



# **CITY OF NORTH MIAMI BEACH**

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## **Section 24-58.XX**

Eastern Mixed-Use Canalside District (MU/CS)

**PART I. INTRODUCTION**

(A) *Purpose and Intent.* The purpose of these regulations is to implement the standards and policies that guide the development of the Eastern Mixed-Use Canalside District (MU-CS). The intent of these regulations is to enable a pedestrian scaled, transit accessible pattern of mixed-use development that connects the higher intensity, mixed-use focused intersection of Biscayne Boulevard and NE 163rd Street, adjacent to the corridor, east towards development along the Intracoastal Waterway. Development patterns shall generally reflect planning and design principles such as walkable neighborhoods oriented around the five-minute walk. Additionally, there shall be a primary orientation towards the Oleta River State Park, with strong consideration taken towards reducing the impact new development has on the canal and single family residential neighborhoods abutting to the north. This purpose will be fulfilled by:

- (1) Ensuring high quality, architecturally compatible, consistently landscaped development throughout the District;
- (2) Ensuring that new development or redevelopment projects enhance the visual character of the NE 163rd Street Corridor and adjacent Transitway, in terms of massing and scale;
- (3) Stimulating neighborhood commercial and retail activities;
- (4) Encouraging people to reside and work in the district;
- (5) Encouraging the landscaped beautification and pedestrianization/multi-modalization of the Transitway;
- (6) Ensuring new Publicly accessible greenway; and
- (7) Ensuring the appropriate screening and transition to reduce the impact on surrounding single-family neighborhoods and low-density residential districts.

(B) *District Boundaries.* The development standards shall be utilized for properties located within the Mixed-Use Canalside District (MU-CS), FIGURE MU/CS- 1.

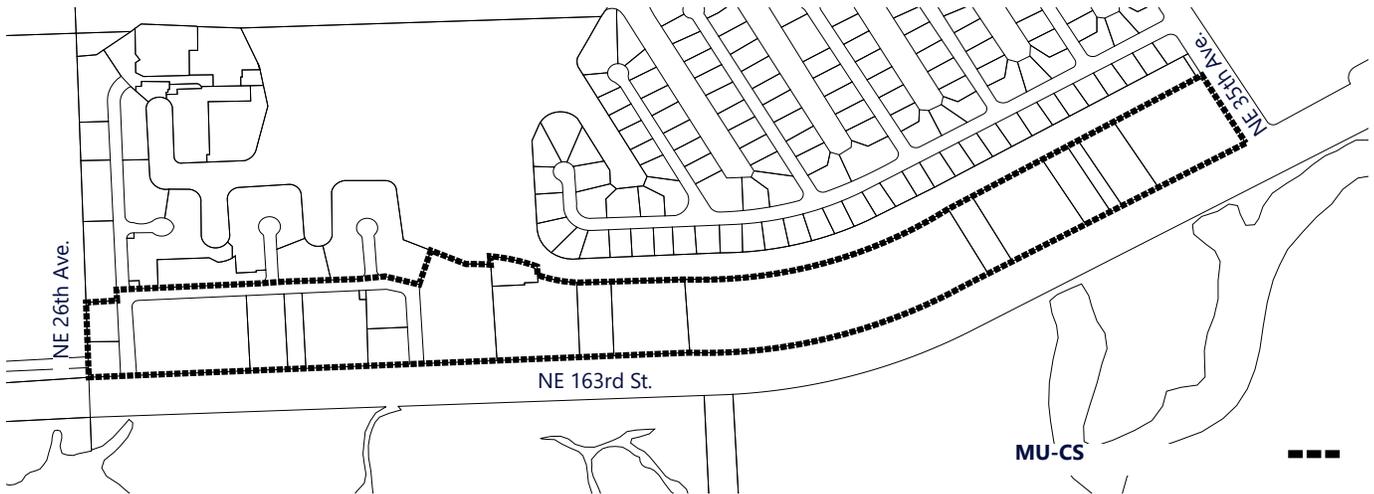


FIGURE MU/CS- 1. Eastern Mixed-Use Canalside District Boundary

(C) *Administration.* In order to maintain predictability in development, Planned Unit Developments (PUDs) shall be prohibited. Variances from the dimensional requirements or waivers from any other criterion may be approved by the applicable review board for projects, provided that the applicant meets the standards pertaining to such variance or waiver. The applicable board shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the Director of the Community Development Department or his/her designee in the enforcement of these development regulations.

(D) *General Development Standards.*

- (1) In addition to the standards contained herein, Section 24-58 Mixed-Use (MU) district standards shall be applicable to development within the Eastern Mixed-Use Canalside District (MU/CS). The applicable regulations contained in Articles IV, VIII, IX, X, XI, XII, XIII, and XIV shall also apply, except as modified herein and may be

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further modified by the City Manager or his/her designee to meet the purpose and intent of the Eastern Mixed-Use Canalside District (MU/CS).

