

Sec. 4.4.9. - General Commercial (GC) District.

- (A) ***Purpose and intent.*** The General Commercial (GC) District provides basic regulations for small parcels which are best suited for general retail and office uses. In addition, this district has regulations in the Four Corners Overlay District that encourages mixed use development that may include retail, office, and multi-family uses. The GC designation is applied to small parcels, most of which are developed, where adherence to standard regulations is most appropriate. The GC designation is to be applied primarily along arterial and collector streets. Uses may be conducted singularly or in combination within the same structure. [Amd. Ord. 8-07 3/20/07] (Ord. No. 32-23, § 14, 10-17-23)
- (B) ***Principal uses and structures permitted.*** The following are allowed within the GC District as permitted uses, except as modified in the Four Corners Overlay District by Section 4.4.9(G)(3)(a). [Amd. Ord. 8-07 3/20/07]; [Amd. Ord. 64-04 11/16/04]
- (1) General retail uses and/or facilities, including, but not limited to: [Amd. Ord. 35-10 10/19/10]
 - (a) Antiques, arts and crafts, automotive parts, baked goods, books, carpet and floor covering, cheeses, beer, wine, liquor, confectioneries, cosmetics, meats, draperies and slipcovers, pharmacies, electrical fixtures and supplies, fabrics, fish, flowers and plants, fruits and vegetables, food, garden supplies, gifts, glassware, hardware and paints, home furnishings, ice cream, lawn care equipment, leather goods, luggage, medical and surgical equipment, music and musical instruments, nautical supplies, office furniture equipment and supplies, pets and pet supplies, photographic equipment and supplies, sewing supplies, sporting goods, toys, wearing apparel and accessories, appliances, bicycles, business machines, jewelry. [Amd. Ord. 35-10 10/19/10]
 - (2) Business, Professional, and Medical uses including, but not limited to: [Amd. Ord. 09-10 7/20/10]
 - (a) Interior decorating, medical and dental clinics, medical and dental laboratories, photographic studios, printing and publishing, business offices, professional offices, and medical offices. [Amd. Ord. 09-10 7/20/10]
 - (3) Contractor's Offices, including but not limited to:
 - (a) Air conditioning, general contractor, electrical, painting, and plumbing; however, any outside storage of materials is prohibited.
 - (4) Services and Facilities including, but not limited to:
 - (a) Auctions, barber and beauty shops and salons, caterers, dry cleaning limited to on-site processing for customer pickup only, dry cleaning and laundry pickup stations, financing e.g. banks and similar institutions including drive-through facilities, laundromats limited to self-service facilities, restaurants including drive-in and drive-through, tailoring, tobacconist, vocational schools limited to arts and crafts, business, beauty, dancing,

driving, gymnastics, photography, modeling, and karate-judo, small item repair, Neighborhood Electric Vehicle (NEV) sales, lease or rental transactions only (no inventory on-site for any purpose), and rental of sporting goods and equipment (such as but not limited to bicycles, skates, boogie boards). With the exception of bicycles with an electric-helper motor as defined in Section 72.02, Delray Beach Code of Ordinances, all rented sporting goods must be non-motorized. [Amd. Ord. 36-11 10/18/11]; [Amd. Ord. 15-98 4/21/98] (Ord. No. 36-16, § 2, 1-10-17; Ord. No. 17-21, § 3, 10-19-21)

- (b) Abused spouse residence with 40 or fewer residents, galleries, broadcast studios, butcher shops, cocktail lounges, exercise facilities e.g. gyms and clubs, indoor shooting ranges, museums, libraries, newsstands, commercial or public parking lots and parking garages, theaters excluding drive-ins.
- (5) Dwelling units in the same structure as commercial uses provided that: commercial uses must be provided on the ground floor; commercial uses on the ground floor must occupy no less than 25 percent of the total structure excluding square footage devoted to vehicular use; residential uses are not located on the ground level; residential uses and non-residential uses are physically separated and have separate accessways; and the residential density does not exceed 12 units per acre, except the Four Corners District which may have a free standing residential building as part of a multi-building unified master plan or the residential component may be a part of a single mixed use building. The density of the Four Corners Master Plan shall not exceed 30 dwelling units per acre and is subject to the provisions under Section 4.4.9(G)(3)(d)(4). [Amd. Ord. 47-11 1/3/12]; [Amd. Ord. 10-11 4/5/11]; [Amd. Ord. 8-07 3/20/07]; [Amd. Ord. 43-04 8/17/04]; [Amd. Ord. 6-00 3/21/00] (Ord. No. 25-17, § 20, 7-18-17)
- (6) Astrologists, clairvoyants, fortune tellers, palmists, phrenologists, psychic readers, spiritualists, numerologists and mental healers, subject to the locational restrictions of Section 4.4.9(H)(3). [Amd. Ord. 64-04 11/16/04]; [Amd. Ord. 27-98 8/4/98]
- (7) Community Residence housing four to ten individuals, except as required by state law, that (1) is 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. [Amd. Ord. 23-01 5/1/01] (Ord. No. 25-17, § 20, 7-18-17)
- (8) Tattoo Establishments, pursuant to restrictions set forth in Section 4.3.3(ZB). (Ord. No. 33-16, § 2, 11-15-16)
- (9)

