

Sec. 4.4.13. Central Business (CBD) District.¹

- (A) **Purpose and intent.** The Central Business District (CBD) is established to preserve and protect the cultural and historic aspects of downtown Delray Beach and simultaneously provide for the stimulation and enhancement of the vitality and economic growth of this special area. The CBD is comprised of five sub-districts, each with regulations to support their distinctive characteristics. The CBD is compatible with land areas designated as Commercial Core on the Land Use Map. (Ord. No. 19-18, § 2, 10-16-18; Ord. No. 23-20, § 25, 9-10-20; Ord. No. 26-21, § 2, 8-10-21; Ord. No. 20-21, § 2, 12-7-21)
- (1) **Central Core Sub-district.** The Central Core Sub-district regulations are intended to result in development that preserves the downtown's historic moderate scale, while promoting a balanced mix of uses that will help the area evolve into a traditional, self-sufficient downtown. Residential development is permitted at a density that fosters compact, pedestrian oriented growth that will support downtown businesses. See Figure 4.4.13-B-1 "Central Core and Beach Sub-Districts Regulating Plan." (Ord. No. 19-18, § 2, 10-16-18; Ord. No. 26-21, § 2, 8-10-21)
 - (2) **Beach Sub-district.** The Beach Sub-district regulations are intended to preserve and enhance the character of these areas, the public condition of the beach, the vitality of its center, and the natural environment. Within this area, the Delray Beach Master Plan calls for redevelopment of existing buildings in a manner that places storefronts close to the street and parking to the rear. Where existing buildings are separated from the pedestrian ways by wide landscaped areas, the addition of arcades and new building square footage to bring the storefronts closer to the street is encouraged. The Beach Sub-district is located within the Coastal Planning Area, and as such, density and intensity are limited to promote community resiliency. See Figure 4.4.13-B-1 "Central Core and Beach Sub-Districts Regulating Plan." (Ord. No. 19-18, § 2, 10-16-18; Ord. No. 26-21, § 2, 8-10-21)
 - (3) **West Atlantic Neighborhood Sub-district.** The West Atlantic Neighborhood Sub-district regulations are intended to be consistent with the Downtown Delray Beach Master Plan and the West Atlantic Master Plan. The emphasis of these regulations is on the preservation and enhancement of existing neighborhoods, while promoting a pedestrian friendly commercial area along West Atlantic Avenue that contains a mix of residential, commercial and civic functions. Businesses that are oriented toward serving the local neighborhood, as opposed to a regional area, are encouraged. Density incentives are available for redevelopment in this Sub-district to promote the inclusion of workforce housing. See Figure 4.4.13-B-2, "West Atlantic Neighborhood Sub-District Regulating Plan." (Ord. No. 19-18, § 2, 10-16-18; Ord. No. 26-21, § 2, 8-10-21)
 - (4) **Railroad Corridor Sub-district.** The Railroad Corridor Sub-district regulations are intended to allow for development of light industrial type and mixed commercial and nonresidential uses on properties that are in the downtown area, but are also in close proximity to the FEC Railway. The purpose of the area is to recognize the long-standing light industrial character of this railroad corridor; to provide for the upgrading and expansion of existing uses when appropriate; and to enhance the economic growth of the CBD by providing additional employment opportunities in the downtown area. This Sub-district is comprised of two nodes, one in the northern part of the CBD and one in the southern part of the CBD. Density incentives are available for redevelopment in a limited area of this sub-district to promote the

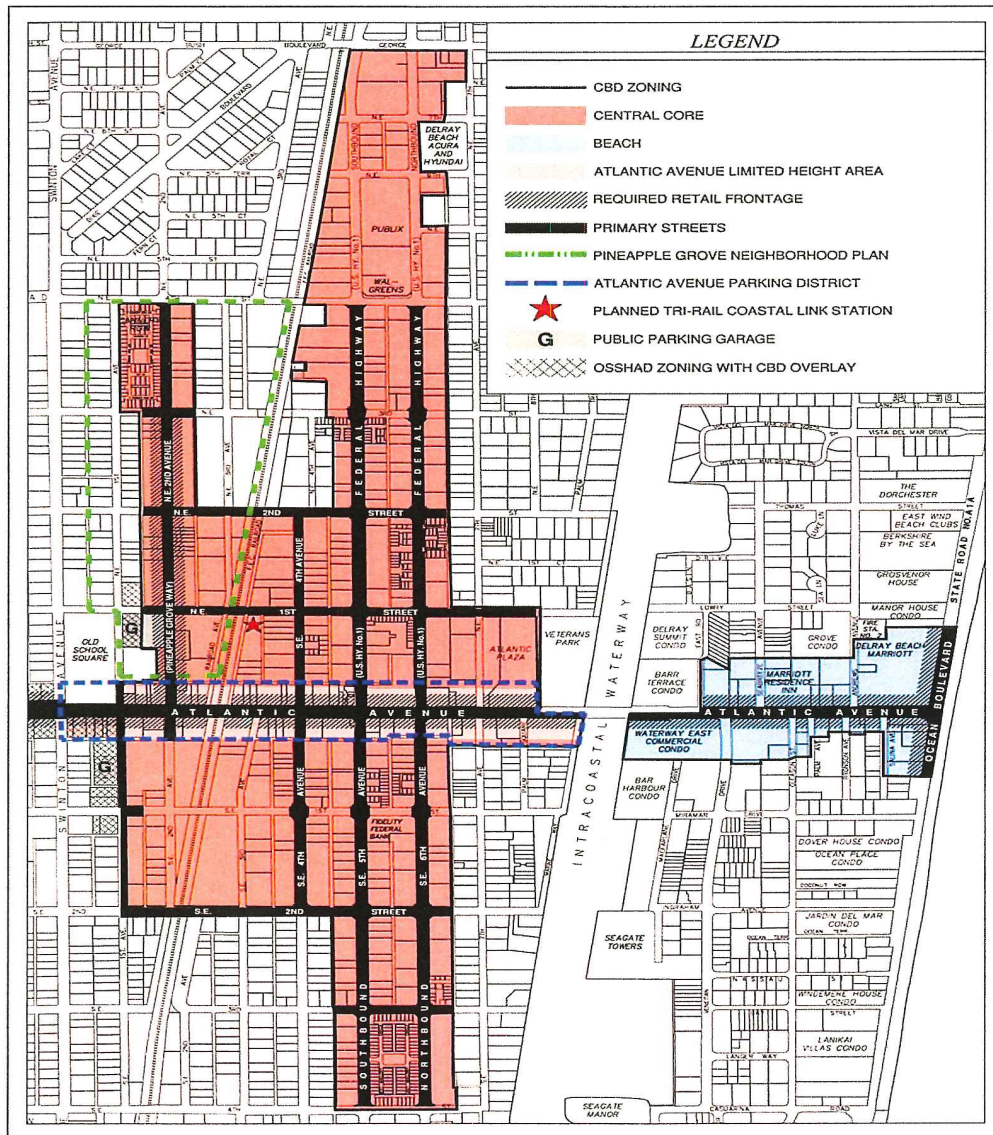
¹Editor's note(s)—Ord. No. 26-21, §§ 2—8 and 10, adopted August 10, 2021, repealed Figures 4.4.13-1—4.4.13-4 and redesignated the existing Figures 4.4.13-5—4.4.13-7, 4.4.13-8, 4.4.13-8A, 4.4.13-9—4.4.13-12, 4.4.13-13—4.4.13-28, 4.4.13-29—4.4.13-31, 4.4.13-32—4.4.13-35, and 4.4.13-36 as Figures 4.4.13-B-1—B-3, 4.4.13-C-1, 4.4.13-C-2, 4.4.13-D-1—4.4.13-D-4, 4.4.13-E-1—4.4.13-E-16, 4.4.13-F-1—4.4.13-F-3, 4.4.13-G-1—4.4.13-G-4, and 4.4.13-K-1, respectively.

inclusion of workforce housing. See Figure 4.4.13-B-3 "Railroad Corridor Sub-District Regulating Plan." (Ord. No. 19-18, § 2, 10-16-18; Ord. No. 26-21, § 2, 8-10-21)

