

Staff Report

File #: LN-623

PLANNING AND ZONING BOARD

Meeting Date: November 20, 2024

Text Amendment to Zoning Code Related to the Measurement of the Height of Structures

Request: Text Amendment (Staff Initiated)
P&Z# n/a
Owner: n/a
Project Location: n/a
Folio Number: n/a
Land Use Designation: n/a
Zoning District: n/a
Commission District: n/a
Agent: n/a
Project Planner: Max Wemyss | max.wemyss@copbfl.com <mailto:max.wemyss@copbfl.com> | 954.786.4671

Summary:

Staff is recommending text amendments to the Zoning Code regarding the measurement of the height of structures. The amendments occur in Article 3 (Zoning Districts), Article 5 (Development Standards), and Article 9 (Definitions and Interpretations). The amendments are summarized below. Attached to this item is the complete text amendment in strikethrough and underline format.

Measurement and Definition of Height (**main amendment**)

Staff proposes to modify the way that the height of a structure is measured by differentiating between habitable structures and uninhabitable structures. Habitable structures are to be measured from the required finished floor elevation rather than the finished grade. Measuring from the finished grade resulted in a loss of permitted building height due to the difference between the grade of a property and the elevated (generally for FEMA compliance) finished floor of a property. This also put us in conflict with our Comprehensive Plan policies to accommodate development adaptations to sea level rise and the resulting floodproofing regulations. Additionally, some standards in our zoning code encourage taller ground floors (to promote viable retail spaces) in multistory and mixed-use buildings while also requiring a limitation in building height in feet rather than stories. This hard number for building height maximum, inclusive of the taller ground floor and the difference between the finished floor elevation and the grade, collectively restricts building height in an unintended way. Here are the referenced Comprehensive Plan Policies and Zoning Code Sections:

Future Land Use Element - Policy 01.05.09

The City will amend the Zoning Code as necessary to ensure that properties proposing to build with a sustainable finished floor elevation that accommodates the necessary freeboard to accommodate adopted sea level rise projections will not be penalized in relation to maximum building height.

Climate Change Element - Policy 11.06.16

To improve resiliency and address impacts of sea level rise, the City will consider increasing freeboard requirements while allowing the same building height from finished floor in order to mitigate the economic impacts of adaptation for ground

floor uses.

DPOD Ground Floor Height for Commercial Spaces

155.3708.E.1.a. Areas intended for commercial uses on the ground floor of all non-residential and mixed-use buildings shall be a minimum of 12 feet in height;

EOD Ground Floor Height for Commercial Spaces

155.3709.D.2.a Areas intended for commercial uses on the ground floor of all non-residential and mixed-use buildings shall be a minimum of 12 feet in height;

Additional relevant amendments, summarized:

Residential Zoning Districts

RS-2: Note 5 previously allowed for structures that are required to be elevated to have a total maximum building height of 40 rather than 35. This type of standard (increasing the permitted building height) may no longer be necessary due to the proposed change in the measurement of building height.

Other Residential Districts: Corrected note references and clarified the standard for increasing setback for portions of a building above 20 feet in height.

Commercial Zoning Districts

Added and corrected note references and clarified the standard for increasing setback for portions of a building above 50 feet in height.

Marine Zoning Districts

Removed a redundant note reference

Transit-Oriented Districts

Removed references to “adjacent” grade and clarified that height is measured from “finished” grade.

Fences and Walls

Added that fence and wall height is to be measured from the finished grade on the interior side of the fence or wall, including where a retaining wall or berm is used.

Modified the requirement that a fence on a corner lot should never exceed the height of the adjacent fence to require that the fence never exceed the height maximum of the fence on the adjacent lot, regardless of the elevation of the subject property.

Staff's Request

Staff is requesting that the Board recommend approval of the proposed changes to the Zoning Code to the City Commission for adoption.

155.3203. SINGLE-FAMILY RESIDENCE 2 (RS-2)**A. Purpose**

The Single-Family Residence 2 (RS-2) district is established and intended to accommodate primarily single-family dwellings including family community residences at moderate densities on lots greater than 7,000 square feet in area. The district also accommodates accessory dwelling units and transitional community residences as well as limited nonresidential uses usually found in urban single-family neighborhoods (e.g., parks, places of worship, golf courses), generally as Special Exceptions.

B. Use Standards

See [Appendix A](#): Consolidated Use Table, and use-specific standards in [Article 4](#): Use Standards.

C. Intensity and Dimensional Standards ¹

Lot area, minimum (sq ft)	7,000
Lot width, minimum (ft)	70
Density, maximum (du/ac)	See Comprehensive Plan ³
Floor area per dwelling unit, minimum (sq ft)	1,250
Lot coverage, maximum (% of lot area)	40
Pervious area, minimum (% of lot area)	30
Height, maximum (ft)	35 ⁵
Front yard setback, minimum (ft)	25
Street side yard setback, minimum (ft)	15
Setback from a waterway or canal, minimum (ft)	25 ³
Interior side yard setback, minimum (ft)	7.5
Rear yard setback, minimum (ft)	20 ⁴
Required Front Yard, Pervious Area, minimum (% of Required Front Yard)	50
Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3 .

NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre]

1. See measurement rules and allowed exceptions/variations in [Article 9: Part 4](#) .

2. On land classified Residential by the Land Use Plan, maximum gross residential density may not exceed that established for the particular land use classification.
3. On existing lot where rear yard abuts waterway or canal, setback equals the existing rear yard depth if it is between 15 ft and 25 ft.
4. On existing lot, setback equals the existing rear yard depth if it is between 15 ft and 20 ft.

~~5. The maximum height may be increased to 40 feet where the lowest structural member of a building must be 14.5 feet or more above National Geodetic Vertical Datum of 1929 (N.G.V.D)~~

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155.3208. MULTIPLE-FAMILY RESIDENCE 7 (RM-7)

A. Purpose

The Multiple-Family Residence 7 (RM-7) district is established and intended to accommodate primarily multifamily dwellings (including townhouse development) including community residences and recovery communities at low to moderate densities. The district also accommodates single-family and two-family dwellings, zero-lot-line development, and continuing care retirement communities. Limited nonresidential uses are allowed as Special Exceptions.