Urban Agriculture pursuant to regulations set forth in Section 4.3.3(D). (Ord. No. 07-17, § 7, 5-16-17)

(10) CBD oil establishments, pursuant to restrictions set forth in Section 4.3.3(CC). (Ord. No. 58-20, § 3, 12-1-20)

(11) Veterinary clinics, subject to Section 4.3.3(W). (Ord. No. 11-25, § 3, 7-8-25)

(C) ***Accessory uses and structures permitted.*** The following uses are allowed when a part of, or accessory to, the principal use:

(1) Parking lots;

(2) Refuse and service areas;

(3) Provision of services and repair of items incidental to the principal use;

(4) Storage of inventory either within the same structure as where the sale of goods occurs or in a separate structure on the same parcel provided that such storage facilities are not shared or leased independent of the primary commercial use of the site;

(5) Single family detached dwellings for residence by business owners, proprietors, or employees.

(6) Family day care home pursuant to Section 4.3.3(T). [Amd. Ord. 25-10 10/19/10]

(7) Automotive rental facility, accessory, subject to the requirements of Section 4.3.3(C). (Ord. No. 24-17, § 3, 11-7-17)

(D) ***Conditional uses and structures allowed.*** The following are allowed as conditional uses within the GC District, except as modified in the North Federal Highway Overlay District by Section 4.4.9(G)(2) and in the Four Corners Overlay District by Section 4.4.9(G)(3)(c). [Amd. Ord. 8-07 3/20/07]; [Amd. Ord. 64-04 11/16/04]; [Amd. Ord. 53-01 10/16/01]; [Amd. Ord. 53-96 11/19/96] (Ord. No. 32-23, § 14, 10-17-23)

DELETED NUMBERS AND RENUMBERED [Amd. Ord. 10-11 4/5/11]; [Amd. Ord. 30-98 9/8/98]; [Amd. Ord. 21-97 6/3/97]

(1) Amusement game facilities. [Amd. Ord. 58-04 10/19/04]

(2) Wash establishments or facilities for vehicles.

(3) Child Care and Adult Day Care.

(4) Clubs and Lodges; social, fraternal, and recreational not exceeding 3,500 square feet of gross floor area. [Amd. Ord. 70-04 1/4/05]

(5) Drive-in Theaters.

(6) Flea Markets, bazaars, merchandise marts, and similar retail uses. [Amd. Ord. 51-92 10/27/92]

(7) Funeral Homes.

(8) Gasoline Stations or the dispensing of gasoline directly into vehicles.

(9) Hotels and Motels.