- (2) The provisions of the MU/CS code, when in conflict, shall take precedence over the existing zoning and land development regulations.
  - (3) The provisions of the building code, when in conflict, shall take precedence over the provisions of the MU/CS code.
  - (4) Existing buildings may be destroyed or removed, however they must be replaced according to the MU/CS regulations. Existing buildings may not be destroyed or removed unless they are to be replaced according to MU/CS regulations and only after a building permit is issued.
  - (5) Existing buildings and uses within the MU/CS area, which are legally established but do not conform to provisions of the MU/CS regulations as of the effective date of these regulations shall be considered nonconforming and may not be replaced, restored, or modified, except in conformity with the regulation for nonconformities contained in Article IV of this chapter. When a nonconforming structure is destroyed by windstorm, flood, or nature disaster, it may be replaced by a new structure of the same or lesser size, and reoccupied by the same use, if construction of such structure is commenced within eighteen (18) months of destruction.
  - (6) Proposed development with site plan approved under the previous zoning regulations shall commence construction within the time frame allotted in the development order or site plan approval resolution. If commencement of construction does not occur within the allotted time frame, the site plan approval shall automatically expire without further action by the City.
- (E) *Development Approval Conditions.*
- (1) Replat
    - a. The developer shall replat all properties to remove the seventy foot (70') building setback as indicated in the original plat maps, as a condition of site plan approval.
  - (2) Public Services
    - a. The developer shall be required to develop and maintain in perpetuity a Publicly accessible urban greenway, shown in the Designated Publicly Accessible Open Spaces and Urban Greenway Systems Regulating Plan. The new urban greenway shall generally extend along the entire south portion of the district, along the Transitway from west of NE 26th Avenue, east to NE 35th Avenue.
  - (3) Public Infrastructure and Streetscape Assessment and Fund.
    - a. All new residential development, or renovation or remodeling of residential units within the MU/CS, where total vertical construction costs of the development, renovation or remodeling is equal to or greater than five hundred thousand (\$500,000.00) dollars shall pay a public infrastructure and streetscape assessment per dwelling unit. Such public infrastructure and streetscape assessment shall be paid prior to issuance of a building permit for the development, renovation or remodeling. All public infrastructure and streetscape assessments shall be deposited into the public infrastructure and streetscape fund.
    - b. Ordinary property maintenance is exempt from the public infrastructure and streetscape assessment. Repairs and restoration resulting from fire, flood, windstorm or other natural disaster, as determined by the building official, are exempt from the public infrastructure and streetscape assessment.
    - c. The amount of the public infrastructure and streetscape assessment shall be established by resolution of the City Council and may be adjusted from time to time.
    - d. A separate public infrastructure and streetscape fund shall be established by the City. All public infrastructure and streetscape assessment payments from residential development, or renovation or remodeling of residential units within the MU/CS shall be deposited into this fund and the funds shall be kept separate from any other City funds. The public infrastructure and streetscape fund shall be used by the City for improvement to and maintenance of the public infrastructure and streets in the EASTERN Shores Neighborhood. Use of such funds shall be determined by the City Commission. Any monies not expended in the fund in any fiscal year shall be carried over in the fund into the following year. Any interest earned on the funds shall be retained in the fund.

**PART II. REGULATORY FRAMEWORK**

(A) *Regulating Plans and Diagrams.* The MU/CS is governed by a series of regulating plans and diagrams. The Regulating Plans and Diagrams demonstrate MU/CS development standards in both words and diagrams, and include maps designating the locations where the various standards apply. Unless otherwise noted, all development shall be in compliance with the Regulating Plans and Diagrams contained herein and with the Building Typology and Placement Regulating Diagrams in Section 24-58 Mixed-Use (MU) district. The Regulating Plans and Diagrams for the MU/CS include the following:

- (1) *Street Network Connectivity Plan.* Shows the approximate location of existing and required new streets needed to create the prescribed network of streets within the MU/CS. This Plan also establishes the hierarchy of the streets as shown in FIGURE MU/CS- 2. The street standards specified in Section 24-58 (J) Mixed-Use District shall apply except as modified herein.

