with CBS and stucco or poured concrete and stucco walls, a hard roofing system, and which is subject to the Florida Building Code. Manufactured buildings, factory-built housing, mobile homes, sheds and other similar assembled buildings shall not be considered to be a cabana.

Canopy means a roof-like projection without vertical supports generally placed above primary building entrances or along building façades to provide façade hierarchy, pedestrian orientation and accentuation.

Church/house of worship means a building, structure or premises wherein persons regularly assemble for religious worship which is specifically designed and used only for such purpose and is maintained and controlled by a religious body organized to sustain public worship.

Community development director or *director* means the community development director of the town.

Community residential home means, as defined in F.S. ch. 419, a dwelling unit licensed to serve clients of the state department of children and family services, which provides a living environment for seven to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of the residents, and which meet the notification requirements of F.S. ch. 419.

Courtyard building type means a building characterized as having a central open space that is open to the sky and enclosed by habitable space on at least three sides.

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Courtyard house means a dwelling unit distinguished by the provision of an open-air courtyard or atrium. The courtyard is enclosed on at least three sides by habitable space and shall provide penetrable openings such as windows and doors between the interior of the dwelling and the courtyard.

Courtyard, garden means a public or semi-public open space that is partly surrounded by walls or buildings and is open to a public right-of-way or public space on at least one side or portions of its sides, with a higher percentage of vegetated area.

Courtyard, interior means a private open space that is wholly or partly surrounded by walls or buildings.

Covered structures means non-habitable areas such as storage areas, restroom facilities, vertical circulation access ways, open air structures such as cabanas, gazebos, trellis and other similar structures which accommodate outdoor common areas.

Encroachment means the maximum allowed projection of a building element beyond the minimum setback or into an adjacent public right-of-way.

Façade means the vertical exterior surface of a building or parking structure which faces a right-of-way or property line.

Façade articulation means the provision of architectural features or treatment on a façade.

Façade elevation means the entire area of a façade that is visible in a two dimensional architectural elevation drawing, but not including façade areas that abut buildings on separate lots with zero setbacks and are therefore fully hidden from view.

Family means one person or a group of two or more persons living together and interrelated by bonds of legal adoption, blood, or a licit marriage, or a group of not more than three people who need not be related by blood or marriage, living together as a single housekeeping unit in a dwelling. Any person under the age of 18 years whose legal custody has been awarded to the state department of children and family services or to a child placing agency licensed by the department, or who is otherwise considered to be a foster child or child in emergency shelter care, and who is placed with a family, shall be deemed to be related to and a member of the family for the purposes of this chapter. Nothing herein shall be construed to include any roomer or boarder as a member of a family.

Fence means a freestanding structure of any material or combination of materials erected for confinement, screening, or partition purposes.

Fenestration means the arrangement and design of windows, doors, and openings in a building.

Flex building type means a building that is designed to respond to changes of function in a flexible way. The flex building type is able to accept different internal configurations and easily adapt to its surroundings.

Forecourt means an open area, in front of the building, surrounded by walls on at least three sides.

Freestanding canopy means a nonhabitable, self-supporting structure, typically used as a shelter for vehicles, boats, trailers, RVs, motorcycles, and other items of personal property, which is constructed

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of nonrigid materials, except for the supporting framework which may include, but is not limited to, metal, wood, concrete, plastic, or PVC, and which is not attached to or supported by a building or other structure, and the supporting framework of which extends to the ground.

Funeral home means an establishment engaged in preparing deceased human beings for burial, and managing and arranging funerals.

Greenways, urban means an improved outdoor area in an urban environment, set aside for recreational use or pedestrian connectivity.

Gross building area means the total floor area of a building, including air-conditioned or fully enclosed storage spaces, enclosed areas on the rooftop, such as bathrooms and lobbies, stairs and elevator areas, and external unenclosed circulation areas. The gross building area does not include parking areas; unenclosed colonnades, porches and balconies; mechanical and electrical spaces; and trash rooms. Storage spaces without windows and enclosed by surfaces that allow for natural ventilation or outside air circulation shall not be included. The gross building area shall be measured from the outside face of exterior walls.

Ground floor means the street-level story of a building.

Group home means a dwelling unit that pursuant to F.S. ch. 419 is a type of community residential home licensed to serve clients of the state department of children and family services, which provides a living environment for six or fewer unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of the residents.

Height means the maximum vertical extent of a building or structure that is measured as a number of stories not to exceed a vertical dimension in feet.

Hospital, sanitarium or medical center means a facility for humans or animals, which provides primary, secondary, or tertiary medical care, emergency medical services, including preventive medicine, diagnostic medicine, treatment and rehabilitative service, medical training programs, medical research, and may include association with medical schools or medical institutions.

Instructional studio means an establishment or workplace in which instruction in the performing or visual arts is provided as the primary use, in disciplines such as martial arts, dance, voice, drama, speech, gymnastics, yoga, exercise, painting, photography, music, and other similar areas of instruction which are deemed appropriate by the town's community development director, and which are conducted in either or both group or individual instruction sessions or lessons.

Liner building type means a building that conceals a garage, or other faceless building, that is designed for active use.

Live/work means a type of mixed-use development that combines a nonresidential use with a residential dwelling unit.

Lot means a parcel of land occupied or designed to be occupied by one building, and the accessory buildings or uses customarily incident thereto, including such open spaces as are required by the provisions of this chapter, and such open spaces as are arranged or designed to be used in connection with such buildings. The term "lot" shall also include "plot."

Major recreational equipment means boats and boat trailers, travel trailers, pickup campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like,

and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not.

Mezzanine means a partial story that may occur anywhere in the building and shall be utilized for functions ancillary to the floor in which it is located. The height of the mezzanine is not included in the height of a story, provided it does not cause the building to exceed the maximum allowable height.

Motel/hotel means a commercial establishment used, maintained or advertised as a place where sleeping accommodations are supplied for short term rents to tenants. The establishment may be constructed in a building or a group of buildings and may include one or more accessory uses such as dining rooms/restaurant or convenience/retail stores.

Non-active use means a building use which is generally not intended for human occupation. Non-active uses include, but are not limited to, parking and building service areas such as storage, mechanical, electrical and trash. Architectural treatment shall be provided for all non-active use façade elevations.

Off-street parking space means a minimum net area of 200 square feet of appropriate dimensions for parking of an automobile, exclusive of access drives or aisles thereto. Mixed-use zoning districts permit a minimum net area of 162 square feet of appropriate dimensions for parking of an automobile, exclusive of access drives or aisles thereto.

Open space means an improved outdoor area open to the sky.

Open space, private means open space that is intended solely for the use of building occupants.

Open space, public means a ground floor open space for public use and access abutting a public street on at least one side and with unencumbered pedestrian access from the public sidewalk or right-of-way for the general public at all times.

Open space, semi-public means a ground floor open space intended primarily for use by building occupants but may have limited public access.

Pedestrian passageway means an open space that provides a pedestrian-only cross-block connection from two or more public rights-of-way or public spaces.

Pet shop means an indoor facility operated between the hours of 7:00 a.m.-10:00 p.m. for the purpose of selling animal accessories.

Podium means the lower portion of the tower building type on which the tower rests.

Private school or nonpublic school means an organization that designates itself as an educational center for instructional purposes and that may include kindergarten, elementary, middle or junior high school, secondary or high school, or as an elementary, secondary, business, technical, or trade school below college level or that offers academic, literary, or career training below college level, or any combination of the above. A private school may be a parochial, religious, denominational, for-profit, or nonprofit school. This definition does not include home education programs.

Projection, horizontal means any façade surface or building component which protrudes from the main building façade plane, including, but not limited to, architectural features, awnings, balconies, canopies, colonnades and porches.

Rear line means the line parallel or practically parallel to the front line of a lot and at the furthest extremity thereof.

Resident of a community residential home means a frail elder as defined in F.S. § 400.618; a physically disabled or handicapped person as defined in F.S. § 760.22(7)(a); a developmentally disabled person as defined in F.S. § 393.063(12); a nondangerous mentally ill person as defined in F.S. § 394.455(18); or a child as defined in F.S. § 39.01(14), F.S. § 984.03(9) or (12), or F.S. § 985.03(8).

Shed means an accessory structure intended to store lawn, garden, pool care equipment, or other similar items, of a height no greater than eight feet, and the total square footage of which does not exceed 120 square feet. Such structures shall be limited to side and rear yards. Structure materials shall be of a color and design that are compatible in relation to other structures in the immediate area. The structure shall be appropriately landscaped when viewed from a public way or neighboring property.

Side line means the two lines of a lot not the front line or the rear line.

Sideyard house means a detached dwelling distinguished by the provision of an unenclosed porch on the side of the house. The side porch is screened from the view of the street by a wall or fence.

Social service activities means the administration of any community-oriented service, including offices, meetings, storage, library and similar administrative uses. The term "social service activities" shall not mean any social service activities, including, without limitation, substance rehabilitation services, counseling activities and services, shelter for the homeless or abused, food/meal distribution for the needy, job training, and teen oriented programs.

Special exception means a use that would generally not be appropriate throughout the zoning district. However, special exception uses may be within a particular zoning district upon the applicant's compliance with the criteria established within this article and with such conditions as the commission may elect to impose.

Story means the vertical space in a building measured between the upper surface of any floor and the surface of the next floor above, or if there is no floor above, then the space between the floor and the uppermost surface of the ceiling assembly or roof above. The number of stories is used to calculate building height.

Street designation, Mixed Use means a street classification system in the mixed use districts that regulates the characteristics of streets and rights-of-way with respect to spatial dimension, pedestrian and vehicular mobility and building active uses. Street designations vary in each mixed use district and generally consist of four types: primary, secondary, tertiary and alleys.

Street line means the dividing line between a lot and the adjoining street.

Substance abuse treatment facility means a facility having one or more service components that are not otherwise permitted by right by the governing zoning district and that are operated by service providers licensed by the state as defined in F.S. ch. 397.

Time sharing means, but shall not be limited to, any building or part thereof in which the right of use or occupancy of any unit circulates among various occupants for a specific period of time, less than a full year during any given year, but not necessarily for consecutive years, in accordance with a fixed time schedule on a periodically recurring basis extending for more than one year.

Tower building type means a multi-level building organized around a central core where a part of the building is higher in proportion.

Townhouse means a single dwelling unit in a group of such units that are attached horizontally in a linear arrangement to form a single building, with each unit occupying space from the ground to the

roof of the building, and located or capable of being located on a separate townhouse lot. A townhouse development is considered a type of multifamily dwelling.

Transient residential use means a dwelling that is operated or used in such a way that it has a turnover in occupancy of more than two times in any one year, and shall include, but not be limited to, rooming houses with such turnover. Occupancy by the real property owner(s) of the dwelling unit shall not be counted toward the frequency of turnover, as long as the turnover of other occupants does not exceed more than two times in any one year.

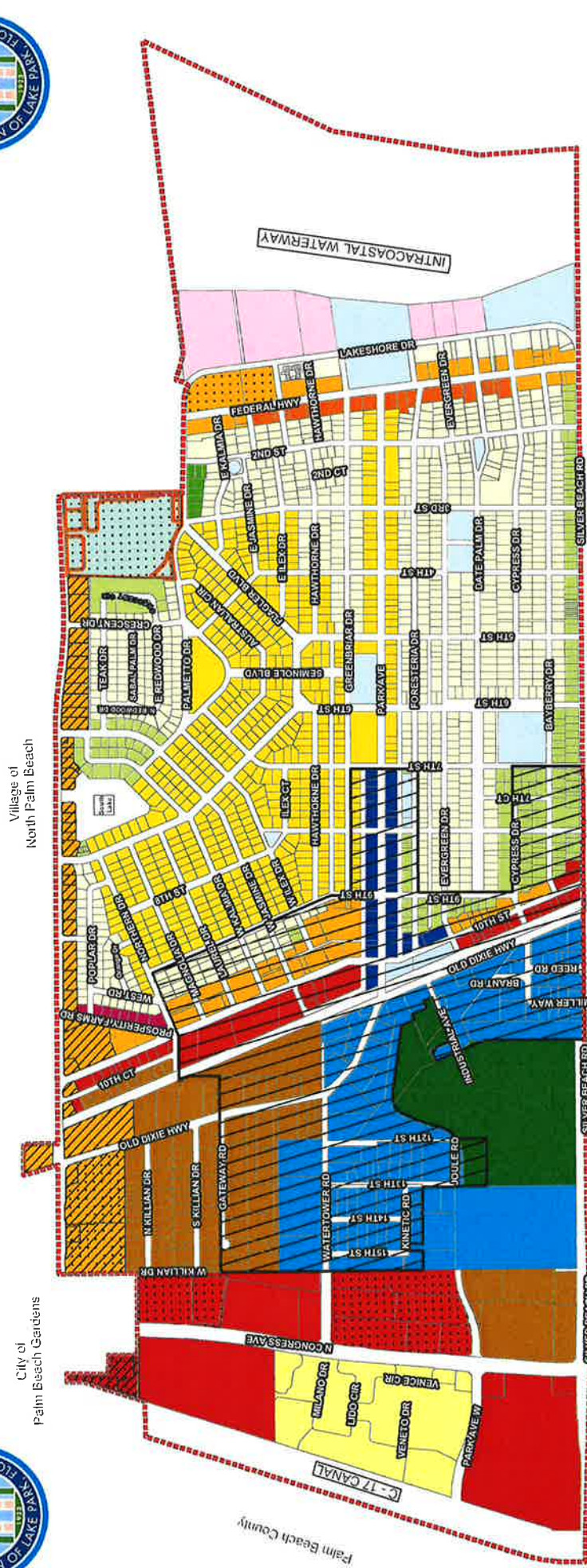
Vehicle sales and rentals means an establishment engaged in the sale or rental from the premises of new or used motor vehicles or equipment, watercraft, recreational vehicles or mobile homes, with or without incidental service, maintenance or repair. Typical uses include new and used automobile sales, automobile rental, boat sales, boat rental, mobile home. The sale or rental of industrial or agricultural vehicles is prohibited.

Adopted by Section 78-32
Reference :

Existing



Lake Park Zoning Map



- Legend**
- TOWN BOUNDARY
 - C3 BUSINESS DISTRICT
 - C1 BUSINESS DISTRICT
 - C1B BUSINESS DISTRICT
 - C2 BUSINESS DISTRICT
 - C3 BUSINESS DISTRICT
 - C3A BUSINESS DISTRICT
 - C4 BUSINESS DISTRICT
 - C1C CAMPUS LIGHT INDUSTRIAL & COMMERCIAL
 - CONSERVATION
 - CRA OVERLAY
 - NBOZ OVERLAY
 - P PUBLIC DISTRICT
 - PADD PARK AVENUE DOWNTOWN DISTRICT
 - PUD PLANNED UNIT DEVELOPMENT
 - R1 SINGLE FAMILY RESIDENCE DISTRICT
 - R1A SINGLE FAMILY RESIDENCE DISTRICT
 - R1AA RESIDENCE DISTRICT
 - R1B TWO FAMILY RESIDENCE DISTRICT
 - R2 MULTIPLE FAMILY RESIDENCE DISTRICT
 - R2A MULTIPLE FAMILY RESIDENCE DISTRICT
 - R3 MULTIPLE FAMILY RESIDENCE DISTRICT
 - TND TRADITIONAL NEIGHBORHOOD DEVELOPMENT



Map Date: 6-28-2016

Nadia Di Tommaso - Director
Community Development Department
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535 Park Ave. Lake Park, FL 33403
561-881-3319 561-881-3323 (fax)
ndtommaso@lakeparkflorida.gov



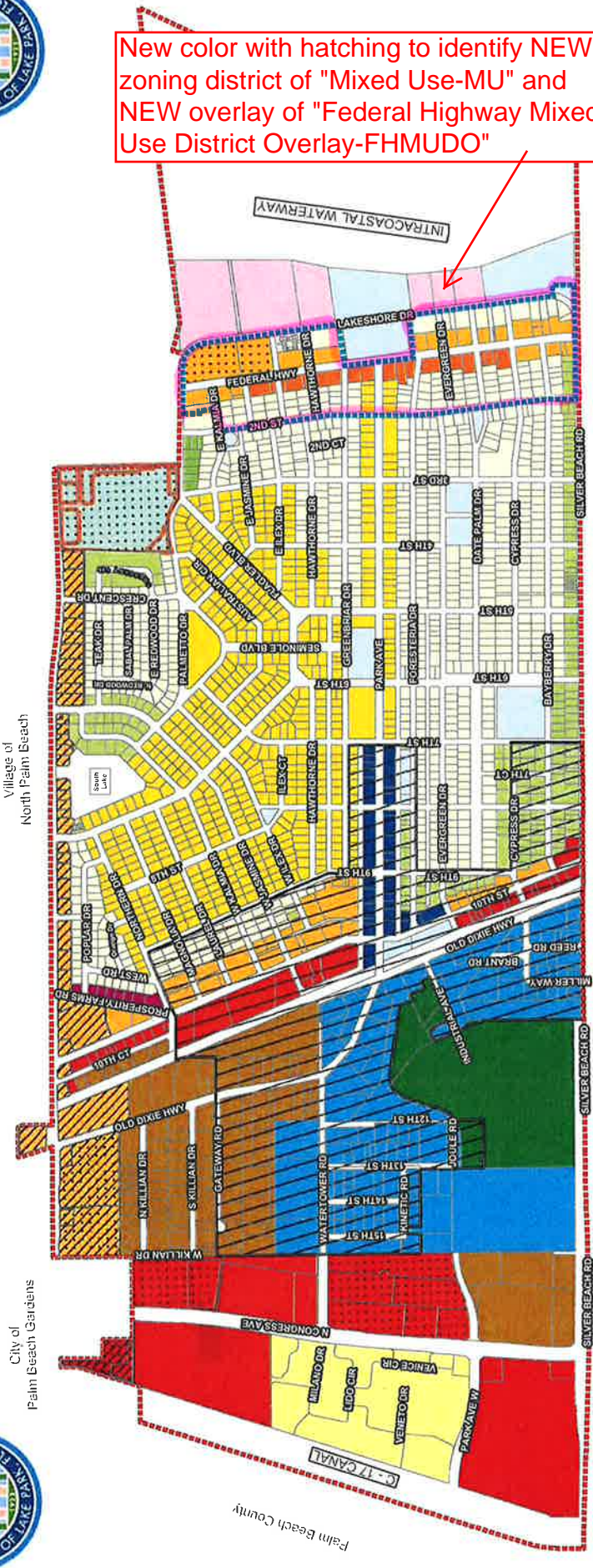
Produced and maintained by the CGA
Geographic Information Systems Section

Adopted by reference
Section 78-32

PROPOSED



Lake Park Zoning Map



New color with hatching to identify NEW zoning district of "Mixed Use-MU" and NEW overlay of "Federal Highway Mixed Use District Overlay-FHMUDO"

- Legend**
- TOWN BOUNDARY
 - C1 BUSINESS DISTRICT
 - C1B BUSINESS DISTRICT
 - C2 BUSINESS DISTRICT
 - C3 BUSINESS DISTRICT
 - C4 BUSINESS DISTRICT
 - CLIC CAMPUS LIGHT INDUSTRIAL & COMMERCIAL
 - CONSERVATION
 - CRA OVERLAY
 - NBOZ OVERLAY
 - PADD PARK AVENUE DOWNTOWN DISTRICT
 - FEDERAL HIGHWAY MIXED USE DISTRICT BOUNDARY
 - PUD PLANNED UNIT DEVELOPMENT
 - R1 SINGLE FAMILY RESIDENCE DISTRICT
 - R1A SINGLE FAMILY RESIDENCE DISTRICT
 - R1AA RESIDENCE DISTRICT
 - R1B TWO FAMILY RESIDENCE DISTRICT
 - R2 MULTIPLE FAMILY RESIDENCE DISTRICT
 - R2A MULTIPLE FAMILY RESIDENCE DISTRICT
 - R3 MULTIPLE FAMILY RESIDENCE DISTRICT
 - TND TRADITIONAL NEIGHBORHOOD DEVELOPMENT



Nadia Di Tommaso - Director
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CHANGES FROM 1ST READING IDENTIFIED

(clean, consolidated version in Dropbox)

Text Amendments

ARTICLE 3: DISTRICT REGULATIONS

Section 78-83

Mixed Use District (MU)

Sec. 78-83. - Mixed Use (MU) district.

A. Purpose

The Mixed Use (MU) district is established and intended to:

1. Encourage transit use as an alternative to auto dependency by accommodating moderate- to high-intensity, compact, mixed use, and pedestrian-oriented development within convenient walking distance of existing and planned rail stations, major transit corridors, major transit hubs, regional and neighborhood transit hubs, and high-priority corridors for bus rapid transit or high-performance transit.
2. Bring together people, jobs, services, and public spaces and amenities in a way that allows people to safely and conveniently walk, bike, and/or take transit to meet their day-to-day housing, employment, shopping, service, and recreational needs.
3. Improve walkability within the district, as well as to adjacent areas, by providing a critical mass of housing and non-residential within walking distance of the commercial core and transit routes and facilities.
4. Enable the appropriate natural surveillance of the public realm to ensure safety and activity along district streets and create the sense of a vibrant and active urban center.
5. Ensure a compatible transition between the district's commercial/mixed use areas and lower-intensity residential neighborhoods and between the district and adjacent residential neighborhoods, where applicable.

B. Application of Mixed Use (MU) Base Zoning District

1. An MU Base Zoning District may only be applied to land designated as a Mixed Use District (MUD) in the Town's Land Use Plan within one-quarter mile (1,320 feet) of the right-of-way of an existing or planned high-priority corridor for bus rapid transit or high performance transit, or one-half mile (2,640 feet) of an existing or a future rail station, major transit hub, regional transit center, or neighborhood transit center, as designated in Palm Beach County's Transit Master Plan, or Transit Development Plan, the Palm Beach County Metropolitan Planning Organization's Long Range Transportation Plan, or a town-adopted transportation or transit plan. The district may extend to up to one-half mile (2,640 feet) around major intersections and activity nodes along a designated transit corridor, or to locations served by an existing or funded community shuttle service.
2. In conjunction with the establishment of an MU Base Zoning District, an Overlay District shall be established which, at a minimum, creates the lot and dimensional standards relevant to the characteristics of the newly established MU Base zoning district. The MU Base Zoning District contains general standards that apply to all MU districts. Overlay districts are established to provide additional standards that are tailored to the unique characteristics of each geographical area.
3. In order to provide a comprehensive approach for future development in MU Districts that addresses development pressures related to population growth and stimulated economic conditions, while enhancing the quality of life for residents, new Planned Unit Developments (PUDs) shall not be permitted. Incentives such as, but not limited to, increased entitlements, building heights, or density are provided in an MU District in order to encourage redevelopment in a desired development pattern and accomplish the stated goals and objectives of the Town's Comprehensive Plan, Strategic Plan and the Community Redevelopment Area Plan, where applicable.
4. The Town Commission shall review all residential, non-residential, and mixed use development plans for property within a Mixed Use District. The Town Commission shall receive the comments of the community development department, including justifications for any applicable waivers, administrative adjustments, or bonuses, in addition to the development plan review general procedures of section 67-37.

C. Process for establishment of a Mixed Use Base Zoning District

1. A **conceptual** neighborhood master plan shall be required for the enacting of an MU district and shall only be initiated by the Town.

2. The Town Commission shall approve the neighborhood master plan through the public hearing process. After approval, preparation of the conceptual neighborhood master plan by the Town Commission, a comprehensive plan map and text amendment shall be required to establish the MU based on the conceptual neighborhood master plan. Each MU shall establish its own policies and an entitlements pool, where applicable.
3. The entire area shall be rezoned to MU Base Zoning District.
4. Specific Overlay District zoning regulations shall be established for the MU and be approved by the Town Commission, through the public hearing process, and shall reflect the goals set forth in the corresponding neighborhood master plan, the Town's Comprehensive Plan, Strategic Plan and the Community Redevelopment Area Plan, where applicable.

D. Mixed Use Overlay District required elements

In order to fulfill the purpose of a MU District, encourage redevelopment, establish neighborhood compatibility and the protection of single family neighborhoods, the following elements shall be required within each MU Overlay District:

1. District boundaries: to define an area that can provide a critical mass of people and development to support transit ridership and to promote a sense of place;
2. Use Standards: to address existing permitted uses that may not be appropriate in a mixed use district and to encourage uses that are compatible;
3. Streetscape Standards and Street Network Connectivity: to enhance the public realm and promote walking, biking, and accessibility;
4. Publicly accessible open space: to enhance existing public open spaces, promote new public open spaces and access to the waterfront, where applicable, and establish a connected public realm;
5. Building Height Standards: to ensure compatibility of height and transition of development intensities between mixed use areas and adjacent low intensity residential neighborhoods;
6. Density Standards: to encourage a critical mass of residents to support businesses and transit ridership;
7. Design Standards: to promote high quality urban design and architecture that establishes a sense of place. Building Placement and Lot Standards may be modified for the Overlay District to address any unique characteristics of each geographical area; and
8. Regulating Plans and Diagrams: to demonstrate development standards in both words and images, that include maps designating the locations where the various standards apply.

E. Regulating Plans and Diagrams

MU Districts are governed by a series or combination of regulating plans and diagrams. The Regulating Plans and Diagrams demonstrate development standards in both words and images, and include maps designating the locations where the various standards apply. Unless otherwise noted, all development shall follow the Regulating Plans and Diagrams specified for each MU district. The Regulating Plans and Diagrams for the MU districts include the following, where applicable:

1. The Sub-Areas Regulating Plan, which divides the MU district into three Sub-Areas: Core, Center and Edge. The highest height and number of stories within the MU district shall be allocated to the Core Sub-Area, a mixed use area within the 1/4-mile (1,320 feet) radius of a transit station(s), major transit stop(s) or major transit corridor. The height and number of stories shall then gradually decrease from the Core to the Center Sub-Area where mixed uses are still permitted and then further decrease to the Edge Sub-Area which is characterized by single uses, including low density residential adjacent to existing low density residential, where applicable.
2. The Street Network Connectivity Regulating Plan, which shows the location of existing and the required new streets needed to create the prescribed network of streets within the MU district. This Plan also establishes the hierarchy of the streets.

3. The Designated Publicly Accessible Open Space and Greenway System Regulating Plan, which designates the approximate location of the required publicly accessible open spaces and greenway system in the MU district, shall be shown in all development plans.
4. The Building Heights Regulating Plan, which establishes the maximum building height permitted in each Sub-Area of the MU district.
5. The Building Placement Regulating Diagrams, which provide a schematic representation of the various building typologies, based on their Sub-Area. The diagrams demonstrate the required setbacks, lot standards, and profiles of structures. Not all building typologies are permitted in each Sub-Area. The Building Placement Regulating Diagrams are shown in Appendix A of this code section.

F. MU District Use Standards

A list of Permitted and/or Prohibited Uses may be established for each Overlay District. The following use standards shall apply to development in MU districts:

1. Mixed Use Development: The vertical mixing of residential uses with nonresidential uses within a single project or building, with residential development on upper floors, is encouraged. The horizontal mixing of stand-alone residential developments and adjacent stand-alone nonresidential in the district is allowed, provided the developments are well integrated in terms of complementary uses, access and circulation, and compatible design.
2. The incorporation of high-activity nonresidential uses such as retail shops and restaurants at street level is encouraged, especially along those building facades abutting or most visible from the transit corridor, other major arterial or primary streets, major pedestrian walkways, or public spaces.
3. Additional or stand-alone auto-oriented uses are prohibited.

G. MU District Street Standards

The following street standards shall apply to development in the MU districts:

1. The periphery of any site fronting on a public right-of-way shall be improved by the provision of sidewalks, streetlights, street furniture, street trees and other elements, covering the entire area from face of curb to face of building.
2. Where the distance between the front property line and the edge of pavement or curb line is not deep enough to accommodate the required sidewalk and/or landscape strip, all developments shall be required to provide a dedicated widening of the right-of-way or dedicated public easement running parallel and adjacent to the public street, as well as the improvement specified within that dedicated space, to accommodate the sidewalk and/or landscape feature as specified within the Specific Street Design Standards established for each MU district. Additionally, the development and ongoing maintenance of the required streetscape improvements along the entire property shall be the responsibility of the developer/property owner.
3. The Street Network Connectivity Regulating Plan established for each MU district shows the approximate location of existing and required new streets needed to create the prescribed network of streets within each MU district. This Plan also establishes the hierarchy of the streets.
4. The Specific Street Design Standards provide a schematic representation of the desired streetscape improvements for specific streets in each MU District. These diagrams establish minimum standards for the width of sidewalks, landscape strips etc.
5. **Street Development Applicability**
The Specific Street Design Standards are applicable to town-initiated streetscape improvements and privately initiated streetscape improvements as specified in each MU District. Full block developments, and developments that provide improvements along an entire street frontage shall be required to provide streetscape improvements for the entire street frontage(s) abutting the development. Partial or Mid-block development shall only be required to provide streetscape improvements for the entire street frontage abutting the development to the extent feasible, in coordination with the Town Engineer,

however, the dedicated widening of the right-of-way or dedicated public easement shall be provided, where applicable.

6. In addition, the following shall apply:

a. All streets shall be located according to the Street Network Connectivity Regulating Plan of the MU District.

i. All Primary and Secondary Streets shall be required in the same location as shown on the Street Network Connectivity Regulating Plan and may be modified with respect to alignment, provided that the final alignment is in keeping with sound urban design principles. The full width of all primary streets shall be open to the sky for a minimum of 95% of the entire length of the street within the MU District. Structures, such as but not limited to, pedestrian bridges and canopies shall be permitted to span over a portion of the street. The full width of all secondary streets shall be open to the sky for a minimum of 100% of the entire length of the street within the MU District. No Primary and Secondary Streets shall be deleted or otherwise vacated or removed.

ii. Tertiary Streets as shown on the Street Network Connectivity Regulating Plan are encouraged to promote connectivity and to conform to block length requirements. The full width of all tertiary streets shall be open to the sky for a minimum of 100% of the entire length of the street within the MU District.

(A) Existing tertiary streets shall be required in the same location as shown on the Street Network Connectivity Regulating Plan and may be modified with respect to alignment, provided that the final alignment is in keeping with the principles of sound urban design. No existing tertiary streets shall be deleted or otherwise vacated or removed.

