

# CODE REVIEW IDENTIFIED BY TOWN COUNCIL AND CONSULTANT TO PERFORM OUTSIDE OF ZONING CODE REVIEW

## CHAPTER 134 - ZONING

### ARTICLE VI – DISTRICT REGULATIONS; COMMERCIAL ZONING DISTRICTS

- BUSINESS TAX RECEIPTS (BTR) AND PERMITTED NON-CONFORMING USES – Directed staff to bring forward for first reading with a maximum square footage language to be added
- **COMMERCIAL MECHANICAL EQUIPMENT - Town Council directed staff to return the proposed Ordinance back to the PZB for further discussion with visual illustrations**

### ARTICLE IV – NONCONFORMITIES. DIVISION 4 – LAND; NON-CONFORMING LOTS

Directed staff to bring forward for first reading

### ARTICLE I – IN GENERAL; SECTION 132-2 DEFINITIONS

- MINIMUM FLOOD ELEVATION FOR FREEBOARD – Directed staff to move forward with ZoneCo recommendations to fill, freeboard and overall building height
- BUILDING HEIGHT - Directed staff to bring forward for first reading



# COMMERCIAL MECHANICAL EQUIPMENT

**Section 1. Chapter 134, Zoning, Article VIII, Supplementary District Regulation, Division 3. – Height and Other Exceptions, is hereby amended as follows:**

**Sec. 134-1607. - Permitted exceptions.**

Permitted exceptions to height regulations in this chapter in districts other than R-AA, R-A and R-B shall be as follows:

(1) In all zoning districts other than R-AA, R-A and R-B districts, structures for the housing of elevators, stairways, tanks, mechanical equipment, including generators, and skylights not exceeding ten percent in total area of the roof area on which they are placed, skylights not more than four feet in height above the roof; ~~ventilating fans not exceeding three feet in height above the roof or similar equipment to operate and maintain a building; air conditioning equipment not exceeding four feet above the minimum building requirement for elevated stands on a roof;~~ radio and television antennas for reception purposes only; and church steeples, flagpoles and chimneys no more than 40 percent above the height limits for the district within which they are located as prescribed by this chapter. Flagpoles in excess of this height may be permitted by special exception on properties of greater than five acres provided the flagpole is not in excess of 70 feet in height and is set back at least 120 feet from any lot line. Such structures located upon the roof area shall not cover in the aggregate a roof area greater than 15 percent of the ground floor area of such building or structure. Radio and television antennas for reception purposes, ~~air conditioning equipment,~~ the housing of elevators, stairways, tanks, mechanic equipment, including generators, ventilating fans or similar equipment to operate and maintain a building which are permitted on the roof shall be sight screened from view to the same height as the mechanic equipment, not to exceed eight feet in height and to reduce visibility to the maximum extent ~~in so far as possible.~~ Mechanical equipment, including generators, shall be set back from the exterior walls of a single-story structure by at least 15 feet and by 10 feet for a two (2) story or taller structure. Solar material shall be permitted on the roof provided said material is approved by the Architectural Commission or Landmark Preservation Commission.



# COMMERCIAL MECHANICAL EQUIPMENT

**Section 2. Chapter 134, Zoning, Article VIII, Supplementary District Regulation, Division 6. Structures, is hereby amended as follows:**

**Sec. 134-1729. - Generators.**

Except for generators serving a public purpose and owned and operated by the town or temporary generators used during or after a natural disaster such as a tropical storm or hurricane event, and which are therefore exempt from these regulations, portable or permanent generators temporarily or permanently placed on the ground, on a stand or on a trailer, shall not be placed in the required front, street side or street rear yard setbacks; provided, however, not more than one such generator shall be placed in any given within the same required side or rear yard setback.