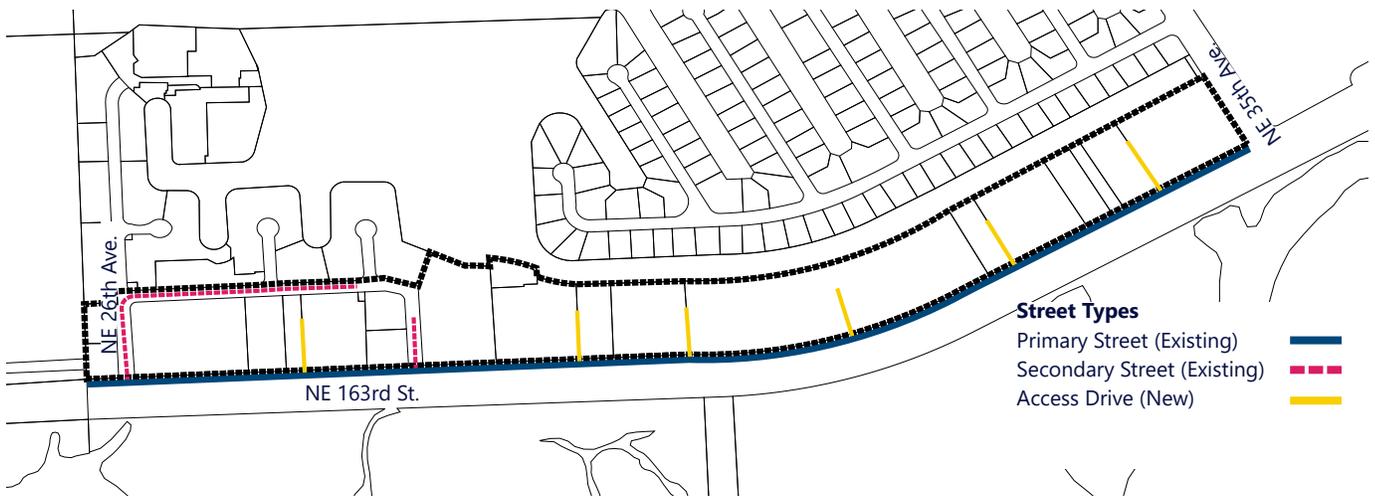


FIGURE MU/CS- 2. Street Network Connectivity Plan

- a. All streets shall be located according to the Street Network Connectivity Plan for the MU/CS.
- b. The design of new streets and modification of existing streets shall comply with Section 24-58(J) unless otherwise detailed below.
- c. All Primary and Secondary Streets shall be required in the same general locations as shown on the Street Network Connectivity Plan and may be modified with respect to alignment. No Primary or Secondary Streets shall be deleted or otherwise vacated or removed.
- d. Secondary Streets shown on the Street Network Connectivity Plan are required to promote connectivity and establish an improved street network and block system within the MU/CS.
  - i. Where a residential liner is provided along a secondary street, street section shall include on-street parking, at a minimum, adjacent to the residential liner.
- e. Access Drives are generally prescribed and recommended for shared use, across parcels, to limit curb cuts from the Primary Street, while maintaining connectivity to parcels for access, services, circulation and conformance to block length requirements.
  - i. Access drives shall be privately built and maintained.
- f. All access drives shall be designed, at a minimum, to the standards as provided in FIGURE MU/CS- 3.

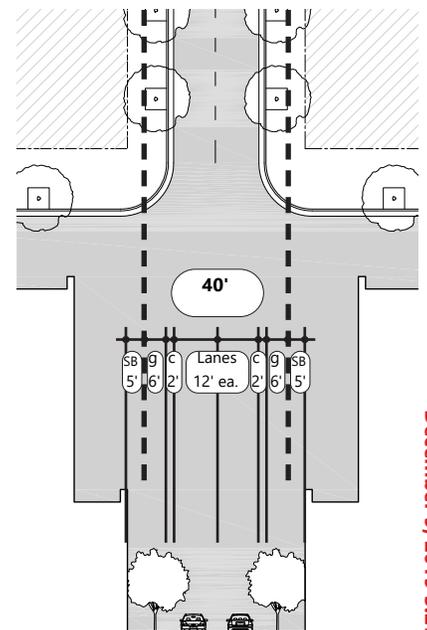


FIGURE MU/CS- 3. Access Drive Dimensions

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- (2) *Designated Publicly Accessible Open Spaces and Urban Greenway Systems Plan.* Designates the approximate location of the required Publicly accessible open spaces and urban greenway system as shown in FIGURE MU/CS- 4.



FIGURE MU/CS- 4. Designated Publicly Accessible Open Spaces and Urban Greenway System Plan

a. Urban Greenways

- i. Type UG, FIGURE MU/CS- 5, shall run parallel to the Transitway along the north side of NE 163rd Street and be composed of the following elements, FIGURE MU/CS- 5.
  - 1. The total width of the urban greenway shall be thirty-four (34) feet and be measured from the back of curb, to the facade of the building.
  - 2. Each element shall be dimensioned as illustrated in FIGURE MU/CS- 5, and detailed as described below.
- ii. *Pedestrian Mobility Zone (A).* A minimum six (6) feet of sidewalk shall be added parallel to the ROW line and abutting the existing sidewalk, to equal a total width of fourteen (14) feet of sidewalk, measured from the back of curb along the Transitway.
  - 1. The additional sidewalk width shall be finished to match the existing sidewalk material and shall appear as a singular sidewalk.
  - 2. Street Trees shall be planted providing minimum distance from the curb, as specified by FDOT and within tree grates a minimum of six (6) feet by six (6) feet, within this zone.
  - 3. All street trees within the ROW shall be planted with Silva Cell, or method of equal intent, from back of curb to face of building to promote root growth and health of trees.
- iii. *Landscape Transition Zone (B).* A minimum of six (6) feet in width of landscape shall be placed as illustrated in the FIGURE MU/CS- 5.
  - 1. The landscape transition zone shall be landscaped and shall consist of sod, ground cover or ornamental grass and planted with trees.
  - 2. Stairs/Accessibility Ramps may encroach into the landscape zone no more than total 50% of the width of the parcel frontage and shall be designed to be architecturally compatible with the facade of the building. All stairs shall be perpendicular to the Transitway.
- iv. *Frontage Activity Zone (C).* A maximum fourteen (14) feet in width shall be provided as illustrated in the FIGURE MU/CS- 5.
  - 1. Frontage activity zone shall provide additional outdoor area adjacent to ground floor

