

On September 28, 1962 - the Original - Zoning Resolution No. 3-57
Palm Beach County, Florida

was given to Mr. Bernard Munsey - It had the date of May 13, 1957
received by R. B. McKee, Clerk's signature on first page and on
the last page, the original signatures of five Zoning Commission
Members (5 County Commissioners) plus original signature of the
Clerk.

SECTION 1. ESTABLISHMENT OF ZONING AND AUTHORITY

In order to lessen congestion in the streets, to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements; to conserve the value of buildings and encourage the most appropriate use of land within the area delineated on the official zoning map exclusive of all corporate areas and as described specifically in Chapter 31119, House Bill #205, Laws of Florida, Special Acts of 1955, all in accordance with a comprehensive plan, there is hereby adopted and established an official zoning plan for Palm Beach County, Florida. The plan and this resolution are adopted pursuant to the authority contained in Chapter 31119, House Bill #205, Laws of Florida, Special Acts of 1955.

SECTION 2. DEFINITIONS

For the purpose of this resolution, certain terms and words are defined as follows:

Words used in the present tense include the future. Words in the singular number include the plural. Words in the plural number include the singular. The words "used for" shall include the meaning "designed for". The word "building" includes the word "structure". The word "lot" includes the words "plot" and "tract". The word "shall" is mandatory and not directory.

ACCESSORY BUILDINGS AND USES. A subordinate building or a portion of the main building, the use of which is incidental to that of the dominant use of the main building or land including bona fide servants quarters. An accessory use is one which is incidental to the main use of the premises.

ADVERTISING SIGNS, ACCESSORY.

(a) A non-illuminated professional or identification sign not exceeding one hundred forty-four (144) square inches and attached flat against the structural surface of a building.

(b) A sign pertaining only to the rent, lease or sale of premises upon which it is displayed and which does not exceed twelve (12) square feet in area.

(c) A sign or bulletin board, not in excess of eighteen (18) square feet, located on the premises of a church, institution, club or fraternal organization for the purpose of displaying the name of the church, institution, club or organization and the activities of same.

(d) Directional or informational signs of a public or quasi-public nature not exceeding eight (8) square feet in area and which states the name or location of an incorporated or unincorporated community; public or private institution, church or the name and place of meeting of an official or civic body such as a Chamber of Commerce, Rotary, Civitan or Kiwanis Club.

ADVERTISING SIGNS, PRINCIPAL USE. An attached, free standing or structural sign pertaining only to the advertising announcing or describing of the principal use or uses of the premises upon which displayed.

ADVERTISING SIGNS, OUTDOOR. An attached, free standing or structural poster panel or painted sign for the purpose of conveying some information, knowledge or idea to the public and containing not less than twelve (12) square feet in total area.

ALLEY. A public or private way which affords only a secondary means of access to property abutting thereon.

APARTMENT HOTEL. A building designed for or containing both apartments and individual guest rooms or suites or rooms and apartments, and which may furnish services ordinarily furnished by hotels, such as drug store, barber shop, cigar and news stands, when such uses are located entirely within the building with no entrance from the street nor visible from any sidewalk and having no sign or display visible from the outside of the building indicating the existence of such use.

APARTMENT HOUSE. See Dwelling, Multiple.

AUTOMOBILE COURT. See Motel.

AUTOMOBILE STORAGE YARDS OR LOTS. A lot or group of contiguous lots used for the dismantling or wrecking of used automobiles not in running condition and the storage and sale of used automobile parts.

BUILDING. Any structure designed or built for the support, enclosure, shelter or protection of persons, animals, chattels or property of any kind.

BUILDING, HEIGHT OF. The vertical distance from the grade to the highest point of the coping of a flat roof or to the mean height level between eaves and ridge for gable, hip or gambrel roofs.

CLINIC. A clinic is an establishment where patients, who are not lodged overnight, are admitted for examination and treatment by one physician or a group of physicians practicing medicine.

CLUB. Buildings and facilities owned and operated by a corporation or association of persons for social or recreational purposes, but not operated primarily for profit or to render a service which is customarily carried on as a business.

COURT. An open space which may or may not have direct street access and around which is arranged a single building or a group of related buildings.

DISTRICT. Any section of the certain described area of Palm Beach County to which these regulations apply and within which the zoning regulations are uniform.

DWELLING. Any building or portion thereof which is designed for or used for residential purposes.

DWELLING, SIGNLE FAMILY. A building designed for or occupied exclusively by one (1) family.

DWELLING TWO FAMILY (DUPLEX). A building designed for or occupied exclusively by two (2) families.

DWELLING, MULTIPLE. A building designed for or occupied exclusively by three or more families.

FAMILY. One or more persons occupying a dwelling and living as a single housekeeping unit, as distinguished from persons occupying a boarding house, lodging house or hotel, as herein defined.

FILLING STATION. See Service Station.

FRONTAGE.

(a) **Street Frontage.** All the property on one side of a street between two intersecting streets (crossing or terminating), or if the street is dead ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.

(b) **Lot Frontage.** The distance for which the front boundary line of the lot and the street line are coincident.

GARAGE, PRIVATE. An accessory building or a portion of a main building used for the parking or storage of automobiles of the occupants of the main building. A carport would be considered a private garage.

GARAGE, PUBLIC. A building or portion thereof, other than a private or storage garage, designed or used for the storage, servicing, repairing, equipping and hiring of motor driven vehicles.

GARAGE, STORAGE. A building or portion thereof designed or used exclusively for the storage or parking of automobiles. Services, other than storage at such storage garage shall be limited to refueling, lubrication, washing, waxing and polishing.

GUEST COTTAGE. Living quarters within a detached accessory building located on the same premises as the main building to be used exclusively for housing members of the family occupying the main building, and their non-paying guests; such quarters having no kitchen facilities and not to be rented or otherwise used as a separate dwelling.

GUEST (TOURIST) HOME. A private dwelling in which transient sleeping accommodations are provided for compensation, especially motor tourists or travelers.

HOME OCCUPATION. Any occupation or activity carried on by a member of the family residing on the premises, in connection with which there is no construction, assembly, or activity and no sign is used other than a name plate not more than one (1) square foot in area, or no display that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling; there is no commodity sold upon the premises; no person is employed other than a member of the immediate family residing on the premises; and no mechanical equipment is used except that which is normally used for purely domestic or household purposes.

Home occupation shall include the use of premises by a physician, surgeon, dentist, lawyer, clergyman or other professional person for consultation or emergency treatment, but not for the general practice of his profession.

HOTEL. Any building containing principally sleeping rooms in which transient guests are lodged with or without meals, with no provision made for cooking in any individual room or suite. Such building would structurally and for purposes of safety, be obliged to conform to the laws of the State regulating hotels.

INSTITUTION. A non-profit corporation or a non-profit establishment for public use.

KENNEL. A place where dogs are kept, sheltered and boarded for compensation. It may be equipped with fenced pens and runs.

LAUNDRY, SELF-SERVICE. A business that provides home type washing, drying and/or ironing machines for hire, to be used by customers on the premises.

LOADING SPACE. A space within the main building or on the same lot, providing for the standing, loading or unloading of trucks.

LODGING HOUSE. A building other than a hotel where lodging for three (3) but not more than twenty (20) persons is provided for definite periods for compensation pursuant to previous arrangement.

LOT. A parcel of land occupied or intended for occupancy by a use permitted in this resolution including one (1) main building, together with its accessory buildings, the yard areas and parking spaces required by this resolution and having its principal frontage upon a legally constituted access.

A "Lot of Record" is a part of a land subdivision, the map of which has been recorded in the office of the Clerk of the Circuit Court of Palm Beach County, Florida.

