

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49

**ORDINANCE 2024-13 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 "LAND DEVELOPMENT REGULATIONS," ARTICLE 1 "GENERAL PROVISIONS," DIVISION 2 "DEFINITIONS," SECTION 23.1-12 - DEFINITIONS; ARTICLE 2 "ADMINISTRATION," DIVISION 2 "PROCEDURES," SECTION 23.2-19.1 PUBLIC NEIGHBORHOOD MEETING; ARTICLE 3 "ZONING DISTRICTS," DIVISION 1, "GENERALLY," SECTION 23.3-6 USE TABLES; AND DIVISION 2, "RESIDENTIAL DISTRICTS," SECTION 23.3-7 - SF-R - SINGLE-FAMILY RESIDENTIAL, SECTION 23.3-8 - SF-TF-14 - SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL, SECTION 23.3-10 - MF-20 - MULTI-FAMILY AND TWO-FAMILY RESIDENTIAL, SECTION 23.3-11 - MF-30 - MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL, AND SECTION 23.3-12 - MF-40 - HIGH DENSITY MULTI-FAMILY RESIDENTIAL; AND DIVISION 3, "MIXED USE DISTRICTS," SECTION 23.3-13 - MU-E - MIXED USE EAST, SECTION 23.3-14 - DT - DOWNTOWN, SECTION 23.3-16 - MU-FH - MIXED USE - FEDERAL HIGHWAY, SECTION 23.3-17 - MU-DH - MIXED USE - DIXIE HIGHWAY, SECTION 23.3-18 - MU-W - MIXED USE WEST, SECTION 23.3-19 - TOD-E - TRANSIT ORIENTED DEVELOPMENT EAST, AND SECTION 23.3-20 - TOD-W - TRANSIT ORIENTED DEVELOPMENT WEST; AND DIVISION 4, "COMMERCIAL DISTRICTS," SECTION 23.3-21 - NC - NEIGHBORHOOD COMMERCIAL; AND DIVISION 5, "INDUSTRIAL DISTRICTS," SECTION 23.3-23 - AI - ARTISANAL INDUSTRIAL AND SECTION 23.3-24 - I-POC - INDUSTRIAL PARK OF COMMERCE; ARTICLE 4 "DEVELOPMENT STANDARDS," SECTION 23.4-4 FENCES, WALLS AND GATES, SECTION 23.4-10 OFF-STREET PARKING, SECTION 23.4-13 ADMINISTRATIVE USES AND CONDITIONAL USES, AND ADDING A NEW SECTION 23.4-26 POOLS; AND ARTICLE 5 "SUPPLEMENTAL REGULATIONS," SECTION 23.5-1 SIGNS AND SECTION 23.5-3 NONCONFORMITIES; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE**

**WHEREAS**, as provided in Section 2(b), Article VIII of the Constitution of the State of Florida, and Section 166.021(1), Florida Statutes, the City of Lake Worth Beach (the "City"), enjoys all governmental, corporate, and proprietary powers necessary to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except as expressly prohibited by law; and

**WHEREAS**, as provided in Section 166.021(3), Florida Statutes, the governing body of each municipality in the state has the power to enact legislation concerning any subject matter upon which the state legislature may act, except when expressly prohibited by law; and

**WHEREAS**, the City wishes to amend Chapter 23, Article 1 "General Provisions," Division 2 "Definitions," Section 23.1-12 - Definitions to create a definition for accessory storage, revise the definition for contractor-showroom, revise the definition for holistic health care facility, revise the definition for low-intensity office uses, create a definition for ribbon driveway, and revise the definition for semi-pervious surface; and

50           **WHEREAS**, the City wishes to amend Chapter 23, Article 2 “Administration,” Division 2  
51 “Procedures,” Section 23.2-19.1 – “Public neighborhood meeting” to require neighborhood  
52 meetings to include an in-person component; and

53  
54           **WHEREAS**, the City wishes to amend Chapter 23, Article 3 “Zoning Districts,” Division 1  
55 “Generally,” Section 23.3-6 “Use Tables” to correct errors related to single-family dwellings in the  
56 Mixed Use East zoning district and wholesale facilities in the Artisanal Industrial zoning district, to  
57 allow and modify required review processes by zoning district for specialty breweries/distilleries,  
58 museums, and environmental nature centers, to allow low-intensity indoor storage in industrial  
59 districts, and to correct a repeated listing of low-intensity takeout establishments; and

