

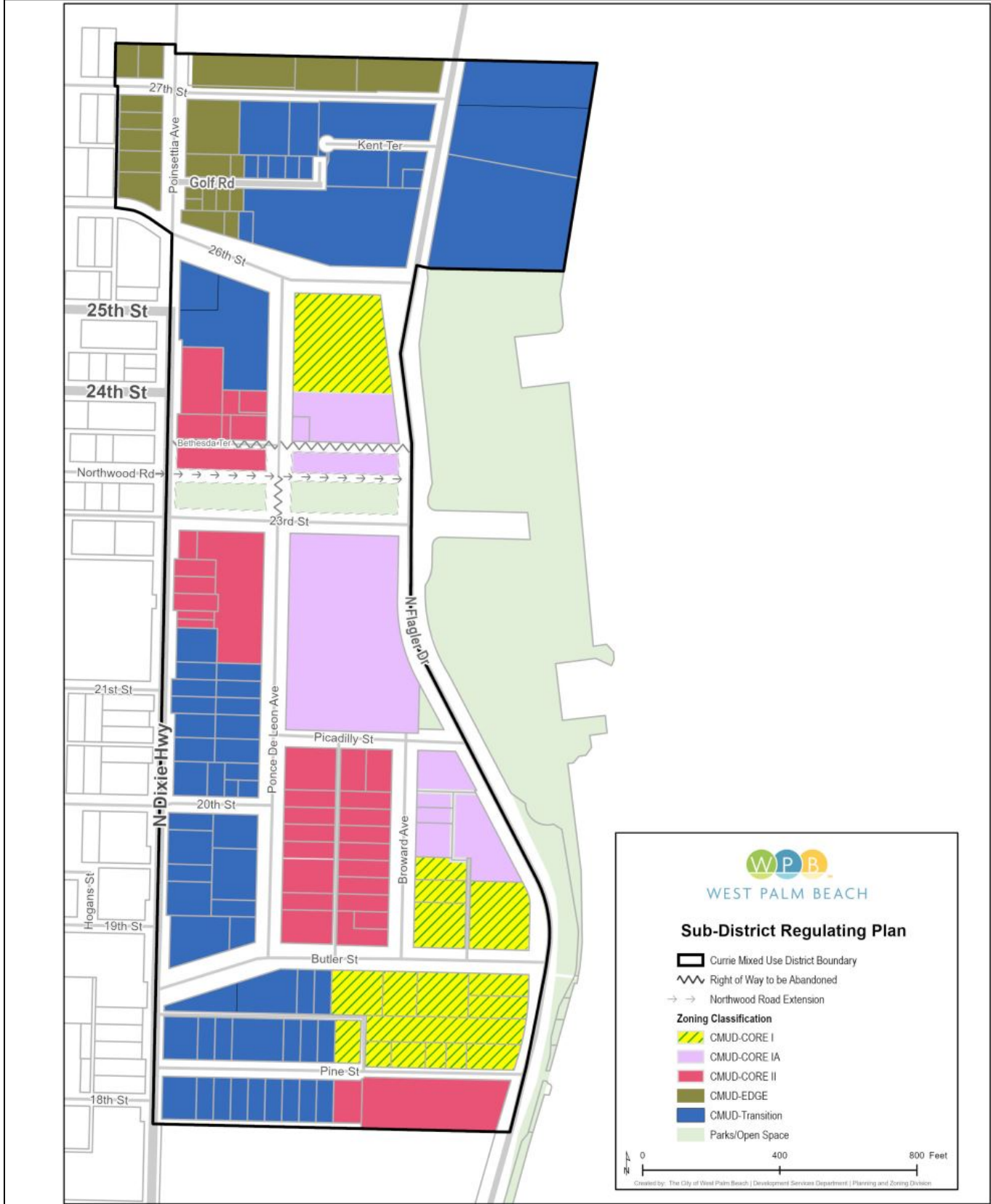
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## **Sec. 94-215. - Currie mixed use district (CMUD).**

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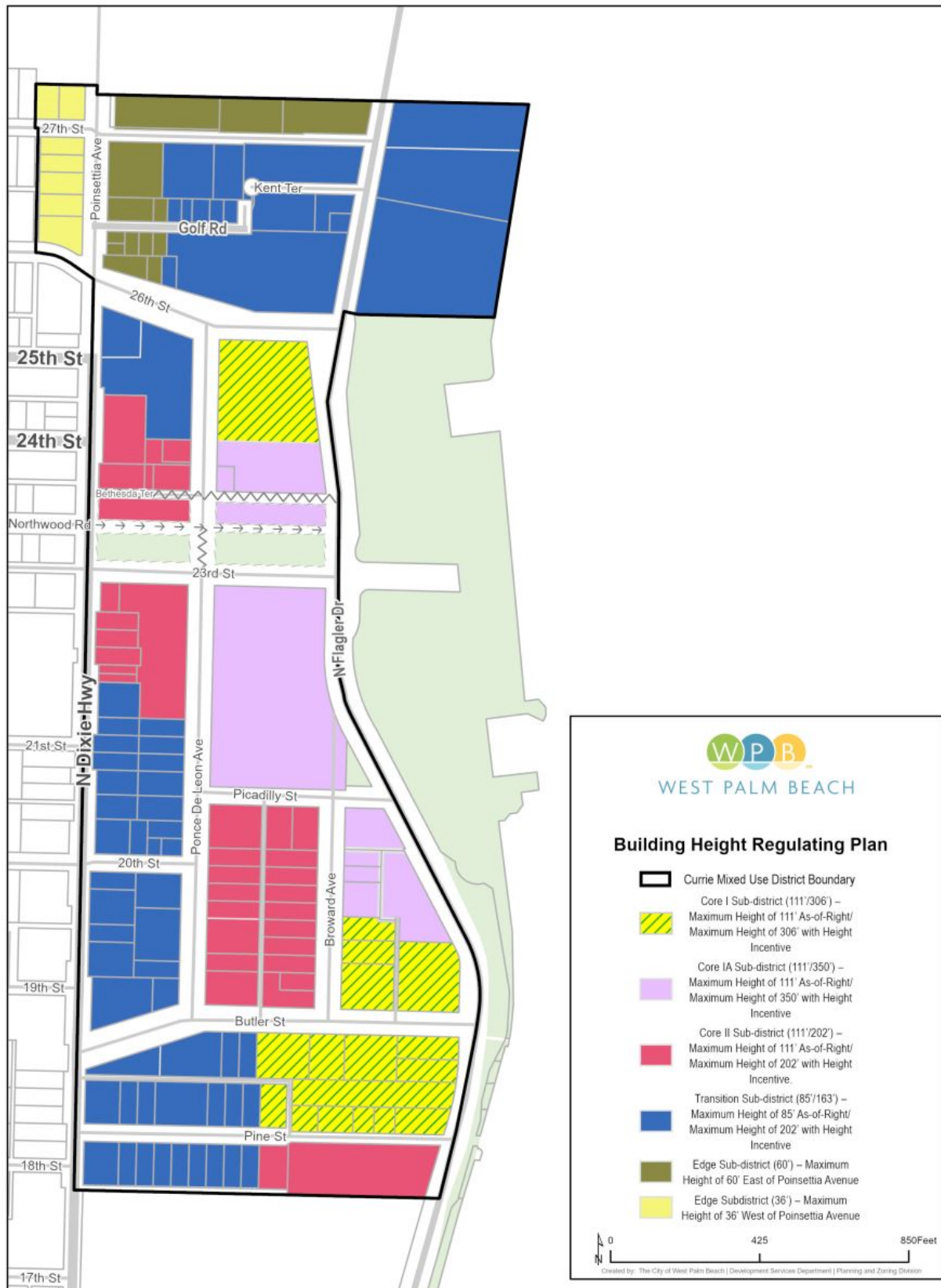
- a. Intent. The Currie Mixed Use District (CMUD) is a compact, pedestrian-oriented, mixed-use district located between Currie Park (to the east), and the Northwood business district (to the west). Unlike the suburban residential and shopping areas, this type of mixed-use district requires urban types of development regulations concerning setbacks, parking requirements and location, height limitations, and permitted uses. The intent of the development standards for the CMUD is to create a predictable, urban neighborhood that adds vitality and additional local users to the adjacent Currie Park and Northwood business district.
- b. District Boundaries. The development standards of this section shall be utilized for properties located within the CMUD. The CMUD generally consists of the properties east of Dixie Highway, west of Flagler Drive, north of 27th Street, extending to the south side of Pine Street.
- c. Administration. In order to maintain predictability in development, planned developments and variances to increase building height are prohibited. Variances from the dimensional requirements or waivers from any other criterion may be approved by the planning board, provided that the applicant meets the standards pertaining to such variance or waiver. The applicable board shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the development services director in the enforcement of these development regulations.
- d. General Development Standards.
  1. In addition to the standards contained in this section, the standards in section 94-209 Mixed-use (MU) district standards shall be applicable to development within the CMUD.
  2. The CMUD regulations consists of regulating plans, the regulations provided in this section and the MU district standards provided in Section 94-209.
  3. The provisions of the CMUD regulations, when in conflict, shall take precedence over the MU district standards and the general zoning and land development regulations.
  4. The provisions of the building code, when in conflict, shall take precedence over the provisions of the CMUD regulations.
  5. Existing buildings may not be destroyed or removed until a building permit has been issued for a replacement building which complies with the CMUD regulations.
  6. Existing buildings and uses within the CMUD area, which were legally established but do not conform to current provisions of the CMUD regulations shall be considered legal nonconforming and may not be replaced, restored, or modified, except in conformity with the CMUD regulations, and shall follow the regulation for nonconformities contained in ARTICLE XVI of this chapter. A nonconforming use may be temporarily suspended due to damage by windstorm, flood, or natural disaster, provided application for a building permit to make repairs is made within six months of the date of the windstorm, flood, or natural disaster. When a legal nonconforming structure is destroyed by windstorm, flood, or nature disaster, it may be replaced by a new structure of the same or lesser size, and reoccupied by the same use, provided an application for a building permit is made within 12 months of destruction.
  7. New permanent stand-alone surface parking lots shall only be permitted on existing vacant lots that are owned by the City and/or the CRA or land donated to the City by the developer for purpose of providing public parking for Currie Park through the CMUD height incentive program in accordance with Sec. 94-215(k).
- e. Regulating Plans. The CMUD is governed by a series of regulating plans. The regulating plans include maps designating the locations of where the various standards apply. Unless otherwise noted, all development shall be in compliance with the regulating plans. The regulating plans for the CMUD include the following:
  1. The Sub-districts Regulating Plan divides the CMUD into four sub-districts: Core I/IA, Core II, Transition and Edge. The highest density and intensity within the CMUD shall be allocated to the Core I/IA and II sub-districts, a mixed-use area in the heart of the district. The densities and intensities shall then gradually decrease from the Core sub-districts to the Transition sub-district where mixed-uses are still permitted, and then further decrease to the Edge sub-district. The Edge sub-district is predominantly characterized by single-family residential use adjacent to existing low-density residential use outside of the district. The sub-districts regulating plan is shown in Figure VII-21.