LOT, CORNER. A lot abutting upon two or more streets at their intersection.

LOT, DOUBLE FRONTAGE. A lot having a frontage on two non-intersecting streets as distinguished from a corner lot.

LOT DEPTH. The depth of a lot is the distance measured in a mean direction of the side lines of the lot from the midpoint of the front line to the midpoint of the opposite rear line of the lot.

MOTEL. A building or a group of buildings containing sleeping accommodations and in conjunction with which there may be a restaurant.

NON-CONFORMING USE. Any building or land lawfully occupied by a use at the time of passage of the resolution or amendment thereto which does not conform after the passage of this resolution or amendment thereto with the use regulations of the district in which it is situated (existing improvements which do not meet required parking and loading regulations, height regu-

district in which they are located are not non-conforming uses as defined above.)

NURSING HOME. A home for the aged, chronically ill or incurable persons in which three or more persons not of the immediate family are received, kept or provided with food and shelter or care for compensation; but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

PARKING LOT. An area or plot of ground used for the storage or parking of motor vehicles either for compensation or to provide an accessory service to a business, industrial or residential use.

SERVICE STATION. Any building structure or land used for the dispensing, sale or offering for sale at retail of any automobile fuels, oils or accessories and in connection with which is performed general automotive servicing as distinguished from automotive repairs.

SHOPPING CENTER. A group of retail stores, planned and developed for the site upon which they are built.

STORY. That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there be no floor above it, then the space between such floor and ceiling next above it.

STREET. A public or private thoroughfare which affords the principal means of access to abutting property.

STREET RIGHT-OF-WAY LINE. The dividing line between a lot, tract or parcel of land and a contiguous street.

STRUCTURE. Anything constructed or erected, the use of which requires more or less permanent location on the ground or attached to something having a permanent location on the ground and shall include tents, lunch wagons, dining cars, camp cars or other structures on wheels or other supports and used for business or living purposes. Utility poles, fences and walls used as fences not more than five feet in height are excepted.

STRUCTURAL ALTERATIONS. Any substantial change, except for repair or replacement, in the supporting members of a building, such as bearing walls,

columns, beams or girders, floor joists or roof joists.

TENANT DWELLING. A residential structure located on a bona-fide farm occupied by a non-transient farm worker employed by the owner of the farm.

TOURIST HOME. See Guest Home.

TRAILER CAMP OR COURT. An area where one or more automobile trailers can be parked, designed or intended to be used as temporary living quarters of one or more families and intended primarily for automobile transients. The site plan and all sanitary facilities of a trailer camp must conform to the requirements of the State and County Health authorities.

YARD. An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

YARD, FRONT. A yard extending across the front of a lot between the side yard lines, and being the minimum horizontal distance between the street line and the main building or any projects thereof other than the projections of uncovered steps, uncovered balconies or uncovered porches. On corner lots the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

YARD, REAR. A yard extending across the rear of a lot between the side lot lines and being the minimum horizontal distance between the rear of any building or any projections thereof. On all corner lots the rear yard shall be at the opposite end of the lot from the front yard.

YARD, SIDE. A yard between any building and the side line of the lot, and extending from the front lot line to the rear yard and being the minimum horizontal distance between a side lot line and the side of any building or any projections therefrom.

SECTION 3. ESTABLISHING DISTRICTS AND REGULATIONS THEREOF**A. ESTABLISHMENT OF DISTRICTS**

In order to classify, regulate and restrict the use of land, water, buildings and structures; to regulate and restrict the height and bulk of buildings; to regulate the area of yards and other open spaces about buildings; to regulate the intensity of land use, the unincorporated area of Palm Beach County, Florida, is divided into nine (9) districts as follows:-

- A-1 Agricultural District
- R-1 AA Single Family Dwelling District (10,000 square feet of land.)
- R-1 A Single Family Dwelling District (7,500 square feet of land.)
- R-1 Single Family Dwelling District (6,000 square feet of land.)
- R-2 Multiple Family Dwelling District.
- C-1 A Limited Commercial District
- C-1 Neighborhood Commercial District
- C-2 General Commercial District
- M-1 Industrial District

B. DISTRICTS SHOWN ON MAP

1. The boundaries of the various districts are shown upon a map of Palm Beach County, Florida. Accompanying this map is an atlas of sectional maps, each being identified by a sheet number and a key and chart explaining the symbols which appear on said sectional maps.

2. The zoning map of the unincorporated area and the section maps numbered C-1 to C-39 and G-1 to G-9, inclusive, are hereby made a part of this resolution and all said maps and all notations, references and other information shown thereon shall be as much a part of this resolution as if all the matter and information set forth by said maps were fully described herein.

3. In the creation of the respective districts the Zoning Commission has given due and careful consideration to the peculiar suitability of each and every district for the particular regulations applied

thereto, and the necessary proper and comprehensive groupings and arrangements of the various uses and densities of population in accordance with a well considered plan for the development of the county.

4. The boundaries of the districts shown upon the maps adopted by this resolution or amendments thereto, are hereby adopted and approved and the regulations of this resolution governing the use of land and buildings, the height of buildings, building site area, the size of yards about buildings and other matters hereinafter set forth, are hereby established and declared to be in effect upon all land included within the boundaries of each and every district shown upon said maps.

D. INTERPRETATION OF DISTRICT BOUNDARIES

1. Where district boundaries are indicated as approximately following the center line or street line of streets, the center line or alley line of alleys, or the center line or right-of-way line of highways, such lines shall be construed to be such district boundaries.

2. Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, the center lines or alley lines of alleys, or the center line or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning maps. If no distance is given, such dimension shall be determined by the use of the scale shown on said zoning maps.

3. Where district boundaries are indicated as approximately following lot, tract or section lines, such lot lines shall be construed to be said boundaries.

4. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located between the main tracks of said railroad line.

5. In unsubdivided property where a district boundary divides a lot or tract, the locations of such boundaries unless indicated by dimensions, shall be determined by use of the scale appearing on the zoning maps.

6. Where a public road, street or alley is officially vacated or abandoned the regulations applicable to the property to which it is reverted shall apply to such vacated or abandoned street or alley.

7. In case any further uncertainty exists, the Board of Adjustment shall interpret the intent of the maps as to the location of such boundaries.

E. RESTRICTIONS UPON LANDS, BUILDINGS AND STRUCTURES

1. Use. No building or structure shall be erected and no existing building or structure shall be moved, altered, added to or enlarged, nor shall any land, building, structure or premises be used, designed or intended to be used for any purpose or in any manner other than a use listed in this resolution or amendments thereto as permitted in the district in which such land, building, structure or premises is located.

2. Height. No building or structure shall be erected nor shall any existing building or structure be moved, reconstructed or structurally altered to exceed the height limit established by this resolution or amendments thereto for the district in which such building or structure is located.

3. Percentage of Lot Occupancy. No building or structure shall be erected, nor shall any existing building or structure be moved, altered, enlarged or rebuilt, nor shall any open spaces surrounding any building or structure be encroached upon or reduced in any manner, except in conformity with the building site requirements and the area and parking space and yard regulations established by this resolution or amendments thereto for the district in which such building or structure is located.

4. Open Space Use Limitation. No yard or open space provided about any building or structure for the purpose of complying with the regulations of this resolution or amendments thereto shall be considered as providing a yard or open space for any other building or structure.

5. Required Lot and Occupancy. Every building or structure hereafter erected shall be located on a lot as defined herein; and in no case shall there be more than one main building and its accessory building on one lot except as

hereinafter provided. Where an unrecorded lot or parcel of land is used the owner thereof shall furnish the Zoning Commission a statement of the unity of title, allocating to such use a specific area of land, the unity of which shall not be subject to further subdivision, and shall furnish proof of legal access thereto. Uses, area and yard requirements for such unrecorded lots shall be the same as for lots of record located in the same district.