- (10) Free-standing multiple-family housing subject to the requirements of the RM District except for setback and height requirements which shall be pursuant to this Section. [Amd. Ord. 10-11 4/5/11] (Ord. No. 25-17, § 21, 7-18-17)
 - (11) Recreational establishments such as bowling alleys, gymnasiums, health spas, miniature golf courses, skating rinks.
 - (12) Sales and service of All Terrain Vehicles and personal watercraft (waverunners, jet skis), with no outside display, outside storage or outside service. [Amd. Ord. 1-96 1/23/96]
 - (13) Vehicle care limited to the changing of oil and filters, and lubrication with no mechanical work or outside storage of vehicles except as a part of a gasoline station. [Amd. Ord. 1-96 1/23/96]
 - (14) Pet services and pet hotels, subject to Section 4.3.3(W). [Amd. Ord. 1-96 1/23/96]; Amd. Ord. 14-91 02/26/91] (Ord. No. 17-21, § 4, 10-19-21; Ord. No. 11-25, § 4, 7-8-25)
 - (15) Group Home, Type 2 and Community Residential Homes, pursuant to restrictions set forth in Section 4.3.3(I). [Amd. Ord. 23-01 5/1/01]
 - (16) Adult Gaming Centers. [Amd. Ord. 58-04 10/19/04]
 - (17) Churches or places of worship, and their attendant Sunday school, recreational and columbarium facilities not exceeding 3,500 square feet of gross floor area. The foregoing does not allow establishment of educational and care uses such as elementary school and general day care. [Amd. Ord. 70-04 1/4/05]
 - (18) Assisted Living Facilities that do not comport with the definition of "community residence", Nursing Homes, and Continuing Care Facilities subject to the requirements of the RM District except for setback and height requirements which shall be pursuant to this Section. [Amd. Ord. 10-11 4/5/11]; [Amd. Ord. 20-08 4/15/08] (Ord. No. 25-17, § 21, 7-18-17; Ord. No. 32-23, § 14, 10-17-23)
 - (19) Large Family Child Care Home, subject to Section 4.3.3(TT). [Amd. Ord. 25-10 10/19/10] (Ord. No. 32-23, § 14, 10-17-23)
 - (20) Community Residence housing four to ten individuals, except as required by state law, that (1) is less than 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, or (2) the State of Florida does not require the operator or applicant to be licensed or certified to operate the proposed community residence, has no certification from an appropriate national accrediting agency, or has not been recognized or sanctioned by Congress to operate the proposed community residence. (Ord. No. 25-17, § 21, 7-18-17; Ord. No. 32-23, § 14, 10-17-23)
- (E) ***Review and approval process.***
- (1)

All development within the Four Corners Overlay District shall be governed by a Master Development Plan (MDP). The MDP shall consist of a narrative; conceptual site plan, landscaping, and utility plans; and conceptual elevations and architectural information. A MDP shall be processed pursuant to Chapter 2 with approval granted by the Planning and Zoning Board. A MDP may be modified pursuant to Chapter 2. Approval of any new development within an MDP must be granted pursuant to Chapter 2 and be consistent with the approved MDP. A site plan modification shall follow procedures outlined in Chapter 2. [Amd. Ord. 8-07 3/20/07] (Ord. No. 32-23, § 14, 10-17-23)

- (a) Applications for site plan approval must include a site and development plan (including landscaping, elevations, and floor plans) with sufficient detail to determine that the applicable performance standards are being met, and that is consistent with the adopted MDP. The detailed site plan is processed pursuant to Chapter 2. [Amd. Ord. 8-07 3/20/07] (Ord. No. 32-23, § 14, 10-17-23)
- (b) Waivers and internal adjustments to these standards may be approved by the Planning and Zoning Board as a part of the approval of the MDP. [Amd. Ord. 8-07 3/20/07] (Ord. No. 32-23, § 14, 10-17-23)
- (c) When considering a MDP in the Four Corners Overlay, the Planning and Zoning Board may attach conditions, safeguards, and stipulations to address the specific characteristics of the site and potential impacts of the proposed development. [Amd. Ord. 8-07 3/20/07] (Ord. No. 32-23, § 14, 10-17-23)

(F) ***Development standards.*** The development standards set forth in Section 4.3.4 shall apply except as modified below: [Amd. Ord. 21-04 5/4/04]

- (1) If there is no vehicular access available to the rear of any structure, a side setback of ten feet shall be provided. For a side interior lot, a ten-foot setback is required only on one side. [Amd. Ord. 21-04 5/4/04]
- (2) North Federal Highway Area: The following development standard shall apply to parcels which have frontage on North Federal Highway or the North Federal Highway one-way pairs (N.E. 5th Avenue and N.E. 6th Avenue) between N.E. 4th Street and the north City limits. [Amd. Ord. 17-99 6/15/99]
 - (a) Parcels shall have a minimum front building setback of five feet measured from the ultimate right-of-way line. The maximum setback shall be 15 feet, unless it can be demonstrated to the Site Plan Review and Appearance Board that it is not feasible to comply with this standard. [Amd. Ord. 17-99 6/15/99]
- (3) Four Corners Overlay District. The following development standards shall apply to parcels within the Four Corners Overlay District: [New Subsection added by Ord. 8-07 3/20/07]

(a) ***Minimum site area.***

1.