**FIGURE VII-21:  
SUB-DISTRICT REGULATING PLAN**



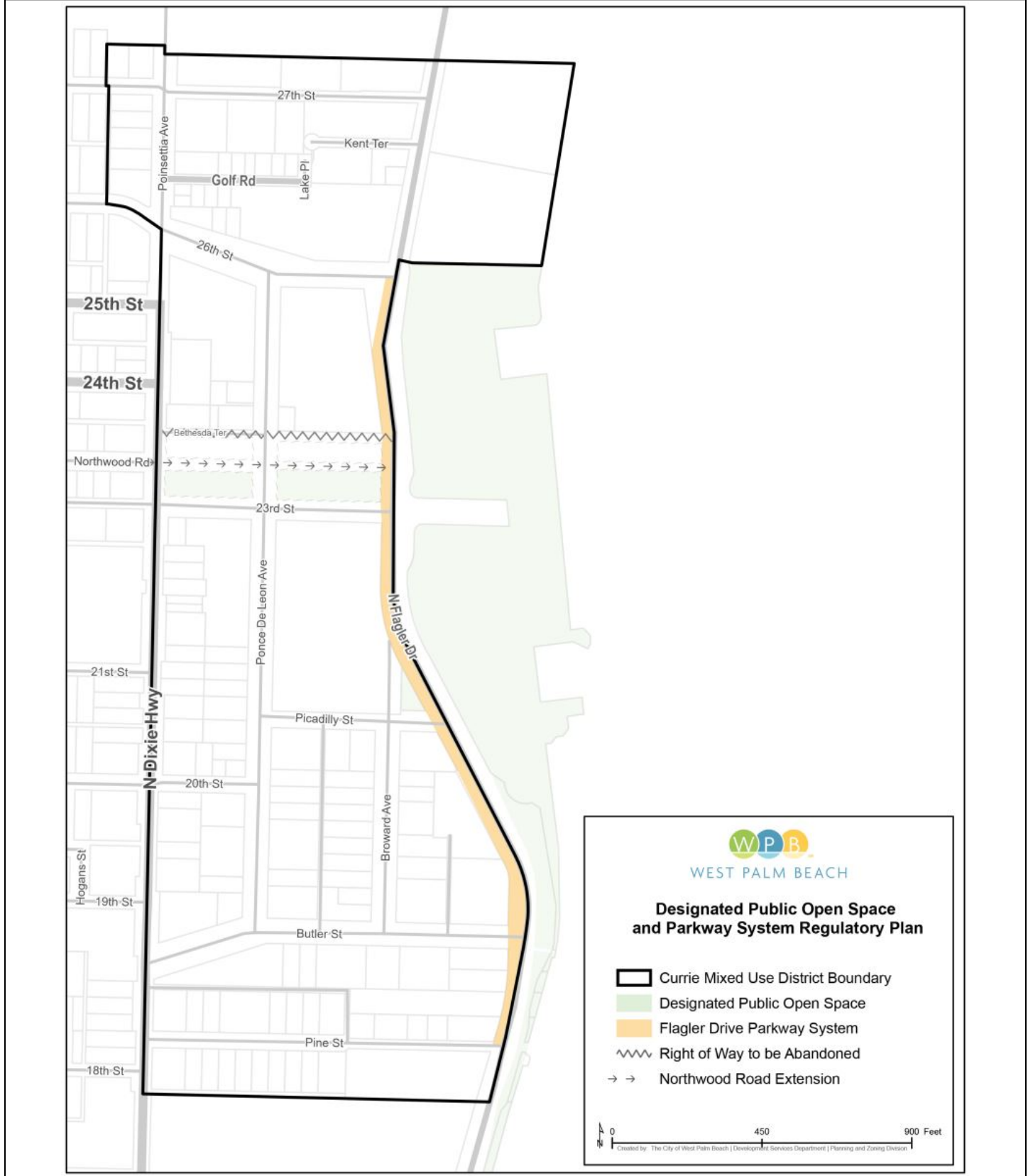
2. The Building Heights Regulating Plan establishes the maximum building heights within the sub-districts of the CMUD as shown in Figure VII-22.

**FIGURE VII-22:  
BUILDING HEIGHT REGULATING PLAN**



3. The Designated Public Open Spaces and Parkway System Regulating Plan designates areas of required open space and a parkway system for public use within the CMUD as shown in Figure VII-23.

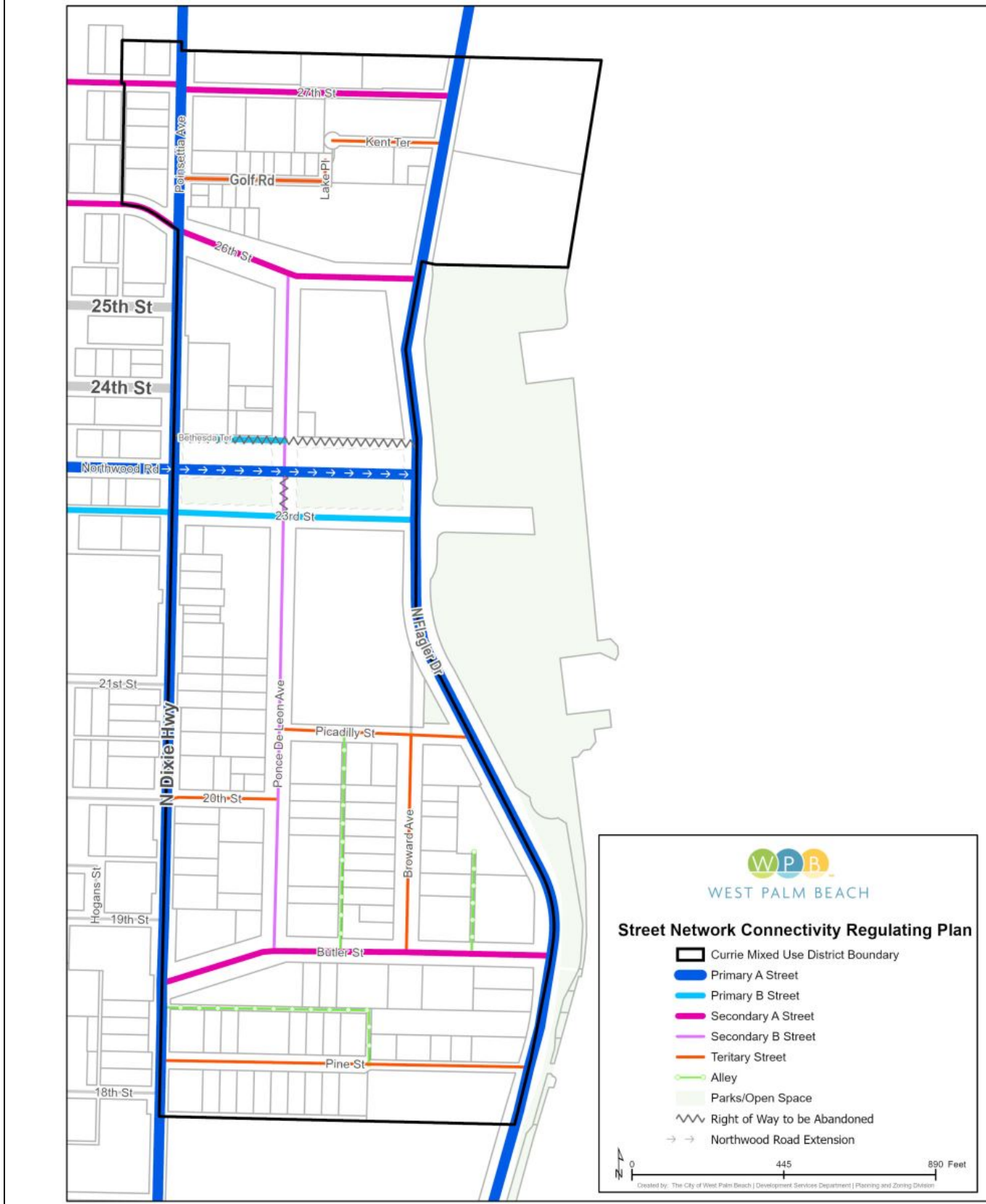
**FIGURE VII-23:  
DESIGNATED PUBLIC OPEN SPACE AND PARKWAY SYSTEM REGULATORY PLAN**



4. The Street Network Regulating Plan shows the location of existing streets and the required new streets needed to create the prescribed network of streets within the CMUD. This plan also establishes the hierarchy of the streets as shown in Figure VII-24.



