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DATE: April 2, 2024

RE: Town of Palm Beach Zoning Code Review – Mid-Town Commercial Districts Study

In furtherance of our review and study of the Palm Beach Zoning Code, we are pleased to provide you with a review of the existing commercial zoning within the Mid-Town area of Palm Beach. As with the residential districts, we reviewed and studied the historical bases of the Town’s commercial zoning to better understand how development patterns emerged and evolved. To fully understand the commercial districts of today and tomorrow requires a deep knowledge and understanding of the evolution of commercial development throughout the Town’s 120-year history. This review and analysis will assist Town leaders in determining to what extent existing commercial zoning standards and guidelines should be amended to more closely align with the Town’s planning.

Commercial Zoning in Palm Beach – Historically

Between 1930 and 1974, there was only one commercial district in Palm Beach – the “B” Business District. General commercial uses complimentary to residential uses were allowed in the “B” Business District, which included a lengthy list of prohibited high intensity “noxious” uses. This approach was typical of early zoning codes, including the New York City Building Zone Resolution of 1916. In fact, the list of prohibited uses in the pre-1974 Palm Beach Zoning Code is nearly identical to the list of prohibited uses in the New York City Building Zone Resolution of 1916.

The “B” Business District also included building standards such as setbacks and height limitations; allowing for multi-family and commercial buildings of up to six-stories or 70-feet in height. Mid-Town’s six-and-seven-story buildings were developed under the “B” Business District zoning. To our knowledge, there have not been any buildings of this height constructed in Mid-Town since the adoption of the 1974 Palm Beach Zoning Code, which caps the height of commercial buildings at three stories.

Commercial Zoning in Palm Beach - Today

The 1974 Palm Beach Zoning Code, as amended, represents the Town's first modern zoning code and is a significant departure from the Town's zoning during the first half of the twentieth century. The current Palm beach Zoning Code contains five commercial districts, each of which was originally codified in 1974:

C-OPI (Commercial Office, Professional, Institutional);
C-PC (Commercial Planned Center);
C-TS (Commercial Town Serving);
C-WA (Commercial Worth Avenue); and
C-B (Commercial Offices).

The C-OPI "Commercial Office, Professional, Institutional" district is currently mapped along Royal Palm Way between S. Lake Drive and S. County Road.

The C-PC "Commercial Planned Center" is specific to Royal Poinciana Plaza.

The C-TS "Commercial Town Serving" district is a non-contiguous district that is currently mapped along Peruvian Avenue between Cocconut Row and S. County Road, along S. County Road between Peruvian Avenue and Seaview Avenue, on N. County Road from Royal Poinciana Way to Seminole Avenue, on Cocconut Row between Royal Poinciana and Atlantic Avenue. It is also mapped in the South End at Lake Worth Road.

The C-WA "Commercial Worth Avenue" district is coded for and mapped solely along Worth Avenue.

The C-B "Commercial Offices" district is coded for and mapped solely along the easternmost portion of Royal Palm Way.

Mid-Town's Three Distinct Areas

Nearly all commercial uses in Palm Beach are in Mid-Town. There are three distinct areas that make up Mid-Town.

First, there is the area from Royal Palm Way south to Hammon Avenue (Colony Hotel). This area is made up of 23 rectangular blocks with an area of approximately 154 acres, or 0.25 square miles, that contains approximately 325 buildings. There are six east-west streets and five north-south streets in this portion of Mid-Town. Approximately one-half of the blocks in this area are entirely residential and the other half contain at least 25% commercial uses.

The mean height of buildings in this area is two stories, with 22 buildings being over five stories – the most in any area of Palm Beach other than the South End. This area will be referred to as the “Town Center Area” for purposes of this memorandum.