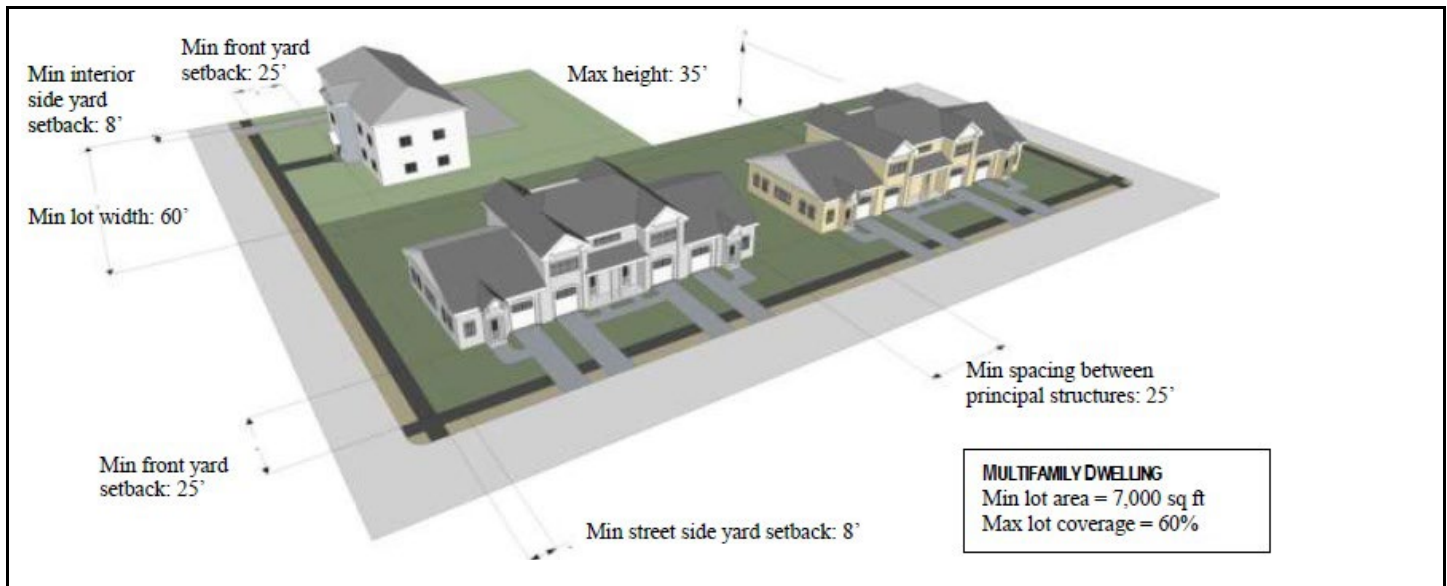
B. Use Standards

See [Appendix A](#) : Consolidated Use Table, and use-specific standards in [Article 4](#): Use Standards.

C. Intensity and Dimensional Standards ¹

Lot area, minimum (sq ft)	7,000 ²	
Lot width, minimum (ft)	60 ²	
Density, maximum (du/ac)	7 ^{2,3}	
Floor area per dwelling unit, minimum (sq ft)	SF	950
	2F	750
	MF	Efficiency units: 500
		Other units: 650 + 100 per BR>1
Lot coverage, maximum (% of lot area)	60 ²	
Pervious area, minimum (% of lot area)	25 ²	
Height, maximum (ft)	35	

Front yard setback, minimum (ft)	25
Street side yard setback, minimum (ft)	8 ^{2,4}
Setback from a waterway or canal, minimum (ft)	25
Setback from the historic dune vegetation line, minimum (ft)	25
Interior side yard setback, minimum (ft)	8 ^{2,4,5}
Rear yard setback, minimum (ft)	10 ⁴
Setback from the historic dune vegetation line, minimum (ft)	25
Interior side yard setback, minimum (ft)	8 ^{2,3}
Rear yard setback, minimum (ft)	10
Spacing between principal structures, minimum (ft)	25
Required Front Yard, Pervious Area, minimum (% of Required Front Yard)	50 (for Single Family Dwellings only)
Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3 .
NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre; SF = single-family dwelling; 2F = two-family dwelling; MF = multifamily dwelling; BR = bedroom] 1. See measurement rules and allowed exceptions/variations in Article 9: Part 4. 2. For townhouse development, applies only to the development site as a whole, provided individual townhouse lots have a minimum area of 1,800 sq ft and a minimum width of 18 ft. 3. On land classified Residential by the Land Use Plan, maximum gross residential density may not exceed that established for the particular land use classification. 4. Those portions of a structure extending above a height of 20 feet shall be set back <u>from the property line</u> an additional 1 ft for each <u>additional</u> 4 ft (or major fraction thereof) the height of the portion of the structure exceeds 20 ft of building height. 5. For developments with zero-lot-line single-family dwellings, 0 ft along the zero lot line and 15 ft for the opposite interior side lot line.	
Typical Development Configuration	



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155.3209. MULTIPLE-FAMILY RESIDENCE 12 (RM-12)

A. Purpose

The Multiple-Family Residence 12 (RM-12) district is established and intended to accommodate primarily multifamily dwellings (including townhouse development) including community residences and recovery communities at moderate densities. The district also accommodates single-family and two-family dwellings, zero-lot-line development, and continuing care retirement communities. Limited neighborhood-serving nonresidential uses, as well as office buildings with a floor area of 2,000 square feet or less, are allowed as Special Exceptions.

B. Use Standards

See [Appendix A](#) : Consolidated Use Table, and use-specific standards in [Article 4](#): Use Standards.