60  
61           **WHEREAS**, the City wishes to amend Chapter 23, Article 3 “Zoning Districts,” Division 2  
62 “Residential Districts,” Section 23.3-7 “SF-R – Single-family residential,” Section 23.3-8 “SF-TF  
63 14 – Single-family and two-family residential,” Section 23.3-10 “MF-20 – Multifamily and two-  
64 family residential,” Section 23.3-11 “MF-30 – Medium density multi-family residential,” and Section  
65 23.3-12 “MF-40 – High density multi-family residential.”; Division 3 “Mixed Use Districts,” Section  
66 23.3-13 “MU-E – Mixed use east,” Section 23.3-14 “DT – Downtown,” Section 23.3-16 “MU-FH –  
67 Mixed use – Federal Highway,” Section 23.3-17 “MU-DH – Mixed use – Dixie Highway,” Section  
68 23.3-18 “MU-W – Mixed use west,” Section 23.3-19 “TOD-E – Transit oriented development east,”  
69 and Section 23.3-20 “TOD-W – Transit oriented development west.”; Division 4 “Commercial  
70 Districts,” Section 23.3-21 “NC – Neighborhood commercial.”; and Division 5 “Industrial Districts,”  
71 Section 23.3-23 “AI – Artisanal industrial,” and Section 23.3-24 “I-POC – Industrial park of  
72 commerce,” to correct the maximum encroachment of roof overhangs into a side setback; and

73  
74           **WHEREAS**, the City wishes to amend Chapter 23, Article 3 “Zoning Districts,” Division 3  
75 “Mixed Use Districts,” Section 23.3-17 “MU-DH – Mixed use – Dixie Highway,” and Section 23.3-  
76 19 “TOD-E – Transit oriented development east,” to clarify the front build-to line and street side  
77 build-to line; and

78  
79           **WHEREAS**, the City wishes to amend Chapter 23, Article 4 “Development Standards,”  
80 Section 23.4-4 – “Fences, walls, and gates,” to clarify permitted fence heights for industrial uses,  
81 as well as clarify permitted gate locations and permitted gate heights for residential commercial,  
82 and industrial uses; and

83  
84           **WHEREAS**, the City wishes to amend Chapter 23, Article 4 “Development Standards,”  
85 Section 23.4-10 – “Off-street parking,” to create standards for ribbon driveways, clarify dimensions  
86 of handicapped spaces, and create standard dimensions for motorcycle spaces; and

87  
88           **WHEREAS**, the City wishes to amend Chapter 23, Article 4 “Development Standards,”  
89 Section 23.4-13 – “Administrative and conditional uses,” to correct the review process for places  
90 of worship; and

91  
92           **WHEREAS**, the City wishes to amend Chapter 23, Article 4 “Development Standards,” to  
93 establish a new section, Section 23.4-26 – “Pools,” to establish supplementary development  
94 standards for pools associated with residential uses; and

95  
96           **WHEREAS**, the City wishes to amend Chapter 23, Article 5 “Supplemental Regulations,”  
97 Section 23.5-1 - “Signs,” to clarify sign area requirements for multi-tenant buildings; and

98

99           **WHEREAS**, the City wishes to amend Chapter 23, Article 5 “Supplemental Regulations,”  
100 Section 23.5-3 - “Nonconformities,” to clarify the requirements for a nonconforming lot of record;  
101 and

102  
103           **WHEREAS**, the Planning and Zoning Board, in its capacity as the local planning agency,  
104 considered the proposed amendments at a duly advertised public hearing; and

105  
106           **WHEREAS**, the Historic Resources Preservation Board, in its capacity as the local  
107 planning agency, considered the proposed amendments at a duly advertised public hearing; and

108  
109           **WHEREAS**, the City Commission has reviewed the proposed amendments and has  
110 determined that it is in the best interest of the public health, safety, and general welfare of the City  
111 to adopt this ordinance.

112  
113           **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF**  
114 **LAKE WORTH BEACH, FLORIDA, that:**

115  
116           **Section 1:**     The foregoing “WHEREAS” clauses are ratified and confirmed as being  
117 true and correct and are made a specific part of this ordinance as if set forth herein.

118  
119           **Section 2:**     Chapter 23 “Land Development Regulations, Article 1 “General  
120 Provisions,” Division 2 “Definitions,” Section 23.1-12 “Definitions” is hereby amended by adding  
121 the words shown in underline type and deleting the words struck through as indicated in **Exhibit**  
122 **A.**

123  
124           **Section 3:**     Chapter 23 Land Development Regulations, Article 2 “Administration,”  
125 Division 2 “Procedures,” Section 23.2-19.1 “Public neighborhood meeting” is hereby amended by  
126 adding the words shown in underline type and deleting the words struck through as indicated in  
127 **Exhibit B.**

128  
129           **Section 4:**     Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”  
130 Division 1 “Generally,” Section 23.3-6 “Use Tables” is hereby amended by adding the words  
131 shown in underline type and deleting the words struck through as indicated in **Exhibit C.**

132  
133           **Section 5:**     Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”  
134 Division 2 “Residential Districts,” Section 23.3-7 “SF-R – Single-family residential” is hereby  
135 amended by deleting the words struck through as indicated in **Exhibit D.**

136  
137           **Section 6:**     Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”  
138 Division 2 “Residential Districts,” Section 23.3-8 “SF-TF 14 – Single-family and two-family  
139 residential” is hereby amended by deleting the words struck through as indicated in **Exhibit E.**

140  
141           **Section 7:**     Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”  
142 Division 2 “Residential Districts,” Section 23.3-10 “MF-20 – Multi-family and two-family residential”  
143 is hereby amended by deleting the words struck through as indicated in **Exhibit F.**

144  
145           **Section 8:**     Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”  
146 Division 2 “Residential Districts,” Section 23.3-11 “MF-30 – Medium density multi-family  
147 residential” is hereby amended by deleting the words struck through as indicated in **Exhibit G.**  
148

149            **Section 9:** Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”  
150 Division 2 “Residential Districts,” Section 23.3-12 “MF-40 – High density multi-family residential”  
151 is hereby amended by deleting the words struck through as indicated in **Exhibit H**.

