

**Planning Department MXD Compliance Table  
Zoning Code Section 4-201 D Thru M  
Application No. 06-08-070-P, "DYL Merrick MXD"**

*Table 1.*

| Reference                        | Individual building(s) | Overlay District | Type  | Requirements  | Compliance Determination | Comments  |
|----------------------------------|------------------------|------------------|---|---|--------------------------|---|
| <b>D. Performance standards.</b> |                        |                  |   |   |                          |   |
| 1.                               |                        | ✓                | Minimum site area for an MXD District.  | Twenty-thousand (20,000) square feet.   | N/A                      | Designation of an MXD District is not proposed.   |
| 2.                               | ✓                      |                  | Minimum site area for an MXD project/building.  | Twenty-thousand (20,000) square feet.   | N/A                      | Requirement only applies to projects that are not located in a designated MXD District.   |
| 3.                               | ✓                      |                  | Minimum site area for an MXD project/building within North and South Industrial MXDs as defined on the Official Zoning Map. | Greater than forty-five (45) feet in height shall provide a minimum of one-hundred (100) feet of primary street frontage and a minimum site area of ten-thousand (10,000) square feet.  | Complies                 | Project is located in the South Industrial MXD, and has approximately 300 feet of street frontage along LeJeune Road and a site area of 98,124 square feet. |
| 4.                               | ✓                      | ✓                | Lot coverage.   | No minimum or maximum.  | Complies                 |   |
| 5.                               | ✓                      | ✓                | Mixed use percentages.  | Provide a minimum of eight (8%) percent of the total square footage of the building square footage (not including parking garage square footage) or the entire ground floor, whichever is greater, of permitted ground floor uses. Remaining portions of the building may be uses permitted in the underlying zoning designations as modified by these regulations. | Complies                 | Entire ground floor, representing 12.8% of entire project is provided.  |
| 6.                               |                        | ✓                | Mediterranean architecture.   | Mandatory for MXD overlay districts only.   | Complies                 | Approved by Board of Architects on 04.17.08.  |
| <b>E. Building regulations.</b>  |                        |                  |   |   |                          |   |

Table 1.

| Reference | Individual building(s) | Overlay District | Type   | Requirements  | Compliance Determination | Comments   |
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| 1.        |                        | ✓                | Encroachments of bridges over rights-of way. | Bridges traversing a public right-of-way are permitted, however, only if properties on both sides are under same ownership.   | N/A                      | No bridges are proposed.   |
| 2.        | ✓                      | ✓                | Encroachments for balconies, awnings, etc.   | Subject to applicable regulations.  | Complies                 | Shall be subject to all required regulations.  |
| 3.        |                        | ✓                | Floor area ratio.                            | Up to 3.5 with Mediterranean architecture.  | Complies                 | 3.35 FAR is proposed.  |
| 4.        | ✓                      | ✓                | Floors.                                      | No minimum or maximum required.   | Complies                 |  |
| 5.        | ✓                      | ✓                | Floor-to-floor height.                       | The minimum floor-to-floor height shall be permitted as regulated per the Building Code.  | Complies                 | Shall be required to comply at time of final zoning analysis.  |
| 6.        |                        | ✓                | Height.                                      | The permitted heights for habitable space for the following underlying zoning designations shall be as follows: <ul style="list-style-type: none"> <li>• Up to a maximum of one hundred (100) feet in an Industrial District.</li> <li>• Underlying Commercial Limited District. Up to a maximum of seventy five (75) feet.</li> <li>• Manufacturing uses shall be limited to forty-five (45) feet.</li> </ul> Commercial District up to a maximum of one hundred (100) feet. | Complies                 | Proposed height of 77'-0" along LeJeune Road (Commercial zoning) and 99'-0" building height for remainder of property (Industrial zoning). |
| 7.        | ✓                      | ✓                | Heights of architectural elements, etc.      | The permitted height of architectural elements, spires, bell towers, elevator housings or similar non-habitable structures for the following underlying zoning designations shall be as follows: <ul style="list-style-type: none"> <li>• Commercial Limited District: up to a maximum of fifteen (15) feet.</li> <li>• Industrial and Commercial Districts: up to a maximum of twenty-five (25) feet.</li> </ul> Manufacturing uses shall be limited to ten (10) feet.       | Complies                 | Below allowable height of 25'-0".  |
| 8.        |                        | ✓                | Height adjoining residential uses.           | Properties which are adjacent to residential district designations shall be limited to a maximum height   | N/A                      | Property is not adjacent to residential zoning district.   |