C. Intensity and Dimensional Standards ¹

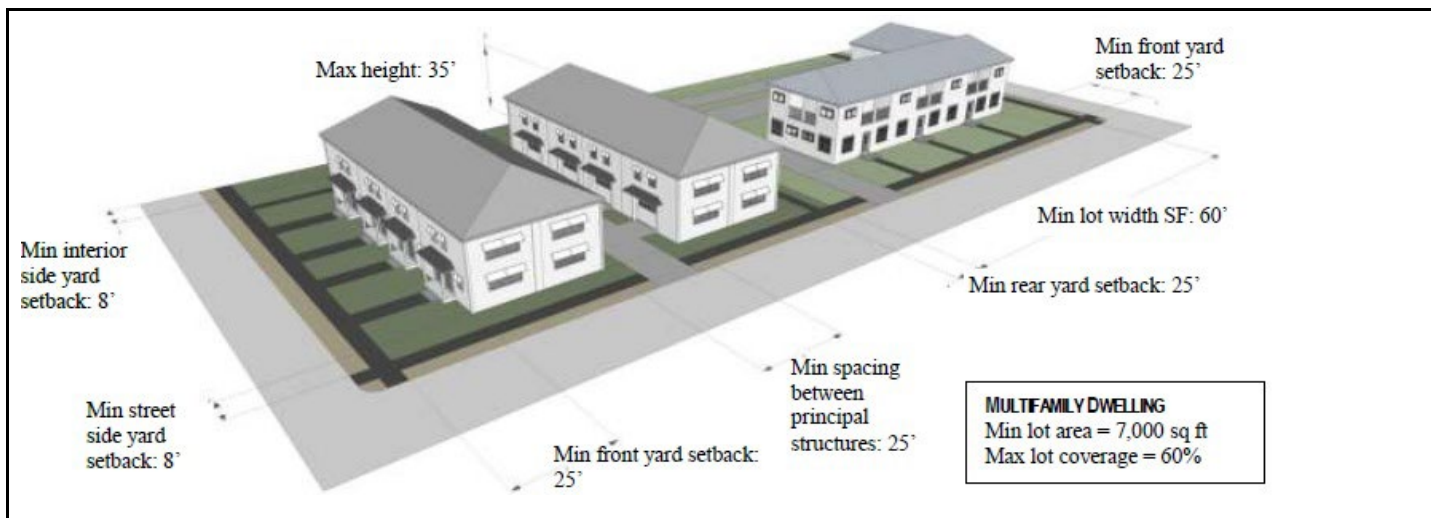
Lot area, minimum (sq ft)	7,000 ²	
Lot width, minimum (ft)	60 ²	
Density, maximum (du/ac)	12 ^{2,3}	
Floor area per dwelling unit, minimum (sq ft)	SF	950
	2F	750
	MF	Efficiency units: 500

		Other units: 650 + 100 per BR>1
Lot coverage, maximum (% of lot area)	60 ²	
Pervious area, minimum (% of lot area)	25 ²	
Height, maximum (ft)	35	
Front yard setback, minimum (ft)	25	
Street side yard setback, minimum (ft)	8 ^{2,4}	
Setback from a waterway or canal, minimum (ft)	25	
Setback from the historic dune vegetation line, minimum (ft)	25	
Interior side yard setback, minimum (ft)	8 ^{2,4,65}	
Rear yard setback, minimum (ft)	10 ⁴	
Spacing between principal structures, minimum (ft)	25	
Required Front Yard, Pervious Area, minimum (% of Required Front Yard)	50 (for Single Family Dwellings only)	
Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3 .	

NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre]

1. See measurement rules and allowed exceptions/variations in [Article 9: Part 4](#).
2. For townhouse development, applies only to the development site as a whole, provided individual townhouse lots have a minimum area of 1,800 sq ft and a minimum width of 18 ft.
3. On land classified Residential by the Land Use Plan, maximum gross residential density may not exceed that established for the particular land use classification.
4. Those portions of a structure extending above a height of 20 feet shall be set back ~~from the property line~~ an additional 1 ft for each ~~additional~~ 4 ft (or major fraction thereof) ~~the height of the portion of the structure exceeds 20 ft of building height~~.
5. For developments with zero-lot-line single-family dwellings, 0 ft along the zero lot line and 15 ft for the opposite interior side lot line.

Typical Development Configuration



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155.3210. MULTIPLE-FAMILY RESIDENCE 20 (RM-20)

A. Purpose

The Multiple-Family Residence 20 (RM-20) district is established and intended to accommodate primarily multifamily dwellings (including townhouse development) including community residences and recovery communities at moderate densities. The district also accommodates single-family and two-family dwellings, zero-lot-line development, and continuing care retirement communities. Limited neighborhood-serving nonresidential uses, as well as office buildings, financial institutions, hotels/motels, and condo hotels, are allowed as Special Exceptions.

B. Use Standards

See [Appendix A](#): Consolidated Use Table, and use-specific standards in [Article 4](#): Use Standards.

C. Intensity and Dimensional Standards ¹

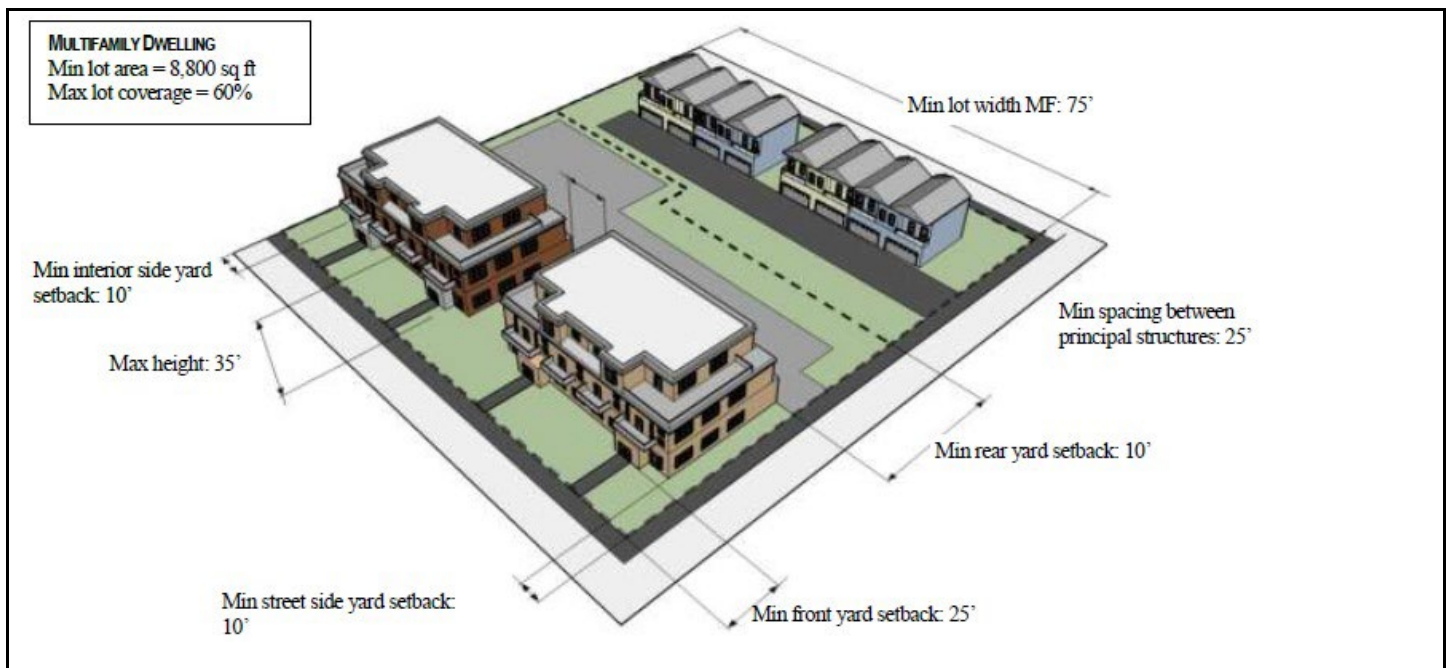
Lot area, minimum (sq ft)	SF: 7,000	2F: 8,000	MF: 8,800 ²
Lot width, minimum (ft)	SF: 60	2F: 70	MF: 75 ²
Density, maximum (du/ac)	20 ^{2,3}		
Floor area per dwelling unit, minimum (sq ft)	SF	950	
	2F	750	
	MF	Efficiency units: 500	
		Other units: 650 + 100 per BR>1	
Lot coverage, maximum (% of lot area)	60 ²		