6. Substandard Lots of Record. Where a lot has an area or width that does not conform to the requirements of the district in which it is located but was a lot of record at the time of the adoption of this resolution, said lot may be used for a one family dwelling provided the minimum yard requirements of the district in which it is located are maintained.

7. Density of Population. No building, structure or premises shall be erected or occupied or used so as to provide a greater density of population than is allowed under the terms of this resolution for the district in which such building, structure or premises is or are located.

SECTION 4. A-1 AGRICULTURAL DISTRICT**A. DESCRIPTION OF DISTRICT**

This district is composed of certain lands and structures in the County that are now predominantly rural and undeveloped, much of which will likely remain undeveloped for an indeterminate period of time. As the areas bordering Lake Okeechobee are approached extensive agricultural uses prevail. The areas on the east merge into the urban characteristics extending westward from the various corporate areas. Large portions of land are devoted to cattle grazing and livestock raising. Regulations in this district impose only minimum restrictions on the use of land for agricultural purposes and these minimum regulations are intended primarily to protect nearby residential uses from possible objectionable effects of certain operations such as storage and mixing of fertilizer or probable industrial uses.

As the need and demand for additional open land suitable for urban or other development is determined by the Zoning Commission, selected portions of this Agricultural District may be rezoned for more intensive forms of development.

B. USES PERMITTED

Within the A-1 Agricultural District, no building, structure or land shall be used, unless otherwise permitted by this resolution, except for one or more of the following uses:

1. Single family dwellings.
2. Tenant houses, one and two family, on the basis of one such dwelling unit for each fifty (50) acres in addition to the minimum lot area required for the principal residence. Barracks for migrant farm workers may be constructed, however buildings constituting such barracks shall be spaced at least twenty (20) feet apart.
3. General farming and horticulture including truck farms and commercial dairies.
4. Commercial kennels and the raising of other small animals for sale, provided no portion of a building, structure, outdoor run or pen used to

house or exercise such animals shall be located nearer than one hundred fifty (150) feet to a property line.

5. Sale of products which are raised on the premises, including a temporary roadside stand.
6. Riding stables and academies.
7. Home occupations.
8. Churches and structures appurtenant thereto.
9. Schools.
10. Clubs, including country, golf, gun, fishing or other similar enterprises.
11. Outdoor advertising signs provided that none shall be placed nearer than two hundred (200) feet of a residence, church or school. No sign shall be placed nearer than thirty (30) feet from a street or highway right-of-way line. No sign shall be erected where it obstructs the line of vision.
12. Public parks and recreation areas.
13. Accessory uses that are incidental and customary to the use of the principal use including cane loading and bailing stations, equipment storage sheds, welding and machine shops, pumping and drainage structures, forage drying facilities, ramie decortication plants, commissaries for employees, fuel storage, corrals, dipping vats, citrus packing and grading plants, vegetable loading, precooling and packing plants, and similar uses.

C. CONDITIONAL USES.

When, after review of an application and hearing thereon, the Zoning Commission finds as a fact that the proposed use or uses are consistent with the general plan and in the public interest, the following uses may be permitted:-

1. Cemeteries, mausoleums, crematories.
2. Public utility structures and buildings such as sewage disposal plants, electric substations, radio and television transmitter stations and towers.
3. Any commercial use permitted in the C-1 Neighborhood Commercial District

provided however that the proposed use complies with the following requirements:

- (a) Proposed use is primarily intended to serve the local shopping needs of a tributary residential area and is so located in reference to the highway system and distribution of population that it can effectively serve such residential area.
 - (b) Proposed commercial use will not adversely affect existing or future residential areas.
4. Airplane landing fields and accessory facilities for private or public use, including flight strips.
 5. Athletic fields, race tracks, speedways, jai alai frontons and privately operated recreation areas or structures for public and private uses.
 6. Commercial raising of livestock and poultry provided the operations are conducted on tracts of land having no structure housing poultry or livestock located nearer than two hundred (200) feet to a property line.
 7. Sawmills and planing mills used for the removal and processing of lumber on adjacent areas.
 8. Trailer parks established pursuant to plans and regulations of the State Board of Health and observing the regulations hereinafter specified for the R-2 District.
 9. Motels.
 10. Transient labor camps or dormitories, publicly owned or operated.
 11. Chicken or brooder houses.
 12. Drive-in theatres that observe the rules and regulations of the State Road Department as regards ingress and egress and distances from right-of-way lines.

D. CONDITIONS OF OPERATION

All non-residential uses in the A-1 Agricultural District shall conform to the standards of performance described below and shall be so constructed, maintained and operated as not to be injurious or offensive to the occupants of adjacent premises by reason of the emission or creation of noise,

vibration, smoke, dust or other particulate matter, electrical disturbance, toxic or noxious waste materials, odors, fire and explosive hazard or glare.

1. Standards applying to uses in the M-1 Industrial District and pertaining to the emission or creation of noise, smoke, vibration, dust and dirt, sewage and other waste, odors, glare, electrical disturbance and radio-activity, traffic noise and congestion shall apply to all non-residential uses in the A-1 Agricultural District with the following exceptions:-
 - (a) Emission of smoke to a density of greater than Number 1 on the Ringlemann Chart is prohibited.

E. BUILDING HEIGHT REGULATIONS

No building or structure shall exceed thirty-five (35) feet in height except that structures incidental to an agricultural enterprise such as silos, granaries, elevators, windmills and barns may exceed the above limits.

F. AREA REGULATIONS

Each one family dwelling structure shall be located on a lot, tract or parcel of land having an area of not less than ten thousand (10,000) square feet and a minimum width of one hundred (100) feet measured at the building line.

G. FRONT, REAR AND SIDE YARD REGULATIONS

1. The following minimum front, rear and side yards shall be observed:
 - (a) Front yard of not less than thirty (30) feet in depth measured from the street, road or highway right-of-way line to the front of the building.
 - (b) Rear yard of not less than ten (10) feet in depth, measured to the rear lot line.
 - (c) Side yards shall be provided on each side of every main structure of not less than twenty (20) feet, measured to the side lot line.
2. Where set back lines have been established by the County for the purpose of future street widening, the front and side yards on streets or roads so affected, shall be measured from said ultimate right-of-way lines.
3. For allowable yard variations see Section 14.

H. OFF STREET PARKING AND LOADING REGULATIONS

See Section 12.

SECTION 5. R-1 AA and R-1 SINGLE FAMILY DWELLING DISTRICTS**A. DESCRIPTION OF DISTRICT**

The lands comprising these districts are especially suited for single family dwellings as evidenced by the land uses now contained therein and the trend of new development. Therefore uses in these districts are limited primarily to single family dwellings and such non-residential uses as are intended to provide service to the immediate and adjacent areas.

B. USES PERMITTED

Within any R-1 AA and R-1 A Single Family Dwelling Districts, no building, structure, land or water shall be used, unless otherwise permitted by this resolution, except for one or more of the following uses:-

1. Single family dwellings and accessory uses customarily incident to them.
2. Parks and recreation areas owned and operated by the County.