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|           |                        |                  |                                  | (habitable space) of forty-five (45) feet within one hundred (100) feet of the adjacent right-of-way line. Ten (10) additional feet are permitted for roof top architectural elements, etc. above the habitable height.  |                          |   |
| 9.        | ✓                      | ✓                | Number of buildings per site.    | No minimum or maximum required.  | Complies                 | Only one building proposed.   |
| 10.       | ✓                      | ✓                | Retail frontage on streets.      | Minimum of fifty (50%) percent of the linear street frontage shall include retail use frontage.  | Complies                 | 159 linear feet required and 293 linear feet provided.                  |
| 11        | ✓                      | ✓                | Retail frontage on side streets. | Minimum of forty (40%) percent of the linear street frontage shall include retail use frontage or public realm land area (i.e. plazas, courtyards open space, etc.).   | Complies                 | 349 linear feet required and 530 linear feet provided.                  |
| 12        | ✓                      | ✓                | Retail frontage on alleys.       | No minimum or maximum required.  | Complies                 |   |
| 13.       |                        | ✓                | Residential density.             | Up to a maximum of one hundred and twenty-five (125) units per acre.   | Complies                 | 42 multi-family residential units proposed, which is 19 units per acre. |
| 14.       | ✓                      | ✓                | Setbacks (buildings).            | Front: Up to forty-five (45) feet in height: None. If over forty-five (45) feet in height: Ten (10) feet<br>Side: Interior side: None. Side street: Fifteen (15) feet.<br>Rear: Abutting a dedicated alley or street: None. Not abutting dedicated alley or street: Ten (10) feet.<br>Balconies: Cantilevered open balconies may project into the required setback areas a maximum of six (6) feet.<br>Applicants and property owners desiring to develop pursuant to these regulations may not seek a variance for relief or reduction in building setbacks. Reductions are only permitted subject to the below listed regulations. | Complies                 | See Preliminary Zoning Analysis.  |
| 15.       | ✓                      | ✓                | Setback reductions.              | Reduction in setbacks. Setbacks may be reduced subject to the following standards:   | N/A                      | See Preliminary Zoning Analysis.  |

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|           |                        |                  |                                      | <p>Minimum percentage of open space. A minimum of fifty (50%) percent of the total ground floor square footage received from the setback reduction is provided as publicly accessible street level open space and landscape area on the private property. The open space is subject to the following:</p> <ul style="list-style-type: none"> <li>• Types of open space. Types of open space shall be in the form of courtyards, plazas, arcades/loggias, pedestrian pass-throughs and open atriums adjacent/contiguous to the adjacent rights-of-way.</li> <li>• Minimum area. Minimum square footage of allowable open space (i.e., plazas) shall be five hundred (500) square feet.</li> <li>• Include both hard and softscape landscape improvements and pedestrian amenities.</li> <li>• Vertical volume. As a minimum include a vertical volume of space equal from street level to the first floor height or a minimum of thirteen (13) feet. Additional height may be recommended.</li> <li>• Restaurant seating. This area may be used for outdoor restaurant seating subject to approval as provided for in these regulations.</li> </ul> <p>Vertical building setbacks. A vertical setback of a minimum of ten (10) feet shall be provided above the height of three (3) floors or forty-five (45) feet (whichever is less) on all façades. Additional setbacks may be requested to further reduce the potential impacts of the building bulk and mass.</p> |                          |   |
| 16.       |                        | ✓                | Setbacks adjoining residential uses. | Residential districts. All property lines abutting a residential land use or district shall be a minimum of   | N/A                      | Property does not abut a residential zoning district. |