Directly north of the Town Center Area is an area of nearly identical size between Royal Palm Way and The Breakers Golf Course (by comparison The Breakers property is nearly the same size as this area). Only three of the blocks in this area have at least 25% of their total square footage as commercial uses, with the remaining blocks being either entirely residential or containing institutional and cultural uses, including The Society of the Four Arts, Palm Beach Day Academy, the Mandel Recreation Center, and the Palm Beach Public School. This area will be referred to as the “Royal Palm Way Area” for purposes of this memorandum.

The northernmost area of Mid-Town is located from The Breakers property on and around Royal Poinciana Way to the north to Wells Road. This area includes significant residential uses, popular commercial uses such as the Publix grocery store, Royal Poinciana Plaza, the Via Flagler mixed-use development, and the former Paramount Theater. It is also home to some of Palm Beach’s most historic cultural institutions including the Flagler Museum, Royal Poinciana Chapel, and multiple churches and synagogues. This area will be referred to as the “Royal Poinciana Area” for purposes of this memorandum.

The commercial uses and development patterns in each of these areas will be addressed more fully herein. Our study begins in the Town Center Area with an historical analysis of the development and use of Palm Beach’s premier shopping avenue – Worth Avenue.

Worth Avenue: The Making of a World-Class Shopping Avenue

Worth Avenue did not begin as a premier retail avenue, but it quickly evolved into one with remarkable staying power. While retail districts can be as trendy as the goods sold there, Worth Avenue is a classic shopping district that has remained true to its original intent. Only a handful of American shopping avenues have maintained their historic integrity as a shopping destination for the world’s top luxury goods. Unlike other shopping avenues in South Florida and elsewhere, Worth Avenue has not transformed into an outdoor dining or entertainment destination.

Worth Avenue began like most of Palm Beach – as a speculation. In 1913, a large grid of rectangular blocks and small parallel lots was platted across the Town Center Area. As evidenced by the 1913 plat and by early developments, it appears that much of Mid-Town, including Worth Avenue, was primarily platted for detached residential villas.

In 1913, a total of 178 equally sized lots of 25' x 125' (3,125 sq. ft.) were platted along the one-half mile stretch of Worth Avenue from Ocean Blvd. to Cocoanut Row. Like other east-west streets in Mid-Town, Worth Avenue was platted for small residential lots and appears to have been planned for residential uses not commercial uses. At that time, Worth Avenue was comprised of nothing more than tree groves and open land. As of 1915, still nothing had been constructed along Worth Avenue.

As of 1919, only the Everglades Club and a smattering of small stucco villas dotted Worth Avenue. By 1920, the corner of Worth Avenue and Cocoanut Row (the future site of Mizner's famed Vias) was occupied by a parking structure serving the Everglades Club. The Everglades Club provided, and continues to provide, a strong anchor for the west end of Worth Avenue; however, it has always been and continues to be an exclusive private club that is entered primarily by car. Nonetheless, the Everglades Club was and remains the primary anchor of Worth Avenue and is ostensibly responsible for a once-little known residential street evolving into Palm Beach's most foremost commercial district.

In the early days of Palm Beach, the Town's main commercial area was planned to be situated along a wide north-south esplanade along S. County Road in the current location of Town Hall (1925). County Road was the Town's main artery and was then called "Palm Beach Avenue." Unlike County Road, Worth Avenue was of no stature as it did not lead directly to a bridge nor was it located at the intersection of two busy roadways. The original Plan of Palm Beach (1930) made little mention of Worth Avenue; rather focusing on County Road, Cocoanut Row, and Royal Palm Way. When zoning was adopted in 1930, Worth Avenue was located in an unrestricted area.

The commercial nature of Worth Avenue began first on its easternmost end. By 1923, the east end of Worth Avenue was anchored by public-facing uses including the Billow's Hotel and Gus' Bath, later known as Lido Pools. Both were near the Palm Beach public pier. Worth Avenue was bookended by the Everglades Club to the west and commercial uses and a public pier to the east. In between were a smattering of residential villas.