C. CONDITIONAL USES

When, after a review of an application and hearing thereon, the Zoning Commission finds as a fact that the proposed use is consistent with the general zoning plan and with the public interest, the following uses may be permitted:

1. Churches with their attendant educational, recreational buildings and off street parking areas.
2. Schools, colleges and universities, public and private.
3. Public utility service structures including such major works as municipal sewage disposal plants, water pumping stations, electric generation stations.
4. Subdivision sewage treatment plants, required by the State Board of Health.
5. Golf, swimming, tennis or country clubs owned and operated community clubs or associations.
6. General farming, truck gardens, non-commercial raising of live stock, poultry and dairying providing however that no structure is located nearer than two hundred (200) feet from any property line.
7. Non-commercial parks and recreation areas neither owned nor operated by the County.
8. Private docks and marinas to accomodate water craft.

D. BUILDING HEIGHT REGULATIONS

No building or structure shall exceed thirty-five (35) feet in height, unless otherwise provided for herein.

E. BUILDING SITE AREA REGULATIONS

Each single family dwelling structure shall be located on a recorded lot or parcel of land having an area of not less than ten thousand (10,000) square feet in an R-1 AA Single Family Dwelling District and seven thousand five hundred (7,500) square feet in and R-1 A Single Family Dwelling District. Said lots or parcels of land shall have minimum widths measured at the building line of eighty (80) feet and seventy (70) feet respectively.

F. FRONT, REAR AND SIDE YARD REGULATIONS

1. The following minimum front, rear and side yards shall be observed:-
 - (a) Front yards shall not be less than thirty (30) feet in depth in the R-1 AA Single Family Dwelling District and thirty (30) feet in the R-1 A Single Family Dwelling District, each measured from the lot line or ultimate right-of-way line to the front of the main structure or building.
 - (b) Rear yards shall not be less than ten (10) feet in depth in each district.
 - (c) Side yards shall be provided on each side of every dwelling structure of not less than ten (10) feet, except that any side yard abutting a street, road or highway shall have a minimum width of twenty (20) feet.
 - (d) Where set back lines have been established by the County for the purposes of future street widening, the front and side yards on streets so affected will be measured from said ultimate right-of-way lines.

G. MINIMUM AREA AND YARD VARIATIONS AND EXCEPTIONS

See Section 14.

H. OFF STREET PARKING REGULATIONS

See Section 12.

SECTION 6. R-1 SINGLE FAMILY DWELLING DISTRICT**A. DESCRIPTION OF DISTRICT**

The lands encompassed within this classification are devoted primarily to single family dwelling uses and the trend to such uses is predominant but generally, the subdivision patterns reveal lots of smaller area than in the R-1 AA and R-1 A Districts. Also in developed portions of the R-1 District the extent of land and structural uses are broadened.

B. USES PERMITTED

Within any R-1 Single Family Dwelling District, no building, structure, land or water shall be used, unless otherwise permitted by this Resolution, except for one or more of the following uses:-

1. Any use permitted in the R-1 AA and R-1 A Districts including the customary accessory uses.
2. Home occupations.
3. Day nurseries, kindergartens, provided however that a fenced area equivalent to two hundred (200) square feet for each enrolled child is established.
4. Guest homes or tourist homes when located on officially designated State and Federal highways.
5. Two family dwellings providing:
 - (a) The lot or parcel of land on which the structure is to be located shall not have an area of less than seven thousand five hundred (7,500) square feet and a width at the building line of not less than seventy (70) feet.

C. CONDITIONAL USES.

When, after a review of an application and hearing thereon, the Zoning Commission finds as a fact that the proposed use is consistent with the general zoning plan and with the public interest, the following uses may be permitted:-

1. Conditional uses permitted in the R-1 AA and R-1 A Districts.
2. Multiple family structures not to exceed four (4) dwelling

units, provided, however, that:-

- (a) For each dwelling unit over two (2) at least twelve hundred (1200) square feet of land shall be added in excess of seventy-five hundred (7,500) square feet.

D. BUILDING HEIGHT REGULATIONS

No building or structure shall exceed thirty-five (35) feet in height except as provided in Section 14.

E. BUILDING SITE AREA REGULATIONS

Each single family dwelling structure shall be located on a recorded lot or parcel of land having an area of not less than six thousand (6,000) square feet and a width of not less than sixty (60) feet, measured at the building line.

F. FRONT, REAR AND SIDE YARD REGULATIONS

The following minimum front, rear and side yards shall be observed:-

- (a) A front yard of not less than twenty-five (25) feet measured from the street, road or highway right-of-way line to the front of the main building or structure.
- (b) A rear yard of not less than ten (10) feet in depth.
- (c) Side yards shall be provided on each side of each dwelling structure of not less than eight (8) feet, except that any side yard abutting a street or road or highway shall have a minimum width of twenty (20) feet.
- (d) Where set back lines have been established by the County on streets, roads or highways for the purpose of future widening, the front and side yards on streets affected shall be measured from the ultimate right-of-way line.

G. MINIMUM AREA AND YARD VARIATIONS AND EXCEPTIONS

See Section 14.

H. OFF STREET PARKING REGULATIONS

See Section 12.

SECTION 7. R-2 MULTIPLE FAMILY DWELLING DISTRICTA. DESCRIPTION OF DISTRICT

This district is composed of certain higher density residential areas plus additional open areas where it is likely and desirable to extend such type of development. Due to the higher than average concentrations of persons or vehicles, these districts are situated where they are well served by public and commercial services and have convenient access to thoroughfares and collector streets. Site area requirements are graduated to reflect the relative need for open space of the various types of residences based on expected family composition. As a result, apartment units located on the upper floors of apartment structures and efficiency apartments are permitted in a lesser unit lot area than is required of other types of dwelling units where the frequency of children is usually greater.

B. USES PERMITTED

Within the R-2 Multiple Family Dwelling District, no building, structure, land or water shall be used, unless otherwise permitted by this Resolution, except for one or more of the following uses:-

1. Any use permitted in the R-1 Single Family Dwelling District.
2. Two family dwelling structures observing the area and yard requirements hereinafter specified.
3. Multiple family dwelling structures of more than two dwelling units.
4. Accessory uses incident to the respective dwelling structure uses.
5. Boarding and lodging houses.

C. CONDITIONAL USES.

When after review of an application and hearing thereon, the Zoning Commission finds as a fact that the proposed use or uses are consistent with the general plan and in the public interest, the following uses may be permitted:-

1. Same as for the R-1 and R-1 A Districts.
2. Apartment hotels having no commercial businesses connected therewith, but equipped to serve meals to their tenants.

3. Motels when located on officially designated State and Federal highways and on sites having a lot area of at least twenty thousand (20,000) square feet, an average width of at least one hundred (100) feet and a minimum lot area per sleeping unit of one thousand (1,000) square feet.
4. Hospitals, sanitariums, convalescent or nursing homes.
5. Clubs.
6. Trailer courts, the layout and facilities of which conform to the requirements of the State Board of Health and further that provide an area of at least three thousand (3,000) square feet for each trailer unit stored or located thereon. Said trailer courts shall have a frontage on the highway of at least two hundred (200) feet.

D. BUILDING HEIGHT REGULATIONS

1. For dwelling structures having not in excess of four dwelling units, the height shall not exceed thirty-five (35) feet.
2. No height limits for structures of more than four dwelling units except applications for all such structures in excess of thirty-five (35) feet shall be subject to review and approval of the Zoning Commission, as they relate to site area, yard spaces, off street parking requirements and methods of ingress and egress.

E. BUILDING SITE AREA REGULATIONS

1. For single family dwelling structures the same as for the R-1 Single Family Dwelling District.
2. For two family dwelling structures the lot or building site area shall not be less than seven thousand five hundred (7,500) square feet, and have a minimum width of seventy (70) feet measured at the building line.
3. For four family dwelling structures the minimum lot area shall be not less than nine thousand nine hundred (9,900) square feet.
4. For each dwelling unit in excess of four added to the structure on the first and second floor, twelve hundred (1,200) additional square feet of lot area for each of such dwelling units added.