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|                        |                        |                  |                                    | fifteen (15) feet. No reductions in setbacks may be requested or granted.   |                          |  |
| 17.                    |                        | ✓                | Street/lot frontage.               | No minimum or maximum.  | N/A                      | Not applying for MXD District.   |
| F. Design regulations. |                        |                  |                                    |   |                          |  |
| 1.                     |                        | ✓                | Arcades and/or loggias.            | Arcades, loggias or covered areas may accommodate up to eighty (80%) percent of the entire linear length of the building based upon the site plan review criteria listed herein. Encroachment of the entire length or one hundred (100%) percent may be requested subject to review and approval at the time of site plan consideration. Limitations of encroachments on corners of buildings may be required to control view corridors and ground floor building bulk and massing. | Complies                 | 1,028 linear feet required and 1,217 linear feet provided..  |
| 2.                     | ✓                      | ✓                | Architectural relief and elements. | Architectural relief and elements (i.e., windows, cornice lines, etc.) shall be provided on all sides of buildings and include similar architectural features as to those provided on the front façade. No blank walls shall be permitted unless required pursuant to applicable Fire and Life Safety Code requirements.  | Complies                 | Proposal was reviewed by the City Architect and preliminarily approved by the Board of Architects on 03.20.08. |
| 3.                     | ✓                      | ✓                | Building support services.         | All mechanical, electrical and other associated support service areas shall be located entirely within the structure.   | Complies                 |  |
| 4.                     | ✓                      | ✓                | Facades.                           | Facades in excess of one hundred and fifty (150) feet in length, shall incorporate design features with the use of, but not limited to the following items:<br>(a) Breaks, setbacks or variations in bulk/massing at a minimum of one hundred (100) foot intervals.<br>(b) Use of architectural relief and elements.  | Complies                 | Proposal was reviewed by the City Architect and preliminarily approved by the Board of Architects on 03.20.08. |
| 5.                     | ✓                      | ✓                | Lighting (street).                 | Decorative street lighting shall be provided and located on all streets/rights-of-way subject to the  | Complies                 | Review and approval required by Public Works and Public Service Departments.                                   |

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|           |                        |                  |                                | following: <ul style="list-style-type: none"> <li>• Light fixtures/poles up to thirty-five (35) feet in height.</li> <li>• Subject to all other applicable City code provisions.</li> </ul>   |                          |   |
| 6.        | ✓                      | ✓                | Lighting (building).           | External illumination and lighting of buildings shall require Planning Department and Planning and Zoning Board review and recommendation with approval of the City Commission.   | Complies                 | Proposed lighting standards shown on site plans.  |
| 7.        | ✓                      | ✓                | Lighting (landscaping).        | Lighting in the form of uplighting of landscaping is encouraged.  | Complies                 | Provision is not a requirement.   |
| 8.        | ✓                      | ✓                | Outdoor storage.               | The storage of materials, goods, merchandise, and equipment for the purpose of display and/or sales outside the confines of any buildings or structures is prohibited.  | Complies                 | Shall be required to comply with this provision through Code Enforcement.                                       |
| 9.        | ✓                      | ✓                | Overhead doors.                | Overhead doors shall not face or be directed towards residential properties and/or adjacent rights-of-way abutting residentially zoned properties.  | N/A                      | All service areas contained within building. Property is not abutting any residential zoning district.          |
| 10.       | ✓                      | ✓                | Paver treatments.              | Paver treatments shall be included in the following locations: <ul style="list-style-type: none"> <li>• Driveway entrances.</li> <li>• Crosswalks.</li> <li>• Sidewalks. Minimum of twenty-five (25%) percent of paving surface.</li> </ul> | Complies                 | Paver treatments are proposed. Need to be reviewed and approved by Public works and Public Service Departments. |
| 11.       | ✓                      | ✓                | Parking garages.               | Parking garages shall include exterior architectural treatments compatible with buildings or structures which occupy the same development and/or street.  | Complies                 | Proposal was reviewed by the City Architect and preliminarily approved by the Board of Architects on 03.20.08.  |
| 12.       | ✓                      | ✓                | Pedestrian access orientation. | All buildings, except accessory buildings, shall have their main pedestrian entrance or entrances oriented towards the front property line.   | Complies                 | Shown on proposed site plans.   |
| 13.       | ✓                      | ✓                | Pedestrian amenities.          | Pedestrian amenities shall be provided on both private property and/or public open spaces including but not limited to the following: <ul style="list-style-type: none"> <li>• Benches.</li> </ul>  | Complies                 | See Preliminary Zoning Analysis.  |