- (5) **South Pairs Neighborhood Sub-district.** The South Pairs Neighborhood Sub-district regulations are intended to result in development that promotes an attractive, walkable, mixed-use environment along the South Federal Highway corridor, while providing a compatible and appropriate transition to the residential neighborhoods to the east and west of the Sub-district. Density incentives are available in specific areas of this Sub-district to spur redevelopment along the corridor, to promote the inclusion of workforce housing, and to encourage compatible transitions to adjacent single-family neighborhoods. See Figure 4.4.13-B-4 "South Pairs Neighborhood Sub-District Regulating Plan." (Ord. No. 20-21, § 2, 12-7-21)
- (B) **Regulating plans.** The Delray Beach Central Business District Regulating Plans depict additional information necessary to apply the standards contained in this Section and are hereby officially adopted as an integral part of these regulations. A Regulating Plan for each CBD Sub-district is provided in this Section and versions at larger scales are available in the Development Services Department. The Regulating Plans depict the following information: (Ord. No. 19-18, § 3, 10-16-18; Ord. No. 26-21, § 3, 8-10-21)
 - (1) **Primary and secondary streets and alleys.** Primary Streets are intended to develop over time as superior pedestrian environments and, as such, are held to higher standards in the regulations regarding building placement, building frontage, and the location of parking and service uses. Streets not designated as Primary Streets are considered Secondary Streets, which can accommodate service functions and vehicular-oriented development needs, including parking, loading, and drive-through facilities. Alleys are important assets in the CBD, performing many functions within small rights-of-way. See Section 4.4.13(C)(2). (Ord. No. 19-18, § 3, 10-16-18)
 - (2) **Required retail frontage.** Certain Primary Streets within the CBD are intended to be lively, highly active pedestrian environments that support businesses and reinforce local character. Streets designated as with Required Retail Frontage are held to stricter standards regarding allowable frontage types and uses located within side-walk level stories. See Section 4.4.13(C)(3). (Ord. No. 19-18, § 3, 10-16-18)
 - (3) **Parking and transit locations.** The locations of public parking garages and the planned Tri-Rail Coastal Link station are mapped on the Regulating Plan. Parking requirements may be adjusted based on the proximity to these transportation resources. In addition, the Atlantic Avenue Parking Area is mapped, which has special parking requirements for restaurant and lounge uses. See Section 4.4.13(I).
 - (4) **Limited Height Areas.** Building height is limited in specific areas to protect and enhance existing development patterns. See Section 4.4.13(D). (Ord. No. 19-18, § 3, 10-16-18; Ord. No. 07-20, § 2, 5-19-20)
 - a. Building height is limited on a portion of East Atlantic Avenue to help maintain the unique character of the City's historic main street. (Ord. No. 07-20, § 2, 5-19-20)
 - b. Building height is limited in certain areas in the West Atlantic Neighborhood and South Pairs Neighborhood Sub-districts to encourage compatible transitions to the surrounding single-family neighborhoods. (Ord. No. 07-20, § 2, 5-19-20; Ord. No. 20-21, § 3, 12-7-21)
- (5) **West Atlantic Neighborhood Commercial Area.** The location of commercial uses is limited within the West Atlantic Neighborhood Sub-district to protect established residential areas from commercial intrusion. See Section 4.4.13(C)(4)(c). (Ord. No. 19-18, § 3, 10-16-18)
- (6) **Old School Square Historic Arts District (OSSHAD) Zoning with CBD Overlay.** Section 4.4.24(E) identifies OSSHAD properties with CBD Overlay and which CBD Sub-district standards apply. [Amd. Ord. 27-15 10/20/15] (Ord. No. 19-18, § 3, 10-16-18)

- a. Properties with OSSHAD Zoning with CBD Overlay may follow the applicable CBD Sub-district development standards for principal and accessory uses only and may not apply for conditional uses or participate in the Incentive Program in Section 4.4.13(H). (Ord. No. 19-18, § 3, 10-16-18)
- b. CBD Overlay properties are also subject to the OSSHAD Special District Regulations of Section 4.4.24(H). (Ord. No. 19-18, § 3, 10-16-18)
- c. CBD Overlay properties must adhere to the required standards set forth in Section 4.4.13(F)(1), and 4.4.13(K)(3). (Ord. No. 19-18, § 3, 10-16-18)

Figure 4.4.13-B-1 Central Core and Beach Sub-districts Regulating Plan



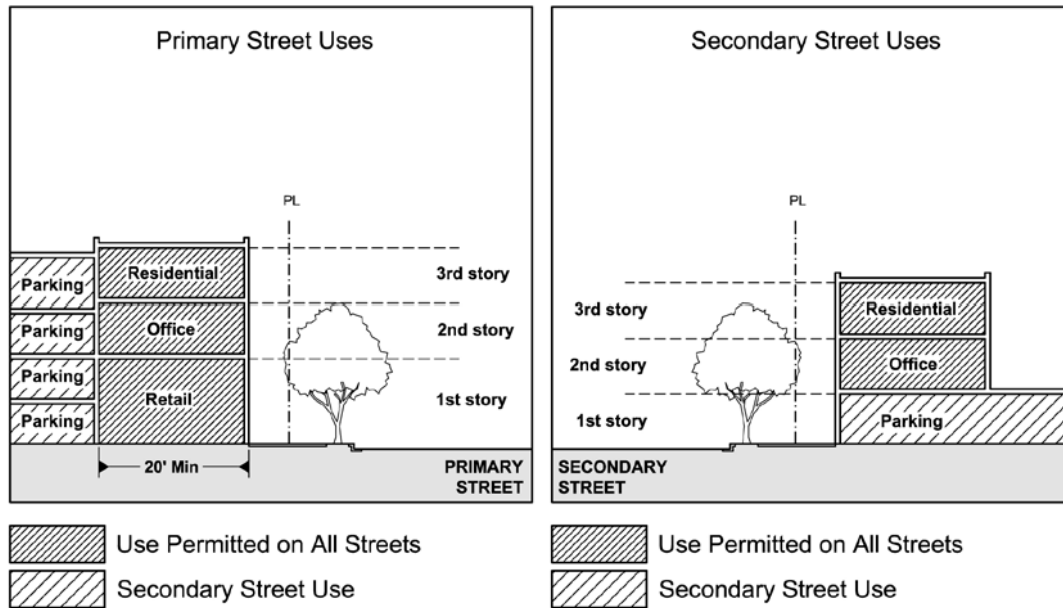
(Ord. No. 13-16, § 1(Exh. A), 6-7-16; Ord. No. 26-21, § 3, 8-10-21)

(Ord. No. 20-21, § 3, 12-7-21)

(C) Allowable uses.

- (1) **Principal, accessory, and conditional uses.** Table 4.4.13(A) identifies the allowable principal, accessory, and conditional uses for each area of the CBD. See Section 4.4.13(J) for approval standards. Streets designated as "Primary Streets" and/or with "Required Retail Frontage" on any Sub-district Regulating Plan have additional standards. (Ord. No. 19-18, § 4, 10-16-18)
- (2) **Use variations for Primary and Secondary Streets.** Primary Streets are intended to be superior pedestrian environments and, as such, are held to higher standards regarding the location of certain uses, including parking. The Sub-district Regulating Plans designates certain streets as "Primary Streets" and all other streets are considered to be "Secondary Streets." (Ord. No. 19-18, § 4, 10-16-18)
 - (a) Where a principal or accessory use does not have an "S" in Table 4.4.13(A), the use is permitted on both Primary and Secondary streets.
 - (b) Where a principal or accessory use in Table 4.4.13(A) has an "S" in the column, the use is a "Secondary Street" use.
 1. Secondary Street uses are permitted without limitations on Secondary Streets, except for properties zoned OSSHAD with CBD Overlay, as identified on Figure 4.4.13-B-1, "Central Core & Beach Sub-districts Regulating Plan," and Figure 4.4.13-B-2, "West Atlantic Neighborhood Regulating Plan." [Amd. Ord. 28-15 12/08/15] (Ord. No. 26-21, § 4, 8-10-21)
 2. On Secondary Streets, properties zoned OSSHAD with CBD Overlay shall line Secondary Street uses (except accessory parking in a surface lot) along the street level for a depth of at least 20 feet on all stories by a use permitted on all streets. [Amd. Ord. 28-15 12/08/15]
 3. On Primary Streets, Secondary Street uses (including parking garage levels) shall be lined along the street for a depth of at least 20 feet on all stories by a use permitted on all streets (see Figure 4.4.13-C-1). (Ord. No. 28-15, § 2, 12-8-15; Ord. No. 26-21, § 4, 8-10-21)
 4. On Primary Streets, Public Parking Garages (as mapped on a regulating plan) shall be lined along the sidewalk level for a depth of at least 20 feet by a use permitted on all streets; a use liner is not required on upper levels. (Ord. No. 28-15, § 2, 12-8-15)
- (c) Additional standards for Conditional Uses are in Section 4.4.13(K)(7). (Ord. No. 19-18, § 4, 10-16-18)