5. For each dwelling unit added to the structure above a second floor, twelve hundred (1,200) square feet of lot area shall be added for each of such additional units.
6. The minimum width of lot for dwelling structures in excess of four (4) dwelling units shall be eighty-five (85) feet measured at the building line.

F. FRONT, REAR AND SIDE YARD REGULATIONS

1. For one and two family dwelling structures the yard regulations shall be the same as for the R-1 Single Family Dwelling District.
2. For all other structures the following front, rear and side yards shall be observed:-
 - (a) A front yard of not less than twenty-five (25) feet measured from the street, road or highway right-of-way line to the front of the main building or structure.
 - (b) There shall be a side yard on each side of the dwelling structure of not less than ten (10) feet for the first two (2) stories; twelve (12) feet for a structure of three (3) stories and fourteen (14) feet for a structure of four (4) stories. For each story in excess of four (4) the required side and rear yard shall be increased two (2) feet for each story so added except any side yard abutting a street shall be the same as the front yard requirement of the intersecting street.
 - (c) A rear yard of at least ten (10) feet shall be observed.
3. Where set back lines have been established by the County on streets, roads or highways for the purpose of future widening, the front and side yards of the streets, roads or highways so affected, shall be measured from said ultimate right-of-way lines.

G. MINIMUM AREA AND YARD VARIATIONS AND EXCEPTIONS

See Section 14.

H. OFF STREET PARKING REGULATIONS

See Section 12.

SECTION 8. C-1 A LIMITED COMMERCIAL DISTRICTA. DESCRIPTION OF DISTRICT

This district is composed of lands and structures used primarily to provide for the retailing of commodities and the furnishing of selected services. The regulations within it intend to permit and encourage a full development of essential commercial uses, at the same time however protecting nearby residential properties from any possible adverse effects of commercial activity. It is expected that most commercial uses in the future requiring this district classification will occur as compact, planned shopping centers located in proximity to the residential areas to be served.

B. USED PERMITTED

Within any C-1 A Limited Commercial District, no building, structure, land or water shall be used except for one or more of the following uses:

1. Any retail business or commercial use which does not involve the manufacture or processing of products.
2. Personal service establishments such as barber shops, beauty parlors, medical and dental clinics, restaurants, drive-in restaurants, stores, banks, professional and other offices, funeral homes, parking garages and lots, service stations, laundry pick up stations, shoe repair, tailoring, watch and clock repairs, locksmith.
3. Theatres, except drive-in theatres.
4. Hotels and motels.
5. A dwelling structure occupied by the owner of a business located on the same site.

C. CONDITIONAL USES.

When after a review of an application and hearing thereon, the Zoning Commission finds as a fact that the proposed use is consistent with the general zoning plan and with the public interest, the following uses may be permitted:

1. Advertising signs, billboards, and sign panels or sign structures, provided that the Zoning Commission finds as a fact that they will not constitute a hazard to traffic due to location or lighting.

2. Any neighborhood store, shop, business or service enterprise which in the judgment of the Zoning Commission is consistent with those included above and further will be in harmony with the spirit of this Resolution.
3. The servicing of boats along waterways, provided there are no mechanical repairs or structural alterations made.
4. Permitted uses and conditional uses of the R-2 District, subject however to the same restrictions as if located in an R-2 District.

D. ACCESSORY USES PERMITTED

Accessory uses and structures when located on the same lot or parcel of land as the main structure, excluding however open storage customarily incident to any permitted use.

E. BUILDING HEIGHT REGULATIONS

No building or structure shall exceed thirty-five (35) feet in height except as provided for in Section 14.

F. BUILDING SITE AREA REGULATIONS

None.

G. FRONT, SIDE AND REAR YARD REGULATIONS

1. Front Yard: For commercial purposes see Section 14-9-d and e. For other purposes see Section 7-F.
2. Side Yard: For commercial purposes see Section 14-9-f. For other purposes see Section 7-F.
3. Rear Yard: In a C-1 A Limited Commercial District there shall be a rear yard provided of not less than five (5) feet where an alley exists and fifteen (15) feet where no alley exists, provided that the minimum alley width is not less than ten (10) feet.

H. NEIGHBORHOOD SHOPPING CENTER

Applications for an integral neighborhood shopping center may be approved by the Zoning Commission after a review of all conditions and facts pertinent thereto and public hearings.

I. OFF STREET PARKING AND LOADING REGULATIONS

See Section 12.

SECTION 9. C-1 NEIGHBORHOOD COMMERCIAL DISTRICT**A. DESCRIPTION OF DISTRICT**

This district is composed of certain land and structures used to provide for the retailing of commodities and the furnishing of several major services, selected trade shops and automotive repairs. Characteristically this type of district occupies an area larger than that of the Limited Commercial District, is intended to serve a considerably greater population and offers a wider range of specialized services.

B. USES PERMITTED

Within any C-1 General Commercial District, no building, structure, land or water shall be used except for one or more of the following uses:-

1. Any use permitted in the C-1 A Limited Commercial District.
2. Automobile laundry.
3. Bottling works for soft drinks.
4. Mechanical garage.
5. Milk bottling and distribution plants and ice cream manufacture.
6. Printing, book binding, lithography and publishing plants.
7. Radio broadcasting and telecasting stations, studios and offices.
8. Second hand car lots where cars in operating condition are offered for sale.
9. Veterinary hospitals when confined within a structure.

C. BUILDING HEIGHT REGULATIONS

Same as for the C-1 A Limited Commercial District.

D. FRONT, SIDE AND REAR YARD REGULATIONS

, Same as for the C-1 A Limited Commercial District.

E. OFF STREET PARKING AND LOADING REGULATIONS

See Section 12.

SECTION 10. C-@ GENERAL COMMERCIAL DISTRICT**A. DESCRIPTION OF DISTRICT**

This district is composed of those lands and structures which, by their use and location are especially adapted to the conduct of the business of wholesale distribution, storage and light manufacture. Such lands are conveniently located to principal thoroughfares and railroads.

B. USES PERMITTED

Within any C-2 General Commercial District no building, structure, land or water shall be used except for one or more of the following uses, when after a review of an application, the Zoning Commission finds as a fact that the proposed use is consistent with the general zoning plan and the public interest.

1. Any use permitted in the C-1 Limited Commercial District.
2. Bakeries.
3. Bowling alleys and skating rinks.
4. Cold storage and frozen food lockers.
5. Contractors storage and equipment yards when located entirely within a building or fenced area.
6. Dry cleaning, dyeing and laundry plants.
7. Plumbing sales room, shop and storage yard.
8. Wholesale distribution warehouses.
9. Sale of building materials including lumber, cement, plaster, feed, fuel and including also mill work and storage when conducted within a building or fenced area.
10. Drive-in theatres.
11. Establishments such as the following:-
 - (a) Bus, cab, truck repair and storage terminals.
 - (b) Confectionery manufacture.
 - (c) Clothing and garment manufacture.
 - (d) Laboratories for testing of materials, chemical analysis.
 - (e) Machine shops for repairing and servicing machinery.

- (f) Meat storage, cutting and distribution, but no slaughtering of animals.
- (g) Manufacture and assembly of scientific, optical and electronic equipment.
- (h) Manufacture of souvenirs and novelties.
- (i) Tire retreading and recarving.
- (j) Any other establishments for the manufacture, repair, assembly, processing of materials similar in nature to those listed above which conform to the performance standards enumerated in the M-1 Industrial District (Section 11)

C. FRONT, SIDE AND REAR YARD REGULATIONS

Same as for the C-1 A Limited Commercial District.