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|           |                        |                  |  | <ul style="list-style-type: none"> <li>• Information kiosks.</li> <li>• Lighting.</li> <li>• Bike racks.</li> <li>• Refuse containers.</li> <li>• Sidewalk pavement treatments.</li> <li>• Statuary.</li> <li>• Street crosswalk paver treatments.</li> <li>• Wall mounted fountains.</li> <li>• Water fountains and other similar water features.</li> </ul> <p>All pedestrian amenities shall be permanently secured to the ground surface.<br/>Above amenities shall be consistent in design and form with the applicable City Public Realm Design Manual.</p> |                          |  |
| 14.       | ✓                      | ✓                | Pedestrian design features for building frontages (street level only). | <p>On any front property line or primary street, where an adjoining pedestrian sidewalk is located, the following design features shall be included:</p> <ul style="list-style-type: none"> <li>• Display windows or retail display area;</li> <li>• Landscaping; and/or,</li> <li>• Architectural building design features.</li> </ul> <p>The intent is to create pedestrian and shopper interest, preclude inappropriate or inharmonious design, preclude blank walls of building faces, and prohibit windows from being permanently obstructed.</p>            | Complies                 | Shown on proposed site plans.                      |
| 15.       | ✓                      | ✓                | Pedestrian pass-throughs/ paseo.                                       | <p>Pedestrian pass-throughs shall be provided for each two hundred and fifty (250) linear feet or fraction thereof of building frontage provided on the primary street. The pass through shall be subject to the following:</p> <ul style="list-style-type: none"> <li>• Minimum of ten (10) feet in width.</li> <li>• Include pedestrian amenities as defined herein.</li> </ul>   | Complies                 | One pass-through is required and two are provided. |

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|                             |                        |                  |                       | In lieu of providing one (1) pass through of ten (10) feet every two hundred and fifty (250) feet of building frontage, two (2) pass-throughs can be combined to provide one (1), twenty (20) foot wide pass-through.  |                          |   |
| 16.                         | ✓                      | ✓                | Porte-cocheres.       | Porte-cocheres are prohibited on front property line or primary street.  | Complies                 | None proposed.  |
| 17.                         | ✓                      | ✓                | Rooftop screening.    | All mechanical, electrical, cellular antennas and other similar roof top building support services shall be entirely screened from public view subject to applicable requirements of these regulations.  | Complies                 | Shown on proposed site plans.                                 |
| G. Landscaping.             |                        |                  |                       |  |                          |   |
| 1.                          | ✓                      | ✓                | Landscape open space. | Landscape open space requirements are satisfied pursuant to the rights-of-way planting requirements listed in Article 5, Division 11.  | Complies                 | Shall be required to comply at time of final zoning analysis. |
| H. Parking/vehicle storage. |                        |                  |                       |  |                          |   |
| 1.                          | ✓                      | ✓                | Bicycle storage.      | To encourage the use of bicycles, etc., a minimum of one (1) ten (10) foot bicycle rack for each two hundred and fifty (250) parking spaces or fraction thereof shall be provided. The location shall be convenient to users and shall be subject to review as a part of the site plan review. | Complies                 | Shown on proposed site plans.                                 |
| 2.                          | ✓                      | ✓                | Boats, trailers, etc. | Boats and recreational vehicles, or similar accessory vehicles. These vehicles shall be parked and/or stored within an enclosed garage, area or structure.   | N/A                      | None proposed.  |
| 3.                          | ✓                      | ✓                | Curbing.              | Raised curbing. Six (6) inch raised curbing shall be provided on all streets abutting this use. Curb cuts and ramps for handicapped access shall also be provided at all street intersections and points of pedestrian   | Complies                 | Shown on proposed site plans.                                 |