(B) New tertiary streets shall not be required in the same location as shown on the Street Network Connectivity Regulating Plan, provided that the final placement of the street is in keeping with sound urban design principles. No new tertiary streets shall be deleted or otherwise vacated or removed.

b. The modification of new tertiary streets as shown on the Street Network Connectivity Regulating Plan requires the following conditions are met:

i. The Community Development Director shall approve the modification of tertiary streets provided the following conditions are satisfied:

(A) The modification/~~deletion~~ is reviewed and recommended by the Town's Urban Design Professional who shall review the proposed modification for compliance with sound urban design principles.

(1) The modification maintains connectivity to the surrounding area;

(2) The modification enhances pedestrian safety;

(3) The modification is compatible with the surrounding area;

(4) The modification is for the assemblage of parcels for development and allows for the appropriate use of private property; and

(5) The modification does not create block lengths that exceed the maximum allowed herein, thereby limiting walkability.

ii. The modification/~~deletion~~ is reviewed and recommended by the Town Engineer who shall review the proposed modification for traffic and safety issues.

c. The design of new streets and modifications of existing streets shall comply with the following requirements:

i. All streets and alleys shall connect to other streets or alleys. Cul-de-sacs, T-turnarounds, and dead-end streets shall be prohibited.

ii. All streets shall allow public access. Privately built streets shall provide an approved plat restriction to allow public access. No gates that impede through traffic are permitted along streets.

iii. The maximum distance between an alley and another intersecting alley or street shall be 300

- feet, when the alley is the primary means of access for emergency vehicles.
- iv. Where a sidewalk or other pedestrian walkway crosses a parking lot, street, or driveway the following standards shall apply:
 - (A) The intersection shall be clearly marked and lighted for safety;
 - (B) The sidewalk shall be continuous and remain at a constant level in all circumstances; and
 - (C) A change of tactile surface texture shall be installed at all street crossings.
 - v. Street intersections shall be improved with curb extensions sufficient to provide fully accessible landings and a pedestrian rest area. Rest areas shall occur at intersections and mid-block. Rest areas shall be furnished with way finding/directional signage, sufficient clearance for a wheelchair, and other pedestrian amenities such as benches, or bicycle racks.
 - vi. Except as modified through the Street Development Regulating Diagrams for each MU District, all streets and alleys/service roads shall adhere to the following standards:
 - (A) For streets only, a minimum landscaped strip of five (5) feet shall be provided along the street edge between the sidewalk and the curb.
 - (B) For streets only, tree **grates surrounds** consisting of an ADA compliant permeable surface, a minimum of five (5) feet by five (5) feet, may be utilized in place of the required landscape strip. The use of tree **grates surrounds** shall require the use of a suspended pavement system that is equivalent to a soil volume that is appropriate for the specified tree species at maturity. Root barriers shall also be utilized to ensure that a sustainable planting solution is provided. The use of tree **grates surrounds** is appropriate when on-street parking is provided. When no on-street parking is provided, landscape strips are preferred.
 - (C) For streets only, a minimum sidewalk width of five (5) feet shall be provided adjacent to the landscaped area.
 - (D) For streets only, a minimum unobstructed area of 60 inches shall be provided in the sidewalk.
 - (E) For streets only, where a colonnade is provided, free and clear use of a continuous unobstructed area of at least ten (10) feet shall be provided within the colonnade. Softening of the colonnade with landscape elements is required.
 - (F) For streets only, no utility poles, fire hydrants or any other temporary or permanent structures shall be permitted within the unobstructed area.
 - (G) For streets only, overhead utilities are not permitted. Existing overhead utilities shall be relocated underground where feasible.
 - (H) For streets only, where on-street parking is provided on both sides of the street, the minimum right-of way width shall be 60 feet.
 - (I) For alleys only, the minimum right-of-way width shall be 30 feet.
 - (J) For service roads only, the minimum width shall be 30 feet.
 - (K) Street furniture shall be provided including but not limited to outdoor benches, waste containers, planters, bus shelters, bicycle racks, ADA compliant permeable tree **grates surrounds** with the use of a suspended pavement system, decorative paving, stamped concrete or stamped asphalt crosswalks, banners, water fountains, newspaper dispensers and bollards whether within or outside the public right-of-way. Street furniture provided on site shall be compatible with the architecture of the surrounding buildings, the character of the area and other elements of the streetscape. All street furniture shall be subject to the approval of the Town.
 - (L) Curb and gutter shall be provided at all intersections and roadway edges in the Core and Center Sub-Areas.
 - (M) Any existing trees or palms shall be subject to Section 34-9 (Tree Removal Standards).

H. MU District Access, Circulation, Parking and Loading Standards

The following standards shall apply to development in MU districts. In addition, applicable standards in Section 78-142 (Off-street Parking and Loading), Section 78-143 (Off-street Loading), Section 78-144 (Access to Rights-of-way) and Section 78-145 (Supplemental Parking Requirements) shall apply except as modified herein:

1. Vehicular Access and Circulation. Access to rights-of-ways shall be developed per Section 78-144, (Access to Rights-of Way) except as modified herein:
 - a. Driveway access shared between adjoining lots shall be required, where feasible, for non-residential and mixed use development in order to limit direct vehicular access along streets or comply with driveway intersection spacing requirements.
 - b. Driveway, alley and service road access from the front property line shall be limited to 1 point of access for every 250 feet of frontage. No more than two driveways per block frontage shall be permitted.
 - i. The Community Development Director or his/her designee shall have the authority to adjust administratively the requirements for front property line access to 1 point of access for every 250 feet of frontage, for up to 10 percent of the maximum measurement of frontage.
2. Parking
 - a. Surface Parking Lots. Surface parking lots are discouraged, whether stand-alone or part of a larger development; however, where provided, surface parking shall utilize low-impact development techniques and shall comply with the following standards:
 - i. Surface parking is prohibited along building frontages and shall be located to the side or rear of the property;
 - ii. Surface parking shall be accessed off an alley, service road, or tertiary street, where feasible. If the surface parking lot is accessed from a primary or secondary street, there shall be only one point of access to the parking lot area;
 - iii. Openings off any street shall not exceed 2 lanes in width or 30' maximum per entrance/exit. Entrances/exits on alleys/service roads are exempt from this requirement;
 - iv. Pedestrian entrances to the parking lot shall be directly from a frontage line through an exterior or interior pedestrian passage or a combination thereof running from the rear to the front of the lot. Parking spaces serving residential units are exempt from these requirements;
 - v. All parking areas shall have direct pedestrian access to a public walkway;
 - vi. Except along an alley/service road, parking lots may either be screened by a Liner building or in compliance with the following standards:
 - (A) Except as provided in ii below, perimeter landscaping strips shall be located on the same property as the parking area and placed to assure visibility and safety of bicyclists and pedestrians within the parking area and on adjacent accessways.
 - (B) Where abutting properties are subject to the same perimeter landscaping strip requirement along a common property line, a single perimeter landscaping strip meeting these standards may be provided along either or both sides of the common property line through joint written agreement by the owners of the abutting properties.
 - ~~(C) Composition~~
 - ~~(D)~~(C) Perimeter landscaping strips shall be comprised of:
 - (1) Canopy trees spaced a maximum average of 20 feet on center, except that:
 - (a) Canopy trees may be spaced a maximum average of 40 feet on center within perimeter landscaping strips screening a vehicular use area from an abutting property or waterway;

- (b) Where more than ten canopy trees are required, palm trees may be substituted for 50 percent of required canopy trees, and shall be spaced a maximum average of 20 feet on center where used along an entire side of the vehicular use area; and
 - (c) Understory trees spaced a maximum average of 15 feet on center may be substituted for canopy trees in areas beneath overhead utility lines; and
 - (2) Shrubs planted to form a continuous, opaque hedge along the perimeter of the parking area, provided that:
 - (a) To allow security surveillance of parking areas, the shrubs shall be maintained at a maximum height of three feet above the elevation of the adjacent parking area; and
 - (b) A solid masonry wall up to three feet high may be substituted for part of the required shrub hedge provided that shrubs be planted two feet on center or vines spaced a maximum average of five feet on center shall be planted between the wall and any adjacent parking area; and
 - (3) Ground cover or grass planted in all areas not occupied by trees, shrubs, or walls.
 - (4) All planting areas shall be 100% irrigated.
 - vii. Wheel stops shall be prohibited, and continuous curbing shall be placed two (2) feet from the front of all parking spaces, except those in a parallel configuration.
 - viii. Use of on-street parking is encouraged on all streets, where feasible.
 - (A) Curbed Planter bulb-outs shall be provided at the terminus of on-street parking.
 - b. Parking Garages. Multi-level parking garage structures, whether stand-alone or part of a larger development, shall comply with the following standards:
 - i. ~~Except along an alley/service road or a pedestrian passage~~Along a primary or secondary street, the ground floor of the garage shall be screened ~~along all frontages~~ by a liner building containing ~~a minimum depth of 20 feet of~~ active use. Above the ground floor, a liner building shall not be required. All levels of the building shall comply with the standards below:
 - (A) All building facades that are visible from a street or an open space shall compliment and contain architectural treatments consistent and harmonious with that of the principal structure and habitable space;
 - (B) Architectural treatment shall be provided through a combination of, but not limited to, the use of materials and construction assemblies; the continuation of fenestration patterns, architectural features, articulation and rhythm; the application of architectural screens, meshes, louvers, and glass; the incorporation of vegetated surfaces and planters; and architectural lighting.
 - (C) No vehicles parked within the garage shall be visible from the street; and
 - (D) Sloped garage ramps facing and within 100 feet of any street or open space shall have architectural treatments which screen the sloped ramp from view from the street or open space.
 - ii. Openings off any street shall not exceed 2 lanes in width or 30' maximum per entrance/exit. Entrances/exits on alleys/service roads are exempt from this requirement.
 - iii. The garage shall be accessed from an alley/service road or tertiary street, where feasible.
 - iv. If the garage is accessed from a primary or secondary street, there shall be only one point of access to the garage area.
 - v. Pedestrian entrances to the garage shall be directly from a frontage line through an exterior

or interior pedestrian passage or a combination thereof running from the rear to the front of the lot. Parking spaces serving residential units are exempt from these requirements.

- c. Dimensions and Markings of Parking Spaces: Off-street parking spaces shall be constructed and marked in accordance with Section 78-142.c.9 (Dimensions and Geometrics of Parking Areas) with the following modifications:
 - i. Parallel parking spaces shall have minimum lengths of 23 feet and minimum widths of 8 feet where a curb and gutter are provided. Where a curb and gutter are not provided, the minimum width shall be 9 feet.
 - ii. The minimum stall width for 90-degree, general surface parking, shall be 10 feet if double striped and a minimum of 9 feet if single striped.
 - iii. The minimum parking stall width for parking spaces in garages shall be 8.5 feet provided that the minimum clear distances are met.
- d. Modified Off-Street Parking Requirements:
 - i. Minimum number of required off-street parking spaces: All developments shall provide the minimum number of required off-street parking spaces in accordance with Schedule 78-142-1, except as modified below.

Table 78-83.H-1 Modified Off-Street Parking Requirements	
<u>Use Classification</u>	<u>Minimum Off-Street Parking Requirements</u>
<u>Multifamily Housing Developments</u>	<u>1 bedroom unit: 1 spaces per unit 2 bedroom unit: 1.5 spaces per unit 3 or more bedroom unit: 2 spaces per unit plus 1 space per 20 units for guest parking</u>
<u>Business and Professional Office</u>	<u>2 spaces per 1,000 square feet GFA</u>
<u>Personal Services</u>	<u>2 spaces per 1,000 square feet GFA</u>
<u>Restaurants</u>	<u>10 spaces per 1,000 square feet GFA</u>
<u>Retail and Commercial</u>	<u>2 spaces per 1,000 square feet GFA</u>
<u>Financial Institutions</u>	<u>3 spaces per 1,000 square feet GFA</u>
<u>Appliance, retail/wholesale</u>	<u>3 spaces per 1,000 square feet GFA</u>
<u>Dry cleaning pickup and laundry pickup stations</u>	<u>3 spaces per 1,000 square feet GFA</u>
<u>Veterinary clinic, excluding animal exercise area</u>	<u>3 spaces per 1,000 square feet GFA</u>
<u>Medical clinics/offices: Medical, dental, chiropractic (outpatient only)</u>	<u>3 spaces per 1,000 square feet GFA</u>
<u>Theaters, auditoriums, studios and other places of public assembly</u>	<u>1 space per 3 seats where applicable, otherwise 3 spaces per 1,000 square feet GFA</u>
<u>Hotel or motel</u>	<u>1 space per 2 rooms (guests); 1 space per 800 square feet (restaurants); 1 space for each employee at maximum shift (staff)</u>

- ii. Modified parking standards: All developments shall comply with the standards in Schedule 78-142-1, except as modified below.
 - (A) Townhouse and Congregate living facilities with a common parking lot shall provide .25 spaces per dwelling for guest parking.

- (1) Guest parking spaces may be grouped, provided that the spaces are located within 600 feet of the dwellings that they are intended to serve. Grouped guest parking may not be grassed. All guest parking shall be prominently identified with an above grade sign or marking on the wheel stop.
- (B) Congregate living facilities:
 - (2) General requirements.
 - (a) Every congregate living facility shall provide adequate parking and circulation for residents, visitors and staff. The standards established in this subsection shall be considered the minimum necessary to achieve this goal.
 - (b) Unless otherwise provided in this chapter, all parking and vehicular use areas shall be paved.
 - (c) The bases for parking calculations shall be clearly stated on proposed site plans, including the maximum number of employees.
 - (d) Additional parking requirements may be imposed as a condition of approval of the special exception.
 - (e) Specific requirements. Every congregate living facility shall comply with the following requirements:
 - (f) A minimum of one parking space shall be provided for each four residents, plus one space for each employee on the shift of greatest employment.
 - (g) Congregate living facilities shall establish a safe drop-off area for group transportation, such as vans or similar vehicles.
- (C) Valet and Tandem Parking: The use of valet and tandem parking (See Section 78-142.c.8.d, Valet Parking) is encouraged with the following modifications:
 - (1) All uses, except eating establishments and hotels, may designate a maximum of 75% of the total number of required off-street parking spaces as valet parking. The valet spaces may be tandem.
 - (2) Eating Establishments and Hotels may designate a maximum of 100% of the total number of required off-street parking spaces as valet parking. The valet spaces may be tandem.
- (D) Shared Parking. The use of shared parking (See Section 78-142.c.8.a., Shared Parking) is encouraged with the following modifications for non-residential uses only:
 - (1) The maximum distance between the primary pedestrian entrance of the shared use parking lot or parking garage and the primary pedestrian entrance of the use served by the parking shall be 1320 feet.
- (E) Location of Required On-site Parking Spaces.
 - (1) Residential uses shall provide 100% of the required on-site parking, a maximum of 600 feet from the building or land use they are intended to serve.
 - (2) Only non-residential uses may provide the required on-site parking spaces off-site and the following shall apply:
 - (a) A maximum of 100% of the required off-street parking spaces may be located off-site; and
 - (b) The off-site parking spaces may be located in a parking lot or parking garage up to 1,320 feet away from the primary pedestrian entrance to the use served by the parking.
 - (c) The off-site parking spaces shall be located within the MU district.
- (F) On-Street Parking. On-street parking, along the corresponding frontage lines touching

the adjacent sidewalk to the property, may be used to satisfy a portion of the off-street parking requirements for all uses, except single family.

(G) Bicycle racks and bicycle storage. Bicycle racks and storage shall be required as follows:

(1) Bicycle racks and bicycle storage for commercial uses. Commercial developments, shall provide:

(a) secure bike racks and/or storage at a ratio of one bicycle parking space per every 10 required parking spaces and

(b) a minimum of one shower and changing facility shall be provided to be available for all tenants and shall be located within the building, or within 200 feet of the building entrance, for developments greater than 50,000 square feet in gross building area.

(2) Bicycle racks and bicycle storage for residential uses. One bicycle parking space shall be provided per every 10 required parking spaces. Required residential bicycle parking spaces shall be provided in a secured area, covered from the elements.

(3) Mixed use developments. Mixed-use developments shall provide secure bicycle parking spaces for both the commercial and residential components of the development as calculated separately pursuant to the requirements of this section.

3. Loading. Loading for properties within the MU District shall comply with the standards for Off-Street Loading in Section 78-143, Off-street Loading Standards, except as modified herein.

a. Properties within the MU shall provide loading off-street. Where it is unfeasible to provide loading off-street, loading shall be permitted off an alley/service road. Where an alley/service road is not existing, proposed or feasible, loading shall also be permitted on-street subject to the following conditions:

i. An On-Street Loading Plan, subject to Minor Site Plan approval, is approved. The On-Street Loading Plan shall demonstrate the location of the loading berth(s), the hours for loading and unloading, and a list of the uses in abutting properties and their respective hours of operation; and

ii. The on-street loading area shall not be located along building frontages; and

iii. The on-street loading area shall be located along a tertiary street in the area designated for on-street parking in the public right-of-way; and

iv. The hours of loading and unloading, as demonstrated in the On-Street Loading Plan, do not create a conflict with the current or proposed uses on abutting properties. Should the hours of loading and unloading create a conflict with current or future uses on abutting properties, the on-street loading plan shall be revised and/or revoked accordingly.

I. MU District Landscape Standards

The following standards shall apply to development in MU districts. In addition, applicable standards in Article VIII (Landscaping and Vegetation Protection) shall apply except as modified herein.

1. Modified Landscaping Requirements. The following standards from Article VIII (Landscaping and Vegetation Protection), are modified for properties within the MU District:

a. Section 78-253.c.4. – Vehicular use areas, including driveways, public rights-of-way and parking lots, shall have a minimum 2-foot-high hedge at planting and a maximum 3-foot-high hedge at maturity, planted two feet on center, for visibility and security.

b. Section 78-253.h.1. – Landscape Buffers:

i. A landscape buffer shall be a minimum of 8 feet in depth along the interior side or rear property lines.

ii. Landscape buffers along a public street right-of-way shall only be permitted to screen parking, vehicular use areas, outside storage and/or trash collection sites and shall be a minimum of 8 feet in depth.

c. Section 78-253.h.2. – Street Trees:

- i. In order to encourage shade, street trees should be clustered. Street trees shall be placed no closer than 15 feet apart and no farther than 20 feet apart. A maximum of 50% of the length of the lot frontage can be without trees. (For example, a lot with 120 feet of street frontage is required to plant four street trees, based on one tree per 30 feet of street frontage. 60 feet of street frontage may have no trees. Within the remaining 60 feet of street frontage, the four required trees should be placed at least 15 feet and not more than 20 feet apart.)
 - d. Section 78-253.h.4. – Berms shall not be permitted to screen outside storage and/or trash collection sites.
 - e. Section 78-253.h.5. – Foundation Landscaping:
 - i. Buildings with commercial uses on the ground floor, and whose building line is setback no more than 10 feet from the front and street side property lines shall not be required to provide plantings along the base of the building where the frontage is occupied by a commercial use or a residential lobby area.
- 2. Additional Landscaping Requirements. In addition to the landscape standards in Article VIII (Landscaping and Vegetation Protection), properties within the MU district shall comply with the following additional landscaping standards:
 - a. Utilization of berms to screen parking, vehicular use areas, outside storage and/or trash collection sites from public thoroughfares and adjacent residential uses shall be prohibited.
 - b. Landscaping elements shall align with adjacent building elements.
 - c. Native trees shall be preserved where feasible. Building setback should be adjusted to preserve tree canopy. A native tree as a focal point in a courtyard or expanded sidewalk area is encouraged with the addition of a suspended pavement system that will preserve a soil volume that is appropriate for the specified tree species at maturity. Root barriers shall also be utilized to ensure that a sustainable planting solution is provided.
 - d. Shrubs and ground cover shall only be placed between the sidewalk and the curb. Exception shall be made only for residential uses on the ground floor. This exception shall not apply at entrances to residential uses located on the second floor or above.
 - e. Street Trees:
 - i. Street trees are required and shall be provided at a maximum of one tree per 30 feet of street frontage.
 - ii. Street trees may not be required when colonnades are being provided along the street and the colonnade is placed at a maximum of 5 feet from the back of curb.
 - iii. When a landscape strip is not provided, street trees shall be placed in tree pits covered with ADA compliant pervious material with the use of a suspended pavement system that is equivalent to a soil volume appropriate for the specified tree species at maturity. Root barriers shall also be utilized to ensure that a sustainable planting solution is provided.
 - iv. Adequate clearance to the building facade for uniform development of the street tree canopy shall be demonstrated for the type and species selected.
 - f. All landscape areas shall be 100% fully irrigated.

J. MU District Open Space and Greenway System Standards

Open space may be one of three types: designated publicly accessible, semi-public or private. All developments are required to provide a minimum of private open space as determined by the building type. The Designated Publicly Accessible Open Spaces and Greenway Systems Regulating Plan for each MU district shows the approximate location of existing public and required new designated publicly accessible open spaces and a greenway system throughout the MU District, where the intent is to establish a network of open spaces.

- 1. Designated Publicly Accessible Open Spaces: Designated publicly accessible open spaces are open spaces on private property that are required in the Designated Publicly Accessible Open Spaces and

Greenway Systems Regulating Plan and/or for a Density Bonus Provision where applicable and shall provide public access in order to enhance the connectivity of the public realm. New designated publicly accessible open spaces are small in scale, largely devoted to natural landscaping and outdoor recreation, and tend to have few structures. Golf courses, golf driving ranges, cemeteries and mausoleums shall not be included in this category. Accessory structures may include clubhouses, statuary, fountains, maintenance facilities and concessions. Open space types include greens, squares, and plazas. Designated publicly accessible open spaces shall be subject to the following requirements:

- a. The minimum size of a new designated publicly accessible open space shall be 4,800 SF unless otherwise specified in the overlay district.
 - b. The general location shall conform with the Designated Publicly Accessible Open Space and Greenways System Regulating Plan.
 - c. New designated publicly accessible open spaces shall be provided at grade level.
 - d. Provided that all other parameters on the Regulating Plans are met and that an individual/developer owns the entire designated publicly accessible open space area and an adjacent area, the final location of the publicly accessible open space may be proposed onto such adjacent area.
 - e. New designated publicly accessible open spaces shall provide shaded areas, and their ground surface shall be a combination of paving materials, sod, or ground cover.
 - f. No replatting or other land subdivision shall divide property in such a way that the required designated publicly accessible open space is avoided, or its location changed.
 - g. Off-street parking shall not be required for new designated publicly accessible open spaces.
 - h. The development and ongoing maintenance of a new designated publicly accessible open space area shall be the responsibility of the developer/property owner.
 - i. Properties that provide new designated publicly accessible open space shall be permitted relief from the maximum building setback requirements along the portion of the building fronting the open space specifically for the purpose of accommodating the open space.
 - j. Fences, walls and hedges are permitted around the perimeter of a designated publicly accessible open space in accordance with Table 78-83.K-2: Fence, Walls, and Hedges Around Open Spaces.
 - k. Shall not count toward the minimum private open space requirement.
2. Semi-public Open Spaces

Semi-public open spaces are open spaces on private property, located along a street frontage, that are not required to provide public access, however, shall have visibility from the street. Open space types include greens, squares, and plazas.

- a. Semi-public open space may count towards the minimum private open space requirement.
- b. Semi-public open space shall only be permitted where residential dwelling units are on the ground floor.
- c. Semi-public open space shall abut a public sidewalk and be visible from the street.
- d. Off-street parking shall not be required for semi-public open spaces.
- e. The development and ongoing maintenance of a new semi-public open space area shall be the responsibility of the developer/property owner.
- f. Properties that provide semi-public open space shall be permitted relief from the maximum building setback requirements along the portion of the building fronting the open space specifically for the purpose of accommodating the open space.
- g. Fences, walls and hedges are permitted around the perimeter of a semi-public open space in accordance with Table 78-83.K-2: Fence, Walls, and Hedges Around Open Spaces.

3. Private Open Spaces

Private open spaces are open spaces on private property that are required for private use only.

- a. Private open spaces may be provided on the ground level or in roof terraces or upper level decks.

- b. The minimum area required for private open space shall be as specified for each building type or as modified in each MU overlay district.
 - c. Private open spaces shall be provided in the form of colonnades, courtyards, terraces, and sodded lawns. Corridors, walkways, pedestrian passages, lobbies, balconies, parking courts, lakes, golf courses, and parking lot buffers shall not count towards the open space requirement.
 - d. Private open spaces shall provide shaded areas that may consist of palms or shade trees, and their surface shall be a combination of paving materials, sodded lawn, or ground cover.
4. Open Space Type Configuration and Design
New designated publicly accessible open spaces and new semi-public open spaces shall be developed in the form of greens, plazas or squares.
- a. Greens.
 - i. Greens shall have more than 50% of their property lines abutting or across the street from residential uses areas.
 - ii. Exclusive of dedicated rights-of-way, the maximum impervious area is 20%. The pervious surface areas shall consist primarily of drought tolerant ground covering, trees, and garden structures, such as benches and tables without concrete pads for support, and permeable hard-surfaced walkways. Any impervious surfaces shall consist of hard-surfaced areas such as concrete walkways and garden structures with concrete pads for support.

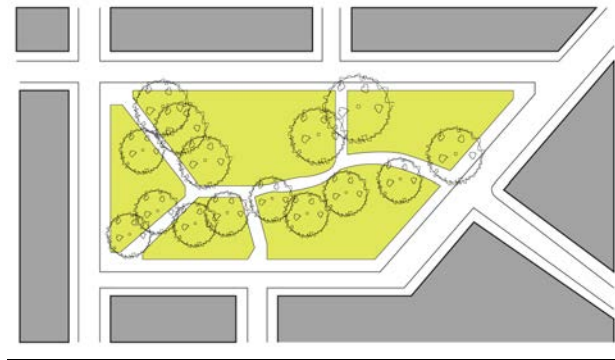


Figure 78-83.J-1: Green

- b. Plazas.
 - i. Plazas shall have a minimum of 50% of their property lines abutting or across the street from mixed use and nonresidential uses areas.
 - ii. Exclusive of dedicated rights-of-way, the minimum hard surfaced area is 50% and the maximum impervious surface area is 75%. The pervious surface areas shall consist primarily of drought tolerant ground covering, trees that are regularly spaced, and garden structures such as benches, tables, and fountains. The impervious surfaces shall consist of paved areas, permanent architecture such as archways, statues and gazebos or water-oriented features.

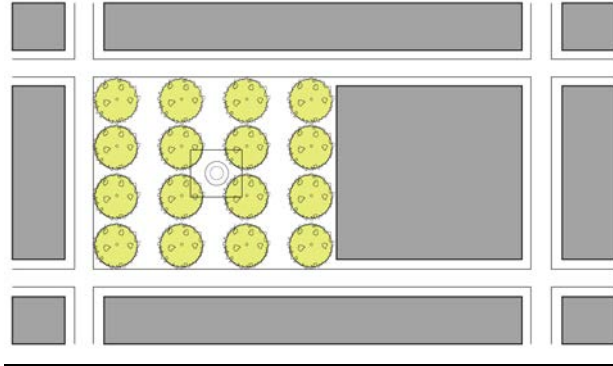


Figure 78-83.J-2: Plaza

c. Squares.

- i. Squares shall be flanked by streets at a minimum on three sides.
- ii. Exclusive of dedicated rights-of-way, the maximum hard surfaced area is 50%. The pervious surface areas shall consist primarily of drought tolerant ground covering and trees that are regularly spaced, and permeable hard-surfaced walkways. Any impervious surfaces shall consist of hard-surfaced walks.

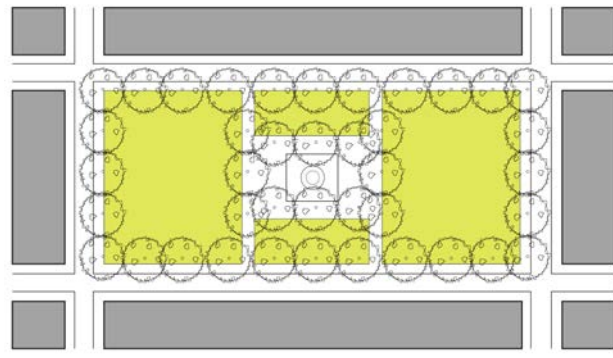


Figure 78-83.J-3: Square

5. Designated Publicly Accessible Greenway Systems

The designated publicly accessible greenway system is meant to provide a visual and physical connection between the designated open spaces, as illustrated in the Designated Publicly Accessible Open Space and Greenway Systems Regulating Plan for each MU district. The Greenways System is established through the enhancement of specific streets and/or the use of pedestrian passages. The property owner shall dedicate the land for the publicly accessible greenway or provide an easement, at the Town's discretion, for public access along the entire length of the greenway abutting the property. Additionally, the development and ongoing maintenance of the required designated publicly accessible greenways shall be the responsibility of the developer/property owner along the greenway. The design and dimensional requirements for the required greenways are specified in each overlay district.

The designated public greenway system shall ensure pedestrian connectivity along specific streets and pedestrian passages by:

- a. Providing a tree species that provides substantial shade along the street. Palm trees shall not count toward the required number of street trees.
 - i. A minimum of fifty percent (50%) of the required street trees shall be shade trees, and the

remaining street trees may be provided as medium or large flowering trees. Palm trees may be used over and above the minimum number of required street trees. Street trees shall be provided at a ratio of one street tree per 20 feet of street frontage, or a greater ratio thereof, not subtracting ingress and egress dimensions. Where overhead utilities exist, required street trees may be small trees provided at a ratio of one street tree per 20 feet of street frontage.

- b. Providing adequate street furnishings such as benches, bus shelters, drinking water fountains etc.
- c. Providing a landscape plan illustrating a significant tree species along the greenway that is distinguishably different from the other streets in terms of color, type and shape.
- d. At the time of planting, the trunk of the tree shall be a minimum of 15' clear height to the bottom of the canopy.
- e. Pedestrian Passages
 - i. Pedestrian passages shall be a minimum clear width of 15 feet between buildings.
 - ii. A minimum of 50 percent of the pedestrian passages shall be shaded and may include a combination of landscaping and architectural elements.
 - iii. If provided, tree placement shall be in planters or tree pits covered with an ADA compliant permeable material a minimum of five (5) feet by five (5) feet, with a suspended pavement system soil that is equivalent to a soil volume that is appropriate for the specified tree species, at maturity.
 - iv. Pedestrian scaled lighting shall be provided.

K. MU District Walls, Fences and Hedges Standards

The following standards shall apply to development in MU districts. In addition, applicable standards in Article IV (Walls, Fences and Hedges) shall apply except as modified herein.