152  
153            **Section 10:** Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”  
154 Division 3 “Mixed Use Districts,” Section 23.3-13 “MU-E – Mixed use east” is hereby amended by  
155 deleting the words struck through as indicated in **Exhibit I**.

156  
157            **Section 11:** Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”  
158 Division 3 “Mixed Use Districts,” Section 23.3-14 “DT – Downtown” is hereby amended by adding  
159 the words shown in underline type and deleting the words struck through as indicated in **Exhibit**  
160 **J**.

161  
162            **Section 12:** Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”  
163 Division 3 “Mixed Use Districts,” Section 23.3-16 “MU-FH – Mixed use-Federal Highway ” is  
164 hereby amended by adding the words shown in underline type and deleting the words struck  
165 through as indicated in **Exhibit K**.

166  
167            **Section 13:** Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”  
168 Division 3 “Mixed Use Districts,” Section 23.3-17 “MU-DH – Mixed use-Dixie Highway” is hereby  
169 amended by deleting the words struck through as indicated in **Exhibit L**.

170  
171            **Section 14:** Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”  
172 Division 3 “Mixed Use Districts,” Section 23.3-18 “MU-W – Mixed use west” is hereby amended  
173 by adding the words shown in underline type and deleting the words struck through as indicated  
174 in **Exhibit M**.

175  
176            **Section 15:** Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”  
177 Division 3 “Mixed Use Districts,” Section 23.3-19 “TOD-E – Transit oriented development east” is  
178 hereby amended by adding the words shown in underline type and deleting the words struck  
179 through as indicated in **Exhibit N**.

180  
181            **Section 16:** Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”  
182 Division 3 “Mixed Use Districts,” Section 23.3-20 “TOD-W – Transit oriented development west”  
183 is hereby amended by adding the words shown in underline type and deleting the words struck  
184 through as indicated in **Exhibit O**.

185  
186            **Section 17:** Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”  
187 Division 4 “Commercial Districts,” Section 23.3-21 “NC – Neighborhood commercial” is hereby  
188 amended by deleting the words struck through as indicated in **Exhibit P**.

189  
190            **Section 18:** Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”  
191 Division 5 “Industrial Districts,” Section 23.3-23 “AI – Artisanal Industrial” is hereby amended by  
192 adding the words shown in underline type and deleting the words struck through as indicated in  
193 **Exhibit Q**.

194  
195            **Section 19:** Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”  
196 Division 5 “Industrial Districts,” Section 23.3-24 “I-POC – Industrial Park of Commerce” is hereby  
197 amended by adding the words shown in underline type and deleting the words struck through as  
198 indicated in **Exhibit R**.

199

200 **Section 20:** Chapter 23 Land Development Regulations, Article 4 “Development  
201 Standards,” Section 23.4-4 “Fences, walls and gates” is hereby amended by adding the words  
202 shown in underline type and deleting the words struck through as indicated in **Exhibit S**.

203  
204 **Section 21:** Chapter 23 Land Development Regulations, Article 4 “Development  
205 Standards,” Section 23.4-10 “Off-street parking” is hereby amended by adding the words shown  
206 in underline type as indicated in **Exhibit T**.

207  
208 **Section 22:** Chapter 23 Land Development Regulations, Article 4 “Development  
209 Standards,” Section 23.4-13 “Administrative and conditional uses” is hereby amended by adding  
210 the words shown in underline type and deleting the words struck through as indicated in **Exhibit**  
211 **U**.

212  
213 **Section 23:** Chapter 23 Land Development Regulations, Article 4 “Development  
214 Standards,” is hereby amended by adding thereto a new Section 23.4-26 “Pools” to read as shown  
215 in underline type in **Exhibit V**.

216  
217 **Section 24:** Chapter 23 Land Development Regulations, Article 5 “Supplemental  
218 Regulations,” Section 23.5-1 “Signs” is hereby amended by adding the words shown in underline  
219 type and deleting the words struck through as indicated in **Exhibit W**.

220  
221 **Section 25:** Chapter 23 Land Development Regulations, Article 5 “Supplemental  
222 Regulations,” Section 23.5-3 “Nonconformities” is hereby amended by adding the words shown  
223 in underline type and deleting the words struck through as indicated in **Exhibit X**.

224  
225 **Section 26:** Severability. If any section, subsection, sentence, clause, phrase or portion  
226 of this Ordinance is for any reason held invalid or unconstitutional by any court of competent  
227 jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and  
228 such holding shall not affect the validity of the remaining portions thereof.

229  
230 **Section 27:** Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict  
231 herewith are hereby repealed to the extent of such conflict.

232  
233 **Section 28:** Codification. The sections of the ordinance may be made a part of the City  
234 Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and  
235 the word “ordinance” may be changed to “section”, “division”, or any other appropriate word.