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|           |                        |                  |                          | crossing.  |                          |  |
| 4.        | ✓                      | ✓                | Loading/unloading areas. | <p>Off-street loading standards and requirements shall conform to the requirements as set forth in Article 5, Division 14.</p> <p>All loading/unloading areas and/or facilities shall be within fully enclosed areas with overhead doors. Overhead doors shall remain closed when not in use and after hours.</p>  | Complies                 | All service and loading facilities are contained within the building.  |
| 5.        |                        | ✓                | Nonresidential uses.     | <p>Off-street parking requirements shall be calculated utilizing a blended parking of one (1) space per two hundred and fifty (250) gross square feet.</p> <p>Restaurants shall require one (1) space per one hundred (100) gross square feet.</p>   | Complies                 | See Preliminary Zoning Analysis.   |
| 6.        | ✓                      | ✓                | On-street parking.       | <p>On-street parking must be provided on both sides of the street on all primary streets, unless encroachments for arcades/loggias are requested. Evaluation as to the amount of on-street parking provided shall be evaluated on a case-by-case basis.</p> <p>On-street parking shall not be included as satisfying the required parking requirements.</p> <p>On-street parking is encouraged on alleys.</p> <p>Removal of on-street parking shall be subject to compensation to the City based upon established City provisions.</p> | Complies                 | On-street parking provided along both Granello and Greco Avenues. No existing or proposed on-street parking is located along LeJeune Road. |
| 7.        | ✓                      | ✓                | Parking garages.         | <p>Ground floor parking that is located and fronting on a primary street is prohibited. Ground floor parking is permitted on secondary streets and shall be fully enclosed within the structure and shall be surrounded by retail uses. Ground floor parking is permitted on</p>   | Complies                 | No ground floor parking is proposed.   |

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|                                  |                        |                  |                            | alley frontages.<br>Parking facilities shall accommodate pedestrian access to all adjacent street(s) and alleys.   |                          |   |
| 8.                               | ✓                      | ✓                | Parking space limitations. | Restricting and/or assignment of off-street parking spaces for individual tenant or users with the use of signage, pavement markings, etc., are permitted. | Complies                 | Designation of 34 public parking spaces (replacement) and 256 parking spaces for retail and restaurant customers is recommended.                                      |
| 9.                               | ✓                      | ✓                | Residential uses.          | Off-street parking requirements shall conform to the requirements as set forth in Article 5, Division 14.  | Complies                 | See Preliminary Zoning Analysis.  |
| 10.                              | ✓                      | ✓                | Surface parking areas.     | Surface parking lots and/or similar vehicle use areas are prohibited to front on primary streets.  | N/A                      | None proposed.  |
| 11.                              |                        | ✓                | Valet parking areas.       | If valet parking is desired, the valet parking drop-off areas shall be provided on private property. Tandem and/or stacking of parking are prohibited.     | Complies                 | 2 tandem parking spaces are proposed, but are not required parking spaces. Code Enforcement shall be required to assure all valet parking occurs on private property. |
| I. Sanitation and service areas. |                        |                  |                            |  |                          |   |
| 1.                               | ✓                      | ✓                | General.                   | In accordance with Article 5, Division 17  | Complies                 | Shall be required to comply.  |
| J. Signs.                        |                        |                  |                            |  |                          |   |
| 1.                               | ✓                      | ✓                | General.                   | In accordance with Article 5, Division 19.   | Complies                 | Shall be required to comply.  |
| K. Streets and alleys.           |                        |                  |                            |  |                          |   |
| 1.                               | ✓                      | ✓                | Streets and alleys.        | Property owner(s) may request the vacation and/or abandonment of a public right-of-way subject to the criteria and procedure in Article 3, Division 12.    | N/A                      | Vacation of a public alleyway is proposed by the applicant, and was submitted with the MXD site plan review application.  |
| 2.                               | ✓                      | ✓                | Driveways.                 | Vehicular access to parking garages shall be from a  | Complies                 | All vehicular access to building is from  |