- 1. Mechanical Equipment and Service Utilities. In addition to the standards found within Section 78-111 253 (Landscaping), the following standards shall apply:
 - a. Mechanical equipment, television antennas, satellite dishes, communication devices, air conditioning units, and similar systems and service areas shall not be visible from the public sidewalk; and shall be located to the rear of a building or on an alley/service road, or on the roof, where feasible.
 - b. Exhaust air fans and associated louvers may be allowed on secondary or tertiary building frontages above the first floor only.
 - c. All mechanical equipment shall be screened from public view.
 - d. Window air conditioning units shall not be visible from any street and shall not be located on the primary building façade.
 - e. Utility connections and service boxes shall not be visible from any street and shall be placed on secondary walls and away from corners.
 - f. Backflow preventers, double detector check valves, siamese connections, and the like (or any other utility connections and service boxes) shall be located to the rear of the building or on an alley/service road or behind the building line on secondary frontages and away from corners.
- 2. Fences, Walls, and Hedges
 - a. Fences, walls, and hedges for non-residential and mixed use buildings shall not be permitted in the front yard (or in front of the building line) and shall only be permitted along the building line and behind the building line (or along side and rear lot lines) and/or when used in conjunction with the following:
 - i. Screening of mechanical equipment;
 - ii. Screening of off-street loading and service areas;
 - iii. Screening of commercial containers;
 - iv. Required perimeter buffer when abutting residential lot lines; and
 - v. Screening of off-street parking lots:
 - (A) Fences, walls and hedges for screening off-street parking lots shall be placed along the

building line, interior side and rear property lines only. Fences, walls and hedges shall not be permitted in the front and street side setbacks.

- (B) The maximum height of fences shall be 72 inches and the maximum height of walls shall be 36 inches.
 - (C) Hedges shall be a minimum of 24 inches at time of planting, with a spread of at least 24 inches wide planted two feet on center and a maximum of 36 inches in height.
 - (D) Fences shall have a minimum transparency of 75 percent.
 - (E) Fences and walls shall be made of masonry, electrostatic aluminum or wrought iron.
- b. Fences, walls and hedges for residential uses: residential developments or ground floor residential spaces in mixed use buildings located within the MU District may install fences, walls, and hedges in accordance with the standards in Table 78-83.K-1.
- i. Figure 78-83.K-1 demonstrates the allowable fences, walls, and hedges for residential buildings including zero lot line, townhouse, flex and liner.
 - ii. Notwithstanding the location of the building line, new fences, walls, and hedges shall align with existing adjacent fences, walls, and hedges where feasible.

**TABLE 78-83.K-1: Fence, Walls, and Hedges for Residential Uses
(including ground floor residential within a mixed use building)**

Location	Type and Material	Height	Transparency
<u>Front yard - In front of the building line (BL): Along front (F), Street Side (S), and interior side (I) property lines</u>	<u>Walls or Fences: Masonry, painted concrete, wood⁴, electrostatic plated aluminum, or painted wrought iron</u>	<u>Max 30"¹ (wall) Max. 42"¹ (fence)</u>	<u>N/A (wall) Min. 75% (fence)</u>
	<u>Combination wall/fence:</u>	<u>Overall: Max. 42"¹ Solid wall portion: Max. 16"</u>	<u>Min. 75% (fence)</u>
	<u>Hedges and shrubs</u>	<u>Min. 24"² at time of planting; Max. 48"</u>	<u>N/A</u>
<u>Behind the building line (BL): Along the building line (BL), interior side (I) and rear (R) property lines</u>	<u>Walls or Fences: Masonry, painted concrete, wood⁴, electrostatic plated aluminum, painted wrought iron, vinyl or chain link³</u>	<u>Max. 72"¹</u>	<u>N/A</u>
	<u>Hedges and shrubs</u>	<u>Min. 24"² at time of planting; Max. 72"</u>	<u>N/A</u>
<u>Off-street parking areas facing streets: Behind the building line (BL): Along the building line (BL)</u>	<u>Walls or Fences: Masonry, painted concrete, wood⁴, electrostatic plated aluminum, painted wrought iron</u>	<u>Max. 36"¹ (wall) Max. 72"¹ (fence)</u>	<u>N/A (wall) Min. 75% (fence)</u>
	<u>Hedges and shrubs</u>	<u>Min. 24"² at time of planting; Max. 36"</u>	<u>N/A</u>

NOTES:

1. Excluding decorative elements of poles and pillars not to exceed 6" in height
2. With spread at least 24 inches wide.
3. Chain link fences shall only be permitted in single family areas. The chain link fence shall only be permitted along and behind the building line, along interior side and rear property lines coated with vinyl that is colored in black or green. The selected color shall be used consistently within the development.
4. natural, painted or stained

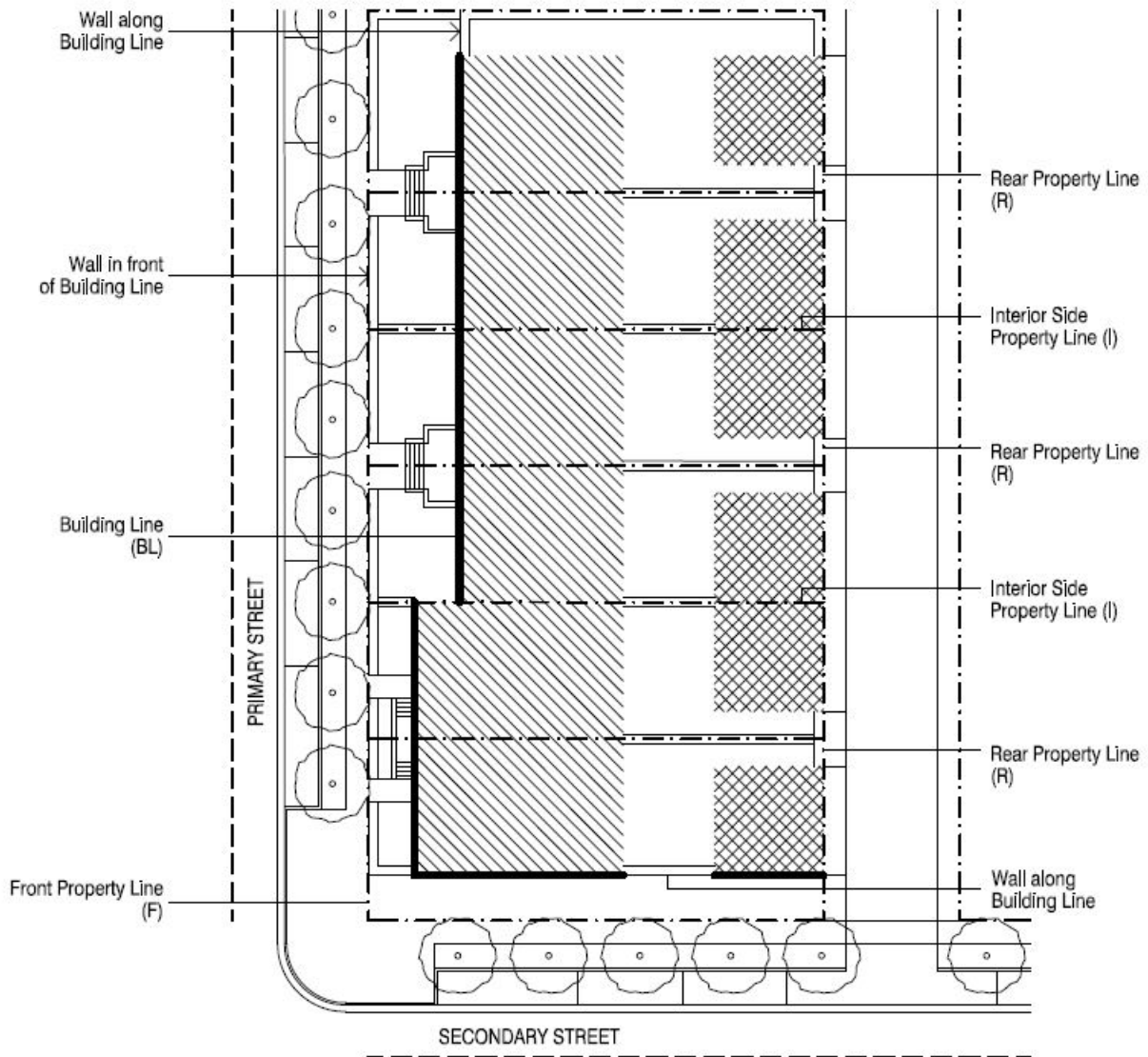


Figure 78-83.K-1: Fences, Walls, and Hedges for Residential Buildings

- c. No fence or wall may be constructed, installed or maintained which includes barbed wire, chicken wire, razor wire, broken glass, electrical elements, or other hazardous materials in the MU Districts.
- d. Fences, walls and hedges around open spaces. Fences, walls and hedges around open spaces may be installed in accordance with the standards in TABLE 78-83.K-2.

TABLE 78-83.K-2: Fence, Walls, and Hedges Around Open Spaces

Location	Type and Material	Height	Transparency
<u>Around perimeter of designated publicly accessible and semi-public open space</u>	<u>Walls or Fences: Masonry, painted concrete, wood ⁴, electrostatic plated aluminum, or painted wrought iron</u>	<u>Max. 48" ¹</u>	<u>Min. 75%</u>
	<u>Combination wall/fence:</u>	<u>Overall: Max. 48" ¹ Solid wall portion: Max. 16"</u>	<u>Min. 75% (fence)</u>
	<u>Hedges and shrubs</u>	<u>Min. 24" ² at time of planting; Max. 48"</u>	<u>N/A</u>
NOTES:			
<u>1. Excluding decorative elements of poles and pillars not to exceed 6" in height</u>			
<u>2. With spread at least 24 inches wide.</u>			

L. MU District Exterior Lighting Standards

Exterior lighting shall comply with the following standards:

1. Light poles shall not exceed a height of 17.5 feet above the adjacent finished grade;
2. No cobra head lights are permitted;
3. All lighting shall be weather and vandal resistant (i.e. resistant to graffiti, shattering etc.);
4. All exterior lighting is encouraged to be solar powered; and
5. On-site lighting poles shall be of a consistent architectural style and shall complement the predominant architectural theme of the project.

M. MU District Height Standards

The height of buildings shall be measured in both stories and feet. The maximum overall building height shall not exceed the maximum building height allowed for the district. Additionally, the following shall apply:

1. Building height is calculated from the average elevation of the adjacent public sidewalk or the crown of the road if no sidewalk exists to the top of the highest story or, in the case of pitched roofs, to the average height between the bottom of the eave and the peak of the roof.
2. The Community Development Director or his/her designee shall have the authority to adjust administratively the requirements for building height maximum, for up to 10 percent of the required measurement of height only. The maximum number of floors shall not be adjusted.
3. Each story shall be permitted a maximum height of 12 feet except for the ground floor and top floor which shall be permitted a maximum height of 20 feet.
4. When the mezzanine area is greater than 50 percent of the floor area in which it is in, it shall count as a full story when calculating building height.
5. Parking garages shall be measured in levels.
6. Each parking garage level at the frontage line(s) shall equal one story for the purposes of measuring building height.
7. Any parking garage levels that are fully concealed by a habitable story and use for a minimum depth of 20 feet from the frontage line(s) are not restricted in the number of levels, provided that the overall height of the garage does not exceed the overall height of the habitable stories at the frontage line.
8. Only building elements permitted to extend beyond the height of the building are exempt from the maximum allowable building height requirements as specified below in Table 78-83.M-1.

TABLE 78-83.M-1: Maximum Allowable Height Encroachments of Building Elements

<u>Building Element</u>	<u>Maximum Height Encroachment</u>
<u>Architectural/Decorative Roof</u>	<u>15 feet</u>
<u>Architectural Features</u>	<u>15 feet</u>
<u>Covered Structures</u>	<u>12 feet</u>
<u>Parapet</u>	<u>5 feet</u>
<u>Mechanical Rooms & Equipment</u>	<u>15 feet</u>
<u>Swimming Pools and Decks</u>	<u>8 feet</u>

N. MU District Design Standards

The following standards shall apply to development in MU districts in addition to any applicable standards in Article XII (Architectural Design Guidelines for Non-Residential Buildings):

1. Exceptions: Properties within the MU District shall be exempted from the following standards:
 - a. Section 78-330.5 (Façade/wall height transition);
 - b. Section 78-332.5 (Scale);
 - c. Section 78-333.3 (Recesses/projections);
2. Modifications:
 - a. Section 78-332.3 (Style): Appropriate historical themes as defined by Article XII shall only be required for buildings along the west side of US1 and west of US1 in the Federal Highway Mixed Use District Overlay.
 - b. Section 78-333.2 (Preferred exterior materials): glass window systems shall be permitted for buildings along the east side of US1 and east of US1 in the Federal Highway Mixed Use District Overlay only.
 - c. Section 78-335.1 (Pedestrian Walkways): The minimum width of sidewalks shall be as specified in the MU District and/or as modified in the Overlay District. The requirement to locate the sidewalk at least 6 feet from the façade of the building to provide planting beds for foundation landscaping shall only be required for buildings with residential uses on the ground floor.
3. Building Configuration and Design:
 - a. Building length.
 - i. The maximum horizontal dimension of a building shall be 350 feet at any level.
 - ii. The Community Development Director or his/her designee shall have the authority to adjust administratively the requirements for maximum building length, for up to 10 percent of the required measurement.
 - b. Building Separation.
 - i. Tower building types, or buildings greater than 6 stories, built to the maximum building length shall provide a minimum 30-foot separation from the subject building and any adjacent building within the same lot or the adjacent lot. The separation shall be open to the sky and improved as a pedestrian passage or open space running the entire depth of the block and shall provide building access and connect with the existing street grid. If the separation is publicly accessible, a minimum of 50% of active use shall be provided for the portion of the ground floor fronting the pedestrian passage or open space.
 - ii. Townhouses shall provide a minimum of 15 feet between building groups. Liner, flex, and courtyard building types, built to the maximum building length, shall provide a minimum 15-

foot separation from the subject building and any adjacent building within the same lot or the adjacent lot. The separation shall be open to the sky and improved as a pedestrian passage or open space running the entire depth of the block and shall provide building access and connect with the existing street grid. If the separation is publicly accessible, a minimum of 50% of active use shall be provided for the portion of the ground floor fronting the pedestrian passage or open space.

c. Building Break.

Any building frontage along a primary or secondary or tertiary street that exceeds 160 feet shall incorporate a building break of at least 30 feet in width and 10 feet in depth, every 160 feet, at the ground level. The break shall be improved as a forecourt or open space and/or provide building access and occur on axis with the existing street grid.

d. Projects with three or more distinctly separate buildings/building groups shall have substantially different front elevations. Substantially different front elevations shall include but not be limited to variations in fenestration, material, massing and color.

e. The primary entrance of a building shall provide access to a public right-of-way, greenway or an open space.

f. The primary entrance to the upper levels of mixed use building shall be from a public right-of-way.

g. Porticoes, canopies, colonnades and roofs shall be guttered, and drainage shall be deposited onsite.

h. Active Use Standards.

Active uses shall be required along all building frontages as required per Street Type, Hierarchy, or Building Type as provided in the Overlay District and the following shall apply:

i. Ground floor active use, storefronts. Storefronts are active uses located along the ground floor of a building. They typically contain retail uses but can contain any use that generates pedestrian activity. Storefronts shall be provided in compliance with the following standards:

- (A) They shall be provided on the first floor of all mixed use and non-residential buildings;
- (B) They shall be directly accessible from a street frontage, greenway or an open space;
- (C) For properties with two or more frontages, they shall be located on a minimum of two frontages, with priority given to frontages on a greenway, an open space and the highest-ranking street;
- (D) They shall have a glazed area of not less than 70 percent of the façade area;
- (E) Ground floor window sills shall be placed at a maximum height of 24 inches above grade;
and
- (F) Security enclosures, if any, shall be of the mesh type that pedestrians can see through, and shall be located behind storefront displays.
- (G) The glazed area shall have a minimum visible light transmittance of 75 percent and a maximum reflectance of 15 percent.
- (H) The glazed area 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.
- (I) At least 50 percent of the area of security screens and gates shall be transparent.

ii. Ground floor active use, all other uses. All building types, except single-family, shall comply with the following standards:

- (A) A minimum of 30% of all ground floor street walls shall be fenestrated with windows;
- (B) Mirror type glass shall be prohibited;
- (C) All glazing shall be of a type that permits view of human activities and spaces within the structure;

- (D) Windows and doors shall be proportioned such that the height of each opening is greater than its width; and
- iii. Ground floor active use, liner. The minimum depth of an active use liner is measured generally perpendicular to the building frontage.
 - (A) The minimum depth of the active use liner shall be 20 feet.
 - (B) Those portions of active use liners which exceed the minimum frontage requirements may have a minimum depth of 15 feet.
 - (C) When a parking structure is the primary use, the active use liner may be reduced to a minimum of 15 feet.
 - (D) The Community Development Director or his/her designee shall have the authority to adjust administratively the requirements for minimum depth of the active use liner, for up to 20 percent of the required depth.
- i. Colonnade Standards:
 - i. Colonnades built to satisfy building frontage requirements shall be attached to the principal structure.
 - ii. In no case shall the width of the colonnade exceed the colonnade's height.
 - iii. The finished floor elevation of the colonnade shall match the adjoining sidewalk, where feasible.
- j. Awnings: The type of awning used, and its form, materials and color shall be consistent with the design character of the building to which it is attached and shall be subject to the following requirements:
 - i. Awnings shall be located between, rather than across, significant vertical architectural features that make up the composition of the facade, such as pilasters or protruding columns. Awning framing shall align with storefront framing.
 - ii. Awning framing shall be rectangular with straight edges except when located above an archway or arched fenestration.
 - iii. Vinyl and plastic awnings are prohibited unless treated in a manner so as to appear similar to canvas or other natural materials in texture and color.
 - iv. Valances shall not exceed eight (8) inches in height.
 - v. When used, lighting for awnings shall be from fixtures located above the awning and shall be designed and placed to enhance the appearance of the building. Internally illuminated awnings are prohibited.
 - vi. A waiver may be granted administratively by the Community Development Director or his/her designee in order to maintain the architectural character of a structure, or in the event that site features, such as, but not limited to, utility line poles or street trees, restrict the applicant from full compliance.
- k. Automatic food and drink machines and telephones shall be located inside buildings.
- l. Live-work units: A live-work unit shall have two components: a nonresidential use space and a residential unit and shall comply with the following standards:
 - i. The nonresidential use's space shall be located on the ground floor and shall be directly accessible from the street frontage, greenway or an open space;
 - ii. The nonresidential use's facade shall have a transparent clear glazed area of not less than 70 percent; and
 - iii. If the entrance of the residential component of a live-work unit is separate from the nonresidential use's portion of the unit then the primary entrance of the residential component shall directly lead to a street frontage, greenway or an open space.
 - iv. The ground floor shall be restricted to those non-residential uses permitted within the MU districts. The full conversion of the unit or lease space into all residential use or all non-

residential uses shall be prohibited;

m. Rooftops: These regulations are intended to guide the non-habitable use of rooftops for buildings built to the maximum story height limit to allow rooftop terraces. Rooftop terraces and rooftop amenities, such as roof gardens, observation decks, swimming pools, running tracks and covered structures, are encouraged to create unique gathering spaces or to aid in the reduction of the urban heat index in the MU district, and to add aesthetic value to the buildings. Rooftop terraces are not intended to add additional story height for uses that could otherwise occupy space within the building, such as, but not limited to, fitness centers, restaurants, locker rooms, and other similar amenities.

i. Rooftop terraces

- (A) Rooftop terraces shall be architecturally compatible with the design of the overall building.
- (B) Rooftop terraces that are entirely open to the sky may occupy 100 percent of the total gross roof area.
- (C) Rooftop terraces shall be hardscaped with materials such as, but not limited to, patterned concrete, pavers, or wood decking.
- (D) Rooftop terraces shall provide shaded seating areas.
- (E) Rooftop terraces shall be landscaped over a minimum of 25 percent of the rooftop terrace area. Landscaping shall consist of trees, shrubs, ground cover, and vines.
- (F) All landscape and planting areas shall be 100% fully irrigated.

ii. Rooftop covered structures

- (A) Covered structures above the maximum allowable building height are permitted to cover a maximum area of 30 percent of the gross rooftop area. For the purposes of calculating the maximum area, the term "covered structures" shall not include enclosures for screening mechanical systems.
- (B) Covered structures above the maximum allowable building height shall not be designed in any manner that would permit the conversion of such structure from non-habitable to habitable space and shall not include commercial uses. Covered structures shall be compatible with and in proportion to the architecture of the overall building. The following restrictions apply:
 - (1) Climate-controlled structures are limited to the minimum area necessary to accommodate uses which are secondary and incidental to the primary rooftop amenity. These structures may include saunas and steam rooms and code-required restrooms.
 - (2) The supporting restroom facilities shall not exceed 110 percent of the size required by the health department.
 - (3) Refreshment service areas are permitted provided such areas do not include cooking facilities and are not climate-controlled.

iii. Rooftop Swimming Pools

Swimming pools and/or whirlpools are permitted in rooftop terraces subject to the following criteria:

- (A) Swimming pools and/or whirlpools are permitted provided the top of the surrounding deck does not exceed eight feet above the top of the main rooftop.
- (B) Swimming pools and/or whirlpools shall be surrounded by a minimum five-foot wide walkway.
- (C) Facilities associated with swimming pools shall comply with the standards for rooftop covered structures.

4. Building Typology and Placement Regulating Diagrams and Dimensional Standards:

- a. Building Typology: Unlike other zoning districts, the MU district is a form-based district that includes a list of permitted building typologies. All new buildings shall conform to one of the

permitted building typologies. The building typologies are demonstrated in the Building Typology and Placement Regulating Diagrams found in Appendix A of this code section. The diagrams provide a schematic representation of the various building typologies and demonstrate the required setbacks, lot standards, and profiles of structures. Not all building typologies are permitted in each overlay district. Each overlay district specifies the allowable building types permitted in each district per Sub-Area. Existing buildings which do not fit a prescribed typology shall follow the standards required for the Flex building typology.

- b. Setbacks and Building Frontage.
 - i. Front and Street Side Setbacks and Building Frontage. Front and Street Side setbacks are determined based on the street the building fronts and is specified in each overlay district. In addition, the following shall apply:
 - (A) For purposes of the building frontage, a forecourt shall be considered as a principal building. Where a forecourt is provided, the following shall apply:
 - (1) The portion of the building fronting the forecourt may be set back up to 25 feet from the property line to accommodate a forecourt.
 - (2) To accommodate an outdoor eating area along the street frontage only, the building frontage may be altered by providing a forecourt. The forecourt shall not exceed sixty (60%) percent of the building frontage.
 - ii. Interior Side and Rear Setbacks. Interior Side and Rear Setbacks are determined based on the selected building typology. Refer to the Building Typology and Placement Regulating Diagrams found in Appendix A of this code section for interior side and rear setbacks per building typology.
- c. Lot Standards: Lot standards, including but not limited to lot dimensions and impervious surface area, are determined based on the selected building typology. Refer to the Building Typology and Placement Regulating Diagrams found in Appendix A of this code section for the lot standards per building typology.
 - i. For full block developments in the Core and Center subareas only, the minimum and maximum lot width and lot depth shall not apply.
 - ii. The Community Development Director or his/her designee shall have the authority to adjust administratively the requirements for minimum lot depth and lot width, for up to 10 percent of the required measurement, for existing lots established prior to the date of the adoption of this ordinance.
- d. Maximum Allowable Projections and Encroachments of Architectural Elements: Projections and encroachments including, but not limited to the following architectural elements, awnings, balconies, stoops, stairs, open porches, and bay windows may be permitted to extend into the minimum required setbacks. All features shall be fully located within the boundaries of the applicant's property, except for the elements permitted to extend past a property line. The maximum allowable projections and encroachments are listed below in Table 78-83.N-1.

Table 78-83.N-1: Maximum Allowable Projections and Encroachments of Architectural Elements

Elements	Front, Street Side, and Rear Setbacks		Interior Side Setback	0 ft. setback
	Setback = 10 ft. or less	Setback = greater than 10 ft.		
Bay Windows	3 feet ⁵	3 feet ⁵	3 feet	Upper floor only, 3 ft. into a public right-of-way ²
Balconies	6 feet ⁵	6 feet ⁵	3 feet	Upper floor only, 3 ft. into a public right-of-way ²
Awnings ⁴	6 feet	6 feet	3 feet	24 in. from the face of the curb ²
Stoops	6 feet	6 feet	3 feet	Not Permitted
Stairs	6 feet	8 feet	3 feet	Not Permitted

<u>Porches</u> ¹	<u>6 feet</u>	<u>8 feet</u>	<u>3 feet</u>	<u>Not Permitted</u>
<u>Roof eaves, chimneys, and ramps</u>	<u>May encroach into all setbacks</u>			<u>Roof Eaves only, 3 ft. into a public right-of-way</u> ²
<u>Cornice</u> ³	<u>May encroach into all setbacks</u>			<u>1 ft. into a public right-of-way</u> ²
<u>Notes:</u> <u>1. The encroachment of porches shall only be permitted in conjunction with residential single-family units.</u> <u>2. Right-of-way encroachments shall be a minimum of 11 feet above the sidewalk.</u> <u>3. A cornice line shall project a minimum of 2 inches from the front elevation of the structure.</u> <u>4. The placement of awnings shall take into consideration the overall composition of the facade. Awnings shall be designed to fit between vertical architectural elements or features including but not limited to columns, etc. In no case shall the length of an awning exceed 20 feet.</u> <u>5. Accessory buildings shall be permitted to have balconies or bay windows that encroach a maximum of 3 feet into the rear yard setback.</u>				

MIXED USE DISTRICT (Sec. 78-83) APPENDIX A
BUILDING TYPOLOGY AND PLACEMENT REGULATING DIAGRAMS

MIXED USE DISTRICT: BUILDING TYPOLOGY AND PLACEMENT REGULATING DIAGRAMS

FIGURE I: TOWER BUILDING TYPE

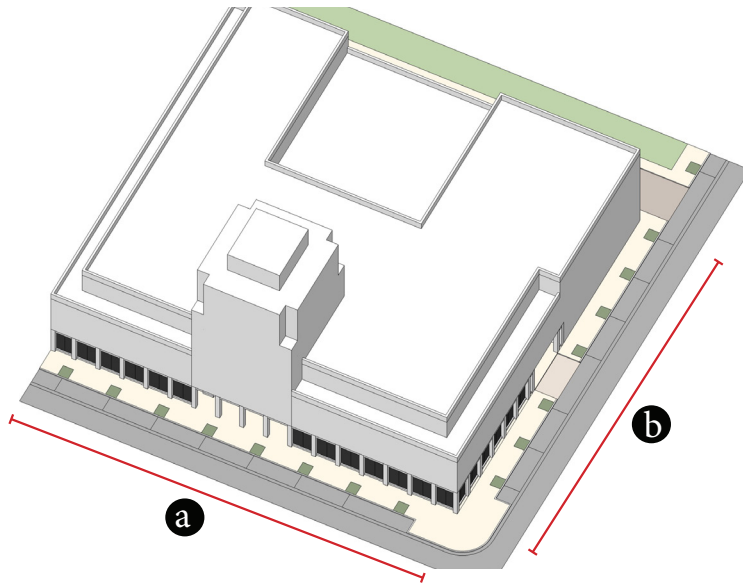
SUB-AREA: **Core**

DEFINITION:

a multi level building organized around a central core where a part of the building is higher in proportion.

- BUILDING LINE
- - - - - PROPERTY LINE
- ▨ ACTIVE USE
- ▧ PARKING AREA
- a** LOT WIDTH
- b** LOT DEPTH

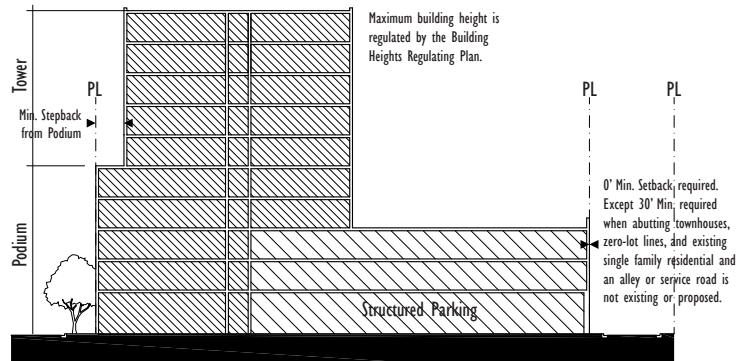
BUILDING MASSING



LOT STANDARDS: MIN. MAX.

a. Lot Width	200'	375'
b. Lot Depth	150'	N/A
c. Lot Area	N/A	N/A
d. Impervious Area	N/A	90% (1)
e. Pervious Area	10%	N/A (1)
f. Interior Side Setback	0' (2)	N/A
g. Rear Setback	0' (2)	N/A

BUILDING CONFIGURATION



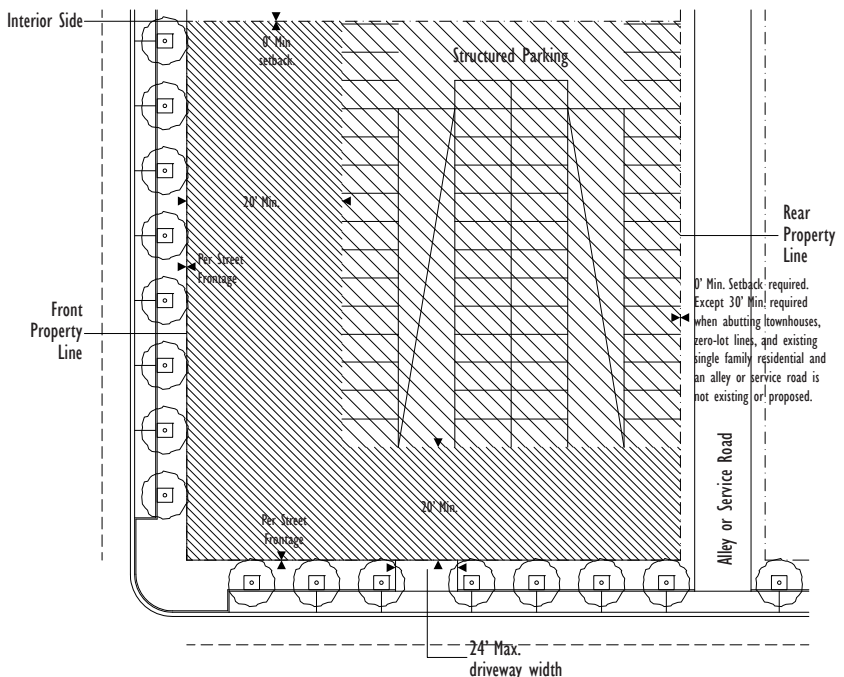
NOTES:

1. At grade
2. Except 30' minimum when abutting townhouse, zero lot lines and existing single family residential and an alley or service road is not existing or proposed.