236  
237 **Section 29:** Effective Date. This ordinance shall become effective 10 days after  
238 passage.

239  
240 The passage of this ordinance on first reading was moved by Commissioner McVoy,  
241 seconded by Commissioner May, and upon being put to a vote, the vote was as follows:

242		
243	Mayor Betty Resch	AYE
244	Vice Mayor Sarah Malega	AYE
245	Commissioner Christopher McVoy	AYE
246	Commissioner Mimi May	AYE
247	Commissioner Reinaldo Diaz	AYE
248		

249 The Mayor thereupon declared this ordinance duly passed on first reading on the 15<sup>th</sup> day  
250 of October, 2024.

251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270  
271  
272  
273  
274  
275

The passage of this ordinance on second reading was moved by \_\_\_\_\_,  
seconded by \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

- Mayor Betty Resch
- Vice Mayor Sarah Malega
- Commissioner Christopher McVoy
- Commissioner Mimi May
- Commissioner Reinaldo Diaz

The Mayor thereupon declared this ordinance duly passed on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2024.

LAKE WORTH BEACH CITY COMMISSION

By: \_\_\_\_\_  
Betty Resch, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Ann Coyne, MMC, City Clerk

EXHIBIT A

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 1 "GENERAL PROVISIONS"

Article 1, "General Provisions," Division 2, "Definitions"

Sec. 23.1-12. – Definitions.

\*\*\*

Accessory storage: Indoor storage area(s) that are incidental and subordinate to a permitted principal use on a property. Accessory storage shall not exceed thirty (30%) of the total use area. Indoor storage exceeding thirty percent of the total use area shall be considered a principal use and shall be subject to the requirements in the Use Table, Section 23.3-6.

\*\*\*

*Contractor—Showroom:* A showroom where no manufacturing, assembly, processing or any other industrial uses are located. A contractor showroom greater than two thousand five hundred (2,500) square feet is not permitted in the DT districts. Outdoor ~~or indoor~~ storage uses are not permitted as accessory to a contractor showroom outside of industrial districts. The business office of a contractor and a contractor showroom may occur within the same structure.

\*\*\*

*Holistic health care facility:* A health-related use conducting natural, non-invasive procedures to promote self-healing. Holistic health care facilities offer singular or multiple services including but not limited to diet counseling, exercise, psychotherapy, relationship and spiritual counseling, acupuncture, chiropractic care, massage therapy, naturopathy.

\*\*\*

*Low-intensity offices uses:* These are commercial office uses that typically do not generate high volumes of customer traffic, to include the following and those that are substantially similar or related:

*Administrative/professional services non medical.*

*Contractor office no outdoor/~~indoor~~ storage.*

*Home occupation.*

*Management office.*

\*\*\*

Ribbon driveway: A ribbon driveway consists of two strips of impermeable or semi-permeable surface to accommodate vehicle tires. Ribbon driveways are a common and historically appropriate alternative to standard residential driveways, as they reduce a property's overall impermeable surface coverage. Ribbon driveways are subject to the same minimum dimensions as standard parking spaces. Individual "ribbons" are only permitted within the property (not the right-of-way) and shall measure between eighteen (18) inches and thirty (30) inches in width.

\*\*\*

*Semi-pervious surface:* A surface covered by materials with a percolation rate of at least fifty (50) percent relative to the ground percolation rate. Semi-pervious surface may include but are

325 not limited to permeable paving material and other semi-pervious materials such as gravel, small  
326 stone, and other substantially similar materials. For semi-pervious surfaces, two (2) square feet  
327 of semi-pervious surface shall be equivalent to one (1) square foot of impervious surface for the  
328 purpose of calculating development regulations. The semi-pervious surface credit shall not reduce  
329 the required open space and landscape area requirements. Semi-pervious surfaces shall have a  
330 minimum of a one-foot setback from the side property lines. Semi-pervious surfaces shall also  
331 have a minimum one-foot setback from the rear property line, unless the surfaces are used to  
332 access parking.  
333



334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348

**EXHIBIT B**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 2 "ADMINISTRATION"

*Article 2, "Administration," Division 2, "Procedures"*

**Sec. 23.2-19.1. – Public Neighborhood Meeting.**

\*\*\*

(e) The public neighborhood meeting shall be held at a location that is accessible to the public and which will reasonably accommodate the number of persons notified of the meeting. The meeting may be in person, ~~virtual~~ or a combination of ~~both~~ in person and virtual.