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- commercial uses and supportive of outdoor dining, shopping or similar functions.
  - 2. Where a difference in elevation occurs between the landscape transition zone and frontage activity zone, all solid walls shall be prohibited within the urban greenway.
  - 3. Decorative railings or transparent glass shall be used to maintain clear visibility between the pedestrian mobility zone and the building frontage.
- b. The designated public urban greenways system shall be designed to enhance the visual character of specific streets along the urban greenways with:
- i. Street Trees shall provide a continuous canopy coverage over the pedestrian mobility zone, for the length of the greenway's frontage.
    - 1. Street trees shall not be in conflict with overhead wires. Where overhead wires are present, street trees shall be in compliance with FPL guidelines for street trees.
    - 2. The maximum spacing of the street trees shall be average thirty (30) feet on center for the length of the property frontage.
  - ii. Street furnishings such as benches, trash receptacles, bike racks, drinking water fountains, etc. shall be provided.
    - 1. All details and specifications, with photos/drawings, for selections shall be included in the Site Plan submission for review.
  - iii. A landscape plan illustrating a coherent design with significant tree species along the urban greenways that are distinguishably different from the other streets along the property in terms of color, type and shape shall be provided.
  - iv. No plant material other than trees shall be higher than twenty-four (24) inches within the urban greenway.
  - v. Tree specifications shall be as per Section 24-58(L).

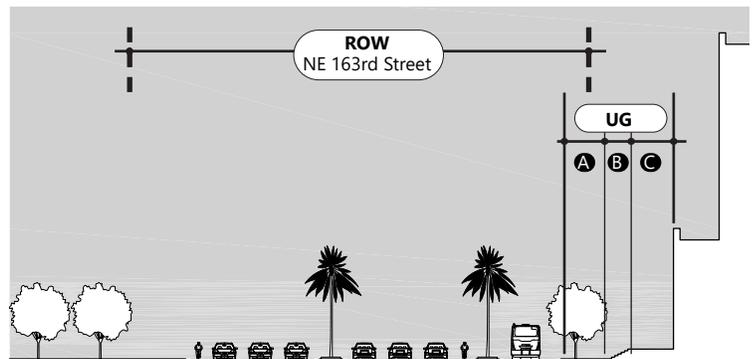
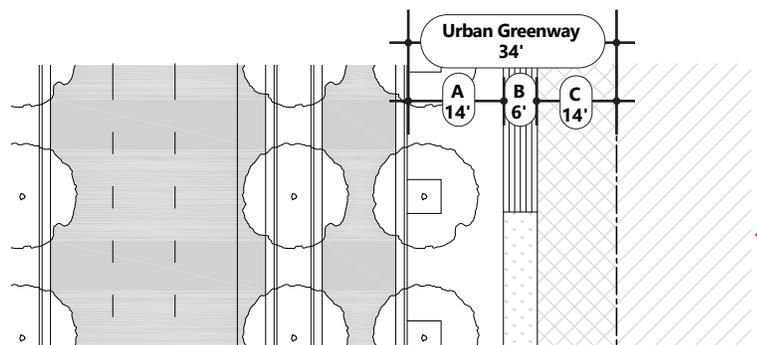


FIGURE MU/CS- 5. Urban Greenway Composition Areas



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- (3) *Building Heights Plan.* Establishes the maximum building height with and without bonus' as shown in FIGURE MU/CS- 6.



FIGURE MU/CS- 6. Building Heights Plan

- a. All new development shall comply with the standards illustrated within FIGURE MU/CS- 6. A summary of the heights permitted in the MU/CS is provided in TABLE MU/CS- 1.
  - i. New development along the canal shall be subject to additional setback standards for the tower element of a building as indicated in TABLE MU/CS- 4. These additional setbacks are intended to limit the tower area in proximity to the surrounding single family neighborhood and provide a better transition.

Area	# of Stories (Feet) (1)	
MU/CS	By Right (not to exceed)	
Maximum building height along corridor	20 Stories (max.) (2)	
Maximum height per story	Floor to Floor Height (Feet)	
	Ground Story	Second Story
	20 feet (max.)	20 feet (max.)
	Stories 3+	Specialty Amenity Story
	14 feet (max.)	20 feet (max.)

(1) Buildings higher than 8 stories shall only be developed per the Tower Building type standards.  
 (2) The number of stories may be increased provided the overall building height is not exceeded. The Applicant shall demonstrate that the resulting density and intensity does not exceed the density and intensity that would otherwise be accommodated in the maximum number of stories permitted. No building may equal or exceed the number of stories in the next higher sub-area of a zoning district or any other higher zoning district adjacent to this district. No more than 5 additional stories will be permitted.

District	Maximum Residential Density
MU/CS	125 du/acre

- b. The maximum permitted density permitted within the MU/CS District is listed in the TABLE MU/CS- 2 below.

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(B) Permitted Uses.

(1) Land Use Principles.