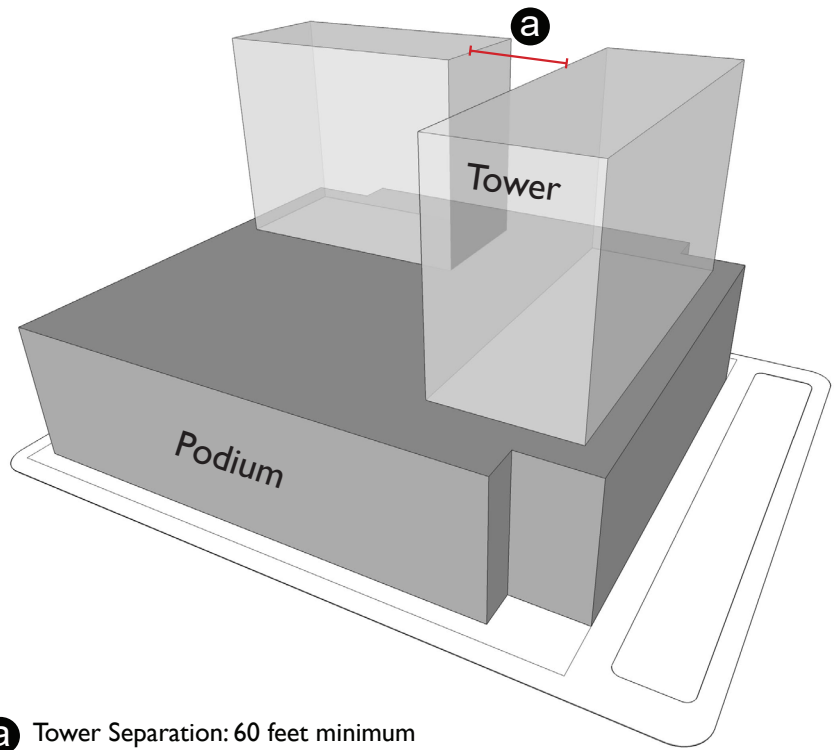
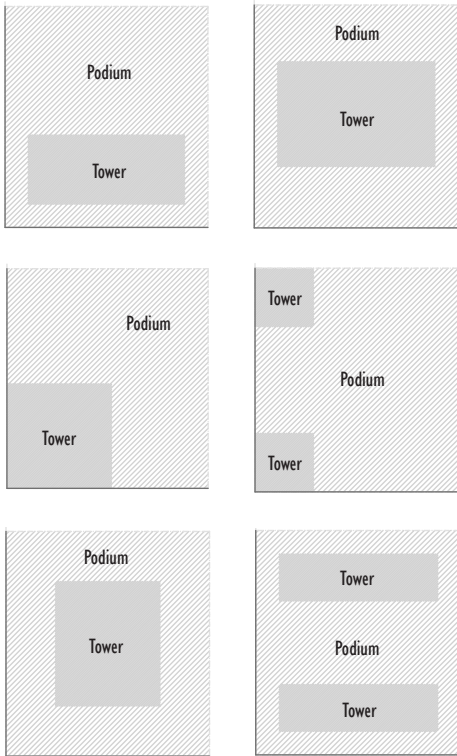
OPEN SPACE STANDARDS:

All multi-family residential, live-work units and mixed use developments with residential dwellings shall reserve a minimum of 10% of the site for common, private open space.

BUILDING SETBACKS



EXAMPLES OF TOWER CONFIGURATION



a Tower Separation: 60 feet minimum

TOWER FLOORPLATE STANDARD:

Above the fifth floor there shall be a maximum tower floorplate size. The floorplate size for multiple towers shall be calculated as an average of the total cumulative tower floorplate area divided by the number of tower stories above the 5th floor. Except if otherwise modified in the overlay district regulations, the maximum floorplate size is dependent upon the tower's primary use as follows:

1. Office or Non-Residential – average of 35,000 square feet for multiple towers and a 45,000 square feet maximum permitted floorplate size for any individual tower floorplate;
2. Residential, Mixed-Use or Hotel – average of 20,000 square feet for multiple towers and a 32,500 square feet maximum permitted floorplate size for any individual tower floorplate.
3. The Community Development Director or his/her designee shall have the authority to adjust administratively the requirements for tower floorplate size above the 5th floor, for up to 10 percent of the maximum measurement.

TOWER SEPARATION:

The minimum allowable horizontal distance between two or more towers shall be 60 feet.

TOWER STEPBACK:

The minimum stepback for the tower from the podium shall be ten feet from the podium along interior side and rear property lines only. Along the front and street side property lines the minimum stepback for the tower from the podium shall be as specified in each MU overlay district. Tower orientation shall be specified toward terminating street vistas where applicable. The placement of the tower shall be such that it is near, fronting, or adjacent to a specified Designated Greenway and/or Open Space.

ILLUSTRATIVE EXAMPLES



MIXED USE DISTRICT: BUILDING TYPOLOGY AND PLACEMENT REGULATING DIAGRAMS

FIGURE 2: LINER BUILDING TYPE

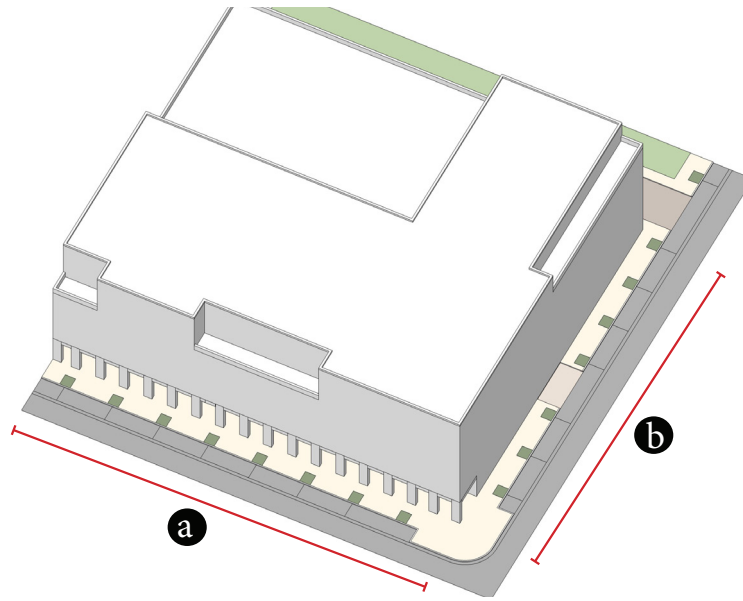
SUB-AREA: **Core/Center**

DEFINITION:

A building that conceals a garage, or other faceless building, that is designed for occupancy.

-  BUILDING LINE
-  PROPERTY LINE
-  COLONNADE
-  ACTIVE USE
-  PARKING AREA
-  LOT WIDTH
-  LOT DEPTH

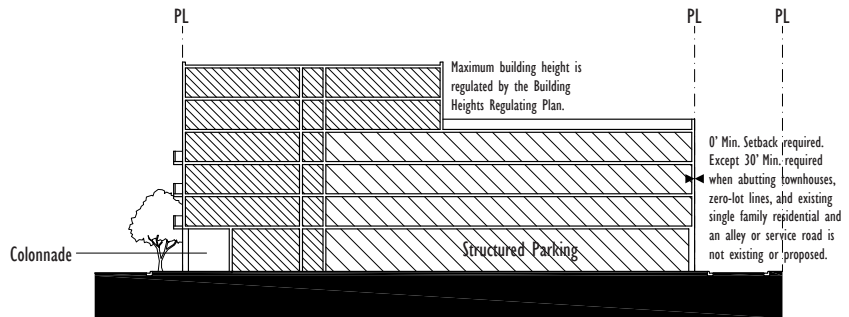
BUILDING MASSING



LOT STANDARDS: MIN. MAX.

	MIN.	MAX.
a. Lot Width	125'	350'
b. Lot Depth	170'	N/A
c. Lot Area	N/A	N/A
d. Impervious Area	N/A	90%
e. Pervious Area	10%	N/A
f. Interior Side Setback	0' (1)	N/A
g. Rear Setback	0' (1)	N/A

BUILDING CONFIGURATION



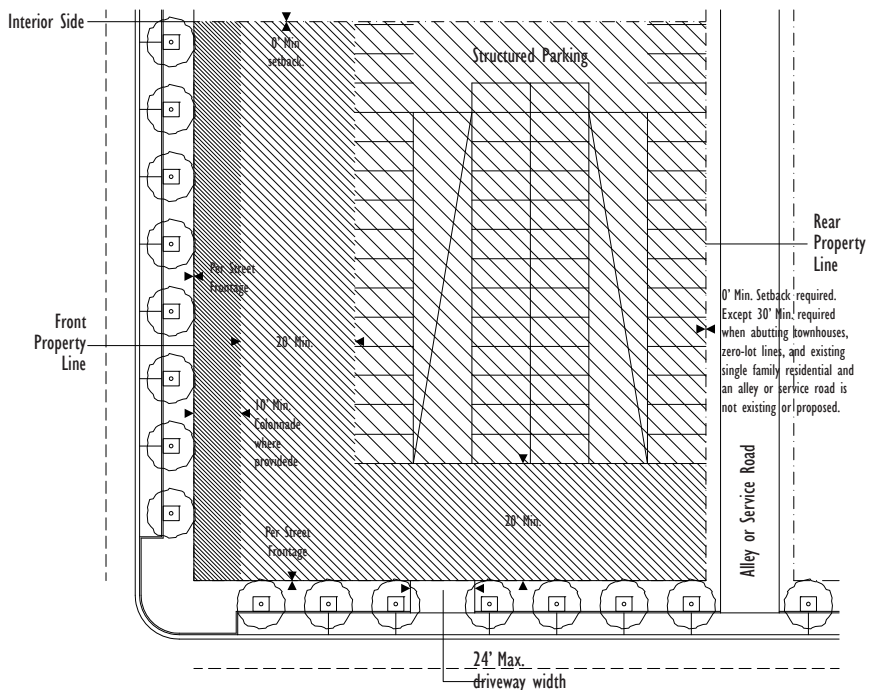
NOTES:

- Except 30' minimum when abutting townhouse, zero-lot lines and existing single family residential and an alley or service road is not existing or proposed.
- The minimum depth of the active use lining the garage or other faceless building shall be 20 feet.

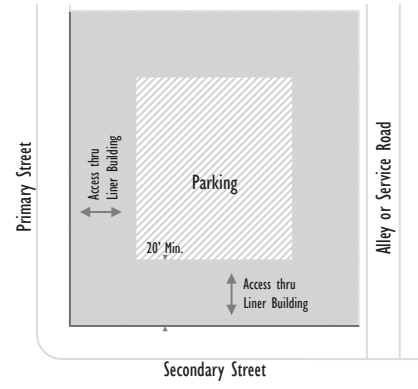
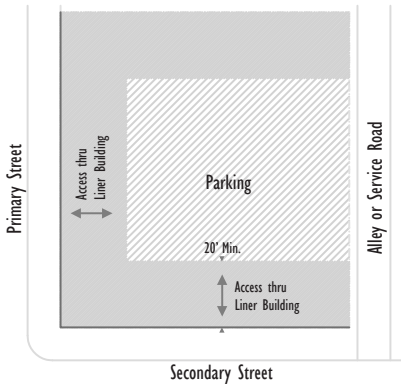
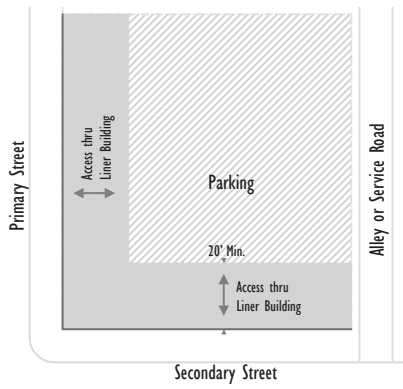
OPEN SPACE STANDARDS:

All multi-family residential, live-work units and mixed use developments with residential dwellings shall reserve a minimum of 10% of the site for common, private open space.

BUILDING SETBACKS



EXAMPLES OF LINER CONFIGURATION



Liner buildings along Main Street in City Place



View from rear of lot showing parking garage structures lined along the street





MIXED USE DISTRICT: BUILDING TYPOLOGY AND PLACEMENT REGULATING DIAGRAMS

FIGURE 3: COURTYARD BUILDING TYPE A

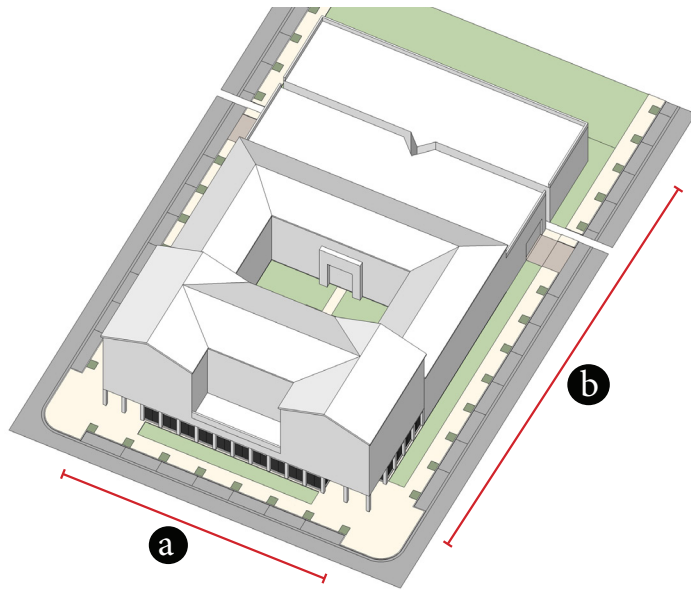
SUB-AREA: **Core/Center**

DEFINITION:

a building characterized as having a central open space that is open to the sky and enclosed by habitable space on at least three sides with detached parking.

-  BUILDING LINE
-  PROPERTY LINE
-  ACTIVE USE
-  PARKING AREA
- a** LOT WIDTH
- b** LOT DEPTH

BUILDING MASSING



LOT STANDARDS: MIN. MAX.

	MIN.	MAX.
a. Lot Width	150'	350'
b. Lot Depth	160'	N/A
c. Lot Area	N/A	N/A
d. Impervious Area	N/A	90%
e. Pervious Area	10%	N/A
f. Interior Side Setback	0' (1)	N/A
g. Rear Setback	0' (1)	N/A

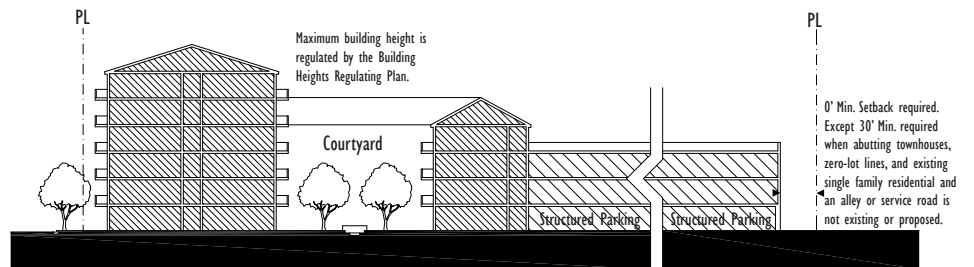
NOTES:

1. Except 30' minimum when abutting townhouse, zero-lot lines and existing single family residential and an alley or service road is not existing or proposed.

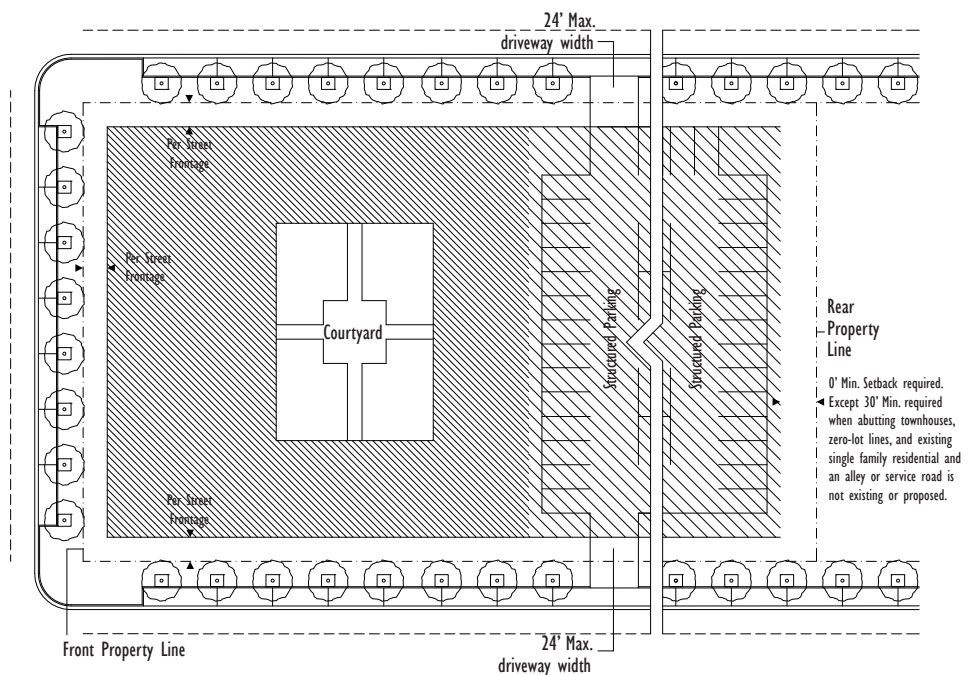
OPEN SPACE STANDARDS:

All multi-family residential, live-work units and mixed use developments with residential dwellings shall reserve a minimum of 10% of the site for common, private open space.

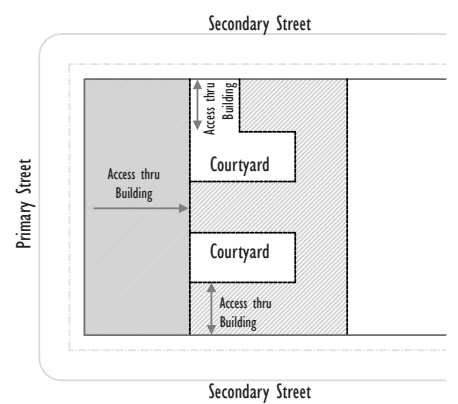
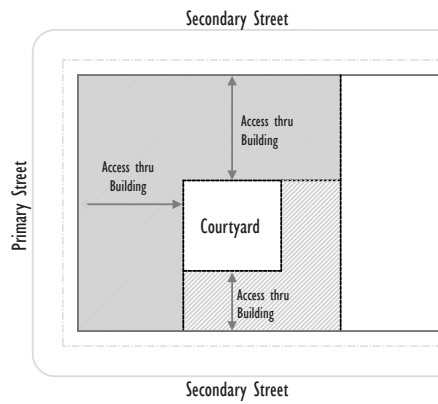
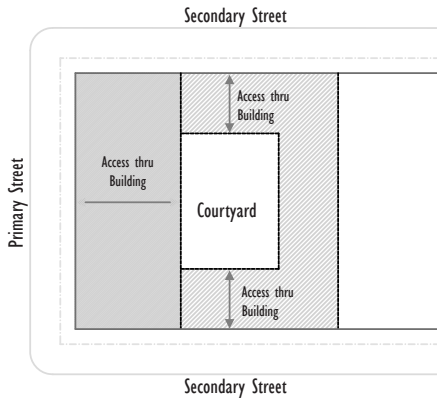
BUILDING CONFIGURATION



BUILDING SETBACKS



EXAMPLES OF BUILDING CONFIGURATION









MIXED USE DISTRICT: BUILDING TYPOLOGY AND PLACEMENT REGULATING DIAGRAMS

FIGURE 4: COURTYARD BUILDING TYPE B

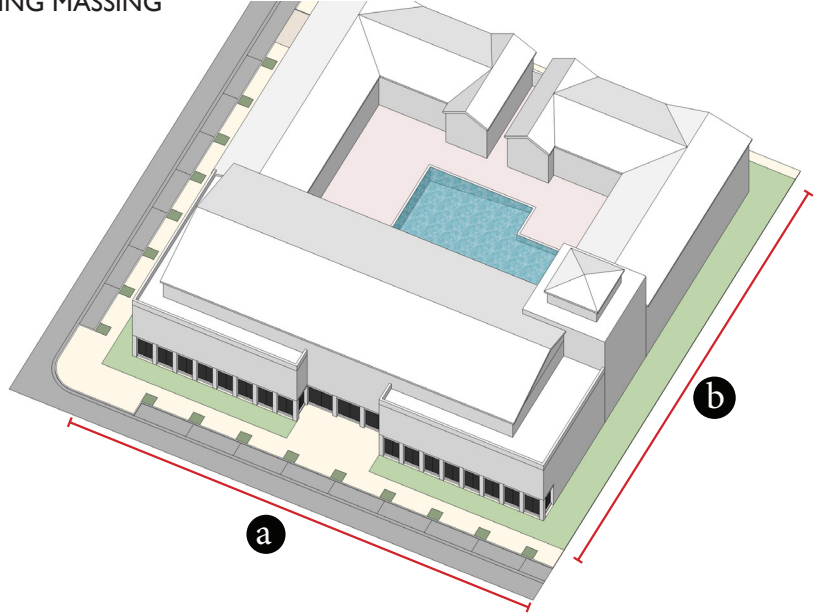
SUB-AREA: **Core/Center**

DEFINITION:

a building characterized as having a central open space that is open to the sky and enclosed by habitable space on at least three sides with attached parking.

-  BUILDING LINE
-  PROPERTY LINE
-  ACTIVE USE
-  PARKING AREA
-  LOT WIDTH
-  LOT DEPTH

BUILDING MASSING



LOT STANDARDS: MIN. MAX.

	MIN.	MAX.
a. Lot Width	150'	350'
b. Lot Depth	160'	N/A
c. Lot Area	N/A	N/A
d. Impervious Area	N/A	90%
e. Pervious Area	10%	N/A
f. Interior Side Setback	0' (1)	N/A
g. Rear Setback	0' (1)	N/A

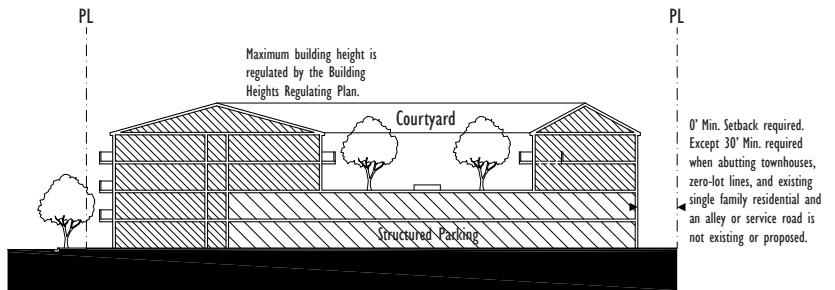
NOTES:

1. Except 30' minimum when abutting townhouse, zero-lot lines and existing single family residential and an alley or service road is not existing or proposed.

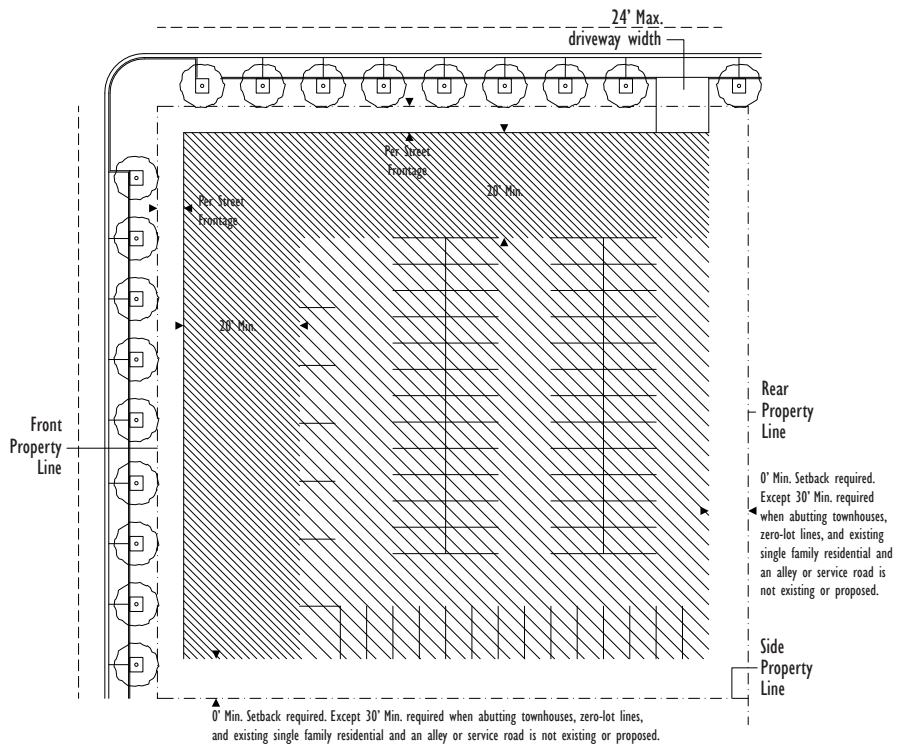
OPEN SPACE STANDARDS:

All multi-family residential, live-work units and mixed use developments with residential dwellings shall reserve a minimum of 10% of the site for common, private open space.

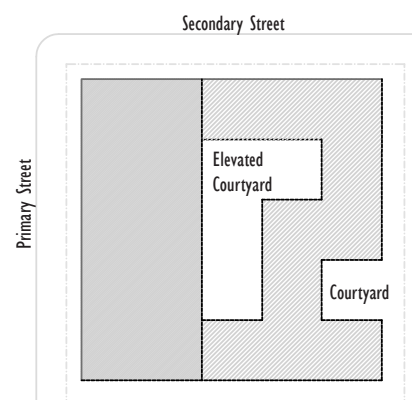
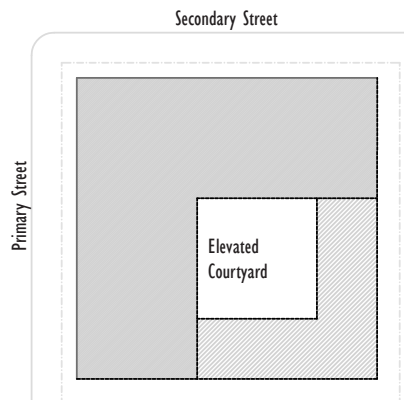
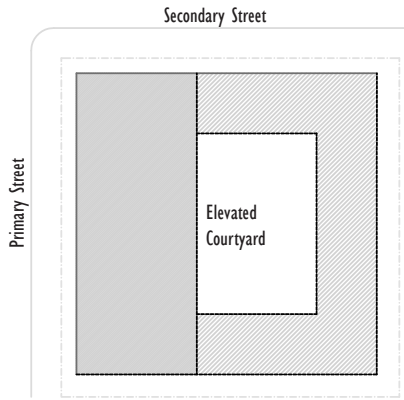
BUILDING CONFIGURATION



BUILDING SETBACKS



EXAMPLES OF BUILDING CONFIGURATION








MIXED USE DISTRICT: BUILDING TYPOLOGY AND PLACEMENT REGULATING DIAGRAMS

FIGURE 5: FLEX BUILDING TYPE

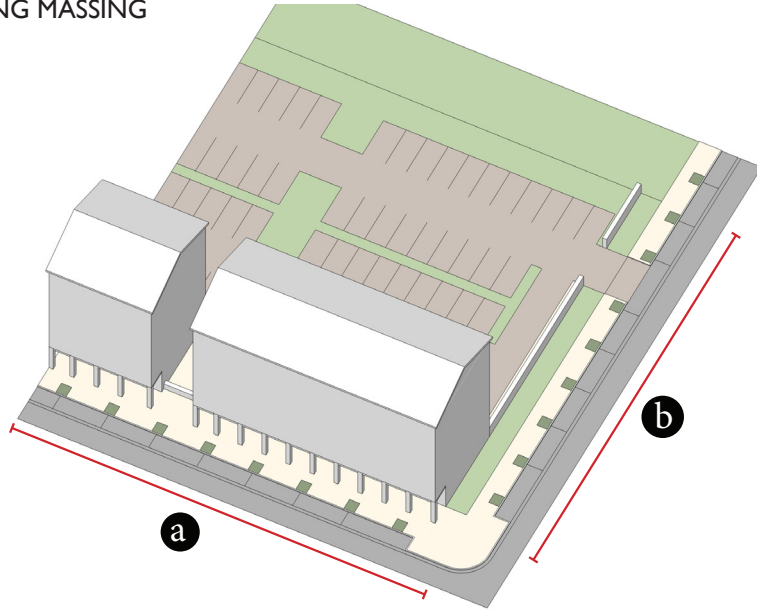
SUB-AREA **Core/Center**

DEFINITION:

buildings designed to respond to changes of function in a flexible way. The flex building is able to accept different internal configurations and easily adapt to its surroundings.

-  BUILDING LINE
-  PROPERTY LINE
-  ARCADE / COLONNADE
-  ACTIVE USE
-  PARKING AREA
- a** LOT WIDTH
- b** LOT DEPTH

BUILDING MASSING



LOT STANDARDS: MIN. MAX.

	MIN.	MAX.
a. Lot Width	25'	375'
b. Lot Depth	70'	N/A
c. Lot Area	N/A	N/A
d. Impervious Area	N/A	90%
e. Pervious Area	10%	N/A
f. Interior Side Setback	0' (1)	N/A
g. Rear Setback	0' (1)	N/A

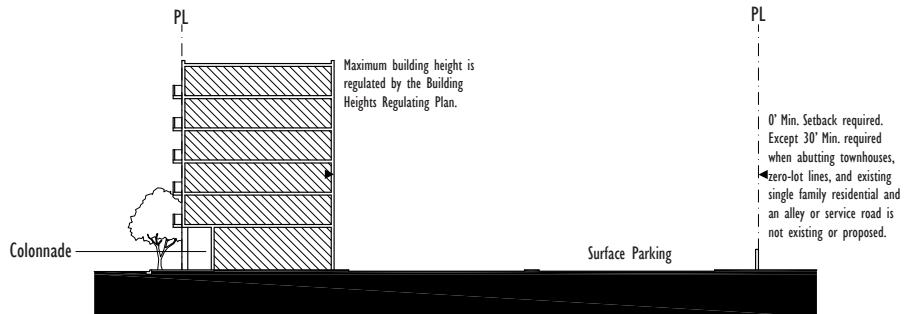
NOTES:

1. Except 30' minimum when abutting townhouse, zero-lot lines and existing single family residential and an alley or service road is not existing or proposed.