Figure 4.4.13-C-1 Primary and Secondary Street Uses



(Ord. No. 26-21, § 4, 8-10-21)

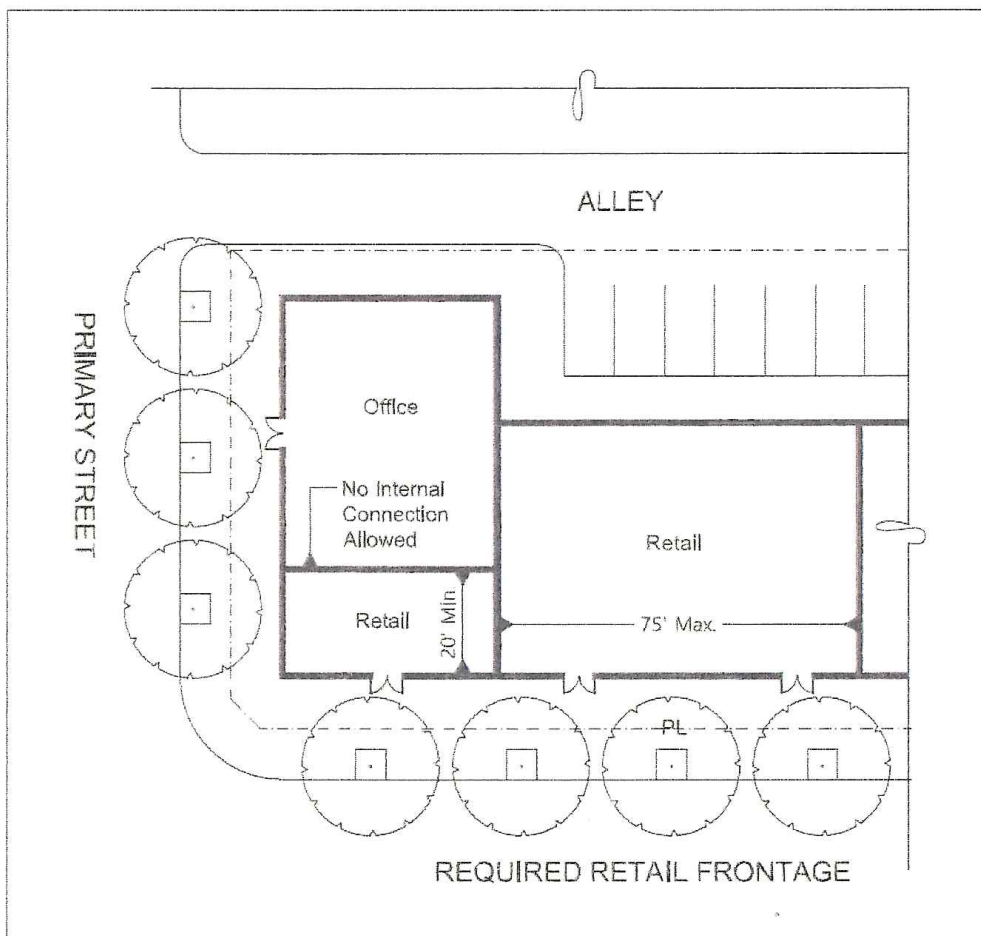
- (3) **Required Retail Frontage Use Limitations.** Streets designated on the Regulating Plan with Required Retail Frontage are intended to be lively, highly active pedestrian environments that support businesses and reinforce local character. Properties on streets designated with Required Retail Frontage have use and frontage type standards that apply to the sidewalk level story. (Ord. No. 19-18, § 4, 10-16-18)

(a) **All Sub-districts.** (Ord. No. 19-18, § 4, 10-16-18)

1. Residential units, including multi-family and live-work, are not permitted in the sidewalk-level story on streets with Required Retail Frontage.
2. On streets with Required Retail Frontage, buildings and uses at the sidewalk level shall comply with the following: [Amd. Ord. 28-15 12/08/15] (Ord. No. 19-18, § 4, 10-16-18)
 - a. The frontage type shall be either a Storefront or Arcade with a Storefront. See Section 4.4.13(E); (Ord. No. 19-18, § 4, 10-16-18; Ord. No. 26-21, § 4, 8-10-21)
 - b. The width of an individual commercial space shall not exceed 75 feet (See Figure 4.4.13-C-2); (Ord. No. 19-18, § 4, 10-16-18; Ord. No. 26-21, § 4, 8-10-21)
 - c. The depth of an individual commercial space shall be at least 20 feet and contain only uses permitted in 4.4.13(C)(3)(b) and (c); combinations of permitted uses with other uses not permitted at the sidewalk level are not allowed (See Figure 4.4.13-C-2); and (Ord. No. 19-18, § 4, 10-16-18; Ord. No. 26-21, § 4, 8-10-21)
 - d. Uses not permitted in 4.4.13(C)(3)(b) and (c) shall not be accessed from the street designated with Required Retail Frontage and must be physically separated with no interior connections between common walls (See Figure 4.4.13-C-2). (Ord. No. 19-18, § 4, 10-16-18; Ord. No. 26-21, § 4, 8-10-21)

3. Valet and passenger loading areas and access are not permitted. (Ord. No. 19-18, § 4, 10-16-18)

Figure 4.4.13-C-2 Required Retail Frontage



(Ord. No. 26-21, § 4, 8-10-21)

- (b) **Central Core and Beach Sub-districts.** One hundred percent of the building frontage at the sidewalk-level story shall be for the following uses (as described in Table 4.4.13(A)): (Ord. No. 19-18, § 4, 10-16-18)
 1. General retail uses and/or facilities. (Ord. No. 12-20, § 2, 10-20-20)
 2. Services and facilities. (Ord. No. 33-16, § 5, 11-15-16; Ord. No. 19-18, § 4, 10-16-18; Ord. No. 12-20, § 2, 10-20-20)
 3. Hotels, motels, or residence-type inns.
 4. NEV sales, lease or rental offices. (Ord. No. 36-16, § 5, 1-10-17)
 5. Limitations and exceptions. (Ord. No. 12-20, § 2, 10-20-20)

- a. Tattoo establishments are not permitted. (Ord. No. 12-20, § 2, 10-20-20)
- b. Financial institutions are limited to banks and savings and loan establishments; brokerage firms and private wealth management firms are not permitted. The following regulations also apply: (Ord. No. 12-20, § 2, 10-20-20)
 - i. No more than 75 feet of financial institution frontage is allowed per block face; and (Ord. No. 12-20, § 2, 10-20-20)
 - ii. No more than a total of 100 feet of financial institution frontage is allowed on facing street frontages. (For example, a new financial institution with 30 feet of street frontage may locate across the street from an existing financial institution with 70 feet of street frontage.) (Ord. No. 12-20, § 2, 10-20-20)
- c. Sale of automotive parts, lawn care equipment, firearms, or secondhand material (other than verifiable antiques) are not permitted. (Ord. No. 12-20, § 2, 10-20-20)
- d. Buildings constructed prior to 1980 located in the Beach Sub-district that have 80 percent or more of their frontage at a setback of 25 feet or greater shall be exempted from the 100 percent ground floor retail requirement. (Ord. No. 12-20, § 2, 10-20-20)
- e. CBD oil establishments as a principal use, or the sale of CBD oil products as an accessory use. (Ord. No. 58-20, § 5, 12-1-20)
- f. Eyeglass stores with accessory optometry services are limited to one store per block face and are not permitted on facing street frontages. (Ord. No. 26-22, § 3, 12-6-22)

(c) **West Atlantic Neighborhood Sub-district.**

- 1. At least 50 percent of the building frontage of the sidewalk level story shall be for the following uses (as described in Table 4.4.13(A)): (Ord. No. 19-18, § 4, 10-16-18)
 - a. General retail uses and/or facilities, except that sales of automotive parts, lawn care equipment, firearms, or second hand material (other than verifiable antiques) are not permitted.
 - b. Services and facilities
 - c. Hotels, motels, or residential-type inns as a Conditional Use
- 2. Up to 50 percent of the building frontage of the sidewalk level story may be for business, professional, and medical uses/offices; more than 50 percent may be approved as a Conditional Use. (Ord. No. 19-18, § 4, 10-16-18)