**FIGURE VII-24:  
STREET NETWORK CONNECTIVITY REGULATING PLAN**





- f. Northwood Road Extension. The Northwood Road Extension is a future roadway extension of Northwood Road from North Dixie Highway to Flagler Drive. The purpose of the roadway extension is to extend the existing Northwood Road main street through the CMUD to Currie Park. To maintain consistency and compatibility with the character of the existing roadway, the following standards shall apply to the future extended roadway segment of Northwood Road:
1. The building height along the Northwood Road Extension shall be a maximum of five (5) stories/68 feet in height to maintain visual consistency and compatibility with the existing character of Northwood Road. Additional building height may be added in accordance with the Building Height's Regulating Plan; however, the podium of the building shall maintain a maximum height of five (5) stories/68 feet, and any additional height above the podium shall be setback a minimum of 40 feet from the edge of the podium along Northwood Road. Additional tower setbacks are highly encouraged to enhance the view corridor along Northwood Road and to create variation in building form.
  2. Ground floor and upper level active uses shall be required on all building facades fronting on Northwood Road.
  3. Ground floor active uses fronting on Northwood Road shall be commercial; residential use and related amenities are not permitted at the ground level.
  4. Open space along the Northwood Road Extension shall be required to maintain pedestrian activity along the street frontage. To encourage pedestrian activity along the roadway extension, street furnishings shall be incorporated and installed by the developer.
- g. Core I/IA Sub-district Requirements. The Core I/IA sub-district is comprised of larger parcels located along the west side of Flagler Drive. The Core I/IA sub-district is the centralized core of the CMUD and is characterized by the highest density, intensity and building heights within the district. The Core I/IA sub-district is also intended to provide a visual and physical connection between CMUD and Currie Park.
1. Development Characteristics.
    - i. In accordance with the Designated Public Open Spaces and Parkway System Regulating Plan, all Core I/IA properties with frontage along Flagler Drive, between 26th Street and Picadilly Street, shall provide a 30-foot wide parkway easement for the purpose of creating a multi-purpose public pedestrian pathway along Flagler Drive. The extension of the 30-foot wide parkway easement between Picadilly Street and Pine Street shall be optional, but shall be necessary to qualify for the height incentive provided in Section 94-215(k)(2)(ix). The design and development requirements for the parkway system is provided in Section 94-215(m)(4).
    - ii. Buildings with frontage along the Northwood Road Extension shall adhere to the building and use requirements in Section. 94-215(f).
    - iii. Buildings with frontage along 23rd Street shall maintain a maximum height of six (6) stories/80 feet at the podium, and any additional height above the six (6) stories/80 feet shall be setback a minimum of 20 feet from the edge of the podium of the building fronting along 23rd Street.
    - iv. Buildings with frontage along Ponce De Leon Avenue shall maintain a maximum building height of five (5) stories/68 feet at the podium for the first 100 feet from Northwood Road. All other building frontages along Ponce De Leon Avenue shall maintain a maximum building height of six (6) stories/80 feet at the podium and any additional height above the podium of the building shall be setback a minimum of 20 feet from the edge of the podium fronting along Ponce De Leon Avenue.
    - v. Ground floor and upper level active uses shall be required on all building facades fronting on 23rd Street. Ground floor active uses on 23rd Street shall be limited to commercial uses.
    - vi. Ground floor active uses shall be required for the first 100 feet on Flagler Drive at Northwood Road and 23rd Street, to encourage wrap-around commercial uses at these intersections. Ground floor active uses shall be limited to commercial uses.
    - vii. Ground floor active uses shall be required for the first 100 feet on Ponce De Leon Avenue at Northwood Road and 23rd Street, to encourage wrap around active uses at these intersections.
    - viii. Ground floor active uses shall be required along on all Secondary A streets.
    - ix. Permitted residential townhouses shall be limited to a maximum height of 30 feet.
  2. The building requirements for the Core I/IA sub-district are provided in Table VII-11 below.

**TABLE VII-11:  
CORE I/IA SUB-DISTRICT BUILDING REQUIREMENTS**

MAXIMUM HEIGHT		
Base Height	111'	
Maximum Height Core I (1)	306'	
Maximum Height Core IA (1)	350'	
BUILDING SETBACKS		
STREET DESIGNATION	MINIMUM	MAXIMUM
Primary A (Flagler Dr. and Northwood Rd.)	5' (2), 15' and 35' (3)	15' (2), 25' and 45' (3)
Primary B (23rd St.)	5'	10'
Secondary A (26th St. and Butler St.)	5'	20'
Secondary B (Ponce de Leon Ave.)	5'	30'
Tertiary	10'	—
Alleys	5'	—
Interior Side	5'	—
Rear	5'	—
MINIMUM OPEN SPACE		
Public	—	
Private	3%	
MINIMUM ACTIVE USES		
STREET DESIGNATION	MINIMUM BUILDING FRONTAGE	
Northwood Rd.	80%	
Secondary A (26th St. and Butler St.)	40%	
Primary B (23rd St.)	80%	
MINIMUM ACTIVE USE LINER DEPTH		
Commercial	20'	
Residential	15'	
MINIMUM TRANSPARENCY FOR ACTIVE USES ON THE GROUND FLOOR		
STREET DESIGNATION	MINIMUM TRANSPARENCY ALONG BUILDING FRONTAGE	
Northwood Rd.	70%	
Secondary A (26th St. and Butler St.)	70%	
Primary B (23rd St.)	70%	
NOTES:		
1. With building height incentive(s). 2. Building setback along Northwood Road only. 3. When providing the Flagler Drive Parkway System. The 30' wide Parkway System requirement is included in the setback.		

- h. Core II Sub-district Requirements. Areas of the Core II sub-district are located adjacent to Core I/IA. The building density and intensity within the Core II sub-district are similar to Core I/IA; however, the building heights are reduced from Core I/IA to provide gradual building height transition to the Transition and Edge sub-districts of the CMUD.

1. Development Characteristics.

- i. Buildings with frontage along the Northwood Road Extension shall adhere to the building and use requirements of Section 94-215(f).
- ii. Buildings with frontage along 23rd Street shall maintain a maximum height of six (6) stories/80 feet at the podium, and any additional height above the six (6) stories/80 feet shall be setback a minimum of 20 feet from the edge of the podium of the building fronting along 23rd Street.

- iii. Buildings with frontage along Ponce De Leon Avenue shall maintain a maximum building height of six (6) stories/80 feet at the podium and any additional height above the podium of the building shall be setback a minimum of 20 feet from the edge of the podium fronting along Ponce De Leon Avenue.
- iv. Ground floor and upper level active uses shall be required on all building facades fronting on 23rd Street. Ground floor active uses on 23rd Street shall be limited to commercial uses.
- v. Ground floor active uses shall be required for the first 100 feet on Ponce De Leon Avenue at Northwood Road and 23rd Street, to encourage wrap around active uses at these intersections.
- vi. Ground floor active uses shall be required along Dixie Highway and all Secondary A streets.
- vii. Permitted single-family residential (attached and detached) shall be limited to a maximum height of 30 feet.

2. The building requirements for the Core II sub-district are provided in Table VII-12 below.

TABLE VII-12: CORE II SUB-DISTRICT BUILDING REQUIREMENTS		
MAXIMUM HEIGHT		
Base Height	111'	
Maximum Height (1)	202'	
BUILDING SETBACKS		
STREET DESIGNATION	MINIMUM	MAXIMUM
Primary A (Flagler Dr., Northwood Rd. and Dixie Hwy.)	5' and 15' (2)	15' and 25' (2)
Primary B (23rd St.)	5'	10'
Secondary A (Butler St.)	5'	20'
Secondary B (Ponce de Leon Ave.)	5'	30'
Tertiary	10'	—
Interior Side	5'	—
Alley	5' or 0' (3)	—
Rear	5'	—
MINIMUM OPEN SPACE		
Public	3%	
Private	10%	
MINIMUM ACTIVE USES		
STREET DESIGNATION	MINIMUM BUILDING FRONTAGE	
Northwood Rd.	80%	
Dixie Highway	60%	
Secondary A (Butler St.)	40%	
Primary B (23rd St.)	80%	
MINIMUM ACTIVE USE LINER DEPTH		
Commercial	20'	
Residential	15'	
MINIMUM TRANSPARENCY FOR ACTIVE USES ON THE GROUND FLOOR		
STREET DESIGNATION	MINIMUM TRANSPARENCY ALONG BUILDING FRONTAGE	
Northwood Rd.	70%	
Dixie Highway	70%	
Secondary A (Butler St.)	70%	
Primary B (23rd St.)	70%	
NOTES:		

**TABLE VII-12:  
CORE II SUB-DISTRICT BUILDING REQUIREMENTS**

<b>MAXIMUM HEIGHT</b>
1. With building height incentive(s). 2. Building setback along Flagler Drive only. 3. Units sharing a common wall.

b. Transition Sub-district Requirements. The Transition sub-district is characterized by smaller parcels within the district. The Transition sub-district is intended to provide a transition between the higher building heights and intensity of the Core sub-districts from the lower intensity of the Edge sub-district and of the areas west of Dixie Highway.