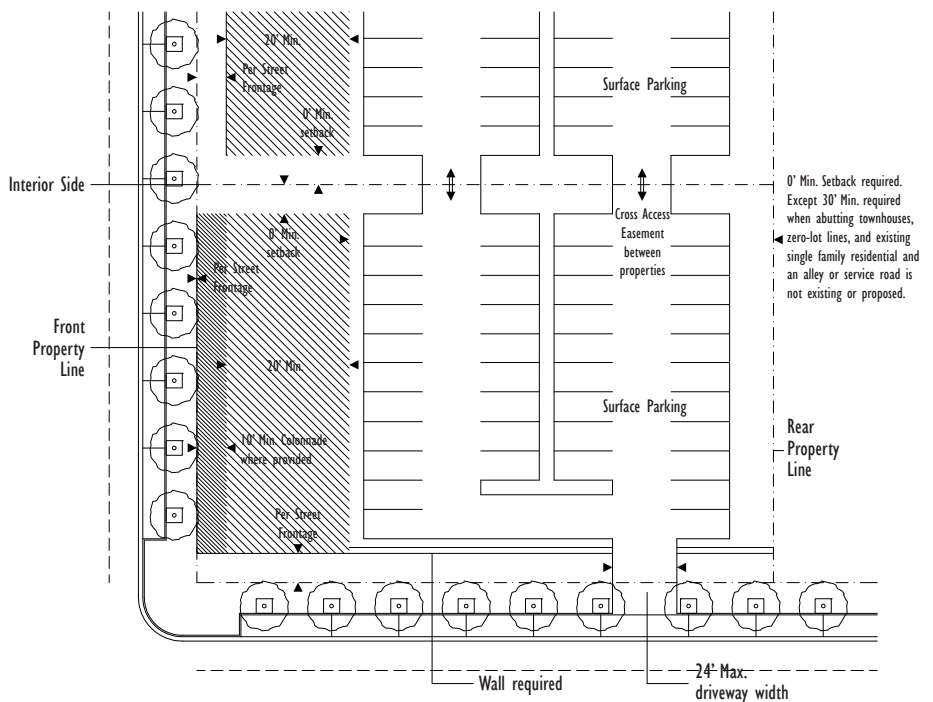
OPEN SPACE STANDARDS:

All multi-family residential, live-work units and mixed use developments with residential dwellings shall reserve a minimum of 10% of the site for common, private open space.

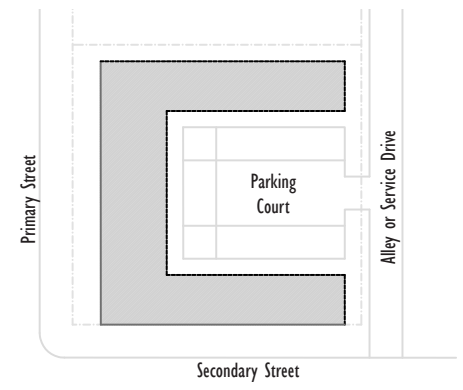
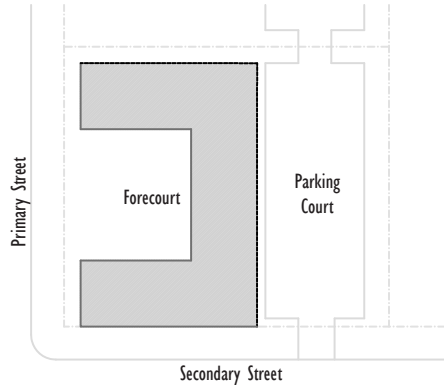
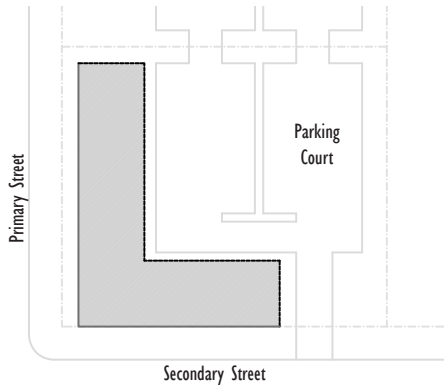
BUILDING CONFIGURATION



BUILDING SETBACKS



EXAMPLES OF BUILDING CONFIGURATION









MIXED USE DISTRICT: BUILDING TYPOLOGY AND PLACEMENT REGULATING DIAGRAMS

FIGURE 6: TOWNHOUSE BUILDING TYPE A

SUB-AREA: **Center/Edge**

DEFINITION:

A single dwelling unit in a group of such units that are attached horizontally in a linear arrangement to form a single building, with each unit occupying space from the ground to the roof of the building, and located or capable of being located on a separate townhouse lot. A townhouse development is considered a type of multifamily detached dwelling. Townhouse Type A is distinguished by a detached garage/parking area thereby providing a private rear yard in the center of the lot.

-  BUILDING LINE
-  PROPERTY LINE
-  ACTIVE USE
-  PARKING AREA
-  LOT WIDTH
-  LOT DEPTH

LOT STANDARDS: MIN. MAX.

	MIN.	MAX.
a. Lot Width	25'	30'
b. Lot Depth	80'	N/A
c. Lot Area	1800 sf	N/A
d. Impervious Area	N/A	90%
e. Pervious Area	10%	N/A
f. Interior Side Setback	0' (2)	N/A
g. Rear Setback	0'	5'

NOTES:

1. Townhouses shall provide a minimum of 15 feet between building groups. Building groups shall not be greater than 7 attached units in length.
2. Except 10 feet when abutting a passageway.

PARKING STANDARDS:

The parking shall be accessed from the rear off an alley or service road. Parking may be unenclosed, fully enclosed in a garage, or in a parking enclosure with a carport.

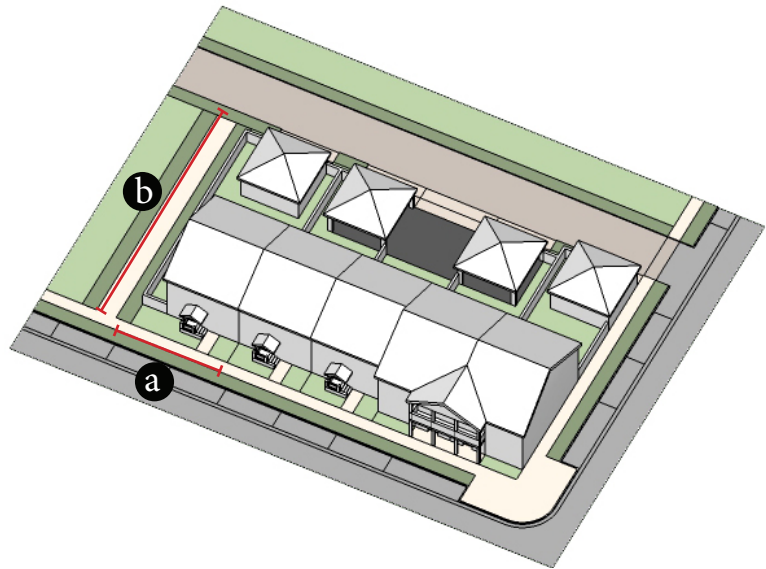
OPEN SPACE STANDARDS:

A minimum of 400 square feet of private open space shall be required in the form of a rear yard.

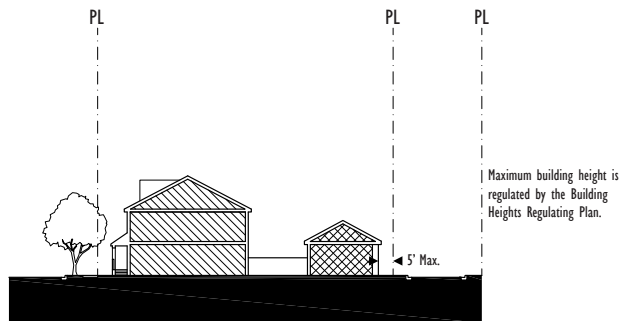
TOWNHOUSE STANDARDS:

Townhouses are an appropriate transitional building type between non-residential/mixed-use and single family residential uses. The primary structure shall always be located along the street edge while the parking area is always located along the rear of the lot. This ensures better compatibility with the existing single family residential uses by having the building mass away from the single family residential.

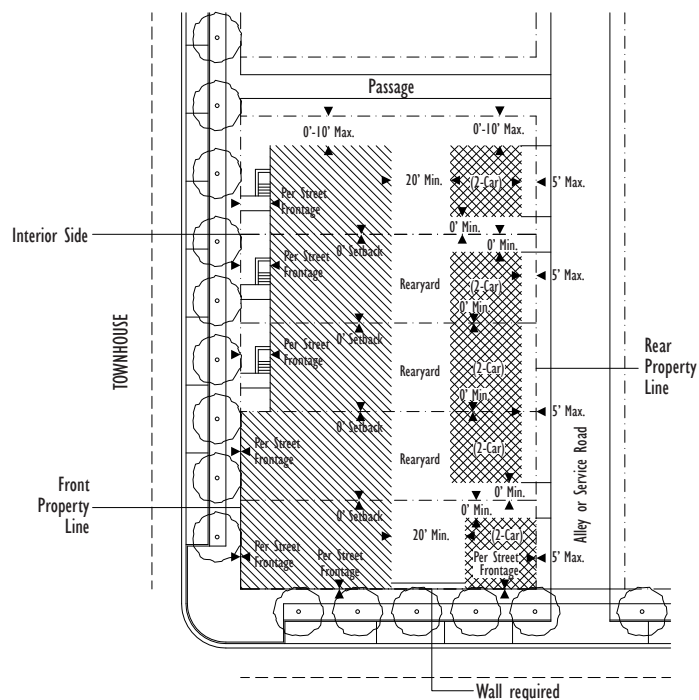
BUILDING MASSING



BUILDING CONFIGURATION



BUILDING SETBACKS









MIXED USE DISTRICT: BUILDING TYPOLOGY AND PLACEMENT REGULATING DIAGRAMS

FIGURE 7: TOWNHOUSE BUILDING TYPE B

SUB-AREA: **Core/Center/Edge**

DEFINITION:

A single dwelling unit in a group of such units that are attached horizontally in a linear arrangement to form a single building, with each unit occupying space from the ground to the roof of the building, and located or capable of being located on a separate townhouse lot. A townhouse development is considered a type of multifamily dwelling. Townhouse Type B is distinguished by an attached garage thereby not providing a private rear yard.

-  BUILDING LINE
-  PROPERTY LINE
-  ACTIVE USE
-  PARKING AREA
-  LOT WIDTH
-  LOT DEPTH

LOT STANDARDS: MIN. MAX.

	MIN.	MAX.
a. Lot Width	25'	30'
b. Lot Depth	70'	N/A
c. Lot Area	1800 sf	N/A
d. Impervious Area	N/A	90%
e. Pervious Area	10%	N/A
f. Interior Side Setback	0' (2)	N/A
g. Rear Setback	0'	N/A

NOTES:

1. Townhouses shall provide a minimum of 15 feet between building groups. Building groups shall not be greater than 7 attached units in length.
2. Except 10 feet when abutting a passageway.

PARKING STANDARDS:

The parking shall be accessed from the rear off an alley or service road. Parking may be fully or partially enclosed in a garage under the principal building.

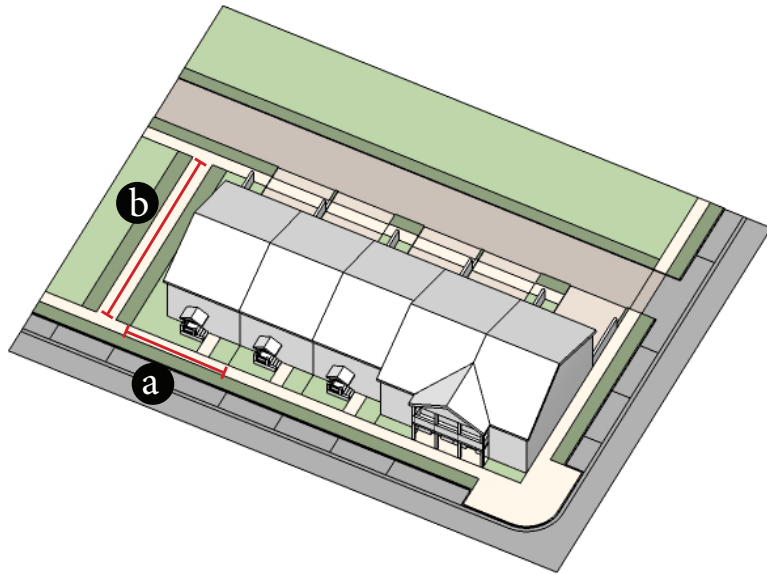
OPEN SPACE STANDARDS:

A minimum of 200 square feet of private open space shall be required and a rear yard shall not be required.

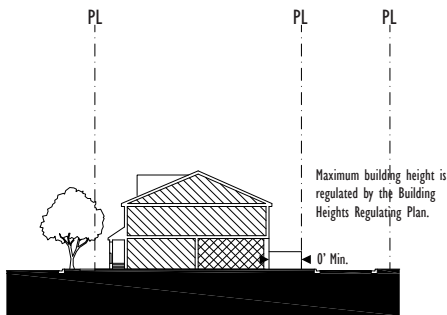
TOWNHOUSE STANDARDS:

Townhouses are an appropriate transitional building type between non-residential/mixed-use and single family residential uses. The primary structure shall always be located along the street edge while the parking area is always located along the rear of the lot. This ensures better compatibility with the existing single family residential uses by having the building mass away from the single family residential.

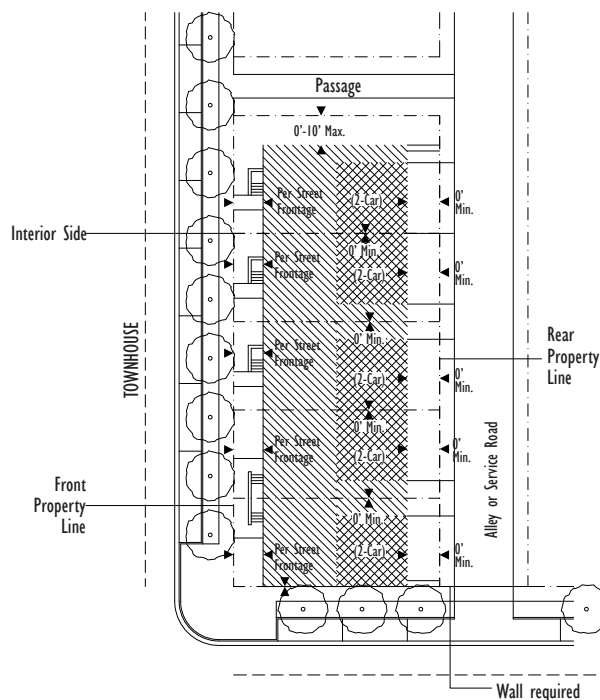
BUILDING MASSING



BUILDING CONFIGURATION



BUILDING SETBACKS



MIXED USE DISTRICT: BUILDING TYPOLOGY AND PLACEMENT REGULATING DIAGRAMS

FIGURE 8: ZERO-LOT LINE WITH ALLEY/SERVICE ROAD (SIDEYARD AND COURTYARD HOUSE TYPE)

SUB-AREA: **Center/Edge**

DEFINITION:

Sideyard House: a detached dwelling distinguished by the provision of an unenclosed porch on the side of the house. The side porch is screened from the view of the street by a wall or fence.

Courtyard House: A dwelling unit distinguished by the provision of an open-air courtyard or atrium. The courtyard is enclosed on at least three sides by habitable space and shall provide penetrable openings such as windows and doors between the interior of the dwelling and the courtyard.

- SY Sideyard
- CY Courtyard
- BUILDING LINE
- - - - - PROPERTY LINE
- ▨ ACTIVE USE
- ▩ PARKING AREA

LOT STANDARDS:	Sideyard		Courtyard	
	Min.	Max.	Min.	Max.
a. Lot Width	50'	60'	40'	50'
b. Lot Depth	80'	N/A	80'	N/A
c. Lot Area	5000sf	N/A	4000sf	N/A
d. Impervious Area	N/A	60%	N/A	70%
e. Pervious Area	30%	N/A	30%	N/A
f. Interior Side Setback	0'/15' (1)	0'/N/A	0'	N/A
g. Rear Setback	0'	5'	0'	5'

NOTES:

- One side shall be 0 feet and the other a minimum of 15 feet.
- Sideyards shall be required to provide a porch on the side a minimum 10 feet deep.

PARKING STANDARDS:

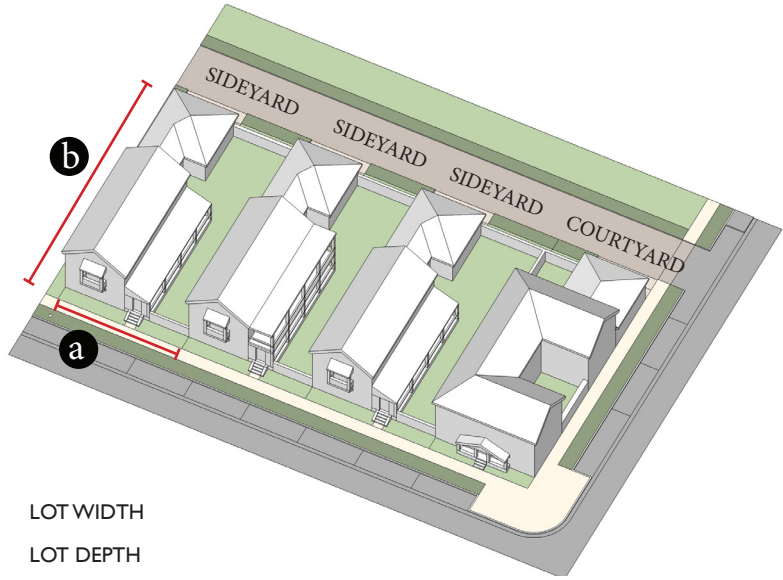
Parking shall be accessed from the rear off an alley or a service road.

OPEN SPACE STANDARDS:

A minimum of 400 square feet of private open space shall be required in the form of a courtyard, sideyard or rear yard.

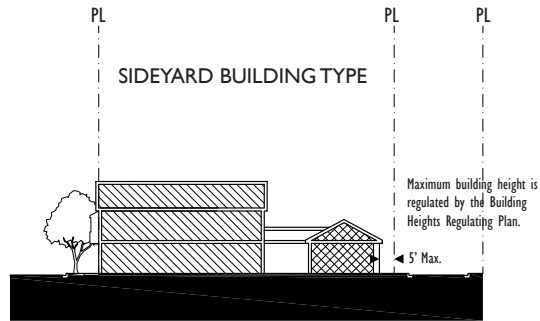
A sideyard, when required, shall be a minimum of 15 feet wide.

BUILDING MASSING

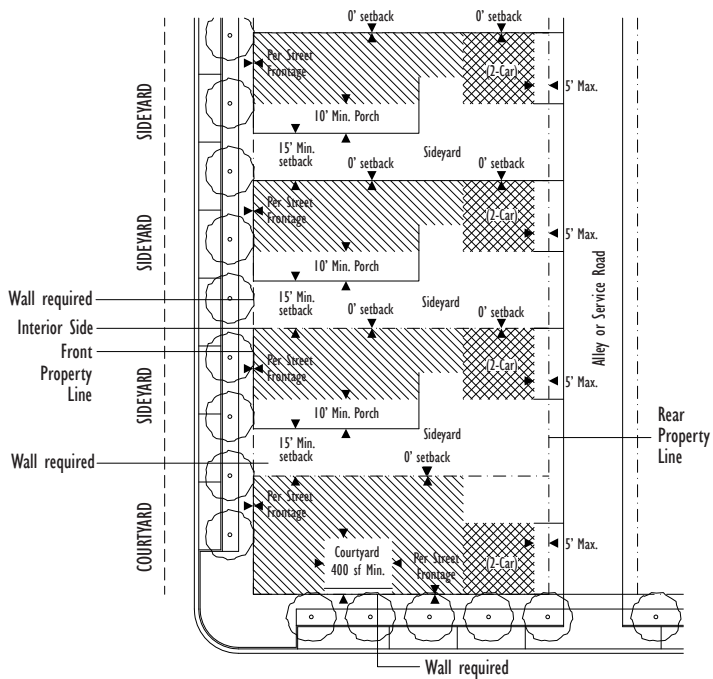


- a** LOT WIDTH
- b** LOT DEPTH

BUILDING CONFIGURATION



BUILDING SETBACKS



MIXED USE DISTRICT: BUILDING TYPOLOGY AND PLACEMENT REGULATING DIAGRAM
FIGURE 9: ILLUSTRATIVE EXAMPLES

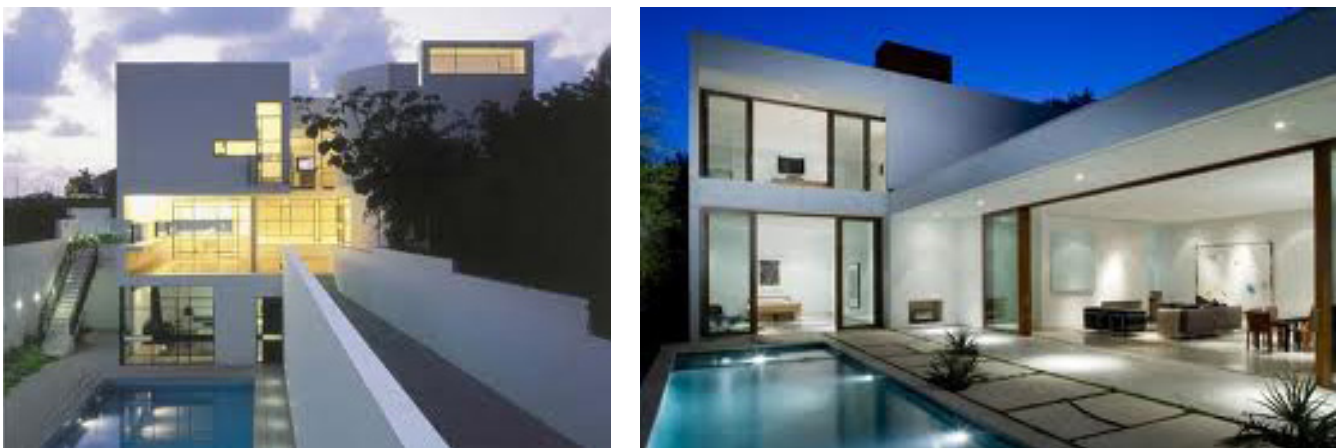
TOWNHOUSE BUILDING TYPE



ZERO-LOT LINE (SIDEYARD HOUSE TYPE)



ZERO-LOT LINE (COURTYARD HOUSE TYPE)



ZERO-LOT LINE (COURTYARD HOUSE TYPE)



Text Amendments

ARTICLE 3: DISTRICT REGULATIONS

Section 78-84

Federal Highway Mixed Use District Overlay (FHMUDO)

Sec. 78-84. - Federal Highway Mixed Use District Overlay (FHMUDO)

A. Purpose

The Federal Highway Mixed Use District Overlay (FHMUDO) is established and intended to encourage an urban form that promotes transit usage and pedestrian oriented development along the Federal Highway corridor which is connected to the Park Avenue Downtown District in the Town of Lake Park. The purpose of the district standards is to stimulate economic revitalization, create a pedestrian-friendly environment and promote mixed-use development.

B. Applicability

1. General

- a. These standards apply to all land within the Federal Highway Mixed Use District Overlay (FHMUDO), as delineated on the Official Zoning Map.
- b. These standards replace or supplement the use, intensity, dimensional, and development standards applicable to the underlying base zoning district and Town's Land Development Regulations. If FHMUDO standards directly conflict with those governing an underlying base district, or those provided within another section of the Town's Land Development Regulations, the FHMUDO standards shall govern. If land within the district is classified as one or more overlay zoning districts, and FHMUDO standards directly conflict with those of the other overlay district(s), the more restrictive standard shall govern. If land within the district is classified as a Planned Unit Development (PUD) district, the planned development district's regulations shall govern.

2. Existing Uses

a. Permitted Auto-Oriented Uses

- i. Notwithstanding the standards applicable in Mixed Use (MU) District or in the FHMUDO, the following auto-oriented uses and auto-oriented use categories per Sections 78-62, 78-64, 78-65, and 78-66 shall be permitted in the FHMUDO, provided they shall only be permitted at locations that had a site plan approved for such use prior to the date of the adoption of this ordinance:
 - (A) Dwelling, Single Family.
 - (B) Dwelling, Two-Family.
- ii. Until such time that the permitted auto-oriented use converts to a new principal use type, the permitted auto-oriented uses shall be exempt from compliance with all Mixed Use (MU) and FHMUDO Standards.
- iii. Until such time that the permitted auto-oriented use converts to a new principal use type, the permitted auto-oriented uses, including the structures and lots, shall be governed by the development standards for the previous Zoning District, including but not limited to Article 2: Districts Generally, Article 3: District Regulations, Article 4: Walls, Fences, and Hedges, Article 5: Supplementary Regulations, Article 7: Nonconformities, Article 8: Landscaping Standards, Article 9: Performance Standards, and Article 12: Architectural Design Guidelines.

b. Existing Structures and Lots used for Places of Worship

- i. Structures and lots approved for use as a Place of Worship, including lots approved for off-street parking for a Place of Worship, prior to the date of the adoption of this ordinance, shall be exempt from compliance with all Mixed Use (MU) and FHMUDO Standards until such time that the Place of Worship converts to a new principal use type.
- ii. Until such time that the Place of Worship converts to a new principal use type, the structures and lots approved for a Place of Worship shall be governed by the development standards for the previous Zoning District, including but not limited to Article 2: Districts Generally, Article 3: District Regulations, Article 4: Walls, Fences, and Hedges, Article 5: Supplementary Regulations, Article 7: Nonconformities, Article 8: Landscaping Standards,

C. Regulating Plans

The Regulating Plans applied to the FHMUDO are intended to govern development standards, designating the locations where the various standards apply. Unless otherwise noted, all development shall follow the Regulating Plans. The Regulating Plans for the FHMUDO include the following:

1. The Sub-Areas Regulating Plan (Specified in Part D, shown in Appendix A, Figure 1)
2. The Street Network Connectivity Regulating Plan (Specified in Part F, shown in Appendix A, Figure 2)
3. The Designated Publicly Accessible Open Space and Greenway System Regulating Plan (Specified in Part H, shown in Appendix A, Figure 3)
4. The Building Heights Regulating Plan (Specified in Part I, shown in Appendix A, Figure 4)

D. The Sub-Areas Regulating Plan

The Sub-Areas Regulating Plan is intended to divide the FHMUDO into three Sub-Areas: Core, Center, and Edge. The highest height and number of stories within the FHMUDO shall be allocated to the Core Sub-Area. The height and number of stories shall then gradually decrease from the Core to the Center Sub-Area and then further decrease to the Edge Sub-Area which is characterized by single uses adjacent to existing low density residential. The Sub-Areas Regulating Plan is found in Appendix A of this code section as Figure 1.

E. Use Standards

1. Principal Uses Regulating Table

Appendix B of this code section, Table 1 includes the principal uses permitted in the FHMUDO along with any required restrictions on such uses, for each Sub-Area. Principal uses not included in Table 78-84. Appendix – B.1 are not permitted in the FHMUDO. Principal uses in the FHMUDO shall be subject to the use-specific standards provided in Section 78-84.E.3 (Additional Use Specific Standards).

2. Permitted Accessory Uses and Structures

The following accessory uses shall be allowed by right in the FHMUDO:

- a. Walk-up window service as accessory to an eating or drinking establishment.
- b. Outdoor display of merchandise for sale or rental as accessory to a retail sales and service use on private property and private sidewalks only.
- c. Outdoor seating as accessory to an eating or drinking establishment (including sidewalk cafes).
- d. Accessory buildings, where permitted, must comply with the requirements of this Code and the Florida Building Code as amended. Accessory uses must be located on the same lot or parcel of land as the principal structure and the accessory use must be customarily incidental to the principal use. Permissible accessory uses for various building types and permitted uses shall be determined in the site planning process or administratively on a case-by-case basis and subject to these standards:
 - i. A private garage for use by occupants of the principal building shall be considered an accessory use.
- e. Home Occupations or Professions, where incidental to the residential use, shall be permitted for Single Family, Townhouse, and Multifamily uses. A home occupation shall be interpreted as any vocation, trade or profession carried on within a dwelling by the occupants thereof, where no power other than electric is used, no signs other than one unlighted sign not in excess of two square feet is displayed, no merchandise or other articles are displayed for

advertising purposes, no assistants are employed, and not more than 35 percent of the ground floor area is so used. Such home occupations shall not include experimentation that involves the use of chemicals or matter or energy that may create or cause to be created noises, noxious odors or hazards that will endanger the health, safety or welfare of the community.

- f. Physicians or Dentists, in the Center Sub-Area only, shall be subject to the following provisions:
 - i. Physicians or Dentists may operate an office in conjunction with a home so long as the front of such office shall be kept as a home.
 - ii. No more than 35 percent of the ground floor area shall be used as an office.
 - iii. Not more than one physician or dentist may practice, and there shall not be more than three persons employed.
 - iv. Only one sign shall be permitted, not to exceed two square feet in size.
 - v. Office hours shall be limited to daylight hours.

3. Additional Use Specific Standards

The following use-specific standards apply to properties where permitted in the FHMUDO.