Table 4.4.13(A)—Allowable Uses and Structures in the CBD Sub-Districts					
Uses	Central Core	Railroad Corridor	Beach Area	West Atlantic Neigh. ⁵	South Pairs Neigh
General retail uses and/or facilities, as in GC district (4.4.9) ¹	P	P	P	P	P

Business, professional, and medical uses, as in GC district (4.4.9)	P	P	P	P	P
Services and facilities, as in GC district (4.4.9) ² , excluding drive-through facilities	P	P	P	P	P
Multiple-family dwellings ³	P	P	P	P	P
Astrologist, clairvoyants, fortune tellers, palmists, phrenologists, psychic reads, spiritualists, numerologists and mental healers as in GC district (4.4.9)	-	-	-	-	P
Community residences	See 4.4.13(C)(4)(a)				
Nursing homes, abused spouse residences, continuing care facilities, and assisted living facilities that do not comport with the definition of "community residence"	P	P	P	P	C
Live/work units (see 4.3.3(KKK))	P	P	P	P	P
Hotels, motels, and residential-type inns ³ (see 4.3.3(M) and 4.3.3 (X))	P	P	P	C	C
Bed and breakfast inns (see 4.3.3 (Y))	P	P	P	C	C
Public Parking Garages, as mapped on a Regulating Plan	P,S	P,S	P,S	P,S	P,S
Fabrication and/or Assembly	-	P	-	-	-
Wholesaling, Storage, and Distribution ⁴	-	P	-	-	-
Contractor and trade services	-	P	-	-	P
Automobile brokerage, including vehicle display within an enclosed structure	-	P	-	-	-
Tattoo Establishments (see 4.3.3(ZB))	P,A	P,A	P,A	P,A	P,A
CBD Oil Establishments (see 4.3.3 (CC))	P,A	P,A	-	-	-
Family day care homes (see 4.3.3(T))	A	A	A	A	A
Home-based businesses (see 4.3.3(K))	A	A	A	A	A
Mechanical parking lifts (see 4.6.9(D)(11) and 4.6.9(F)(4))	A,S	A	A,S	A,S	A,S
Parking areas, passenger drop-off, loading/unloading, refuse and service areas	A,S	A	A,S	A,S	A,S
Automated Parking Garages	-	S	-	-	-
Refuse and service areas					

Recreational facilities (for a multiple-family development)	A	A	A	A	A
Services and repair (incidental to the associated principal use)	A,S	A	A,S	A,S	A,S
Single-family dwelling (occupied by owner, proprietor, or employee of the principal use)	A	A	A	A	A
Storage of inventory (not shared or leased independent of the principal use)	A,S	A	A,S	A,S	A,S
Automobile repair, service	-	C	-	-	-
Neighborhood Automotive Rental facility (See 4.3.3(C))	-	-	-	-	C
Child care Facilities (see 4.3.3(E)) and adult day care facilities (see 4.3.3(F))	C	C	C	C	C
Commercial recreational facilities, such as bowling alleys, skating rinks, and amusement game facilities	C	C	C	C	C
Drive-through facilities (serving banks, financial institutions, retail uses, etc.) ² See 4.4.13(J)(7)(a)	C	C	C	C	C
Food Preparation and/or Processing including bakeries and catering	-	C	-	-	-
Funeral homes, including accessory uses such as a chapel or crematory	C	C	C	C	C
Gasoline stations (See 4.4.13(J)(7)(b) and/or car washes (See 4.4.13(J)(7)(c))	C	C	-	-	C
Large family child care homes (see 4.3.3(TT))	C	C	C	C	C
Dry-cleaning Processing Plants	-	C	-	-	-
Segway tours and Segway sales (see 4.3.3(ZZZZ))	C	C	C	C	C
Theaters, excluding drive-ins	C	C	C	C	C
Pet Services [See 4.3.3(W)]	C	C	C	C	C
Pet Hotels [see 4.3.3(W)]		C			C
Veterinary Clinics [see 4.3.3(W)]	C	C	C	C	C
24-hour or late-night businesses, within 300 feet of residential zoned property [see 4.3.3(VV)]	C	C	C	C	C
Urban Agriculture [4.3.3 (D)] excluding outdoor Urban Farms	P,A	P,A	-	P,A	P,A
Outdoor Urban Farms [4.4.3(D)]	C	C	C	C	C

Clubs and Lodges as in GC (4.4.9)	-	-	-	-	C
Flea Markets, Bazaars as in GC (4.4.9)	-	-	-	-	C
Sales and service of all terrain vehicles and personal watercraft as in GC (4.4.9)	-	-	-	-	C
Vehicle care (See 4.4.13(C)(4)(f)(5))	-	-	-	-	C
Churches or places of worship (See 4.4.13(C)(4)(c))	-	-	-	C	C
LEGEND: P = Principal Use A = Accessory Use C = Conditional Use - = Prohibited Use S = Secondary Street Use					

¹ Sales of automotive parts, lawn care equipment, firearms, or secondhand material (other than verifiable antiques) are not allowed on properties facing a designated Required Retail Street on the Regulating Plan or anywhere within the West Atlantic Neighborhood.

² Drive-thru and Drive-in restaurants are not permitted within the CBD.

³ For density limits, see Table 4.4.13(C).

⁴ Not self-storage facilities; products and materials shall not exceed 55 gallons of any substance which is listed on the Generic Substances List of the Palm Beach County Wellfield Protection Ordinance (Ref.: Palm Beach County LDC, Article 9, Section 9.3)

⁵ See Section 4.4.13(C)(4)(a) for limits on commercial use locations in the West Atlantic Neighborhood Sub-district.

(Ord. No. 07-17, § 10, 5-16-17; Ord. No. 25-17, § 22, 7-18-17; Ord. No. 19-18, § 4, 10-16-18; Ord. No. 31-18, § 2, 1-15-19; Ord. No. 58-20, § 6, 12-1-20; Ord. No. 17-21, § 6, 10-19-21; Ord. No. 20-21, § 4, 12-7-21; Ord. No. 23-22, § 9, 8-16-22)

(4) **Supplemental use standards.**

- (a) **Community Residence Housing.** Except as required by state law, a Community Residence housing four to ten individuals shall be allowed as a permitted use in all four CBD Sub-Districts if it (1) would be located at least 660 linear feet from the closest existing community residence housing four or more individuals as measured from the nearest property line of the proposed community residence to the nearest property line of the existing community residence, and (2) the operator or applicant is licensed or certified by the State of Florida to operate the proposed community residence, has certification from an appropriate national accrediting agency, or has been recognized or sanctioned by Congress to operate the proposed community residence. Except as required by state law, a conditional use permit must be obtained for any community residence that does not meet both criteria (1) and (2). See additional and related regulations at Section 2.4.7(G) and 4.3.3(I) of the Land Development Regulations. (Ord. No. 19-18, § 4, 10-16-18)
- (b) **Worker transport/assembly points.** The picking-up, dropping-off, or otherwise transporting workers, assigned through an employment agency, from an assembly point in the CBD to the work site is prohibited, except within the West Atlantic Neighborhood area provided the structure or assembly point is not located on West Atlantic Avenue. (Ord. No. 19-18, § 4, 10-16-18)
- (c) **West Atlantic Neighborhood Sub-district Supplemental Use Standards:** The following supplemental district regulations apply in the West Atlantic Neighborhood Sub-district: (Ord. No. 19-18, § 4, 10-16-18)
 - 1. **West Atlantic Neighborhood Commercial Area.** Commercial and mixed-use structures may extend up to 150 feet from West Atlantic Avenue and are allowed on NW 5th Avenue and SW 5th Avenue. Residential structures and accessory uses such as parking areas,

landscaping, and drainage retention areas may extend beyond the 150-foot limit. Full service grocery stores may extend beyond the 150-foot limit from West Atlantic Avenue with approval by the SPRAB or the HPB of a site plan design that ensures compatible transitions between commercial and residential areas. Establishment or expansion of commercial and mixed-use structures beyond the 150-foot limit may be allowed as a conditional use, subject to the required findings of Section 2.4.5(E)(5). The West Atlantic Neighborhood Commercial Area is mapped on the West Atlantic Neighborhood Regulating Plan. (Ord. No. 19-18, § 4, 10-16-18; Ord. No. 07-20, § 4, 5-19-20)