At that time, Paris Singer, the President and resident of the Everglades Club, and architect Addison Mizner were envisioning and realizing their 1.45-acre mixed-use development commonly known as "Via Mizner" between Worth and Peruvian Avenues across from the Everglades Club. The Everglades Club expanded eastward at the same time, and its expansion and the Via Mizner developed generated a row of small retail shops on the south side of Worth Avenue east of Hibiscus Avenue.

Via Mizner, with its location across from the Everglades Club, cemented Worth Avenue as a destination and encouraged other nearby Worth Avenue lots to be developed for

commercial uses. It was those follow-on uses that cemented Worth Avenue as a retail destination. However, the design of Worth Avenue's retail buildings would respond to the necessity to accommodate motor vehicle traffic in the 1930's, 1940's and beyond. Commercial storefronts, rather than being located down walkable vias like those of Via Mizner, needed to be visible to passing automobile traffic. This results in buildings being developed with large glass storefronts with signage directly on Worth Avenue. This market reality created the 1930's and 1940's street-oriented commercial development patterns that remain prominent along much of Worth Avenue east of Via Mizner.

The east end of Worth Avenue has evolved the most though. Lido Pools closed in the 1940's and the oft-battered public pier was demolished in 1969. The Billow's Hotel property was eventually replaced in the early 1970's with the five-story, 20-unit Kirkland House condominium at 101 Worth Avenue, which remains today. The Lido Pools property was eventually redeveloped in 1970 as the 122-unit, eight-story Winthrop House condominium, which also remains today. With these developments, other than Charley's Crab restaurant (closed in 2018), the far east end of Worth Avenue evolved from exclusively commercial uses to exclusively residential uses.

With larger-scale retail uses, the east end of Worth Avenue between the residential condominiums and S. County Road has also long been a departure from the rhythm and scale of the 1920's, 1930's, and 1940's development patterns of the middle and western portions of Worth Avenue.

Today, the original 178 Worth Avenue lots have been consolidated into 31 lots containing approximately 350,000 square feet of ground floor commercial space, approximately 10 residential units above commercial, and approximately 140 residential condominiums. In total, Worth Avenue includes approximately 170 on-street parallel parking spaces and 285 surface parking spaces (all private).

The Worth Avenue Blocks

The Worth Avenue commercial district is comprised of three rectangular blocks from Coconut Row to Ocean Blvd. The western block between Coconut Row and Hibiscus Avenue is approximately equal in size to the mid-block between Hibiscus and S. County Road – each being approximately 720 feet in length. The eastern block between S. County Road and Ocean Blvd. is significantly larger at approximately 1,000 feet in length. The Worth Avenue right-of-way was platted at 50 feet and includes two one-way westbound travel lanes, each approximately 22 feet wide, and two parking lanes.

The mean year for construction on Worth Avenue is 1944, with the most common year being 1925. The only building on Worth Avenue opened in the twenty-first century is the former Neiman Marcus building at 151 Worth Avenue. Façade widths along Worth Avenue average 60 feet.

A. The Western Block

There are approximately 11 parcels in the western block of the Worth Avenue commercial district. Building heights and roof articulations are varied in this block, with flat roofs prevalent among newer developments on the northwest side of the block.

The average storefront width on this block is 50 feet on the north side of Worth. The south side of the block skews much larger due to the Everglades Club. The most common storefront width is 27 feet, reflecting the 1920's development pattern of this portion of the Avenue, which was the first commercial development along Worth Avenue.

There are approximately 24 on-street parallel parking spaces on the north side of Worth Avenue along this block and approximately 20 on-street parallel parking spaces on the south side of Worth Avenue on this block. The only surface parking within this block is an approximately 200-space private parking lot on the Everglades Club property.