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|           |                        |                  |            | <p>side street or alley. Vehicular egress/ingress, including but not limited to driveways, service drives, drive-throughs, etc., may be permitted from a primary street and shall be evaluated as part of site plan review based upon the project design in relation to existing surrounding circulation. Valet access points are exempt from these provisions.</p> <p>Vehicular entrances for drive-through facilities, garage entrances, service bays and loading/unloading facilities should be consolidated into one (1) curb cut to reduce the amount of vehicular penetration into pedestrian sidewalks and adjoining rights-of-way.</p>  |                          | side streets (Granello and Greco Avenues). |
| 3.        | ✓                      | ✓                | Sidewalks. | <p>Pedestrian pathways and/or sidewalks shall connect to one another to form a continuous pedestrian network from parking garage entrances, parking areas, primary and secondary pedestrian entrances, etc. Wherever possible pathways shall be separated from vehicular traffic.</p> <p>Sidewalks shall be located on both sides of all streets with a minimum of four (4) foot unobstructed clear area. The clear area shall be unobstructed by utility poles, fire hydrants, benches, trash receptacles, newspaper stands, light poles, planter boxes, telephone booths or other similar temporary or permanent structures (traffic signage shall be exempt from the above regulations).</p> <p>Sidewalks at points of street intersections or pedestrian crossing shall be sloped in such a manner as to accommodate handicapped access with the use of two (2) curb cuts and/or ramps at each street</p> | Complies                 | Shown on proposed site plans.              |

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|                  |                        |                  |                                   | intersection.   |                          |   |
| L. Utilities.    |                        |                  |                                   |   |                          |   |
| 1.               | ✓                      | ✓                | Underground utilities.            | All utilities shall be installed underground in accordance with the provisions of Article 5, Division 22.   |                          |   |
| 2.               | ✓                      | ✓                | Above ground utilities.           | Above ground, façade, roof, mechanical and electrical facilities shall be appropriately screened to entirely hide the facility in accordance with the provisions of Article 5, Divisions 11 and 18. Screening materials may include landscaping, walls, fencing, etc., to achieve one hundred (100%) percent opacity. Approval of type of screening shall be determined at time of site plan review.                        | Complies                 | Proposed utilities to be contained within the building.   |
| M. Miscellaneous |                        |                  |                                   |   |                          |   |
| 1.               | ✓                      | ✓                | Configuration of land.            | The parcel proposed for development shall be a contiguous unified parcel with sufficient width and depth to accommodate the proposed uses. Public rights-of-way or other public lands shall not be considered as a separation.  | Complies                 | Entire property is contiguous unified parcel.   |
| 2.               | ✓                      | ✓                | Easements.                        | The City may, as a condition of approval, require that suitable areas for easements be set aside, dedicated and/or improved for the installation of public utilities and purposes which include, but shall not be limited to water, gas, telephone, electric power, sewer, drainage, public access, ingress, egress, open space, recreation and other public purposes which may be deemed necessary by the City Commission. | Complies                 | Land swap by applicant proposes to provide public park for existing City Parking Lot No. 31 and vacation of existing public alleyway. |
| 3.               | ✓                      | ✓                | Encroachments into public rights- | Any encroachments, construction and penetration into the rights-of-way shall be subject to the following:   | N/A                      | None proposed.  |

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|           |                        |                  | of-way.          | <ul style="list-style-type: none"> <li>• The property owners shall be responsible for all maintenance of all encroachments and/or property of all surrounding public rights-of-way, including but not limited to the following: landscaping (hard and softscape); benches; trash receptacles; irrigation; kiosks; plazas; open spaces; recreational facilities; private streets, etc. subject to all the provisions for which the development was approved as may be amended.</li> <li>• The property owners shall be responsible for liability insurance, local taxes, and the maintenance of the encroachment and/or property.</li> </ul>  |                          |                |
| 4.        | ✓                      | ✓                | Live work units. | <ul style="list-style-type: none"> <li>• Live work units shall satisfy all applicable building code and fire and life safety code requirements at time of completion.</li> <li>• Each live work unit, including the garage (if applicable), shall be separated by walls from other live work units or other uses in the building, and shall have the ability to construct separate entrances to each use in the future.</li> <li>• The nonresidential space of a live work unit may be expanded to include the nonresidential space of an abutting live work unit if the applicant meets all applicable building codes.</li> <li>• Changes in use to allow for nonresidential uses shall be required to pay impact and water fees, meet the applicable building codes, and the parking requirements.</li> <li>• Operation of live work unit.               <ul style="list-style-type: none"> <li>○ Prior to the issuance of an Occupational License for a nonresidential use, the applicant shall apply for a change in use permit if the unit was</li> </ul> </li> </ul> | N/A                      | None proposed. |