**EXHIBIT C**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 "ZONING DISTRICTS"

*Article 3, "Zoning Districts" Division 1, "Generally"*

**Sec. 23.3-6. – Use Tables.**

**Under separate cover.**

349  
350  
351  
352  
353  
354  
355  
356  
357  
358  
359  
360

361  
362  
363  
364  
365  
366  
367  
368  
369  
370  
371  
372  
373  
374  
  
  
  
  
  
  
  
  
  
375  
376  
377  
378

**EXHIBIT D**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 "ZONING DISTRICTS"

Article 3, "Zoning Districts" Division 2, "Residential Districts"

**Sec. 23.3-7. – SF-R – Single-Family Residential.**

\*\*\*

c) *Development regulations for uses permitted by right*

*portion of table omitted for brevity.*

Setback	Side	10% lot width, minimum of 3 ft. up to a minimum of 10 ft. for lots over 100 ft. in width.
		Two story buildings shall be set back a minimum of 5 ft.
		<del>Roof overhangs not to exceed more than 2 ft.</del>

*portion of table omitted for brevity.*

\*\*\*

**EXHIBIT E**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 "ZONING DISTRICTS"

Article 3, "Zoning Districts" Division 2, "Residential Districts"

**Sec. 23.3-8. – SF-TF 14 – Single-Family and Two-Family Residential.**

\*\*\*

c) *Development regulations for uses permitted by right*

*portion of table omitted for brevity.*

Setback	Side	10% lot width, minimum of 3 ft. up to a minimum of 10 ft. for lots over 100 ft. in width.
		Two story buildings shall be set back a minimum of 5 ft.
		<del>Roof overhangs not to exceed more than 2 ft.</del>

*portion of table omitted for brevity.*

\*\*\*

397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
  
411  
412  
413

**EXHIBIT F**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 "ZONING DISTRICTS"

Article 3, "Zoning Districts" Division 2, "Residential Districts"

**Sec. 23.3-10. – MF-20 – Multi-Family and Two-Family Residential.**

\*\*\*

c) *Development regulations for uses permitted by right*

*portion of table omitted for brevity.*

Setback	Side	10% lot width, minimum of 3 ft. up to a minimum of 10 ft. for lots over 100 ft. in width.
		Two story buildings shall be set back a minimum of 5 ft.
		<del>Roof overhangs shall not exceed more than 2 ft.</del>

*portion of table omitted for brevity.*

\*\*\*

**EXHIBIT G**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 "ZONING DISTRICTS"

Article 3, "Zoning Districts" Division 2, "Residential Districts"

**Sec. 23.3-11. – MF-30 – Medium Density Multi-Family Residential.**

\*\*\*

c) *Development regulations for uses permitted by right*

*portion of table omitted for brevity.*

Setback	Side	10% lot width, minimum of 3 ft. up to a minimum of 10 ft. for lots over 100 ft. in width.
		Two story buildings shall be set back a minimum of 5 ft.
		<del>Roof overhangs shall not exceed more than 2 ft.</del>

*portion of table omitted for brevity.*

\*\*\*

431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444

**EXHIBIT H**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 "ZONING DISTRICTS"

Article 3, "Zoning Districts" Division 2, "Residential Districts"

**Sec. 23.3-12. – MF-40 – High Density Multi-Family Residential.**

\*\*\*

c) *Development regulations for uses permitted by right*

*portion of table omitted for brevity.*

Setback	Side	Street lot side – 10 ft. minimum up to a maximum of 22 ft.
		Interior lot side - 10% of width, minimum of 3 ft. up to a minimum of 10 ft. for lots over 100 ft. in width.
		Two story buildings shall be set back a minimum of 5 ft.
		Roof overhangs shall not exceed more than 2 ft.

*portion of table omitted for brevity.*

445  
446  
447

\*\*\*

**EXHIBIT I**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 "ZONING DISTRICTS"

Article 3, "Zoning Districts" Division 3, "Mixed Use Districts"

**Sec. 23.3-13. – MU-E – Mixed Use East.**

\*\*\*

d) *Development regulations for uses permitted by right*

*portion of table omitted for brevity.*

Setback	Side	Lake Avenue and Lucerne Avenue – 10ft. on street and 0 ft. on interior lot.
		First Avenue South and Second Avenue North – 10ft. on street and 0 ft. on interior lot for.
		Federal Highway – 10ft. on street and 10% of width, minimum of 3 ft. up to a minimum of 10 ft. for lots over 100 ft. in width on interior lot.
		Sixth Avenue South and Tenth Avenue North – Gateways – 10ft. on street and 10% of width, minimum of 3 ft. up to a minimum of 10 ft. for lots over 100 ft. in width on interior lot.
		<del>Roof overhangs shall not exceed more than 2 ft.</del>

*portion of table omitted for brevity.*

\*\*\*

448  
449  
450  
451  
452  
453  
454  
455  
456  
457  
458  
459  
460  
461

462  
463  
464



465  
466  
467  
468  
469  
470  
471  
472  
473  
474  
475  
476  
477  
478  
479  
480  
481  
482  
483  
484  
485  
486  
487  
488  
489  
490

**EXHIBIT J**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 "ZONING DISTRICTS"

Article 3, "Zoning Districts" Division 3, "Mixed Use Districts"

**Sec. 23.3-14. – DT – Downtown.**

\*\*\*

d) *Development regulations for uses permitted by right*

*portion of table omitted for brevity.*

Setback	Side	10ft. on street and 0 ft. on interior lot.
		<del>Roof overhangs shall not exceed more than 2 ft.</del>

*portion of table omitted for brevity.*

\*\*\*

4. *Minimum setbacks for buildings.*

\*\*\*

B. Minimum side setback:

\*\*\*

(4) Roof overhangs shall not project more than two (2) feet into the setback.