Minimum site area for the total development within the Four Corners Overlay District is to be four acres. However, the approving body for the Four Corners Overlay may grant a waiver to the four acre requirement upon a determination that the development is consistent with the purpose and intent of the Four Corners Overlay District and attempts have been made to aggregate adjacent parcels. Evidence must be provided that aggregation is not feasible.

(b) ***Minimum floor area.***

1. Residential units are subject to the minimum square footage per unit requirements of LDR Section 4.3.4(K) (Development Standards Matrix for Residential Zoning Districts - Subnote #1).

(c) ***Lot coverage.***

1. Lot coverage by building, pavement and hardscape site improvements shall not exceed 75 percent of the area of development of any individual lot.

(d) ***Perimeter buffers.***

1. A landscape buffer shall be provided around the perimeter of each parcel within the development pursuant to the applicable buffers as listed below in this section. Parking, structures, perimeter roadways, and other paving is not permitted within this buffer except for bicycle paths, sidewalks, jogging trails, and driveways or access streets which provide ingress and egress for traffic and which are generally perpendicular to the buffer. The width of the buffer shall be the smaller distance of either the dimensions below or ten percent of the average depth of the property; however, in no case shall the landscape area be a width of less than ten feet:
 - a. When adjacent to a collector or arterial street: 30 feet
 - b. When abutting residentially zoned property: 40 feet
 - c. When adjacent to but separated from residentially zoned property by a street, waterway, alley, railway or park: 25 feet
 - d. When abutting non residentially zoned property: 25 feet
 - e. When commercial and/or office uses abut residential parcels within the Four Corners Overlay master development plan: 25 feet

(e) ***Building height.***

1. Buildings shall be allowed to a maximum height of 60 feet on parcels of four acres or more and a maximum of 48 feet for parcels less than four acres.

(f) ***Setbacks.***

1. Atlantic Avenue / Military Trail Frontage: To the greatest extent possible buildings shall be placed at the minimum setback of 30 feet to a maximum building height of 42 feet. Thereafter, additional setbacks for the portion of the building exceeding 42 feet shall

be a minimum of an additional ten feet.

2. If a Master Plan consists of multiple parcels, the setback from the internal parcel lines shall be 25 feet.
3. Master Development Plan (MDP) perimeter non-frontage setbacks shall be consistent with the applicable perimeter buffers as specified in Sections (F)(3)(d).

(G) ***Supplemental district regulations.*** In addition to the supplemental district regulations in [Article 4.6](#), the following supplemental district regulations apply in the GC District. [Amd. Ord. 72-95 12/5/95] [Amd. Ord. 64-04 11/16/04] [Amd. Ord. 07-09 3/3/09] (Ord. No. 32-23, § 14, 10-17-23)

DELETED (1) AND RENUMBERED [Amd. Ord. 64-04 11/16/04]

ADDED (1) AND RENUMBERED [Amd. Ord. 07-09 3/3/09]

- (1) The parking requirement for business and professional offices within that portion of the GC zoning district bounded by S.E. 5th Avenue on the west, S.E. 6th Avenue on the east, S.E. 4th Street on the north and S.E. 10th Street on the south is established at one space per 300 square feet of net floor area. [Amd. Ord. 07-09 3/3/09]
- (2) North Federal Highway Overlay District: The following supplemental district regulations apply to the North Federal Highway Overlay District, as defined in [Section 4.5.7](#). [Amd. Ord. 53-96 11/19/96]
 - (a) In addition to the uses listed in [4.4.9\(D\)](#), the following light industrial uses are allowed as conditional uses: [Amd. Ord. 53-96 11/19/96]
 1. Fabrication and/or assembly of manufactured materials or parts for distribution or sale, such as sheet metal, sign shops, glass shops, electronics, cabinet and furniture making. [Amd. Ord. 53-96 11/19/96]
 2. The wholesaling, storage and distribution of products and materials; [Amd. Ord. 7-03 4/15/03]; [Amd. Ord. 53-96 11/19/96]
 3. Self-service storage facilities that comply with subsection (c) below. [Amd. Ord. 7-03 4/15/03]
 - (b) All uses listed under subsection (a) above must: [Amd. Ord. 53-96 11/19/96]
 1. Operate in conjunction with a permitted service or retail use that is located on the premises; [Amd. Ord. 53-96 11/19/96]
 2. Maintain a commercial facade along North Federal Highway, with the light industrial aspect of the business oriented toward Dixie Highway; [Amd. Ord. 53-96 11/19/96]
 3. Operate within an enclosed building, with no outside storage; [Amd. Ord. 53-96 11/19/96]
 - 4.

