

### **Sec. 23.3-16. MU-FH—Mixed use-Federal Highway.**

a) *Intent.* The "MU-FH - mixed use-Federal Highway" district is intended to provide for limited retail, office, hotel/motel and low-density multiple-family residential development. Provision is made for the establishment of the following nonresidential uses:

- (1) Low intensity office uses.
- (2) Low intensity personal service uses.
- (3) Residential apartments as secondary uses in structures with office uses as primary uses.
- (4) Hotels and motels.

Provision is also made for the establishment of low-density multiple-family residential uses and single-family and two-family residential uses in accordance with the provisions of the "low-density multiple-family residential district, 20 du/net acre." The "mixed use - Federal Highway" district implements in part the "mixed use" land use category of the Lake Worth Comprehensive Plan.

b) *Use restrictions and development regulations for residential uses.*

1. Multiple-family, two-family and single-family residential uses may be established in the MU-FH district subject to the provisions of section 23.3-10.
2. Townhouses are permitted as conditional uses in the MU-FH district, subject to the regulations and standards as set forth in Article 4, Development Standards.
3. Minimum living area shall be as follows:
  - A. Efficiency units: Four hundred (400) square feet.
  - B. One-bedroom units: Six hundred (600) square feet.
  - C. Two-bedroom units: Seven hundred fifty (750) square feet.
  - D. Three-bedroom units: Nine hundred (900) square feet.
  - E. Four-bedroom units: One thousand three hundred fifty (1,350) square feet.
4. Finished floor elevation of all residential structures shall be two (2) feet to four (4) feet above existing grade to create a historic feel and separation from the street.
5. For projects that are all residential, see section 23.3-13(b).

c) *Use restrictions for nonresidential.* Uses permitted by right and uses permitted as either administrative or conditional uses shall be subject to applicable provisions of Article 4, Development Standards. Refer to the permitted use table at section 23.3-6 for a complete list of uses.

1. *Principal nonresidential uses permitted by right.*
  - A. Office - low intensity.
  - B. Personal services - low intensity.
  - C. Essential services.
  - D. Community residences, of up to six (6) residents, subject to regulations as set forth in Article 4, Development Standards.
2. *Principal uses permitted as either administrative or conditional uses.*
  - A. Office - medium intensity.

- B. Personal services - medium intensity.
- C. Nursing homes and community residences, of up to fourteen (14) residents, subject to regulations as set forth in Article 4, Development Standards.
- D. Bed and breakfast inns.
- E. Cemeteries, public and private.
- F. Places of worship.
- G. Day care centers.
- H. Hotels and motels, except on parcels adjacent to North Federal Highway north of Thirteenth Avenue North.

Hotels and motels are subject to the following requirement: Each guest room and bath unit shall have a minimum area of two hundred fifty (250) square feet measured from the interior face of the exterior walls and from the interior face of the demising walls of the unit.

- I. Light utility facilities.
  - J. Medical offices and related uses such as day spas.
  - K. Public indoor neighborhood recreation and service facilities.
  - L. Public outdoor neighborhood recreation facilities.
  - M. Schools, elementary.
  - N. Schools, intermediate and secondary, offering courses in general and vocational education but not offering courses which involve the regular use of heavy equipment out-of-doors.
  - O. Transitional parking facilities (see Article 4, Development Standards).
  - P. Mixed use project of three (3) stories.
3. *Accessory uses permitted by right.*
- A. Home occupations.
  - B. Any use accessory to and customarily incidental to a principal use permitted by right.
4. *Accessory uses permitted as either administrative or conditional uses.*
- A. Child day care centers and nursery school uses accessory to places of worship.
  - B. Residential apartments as secondary uses in structures with office uses as primary uses.
  - C. Restaurants accessory to motels.
  - D. Any use accessory to and customarily incidental to a principal use permitted as either an administrative or conditional use.

d) *Development regulations for uses permitted by rights.*

Lot Area	6,500 square feet with max density 1 du per each 2,175 square feet net lot area
	Max density 20 dwelling units per gross acre of 43,560 square feet, minimum of 2,175 square feet per unit
Lot Width	50 ft.

Height	Primary	30 ft. (not to exceed 2 stories) *Additional 5 ft. of height under Sustainable Bonus Incentive Program (not to exceed 2 stories). Conditional use permit required for mixed use project of 3 stories.
	Accessory	24 ft. (not to exceed 2 stories)
Setback	Front	10 ft. minimum not to exceed 22 ft.
	Rear	15 ft. or 10% of lot depth when next to residential zoning district. 10 ft. in general. 5 ft. for accessory structure
	Side	10% lot width, minimum of 3 ft. up to a minimum of 10 ft. for lots over 100 ft. in width.
		Two story buildings shall be set back a minimum of 5 ft.
		Roof overhangs shall not exceed more than 2 feet.
	Bonus Height and Stories	For a third story, both the front façade and rear façade must be set back an additional distance beyond the minimum.
		A. Front façade for third story must have front setback of eight (8) to twelve (12) feet in addition to minimum.
		B. Rear façade for third floor must have rear setback of eight (8) to twelve (12) feet in addition to minimum.
C. Façades facing major thoroughfares must have setbacks of eight (8) to twelve (12) feet in addition to minimum for third story and above.		
Living Area	Single- Family	800 square feet first dwelling
		400 square feet second dwelling
	Multiple- Family	400 square feet Eff.
		600 square feet 1 BR
		750 square feet 2 BR
		900 square feet 3 BR
1,350 square feet 4 BR		
Accessory Structure Limitations	The total area for accessory structures is limited to 40% of the principal structure area or 1,000 square feet, whichever is less.	
Impermeable Surface Total	A. Small lot - 65%	
	B. Medium lot - 60%	
	C. Large lot - 55%	
Maximum Lot Coverage for all Buildings	A. Lots up to 4,999 square feet (small lot) - 55%	
	B. Lots 5,000 square feet to 7,499 square feet (medium lot) - 50%	