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|           |                        |                  |                            | <p>previously designated as a live work unit as part of a development approval.</p> <ul style="list-style-type: none"> <li>○ Deliveries for nonresidential uses in the live work unit shall be limited to the hours of 8:00 AM to 8:00 PM.</li> <li>○ Live work units shall not be used for storage of flammable liquids, or toxic hazardous materials which means any and all materials, substances, waste or chemicals classified under applicable governmental laws, rules or regulations as hazardous or toxic substances, materials, waste or chemicals.</li> </ul>   |                          |  |
| 5.        |                        | ✓                | Public realm improvements. | <p>Responsibility. All property owner(s) that desire to develop pursuant to these regulations shall be required to fund, install, and maintain all public realm improvements required herein on private property as well as those required from the property boundary to the centerline of all contiguous public rights-of-way. A property owner may also provide public realm improvements up to the property line on the far side of rights-of-way abutting his/her property. These improvements as identified in the "Master Streetscape Plan" and "Underground Facilities Master Plan" include, but are not limited, to the following: landscaping; paving; signage; street furniture; public right-of-way improvements; and undergrounding of all utilities.</p> <p>Any other abutting property owner who subsequently develops property abutting an improved public realm area pursuant to these provisions shall reimburse the property owner who funded the improvements the pro rata share attributable to his property based on street</p> | Complies                 | Applicant proffers to provide public realm improvements as required as shown on proposed site plans. |

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| Reference | Individual building(s) | Overlay District | Type | Requirements  | Compliance Determination | Comments |
|-----------|------------------------|------------------|------|---|--------------------------|----------|
|           |                        |                  |      | <p>or alley frontage along with the amount of interest permitted by this provision. Per annum simple interest as established and authorized by Section 687.01, Florida Statutes will accrue from the date of full payment for all improvements.</p> <p>Property owners who develop property abutting already improved public realm areas shall restore the public realm areas to their condition prior to the commencement of construction. The costs of such restoration shall not affect the total amount of reimbursement which another abutting property owner may be entitled to under this section.</p> <p>Administration of improvements. Prior to issuance of a building permit for construction, the property owner(s) shall provide surety equating to one hundred (100%) percent of the costs for completion of all improvements. The monies shall be deposited into a "Mixed Use District Public Realm Improvements Fund" (hereinafter referred to as the "Fund") and disbursed by the City according to this section. The pro rata share of each property owner's contribution to the fund shall be based on its street frontage measured in linear feet or other means of equitable distribution. Per annum simple interest as established and authorized by Section 687.01, Florida Statutes will accrue from the date of full payment for all improvements. The City shall also collect an administrative fee as authorized by Florida Statutes for the administration and implementation of the Fund. Invoices submitted by the developer to the City in connection with the public realm improvements shall be paid by the City from the Fund. The City's Public Works Department shall monitor construction and disperse the</p> |                          |          |

Table 1.

| Reference | Individual building(s) | Overlay District | Type   | Requirements  | Compliance Determination | Comments |
|-----------|------------------------|------------------|--|---|--------------------------|----------|
|           |                        |                  |  | <p>monies from the Fund based upon completion of work and in compliance with the Master Streetscape Plan and Underground Facilities Master Plan.</p> <p>Underground utility provisions. Underground utilities shall be installed pursuant to an Underground Facilities Master Plan which will be prepared by the Public Works Department in cooperation with the Planning Department. The necessary support facilities for the installation of all underground utility facilities, including but not limited to utility vaults and transformers shall be located on private property. Property owners will receive an FAR credit equivalent to the amount of space occupied by the necessary utility facility.</p> <p>Easements. The property owners shall provide easements to all applicable utility companies for the installation and maintenance of underground utilities.</p> <p>Alternative funding mechanism. A Special Taxing District or Special Assessment District may be created pursuant to Florida Statutes to fund the installation and maintenance of underground utilities and all public realm improvements.</p> |                          |          |
| 6.        | ✓                      | ✓                | Transfer of density and floor area ratio within the site plan. | The density and floor area ratio may be transferred throughout the contiguous unified parcel.   | Complies                 |          |

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