Pervious area, minimum (% of lot area)	25 ²
Height, maximum (ft)	35
Front yard setback, minimum (ft)	25
Street side yard setback, minimum (ft)	10 ^{2,4}
Setback from a waterway or canal, minimum (ft)	25
Setback from the historic dune vegetation line, minimum (ft)	25
Interior side yard setback, minimum (ft)	10 ^{2,4,5}
Rear yard setback, minimum (ft)	10 ⁴
Spacing between principal structures, minimum (ft)	25
Required Front Yard, Pervious Area, minimum (% of Required Front Yard)	50 (for Single Family Dwelling only)
Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3 .

NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre; SF = single-family dwelling; 2F = two-family dwelling ; MF = multifamily dwelling ; BR = bedroom]

1. See measurement rules and allowed exceptions/variations in [Article 9:Part 4](#).
2. For townhouse development, applies only to the development site as a whole, provided individual townhouse lots have a minimum area of 1,800 sq ft and a minimum width of 18 ft.
3. On land classified Residential by the Land Use Plan, maximum gross residential density may not exceed that established for the particular land use classification.
4. Those portions of a structure extending above a height of 20 feet shall be set back from the property line an additional 1 ft for each additional 4 ft (or major fraction thereof) ~~the height of the portion of the structure exceeds 20 ft of building height~~.
5. For developments with zero-lot-line single-family dwellings, 0 ft along the zero lot line and 15 ft for the opposite interior side lot line.

Typical Development Configuration



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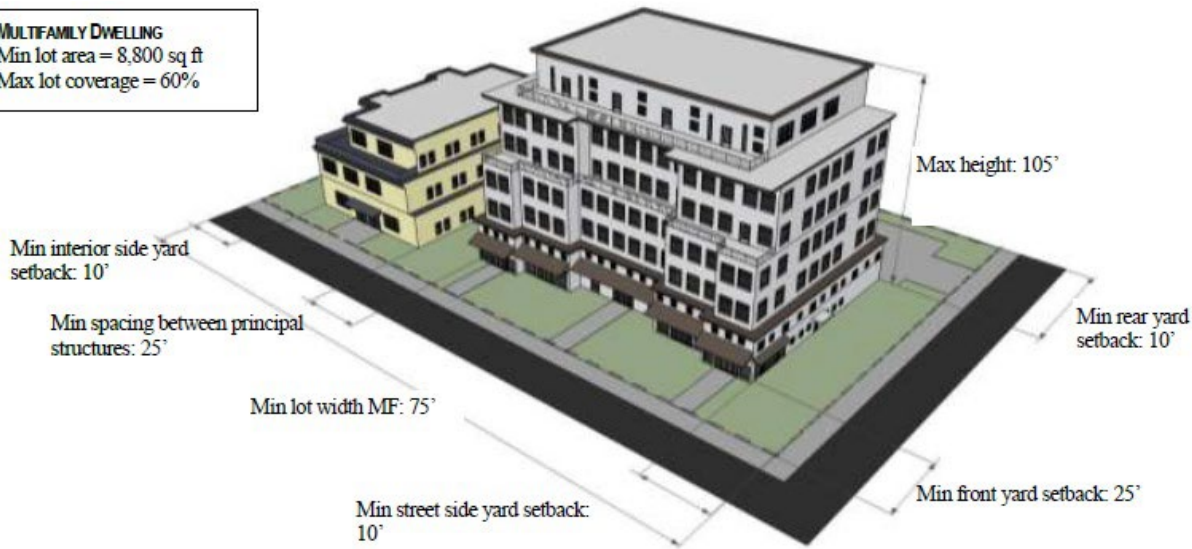
155.3211. MULTIPLE-FAMILY RESIDENCE 30 (RM-30)

A. Purpose			
The Multiple-Family Residence 30 (RM-30) district is established and intended to accommodate primarily multifamily dwellings (including townhouse development) including community residences and recovery communities at moderately high densities. The district also accommodates single-family and two-family dwellings, zero-lot-line development, assisted living facilities, and continuing care retirement communities. Limited neighborhood-serving nonresidential uses, as well as office buildings, financial institutions, hotels/motels, and condo hotels, are allowed as Special Exceptions			
B. Use Standards			
See Appendix A : Consolidated Use Table, and use-specific standards in Article 4 : Use Standards.			
C. Intensity and Dimensional Standards ¹			
Lot area, minimum (sq ft)	SF: 7,000	2F: 8,000	MF: 8,800 ²
Lot width, minimum (ft)	SF: 60	2F: 70	MF: 75 ²
Density, maximum (du/ac)	30 ^{2,3}		
Floor area per dwelling unit, minimum (sq ft)	SF	950	
	2F	750	
	MF	Efficiency units: 500	

		Other units: 650 + 100 per BR>1
Lot coverage, maximum (% of lot area)	60 ²	
Pervious area, minimum (% of lot area)	25 ²	
Height, maximum (ft)	105 ⁴	
Front yard setback, minimum (ft)	25	
Street side yard setback, minimum (ft)	10 ^{2,5}	
Setback from a waterway or canal, minimum (ft)	25	
Setback from the historic dune vegetation line, minimum (ft)	25	
Interior side yard setback, minimum (ft)	10 ^{2,5,6}	
Rear yard setback, minimum (ft)	10 ⁵	
Spacing between principal structures, minimum (ft)	25	
Required Front Yard, Pervious Area, minimum (% of Required Front Yard)	50 (for Single Family Dwellings only)	
Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3 .	
NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre; SF = single-family dwelling ; 2F = two-family dwelling ; MF = multifamily dwelling ; BR = bedroom] 1. See measurement rules and allowed exceptions/variations in Article 9:Part 4 . 2. For townhouse development, applies only to the development site as a whole; individual townhouse lots must have a minimum area of 1,800 sq ft and a minimum width of 18 ft. 3. On land classified Residential by the Land Use Plan, maximum gross residential density may not exceed that established for the particular land use classification. 4. Structures within the Air Park Overlay (APO) zoning district must also comply with the height limits in Section 155.3707. 5. Those portions of a structure extending above a height of 20 feet shall be set back <u>from the property line</u> an additional 1 ft for each <u>additional</u> 4 ft (or major fraction thereof) the height of the portion of the structure exceeds 20 ft of building height. 6. For developments with zero-lot-line single-family dwellings, 0 ft along the zero lot line and 15 ft for the opposite interior side lot line.		