2. There is no restriction on repair of non-conforming single family residences located more than 150 feet from West Atlantic Avenue. (Ord. No. 19-18, § 4, 10-16-18)
- (d) **Railroad Corridor Sub-district Supplemental Use Standards.** The following supplemental district regulations apply in the Railroad Corridor Sub-district: (Ord. No. 19-18, § 4, 10-16-18; Ord. No. 31-18, § 3, 1-15-19)
1. **Outdoor uses:** Within the Railroad Corridor Sub-district, except for outside storage approved pursuant to Section 4.6.6(C)(2) and outdoor dining, all principal and conditional uses shall be conducted within an enclosed building. (Ord. No. 19-18, § 4, 10-16-18; Ord. No. 31-18, § 3, 1-15-19)
 2. **Automobile brokerages:** Inventory must only be located within an enclosed building. Automobiles which are part of the business inventory must not be placed in parking areas. (Ord. No. 19-18, § 4, 10-16-18; Ord. No. 31-18, § 3, 1-15-19)
 3. **Parking garages, automated:** Automated parking garages are allowed on Secondary Streets located north of NE 2nd Street. Automated parking garages are subject to the following requirements: (Ord. No. 31-18, § 3, 1-15-19)
 - a. A traffic statement must be provided detailing the ingress, egress, queuing, and circulation demonstrating the specific measures taken to minimize stacking onto public right-of-way resulting from the automated parking garage. (Ord. No. 31-18, § 3, 1-15-19)
 - b. An attendant must be on-site during all hours of operation, defined as any time the parking garage is accessible for parking purposes by the public, and the garage must be secured when not accessible for parking purposes. An attendant is not required if the parking garage is limited to private use. i.e, not available to the general public. (Ord. No. 31-18, § 3, 1-15-19)
 - c. Projects with driveways that limit the ability to install the required number of street trees shall either provide the required trees at another location on-site or contribute to the Tree Fund, in accordance with the fee schedule in Section 4.6.19(E)(5)(d). (Ord. No. 31-18, § 3, 1-15-19)
 - d. The SPRAB may approve automated parking garages that utilize an alternative façade design or cladding materials provided photovoltaic cells (solar panels) are incorporated into the structure and used as a power source for the garage operations or uses associated with the automated parking garage; if solar panels are not incorporated, facades that do not meet the architectural standards in Section 4.4.13(F) require City Commission approval. (Ord. No. 31-18, § 3, 1-15-19)

- (e) **South Pairs Neighborhood Sub-district Supplemental Use Standards:** The following supplemental district regulations apply in the South Pairs Neighborhood Sub-district: (Ord. No. 20-21, § 5, 12-7-21)
1. Hotels, motels or residential-type inns shall only be permitted as a conditional use and on sites located between SE 5th Avenue and SE 6th Avenue. (Ord. No. 20-21, § 5, 12-7-21)
 2. Automobile brokerages/rental: Inventory must only be located within an enclosed building and shielded from the primary street. Automobiles that are part of the business inventory must not be stored in public or required parking areas. (Ord. No. 20-21, § 5, 12-7-21)
 3. Astrologists, clairvoyants, fortune tellers, palmists, phrenologists, psychic readers, spiritualists, numerologists and mental healers are limited to no more than one business every 300 feet, measured in a straight line from lot line to lot line. (Ord. No. 20-21, § 5, 12-7-21)
 4. Vehicle care limited to the changing of oil and filters and lubrication, with no mechanical work or outside storage of vehicles, except as part of a gasoline station. (Ord. No. 20-21, § 5, 12-7-21)
- (f) **Special Requirements for Specific Uses:** Permitted uses that are not specified in Table 4.4.13(A) may also have additional regulations in Section 4.3.3. (Ord. No. 19-18, § 4, 10-16-18; Ord. No. 26-21, § 4, 8-10-21; Ord. No. 20-21, § 5, 12-7-21)
- (g) **Outdoor use areas:** All outdoor uses areas, with the exception of accessory uses clearly ancillary to the principal use, are subject to parking requirements. This provision is applicable to balconies, porches, rooftops, and any other outdoor use area regardless of which story it is located. (Ord. No. 19-18, § 4, 10-16-18; Ord. No. 20-21, § 5, 12-7-21)
- (h) **Rooftop Terraces:** These regulations are intended to guide the use of rooftops in the downtown. (Ord. No. 19-18, § 4, 10-16-18; Ord. No. 20-21, § 5, 12-7-21)
1. **Rooftop uses.** Rooftop terraces may be used for outdoor dining, open-air lounges, exercise and fitness activities (both as principal or accessory uses), rooftop gardens, urban agriculture, and recreational amenities. (Ord. No. 19-18, § 4, 10-16-18)
 2. **General Standards for rooftops.** All rooftop terraces shall comply with the following standards: (Ord. No. 19-18, § 4, 10-16-18)
 - a. Rooftop terraces shall be architecturally compatible with the design of the overall building. (Ord. No. 19-18, § 4, 10-16-18)
 - b. Rooftop terraces shall be designed to mitigate potential impacts to surrounding properties. (Ord. No. 19-18, § 4, 10-16-18)
 - i. Lighting standards of Section 4.6.8 apply. All rooftop lighting shall be full cutoff luminaries to minimize spillover on adjacent properties. Light poles may not extend beyond the maximum building height limit. (Ord. No. 19-18, § 4, 10-16-18)
 - ii. Live music and music played by a disc jockey are not permitted unless within enclosed spaces; and, noise control is subject to the City's Noise Ordinance. (Ord. No. 19-18, § 4, 10-16-18)
 - iii. For properties adjoining or separated by an alley from a residential zoning district, OSSHAD, or an existing residential use, rooftop terrace design

shall provide screening at least six feet in height along the adjoining perimeter to limit oversight into residential properties. Privacy screening shall not extend above 60 feet and may consist of a parapet, landscape, railings, etc. (Ord. No. 19-18, § 4, 10-16-18)

- iv. Outdoor rooftop activities (not within enclosed areas) are limited on Sunday through Thursday to the time between 7 a.m. and 10 p.m., and on Friday and Saturday to the time between 7 a.m. and 11 p.m. (Ord. No. 19-18, § 4, 10-16-18)
 - c. Parking must be provided when a principal use is located on a rooftop terrace. (For example, restaurant seating or an outdoor yoga studio). Parking is not required for amenities that are ancillary to the principal use. (For example, a swimming pool for a condominium). (Ord. No. 19-18, § 4, 10-16-18)
 - d. Railings or parapets shall be a minimum of four feet in height, consistent with proposed architectural style, and provided for the full perimeter of rooftop terrace. Railing and parapet height may not extend beyond the maximum building height of 60 feet. (Ord. No. 19-18, § 4, 10-16-18)
3. ***Rooftops on Buildings with the Maximum Number of Stories.*** These regulations are intended to guide the non-habitable use of rooftops for buildings built to the maximum story height limit to allow rooftop terraces. Rooftop terraces and rooftop amenities, such as roof gardens, observation decks, swimming pools, and running tracks, are encouraged to create unique gathering spaces, to aid in the reduction of the urban heat index, and to add aesthetic value to the buildings. Rooftop terraces are not intended to add additional story height. Rooftop terraces shall be subject to the following criteria: (Ord. No. 19-18, § 4, 10-16-18)
- a. Rooftop terraces that are entirely open to the sky may occupy 100 percent of the total gross roof area. (Ord. No. 19-18, § 4, 10-16-18)
 - b. Rooftop terraces shall be hardscaped with materials such as, but not limited to, patterned concrete, pavers, or wood decking. (Ord. No. 19-18, § 4, 10-16-18)
 - c. Rooftop terraces shall be landscaped over a minimum of ten percent of the rooftop terrace area. Landscaping shall consist of trees, shrubs, ground cover, and vines. (Ord. No. 19-18, § 4, 10-16-18)
 - d. Covered structures located above the maximum allowable number of stories are permitted to cover a maximum area of 25 percent of the rooftop terrace area. For the purposes of calculating the maximum area, the term "covered structures" shall not include enclosures for screening mechanical systems, elevator shafts, or stair towers. The following restrictions apply: (Ord. No. 19-18, § 4, 10-16-18)
 - i. Covered structures located above the maximum number of stories shall not exceed a maximum height of 60 feet. (Ord. No. 19-18, § 4, 10-16-18)
 - ii. The uses within covered structures shall not be for residential or similar use or for uses generally with a 24-hour occupancy. Covered structures that may be climate-controlled are limited to elevator lobby areas, restrooms, restaurants, lounges, fitness centers, and similar uses. (Ord. No. 19-18, § 4, 10-16-18)

