

Exhibit 1 (C-A to C-MU)

1 **Sec. 45-31. - C-MU US-1 mixed-use ~~C-A commercial~~ district.**

2 **A. General description.** This mixed-use district will encourage the
3 redevelopment of the US Highway 1 corridor into a vibrant mixed-use place
4 for businesses, visitors, and residents of North Palm Beach. A Citizens
5 Master Plan, adopted in 2016, envisioned the US Highway 1 corridor
6 evolving into a better working and living environment with walkable and
7 bikeable streets, compact mixed-use buildings, and convenient access to
8 many forms of transportation. The C-MU zoning district is a form-based
9 code that uses clear and predictable standards to guide redevelopment into
10 this pattern.

11 ~~This tourist commercial district is established to provide areas within which~~
12 ~~the principal use of land is devoted to commercial establishments and~~
13 ~~tourist-oriented trade. The intent is to reserve land which, because of~~
14 ~~particular location and natural features, is adapted to local and tourist uses,~~
15 ~~and to encourage the development of these locations for such uses and in~~
16 ~~such a manner as to minimize traffic hazards and interference with other~~
17 ~~land uses.~~

18 **B. Allowable uses.**

19 **1.** Table 1 indicates allowable uses in the C-MU zoning district.

20 ~~The following uses be permitted in the C A commercial district:~~

21 a. The uses listed in Table 1 are grouped into four use groups:
22 Residential Uses, Lodging Uses, Business Uses, and Civic &
23 Education Uses.

24 b. In one of the columns following each listed use, a symbol is
25 provided to indicate that:

26 i) This use is permitted by right; or

27 ii) This use may be approved as a special exception; see
28 section 45-16.2 for standards and procedures; or

29 iii) This use, like other uses not listed in Table 1, is not
30 permitted in the C-MU district.

31 c. Terms in Table 1 are defined in section 45-2 under “Use
32 Groups.”

33 d. Also refer to section 45-16.1 on uses that are similar to uses
34 listed in Table 1.

Exhibit 1 (C-A to C-MU)

Table 1 Allowable Uses

	<u>PERMITTED USE</u>	<u>SPECIAL EXCEPTION</u>	<u>NOT PERMITTED</u>
RESIDENTIAL USES			
<u>Mobile home park</u>			●
<u>Dwelling, one family detached</u>			●
<u>Dwelling, all other dwelling types</u>	●		
<u>Live/work unit</u>	●		
<u>Assisted living facility</u>		● ¹	
<u>Community residential home</u>	● ²		
LODGING USES			
<u>Bed-and-breakfast establishment</u>	●		
<u>Hotel</u>	●		
<u>Motel</u>	●		
<u>Time-share unit</u>	●		
BUSINESS USES			
<u>Offices, general</u>	●		
<u>Office or clinic, medical or dental</u>	●		
<u>Stores & services, general</u>	●		
<u>Stores & services, large format</u>		●	
<u>Adult entertainment</u>			●
<u>Convenience store with fuel</u>			●
<u>Dog daycare</u>		●	
<u>Drive-through facility (for any use)</u>		●	
<u>Garage, parking</u>	●		
<u>Heavy commercial and light industrial</u>			●
<u>Medical marijuana treatment center</u>			●
<u>Restaurant or cocktail lounge</u>	●		
<u>Brewery with offsite distribution</u>		●	
<u>Telecommunications antennas</u>		●	
CIVIC & EDUCATION USES			
<u>Child care facility</u>		●	
<u>Church or place of assembly</u>	●		
<u>Civic space</u>	●		
<u>Family day care</u>	●		
<u>Government building</u>	●		
<u>Hospital or medical center</u>			●
<u>Public space</u>	●		
<u>School, public or private</u>		●	

1 Only as part of a mixed-use development that complies with Future Land Use Policy 1.B.3 in the Comprehensive Plan

2 Subject to the same requirements as apply in the R-2 zoning district

Exhibit 1 (C-A to C-MU)

1 2. The Comprehensive Plan establishes restrictions on certain properties
2 through classifications in the future land use atlas or through specific
3 policies. Current examples in the C-MU district include the following
4 parcels, which are indicated on the regulating plan:

- 5 a. 639 US Highway 1 (assisted living facility) requires PUD
6 approval as a mixed-use development pursuant to Future Land
7 Use Policy 1.B.3.
8 b. 201–230 Mariner Court (condominium) is classified “Medium-
9 Density Residential,” which restricts it to residential uses only,
10 with density restricted by Special Policy 5.18.
11 c. 555 US Highway 1 (Faith Lutheran Church) is classified “Public
12 Buildings & Grounds.”
13 d. 501 US Highway 1 (Village Hall) and 303 Anchorage Drive
14 (Library) are classified “Public Buildings & Grounds.”
15 e. 560 US Highway 1 (Police Station) is classified as “Other Public
16 Facilities.”

- 17 ~~1. Hotel, motels and time share units.~~
18 ~~2. Restaurants and cocktail lounges where food and drink may be consumed on the premises~~
19 ~~only and where eating and serving areas are entirely contained within the building or the~~
20 ~~premises otherwise qualify under outdoor seating provisions of Appendix C Zoning not~~
21 ~~including drive in hamburger, ice cream, soft drink, or other drive in and/or carry out eating~~
22 ~~establishments.~~
23 ~~3. Golf clubs and their accessory uses such as restaurant, bar cocktail lounges, driving ranges~~
24 ~~and golf equipment stores.~~
25 ~~4. Financial institutions.~~
26 ~~5. Professional offices, studios and clinics.~~
27 ~~6. Private clubs and lodges.~~
28 ~~7. Veterinary establishments, provided that all animals shall be kept inside soundproof and air~~
29 ~~conditioned buildings; provided there are no animal cemeteries used in connection therewith.~~
30 ~~8. Funeral homes; provided that no process for the disposal of bodies is used in connection~~
31 ~~therewith, including cremation.~~
32 ~~9. Churches and/or auditoriums.~~
33 ~~10. Personal service establishments, such as barbershops, beauty shops, health salons.~~
34 ~~11. Utility company offices.~~
35 ~~12. Florist shops.~~
36 ~~13. Clothing stores.~~
37 ~~14. Stationery stores, book stores and/or art supply shops.~~
38 ~~15. Pharmacies or apothecaries.~~
39 ~~16. Photographic studios and camera shops.~~
40 ~~17. Bakery shops, where products are sold at retail only.~~
41 ~~18. Sporting goods stores.~~
42 ~~19. Personal gift shops.~~
43 ~~20. Jewelry stores.~~
44 ~~21. Marinas and their accessory uses, such as wet boat storage facilities, gasoline supplies, minor~~
45 ~~repair facilities that are incidental to wet boat storage and do not involve large boats and/or~~
46 ~~engine overhaul.~~

Exhibit 1 (C-A to C-MU)

C. Regulating plan and street frontages. *Conditions for permitted uses-*

1. The C-MU zoning district includes a regulating plan that shows existing conditions (e.g. lot lines, building footprints, and rights-of-way) and then defines how and where certain regulations will apply (e.g. setbacks and height restrictions). The regulating plan for the C-MU district is presented in Figures 1 through 4.
2. The regulating plan also defines the street frontages of all lots as either corner, mid-block, or local street. These street frontage types determine allowable building frontages. The building frontage type selected by a landowner determines many of the specific regulations that will apply to redevelopment, including the build-to zone or setback along the street frontage. See subsection 45-31.D for details.
3. The remainder of the C-MU district provides standards on these subjects:
 - a. *Site and bulk standards* are provided in subsection 45-31.E, including setbacks, build-to zone, building frontage standards, building height, floor and ceiling height, density, and landscape standards.
 - b. *Architectural features* are addressed in subsection 45-31.F, including entrances, façade transparency, awnings, balconies, and bay windows.
 - c. *Street, alley, and easement standards* are provided in subsection 45-31.G.
 - d. *Parking standards* are provided in subsection 45-31.H.
 - e. *Review procedures* are provided in subsection 45-31.I.

- ~~1. All activities (except restaurants that qualify under outdoor seating provisions of Appendix C—Zoning, golf clubs, swimming pools and wet boat storage), sales and storage of goods must be conducted entirely within completely enclosed buildings with permanent nonmoving outside walls.~~
- ~~2. No outside sidewalk or parking lot storage or display of merchandise will be permitted.~~
- ~~3. No manufacturing, or production of products for retail or wholesale will be permitted except for bakeries and their related retail sales items.~~
- ~~4. All new marinas and major improvements to existing marinas shall provide sewage pump-out service to boats seven (7) meters (twenty two and ninety seven hundredths (22.97) feet) in length or more.~~

Exhibit 1 (C-A to C-MU)

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Figure 1 Regulating Plan, Yacht Club Dr. to Anchorage Dr (north)

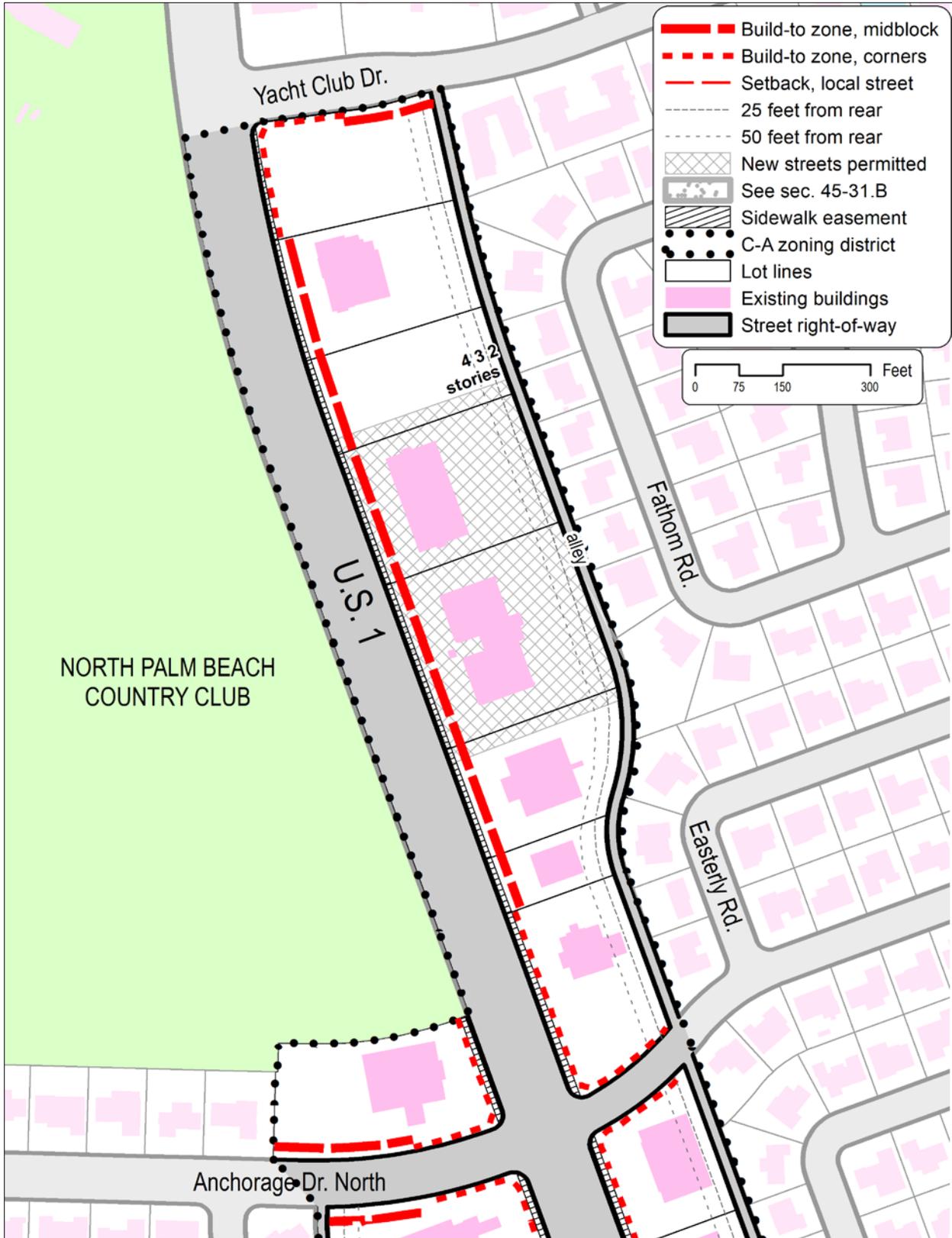


Exhibit 1 (C-A to C-MU)

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Figure 2 Regulating Plan, Anchorage Dr (north) to Lighthouse Dr.