(1) One or a combination of more than one portable or permanent generators with combined output of not more than 60 KW shall be allowed provided only one generator is within the same required yard area. Said generator(s) shall be allowed five feet from a side or rear property line provided said generator meets the following requirements:

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**j. Generators shall ~~not~~ be permitted on the roof of a commercial and multi-family building.**

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(2) Temporary or permanent generators with a combined output of greater than 60 KW or more may be temporarily placed on the ground, on a stand or on a trailer provided, however, said generator(s) meets the following requirements:

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**j. Generators shall ~~not~~ be permitted on the roof of a commercial and multi-family building.**





# COMMERCIAL MECHANICAL EQUIPMENT

Royal  
Poinciana  
Plaza





# COMMERCIAL MECHANICAL EQUIPMENT

Worth Avenue





# COMMERCIAL MECHANICAL EQUIPMENT

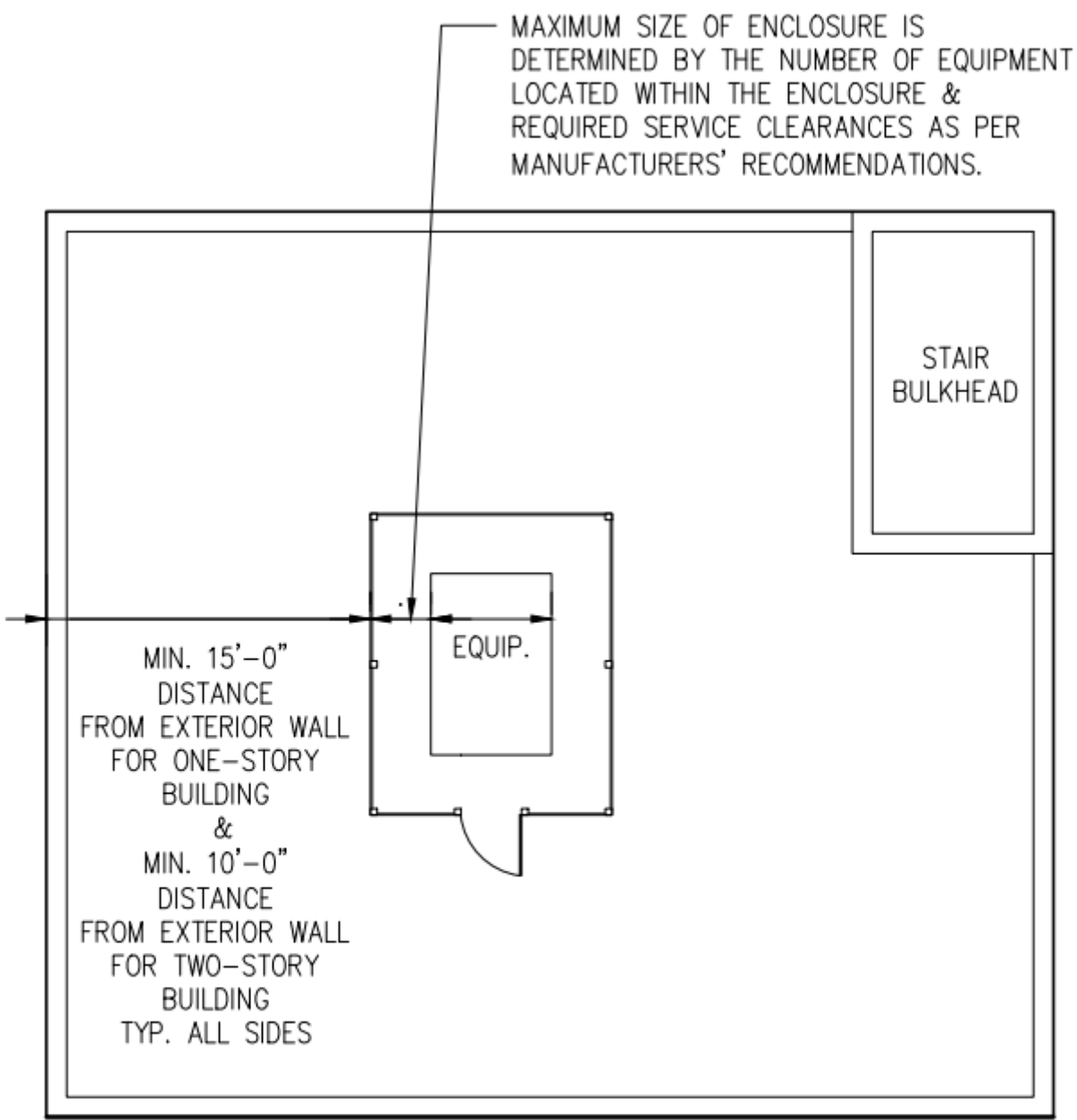
Worth Avenue





# COMMERCIAL MECHANICAL EQUIPMENT

Concept  
plan with  
rooftop  
mechanic  
equipment

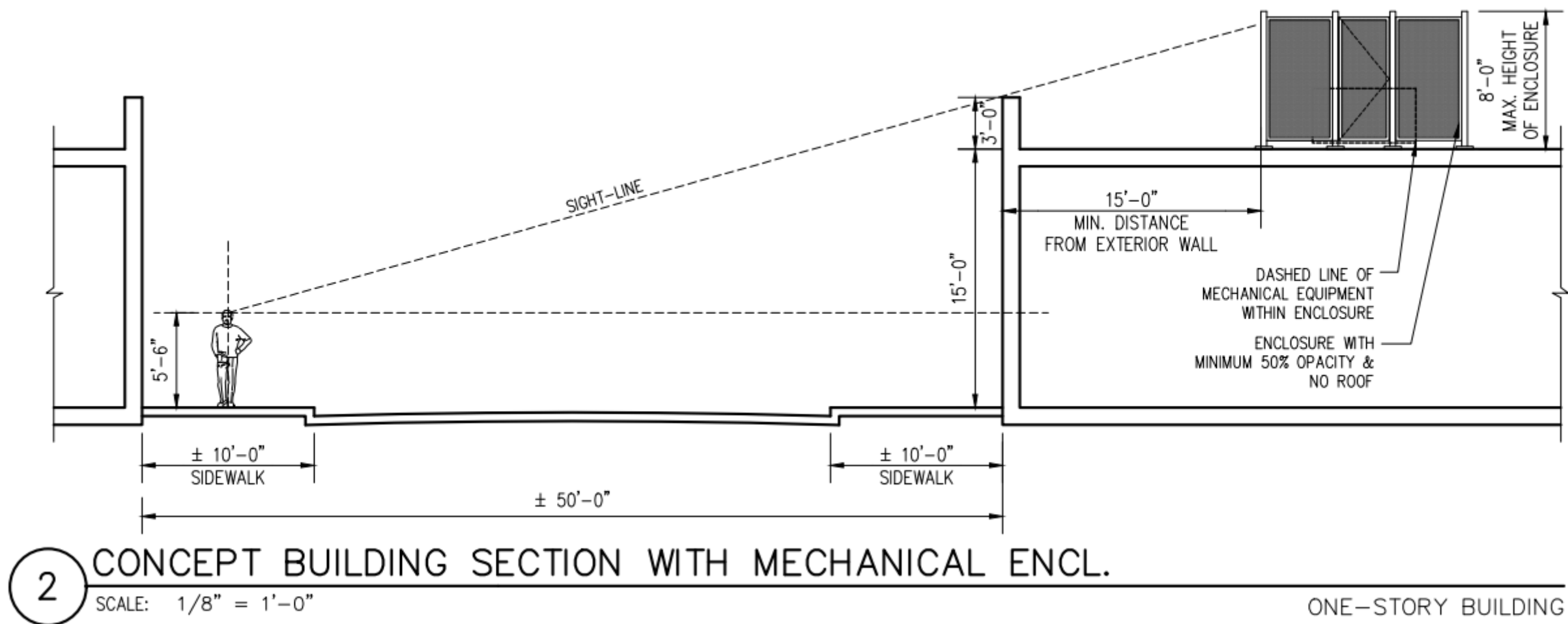


1 CONCEPT ROOF PLAN  
SCALE: 3/32" = 1'-0"



# COMMERCIAL MECHANICAL EQUIPMENT

Cross Section  
of 1-story  
structures with  
rooftop  
mechanic  
equipment





# COMMERCIAL MECHANICAL EQUIPMENT

Cross Section  
of 2 -story  
structures with  
rooftop  
mechanic  
equipment