4. **Swimming pools on rooftops.** Swimming pools and/or hot tubs are permitted in rooftop terraces subject to the following criteria: (Ord. No. 19-18, § 4, 10-16-18)
 - a. Swimming pools and hot tubs are only permitted as amenities to residential or hotel buildings. (Ord. No. 19-18, § 4, 10-16-18)
 - b. Swimming pools and hot tubs are permitted provided the top of the surrounding deck does not exceed eight feet above the top of the main rooftop. (Ord. No. 19-18, § 4, 10-16-18)
 - c. Swimming pools and/or whirlpools shall be surrounded by a minimum five-foot wide walkway. (Ord. No. 19-18, § 4, 10-16-18)
 - d. Supporting restroom facilities associated with swimming pools shall comply with the standards for covered structures. (Ord. No. 19-18, § 4, 10-16-18)

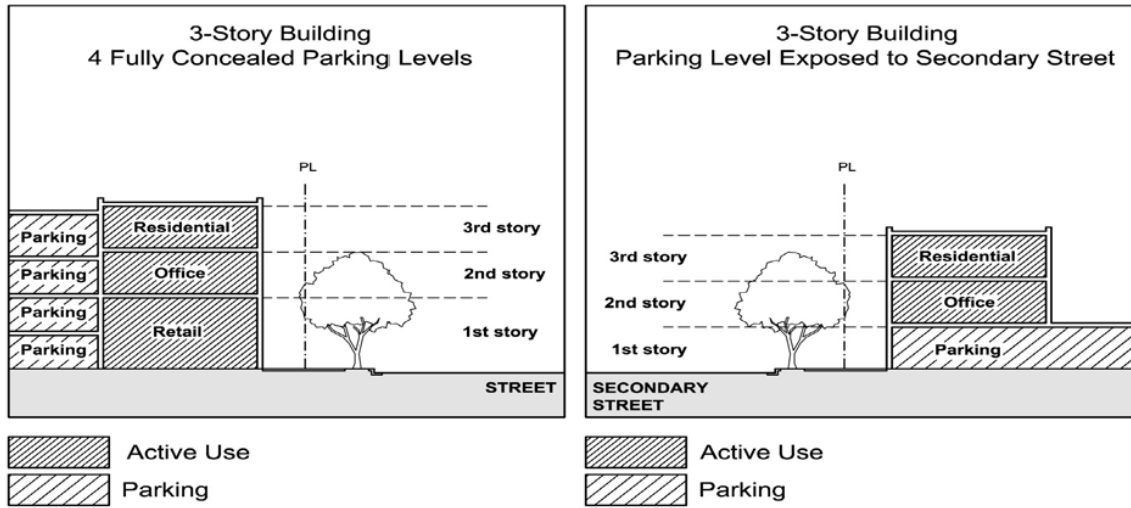
(D) **Configuration of buildings.**

- (1) **Standards for CBD.** The following building configuration standards apply to all CBD Sub-districts: (Ord. No. 19-18, § 5, 10-16-18)

- (a) **Building height.** Unless otherwise specified herein, the height of buildings shall be measured in and regulated by the number of stories and the maximum overall building height (See Tables 4.4.13(B) and 4.4.13(C)). Stories are measured from the finished floor to finished ceiling. (See Figure 4.4.13-D-2). (Ord. No. 19-18, § 5, 10-16-18; Ord. No. 26-21, § 5, 8-10-21; Ord. No. 20-21, § 6, 12-7-21)
 1. Within the Atlantic Avenue Limited Height Area, maximum overall building height is 38 feet and maximum building height in number of stories is three. The Atlantic Avenue Height Limit Area is defined as those properties, or portions of properties, located within 125 feet north or south of the East Atlantic Avenue right-of-way line, between Swinton Avenue and the Intracoastal Waterway. (See Figure 4.4.13-B-1). (Ord. No. 19-18, § 5, 10-16-18; Ord. No. 26-21, § 5, 8-10-21)
 2. Within the West Atlantic Neighborhood Limited Height Area, the maximum overall building height is 35 feet and the maximum number of stories is three. The West Atlantic Neighborhood Limited Height Area is required for those properties rezoned from Single-family Residential (R-1-A) to Central Business District. (Ord. No. 07-20, § 5, 5-19-20; Ord. No. 20-21, § 6, 12-7-21)
 3. Within the South Pairs Neighborhood Limited Height Area, maximum overall building height is 48 feet and the maximum number of stories is four. The South Pairs Neighborhood Limited Height Area is defined as those properties or portions of properties located west of SE 5th Avenue or east of SE 6th Avenue. (See Figure 4.4.13-B-4) (Ord. No. 19-18, § 5, 10-16-18; Ord. No. 07-20, § 5, 5-19-20; Ord. No. 10-20, § 3, 9-22-20; Ord. No. 03-21, § 2, 3-2-21; Ord. No. 20-21, § 6, 12-7-21)
 4. Stories located below grade are for parking or storage uses only and are not counted for the purpose of measuring building height unless the floor of the first habitable story is elevated more than four feet above the adjacent sidewalk, then the space below counts as the first story for the purposes of measuring building height. (Ord. No. 19-18, § 5, 10-16-18; Ord. No. 07-20, § 5, 5-19-20)
 5. The ground story of commercial or mixed-use buildings shall be a minimum of 12 feet tall. (Ord. No. 07-20, § 5, 5-19-20)

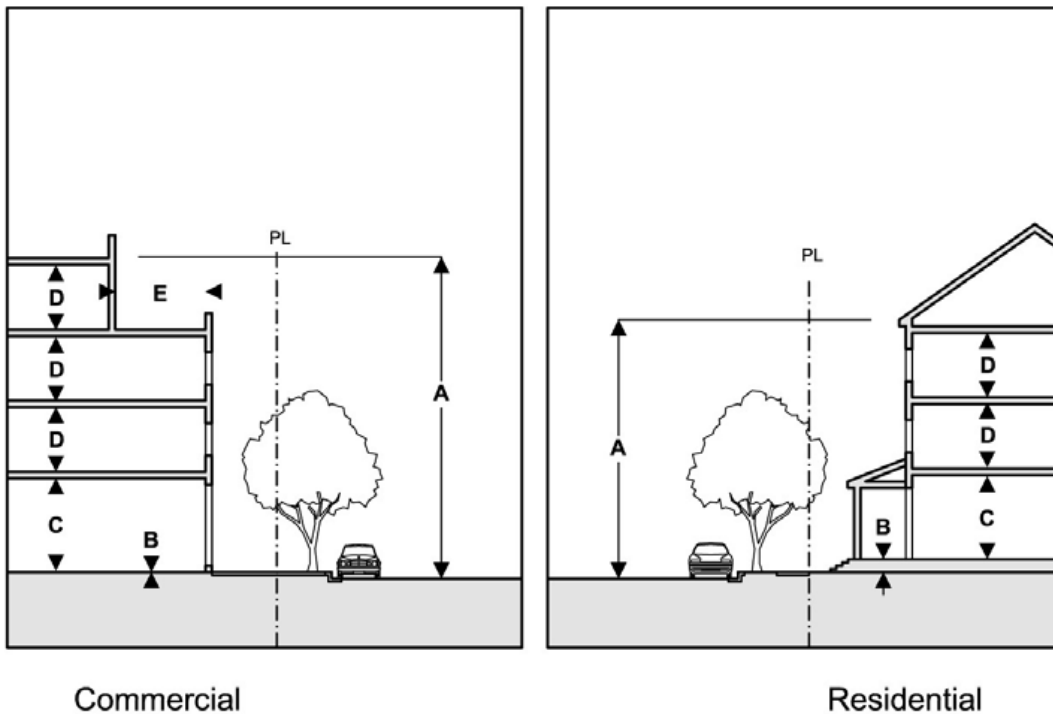
6. The ground story of residential buildings shall be a minimum of ten feet tall. (Ord. No. 07-20, § 5, 5-19-20)
7. Each story above the ground story in all buildings must be at least nine feet tall. (Ord. No. 07-20, § 5, 5-19-20)
8. Mezzanines that exceed the percentage of floor area for a mezzanine defined in the Florida Building Code are counted as stories for the purpose of measuring height. For the purpose of measuring building height, parking levels are counted as set forth in Section 4.4.13(D)(8). [Amd. Ord. 27-15 10/20/2015] (Ord. No. 07-20, § 5, 5-19-20)
9. Each parking garage level exposed to a street or civic open space shall be counted as a story for the purposes of measuring height. Parking levels fully lined and concealed from view by a story containing an active use (i.e. retail, residential, office) are not counted as stories for the purpose of measuring height. See Figure 4.4.13-D-1. (Ord. No. 19-18, § 5, 10-16-18; Ord. No. 07-20, § 5, 5-19-20; Ord. No. 26-21, § 5, 8-10-21)
10. Within the Central Core, Railroad Corridor, Beach and South Pairs Neighborhood Sub-districts, residential units must have the floor of the first habitable story elevated at least 18 inches above the adjacent sidewalk. Within the West Atlantic Neighborhood Sub-district, residential units must have the floor of the first habitable story elevated at least 12 inches above the adjacent sidewalk. Lobbies and common areas in multi-unit or mixed-use buildings may have a lower ground floor finish level. (Ord. No. 07-20, § 5, 5-19-20; Ord. No. 20-21, § 6, 12-7-21)
11. Architectural features including church spires, steeples, belfries, and cupolas are not limited by story height; however, any part of any such feature shall not exceed ten feet above the maximum overall building height unless specifically approved by action of the City Commission. (Ord. No. 19-18, § 5, 10-16-18; Ord. No. 07-20, § 5, 5-19-20)
12. Elevator overruns and stairways are not limited by the number of stories and shall not exceed 10 feet above the maximum overall building height. (Ord. No. 19-18, § 5, 10-16-18; Ord. No. 07-20, § 5, 5-19-20)