\*\*\*

**EXHIBIT K**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 "ZONING DISTRICTS"

Article 3, "Zoning Districts" Division 3, "Mixed Use Districts"

**Sec. 23.3-16. – MU-FH – Mixed Use – Federal Highway.**

\*\*\*

d) *Development regulations for uses permitted by right*

*portion of table omitted for brevity.*

Setback	Side	10% lot width, minimum of 3 ft. up to a minimum of 10 ft. for lots over 100 ft. in width.
		Two story buildings shall be set back a minimum of 5 ft.
		<del>Roof overhangs shall not exceed more than 2 ft.</del>

*portion of table omitted for brevity.*

\*\*\*

3. *Minimum setbacks for nonresidential buildings.*

\*\*\*

B. Minimum side setback:

\*\*\*

(3) Roof overhangs shall not project more than two (2) feet into the setback.

\*\*\*

491  
492  
493  
494  
495  
496  
497  
498  
499  
500  
501  
502  
503  
504

505  
506  
507  
508  
509  
510  
511  
512  
513  
514  
515  
516

EXHIBIT L

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 "ZONING DISTRICTS"

Article 3, "Zoning Districts" Division 3, "Mixed Use Districts"

Sec. 23.3-17. – MU-DH – Mixed Use – Dixie Highway.

\*\*\*

d) Development regulations for uses permitted by right

portion of table omitted for brevity.

Setback	Side	10ft. on street and 0 ft. on interior lot.
		Roof overhangs shall not exceed more than 2 ft.

portion of table omitted for brevity.

\*\*\*

3. Setbacks and Build-to lines.

A. Front build-to line:

\*\*\*

(3) Front ~~setback~~ build-to line can be increased by eight (8), ten (10) or twelve (12) feet if the building provides an open arcade or public plaza.

\*\*\*

B. ~~Minimum side setback~~ Side:

(1) ~~From street side~~ build-to lot-line: Ten (10) feet.

(2) ~~From~~ Minimum interior side setback lot-line: None.

(3) Street side ~~setback~~ build-to line can be increased by eight (8), ten (10) or twelve (12) feet if the building is provided an open arcade or public plaza.

4. ~~Build-to line.~~ All buildings fronting on Dixie Highway shall be situated ten (10) feet from the property line to afford a consistent building line along the street. If public arcade or public open space is provided the build-to-line may be adjusted in increments of eight (8), ten (10) and twelve (12) feet. Reserved.

\*\*\*

**EXHIBIT M**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 "ZONING DISTRICTS"

Article 3, "Zoning Districts" Division 3, "Mixed Use Districts"

**Sec. 23.3-18. – MU-W – Mixed Use West.**

\*\*\*

d) *Development regulations for uses permitted by right*

*portion of table omitted for brevity.*

Setback	Side	20ft. minimum on street
		10% of overall lot width, minimum of 3 ft., up to a minimum of 20 ft. for lots over 200 ft. in width on interior lot.
		<del>Roof overhangs shall not exceed more than 2 ft.</del>

*portion of table omitted for brevity.*

\*\*\*

4. *Minimum setbacks for buildings.*

\*\*\*

B. Minimum side setback:

\*\*\*

(4) Roof overhangs shall not project more than two (2) feet into the setback.

\*\*\*

**EXHIBIT N**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 “ZONING DISTRICTS”

Article 3, “Zoning Districts” Division 3, “Mixed Use Districts”

**Sec. 23.3-19. – TOD-E – Transit Oriented Development East.**

\*\*\*

d) *Development regulations for uses permitted by right*

*portion of table omitted for brevity.*

Setback	Side	10ft. on street and 0 ft. on interior lot.
		Roof overhangs shall not exceed more than 2 ft.

*portion of table omitted for brevity.*

\*\*\*

~~3. Minimum setbacks and build-to lines for buildings.~~

A. ~~Front setback-build-to line:~~

\*\*\*

(3) ~~Front setback build-to line~~ can be increased by eight (8), ten (10) or twelve (12) feet if the building is provided an open arcade or public plaza.

\*\*\*

B. ~~Minimum side setback Side:~~

(1) ~~From street side build-to lot-line:~~ Ten (10) feet.

(2) ~~From Minimum interior side setback lot line:~~ None.

(3) Street side ~~setback build-to line~~ can be increased by eight (8), ten (10) or twelve (12) feet if the building is provided an open arcade or public plaza.

(4) Roof overhangs shall not exceed more than two (2) feet into the setback.

~~4. Build-to line. All buildings fronting on Lake or Lucerne Avenues shall be situated five (5) feet from the property line to afford a consistent building line along the avenues. If public arcade or public open space is provided the build-to-line may be adjusted in increments of eight (8), ten (10) and twelve (12) feet. Reserved.~~

\*\*\*

**EXHIBIT O**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 "ZONING DISTRICTS"

*Article 3, "Zoning Districts" Division 3, "Mixed Use Districts"*

**Sec. 23.3-20. – TOD-W – Transit Oriented Development West.**

\*\*\*

d) *Development regulations for uses permitted by right*

*portion of table omitted for brevity.*

Setback	Side	10ft. on street and 0 ft. on interior lot.
		<del>Roof overhangs shall not exceed more than 2 ft.</del>

*portion of table omitted for brevity.*

\*\*\*

4. *Minimum setbacks for buildings.*

\*\*\*

B. Minimum side setback:

\*\*\*

(4) Roof overhangs shall not project more than two (2) feet into the setback.