- a. Churches/houses of worship includes related buildings used for customary accessory uses such as a private school, day care and after care facilities, religious study or education, day camp, Sunday school, ministries, and other church related activities.
- b. Group Home is a permitted use provided that any group home is not located within a radius of 1,000 feet of another existing group home.
- c. Community Residential Home is a permitted use provided that any Community Residential Home is not located within a radius of 1,200 feet of another existing Community Residential Home.
- d. Substance Abuse Treatment Facility, by special exception, shall provide room and board for six or fewer residents, provided that it is not located within a radius of 1,000 feet of another such existing Substance Abuse Treatment Facility and further provided that the operator of any such facility obtains a business tax receipt from the town.
- e. The following uses shall be limited to a maximum square footage
 - i. Bakeries with commercial preparation shall be limited to a maximum size of 10,000 square feet.
 - ii. Appliance stores, including radio and television, shall be limited to a maximum size of 10,000 square feet.
 - iii. Hardware, paint and garden supplies retail stores shall be limited to a maximum size of 5,000 square feet.
 - iv. Bowling Alleys shall be limited to a maximum size of 10,000 square feet.

F. Street Network Connectivity Regulating Plan and Street Design Standards

- 1. The Street Network Connectivity Regulating Plan is intended to show the location of existing and required new streets needed to create the prescribed network of streets within the FHMUDO. This plan also establishes the hierarchy of the streets within the FHMUDO. All streets shall be located according to the Street Network Connectivity Regulating Plan for the FHMUDO. The Street Network Connectivity Regulating Plan is found in Appendix A of this code section as Figure 2. The intent of the Street Design Standards is to ensure that streets are improved based on street design parameters that enhance the streetscape and encourage walking and biking.
- 2. **Specific Street Design Standards**

All streets shall be designed according to the street sections and standards specified in the Street Development Regulating Diagrams as shown in Figure 78-84.F.1 through Figure 78-84.F.10, to the extent possible in coordination with the Town Engineer.

a. Federal Highway Street Design

As demonstrated in Figure 78-84.F.1 below:

- i. The roadway shall be a designated greenway.
- ii. A landscaped median, a minimum of 10 feet wide, shall be provided.
- iii. Travel lanes shall be narrowed to a maximum of 10 feet wide on the inner lanes and 11 feet wide on the outer lanes.
- iv. A bike lane, a minimum of 5 feet, shall be established on both sides of the street at the sidewalk level.
- v. As redevelopment occurs, on both sides of the street:
 - (A) There shall be a minimum setback and easement of 10 feet, for the expansion of the sidewalk;
 - (B) 100 percent of the area within the setback (easement) shall be hard surfaced;
 - (C) Between the bike lane and the sidewalk, tree **grates surrounds** a minimum dimension of 5 feet by 5 feet shall be provided **to accommodate the required street trees.**

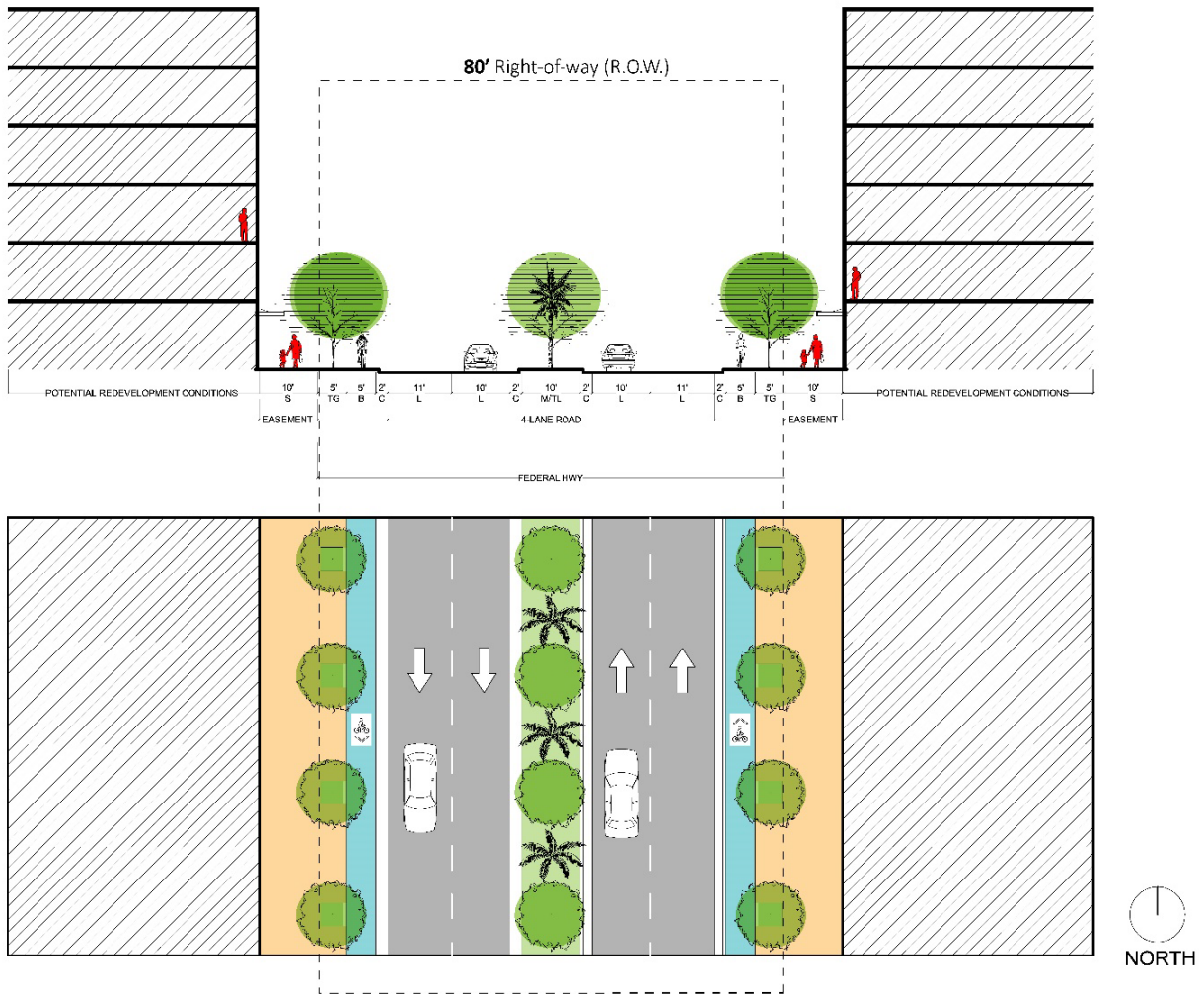


Figure 78-84.F.1: Federal Highway Street Design

b. Park Avenue Street Design

As demonstrated in Figure 78-84.F.2 below:

- i. The roadway shall be a designated greenway.
- ii. A landscaped median, a minimum of 10 feet wide, shall be provided.
- iii. Travel lanes shall be narrowed to a maximum of 10 feet wide.
- iv. The number of travel lanes shall be reduced to one in each direction.
- v. A shared path, a minimum of 11 feet wide shall be provided on both sides to accommodate a sidewalk and bicycle path.
- vi. A landscape strip a minimum of 10 feet wide shall be provided on both sides between the sidewalk and the street edge to accommodate the required street trees.
- vii. As redevelopment occurs:
 - (A) On both sides of the street there shall be a minimum setback of 10 feet
 - (B) A minimum of 80% percent of the area within the setback shall be landscaped.

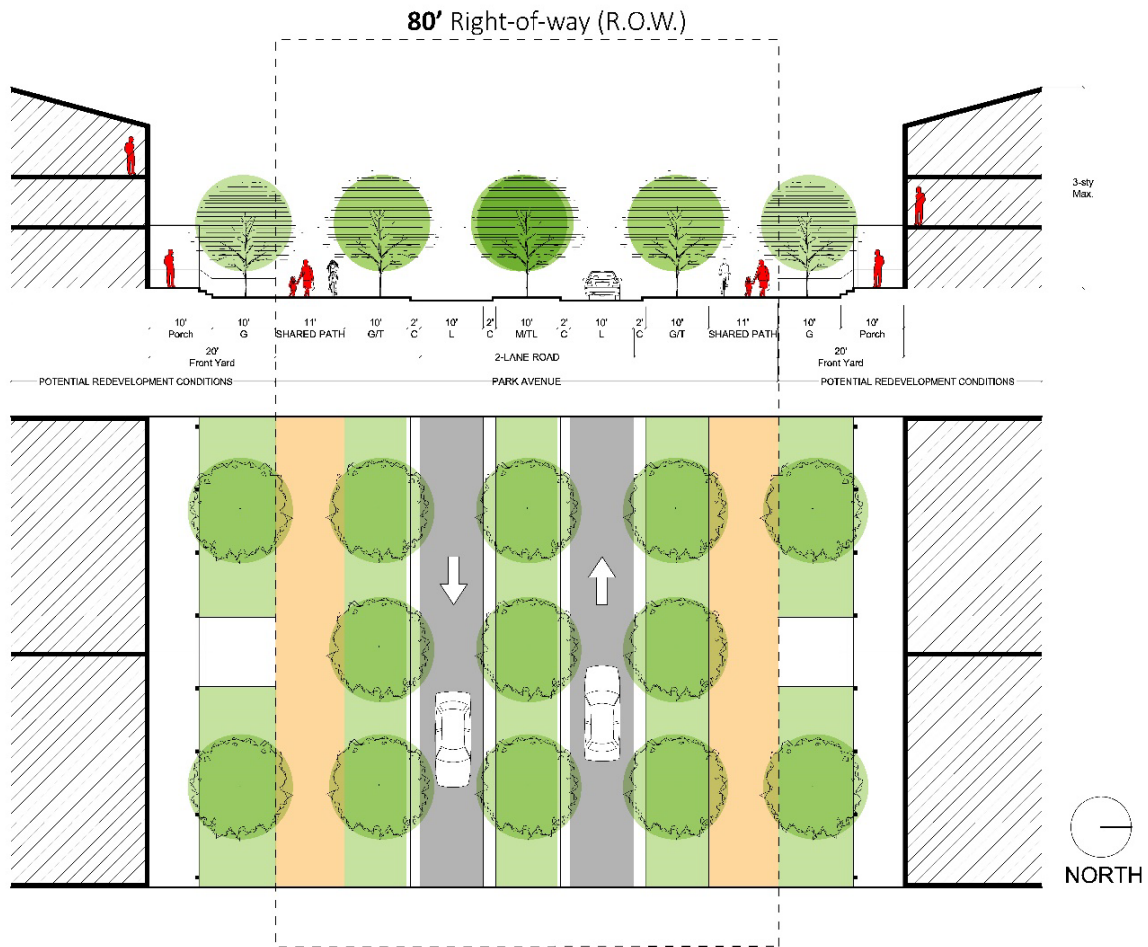


Figure 78-84.F.2: Park Avenue Street Design

c. 2nd Street Street Design

As demonstrated in Figure 78-84.F.3 below:

- i. New curb and gutter (both sides), may be provided.
- ii. Travel lanes shall be narrowed to a maximum of 10 feet wide.
- iii. A shared path a minimum of 10 feet wide shall be provided on both sides to accommodate a sidewalk and bike path.
- iv. A landscape strip a minimum of 8 feet wide shall be provided on both sides between the sidewalk and the street edge to accommodate the required street trees.
- v. As redevelopment occurs on the east side:
 - (A) There shall be a minimum set back of 10 feet for a front yard.
 - (B) Buildings shall front 2nd Street.
 - (C) A minimum of 80% of the area within the setback shall be landscaped.

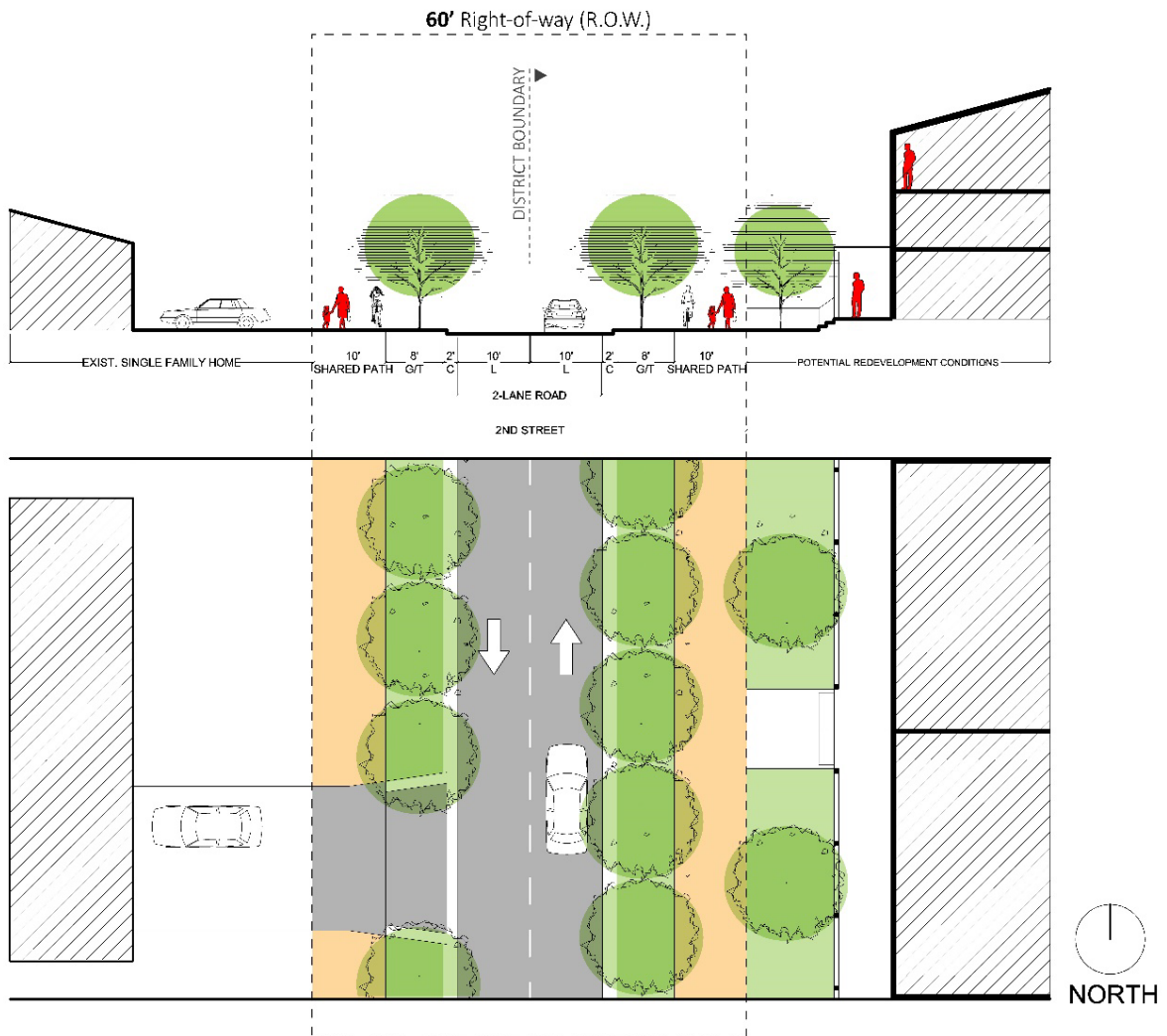


Figure 78-84.F.3: 2nd Street Street Design

d. Lake Shore Drive (South of Date Palm Drive) Street Design

As demonstrated in Figure 78-84.F.4 below:

- i. The landscape median shall be removed.
- ii. Travel lanes shall be narrowed to a maximum of 10 feet wide.
- iii. Parallel parking shall be provided on both sides.
- iv. Tree ~~grates surrounds~~ a minimum dimension of 5 feet by 5 feet shall be provided on both sides along the street edge to accommodate the required street trees.
- v. A bike lane a minimum of 5 feet wide shall be established on both sides of ~~one the~~ street between the tree ~~grates surrounds~~ and the sidewalk at sidewalk level.
- vi. As redevelopment occurs:
 - (A) On the west side, there shall be a minimum setback and easement of 10 feet for the expansion of the sidewalk. A minimum of 80% of the area within the setback shall be hardscaped.
 - ~~(B) On the west side, between the sidewalk and the bike lane, there shall be a landscape buffer a minimum of 4 feet 6 inches wide.~~
 - ~~(C)~~(B) On the east side, there shall be a waterfront promenade a minimum of 11 feet wide.

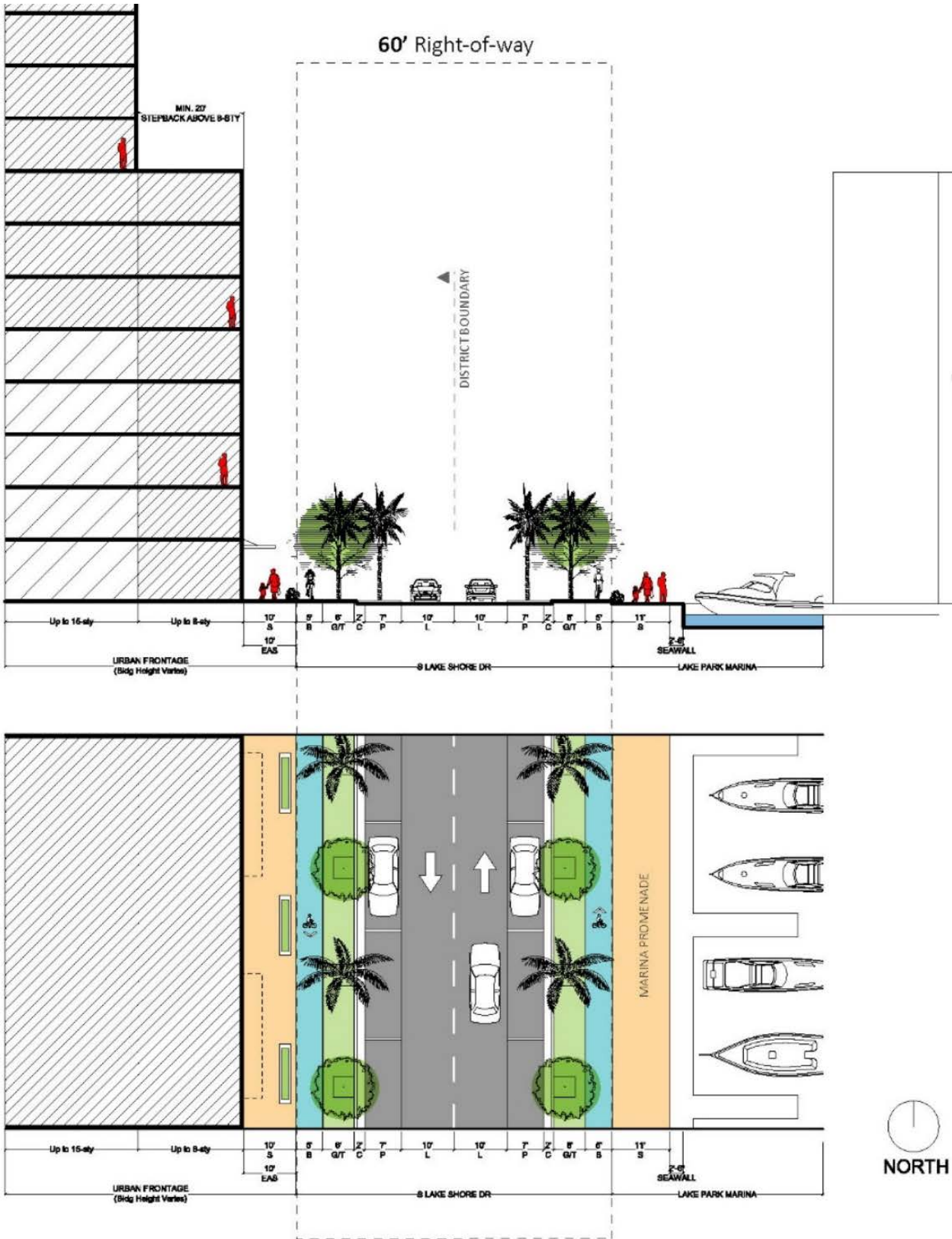


Figure 78-84.F.4: Lake Shore Drive (South of Date Palm Drive) Street Design

e. Lake Shore Drive (North of the Lake Park Harbor Marina) Street Design

As demonstrated in Figure 78-84.F.5 below:

- i. Travel lanes shall be narrowed to a maximum of 10 feet wide.
- ii. Parallel parking shall be provided on the west side.
- iii. A landscape strip a minimum of 5 feet wide shall be provided on the **waterside west side** and a minimum of 6 feet 6 inches on the east side **to accommodate the required street trees.**
- iv. A bike lane a minimum of 5 feet shall be established on the west side of the street between the tree **grates surrounds** and the sidewalk at sidewalk level.
- v. A shared path a minimum of 10 feet wide shall be provided on the east side to accommodate a sidewalk and a bicycle path.
- vi. As redevelopment occurs:
 - (A) On the west side, there shall be a minimum setback and easement of 10 feet for the expansion of the sidewalk.
 - (B) On the west side, between the sidewalk and the bike lane, there shall be a landscape buffer a minimum of 4 feet 6 inches wide.

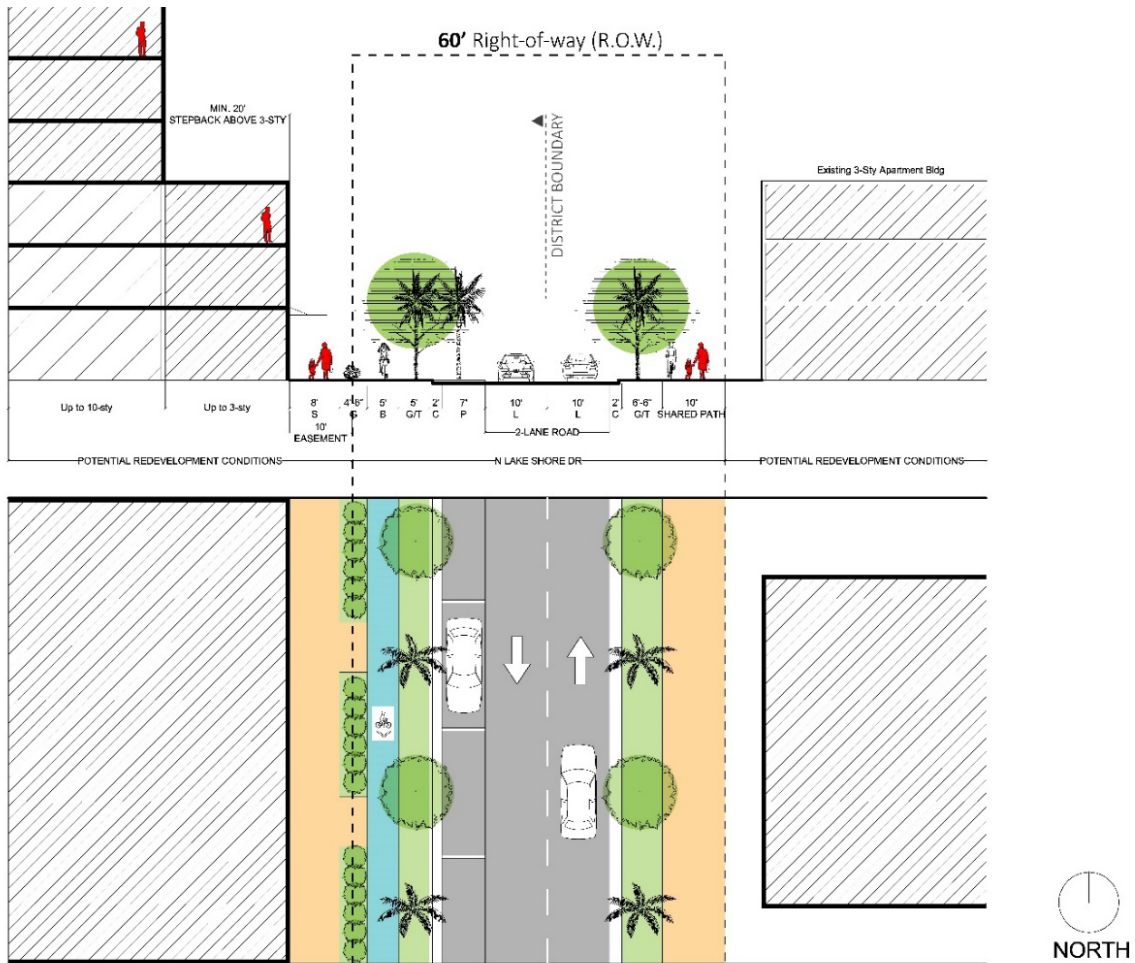


Figure 78-84.F.5: Lake Shore Drive (North of the Lake Park Harbor Marina) Street Design

f. Secondary/Greenway Streets with No Parking Street Design

As demonstrated in Figure 78-84.F.6 below:

- i. The roadway shall be a designated greenway.
- ii. Travel lanes shall be narrowed to a maximum of 10 feet wide.
- iii. A landscape strip a minimum of 5 feet wide or tree ~~grates surrounds~~ a minimum dimension of 5 feet by 5 feet shall be provided on both sides along the street edge ~~to~~ accommodate the required street trees.
- iv. A bike lane a minimum of 5 feet shall be established on both sides of the street between the ~~landscape strip or tree grates surrounds~~ and the sidewalk at sidewalk level.
- v. As redevelopment occurs:
 - (A) There shall be a minimum setback ~~and easement~~ of 10 feet on both sides for the expansion of the sidewalk to an overall width of 18 feet.
 - (B) ~~East of Federal Highway~~, 100% of the area within the setback (easement) shall be hard surfaced.

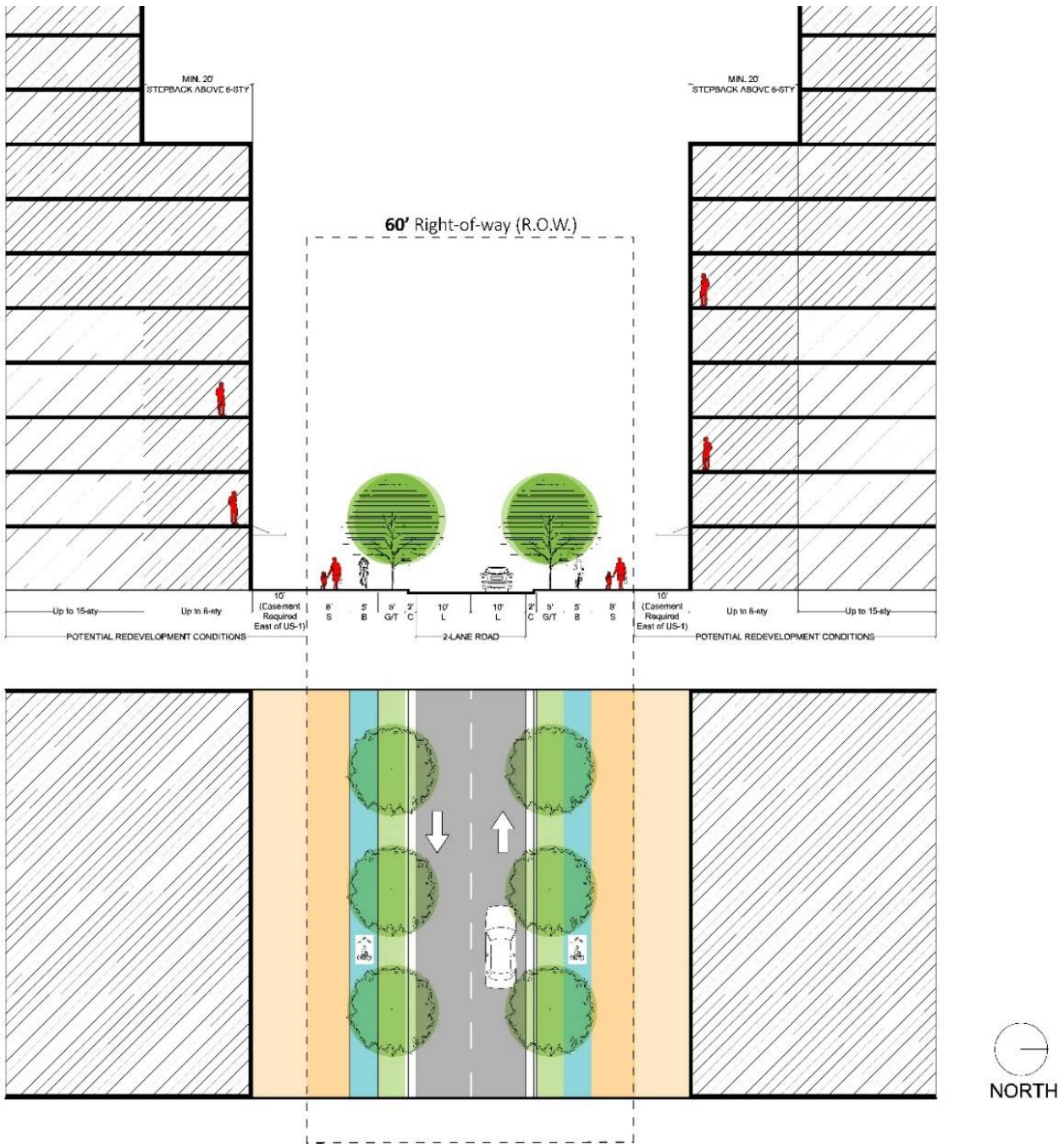


Figure 78-84.F.6: Secondary/Greenway Streets with No Parking Street Design

g. Secondary/Greenway Streets with Parking Street Design

As demonstrated in 78-84.F.7 below:

- i. The roadway shall be a designated greenway.
- ii. Travel lanes shall be narrowed to a maximum of 10 feet wide.
- iii. A landscape strip a minimum of 6 feet wide or tree ~~grates surrounds~~ a minimum dimension of 6 feet by 6 feet shall be provided on both sides along the street edge to accommodate the required street trees.
- iv. A bike lane a minimum of 5 feet shall be established on both sides of the street between the landscape strip or tree ~~grates surrounds~~ and the sidewalk at sidewalk level.
- v. As redevelopment occurs:
 - (A) There shall be a minimum setback and easement of 10 feet on both sides for the expansion of the sidewalk.
 - (B) 100% of the area within the setback (easement) shall be hard surfaced.

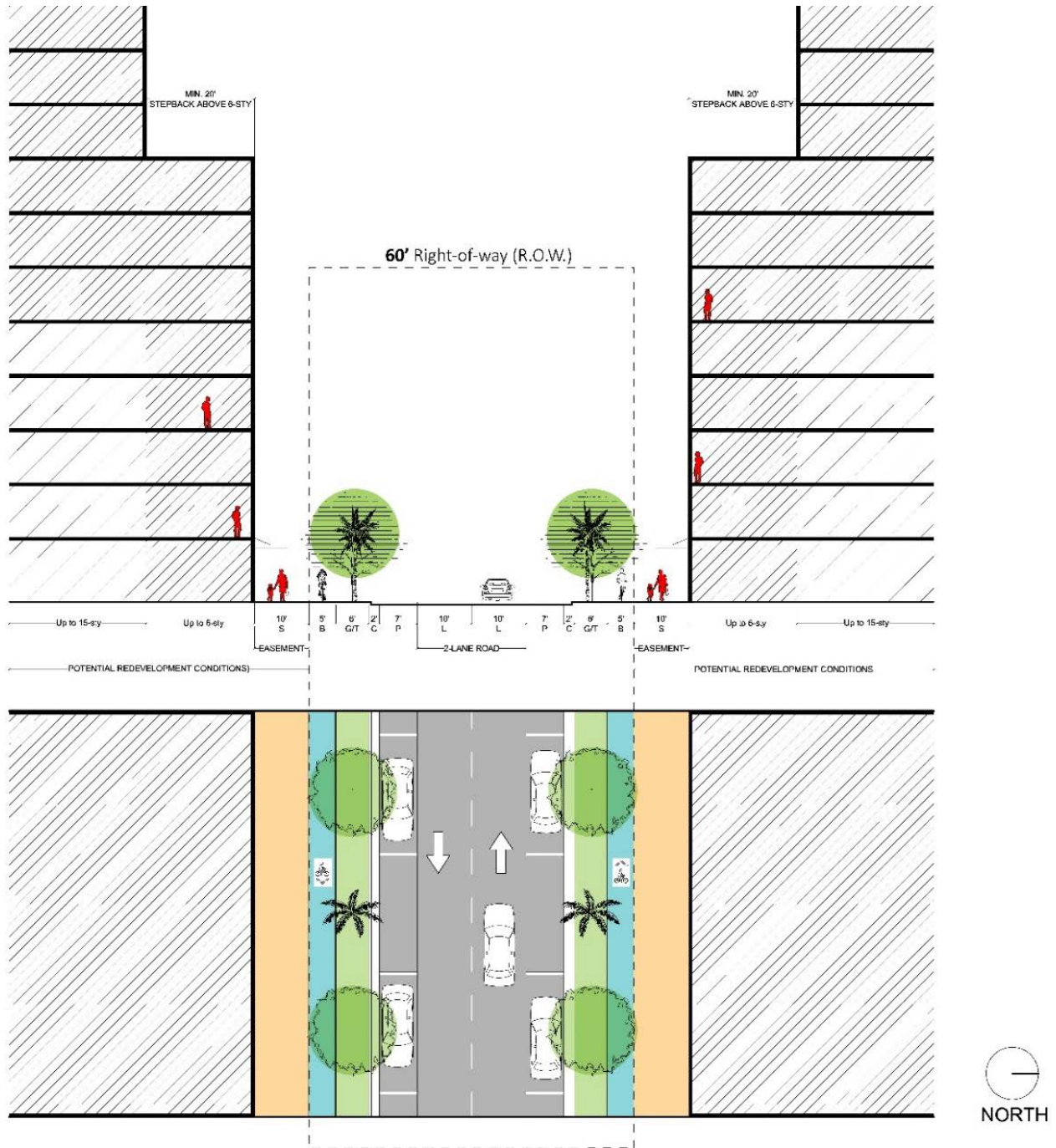


Figure 78-84.F.7: Secondary/Greenway Streets with Parking Street Design

h. Tertiary Streets with No Parking Street Design

As demonstrated in Figure 78-84.F.8 below:

- i. Travel lanes shall be narrowed to a maximum of 10 feet wide.
- ii. A landscape strip a minimum of 13 feet wide on both sides shall be required along the street edge.
- iii. A sidewalk a minimum of 5 feet shall be required on both sides.
- iv. As redevelopment occurs:
 - (A) There shall be a minimum setback and easement of 10 feet on both sides for the expansion of the sidewalk.
 - (B) East of Federal Highway, 100% of the area within the setback (easement) shall be hard surfaced.

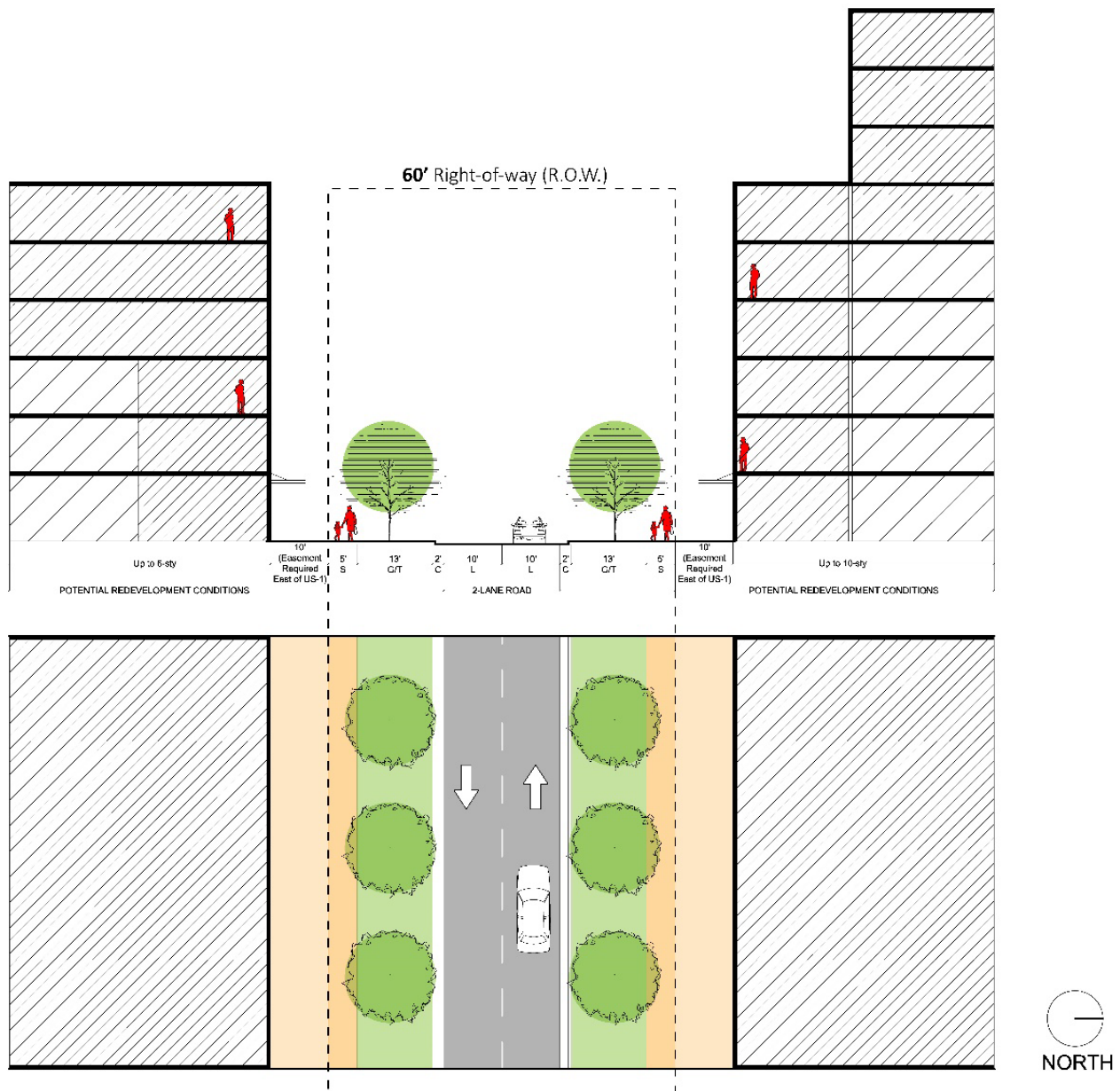


Figure 78-84.F.8: Tertiary Streets with No Parking Street Design

i. Tertiary Streets with Parking, Both Sides Street Design

As demonstrated in Figure 78-84.F.9 below:

- i. Travel lanes shall be narrowed to a maximum of 10 feet wide.
- ii. Parking shall be provided on both sides.
- iii. A landscape strip a minimum of 6 feet wide on both sides shall be required along the street edge.
- iv. A sidewalk a minimum of 5 feet shall be required on both sides.
- v. As redevelopment occurs:
 - (A) There shall be a minimum setback ~~and easement~~ of 10 feet on both sides for the expansion of the sidewalk.
 - (B) East of Federal Highway, 100% of the area within the setback (easement) shall be hard surfaced.

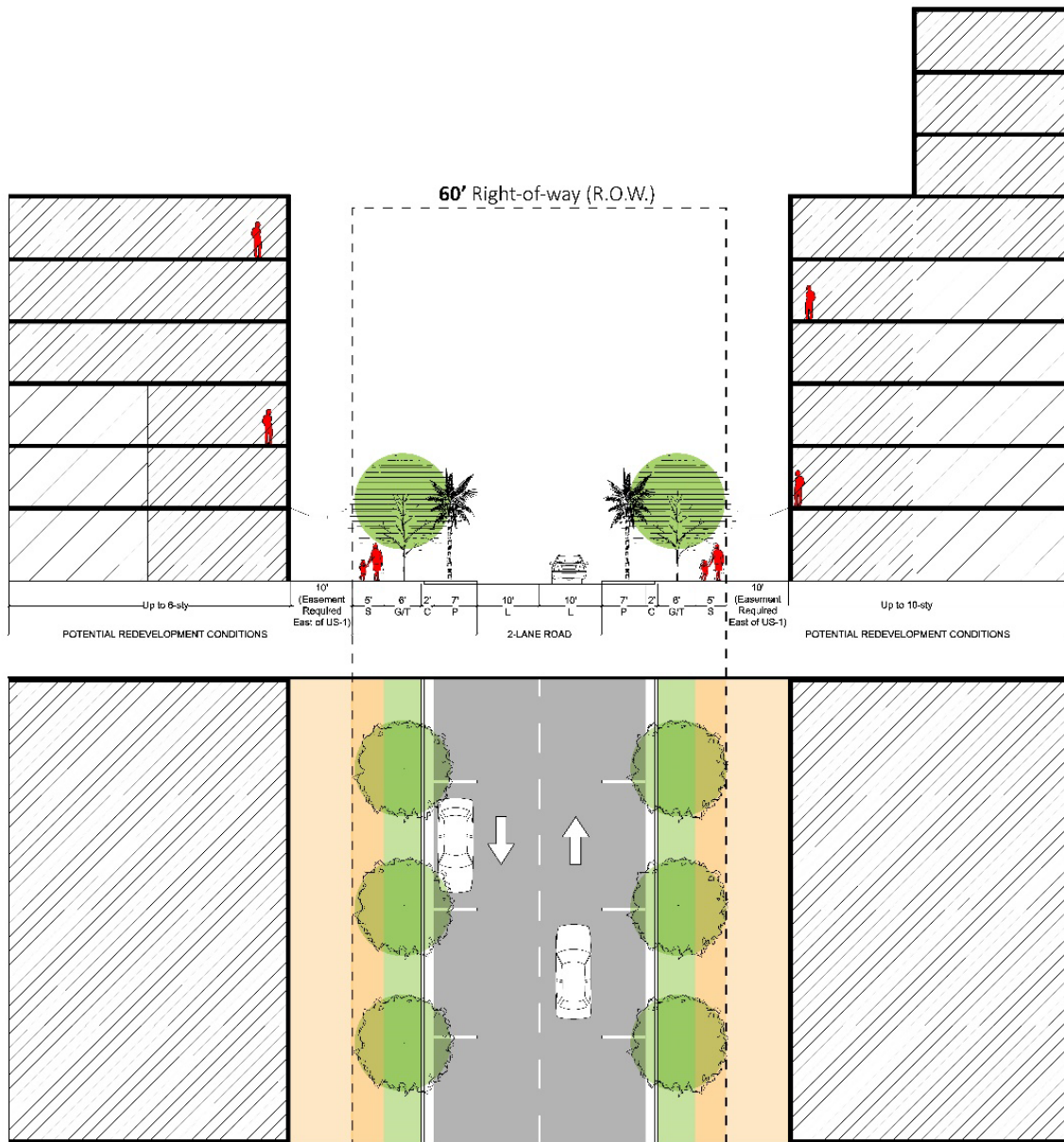


Figure 78-84.F.9: Tertiary Streets with Parking, Both Sides Street Design

j. Tertiary Streets with Parking, One Side Street Design

As demonstrated in Figure 78-84.F.10 below:

- i. Travel lanes shall be narrowed to a maximum of 10 feet wide.
- ii. Parking shall be provided on one sides.
- iii. A landscape strip a minimum of 13 feet wide on one side and 6 feet on the other side shall be required along the street edge.
- iv. A sidewalk a minimum of 5 feet shall be required on both sides.
- v. As redevelopment occurs:
 - (A) There shall be a minimum setback and easement of 10 feet on both sides for the expansion of the sidewalk.
 - (B) East of Federal Highway, 100% of the area within the setback (easement) shall be hard surfaced.

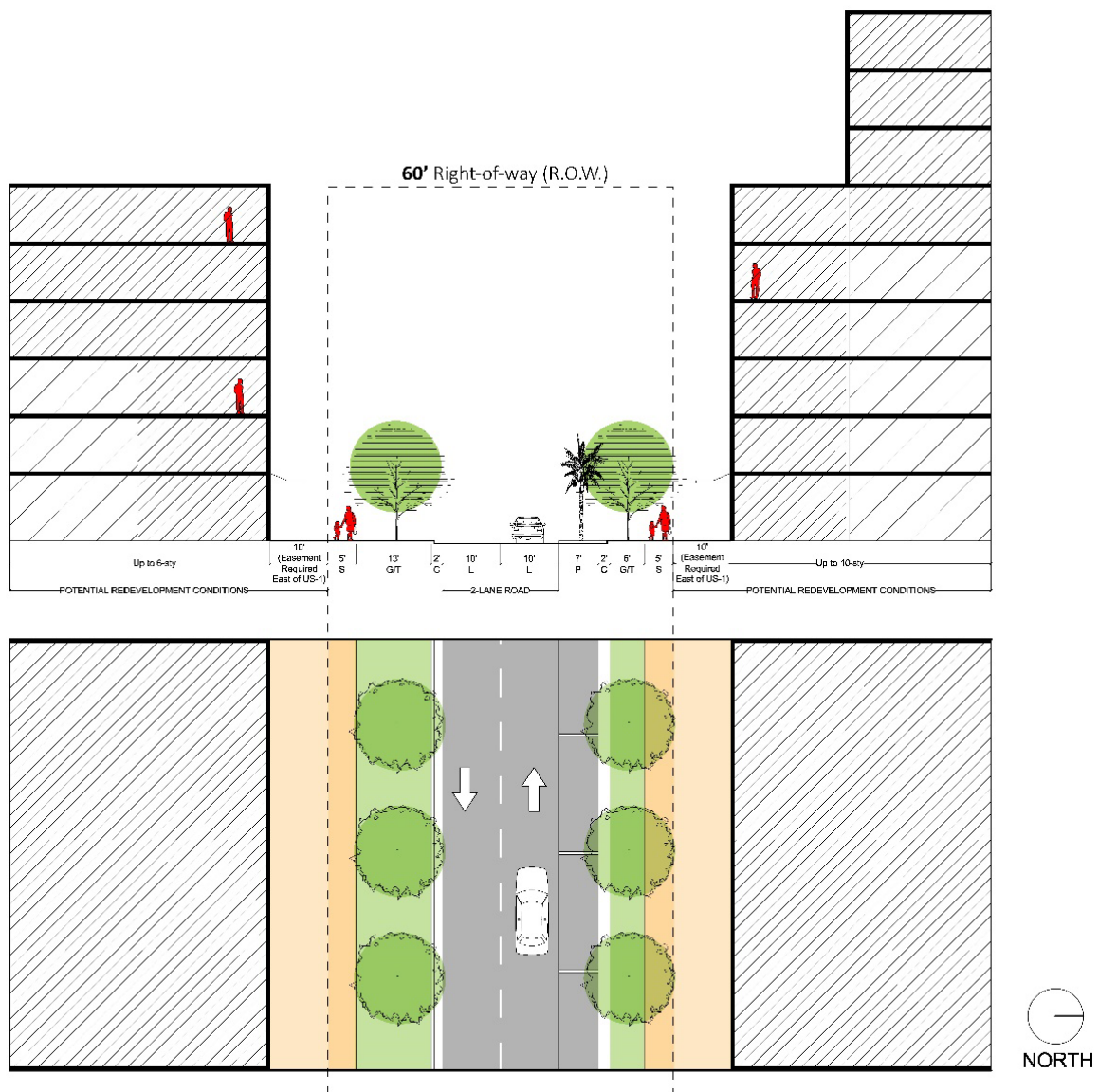


Figure 78-84.F.10: Tertiary Streets with Parking, One Side Street Design

G. Block Requirements.

The following standards for blocks shall apply to property with a minimum area of 3.3 acres (140,625 sq. ft.):

1. On the east side of Federal Highway (north of Jasmine Drive and south of Cypress Drive), the maximum length of a block shall be 375 feet. The maximum perimeter shall be 1,500 feet.
2. On the west side of Federal Highway and the east side of Federal Highway (between Jasmine Drive and Cypress Drive), the maximum length and perimeter of a block shall be as established prior to the adoption of this ordinance.
3. The Community Development Director or his/her designee shall have the authority to adjust administratively the requirements for maximum block length and/or perimeter for up to 10% of the required measurement.

H. The Designated Publicly Accessible Open Space and Greenway System Regulating Plan

The Designated Publicly Accessible Open Space and Greenway System Regulating Plan is intended to designate the approximate location of the existing public open spaces around the district and the new designated publicly accessible open spaces and greenway system which shall be shown in all development plans. The Designated Publicly Accessible Open Space and Greenway System Regulating Plan is found in Appendix A of this code section as Figure 3. Standards for open spaces and greenway systems are found in Section J of the MU District (Section 78-83).

I. The Building Heights Regulating Plan

The Building Heights Regulating Plan is intended to delineate the areas where different types of development intensities are permitted in order to establish compatibility with the single-family neighborhoods. The Building Heights Regulating Plan is found in Appendix A of this code section as Figure 4.

1. Building height designations

All new and existing development shall comply with the building height standards found within the Building Heights Regulating Plan. When one property or parcel is regulated by two different height standards, the Building Heights Regulating Plan shall be referred to for the depth of each building height zone. In addition, the following shall apply:

- a. Space for commercial uses on the ground floor of all non-residential and mixed-use buildings shall be a minimum of 12 feet in height; and
- b. Buildings higher than 6 stories shall be developed according to the Tower building type standards.
- c. The Community Development Director or his/her designee shall have the authority to adjust administratively the requirements for maximum building height for up to 10% of the required total height, for properties seeking taller ground floor and top floor building levels.

2. Height Bonuses

Properties south of Hawthorne Drive within the Core Sub-Area only are eligible for a height bonus. Height bonuses shall be granted in accordance with Figure 78-84. Appendix – A.4, Building Heights Regulating Plan and the Height Bonus in the Core Sub-Area Table found on the Regulating Plan. In no case shall a development be permitted to utilize a Height Bonus Option more than once, however, any combination of Options shall be permitted. In no case shall a property be permitted to exceed the maximum height permitted according to the Building Heights Regulating Plan, except in accordance with Section 78-84.1.1.c above.

J. Building Placement Regulating Diagrams and Modified Dimensional Standards

1. Building Typology

All new buildings shall conform to one of the permitted building typologies. The building typologies are demonstrated in the Building Placement Regulating Diagrams of the MU District, found in

Appendix A of that code section. Building Placement Regulating Diagrams provide a schematic representation of the various building typologies, permitted per the Sub-Area Regulating Plan. The diagrams demonstrate the required setbacks, lot standards, and profiles of structures. Not all building typologies are permitted in every Sub-Area of the FHMUDO. (For instance, the Tower and Liner building typologies are considered the most intense and are not permitted in the Edge Sub-Area.) Existing buildings that do not fit a prescribed typology shall follow the standards required for the Flex building typology. The building typologies permitted in the FHMUDO and their allowable Sub-Area locations are provided on the Sub-Areas Regulating Plan found in Appendix A, Figure 1 of this code section.

2. Setbacks and Building Frontage

The Interior Side and Rear Side setback standards specified on the Building Typology and Placement Regulating Diagrams found in Appendix A of the MU (Section 78-83.Appendix-A) shall apply. In addition, the following shall also apply in the FHMUDO:

- a. The minimum and maximum front and street side setbacks and the minimum percentage of building frontage required is based on the street type designation as shown on the Street Network Connectivity Regulating Plan found in Appendix A, Figure 2 of this code section.
 - i. All buildings shall provide building frontage within the minimum and maximum setback dimension per street frontage.
 - ii. All buildings shall provide a minimum percentage of active use within front and street side building frontages.
 - (A) Building facades along Alley/Service Drives shall not be required to provide a minimum percentage of building frontage or active use.
 - iii. The Community Development Director or his/her designee shall have the authority to adjust administratively the requirements for building frontage minimum and minimum front and street side setback for up to 20% of the required measurement.
 - iv. Developments with frontages along Silver Beach Road east of Federal Highway, the south side of proposed Bayberry Road new tertiary street, and Lake Shore Drive south of proposed Bayberry Road new tertiary street may not be required to provide building frontage and active use along those frontages in order to accommodate structured parking for the Marina and the development, at the discretion of the Community Development Director.

3. Lot Standards

Lot standards, including but not limited to Lot Width and Lot Coverage, are determined based on the selected building typology. The lot standards specified on the Building Typology and Placement Regulating Diagrams found in Appendix A of the MU (Section 78-83.Appendix-A) shall apply.

4. Minimum Unit Sizes for Residential Development

Table 78-84.J.1: Minimum Unit Sizes for Residential Development			
<u>Floor area per dwelling unit, minimum (square feet)</u>			
<u>Single-Family</u>		<u>750</u>	
		<u>East of Federal Highway</u>	<u>West of Federal Highway</u>
<u>Multi-Family</u>	<u>Efficiency Units</u>	<u>450</u>	<u>450</u>
	<u>1 Bedroom</u>	<u>575</u>	<u>650</u>
	<u>2 Bedroom</u>	<u>750</u>	<u>850</u>

	3 Bedroom	850	1000
	Additional Bedroom	100	100

K. Reduced and/or Modified Off-Street Parking Standards

1. All developments shall follow the Section 78-83.H.2.d: Modified Off-Street Parking Requirements unless specified below.
2. Select uses are eligible for reduced parking.
 - a. Selected Off-street Parking Reductions for Restaurants.
 - i. Properties with an existing building that adaptively reuse the structures interior, while maintaining the façade and scale of the exterior, shall not be required to provide additional off-street parking spaces.

Federal Highway Mixed Use District Historic Preservation Fund

3. ~~Height Bonus Assessment~~

- a. ~~Developments utilizing the historic preservation height bonus in accordance with Section 78-84.I.2 must contribute a historic preservation height bonus assessment per square foot of all additional square footage above base zoning to be eligible for the height bonus. Such historic preservation height bonus assessment shall be paid prior to issuance of a building permit for the new development or addition. All historic preservation height bonus assessments shall be deposited into the historic preservation fund for the Federal Highway Mixed Use District.~~
- b. ~~The amount of the historic preservation height bonus assessment shall be established by resolution of the Town commission and may be adjusted from time to time.~~

4. ~~Historic Preservation Fund~~

- a. ~~A separate historic preservation fund shall be established by the Town. All historic preservation height bonus assessment payments from new development within the Federal Highway Mixed Use District shall be deposited into this fund and the funds shall be kept separate from any other Town funds. The historic preservation fund shall be used by the Town for the adaptive reuse of the structures interior, while maintaining historic façade and scale of the exterior, for those structures on properties identified as Historically Significant on the Building Heights Regulating Plan found in Appendix A, Figure 4 of this code section. Use of such funds shall be determined by the Town commission. Any monies not expended in the fund in any fiscal year shall be carried over in the fund into the following year. Any interest earned on the funds shall be retained in the fund~~

L. Federal Highway Mixed Use District Public Improvement Fund

1. Public Improvement Bonus Assessment
 - a. Developments utilizing the public improvement height bonus in accordance with Section 78-84.I.2 must contribute a public improvement assessment based on a fee, or provide a public improvement, equal to 1% of the project's construction cost ~~or a fee of \$250,000, whichever is less.~~
 - b. The amount of the public improvement bonus assessment may be modified by resolution of the town commission.
2. Public Improvement Fund
 - a. A separate public improvement fund shall be identified or established by the Town. All public improvement height bonus assessment payments from new development within the Federal Highway Mixed Use District shall be deposited into this fund and the funds shall be kept separate from any other Town funds. The fund shall be used by the Town for the improvement of any public amenity or use within the FHMUDO or as identified on any of the FHMUDO Regulating Plans found in Appendix A of this code section. Use of such funds shall be determined by the Town commission **and be for, but not limited to, the following:**

- i. Historic Preservation and Adaptive Reuse
- ii. Park Improvements and activation
- iii. Streetscape Improvements
- iv. Transit and Commuter Programs
- v. Landscape Improvements

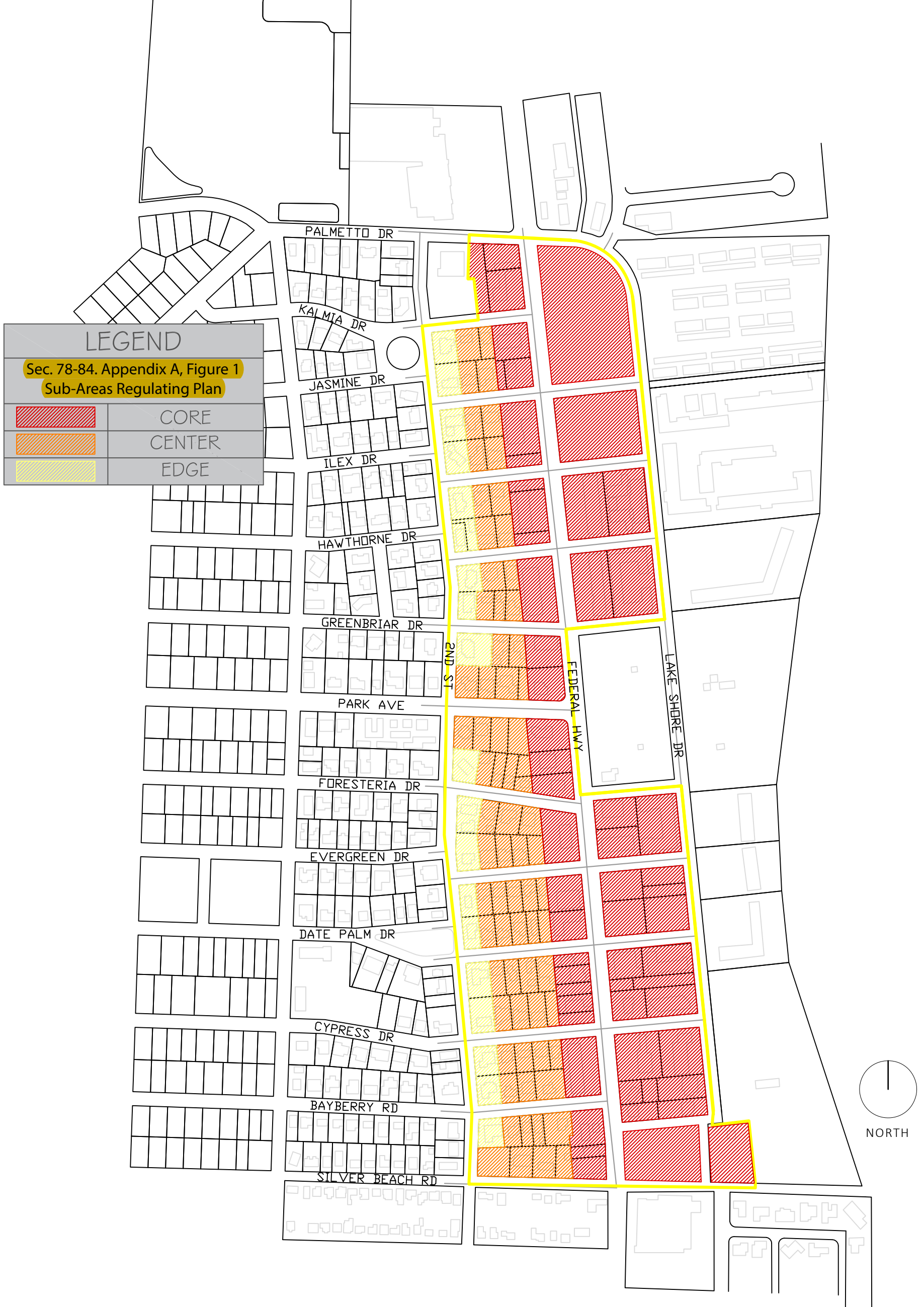
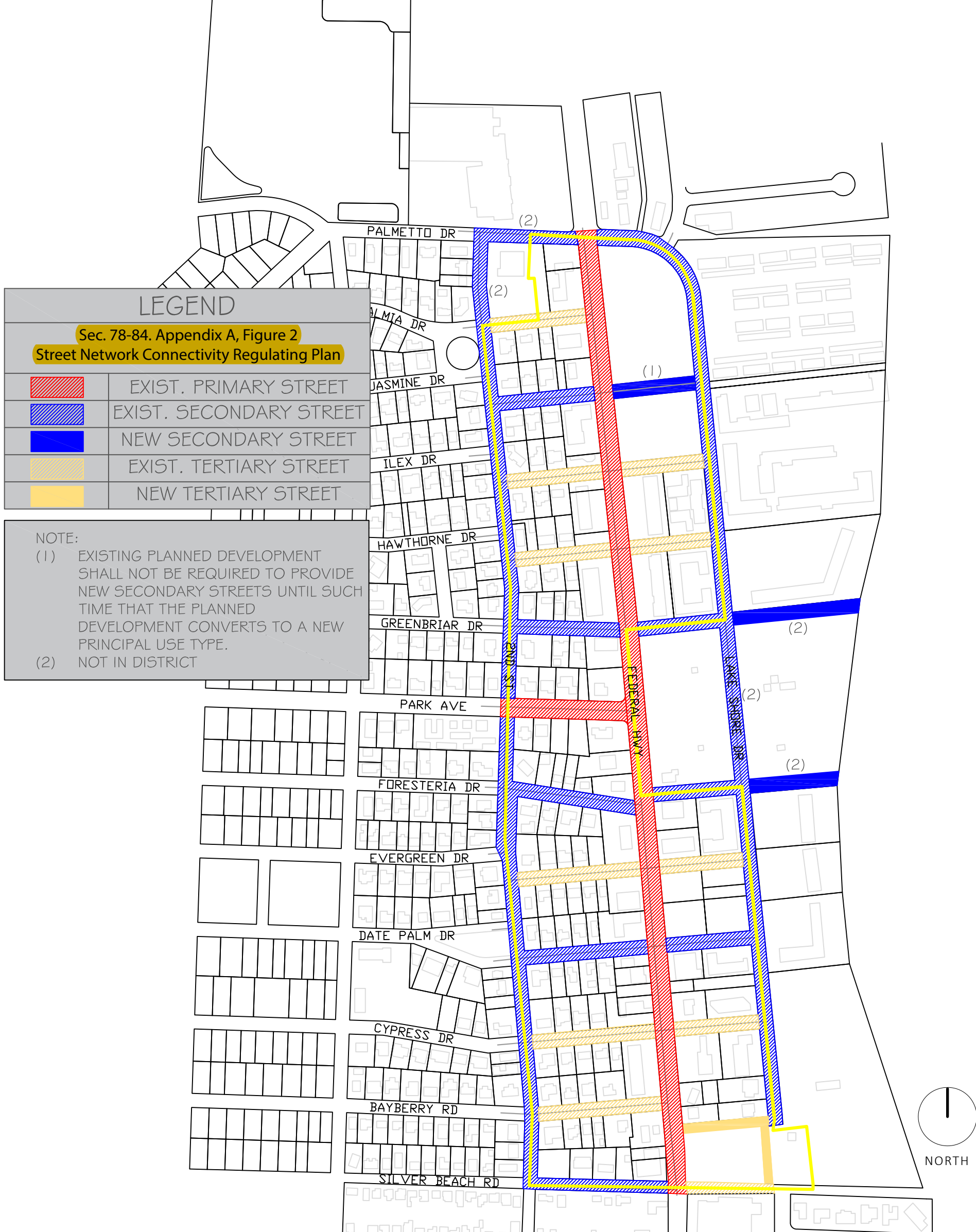


Table 78-84.J.1: Permitted Building Typologies and Sub-Area Locations

Building Typology (Sec 78-83, Appendix A)	Permitted in Sub-area		
	Core	Center	Edge
Tower	Yes	No	No
Liner	Yes	Yes (1)	No
Courtyard Building Type A and B	Yes	Yes (1)	No
Flex	Yes	Yes (2)	No
Townhouse Type A	No	Yes (2)	Yes (3)
Townhouse Type B	Yes	Yes (2)	Yes (3)
Zero Lot Line (Courtyard and Sideyard House)	No	Yes	Yes

Note:

- (1) The proposed development shall have assembled all of the parcels within the Center Sub-area of the block.
- (2) The proposed development shall have assembled the entire street frontage within the Center Sub-area.
- (3) The proposed development shall have assembled the entire street frontage along 2nd Street and shall provide primary building frontages on 2nd Street.



LEGEND

Sec. 78-84. Appendix A, Figure 2
Street Network Connectivity Regulating Plan

	EXIST. PRIMARY STREET
	EXIST. SECONDARY STREET
	NEW SECONDARY STREET
	EXIST. TERTIARY STREET
	NEW TERTIARY STREET

NOTE:

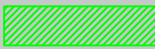

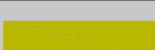

(1) EXISTING PLANNED DEVELOPMENT SHALL NOT BE REQUIRED TO PROVIDE NEW SECONDARY STREETS UNTIL SUCH TIME THAT THE PLANNED DEVELOPMENT CONVERTS TO A NEW PRINCIPAL USE TYPE.

(2) NOT IN DISTRICT

Minimum and Maximum Front and Street Side Setbacks and Building Frontage Per Street Type (1)			
Street Type	Minimum Setback	Maximum Setback	Building Frontage (2)
Primary: Federal Highway	10 feet	20 feet	90%, except for properties between Greenbriar Drive and Foresteria Drive shall provide 50%
Primary: Park Avenue	20 feet	30 feet	50%
Secondary: 2nd Street (east side only)	15 feet	25 feet	50%
Secondary: Lake Shore Drive (west side only)	10 feet	20 feet	80%
Secondary/ Greenway (Palmetto Dr, Jasmine Dr, Greenbriar Dr, Foresteria Dr, Date Palm Dr, Silver Beach Rd)	10 feet	20 feet	East of Federal Highway: 80% West of Federal Highway: 70%
Tertiary (Kalmia Dr, Ilex Dr, Hawthorne Dr, Evergreen Dr, Cypress Dr, Bayberry Rd, Silver Beach Rd, Lake Shore Dr)	10 feet	20 feet	50%
Alleys	Per Building Typology and Placement Regulating Diagrams	Per Building Typology and Placement Regulating Diagrams	N/A

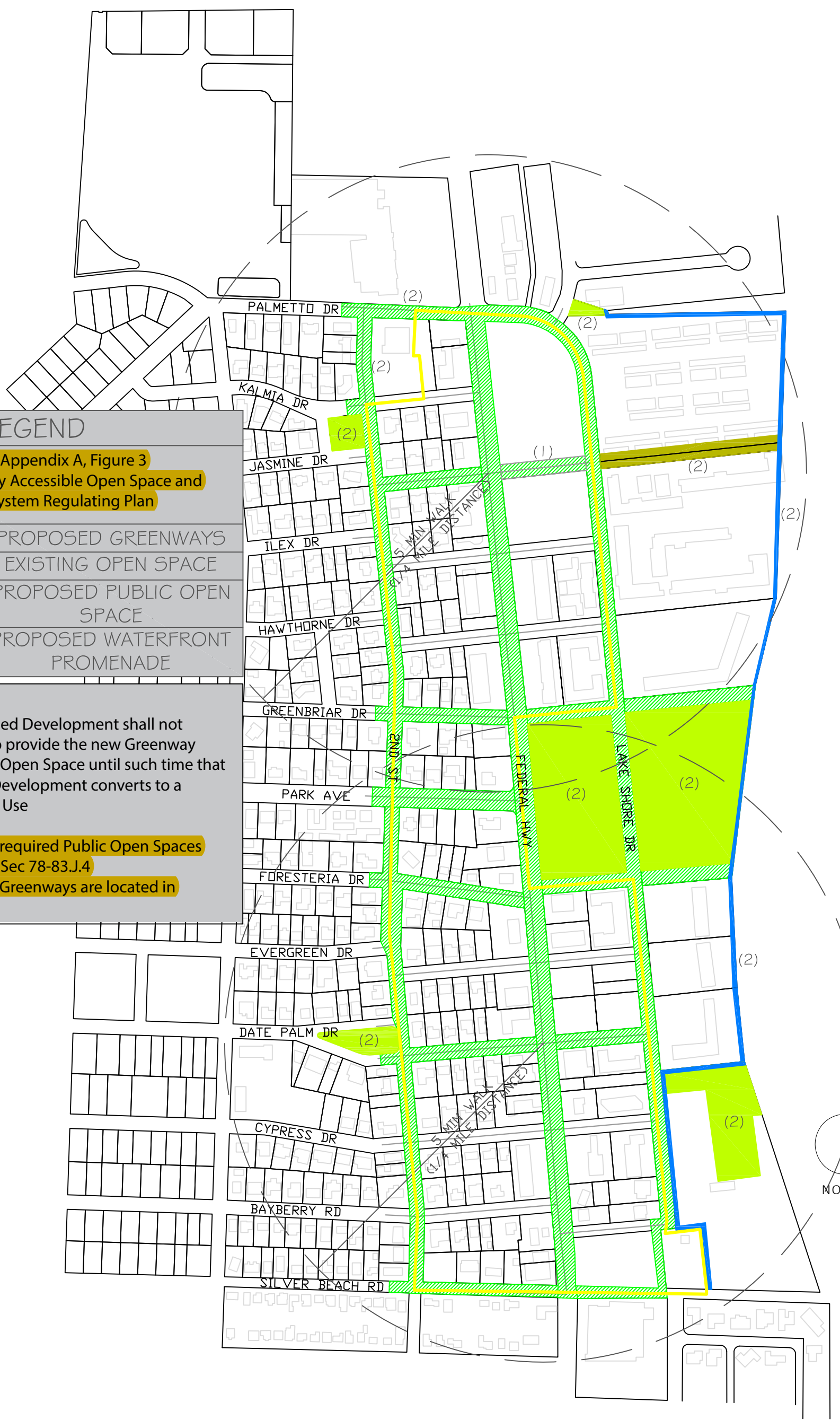
Note: (1) Setbacks shall be measured from property lines
(2) See Active Use Standards (Sec. 78-83.N.3.H) for the requirements of active use along building frontages
(3) The Community Development Director or his/her designee shall have the authority to adjust administratively the requirements for building frontage minimum and minimum front and street side setback for up to 20% of the required measurement.

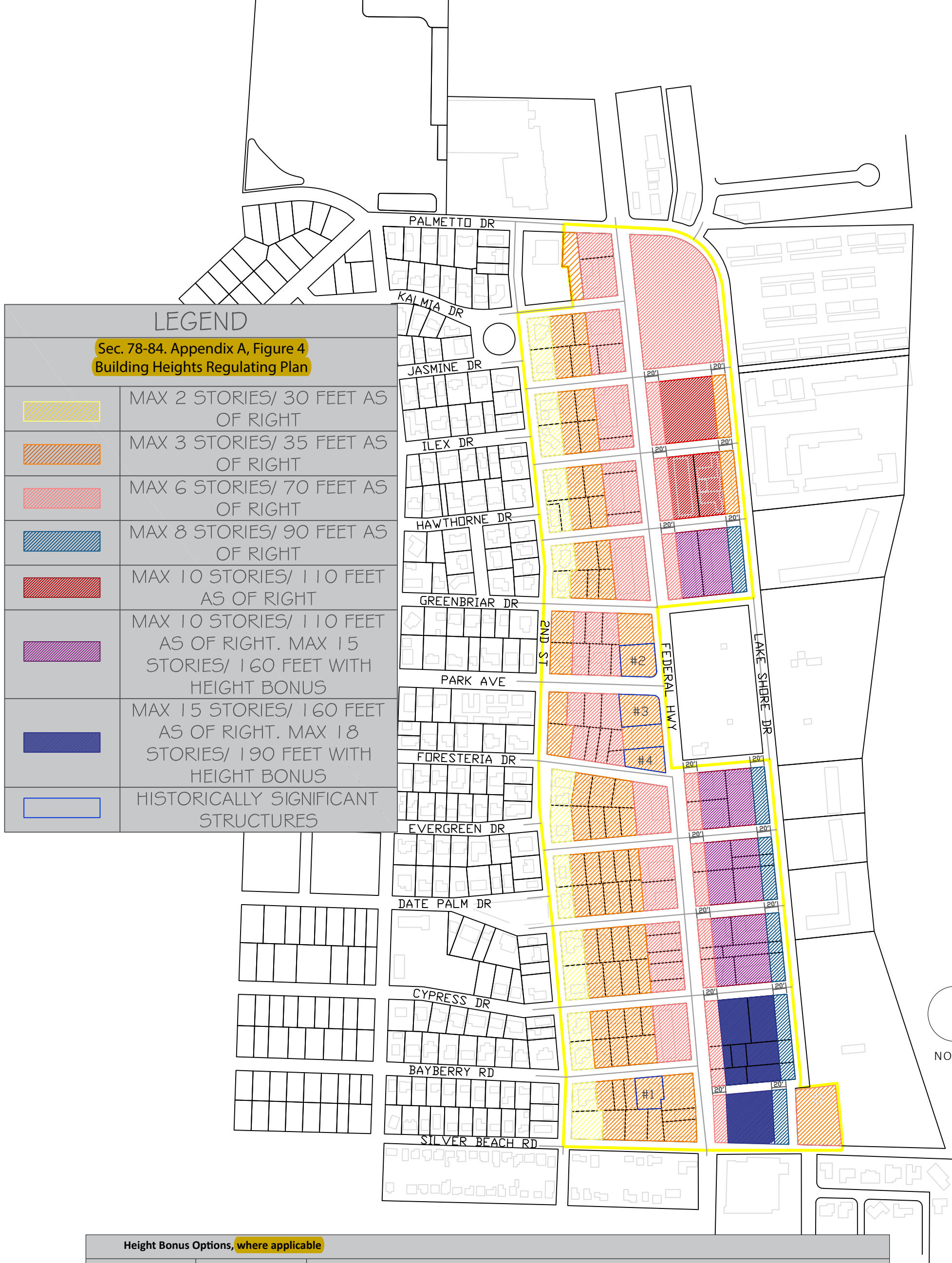
LEGEND
Sec. 78-84. Appendix A, Figure 3
Designated Publicly Accessible Open Space and
Greenway System Regulating Plan

	PROPOSED GREENWAYS
	EXISTING OPEN SPACE
	PROPOSED PUBLIC OPEN SPACE
	PROPOSED WATERFRONT PROMENADE

NOTE:

- (1) Existing Planned Development shall not be required to provide the new Greenway and/or Public Open Space until such time that the Planned Development converts to a New Principal Use
- (2) Not in District
- (3) Standards for required Public Open Spaces are located in Sec 78-83.J.4
- (4) Standards for Greenways are located in Sec. 78-83.J.5





**Sec. 78-84. Appendix A, Figure 4
Building Heights Regulating Plan**

Color/Pattern	Maximum Height
Yellow diagonal lines	MAX 2 STORIES/ 30 FEET AS OF RIGHT
Orange diagonal lines	MAX 3 STORIES/ 35 FEET AS OF RIGHT
Red diagonal lines	MAX 6 STORIES/ 70 FEET AS OF RIGHT
Blue diagonal lines	MAX 8 STORIES/ 90 FEET AS OF RIGHT
Red solid	MAX 10 STORIES/ 110 FEET AS OF RIGHT
Purple solid	MAX 10 STORIES/ 110 FEET AS OF RIGHT. MAX 15 STORIES/ 160 FEET WITH HEIGHT BONUS
Dark blue solid	MAX 15 STORIES/ 160 FEET AS OF RIGHT. MAX 18 STORIES/ 190 FEET WITH HEIGHT BONUS
Blue outline	HISTORICALLY SIGNIFICANT STRUCTURES

Height Bonus Options, where applicable		
Bonus Option	Maximum Additional Height	Requirement
1	3 stories/ 36 feet	Properties that Contribute to the Federal Highway Mixed Use District Public Improvement Fund in accordance with Sec. 78-84.L
2	2 stories/ 24 feet	Properties that provide public parking in accordance with the following: a. The minimum number of spaces required for off-street parking are provided. b. A minimum of 10% of the parking spaces are reserved for public parking. The 10% of parking spaces shall be calculated by multiplying the required spaces for the total units including any height bonuses x 10%. (Total required parking spaces x 0.1= public parking spaces). c. A lease agreement with the Town, at a rate established by the Town, shall be recorded for a term not less 50 years
3	1 stories/ 12 feet	Properties that provide a designated public open space a minimum of 4,800 square feet or a combination of designated public open spaces a total of 4,800 square feet in accordance with Section J.4 of the MU.
4	1 story/ 12 feet	Properties that provide cross block connection through a pedestrian passage a minimum of 15 feet wide in accordance with Section J.7.e of the MU.

TABLE 78-84.Appendix-B.1: PRINCIPAL USES REGULATING TABLE

P = PERMITTED S = SPECIAL EXCEPTION BLANK = NOT PERMITTED

(1) = Along USI only; (2) = Along Lake Shore Drive only (between Ilex and Cypress only); (3) = Along Silver Beach Road only;
 (4) = For properties along the west side of USI between Cypress Drive and Jasmine Drive only;
 (5) = Except along the portion of the building facing USI and Lake Shore Drive (South of Cypress Drive) along the ground floor;
 (6) = For properties along the east side of US I South of Cypress Drive only.

Parking Standards	Category	Sub Areas (FHMUD)				
		Core		Center		Edge
		1st Floor Only	2nd Floor & above	1st Floor Only	2nd Floor & above	
USE CLASSIFICATION	RESIDENTIAL USES					
Single-Family Housing Units	Zero-Lot Line					P
Townhouse	Townhouse Type A			P		P
	Townhouse Type B	P (5)		P		P
Multifamily Housing Developments	Multiple-family structures	P (5)	P	P	P	
Congregate Living Facilities	Community Residential Home	P (2)	P (4)(2)	P (3)	P (3)	
	Community residential homes with seven to 14 residents.		P (4)			
	Group Home	P (2)	P (4)(2)	P (3)	P (3)	

TABLE 78-84.Appendix-B.1: PRINCIPAL USES REGULATING TABLE

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 (6) = For properties along the east side of US I South of Cypress Drive only.

Parking Standards	Category	Sub Areas (FHMUD)				
		Core		Center		Edge
		1st Floor Only	2nd Floor & above	1st Floor Only	2nd Floor & above	
USE CLASSIFICATION	INSTITUTIONAL USES					
Churches, synagogues and other places of worship	Churches/Houses of Worship		P	S	S	
Government services	Civic buildings, libraries	P (3)(4)	P (3)(4)	P (3)	P (3)	
Convalescent and nursing homes	Nursing or convalescent homes	P (3)	P (3)(4)	P (3)	P (3)	
Day care services	Day Care services	P	P	P	P	
Hospitals	Hospital, sanitarium or medical clinic	S (1)	S (1)			
Public and private primary educational facilities grades 1 through 8	Nursery schools or kindergartens	P	P	P	P	
	Schools, except correction institutions	P	P	P	P	
Public and private secondary educational facilities grades 9 through 12	Schools, except correction institutions	P	P	P	P	
USE CLASSIFICATION	RECREATION AND OPEN SPACE USES					
Recreation facilities, amusements and attractions, exhibits, public and private	Greens	P		P		P
	Plazas	P		P		P
	Squares	P		P		P
	Playgrounds	P	P	P	P	P
	Arboretum or botanical garden	P		P		P
	Community garden	P		P		P
Indoor recreation, except theaters and bowling alleys	Indoor playground	P	P	P	P	

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 (5) = Except along the portion of the building facing USI and Lake Shore Drive (South of Cypress Drive) along the ground floor;
 (6) = For properties along the east side of US I South of Cypress Drive only.

Parking Standards	Category	Sub Areas (FHMUD)				
		Core		Center		Edge
		1st Floor Only	2nd Floor & above	1st Floor Only	2nd Floor & above	
USE CLASSIFICATION	COMMERCIAL USES					
Financial Institutions	Banks	P (1)	P (1)			
Business and Professional Office	Offices, business and professional	P	P	P		
Bakeries, commercial preparation	Bakeries the products of which are sold at retail and baked on the premises for retail sale exclusively on the premises and which bakeries employ five or less employees	P (1)	P (1)			
Bakeries, retail, limited preparation	Bakeries the products of which are sold at retail but not produced on the premises	P	P	P		
Restaurants	Restaurants	P	P	P	P	
Lounge	Lounge	P	P			
Appliance, retail/wholesale	Appliance stores, including radio and television	P (1)	P (1)			

TABLE 78-84.Appendix-B.1: PRINCIPAL USES REGULATING TABLE

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 (5) = Except along the portion of the building facing USI and Lake Shore Drive (South of Cypress Drive) along the ground floor;
 (6) = For properties along the east side of US I South of Cypress Drive only.

Parking Standards	Category	Sub Areas (FHMUD)				
		Core		Center		Edge
		1st Floor Only	2nd Floor & above	1st Floor Only	2nd Floor & above	
Retail and Commercial	Shops for the retail selling of merchandise not made on the premises	P	P	P		
	Shops, including shops for making articles without use of machinery, to be sold, at retail on the premises	P (1)	P (1)			
	Foodstore	P	P	P		
	General Retail	P	P	P		
	Hardware, paint and garden supplies	P	P	P		
	Pet shops	P	P			
	Animal day care establishment	P (1)	P (1)			
	Animal grooming establishment	P (1)	P (1)			
	Animal indoor training center	P (1)	P (1)			
Personal Services	Personal Services Retail	P	P	P		
Dry cleaning pickup and laundry pickup stations	Laundry pickup stations	P	P	P		
Veterinary clinic, excluding animal exercise area	Animal service establishment	S (1)	S (1)			
Clinics/offices: Medical, dental, chiropractic (outpatient only)	Physicians or dentists	P (1)	P (1)	P (3)		
	Medical clinics	P (1)	P (1)			
	Substance Abuse Treatment Facility		S (1)			
Pharmacy	Pharmacy, no drive thru	P	P	P		
Bowling alley	Bowling alley	P	P			

TABLE 78-84.Appendix-B.1: PRINCIPAL USES REGULATING TABLE

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Parking Standards	Category	Sub Areas (FHMUD)				
		Core		Center		Edge
		1st Floor Only	2nd Floor & above	1st Floor Only	2nd Floor & above	
Theaters, auditoriums, studios and other places of public assembly	Indoor theaters	P (1)	P (1)			
	Instructional Studios, including but not limited to: Studios for the instruction of the martial arts, dance, voice, drama, speech, gymnastics, yoga, exercise, painting, photography, music, and other similar instructional studio uses which are deemed appropriate by the town's community development director	P	P	P		
Museum/art gallery	Museum/art gallery	P	P	P		
Hotel or Motel	Motel/hotel	P	P	P		
Automotive service station, with or without major repairs	Boat service station	P (6)				
Commercial new and used auto, truck, boat, motorcycles, mobile home, recreation vehicle sale and rental and repair facilities and lots	Boat sales and rental	P (6)	P (6)			

TABLE 78-84.Appendix-B.1: PRINCIPAL USES REGULATING TABLE

P = PERMITTED S = SPECIAL EXCEPTION BLANK = NOT PERMITTED

(1) = Along US1 only; (2) = Along Lake Shore Drive only (between Ilex and Cypress only); (3) = Along Silver Beach Road only;
 (4) = For properties along the west side of US1 between Cypress Drive and Jasmine Drive only;
 (5) = Except along the portion of the building facing US1 and Lake Shore Drive (South of Cypress Drive) along the ground floor;
 (6) = For properties along the east side of US 1 South of Cypress Drive only.

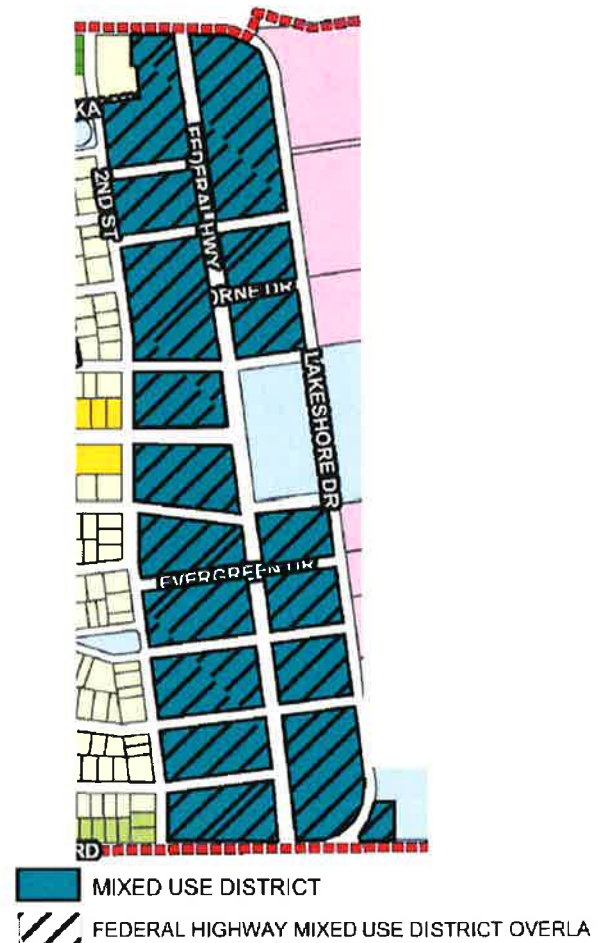
Parking Standards	Category	Sub Areas (FHMUD)				
		Core		Center		Edge
		1st Floor Only	2nd Floor & above	1st Floor Only	2nd Floor & above	
USE CLASSIFICATION	ACCESSORY USES					
Accessory use	Accessory Buildings			A	A	A
	Home occupations or professions where incidental to the residential use	A (5)	A	A	A	A
	Playgrounds operated in conjunction with schools or owned and operated by the town.		A	A	A	
	Outdoor miniature golf courses		A		A	

LEGAL NOTICE OF PUBLIC HEARING **ZONING TEXT AMENDMENT AND REZONING** **TOWN OF LAKE PARK, FLORIDA**

Please take notice and be advised that the Town is proposing zoning use amendments to create Town Code Sections 78-83 creating a Mixed-Use Zoning District and associated land development regulations and 78-84 creating a Federal Highway Mixed-Use Zoning District Overlay and associated land development regulations, along with the rezoning of parcels within these designated areas. The Town is also proposing modifications to the definitions in Town Code Section 78-2.

The Town Commission will hold a public hearing as an Ordinance on second reading for adoption on **Wednesday, April 18, 2018 at 6:30 p.m., or as soon thereafter as can be heard.** The meeting will be held in the Town Hall Commission Chambers, located at 535 Park Avenue, Lake Park, Florida. The following Ordinance will be considered:

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE ZONING CODE WHICH IS LOCATED IN CHAPTER 78; PROVIDING FOR THE AMENDMENT OF ARTICLE I PERTAINING TO DEFINITIONS; PROVIDING FOR AMENDMENTS TO ARTICLE III TO CREATE SECTION 78-83, TO BE ENTITLED THE "MIXED USE DISTRICT" AND SECTION 78-84, TO BE ENTITLED THE "FEDERAL HIGHWAY MIXED USE DISTRICT OVERLAY"; PROVIDING FOR THE AMENDMENT OF THE ZONING MAP TO REZONE PARCELS FROM C-1, C1/PUD, C1B, R1, R1A, R2, PUBLIC AND R2A TO A "MIXED USE DISTRICT" WITH A "FEDERAL HIGHWAY MIXED-USE USE DISTRICT OVERLAY" ADOPTED BY REFERENCE IN TOWN CODE SECTION 78-32; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.



If a person decides to appeal any decision made by the Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

Town Clerk: Vivian Mendez **PUB:** The Palm Beach Post – Friday, April 13, 2018

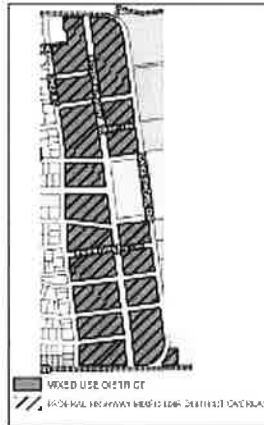
LEGAL NOTICE OF PUBLIC HEARING
ZONING TEXT AMENDMENT
AND REZONING
TOWN OF LAKE PARK, FLORIDA

Please take notice and be advised that the Town is proposing zoning use amendments to create Town Code Sections 78-83 creating a Mixed-Use zoning district and associated land development regulations and 78-84 creating a Federal Highway Mixed-Use zoning district and associated land development regulations, along with the rezoning of parcels within designated areas. The Town is also proposing modifications to the definitions in Town Code Section 78-2.

The Town Commission will hold a public hearing as an Ordinance on first reading on **Wednesday, February 7, 2018 at 6:30 p.m., or as soon thereafter as can be heard.** A second and final reading of the Ordinance for adoption is also tentatively scheduled to be considered by the Town Commission on **April 18, 2018 at 6:30 p.m., or as soon thereafter as the public hearing can begin.**

The meeting will be held in the Town Hall Commission Chambers, located at 535 Park Avenue, Lake Park, Florida. The following Ordinance will be considered:

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE ZONING CODE WHICH IS LOCATED IN CHAPTER 78; PROVIDING FOR THE AMENDMENT OF ARTICLE I PERTAINING TO DEFINITIONS; PROVIDING FOR AMENDMENTS TO ARTICLE III TO CREATE SECTION 78-83, TO BE ENTITLED THE "MIXED USE DISTRICT" AND SECTION



78-84, TO BE ENTITLED THE "FEDERAL HIGHWAY MIXED USE DISTRICT OVERLAY"; PROVIDING FOR THE AMENDMENT OF THE ZONING MAP TO REZONE PARCELS FROM C-1, C1/PUD, C1B, R1, R1A, R2 AND R2A TO A "MIXED USE DISTRICT" WITH A "FEDERAL HIGHWAY MIXED-USE DISTRICT OVERLAY" ADOPTED BY REFERENCE IN TOWN CODE SECTION 78-32; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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Town Clerk: Vivian Mendez

PUB: The Palm Beach Post – Wednesday, January 31, 2018

**TOWN OF LAKE PARK PUBLIC
MEETING AND PUBLIC HEARINGS
OF THE LOCAL PLANNING
AGENCY; PLANNING & ZONING
BOARD & TOWN COMMISSION -
"VISION LAKE PARK" -
www.visionlakepark.com**



The Town of Lake Park is committed to developing Mixed-Use Districts along the US-1 Corridor which extends from Silver Beach Road (to the south), Palmetto Drive (to the north), 2nd Street (to the west) and Lake Shore Drive (to the east). Redevelopment Management Associates (RMA) is working alongside Town Staff to develop the necessary comprehensive plan amendments (CP Amendments) and land development regulations (LDRs). Workshops and meetings have been held throughout 2017. Our upcoming **Public Meeting** to deliver the proposed CP Amendments and LDRs will be held on **Monday, January 16, 2018 at 6:00pm**. The **Public Hearing** schedule for the CP Amendments and LDRs includes the following:

Local Planning Agency (CP Amendments) and **Planning & Zoning Board** (LDRs) Special Call Public Hearings: **Monday, January 22, 2018 at 6:30pm**.

Town Commission Public Hearing (First Consideration of CP Amendments and LDRs prior to State submittal of CP Amendments): **Wednesday, February 7, 2018 at 6:30pm**.

Town Commission Public Hearing (Final Consideration for Adoption of CP Amendments and LDRs): **Wednesday, April 18, 2018 at 6:30pm**.

All meetings will be held in the Town of Lake Park Commission Chambers - 535 Park Avenue, Lake Park, FL 33403 and will commence at the time advertised, or as soon thereafter as can be heard. If a person decides to appeal any decision made by the Local Planning Agency, Planning and Zoning Board or the Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311. **Town Clerk:** Vivian Mendez - **PUB:** The Palm Beach Post - Sunday, January 7, 2018