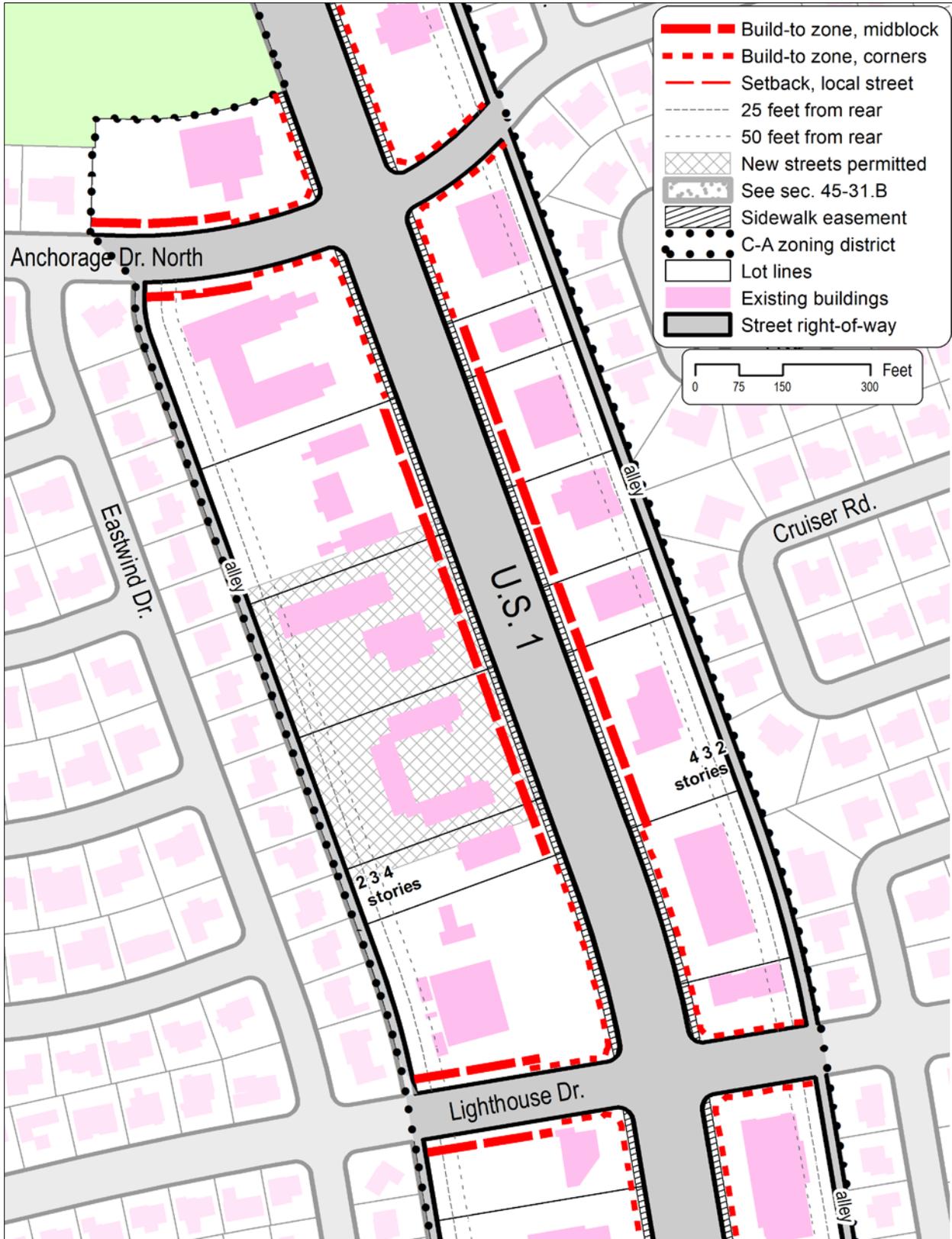
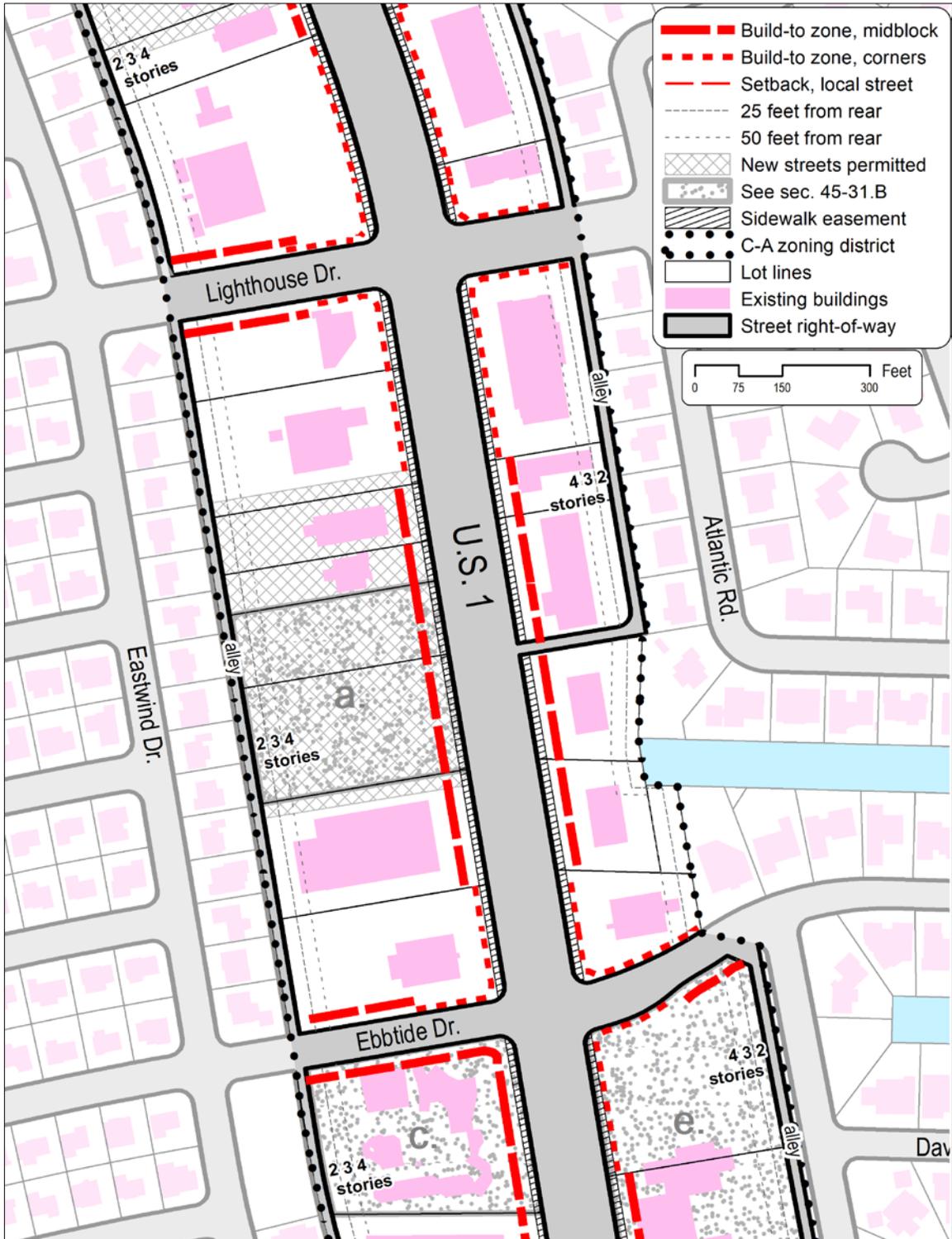


Exhibit 1 (C-A to C-MU)

Figure 3 Regulating Plan, Lighthouse Dr. to Ebbtide Dr.



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Exhibit 1(C-A to C-MU)

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Figure 4 Regulating Plan, Ebbtide Dr. to Earman River

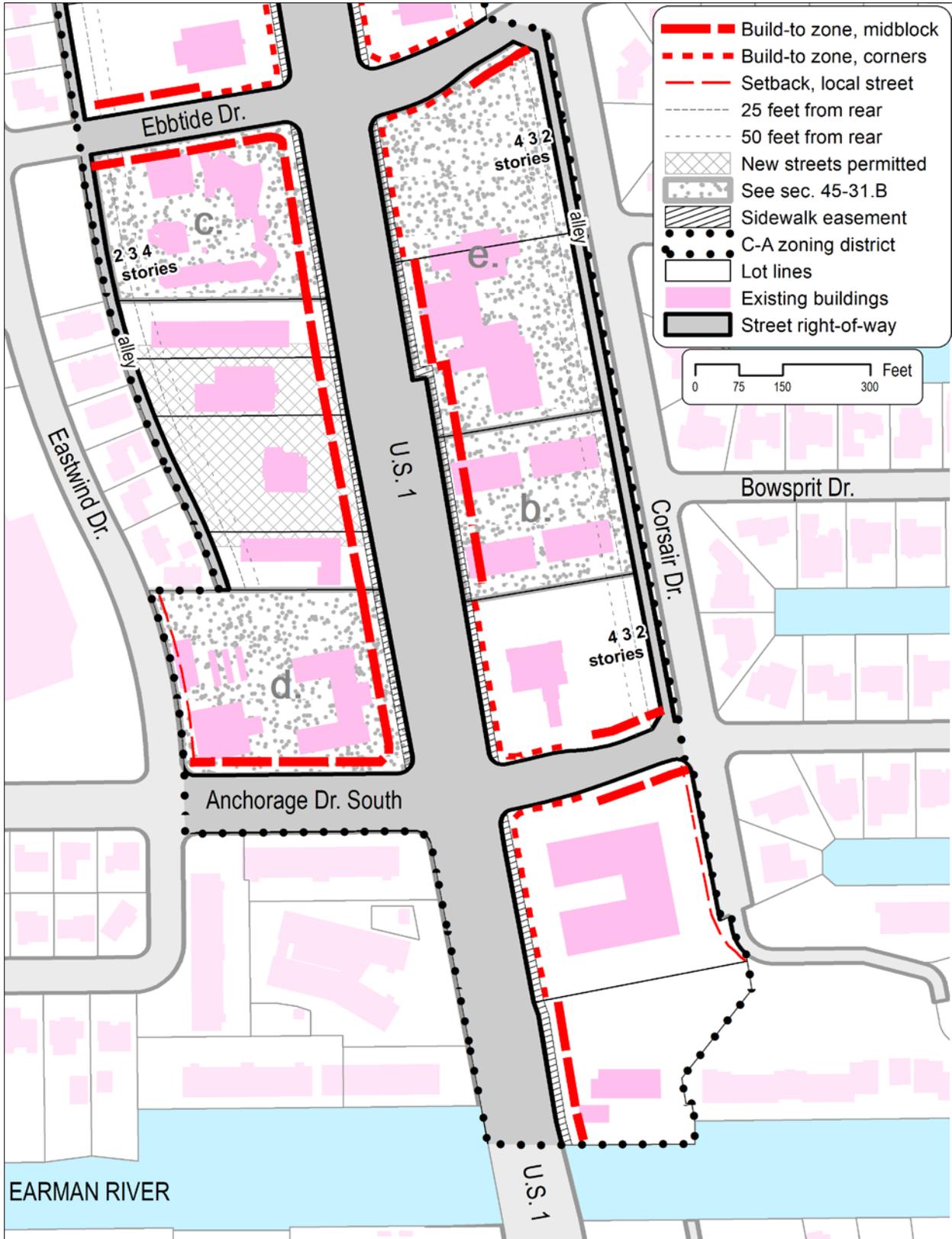


Exhibit 1 (C-A to C-MU)

D. Building frontage types.

1. The allowable building frontage types for each lot are determined by the designated street frontage for that lot.
 - a. Three types of street frontages are defined on the regulating plan for existing streets: Corner, Mid-block, or Local Street.
 - b. A landowner may select any of the allowable building frontage types shown on Table 2 for the street frontage shown on the regulating plan.
 - i) For lots with two street frontages, building frontages must be selected for each street frontage.
 - ii) A landowner with enough frontage on a street to accommodate two or more permitted building frontages may designate the corresponding building frontages for that street frontage.
 - iii) Regulations for each building frontage are summarized in Table 3 through 8.
 - c. Table 2 also shows a fourth street frontage, which applies only if a landowner chooses to construct a new street between US Highway 1 and the alley in the areas designated on the regulating plan; see subsection 45-31.G for details.