B. The Middle Block

There are approximately 14 parcels in the Mid-Avenue block. Building heights on this block are primarily one-and-two-stories with one three-story building at the corner of S. County and Worth Avenues (201 Worth Avenue a/k/a The Worth Avenue Building). Roofs tend to be flat with some gabled roofs on the block's south side. The average storefront width is 62 feet, with the most common width being 50 and 55 feet. These wider storefronts reflect the desire for more store frontage and signage on Worth Avenue than along the earlier developed western block. Building deliveries primarily take place in the rear of the buildings accessed off an alleyway between the Peruvian parking lot and the buildings.

There are only approximately 67 surface parking spaces within this block, with approximately 52 surface parking spaces located behind the property located at 204 Worth Avenue and 15 surface parking spaces located behind 201 Worth Avenue. There are approximately 47 on-street parking spaces on Worth Avenue in this sub-area (approximately 24 on the north side of Worth Avenue and approximately 23 on the south side of Worth Avenue).

C. The Eastern Block

There are approximately seven parcels within the East Avenue block. Commercial buildings are primarily two and three stories in this sub-area and roofs are primarily flat with some limited ornamental articulation.

The east end of Worth Avenue is defined by large-scale developments. In the late 1970's, Palm Beach, like many American communities, heard the call of the mall. In 1979, a 2.0-acre parcel was developed as an approximately 95,000 square foot, 585-foot-long Esplanade open-air shopping mall at 150 Worth Avenue. The Esplanade has been and continues to be anchored by Saks Fifth Avenue, a Worth Avenue staple for nearly a century (the first location outside of New York City dating back to 1926). For approximately 20 years, Neiman Marcus occupied a 1.0-acre site in a 270-foot-long building known as 151 Worth Avenue. The building opened in 2000 and was the last building constructed on Worth Avenue.

There are approximately 50 on-street parallel parking spaces in this sub-area, with approximately 30 on-street parallel parking spaces on the south side of Worth Avenue in this sub-area and approximately 20 on-street parallel parking spaces on the north side of Worth Avenue in this sub-area. There are approximately 16 off-street surface parking spaces within this block. Structured parking is prevalent here.

Worth Avenue Regulations

The C-WA "Worth Avenue" zoning district was introduced in the 1974 Palm Beach Zoning Code. The C-WA district primarily focuses on use and includes basic building standards. Since 1974, only three new buildings have been constructed on Worth Avenue – 150 Worth Avenue (Esplanade); 250 Worth Avenue; and 151 Worth Avenue. Restaurants are not by-right in this district and they have long played a supporting role to Worth Avenue's retail establishment. The Worth Avenue Design Guidelines were adopted in 1991 and amended in 1998 and are primarily focused on the architectural design and materials of buildings along Worth Avenue. Only one new building was constructed on Worth Avenue since the adoption of the Design Guidelines – the former Neiman Marcus building at 151 Worth Avenue. Numerous building alterations have been made in accordance with the Design Guidelines. Since their adoption, there has not been a significant departure from the Mizner design aesthetic.

Peruvian Avenue: In the Shadows of Worth Avenue

Peruvian Avenue is a one-way eastbound right-of-way that was platted at the same time and with the same narrow-lot development pattern as Worth Avenue. Over time, Peruvian Avenue has evolved much more haphazardly than the much more strictly controlled adjacent Worth Avenue district.

The north side of the eastern block of Peruvian Avenue is primarily comprised of single-family villas and a bank branch on the corner of South County Road and Peruvian Avenue. The south side of the eastern block is also primarily residential with a mix of single-family villas, small condominium buildings, and a popular restaurant at the intersection with South County Road.

The mid-block of Peruvian Avenue corresponds to the location of the mid-block of Worth Avenue. The south side of the block consists of little more than a park at the corner of South County Road and Peruvian Avenue and a 1.70-acre surface parking lot commonly referred to as the Appollo Lot. The surface parking primarily serves the Worth Avenue shops and restaurants.

The north side of the mid-block is a mix of uses, including a private club, offices, retail, and additional surface parking at the corner of Hibiscus and Peruvian. There is no uniformity to setbacks, building heights, scale, architectural style, massing, or location on this side of the mid-block. The southern view from these buildings is surface parking and rear of the Worth Avenue establishments.