Typical Development Configuration

MULTIFAMILY DWELLING
Min lot area = 8,800 sq ft
Max lot coverage = 60%



155.3212. MULTIPLE-FAMILY RESIDENCE 45 (RM-45)

A. Purpose

The Multiple-Family Residence 45 (RM-45) district is established and intended to accommodate primarily multifamily dwellings (including townhouse development) including community residences and recovery communities at high densities. The district also accommodates single-family and two-family dwellings, zero-lot-line development, assisted living facilities, and continuing care retirement communities. Limited neighborhood-serving nonresidential uses, as well as office buildings, financial institutions, hotels/motels, and condo hotels, are allowed as Special Exceptions.

B. Use Standards

See [Appendix A](#): Consolidated Use Table, and use-specific standards in [Article 4](#): Use Standards.

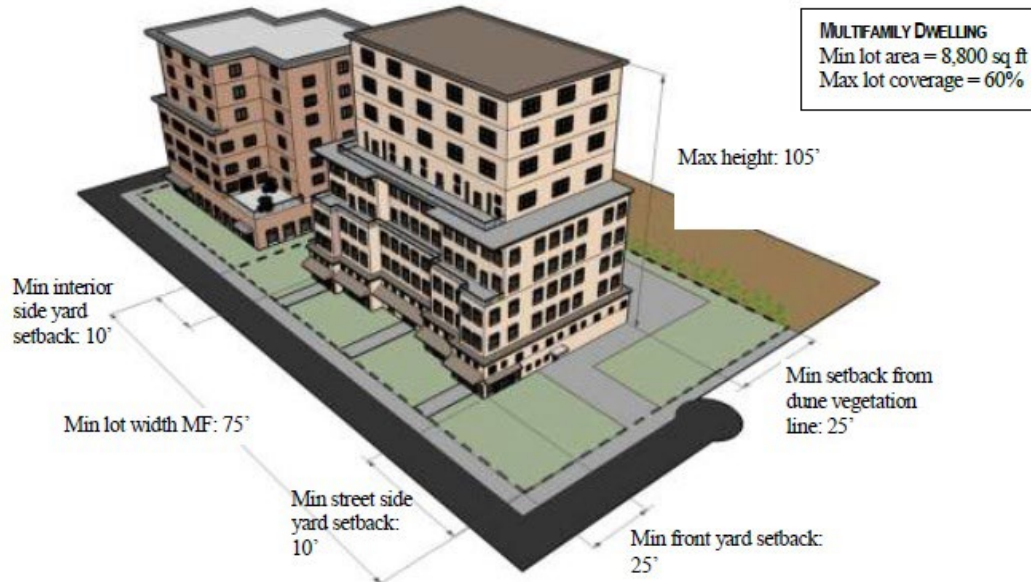
C. Intensity and Dimensional Standards ¹

Lot area, minimum (sq ft)	SF: 7,000	2F: 8,000	MF: 8,800 ²
Lot width, minimum (ft)	SF: 60	2F: 70	MF: 75 ²
Density, maximum (du/ac)	45 ^{2,3}		
Floor area per dwelling unit, minimum (sq ft)	SF	950	
	2F	750	
	MF	Efficiency units: 500	

		Other units: 650 + 100 per BR>1
Lot coverage, maximum (% of lot area)	60 ²	
Pervious area, minimum (% of lot area)	25 ²	
Height, maximum (ft)	105 ^{4,5}	
Front yard setback, minimum (ft)	25	
Street side yard setback, minimum (ft)	10 ^{2,6}	
Setback from a waterway or canal, minimum (ft)	25	
Setback from the historic dune vegetation line, minimum (ft)	25	
Interior side yard setback, minimum (ft)	10 ^{2,6,7}	
Rear yard setback, minimum (ft)	10 ⁶	
Spacing between principal structures, minimum (ft)	25	
Required Front Yard, Pervious Area, minimum (% of Required Front Yard)	50 (for Single Family Dwellings only)	
Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3 .	
NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre; SF = single-family dwelling ; 2F = two-family dwelling ; MF = multifamily dwelling ; BR = bedroom] 1. See measurement rules and allowed exceptions/variations in Article 9:Part 4. 2. For townhouse development, applies only to the development site as a whole, provided individual townhouse lots have a minimum area of 1,800 sq ft and a minimum width of 18 ft. 3. On land classified Residential by the Land Use Plan, maximum gross residential density may not exceed that established for the particular land use classification. 4. Structures within the Air Park Overlay (APO) zoning district must also comply with the height limits in Section 155.3707. 5. Not applicable within a Multiple-Family Residence 45 High-Rise (RM-45 HR) Overlay district. 6. Those portions of a structure extending above a height of 20 feet shall be set back <u>from the property line</u> an additional 1 ft for each <u>additional</u> 4 ft (or major fraction thereof) the height of the portion of the structure exceeds 20 ft of building height.		

7. For developments with zero-lot-line single-family dwellings, 0 ft along the zero lot line and 15 ft for the opposite interior side lot line.

Typical Development Configuration



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155.3303. COMMUNITY BUSINESS (B-2)

A. Purpose

The Community Business (B-2) district is established and intended to accommodate primarily low- to moderate-intensity office, service, and retail uses that primarily serve the needs of residents of surrounding residential neighborhoods (e.g., professional and business offices, business services, banks, restaurants, convenience stores, gasoline filling stations), as well as neighborhood-serving institutional uses (e.g., child care facilities, places of worship). It also accommodates complementary residential uses moderate- to high-density multifamily development (either stand-alone or mixed with commercial development), community residences, and recovery communities.