- a. The Eastern Mixed-Use Canalside District (MU/CS) shall be developed as an identifiable place and shall act as an important center for living, working, shopping and entertainment. The mix of uses within the District, the streets and the architectural character of individual buildings shall blend together to contribute to a coherent identity and sense of place.
- b. Along all streets and on all levels, both non-residential and residential uses shall be permitted.
- c. Buildings sides directly fronting the Transit Way/NE 163rd Street shall be permitted to have both non-residential and residential uses and shall contain active use along the first two (2) levels (minimum) fronting Transit Way/NE 163rd Street.
- d. All parking garage structures within the MU/CS shall be fully screened on all sides along a street frontage, with an active use liner building.
- e. Where a proposed development parcel is directly facing a canal, the proposed development shall not permit any habitable uses, non-residential and/or residential along the canal, and facing north towards the neighborhood. Parking structures along the canal shall be screened with a uniquely designed architectural screen. All methods of screening shall meet applicable requirements for ventilation of parking structure.

(2) Permitted Use Table TABLE MU/CS- 3 includes the principal uses permitted in the MU/CS along with any required restrictions on such uses, for each of the sub-areas. Principal uses not included in TABLE MU/CS- 3 are not permitted in the MU/CS. The MU/CS shall be subject to the Supplemental Regulations as provided for in Article VIII unless modified herein. Uses which are similar in nature to the uses permitted herein, but not enumerated in higher density use areas, shall be permitted upon a finding by the Community Development Director that the characteristics of, and activities associated with the use are substantially similar to one (1) or more of the listed uses, and will not involve greater impacts than the uses listed in the district and the use will be consistent with the purposes of the applicable zoning district and use areas.

(3) Special Limited Conditional Uses. See Section 24-177

TABLE MU/CS- 3. PERMITTED USES IN THE MU/CS DISTRICT		
P Permitted by Right	C Conditional Uses	NP Not Permitted
<b>Residential</b>		<b>MU/CS</b>
Residential, provided that: must be in multi-family context;		P
Residential, townhouses (per building typology diagram)		P
<b>Group Homes</b>		P
Community Residential Home as defined in Article II and with a review process in conformance with Chapter 89-372 FAS		P
Community care facilities (as defined in Article II), provided that: (a) There is reasonable proximity to bus lines; (b) There is no existing community care facilities within one thousand (1,000) feet; (c) The facility is licensed by DCF; (d) The clients either meet the requirements of a community residential home or at least sixty (60) years of age.		C
<b>Eating and Drinking Establishments</b>		<b>MU/CS</b>
Bars and lounges provided that any such use shall not be located within 500 feet of the real property that comprises a public or private elementary school, middle school or secondary school (Pursuant to § 562.45(2)(a) Florida Statutes).		P
Microbrewery, winery or distillery		P
Restaurants including fast food, excluding drive through, including outdoor dining		P
Restaurant fast food with drive through provided drive through is inside parking garage		C

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<b>General Business</b>	<b>MU/CS</b>
Animal hospitals and kennels; provided that all activities relating to any such uses are conducted entirely within an air conditioned, soundproofed building and that no such use shall be located less than 300 feet from any residential district.	C
Banks and financial institutions, excluding drive-through.	P
Daycare Center provided use is not on primary street	C
Night clubs and discotheques (Ord. No. 2006-1 § 12, 12/21/2006)	C
Parking garages as principal use, provided that parked vehicles shall not be visible from surrounding properties or public street rights-of-way and structure shall be well landscaped.	C
Veterinary services with no overnight stay.	P
Vocational schools and trade: Airline, business, cosmetology, secretarial and similar.	P
<b>Office</b>	<b>MU/CS</b>
Office, business and professional uses	P
<b>Retail/Personal Services</b>	<b>MU/CS</b>
Personal Services uses.	P
Studio schools: Art, dance, music, drama, sculpture and similar instruction	P
<b>Retail/Retail Services</b>	<b>MU/CS</b>
Medical marijuana dispensaries/medical marijuana treatment centers	C
Package liquor store: Provided such use is located on primary street	C
Pharmacies	C
Retail uses (general retail)	P
<b>Lodging Accommodations</b>	<b>MU/CS</b>
Hotels	C
<b>Institutional</b>	<b>MU/CS</b>
Museums and art galleries	P
Places of public assembly	C
Utility facilities, light, public and private	P
<b>Recreation and Open Space (Private and Public)</b>	<b>MU/CS</b>
Game rooms, sports and amusement facilities.	P
Public parks and playgrounds, plazas, squares	P
Urban market gardens	P

**PART III. URBAN DESIGN STANDARDS**

**(A) Lot Dimensions and Building Standards.**

- (1) *Setbacks and Building Frontage.* Front and Side setbacks are determined based on the street that the building fronts. TABLE MU/CS- 4 lists the setbacks and building frontage occupation required for each street type within the MU/CS. All setbacks for the podium shall be measured from the exterior property line of the parcel. For a tower element of a building, all setbacks are measured from the edge of podium, unless indicated otherwise. The interior and rear setbacks, as well as the lot standards shall be as specified per building type in Section 24-58 Mixed-Use District, unless otherwise noted below in TABLE MU/CS- 4 and corresponding FIGURE MU/CS- 7 and FIGURE MU/CS- 8.