D. OFF STREET PARKING AND LOADING REGULATIONS.

See Section 12.

SECTION 11. M-1 INDUSTRIAL DISTRICT**A. DESCRIPTION OF DISTRICT**

This district is composed of lands so situated as to be well adapted to industrial development but where proximity to residential or commercial districts make it desirable to limit the manner and extent of industrial operations. The purpose of this district is to permit the normal operation of the majority of industrial uses under such conditions of operation as will protect abutting residential and commercial uses and adjacent industrial uses.

B. USES PERMITTED.

1. Any use permitted in the C-2 General Commercial District.
2. On approval of the Zoning Commission, after review of the application, site development plan, the following uses may be permitted:-
 - (a) Wholesale storage of gasoline, liquified petroleum, gas, oil or other inflammable liquids or gases, but not located within five hundred (500) feet of the nearest dwelling.
 - (b) Fertilizer mixing and packing.
 - (c) Stock yards or slaughter of animals.
 - (d) Storage or baling of rags, iron, paper or junk providing the operations are enclosed with a fence not less than six feet high.
 - (e) Automobile wrecking lots, providing same are enclosed with a fence not less than six feet high.
3. Any other use, when after a review of an application the Zoning Commission finds as a fact that the proposed use is consistent with the general zoning plan and with the public interest, except the following:-
 - (a) Manufacture of acetylene gas, acid, asbestos, ammonia, bleaching powder or chlorine, coal tar or derivatives thereof, creosote, emery cloth, explosives or fire works, glue, size or gelatine, linoleum, matches, paper and pulp, rubber and gutta percha, soap or fertilizer.
 - (b) Petroleum refining; tanning, curing, storage of hides and skins; incineration, reduction or dumping of offal, dead animals; fat rendering; distillation of bones.

C. PERFORMANCE STANDARDS

All uses in the M-1 Industrial District shall conform to the standards of performance described below and shall be so constructed, maintained and operated so as not to be injurious or offensive to the occupants of adjacent premises by reason of the emission or creation of noise, vibration, smoke, dust or other particulate matter, toxic or noxious waste materials, odors, fire and explosive hazard or glare. Within 300 feet of a residential district, all processes and storage, except of servicable and operating vehicles, shall be in completely closed buildings. Processes and storage located at a greater distance shall be effectively screened by a solid wall or fence at least six (6) feet in height, but in no case lower in height than the enclosed process or storage.

(a) Noise. Every use shall be so operated as to comply with the maximum performance standards governing noise described below. Objectionable noises due to intermittance, beat frequency or shrillness shall be muffled or eliminated so as not to become a nuisance to adjacent uses. Sound levels shall be measured with a sound level meter and associated octave band filter manufactured according to standards prescribed by the American Standards Association.

Octave bands in cycles per second	Along property line abutting a residential district between 8:00 a.m. and 6:00 p.m.* Maximum permitted sound level in decibels	Along property line abutting an industrial or commercial district. Maximum permitted sound level in decibels
0-75	72	79
75-150	67	74
150-300	59	66
300-600	52	59
600-1,200	46	53
1,200-2,400	40	47
2,400-4,800	34	41
over 4,800	32	39

* Permissible sound level between 6:00 p.m. and 8:00 a.m.

Shall be decreased by 3 decibels in each of the Octave bands.

- (b) Vibration Every use shall be so operated that ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point on the property line of the property on which the use is located.
- (c) Smoke. Every use shall be so operated as to prevent the emission of smoke, from any source whatever, to a density greater than described as Number 1 on the Ringlemann Chart, provided however that smoke equal to, but not in excess of, that shade of appearance described as Number 2 on the Ringlemann Chart may be emitted for a period or periods totaling four (4) minutes in any thirty (30) minutes. For the purpose of grading the density of smoke, the Ringlemann Chart as published and used by the United States Bureau of Mines, and which is hereby made, by reference, a part of this resolution shall be the standard. All measurements shall be at the point of emission.
- (d) Dust and Dirt. Every use shall be so operated as to prevent the emission into the air of dust or other solid matter which may cause damage to property or discomfort to persons or animals at or beyond the lot line of the property on which the use is located.
- (e) Industrial Sewage and Waste. Every use shall be so operated as to prevent the discharge into any stream, lake or the ground of any waste which will be dangerous or discomforting to persons or animals or which will damage plants or crops beyond the lot line of the property on which the use is located.
- (f) Odors. Every use shall be so operated as to prevent the emission of objectionable or offensive odors in such concentration as to be readily perceptible at any point at or beyond the lot line of the property on which the use is located.
- (g) Glare. Every use shall be so operated as to prevent emission of glare of such intensity as to be readily perceptible at any point on the lot line of the property on which the use is located.

(h) Fire and Safety Hazard. Each use shall be operated so as to minimize the danger from fire and explosion.

- (1) All uses storing, processing or producing free or active burning material shall be located entirely within buildings or structures having exterior incombustible walls and all such buildings shall be set back at least two hundred fifty (250) feet from all lot lines.
- (2) All materials or products which produce flammable or explosive vapors or gases under ordinary weather conditions shall not be permitted within one hundred (100) feet of any lot line.
- (3) All buildings and structures containing explosives shall be set back from all property lines at least one hundred (100) feet.

(i) Electrical Disturbance and Radioactivity. Each use shall be so operated as to prevent the emission of quantities of radio-active materials in excess of limits established as safe by the United States Bureau of Standards or the emissions of electrical disturbance sufficient to adversely affect the operation at any point of any equipment other than that of the creator of such disturbance.

D. FRONT, REAR AND SIDE YARD REGULATIONS

1. In the M-1 Industrial District the following minimum yards shall be observed:

- (a) Not less than fifty-five (55) feet measured from any street line to the building.
- (b) Not less than twenty (20) feet measured from any alley line to the building.
- (c) Not less than twenty (20) feet measured from any other lot line.
- (d) No yard is required where property line abuts a railroad siding easement or right-of-way.

SECTION 12. OFF STREET PARKING AND LOADING REGULATIONS

1. For the purposes of this resolution, the term "Off Street Parking Space" shall consist of a minimum net area of two hundred (200) square feet of appropriate dimensions for the parking of an automobile, exclusive of access drives or aisles thereto.

2. There shall be provided at the time of the erection of any main building or structure or at the time any main building or structure is enlarged or increased in capacity by adding dwelling units, guest rooms, floor area or seats, minimum off street automobile parking space with adequate provisions for ingress and egress by an automobile of standard size, in accordance with the following requirements, provided that such requirements do not, in the judgment of the Zoning Commission, constitute an undue hardship or are impossible of accomplishment.

- (a) Single family dwelling structures, a minimum of two spaces for each dwelling unit.
- (b) Multiple family dwelling structures, one and one-half (1 1/2) spaces for each dwelling unit.
- (c) Churches, temples or places of worship, one space for each four seats in the main auditorium.
- (d) Country, golf, gun club, one space for each five (5) members.
- (e) General business, commercial or personal service establishments, one space for each one hundred (100) square feet of non-storage first floor area, plus one space for each two hundred (200) square feet of non-storage area above the first floor.
- (f) Hotels, one space for each three bedrooms plus one additional space for each five (5) employees.
- (g) Hotel apartment, one space for each two dwelling units.
- (h) Hospitals, sanitariums, convalescent homes, one space for each four (4) patient beds, exclusive of spaces required for doctors, attendants, nurses and ambulances.
- (i) Kennels and animal hospitals, a parking area equal to thirty (30) per cent of the total enclosed or covered area.