B. Use Standards

See [Appendix A](#) : Consolidated Use Table, and use-specific standards in [Article 4](#): Use Standards.

C. Intensity and Dimensional Standards ¹

Lot area, minimum (sq ft)	10,000 ²
Lot width, minimum (ft)	100 ²
Density, maximum (du/ac)	30 ^{2,3}

Lot coverage, maximum (% of lot area)	45
Pervious area, minimum (% of lot area)	20
Height, maximum (ft)	105 ⁴
Front yard setback, minimum (ft)	0
Street side yard setback, minimum (ft)	0 ⁵
Setback from a waterway or canal, minimum (ft)	15
Setback from the historic dune vegetation line, minimum (ft)	25
Interior side yard setback, minimum (ft)	0 ^{2,5}
Rear yard setback, minimum (ft)	30 ⁵
Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3 .

NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre]

1. See measurement rules and allowed exceptions/variations in [Article 9: Part 4](#).
2. For townhouse development, applies only to the development site as a whole, provided individual townhouse lots have a minimum area of 1,800 sq ft and a minimum width of 18 ft.
3. Residential development on land classified as Commercial by the Land Use Plan is subject to allocation of flex or reserve units in accordance with [Chapter 154](#), Planning or the allocation of residential units in accordance with County Affordable Housing Policy 2.16.3 (if less than 10-acres) or Policy 2.16.4 and Article 3, Use Standards.
4. Structures within the Air Park Overlay (APO) zoning district must also comply with the height limits in Section [155.3707](#).
5. Those portions of a structure extending above a height of 50 feet shall be set back from the property line an additional 1 ft for each additional 4 ft (or major fraction thereof) ~~the height of the portion of the structure exceeds 50 ft of building height~~.

D. Intensity and Dimensional Standards for Free-Standing Residential Buildings

Free-standing Residential Buildings shall comply with the following dimensional standards. Standards not listed below, including lot coverage, pervious area, and building height, shall be as required in Section [155.3303.C](#) above.

Lot area, maximum (acre)	5 ²
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Lot area, maximum (acre) for properties within the NWCRA or AOD	10 ²	
Floor area per dwelling unit, minimum (sq ft)	Efficiency	500 – habitable living space
	1 Bedroom	650 – habitable living space
	Additional Bedroom	100 – habitable living space
Interior side yard setback, minimum (ft)	10 ^{2,5}	
Rear yard setback, minimum (ft)	10 ⁵	

Typical Development Configuration



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155.3304. GENERAL BUSINESS (B-3)

A. Purpose

The General Business (B-3) district is established and intended to accommodate a diverse range of moderate-intensity retail, service, office, recreation/ entertainment, visitor accommodation, and institutional uses that serve the residents and businesses in the community at large (e.g., most retail sales and service uses, restaurants, offices, banks, restaurants, gasoline filling stations, marinas, auto and boat sales and service uses, theaters, hotels, child care facilities, vocational or trade schools, health care facilities, places of worship). It also accommodates complementary residential uses (e.g., live-work and upper-story dwellings) and moderate- to high-density multifamily development (either stand-alone or mixed with commercial development), community residences, and recovery communities.

B. Use Standards

See [Appendix A](#) : Consolidated Use Table, and use-specific standards in [Article 4](#): Use Standards.

C. Intensity and Dimensional Standards ¹

Lot area, minimum (sq ft)	10,000 ²
Lot width, minimum (ft)	100 ²
Density, maximum (du/ac)	46 ^{2,3}
Lot coverage, maximum (% of lot area)	60
Pervious area, minimum (% of lot area)	20
Height, maximum (ft)	105 ⁴
Front yard setback, minimum (ft)	0
Street side yard setback, minimum (ft)	0 ^{2,5}
Setback from a waterway or canal, minimum (ft)	15
Setback from the historic dune vegetation line, minimum (ft)	25
Interior side yard setback, minimum (ft)	0 ^{2,5}
Rear yard setback, minimum (ft)	30 ⁵
Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3 .

NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre]

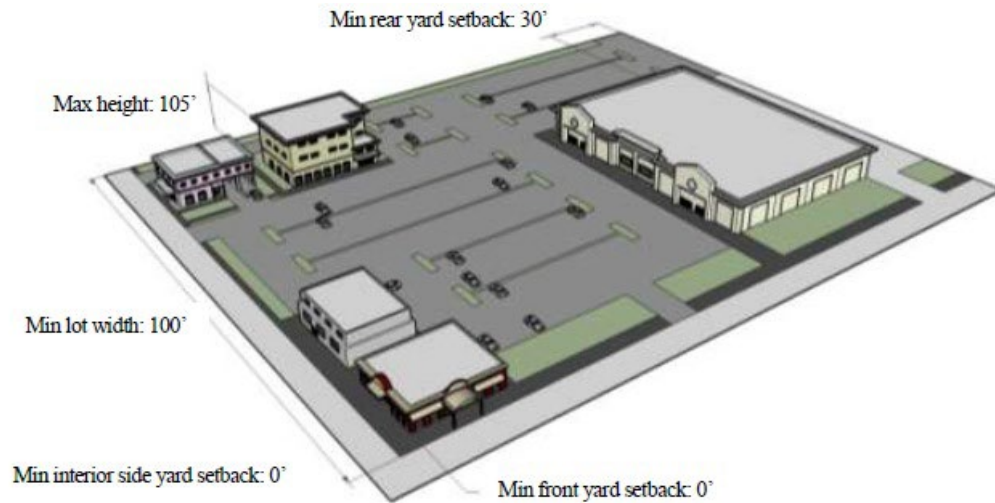
1. See measurement rules and allowed exceptions/variations in [Article 9: Part 4](#).
2. For townhouse development, applies only to the development site as a whole, provided individual townhouse lots have a minimum area of 1,800 sq ft and a minimum width of 18 ft.
3. Residential development on land classified as Commercial by the Land Use Plan is subject to allocation of flex or reserve units in accordance with [Chapter 154](#), Planning or the allocation of residential units in accordance with County Affordable Housing Policy 2.16.3 (if less than 10-acres) or Policy 2.16.4 and Article 3, Use Standards.
4. Structures within the Air Park Overlay (APO) zoning district must also comply with the height limits in Section [155.3707](#).
5. Those portions of a structure extending above a height of 50 feet shall be set back from the property line an additional 1 ft for each additional 4 ft (or major fraction thereof) ~~the height of the portion of the structure exceeds 50 ft of building height~~.