Table 2 Allowable Building Frontages For Each Street Frontage

<u>Building Frontage Types</u>	<u>STREET FRONTAGE TYPES</u>			
	<u>CORNER</u>	<u>MID-BLOCK</u>	<u>LOCAL STREET</u>	<u>NEW STREET</u>
<u>Gallery Frontage (Table 3)</u>	●	●	○	●
<u>Storefront Frontage (Table 4)</u>	●	●	○	●
<u>Forecourt Frontage (Table 5)</u>	○	●	●	● ¹
<u>Stoop Frontage (Table 6)</u>	○	●	●	● ¹
<u>Canopy Frontage (Table 7)</u>	●	●	○	●
<u>Lobby Frontage (Table 8)</u>	○	●	●	● ¹

Key:

- Building frontage permitted: ●
- Building frontage not permitted: ○
- Building frontage permitted beyond 150' from US Highway 1 only: ●¹

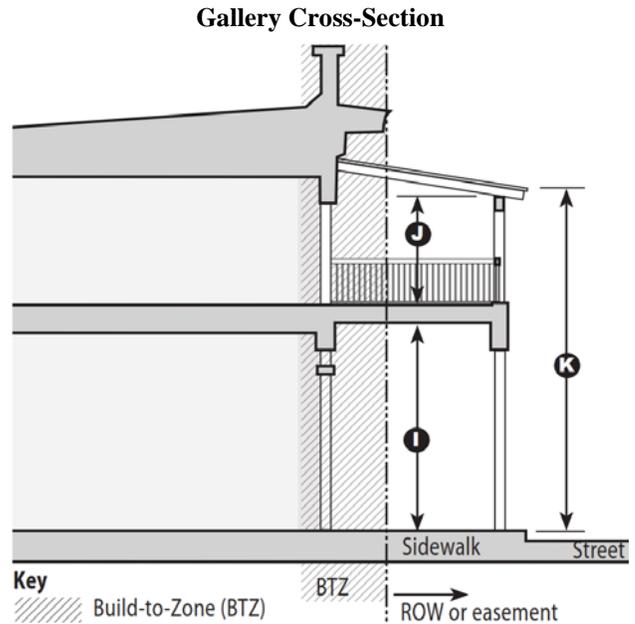
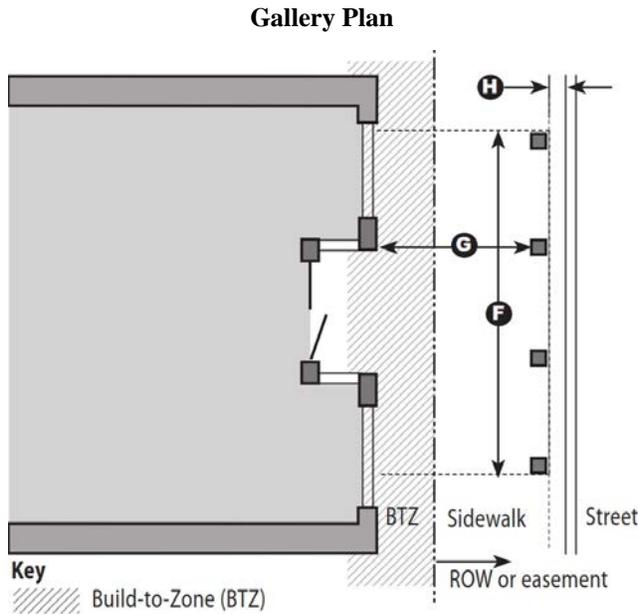
2. Tables 3 through 8 summarize the regulations for each building frontage. Regulations that do not vary by building frontage type, such as permitted uses and building heights, are described throughout section 45-31.

Exhibit 1 (C-A to C-MU)

Table 3 Building Frontage: GALLERY

A gallery is a roofed promenade extending along the wall of a building and supported by arches or columns on the outer side. A gallery shields space below like a canopy but provides

usable space above, either private open space or fully enclosed space. Depending on its design, a gallery can be an arcade, a colonnade, or a primarily decorative feature.



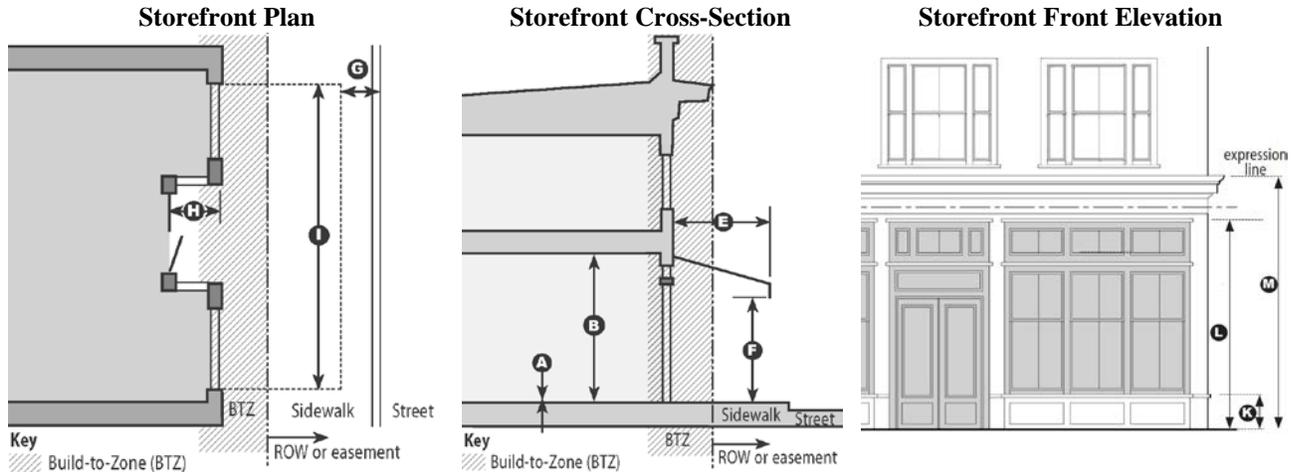
Setbacks	(see 45-31.E.1.a)
Build-to Zone	(see 45-31.E.1.b)
Build-to zone:	0 min., 10' max. D, E
Building Frontage Standards	(see 45-31.E.2)
Percentage:	70% min.
Building Height	(see 45-31.E.3)
Floor and Ceiling Height	(see 45-31.E.4)
Landscape Standards	(see 45-31.E.5)
Streetscape Standards	(see 45-31.E.6)
Gallery Dimensions	
Width:	10' min. F
Depth:	8' min. clear path for pedestrians G
Setback from curb:	2' min.; except 8' min. along US Highway 1 H
Main Entrance	(see 45-31.F.1)
Facade Transparency	(see 45-31.F.2)
Ground story:	30% min.
Upper stories:	20% min.
Encroachments	(see 45-31.F.3)
Awnings	(see 45-31.F.4)
Balconies	(see 45-31.F.5)
Bay Windows	(see 45-31.F.6)
Parking Standards	(see 45-31.H)
Ceiling height:	10' min. clear for ground story I
	9' min. clear for upper story J
Overall height:	10' min., 40' max. K
Cumulative gallery width:	70% of building frontage

Exhibit 1 (C-A to C-MU)

Table 4 Building Frontage: STOREFRONT

A storefront is a flexible space at the sidewalk level that is directly accessible by pedestrians and suitable for retail sales. A storefront has a mostly transparent façade and a gallery, canopy, or awning that shades the storefront’s windows and doors and the sidewalk.

Main entrances to each storefront open directly onto the sidewalk or onto a forecourt. Storefronts that are part of the storefront frontage type create the best pedestrian and retail experience.



Setbacks	(see 45-31.E.1.a)	Main Entrance	(see 45-31.F.1)
Build-to Zone	(see 45-31.E.1.b)	Façade Transparency	(see 45-31.F.2)
Build-to zone:	0' min., 5' max. D, E	Ground story:	70% min.
Building Frontage Standards	(see 45-31.E.2)	Upper stories:	40% min.
Percentage:	60% min.	Encroachments	(see 45-31.F.3)
Building Height	(see 45-31.E.3)	Awnings	(see 45-31.F.4)
Floor and Ceiling Height	(see 45-31.E.4)	Balconies	(see 45-31.F.5)
Ground-story elevation:	.5' max. A	Bay Windows	(see 45-31.F.6)
Ground-story ceiling:	12' min., 16' max. B	Parking Standards	(see 45-31.H)
Landscape Standards	(see 45-31.E.5)		
Streetscape Standards	(see 45-31.E.6)		

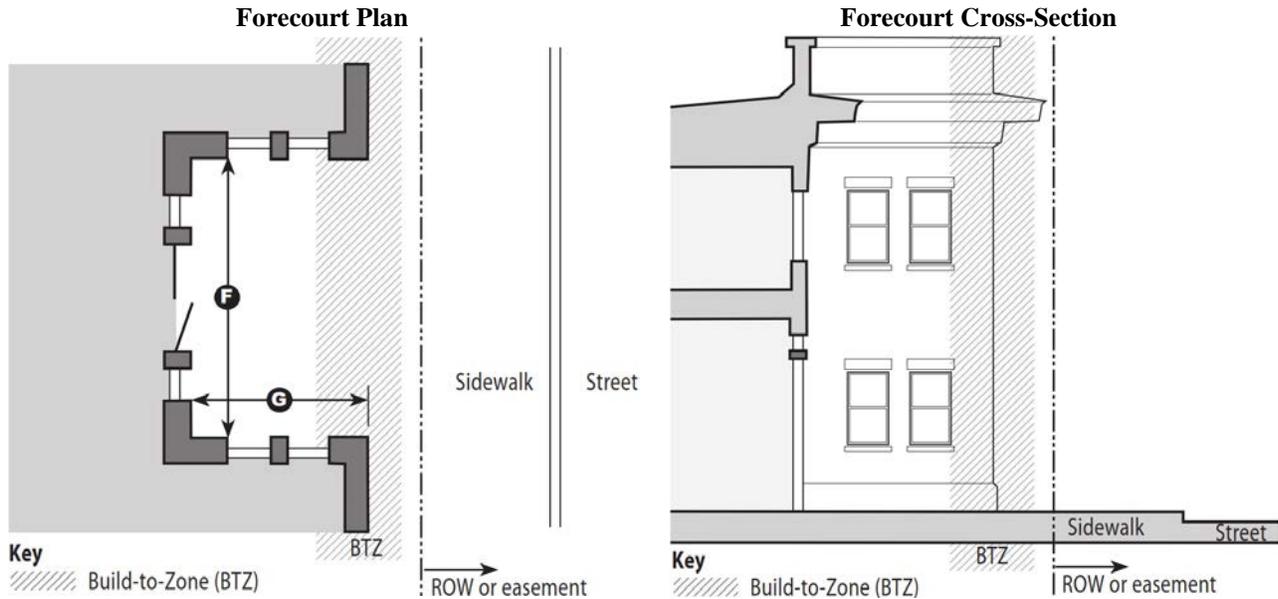
Storefront Dimensions				
Cover depth:	4' min.	E	Door intervals:	No more than 50' apart
Cover height:	10' min. clear	F	Window sill height:	1' min., 3' max. K
Setback from curb:	2' min.; except 8' min. along US Highway 1	G	Top of windows:	8' min. L
Door recess:	5' max.	H	Expression line:	10' min. and below second story M
Cumulative storefront width:	70% of building frontage min.	I		

Exhibit 1 (C-A to C-MU)

Table 5 Building Frontage: FORECOURT

A forecourt is a small private open space that is open to the sidewalk and bounded on two or three sides by the exterior walls of buildings.

Although forecourts are allowed on most building frontages, one or more forecourts are dominant features on the façade in the forecourt building frontage.



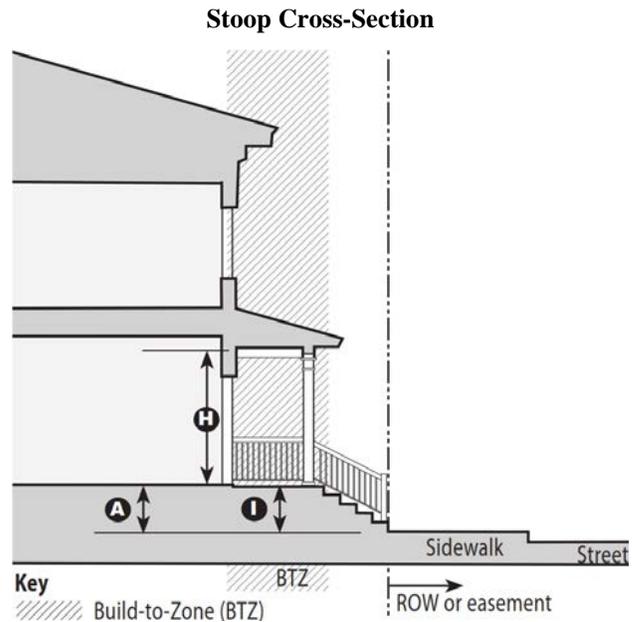
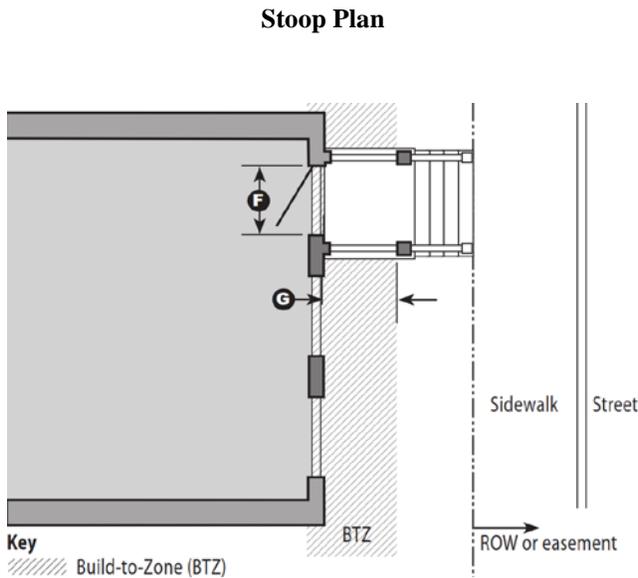
Setbacks	(see 45-31.E.1.a)
Build-to Zone	(see 45-31.E.1.b)
Build-to zone:	5' min., 20' max. D
Building Frontage Standards	(see 45-31.E.2)
Percentage:	60% min.
Building Height	(see 45-31.E.3)
Floor and Ceiling Height	(see 45-31.E.4)
Landscape Standards	(see 45-31.E.5)
Streetscape Standards	(see 45-31.E.6)
Forecourt Dimensions	
Width of individual forecourts:	15' min. F
Depth:	10' min., 40' max. G
Width of combined forecourts:	10' min., 40% max. of building frontage
Main Entrance	(see 45-31.F.1)
Facade Transparency	(see 45-31.F.2)
Ground story:	30% min.
Upper stories:	20% min.
Encroachments	(see 45-31.F.3)
Awnings	(see 45-31.F.4)
Balconies	(see 45-31.F.5)
Bay Windows	(see 45-31.F.6)
Parking Standards	(see 45-31.H)
Review Procedures	(see 45-31.I)

Exhibit 1 (C-A to C-MU)

Table 6 Building Frontage: STOOP

Stoops are staircases and elevated entrance platforms that lead to main entrances.