Frontage Location (Podium)*	Setback (min.)	Setback (max.)	Building Frontage
① Primary (Transitway)	26'		70% (min.)
② Secondary or;	10'	20'	60% (min.)
② Canal	40'	N/A	N/A
③ Access Drive	5'	N/A	N/A
④ Interior Side	5'	N/A	N/A
<b>For Tower Element:</b>			
⑤ Primary	0'	N/A	30% Minimum
⑥ Secondary or;	85' (from property line)	N/A	30% Maximum
⑥ Canal	125' (from property line)	N/A	30% Maximum
⑦ Interior Side	0'	N/A	N/A
⑧ All Other Sides	0'	N/A	N/A

\*Podium shall be considered any portion of development 8 stories and below

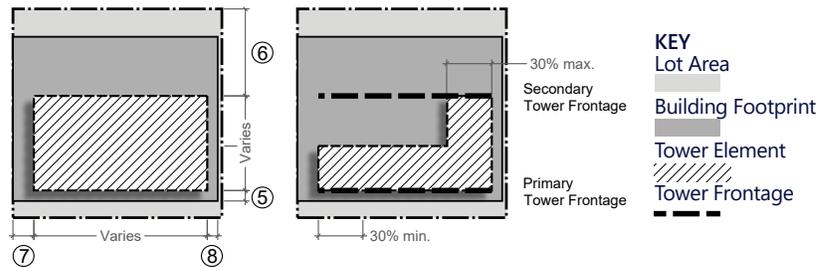
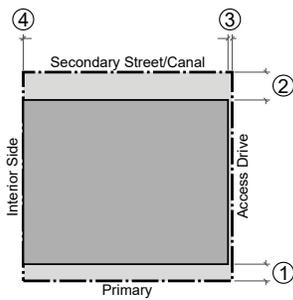


FIGURE MU/CS- 7. Setbacks

FIGURE MU/CS- 8. Additional Setbacks for Tower Element

- a. Active-use liners directly fronting the canal shall be prohibited.
- b. Parking structures with frontage directly along the the canal shall be finished with landscape green wall/ artistic screening as a substitute to any active-use liners.
- c. Buildings with frontage along NE 164th Street shall provide residential unit types along this frontage.
  - i. The required setback along NE 164th Street shall be planted with combination of attractive landscape and hardscape to provide transition with the similar neighborhood character on the street.
- d. In addition to the standards as specified in Section 24-58 Mixed-Use District, the Tower Building Type shall also be subject to setback and frontage standards regarding tower elements, within the MU/CS.
  - i. Where a parcel abuts an existing secondary street or canal, the tower shall meet the following additional requirements, as provided below, and reflected in TABLE MU/CS- 4 and in FIGURE MU/CS- 8.

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1. Tower shall be set back a minimum of eighty-five (85) feet from an existing secondary street and one hundred twenty-five (125) feet from the canal within the MU/CS District.
2. Towers shall occupy a minimum of thirty (30) percent of the primary tower frontage along the Primary frontage.
3. Towers shall occupy a maximum of thirty (30) percent of the secondary tower frontage along the Secondary Street or Canal frontage.

(2) *Building Typologies.* All new buildings shall conform to one (1) of the permitted building typologies as demonstrated in the Building Typology and Placement Regulating Diagrams in Section 24-58 Mixed-use District. The diagrams provide a schematic representation of the various building typologies and demonstrate the required setbacks, lot standards, and profiles of structures. Existing buildings which do not fit a prescribed typology, shall follow the standards required for the Flex building typology. Not all building typologies are permitted in each Mixed-use district. The building typologies permitted in the MU/CS are listed below in TABLE MU/CS- 5:

Typology	• Permitted by Right	— Not Permitted				
		MU/CS	Lot Dimensions (1)			
			Width		Depth	
			Min.	Max.	Min.	Max.
Tower Building Type	•	150'	300'	200'	N/A	
Liner Building Type	•	125'	300'	170'	N/A	
Courtyard A Building Type	•	150'	200'	160'	N/A	
Courtyard B Building Type	•	150'	200'	160'	N/A	
Flex Building Type	•	75'	200'	130'	N/A	
Townhouse 1 Building Type	—	N/A		N/A		
Townhouse 2 Building Type	•	24'	36'	70'	85'	
Zero Lot Line Courtyard Housing Type	—	N/A		N/A		
Zero Lot Line Sideyard Housing Type	—	N/A		N/A		
Single Family Detached Housing Type	—	N/A		N/A		

(1) The Planning Director shall have the authority to waive administratively the requirements for minimum lot coverage, pervious area, lot depth and lot width.

a. Residential components of multi-family residential uses shall be any combination of the following dwelling units, and illustrated in FIGURE MU/CS- 9.

- i. *Flat.* A single (1) story dwelling unit, occupied by one (1) household.
- ii. *Loft.* A double-story height dwelling unit, with or without mezzanine, occupied by one (1) household.
- iii. *Rowhouse.* A two (2) or more story dwelling unit, occupied by one (1) household.