- (j) Libraries, museums, a parking area equal to fifty (50) per cent of the floor area open to the public.
- (k) Medical or dental offices or clinics, three (3) spaces for each doctor or dentist.
- (l) Motels, one space for each guest bedroom plus one space for resident manager or owner.
- (m) Office buildings, one space for each three hundred (300) square feet of floor area used for office purposes.
- (n) Private club or lodge, one space for each ten (10) members.
- (o) Restaurants or other eating places, one space for each seventy-five (75) square feet of floor area devoted to patron use, plus one space for each four (4) employees.
- (p) Rooming, boarding houses, dormitories, one space for each two (2) bedrooms.
- (q) Schools and public buildings, one space for each four (4) seats in the main auditorium or place of assembly.
- (r) Theatres, auditoriums, places of assembly, one space for each four (4) seats.
- (s) Commercial, manufacturing and industrial concerns not catering to the retail trade, one space for each four (4) employees on the largest working shift, plus one space for each company vehicle operating from the premises.

3. Location.

- (a) Parking spaces for all dwellings shall be located on the same lot with the main building to be served where feasible.
- (b) Parking spaces for other uses shall be provided on the same lot or not more than five hundred (500) feet distant, as measured along the nearest pedestrian walkway.
- (c) Parking requirements for two or more uses, of the same or different types, may be satisfied by the allocation of the required number of spaces of each use in a common parking facility.

4. Off Street Loading Regulations. The following spaces shall be provided for the uses indicated:-

- (a) Every hospital, institution, hotel, commercial or industrial building or similar use having a floor area in excess of ten thousand (10,000) square feet requiring the receipt or distribution by vehicle of materials and merchandise shall have at least one permanently maintained off street loading space for each ten thousand (10,000) square feet of gross floor area or fraction thereof.
- (b) Retail operations, wholesale operations and industrial operations with a gross floor area of less than ten thousand (10,000) square feet shall provide sufficient space (not necessarily a full berth) so as not to hinder the free movements of vehicles and pedestrians over a sidewalk, street or alley.
- (c) Each space shall have direct access to an alley or street and shall have the following minimum dimensions: length, twenty-five (25) feet; width, twelve (12) feet; height, fourteen (14) feet.

5. Permanent Reservation. Area reserved for off street parking or loading in accordance with the requirements of this section shall not be reduced in area or changed to any other use unless the permitted use which it serves is discontinued or modified, except where equivalent parking or loading space is provided to the satisfaction of the Zoning Commission.

SECTION 13. NON-CONFORMING USES.

The lawful use of any building, structure or land existing at the time of the adoption of this resolution may be continued although such use does not conform with the provisions of this resolution, provided the following conditions are met.

1. Unsafe Structures or Buildings. Any structure or building or portion thereof declared unsafe may be restored to a safe condition.

2. Construction Approved Prior to Resolution. Nothing herein shall require any change in plans, construction or designated use of a building or structure for which a building permit has been issued and the construction of which shall have been diligently carried on within six months of the date of such permit.

3. Alteration. A non-conforming building may be maintained and repairs and alterations may be made, except that in a building which is non-conforming as to use regulations, no structural alterations shall be made except those required by law. Repairs as plumbing or the changing of partitions or other interior alterations are permitted.

4. Extension. Buildings or structures or uses of land which are non-conforming shall not be extended or enlarged.

5. Non-Conforming Use of Land. When a non-conforming use of land has been discontinued its future use shall revert to the uses permitted in the district in which said land is located.

6. Change to Another Use. A non-conforming use now existing may be changed to another non-conforming use of equal or improved character when approved by the Zoning Commission.

7. Restoration. A non-conforming building or structure which is hereafter damaged or destroyed to the extent of fifty (50) per cent or more of its estimated replacement cost by flood, fire, explosion, earthquake, war, riot, or act of God, may not be reconstructed or restored for use except in compliance with the regulations of this resolution.

8. Abandonment. A non-conforming use of a building which has been vacated or abandoned for one hundred and eighty (180) days shall not thereafter be occupied by a non-conforming use.

SECTION 14. GENERAL PROVISIONS AND EXCEPTIONS1. Front Yard Exceptions in Dwelling Districts

Where lots comprising forty (40) per cent or more of the frontage on one side of the street between intersecting streets are developed with buildings having an average front yard with a variation of not more than six (6) feet, no building hereafter erected shall project beyond the average line so established. This applies to all the dwelling districts, subject, however, to the provisions of paragraph 2 following.

2. Effect of Ultimate Right-of-Way Lines for Future Street Widening.

(a) Where ultimate right-of-way lines have been or shall hereafter be established on streets, roads or highways for the purpose of future widening, the building line beyond which no structure shall project shall be measured from said ultimate right-of-way lines, except that where existing right-of-way lines are beyond the ultimate right-of-way lines, the setbacks for building lines shall be measured from the right-of-way lines providing the widest right-of-way.

(b) Notwithstanding the requirements of the Setback Resolutions, heretofore adopted by the Board of County Commissioners, the following shall be deemed to be minimum width requirements for right-of-way for existing or future streets, roads or highways:

(1) State Highways, one hundred six (106) feet, measured fifty-three (53) feet each side of the centerline of existing pavement, unless otherwise prescribed by individual setback resolution.

(2) County Primary Roads, eighty (80) feet, measured forty (40) feet each side of the centerline of the existing pavement, unless otherwise prescribed by individual setback resolution.

(3) County Secondary Roads, sixty (60) feet, measured thirty (30) feet each side of the centerline of the existing pavement, unless otherwise prescribed by individual setback resolution. Where the right-of-way as dedicated on a plat of record, or where previously acquired or accepted right-of-way is less than sixty (60) feet, the setbacks shall be measured from the existing right-of-way lines, provided that in no case shall the width be reduced to less than forty (40) feet.

3. Substandard Lots of Record.

When a lot or parcel of land has an area or frontage which does not conform to the requirements of the district in which it is located, but was a lot of record in Palm Beach County, Florida, at the effective date of this resolution, such lot or parcel of land may be used for a single family dwelling in any residential district, providing the minimum yard requirements of the district in which it is located are maintained.

4. Automobile Service Station Requirements

- (a) All pumps shall be set back at least ten (10) feet from the right-of-way line, or where an ultimate right-of-way line has been established, this setback shall be measured from such line.
- (b) The number of curb breaks for one establishment shall not exceed two (2) for each one hundred (100) feet of street frontage, each having a width of not more than thirty (30) feet and located not closer than fifteen (15) feet from an intersecting ultimate right-of-way line or intersecting lot line.
- (c) When the station abuts a residential district, it shall be separated therefrom by a solid fence or wall not less than four (4) feet high.

5. Location of Accessory Buildings and Uses

- (a) When an accessory building is attached to a main structure by a breezeway, passage, or otherwise, it shall comply with the dimensional requirements of the main building.
- (b) A detached accessory building shall not be closer than four (4) feet to the main building or other accessory building on the same lot.
- (c) No detached accessory building shall be located on the front half of a lot.

6. Sign Regulations

- (a) A sign advertising real estate for rent or sale not more than twelve (12) square feet in area may be placed on the property so advertised in any district. Such signs shall be placed back of the building line and offerings thereon shall be consistent with the uses permitted in the district wherein it is located.

- (b) Church bulletins are permitted if located on church property.
- (c) No billboards or other advertising sign or signs or sign structure shall be permitted in any residential district, except as herein stipulated.