Figure 4.4.13-D-1 Counting the Number of Stories



(Ord. No. 26-21, § 5, 8-10-21)

Figure 4.4.13-D-2 Measuring Building Height



(Ord. No. 26-21, § 5, 8-10-21)

Table 4.4.13(B) Building Height		
A	Maximum Building Height in the Atlantic Avenue Limited Height Area	3 stories and 38 ft.
	Maximum Building Height in the West Atlantic Neighborhood Limited Height Area	3 stories and 35 ft.
	Maximum Building Height in South Pairs Neighborhood Limited Height Area	4 stories and 48 ft.
	Maximum Building Height in the Railroad Corridor Sub-district south of SE 2 nd Street	5 stories and 54 ft.
	Maximum Building Height in all other areas of the CBD	4 stories and 54 ft.
B	Ground Floor Finish Level	
	Residential Units in the Beach, Central Core, South Pairs Neighborhood and Railroad Corridor Sub-districts	18" min.
	Residential Units in the West Atlantic Neighborhood Sub-district	12" min.
C	Ground Story Height	
	Commercial and Mixed-Use Buildings, with ground floor commercial uses.	12 ft. min.
	Residential Buildings	10 ft. min.
D	Upper Story Height	
	9 ft. min.	
E	Additional Setback Above 3 rd Story	
	varies	

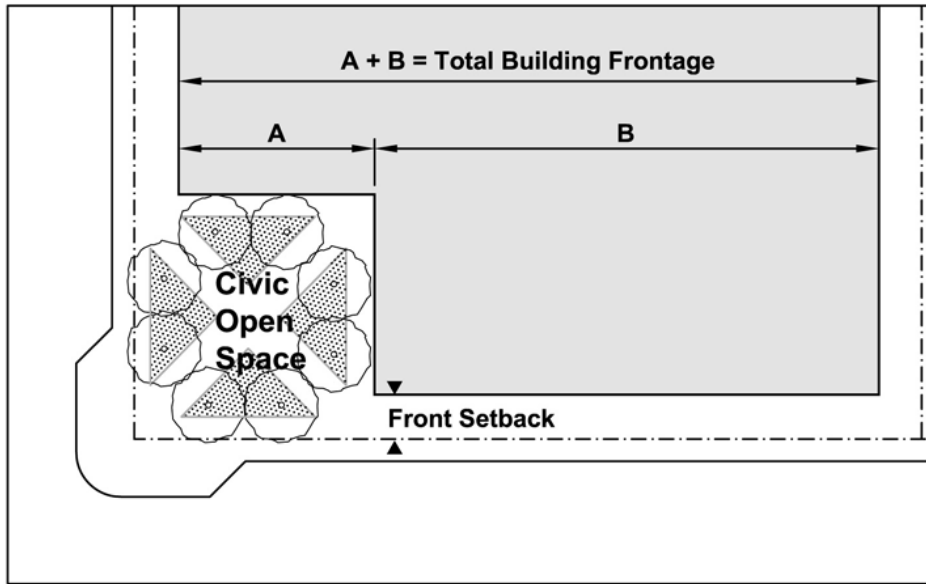
(Ord. No. 19-18, § 5, 10-16-18; Ord. No. 07-20, § 6, 5-19-20; Ord. No. 03-21, § 3, 3-2-21; Ord. No. 20-21, § 6, 12-7-21)

(b) **Building placement.**

1. Front setbacks shall be measured from the property lines coinciding with public rights-of-way, including streets and parks.
 - a. Awnings, porches, balconies, stoops and arcades may encroach into the setbacks as set forth in Section 4.4.13(E) when utilized as the Frontage Type. (Ord. No. 19-18, § 5, 10-16-18)
 - b. Roof Eaves, awnings, and balconies may encroach into the setbacks a maximum of four feet. (Ord. No. 19-18, § 5, 10-16-18)
 - c. Section 4.3.4(H)(4) identifies additional structures permitted in setbacks.

- d. Underground parking or storage may encroach into the front setbacks. (Ord. No. 10-20, § 3, 9-22-20)

Figure 4.4.13-D-3 Building Frontage Requirement



(Ord. No. 26-21, § 5, 8-10-21)

- 2. Where development may build with no side setback, the following limitations also apply:
 - a. Side setbacks are required when abutting a residential zoning district or a property with a building existing as of February 24, 2015, the effective date of Ordinance No. 02-15 with windows facing the adjoining lot line. Then, new development shall set back a minimum of five feet or the amount necessary to provide at least ten feet of separation between the existing and new buildings, whichever is greater. (Ord. No. 19-18, § 5, 10-16-18)
 - b. Buildings with openings, including doors, windows, and glass wall materials, facing an interior side property line must setback a minimum of five feet from the property line. (Ord. No. 19-18, § 5, 10-16-18)
 - c. Buildings taller than three stories in height have additional setback requirements for the upper stories, as described in Section 4.4.13(D)(2).
 - d. These requirements shall not apply to any underground parking or storage located below grade. (Ord. No. 10-20, § 3, 9-22-20)
- 3. In the South Pairs Neighborhood District, lot lines adjoining SE 7th Avenue shall be considered a rear and regulated by rear setback requirements. Development abutting SE 7th Avenue shall not face or provide vehicular or pedestrian access to or from SE 7th Avenue. (Ord. No. 20-21, § 6, 12-7-21)

- (c) **Frontage percentages.** Building frontage is the percentage of the total width of a lot minus the required setbacks, which is required to be occupied by the building facade. Building frontage requirements are set forth in Table 4.4.13(C) for each CBD Sub-district. (Ord. No. 19-18, § 5, 10-16-18)
1. Building façades shall be generally parallel to the right-of-way, located in accordance with the minimum and maximum front setback requirements. (Ord. No. 19-18, § 5, 10-16-18)
 2. The building façade may adjust around a Civic Open Space that meets the requirements in Section 4.4.13(G) as shown in Figure 4.4.13-D-3. (Ord. No. 19-18, § 5, 10-16-18; Ord. No. 26-21, § 5, 8-10-21)
 3. On corner lots, the building façade shall extend from the corner to ensure that new development (or civic open space) defines the corner. (Ord. No. 19-18, § 5, 10-16-18)
- (d) **Dwelling unit standards.**
1. **Diverse unit types.** A number of different unit types, sizes and floor plans shall be available within the development. Two and three bedroom units are encouraged, as are a combination of multi-level units and flats. In projects consisting of more than 12 dwelling units, the proportion of efficiency or studio type units may not exceed 25 percent of the total units. One bedroom units may not exceed 30 percent; however, if no efficiency or studio units are constructed, the cumulative amount of one bedroom units may not exceed 55 percent. There is no maximum percentage for unit types established for projects having 12 or fewer units, however, a mix of unit types and sizes is encouraged.
 2. **Minimum floor area.** Minimum floor area for multi-family residential dwelling units shall be as established for the Medium Density Residential (RM) zoning district in Section 4.3.4(K).
- (e) **Other standards.** Other standards also apply in CBD sub-districts:
1. Frontage Standards are in Section 4.4.13(E).
 2. Architectural Standards are in Section 4.4.13(F).
 3. Civic Open Space Standards are in Section 4.4.13(G).
 4. Incentive Program is in Section 4.4.13(H).
 5. Parking Standards are in Section 4.4.13(I).
 6. Review and Approval Process is in Section 4.4.13(J)
- (2) **Dimensional requirements for CBD Sub-districts.** Table 4.4.13(C) provides the dimensional requirements regarding lot size, building placement, building size, height, density, and civic open space for each CBD Sub-district. Figure 4.4.13-D-4 illustrates the dimensional requirements from the table. (Ord. No. 26-21, § 5, 8-10-21)
- (a) Buildings shall be located in accordance with the minimum and maximum setbacks in Table 4.4.13(C).
1. The front setback or side setback facing a street or park is a minimum of 10 feet and a maximum of 15 feet, except within the South Pairs Neighborhood Sub-district on SE 5th Avenue and SE 6th Avenue where the front or side setbacks facing a street or park are a minimum of 15 feet and a maximum of 20 feet. (Ord. No. 20-21, § 6, 12-7-21)