Stoops are generally taller than porches to match the higher ground-story floors that are needed to maintain privacy in urban areas.



Setbacks	(see 45-31.E.1.a)
Build-to Zone	(see 45-31.E.1.b)
Build-to zone:	5' min., 20' max. D
Building Frontage Standards	(see 45-31.E.2)
Percentage:	60% min.
Building Height	(see 45-31.E.3)
Floor and Ceiling Height	(see 45-31.E.4)
Ground-story	3' min. A
Landscape Standards	(see 45-31.E.5)
Streetscape Standards	(see 45-31.E.6)
Stoop Dimensions	
Spacing of stoops:	28' on center (average)
Width:	5' min., 8' max. F
Depth:	5' min., 8' max. G
Ceiling height:	8' min. H
Elevation:	3' min. above sidewalk I

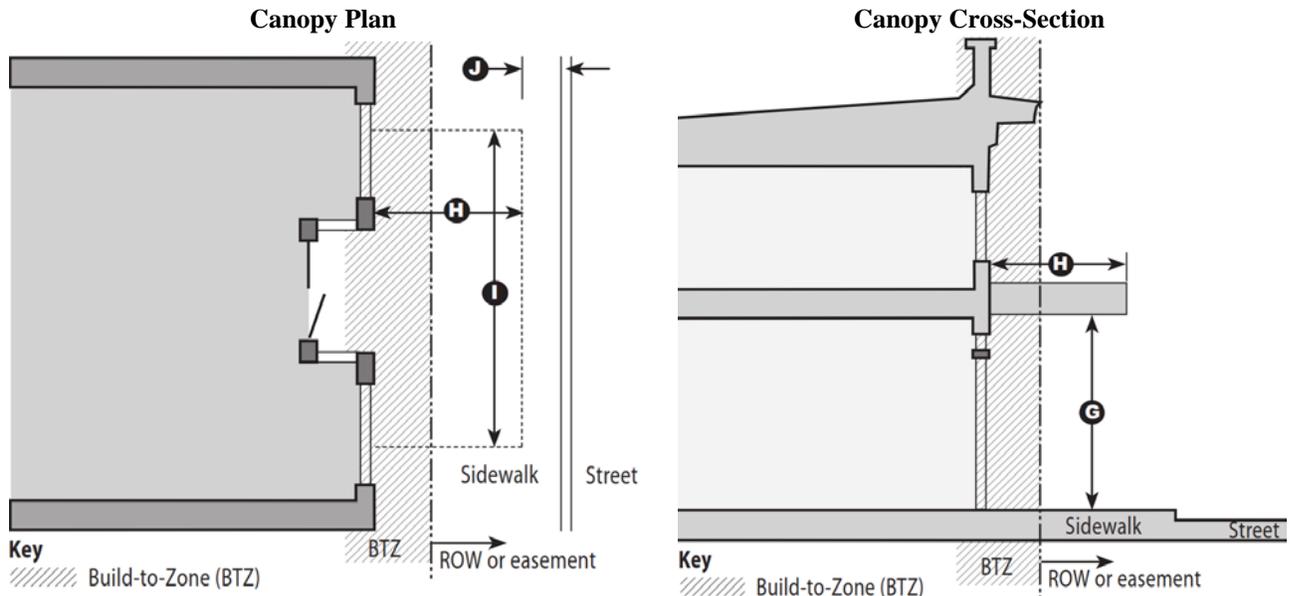
Main Entrance	(see 45-31.F.1)
Facade Transparency	(see 45-31.F.2)
Ground story:	20% min.
Upper stories:	20% min.
Encroachments	(see 45-31.F.3)
Awnings	(see 45-31.F.4)
Balconies	(see 45-31.F.5)
Bay Windows	(see 45-31.F.6)
Parking Standards	(see 45-31.H)
Review Procedures	(see 45-31.I)

Exhibit 1 (C-A to C-MU)

Table 7 Building Frontage: CANOPY

A canopy frontage contains a permanently attached rigid canopy that projects outward

from the façade to shield the main entrance, windows, and sidewalk from the elements.

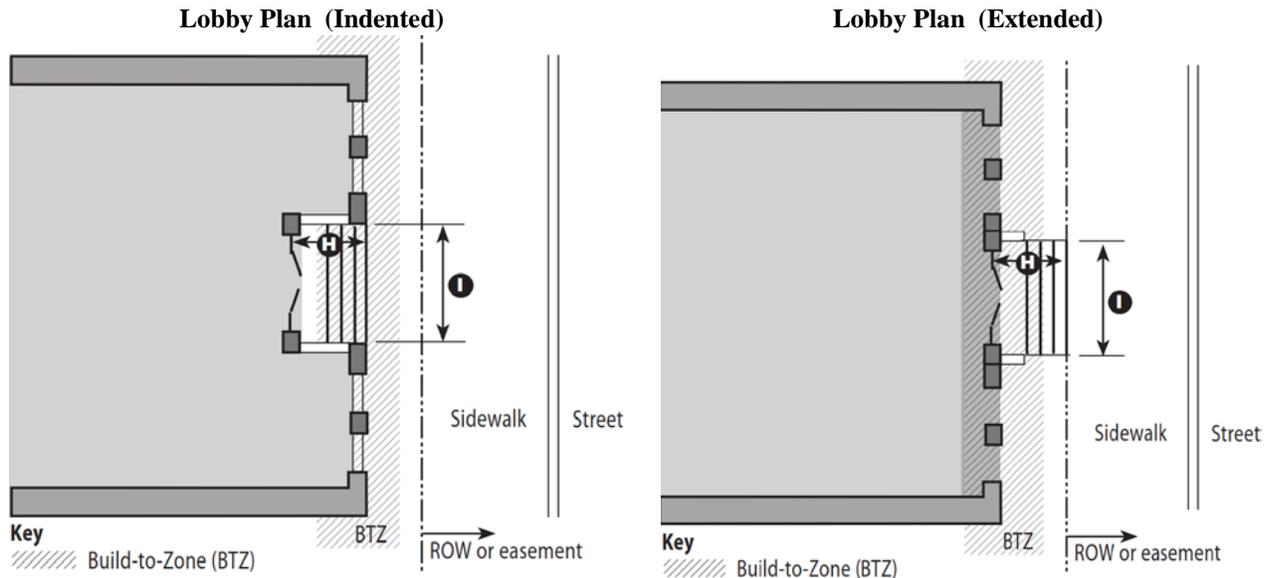


Setbacks	(see 45-31.E.1.a)
Build-to Zone	(see 45-31.E.1.b)
Build-to zone:	0' min., 10' max. D, E
Building Frontage Standards	(see 45-31.E.2)
Percentage:	60% min.
Building Height	(see 45-31.E.3)
Floor and Ceiling Height	(see 45-31.E.4)
Landscape Standards	(see 45-31.E.5)
Streetscape Standards	(see 45-31.E.6)
Canopy Dimensions	
Height:	10' min. clear G
Depth:	8' min. H
Cumulative width:	60% min. of building frontage I
Setback from curb:	2' min.; except 8' min. J along US Highway 1
Main Entrance	(see 45-31.F.1)
Façade Transparency	(see 45-31.F.2)
Ground story:	30% min.
Upper stories:	20% min.
Encroachments	(see 45-31.F.3)
Awnings	(see 45-31.F.4)
Balconies	(see 45-31.F.5)
Bay Windows	(see 45-31.F.6)
Parking Standards	(see 45-31.H)
Review Procedures	(see 45-31.I)

Exhibit 1 (C-A to C-MU)

Table 8 Building Frontage: LOBBY

Lobby frontages provide one or more prominent entrances to internal lobbies that are visible from the street and sidewalk.



Setbacks	(see 45-31.E.1.a)	
Build-to Zone	(see 45-31.E.1.b)	
Build-to zone:	5' min., 20' max.	D
Building Frontage Standards	(see 45-31.E.2)	
Percentage:	60% min.	
Building Height	(see 45-31.E.3)	
Floor and Ceiling Height	(see 45-31.E.4)	
Landscape Standards	(see 45-31.E.5)	
Streetscape Standards	(see 45-31.E.6)	
Dimensions of Lobby Entrances		
Depth:	10' min., 15' max.	H
Width:	10' min., 30' max.	I
Main Entrance	(see 45-31.F.1)	
Facade Transparency	(see 45-31.F.2)	
Ground story:	30% min.	
Upper stories:	20% min.	
Encroachments	(see 45-31.F.3)	
Awnings	(see 45-31.F.4)	
Balconies	(see 45-31.F.5)	
Bay Windows	(see 45-31.F.6)	
Parking Standards	(see 45-31.H)	
Review Procedures	(see 45-31.I)	

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Exhibit 1 (C-A to C-MU)

1 **E. Building Site area regulations- and bulk standards.**

2 **1. Setbacks and build-to zones.**

3 a. **Setbacks.** Minimum setbacks between buildings and side, rear,
4 and Local Street front lot lines are illustrated on Figure 5 and
5 established as follows:

6 i) **Side setbacks** (“A”) are 0 feet

7 ii) **Rear setbacks** (“B”) are 0 feet (measured from the new
8 easement for lots located along alleys).

9 iii) **Local Street front setbacks** (“C”) are 15 feet

10 b. **Build-to zone.** A build-to zone is specified for each frontage
11 type; see Tables 3 through 8. The build-to zone is parallel to the
12 street frontage and is measured from the front lot line, except
13 along US Highway 1 where it is measured from the new
14 sidewalk easement which is required by subsection 45-31.G.
15 Figure 5 shows build-to zones as “D” for mid-block lots and as
16 “E” for corner lots and lots facing new streets. A portion of a
17 building’s facade that faces that street frontage must be placed
18 within the specified build-to zone (see explanation in subsection
19 45-31.E.2).

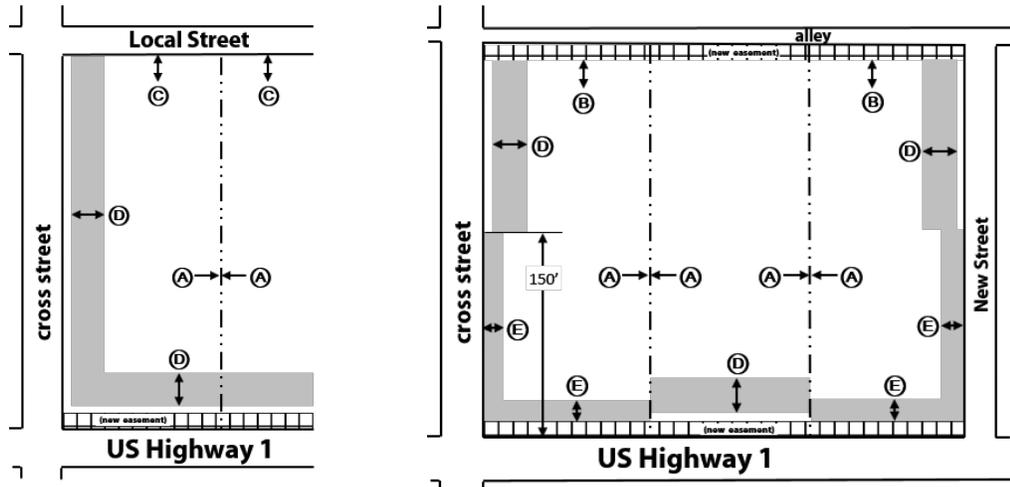
20 i) **For properties facing New Streets as defined in subsection**
21 **45-31.G, build-to zones (“D” and “E”) are measured from**
22 **the outer edges of the new sidewalks (see Figure 12).**

23 ii) **Allowable encroachments beyond the build-to zone are**
24 **specified in subsection 45-31.F.3.**

25 iii) **For properties facing Local Streets, the front setback (“C”)**
26 **shall be observed instead of the build-to zone.**

Exhibit 1 (C-A to C-MU)

Figure 5 Setbacks and Build-To Zones



1. *Minimum building lot size.* The minimum lot of building site area for each commercial building shall be sixteen thousand (16,000) square feet and have a width of not less than eighty (80) feet measured at the front and rear lot lines and at the front building line.
2. *Maximum lot coverage.* Main and accessory buildings shall cover no more than thirty five (35) percent of the total lot area.
3. *Minimum lot coverage.* No main and accessory buildings shall be constructed that would occupy less than ten (10) percent of the total lot area or two thousand (2,000) square feet, whichever is greater.