1. Development Characteristics.
  - i. Buildings with frontage along Ponce De Leon Avenue shall maintain a maximum building height of six (6) stories/80 feet at the podium and any additional height above the podium of the building shall be setback a minimum of 20 feet from the edge of the podium fronting along Ponce De Leon Avenue.
  - ii. Ground floor active uses shall be required on all building facades fronting on Dixie Highway, 26th Street and Butler Street.
  - iii. Permitted single-family residential (attached and detached) shall be limited to a maximum height of 30 feet.
2. The building requirements for the Transition sub-district are provided in Table VII-13 below.

**TABLE VII-13:  
TRANSITION SUB-DISTRICT BUILDING REQUIREMENTS**

MAXIMUM HEIGHT		
Base Height	85'	
Maximum Height (1)	163'	
BUILDING SETBACKS		
STREET DESIGNATION	MINIMUM	MAXIMUM
Primary A (Flagler Dr. and Dixie Hwy.)	5'	15'
Secondary A (26th St., 27th St. and Butler St.)	5'	20'
Secondary B (Ponce de Leon Ave.)	5'	30'
Tertiary	15'	30'
Interior Side	5' or 0' (2)	—
Alley	10'	—
Rear	10'	—
MINIMUM OPEN SPACE		
Public	3%	
Private	10%	
MINIMUM ACTIVE USES		
STREET DESIGNATION	MINIMUM BUILDING FRONTAGE	
Dixie Highway	60%	
26th Street	40%	
Butler Street	40%	
MINIMUM ACTIVE USE LINER DEPTH		
Commercial	20'	
Residential	15'	
MINIMUM TRANSPARENCY FOR ACTIVE USES ON THE GROUND FLOOR		
STREET DESIGNATION	MINIMUM TRANSPARENCY ALONG BUILDING FRONTAGE	

**TABLE VII-13:  
TRANSITION SUB-DISTRICT BUILDING REQUIREMENTS**

MAXIMUM HEIGHT	
Dixie Highway	70%
26th Street	70%
Butler Street	70%
NOTES:	
1. With building height incentive(s). 2. Units sharing a common wall.	

- b. **Edge Sub-district Requirements.** Parcels within the Edge sub-district are found along the northwest limits of the CMUD. The surrounding area along the Edge sub-district is characterized by a higher concentration of single-family residential use. Permitted uses and the building requirements within the Edge sub-district are intended to maintain consistency and compatibility with the predominantly single-family residential character of the surrounding area.

1. **Development Characteristics.**

- i. Commercial uses are permitted along 27th Street; however, to maintain compatibility with the predominantly single-family residential character northwest of the CMUD boundary, the exterior of all new or existing structures along 27th Street, west of Poinsettia Avenue, shall be designed to blend in with the residential character of the immediate area, and the site shall be arranged to minimize any impacts to the surrounding area when accommodating a commercial use.
- ii. Permitted single-family residential (attached and detached) shall be limited to a maximum height of 30 feet.

2. The building requirements for the Edge sub-district are provided in Table VII-14 below.

**TABLE VII-14:  
EDGE SUB-DISTRICT BUILDING REQUIREMENTS**

MAXIMUM HEIGHT		
All Parcels West of Poinsettia Avenue	36'	
All Parcels East of Poinsettia Avenue	60'	
BUILDING SETBACKS		
STREET DESIGNATION	MINIMUM	MAXIMUM
Primary A (Poinsettia Ave. and Flagler Dr.)	5'	15'
Secondary A (26th St. and 27th St.)	5'	20'
Tertiary	15'	30'
Interior Side	5' or 0' (1)	—
Rear	10'	—
MINIMUM OPEN SPACE		
Public	—	
Private	—	
MINIMUM ACTIVE USE LINER DEPTH		
Commercial	20'	
Residential	15'	
NOTES:		
1. Units sharing a common wall.		

- b. **Building Heights Regulating Plan and Additional Height Standards.** All new and existing development shall comply with the standards found within the Building Heights Regulating Plan as shown in Figure VII-22. Table VII-15 provides a summary of the heights per sub-district, however, since maximum building heights vary within the sub-

districts and are dependent on location and/or bonus provisions, the building height regulating plan shall be referred to.

TABLE VII-15: MAXIMUM PERMITTED HEIGHT (1)		
AREA	BASE HEIGHT	MAXIMUM PERMITTED HEIGHT
Core IA Sub-district	111'	350'
Core I Sub-district	111'	306'
Core II Sub-district	111'	202'
Transition Sub-district	85'	163'
Edge Sub-district	36'	60'

1.Height Bonus Option.

- i.Properties within the Core Sub-district shall be permitted a maximum allowable base height of 111 feet as-of-right. In the Transition Sub-district, properties shall be permitted a maximum base height of 85 feet as-of-right. Height bonuses shall be granted in accordance with Figure VII-22 and Table VII-16, except for allowable height encroachments, the maximum permitted height shall not exceed the height specified in Table VII-15.

TABLE VII-16: HEIGHT BONUS INCENTIVES										
HEIGHT BONUS INCENTIVE		EDGE	TRANSITION		CORE II		CORE I		CORE IA	
Base Height:		36'	85' (6 stories)		111' (8 stories)		111' (8 stories)		111' (8 stories)	
Maximum Height:		60'	163'		202'		306'		350'	
INCENTIVE	NOTES (See Below)		MIN.	MAX.	MIN.	MAX.	MIN.	MAX.	MIN.	MAX.
Extension of Northwood Road	a	—	—	—	—	—	—	—	239'	239'
Workforce Housing	b	—	40'	150'	40'	150'	40'	150'	40'	150'
Improvements to Currie Park	c	—	4'	100'	8'	125'	12'	150'	12'	150'
Food Store or Supermarket (min. 15,000 SF)	d	—	65'	65'	65'	65'	100'	100'	100'	100'
Food Store or Supermarket (min. 30,000 SF)	d	—	78'	78'	91'	91'	150'	150'	150'	150'
Public Parking for Currie Park	e	—	26'	50'	39'	75'	52'	100'	52'	100'
Public Parking Land Dedication/Construction	e	—	42'	78'	42'	84'	42'	84'	42'	84'
Payment for Mobility Options	f	—	13'	39'	13'	52'	13'	52'	13'	52'
LEED Certification (Platinum)	g	—	40'	40'	40'	40'	40'	40'	40'	40'
LEED Certification (Gold)	g	—	30'	30'	30'	30'	30'	30'	30'	30'
LEED Certification (Silver)	g	—	20'	20'	20'	20'	20'	20'	20'	20'
Public Open Spaces (min. 4,800 SF)	h	—	30'	60'	30'	60'	30'	60'	30'	60'
Flagler Drive Parkway System	i	—	—	—	—	—	30'	30'	30'	30'
NOTES:										

**TABLE VII-16:  
HEIGHT BONUS INCENTIVES**

HEIGHT BONUS INCENTIVE	EDGE	TRANSITION	CORE II	CORE I	CORE IA
<p>a. The incentive to achieve a height of 350' is granted for properties designated as Core 1A on either side of Northwood Road extended if the right-of-way/land swap to extend Northwood Road east of North Dixie Highway to the entrance to Currie Park is executed within three years of approval of this text amendment and the roadway construction is completed within five years of approval of this text amendment in accordance with Sec. 94-215(k)(2)(i).</p> <p>b. Additional height is granted based upon the provision of workforce housing per Section 94-215(k)(2)(ii) as follows:</p> <p style="padding-left: 40px;">20% of total units provided = 150 feet of height 15% of total units provided = 100 feet of height 10% of total units provided = 75 feet of height 5% of total units provided = 40 feet of height</p> <p>c. Properties that provide improvements to Currie Park in accordance with Sec. 94-215(k)(2)(iii) at a value of 1 foot in height per \$25,000 of value.</p> <p>d. Properties that develop a food store or supermarket a minimum of 15,000 square feet in accordance with Sec. 94-215(k)(2)(iv). Properties that develop a food store or supermarket a minimum of 30,000 square feet in accordance with Sec. 94-215(k)(2)(iv)(e).</p> <p>e. Properties that provide public parking or land for public parking for Currie Park in accordance with Sec. 94-215(k)(2)(v).</p> <p>f. Properties that utilize Transportation Demand Management (TDM) measures as specified in Sec. 94-215(k)(2)(vi).</p> <p>g. Properties that obtain PLATINUM, GOLD or SILVER LEED certification or equivalent in accordance with Sec. 94-215(k)(2)(vii).</p> <p>h. Properties that develop and maintain in perpetuity, designated open spaces of a minimum of 4,800 square feet in accordance with Sec. 94-215(k)(2)(viii).</p> <p>i. Properties that provide the 30' landscape buffer along Flagler Drive in accordance with Sec. 94-215(k)(2)(ix).</p>					