The western block of Peruvian Avenue is relatively intact and is home to numerous historic uses, including Pan's Garden at the Preservation Society of Palm Beach and Villa Giardino, which sits at the west end of the Peruvian commercial area (Cocoanut Row). Villa Giardino is an historic villa that once included galleries and elaborate gardens. Constructed in the 1920's, Villa Giardino compliments the Via Mizner development both in style and location and evidences the original intention that Peruvian and Worth Avenues be linked both physically and in stature.

Both sides of this block of Peruvian include offices, retail, and some surface parking. This block also includes the northern portion of Mizner's historic Vias and the historic Major Alley building. As with the other Peruvian blocks, there is no uniformity of development pattern, setback, building location, height, or design in this block. The far western block of Peruvian is residential and includes primarily condominium buildings.

In a 1939 postcard, Peruvian Avenue from the perspective of the end containing Via Mizer is described as "one of the most picturesque streets in Palm Beach." While there certainly are some gems on Peruvian Avenue, generally one would be hard pressed to say it remains one of the most picturesque streets in Palm Beach. Its prominent surface parking lots, on-street fences, and haphazard development pattern, it has earned its status as a secondary supporting street to Worth Avenue.

Peruvian Avenue is located within the C-TS “Commercial – Town Serving” district and is regulated the same as the commercial areas along County Road despite being most proximate and impactful to Worth Avenue.

County Road – The Spine of Palm Beach

County Road (now officially Florida Highway A1A) was originally intended to be Palm Beach’s main thoroughfare and primary commercial artery. This is evidenced by the 1913 plat that includes a 160-foot wide north-south town center right-of-way (then called “Poinciana Drive”) flanked by 41 lots of 25 feet wide x approximately 140 feet long. No other area on the 1913 Mid-Town plat is so situated.

The name “County Road” is used between Country Club Road in the North End and S. Ocean Blvd. in the estates section of Palm Beach. It remains the primary north-south artery through much of Palm Beach and is the Town’s longest commercial corridor. On the northern portion of County Road, the Paramount Theater served as an anchor. Primarily two-story (and a few one-story and three-story) commercial buildings were constructed along County Road in the 1920’s and 1930’s both the Town Center and Royal Poinciana Way Commercial Areas.

There are two non-contiguous commercial areas along County Road: (i) from Hammon Avenue to the south to between Seaview and Seaspray Avenues (approximately 2,800 feet or 0.53 miles) (this stretch of County Road is known as South County Road) in the Town Center Area; and (ii) from the Breakers north to Royal Poinciana Way and ultimately to Root Trail (3,800 feet or 0.72 miles) (this stretch of County Road is known as North County Road) in the Royal Poinciana Way Area.

The South County Road commercial area stretches from the southernmost point of South County Road around the Colony Hotel north to the Sea Streets. Within this commercial corridor are retail shops, restaurants, public buildings including Town Hall and the Town’s Police and Fire headquarters, religious institutions, offices, banks, historic Phipps Plaza, and pharmacies, among other uses. In the middle of the originally platted 160-foot-wide Poinciana Drive right-of-way (now S. County Road) is the historic 1925 Town Hall building and associated public plaza and fountain. This remains the widest portion of the County Road right-of-way. Generally, the County Road right-of-way is approximately 60 feet wide and consists of three to four lanes with parking lanes on either one or both sides of the street. Parallel on-street parking is found along much of the corridor. Angled on-street parking is found along a short stretch across from Town Hall Park and the Mizner Fountain.

The North County Road commercial area was primarily developed as an offshoot of Royal Poinciana Way. Once known as Main Street, the nearly 200 foot wide Royal Poinciana Way

terminates at the historic post office building on North County Road. Commercial development along Royal Poinciana Way was developed between 1915 and the mid-1950's and included theaters, restaurants, shops, offices, and residences. Only the north side of Royal Poinciana Way has been developed as the south side is currently surface parking and part of the Breakers' golf course.