D. Intensity and Dimensional Standards for Free-Standing Residential Buildings

Free-standing Residential Buildings shall comply with the following dimensional standards. Standards not listed below, including lot coverage, pervious area, and building height, shall be as required in Section [155.3304.C](#) above.

Lot area, maximum (acre)	5 ²	
Lot area, maximum (acre) for properties within the NWCRA or AOD	10 ²	
Floor area per dwelling unit, minimum (sq ft)	Efficiency	500 – habitable living space
	1 Bedroom	650 – habitable living space
	Additional Bedroom	100 – habitable living space
Interior side yard setback, minimum (ft)	10 ^{2,5}	
Rear yard setback, minimum (ft)	10 ⁵	

Typical Development Configuration



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155.3305. HEAVY BUSINESS (B-4)

A. Purpose

The Heavy Business (B-4) district is established and intended to accommodate a wide and diverse range of moderate- to high-intensity retail, service, office, recreation/entertainment, and institutional uses that provide goods and services serving a community, city-wide, and regional customer bases. It also accommodates the

city's major employment-generating non-industrial uses, as well as wholesaling, warehousing, and limited light manufacturing uses. Residential uses are generally inappropriate in this district, however, on the NW 31st Avenue Corridor between Dr. Martin Luther King, Jr. Boulevard and Atlantic Boulevard, the city will allow mixed use and residential projects.

B. Use Standards

See [Appendix A](#) : Consolidated Use Table, and use-specific standards in [Article 4](#): Use Standards.

C. Intensity and Dimensional Standards ¹

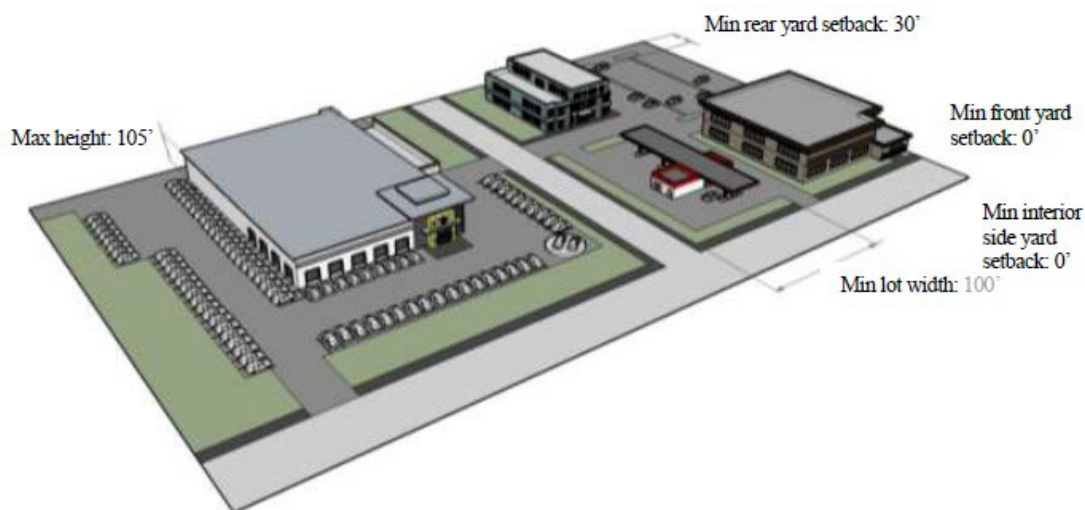
Lot area, minimum (sq ft)	10,000
Lot width, minimum (ft)	100
Density, maximum (du/ac)	n/a ⁴
Lot coverage, maximum (% of lot area)	60
Pervious area, minimum (% of lot area)	20
Height, maximum (ft)	105 ²
Front yard setback, minimum (ft)	0
Street side yard setback, minimum (ft)	0 ³
Setback from a waterway or canal, minimum (ft)	15
Setback from the historic dune vegetation line, minimum (ft)	25
Interior side yard setback, minimum (ft)	0 ³
Rear yard setback, minimum (ft)	30
Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3 .

NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre]

1. See measurement rules and allowed exceptions/variations in [Article 9: Part 4](#).
2. Structures within the Air Park Overlay (APO) zoning district must also comply with the height limits in Section [155.3707](#).
3. ~~Increased 1 ft for each 4 ft (or major fraction thereof) the structure's height exceeds 50 ft. Those portions of a structure extending above a height of 50 feet shall be set back from the property line an additional 1 ft for each additional 4 ft (or major fraction thereof) of building height.~~
4. Mixed Use and Multi-family Residential Development along the NW 31st Avenue between Dr. MLK, Jr

Bldv and Atlantic Blvd may be permitted in the same manner (intensity and dimensional standards, development standards) as a B-3 (155.3304) Zoned property, subject to allocation of flex or reserve units in accordance with Chapter 154, Planning or the allocation of residential units in accordance with County Affordable Housing Policy 2.16.3 (if less than 10-acres) or Policy 2.16.4 and Article 3, Use Standards. If the B-4 zoned areas adjacent to the 11-acre park west of NW 31st Avenue and east of Luzano and the Golfview Estates MHP are redeveloped to residential or mixed use, ensure the future site plans for those properties provide access from NW 31st Avenue to the City's wellfield on the 11-acre park site, as deemed necessary by Water Utilities at the time of site plan approval.

Typical Development Configuration



...

155.3306. MARINE BUSINESS (M-1)

A. Purpose

The Marina Business (M-1) district is established and intended to accommodate commercial and recreational marinas and associated docking facilities, boat and marine sales, restaurants, and yacht clubs . It also accommodates boat repair dry storage in an enclosed building—but not waterfront industrial uses such as outdoor boat repair or dry storage, or boat manufacturing.

B. Use Standards

See [Appendix A](#): Consolidated Use Table, and use-specific standards in [Article 4](#): Use Standards.