2. *Height Bonus Requirements.* Developments requesting a height bonus within the Core IA, Core I, Core II and Transition sub-districts shall comply with the requirements for each of the height bonus options listed below:

- i. *Northwood Road Extension to Currie Park.* This incentive only applies to the Core IA parcels on either side of the extended Northwood Road from North Dixie Highway to the entrance of Currie Park. The developer seeking to utilize this incentive will be permitted a height of 350 feet if the roadway construction of Northwood Road is completed within five years of approval of this text amendment by the City Commission. Within three years, the required right-of-way for the Northwood Road extension must be in place and dedicated by the property owners impacted by this extension.
- ii. *Workforce Housing.* The developer seeking to utilize this incentive will receive additional height based upon the percentage of workforce housing provided for the project seeking this incentive as identified in the City's Workforce Housing Program for the CMUD and as noted below:

20% of total units provided = 150 feet of height

15% of total units provided = 100 feet of height

10% of total units provided = 75 feet of height

5% of total units provided = 40 feet of height

- a. The incentive height offered for this incentive will range from a minimum of 5% to a maximum of 20% as specified in Table VII-16.
- b. The workforce housing requirements specified by the Department of Housing and Community Development Workforce Housing Program, as amended from time to time, must be met to utilize this incentive. There are three options to pursue to attain this incentive:
  1. The developer may provide the required workforce housing units on site within the proposed building provided those units are within 60% - 100% of the Area Median Income (AMI) for Palm Beach County.
    - i. The units must remain within these limits for a period of 20 years.



2. The developer may utilize a buyout of the required workforce housing units subject to the Workforce Housing Program provided the required payment is made to the City prior to the issuance of the first certificate of occupancy for the project.
  3. The developer may provide the required workforce housing units within one mile of the subject property subject to the same conditions outlined in (1.) above.
- iii. *Improvements to Currie Park.* The developer seeking to utilize this incentive will receive one foot of height per \$25,000 in credit for the actual construction of improvements or payments made to Currie Park. These improvements must be approved by the City/CRA prior to commencement of construction and must be consistent with the improvements planned by the City/CRA for Currie Park. If the proposed improvement is not part of the original concept approved by the City/CRA then approval must be sought before the credit will be provided to the developer.
  - iv. *Food Store or Supermarket.* Developments that provide a food store or supermarket a minimum of 15,000 square feet shall comply with the following requirement in order to be eligible for the maximum allowable height incentive for the sub-district:
    - a. Active use shall be required along the ground floor of the food store or supermarket along all street frontages except secondary and/or tertiary streets.
    - b. Loading areas shall only be permitted along secondary streets, tertiary streets, or alleys.
    - c. Building facades along loading areas and/or any non-active use shall appear consistent and harmonious with that of the active use.
    - d. Where parking is provided above the food store or supermarket, there shall be no requirement for a liner building along the portion of the parking garage fronting a street, however, the building façade along the street shall appear consistent and harmonious with that of the active use. No vehicles parked within the garage shall be visible from the street.
    - e. The incentive height offered for this incentive may be doubled if the food store or supermarket has a minimum of 30,000 square feet. The incentive will be limited to the requirements specified in Table VII-16.
  - v. *Public Parking for Currie Park.* Properties that provide public parking for Currie Park shall be eligible for the allowable height incentive reflected in Table VII-16 provided the following requirements are met:
    - a. In all sub-districts, the minimum of spaces required for off-street parking are provided.
    - b. In the Core IA, Core I and Core II sub-districts, a minimum of 10 percent of the parking spaces (or a minimum of 20 spaces, whichever is greater) shall be encumbered for public parking subject to the terms established at the City's discretion. The 10 percent of parking spaces shall be calculated including the spaces required for the height bonus and shall be in addition to the parking provided to serve the development.
    - c. In the Transition sub-district, a minimum of seven percent of the parking spaces (or a minimum of 20 spaces, whichever is greater) shall be encumbered for public parking subject to the terms established at the City's discretion. The seven percent of parking spaces shall be calculated including the spaces required for the height bonus and shall be in addition to the parking provided to serve the development.
    - d. In all sub-districts, the public parking shall be unrestricted to public access and located on the ground floor, where feasible, otherwise it shall be located at the lowest level of the garage.
    - e. In all sub-districts, along each street frontage where there is an entrance and/or exit to the parking area, one parking sign shall be provided indicating the presence of public parking.
    - f. *Payment-in-lieu of public parking.* A payment shall be permitted in lieu of providing the minimum required public parking. Payment-in-lieu does not provide a parking space for the development in any city facility.
      1. The assessment to be paid (the "in-lieu payment") shall be a one-time payment per space for each parking space required. The amount of the in-lieu assessment shall be established by resolution of the City Commission and may be adjusted from time-to-time. The fee per parking space shall be based on the current construction cost of structured parking, as determined by the City's Parking Administrator, and paid at the time of building permit application.

2. A separate Currie Parking Fund shall be established by the City. All in-lieu payments collected by the City, and all interest earned thereon, shall be deposited in this fund and the funds shall be kept separate from other city funds. The Currie Parking Fund shall be used solely for the acquisition of land for development and maintenance of public parking facilities in and/or directly serving the CMUD. Use of such funds shall be determined by the City Commission. Any monies not expended in the fund in any fiscal year shall be carried over in the fund into the following year. The assessment to be paid (the "in-lieu payment") shall be a one-time payment per space for each parking space required. The amount of the in-lieu assessment shall be established by resolution of the City Commission and may be adjusted from time-to-time. The fee per parking space shall be based on the current construction cost of the structured parking, as determined by the City's Parking Administrator, and paid at the time of building permit application.
- g. Credit can also be provided to an applicant if the land provided for public boat/vehicular parking on property located within the Edge, Transition or Core II sub-districts. The credit for the value of land will be provided at a ratio of \$25,000 for every one foot of height as determined by an appraisal approved by the City. The credit can be transferred to the Transition, Core II, Core I or Core IA sub-districts.
- h. Additional credit can also be provided to an applicant if the public boat/vehicular parking is constructed by the applicant. The credit for the construction of the parking will be provided at a ratio of \$25,000 for every one foot of height as determined by a cost estimate provided and approved by the Engineering Services Department of the City.
- vi. *Payment for Mobility Options.* The developer seeking to utilize this incentive will receive additional height for addressing Transportation Demand Management (TDM) measures as approved by the City as part of an approval of a project within the CMUD. Should the City desire to fund a trolley system from the downtown to the CMUD, a developer will receive an additional 13 feet in height with a one-time contribution of \$325,000 to the City's trolley/mobility fund. Other height incentives can be attained by contributing \$25,000 for each one foot of height up to the maximum contribution as specified in Table VII-16. Any developer will be encouraged to pursue transportation demand management (TDM) strategies as outlined below:
  - a. Unbundling parking spaces from lease agreements and sale agreement.
  - b. Reserve parking spaces for carpool and vanpool.
  - c. Provide 50% discounted car share membership.
  - d. Provide 25% ride share discounts.
  - e. Provide 50% discounted annual bike share memberships.
  - f. Provide 50% discounted Palm Tran, Tri-Rail or Brightline passes.
  - g. Provide carshare space on site through an agreement with carshare provider (minimum ten spaces).
  - h. Provide bike sharing stations on site (minimum six docks).
  - i. Provide electric vehicle charging stations (minimum four stations).
- vii. *LEED Certification or equivalent Green Certification.* Developments that obtain a Leadership in Energy and Environmental Design (LEED) certification, or receive an equivalent green development certification approved by the Development Services Director shall be eligible for the following height incentives:
 

LEED Platinum or equivalent = 40 feet

LEED Gold or equivalent = 30 feet

LEED Silver or equivalent = 20 feet

The developer of a development seeking additional height from a LEED certification or an equivalent sustainable development certification shall be required to comply with the following requirements in order to qualify for the height incentive:

  - a. In the Transition, Core II. Core I and Core IA sub-districts, a minimum of LEED Platinum or equivalent shall be obtained to receive the maximum allowable height incentive of 40 feet.