Orient overhead doors away from adjacent rights-of-way, except where existing, or where the approving body determines that it is not feasible to comply; and, [Amd. Ord. 53-96 11/19/96]

5. Along the property line adjacent to Dixie Highway, provide a landscape buffer consisting of a four feet high hedge, and trees planted 25 feet on center to form a solid tree line. [Amd. Ord. 53-96 11/19/96]
- (c) In addition to subsection (b) above, any self-service storage facility shall comply with the following. The following regulations supersede Section 4.3.3(A). [Amd. Ord. 7-03 4/15/03]
1. **Lot area.** The minimum lot area is one and one-half acres and the maximum lot area is three acres. [Amd. Ord. 7-03 4/15/03]
 2. **Facilities and requirements.**
 - a. Outdoor bay type access to individual self-storage units that face a street is prohibited. The exterior loading access points shall be designed in such a way to minimize sight lines from adjacent roads. [Amd. Ord. 7-03 4/15/03]
 - b. No building shall exceed 48 feet in height. [Amd. Ord. 7-03 4/15/03]
 - c. Parking shall be provided at the rates set forth in Section 4.6.9 for the permitted service, office and retail uses and for self-storage uses, parking shall be at a rate of one parking space per 100 storage units or portion thereof, including: (a) a minimum of three loading spaces for the self-service storage facility that must be striped and signed to limit the time for loading and unloading to one hour; and in addition (b) three and one-half spaces for each 1,000 square feet of accessory office use associated with the self-storage use. Notwithstanding the above, a minimum of five parking spaces other than loading spaces shall be provided in connection with the self-storage use. [Amd. Ord. 24-03 8/5/03]; [Amd. Ord. 7-03 4/15/03]
 - d. At least 2,500 square feet of ground floor area shall be devoted to at least one additional principal retail or service use without limiting the foregoing. The additional principal uses may be eating and drinking establishments, retail or personal service. [Amd. Ord. 7-03 4/15/03]
 3. **Limitation of uses.**
 - a. Activities not related to the rental or lease of self-storage units shall not be conducted within the self-service storage facility area, unless specifically permitted through the conditional use process. [Amd. Ord. 7-03 4/15/03]
 - b. Except as otherwise provided in subsection (c), no business or activity other than self-storage shall be conducted from any self-storage unit in the facility. Examples of prohibited uses include, but are not limited to the following: the servicing, repair and/or restoration of automobiles, boats, recreational vehicles, and/or

restoration of automobiles, boats, recreational vehicles, lawnmowers and the like; moving and self-storage companies; cabinet making and wood working (whether personal or professional); personal hobbies and arts and crafts; and any other activity unless specifically permitted through the conditional use process.

[Amd. Ord. 7-03 4/15/03]

- c. Except as otherwise provided in this subsection (c), there shall be no electrical power provided to, or accessible from any individual self-storage units. This includes the provision of lighting fixtures to the interior of a self-storage unit, unless specifically addressed in the conditional use approval. The use of portable generators is also prohibited. [Amd. Ord. 7-03 4/15/03]
 - d. The use or storage of any hazardous materials is prohibited. [Amd. Ord. 7-03 4/15/03]
 - e. the terms and conditions of this section shall be clearly expressed in all self-storage rental or leasing contracts, as well as conspicuously displayed in plain view on a sign no smaller than one foot by two feet in the leasing office at the facility. [Amd. Ord. 7-03 4/15/03]
- 4. ***On-site manager.*** An on-site manager shall be employed at the facility during all hours of operation. [Amd. Ord. 7-03 4/15/03]
 - 5. ***Hours of operation.*** Customers of the self-service storage facility may not access individual self-storage units before 5:00 a.m. or any later than 9:00 p.m. Hours of operation may be further restricted when it is deemed that morning and evening traffic into and out of the facility may negatively impact the character of an adjacent residential area. In no circumstance shall customers of any self-service storage facility have 24-hour access to their self-storage unit(s). [Amd. Ord. 7-03 4/15/03]
 - 6. **Landscape Requirements:** In addition to all applicable landscape requirements and other special provisions pursuant to the individual zone district, a minimum ten-foot landscape buffer shall be required adjacent to Federal Highway and Dixie Highway and a minimum five-foot landscape buffer shall be required along all property lines that do not abut a roadway. [Amd. Ord. 7-03 4/15/03]
 - 7. ***Outdoor storage of vehicles, boats and truck rental.*** Outdoor storage of boats and vehicles and truck rental is prohibited. [Amd. Ord. 7-03 4/15/03]
 - 8. ***Architecture.*** All self-service storage facility buildings must comply with the following architectural standards. [Amd. Ord. 7-03 4/15/03]
 - a. Building facades visible from the public right-of-way shall have the appearance of a service and/or retail building through the use of doors, windows, awnings, and other appropriate building elements. [Amd. Ord. 7-03 4/15/03]