C. Intensity and Dimensional Standards ¹

Lot area, minimum (sq ft)	10,000
Lot width, minimum (ft)	100
Density, maximum (du/ac)	n/a

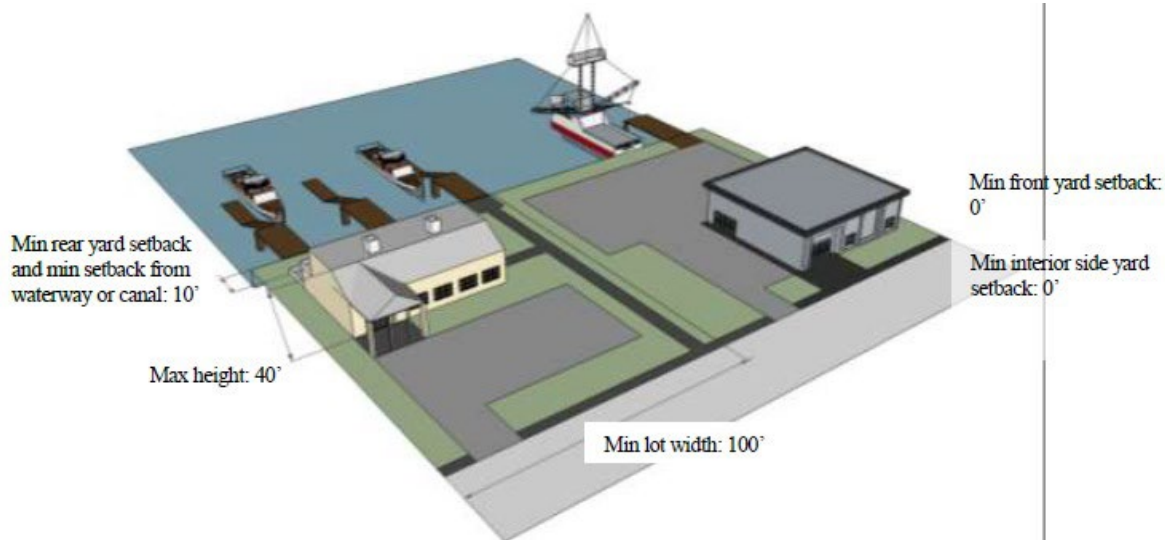
Lot coverage, maximum (% of lot area)	60
Pervious area, minimum (% of lot area)	20
Height, maximum (ft)	40
Front yard setback, minimum (ft)	0
Street side yard setback, minimum (ft)	0
Setback from a waterway or canal.	10
Interior side yard setback, minimum (ft)	0 ²
Rear yard setback, minimum (ft)	10
Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3 .

NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre]

1. See measurement rules and allowed exceptions/variations in [Article 9: Part 4](#).

~~2. 10 ft from a waterway or canal~~

Typical Development Configuration



...

155.3501. TRANSIT ORIENTED (TO)

...

M. TO District Exterior Lighting Standards

Exterior lighting shall comply with the standards in [Part 4](#) (Exterior Lighting) of [Article 5](#): Development Standards as well as the following additional and/or modified standards:

1. Light poles shall not exceed a height of 17.5 feet above the ~~adjacent~~ finished grade;

...

O. TO District Design Standards

The following standards shall apply to development in TO districts in addition to any applicable standards in [Part 6](#) (Design Standards) of [Article 5](#) (Development Standards):

...

2. Building Configuration and Design

...

h. Active Use Standards

Active uses shall be required along all building frontages as specified within the Overlay District and the following shall apply:

...

- ii. Ground floor active use nonresidential or residential lobby;

Active uses located along the ground floor of a building typically contain retail uses, but can contain any use that generates pedestrian activity. Active uses shall be provided in compliance with the following standards:

- a) They shall be provided on the first floor of all mixed-use buildings;

...

- e) Ground floor window sills shall be placed at a maximum height of 24 inches above finished grade;
- and

...

155.5302. FENCES AND WALLS

...

C. General Requirements for Fences and Walls

...

6. Fences on Retaining Walls or Berms

Except as otherwise allowed in Section [155.5302.C.1.b.i](#), Fencing Allowed on Vacant Lots, if a fence is constructed on top of a wall or berm, the combined height of the fence and wall or berm shall not exceed the maximum height that would apply to the fence or wall alone. The total height of a fence on top of a retaining wall is measured from the finished grade on the interior side of the retaining wall.

...

D. Height Requirements for Fences and Walls

1. Applicability

a. General

Except for fences or walls exempted by subsection b below, a fence or wall shall comply with the height limits in this subsection. Fence or wall height is measured from ~~natural~~ finished grade on the interior side of the fence or wall.

b. Exemptions

...

v. Corner Lot Fences and Walls

Fencing or walls required to comply with the residential swimming pool barrier requirements of Section 454.2.17, Florida Building Code, and F.S. Chapter 515, may be waived by the Development Services Director from the height restrictions of this subsection, provided that the following conditions are met:

(A) The height of the fence or wall does not exceed the maximum height requirement for fences and walls within the zoning district in which the lot is located, and

(B) In no event shall fences or walls be permitted a higher maximum height than those permitted on abutting lot lines.

...

155.9401 MEASUREMENT

...

G. Height

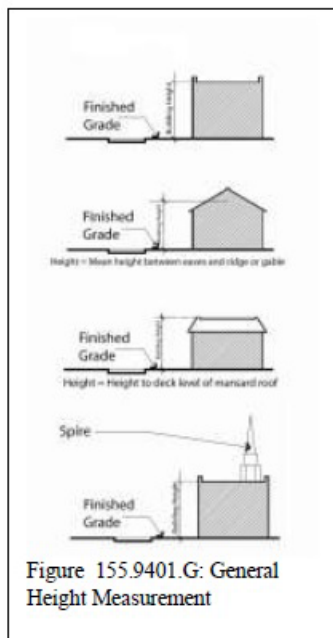


Figure 155.9401.G: General Height Measurement

The height of a habitable structure shall be determined by measuring the vertical distance from the average required finished floor elevation ~~of the existing finished grade at the front of the structure~~ to the top of the roof for a flat roof, to the deck line for a mansard roof, or to the mean height between eaves and ridge for a gable, hip, cone, gambrel, or shed roof (See [Figure 155.9401.G](#): General Height Measurement.).

The height of an uninhabitable structure shall be determined by measuring the vertical distance from the average elevation of the finished grade at the front of the structure to the top of the roof for a flat roof, to the deck line for a mansard roof, or to the mean height between eaves and ridge for a gable, hip, cone, gambrel, or shed roof (See Figure 155.9401.G: General Height Measurement.).

In no circumstance can fill be used to raise the point at which the maximum permitted height of a structure is measured to a point above the required finished floor elevation of a property or development.

...

ARTICLE 9, PART 5 TERMS AND USES DEFINED

The following words, terms, and phrases, when used in this Code, shall have the meaning ascribed to them in this section.

...

Height

The vertical distance between the required finished floor elevation or the average elevation of the ~~existing or proposed~~ finished grade at the front of a structure to the highest point of a flat roof, to the deck line of a mansard roof, or to the mean height between eaves and ridge of a gable, hip, cone, gambrel, or shed roof.