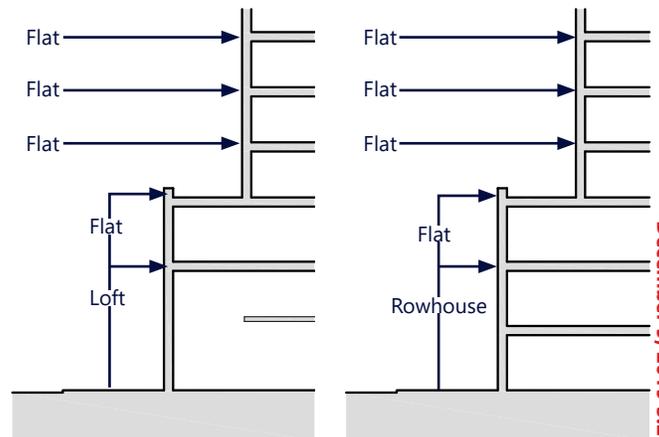


FIGURE MU/CS- 9. Residential Units Types

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(B) Access Standards.

- (1) Where an alley is present, all vehicular access to development shall occur from the alley. FIGURE MU/CS- 10
- (2) Where no alley is present, vehicular access shall occur from the secondary street frontage or access drive. FIGURE MU/CS- 11
  - a. Properties with frontage less than 175' in length, along the transit way, shall be limited to one (1) curb-cut of access along the transit way.
  - b. There shall be no vehicular access from NE 164th Street to the residential units types on the south side of the street. All residential unit types along this street shall be rear loaded.
- (3) Shared access between adjacent properties via a cross-access agreement is encouraged to reduce curb cuts along the street frontage and provide consolidated parking areas. FIGURE MU/CS- 12
- (4) The main pedestrian access to the building shall occur from the primary frontage.
- (5) The main access to the units on floors 2+ shall occur from a ground level lobby/courtyard accessed from the primary frontage.

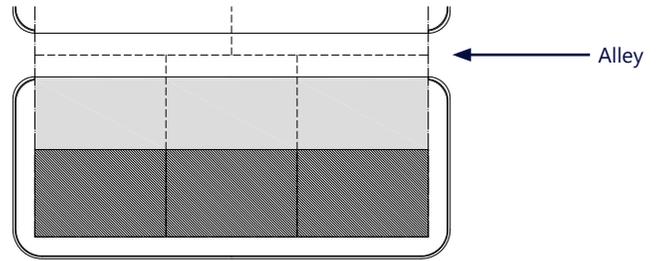


FIGURE MU/CS- 10. Access Via Alley

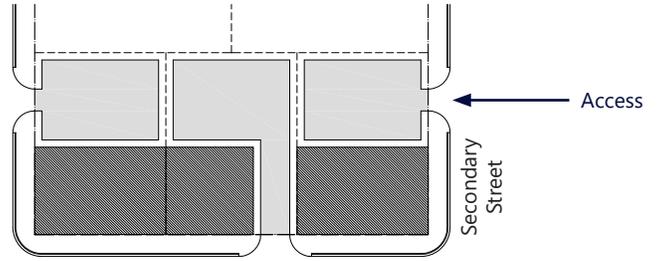


FIGURE MU/CS- 11. Access Access Via Street Frontage

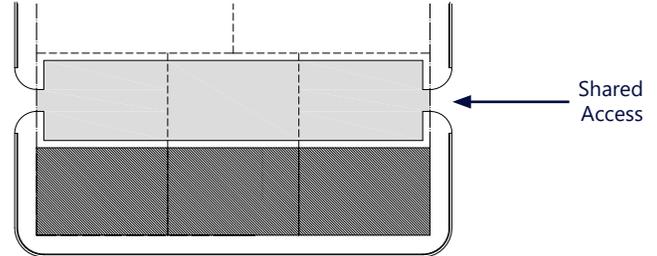


FIGURE MU/CS- 12. Shared Access

(C) On-Site Parking Standards.

- (1) Vehicular Parking.
  - a. All parking within the MU/CS shall comply with the Access, Circulation, Parking and Loading Standards specified in Section 24-58 Mixed-Use District.
  - b. On-site parking shall comply with TABLE MU/CS- 6. Uses not listed herein shall comply with the parking requirements specified in Article IX.
  - c. Guest parking shall comply with TABLE MU/CS- 6. Guest parking shall be designated and prominently marked on-site as "Guest Parking" and shall not be restricted in any manner to use by a single tenant, owner, unit, or other user.