2. The minimum rear setback is ten feet and minimum side interior setbacks are zero feet, unless required per 4.4.13(D)(1)(b)2. Side lot lines adjoining alleys are regulated by rear setbacks. (Ord. No. 19-18, § 5, 10-16-18)
3. Buildings over two stories in height are subject to additional setback requirements in order to ensure architectural articulation and reduce the impact of taller building heights. (Ord. No. 19-18, § 5, 10-16-18; Ord. No. 20-21, § 6, 12-7-21)
 - a. Front and rear setbacks above the third story are 20 feet minimum. (Ord. No. 20-21, § 6, 12-7-21)
 - b. With approval from the SPRAB or HPB, building entries, lobbies, and vertical circulation areas located above the second story may not be required to increase the setback to 20 feet, if configured as tower elements determined to be consistent with the Delray Beach Architectural Design Guidelines. (Ord. No. 20-21, § 6, 12-7-21)
 - c. In the South Pairs Neighborhood Sub-district, rear setbacks above the second story are 20 feet minimum for buildings located either along SE 7th Avenue or the alley between SE 4th Avenue and SE 5th Avenue. (Ord. No. 20-21, § 6, 12-7-21)
4. Where the rear or side of a property abuts a residential zoning district with a height limitation of 35 feet without at least 30 feet of separation between the properties, such as a street, railroad, waterway, park, or other public open space; the following shall apply: (Ord. No. 19-18, § 5, 10-16-18; Ord. No. 26-21, § 5, 8-10-21)
 - a. For buildings or portions of buildings three stories or less in height, a minimum side set back of ten feet from the property line shall be provided.
 - b. At the top of the third story, minimum side and rear building setbacks of 30 feet shall be provided from the property line for the portion of the building that is over three stories in height.
 - c. A solid finished masonry wall six feet in height, or a continuous hedge at least four and one-half feet in height at the time of installation, shall be located inside and adjacent to the portion of the boundary line of the CBD-zoned property which directly abuts the residentially zoned property. Walkways and other pedestrian or bicycle connections shall be placed through the wall or hedge if they provide links identified on any adopted bicycle and pedestrian master plan or if SPRAB or HPB determines they would promote desirable connectivity between properties. (Ord. No. 26-21, § 5, 8-10-21)
5. Minimum building frontage requirements for Primary and Secondary Streets: (Ord. No. 26-21, § 5, 8-10-21)
 - a. On Primary Streets in the Central Core, Beach, and West Atlantic Neighborhood Sub-districts, the minimum building frontage is 75 percent. (Ord. No. 26-21, § 5, 8-10-21)
 - b. On Primary Streets in the Railroad Corridor Sub-district, minimum building frontage is not required. (Ord. No. 26-21, § 5, 8-10-21)
 - c. On Primary Streets in the South Pairs Neighborhood Sub-district, the minimum building frontage is 60 percent. (Ord. No. 20-21, § 6, 12-7-21)

- d. On Secondary streets in all sub-districts, minimum building frontage is not required. (Ord. No. 26-21, § 5, 8-10-21; Ord. No. 20-21, § 6, 12-7-21)
6. Buildings with more than 250 feet of street frontage shall provide a pedestrian/bicycle passageway at least ten feet wide connecting rear alleys and/or parking to the public sidewalk The passageway elevation(s) shall have storefront windows with a base between nine inches and three feet high with transparent glazed windows extending to at least eight feet high for 50 percent of the length of the wall. (Ord. No. 19-18, § 5, 10-16-18)
7. These requirements shall not apply to any part of an underground parking facility located below grade. (Ord. No. 10-20, § 3, 9-22-20)

Table 4.4.13(C) Dimensional Requirements by CBD Sub-district						
	Central Core	Railroad Corridor	Beach	West Atlantic Neighborhood	South Pairs Neighborhood	
Lot Size						
Lot Width	20 ft. min.	20 ft. min.	20 ft. min.	20 ft. min.	20 ft. min.	20 ft. min.
Lot Area	2,000 sf. min.	2000 sf. min.	2,000 sf. min.	2000 sf. min.	2,000 sf. min.	2,000 sf. min.
Building Placement						
A	Front Setback ¹	10 ft. min./ 15 ft. max.	10 ft. min./ 15 ft. max.	10 ft. min./ 15 ft. max.	10 ft. min./ 15 ft. max.	Primary Streets: 15 ft. min./20 ft. max. Secondary Streets: 10 ft. min./15 ft. max.
B	Side Setback ¹	0 ft. or 5 ft. min. ²	0 ft. or 5 ft. min. ²	0 ft. or 5 ft. min. ²	0 ft. or 5 ft. min. ²	0 ft. or 5 ft. min. ²
C	Rear Setback	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min. 20 ft. min. above the 2 nd Story ⁴
B C	Side Setback Abutting Res. District; 1 st to 3 rd Story	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.
B C	Side/Rear Setback Abutting Res. District Above 3 rd Story	30 ft. min.	30 ft. min.	30 ft. min.	30 ft. min.	30 ft. min.
D	Front Setbacks Above 3 rd Story ¹	20 ft. min.	20 ft. min.	20 ft. min.	20 ft. min.	20 ft. min.

E	Building Frontage Required on Primary Streets	75% min./ 100% max.	N/A	75% min./ 100% max.	75% min/ 100% max.	60% min/ 100% max.
Building Height						
	Min. Building Height on Primary Streets	1 Story and 18 ft.	1 Story	1 Story and 18 ft.	1 Story	1 Story and 18 ft.
	Max. Building Height in Atlantic Avenue Limited Height Area	3 Stories and 38 ft.	N/A	N/A	N/A	N/A
	Max. Building Height in West Atl. Neigh. Limited Height Area	N/A	N/A	N/A	3 stories and 35 ft.	N/A
	Max. Building Height in South Pairs Neigh. Limited Height Area	N/A	N/A	N/A	N/A	4 Stories and 48 ft.
	Max. Height outside of the Limited Height Areas	4 Stories and 54 ft.	4 Stories and 54 ft. north of NE 2 nd Street, 5 stories and 54 ft. south of SE 2 nd Street	4 Stories and 54 ft.	4 Stories and 54 ft.	4 Stories and 54 ft.
Density						
	Density	30 du/ac	30 du/ac ³	12 du/ac	12 du/ac ³	12 du/ac ³
Civic Open Space Requirement (See Section 4.4.13(G))						
	Sites smaller than 20,000 sq. ft.	0%	0%	0%	0%	0%
	Sites Between 20,000 and 40,000 sq. ft.	5% of area above 20,000	5% of area above 20,000	5% of area above 20,000	5% of area above 20,000	3% of area above 20,000

Sites Greater than 40,000 sq. ft.	5% of area above 20,000 + 9% of area above 40,000	5% of area above 20,000 + 9% of area above 40,000	5% of area above 20,000 + 9% of area above 40,000	5% of area above 20,000 + 9% of area above 40,000	3% of area above 20,000 + 5% of area above 40,000
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N/A is "Not Applicable"

¹ Side lot lines facing streets are regulated by front setback requirements. Side lot lines along alleys are regulated by rear setbacks.

² See Section 4.4.13(D)(1)(b)(2).

³ See Incentive Program in Section 4.4.13(H) for potential density increases pursuant to certain location and performance criteria.

⁴ See Section 4.4.13(D) for additional setback standards.

(Ord. No. 19-18, § 5, 10-16-18; Ord. No. 07-20, § 7, 5-19-20; Ord. No. 03-21, § 4, 3-2-21; Ord. No. 20-21, § 6, 12-7-21)