The C-TS "Commercial – Town Serving" zoning district was introduced in the 1974 Zoning Code. It is primarily mapped along the S. County Road commercial area, Peruvian Avenue, and the North County Road commercial area. Certain provisions of the C-TS district have been amended as recently as 2021.

Royal Poinciana Plaza – Palm Beach's Lifestyle Center

The Royal Poinciana Plaza was Palm Beach's first large-scale shopping plaza with over 180,000 square feet across 11.50 acres of lakefront property. Until the late 1950's, commerce had taken place in traditional linear commercial corridors such as those found along County Road and Worth Avenue and the earlier Phipps Plaza (1924) mixed-use development (2.75 acres) off N. County Road. In the 1950's, the shopping plaza emerged with its ample space for on-site vehicular parking combined with an outdoor pedestrian shopping experience. This trend pre-dated the indoor mall, which prevailed in the 1960's.

In the mid-1950's, John S. Phipps hired John Volk to create the two-story Royal Poinciana Plaza to become the Town's premier, modern mixed-use shopping center. The Royal Poinciana Plaza endures to this day as an iconic shopping, restaurant, office, and luxury residence destination. Its development pattern is unlike anything else in Palm Beach, save perhaps smaller-scale earlier mixed-use shopping centers at Phipps Plaza and Via Mizner. This is the only mixed-use commercial area in Palm Beach that was conceived later than the 1920's and 1930's and is by far the Town of Palm Beach's largest shopping plaza.

The C-PC "Commercial - Planned Center" zoning district was introduced in the 1974 Zoning Code and is specific to Royal Poinciana Plaza. Certain provisions of the C-PC district have been amended as recently as 2021.

Generally, codifying zoning for a specific development using traditional Euclidean zoning is challenging. If one was not aware that the C-PC district related solely to the Royal Poinciana Plaza development, one would likely not be able to read the district regulations and decipher the development form or intent. In most places, this type of development would typically be adopted as part of a planned unit development or pursuant to a rigorous site plan review process. The Royal Poinciana Plaza was developed prior to modern zoning and, as such, the C-PC district attempts to codify what was already existing for approximately two decades. It

has effectively maintained the mix of uses and maintained the historic development pattern over the past five decades, however, so amendments to the standards other than for ease of use and administration may not be necessary or desired.

Royal Palm Way – Palm Beach’s Central Business District

Royal Palm Way, one of Palm Beach’s most picturesque and historic streetscapes, is also home to the largest concentration of professional offices in Palm Beach. There are 11 buildings along Royal Palm Way. Only two of the buildings are over five stories with a mean building height of 2.25 stories.

The C-OPI “Commercial – Office, Professional, and Institutional” zoning district was introduced in the 1974 Zoning Code and is only mapped along Royal Palm Way. The C-B “Commercial Offices” district was also introduced in the 1974 Zoning Code and is mapped only on the easternmost portion of Royal Palm Way. Certain provisions of the C-OPI district have been amended as recently as 2021.

Most, if not all, of the buildings along Royal Palm Way were constructed pre-1974. As such, like many of the Town’s commercial zoning, districts were calibrated to conditions prior to 1974. The C-OPI district’s focus appears to be calibrating an appropriate mix of uses and ensuring a smaller scale of buildings than what was originally constructed and still exists on Royal Palm Way. To this end, the C-B “Commercial District” seems duplicative of the C-OPI district and unnecessary as it relates to only a handful of the buildings on Royal Palm Way. Ostensibly, the two districts could be combined for simplification and achieve the same results.