\*\*\*

653  
654  
655  
656  
657  
658  
659  
660  
661  
662  
663  
664  
665  
666

**EXHIBIT P**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 "ZONING DISTRICTS"

Article 3, "Zoning Districts" Division 4, "Commercial Districts"

**Sec. 23.3-21. – NC – Neighborhood Commercial.**

\*\*\*

c) *Development regulations for uses permitted by right*

*portion of table omitted for brevity.*

Setback	Side	10% lot width, minimum of 3 ft. up to a minimum of 10 ft. for lots over 100 ft. in width
		Two-story buildings shall be set back a minimum of 5 ft.
		<del>Roof overhangs shall not exceed more than 2 ft.</del>

*portion of table omitted for brevity.*

667  
668  
669

\*\*\*

**EXHIBIT Q**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 "ZONING DISTRICTS"

Article 3, "Zoning Districts" Division 5, "Industrial Districts"

**Sec. 23.3-23. – AI – Artisanal Industrial.**

\*\*\*

c) *Development regulations for uses permitted by right*

*portion of table omitted for brevity.*

Setback	Side	10ft. on street and 0 ft. on interior lot.
		<del>Roof overhangs shall not exceed more than 2 ft.</del>

*portion of table omitted for brevity.*

\*\*\*

3. *Minimum setbacks for buildings.*

\*\*\*

B. Minimum side setback:

\*\*\*

(3) Roof overhangs shall not project more than two (2) feet into the setback.

\*\*\*



696  
697  
698  
699  
700  
701  
702  
703  
704  
705  
706  
707  
708  
709  
  
710  
711  
712  
713  
714  
715  
716  
717  
718  
719  
720  
721

**EXHIBIT R**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 "ZONING DISTRICTS"

Article 3, "Zoning Districts" Division 5, "Industrial Districts"

**Sec. 23.3-24. – I-POC – Industrial Park of Commerce.**

\*\*\*

c) *Development regulations for uses permitted by right*

*portion of table omitted for brevity.*

Setback	Side	20 ft. on street and 0 ft. on interior lot.
		<del>Roof overhangs shall not exceed more than 2 ft.</del>

*portion of table omitted for brevity.*

\*\*\*

3. *Minimum setbacks for buildings.*

\*\*\*

B. Minimum side setback:

\*\*\*

(3) Roof overhangs shall not project more than two (2) feet into the setback.

\*\*\*

**EXHIBIT S**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 4 "DEVELOPMENT STANDARDS"

**Sec. 23.4-4. – Fences, walls and gates.**

\*\*\*

d) *Single-family and two-family residential uses.*

\*\*\*

4. *Gates and gateposts.*

\*\*\*

C. ~~Electronic security gates and keypad/call boxes shall be located a minimum of twenty-five (25) feet from the property line/right-of-way to prevent stacking of automobiles into the public right-of-way.~~ Rolling, swing, or electronic gates leading to a driveway, and/or parking space(s) shall be located a minimum of five (5) feet from the property line. The minimum stacking distance may be increased in the event the city engineer determines traffic safety so requires. Such increase shall be based on a gate queuing analysis performed by a certified traffic engineer to be provided by the applicant.

\*\*\*

E. Gates shall only provide access to the property listed on the permit application. Gates shall not be located so as to provide access to a neighboring property or the Municipal Golf Course.

\*\*\*

e) *Multi-family residential uses.*

\*\*\*

4. *Gates and gateposts.*

\*\*\*

C. ~~Electronic security gates and keypad/call boxes shall be located a minimum of twenty-five (25) feet from the property line/right-of-way to prevent stacking of automobiles in the public right-of-way.~~ Rolling, swing, or electronic gates leading to a driveway, parking space, and/or parking lot shall be located a minimum of five (5) feet from the property line. The minimum queuing distance may be increased in the event the city engineer determines traffic safety so requires. Such increase shall be based on a gate queuing analysis from a certified traffic consultant to be provided by the applicant.

\*\*\*

E. Gates shall only provide access to the property listed on the permit application. Gates shall not be located so as to provide access to a neighboring property or the Municipal Golf Course.

722  
723  
724  
725  
726  
727  
728  
729  
730  
731  
732  
733  
734  
735  
736  
737  
738  
739  
740  
741  
742  
743  
744  
745  
746  
747  
748  
749  
750  
751  
752  
753  
754  
755  
756  
757  
758  
759  
760  
761  
762  
763  
764  
765  
766  
767  
768  
769  
770  
771  
772

773  
774  
775  
776  
777  
778  
779  
780  
781  
782  
783  
784  
785  
786  
787  
788  
789  
790  
791

\*\*\*

f) *Commercial/vehicular/non-residential uses.*

\*\*\*

6. Gates and gateposts shall not exceed a height of two (2) feet above the allowable fence height for the location. Gates shall only provide access to the property listed on the permit application. Gates shall not be located so as to provide access to a neighboring property or the Municipal Golf Course.