	C. Lots over 7,500 square feet (large lot) - 45%
Maximum Wall Heights at Side Setback	Lots less than 50 ft. in width - 14 ft. wall height at 3'-0" setback up to 18 ft. wall height at 5'-0" setback.
	Lots between 50 ft. and 100 ft. in width - 18 ft. wall height at 5'-0" setback up to 23 ft. wall height at 10'-0" setback.
	Lots over 100 ft. in width - 23 ft. wall height at 10 ft. setback.
	For each additional foot of side setback an additional 1'-0" of wall height is allowed to a maximum of 30'-0".
Floor Area Ratio (FAR) Limitation	Maximum FAR is 1.2.
	The FAR shall be 0.70 for lots up to 4,999 square feet; 0.65 for lots between 5,000 square feet and 7,499 square feet; and 0.60 for lots 7,500 square feet and greater.
	>An additional .50 of FAR shall be granted under the Sustainable Bonus Incentive Program.

1. *Minimum lot dimension for nonresidential uses.*
  - A. Minimum lot area: Six thousand five hundred (6,500) square feet.
  - B. Minimum lot width: Fifty (50) feet.
2. *Maximum height of nonresidential buildings.*
  - A. Principal building: Thirty (30) feet in height not to exceed two (2) stories.
  - B. Additional five (5) feet in height shall be granted under the Sustainable Bonus Incentive Program (not to exceed two (2) stories). Conditional use permit required for mixed use project of three (3) stories.
  - C. Garages and other accessory buildings: Twenty-four (24) feet.
3. *Minimum setbacks for nonresidential buildings.*
  - A. Minimum front setback: Ten (10) feet.
  - B. Minimum side setback:
    - (1) Minimum of ten (10) feet on street and ten (10) percent of lot width, minimum of three (3) feet up to a minimum of ten (10) feet for lots over one hundred (100) feet in width.
    - (2) Two-story buildings shall have a side setback of five (5) feet minimum.
  - C. Minimum rear setback:
    - (1) Fifteen (15) feet or ten (10) percent of lot depth, whichever is less when next to a residential zoning district.
    - (2) Ten (10) feet in general.
    - (3) Five (5) feet for accessory structures.
4. *Maximum impermeable surface for nonresidential uses.* The maximum impermeable surface shall be:

- A. Sixty-five (65) percent of the lots up to four thousand nine hundred ninety-nine (4,999) square feet;
  - B. Sixty (60) percent for lots between five thousand (5,000) square feet and seven thousand four hundred ninety-nine (7,499) square feet; and
  - C. Fifty-five (55) percent for lots seven thousand five hundred (7,500) square feet and greater.
- Provided however that the lesser of nine hundred (900) square feet or seventy-five (75) percent of the front yard area shall remain pervious and be landscaped.
- 5. *Maximum impermeable surface for all structures.* The maximum impermeable surface shall be:
    - A. Fifty-five (55) percent for lots up to four thousand nine hundred ninety-nine (4,999) square feet;
    - B. Fifty (50) percent for lots between five thousand (5,000) square feet and seven thousand four hundred ninety-nine (7,499) square feet; and
    - C. Forty-five (45) percent for lots seven thousand five hundred (7,500) square feet and greater.
  - 6. *Floor area ratio (FAR) limitations.* Maximum FAR is 1.20. The FAR shall be:
    - A. 0.70 for lots up to four thousand nine hundred ninety-nine (4,999) square feet;
    - B. 0.65 for lots between five thousand (5,000) square feet and seven thousand four hundred ninety-nine (7,499) square feet;
    - C. 0.60 for lots seven thousand five hundred (7,500) square feet and greater; and
    - D. An additional 0.50 of FAR shall be granted under the Sustainable Bonus Incentive Program.
  - 7. *Accessory structures.* All accessory structures shall not exceed forty (40) percent of the gross floor area of the principal structure, excluding approved prefabricated metal storage buildings totaling no more than one hundred forty-four (144) square feet.
  - 8. *Location of accessory buildings, pools, etc.* Accessory buildings, pools and similar structures shall be allowed within the rear or side yards of a double front or corner lot between the main structure and a public street, provided that minimum setbacks are maintained.
  - 9. *Parking.* Surface parking lots and back out parking is prohibited along Federal Highway.
  - 10. *Required street trees.* Street trees shall be installed at a maximum of every twenty-five (25) feet of frontage. Approved native species shall be used.
  - 11. *Major thoroughfare design guidelines.* Additional developmental regulations are applicable to certain locations in this district pursuant to the major thoroughfare guidelines, as adopted from time to time by resolution of the city commission. See also section 23.2-31.
- e) *Locational and development regulations for uses permitted as either administrative or conditional uses.* Uses permitted as conditional uses shall be regulated pursuant to the requirements of sections 23.2-28 and 23.2-29 Article 4, Development Standards.

(Ord. No. 2014-08, § 2, 3-18-14; Ord. No. 2018-10, § 8(Exh. G), 7-17-18; Ord. No. 2019-13, § 4, 12-3-19)