Key Takeaways and Study Concepts

The Town’s five commercial zoning districts incorporate approximately 110 distinct commercial uses. These uses fall into a number of general categories, including, art, retail goods, retail services, finance, household, dining, personal goods, personal services, professional services, parking, medical, and public, among others. The existing 110 commercial uses should be recharacterized to more accurately reflect how commercial property is used in Palm Beach. Uses such as “shoes,” “crafts,” and “signs” are not land uses and can be subsumed into other use categories and regulations in the new code.

The Town’s commercial zoning, like its residential zoning, suffers from a lack of clarity, duplication, difficulty of use and administration, outmoded terms, too many uses categories, and a lack of graphic illustrations and tables. They are also primarily Euclidean and on-size-fits-all relative to their application.

To address this, we are proposing to maintain four of the existing commercial districts:

C-OP (Commercial – Office & Professional);
C-PC (Commercial – Planned Center);
C-TS (Commercial - Town Serving); and
C-WA (Commercial - Worth Ave).

A new CI (Civic & Institutional) district is currently being adopted by the Town for campus' greater than seven acres.

To address the nuances of the Town's current and future built environments, and to avoid the need to rezone hundreds of properties to new base zoning districts, we propose the creation of four subareas within the C-TS "Commercial – Town Serving" district. We have identified four subareas to be mapped based on their unique histories and development patterns.

- Subarea #1 – Peruvian Ave
- Subarea #2 – South County Road
- Subarea #3 – North County Road
- Subarea #4 – South Gateway

A map of the proposed subareas will be included in the study draft. Standards will be calibrated to each subarea based on its existing and desired development patterns as will be further set forth in the study draft.

Additionally, our review and analysis has led to the following considerations:

- For Buildings in along Worth Avenue *and* Peruvian Avenue, building materials and design details shall be as set forth in the Worth Avenue Design Guidelines. All massing, scale, bulk, and building location standards should be removed from the Worth Avenue Design Guidelines and incorporated into the base development regulations of the C-WA district.
- All commercial buildings along Worth Avenue should reflect historic and prevalent existing storefront widths of not more than 60 feet to preserve the retail rhythm of a traditional shopping avenue. Even if a building is wider than 60 feet, a single building should not be larger than 150 feet in width, with individual uniquely designed storefronts not exceeding 60 feet in width to maintain the scale and rhythm of the district. These concepts should be reinforced by both the C-WA district zoning standards and the Worth Avenue Design Guidelines.

- All buildings on Worth Avenue shall be constructed and maintained without setbacks, except that a building may be set back up to 10 feet from the rear lot line to allow for loading.
- Buildings in all commercial districts should not exceed two stories, with the first story being commercial uses and the second story being either commercial or residential use. The maximum residential density for the property shall be three dwelling units per acre. Buildings with residential components must have parking within the structure accessible from the rear of the building only.
- For a two-story commercial building, roofs may be hipped or gabled and may include up to a 12-foot-high tower (including top of the roof) of not more than 10% of the total area of the second floor on which it sits.
- Roof top parking shall not be permitted unless approved by special exception.
- All commercial first-floor building heights (slab to underdeck) shall be not less than 14 feet.
- No two-story building shall be taller than 25 feet with a flat roof and 32 feet with a hipped or gabled roof.
- All first-floor storefronts shall contain at least 60% transparent glazing with a maximum 10% tint.
- Arcades shall not be located more than five feet from the curb line and may be a maximum of one-story, or 14 feet, in height. The space above an arcade may only be used as an outdoor loggia and for non-commercial purposes only.
- All arcades, no matter where located, shall be designed in accordance with the Worth Avenue Design Guidelines.
- Buildings currently designed for office uses only may be converted to a residential condominium by special exception and under the following conditions:
 - o Off-street parking must be provided within the structure at a ratio of not less than 1.50 cars per residential unit.
 - o All windows within a residential unit must be operable.
 - o Not less than 50% of the converted building shall be residential condominiums, with the remainder of the building remaining as office uses.
 - o Rooftops may only be used for outdoor living purposes by special exception.

We look forward to robust Town-wide engagement and discussion of this study.