\*\*\*

g) *Industrial uses.*

\*\*\*

5. Except as otherwise provided herein, all fences, walls, and hedges shall have a maximum height of six (6) feet. Except as otherwise provided herein, all fences and walls shall be set back to the minimum building setback line on the front of the lot for traffic vision purposes and hedges within the front setback area shall be a maximum of thirty (30) inches in height from the edge of the street or alley surface.

**EXHIBIT T**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 4 “DEVELOPMENT STANDARDS”

**Sec. 23.4-10. – Off-street parking.**

\*\*\*

j) *Minimum parking dimensions.*

1. The standard parking space is nine (9) feet in width and eighteen (18) feet in length in a perpendicular and/or angled configuration. Parallel parking spaces shall be nine (9) feet in width and twenty-two (22) feet in length.

a. Ribbon driveways (also called parking strips) shall leave a nine (9) foot-wide area for the parking space and the ribbons shall measure between eighteen (18) and thirty (30) inches in width.

\*\*\*

2. *Parking lot designs:*

a. Parking space dimension for other types of spaces are:

\*\*\*

ii. Handicapped Spaces at twelve (12) feet x eighteen (18) feet, with a five (5) foot wide designated access aisle. The access aisle may be shared between two adjacent parking spaces.

iii. Motorcycle Spaces at four (4) feet x nine (9) feet.

**EXHIBIT U**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 4 "DEVELOPMENT STANDARDS"

**Sec. 23.4-13. – Administrative uses and conditional uses.**

\*\*\*

c) *Standards.*

\*\*\*

9. *Places of worship.*

A. *Purpose.* It is the purpose of this section ~~is~~ to provide regulations and standards for places of worship within designated zoning districts. Places of worship shall be approved through the appropriate regulatory board by ~~conditional~~ administrative use procedures.

**EXHIBIT V**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 4 "DEVELOPMENT STANDARDS"

**Sec. 23.4-26. – Pools.**

- 843  
844  
845  
846  
847  
848  
849  
850  
851 a) Residential swimming pools.  
852  
853 1. No swimming pool shall be located closer than five (5) feet to any rear property  
854 line or within any easement for utilities, drainage or access.  
855 2. Special yard situations.  
856 a. Pools in the rear yard of a property with dual frontage shall have a minimum  
857 setback of 10 feet from the secondary front (rear) property line and shall be  
858 screened with fencing and/or landscape screening, subject to the  
859 regulations in LDR Sections 23.4-4 and 23.6-1.  
860 3. Pool decks and patios.  
861 a. At grade deck or patio constructed in conjunction with any swimming pool  
862 shall not be located within an easement or closer than one (1) foot to any  
863 property line.  
864 b. Above grade deck or patio constructed in conjunction with any swimming  
865 pool shall be not be located within an easement or and shall follow the  
866 setback requirements for structures as provided in the subject zoning  
867 district.  
868 4. Pool enclosures. Screen enclosures for swimming pools shall not be located within  
869 an easement and shall follow the setback requirements for structures as provided  
870 in the subject zoning district.  
871 5. Pool equipment shall be subject to the requirements of Section 23.4-16.  
872

**EXHIBIT W**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 5 "SUPPLEMENTAL REGULATIONS"

**Sec. 23.5-1. – Signs.**

\*\*\*

f) *Regulations according to property uses.*

\*\*\*

6. ~~Shopping centers and strip centers.~~ Multi-tenant buildings.

A. ~~Shopping centers and strip centers.~~ Multi-tenant buildings shall be exempt from the total combined sign area requirements.

B. The maximum allowable sign area for wall signs for each business in a multi-tenant building shall be one (1) square foot for each linear foot of the subject business' frontage.

**EXHIBIT X**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 5 "SUPPLEMENTAL REGULATIONS"

**Sec. 23.5-3. – Nonconformities.**

\*\*\*

- c) *Nonconforming lots of record.* A nonconforming lot of record is a ~~platted~~ legally created lot which by width, depth, area, dimension or location does not meet current standards set forth in these LDRs. In any zoning district in which single-family dwelling units are permitted, notwithstanding limitations imposed by other provisions of these LDRs, a single-family dwelling unit and customary accessory buildings may be erected on any single nonconforming lot of record ~~so platted~~ legally created on or before January 5, 1976. For lots in the College Park and Worthmore Park subdivisions, if two (2) or more such lots, or combination of lots or portions of lots, with continuous frontage in single ownership were of record on January 5, 1976, the lands involved shall be considered to be an individual parcel or building site for the purpose of these LDRs and shall be no less than fifty (50) feet in width. No portion of said parcel shall be used or sold in a manner which prevents compliance with lot width and area requirements established by these LDRs. For lots created after January 5, 1976, no division of any parcel shall be made which creates a lot width or area below the requirements stated in these LDRs.