- b. In the Transition, Core II. Core I and Core IA sub-districts, a minimum of LEED gold or equivalent shall be obtained to receive the maximum allowable height incentive of 30 feet.
- c. In the Transition, Core II. Core I and Core IA sub-districts, a minimum of LEED silver or equivalent shall be obtained to receive the maximum allowable height incentive of 20 feet.
- d. Prior to the submittal for the first building permit for site improvements, including underground excavation, the developer shall:
  - 1. Register the project with the U.S. Green Building Council or with the respective agency or institution issuing the equivalent certification.
  - 2. Incur the cost of a LEED accredited professional or a professional accredited by the agency or institution issuing the equivalent certification, retained by the city, to act as the Green Development Review Agent (GDRA) until the project receives its certificate of occupancy. The developer shall establish an escrow account, in an amount determined by the finance director, for the GDRA services. The GDRA shall have the following duties:
    - i. Review the certification plan prepared by the developer. The certification plans shall include design, construction and operation sections that list the specific credits (points) that will be included in the development and detail how the credits will be achieved.
    - ii. Verify that the credits listed in the certification plan are integrated into the demolition of the existing buildings, if applicable, and the design, construction and operation of the project should be sufficient to gain the LEED or equivalent certification that is being sought.
    - iii. Review all building permit submittals for the site, to include resubmittals and revisions, to ensure compliance with the certification plan.
    - iv. Inspect the project during demolition, construction and prior to the issuance of the final certificate of occupancy to ensure compliance with the certification plan; and
    - v. Provide the Development Services Director with written monthly status updates.
  - 3. The certificate of occupancy for the project shall not be issued until the GDRA has verified that the project has been constructed in conformance with the certification plan to achieve the LEED or equivalent certification.
  - 4. The developer shall pursue the LEED or equivalent certification within six months after the issuance of the certificate of occupancy and provide written reports updating the Development Services Director on the status of the application every six months thereafter until certification is achieved or for two years, whichever first occurs. If after two years LEED or equivalent certification is not obtained, then the developer shall provide the City with a written report outlining why LEED certification was not achieved.
  - 5. All application costs associated with pursuit of the certification shall be borne by the developer.
- viii. *Public Open Spaces.* The developer seeking to utilize this incentive will receive an additional 30 feet in height for providing a public open space with a minimum of 4,800 square feet. A developer can seek to double that height by providing an up to 9,600 square foot area or providing two open space areas within the minimum required.
- ix. *Flagler Drive Parkway System.* Any development within the Core I and Core IA areas located along North Flagler Drive will be granted an additional 30-foot height incentive by providing a public open space immediately adjacent to Flagler Drive. This open space will be made available to the public and will allow pedestrian access, street furniture etc. The design and development requirements for the parkway system is provided in Section 94-215(m)(4).
- b. *Use Standards.* The Permitted Use Table provided in Table VII-17 provides a list of uses permitted by right, permitted with additional requirements and/or restrictions and prohibited uses within the sub-districts of the CMUD. Uses with additional requirements and/or restrictions shall be subject to the use-specific standards provided in [ARTICLE IX](#) of this Chapter unless modified herein.

**TABLE VII-17:  
PERMITTED USES IN THE CURRIE MIXED USE DISTRICT (CMUD)**

TABLE IX-1 REFERENCE	USES	USE AREAS			
		CORE I/IA	CORE II	TRANSITION	EDGE
RESIDENTIAL					
132	Residential multifamily	P	P	—	P
135	Residential, single-family (attached and detached)	—	P(1)(4)	P(1)(4)	P
136	Residential, townhouses	P	P	P	P
159	Temporary model dwellings and sales office	PXR	PXR	PXR	PXR
EATING AND DRINKING ESTABLISHMENTS					
8	Bars and lounges and related entertainment	P(2)	P(2)	P(2)	—
12.1	Brewpub/Microbrewery/micro-distillery/micro-winery	PXR	PXR	PXR	PXR (3)
137	Restaurants serving a limited clientele (private clubs & lodges)	PXR(2)	PXR(2)	PXR(2)	—
138	Restaurants serving the general public, but not drive-in or drive-thru	P(2)	P(2)	P(2)	—
GENERAL BUSINESS					
9	Bathroom and kitchen contractor showrooms	—	P(1)	P(1)	—
13	Business and commercial machine sales	—	P(1)	P(1)	—
17	Churches, synagogues and other houses of worship	Sb	Sb	Sb	Sb
18	Clinics, public and private	—	PXR(1)	PXR(1)	—
19	Clubs and lodges without a restaurant	—	P(1)	P(1)	—
20	Coin and philatelic stores	P(2)	P(2)	P(2)	—
22	Commercial comparison shopping except as otherwise listed	—	P(1)	P(1)	—
23	Commercial convenience sales & personal services, except as otherwise listed	—	P(1)	P(1)	—
24	Commercial single destination uses, except as otherwise listed	—	P(1)	P(1)	—
25	Community centers	Sb	Sb	Sb	Sb
27	Convents, monasteries and seminaries	P	P	P	—
28	Cultural facilities, public and private	P	P	P	—
29	Day care homes, family accessory, children	PXR	PXR	PXR	PXR
29.1	Day care homes, accessory, children	PXR	PXR	PXR	PXR
30	Day care facilities, adult		PXR(1)	PXR(1)	Sb
31	Day care facilities, children as accessory use in houses of worship, schools, both public and private	P	P	P	—
32	Day care facilities, children as a principal use		P(1)	P(1)	Sb
39	Family Community Residence	PXR	PXR	PXR	PXR
40	Financial institutions, banks, savings & loans & credit unions <3,000 sq. ft.	—	P(1)	P(1)	—

**TABLE VII-17:  
PERMITTED USES IN THE CURRIE MIXED USE DISTRICT (CMUD)**

TABLE IX-1 REFERENCE	USES	USE AREAS			
		CORE I/IA	CORE II	TRANSITION	EDGE
40.1	Financial institutions, banks, savings & loans & credit unions >3,000 sq. ft.	—	P(1)	P(1)	—
46	Funeral homes, mortuaries and crematories	—	P(1)	P(1)	—
47	Furniture refinishing and repair	PXR	PXR	PXR	—
54	Hardware, paint, glass and wallpaper stores	—	P(1)	P(1)	—
56	Home occupation, accessory to residential uses	PXR	PXR	PXR	PXR
66	Interior decorators	—	P(1)	P(1)	—
73	Lock smith and key establishments	—	P(1)	P(1)	—
78.1	Medical marijuana dispensary	—	PXR(1)	PXR(1)	—
94	Non-conformities, change from one minor nonconforming use to another minor non-conforming use	Sb	Sb	Sb	Sb
95	Non-conformities, change from a major nonconforming use to a minor nonconforming use	Sb	Sb	Sb	Sb
96	Non-conformities alterations that reduce the impact of a minor nonconforming use	Sb	Sb	Sb	Sb
97	Non-conformities alterations that reduce the impact of a major nonconforming use	Sb	Sb	Sb	Sb
98	Nurseries, retail for the sale of plant materials grown off the site	—	P(1)	P(1)	—
107	Parking garages as a principal use	Sb	Sb	Sb	—
108	Parking lots as a principal, accessory or off-site uses	Sb	Sb	Sb	—
111	Pet grooming establishments, but not kennels	—	P(1)	P(1)	—
114	Post offices	—	P(1)	P(1)	—
115	Private use on public (City-owned) land	Sb	Sb	Sb	Sb
120	Radio and television broadcasting studios and facilities	—	P(1)	P(1)	—
122	Recovery Community	PXR	PXR	PXR	—
129	Research and development facilities not of an industrial nature	—	P(1)	P(1)	—
144	Schools - public and private, elementary, intermediate and secondary	P	P	P	Sb
146	Schools - public vocation and trade not involving industrial equipment	P	P	P	—
148	Schools - commercial, vocation and trade not involving industrial equipment	P	P	P	PXR
152	Skilled Nursing and Rehabilitation Facility	Sb	Sb	Sb	Sb
155	Swimming pool sales	—	P(1)	P(1)	—
162	Theaters, indoor, motion picture and live performances	P(2)(3)	P(2)(3)	P(2)(3)	—
161	Tobacco shops	P(2)	P(2)	P(2)	—

**TABLE VII-17:  
PERMITTED USES IN THE CURRIE MIXED USE DISTRICT (CMUD)**

TABLE IX-1 REFERENCE	USES	USE AREAS			
		CORE I/IA	CORE II	TRANSITION	EDGE
167	Transitional Community Residence	PXR	PXR	PXR	Sb
166	Travel agencies and transportation tickets	—	P(1)	P(1)	—
174	Watch and repair establishments	—	P(1)	P(1)	—
<b>OFFICE</b>					
99	Office and related uses, including business services except as otherwise listed	P	P	P	—
100	Office support retail not occupying more than 20% of the gross square feet	P	P	P	P
102	Office, professional (Medical)	P	P	P	P
102.1	Office, professional (Non-medical)	P	P	P	P
105	Offices, for the hiring of temporary non-manual labor	P	P	P	—
156	Tax return preparation services	P(2)	P(2)	P(2)	—
158	Temporary offices and facilities for construction, storage/security	PXR	PXR	PXR	PXR
<b>RETAIL / PERSONAL SERVICES</b>					
7	Barber & beauty shops	P(2)	P(2)	P(2)	—
37	Exercise studios and health clubs	P(2)	P(2)	P(2)	—
38	Facial and scalp treatment services	P(2)	P(2)	P(2)	—
91	Music and dance studios	P(2)	P(2)	P(2)	—
<b>RETAIL / RETAIL SERVICES</b>					
3	Apparel and accessory retail sales rental stores	P(2)	P(2)	P(2)	—
4	Art merchandising studios	P(2)	P(2)	P(2)	—
5	Art and drafting supply stores, including picture frames	P(2)	P(2)	P(2)	—
6	Bait and tackle shops	P(2)	P(2)	P(2)	—
11	Book and stationary stores	P(2)	P(2)	P(2)	—
14	Candy, nut and confectionary stores	P(2)	P(2)	P(2)	—
15	Catering establishments		P(1)	P(1)	—
33	Delicatessens	P(2)	P(2)	P(2)	—
42	Flower shops and florists	P(2)	P(2)	P(2)	—
43	Food and beverage related uses, except as otherwise listed (excluding the sales of alcoholic beverages)	P(2)	P(2)	P(2)	—
44	Food stores or supermarket >10,000 sq. ft.	P(2)	P(2)	P(2)	—
45	Food stores specialty (excluding sales of alcoholic beverages)	P(2)	P(2)	P(2)	—
49	Gift novelty, souvenir and sundry shops	P(2)	P(2)	P(2)	—
51	Greenhouses, commercial retail for the sale of plant materials grown off the site	P(2)	P(2)	P(2)	—
74	Mailing services	—	P(1)	P(1)	—
93	Newspaper and magazine shops	P(2)	P(2)	P(2)	—
111.1	Pharmacy and drug store	—	PXR(1)	PXR(1)	—
112	Photocopy services	—	P(1)	P(1)	—