F. Yards.

1. *Front yards.* All buildings facing U.S. [Highway No.] 1 shall set back from the right of way to provide a front yard of not less than seventy (70) feet. All buildings shall [be] set back from the rights of way of streets which intersect with U.S. [Highway No.] 1 providing a yard of not less than twenty five (25) feet.
2. *Side yards.* All buildings less than twenty five (25) feet in height or two (2) stories in height shall [be] set back from side lot lines so as to provide side yards of not less than twenty (20) feet.
 All buildings three (3) stories in height shall [be] set back from side lot lines so as to provide side yards of not less than twenty five (25) feet.
 All buildings four (4) stories in height shall [be] set back from side lot lines so as to provide side yards of not less than thirty (30) feet.
3. *Rear yard.* All buildings less than twenty five (25) feet in height or two (2) stories in height shall be set back from the rear lot line so as to provide a rear yard of not less than thirty (30) feet.
 All buildings three (3) stories in height shall [be] set back from the rear lot line so as to provide a rear yard of not less than thirty five (35) feet.
 All buildings four (4) stories in height shall [be] set back from the rear lot line so as to provide a rear yard of not less than forty (40) feet.

Exhibit 1 (C-A to C-MU)

- 1 **2. Building frontage standards.** The portion of a new building's façade
2 that is located in the build-to zone is called the building frontage. The
3 width of the building frontage must comply with the building frontage
4 percentage standards for each building frontage type (see Tables 3
5 through 8).
- 6 a. Building frontage percentages are calculated by dividing the
7 width of a building or buildings lying within the build-to zone
8 (A) by the width of the lot along the same street frontage (B), as
9 shown in Figure 6.
- 10 b. Minimum building frontage percentages are specified for each
11 building frontage type in Tables 3 through 8.
- 12 i) If two building frontage types are used on a wide street
13 frontage, the specified percentages are measured for each type.
- 14 ii) When buildings are being added or expanded, waivers may be
15 requested in response to specific site limitations.
- 16 c. For certain architectural features described in this code, a portion
17 of a building's facade that lies outside the build-to zone may be
18 counted as building frontage. Examples are forecourts or lobby
19 entrances that comply with the standards in Tables 5 or 8.
- 20 d. For properties with multiple street frontages, see Figure 5.

Figure 6 Building Frontage Percentages

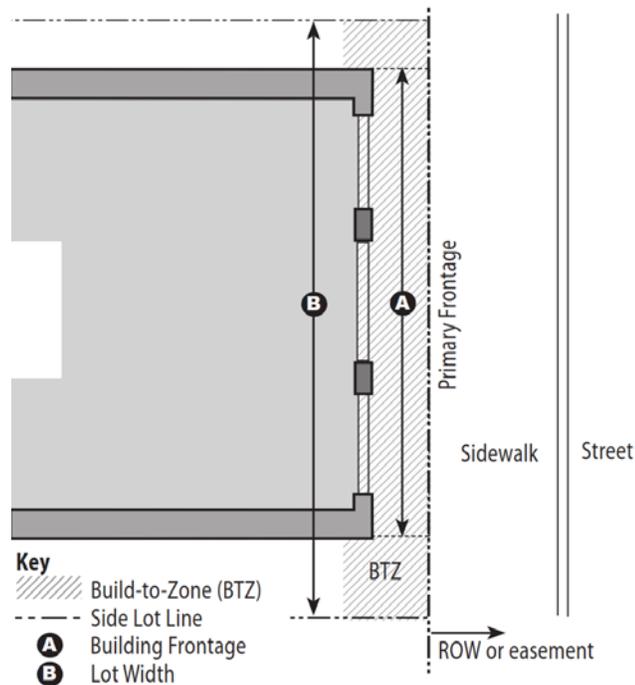


Exhibit 1 (C-A to C-MU)

- 1 **3. Density.** Residential density in the C-MU zoning district may not
2 exceed 24 units per acre. The acreage in this formula is the total area
3 enclosed by the lot lines of the site being developed, including existing
4 easements and including any land being dedicated for additional right-
5 of-way or easements. The residential density of a mixed-use
6 development in the C-MU zoning district shall be increased from 24 to
7 36 units per acre provided a development is consistent with the
8 workforce housing density bonus granted by Policy 1.B.2 in the
9 Comprehensive Plan.
- 10 **4. Building height.**
- 11 a. Buildings may be up to 4 stories tall in the C-MU zoning district,
12 except that:
- 13 i) Within 25 feet of the rear property line, no portion of a
14 building may exceed 2 stories.
- 15 ii) Within 50 feet of the rear property line, no portion of a
16 building may exceed 3 stories.
- 17 iii) The 25-foot and 50-foot restrictions are depicted on the
18 regulating plan.
- 19 iv) A waiver to allow 5 stories rather than 4 stories may be
20 requested on land north of Anchorage Drive North only.
- 21 b. For the purpose of calculating the number of stories in a
22 building, stories shall be defined as the space between finished
23 floor and finished ceiling, adjusted as follows:
- 24 i) Each level devoted to parking is considered as individual
25 story when calculating the number of stories in a building,
26 except where parking levels are screened by other rooms in
27 the same building or screened by a liner building that is at
28 least two stories tall with rooms at least 20 feet deep.
- 29 ii) When parking levels are constructed on a slope or are
30 connected by sloping or circular ramps, the number of
31 stories will be based on the non-sloped area. If there are no
32 non-sloped areas, the number of stories will be counted as
33 the highest parking level plus each parking level below.
- 34 iii) A mezzanine will not count towards the number of stories
35 provided that the total area of mezzanine level is less than
36 40 percent of the floor area of the main story below.
- 37 iv) Buildings may include a partial story above the maximum
38 number of stories otherwise allowed provided the floor area
39 of the partial story is less than 30% of the floor area of the
40 story below. Developers are encouraged to utilize this
41 allowance on portions of buildings that are closest to street
42 intersections and for architectural features such as towers or
43 cupolas.

Exhibit 1 (C-A to C-MU)

1 v) Rooftop gardens, pools, restaurants or cocktail lounges are
2 permitted. All rooftop facilities shall be sufficiently
3 screened from the street and adjacent properties. Adequate
4 trees, shrubs, or greenspace shall be provided on any active
5 rooftop facility. Only portions of the rooftop that are
6 enclosed will count as a partial building story. A waiver
7 may be granted to allow a rooftop restaurant or cocktail
8 lounge to exceed the 30% partial story allowance in 45-31
9 (4) (b) (iv).

10 c. The maximum height of a building in feet is controlled by the
11 maximum ceiling heights for individual stories, as provided in
12 subsection 45-31.E.5.

13 ~~D. Building height regulations. No building or structure shall~~
14 ~~exceed four (4) stories or forty four (44) feet. Elevator towers~~
15 ~~and mechanical apparatus are not restricted to the forty four foot~~
16 ~~limit.5.~~

Floor and ceiling height.

18 a. This code provides standards for the elevation of certain ground-
19 story floors and minimum/maximum dimensions for ceiling
20 heights. Figure 7 and Table 9 illustrate how these standards are
21 measured:

22 (i) Floor elevations are measured from the existing or
23 anticipated sidewalk to the top of the finished floor of the
24 ground story.

25 (ii) Ceiling heights are measured from the top of the finished
26 floor to the underside of the tallest finished ceiling of each
27 story; see exceptions in subsection b.

Exhibit 1 (C-A to C-MU)

Figure 7 Floor and Ceiling Measurements

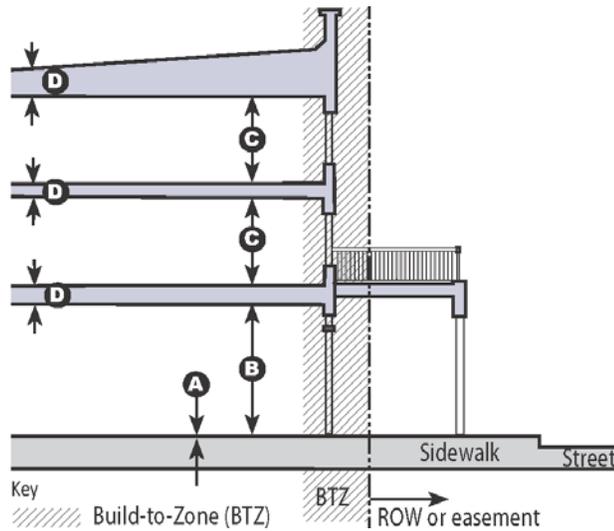


Table 9 Floor and Ceiling Standards

	<u>Min.</u>	<u>Max.</u>	<u>Key</u>
<u>Elevation of ground-story floor above sidewalk:</u>			
Storefront only	no min.	0.5'	<u>A</u>
Stoop only	3'	no max.	<u>A</u>
All other building frontage types	no min.	no max.	<u>A</u>
<u>Height of ground-story ceiling:</u>			
Storefront only	12'	16'	<u>B</u>
All other building frontage types	9'	14'	<u>B</u>
<u>Height of upper-story ceilings:</u>			
	9'	12'	<u>C</u>
<u>Space between ceiling and floor above</u>			
	no min.	4'	<u>D</u>

- b. **Ceiling height exceptions.** The minimum and maximum ceiling height standards in Table 9 do not apply in the following circumstances:
- i) A story in or under a building that is devoted to parking is counted as a story when calculating the number of stories in a building, but does not need to comply with the minimum or maximum ceiling heights in Table 9.
 - ii) When the total area of mezzanine level is less than 40 percent of the floor area of the story below, the mezzanine

Exhibit 1 (C-A to C-MU)

1 level does not need to comply with the minimum ceiling
2 heights in Table 9.

- 3 iii) Individual rooms without finished ceilings, such as utility
4 or storage rooms, do not need to comply with the minimum
5 or maximum ceiling heights in Table 9 provided that the
6 remainder of that story complies with the minimum and
7 maximum heights.

8 **6. Landscape standards.**

- 9 a. **Landscaping required.** Landscaping shall be required in the
10 following areas as required by the village's landscaping
11 requirements:

- 12 i) Miscellaneous landscape elements, as required in section
13 45-88;
14 ii) Off-street parking lots, as required in section 45-89;
15 iii) Site perimeters, as required in section 45-90; and
16 iv) Base of foundation, as required by section 45-91.

- 17 b. **Special requirements for C-MU zoning district.** The village's
18 landscaping requirements contain certain special requirements
19 for the C-MU zoning district:

- 20 i) Section 45-90 requires minimum buffer widths for site
21 perimeters.
22 ▪ These buffer widths do not apply in front of buildings
23 that meet the standards for a gallery, storefront, or
24 canopy building frontage type. See Table 45-90.
25 ▪ Along US Highway 1, buffer strips in front yards may
26 not be planted on a sidewalk easement. See section 45-
27 34.1.G.
28 ii) Section 45-91 requires landscaped areas around the base of
29 foundations. This requirement does not apply in front of
30 buildings that meet the standards for a gallery, storefront,
31 or canopy building frontage type.

- 32 **F. Architectural features.** Requirements are provided below
33 for the location of a building's main entrance and the
34 percentage of transparent openings on its façade.
35 Allowances are then provided for certain architectural
36 elements that may encroach into setbacks and build-to
37 zones and in some cases over rights-of-way.

38 **1. Main entrance.**

- 39 a. A building's main entrance is its principal point of access for
40 pedestrians. All buildings must have their main entrance facing a

Exhibit 1 (C-A to C-MU)

1 street frontage, or a courtyard or forecourt that is entered from a
2 street frontage. Additional entrances are encouraged.

3 b. Buildings fronting on two streets must have a pedestrian entrance
4 on both streets.

5 c. Additional rules for storefront doors are provided in Table 4.

6 **2. Façade transparency.**

7 a. Transparency means the amount of transparent window glass or
8 other openings in a building's facade along a street frontage,
9 relative to the overall surface area of the façade. This ratio is
10 expressed as a percentage and is calculated separately for the
11 ground story of a façade and for each upper story.

12 b. Building façades along a street frontage must meet the minimum
13 façade transparency requirements in Table 10 to provide natural
14 surveillance of sidewalks and streets, to provide interior daylight,
15 and to allow clear views into storefronts.

16 c. Façade transparency percentages are calculated for the area
17 between the finished floor and finished ceiling of each story
18 along each street frontage; see Figure 8. For the purposes of
19 these measurements:

20 i) Glazed windows and doors with tinted glass or applied
21 films will be considered transparent if they transmit at least
22 50% of visible daylight.

23 ii) The transparent area of windows and doors includes rails
24 and stiles as well as muntin bars and other separators within
25 primarily glazed areas; but the transparent area excludes
26 outer solid areas such as jambs, sills, and trim.