- b. Exterior building material shall be stucco or a similar material. [Amd. Ord. 7-03 4/15/03]
 - c. Buildings that can accommodate two or more stories shall be designed where facing a street to have the appearance of a multi-story building through the use of windows, doors, awnings, canopies or other appropriate building elements. [Amd. Ord. 7-03 4/15/03]
 - d. Building facades facing a public right-of-way must have a 15 percent minimum transparency consisting of windows that provide visibility from the public right-of-way from the interior. [Amd. Ord. 7-03 4/15/03]
 - e. Detailed building elevations shall be submitted prior to the Conditional Use public hearing. [Amd. Ord. 7-03 4/15/03]
9. **Location.** A self-service storage facility shall not be located within a radius of 1,000 feet of another existing self-service storage facility. [Amd. Ord. 7-03 4/15/03]
- (3) **Four Corners Overlay District.** The following supplemental district regulations apply to the Four Corners Overlay District, as defined in Section 4.5.14. [New Subsection added by Ord. 8-07 3/20/07]
- (a) The permitted uses shall be those uses listed in Sections 4.4.9(B)(1,2,4,5,8, 11). (Ord. No. 07-17, § 7, 5-16-17; Ord. No. 11-25, § 5, 7-8-25)
 - (b) The accessory uses shall be those uses listed in Section (C).
 - (c) The conditional uses shall be those uses listed in Sections (D)(2, 3, 9, 11, 14, 19, and 20). [Amd. Ord. 45-11; 1/3/12]; [Amd. Ord. 25-10; 10/19/10]; [Amd. Ord. 20-08 4/15/08]
 - (d) Allocation of uses. (Ord. No. 32-23, § 14, 10-17-23)
 - 1. Office uses can encompass up to 100 percent of the total building square footage within a Four Corners Overlay master development plan.
 - 2. Retail uses shall not encompass more than 100 percent of the total building area square footage of the Four Corners Overlay master development plan.
 - 3. Hotels, motels, and residential all suite lodging shall not encompass more than 20 percent of the total building area square footage of the Four Corners Overlay master development plan. Notwithstanding the above, hotels, motels and residential all suite lodging can comprise 100 percent of the floor area of an individual building within a MDP containing multiple buildings.
 - 4. Multi-family dwelling units: Multi-family uses and assisted living facilities, excluding duplexes, subject to (a)(b)(c)(d)(e) below, with a density not to exceed 30 units per acre, subject to the following: [Amd. Ord. 47-11 1/3/12] (Ord. No. 32-23, § 14, 10-17-23)