TABLE MU/CS- 6. MINIMUM AND MAXIMUM PARKING REQUIREMENTS BY USE		
Uses	Parking Spaces (min.)	Parking Spaces (max.)
Retail, Restaurant or Commercial	2 / 1,000SF	4 / 1,000SF
Office	2.5 / 1,000SF	4 / 1,000SF
Hotel and Motel; Hotel and Motel Limited	1 / 4 rooms and; 1 / 800 sf (restaurant, public meeting areas) and; 1 / 15 rooms for staff	1 / 4 rooms and; 1 / 800 sf (restaurant, public meeting areas) and; 1 / 15 rooms for staff
Residential (multi-family)	1 / 1BR and 2 BR unit; 1.5 / 3BR unit 1 / 20 units (guest parking)	2 / 1BR and 2 BR unit; 3 / 3BR unit 1 / 20 units (guest parking)

- (2) Bicycle Racks and Bicycle Storage Standards. Bicycle racks and storage shall be required as follows:
  - a. For Commercial Uses (except hotel uses).
    - i. Secure bike racks and/or storage at a ratio of one (1) bicycle parking space for every fifteen (15)

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required parking spaces and;

- ii. A minimum of one (1) shower and changing facility shall be provided to be available for all tenants and shall be located within the building, or within two hundred (200) feet of the building entrance, for developments greater than fifty thousand (50,000) square feet in gross building area.
- b. *For Residential Uses.* One (1) bicycle parking space shall be provided for every fifteen (15) required parking spaces. Required residential bicycle parking spaces shall be provided in a secured area, covered from the elements.
- c. *For Mixed-Use Developments.* Mixed-Use developments shall provide secure bicycle parking spaces for both the commercial and residential components of the development as calculated separately pursuant to the requirements of this section.

(D) *Services Standards.*

- (1) *For Properties with Frontage along the Canal.* All mechanical equipment, backflow preventers, television antennas, satellite dishes, communication devices and similar systems and services shall be hidden from view by the adjacent residential neighborhoods and screened via any combination of landscaping, hedges or decorative wall/fence.

(E) *Signage Standards. Signage shall comply with the standards in Article XIII except as modified herein.*

- (1) Signs affixed to the exterior of a building shall be architecturally compatible with the style, composition, materials, colors, and details of the building, as well as with other signs used on the building or its vicinity.
  - a. All signage shall be prohibited on any facade directly fronting the canal frontage and within view of the residential areas to the north.
- (2) Signs shall fit within the existing facade features, shall be confined to signable areas, and shall not interfere with door and window openings, conceal architectural details or obscure the composition of the facade where they are located.
- (3) Whenever possible, signs located on buildings within the same block-face shall be placed at the same height in order to create a unified sign band.
- (4) Wood and painted metal are the preferred materials for under-awning, hanging signs. Flat signs should be framed with raised edges. Wood signs shall use only high-quality exterior grade wood with suitable grade finishes.
- (5) Sign colors should be compatible with the colors of the building façade. A dull or matte finish is recommended for reduction of glare and enhancement of legibility.
- (6) Signs shall be either spot- or backlit with a diffused light source. Spot lighting shall require complete shielding of all light sources, shall be contained within the sign frame, and shall not significantly spill over to other portions of the building or site. Backlighting shall illuminate the letters, characters, or graphics on the sign, but not its background. Warm fluorescent bulbs may be used to illuminate the interior of display cases. Neon signs placed inside the display case shall insure low intensity colors.
  - a. Signage containing any light source shall be prohibited on any frontage along the canal and visible by existing single-family residential uses outside of the MU/CS
- (7) Signs shall be mounted so that the method of installation is concealed. Signs applied to masonry surfaces should be mechanically fastened to mortar joints only and not directly into brick or stone. Drilling to provide electrical service should also follow the same rule.
- (8) Billboards are prohibited.
- (9) A Projecting Sign, generally two-sided and mounted with a decorative support or projecting building feature, and perpendicular to the building's facade shall be permitted within the MU/CS, provided it does not exceed a maximum area of nine (9) square feet.

- (F) **Development Permit Review Procedures.** The following development permit review procedure will apply to this district:
- (1) The review procedures set out in Article XV and Section 24-171 (Concurrency) will apply within this district.
  - (2) **Preapplication Conference:** For those development permit requests that require a Pre-Application Conference, the Applicant must address with staff:
    - a. The submittal requirements in Article XV and Section 24-171 (Concurrency) and the required plans submitted for review shall demonstrate the Applicant's general approach to comply with the requirements noted above and shown on the MU/NC District's:
      1. Sub-Areas Regulating Plan.
      2. Street Network and Connectivity Regulating Plan.
      3. Designated Publicly Accessible Open Spaces and Urban Greenways Regulating Plan.
      4. Building Heights Regulating Plan.
      5. Building Typology.
  - (3) Applications that include a development agreement shall be subject to the additional notice and hearings set forth in Article XIX.

**( Ord. No. 2015-5 , § 2(Exh. A), 3-17-15; Ord. No. 2016-6 , § 2, 7-5-16; Ord. No. 2017-12 , § 3, 1-16-18; Ord. No. 2018-6 , § 2, 5-24-18; Ord. No. 2018-7 , § 3, 6-19-18)**

**Editor's note— Ord. No. 2015-5 , § 2(Exh. A), adopted March 17, 2015, repealed the former § 24-58.3, and enacted a new § 24-58.3 as set out herein. The former § 24-58.3 pertained to site design, and derived from Ord. No. 2002-20, § 2, adopted Nov. 19, 2002; Ord. No. 2006-3, § 2, adopted March 21, 2006; and Ord. No. 2008-4, § 2, adopted March 4, 2008.**