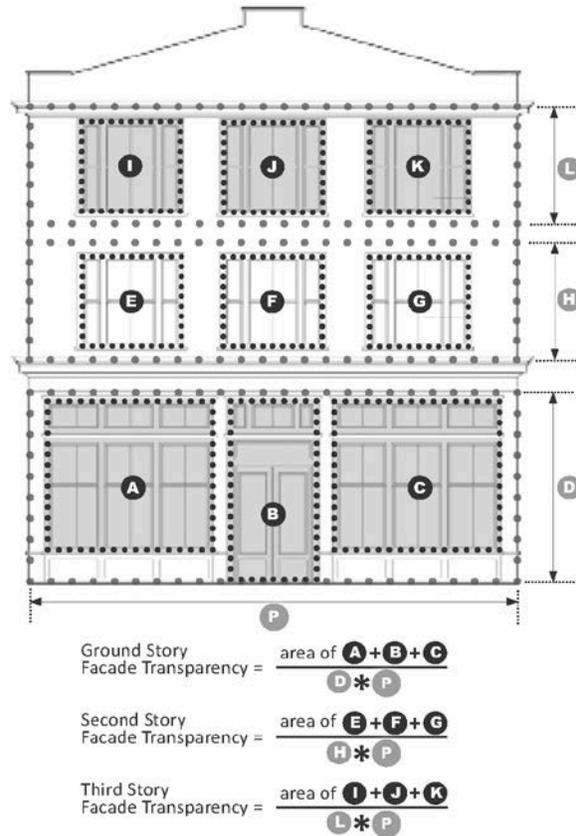
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Exhibit 1 (C-A to C-MU)

Table 10
Facade Transparency Percentages

<u>Building Frontage</u>	<u>Ground Story</u>	<u>Each Upper Story</u>
<u>Gallery</u>	<u>30% min.</u>	<u>20% min.</u>
<u>Storefront</u>	<u>70% min.</u>	<u>40% min.</u>
<u>Forecourt</u>	<u>30% min.</u>	<u>20% min.</u>
<u>Stoop</u>	<u>20% min.</u>	<u>20% min.</u>
<u>Canopy</u>	<u>30% min.</u>	<u>20% min.</u>
<u>Lobby</u>	<u>30% min.</u>	<u>20% min.</u>

Figure 8
Calculating Facade Transparency



1 **3. Encroachments.** Many architectural elements described in
 2 subsections 45-31.D and 45-31.F may project beyond the closest point
 3 to a property line where an exterior wall may be constructed. Table 11
 4 identifies the allowable projections; the key column refers to Figure 5.

5 a. **On private property.** These elements may project into side or
 6 rear setbacks and project forward beyond the build-to zone
 7 including onto sidewalk easements to the extent permitted by
 8 Table 11 provided this code's requirements for each element are
 9 met.

10 b. **On public property.** Some of these elements may also extend
 11 horizontally over a public right-of-way in accordance with those
 12 regulations to the extent permitted by Table 11 provided this
 13 code's requirements for each element are met in addition to these
 14 general requirements:

- 15 i) Must maintain at least 10' of vertical clearance.
- 16 ii) Must meet any insurance or liability requirements
 17 established by the Village Attorney.

Exhibit 1 (C-A to C-MU)

1 iii) Must obtain prior approval from the responsible entity for
 2 any encroachment over a right-of-way not maintained by
 3 the village, such as US Highway 1.

4 c. Sidewalk cafes with outdoor table service may be provided on
 5 public sidewalks when in compliance with all village codes.

Table 11 Encroachments

	<u>Dimension</u>	<u>Key</u>
<u>Side (interior)</u> (all features)	<u>4' max. into side setback</u>	<u>A</u>
<u>Rear</u> (all features)	<u>4' max. into rear setback</u>	<u>B</u>
<u>Front</u> (on private property facing a local street))	<u>4' max. into front setback</u>	<u>C</u>
<u>Front</u> (on private property facing all other streets)	<u>no max. on private property</u>	<u>D, E</u>
<u>Front</u> (on public property facing all other streets):		
<u>Gallery</u> (Table 3)	<u>up to 2' from curb; except up to 8' from curb along US Highway 1</u>	<u>D, E</u>
<u>Storefront cover</u> (Table 4)	<u>up to 2' from curb; except up to 8' from curb along US Highway 1</u>	<u>D, E</u>
<u>Forecourt</u> (Table 5)	<u>no encroachment allowed</u>	<u>D, E</u>
<u>Stoop</u> (Table 6)	<u>no encroachment allowed</u>	<u>D, E</u>
<u>Canopy</u> (Table 7)	<u>up to 2' from curb; except up to 8' from curb along US Highway 1</u>	<u>D, E</u>
<u>Lobby</u> (Table 8)	<u>no encroachment allowed</u>	<u>D, E</u>
<u>Awning</u> (45-31.F.4)	<u>up to 2' from curb; except up to 8' from curb along US Highway 1</u>	<u>D, E</u>
<u>Balcony</u> (45-31.F.5)	<u>up to 2' from curb; except up to 8' from curb along US Highway 1</u>	<u>D, E</u>
<u>Bay window</u> (45-31.F.6)	<u>up to 2' from curb (upper stories only); except up to 8' from curb along US Highway 1</u>	<u>D, E</u>

6 **4. Awnings.**

7 a. An awning is a flexible cover that projects outward from a
 8 building's exterior wall to shield a window, door, sidewalk, or
 9 other space below from the elements.

10 b. To encourage the construction of awnings, awnings are allowed
 11 to project horizontally beyond the closest point to a property line

Exhibit 1 (C-A to C-MU)

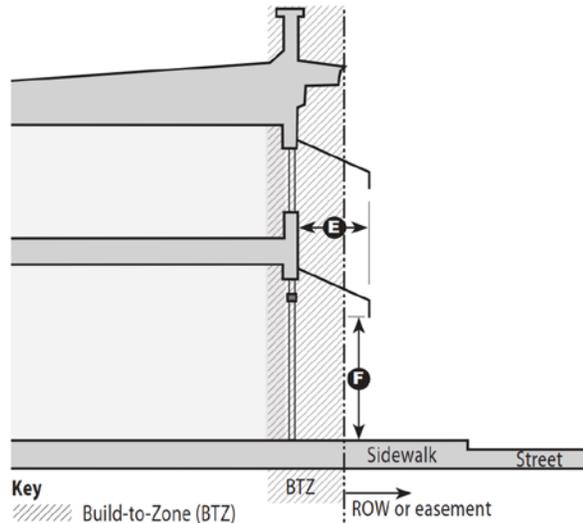
1 where an exterior wall may be constructed, including over a
 2 public right-of-way. See subsection 45-31.F.3 for allowances and
 3 limitations on such encroachments. To qualify for these
 4 encroachments, the awning must meet the following
 5 requirements:

- 6 i) The depth of the awning from the face of the building must
 7 be at least 4 feet.
- 8 ii) The height of the awning from the sidewalk to the
 9 underside of the awning must be at least 10 feet.
- 10 iii) High-gloss or plasticized fabrics may not be used.
- 11 iv) Awnings may not be back-lit.

Table 12 Awning Dimensions

<u>Dimension</u>	<u>Key</u>
<u>Depth</u>	<u>4' min.</u>
<u>Height</u>	<u>10' min. clear</u>

Figure 9 Awning



13 **5. Balconies.**

- 14 a. A balcony is an unenclosed private open space that typically
 15 projects outward from a building's exterior wall.
- 16 b. To encourage the construction of balconies, balconies are
 17 allowed to project horizontally beyond the closest point to a
 18 property line where an exterior wall may be constructed.
 19 Balconies in upper stories may also project horizontally over a
 20 public right-of-way. See subsection 45-31.F.3 for allowances and

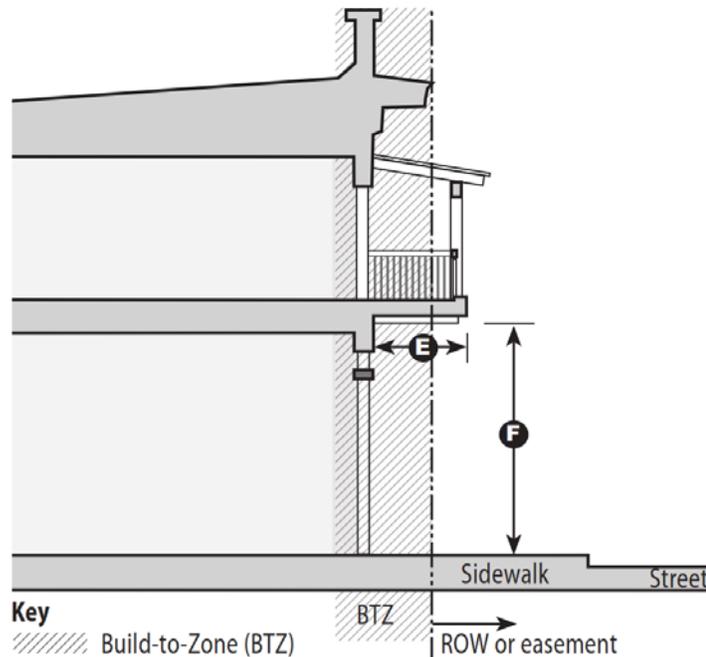
Exhibit 1 (C-A to C-MU)

1 limitations on such encroachments. To qualify for these
 2 encroachments, the balcony must meet the requirements in Table
 3 13.

Table 13 Balcony Dimensions

<u>Dimension</u>	<u>Key</u>
<u>Depth</u>	<u>4' min.</u>
<u>Height</u>	<u>10' min. clear</u>

Figure 10 Balcony



5
 6 **6. Bay windows.**

- 7 a. A bay window creates interior space that projects outward from a
 8 building's exterior wall.
- 9 b. To encourage the construction of bay windows, bay windows are
 10 allowed to project horizontally beyond the closest point to a
 11 property line where an exterior wall may be constructed. Bay
 12 windows in upper stories may also project horizontally over a
 13 public right-of-way. See subsection 45-31.F.3 for allowances and
 14 limitations on such encroachments. To qualify for these
 15 encroachments, the balcony must meet the requirements in Table
 16 14.

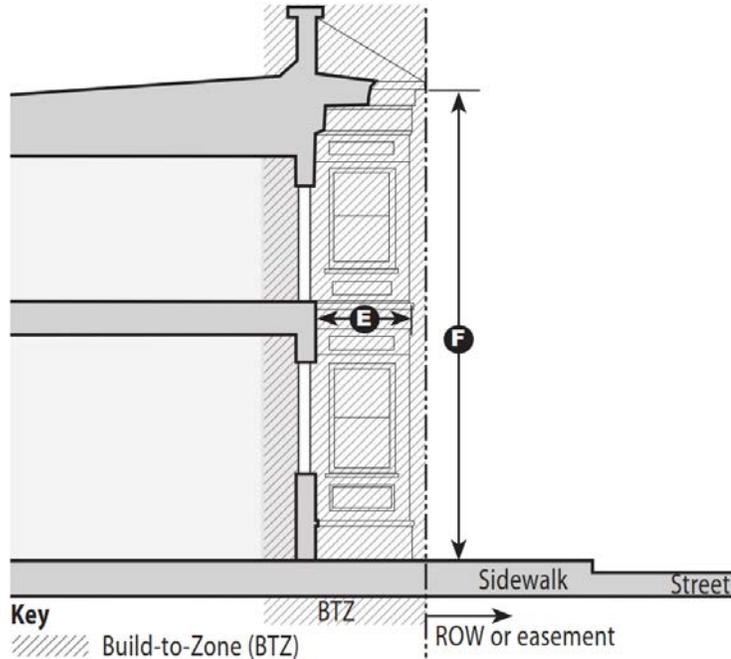
Exhibit 1 (C-A to C-MU)

Table 14 Bay Window Dimensions

<u>Dimension</u>	<u>Key</u>
<u>Depth</u>	4' min. <u>E</u>
<u>Height</u>	2 stories max. <u>F</u>

1

Figure 11 Bay Window



2 **G.** **Street, alley, and easement standards.**

3 **1.** **New streets.** Landowners may choose to construct a new street
 4 between US Highway 1 and the alley in the areas designated on the
 5 regulating plan. The following standards apply to any such new
 6 streets:

7 **a.** **Cross-section.** New streets shall be designed in accordance with
 8 Figure 12 and constructed by the developer concurrently with the
 9 development.