- a. Residential units may comprise 75 percent of the total floor area of the development master plan at a maximum density of 30 units per acre and only when proposed as part of a mixed-use development containing office and/or commercial uses.
 - b. Residential developments must include a minimum of 20 percent moderate income workforce units as defined by Article 4.7 Family/Workforce Housing. (Ord. No. 32-23, § 14, 10-17-23)
 - c. Workforce units are subject to general requirements of Article 4.7.5, 4.7.6, and 4.7.7. (Ord. No. 32-23, § 14, 10-17-23)
 - d. For mixed-use developments, the shared parking provisions in Section 4.6.9(C) (8) apply. (Ord. No. 32-23, § 14, 10-17-23)
 - e. Developments with a residential component are subject to the performance standards in Section 4.3.3(BB). (Ord. No. 32-23, § 14, 10-17-23)
- (e) Standards unique to the Four Corners Overlay District. Where standards unique to the Four Corners Overlay District conflict with standards established elsewhere in the LDR, the standards of this Subsection apply: (Ord. No. 32-23, § 14, 10-17-23)
- 1. ***Lot coverage and open space.*** Land area equal to at least 25 percent of the individual MDP, including the perimeter landscaped boundary, must be open space. Water bodies and paved areas cannot be applied to the 25 percent open space requirement. [Amd. Ord. 41-09 10/20/09] (Ord. No. 32-23, § 14, 10-17-23)
 - 2. ***Minimum structure size.*** Any free-standing non-residential principal structure shall have a minimum floor area of 4,000 square feet; shall be architecturally consistent with other structures in the MDP; and shall have direct access to and from other portions of the Four Corners Overlay development. (Ord. No. 32-23, § 14, 10-17-23)
 - 3. ***Required floor heights.*** The first floor shall be a minimum of 12 feet floor to floor, and all floors above shall be ten feet floor to floor. Residential uses shall have a minimum of nine feet floor to floor on all floors. Hotel, motel and residential all suite lodging shall have a minimum of eight feet six inches floor to floor on all floors. Auxiliary and service rooms, such as, garages, restrooms, closets, laundry rooms, dressing rooms, storage rooms, mechanical, electrical, and plumbing equipment rooms are exempted from the floor height regulations. (Ord. No. 32-23, § 14, 10-17-23)
- (4) ***Lintco Development Overlay District.*** Within the Lintco Development Overlay District, as defined by Section 4.5.19(A), non-residential development intensity in non-residential or mixed-use developments shall be limited to a maximum Floor Area Ratio (FAR) of 0.36. [Amd. Ord. 21-12 8/7/12] (Ord. No. 32-23, § 14, 10-17-23)

(5)

Infill Workforce Housing Overlay District. Within the Infill Workforce Housing Overlay District, as defined by Section 4.5.12, non-residential development intensity in non-residential or mixed-use developments shall be limited to a maximum Floor Area Ratio (FAR) of 0.75. Multiple family residential development, including assisted living facilities that do not comport with the definition of "community residence," are subject to RM District development standards, except for setback and height requirements, which are pursuant to GC standards. Density may exceed 12 units per acre, up to a maximum of 22 units per acre, subject to compliance with Section 4.3.3(BB) and Article 4.7. [Amd. Ord. 08-14 07/01/14] (Ord. No. 32-23, § 14, 10-17-23)

(H) ***Special regulations.***

- (1) The first ten feet of the front yard setback which is adjacent to a right-of-way shall be a landscaped area, except within the North Federal Highway Area as defined in 4.4.9(F)(2), which is subject to the special landscape setbacks of Section 4.3.4(H)(6)(b), and the Four Corners Overlay district which is subject to special landscape buffers under Section 4.4.9 (F)(3) (d).

Within the required front landscape area, no paving shall be allowed except for driveways and walkways which shall be generally perpendicular to the property line. [Amd. Ord. 8-07 3/20/07]; [Amd. Ord. 64-04 11/16/04]; [Amd. Ord. 17-99 6/15/99]

DELETED (2) and (3) AND RENUMBERED [Amd. Ord. 64-04 11/16/04]

- (2) Any outdoor display of sporting goods and equipment for rent is subject to the restrictions set forth in Section 4.6.6(C)(3). [Amd. Ord. 15-98 4/21/98]
- (3) Astrologists, clairvoyants, fortune tellers, palmists, phrenologists, psychic readers, spiritualists, numerologists and mental healers are limited to the geographical areas along N.E. and S.E. 5th and 6th Avenues (Federal Highway pairs), between S.E. 10th Street and S.E. 3rd Street, and between N.E. 4th Street and N.E. 7th Street, and shall be limited to no more than one of each business every 300 feet, measured in a straight line from lot line to lot line. [Amd. Ord. 27-98 8/4/98]
- (4) Twenty-four-hour or late night businesses as defined herein must be processed as a conditional use and are subject to the provisions of Section 4.3.3(VV). [Amd. Ord. 41-01 8/7/01]
- (5) No Clubs and Lodges (social, fraternal and recreational) or Church or Places of Worship shall be located closer than 750 feet from another such facility measured from lot line to lot line boundary along a straight airline route. [Amd. Ord. 70-04 1/4/05]