7. Large Scale Community Developments

- (a) An owner or owners of a tract of land comprising not less than one hundred fifty (150) residential lots may submit to the Zoning Commission a plan for the use and development of all of the tract of land for residential and allied uses, such as a shopping facility to service the development. Upon finding that the following conditions exist, the Zoning Commission may, after public hearing, initiate such zoning amendments as may be necessary for the establishment of the plan.
- (b) That the average lot area per family within the site, exclusive of street and road area, will not be less than the lot area per family required in the district in which the development is located.
- (c) That where desirable, adequate and properly located areas are reserved for public uses such as schools, parks, playgrounds and churches.
- (d) That the property adjacent to the area included in the development will not be adversely affected.
- (e) That the plan is consistent with the intent and purpose of this resolution to promote health, safety, morals and general welfare.

8. Industrial Parks

An owner or owners of a tract of land may submit to the Zoning Commission plans for the development of an Industrial Park. Upon finding that the following conditions exist, the Zoning Commission may, after public hearing, initiate such zoning amendments as may be necessary for the establishment of such plan.

- (a) The plans shall show the manner in which the tract will be subdivided and developed as a whole, its means of accessibility and the type or types of land uses to occupy it.
- (b) The plans shall be consistent with the intent and purposes of this resolution to promote health, safety, morals and general welfare.

(c) The uses shall be located so as not to create traffic hazards and concentrations.

(d) The uses contemplated shall observe and conform to the performance standards herein defined for the M-1 Industrial District.

9. Yards.

(a) Every part of a required yard shall be open from its lowest point to the sky unobstructed except for the ordinary projections of sills, belt courses, cornices, buttresses, ornamental features, chimneys, flues and eaves. If eaves, canopies or cantilevered roofs project more than twenty-four (24) inches, the minimum yard requirement in all cases shall be extended a distance equal to the amount such projection exceeds twenty-four (24) inches.

(b) On double frontage through lots, the required front yard shall be provided on each street.

(c) An open, unroofed, unwallled porch or paved terrace may project into a required yard in residential districts for a distance of not more than ten (10) feet.

(d) Front yards required for commercial buildings where customers are served outside the building shall measure not less than thirty (30) feet from the ultimate right-of-way line to the building.

(e) Front yards required for commercial buildings where customers are served inside the building, and all other buildings, shall measure not less than twenty-five (25) feet from the ultimate right-of-way line to the building.

(f) No side yard requirements for commercial buildings, except where lot side line abuts a side street, in which case the requirements of Section 14-9-d and section 14-9-e shall apply.

10. Height.

Chimneys, water, fire, radio, and television towers, church spires, domes, cupolas, stage towers and scenery lofts, cooling towers, elevator bulkheads, smoke stacks, flag poles, parapet walls and similar structures and their necessary mechanical appurtenances may be erected above the height limits here-

in established, however, the heights of these structures or appurtenances thereto shall not exceed the height limitations prescribed by the Civil Aeronautics Agency within the flight approach zone patterns of airports.

11. Trailers

No trailers, automobile or coach, occupied or empty, shall be permitted on any lot or portion of a lot or area except in a trailer camp, court or park. This does not apply to trailers on display or for sale, located on premises of commercial establishments that are in the business as distributor or dealer or manufacturer, or for the repair of trailers.

12. Location

(a) There shall be a distance of not less than twenty (20) feet between any two (2) dwellings located on the same lot or parcel of land. If the projection of eaves on either or both dwellings exceed twenty-four (24) inches, the distance between the two dwellings shall be increased by an amount equal to the projection in excess of twenty-four (24) inches.

(b) In any residence district, no fence, structure or plantings shall be maintained within twenty (20) feet of any corner street intersection.

(c) No dwelling shall be erected on a lot or portion of a lot which is not accessible to a legally constituted right-of-way.

(d) On any corner lot adjoining the rear of another lot which is in a residential district, no part of any structure within twenty-five (25) feet of the common lot line shall be nearer the side street lot line than the least depth of any front yard required for a dwelling on such adjoining lot along such side street.

13. Dwelling Structures in Commercial or Industrial Districts

An application for the erection of any dwelling structures within any commercial or industrial districts shall be reviewed by the Zoning Commission to determine whether such structures will be consistent with the zoning plan as a whole and if approved, shall conform to the provisions of the R-2

Multiple Family Dwelling District as it relates to area and yard requirements.

14. Cemeteries.

A cemetery may be located in any district providing the plan thereof has first been submitted for the review of the Zoning Commission and a hearing has been held thereon, and further that it complies to such standards as the Zoning Commission may prescribe relating to drainage and ingress and egress.

15. Removal of sand, rock, etc.

The removal of sand, rock, marl or other earthy matters may be permitted in any district provided the applications for such operations have been reviewed and approved by the Zoning Commission after hearing.

16. Compliance with Performance Standards.

The performance standards designated in Section 11-C of these regulations shall be applicable to any use existing or proposed in any district.

SECTION 15. ZONE OF TRANSITION

Where a boundary line of a Commercial or Industrial District abuts a dwelling district, the Zoning Commission, after a review of an application and public hearing thereon, finds as a fact that the proposed use is consistent with the general zoning plan and with the public interest, may permit the following uses within a distance of one hundred fifty (150) feet of the boundary and within the dwelling district.

1. Medical and dental clinics as described in the R-2 Multiple Family Dwelling District.
2. Private or public parking lots. A wall not less than six (6) feet in height or a planting screen shall be erected or planted where such use abuts a residential district.

SECTION 16. RENEWAL OF APPLICATION AFTER REJECTION.

Whenever in its wisdom after review, investigation and hearing any application for a change of district classification has been denied, an application for a like change cannot be reinstated for a period of at least six (6) months after said denial.

SECTION 17. INTERPRETATION, PURPOSE AND CONFLICT.

In interpreting and applying the provisions of this resolution, they shall be held to be the minimum requirements for the promotion of the public health, safety, morals and general welfare of the community. It is not intended by this Resolution to interfere with, abrogate or annul any lawful easements, covenants or other agreements between parties; provided, however, that where this resolution imposes a greater restriction upon the use of buildings or premises or upon the height of buildings, or requires larger open spaces than are imposed or required by other resolutions, rules, regulations or by lawful easements, covenants or agreements, the provisions of this Resolution shall control.

SECTION 18. ADMINISTRATION

The Board of County Commissioners of Palm Beach County, acting as and comprising the Zoning Commission, shall be charged with the administration and enforcement of the provisions of this zoning resolution in accordance with the various provisions contained in Chapter 31119, Laws of Florida, Special Acts of 1955, and any past or future amendments thereto.

The Zoning Director appointed by the Board of County Commissioners shall be the Administrative Official, as agent of and acting under the direction of said Board, and under the direction of the Zoning Commission.

SECTION 19. VALIDITY

Should any section, paragraph, clause, sentence, item, phrase or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this resolution as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 20. PENALTIES

Any person, firm, partnership or corporation violating any of the provisions of this Resolution, or who shall fail to abide by and obey all or any of the orders and resolutions promulgated as herein provided, shall be deemed guilty of a misdemeanor. Each day of continuing violation shall be considered a separate offense.

SECTION 21. EFFECTIVE DATE.

These regulations shall be effective upon their adoption and approval by the Board of County Commissioners of Palm Beach County, Florida, acting as the Zoning Commission of Palm Beach County.

BE IT FURTHER RESOLVED That a copy of this Resolution be furnished to all persons upon their request, and the payment of a fee to be set by the Zoning Director.

Roy E. Michael, Jr.
Chairman

[Signature]

Luc Lytal

[Signature]

Paul Rardin

As and Constituting the Zoning Commission of Palm Beach County, Florida

ATTEST:

R. B. McKee
Clerk



Recorded In Official Record Book
of Palm Beach County, Florida
J. ALEX ARNETTE
CLERK OF CIRCUIT COURT