10

11

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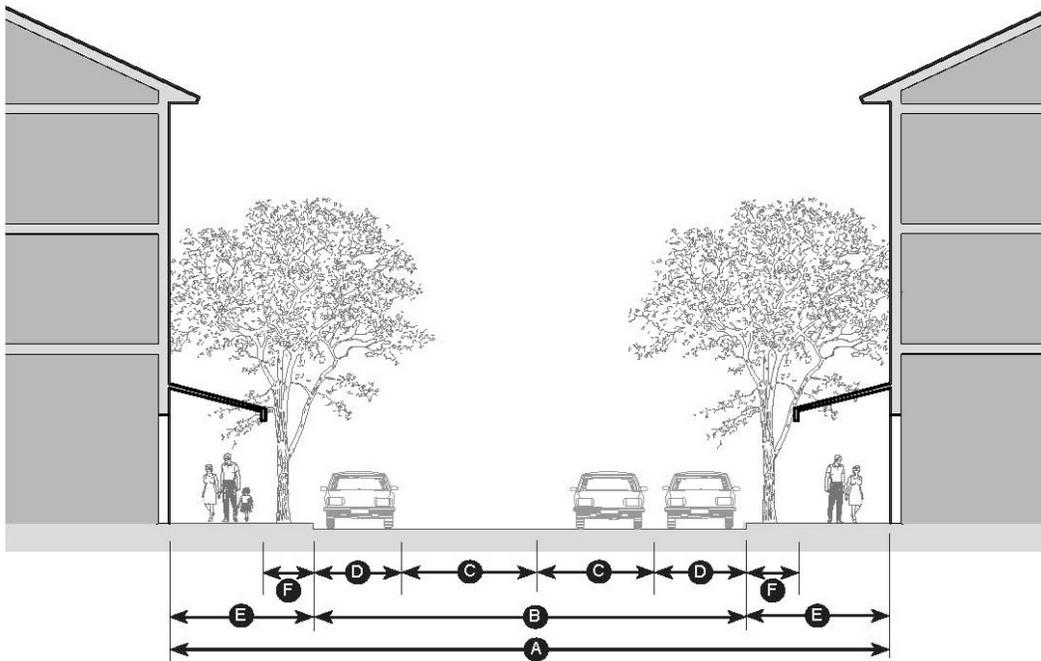
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Exhibit 1 (C-A to C-MU)

1
2
3
4

Figure 12



<u>Description:</u>	<u>Details:</u>	<u>Key:</u>
<u>Width of right-of-way</u>	<u>60'</u>	<u>A</u>
<u>Movement type</u>	<u>Slow</u>	
<u>Target speed</u>	<u>25 mph</u>	
<u>Width of pavement</u>	<u>36'</u>	<u>B</u>
<u>Travel lanes</u>	<u>10' travel lanes</u>	<u>C</u>
<u>Bicycle facilities</u>	<u>shared travel lanes</u>	<u>C</u>
<u>On-street parking</u>	<u>8' parallel parking</u>	<u>D</u>
<u>Pedestrian facilities</u>	<u>12' sidewalks</u>	<u>E</u>
<u>Furnishing strip:</u>		<u>F</u>
<u>Planter type</u>	<u>5' by 5' tree grates</u>	
<u>Tree spacing</u>	<u>30' average</u>	

5

Exhibit 1 (C-A to C-MU)

1 b. **Other design and construction standards.** On subjects where Figure 12 does not
2 provide design guidance, for instance driveway widths and curb radii at intersections,
3 design shall be in accordance with NACTO's *Urban Street Design Guide*.

- 4 i) Pavement, subgrade, drainage, and utilities must meet
5 construction specifications of the Village of North Palm
6 Beach.
- 7 ii) The construction specifications for sidewalks in section 24-
8 43 apply along new streets.
- 9 iii) Street trees must be planted and maintained on both sides
10 of new streets.
- 11 iv) Where an Applicant demonstrates that an alternative street
12 design achieves a better outcome, waivers may be granted
13 from specific standards in Figure 12.

14 c. **Ownership and maintenance.** New streets shall be owned and
15 maintained privately unless another entity acceptable to the
16 Village of North Palm Beach accepts this responsibility.
17 Irrespective of ownership and maintenance, landowners must
18 guarantee perpetual public access to new streets in a form
19 suitable to the Village Attorney.

20 d. **Build-to zones.** Build-to zones for buildings facing a new street
21 will be determined in accordance with subsection 45-31.E.1
22 irrespective of the new street's ownership.

23 e. **Building frontage standards.** Building frontage standards for
24 buildings facing a new street will be determined in accordance
25 with subsection 45-31.E.2.

26 2. **Existing alleys.** The C-MU district is served by alleys on both sides of
27 US Highway 1 that are essential for general circulation and for access
28 for services. To protect and enhance these functions, the following
29 standards apply during the development process to all properties that
30 abut an existing alley:

31 a. **A 7-foot perpetual transportation and utility easement must be**
32 dedicated to the village along the alley, in a form acceptable to
33 the Village Attorney.

34 b. **Setbacks for buildings along alleys are specified in subsection**
35 45-31.E.1.

36 c. **Setbacks for surface parking along alleys are specified in Table**
37 15 (subsection 45-31.H).

38 d. **The 5-foot landscaped strip required by section 45-90 must be**
39 planted and maintained adjoining the new easement.

Exhibit 1 (C-A to C-MU)

- 1 e. Refuse containers and other service or utility equipment must
 2 meet the same setbacks as for surface parking. Refuse container
 3 areas must be screened in accordance with section 45-88.
- 4 **3. Sidewalk easements.** All properties in the C-MU district abut US
 5 Highway 1, a regional highway that also serves local travelers in
 6 vehicles, on foot or bike, or using public transit. To enhance non-
 7 vehicular travel along this corridor, the following standards apply
 8 during the development process:
- 9 a. A 7-foot perpetual sidewalk easement must be dedicated to the
 10 village along the US Highway 1 frontage, in a form acceptable to
 11 the Village Attorney.
- 12 b. This easement must be paved at the time of development to the
 13 same elevation as the adjoining sidewalk in accordance with the
 14 construction specifications in section 24-43.
- 15 c. The landscape strip required by section 45-90 must be planted
 16 and maintained on the remainder of the property beyond the
 17 sidewalk easement, except that no trees are required in this
 18 strip. ~~H. Off-street Parking standards. and loading~~
 19 ~~regulations.~~
- 20 **1. Location of parking lots.** Surface parking lots must be set back from
 21 streets at least the distances provided in Table 15, as illustrated in
 22 Figure 13.

Figure 13 Setbacks for Surface Parking Lots

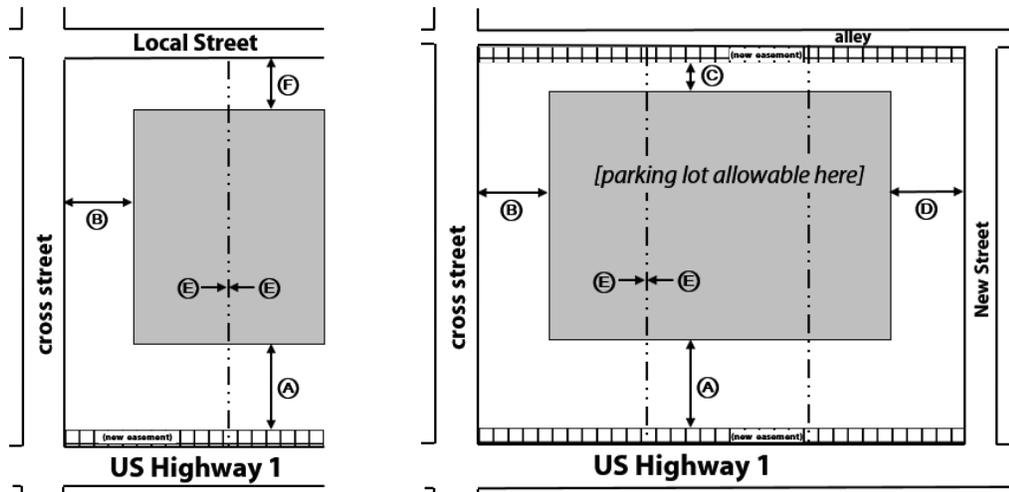


Exhibit 1 (C-A to C-MU)

Table 15 Setbacks for Surface Parking Lots

<u>Parking lot setback, US Highway 1</u>	<u>50' min.</u>	<u>A</u>
<u>Parking lot setback, cross street</u>	<u>30' min.</u>	<u>B</u>
<u>Parking lot setback, alley</u>	<u>5' min.</u>	<u>C</u>
<u>Parking lot setback, New Street</u>	<u>30' min.</u>	<u>D</u>
<u>Parking lot setback, side lot lines</u>	<u>0' min.</u>	<u>E</u>
<u>Parking lot setback, Local Street</u>	<u>30' min.</u>	<u>F</u>

1. ~~Off street parking shall be either on the same lot or within two hundred (200) feet of the building it is intended to serve measured from the nearest point of the building to the nearest point of the off street parking lot, without crossing any major thoroughfare.~~
 2. ~~Any area once designated as required off street parking shall not be changed to any other use unless and until equal facilities are provided elsewhere.~~
 3. ~~Off street parking existing at the effective date of these regulations in connection with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required for a similar new building or use.~~
 4. ~~Two (2) or more buildings or uses may collectively provide the required off street parking, in which case the required number of parking spaces shall be not less than the sum of the requirements for the several individual uses computed separately.~~
 5. ~~The required off street parking shall be for occupants, employees, visitors, patrons and shall be limited in use to motor vehicles. The storage of merchandise, motor vehicles for sale, or the repair of vehicles is prohibited.~~
2. **Parking space ratios.** Properties will retain the existing parking ratios as of the date of adoption of the CMU District, which are listed in Table 16 B. In order for properties to be granted the mixed-use district parking ratios listed in 16A, a property must be made considerably closer to the CMU requirements adopted in 2020, as outlined in Section 45-64 (4), or be an entirely new development. The ratios listed in Tables 16A and 16B establish the minimum number of on-site parking spaces unless adjusted as provided in subsection 3. Ratios based on square feet refer to the gross floor area.

Table 16.A Parking Space Ratios

<u>PROPOSED USE</u>	<u>PARKING SPACE RATIO</u>
RESIDENTIAL USES	
<u>Mobile home park</u>	<u>(not permitted)</u>
<u>Dwelling, one family detached</u>	<u>(not permitted)</u>
<u>Dwelling, all other dwelling types</u>	<u>1.25 per unit</u>
<u>Live/work unit</u>	<u>1 per 1,000 sq. feet</u>
<u>Assisted living facility</u>	<u>0.5 per resident</u>
<u>Community residential home</u>	<u>0.5 per resident</u>
LODGING USES	
<u>Bed-and-breakfast establishment</u>	<u>1 per guest room</u>

Exhibit 1 (C-A to C-MU)

<u>Hotel</u> ¹	<u>1 per guest room</u>
<u>Motel</u>	<u>1 per guest room</u>
<u>Time-share unit</u>	<u>1.25 per unit</u>
BUSINESS USES	
<u>Offices, general</u>	<u>2 per 1,000 sq. feet</u>
<u>Office or clinic, medical or dental</u>	<u>3 per 1,000 sq. feet</u>
<u>Stores & services, general</u>	<u>2 per 1,000 sq. feet</u>
<u>Stores & services, large format</u>	<u>3 per 1,000 sq. feet</u>
<u>Adult entertainment</u>	<u>(not permitted)</u>
<u>Convenience store with fuel</u>	<u>5 per 1,000 sq. feet</u>
<u>Dog daycare</u>	<u>3 per 1,000 sq. feet</u>
<u>Drive-through facility (for any use)</u>	<u>---</u>
<u>Garage, parking</u>	<u>---</u>
<u>Heavy commercial and light industrial:</u>	<u>(not permitted)</u>
<u>Contractor and trade operation</u>	<u>(not permitted)</u>
<u>Vehicle sales or repair</u>	<u>(not permitted)</u>
<u>All other</u>	<u>(not permitted)</u>
<u>Medical marijuana treatment center</u>	<u>(not permitted)</u>
<u>Restaurant or cocktail lounge</u>	<u>10 per 1,000 sq. feet</u>
<u>Telecommunications antennas</u>	<u>---</u>
CIVIC & EDUCATION USES	
<u>Child care facility</u> ²	<u>1 per 12 students</u>
<u>Church or place of assembly</u>	<u>1 per 4 peak attendees</u>
<u>Civic space</u>	<u>---</u>
<u>Family day care</u>	<u>(no additional parking)</u>
<u>Government building</u>	<u>2 per 1,000 sq. feet</u>
<u>Hospital or medical center</u>	<u>(not permitted)</u>
<u>Public space</u>	<u>---</u>
<u>School, public or private</u>	<u>1 per 12 students</u>

¹ Hotels with banquet or conference facilities, restaurants, or bars that are open to the public shall provide a parking demand study and provide sufficient spaces for visitors and employees.