**TABLE VII-17:  
PERMITTED USES IN THE CURRIE MIXED USE DISTRICT (CMUD)**

TABLE IX-1 REFERENCE	USES	USE AREAS			
		CORE I/IA	CORE II	TRANSITION	EDGE
113	Photographic studios servicing primarily the public	P(2)	P(2)	P(2)	—
116	Printing and type setting services	—	P(1)	P(1)	—
117	Produce markets	P(2)	P(2)	P(2)	—
140	Retail bakery	P(2)	P(2)	P(2)	—
142	Retail businesses	P(2)	P(2)	P(2)	—
143	Sandwich shops and snack bars	P(2)	P(2)	P(2)	—
161	Temporary produce stand	Sb	Sb	Sb	—
182	Yard and garage sales, temporary	—	—	—	PXR
<b>LODGING ACCOMMODATIONS</b>					
10.1	Bed and breakfast inns	—	—		PXR
58	Hotel and motel	PXR	PXR	PXR	Sb(1)
59	Hotel and motel, limited services	PXR	PXR	PXR	—
<b>LIGHT INDUSTRIAL / WAREHOUSE</b>					
168	Upholstery, cloth and canvas products fabrication, including slipcovers and awnings	—	P(1)	P(1)	—
170	Utility facilities, light, public and private	PXR	PXR	PXR	PXR
<b>INSTITUTIONAL</b>					
101	Offices - Government administrative	P	P	P	P
103	Offices or facilities, quasi-public association and organizations, not-for-profit	P	P	P	P
118	Public safety facilities operated by private agencies	P	P	P	P
119	Public safety facilities operated by public agencies	Sb	Sb	Sb	—
<b>RECREATION AND OPEN SPACE</b>					
25.1	Community gardens	PXR	PXR	PXR	PXR
48	Game arcades	—	P(1)	P(1)	
109.1	Parks	P	P	P	PXR
124	Recreation, outdoor, general	P	P	P	P
154	Special noncommercial events or public interest	PXR	PXR	PXR	—
158	Temporary borrow pits, borrow piles and similar excavations	PXR	PXR	PXR	PXR
168.1	Urban market gardens	PXR	PXR	PXR	—
P = Permitted by Right PXR = Permitted by Right, Subject to Additional Requirements Sa and Sb = Special Uses (Class A and Class B) — = Not Permitted					
<b>NOTES:</b>					
1. Permitted along North Dixie Highway. 2. Permitted along North Dixie Highway, Bethesda Terrace, 23rd Street, 27th Street (east of Poinsettia Avenue only), Flagler Drive and Northwood Road Extension (ground level only). 3. No greater than 5,000 square feet. 4. Permitted on existing lots less than 6,000 square feet throughout the Sub-district.					



- c. Open Space Standards. Open spaces within the CMUD shall consist of the following types:
1. Designated Public Open Spaces. Open space that is City-owned and designated for the purpose of providing public open space within the CMUD. The location of all designated public open space areas within CMUD are shown in Figure VII-23, the Designated Public Open Spaces and Parkway System Regulating Plan.
  2. Public Open Space. 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 general public use. Public open space requirements shall be as follows:
    - i. Public open spaces shall comply with federal ADA requirements.
    - ii. Public open spaces shall abut an active use.
    - iii. Public open spaces shall not provide vehicular access not specifically related to the maintenance of the public open space.
    - iv. Public open spaces shall not be located adjoining curb cuts, driveways, or parking access ramps, except outdoor passenger drop-off areas.
    - v. Public open spaces shall provide bollards, curbs, wheel stops or other similar features to ensure that the area is not used for parking or vehicle use.
    - vi. Public open spaces shall not be occupied by mechanical equipment, dumpsters or service areas.
    - vii. Public open spaces shall be designed to meet the tenets of Crime Prevention Through Environmental Design (CPTED).
    - viii. Public open spaces shall not be located adjacent to building mechanical spaces, equipment or service areas, trash pick-up, loading or unloading areas, etc.
    - ix. Public open spaces are privately owned and maintained.
  3. Private Open Space. Open space that is intended solely for the use of building occupants. Private open space generally includes, but is not limited to rooftop gardens, terraces and other interior courtyards. Private open space may occur anywhere within the building envelope or on rooftops.
    - i. If private open space is located on the ground floor and located along the lot frontage, it shall be designed in compliance with the public open space requirements, and it shall be accessible by the public for public use.
  4. Flagler Drive Parkway System. The Flagler Drive Parkway System is a designated public parkway system along Flagler Drive. The intent of the parkway system is to provide a visual and physical connection between the CMUD and Currie Park. The location and extent of the Flagler Drive Parkway System is shown in Figure VII-23, Designated Public Open Spaces and Parkway System Regulating Plan. Properties that provide the parkway system are eligible for the height incentive provided in Section 94-215(k)(2)(ix). The regulations for the Flagler Drive Parkway System are provided below.
    - i. Applicable properties:
      - a. All Core I/IA properties with frontage along Flagler Drive between 26th Street and Picadilly Street shall be required to provide a 30-foot wide parkway easement along the entire length of the property abutting Flagler Drive.
      - b. All Core I/IA properties with frontage along Flagler Drive, between Picadilly Street and Pine Street have the option of providing the 30-foot wide parkway easement along the entire length of the property abutting Flagler Drive; however, the parkway system shall be required in order to qualify for the height incentive.
    - ii. The property owner and their successors or assigns shall be responsible for the development and ongoing maintenance of the required parkway easement.
    - iii. The design requirements within the Flagler Drive parkway easement shall be as follows:
      - a. A 10-foot wide clear meandering multi-purpose pathway shall be provided.
      - b. The area outside of the multi-purpose pathway, with exception to a primary pedestrian connection/pathway no greater than 8 feet in width leading to the ground level active uses of a building along Flagler Drive, shall be landscaped and irrigated in accordance with the approved site plan and landscape plan associated with the development.
      - c. One (1) shade tree shall be provided every 30 feet; Category 1 shade trees shall be used where possible to maximize tree canopy coverage for the multi-purpose path. Shade trees may be staggered to provide visual interest along the pathway.

- d. Street furniture shall be provided consistently along the corridor, as approved by the City and shall comply with the City approved standards.
  - e. Streetlights shall be provided to attain the appropriate foot candle measurement necessary for safe pedestrian and vehicular movement. Light fixtures and poles shall meet the City approved standard.
  - f. The easement shall be recorded with the Clerk of Palm Beach County prior to the issuance of the first building permit for development.
- d. Street Network Connectivity and Street Standards. The Street Network Connectivity Regulating Plan, as shown in Figure VII-24, shows the location of existing and required new streets needed to create the prescribed network of streets within the CMUD. The regulating plan also establishes the hierarchy of the streets within the districts. In addition, the following shall apply:
  - 1. All streets shall be located according to the street network connectivity regulating plan.
    - i. No Primary and Secondary streets shall be deleted or otherwise vacated or removed, unless specified in the network connectivity regulating plan.
    - ii. Tertiary streets and alleys may be modified or deleted for the purpose of assembling parcels for development. Any modification and/or deletion to such streets and/or alleys must encourage and promote connectivity.
  - 2. The modification and/or deletion of any streets and alleys within the CMUD shall require the following:
    - i. The modification/deletion is reviewed and recommended by the Director of Development Services who shall review the proposed modification for compliance with these regulations.
    - ii. The modification/deletion is required and recommended by the Community Redevelopment Agency who shall review the proposed modification for compliance.
    - iii. The modification/deletion is reviewed and recommended by the City Administrator or director in charge of engineering who shall review the proposed modification for traffic and safety issues.
    - iv. The modification/deletion does not diminish the general size and location of an open space shown in the Designated Public Open Space and Parkway System Regulating Plan.
    - v. The modification/deletion maintains connectivity to the surrounding area.
    - vi. The modification/deletion enhances pedestrian safety.
    - vii. The modification/deletion is compatible with the surrounding area.
    - viii. The modification/deletion allows for the appropriate use of private property.
    - ix. The modification/deletion does not create block lengths that exceed the maximum allowed in Section [94-209](#) Mixed-use (MU) district, thereby limiting walkability.
    - x. The modification/deletion complies with the requirements for vacating and closing streets and alleys, as applicable, in accordance with Chapter 78, [ARTICLE VII](#), of the Code of Ordinances.
  - 3. The design of new streets and modification of existing streets shall comply with the following requirements:
    - i. All streets and alleys shall connect to other streets and alleys.
    - ii. Cul-de-sacs, T-turnarounds, and dead-end streets are prohibited.
    - iii. All streets shall allow general public access. Privately built streets shall provide an approved plat restriction to allow general public access. No gates that impede through traffic are permitted along streets.
  - 4. The following streetscape standards shall apply to all streets:
    - i. Streetscape improvements along the entire property shall be the maintenance responsibility of the developer/property owner. Where there is insufficient area for the streetscape improvements within the existing right-of-way, the city may require an easement or dedication at its discretion.
    - ii. A minimum landscape strip of five feet shall be provided along the street edge.
    - iii. Street trees shall be installed adjacent to the curb at a maximum of 30 feet on center along all streets. Adjustments may be authorized by planning staff due to site constraints. Tree species shall be approved by the city's landscape planner, and shade trees shall be preferred. Smaller tree species shall be spaced closer together as appropriate to provide continuous tree canopy over the sidewalk. Trees shall be a minimum of 20 feet in height, and have a minimum of eight feet clear trunk, or as approved by the city. Structural soil shall be installed meeting the city approved standards as the minimum

requirement under adjacent paved areas, or suspended pavement soil cell systems may be installed as an alternative.

- iv. Tree grates a minimum of five feet by five feet may be utilized in place of the required landscape strip. The use of tree grates is appropriate when on-street parking is provided. When no on-street parking is provided, landscape strips are preferred.
- v. A minimum sidewalk width of five feet shall be provided adjacent to the landscaped area.
- vi. A minimum unobstructed area of 60 inches shall be provided in the sidewalk.
- vii. Where a colonnade is provided, free and clear use of a continuous unobstructed area of at least ten feet within the colonnade.
- viii. No utility poles, fire hydrants or any other temporary or permanent structures shall be permitted within the unobstructed area.
- ix. Overhead utilities are not permitted. Existing overhead utilities shall be relocated underground.
- x. Where on-street parking is provided on both sides of the street, the minimum right-of-way width shall be 60 feet.
- xi. All street lanes shall be a maximum of 10 feet in width unless otherwise required by the City's traffic engineer.

e. On-site Parking Standards. The following on-site parking standards shall apply within the CMUD:

- 1. All parking within the CMUD shall comply with the access, circulation, parking and loading standards specified in Section 94-209, Mixed-use (MU) district.
- 2. On-site parking shall comply with Table VII-18 below. For institutional uses and single-family residences, parking shall comply with ARTICLE XV, Table XV-6.
- 3. Guest parking shall comply with Table VII-18 below. Guest parking shall be designated and prominently marked on-site as "Guest Parking" and shall not be restricted in any manner to use by a single tenant, owner, unit, or other user.

**TABLE VII-18:  
MINIMUM AND MAXIMUM PARKING REQUIREMENTS BY USE**

USE	MINIMUM	MAXIMUM
Retail, Restaurant or Commercial	2 per 1,000 SF	4 per 1,000 SF
Office	2.5 per 1,000 SF	4 per 1,000 SF
Hotel and Motel; Hotel and Motel (Limited)	1 per 4 rooms plus 1 per 800 SF for restaurant, public meeting areas; 1 per 15 rooms for staff.	1 per 4 rooms plus 1 per 800 SF for restaurant, public meeting areas; 1 per 15 rooms for staff.
Residential	1 per unit plus 1 per 20 units for guest parking.	2 per unit plus 1 per 20 units for guest parking
Bed and Breakfast	1 per 4 rooms plus 1 for manager.	1 per 4 rooms plus 1 per manager.
Live/Work	2 per 1,000 SF	4 per 1,000 SF

f. Bicycle Racks and Bicycle Storage Standards. Bicycle racks and storage shall be required as follows in the CMUD:

- 1. Bicycle Racks and Bicycle Storage for Commercial Uses. Commercial developments shall provide:
  - i. Secure bike racks and/or storage at a ratio of one bicycle parking space per every 15 required parking spaces, and
  - ii. 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 15 required parking spaces. Required residential bicycle parking spaces shall be provided in a secured area, covered from the elements.
- 3. Bicycle Rack and Bicycle Storage for Mixed-use Developments. Mixed-use development 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.

- g. Architectural Design Standards. All developments within the CMUD shall comply with architectural design standards specified in the building requirements tables for the various subdistricts in the CMUD and in Section 94-209, Mixed-use (MU) district. Where conflicts exist between the CMUD regulations and the MU district provisions, the CMUD regulations shall apply.
- h. Signage Requirements. The signage requirements shall determine size, placement, and number of signs permitted within the CMUD to support the identification of commerce and civic uses, provide consistency and continuity, and provide protections from the clutter and negative visual impact of excessive signage.
1. A single external sign band may be applied on the façade of each building provided that it shall not exceed 36 inches in height by 60 percent of the width of each side of the building. This sign band shall be located within the first two stories of the building. If the storefront uses awnings, the copy or logo on the valance shall not exceed 6 inches in height and shall be considered as square footage against the allowable building signage.
  2. Buildings that are set back from the property line 25 feet or more shall be permitted one low freestanding sign. Such sign shall not exceed four square feet, nor be higher than five feet at the top, nor be lit in any way.
  3. For properties along North Dixie Highway, a sign band may be located on the rear of a building facing a residential district provided that it shall not exceed 1.5 feet in vertical dimension by 30 percent of the façade width. The illumination of the sign shall be directed only toward the sign face. This sign band shall be located on the ground floor only.
  4. Pedestrian blade signs may be attached perpendicular to the building façade extending up to four feet and not exceeding three feet in vertical dimension. One pedestrian blade sign is permitted for each business with a door at the sidewalk level. The illumination of pedestrian blade signs shall be directed toward the sign face only.
  5. Signs painted directly onto a building façade are prohibited.
  6. Signs pertaining to special sales, events or services may be affixed to the inside of windows provided that the total area does not exceed 15 percent of the window area. Such signs shall not remain in place for more than 30 days.
  7. All fasteners shall be concealed. Exposed raceways, transformers, ballasts and electrical wiring are not allowed. No signs with visible backs are permitted.
  8. All installation components or hanging devices such as, but not limited to, fasteners, clips, bolts, etc., shall be of non-corrosive, stainless steel, aluminum, brass or bronze; carbon bearing steel shall be of non-ferrous metal of quality material and finish. All black iron materials shall be finished to withstand corrosion. All penetrations of the fascia shall be neatly sealed in a watertight manner using a single component silicon sealant. All signage shall have an individual circuit and be controlled by a time clock. Exposed conduit or electrical wiring is prohibited. Internally illuminated panels are prohibited.
- i. Supplemental District Regulations. The intent of the supplemental district regulations is to accommodate uses, buildings and structures which may occur throughout the CMUD. The supplemental regulations provide common regulations for such buildings, structures and uses throughout the district.
1. Rooftop Terraces and Other Rooftop Amenities. Rooftop terraces and other rooftop amenities, such as roof gardens, observation decks, etc., are encouraged to create unique gathering spaces to aid in the reduction of the urban the urban heat index and to add aesthetic value to the buildings within the CMUD. Rooftop terraces and other rooftop amenities 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. Rooftop terraces and other rooftop amenities are subject to the following criteria:
    - i. Rooftop terraces shall be architecturally compatible with the design of the overall building.
    - ii. Rooftop terraces that are entirely open to the sky may occupy 100 percent of the gross roof area.
    - iii. Rooftop terraces shall be hardscaped with materials such as, but not limited to patterned concrete, pavers, or wood decking.
    - iv. Rooftop terraces shall provide shaded seating areas.
    - v. A minimum of 15 percent of the overall gross floor area of the rooftop terrace shall be landscaped. Landscaping shall consist of trees, shrubs, ground cover, and vines.
    - vi. Swimming pools and/or whirlpools are permitted on rooftop terraces subject to the following criteria:
      - a. The top of the surrounding pool/whirlpool deck does not exceed eight (8) feet above the top of the main rooftop.

- b. A minimum five (5) foot wide walkway shall be provided around the swimming pool and/or whirlpool.
  - c. Facilities associated with swimming pools shall comply with the standards for Rooftop Covered Structures.
- 2. Rooftop Covered Structures. For the purposes of this section, rooftop covered structures are permitted above the maximum allowable building height and are subject to the following criteria:
  - i. Rooftop covered structures shall not occupy more than 30 percent of the gross rooftop area. For the purposes of calculating the maximum area, the term "Rooftop Covered Structures" shall not include enclosures for screening mechanical systems.
  - ii. Rooftop covered structures shall not be designed in any manner that would permit the conversion of such structures from non-habitable to habitable space and shall not include commercial uses.
  - iii. Rooftop covered structures shall be compatible with and in proportion to the architecture of the overall building.
  - iv. Climate controlled rooftop covered 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. The supporting restroom facilities shall not exceed 110 percent of the size required by the health department.
  - v. Refreshment service areas are permitted provided such areas do not include cooking facilities and are not climate-controlled.
- 3. Accessory Dwelling Units. Accessory dwelling units shall only be permitted on single-family residential lots and detached from the primary residence. Accessory dwelling units within the district are subject to the following criteria:
  - i. The total area of an accessory dwelling unit shall not exceed 800 square feet.
  - ii. The height of the accessory dwelling unit shall not exceed 25 feet.
  - iii. Accessory dwelling units shall only be permitted behind the primary residence on a single-family lot.

(Ord. No. 3772-04, § 2, 7-19-2003; Ord. No. 3915-05, § 2, 12-5-2005; Ord. No. 3919-05, § 2, 12-19-2005; Ord. No. 4082-07, § 2, 10-22-2007; Ord. No. 4528-14, § 3(Exh. C), 11-10-2014; Ord. No. 4780-18, § 5, 6-18-2018; Ord. No. 4963-21, § 2 (Exh. B), 11-15-2021; Ord. No. 5008-22, § 8, 07-25-2022; Ord. No. 5014-22, § 6, 08-22-2022)