² A sufficient loading zone shall be provided to accommodate peak drop off and pick up

Table 16.B Parking Spaces Required

<u>Uses</u>	<u>Parking Spaces Required</u>
<u>Banks; business or professional offices</u> excluding doctors and dentists	<u>One (1) per three hundred (300) square feet of usable floor area, plus one (1) per each three (3) employees</u>
<u>Barbershop or beauty shop</u>	<u>Two (2) per barber or three (3) per beautician based on the design capacity of the structure</u>
<u>Churches</u>	<u>One (1) per four (4) seats; or one (1) per thirty (30) square feet of usable floor area of auditorium, whichever is greater</u>

Exhibit 1 (C-A to C-MU)

<u>Country club</u>	One (1) per five (5) members
<u>Restaurants and cocktail lounges</u> where food and drink may be consumed on the premises only and where eating and serving areas are entirely contained within the building, not including drive-in hamburger, ice cream, soft drink, or other drive-in and/or carry-out eating establishments	One (1) space for each seventy-five (75) square feet of area devoted to patron use, or one (1) space per three (3) fixed seats, whichever is the greater, plus one (1) space for each one and one-half (1½) projected employees who would be actually working during peak employment hours.
<u>Hotels, motels and tourist courts</u>	Three (3) spaces, plus an additional space for each guest bedroom, plus an additional space for each fifteen (15) rooms or portions thereof. For example, a fifteen-room motel would need nineteen (19) parking spaces
<u>Marina</u>	Two (2) for each three (3) boat mooring or storage space, boat for rent, as based on the design capacity of the facility. If public boat launching facilities are provided, the parking spaces shall be increased fifty (50) percent of that number as computed above
<u>Medical and dental clinics; doctors and dentists offices</u>	One (1) space for each one hundred fifty (150) square feet of floor area up to three thousand (3,000); one (1) additional space for each additional two hundred (200) square feet up to five thousand (5,000); one (1) additional space for each additional two hundred fifty (250) square feet over five thousand (5,000)
<u>Mortuaries or funeral parlors</u>	Five (5) spaces per parlor or chapel unit; or one (1) per four (4) seats, whichever is greater
<u>Private clubs, lodge or union headquarters</u>	One (1) per three (3) members based on the maximum design capacity of the facility
<u>Retail stores and personal service establishments</u> except as otherwise specified herein	One (1) per two hundred (200) square feet of retail floor space
<u>Shopping centers</u> containing five (5) or more stores, or fifteen thousand (15,000) square feet of building	There shall be a ratio of four (4) square feet of parking (including driveways required for ingress and egress and circulation) to each one (1) square foot of retail floor space
<u>Time shares</u>	Off-street parking regulations. For each time-share unit structure, there shall be provided two (2) or more parking spaces measuring at least nine (9) feet by eighteen (18) feet (one hundred sixty-two (162) square feet) each, in accordance with the following formula: Two (2) such spaces shall be provided for each dwelling unit containing not more than two (2) bedrooms, and two and one-half (2½) of such spaces shall be provided for each dwelling unit containing three (3) or more bedrooms, with the provision that for an uneven number of units, the fractional space result produced by the application of such formula shall count as a full space; provided, however, that in multiple-family dwellings containing more than thirty (30) dwellings units, for each dwelling units in excess of thirty (30) units and up to sixty (60) units one (1) such space shall be provided for each dwelling unit containing not more than two (2) bedrooms, and for each dwelling unit in excess of sixty

Exhibit 1 (C-A to C-MU)

	<u>(60) dwelling units one and one-half (1½) such spaces shall be provided for each dwelling unit containing not more than two (2) bedrooms, and two and one-half (2½) of such spaces shall be provided for each dwelling unit containing three (3) or more bedrooms, with the provision that for an uneven number of units, the fractional space result produced by the application of such formula shall count as a full space (For examples: Thirty (30) dwellings units containing two (2) bedrooms each shall require sixty (60) off-street parking spaces; sixty (60) dwelling units containing two (2) bedrooms each shall require ninety (90) off-street parking spaces; and ninety (90) dwelling units containing two (2) bedrooms each shall require one hundred thirty-five (135) off-street parking spaces).</u>
<u>Auditoriums and places of assembly without fixed seats</u>	<u>One (1) per three (3) people based on the maximum design capacity of the structure</u>
<u>Veterinary establishments</u>	<u>Five (5) spaces per veterinarian based on the maximum design capacity of the facility or five (5) spaces for every four hundred (400) square feet of usable floor space, whichever is greater</u>

1

2 **3. Parking space adjustments.** The number of on-site parking spaces calculated
 3 using Table 16a shall be adjusted under any one or more of the following circumstances:

- 4 a. Mixed-use developments qualify for the shared-parking
 5 percentage reductions specified in Figure 14 provided the
 6 development includes at least 10% of its gross floor area in a
 7 second category on Figure 14 (residential, lodging, office,
 8 business, and civic/education uses).
- 9 b. Each on-street parking space provided by the developer within ¼
 10 mile of the on-site parking area will be counted as 2 required
 11 parking spaces.
- 12 c. No on-site parking spaces are required for an office, business, or
 13 civic/education use that occupies less than 1,500 square feet (up
 14 to three such uses per acre).
- 15 d.. Up to half of the required spaces may be located up to 500 feet
 16 off-site in a dedicated or joint-use parking lot provided that
 17 permission to use those spaces is specified in a binding
 18 agreement that is reviewed and approved during the site plan and
 19 appearance review process.
- 20 e. Restaurants may count each boat slip that is available to the
 21 public as one parking space.
- 22 f. Golf cart parking spaces may be counted as one space, provided
 23 they meet the minimum dimensions of 5 feet wide by 10 feet

Exhibit 1 (C-A to C-MU)

1 long. Up to 10 percent of a development's required parking
2 spaces be met by golf cart parking spaces.

3 f. The required number of on-site parking spaces may also be
4 reduced through the waiver process (see section 45-51) or may
5 be increased by a special condition applied during the site plan
6 and appearance review process (see sections 6-30–6-60).

7 g. A deferred parking plan may be approved by the Village if a
8 parking study is provided that demonstrates the need for
9 parking is less than what is required by code, or the owner has
10 demonstrated that an alternative means of access to the uses on
11 the site justifies the deferral of the construction of a portion of
12 the required parking spaces. The deferred parking plan shall:

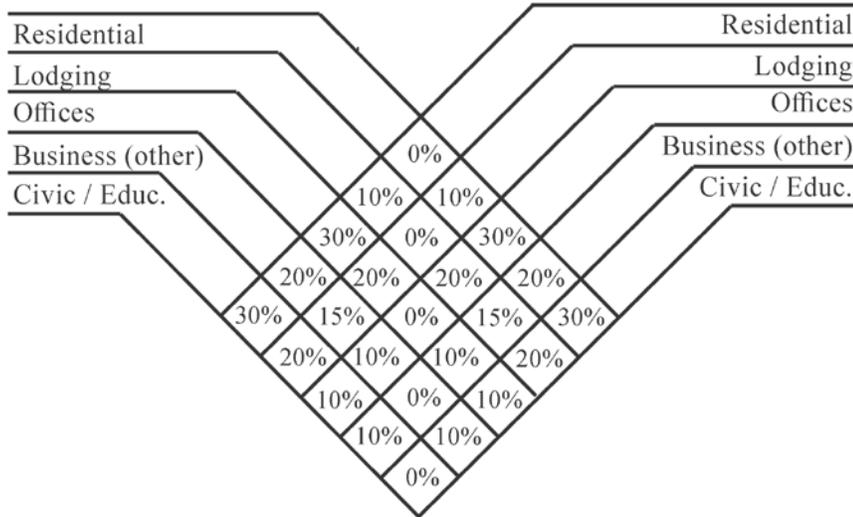
13 a. Be designed to contain sufficient space to meet the full
14 parking requirements of the Code. The plan shall illustrate
15 the layout for the full number of parking spaces, and shall
16 designate which parking spaces are to be deferred.

17 b. Be designed so that the deferred parking spaces are not
18 located in areas required for landscaping, buffer zones, or
19 areas that would otherwise be unsuitable for parking spaces
20 because of the physical characteristics of the land or other
21 requirements of this Code.

Exhibit 1 (C-A to C-MU)

4. Physical standards for parking lots, driveways, and loading.

Figure 14 Shared Parking Reductions



a. Physical standards for parking lots, driveways, and loading are provided in subsection 45-36.J.

H. ~~Off street parking lot layout, construction and maintenance. Whenever the required off-street parking requires the building of a parking lot, and wherever a parking lot is built, such parking lot shall be laid out, constructed and maintained in accordance with the following regulations:~~

- ~~1.— Each parking space shall measure at least nine (9) feet by eighteen (18) feet (one hundred sixty two (162) square feet) and shall be a definitely designated and marked stall adequate for one (1) motor vehicle.~~
- ~~2.— All areas devoted to permanent off-street parking as required under this section shall be built in accordance with specifications for streets and parking of the Village of North Palm Beach and maintained in such manner that no dust will result from continuous use.~~
- ~~3.— The parking lot shall be drained to eliminate surface water.~~
- ~~4.— Where parking lot abuts a residential district which has common frontage in the same block with the parking lot, there shall be established a setback line of twenty five (25) feet from the street lot line for the first twenty five (25) feet from the residential zone.~~
- ~~5.— Plans for the layout of a parking lot must be approved by the village engineer based on design standards approved by the Institute of Traffic Engineers.~~
- ~~6.— The parking lot shall not have access from a more restrictive zoning district.~~

Exhibit 1 (C-A to C-MU)

1 7. ~~No parking shall be permitted in the first ten (10) feet of the required~~
2 ~~front yard depth, measured from the front property line or the first ten~~
3 ~~(10) feet of a side or rear yard when the side or rear yard abuts a~~
4 ~~residential zoning district, except as modified in paragraph 4 above.~~
5 ~~The restriction against parking in the first ten (10) feet of the required~~
6 ~~front yard depth measured from the front property line shall not apply~~
7 ~~to those properties which have complied in full with the landscaping~~
8 ~~provisions of Chapter 41-16 through 41-25 [chapter 27, article III]~~
9 ~~both inclusive.~~

10 8. ~~Clearly defined driveways entering on U.S. [Highway No.] 1 shall be~~
11 ~~constructed using a raised curb of at least six (6) inches in height to~~
12 ~~delineate the driveways. All streets intersecting with U.S. [Highway~~
13 ~~No.] 1, currently designed driveways shall be constructed using both~~
14 ~~concrete button markers of at least four (4) inches in height placed~~
15 ~~twenty four (24) inches apart to delineate the driveways. Such~~
16 ~~driveways shall have separate ingress and egress lanes not to exceed~~
17 ~~twenty (20) feet in width, exclusive of curb returns.~~

18 b. Parking lots shall be interconnected with adjoining properties
19 where feasible. Connections help to minimize the number of
20 driveways to US Highway 1 and to reduce unnecessary vehicular
21 use of those driveways to reach adjoining properties.

22 i) Prior to approval of new or reconfigured parking lots,
23 landowners are required to make an irrevocable offer of
24 cross-access to the adjacent parcel and must design and
25 build their parking lot to accommodate cross-access.

26 ii) When adjacent landowners seek approval of new or
27 reconfigured parking lots, they will be required to
28 reciprocate with a similar cross-access agreement and then
29 must complete the physical connection.

30 iii) Each landowner will control all rights to the use of their
31 own parking spaces, but may choose to allow joint use of
32 surplus parking spaces for a fee of their choosing or
33 through private contracts with other parties.

34 c. Excess driveways to US Highway 1 shall not be approved, and
35 existing driveways shall be consolidated or eliminated wherever
36 possible. The ingress and egress driveways shall be separated by
37 [a] six-inch raised curb island of not less than three (3) feet in
38 width and ten (10) feet in depth back from the right-of-way.

39 i) Driveways to US Highway No. 1 for two (2) adjacent,
40 separately owned parcels should may be located on their
41 joint property line wherever possible.

42 ii) On corner lots, driveways may be required to be located on
43 the less-traveled street. In all cases, driveways may not be

Exhibit 1 (C-A to C-MU)

1 located closer than forty (40) feet to an intersection. Except
2 in cases where driveways are located on joint property
3 lines, all driveways must be not less than twenty-five (25)
4 feet from the adjacent property line. Only one (1) such
5 combined driveway shall be permitted for each lot with a
6 width of one hundred (100) feet or less.

7 9. The rear yard of all lots in the C-1A district shall be designed and
8 improved to facilitate loading and unloading. There shall be adequate
9 space for standing, loading and unloading services to avoid undue
10 interference with public use of streets or alleys.

11 **5. Standards for parking garages.** Parking spaces may be provided
12 under or in buildings or in dedicated parking garages instead of being
13 provided in uncovered surface parking lots. Such parking spaces need
14 not comply with the minimum setbacks for surface parking lots. These
15 parking spaces must be screened from view from all streets. Screening
16 may be provided by rooms in the same building or with a liner
17 building that is at least two stories tall with rooms at least 20 feet deep.

18 I. ~~Time share structures; floor area.~~ In time share structures, each dwelling
19 unit having one (1) bedroom shall have a minimum floor area of seven
20 hundred fifty (750) square feet; an additional one hundred fifty (150) square
21 feet of floor area shall be required for each additional bedroom provided.

22 J. ~~Architecture.~~ To provide the village with harmonious development, but
23 without undue restrictions, the following features are required:

- 24 1. All building fronts and sides must be completely enclosed except for
25 necessary doorways for ingress and egress.
26 2. No canopies are permitted unless constructed of metal, or other
27 permanent materials and are installed parallel to the store front
28 sidewalks not less than nine (9) feet above the sidewalk.

29 **I. Review procedures.**

30 **1. Submittal and review procedures.** Compliance with the standards of
31 the C-MU district shall be evaluated during the site plan and
32 appearance review process before building and other permits may be
33 issued (see sections 6-30-6-60).

34 **2. Variances.** Variances may be granted by the village to standards in
35 the C-MU district using the same procedures and criteria the village
36 uses in granting variances from other regulations (see section 45-50).

37 **3. Waivers.** Waivers may be granted by the village to certain standards
38 in the C-MU district in accordance with the applicable village
39 procedures for granting waivers (see section 45-51), with these
40 additional requirements:

