

CHAPTER I - TITLE, AUTHORITY, SHORT TITLE, PURPOSES AND INTENT

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TITLE AND AUTHORITY

AMENDED - See Meeting
held 9/22/81
All 9 Ordinances -
A B C, + D.

AN ORDINANCE TO BE DESIGNATED AS THE ZONING CODE OF PALM BEACH COUNTY, FLORIDA: RELATING TO ZONING IN PALM BEACH COUNTY, FLORIDA, IN UNINCORPORATED AREAS OUTSIDE OF MUNICIPALITIES; DECLARING THE INTENT, AUTHORITY AND PURPOSE; PROVIDING FOR RULES OF CONSTRUCTION OF LANGUAGE AND DEFINITIONS; PROVIDING FOR THE ESTABLISHMENT, DESIGNATION, APPLICATION OF ZONING DISTRICTS INCLUDING AN AGRICULTURAL DISTRICT, RESIDENTIAL DISTRICTS FOR SINGLE AND MULTIPLE FAMILY USES, NEIGHBORHOOD, GENERAL, AND SPECIALIZED COMMERCIAL DISTRICTS, LIGHT AND GENERAL INDUSTRIAL DISTRICTS, A PUBLIC OWNERSHIP DISTRICT, AND A PRESERVATION/CONSERVATION DISTRICT; PROVIDING FOR RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES; PROVIDING FOR THE ADOPTION, AMENDMENT, AND REPLACEMENT OF THE OFFICIAL ZONING MAP OF PALM BEACH COUNTY; PROVIDING FOR DEPARTMENT OF PLANNING, ZONING, AND BUILDING ADMINISTRATIVE PROCEDURES; PROVIDING FOR INTERPRETATION AND ENFORCEMENT OF CODE REGULATIONS AND PROVISIONS; PROVIDING FOR VIOLATIONS AND PENALTIES AND ADMINISTRATIVE AND LEGAL REMEDIES; PROVIDING FOR APPLICATION PROCEDURE FOR ALL PETITIONS INCLUDING DISTRICT BOUNDARY CHANGES (REZONING), SPECIAL EXCEPTIONS, NONCONFORMING USES, ZONING REGULATION CHANGES (ORDINANCE AMENDMENT), MODIFICATION OF COMMISSION REQUIREMENTS, SPECIAL PERMITS, AND VARIANCE REQUESTS; PROVIDING FOR A PLANNING COMMISSION, TERMS OF OFFICE, REMOVAL FROM OFFICE, VACANCIES, CONFLICT OF INTEREST STANDARDS, OFFICERS, RULES OF PROCEDURE, EMPLOYEES, SALARIES, APPROPRIATIONS, FEES, AUTHORITY, FUNCTIONS, POWERS AND DUTIES; PROVIDING FOR THE PREPARATION AND ADOPTION OF A COMPREHENSIVE PLAN BY THE PLANNING COMMISSION AND THE GOVERNING BODY, THE LEGAL EFFECT OF THE PLAN; PROVIDING FOR PLANNING AND ZONING PROCEDURE, PROPOSED SITE PLAN REVIEW, OFFICIAL NOTICE AND HEARING REQUIREMENTS; PROVIDING FOR BOARD OF COUNTY COMMISSIONERS - ZONING AUTHORITY, RULES AND REGULATIONS, OFFICIAL RECORDS, PUBLIC NOTICE AND HEARING, EXHAUSTION OF ADMINISTRATIVE REMEDIES, TIME EXTENSIONS, AND A SITE PLAN REVIEW COMMITTEE; PROVIDING FOR A BOARD OF ADJUSTMENT TO HEAR VARIANCE REQUESTS, TERMS OF OFFICE, REMOVAL, VACANCIES, CONFLICT OF INTEREST STANDARDS, OFFICERS, RULES OF PROCEDURE, EMPLOYEES, SALARIES, APPROPRIATIONS, FEES, POWERS, DUTIES, AUTHORITY AND FUNCTIONS, APPLICATIONS, PUBLIC NOTICE AND HEARING, MEETING PROCEDURES, REVIEW OF DECISIONS, PRECEDENCE, AND COST OF ACTIONS; PROVIDING FOR NONCONFORMING USES, LOTS OF RECORD, BUILDINGS AND STRUCTURES, ALTERATIONS, CONSTRUCTION, REPAIR AND MAINTENANCE, AND AMORTIZATION OF NONCONFORMING USES AND STRUCTURES EXCEPT FOR RESIDENTIAL USES AND STRUCTURES; PROVIDING GENERAL PROVISIONS AND SPECIAL EXCEPTIONS; PROVIDING FOR PERFORMANCE STANDARDS FOR ALL DISTRICTS; PROVIDING FOR OFFSTREET PARKING REQUIREMENTS FOR ALL DISTRICTS; PROVIDING FOR THE REGULATIONS FOR PARKING, STORING, OR KEEPING OF COMMERCIAL VEHICLES, BOATS, BUSES, TRAILERS, AND TRUCKS; PROVIDING FOR OFFSTREET LOADING REGULATIONS; PROVIDING FOR RULES, REGULATIONS, AND REQUIREMENTS FOR PLANNED UNIT DEVELOPMENTS; PROVIDING FOR RULES, REGULATIONS, AND

REQUIREMENTS FOR MOBILE HOME RENTAL PARKS; PROVIDING FOR RULES, REGULATIONS, AND REQUIREMENTS FOR RECREATIONAL VEHICLE PARKS; PROVIDING FOR RULES, REGULATIONS, AND REQUIREMENTS FOR MOBILE HOME CONDOMINIUM PARKS; PROVIDING FOR ORDINANCE SEVERABILITY; PROVIDING FOR EFFECTIVE DATE; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES OF PALM BEACH COUNTY, FLORIDA; PROVIDING FOR REPEAL OF CONFLICTING REGULATIONS.

WHEREAS, Section 125.01, Florida Statutes, as amended by Chapter 71-14, Laws of Florida of 1971 authorizes the Board of County Commissioners of Palm Beach County, Florida to establish, coordinate and enforce zoning and such business regulations as are necessary for the protection of the public; and

WHEREAS, Chapter 163.160, Part II, Florida Statutes and Chapter 70-863, Laws of Florida, Special Acts of 1970 authorize and empower the Board of County Commissioners of Palm Beach County, Florida to control the development of the County through planning, zoning, subdivision regulations, the reservation of mapped street locations for future public acquisition, and the regulation of building on the land reserved for such mapped streets; and

WHEREAS, Section 125.01, Florida Statutes, as amended by Chapter 71-14, Laws of Florida of 1971 declares zoning to be a county purposes and provides that the Board of County Commissioners may adopt ordinances and resolutions as may be necessary to exercise their powers, provide for enforcement and for the levying of fines and penalties for the violation of ordinances in accordance with law;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA:

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SHORT TITLE.

This Code shall be known and may be cited by the short title of "Zoning Code of Palm Beach County, Florida."

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LEGISLATIVE INTENT.

ORDINANCE NO. 73-2

It is the purpose of this Code to promote, protect, and improve in accordance with present and future needs, the public health, safety, comfort, good order, appearance, convenience, morals, and general welfare of the citizens of Palm Beach County, Florida; to conserve the value of land, buildings, and resources; to protect the character and maintain the stability of residential, agricultural, business, and industrial areas; and to provide for efficiency and economy in the process of development, for the appropriate and best use of land, for preservation, protection, development, and conservation of the natural resources of land, water, and air, for convenience of traffic and circulation of people and goods, for the use and occupancy of buildings, for

healthful and convenient distribution of population, for adequate public utilities and facilities, for promotion of the civic amenities of beauty and visual interest, and for promotion of large-scale developments as a means of achieving unified civic design by establishing zoning districts and by regulating the location and use of buildings, signs, and other structures, and land or water for trade, agriculture, industry, and residence, by regulating and limiting or determining the height, bulk, and access to light and air of buildings and structures, the area of yards, and other open spaces, and the density of use. To accomplish these objectives, the regulations and districts and accompanying maps have been designed with reasonable consideration, among other things, for the character of the districts and their peculiar suitability for particular uses.

ORDINANCE NO. 73-2

CHAPTER II - CONSTRUCTION OF LANGUAGE AND DEFINITIONS.200.1 RULES FOR CONSTRUCTION OF LANGUAGE.

The following rules of construction apply to the text of this Code:

- A. The particular shall control the general.
- B. In case of any difference of meaning or implication between the text of this Code and any caption, illustration, summary table, or illustrative table, the text shall control.
- C. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
- D. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- E. A "building" or "structure" includes any part thereof.
- F. The phrase "used for" includes "arranged for," "designed for," "maintained for" or "occupied for."
- G. The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
- H. Unless the context clearly indicates the contrary, where a regulation involves two (2) or more items, conditions, provisions, or events connected by the conjunction "and," "or," or "either...or," the conjunction shall be interpreted as follows:
 - 1. "And" indicates that all the connected items, conditions, provisions, or events shall apply.
 - 2. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
 - 3. "Either...or" indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.

- I. The word includes shall not limit a term to the specified examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character.

200.2

DEFINITIONS.

For purposes of this Code, the following terms or words shall be used in interpretation of the purpose and intent:

ABUTTING PROPERTY: See CONTIGUOUS.

ACCESS: The principal means of ingress and egress to abutting property from a publicly dedicated right-of-way.

ACCESSORY BUILDING OR STRUCTURE: A detached, subordinate building, the use of which is clearly incidental and related to that of the principal building or use of the land, and which is located on the same lot as that of the principal building or use.

ACCESSORY USE: A use that is customarily incidental to the principal use and so necessary or commonly to be expected that it cannot be supposed that the Code intended to prevent it. Accessory uses, unless otherwise provided shall be located on the same premises as the principal use.

ACRE: An acre shall contain forty-three thousand five hundred sixty (43,560) square feet of land or water.

ADMINISTRATIVE OFFICIAL: The Director and any staff member(s) of the Department authorized by the Director to enforce, interpret or administer the regulations or various zoning ordinances or orders.

AGRICULTURE: General farming activities and attendant accessory uses and complementary processing and industrial activities.

AIRPORT (LANDING STRIP): Any public or privately owned or operated ground facility designed to accommodate landing and take-off operations of aircraft.

ALLEY: A right-of-way which affords only a secondary means of access to property abutting thereon and is not intended or used for general traffic circulation.

ALTERATIONS, BUILDING: Any change in the structure which will increase the number of dwelling units, the floor area, or height of the structure.

AMUSEMENT DEVICE: A mechanically operated device which is used to convey persons in any direction as a form of amusement.

APARTMENT: A room or a suite of rooms occupied, or which is intended or designed to be occupied, as the home or residence of one (1) individual, family or household, for housekeeping purposes.

APARTMENT, EFFICIENCY: A dwelling unit consisting of one (1) room, other than a bathroom, providing cooking facilities.

APARTMENT, GARAGE: An accessory building, not a part of or attached to the main building, where a portion thereof contains living facilities for not more than one (1) family and an enclosed space for one (1) or more automobiles.

APARTMENT HOUSE: Any building, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of more than two (2) families living independently of each other and doing their own cooking in the said building, and shall include flats and apartments.

ARCHITECT: A duly registered and licensed architect in the State of Florida.

AUTOMOTIVE PAINT OR BODY SHOP: A building or other structure used for painting, repainting, or retouching and/or major repairs and adjustments of motor vehicles.

AUTOMOTIVE SERVICE STATION: A building or other structure on a tract of land used exclusively for retail sale of gasoline or other motor fuels and for any accessory uses such as: the sale of lubricants, accessories, or supplies, the lubrication of motor vehicles, the minor adjustment or repair of motor vehicles. No vehicles shall be parked or stored or mechanical repairs done on the lot. A public parking lot or public parking garage is not a permitted accessory use.

BASE BUILDING LINE: A line measured at right angles running parallel to the centerline of a street from which front yard, corner side yard, and lot requirements are measured. The base building line for all streets is established as follows:

1. **Collector and Arterial Streets:** The base building line for all collector and arterial streets shall be forty (40) feet beyond the right-of-way as required by the Thoroughfare Plan adopted by the Board of County Commissioners.
2. **Local Streets:** The base building line for local streets shall be as follows:
 - a. Within existing platted rights-of-way, the base building line shall be thirty (30) feet from the centerline of the platted right-of-way, or shall be the right-of-way as platted, whichever is greater.

- b. Along easement type roads, the base building line shall be thirty (30) feet from the center of the established easement.
- c. The base building line within subdivisions platted after adoption of this Code shall be the right-of-way line of the street as shown on the plat.

BEDROOM: A sleeping room of one hundred (100) square feet or any room conceivably used for sleeping purposes with some degree of privacy, excluding communal areas.

BLOCK: A parcel of land entirely surrounded by streets, streams, railroad rights-of-way, parks or other public space or a combination thereof.

BOARDING HOUSE: See HOTEL (MOTEL).

BUILDABLE AREA: The portion of a lot remaining after the required yards have been provided. Buildings may be placed in any part of the buildable area, but limitations on the percent of the lot which may be covered by buildings may require open space within the buildable area. (See LOT COVERAGE for restrictions of this nature).

BUILDING: Any structure constructed or built for the support, enclosure, shelter or protection of chattels, persons, animals or the like. The word building includes the word structure and shall include anything constructed or erected which required permanent location on the ground or is attached to anything having a permanent location on the ground and shall include, but not be limited to, such structures as homes, hotels, motels, apartments, stores, service stations, radio towers, billboards, cooling towers, tanks, smokestacks, grain elevators, windmills, and silos. Such terms shall be construed as if followed by the phrase "or part thereof."

BUILDING, DETACHED: A building surrounded by yards or other open area on the same lot.

BUILDING, FRONT LINE OF: The line of that face of the building nearest the front line of the lot.

BUILDING, HEIGHT: The vertical distance from grade to the highest finished roof surface in the case of flat roofs or to a point at the average height of roofs having a pitch of more than one (1) foot in four and one-half (4-1/2) feet. Height as applied to a story means the vertical distance from top to top of two (2) successive finished floor surfaces. □

BUILDING, MIXED: A building in a Commercial or Residential District used partly for residential use and partly for commercial use.

ORDINANCE NO. 23-2

BUILDING OFFICIAL: The Director of the Planning, Zoning and Building Department, or his authorized representative charged with administration and enforcement of the Building Codes for Palm Beach County.

BUILDING, PRIMARY: The building housing the principal use.

BUILDING, PRINCIPAL: A building in which is conducted the main or principal use of the lot on which said building is situated.

BUILDING SETBACK LINE: A line delineating the minimum allowable distance between the base building line and the front of a structure. See YARD, FRONT.

BUILDING SITE: A portion or parcel of land considered as a unit, devoted to a certain use or occupied by a building or group of buildings that are united by a common interest or use, and the customary accessories and open spaces belonging to the same.

BUSINESS OFFICE: Any commercial activity primarily conducted in an office, not involving the sale of goods or commodities available in the office and not dispensing personal services, and including such businesses as real estate broker, insurance offices, accountants, credit reporting agencies, telephone answering services, or any similar use.

CAR WASH (AUTOMATIC OR SELF-SERVICE): A building or area which provides facilities for washing and cleaning motor vehicles, which may use production line methods with a conveyor, blower, or other mechanical devices, and which may employ some hand labor.

CARPORT: A roofed area open on one (1), two (2), or three (3) sides and attached to the main building, for the storage of one (1) or more vehicles.

CENTERLINE: The line midway between the right-of-way lines or the surveyed and prescribed centerline established by the Board of County Commissioners, Department of Transportation, or County Engineer which may or may not be the line midway between the existing or proposed right-of-way lines.

CERTIFICATE OF OCCUPANCY: A statement signed by a duly authorized County Building Official setting forth that a building or structure legally complies with the Palm Beach County Building Code and that the same may be used for the purposes stated therein.

CERTIFICATE OF OCCUPANCY AND USE: An official approval by the Department that a building or structure and use of said building or structure has met the requirements of the Palm Beach County Building and Zoning Codes.

ORDINANCE NO. 73-2

CLINIC: An establishment where patients, who are not lodged overnight except for observation or emergency treatment, are admitted for examination and treatment by one (1) person or group of persons practicing any form of healing or health-building services to individuals, whether such persons be medical doctors, chiropractors, osteopaths, chiropodists, naturopaths, optometrists, dentists, veterinarians, or any such profession, the practice of which is lawful in the State of Florida.

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

COMMISSIONERS, COUNTY: The Board of County Commissioners of Palm Beach County, Florida.

COMMON PROPERTY LINE: A line dividing one (1) lot from another.

COMPLETELY ENCLOSED: A building separated on all sides from the adjacent open area, or from other buildings or other structures, by a permanent roof and by exterior walls or party walls, pierced only by windows or entrances or exit doors normally provided for the accommodation of persons, goods, or vehicles.

COMPREHENSIVE LAND USE PLAN: The official public document adopted by the Board of County Commissioners of Palm Beach County as a policy guide to present and future land use decisions.

CONTIGUOUS: Lands are contiguous if they abut each other or if separated by streets, ways, easements, pipelines, power lines, conduits, or rights-of-way under ownership of the petitioner, or a governmental agency, or subdivision, or public or private utility.

CONVALESCENT FACILITY: See NURSING.

CORNER LOT: See LOT.

COUNTY STANDARDS: The minimum specifications, design standards and construction details as compiled by the Office of the County Engineer and adopted by the Board of County Commissioners as the "Palm Beach County Construction Standards and Details."

COURT, INNER: An open space which is completely surrounded by a building or buildings.

COURT, OUTER: An open space between one (1) or more buildings on the same lot.

CROWN LEVEL, STREET: Centerline elevation of the contiguous street; an inverted crown shall be referred to the edge of pavement.

CUL-DE-SAC (DEAD-END STREET): A minor street with only one (1) outlet terminating at one (1) end with a circular turn around.

DAY CARE CENTER AND OTHER PRESCHOOL FACILITIES: An establishment which provides daytime care or instruction for four (4) or more children, seven (7) years of age or under, operated on a regular basis.

DENSITY: An existing or projected relationship between numbers of dwelling units and land area.

DEPARTMENT: The Planning, Zoning and Building Department charged with administrating planning, zoning and building for the unincorporated area of Palm Beach County.

DEPARTMENT OF TRANSPORTATION: The Florida Department of Transportation.

DEVELOPER: Any individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity commencing proceedings under this ordinance.

DEVELOPMENT OR TO DEVELOP: A development includes the construction of any new building or other structures on a lot, the relocation of any existing buildings on another lot, or the use of a tract of land for any new uses. To develop is to create a development.

DIRECTOR: The official charged with the administration of the Department and enforcement of these regulations.

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

DOCK, PRIVATE: A structure built on or over the water which is designed or used to provide anchorage for and access to one (1) or more boats for private use. Necessary services such as water, and other utilities are considered a part of a dock; however, no cooking, sleeping or business activity shall be permitted.

DRIVE-IN RESTAURANT: A restaurant which is laid out and equipped to serve food and beverage to patrons in automobiles, and/or to allow consumption of food and beverages by patrons in automobiles on the premises.

DUAL FRONT: A building designed or constructed so as to present the appearance of having two (2) fronts.

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

DWELLING UNIT: A house, apartment, or building used primarily for human habitation and shall include bath and culinary accommodations.

1. Single Family Dwelling: A building containing only a single dwelling unit.
2. Multiple Family Dwelling: A building containing two (2) or more dwelling units. See APARTMENT.

EASEMENT: Any strip of land created by a subdivider or granted by the owner, for public or private utilities, drainage, sanitation or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the reservation of the servitude.

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ENGINEER, REGISTERED: A professional engineer registered by the State of Florida and trained in the field of civil engineering.

ENGINEERING DEPARTMENT: The Office of the County Engineer for Palm Beach County, Florida.

ENLARGEMENT OR TO ENLARGE: An enlargement is an addition to the floor area of an existing building, an increase in the size of any other structure, or an increase in that portion of a tract of land occupied by an existing use. To enlarge is to make an enlargement.

FAMILY: Either a single person occupying a dwelling unit and maintaining a household, including not more than one (1) boarder, roomer, or lodger as herein described; or two (2) or more persons related by blood, marriage, or adoption occupying a dwelling, living together and maintaining a common household, including not more than one (1) such boarder, roomer, or lodger; or not more than four (4) unrelated persons occupying a dwelling, living together and maintaining a non-profit housekeeping unit as distinguished from a group occupying a boarding or lodging house, hotel, club or similar dwelling for group use. A common household shall be deemed to exist if all members thereof have access to all parts of the dwelling.

FARM: Any plot of land used for agricultural purposes.

FENCE: A structural or natural physical barrier.

FINAL SITE DEVELOPMENT PLAN: A finished drawing of a MHRP, MHCP, or RVP showing all requirements of this Code and in particular the requirements of Sections 500.22, Subsection E (9); 500.23, Subsection E (9); 500.24, Subsection E (9); and 500.29. The Final Site Development Plan will in most cases be a further refinement of the Site Development Plan submitted initially under Section 401.2 (A) and (B).

FIREWALL: A wall of incombustible construction which subdivides a building or separates buildings to restrict the spread of fire and which starts at the foundation and extends continuously through all stories to and above the roof, except where the roof is of fireproof or fire-resistive construction and the wall is carried up tightly against the underside of the roof slab, pursuant to the Palm Beach County Building Code.

FLOODPLAIN OR FLOOD PRONE AREA: A land area adjacent to a river, stream, bay, ocean, or lake which is likely to be flooded.

FLOOR AREA, MINIMUM: The area of the floor or floors measured from the centerline of the exterior walls to the centerline of dividing walls, excluding the area for garages, whether separate or integral, carports, open porches, open breezeways, or storerooms not accessible from the interior of the building. Not more than twenty (20) percent of any minimum floor area shall be credited to screened-in porches or breezeways.

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FLOOR AREA, TOTAL: The sum of the gross areas of the several floors of a building or buildings, measured from the exterior faces of exterior walls or from the centerlines of walls separating two (2) buildings. In particular, floor area includes: floor space in penthouses; attic space providing structural headroom of eight (8) feet or more; floor space of interior balconies or mezzanines; any other floor space used for dwelling purposes, no matter where located within a building, including accessory buildings.

FOWL: Any guineas, peafowl, pigeons, pheasants or poultry.

FRONTAGE, STREET: All the property on one (1) side of a street between two (2) intersecting streets (crossing or terminating), or if the street is a dead-end, then all of the property abutting on one (1) side between an intersecting street and the dead-end of the street.

GARAGE, MECHANICAL: A building or portion thereof, other than a private garage or public parking garage, available to the public which may be operated for gain, designed or used for the storage, servicing, repairing, equipping, and hiring of motor-driven vehicles.

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 PARKING: A building or other structure which provides parking or storage for motor vehicles, but not for commercial nor public utility vehicles or the dead storage of motor vehicles, and some or all of which parking spaces are non-accessory. A public parking garage may include accessory off-street parking spaces limited to such spaces which are accessory to other uses on the same lot.

GOLF COURSE: An area designed for executive (par 64) or regulation (par 72) play, installed on tracts having areas greater than forty (40) acres.

GOVERNING BODY, APPLICABLE: A city, county, state, state agency or other political government subdivision or entity authorized to administer and enforce the provisions of this Code, as adopted or amended.

GRADE, FINISHED:

1. For buildings adjoining one (1) street only, the elevation of the sidewalk at the center of the wall adjoining the street.
2. For buildings adjoining more than one (1) street, the average of the elevations of the sidewalk at the centers of all walls adjoining streets.
3. For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the building.

GROSS LAND AREA: The total area, including all public and private areas within the legal boundaries of a particular parcel of land or project.

GROUND FLOOR: A level of building, the floor of which is located not more than two (2) feet below nor more than six (6) feet above finished grade.

GUEST COTTAGE: A building occupying not more than one-twentieth (1/20) of the area of the lot on which it is situated and which is used exclusively for housing members of the family occupying the principal dwelling or their nonpaying guests, and complying with the property development regulations for the district in which it is located. Such quarters shall have no kitchen facilities.

HABITABLE ROOM: A room occupied by one (1) or more persons for living, eating, sleeping, or working purposes. It does not include toilets, laundries, serving and storage pantries, corridors, cellars, and spaces that are not used frequently or during extended periods.

HEALTH DEPARTMENT: State Department of Health and Rehabilitation Services, Division of Health.

HELIPORT: An area used or to be used for landing or take-off of helicopters or other aircraft capable of hovering, and shall include any or all of the area or buildings which are appropriate to accomplish these functions, including refueling helicopters or other aircraft capable of hovering.

HOME OCCUPATION: Any occupation in connection with which there is kept no stock in trade nor commodity sold upon the premises, no person employed other than a member of the immediate family residing upon the premises, and no mechanical equipment used except such as is permissible for purely domestic or household purposes; and in connection with which there is used no sign other than an unlighted nameplate not more than one (1) square foot in area, nor display that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling.

HOSPITAL AND FULL SERVICE MEDICAL FACILITIES: A facility licensed by the State of Florida which maintains and operates organized facilities for one (1) or more persons, for medical or surgical diagnosis, care, and treatment of human illness.

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 and having or not having one (1) or more dining rooms, restaurants or cafes as accessory uses. 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.

INUNDATION: Water in motion or standing, or ponded water of sufficient depth to damage property due to the mere presence of water or the deposit of silt, which may be a nuisance, hazard or health problem.

JUNK YARD: See SALVAGE YARD.

KENNEL, COMMERCIAL: Any building or buildings, and/or land used, designed or arranged to facilitate the raising, breeding, boarding and grooming of such domesticated animals as dogs and cats for profit. Farm animals such as pigs and chickens (peafowl) or exotic animals, such as snakes, are expressly prohibited.

KENNEL, PRIVATE: Any building or buildings and/or land designed or arranged for the care of dogs and cats belonging to the owner of the principal use, kept for the purposes of show, hunting, or as pets.

KINDERGARTEN: See DAY CARE CENTER.

KITCHEN: A space used or designed to be used for the preparation of food.

LANDSCAPE ARCHITECT: A landscape architect registered by the State of Florida.

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

LEGAL ACCESS: A dedicated or recorded road, lane, place, alley, or easement, excluding utility or drainage easements, affording perpetual ingress and egress from a subject property to a public thoroughfare, and not less than twenty (20) feet in width.

LIMITED ACCESS: A highway or freeway which does not permit access except at authorized and controlled points. The acquisition of right-of-way for such highways or freeways usually includes the acquisition of access rights thereto. Access may also be limited through methods other than acquisition of access rights.

LOADING SPACE: Accommodation off the street for loading and unloading of trucks, in the form of one (1) or more truck berths located either within a building or in an open area on the same lot.

LODGER: Any person hiring or occupying a room for living or sleeping purposes.

LOT: Is either:

1. A lot of record, as part of a land subdivision recorded in the office of the Clerk of the Circuit Court of Palm Beach County, and existing on the effective date of this Code or any applicable subsequent amendment thereto, or
2. A tract of land under a Unity of Title document or a tract of land, either unsubdivided or consisting of two (2) or more contiguous lots of record, located within a single block, which on the effective date of this Code or any applicable subsequent amendment thereto, was in single ownership, or
3. A tract of land, located within a single block, which at the time of filing for a building permit (or, if no building permit is required, at the time of filing for a Certificate of Occupancy) is designated by its owner or developer as a tract all of which is to be used, developed, or built upon as a unit under single ownership.

A lot, therefore, may or may not coincide with a lot as shown on the official tax maps of Palm Beach County, or on any recorded subdivision plat or deed. For the purposes of this definition, ownership of a lot shall be deemed to include a lease of not less than fifty (50) years duration, with an option to renew such lease so as to provide a total lease of not less than seventy-five (75) years duration. A lot may be subdivided into two (2) or more lots, provided that all resulting lots and all buildings thereon shall comply with all of the applicable provisions of this Code and all other applicable laws and regulations. If such lot, however, is occupied by a non-conforming building, such lot may be subdivided provided such subdivision does not create a new non-conformity or increase the degree of non-conformity of such building.

LOT AREA: The total horizontal area included within lot lines.

LOT AREA PER DWELLING UNIT: That portion of the lot area required for each dwelling unit located on the lot.

LOT, CORNER: Either a lot bounded entirely by streets, or a lot which adjoins the point of intersection of two (2) or more streets.

LOT COVERAGE: That portion of the area of a lot, expressed as a percentage, occupied by all buildings or structures which are roofed or otherwise covered and that extend more than three (3) feet above the surface ground level.

LOT DEPTH: The horizontal length of a straight line drawn from the midpoint of the front property line of the lot to the midpoint of the rear property line of the lot.

LOT FRONTAGE: The shortest property line adjacent to a public street; it is also the front property line.

LOT, INTERIOR: Any lot neither a corner lot nor a through lot.

LOT LINE: The boundary of a lot.

LOT, THROUGH (DOUBLE FRONTAGE): Any lot, not a corner lot, having both the front and rear property lines adjacent to a public street.

LOT WIDTH: The horizontal distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear property lines.

LOUNGE: A building or portion of a building wherein liquor is sold by the drink and consumed on the premises.

MARINE FACILITIES: Shall include the following terms and definitions:

1. **Boatyard:** This facility is intended to provide complete construction and repair services for all manner of marine craft in addition to such dry storage as may be found complimentary to the primary use. Docking of pleasure craft for residential purposes is prohibited.
2. **Marina/Boatyard:** The purpose of this operation is to provide boat repair and storage services. The fueling of resident and transient craft is permitted. Docking of pleasure craft for residential purposes is limited to not more than forty (40) boats and is considered as an accessory use.
3. **Marina/Boatdock/Yacht Club:** The primary purpose of this facility is wet storage and the docking of pleasure craft for residential purposes. Such attendant social and commercial uses such as a yacht club, restaurant, lounge, and ships' chandler are considered as an accessory use. Parking facilities are permitted.
4. **Marina/Boatel:** A Marina/Boatel may include a full spectrum of residential accommodations including but not limited to powered pleasure craft, other floating residential uses, and onshore motel facilities with attendant restaurant and lounge as accessory uses.

MASTER LAND USE PLAN: A graphic and informational representation of a specific design solution for a development phase or the entirety, meeting the requirements and conditions of this Code, and in particular, Section 401.2 (A) and (B); Section 500.21, Subsection E (6) and (9). Various stages of refinement and government approval qualifies the Master Land Use Plan to be certified as the Proposed Master Land Use Plan, the Preliminary Master Land Use Plan, and the Final Master Land Use Plan.

MIGRANT AND TRANSIENT FARM LABOR QUARTERS AND CAMPS: Residential building(s) located on a bona fide farm occupied by farm workers who are employed by the owner of the farm.

MOBILE HOME: A manufactured detached, transportable, single family dwelling unit designed for long term occupancy and arriving at the site where it is to be occupied as a complete dwelling unit, containing all conveniences and facilities, with plumbing and electrical connections provided for attachment to approved utility systems. To retain mobility, undercarriage and axels must remain attached to the unit.

MOBILE HOME CONDOMINIUM PARK (MHCP): The development of a parcel of land under a condominium or property owner's association agreement to accommodate the housing needs of those residents who prefer mobile home living, where a non-profit property owner's association is organized under the laws of the State of Florida, operated under recorded maintenance and ownership agreements, through which each owner of a portion of the park is automatically a member and each member is subject to a pro-rata share of the expenses for maintaining the park, including, but not limited to, such improvements as roads, parks, recreational areas, common areas, and other similar properties. Within the text of this Code, a condominium or property owner's association is considered to be a single entity for property ownership. MHCP shall not be utilized for the purposes of accommodating permanent single family dwelling units.

MOBILE HOME RENTAL PARK (MHRP): A land area under unified control designed and planned to be developed in a single operation or by a series of prescheduled development phases according to an officially approved Final Master Land Use Plan and Unity of Title Covenants running with the land which does not necessarily correspond to the property development and use regulations of the zoning district in which the development is located.

MOTEL: A building or group of buildings which contains sleeping accommodations for transient occupancy, and has individual entrances from outside the building to serve each such sleeping unit. No provision shall be made for cooking in any individual room or suite of rooms. Motels may have one (1) or more dining rooms, restaurants or cafes as accessory uses.

NONCONFORMING BUILDING OR STRUCTURE: A structure or building existing at the time of the passage of this ordinance or amendment thereto, which does not conform to the property development regulations of area, height, lot coverage, yard setbacks, lot location, or other like requirements of the district in which it is located.

NONCONFORMING LOTS: A single lot, tract or parcel of land shown on either a recorded or unrecorded map, plat, drawing or survey under the ownership of a single person, firm, partnership, association, corporation, joint venture, estate, trust, joint tenancy, tenancy by the entireties or other combination of persons acting as a unit where such map, plat, drawing or survey was in existence at the time of the adoption of or amendment to this ordinance, even though such lot fails to meet the requirements for area or width or depth, but provided that yard dimensions and setbacks of the lot shall conform to the property development regulations for the district in which such lot is located.

NONCONFORMING USE: A land use existing at the time of the passage of this ordinance, or amendment thereto, which does not conform to the provisions, requirements and regulations of the district in which it is located.

NURSING AND CONVALESCENT FACILITIES: A building where for compensation pursuant to a previous arrangement, care is offered or provided for three (3) or more persons suffering from illness, other than a contagious disease, or sociopathic or psychopathic behavior, which is not of sufficient severity to require hospital attention, or for three (3) or more persons requiring further institutional care after being discharged from a hospital, other than a mental hospital. Patients usually require domiciliary care in addition to nursing care.

OFFICIAL MAP: The map established and adopted by the governing body under the Thoroughfare Plan Ordinance showing the streets and parks laid out or additions thereto resulting from the acceptance of deeded lands and from the abandonment of plats or the approval of subdivision plats by the governing body and the subsequent filing of such plats.

OFFICIAL ZONING MAP: The official map upon which the boundaries of each district are designated and established as approved and adopted by the governing body, made a part of the official public records of Palm Beach County, Florida, and shall be the final authority as to amend zoning status of land and water areas, buildings, and other structures in the unincorporated area of the County.

OPEN SPACE: A required exterior open area clear from the ground upward devoid of residential and commercial buildings, accessory structures and impervious areas, except however, those buildings and structures used exclusively for recreational purposes.

OPEN SPACE, COMMON: Any required open space under common ownership and control.

PARKING AREA: The total area devoted to the parking and maneuvering of vehicles.

PARKING LOT: An open area which is used for the parking of automobiles.

PARKING SPACE: A surfaced area, enclosed or unenclosed, sufficient in size to store one (1) automobile, together with a driveway connecting the parking space with a street or alley and permitting ingress and egress of an automobile.

PARKING STRUCTURE, UNDERGROUND: A parking structure lying entirely underground, providing vehicle parking.

PATIO: An open unoccupied space which is fully enclosed by wall, fence, or building on all four (4) sides.

PERSONAL SERVICES: Includes such uses as beauty parlors, shops or salons; barber shops; massage, reducing or slenderizing studios; steam or turkish baths; or any similar use not involving the sale of any retail product.

PLANNED BUSINESS-INDUSTRIAL PARK (PBIP): A land area under unified control designed and planned to be developed in a single operation or by a series of prescheduled development phases according to an officially approved Site Development Plan to accommodate more than one (1) light, clean, unobjectionable, enclosed industrial use and related business office facilities allowed in the IL - Light Industrial District and the IG - General Industrial District.

PLANNED GENERAL COMMERCIAL DEVELOPMENT (PGCD): A land area under unified control designed and planned to be developed in a single operation or by a series of prescheduled development phases according to an officially approved Site Development Plan to accommodate more than one (1) commercial use of a more intensive nature beyond that of the neighborhood/convenience type and limited to those uses allowed in the CG - General Commercial District.

PLANNED NEIGHBORHOOD COMMERCIAL DEVELOPMENT (PNCP): A land area under unified control designed and planned to be developed in a single operation or by a series of prescheduled development phases according to an officially approved Site Development Plan to accommodate more than one (1) commercial use of a neighborhood/convenience nature as allowed in the CN - Neighborhood Commercial District.

PLANNED OFFICE-BUSINESS PARK (POBP): A land area under unified control designed and planned to be developed in a single operation or by a series of prescheduled development phases according to an officially approved Site Development Plan to accommodate more than one (1) commercial use of a specialized nature allowed in the CS - Specialized Commercial District.

PLANNED UNIT DEVELOPMENT (PUD): A land area under unified control designed and planned to be developed in a single operation or by a series of prescheduled development phases according to an officially approved Final Master Land Use Plan which does not necessarily correspond to the property development and use regulations of the zoning district in which the development is located.

PLANNING COMMISSION: The advisory body to the governing body known as the Palm Beach County Planning Commission.

PLAT: A map depicting the division or subdivision of land into lots, blocks, parcels, tracts, or other portions thereof, however, the same may be designated, prepared in accordance with the provisions of this ordinance and those of any applicable law and/or local ordinance; and which may be designated to be placed on record in the Office of the Clerk of the Circuit Court of Palm Beach County.

PLAT OF RECORD: A plat which conforms to the requirements of the applicable laws of the State of Florida and ordinances of the County, which has been accepted by the Board of County Commissioners and placed in the official records of Palm Beach County.

PLAT, PRELIMINARY: A copy of the plat in sufficient form to readily compare the plat with the master plan and construction plans.

PREMISES: Any lot, area, or tract of land whether used in connection with a building or not.

PROFESSIONAL SERVICES: The conduct of business in any of the following related categories: law, architectural engineering, medicine, engineering, music, art, dressmaking, etc.

PROPERTY LINE, FRONT: See FRONTAGE LOT.

PROPERTY LINE, REAR: A property line opposite and most distant from the front property line. For a triangular lot, the rear property line shall mean a line ten (10) feet in length within the lot parallel to the front property line, or parallel to the chord of a curved front property line, and at the maximum distance from it.

PROPERTY OWNERS' ASSOCIATION: A non-profit organization recognized as such under the laws of the State of Florida operated under recorded land agreements through which each owner of a portion of a subdivision, be it a lot, home, property or any other interest, is automatically subject to a charge for a prorated share of expenses either direct or indirect for maintaining common properties within the subdivision, such as roads, parks, recreational areas, common areas or other similar properties. Within the text of this ordinance a property owners' association is considered a single entity for property ownership.

PUBLIC AGENCY: Any government or governmental agency, board, commission, authority or public body of Palm Beach County, the State of Florida, or of the United States government, or any legally constituted governmental subdivision or special district.

PUBLIC PARK: Any publicly-owned park, playground, beach, parkway, or other recreation areas and open space as well as areas designated as such in the Public Ownership zoning district.

RECREATION VEHICLE: An automobile, trailer, camp-car, pickup camper, bus, or other vehicle with or without motive power, designed and constructed to travel on public thoroughfares without special permit in accordance with the provisions of the Vehicle Code of the State of Florida. The unit may be used for temporary human habitation but the total living area shall not exceed three hundred fifty (350) square feet.

RECREATION VEHICLE PARK (RVP): A land area under unified control designed and planned to be developed in a single operation or by a series of prescheduled development phases according to an officially approved Final Master Land Use Plan and Unity of Title covenants running with the land which does not necessarily correspond to the property development and use regulations of the zoning district in which the development is located. The RVP development is intended and designed to accommodate short-term, overnight tourist guests and not for permanent residential use.

RESIDENCE: See DWELLING UNIT.

RESTAURANT: A building or room not operated as a dining room in connection with a hotel, where food is prepared and served for pay and for consumption on the premises.

REZONING: The legal process by which changes are made to the boundary or boundaries of a zoning district(s) or where a new boundary or boundaries are established for a zoning district(s). This process is known herein as a district boundary change.

RIGHT-OF-WAY: A strip of land dedicated or deeded to the perpetual use of the public.

ROOMING HOUSE: See MOTEL.

SALVAGE YARD: A lot, land, or structure, or part thereof, used primarily for the collecting, storage and sale of waste paper, rags, scrap metal or discard material; or for the collecting, dismantling, storage and salvaging of machinery or vehicles not in running condition; or for the sale of parts thereof.

SERVICE STATION: See AUTOMOTIVE SERVICE STATION.

SETBACK: A line running a certain distance back from and parallel with the base building line or front property line whichever provides the greater separation wherein no building, structure or portion thereof shall be permitted, erected, constructed, or placed unless specifically permitted by this Code. See YARDS.

SHOPPING CENTER: A group of commercial establishments planned, developed, managed and operated as a unit, with off-street parking provided on the property, and related in its location, size, and type of shops to the trade area which the unit serves.

SIGN: See Palm Beach County Sign Code.

SITE DEVELOPMENT PLAN: A graphic and information representation of a specific design solution for a development phase or the entirety, meeting the requirements and conditions of this Code, and in particular, Section 401.2 (A) and (B).

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STREET, PRIVATE: Any street existing prior to or at the time of adoption of this ordinance which has not been dedicated for public use and not accepted for ownership or maintenance by the Board of County Commissioners. After adoption of this ordinance, private streets shall be limited to property under single ownership or a property owners' association.

STREET, PUBLIC: Any street designed to serve more than one (1) property owner which is dedicated to the public use and accepted for ownership and maintenance by the Board of County Commissioners; includes any street right-of-way dedicated to the public prior to or at the time of adoption of this ordinance. Streets controlled by a property owners' association may be retained as private streets by said association as long as said association accepts the obligation for complete control and maintenance. A street designed to serve more than one (1) property owners' association must be public.

STREET RIGHT-OF-WAY LINE: See RIGHT-OF-WAY.

SUBDIVISION: The division of a parcel of land, whether improved or unimproved, into three (3) or more contiguous lots or parcels of land, designated by reference to the number or symbol of the lot or parcel contained in the plat of such subdivision, for the purpose, whether immediate or future, of transfer of ownership or, if the establishment of a new street is involved, any division of such parcel.

SURVEYOR: A land surveyor registered in the State of Florida.

SWIMMING POOL: Any confined body of water, located either above or below the existing finished grade of the site, exceeding one hundred fifty (150) square feet in surface area, and two (2) feet in depth, designed, used, or intended to be used for swimming or bathing purposes.

SWIMMING POOL, COMMERCIAL: A swimming pool and attendant equipment operated for profit, open to the public.

SWIMMING POOL, PUBLIC: A swimming pool and attendant equipment maintained and operated by a governmental unit for the general public.

SWIMMING POOL, RESIDENTIAL: A swimming pool and attendant equipment maintained by an individual for the sole use of his household and guests and located on a lot as an accessory use to a residence.

THOROUGHFARE PLAN: The master plan of present and future streets adopted by the Palm Beach County Board of County Commissioners under the "Thoroughfare Plan Ordinance." See OFFICIAL MAP.

TRAILER: A separate vehicle, not driven or propelled by its own power, but drawn by some independent power.

TRAILER PARK: See RECREATIONAL VEHICLE PARK.

ORDINANCE NO. 73-2

ULTIMATE RIGHT-OF-WAY: An area located between the base building lines set aside for future road widening or used as means of ingress, egress or approach as determined by the Department of Transportation, the Office of the County Engineer, the Board of County Commissioners, or by this Code whichever provides the widest right-of-way.

UNITY OF TITLE: A document recorded in the Office of the Clerk of the Circuit Court of Palm Beach County stipulating that a lot, lots or parcel of land shall be held under single ownership, shall not be eligible for further subdivision and shall not be transferred, conveyed, sold or divided in any unit other than in its entirety.

USE: Any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained, or occupied; or any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a tract of land.

USE, PRINCIPAL: The primary purpose for which land or building is used as permitted by the applicable zoning district.

USE, PUBLIC: The use of any land, water, or building by a public agency for a public service or purpose.

USED VEHICLE LOT: A lot or group of contiguous lots used for the storage display for sale or rent of vehicles, and where no repair work is done.

VARIANCE: A relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of this Code would result in unnecessary and undue hardship.

VEHICLE: Any self-propelled conveyance designed and used for the purpose of transporting or moving persons, animals, freight, merchandise, or any substance, and shall include passenger cars, trucks, buses, motorcycles, and scooters.

YARD: A required open space clear from the ground upward, unoccupied and unobstructed by any structure, except for fences, walls, and hedges as provided herein.

YARD, CORNER: A yard on the side of a corner lot being the minimum horizontal distance between the base building line and any structure or any projections thereto.

YARD, FRONT: A yard extending across the front of a lot, being the required minimum horizontal distance between the base building line and the front of the buildings. See SETBACK.

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YARD, INTERIOR: A yard between any structure and the side line of the lot, extending from the required front yard to the required rear yard and being the minimum horizontal distance between a side lot line and the side of the structure or any projections thereto.

YARD, REAR: A yard extending across the rear of a lot, being the required minimum horizontal distance between the rear property line and the rear of the building.

ORDINANCE NO. 73-2

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CHAPTER III - DISTRICT ESTABLISHMENT, DESIGNATION,
APPLICATION, AND THE OFFICIAL ZONING MAP

300 ESTABLISHMENT, DESIGNATION, AND APPLICATION OF DISTRICTS.

300.1 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 space about buildings; to regulate the intensity of land use, and to promote the orderly urban growth of Palm Beach County, Florida, the unincorporated area is divided into twelve (12) districts as follows:

- 601 AG-AGRICULTURAL DISTRICT
- 602 RE-RESIDENTIAL ESTATE DISTRICT
- 603 RS-SINGLE FAMILY RESIDENTIAL DISTRICT
- 604 RM-MULTIPLE FAMILY RESIDENTIAL DISTRICT (Medium Density)
- 605 RH-MULTIPLE FAMILY RESIDENTIAL DISTRICT (High Density)
- 606 CN-NEIGHBORHOOD COMMERCIAL DISTRICT
- 607 CG-GENERAL COMMERCIAL DISTRICT
- 608 CS-SPECIALIZED COMMERCIAL DISTRICT
- 609 IL-LIMITED INDUSTRIAL DISTRICT
- 610 IG-GENERAL INDUSTRIAL DISTRICT
- 611 PC-PRESERVATION/CONSERVATION DISTRICT
- 612 PO-PUBLIC OWNERSHIP DISTRICT

300.2 DESIGNATION OF DISTRICT BOUNDARIES.

The boundaries of each district are designated and established as shown on the Official Zoning Map of Palm Beach County, Florida. The boundaries of the districts shown upon the Official Map are hereby adopted and approved and the regulations of this ordinance governing the use of land and water and buildings, the height of buildings, lot areas, setbacks, floor areas, lot coverage, parking and loading requirements are hereby declared to be in effect upon all land and water included within the boundaries of each and every district shown upon the Official Map.

300.3 RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES.

When uncertainty exists as to the boundaries of districts on the Official Zoning Map, the following rules shall apply:

A. LOCATION OF DISTRICT BOUNDARY LINES.

1. Center Lines.
Boundaries indicated as approximately following the center lines of streets, highways, and alleys shall be construed to follow such lines.
2. Lot, Section, Tract Lines.
Boundaries indicated as approximately following platted lot lines, section or tract lines shall be construed as following such lot lines.
3. Political Boundaries.
Boundaries indicated as approximately following political boundaries shall be construed as following such political boundaries.
4. Railroad Lines.
Boundaries indicated as following railroad lines shall be construed to be the centerline of the railroad right-of-way.
5. Shore Lines.
Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the center lines of streams, rivers, canals, or other bodies of water shall be construed to follow such center lines.
6. Parallel Lines.
Boundaries that 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 the zoning

ORDINANCE NO. 23-2

7. **Bisecting Lines.** (See Section 300.4).
Boundaries that approximately bisect a block, lot, or tract shall be construed to follow the median lines of such blocks, as indicated by rear property lines or as measured between the center lines of boundary streets in the absence of rear property lines or in the absence of both of the above, by use of the scale appearing on the zoning maps.
8. **Uncertainties.**
Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in case any other uncertainty exists, the Board of Adjustment shall interpret the intent of the Official Zoning Maps as to the location of district boundaries.
9. **Street Abandonments.**
Where a public road, street or alley is officially vacated or abandoned, the regulations applicable to the property to which it reverted shall apply to such vacated or abandoned road, street, or alley.
10. **Excluded Areas.**
Where parcels of land and water areas have been excluded or de-annexed from corporate areas or revert to Palm Beach County in any manner, said parcels shall be classified as RS until changed, if at all, by public hearing.

300.4

SPECIAL PROVISIONS FOR LOTS DIVIDED BY DISTRICT BOUNDARIES.

Where any lot, existing at the effective date of this Code, is located in two (2) or more districts in which different uses are permitted, or in which different use, area, bulk, accessory offstreet parking and loading, or other regulations apply, the provisions of this section shall apply.

A. USE REGULATIONS.

1. If more than fifty (50) percent of the lot area of the lot is located in one of two (2) or more districts, the use regulations applicable to the district containing the majority lot area shall apply to the entire lot.
2. If the lot is divided so that fifty (50) percent of the lot area lies within each of two (2) or more districts, the applicable use regulations for each district shall apply to that portion of the lot within said district.

B. PROPERTY DEVELOPMENT REGULATIONS.

1. If more than fifty (50) percent of the lot area of the lot is located in one of two (2) or more districts, the property development regulations applicable to the district containing the majority lot area shall apply to the entire lot.
2. In cases where the lot is divided so that fifty (50) percent of the lot area lies within two (2) or more districts, the lot area, yard setback, height, floor area, lot coverage, and offstreet parking and loading regulations and requirements for the district with the more restrictive regulations shall apply to the entire lot.

300.5 APPLICATION OF DISTRICTS.

A. EXISTING USES.

In all districts after the effective date of this Code and except as provided in Section 403 (Nonconforming Uses and Noncomplying Buildings):

1. The use of any existing building or other structure may be continued
2. The use of any existing tract of land and water body may be continued
3. The enlargement, alteration, conversion, reconstruction, rehabilitation, or relocation of any existing building or other structure shall be in accordance with the property development regulations of the district within which the property is located and other applicable requirements of this Code.

B. NEW USES.

In all districts after the effective date of this Code, any new building or tract of land or body of water shall be used, constructed or developed only in accordance with the use and property development regulations of the district within which the property is located and other applicable requirements of this Code.

301 THE OFFICIAL ZONING MAP.

301.1 MAP ADOPTION.

ORDINANCE NO. 23-2

- A. The Official Zoning Map of Palm Beach County shall consist of a series of Zoning District Maps individually numbered as Sheet No. 1, 2, etc. which may be prepared and adopted separately or as a

- B. The Official Zoning Map and all explanatory matter and attendant documents attached thereto shall be made a part of and incorporated in this Zoning Code. Originals of the Map shall be the Official Zoning Map and shall be retained in the administrative offices of the Planning, Zoning and Building Department.
- C. The Official Zoning Map shall be part of the public records of Palm Beach County and shall be made available for public inspection and shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the unincorporated area of Palm Beach County.

301.2 MAP AMENDMENT.

No changes or amendments to the Official Zoning Map shall be made except in compliance and conformity with all procedures set forth in this Code. If in accordance with procedures of this Code, changes are made in district boundaries or other subject matter portrayed on the Official Zoning Map, such changes shall be made promptly after official adoption of the amendment.

301.3 MAP REPLACEMENT.

- A. In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the Commission may adopt a new Official Zoning Map which shall supercede the prior Official Zoning Map.
- B. The new Official Zoning Map may correct drafting and clerical errors or omissions in the prior Official Zoning Map, but not such corrections shall have the effect of amending the original zoning ordinance or subsequent amendment thereto without a duly noticed public hearing.
- C. Unless the prior Official Zoning Map has been lost or destroyed, the prior map or any significant parts thereof remaining, shall be preserved together with all available records pertaining to its adoption and amendment.

CHAPTER IV - ADMINISTRATION AND PROCEDURES400 DEPARTMENT ADMINISTRATION.400.1 INTERPRETATION OF CODE REGULATIONS AND PROVISIONS.

- A. The interpretation and application of the regulations and provisions of this Code by the Department shall be reasonable and uniformly applied to all property within the jurisdiction of Palm Beach County.
- B. The regulations and provisions of this Code shall be held to be the minimum requirements adopted for the protection and promotion of the public health, safety, comfort, convenience, order, appearance, prosperity, or general welfare; for the lessening of congestion in the streets or roads or reducing the waste of excessive amounts of roads; for securing safety from fire and other dangers, providing adequate light and air, and preventing on the one hand excessive concentration of population and on the other hand excessive and wasteful scattering of population or settlement; for promoting such distribution of population and such classification of land uses and distribution of land development and utilization as will tend to facilitate and provide adequate provisions for public requirements, transportation, water flowage, water supply, drainage, sanitation, educational opportunities, recreation, soil fertility, and food supply; and for protection of the tax base, securing economy in governmental expenditures, fostering agricultural and other industries, and the protection of both urban and non-urban developments.
- C. Whenever the regulations and requirements of this Code are at variance with the requirements of any other lawfully enacted and adopted rules, regulations, ordinances, or laws, the most restrictive shall apply.

400.2 ENFORCEMENT OF CODE REGULATIONS AND PROVISIONS, VIOLATIONS, PENALTIES, OTHER REMEDIES.A. ENFORCEMENT RESPONSIBILITY.

The Board of County Commissioners by itself or through the Department shall adopt procedures for enforcing and administering this Code and to employ those persons necessary for such administration and enforcement.

ORDINANCE NO. 23

No district boundary or regulation change, modification of Commission requirements, special exception, variance, building permit, certificate of occupancy and use, or other permit shall be granted by the Department, the Commission, or Board of Adjustment except in compliance with the provisions of this Code, or Board of Adjustment or Court decision.

B. VIOLATIONS AND PENALTIES.

For any and every violation of the provisions of this Code, and for each and every day that such violation continues, said violation(s) shall be punishable as a misdemeanor by a fine not to exceed five hundred (500) dollars, or by imprisonment for not more than sixty (60) days, or by both such fine and imprisonment.

Persons charged with such violation(s) may include:

1. The owner, agent, lessee, tenant, contractor, or any other person using the land, building, or premises where such violation has been committed or shall exist
2. Any person who knowingly commits, takes part or assists in such violation
3. Any person who maintains any land, building, or premises in which such violation shall exist.

C. OTHER LEGAL REMEDIES.

In addition to the criminal penalties and enforcement procedures provided in Section 400.2 (B) above, the Board of County Commissioners may institute any lawful civil action or proceeding to prevent, restrain or abate:

1. The unlawful construction, erection, reconstruction, alteration, rehabilitation, expansion, maintenance or use of any building or structure; or
2. The occupancy of such building, structure, land or water;
or
3. The illegal act, conduct, business, or use of, in or about such premises.

D. OTHER ADMINISTRATIVE REMEDIES.

1. Cease and Desist Orders.

The Department shall have the authority to issue cease and desist orders in the form of written official notices given to the owner of the subject building, property, or premises, or to his agent, lessee, tenant, contractor, or to any person using the land, building, or premises where such violation has been committed or shall exist.

2. Building Permits and Certificates of Occupancy and Use.

- a) Issuance.

ORDINANCE NO. 23-c

No building permit or certificate of occupancy and use shall be issued by the Department for any purpose except in compliance with the provisions of this Code and other applicable ordinances and laws, a decision

of the Board of Adjustment, or Court Decision.

b) Revocation.

The Department may revoke a building permit or certificate of occupancy and use in those cases where an administrative determination has been duly made that false statements or misrepresentations existed as to material fact(s) in the application or plans upon which the permit or approval was based.

c) Suspension.

The Department may suspend a building permit or certificate of occupancy and use where an administrative determination has been duly made that an error or omission on either the part of the permit applicant or government agency existed in the issuance of the permit or certificate approval.

A valid permit or certificate shall be issued in place of the incorrect permit or certificate after correction of the error or omission.

d) Notice and Appeal.

All Department decisions concerning the issuance, revocation, or suspension of building permits and certificates of occupancy and use shall be stated in official written notice to the permit applicant. Any decision of an administrative official shall be appealed to Board of Adjustment or Building Board of Appeals.

401 APPLICATION PROCEDURE FOR ALL PETITIONS.

A. OFFICIAL ACCEPTANCE.

1. All properties within a single application must be contiguous and immediately adjacent to one another or be the subject of separate petitions and filing fees.
2. No application shall be accepted unless it is presented on the official forms provided by the Department.
3. Before an application may be accepted, it must fully comply with all information requirements enumerated below and as amended by the Commission from time to time.

B. APPLICATION PROCEDURE.

The application procedures and requirements in this Section shall apply to the following:

DISTRICT BOUNDARY CHANGES (REZONING)

ORDINANCE NO. 23-2

SPECIAL EXCEPTIONS

NONCONFORMING USES

ZONING REGULATION CHANGES (ORDINANCE AMENDMENT)

MODIFICATION OF COMMISSION REQUIREMENTS

SPECIAL PERMITS

VARIANCE REQUESTS (BOARD OF ADJUSTMENT).

401.1 DISTRICT BOUNDARY CHANGES (REZONING).

Every application for rezoning involving changes in district boundaries shall include the following:

A. AUTHORITY

A statement of the petitioner's interest in the property to be rezoned including a copy of the last recorded Warranty Deed, and:

1. If joint and several ownership, a written consent, to the rezoning petition, by all owners of record, or
2. If a contract purchase, a copy of the Purchase Contract and written consent of the seller/owner, or
3. If an authorized agent, a copy of the Agency Agreement or written consent of the principal/owner, or
4. If a lessee, a copy of the lease agreement and written consent of the owner, or
5. If a corporation or other business entity, the name of the officer or person responsible for the application and written proof that said representative has the delegated authority to represent the corporation or other business entity, or in lieu thereof, written proof that he is in fact an officer of the corporation
6. If a group of contiguous property owners, the owners of at least fifty (50) percent of the property described in the petition must provide written consent.

B. SURVEY.

A certified boundary sketch by a surveyor registered in the State of Florida at a scale prescribed by the Department containing the following:

1. an accurate legal description of the property to be rezoned
2. a computation of the total acreage of the tract to the nearest tenth of an acre.

C. AREA LOCATION MAP.

The location of the subject parcel plotted by an engineer or surveyor registered in the State of Florida on an official zoning map sheet furnished by the Department.

D. COURTESY NOTICE PROPERTY OWNERS LIST.

A complete list of all property owners, mailing addresses, and legal descriptions for all property within three hundred (300) feet of the subject parcel as recorded in the latest official tax rolls in the County Court House. Such list shall be accompanied by an affidavit stating that to the best of the petitioner's knowledge said list is complete and accurate.

E. COURTESY NOTICE PROPERTY OWNERS LOCATION DRAWING.

A property owner's location drawing showing all property owners information required in Section 401.1 (D) above and their relation to the subject parcel.

F. STATEMENT OF USE.

A statement of special reasons or basis for the rezoning request including the intended use of the property.

G. FILING FEE.

Payment of the official filing fee as set by the Commission and received by the Department. Filing fees may be waived for an applicant who presents a certificate from the Director of the County Welfare Department stating that the applicant is qualified to receive either federal, state, or county welfare assistance and is unable to afford said fee.

401.2 SPECIAL EXCEPTIONS.

Every application for a special exception shall include the following:

- A. The information required in Section 401.1.
- B. A site development plan including, where applicable, but not limited to the following.
 1. An area map at a convenient scale prescribed by the Department which shall include existing roads, streams, street rights-of-way and street intersections; the location of the nearest public roads on all four (4) sides; and a statement indicating the distances to all public improvements such as schools, firehouses, houses of worship, recreational areas, and the like, which would serve the subject development.
 2. Existing public streets, easements or other reservations of land within the proposed site.
 3. The approximate location of all existing structures on the site, as well as those on adjacent properties within one hundred (100) feet of the outside boundaries of the site.
 4. The proposed location and area dimensions of the open space system, recreational uses and facilities, and other land and water areas.
 5. All existing and proposed means of vehicular access to and from the site.
 6. Written confirmation of the provisions of all necessary facilities and systems for storm drainage, water supply, sewage treatment, solid waste disposal, fire protection, recreational and park areas, school sites, and other public improvements as may be required by the development.
 7. A traffic impact analysis of projected trip generation for the development.
 8. Proposed fencing, screening and landscaping.
 9. Proposed location, direction and type of outdoor lighting.

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10. Existing and proposed contours, with intervals of two (2) feet or less extending fifty (50) feet beyond the tract.
11. Location of wooded areas and existing or proposed water bodies.
12. Where the applicant wishes to develop the project in incremental stages, a site plan indicating proposed ultimate development shall be presented for approval of the entire parcel. Proposed development phases shall be numbered in sequence.
13. Statement by the petitioner of the major planning assumptions and objectives of the development project including but not limited to:
 - a) development
 - b) projected population
 - c) proposed timing and stages of development
 - d) proposed ownership and form of organization to maintain common and open space and facilities
 - e) proposed density of land use for each development parcel within the project.
14. Official Soil Conservation Service Soil Classification by Soil Associations and areas subject to inundation and high ground water levels.
15. Any other reasonable information which may be required from time to time by the Commission, which is commensurate with the intent and purpose of this Code.

401.3 NONCONFORMING USES.

Every application for the extension, alteration, restoration, rehabilitation, or other proposed change to a use, building, structure, or land made nonconforming by the adoption of this Code shall include the following:

- A. The information required in Section 401.1
- B. The submission of all information required in the Official Nonconforming Use Application furnished by the Department pursuant to Section 404 of the Code.

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401.4 ZONING REGULATION CHANGES (ORDINANCE AMENDMENT).

Every application for changes in zoning regulations involving amendments to this Code shall be made upon official forms for zoning regulation changes provided by the Department and shall be brought in the name of the Director of the Department.

401.5 MODIFICATION OF COMMISSION REQUIREMENTS.

Every application for changes or modifications of Commission requirements shall include the following:

- A. The information required in Section 401.1 if different from that originally submitted
- B. A statement justifying the request based upon change of circumstance, inability of compliance, present inapplicability, and the like
- C. A statement detailing the exact condition or requirement, or part thereof, which has been imposed by a final decision adopted by resolution or ordinance, and which is sought to be changed.

401.6 SPECIAL PERMITS.

Every application for special permits to allow uses subject to special regulations in the Agricultural District, shall include the following:

- A. The information required in Section 401.1
- B. A site development plan showing the proposed layout of the subject site and the relationship of the special permit use therein
- C. The submission of and compliance with all requirements of the appropriate district or special regulations contained herein.

401.7 VARIANCE REQUESTS (BOARD OF ADJUSTMENT).

Every application for a variance from the terms of this Code, which is not contrary to the public interest, and where, owing to special conditions, a literal enforcement of the provisions of this Code will result in unnecessary and undue hardship, shall include the following:

- A. The information required in Section 401.1
- B. The submission of a site plan and all information required in the Official Board of Adjustment Variance Application furnished by the Department pursuant to Section 403 of this Code.

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402.1 THE PLANNING COMMISSION.

A. ESTABLISHMENT AND COMPOSITION.

A Palm Beach County Planning Commission is hereby created and established, consisting of seven (7) members appointed by the Board of County Commissioners of Palm Beach County. One (1) member of the Planning Commission shall be appointed from each of the five (5) County Commissioners' districts. The remaining two (2) members shall be appointed at large by a majority vote of the County Commissioners.

B. TERMS OF OFFICE; REMOVAL FROM OFFICE; VACANCIES.

1. The basic term of office for members of the Planning Commission shall be three (3) years and no such member may be eligible for appointment to a new term if the length of the new term plus prior terms commencing subsequent to the effective date of this Code would exceed six (6) years at the completion of the new term; and provided that in order to stagger the terms of members who will be appointed under this Code, the schedule of appointments shall be as follows:

Terms of members at large shall expire in 1973

Term of member from District No. 1 shall expire in 1974

Term of member from District No. 2 shall expire in 1974

Term of member from District No. 3 shall expire in 1974

Term of member from District No. 4 shall expire in 1975

Term of member from District No. 5 shall expire in 1975.

2. The members of the Planning Commission shall hold office as indicated above until the first Tuesday after the first Monday in February of the year such member's term expires. As the initial term of each member expires, the new term of each appointed member shall be three (3) years. Any member who serves for a full three (3) year term shall be eligible for reappointment for not more than one (1) successive term. Each member shall hold office until his successor is duly appointed and qualified. Any member appointed to serve in lieu of any member on account of death, resignation, removal or disability of such member, shall serve only for the unexpired term of such member.

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3. Should the member of the Planning Commission move from the County Commissioner's district for which he was appointed or should the County Commissioner's district be altered or amended so that the member no longer resides within the appointing County Commissioner's district, the member shall become disqualified and a new member shall be appointed from that district.
4. Any vacancy occurring shall be filled by the governing body within thirty (30) days after the vacancy occurs.
5. Members of the Planning Commission shall not hold any elected public office.

C. CONFLICT OF INTEREST.

No member shall have any interest, financial or otherwise, direct or indirect, or engage in any business transaction or professional activities or incur any obligation of any nature which is in substantial conflict in the proper discharge of his duties in the public interest. To implement such policy and strengthen the faith and confidence of the people of Palm Beach County, the members of the Planning Commission are directed:

1. Not to accept any gift, favor or service that might reasonably tend improperly to influence him in the discharge of his official duties
2. To make known by written or oral disclosure on the record any interest which said member shall have in any pending matter prior to the hearing, thereof
3. To absolutely desist and abstain from using his official position to secure special privileges or exemptions for himself or others, except as may be otherwise provided by law
4. To refrain from engaging in any business or professional activity which said member might reasonably expect would require or induce him to disclose confidential information acquired by him by reason of his official position and to refrain from using such information for personal gain or benefit
5. To refrain from accepting other employment which might impair his independence of judgment in the performance of his public duties
6. To refrain from accepting or receiving any additional compensation from any source other than Palm Beach County for duties performed as a member of the Planning Commission, except as otherwise provided by law
7. To refrain from transacting any business in the official capacity as a member of the Planning Commission with any business entity of which said member is an officer, director, agent or member, or in which he owns a controlling interest

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Repealed by 92-20

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8. To refrain from participation in any matter in which said member shall have a personal investment which will create a substantial conflict between his private interest and the public interest
9. Willful violation of this provision shall constitute malfeasance in office and shall render the action voidable by the Board of County Commissioners.

D. OFFICER, RULES OF PROCEDURE, EMPLOYEES AND SALARIES.

1. The Commission shall elect a chairman and a vice-chairman from among its members. The Commission shall appoint a secretary who may be the Director, the clerk, or an employee of the governing body.
2. The Commission shall meet at regular intervals to be determined by it and at such other times as the chairman or Commission may determine. It shall adopt rules for the transaction of its business and keep a properly indexed record of its resolutions, transactions, findings and determinations, which record shall be a public record. All meetings of the Commission shall be public.
3. The Commission may, subject to the approval of the governing body and within the financial limitations set by appropriations made or other funds available, employ such experts, technicians, and staff as may be deemed proper and pay their salaries, contractual charges and fees, and such other expenses as are necessary to conduct the work of the Commission.
4. The Chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. The Commission shall keep minutes of its proceedings, showing the vote of each member on each question, or if absent or abstaining, indicating such fact. No member shall abstain from voting unless he has a conflict of interest pursuant to the provisions as contained herein or in accordance with Chapter 112, Florida Statutes. The records of the Commission shall be filed in the office of the Palm Beach County Department of Planning, Building and Zoning and shall be a public record.

E. APPROPRIATIONS, FEES AND OTHER INCOME.

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The members of the Planning Commission shall receive the sum of One Hundred (100) dollars per annum as compensation for their services and shall be entitled to receive travel expenses as may be authorized for state employees pursuant to and in accordance with the policy of the Board of County Commissioners of Palm Beach County and Chapter 112, Florida Statutes. Prior approval by the Board of County Commissioners need not be obtained for mileage reimbursement to Commission members for traveling to and from official Commission hearings and meetings at a rate approved by the Board of County Commissioners. The Board

of County Commissioners is hereby authorized and empowered to make such appropriations as it may see fit for salaries, fees and expenses necessary in the conduct of the work of the Planning Commission and to establish a schedule of fees to be charged by the Commission. The Commission has the authority to expend all sums so appropriated and other sums made available for its use from fees, gifts, state or federal grants, state or federal loans and other sources when acceptance of such loans is approved by the governing body.

402.2 AUTHORITY, FUNCTIONS, POWERS AND DUTIES.

- A. The Planning Commission shall have the authority and duty to consider and recommend upon applications, as herein set forth, after first considering the recommendations thereon of the County Planning, Zoning and Building, Health and Engineering Departments, and after a determination of the fact that the application would not generate excessive noise or traffic; tend to create a fire, disease or other equally or greater dangerous hazard; provoke excessive overcrowding or concentration of people or population; be in harmony and compatible with the present and future developments of the area concerned; conserve the value of buildings and encourage the most appropriate use of the land and water; provide adequate light and air; promote such distribution of population and such classification of land uses, development and utilization as will tend to facilitate and provide adequate provisions for public requirements, including but not limited to transportation, water flowage, water supply, drainage, sanitation, educational opportunities, recreation, soil fertility and food supply; prohibit wasteful and excessive scattering of population or settlement; conform to the character of the district and its peculiar suitability for particular uses; be consistent with the needs of the County for land areas for specific purposes to serve population and economic activities; protect the tax base; would not be disruptive to the character of the neighborhoods or adverse to playgrounds, parks, schools and recreation areas; nor adverse to the promotion of the public health, safety, comfort, convenience, order, appearance, prosperity or general welfare.
1. To hear applications for district boundary changes (rezoning) for individual pieces of property or on a neighborhood or area-wide basis.
 2. To hear applications for changes in the regulations (ordinance amendment).
 3. To hear applications for modification or elimination of any condition or part thereof which has been imposed by any prior final decision adopted by resolution or ordinance.

4. To hear and decide special exceptions; that is, those exceptions permitted by the regulations. In recommending approval of any special exception, the Planning Commission may prescribe reasonable conditions, restrictions and limitations as contained herein or as it deems necessary or desirable, in order to maintain the plan or land use trend of the area and in compatibility therewith.
 5. The Planning Commission may revoke, modify or change any resolution or ordinance or approval, heretofore or hereafter adopted granting a special exception if, upon application filed at any time by the director and after public hearing, the Planning Commission finds that there has been a violation of any imposed conditions, restrictions or limitations in any such resolution or ordinance, or approval, provided, such public hearing shall not be held until published notice, as hereinafter provided, has first been given.
- B. Acquire and maintain such information and materials as are necessary to an understanding of past trends, present conditions and forces at work to cause changes in these conditions. Such information and material may include maps and photographs of man-made and natural physical features of the area concerned, statistics on past trends and present conditions with respect to population, property values, economic base, land use, and such other information as is important or likely to be important in determining the amount, direction, and kind of development to be expected in the area and its various parts.
- C. Prepare, adopt, and from time to time amend and revise a comprehensive and coordinated general plan for meeting present requirements and such future requirements as may be foreseen.
- D. Establish principles and policies for guiding action in the development of the area.
- E. Conduct such public hearings as may be required to gather information necessary for the drafting, establishment and maintenance of the comprehensive plan and such additional public hearings as are specified under the provisions of this part.
- F. Make or cause to be made any necessary special studies on the location, condition, and adequacy of specific facilities in the area. These may include, but are not limited to, studies on housing, commercial and industrial conditions and facilities, public and private utilities, traffic, transportation, and parking.

402.3 THE COMPREHENSIVE PLAN.

- A. When basic information for the area has been brought together, the Commission shall prepare a comprehensive and coordinated general plan for the development of the area, based on existing and anticipated needs, showing existing and proposed improvements in the area and stating the principles according to which future development should proceed and the manner in which such development should be controlled. The plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the area which will, in accordance with existing and future needs, best promote public health, safety, comfort, order, appearance, convenience, morals, and the general welfare and which will contribute to efficiency and economy in the process of development. The comprehensive plan shall include plans for land use and may include plans for transportation, community facilities, a long-range financial program for public improvements, and such other matters as may be deemed necessary by the Commission and the governing body for the purpose of meeting the objectives of this part.

B. ADOPTION OF COMPREHENSIVE PLAN BY THE PLANNING COMMISSION.

The comprehensive plan shall be adopted by the Commission either in its entirety or as substantial portions corresponding generally with functional or geographic classifications are completed. Adoption of the comprehensive plan or any portion or portions thereof, or of any amendment or additions thereto, shall be by resolution carried by the affirmative vote of a majority of the total membership of the Commission. The resolution shall refer expressly to the maps, descriptive material and other matters intended by the Planning Commission to form the whole or part of the comprehensive plan. The action taken shall be recorded on the adopted plan or parts thereof by the identifying signatures of the secretary and chairman of the Commission, together with the date of such action, and a copy of the comprehensive plan or parts thereof shall be certified to the governing body. The officially adopted copy of the comprehensive plan or any portion thereof and any duly adopted amendments thereto shall be a part of the permanent records of the Commission.

C. ADOPTION OF THE COMPREHENSIVE PLAN BY GOVERNING BODY.

The governing body shall formally adopt the comprehensive plan by appropriate official action either in its entirety or as substantial portions corresponding generally with the functional or geographic classifications are completed and adopted by the Commission. Any comprehensive plan shall only become effective upon its adoption by the membership of the governing body.

D. LEGAL EFFECT OF THE COMPREHENSIVE PLAN.

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23-2

Whenever a comprehensive plan for the area or a portion of such a plan corresponding generally with a functional classification of the subject

matter or a geographic classification of the area has been adopted, then and thenceforth no street, park, other public way, ground, place, or space, public building or structure not in conformity with the comprehensive plan shall be constructed, altered or authorized in the area unless the location and extent thereof shall have been submitted to the Commission for a report and its statement of recommendation of approval or disapproval and the reasons therefor. Within sixty (60) days after the request for such report has been received by the Commission or within such other time limit as may be agreed upon, the report shall either be made or failure of the Commission to act shall be deemed approval. The Commission's action shall be advisory in nature only and shall be subject to final approval of the governing body. After a comprehensive plan for the area or a portion of such plan corresponding generally with a geographic classification of the area has been adopted by the governing body, no zoning ordinance, subdivision regulation or code adopted under the authority of this ordinance or Chapter 163, Florida Statutes, shall be amended until such amendment shall have been referred to the Commission for review and recommendation.

E. REVIEW AND AMENDMENT OF COMPREHENSIVE PLAN.

At least once each year, the comprehensive plan or the completed parts thereof shall be reviewed by the Commission to determine whether changes in the amount, kind or direction of development of the area, or other reasons make it beneficial to make additions or amendments to the plan. If the governing body desires an amendment or addition to the comprehensive plan, it may, on its own motion, direct the Commission to prepare such amendment; and if such amendment is in accordance with the purposes of the comprehensive plan, the Commission shall do so within a reasonable time as established by the governing body. The procedure for revising, adding to or amending the comprehensive plan shall be the same as the procedure for its original adoption.

402.4 PLANNING AND ZONING PROCEDURE.

A. EXCLUSIVE PROCEDURE.

The procedure provided herein shall be exclusive in the unincorporated area of the County.

B. APPLICATION.

All applications and petitions shall follow and comply with the requirements of Section 401 of this Code. After full compliance with Section 401 and Official Acceptance by the Department, the application shall be promptly transmitted to the Planning Commission where it shall be assigned an official file number which shall identify the application and the year of acceptance. The application shall become a part of the Official Records of the Planning Commission and shall not be returnable.

ORDINANCE NO. 23-2

C. PROPOSED SITE PLAN REVIEW.

The Department shall approve or deny the proposed site plan accompanying special exception applications as submitted, amended or revised within thirty (30) days of the official acceptance of the application. The Department may request the petitioner to amend or revise the proposed site plan to meet the requirements and regulations of this Code before certifying the application for inclusion on the Official Agenda of the Planning Commission. Proposed Site Plan Review by the Department and certification for inclusion on the Official Agenda of the Planning Commission shall be prerequisites to official action by the Commission. Although this section is mandatory as to all special exception applications, petitioners requesting zoning district boundary changes (rezoning) are encouraged to participate in the proposed Site Plan Review by submitting proposed plans and exhibits to be used in their rezoning requests prior to Planning Commission meetings and hearings.

D. NOTICE AND HEARING.

1. Notice.

No action shall be taken on any application until a public hearing has been held with due public notice.

- a. Publication of notice of time, place and purpose of such hearing at least twice in a newspaper of general circulation in the area, with the first such publication to be at least fifteen (15) days prior to the date of the hearing and the second such publication to be at least five (5) days prior to the hearing.
- b. Except where the hearing applies to all of the lands within the area, similar notices setting forth the time, place, and purpose of such hearing shall be mailed to the last known address of the owners of the property involved in or directly affected by the hearing.
- c. Such notices may also be posted in a conspicuous place or places on or around such lots, parcels or tracts of lands as may be involved in or are directly affected by the hearing if such on-site method of courtesy notice is deemed advisable by the director provided, however, that failure to post such courtesy notice shall not affect any action or proceedings taken hereunder.
- d. A courtesy notice containing substantially the same information set forth in the published notice aforesaid may be mailed by the director to the property owners of record, their tenants or their agents, within a radius of three hundred (300) feet of the property

described; provided, however, that failure to mail or receive such courtesy notice shall not affect any action or proceedings taken hereunder.

- e. Affidavit proof of the required publication, mailing and posting of the notice shall be presented at the hearing.

2. Hearing.

Within thirty (30) days of the time of certification by the Department of inclusion of a petition on the Official Agenda of the Planning Commission, a public hearing on said application shall be held by the Planning Commission.

3. Continuance and Postponement.

The Planning Commission may continue the hearing from time to time, or postpone hearing on the application; however, the public hearing or hearings shall be concluded within sixty (60) days after the date of the first public hearing. Failure of the Planning Commission to act within the time prescribed shall result in the application being submitted without recommendation to the governing body at its next regularly scheduled zoning hearing. The Planning Commission shall submit its recommendations, with or without prescribed conditions, to the Board of County Commissioners at their next regularly scheduled zoning hearing. The Planning Commission's action shall be advisory in nature only and shall be subject to final approval of the governing body. The Planning Commission may submit an application to the governing body without recommendation.

E. APPLICATION WITHDRAWAL OR DENIAL.

1. Upon the final denial of an application in whole or in part, for either a district boundary change or special exception, a period of one (1) year must run prior to the filing of a subsequent application for the same type of requested land use change affecting the same property or any portion thereof. Upon the final denial of an application in whole or in part for a non-conforming use change or request, a period of six (6) months must run prior to the filing of a subsequent application for the same non-conforming use change affecting the same property or any portion thereof. Such periods of limitation shall not commence to run until the decision has been rendered by the last board to consider the application. Such limitations shall not apply to applications filed by the director of the Planning, Building & Zoning Department. The period of limitation shall be increased to a two (2) year waiting period in the event an application in whole or in part for district boundary change, special exception or non-conformity use change, has been twice or more denied. However, said application may be denied without

prejudice and in such event, there shall be no bar or prohibition on the filing of a subsequent application.

2. An application may be withdrawn without prejudice by the applicant as a matter of right; provided, the request for withdrawal is in writing and filed with the department within the two (2) week period subsequent to the deadline for the filing of an application; otherwise all such requests for withdrawal shall be with prejudice save and except that the Planning Commission may recommend to the governing body that they permit withdrawal without prejudice at the time the application is considered by such body; provided further, no application may be withdrawn after final action has been taken. When an application is permitted to be withdrawn without prejudice, the time limitations for reapplication provided herein shall not apply. The applicant shall not be entitled to the return of any application fees.

402.5 BOARD OF COUNTY COMMISSIONERS ZONING AUTHORITY.

A. AUTHORITY.

The governing body shall have authority to consider and take final action on all matters heard by or brought before the Planning Commission for recommendation. In making any final decision, the Board of County Commissioners shall be guided by the standards and guidelines applicable to the Planning Commission and as contained herein.

B. RULES AND REGULATIONS.

The governing body shall be guided by the rules of procedure as adopted by the Board of County Commissioners of Palm Beach County and as contained herein.

C. RECORDS.

Minutes will be kept of all meetings and proceedings and shall include and state the vote of each member on each question. No member shall abstain from voting unless he has a conflict of interest as defined herein. The motion shall state the reason upon which it is made; such reason or reasons being based upon the prescribed guides and standards of good planning and zoning principles; provided, however, no such reason shall be required for a confirmation of the recommendation of the Planning Commission. The Clerk of the Circuit Court shall employ a qualified reporter to report the proceedings before the Board of County Commissioners who shall transcribe her notes and shall keep accurate records of its public hearings which shall be filed, together with its minutes and resolutions, with the clerk. The same shall be open for public inspection at reasonable times and hours.

D. NOTICE AND HEARING.

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1. Notice.

No action shall be taken on any application until a public hearing has been held with due public notice as defined in Section 402.4 D(1). 48

2. Hearing.

Within thirty (30) days of the date of the rendering of the Planning Commission advisory recommendation, the Board of County Commissioners shall consider, at a duly noticed public hearing, the application.

E. OFFICIAL DECISION AT HEARING.

The Board of County Commissioners as the governing body, shall either approve or disapprove the application as submitted; approve the application as amended or conditioned; or defer action on any matter before it in order to inspect the site in question, to refer the matter to the Department for further consideration and recommendation, to refer the matter to the Planning Commission for the purpose of conducting further hearings with the taking of additional testimony, if deemed advisable, at the request of the applicant, or to defer for any other justifiable reason. In the event of a tie or evenly split vote, action shall be deferred to the next subsequent meeting.

F. FINAL ACTION.

When the final action has been taken by the governing body, its record, together with a certified copy of its minutes and resolution pertaining to such action shall be open to the public for inspection at reasonable times and hours.

The Clerk of the Court shall make available for public inspection and copying, the record upon which each final decision of the governing body is based; provided, the Clerk may make a reasonable charge commensurate with the cost in the event the Clerk is able to and does furnish copies of all or any portion of the record.

Prior to certifying a copy of any record or portion thereof, The Clerk shall make all necessary corrections in order that the copy is a true and correct copy of the record, or those portions requested, and shall make a charge of not less than twenty five (25) cents per page, instrument, map, picture or other exhibit; provided the charges here authorized are not intended to repeal or amend any fee or schedule of fees otherwise established.

A transcript of the proceedings before the governing body, when certified by the reporter, may be used in any court review of the matter at issue.

G. EXHAUSTION OF REMEDIES AND COURT REVIEW.

ORDINANCE NO. 23-2

No person aggrieved by any zoning resolution, order, requirement, decision or determination of an administrative official or by any decision of the governing body may apply to the court for relief unless he has first exhausted the remedies provided for herein and taken all available steps provided in this Code. It is the intention of the governing body that all steps as provided by this Code shall be taken before any application is made to the court for relief; and no application shall be made to the court for relief except from resolution, ordinance or order adopted by the governing body, pursuant to this Code. Such decision may be reviewed by the filing of a petition for writ of certiorari in the Circuit Court of the Fifteenth Judicial Circuit in and for Palm

Beach County, Florida, in accordance with the procedure and within the time provided by court rule for the review of the rulings of any commission or board; and such time shall commence to run from the date of the decision sought to be reviewed.

H. LIMITATION ON ISSUANCE OF PERMITS.

The department shall not issue any type of permit or certificate based upon any action of the Planning Commission until a final decision has been rendered on the application by the governing body as provided by this Code; provided, however, a temporary conditional permit or certificate may be issued prior to such final decision if the director shall first determine that the withholding of the same would cause imminent peril to life or property and then only upon such conditions and limitations, including the furnishing of an appropriate bond, as may be deemed proper by the director.

402.6 TIME EXTENSIONS.

In cases where the Planning Commission and Board of County Commissioners or provisions of this Code have stipulated time limits for the completion of a specific phase of development, six (6) months extensions of time may be granted by the Planning Commission and Board of County Commissioners on a showing of extraordinary circumstances as the cause of development delays. In no case, however, shall such six (6) month extensions exceed two (2) in number totaling twelve (12) months in total duration of extended time. Developments exceeding the total time extension without compliance with Commission requirements shall file a new application with the Department.

402.7 SITE PLAN REVIEW COMMITTEE.

A. MEMBERSHIP AND FUNCTION.

Within thirty (30) days of receipt of the official decision of the Planning Commission and Board of County Commissioners, the proposed site plan and application approved by the governing body shall be reviewed by the Site Plan Review Committee of the Planning, Zoning and Building Department consisting of two (2) members from the Department of Planning, Zoning and Building (Planning Division and Zoning Division), and one (1) member from the County Engineering Department, County Attorney's Office and County Health Department.

B. DUTIES AND RESPONSIBILITIES.

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The Department's Site Plan Review Committee shall:

1. Review the application and proposed site plan and all drawings, specifications, covenants, easements, conditions, plats and surety guarantees and their compliance with the regulations and requirements of this Code, other applicable County ordinances, and the terms of the final decision of the governing body

2. Administer any changes or modifications in the approved site plan providing that such proposed changes and modifications do not result in:
- a. An overall increase in density over five (5) percent; provided, however, that total density shall not exceed that which is allowed in the applicable district
 - b. An overall increase in land use intensity or original design concept greater than five (5) percent change
 - c. The reduction of the area set aside for community open space or the substantial relocation of such areas
 - d. An overall increase in the floor area proposed for non-residential use over five (5) percent change
 - e. An overall increase by more than five (5) percent of the total ground area covered by buildings or the height of buildings.
3. Certify that an application and attached plans and documents have met the regulations and requirements of this Code, other applicable County ordinances, and the terms of the official governing body decision. This final approval shall be filed forthwith in the official records of the Department before any development shall take place or permits and certificates issued by the Department unless expressly authorized by this Code.

- C. **FAILURE OF SITE PLAN REVIEW COMMITTEE TO ACT.**
In the event the Site Plan Review Committee fails to act (either by grant or denial of final approval of the plan) within thirty (30) days, after all required information has been provided by the petitioner, the plan shall be deemed to be approved and satisfactory.

402.8

ABANDONMENT OF PLAN.

In the event the petitioner abandons or deviates from a proposed site plan approved by the governing body and certified by the Site Plan Review Committee, or in the event the petitioner fails to file the first plat within twelve (12) months, when required, after the date of final governing body approval, or within any authorized time extension period, the special exception shall become null and void and the land shall revert to the zoning district existing immediately prior to the filing of the special exception.

ORDINANCE NO. 73-2

403.1

THE BOARD OF ADJUSTMENT - VARIANCE REQUESTS AND APPEALS.

A. ESTABLISHMENT AND MEMBERSHIP.

There shall be a Board of Adjustment consisting of five (5) members appointed by the Board of County Commissioners of Palm Beach County. One (1) member of the Board of Adjustment shall be appointed from each of the five (5) County Commissioner's districts.

B. TERMS OF OFFICE; REMOVAL FROM OFFICE; VACANCIES.

1. The basic term of office of members of the Board of Adjustment shall be four (4) years, and no such member may be eligible for appointment to a new term if the length of the new term plus prior terms of said member would exceed eight (8) years at the completion of the new term, and provided that in order to stagger the terms of members who will be appointed under this act, the schedule of appointments shall be as follows:

Term of member from District No. 1 shall expire in 1973
 Term of member from District No. 2 shall expire in 1974
 Term of member from District No. 3 shall expire in 1974
 Term of member from District No. 4 shall expire in 1975
 Term of member from District No. 5 shall expire in 1975

As the term of each member appointed in 1973, 1974, and 1975 expires, the new term of each appointed member shall be four (4) years. Any member who serves for a full four (4) year term shall be eligible for reappointment for not more than one (1) successive term.

2. The members of the Board shall hold office as indicated above until the first Tuesday after the first Monday in February of the year such member's term expires.
3. If a member of the Board of Adjustment moves from the County Commissioner's district from which he was appointed, he shall become disqualified and the County Commissioners shall appoint another person to the Board of Adjustment from that district in his place.
4. Any vacancy occurring, during the unexpired term of office of any member shall be filled by an appointee of the Board of County Commissioners, within thirty (30) days after the vacancy occurs.
5. No member of the Board of Adjustment shall be an elected official of the County of Palm Beach or a public, state, county or municipal officer or employee. In addition, no two (2) members of the said Board shall come from or represent the same business, profession, occupation or job.

C. CONFLICT OF INTEREST.

Members of the Board of Adjustment shall be subject to removal from office by the Board of County Commissioners for nonfeasance, malfeasance, misfeasance or for other good cause shown to the Board of County Commissioners.

No member shall have any interest, financial or otherwise, direct or indirect, or engage in any business, transaction or professional activities or incur any obligation of any nature which is in substantial conflict with the proper discharge of his duties in the public interest. To implement such policy and strengthen the faith and confidence of the people of Palm Beach County, the members of the Board of Adjustment are directed:

1. Not to accept any gift, favor or service that might reasonably tend improperly to influence him in the discharge of his official duties
2. To make known by written or oral disclosure any interest which said member shall have in any pending application or zoning matter prior to the hearing thereof
3. To absolutely desist and abstain from using his official position to secure special privileges or exemptions for himself or others, except as may be otherwise provided by law
4. To refrain from engaging in any business or professional activity which said member might reasonably expect would require or induce him to disclose confidential information acquired by him by reason of his official position
5. To refrain from disclosing confidential information gained by reason of official position and to refrain from using such information for personal gain or benefit
6. To refrain from accepting other employment which might impair his independence of judgment in the performance of his public duties
7. To refrain from accepting or receiving any additional compensation from any source other than Palm Beach County for duties performed as a member of the Board of Adjustment, except as otherwise provided by law
8. To refrain from transacting any business in the official capacity as a member of the Board of Adjustment with any business entity of which said member is an officer, director, agent or member, or in which he owns a controlling interest

ORDINANCE NO. 23-2

9. To refrain from participation in any zoning matter in which said member shall have a personal investment which will create a substantial conflict between his private interest and the public interest
10. Willful violation of this provision shall constitute malfeasance in office and shall render the action voidable by the Board of County Commissioners of Palm Beach County, Florida.

D. OFFICERS, RULES OF PROCEDURE, EMPLOYEES AND SALARIES.

1. The Board of Adjustment shall elect annually a Chairman and Vice Chairman from among its members, and shall appoint a secretary who may be an officer or employee of the convening body or of the County Commission.
2. The members of the Board of Adjustment shall receive no compensation for their services, but shall be entitled to receive travel expenses as may be authorized for state employees, provided the Board of County Commissioners has approved the travel request prior to its being taken. Prior approval by the Board of County Commissioners need not be obtained for mileage reimbursement to Board members for traveling to and from official Board hearings and meetings, at a rate approved by the Board of County Commissioners.

E. APPROPRIATIONS, FEES AND OTHER INCOME.

1. The Board of County Commissioners is hereby authorized and empowered to make such appropriations as it may see fit for salaries, fees and expenses necessary in the conduct of the work of the Board of Adjustment and also to establish a schedule of fees to be charged by the Board on the hearing of appellate matters.
2. The Board of Adjustment shall have the authority to expend all sums so appropriated and other sums made available for its use from fees and other sources for the purposes and activities authorized by this Code and as further authorized by the Board of County Commissioners.

POWERS, DUTIES, AUTHORITY AND FUNCTIONS.

- A. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement of any zoning code or regulation.

In exercising its powers, the Board of Adjustment may, in conformity with the provisions of this code, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination made by the Director, or by an administrative official, in the enforcement of any zoning resolution or regulation adopted pursuant to this code, and make such order, recommendation, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

- B. In classes of cases or in particular situations as specified in any Zoning resolution, ordinance or regulation adopted pursuant to this code, and only in such classes of cases or particular situations, to grant or deny variances to the development regulations of the applicable district subject to appropriate conditions and safeguards.
- C. The Board of Adjustment shall not be empowered or authorized to grant variances to permit a use in a zone or district in which such use is forbidden by the zoning code.

403.3

VARIANCES.

- A. To authorize upon appeal such variance from the terms of the Zoning Code as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the Code will result in unnecessary and undue hardship. In order to authorize any variance in the terms of the Code the Board of Adjustment must and shall find:
 - 1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district
 - 2. That the special conditions and circumstances do not result from the actions of the applicant
 - 3. That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Code to other lands, buildings, or structures in the same zoning district
 - 4. That literal interpretation of the provisions of the Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Code and would work unnecessary and undue hardship on the applicant

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure
 6. That the grant of the variance will be in harmony with the general intent and purpose of the Code
 7. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
- B. In granting any variance the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with the Zoning Code. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of the Code. The Board of Adjustment may also prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed or both.
- C. Under no circumstances, except as permitted above, shall the Board of Adjustment grant a variance to permit a use not generally or by approved special exception permitted in the zoning district involved. No nonconforming use of neighboring lands, structures, or buildings in the same zoning district and no permitted use of lands, structures, or buildings in other zoning districts shall be considered grounds for the authorization of a variance. Financial hardship is not to be considered alone as sufficient evidence of a hardship in the grant of a variance.
- D. A variance granted under the provisions of this Code shall automatically lapse if building construction, in accordance with the plans for which such variance was granted, has not been initiated within one (1) year from the date of granting such variance by the Board, or if judicial proceedings to review the Board's decision shall be instituted, from the date of entry of the final order in such proceedings, including all appeals.

403.4

APPEAL FROM DECISION OF ADMINISTRATIVE OFFICIAL.

- A. An appeal taken from the requirement, decision or determination made by ~~the Director~~ or any administrative official charged with the enforcement of any zoning resolution, ordinance or regulation adopted pursuant to this Code shall be filed with the Board of Adjustment. The appeal shall specify the grounds thereof and shall be filed within such time and in such form as may be prescribed by the Board by general rule.

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- B. The Director or administrative official from whom the appeal is taken shall, upon notification of the filing of the appeal, forthwith transmit to the Board of Adjustment all documents, plans and papers constituting the record of the action from which the appeal was taken.

403.5 BOARD OF ADJUSTMENT APPLICATION.

- A. All request for appeals of administrative decisions and variances shall be made by filing an application therefor with the Director on application forms prescribed by the Department and in conformance with the provisions contained in Section 401.7.
- B. All hearings before the Board of Adjustment shall be initiated by filing with the Department an application, on forms prescribed by the Department, executed and sworn to by the owner or owners of at least fifty (50) percent of the property described in the application, or by tenant or tenants, with owner's written sworn-to consent or by duly authorized agents, evidenced by a written power of attorney, if not a member of the Florida Bar, or contract purchasers, or by the Director of the Planning, Zoning and Building Department, or by any person aggrieved by an order, requirement, decision or determination of an administrative official when appealing the same.
- C. All properties described in one application must be contiguous and immediately adjacent to one another, and the Director may require more than one (1) application if the property concerned contains more than forty (40) acres, or the fee paid for one (1) application would not equal the cost of processing the same.
- D. Only applications which the Board of Adjustment is authorized to consider and act upon shall be accepted for filing, and no application shall be considered or construed to be filed until the required fee has been paid, provided that all required fees are waived for any applicant who presents a certificate from the Director of the Palm Beach County Welfare Department, that the applicant is qualified to receive either state or county welfare assistance.

403.6 NOTICE AND HEARING PREREQUISITE TO ACTION.

A. NOTICE.

When an application has been filed hereunder, it shall be promptly transmitted to the Board of Adjustment, together with the recommendations of the Director or representatives of the Planning, Zoning and Building, Health, and Engineering Departments. Such recommendations shall become a part of the hearing file and record, and open for public inspection.

No action shall be taken on any application until a public hearing has been held with due public notice:

1. Publication of notice of time, place and purpose of such hearing at least twice in a newspaper of general circulation in the area, with the first such publication to be at least fifteen (15) days prior to the date of the hearing and the second such publication to be at least five (5) days prior to the hearing
2. Except where the hearing applies to all of the lands within the area, similar notices setting forth the time, place, and purpose of such hearing shall be mailed to the last known address of the owners of the property involved in or directly affected by the hearing
3. Such notices may also be posted in a conspicuous place or places on or around such lots, parcels or tracts of lands as may be involved in or are directly affected by the hearing if such on-site method of courtesy notice is deemed advisable by the Director provided, however, that failure to post such courtesy notice shall not affect any action or proceedings taken hereunder
4. A courtesy notice containing substantially the same information set forth in the published notice aforesaid may be mailed by the Director to the property owners of record, their tenants or their agents, within a radius of three hundred (300) feet of the property described; provided, however, that failure to mail or receive such courtesy notice shall not affect any action or proceedings taken hereunder
5. Affidavit proof of the required publication, mailing and posting of the notice shall be presented at the hearing.

B. HEARING.

Within thirty (30) days of the time of certification by the Department for inclusion of a petition on the official agenda of the Board of Adjustment, a public hearing on said application shall be held by the Board.

403.7

WITHDRAWAL OR DENIAL,

- A. Upon the denial of an application in whole or in part, a period of one (1) year must run prior to the filing of a subsequent application affecting the same property or any portion thereof.
- B. Upon the withdrawal of an application in whole or in part, a period of six (6) months must run prior to the filing of a subsequent application affecting the same property or any portion thereof, unless, however, the decision of the Board is without prejudice or permits the withdrawal without prejudice; and provided, that such limitations shall not apply to applications filed by the Director of the Planning, Zoning and Building Department; and further provided that either period of limitation shall be increased to a two (2) year waiting period in the event such an application in whole or in part has been twice or more denied or withdrawn.
- C. An application may be withdrawn without prejudice by the applicant as a matter of right; provided, the request for withdrawal is in writing and executed in a manner and on a form prescribed by the Department, and filed with the Department within the two (2) week period subsequent to the deadline for filing an application; otherwise all such requests for withdrawal shall be without prejudice. No application may be withdrawn after final action has been taken. When an application is withdrawn without prejudice, the time limitations for re-application provided herein shall not apply.

403.8

MEETINGS AND PROCEDURES.

- A. All meetings of the Board of Adjustment shall be open to the public.
- B. The Director shall be in attendance at all meetings as an advisor and be permitted to propound questions and give evidence and shall designate the time and place where it shall meet; provided, however, he shall have authority to designate a staff member of the Department to act in his stead.
- C. The chairman, or vice-chairman, or acting chairman, may administer oaths and compel the attendance of witnesses in the same manner prescribed in the Circuit Court.
- D. No action shall be taken on any application unless a quorum of three (3) members is present, and only upon a majority vote of all members present and voting. No member shall be permitted to abstain from voting unless he has a conflict of interest as defined herein or in accordance with Chapter 112, Florida Statutes.

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- E. Minutes will be kept of all public meetings and proceedings and shall include and state the vote of each member on each question, and the motion shall state the reason upon which it is made; such reason or reasons being based upon the prescribed guides and standards of good zoning and planning principles. If a member is absent or abstains from voting, the minutes shall so indicate.
- F. The Board shall keep accurate records of its public hearings which shall be filed, together with its minutes and resolutions, with the Department and the same shall be open for public inspection at reasonable times and hours.
- G. The Director shall furnish from the Department such staff as may be necessary to assist and advise the Board in the fulfillment of its duties, and is authorized to retain a qualified reporter or clerk to record and transcribe the public hearing proceedings of the Board of Adjustment.
- H. All decisions of the Board of Adjustment shall be by motion. The decision of the Board of Adjustment shall be final as to administrative action.
- I. The Board of Adjustment or any of its members may inspect the premises, site, or area under consideration. Upon request, the Director shall provide county transportation for the Board for the purpose of making such inspections.

403.9

STAYING OF WORK ON PREMISES.

When an appeal from the decision of the Director or any administrative official has been taken and filed with the Board of Adjustment, all proceedings and work on the premises concerning which the decision was made shall be stayed unless the official from whom the appeal was taken shall certify to the Board of Adjustment that, by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings or work shall not be stayed except by a restraining order which may be granted by the Board of Adjustment or by a court of record on application, on notice to the officer from whom the appeal is taken and on due cause shown.

ORDINANCE NO. 73-2

403.10

REVIEW OF BOARD OF ADJUSTMENT DECISIONS; PRECEDENCE; COSTS OF ACTIONS

- A. No person aggrieved by any decision of the Board of Adjustment may apply to the court for relief unless he has first exhausted the remedies provided for herein and taken all available steps provided by this code. The decision of the Board may be reviewed by the filing of a petition for writ of certiorari in the Circuit Court for the Fifteen Judicial Circuit in and for Palm Beach County, Florida in accordance with the procedure and within the time provided by court rule for the review of the rulings of any commission or board; and such time shall commence to run from the date of the decision sought to be reviewed.
- B. No change of venue from the area in which the premises affected is located shall be had in any cause arising under the provisions of this section.
- C. Costs shall not be allowed against the Board of Adjustment unless it shall appear to the court that it acted with gross negligence, or in bad faith, or with malice in making the decision appealed from.

404 NONCONFORMING USES, LOTS, BUILDINGS, STRUCTURES, AND
NONCONFORMING USES OF BUILDINGS, STRUCTURES, AND PREMISES.

404.1 SCOPE.

It is the intent of this section to permit the continuation of those uses of land and structures and characteristics of use which were lawful before the passage or amendment of this Code, but which would be prohibited, regulated, or restricted under the terms of this section or future amendments; to permit such nonconformities to continue until they are removed, but to discourage their survival; that nonconformities shall not be enlarged upon, expanded or extended, nor be used as a basis for adding other structures or uses prohibited elsewhere in the same district.

404.2 NONCONFORMING USES OF LAND.

The lawful use of land existing at the time of the passage of this Code, amendment thereto, although such use does not conform to the provisions hereof, may be continued, subject to the following provisions:

- A. No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Code; unless such use is changed to a use permitted in the district in which such use is located
- B. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this Code
- C. If any such nonconforming use of land ceases for any reason for a period of more than six (6) months, any subsequent use of such land shall conform to the regulations specified by this Code for the district in which such land is located
- D. No structure which does not conform to the requirements of this Code shall be erected in connection with such nonconforming use of land.

404.3 NONCONFORMING LOTS.

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If any district in which single family or duplex dwellings are permitted, notwithstanding limitations imposed by other provisions of this Code, a single family or duplex residence and customary accessory buildings may be erected on a single lot, tract or parcel of land shown on either a recorded or unrecorded map, plat, drawing or survey, which tract, lot, or parcel was at the time of the preparation of such map, plat, drawing or survey, under the ownership of a single person, firm, partnership, association, corporation, joint venture, estate, trust, joint tenancy, tenancy by the entireties or other combinations of persons acting

as a unit where such map, plat, drawing or survey was in existence at the effective date of the adoption or amendment of this Code; provided further, that at least thirty (30) percent of the parcels, tracts, or lots shown on an unrecorded map, plat, drawing or survey were subject to deeds, agreement for deeds, installment land sales contracts, contracts for sale and purchase or other instruments of conveyance properly executed prior to the effective date of the adoption or amendment to this Code and where the land encompassed by said unrecorded map, plat, drawing or survey was either registered with the Department of Business Regulation, Division of Florida Land Sales, prior to the effective date of the adoption or amendment to this Code, or said unrecorded map, plat, drawing or survey was certified by a land surveyor or engineer duly licensed by the State of Florida, prior to the effective date of the adoption or amendment of this Code.

Such lot must be in separate legal or equitable ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width or both, that are generally applicable in the district, provided that yard dimensions and setback requirements of the lot shall conform to the property development regulations for the district in which such lot is located.

If two (2) or more lots or combinations of lots and portions of lots and portions of lots with continuous frontage in single ownership at the time of the passage of or amendment to this Code and if all or part of the lot does not meet the requirements for lot width and areas established by this Code, the lands involved shall be considered to be an undivided parcel for the purposes of this Code. No portion of said parcel shall be used which does not meet lot width and area requirements established by this Code, nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirement stated in this Code.

404.4 NONCONFORMING BUILDINGS AND STRUCTURES.

The lawful existence of a structure or building at the effective date of adoption of or amendment to this Code, although such structure or building does not conform to the property development regulations of this Code on area, lot coverage, height, yards, or other characteristics of the structure, or its location on the lot, such structure or building may be continued so long as it remains otherwise lawful, subject to the following provisions:

- A. No such structure or building may be enlarged or altered in a way which increases its nonconformity, but any structure or building or portion thereof may be altered to decrease its nonconformity except as may be hereafter provided
- B. Should such structure or building be destroyed by any means to an extent of more than fifty (50) percent of its assessed value at the time of destruction, as determined by the Palm Beach County Building Department Official, it shall not be reconstructed except in conformity with the provisions of this Code
- C. Should such a structure or building be destroyed by any means to an extent less than fifty (50) percent, but more than thirty-five (35) percent of its assessed value, it may be restored only upon application to the Planning Commission
- D. Should such structure or building be moved for any reason for any distance whatever, it shall thereafter conform to the property development regulations for the district in which it is located after it is moved.

404.5 NONCONFORMING USES OF BUILDINGS, STRUCTURES AND PREMISES.

If a lawful use, involving individual structures, buildings and/or premises in combination thereof, exists at the effective date of adoption of or amendment to this Code that would not be allowed in the district in which it is located under the terms of this Code, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- A. No existing structure devoted to a use not permitted by this Code in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located except as may otherwise be provided herein
- B. Any nonconforming use may be extended throughout any part of a building or structure which were manifestly arranged or designed for such use at the time of adoption or amendment of this Code, but no such use shall be extended to occupy any land outside such building
- C. Any structure or building, or structure or building and premises in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district in which such structure is located, and the nonconforming use may not thereafter be resumed
- D. When a nonconforming use of a structure or building, or structure or building and premises in combination, is discontinued or abandoned for six (6) consecutive months or for eighteen (18) months during any three (3) year period except when government action impedes access to the premises, the structure, or structure and premises in combination, shall not thereafter be used except in conformance with the regulations of the district in which it is located

Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land unless the land itself is in a nonconforming use. Destruction for the purpose of this section is defined as damage to an extent of more than fifty (50) percent of the assessed value of the structure at the time of destruction.

404.6 ALTERATIONS, CONSTRUCTION, REPAIRS AND MAINTENANCE, AND CHANGE.

A. ALTERATIONS.

A nonconforming building may be maintained and repairs and alterations may be made, except that in a building which is nonconforming 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.

B. CONSTRUCTION.

This Code shall not be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of the passage of or amendment to this Code and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition

or removal shall be deemed to be actual construction, provided that work shall be diligently carried on until completion of the building involved. In no event, shall the time of such construction exceed a period of one (1) year except upon approval of the Commission.

C. REPAIRS AND MAINTENANCE

On any building devoted in whole or in part to any nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring or plumbing to an extent not exceeding twenty (20) percent of the current assessed value of the building, provided that the cubic volume of the building as it existed at the time of passage of or amendment to this Code shall not be increased.

D. CHANGE

The following schedule shall be followed in terminating nonconforming uses of structures, improvements or buildings or nonconforming structures, buildings or improvements, except for residential uses:

<u>Assessed Valuation of Improvements</u>	<u>Time Allowance Before Termination</u>
less than \$ 1,000	1 year
1,000 - 4,999	3 years
5,000 - 9,999	6 years
10,000 -14,999	9 years
15,000 -19,999	12 years
20,000 -24,999	14 years
25,000 -34,999	16 years
35,000 -49,999	18 years
50,000 - over	20 years

Assessed valuation shall be determined as of the date the improvement becomes nonconforming. On or before the date of termination the nonconforming structure, improvement or building shall be removed or made to conform.

The governing body shall have the power and authority to require such removal in the event the owner fails to comply within the time prescribed by the governing body. The governing body may have the removal accomplished and the cost thereof shall be a charge and lien against such property, which charge and lien shall be forthwith due and payable with interest thereon at six (6) percent per annum from the due date.

CHAPTER V - GENERAL PROVISIONS AND SPECIAL EXCEPTIONS.500 INTENT.

General rules and regulations for uses, buildings and structures applying to all zoning districts as well as special exceptions regulations applying to specific zoning districts shall be enumerated herein.

500.1 ACCESSORY USES AND BUILDINGS AND STRUCTURES.

A. SCOPE.

This section includes those accessory uses, buildings and structures customarily incidental and subordinate to the main use or building and located on the same lot.

B. DEVELOPMENT REGULATIONS.

1. Location.

All accessory uses, buildings and structures shall be located on the same lot as the principal or main use and not within any required yard setbacks, except as provided herein.

2. Height.

No accessory use, building or structure shall exceed the height permitted in the district in which the principal use is located.

3. Use.

Such accessory building shall not be rented or otherwise used as a separate dwelling unit.

500.2 HOME OCCUPATIONS.

A. SCOPE.

This section includes the following occupations and activities and subject to the following rules and regulations:

B. PERMITTED HOME OCCUPATIONS.

1. Physician, doctor, dentists, veterinarian, for consultation or emergency treatment but not general practice of the profession

2. Attorneys, architects, engineers, clergymen, and other professional persons for consultation but not general practice of the profession

3. Musician, artist, custom dressmaker, or other customary home occupation.

C. RULES AND REGULATIONS FOR HOME OCCUPATIONS.

1. The use must be conducted, by a member of the immediate family residing on the premises, entirely within the dwelling.
2. A limitation of one (1) person outside the immediate family may assist in the operation of the home occupation.
3. No chemical, electrical, or mechanical equipment is to be used except that which is normally used for purely domestic or household purposes.
4. No commodity or stores shall be stockpiled or sold on the premises nor shall a display of products be visible from the street.
5. No external evidence or sign that the dwelling is being used for the home occupation other than one (1) unanimated, non-illuminated flat or window sign having a total area of not more than one hundred forty-four (144) square inches shall be allowed.
6. The area devoted to the home occupation shall not be the dominant use of the dwelling and in no case shall exceed ten (10) percent of the total square footage of living area.

500.3 EXCAVATION AND REMOVAL OF MUCK, SAND, ROCK, SHELL, SOIL OR OTHER EXTRACTIVE MATERIALS.

A. SCOPE.

The excavation and removal of muck, sand, rock, shell, soil or other extractive material for commercial purposes or for use other than on the premises from which the materials are to be taken unless incidental to the construction of or alteration to a building on the premises subject to the issuance of a building permit or part of the site preparation of a special exception development under Section 401.2 (A) and (B).

B. DEVELOPMENT REGULATIONS.

In addition to the requirements of Section 401.2 (A) and (B), the following information, requirements and regulations shall be met.

1. Area.
The minimum acreage for such use shall be ten (10) acres.
2. Setbacks.
No excavation operations or accessory buildings and structures shall be conducted or located less than twenty-five (25) feet from any property line of the subject parcel.
3. Fencing and Screening.
Where deemed necessary by the Commission to protect the general public, safety fences of up to a height of six (6) feet shall be provided. In addition, where deemed necessary to protect neighboring property from potential loss of use or diminishment of land value and use, the Commission may require a screen of at least seventy-five (75) percent opaqueness.

4. Accessory Buildings and Structures.

a. Removal.

All buildings and structures accessory to the excavation operation shall be of such a construction as to allow dismantling and removal within three (3) months of the Department's official date for termination of the operation. This removal requirement shall be borne by and at the expense of the operator last operating the excavation, buildings, and structures.

b. Bonding.

A performance bond for the removal of all buildings and structures accessory to the excavation operation shall be provided by the applicant in an amount determined by the Building Official.

c. Code Compliance.

All buildings and structures accessory to the excavation operation shall comply with all applicable performance standards and codes of Palm Beach County and the State of Florida.

5. Site Rehabilitation and Reclamation Development Plan.

A site rehabilitation and reclamation plan shall be submitted prior to the commencement of any work and approved by the Department for the subject operation showing that:

- a. All land excavated will be rehabilitated in accordance with the approved plan prior to release of the redevelopment bond, said plan to provide for a rehabilitated perimeter land width of not less than one hundred fifty (150) feet
- b. All excavations must be either a minimum of three (3) feet below water-producing depth or graded or back-filled to original elevations
- c. All excavations made below a water-producing depth shall be properly sloped up to a water depth of six (6) feet at a slope not greater than 3:1
- d. All banks will be grassed or surfaced with soil of an equal quality to adjacent land area topsoil uniformly graded, and such topsoil shall be planted with trees, shrubs, legumes, or grasses upon the parts of such areas where revegetation is needed to prevent erosion
- e. No sharp declivities, pits, depressions, or debris accumulation shall result and grading will conform to the contour lines and grades on the approved site redevelopment plan.

6. Performance Surety.

A redevelopment, rehabilitation, and reclamation bond be posted in the amount of two thousand (2,000) dollars per acre of the total acreage included in the special exception. The surety shall:

- a. Run to the County Commission
- b. Be in a form satisfactory and acceptable to the County Commission
- c. Specify the time for the completion of the rehabilitation and reclamation redevelopment.

The surety shall be released only upon written certification to the Department by the County Engineer that all performances guaranteed have been satisfactorily completed.

500.4 REFUSE, TRASH, AND GARBAGE TRANSFER STATION.

In addition to the requirements of Section 401.2 (A) and (B), the following requirements and regulations shall be met.

- A. **SETBACKS.**
No transfer station shall be located within twenty-five (25) feet of any highway, drainage canal, lake, stream, navigable waterway, or property line.
- B. **FENCING AND SCREENING.**
Where deemed necessary by the Commission to protect the general public, safety fences of up to a height of six (6) feet may be required. The Commission may also require screening of at least seventy-five (75) percent opacity to protect neighboring property from potential loss of use or diminishment of land value or use.
- C. **ACCESSORY BUILDINGS AND STRUCTURES.**
All buildings and structures accessory to the operation shall comply with all applicable codes of Palm Beach County and the State of Florida.
- D. **ACCESS.**
An access road, negotiable by loaded collection vehicles, shall be provided to the entrance of the facility. Acceptable access does not include residential streets. Access shall be restricted to specific entrances with gates which can be locked at all times and which carry official notice that only authorized persons are allowed on the site.
- E. **DRAINAGE.**
All drainage facilities shall be approved by the County Engineering Department and in no case will untreated surface water runoff be permitted into lakes, streams, drainage canals, or navigable waterways other than on-site containment.

F. PERFORMANCE STANDARDS.

The operation of these facilities shall conform to all rules and regulations of all governmental agencies having appropriate jurisdiction and to the performance standards of this Code.

G. ANNUAL REVIEW.

The Commission shall retain the right to annually review any and all transfer stations issued special permits pursuant to provisions of this Code to insure that the continued operation does not injure the public health, safety, and welfare of nearby residents and the general public.

500.5 REFUSE AND TRASH DUMPS AND SANITARY LAND FILLS.

In addition to the requirements of Section 401.2 (A) and (B) the following information, requirements and regulations shall be met.

A. SETBACKS.

No refuse and trash dumps or sanitary land fill shall be located within one hundred fifty (150) feet of any highway, drainage canal, lake, stream, navigable waterway, or property line.

B. FENCING AND SCREENING.

Where deemed necessary by the Commission to protect the general public, safety fences of up to a height of six (6) feet may be required. The Commission may also require screening of at least seventy-five (75) percent opaqueness to protect neighboring property from potential loss of use or diminishment of land value or use.

C. ACCESSORY BUILDINGS AND STRUCTURES.

All buildings and structures accessory to the operation shall comply with all applicable codes of Palm Beach County and the State of Florida.

D. ACCESS.

An access road, negotiable by loaded collection vehicles, shall be provided to the entrance of the facility. Acceptable access does not include residential streets. Access shall be restricted to specific entrances with gates which can be locked at all times and which carry official notice that only authorized persons are allowed on the site.

E. DRAINAGE.

All drainage facilities shall be approved by the County Engineering Department and in no case will surface water runoff be permitted into lakes, streams, drainage canals, or navigable waterways other than on-site containment.

F. PERFORMANCE STANDARDS.

The operation of these facilities shall conform to all rules and regulations of all governmental agencies having appropriate jurisdiction and to the performance standards of this Code.

G. ANNUAL REVIEW.

The Commission shall retain the right to annually review any and all refuse and trash dumps and sanitary land fills issued special permits pursuant to provisions of this Code to insure that the continued operation does not injure the public health, safety, and welfare of nearby residents and the general public.

500.6 MARINE FACILITIES.

In addition to the requirements of Section 401.2 (A) and (B), the following requirements and regulations shall apply to all marine facilities.

A. BOATYARD.

This facility is intended to provide complete construction and repair facilities for all manner of marine craft in addition to such dry storage as may be found complimentary to the primary use. Docking of pleasure craft for residential purposes is prohibited.

The property shall be developed according to the Property Development and Special Regulations of the IL-Light Industrial District.

B. MARINA/BOATYARD.

The purpose of this operation is to provide boat repair and storage services. The fueling of resident and transient craft is permitted. Docking of pleasure craft for residential purposes is limited to not more than forty (40) boats and is considered as an accessory use. The property shall be developed according to the Property Development and Special Regulations of the IL - Light Industrial District.

C. MARINA/BOATDOCK/YACHT CLUB.

The primary purpose of this facility is wet storage and the docking of pleasure craft for residential purposes. Attendant social and commercial uses such as a yacht club, restaurant, lounge, or ships' chandler are considered as an accessory use. Parking facilities are permitted. The property shall be developed according to the Property Development and Special Regulations of the CG-General Commercial District.

D. MARINA/BOATEL.

A Marina/Boatel may include a full spectrum of residential accommodations including but not limited to powered pleasure craft, other floating residential uses, and on-shore motel facilities with attendant restaurant and lounge as accessory uses. The property shall be developed according to the Property Development and Special Regulations of the CG - General Commercial District.

E. ADDITIONAL SPECIAL REGULATIONS.

1. Parking.

For each two (2) boats accommodable at the facility, there shall be provided one (1) parking space. In addition, for such accessory facilities as yacht clubs and the like, five (5) spaces per one thousand (1,000) square feet of total floor area shall be provided. Motels shall provide parking pursuant to the Off-Street Parking and Loading Regulations of this Code (See Sections 500.17 and 500.19). Boatels shall provide one and one-half (1-1/2) spaces per dwelling unit if operated as a condominium.

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2. Dock Length.
No dock, building or other structure shall extend further than two hundred (200) feet from the established shoreline.
3. On-Site Sewer and Water Facilities.
All marine facilities shall provide at each boat slip, an individual sewer and water connection which shall be connected to either an approved on-shore sewage treatment plant and water source or to an approved existing sewage system and water source. In lieu of the above, a central dumping station may be provided upon approval of all governmental agencies having appropriate jurisdiction.
4. Motel - Number of Units.
The total number of motel units shall be prorated on the basis of one thousand (1,000) square feet of dry land lot area per unit.

500.7 AIRPORTS, LANDING STRIPS AND HELIPORTS.

In addition to the requirements of Section 401.2 (A) and (B), the following requirements and regulations shall be met.

- A. SCOPE OF REQUIREMENTS.
All private airports (landing strips) and heliports (helipads) not owned and operated by the State of Florida, Palm Beach County, or a hospital shall comply with the requirements stated herein.
- B. APPLICATION.
Any person, association, or corporation desiring to operate aircraft from private property shall submit an application which in part shall consist of:
 1. An airspace analysis conducted by the Federal Aviation Administration (F.A.A.), and
 2. A preliminary Airport License Report by the Florida Department of Transportation.

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- C. **OPERATION LIMITATIONS.**
Any alteration in ground facilities or the addition of navigation aids designed to facilitate an instrument approach capability shall require a new application if the original approval was granted for Visual Flying Rules (V.F.R.).
- D. **MINIMUM REQUIRED LAND AREA.**
Airports and landing strips shall provide a minimum landing area of one thousand six hundred (1,600) feet in length and one hundred fifty (150) feet wide. There shall also be provided running the length of the landing area and on both sides, an emergency buffer strip at least one hundred fifty (150) feet wide measured from the centerline of the landing area. Heliports and Helipads shall comply with the Heliport Design Guide as required by the United States Department of Transportation (F.A.A.).
- E. **SETBACKS.**
No building, structure, or navigation aid shall be placed closer than fifty (50) feet from the property line.
- F. **BUILDING HEIGHT.**
No building or structure shall exceed the height for the district in which the use is located unless otherwise required by Federal Law or Florida Statute.
- G. **PARKING.**
Unless the facility is restricted to use by the owner of the property only in conjunction with an agricultural or residential use, there shall be provided at least five (5) parking spaces or one (1) parking space per tie down or aircraft hanger space whichever is greater.
- H. **FENCING AND SCREENING.**
Where deemed necessary by the Commission to protect the general public, safety fences of up to a height of six (6) feet may be required. The Commission may also require screening of at least seventy-five (75) percent opaqueness to protect neighboring property from potential loss of use or diminishment of land value or use.

500.8 ARENAS, AUDITORIUMS, STADIA, AND TRADE EXPOSITIONS.

In addition to the requirements of Section 401.2 (A) and (B), the following requirements and regulations shall be met.

- A. **LOCATION.**
In no case shall such use be permitted within five hundred (500) feet from any single or multiple family zoning district, measured from all property lines.

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- B. **MINIMUM LOT AREA.**
The minimum lot area required for such use shall be no less than five (5) acres.
- C. **FRONTAGE,**
The minimum required frontage on a public street to be used for the primary point of access, shall be four hundred (400) feet.
- D. **PROPERTY DEVELOPMENT REGULATIONS.**
The building height, setbacks, and total floor area shall be governed by the applicable zoning district.
- E. **ACCESS.**
All points of vehicular access shall be from an arterial highway or major street. Said access points shall be located so as to minimize vehicular traffic to and through local streets in nearby residential neighborhoods as determined by the County Engineering Department and the access requirements of this Code.
- F. **LIGHTING.**
Artificial lighting used to illuminate the premises shall be directed away from adjacent properties and streets, shining only on the subject site.
- G. **PERFORMANCE STANDARDS.**
The operation of these facilities shall conform to all rules and regulations of all governmental agencies having appropriate jurisdiction and to the performance standards of this Code.
- H. **FENCING AND SCREENING.**
Where deemed necessary by the Commission to protect the general public, safety fences of up to a height of six (6) feet may be required. The Commission may also require landscape screens of at least seventy-five (75) percent opaqueness to protect neighboring property from potential loss of use or diminishment of land value or use.

500.9 RECREATION FACILITIES, AMUSEMENTS AND ATTRACTIONS, AND EXHIBITS, PUBLIC AND PRIVATE.

In addition to the requirements of Section 401.2, (A) and (B), the following information requirements and regulations shall be met.

- A. **LOCATION - PROHIBITION.** ORDINANCE NO. 73-2
No racetrack of any kind or description or outdoor wildlife preserve or attraction shall be permitted within five hundred (500) feet of an existing residential development or an area designated on the Comprehensive Land Use Plan for residential development.

- B. **MINIMUM LOT AREA.**
Uses permitted herein shall provide a minimum lot area of at least twenty (20) acres, with a minimum frontage on a public street of two hundred (200) feet.
- C. **FRONTAGE.**
The minimum required frontage on a public street to be used for the primary point of access, shall be two hundred (200) feet.
- D. **PROPERTY DEVELOPMENT REGULATIONS.**
The building height, setbacks, and total floor area shall be governed by the applicable zoning district.
- E. **ACCESS.**
Access to said facilities shall be from a hard surfaced, public road directly to the entrance of the facility.
- F. **LIGHTING.**
Lighting to illuminate buildings, area, or advertisement shall be so designed so as to shine only on the subject use and directed away from public street.
- G. **PERFORMANCE STANDARDS.**
The operation of these facilities shall conform to all rules and regulations of all governmental agencies having appropriate jurisdiction and to the performance standards of this Code.
- H. **FENCING & SCREENING,**
Where deemed necessary by the Commission to protect the general public, safety fences up to a height of ten (10) feet may be required. The Commission may also require a landscape screen of at least seventy-five (75) percent opaqueness to protect neighboring property from potential loss of use or diminishment of land value or use.
- I. **SETBACKS,**
No building, mobile home, trailer, vehicle, mechanical device or animal shall be located closer to the property line than as follows:

Athletic Fields	-	50 feet
Camps	-	80 feet
Tracks of all kinds	-	150 feet
Outdoor Attraction	-	150 feet
Private & Public Recreation Area and Structures	-	100 feet

J. PARKING AND LOADING.

All uses authorized herein shall be subject to the procedural requirements of the Off-Street Parking and Loading Regulations of this Code (See Sections 500.17 and 500.19) and can be grassed, stabilized, or hard surfaced.

1. Athletic Fields.
One (1) space for every four (4) bleacher seats or thirty (30) spaces per athletic field whichever is greater.
2. Camps.
One (1) space per campsite or one (1) space per camp counselor and employee.
3. Motorcycle and Moto Cross Tracks.
Twenty (20) spaces per acre of property.
4. Outdoor Attraction.
For each square foot of total floor area there shall be provided three (3) square feet of parking area plus five (5) spaces for each acre of outdoor attraction area.
5. Privately Operated Recreation Areas or Structures for Public and Private Use.
For each square foot of total floor area there shall be provided three (3) square feet of parking area plus five (5) spaces for each acre of outdoor attraction area.
6. Racetracks,(Horse, Dog, Auto).
One (1) parking space per each four (4) seats.

10 COMMERCIAL AM/FM RADIO, TELEVISION, MICROWAVE, TRANSMISSION AND RELAY TOWERS AND ACCESSORY EQUIPMENT BUILDINGS.

In addition to the requirements of Section 401.2 (A) and (B), the following requirements and regulations shall be met.

- A. TOWER LOCATION.
Towers shall be located on the site so as to provide a minimum distance equal to one hundred ten (110) percent of the height of the tower from all property lines or shall be certified by a registered engineer in the State of Florida, who shall submit calculations substantiating the position of the one hundred ten (110) percent break point.
- B. ANCHOR LOCATION.
All tower supports and peripheral anchors shall be located entirely within the boundaries of the property and in no case less than five (5) feet from the property line.

C. SETBACKS - ACCESSORY BUILDINGS.

All accessory buildings and structures shall conform to the setback requirements for the district in which the use is located.

D. FENCING.

A chain-link fence or wall not less than eight (8) feet in height from finished grade shall be provided around each tower. Access to the tower(s) shall be through a locked gate.

E. SIGNS - HIGH VOLTAGE.

If high voltage is necessary for the operation of the facility and is present in a ground grid or in the tower, signs located every twenty (20) feet and attached to the fence or wall shall display in large bold letters the following: "HIGH VOLTAGE - DANGER".

F. EQUIPMENT STORAGE.

No equipment, mobile or immobile, not used in direct support of the transmission or relay facility shall be stored or parked on the site unless repairs to the facility are being made.

G. AIRCRAFT HAZARD.

No tower shall be permitted to encroach into or through any established public or private airport approach plane as established by the Federal Aviation Administration.

500.11 COMMERCIAL KENNELS AND STABLES.

In addition to the requirements of Section 401.2 (A) and (B), the following requirements and regulations shall be met.

- A. **LIMITATIONS OF USE.**
Such facilities are limited to the raising, breeding, boarding, and grooming of such domesticated animals as horses, dogs and cats. Farm animals such as pigs and chickens or exotic animals such as snakes are expressly prohibited.
- B. **MINIMUM LOT SIZE.**
The minimum lot size shall be two (2) acres for stables. The minimum lot size shall be one (1) acre for kennels.
- C. **FRONTAGE.**
The minimum required frontage on a public street to be used for the primary point of access, shall be one hundred (100) feet.
- D. **SETBACKS.**
No building or structure, stable or outdoor dog run shall be closer than twenty-five (25) feet from any property line.
- E. **RUNS - KENNELS.**
All runs shall be hard surfaced or grassed with drains provided every ten (10) feet and connected to an approved sanitary facility.
- F. **FENCING AND SCREENING - RUNS.**
Outdoor runs shall provide a chain-link material on the walls and top of each individual run.

When deemed necessary by the Commission to protect the general public, safety fences of up to a height of six (6) feet may be required. The Commission may also require a landscape screen of at least seventy-five (75) percent opaqueness to protect neighboring property from potential loss of use or deminishment of land value or use.
- G. **CONTAGIOUS DISEASE.**
No animal having a disease harmful to humans shall be boarded or maintained in the facility.
- H. **DISPOSAL OF ANIMALS.**
Animals may not be burned, buried, dismembered, or used for exploitative purposes while housed in the facility.

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I. PARKING.

Parking shall be based on the amount of total floor area contained within the facility excluding animal runs and enclosures. For each square foot of total floor area three (3) square feet of parking shall be required.

J. RIDING AND SHOW RINGS.

Riding and Show Rings shall be considered as an accessory use to a commercial stable subject to the following regulations.

1. Setbacks.

Riding and show rings shall observe a setback from all property lines of eighty (80) feet.

2. Operation Restrictions.

Activity at the rings shall not occur prior to six (6) a.m. nor continue later than twelve (12) p.m.

3. Lighting.

Artificial lighting used to illuminate the premises shall be directed away from adjacent properties and streets, shining only on the subject site and shall be extinguished no later than twelve (12) p.m.

In addition to the requirements of Section 401.2 (A) and (B), the following requirements and regulations shall be met.

- A. **MINIMUM REQUIRED LOT AREA.**
The minimum lot area shall be no less than five thousand (5,000) square feet.

- B. **MINIMUM FLOOR AREA.**
There shall exist a minimum useable floor area, exclusive of any space devoted to the kitchen, office, storage and toilet facilities, of not less than fifteen hundred (1,500) square feet for a capacity of forty (40) children or less. Facilities with capacities exceeding forty (40) children, shall provide thirty-five (35) square feet of additional floor area per child.

- C. **PROPERTY DEVELOPMENT REGULATIONS.**
The building height, setbacks, parking, and total floor area shall be governed by the applicable zoning district.

- D. **OUTDOOR PLAY AREA.**
There shall be provided a minimum of two thousand (2,000) square feet of outdoor play area or two hundred (200) square feet of outdoor play area per child whichever produces the larger area. Said play area shall be provided on the same lot as the principal use and shall not be located in the required front yard nor adjacent to any outdoor storage area of this use or of an existing adjacent use.

- E. **FENCING AND SCREENING.**
A six (6) foot high fence or wall shall surround the play area.

- F. **ACCESS AND CHILD PICK-UP AREA.**
(See Sections 500.17 and 500.19).

500.13 COMMERCIAL NEW AND USED MOTORCYCLES, AUTO, TRUCK, BOAT, MOBILE HOME, RECREATION VEHICLE SALE AND RENTAL AND REPAIR FACILITIES AND LOTS.

In addition to the requirements of Section 401.2 (A) and (B), the following requirements and regulations shall be met.

A. **PARKING.**

All parking areas for display, sale, rent, or storage purposes shall comply with the requirements set forth in Sections 500.17 and 500.19. In addition, none of the above may be parked for any purpose in the area located between the base building line and the pavement edge of the public street.

B. **OPERATING CONDITIONS.**

Motorcycles, auto, truck, boat, mobile home, and recreation vehicles shall be maintained in a safe operating condition at all times. If in a used condition, all of the above shall have a current valid Florida Vehicle Inspection Sticker and license plate displayed in the appropriate manner.

C. **SALES OFFICE - RESTRICTIONS.**

None of the above shall be used as sales offices, storage space or for sleeping purposes. Sales offices and storage shall be contained in buildings in conformance with the Palm Beach County Building Code and Fire Code.

D. **SETBACKS.**

All buildings and structures shall comply with the setback requirements for the district in which the use is located.

E. **FENCING AND SCREENING.**

Where deemed necessary by the Commission to protect the general public, safety fences of up to a height of six (6) feet may be required. The Commission may also require screening of at least seventy-five (75) percent opaqueness to protect neighboring property from potential loss of use or deminishment of land value or use.

On property lines not adjacent to a public street, there shall be provided a chain link fence or wall eight (8) feet in height from the finished grade.

F. **LIGHTING.**

Artificial lighting used to illuminate the premises shall be directed away from adjacent properties and streets, shining only on the subject site.

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500.14 SWIMMING POOLS AND CLUBS, COMMERCIAL AND PRIVATE.

In addition to the requirements of Section 401.2 (A) and (B), the following requirements and regulations shall be met.

A. DEFINITION.

A swimming pool is any confined body of water, located either above or below the existing finished grade of the site, exceeding one hundred fifty (150) square feet in surface area, and two (2) feet in depth, designed, used, or intended to be used for swimming or bathing purposes.

B. PRINCIPAL USE.

Any swimming pool owned and operated by a governmental agency or operated as a commercial enterprise existing singularly or in combination with other commercial recreation uses on the same property shall be considered as a principal use subject to the "Property Development Regulations" of the applicable zoning district.

C. ACCESSORY USE.

Any swimming pool operated by a fraternal, social, or civic organization, or by a residential homeowners association, or by the resident of a single family dwelling shall be considered as an accessory use and shall exist in conjunction with the principal use on the same lot, subject to the setback regulations stated herein.

D. SETBACKS - ACCESSORY USE.

If the swimming pool is located at or below finished grade, it is permitted in any interior side yard and rear yard, provided that in no case shall it be located closer than three (3) feet from any side or rear property line and provided it is not enclosed.

E. LOT COVERAGE.

Swimming pools located a finished grade shall not be considered as lot coverage unless totally enclosed by a semi-opaque or opaque obstruction.

F. FENCING AND SCREENING.

Every swimming pool shall be enclosed by a natural barrier, retaining wall, fence or other structure constructed or installed

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so as to obstruct access thereto by persons other than the owners or occupants of the premises on which such swimming pool is located. Such obstructions around a principal use shall not be less than eight (8) feet in height from finished grade and around an accessory use not less than five (5) feet in height except single family dwelling accessory swimming pools which require a four (4) foot high barrier, wall or fence.

G. ACCESS.

The primary access to a principal use shall be from the interior of a building or structure serving as a club house or shower facility. Exterior access to the principal use shall be the same as for an accessory use.

Exterior access to an accessory use must be through a self-closing and self-latching gate with latches placed at least four (4) feet above the underlying ground and operable from the interior of the swimming pool area only. All gates opening through such enclosure shall be kept securely closed and latched at all times.

H. DRAINAGE.

If a patio is provided adjacent to or surrounding the swimming pool, it shall be designed so as to be self-draining away from the pool.

I. LIGHTING.

Artificial lighting used to illuminate the premises shall be directed away from adjacent properties and streets, shining only on the subject site.

J. PERFORMANCE STANDARDS.

The operation of these facilities shall conform to all rules and regulations of all governmental agencies having appropriate jurisdiction and to the performance standards of this Code.

500.15

FENCES, WALLS, AND UTILITY POLES.

In addition to the requirements of Section 401.2 (A) and (B), the following requirements and regulations shall be met.

A. BUILDING PERMIT REQUIRED.

Fences and walls enclosing any permitted use, except primary agricultural uses, shall comply with the building permit procedures of the Palm Beach County Building Code.

B. SIGHT DISTANCE MAINTAINED.

Within the area formed by the rights-of-way lines of intersecting streets, a straight line connecting points on such rights-of-way lines at a distance equal to the required setback for the applicable zoning district from their point of intersection, such connecting line extending beyond the points to the edge of the pavement, there shall be a clear space with no obstruction to vision. Fences, walls, and plantings shall be restricted to a height of three (3) feet or less above the

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average grade of each street as measured at the centerlines thereof.

C. RESIDENTIAL RESTRICTIONS.

On residentially zoned property, fences, walls, and hedges may be erected, planted or maintained along or adjacent to a lot line to a height not exceeding six (6) feet in the required side and rear yards and not exceeding a height of four (4) feet in the required front or corner side yards.

D. DANGEROUS MATERIALS.

Walls, fences or similar structures erected in any residential district shall not contain any substance such as broken glass, spikes, nails, or similar materials designed to inflict pain or injury to any person or animal.

500.16 PERFORMANCE STANDARDS.

A. SCOPE.

All uses and activities permitted as of right, special exception, or special permit in any 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.

B. NOISE.

Every use shall be so operated as to comply with the maximum performance standards governing noise set forth below.

1. Objectionable noises of an intermittent nature shall be controlled so as not to become a nuisance to adjacent uses.
2. Sound levels shall be measured with a sound level meter and associated octave band filter manufactured in compliance with standards prescribed by the American Standards Association.
3. At no point on a property line or district boundary as indicated, shall the sound intensity level of any individual operation or plant other than the operation of motor vehicles or other transportation facilities exceed the decibel levels in either of the designated octave bands shown in the following tables:

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TABLE I - ALL DISTRICTS EXCEPT INDUSTRIAL

Between 8:00 a.m. and 6:00 p.m.
Maximum Permitted Sound Level (decibels)

<u>Octave Band Frequency, Cycles per second</u>	<u>Along Residential District Boundaries</u>	<u>Along Commercial District Boundaries</u>
0 to 75	68	72
75 to 150	54	67
150 to 300	46	59
300 to 600	41	52
600 to 1,200	39	46
1,200 to 2,400	33	40
2,400 to 4,800	30	34
Above 4,800	28	32

Preferred Frequencies

<u>Octave Band, Center Fre- quency (Cycles per second)</u>	<u>Along Residential District Boundaries</u>	<u>Along Commercial District Boundaries</u>
63	64	71
125	52	65
250	45	57
500	40	50
1,000	36	45
2,000	33	39
4,000	30	34
8,000	27	32

Maximum permitted sound level shall be reduced by three decibels in each octave band between the hours of 6:00 p.m. and 8:00 a.m.

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TABLE II - INDUSTRIAL DISTRICTS

Between 8:00 a.m. and 6:00 p.m.
Maximum Permitted Sound Level (decibels)

<u>Octave Band Frequency, Cycles per second</u>	<u>Along Residential District Boundaries</u> Column 1	<u>Along Commercial or Industrial District Boundaries</u> Column 2
0 to 25	80	80
25 to 75	72	76
75 to 150	63	70
150 to 300	56	63
300 to 600	50	57
600 to 1,200	47	54
1,200 to 2,400	47	54
2,400 to 4,800	46	53
Above 4,800	61	60

Preferred Frequencies

<u>Octave Band, Center Fre- quency (Cycles per Second)</u>	<u>Along Residential District Boundaries</u>	<u>Along Commercial or Industrial Boundaries</u>
25	80	80
63	71	75
125	62	68
250	55	62
500	48	55
1,000	46	52
2,000	46	53
4,000	45	51
8,000	62	68

If the noise is not smooth and continuous, one or more of the corrections listed in Table No. III below shall be added to or subtracted from each of the decibel levels given above in Table II.

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ALTERNATE TABLE III - INDUSTRIAL DISTRICT

<u>Type of Operation or Character of Noise</u>	<u>Correction in Decibels</u>	
Noise source operates less than 20% of any one hour period	0 to 1,000 plus 5* to - 20	over 1,000 +20 Max.
Noise source operates less than 5% of any one hour period	plus 10* to - 40	+40 Max.
Noise of impulsive character (hammering, etc.)	minus 5 to - 20	-20 Max.
Noise of periodic character (beating, throbbing, pulsating, etc.)	minus 5 to - 20	-20 Max.
Noise of pure tone character (whistle, turbine screech, etc.)	minus 5 to - 20	-20 Max.

* (Apply one of these corrections only)

C. VIBRATION.

1. All Districts Except Industrial.

No use shall be operated so as to produce ground vibration noticeable, without instruments, at the lot line of the premises on which the use is located.

2. Industrial Districts.

Any industrial operation or activity which shall cause, at any time and at any point along the nearest adjacent residential lot line, earthborne vibrations in excess of the limits set forth in Column 1 Table II is prohibited. In addition, any industrial operation or activity which shall cause, at any time and at any point along the Industrial District boundary line, earthborne vibrations in excess of the limits set forth in Column 2 is prohibited. Vibration shall be expressed as displacement in inches and shall be measured with approved equipment specified by American Standard Association, Inc., N.Y., "Method for Specifying the Characteristics of Auxiliary Equipment for Shock and Vibration Measurements" S2.4-1960.

D. SMOKE, EMISSIONS, AND OTHER PARTICULATE MATTER.

1. No use or activity shall be operated except in full compliance with the requirements, regulations, and prohibitions against air pollution as provided in the Statutes and Laws of the State Of Florida and Ordinances of Palm Beach County.

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2. In all districts 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 Smoke 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 totalling three (3) 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 these regulations, shall be the standard. All measurements shall be at the point of emission.

Every use shall be so operated as to prevent the emission into the air of dust or other solid matter which may cause danger to property and health of persons or animals at or beyond the lot line of the premises on which the use is located.

E. ODORS.

No use shall be operated so as to produce 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. Table III, Chapter 5, "Air Pollution Abatement Manual" of the Manufacturing Chemists' Association, Inc., Washington, D.C., is hereby adopted as a guide in determining the quantities of offensive odors as are the guides and standards contained in the prohibitions against air pollution of the State Department of Pollution Control.

F. TOXIC OR NOXIOUS MATTER.

No use shall for any period of time, discharge across the boundaries of a lot on which it is located, toxic or noxious matter in such concentrations as to be detrimental to or endanger the public health, safety, comfort, or general welfare, or cause injury or damage to persons, property, or the use of property or land, or render unclean the waters of the State to the extent of being harmful or inimical to the public health, or to animal or aquatic life, or to the use of such waters for domestic water supply, industrial purposes, recreation, or other legitimate and necessary uses.

G. RADIATION.

Any operation involving radiation, i.e. the use of gamma rays, x-rays, alpha and beta particles, high speed electrons, neutrons, protons, and other atomic or nuclear particles, shall be permitted only in accordance with the codes, rules and regulations of the State Board of Health and the State Department of Pollution Control.

H. ELECTROMAGNETIC RADIATION AND INTERFERENCE.

1. Radiation.

No person, firm, or corporation shall operate or cause to be operated for any purpose any planned or unplanned source of electromagnetic radiation which does not comply with the current regulations of the Federal Communications Commission regarding such sources of electromagnetic radiation. Any operation in compliance with the Federal Communications Commission regulation shall be deemed unlawful if such radiation causes an abnormal degradation of performance of any electromagnetic receptor of quality and proper design. The determination of "abnormal degradation in performance" and "of quality and proper design" shall be made in accordance with good engineering principles and standards of the American Institute of Electrical Engineers, the Institute of Radio Engineers, and the Electronic Industries Association.

2. Interference.

No use, activity, or process shall be conducted which produces electromagnetic interference with normal radio or television reception in any district.

I. FIRE AND EXPLOSION HAZARDS.

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 set back from all property lines at least one hundred (100) feet.

J. HUMIDITY, HEAT, OR GLARE.

1. In all Districts, any activity producing heat or glare shall be carried on in such a manner that such heat or glare is not perceptible at any lot line.
2. Exposed sources of light, including bare bulbs and tubes and immediately adjacent reflecting surfaces, shall be shielded so as not to create a nuisance across lot lines. The light

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intensity from illumination of any kind shall not exceed fifty (50) foot lamberts at any point along the line of the lot containing the light source.

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500.17 OFF-STREET PARKING REGULATIONS.**A. SCOPE.**

All uses permitted or allowed as special exceptions pursuant to this code shall be subject to the following minimum requirements and regulations.

B. DRIVEWAYS.

Driveways shall be considered as constituting off-street parking spaces for single-family and two-family duplex dwellings in Residential Districts, provided that sufficient spaces are available on such driveways to meet the requirements of this Section.

C. LOCATIONS OF ON-SITE PARKING SPACES.

Parking spaces shall be located so that no spaces are a greater distance than six hundred (600) feet from the building or use to which they are assigned; provided this requirement shall not apply to parking spaces for auditoriums, stadiums, assembly halls, gymnasiums, and other places of assembly; industrial, wholesaling and manufacturing establishments; hospitals; and large-scale retail, wholesale, and consumer service uses.

D. LANDSCAPING.

All off-street parking areas for all uses except single family residential shall be landscaped as outlined in the Palm Beach County Landscape Ordinance. The Department will determine from the site plans submitted, whether the requirements of the Landscape Ordinance have been met.

E. DRAINAGE AND MAINTENANCE.

The proposed grading and drainage for the off-street parking facilities shall be approved by the Department. All parking areas shall be paved with a minimum of six (6) inch shellrock or limerock base and a one (1) inch hotplant mix asphaltic concrete or other acceptable base for durable weatherproof surface pavement. The parking lot shall be maintained in a manner as to not create a hazard or nuisance.

F. PARKING GEOMETRICS, SIGNING AND MARKING REQUIREMENTS.

The parking shall be so designed as to meet the minimum geometric requirements as defined in Subsection J. The minimum stall width shall be nine (9) feet and shall be marked with double lines unless a stall width of ten (10) feet or wider is provided. All parking shall be delineated by painted lines, curbs, or other means to indicate individual spaces.

Traffic control signs and other pavement markings shall be used as necessary to insure safe and efficient traffic operation of the lots. Such signing and marking shall be subject to the approval of the Department.

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G. PARKING ACCESS AND DRIVEWAYS.

Each parking stall shall have appropriate access to a street or alley and maneuvering and access aisle areas shall be sufficient to permit vehicles to enter and leave the parking area in a forward motion, with the exception of single family and duplex areas. Driveways shall be paved and meet the requirements outlined below unless very high volumes or other special circumstances warrant variation by the Office of the County Engineer.

H. ACCESS DIMENSION GUIDELINES.

Dimension at Street

Width (in feet) *

Minimum (one-way)	15
Minimum (two-way)	25
Maximum	35

Right turn radius (in feet) **

Minimum	10
Maximum	30

* Measured along right-of-way line at inner limit of curbed radius sweep or between radius and near edge of curbed island at least fifty (50) square feet in area. The minimum width applies principally to one-way driveways.

** On side of driveway exposed to entry or exit by right-turning vehicles.

I. SITE PLAN REQUIREMENTS.

At the time of the application for a building permit for any use for which parking spaces are required to be constructed, a site plan for such parking facilities shall be submitted to the Department of Planning, Zoning and Building. The site plan shall include the following.

1. Landscaping and screening as outlined in the Landscape Ordinance.
2. Channelization and division of parking areas within the interior of the parking lot for pedestrian and vehicular traffic shall be accomplished by the use of landscaped areas with trees, walls, fences, other natural growth or artificial features, or raised curbs. Marked directional lanes and controls, change of grade or other devices to mark points of turn, to separate parking areas shall be used to control traffic movement. Traffic channelization and other traffic controls including signing and pavement marking will be approved by the Department. The County Engineer will approve with regard to ingress and egress to public roads and to safe movement of traffic on the parking lot.
3. Each parking site or lot shall be designed individually with reference to the size, street pattern, adjacent properties, buildings, and other improvements in the general neighborhood, number of cars to be accommodated, hours, and kinds of use.

4. When the parking facilities are housed in an underground garage or a multi-storied structure or on the roofs of buildings, a site plan shall be submitted hereunder for approval of interior traffic circulation, slope of ramp, ease of access and utilization of ramps, for parking stall and aisle dimensions, proper traffic control signing and pavement marking for safe and efficient vehicular and pedestrian operation, for location of entrances and exits on public roads, for approval of sight distances at such entrances and exits and at corners of intersecting public roads, and for approval of the effective screening of the cars located in or on the parking structures from adjoining properties and from public roads.
5. The Site Plan shall be prepared with careful regard to the location of the parking facilities with relation to adjoining and neighborhood commercial, industrial, multi-family, and other residential improvements, and shall be devised to have the least adverse effects on such adjoining or neighboring properties. Landscaping shall be as required by the Palm Beach County Landscape Ordinance. The Site Plan submitted shall show the location and design of:
 - a. Entrances and exits to public roads
 - b. The location and size of all buildings and structures
 - c. Location and dimensions of parking spaces and aisles, directional markings, traffic control devices and signs; and the location of future parking areas as required by Section 500.17, Subsection K
 - d. Walls, fences, landscaped areas, banks, berms, changes of grades and planting materials, including the type and names of the materials proposed to be planted
 - e. Such other information that may be required by the Department to meet the rules and regulations of this and other applicable Codes and Ordinances.

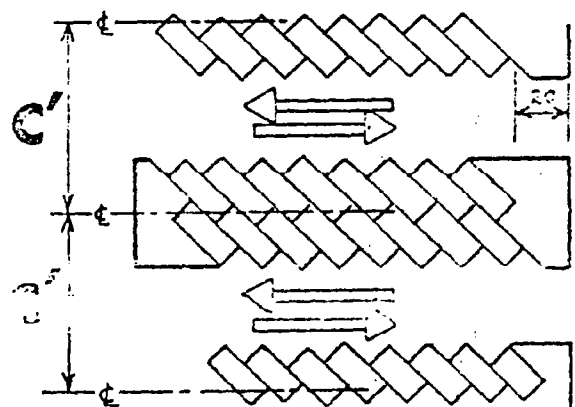
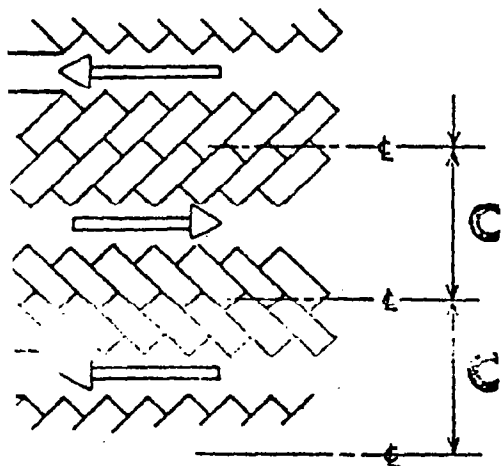
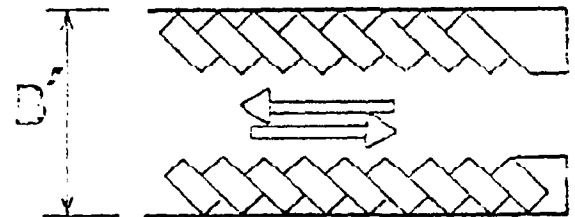
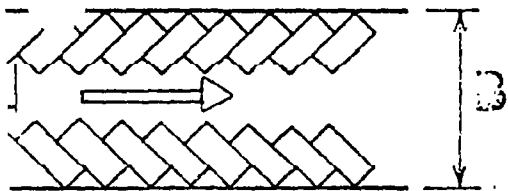
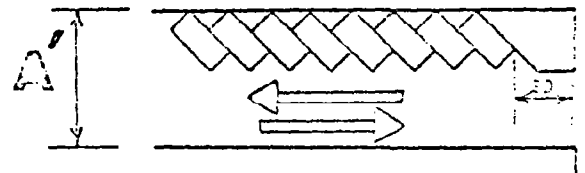
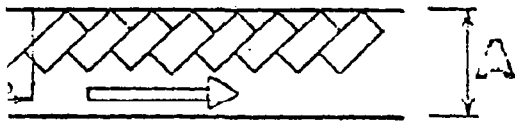
J. MINIMUM PARKING BAY DIMENSIONS BY PARKING ANGLE AND PARKING BAY ILLUSTRATIONS

A	B	C	Parking Angle	A'	B'	C'
21'	30'	30'	0	33'	42'	42'
27'	43'	34'	20	39'	58'	50'
30'	48'	39'	30	41'	61'	53'
32'	52'	44'	40	43'	63'	55'
34'	54'	47'	45	45'	66'	59'
34'	54'	48'	50	45'	66'	60'
40'	61'	56'	60	50'	73'	68'
40'	61'	57'	70	50'	73'	69'
45'	65'	64'	80	45'	65'	65'
45'	65'	65'	90	45'	65'	65'

PARKING LOT SCHEMATIC

ONE WAY TRAFFIC

TWO WAY TRAFFIC



- NOTES:
1. All examples show forty-five (45) degree angle parking.
 2. Wheel stops or curbs are required when the parking spaces face the property line.
 3. A minimum backup distance of twenty (20) feet is required between the property line and the first stall as shown in examples above.
 4. Within the area formed by the right-of-way lines of intersecting streets, a straight line connecting points on such rights-of-way lines at a distance equal to the required setback for the applicable zoning district from their point of intersection, such connecting line extending beyond the points to the edge of the pavement, there shall be a clear space with no obstruction to vision. Fences, walls, or plantings shall be restricted to a height of three (3) feet or less above the average grade of each street as measured at the centerlines thereof.

K. OFF-STREET PARKING REGULATIONS.

All uses permitted under this Zoning Code shall be subject to the following minimum requirements unless more restrictive requirements are cited in Chapter V of this Code.

1. AGRICULTURE.

AGRICULTURAL ACCESSORY USES

One (1) space per each employee on the shift of greatest employment with a minimum of five (5) spaces.

AGRICULTURAL RESEARCH AND DEVELOPMENT

One (1) space per each employee on the shift of greatest employment with a minimum of ten (10) spaces.

COMMERCIAL KENNELS AND STABLES

For each square foot of total floor area contained within the building there shall be provided at least three (3) square feet of parking area.

GENERAL FARMING ACTIVITIES

None Required.

MIGRANT AND TRANSIENT FARM LABOR, QUARTERS AND CAMPS,
including tenant dwellings

One-half (1/2) space per dwelling unit.

TEMPORARY USES

One (1) space per four (4) seats if the activity is enclosed or covered or ten (10) spaces per acre of ground occupied by amusements, or fifty (50) spaces whichever is greater.

2. RESIDENTIAL.

SINGLE FAMILY 2.0 spaces per dwelling unit

MULTIPLE FAMILY

Efficiency	1.50 spaces per dwelling unit
One Bedroom	1.50 spaces per dwelling unit
Two Bedrooms	1.75 spaces per dwelling unit
Three or More Bedrooms	2.00 spaces per dwelling unit

EXCEPTION: For two (2) bedroom dwelling units one and one-half (1-1/2) spaces per dwelling unit may be constructed and the area required for the additional one-quarter (1/4) space per dwelling unit shall be set aside and indicated on the Master Plan as future parking area to remain open green space until the need for it occurs, such need to be an administrative determination by the Director of the Planning, Zoning and Building Department based upon an inspection of the traffic and parking facilities of the project, statistical data compiled to determine additional parking needs and other information submitted by the residents of the project and appropriate governmental agencies.

3. COMMERCIAL.

- a. The following uses shall provide at least five (5) parking spaces per one thousand (1,000) square feet of total floor area:

APPLIANCES, wholesale and retail

AUCTION, enclosed

BAKERIES, retail and limited preparation of products for on-premises sale

BUILDING SUPPLIES

BUSINESS OFFICES AND STUDIOS

CAR WASH, self-service or automatic

CLINICS, MEDICAL, DENTAL, CHIROPRACTIC AND VETERINARY (Out patient only).

CONFECTIONERY, retail and limited preparation of products for on-premises sale

CONVENIENCE FOOD AND BEVERAGE STORE

DEPARTMENT STORE, full service.

DRY CLEANING PICKUP AND LAUNDRY PICKUP STATIONS.

FINANCIAL INSTITUTIONS

FURNITURE, wholesale and retail

GENERAL RETAIL USES, including but not limited to:

Butcher Shops

Cosmetics

Delicatessen

Food Store

Leather Goods

Shoe Shops

HARDWARE, PAINT, AND GARDEN SUPPLIES

LABORATORIES, MEDICAL AND DENTAL

LARGE SCALE COMMUNITY AND REGIONAL SHOPPING CENTER

NEWSSTAND

PERSONAL SERVICES with a minimum of five (5) spaces. Including but not limited to:

Barber Shops
Beauty Salons
Masseuse

PHARMACY

PLANNED GENERAL COMMERCIAL DEVELOPMENT

PLANNED NEIGHBORHOOD COMMERCIAL DEVELOPMENT

PLANNED OFFICE - BUSINESS PARK

PROFESSIONAL OFFICES

SELF-SERVICE LAUNDRY AND DRY CLEANING

VARIETY STORE

b. The following uses shall provide at least four (4) parking spaces per one thousand (1,000) square feet of total floor area:

AUCTION, open and vehicular.

AUTO PAINT AND BODY SHOP

AUTO SALES

AUTO SERVICE STATION, with or without major repairs

BOATS, retail and wholesale

CHEMICALS, retail and wholesale

COMMERCIAL, NEW AND USED, AUTOMOBILE, TRUCK, BOAT, MOTORCYCLE, MOBILE HOME, AND RECREATIONAL VEHICLE SALE AND RENTAL AND REPAIR FACILITIES AND LOTS

ELECTRONIC EQUIPMENT, retail and wholesale.

INDOOR RECREATION, except theaters and bowling alleys

LUMBER YARD, retail and wholesale.

MACHINERY, retail

MEAT CUTTING, retail and wholesale

MILLWORK AND WOODWORK, retail and wholesale

MONUMENT SALES

PRECISION INSTRUMENTS AND OPTICS, retail and wholesale

PRINTING AND PUBLISHING SERVICE

PROPANE GAS AND FUELS

SEPTIC TANK SERVICE

SHOE, APPLIANCE AND OTHER REPAIR SERVICES

TAXIDERMIST

UPHOLSTERY SHOP

- c. The following uses shall provide at least one (1) parking space per employee on the shift of greatest employment plus one (1) parking space per each ten thousand (10,000) square feet of lot area:

BAKERY, large scale preparation.

CONFECTIONARY, large scale preparation

DAIRY PROCESSING

DRY CLEANING PLANT

LAUNDRY PLANT

MOVING AND STORAGE

NURSERIES AND GREENHOUSES

PUBLIC AND PRIVATE UTILITY SERVICES

SALVAGE YARD

4. INDUSTRIAL.

For uses in the industrial districts, there shall be required one (1) parking space per employee and staff member on the shift of greatest employment plus one (1) space per one thousand (1,000) square feet of total floor area.

5. EDUCATIONAL INSTITUTIONS.

COLLEGE, UNIVERSITY, TRADE AND VOCATIONAL INSTITUTIONS AND SEMINARS
Five-tenths (0.5) space per student plus one (1) space per employee plus one (1) space for each four (4) seats in the auditorium and other places of assembly.

DAY CARE CENTERS AND OTHER PRESCHOOL FACILITIES

There shall be provided at least five (5) parking spaces for transient use plus one (1) space per employee and assistant with a minimum of two (2) employee parking spaces. Such facilities shall provide a convenient drop-off area adjacent to the building providing clear ingress and egress.

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ELEMENTARY AND JUNIOR HIGH (Grades 1 through 8)

One (1) space per classroom plus one (1) space for each administrative or educational staff employee.

SENIOR HIGH (Grades 9 through 12)

Two-tenths (0.2) space per student plus one (1) space per employee

6. MISCELLANEOUS USES.

ACCESSORY USE

Parking for accessory commercial and professional uses shall be computed as though they existed separately.

AIRPORTS, LANDING STRIPS AND HELIPORTS

Unless the facility is restricted to the property owner's use only, and in conjunction with an agricultural or residential use as principal uses, there shall be provided at least five (5) parking spaces or one (1) parking space per tie down or aircraft hanger space, whichever is greater. (See Section 500.7).

BOWLING ALLEY

Five (5) spaces per each lane. If a restaurant or lounge is provided, they must be computed separately.

CHURCHES, SYNAGOGUES, AND OTHER PLACES OF WORSHIP

For each three (3) seats there shall be provided at least one (1) parking space.

CONVENT AND CLOISTER

One (1) space for every ten (10) individuals living in the building(s).

DRIVE-IN RESTAURANT

For each one thousand (1,000) square feet of total floor area, there shall be provided at least thirty (30) parking spaces. The minimum number of spaces shall not be less than twenty-five (25).

FUNERAL HOMES, MAUSOLEUMS, AND CREMATORIES

For each one thousand (1,000) square feet of total floor area there shall be provided at least four (4) parking spaces plus three-tenths (0.3) parking spaces per chapel or viewing area seat.

GOVERNMENT SERVICES

One (1) space per employee on the shift of greatest employment.

HOSPITALS

There shall be provided at least one and one-half (1-1/2) parking spaces per bed plus one (1) space per staff doctor.

HOTEL AND MOTEL

There shall be provided at least one (1) space per rentable room plus one (1) space per employee on the shift of greatest employment plus one (1) space for each three (3) seats offered to the public for restaurant and lounge purposes.

MARINE FACILITIES

See Section 500.6.

MUSEUM, ART GALLERY AND OTHER SIMILAR USES

Four (4) spaces per one thousand (1,000) square feet of total floor area.

NURSING AND CONVALESCENT HOMES

There shall be provided one (1) space per four (4) patient beds or residents plus one (1) space per employee, including nurses and staff doctor, on the shift of greatest employment.

RECTORY

One (1) space for each priest, minister, or rabbi plus one (1) space for each employee. A minimum of three (3) spaces must be provided.

RESTAURANT, CAFETERIA, LOUNGE

For each three (3) seats offered to the public, there shall be provided at least one (1) parking space in addition to one (1) space per employee on the shift of greatest employment.

RETREAT HOUSE

One (1) space per every three (3) beds plus one (1) space per staff member and employee on the shift of greatest employment.

THEATERS, AUDITORIUMS, STUDIOS, AND OTHER PLACES OF PUBLIC ASSEMBLY

For each three (3) seats there shall be provided at least one (1) parking space in addition to one (1) parking space per employee on the shift of greatest employment.

500.18

REGULATIONS FOR THE PARKING, STORING, OR KEEPING OF COMMERCIAL VEHICLES, BOATS, BUSES, TRAILERS, AND TRUCKS.

A. SCOPE.

The following regulations shall apply to all residential districts.

B. DEFINITIONS.

In addition to the definitions provided in Chapter II, the following definitions shall control this section.

1. For the purpose of this Code, the terms "bus," "pole trailer," "semi-trailer," "trailer," "trailer coach," "truck," and "truck tractor" shall be defined as set forth in the appropriate, duly enacted statutes of the State of Florida providing for the regulation, registration, licensing, and recordation of ownership of motor vehicles in the State of Florida.
2. In the case of doubt as to the proper classification of a specific vehicle under the foregoing terms the determination by the Motor Vehicle Commission of the State of Florida shall be controlling. The body description and classification on the motor vehicle certificate of title shall be prima facie evidence of such determination.
3. The term "boat trailer" shall mean a trailer as defined above which is being used for or is designed for use of carrying boats.
4. The term "industrial equipment" shall mean farm tractors and implements, bulldozers, drag lines, cranes, derricks, heavy earth moving equipment normally used in farming, excavation and/or heavy construction activities.
5. The term "trailer coach" as used herein shall mean and include all types of mobile homes and also those types of self-propelled trucks or buses which have been converted or equipped with living and/or sleeping quarters, such as pick-up trucks with living quarters installed, sometimes referred to as "pick-up campers," and converted buses, sometimes referred to as "caravans." However, this excludes suburbans and other similar types of automobiles for private use which have been equipped with camping equipment and relocated materials.
6. The term "residential districts" for the purpose of this Code shall mean all RE, RS, RM, and RH districts as established and designated upon the "Official Zoning Map."

7. The term "owner" when used herein in relation to a motor vehicle shall mean the individual or firm to which the vehicle is registered on the motor vehicle certificate of title and shall include if under lease, rental agreement, or on loan under any type of arrangement, gratuitous or otherwise, the individual or firm having possession or control of the vehicle.
8. The term "owner" when used herein in relation to private property in a residential district shall mean the recorded owner of the property based upon the records of Palm Beach County, Florida, and shall include, if under lease, rental, agreement for deed or similar land contract, the person or persons actually in possession and control of the premises.

C. MOTOR VEHICLES PROHIBITED OR RESTRICTED IN RESIDENTIAL DISTRICTS.

1. It shall be unlawful for any owner, agent, operator, or person in charge of any bus, pole trailer, semi-trailer, trailer, trailer coach (house trailer), truck and/or truck tractor, as previously defined in this Code, to park, store, or keep such motor vehicle on any public street, avenue, alley, or other thoroughfare or any right-of-way therewith within any residential district in the County of Palm Beach for a period exceeding one (1) hour in any twenty-four (24) hour period, each such period commencing at the time of first stopping or parking unless a permit is first obtained from the Sheriff's Department.
2. It shall be unlawful for any owner of property in any residential district in the County of Palm Beach to park on, cause to be parked on, or allow to be parked on his residential property or in the streets, alleys, or parkways abutting his property, any bus, pole trailer, semi-trailer, trailer, trailer coach (house trailer), truck, and/or truck tractor for a period exceeding one (1) hour in any twenty-four (24) hour period, each such period commencing at the time of first stopping or parking unless a permit is first obtained from the Sheriff's Department, and as may be otherwise provided in this Code.

D. DELIVERY AND CONSTRUCTION VEHICLES; EMERGENCY REPAIRS.

1. The restrictions of Subsection C (1) shall not apply to the temporary parking of such vehicles on private property in residential districts whereon construction is underway, for which a current and valid building permit has been issued by the County of Palm Beach and said permit is properly displayed on the premises.

2. The restrictions of Subsection C (2) of one (1) hour in residential districts shall not apply to routine deliveries by tradesmen, or the use of trucks in making service calls providing that such time in excess of one (1) hour is actually in the course of business deliveries or servicing, as the case may be.
3. The restrictions of Subsection C shall not apply to a situation where such vehicle becomes disabled and, as a result of such emergency, is required to be parked within a residential district for longer than one (1) hour. However, any such vehicle shall be removed from the residential district within twenty-four (24) hours by wrecker towing if necessary, regardless of the nature of the emergency.

E. PERMITTED PARKING.

1. A panel, pick-up, van, or similar type of truck of not over one (1) ton rated capacity may be parked on a plot in a residential district. However, such vehicle must be used by a resident of the premises and no more than one (1) such truck to each plot.
2. Boats, or trailers as described in Subsection B above or Recreational Mobile Units as defined herein may be parked on a plot in a residential district subject to the restrictions and conditions set forth below:
 - a. One (1) boat or one (1) trailer designed to carry a boat, with or without boat thereon; and one (1) Recreational Mobile Unit, but not more than one (1) of each
 - b. One (1) boat or one (1) of the vehicles described in Section E (2) (a) may be parked in a garage or carport which is effectively screened on three (3) sides; provided, however, that no portion of the boat, motor or vehicle shall extend beyond the roof line. Subject to the foregoing requirements, a boat, trailer, or Recreational Mobile Unit may be parked only if it is currently registered as required by State or Federal law and if the transportation of the Vehicle would be in compliance with Chapter 317, Florida Statutes
 - c. Such boat or such vehicle must be owned by and used by a resident of the premises
 - d. No boat or vehicle described in Subsection E (2) (a) may be parked in the area between the street and the structure

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- e. One (1) boat or one (1) vehicle described in Subsection E (2) (a) may be parked on a plot occupied by a permitted structure in the side yard or rear yard providing that it is effectively screened against direct view from abutting properties by a masonry wall, ornamental fences, or dense hedge planting six (6) feet high. This Section is not to be construed as requiring screening from direct view from the street in front of the plot
- f. One (1) boat or one (1) of the vehicles described in Subsection E (2) (a) may be parked in the front yard driveway for a twenty-four (24) hour period, for the purpose of loading or unloading
- g. The term "plot" as used herein shall include both the lot on which a residence is located and any abutting lot which is in the control of the occupant of such residence by virtue of ownership or lease of such abutting lot; parking on vacant lots is otherwise prohibited
- h. No boat or vehicle described in Subsection E (2) (a) parked in a residential district may be occupied or used for living, sleeping or housekeeping purposes.

ORDINANCE NO. 73-2

A. SCOPE.

At the time of the erection of any principal or accessory use or at the time any principal or accessory use is altered, enlarged or increased in capacity, by adding floor area, off-street loading space for the accommodation of trucks servicing the use shall be provided in accordance with Section 500.17 and other applicable regulations of this Code, and with the following requirements and regulations:

USE OR USE CATEGORY	FLOOR AREA IN SQUARE FEET	LOADING SPACES REQUIRED
Retail stores (including department stores, restaurants, consumer service), wholesale and jobbing establishments.	3,000-10,000	one (1) berth
	10,000-20,000	two (2) berths
	Each additional 20,000 square feet or major fraction thereof.	one (1) additional berth
Automotive (including any new and used vehicle sales), recreation facilities, amusements and attractions, airports and heliports.	2,000-15,000	one (1) berth
	15,000-40,000	two (2) berths
	Each additional 10,000 square feet or major fraction thereof.	one (1) additional berth
Office building, apartment building over five (5) floors, hotel, motel, hospital, nursing or convalescent facility.	5,000-20,000	one (1) berth
	20,000-100,000	two (2) berths
	More than 100,000 square feet.	three (3) berths
Arenas, auditoriums, stadia, trade expositions.	20,000-50,000	two (2) berths
	Over 50,000 square feet.	four (4) berths

USE OR USE CATEGORY	FLOOR AREA IN SQUARE FEET	LOADING SPACES REQUIRED
Any manufacturing and processing use, research and development.	up to 15,000	one (1) berth
	15,000-40,000	two (2) berths
	40,000-65,000	three (3) berths
	Each additional 80,000 square feet.	one (1) additional berth

B. LOADING DEMAND STATEMENT.

For commercial or industrial establishments with a total of sixty-five thousand (65,000) square feet or more of total floor area devoted to such uses, a statement outlining the projected normal demands for loading and unloading for the use, and a plan showing the location on the lot of the space to be provided shall be supplied by the applicant.

C. ADMINISTRATIVE HARDSHIP WAIVER.

For uses which contain less than 10,000 square feet of total floor area, the Department may waive or reduce the loading requirements whenever the character of the use is such as to make unnecessary the full provision of loading facilities or where such provision would impose an unreasonable hardship upon the use of the lot.

D. MIXED USES IN ONE BUILDING.

Where a building is used for more than one use or for different uses, and where the floor area used for each use for which loading space is required is below the minimum for required loading spaces but the aggregate total floor area used is greater than such minimum, then off-street loading space shall be provided as if the entire building were used for that use in the building for which the most spaces are required. In such cases, the Department may make reasonable requirements for the location of required loading space.

E. MINIMUM SIZE AND DIMENSIONS OF LOADING SPACE.

For the purposes of these regulations a loading space is a space within the main building or on the same lot, providing for the standing, loading, or unloading of trucks, having minimum dimensions of loading bays as follows:

<u>Type Vehicle</u>	<u>Width</u>	<u>Length</u>	<u>Maneuvering Apron</u>
Single Units	12 feet	30 feet	30 feet

F. DRAINAGE AND MAINTENANCE.

The proposed grading and drainage for the off-street loading facilities shall be approved by the Planning, Zoning and Building Department. All loading areas shall be paved with a minimum of six (6) inch shellrock or limerock base and a one (1) inch hotplant mix asphaltic, concrete or other acceptable base and/or durable weatherproof surface pavement. The loading area shall be maintained in a manner as to not create a hazard or nuisance.

G. ENTRANCES AND EXITS.

Location and design of entrances and exits shall be in accord with Section 500.17, and Section 500.20.

H. LANDSCAPING.

All off-street loading areas for all uses shall be landscaped as outlined in the Palm Beach County Landscape Ordinance. The Planning, Zoning and Building Department will determine from the site plans submitted whether the requirements of the Landscape Ordinance have been met.

ORDINANCE NO. 23-2

500.20 ACCESS.

All access driveways shall be constructed in accordance with Palm Beach County's Construction Standards and Details and are permitted at the following locations.

A. CORNER LOTS.

Access to corner lots shall be located a minimum of thirty (30) feet from intersecting right-of-way lines on local streets, and a minimum of one hundred eighty (180) feet from intersecting right-of-way lines on all other streets of higher classifications.

B. LOCAL STREET, INTERMITTENT LOCATIONS.

Intermittent locations are permitted between corner lot access points not closer than twenty-five (25) feet apart, nor closer than four (4) feet to a property line.

C. COLLECTOR AND ARTERIAL HIGHWAYS.

Where access has not been limited, or where service roads have not been provided, access to collector and arterial highways shall be controlled by means of an access road separated from said highway by a grassed, planted strip, or other approved separation as determined by the County Engineer. The first access to the service road shall be three hundred thirty (330) feet from the intersecting right-of-way line as shown on the Thoroughfare Plan adopted by the Board of County Commissioners, with intermittent points six hundred sixty (660) feet from intersecting right-of-way lines. Where access is desired prior to the completion of the service road, temporary access may be permitted at lesser intervals. Service roads shall be constructed within the road or highway side of the base building line along all collector and arterial highways, beginning thirteen (13) feet from the base building line and extending twenty-eight (28) feet toward the highway.

D. SPECIAL EXCEPTIONS AND PROPOSED SUBDIVISIONS.

Points of access to corner lots shall be located a minimum of thirty (30) feet from intersecting right-of-way lines on local streets, and one hundred eighty (180) feet from intersecting right-of-way lines on all other streets of higher classification. Intermittent locations are permitted along local streets between the corner lot access point, not closer than twenty-five (25) feet apart or closer than ten (10) feet to a property line. The development shall be designed to accomplish access to lots by the use of local streets. Local streets connecting to collector streets shall be a minimum of six hundred sixty (660) feet apart and collector street connections to arterial streets shall be a minimum of one thousand three hundred twenty (1,320) feet apart. Where access is desired along collector or arterial streets, it shall be provided by means of a marginal access road. The first point of access to the marginal access road from collector and arterial streets shall be a minimum of three hundred thirty (330) feet from intersecting right-of-way lines, with intermittent points six hundred sixty (660) feet from intersecting right-of-way lines. Access spacing of greater lengths may be granted if requested by the developer and if deemed advisable, because of topographical conditions, by the County Engineer.

Where double fronted lots are created adjacent to collector or arterial streets, they shall front on a local street and the rear of the lot shall be the side which abuts the collector or arterial street; in such cases the lot shall be screened from the abutting collector or arterial street with a chain-link fence and landscaping or a decorative masonry wall in a non-access reservation along the rear lot line.

ORDINANCE NO. 73-2

A. PURPOSE AND INTENT.

The purpose of this provision is to encourage the accomplishment of a more complete living environment through the application of enlightened and imaginative approaches to community planning and shelter design. This alternative should introduce a variety of architectural solutions, provide for the preservation of natural features and scenic areas, reduce land consumption by roads, separate vehicular and pedestrian circulation systems, originate approaches to a meaningful integration of open space networks and recreation areas within the development, establish neighborhood identity and focus, and ideally provide for the compatible co-existence of man with his environment.

B. SCOPE.

Although planned unit developments produced in compliance with the provisions and requirements of Chapter I, Section 102, Chapter IV, Sections 400, 400.1, 401, this section, and other regulations as set forth and defined in this Code may depart from the strict application of use and property development regulations for the district or districts in which the planned unit development is proposed to be located, such developments are to be in compliance with the Comprehensive Land Use Plan, and platted of record in accordance with the procedures for approval of subdivision plats in the Palm Beach County Subdivision and Platting Regulation Ordinance.

C. CONFLICT WITH OTHER APPLICABLE REGULATIONS.

Where conflicts exist between these special planned unit development regulations and general zoning, subdivision, and other applicable ordinance provisions, these special regulations shall apply.

D. SPECIAL DEFINITIONS.

All definitions appearing in Chapter II of this Code shall be applicable to this Section except to the extent of inconsistency with any special definitions contained herein.

ORDINANCE NO. 23-2

PLANNED UNIT DEVELOPMENT (PUD): A land area under unified control designed and planned to be developed in a single operation or by a series of prescheduled development phases according to an officially approved Final Master Land Use Plan which does not necessarily correspond to the property development and use regulations of the zoning district in which the development is located.

CONTIGUOUS: Lands are contiguous if they abut each other or if separated by streets, ways, easements, pipelines, power lines, conduits, or rights-of-way under ownership of the petitioner or a governmental agency or subdivision or public or private utility.

E. GENERAL REQUIREMENTS AND SPECIAL REGULATIONS.

The following general requirements and special regulations shall apply to all planned unit developments.

1. Minimum area.

No site shall qualify for a planned unit development unless the development consists of a contiguous area of at least nine (9) acres.

2. Unified control.

All land included for purpose of development within a planned unit development shall be owned or under the control of the petitioner for such zoning designation, whether that petitioner be an individual, partnership or corporation, or a group of individuals, partnerships or corporations. The petitioner shall present firm evidence of the unified control of the entire area within the proposed planned unit development and shall state agreement that, if he proceeds with the proposed development, he will:

- a. Do so in accord with the officially approved Final Master Land Use Plan of the development, and such other conditions or modifications as may be attached to the special exceptions
- b. Provide agreements, covenants, contracts, deed restrictions; or sureties acceptable to the County for completion of the undertaking in accordance with the adopted Final Master Land Use Plan as well as for the continuing operation and maintenance of such areas, functions, and facilities as are not to be provided, operated or maintained at general public expense
- c. Bind his development successors in title to any commitments made under (a) or (b) preceding

ORDINANCE NO. 23-2

d. Secure written consents and agreements from all property owners of record within the planned unit development boundaries who have not joined in the PUD application that there is no objection to including their property in the overall land planning process of the planned unit development.

3. Configuration of the site.

Any tract of land for which a planned unit development application is made shall contain sufficient width, depth, and frontage on a publicly dedicated arterial or major street or appropriate access thereto as shown on the Palm Beach County Thoroughfare Plan to adequately accommodate its proposed use and design.

4. Authorized uses.

ANY RESIDENTIAL STRUCTURAL TYPE AND ARRANGEMENT compatible with the purpose and intent of this special exception

RESIDENTIAL ACCESSORY USES (See Section 500.1)

HOME OCCUPATIONS (See Section 500.2)

PUBLIC OPERATED PARKS AND RECREATION AREAS or other facility operated by a nonprofit organization

PUBLIC AND PRIVATE UTILITY SERVICES and accessory buildings and structures (excluding sanitary land fill, incinerator, refuse and trash dumps)

GOVERNMENT SERVICES and accessory buildings and structures

AIRPORTS (See Section 500.7)

RECREATION FACILITIES AND CLUBS

COMMERCIAL RADIO, TELEVISION, MICROWAVE TRANSMISSION AND RELAY STATIONS AND TOWERS (See Section 500.10)

ORDINANCE NO. 73-2

CHURCHES OR PLACES OF WORSHIP and accessory buildings
and structures

5. Authorized Commercial Uses.

DAY CARE CENTERS (See Section 500.12)

REMOVAL OF SOIL AND FILL MATERIAL (See Section 500.3)

NURSING AND CONVALESCENT FACILITIES (See Section
500.25)

BUSINESS OFFICES AND STUDIOS

PROFESSIONAL OFFICES

PERSONAL SERVICES, including but not limited to
barber shops, beauty salons, and the like

CLINICS, MEDICAL, DENTAL, CHIROPRACTIC, AND VETERIN-
ARY (Outpatient only)

HOSPITALS (See Section 500.26)

FINANCIAL INSTITUTIONS

MARINE FACILITIES (See Section 500.6)

HOTEL AND MOTEL

RESTAURANT AND LOUNGE

BAKERIES, Retail - Limited preparation of products
for on-premises sale

FOOD AND BEVERAGE STORES

ORDINANCE NO. 23-2

CONFECTIONARY, Retail - Limited preparation of products for on-premises sale

DRYCLEANING AND LAUNDRY PICK-UP STATIONS

SELF-SERVICE LAUNDRY AND DRYCLEANING

NEWSSTAND

AUTOMOBILE SERVICE STATION (no major repairs)

PHARMACY

HARDWARE, PAINT, AND GARDEN SUPPLIES

6. Master Land Use Plan.

All planned unit development applications shall be accompanied by a Proposed Master Land Use Plan meeting the requirements of Section 401.2 (A) and (E) and of this provision. This Proposed Master Land Use Plan will serve as the basis for a more refined Preliminary Master Land Use Plan and a Final Master Land Use Plan.

7. Application Fees and Required Copies of Plans.

a. Application Fees.

- 1) At the time of the planned unit development application, the base sum of two hundred (200) dollars plus one (1) dollar per acre within the development application area shall be payable.
- 2) At the time of filing of each plat pursuant to the Final Master Land Use Plan, the sum of:
 - a) One (1) dollar per dwelling unit shall be payable
 - b) Ten (10) dollars per acre for commercial land use shall be payable.

b. Required Copies of Plans.

- 1) The applicant shall provide the County with copies of:
 - a) Proposed Master Land Use Plan, and attendant documents and information - six (6) copies
 - b) Preliminary Master Land Use Plan and attendant documents and information - six (6) copies
 - c) Final Master Land Use Plan and attendant documents and information - six (6) copies.
- 2) The Commission may amend the required amount of plan copies from time to time as may be needed.

8. Professional Services Required.

Any Master Plan of development submitted as part of a petition for a planned unit development shall certify that the services of two (2) or more of the following professionals were utilized in the design or planning process:

- a. A planner who possesses the education and experience to qualify for full membership in the American Institute of Planners, and/or
- b. A landscape architect registered by the State of Florida, and/or
- c. An architect licensed by the State of Florida, together with
- d. A professional engineer registered by the State of Florida and trained in the field of civil engineering, and/or
- e. A land surveyor registered by the State of Florida.

9. Planned Unit Development Procedure.

a. Preapplication Conference.

Prior to the submission of a formal planned unit development application, the prospective petitioner is encouraged to schedule a preapplication conference with the Department of Planning, Zoning and Building and other governmental agencies having appropriate jurisdiction over the proposed site to present a tentative proposed Land Use Plan sketch for review. The preapplication conference should also address itself to pertinent development matters including but not limited to:

- 1.) The proper relation between the anticipated project and surrounding uses, and the effect of the proposed development on the Comprehensive Land Use Plan and/or stated planning and development objectives of the County or adjacent municipalities
- 2.) The adequacy of existing and proposed streets, utilities, and other public facilities to serve the development
- 3.) The nature, design, and appropriateness of the proposed land use arrangement for the size and configuration of property involved
- 4.) The adequacy of open space areas in existence and as proposed to serve the development
- 5.) The ability of the subject property and of surrounding areas to accommodate future expansion, if needed.

b. Formal Application and Acceptance.

After completion of the Preapplication Conference, the petitioner shall submit an application for a special exception pursuant to Section 401.2 (A) and (B) of this Code accompanied by a Proposed Master Land Use Plan and attendant documents and information.

c. Prehearing Conference.

- 1.) After official acceptance of the application by the Department, the planned unit development application shall be submitted to the Planning, and Zoning Divisions for scheduling on the agenda of a Prehearing Conference within thirty (30) days of the date of official acceptance by the Department.
- 2.) The purpose of such Prehearing Conference is to assist the applicant in bringing the planned unit development application and Proposed Master Land Use Plan as nearly as possible into conformity with the intent of these and other applicable County regulations, and to define those areas where justifiable deviations from application of these regulations is suggested by the development's Proposed Master Land Use Plan.

- 3) All recommendations and requests for change from the Proposed Master Land Use Plan by either government or the applicant shall be committed to writing and made a part of the official department file for the subject planned unit development.
- 4) Pursuant to Section 402.4 (C) of this Code, upon completion of the amendments or revisions to the Proposed Master Land Use Plan as requested by the Department to meet the requirements and regulations of this Code, the application shall be certified for inclusion on the next official Agenda of the Planning Commission.
- d. Notice and Hearing - Planning Commission.
- Pursuant to Section 402.4 (D), a duly noticed public hearing on the planned unit development application shall be held within thirty (30) days of the date of the Department's certification for inclusion on an Official Planning Commission Agenda.
- e. Notice and Hearing - Board of County Commissioners.
- Pursuant to Section 402.5 (D), a duly noticed public hearing on the planned unit development application shall be held within thirty (30) days of the date of the rendering of the Planning Commission advisory recommendation on the application.
- f. Site Plan Review Committee.
- 1) Pursuant to Section 402.7, the Preliminary Master Land Use Plan and planned unit development application shall be reviewed by the Site Plan Review Committee of the Planning, Zoning and Building Department within thirty (30) days of the receipt of the Official decision of the Board of County Commissioners.
- 2) Within a reasonable time not to exceed thirty (30) days following the date of the Site Plan Review Committee Meeting, the Department shall notify the applicant in writing that the Committee has reviewed the Preliminary Master Land Use Plan, has approved it with or without modifications, and has certified it as the development's Final Master Land Use Plan, or will advise the applicant of any further changes which should be made to bring the Preliminary Master Land Use Plan into full compliance with this Code and other applicable County ordinances and regulations.

g. Final Master Land Use Plan Certification and Platting.

1) Certification.

Upon certification of the Preliminary Master Land Use Plan as the Final Master Land Use Plan, the final plat must be filed in the office of the County Engineer within one (1) year of the date of Board of County Commission approval of the planned unit development special exception. The County Engineer shall forward immediately a copy of each plat to the Department.

2) Phasing Controls.

If the Final Master Land Use Plan is to be developed in phases or stages requiring more than one (1) final plat, successive plats must be filed so that construction and development activity shall be of a reasonable continuous nature; but in no event shall more than two (2) years elapse between the filing of successive plats. The final plat must be filed within ten (10) years of the date of approval of the Final Master Land Use Plan.

Should a Planned Unit Development be constructed in phases requiring more than one (1) plat, the following sequence must be adhered to:

- a) A major recreation facility or recreation facilities, planned to serve the entire development, shall be platted prior to the platting of more than forty (40) percent of the total permitted dwelling units
- b) The commercial, hospital or convalescent facilities shall not be platted prior to the platting of at least forty (40) percent of the total permitted dwelling units
- c) The gross density of an individual plat shall not exceed the maximum density permitted for the entire development unless the instant plat considered in conjunction with all previously recorded plats of record produces an average density less than or equal to the approved maximum density for the entire planned unit development.

3.) Platting.

Each plat shall be in compliance with the provisions of Chapter 177, Florida Statutes and the Palm Beach County Subdivision and Platting Regulation Ordinance, as both may be amended from time to time.

4.) The density, the location of buildings and other improvements, and the location of areas to be set aside as open space shall be shown on a site plan for the area to be platted and shall be approved by the Director of the Planning, Zoning and Building Department, prior to the submission of each plat in final form.

The site plan shall be a time-stable reproducible made from the applicable final plat with the following information indicated in india ink:

- a) building pad corners and corner ties
- b) the parking layout and typical dimension
- c) open space area calculations and building pad area, and calculations on attachments
- d) density calculations for each development lot, and calculations on attachments
- e) In addition, a statement giving the substance of property owners agreement, condominium documents, covenants, grants, and easements or other restrictions proposed to be imposed upon the use of land, building, and structures shall be provided.

5.) Final Plat Approval.

When a plat is submitted to the Board of County Commissioners of Palm Beach County, it shall be in conformance with the requirements for filing plats contained in the Palm Beach County Subdivision and Platting Regulation Ordinance.

- F. PLANNED UNIT DEVELOPMENT DENSITY BY APPLICABLE ZONING DISTRICT.
The gross residential density for a planned unit development shall not exceed the maximums permitted as prescribed by the following:

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RE - RESIDENTIAL ESTATE	one (1) dwelling unit/ gross acre
RS - RESIDENTIAL SINGLE FAMILY	six (6) dwelling units/ gross acre
RM - RESIDENTIAL MULTIPLE FAMILY (Medium Density)	ten (10) dwelling units/ gross acre
RH - RESIDENTIAL MULTIPLE FAMILY (High Density)	eighteen (18) dwelling units/gross acre

G. MAXIMUM AREA LIMITATIONS.

Pursuant to more specific requirements and regulations as herein-
after prescribed, the following percentages express the maximum
land area of the planned unit development the specific land uses
may occupy:

RESIDENTIAL	65% of gross area
COMMERCIAL	2% of gross area
HOSPITAL AND CONVALESCENT	1% of gross area

H. MINIMUM AREA LIMITATIONS.

Planned unit developments shall contain areas at least equal to
the following minimums:

OPEN SPACE	35% of gross area
FIRE STATION, SCHOOLS, PLACES OF WORSHIP, AND OTHER REQUIRED GOVERNMENTAL SERVICES (Planned Unit Developments of more than one hundred (100) acres).	2% of gross area

I. TOTAL RESIDENTIAL DWELLING UNIT COMPUTATION.

For the purpose of this provision, the total number of dwelling units
permitted in the P.U.D. shall be computed as follows.

LIST THE gross area of the PUD in acres _____ acres

LESS twenty-five (25) percent of the total area included in a
golf course (excluding the club house and its immediate recre-
ation facility) except as provided in Subsection J(2), herein,
if sixty (60) percent or more of the residential dwelling units
abut the major recreation facility, then no part of such
recreation facility need be deleted from this computation.

_____ acres

LESS the area included in public and private streets and un-
covered parking areas in excess of twenty-five (25) percent of the
gross area of the PUD (excluding that area contained in County
arterials and collectors required by the County Engineering
Department).

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EQUALS the Effective Base Residential Area _____ acres

MULTIPLIED by the applicable density factor _____ acres

EQUALS the total number of residential dwelling units permitted. _____ acres

J. OPEN SPACE REQUIREMENT AND COMPUTATION.

Planned Unit Developments shall exhibit and maintain a total open space requirement at least equal to thirty-five (35) percent of the gross area of the PUD. The following areas qualify wholly or partially as open space.

1. If the major recreation facility is concentrated in a localized section of the PUD with less than thirty (30) percent of the residential dwelling units abutting it, only fifty (50) percent of the area contained in the facility may count toward the open space requirement. _____ acres

2. If, however, the major recreation facility is dispersed throughout the PUD with between thirty (30) and sixty (60) percent of the residential dwelling units abutting it, seventy-five (75) percent of the area contained therein may count toward the open space requirement. _____ acres

3. If more than sixty (60) percent of the residential dwelling units abut the major recreation facility, one hundred (100) percent of the area contained therein may count toward the open space requirement. _____ acres

4. Fifty (50) percent of the area contained in man-made water bodies and canals with average water widths less than sixty (60) feet, or one hundred (100) percent of the area if the canal or water body with average water widths wider than sixty (60) feet may count toward the open space requirement. _____ acres

5. If the water body is natural and the shoreline vegetation will not be disturbed by the development, the total area contained therein may be counted as open space. _____ acres

6. If natural habitats of unique and significant value are determined to exist, the Planning, Zoning and Building Department shall require the area so defined to be left in an undisturbed state and adequately protected or incorporated into the design of the PUD as a passive recreation area with a minimum of improvements permitted. In either case the total area contained therein may be counted as open space. _____ acres

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- 7. The area contained in a continuous open space pedestrian system, consisting of permanently maintained walks and trails not less than twelve (12) feet wide leading to a natural amenity, recreation facility or commercial use, offering intradevelopment communication that is divorced from roads and streets may be counted as open space.

_____ acres

- 8. The area contained ~~in~~ mini-parks which may or may not be a part of the open space system but contain at least one (1) acre and have a minimum dimension of one hundred (100) feet together with but not limited to one of the following: benches, playground apparatus, barbeque pits, and fire rings, may be counted as open space.

_____ acres

- 9. The area occupied by a multiple-use recreation building and its attendant outdoor recreation facilities, excluding a golf course, may be counted as open space.

_____ acres

- 10. Any privately maintained or owned exterior open space adjacent to and for the exclusive use by the residents of the individual dwelling unit, enclosed or partially enclosed by walls, hedges, buildings or structures, including but not limited to balconies, terraces, porches, decks, patios and atriums may be counted toward the total open space requirement, provided the total area contained therein does not exceed five (5) percent of the gross area of the PUD, nor decreases the amount of ground level open space below that acreage equal to thirty (30) percent of the gross area of the PUD. All pervious land areas between the property or lot lines and the building or buildings thereon shall count as open space, except as herein otherwise provided.

_____ acres

- 11. The area contained in public and private streets is not considered as open space and receives no credit toward the open space requirement.

_____ acres

K. PROPERTY DEVELOPMENT REGULATIONS FOR PLANNED UNIT DEVELOPMENTS - RESIDENTIAL USES.

- 1. Minimum Yard Setback Requirements.

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All buildings and structures shall observe the following regulations governing setbacks and yard areas. The distances stated below apply both to the proximity of one building to another as well as to the property line. All developments shall be required to have a buffer area at least fifty (50) feet wide adjacent to and completely around the boundary of the site. However, a buffer of twenty-five (25) feet will be allowed if the remaining

 SETBACKS/YARDS BY NUMBER OF RESIDENTIAL FLOORS IN FEET

	1-2	3-5	6-7	Above 8
Front	25	30	35	40
Side (interior)	15	35	35	40
Side (corner)	25	30	35	40
Rear	25	35	40	40

2. Maximum Permitted Lot Coverage.

The total ground floor building area of all buildings and structures shall not exceed thirty (30) percent of the total area of the PUD or development phase.

3. Minimum Floor Area Requirements.

Efficiency	400 square feet
One bedroom	525 square feet
Two bedrooms	800 square feet
Three bedrooms	800 square feet
More than three bedrooms	800 square feet with one hundred (100) square feet for each additional bedroom

4. Single Family Design.

In the event that a portion of the Planned Unit Development is proposed as a standard single family development, the minimum lot area and dimensions shall be as follows:

Area	7,500 square feet
Width (interior)	65 feet
Width (corner)	75 feet
Depth	100 feet
Frontage	65 feet

Zero Lot Line: On any two (2) or more lots which meet the minimum area and dimensions stated herein, the residential structures may be placed thereon contiguous to the interior property line common to their ownership provided however, that the sum of the two (2) required side yards for each lot exists on the opposite side of the common interior property line. No openings of any kind shall be permitted on the interior property line wall, which wall shall be of firewall construction as defined in the applicable Palm Beach County Building and Fire Codes.

5. Special Regulations.

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- a. Access. (See Section 500.20 and Section 500.21, Subsection M (2)).
- b. Fences and walls. (See Section 500.15).
- c. Landscaping. (See Palm Beach County Landscape Ordinance).

- d. Offstreet loading. (See Section 500.19).
- e. Parking, storing, keeping of commercial and recreational vehicles. (See Section 500.18).
- f. Performance standards. (See Section 500.16).
- g. Signs. (See Palm Beach County Sign Ordinance).
- h. Offstreet parking.

A minimum of 1.75 parking spaces per dwelling unit shall be required; however, one and one-half (1-1/2) spaces per dwelling unit may be constructed and the area required for the additional one-fourth (1/4) space per dwelling unit shall be set aside and indicated on the Master Plan as future parking area to remain as open green space until the need for it occurs, such need to be an administrative determination by the Director of the Planning, Zoning and Building Department based upon an inspection of the traffic and parking facilities of the project, statistical data compiled to determine additional parking needs, and other information submitted by the residents of the project and appropriate governmental agencies.

Parking areas shall be located for convenient access to the living units without impairing the views from the living rooms, entrances to the dwellings or excessively consume front yard space.

Parking of vehicles on arterials or collectors is prohibited.

Parking areas shall be screened as required by the Palm Beach County Landscape Ordinance.

Parked vehicles may not back out onto any arterial or collector streets. Turning movements for vehicle orientation purposes must be accomplished prior to entering any street of high traffic volumes.

Parking bay design shall be governed by Section 500.17.

L. PROPERTY DEVELOPMENT REGULATING FOR PLANNED UNIT DEVELOPMENTS - COMMERCIAL USES.

1. Lot Area and Dimensions.

Minimum Area	One (1) acre
Maximum Area	Two (2) percent of the total gross area of the PUD
Width	100 feet
Depth	200 feet
Frontage	200 feet

2. Minimum Yard Setback Requirements.

Front	60 feet
Side (interior)	60 feet
Side (corner)	60 feet
Rear	60 feet

3. Maximum Building Height, Total Floor Area.

Maximum building height	25 feet
Total floor area	30% of the total lot area

4. Minimum Offstreet Parking and Loading Requirements.
(See Sections 500.17 and 500.19).

5. Commercial Uses Contained Within a Residential Structure.

Limited to a total floor area not to exceed ten (10) percent of the gross residential floor area contained therein, exclusive of vehicular parking and service areas, and limited to such uses as restaurants, delicatessens, and such personal services as beauty shops, barber shops, drug stores, and professional offices.

6. Special Regulations.

a. Enclosed Uses.

All uses, except automobile service stations, shall be operated entirely within enclosed buildings.

b. Operating Hours.

No commercial use shall commence business activities (including delivery and stocking operations) prior to 6:00 a.m. nor continue activities later than 11:00 p.m. except as otherwise provided in this Code.

c. Lighting.

Artificial lighting used to illuminate the premises and/or advertising copy shall be directed away from adjacent properties and shall be extinguished no later than 11:00 p.m. of the regular business day.

d. Outdoor Storage.

Outdoor storage of merchandise shall be permitted only when incidental to the commercial use located on the same premises provided that:

- 1) The storage area shall not be located in any of the required setbacks or yards
 - 2) The stored merchandise shall not protrude above the height of the enclosing walls or buildings.
- e. Access. (See Section 500.20 and Section 500.21, Subsection M (2)).
 - f. Landscaping. (See Palm Beach County Landscape Ordinance)
 - g. Fences and walls. (See Section 500.15).
 - h. Performance standards. (See Section 500.16).
 - i. Signs. (See Palm Beach County Sign Ordinance).

M. DESIGN CRITERIA.

All Planned Unit Developments shall observe and accommodate in the design solution the following objectives and requirements.

1. General Objectives.
 - a. To provide a suitable residential environment by utilizing the potential advantages of the site, including suitable placement of the buildings and facilities in relation to the site and surrounding influences.
 - b. To provide adequate open space related to buildings and other land improvements.
 - c. To conveniently locate adequate car storage space within a reasonable distance to the dwelling unit.
 - d. To preserve those existing trees and other natural features of the site.
 - e. To enhance the appearance of the buildings and grounds with supplemental plantings to screen objectionable features and to control noise from areas or activities beyond the control of the PUD.
 - f. All of the elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and shape of the tract, the character of adjoining property, and the type and size of the buildings, in order to produce a livable economical land use pattern.
 - g. Arrangements of buildings shall be in favorable relation to the natural topography, existing desirable trees, views within and beyond the site, and exposure to the sun and other buildings on the site.

2. Access and Circulation.

- a. Principal vehicular access points shall be designed to encourage smooth traffic flow and minimize hazards to vehicular or pedestrian traffic. Merging and turning lanes and traffic medians shall be required where existing or anticipated heavy traffic flows indicate needed controls. Minor streets within the PUD shall not connect with minor streets in adjacent developments in such a way so as to encourage through traffic. In addition, visibility triangles shall be maintained at all intersections.
- b. Access to the dwellings and circulation between buildings and other important project facilities for vehicular and pedestrian traffic shall be comfortable and convenient for the residents.
- c. Access and circulation for fire fighting equipment, furniture moving vans, garbage collection, deliveries and other large utility vehicles shall be planned with the appropriate design criteria as determined by the County Engineer.
- d. Streets shall not occupy more land than is required to provide access as indicated, not create unnecessary fragmentation of the development into small blocks, nor shall streets be so laid out or constructed as to interfere with desirable drainage in or adjacent to the development.
- e. All major streets shown on the Master Land Use Plan as arterials or collectors shall be controlled access facilities and the only vehicular access thereto shall be by public or private streets.
- f. Arterial and collector streets whether public or private shall connect with similarly classified streets in adjacent developments. If no streets exist, the County Engineer shall determine whether future connections are likely and desirable and shall have the authority to alter the design of the PUD to accommodate his judgement.
- g. Access to commercial facilities shall be from an arterial or collector which is part of the interior circulation system within the Planned Unit Development. No commercial facility shall maintain frontage or direct physical access on any arterial or collector bordering or traversing the Planned Unit Development tract.

3. Garbage and Refuse Collection.

- a. Outdoor collection stations shall be provided for garbage and trash removal when individual collection is not made and indoor storage is not provided.
- b. Outdoor collection stations shall not be offensive and shall be enclosed by a fence or wall at least as high as the containers and in no case less than four (4) feet.
- c. Access to indoor or outdoor collection stations shall be such that the removal vehicle need not make several unnecessary turning or backing movements.

N. PERMANENT AND TEMPORARY STRUCTURES AND FACILITIES.

1. Permanent Structures and Facilities.

No residential or commercial construction permits shall be issued until the Final Master Land Use Plan has been approved by the Site Plan Review Committee and the final plat for the entire development or phase of development has been recorded as a plat of record.

However, permits for permanent structures and facilities may be issued prior to recording a final plat but not before Final Master Land Use Plan approval by the Site Plan Review Committee under the following conditions for the following uses.

- a. Real Estate Sales Office. If in an area designated for commercial use on the Final Master Land Use Plan and subject to the property development and special regulations for commercial uses pursuant to Section 500.21, Subsection L.
- b. Sales Models. Erected on the site pursuant to the Final Master Land Use Plan and all applicable codes and ordinances. The number of sales models shall not exceed eight (8) in number, and shall not be connected to water and sewer facilities until a plat of record has been recorded for the master plan area in which the models are located. One of the sales models may be used for a temporary real estate sales office if sanitary facilities are approved by the appropriate governmental agencies.

- c. Gatehouses. For internal project security purposes if properly shown on the Final Master Land Use Plan and not in conflict with right-of-way and setback requirements of this Code, the Palm Beach County Subdivision and Platting Ordinance and the Palm Beach County Thoroughfare Plan.
 - d. Public Utility or Private Services and Accessory Buildings and Structures. If properly shown on the Final Master Land Use Plan and in compliance with all applicable rules and regulations governing such facilities.
 - e. Accessory Recreation Facilities and Clubs. In conjunction with the open space or recreation land use system of the planned unit development if properly shown on the Final Master Land Use Plan.
2. Temporary Structures and Facilities.

Permits for temporary structures may be issued prior to recording a final plat but not before Final Master Land Use Plan approval by the Site Plan Review Committee under the following conditions for the following uses.

a. Construction Trailer.

Use of this facility shall be limited to storage and on-site office work. The facility is not to be inhabited overnight.

b. Watchmen Mobile Home.

Use of this facility allows overnight habitation if:

- 1) The mobility of the vehicle used as a mobile home or house trailer must be maintained
- 2) Sanitary facilities must have approval of all governmental agencies having appropriate jurisdiction and permits and inspections for necessary electric and water supply and sewage disposal facilities must be obtained from the Palm Beach County Planning, Zoning and Building Department
- 3) The temporary permit to be valid for a period of one (1) year

- 4) Requests for extensions of time beyond the initial one (1) year approval shall be made to the Commission on forms prescribed by the Department. In no case shall the total time exceed a maximum of two (2) years for the initial approval and subsequent extension(s)
- 5) Execution of notarized Mobile Home Removal Agreement
- 6) No additions or adjuncts shall be permitted to the Mobile Home except Department approved awnings and demountable screen panels.

c. Mobile Home Real Estate Sales Office.

Use of this facility shall be limited to on-site office work with no overnight habitation and subject to the following:

- 1) The mobility of the vehicle used as a mobile home or house trailer must be maintained
- 2) Sanitary facilities must have approval of all governmental agencies having appropriate jurisdiction and permits and inspections for necessary electric and water supply and sewage disposal facilities must be obtained from the Palm Beach County Planning, Zoning and Building Department
- 3) The issuance of a valid building permit for a permanent Real Estate Sales Office or permanent Sales Models
- 4) The temporary permit to be valid for a period of one (1) year
- 5) Requests for extensions of time beyond the initial one (1) year approval shall be made to the Commission on forms prescribed by the Department. In no case shall the total time exceed a maximum of two (2) years for the initial approval and subsequent extension(s)
- 6) Execution of notarized Mobile Home Removal Agreement
- 7) No additions or adjuncts shall be permitted to the Mobile Home except Department approved awnings and demountable screen panels.

ORDINANCE NO. 23-2

A. PURPOSE AND INTENT.

The purpose of this provision is to encourage the accomplishment of a more complete living environment through the application of enlightened and imaginative approaches to community planning and shelter design. This alternative should accommodate the housing needs of those residents who prefer mobile home living and of those who desire an economic alternative to conventional dwellings, provide for the preservation of natural features and scenic areas, reduce land consumption by roads, separate vehicular and pedestrian circulation systems, originate approaches to a meaningful integration of open space networks and recreation areas within the development, establish neighborhood identity and focus, and ideally provide for the compatible coexistence of man with his environment.

B. SCOPE.

Although Mobile Home Rental Parks produced in compliance with the provisions and requirements of Chapter I, Section 102, Chapter IV, Sections 400, 400.1, 401, this section, and other regulations as set forth and defined in this Code may depart from the strict application of use and property development regulations for the district or districts in which the Mobile Home Rental Park is proposed to be located, such developments are to be in compliance with the Comprehensive Land Use Plan, and constructed in accordance with the following requirements.

C. CONFLICT WITH OTHER APPLICABLE REGULATIONS.

Where conflicts exist between these special mobile home development regulations and general zoning, subdivision, and other applicable ordinance provisions, these special regulations shall apply.

D. SPECIAL DEFINITIONS.

All definitions appearing in Chapter II of this Code shall be applicable to this Section except to the extent of inconsistency with any special definition contained herein.

MOBILE HOME RENTAL PARK (MHRP): A land area under unified control designed and planned to be developed in a single operation or by a series of prescheduled development phases according to an officially approved Final Master Land Use Plan and Unity of Title Covenants running with the land which does not necessarily correspond to the property development and use regulations of the zoning district in which the development is located.

CONTIGUOUS: Lands are contiguous if they abut each other or if separated by streets, ways, easements, pipelines, power lines, conduits, or rights-of-way are under ownership of the petitioner or a governmental agency or subdivision or public or private utility.

ORDINANCE NO. 73-2

MOBILE HOME: A manufactured detached, transportable, single family dwelling unit designed for long term occupancy and arriving at the site where it is to be occupied as a complete dwelling unit, containing all conveniences and facilities, with plumbing and electrical connections provided for attachment to approved utility systems. To retain mobility, undercarriage and axels must remain attached to the unit.

E. GENERAL REQUIREMENTS AND SPECIAL REGULATIONS FOR MOBILE HOME RENTAL PARKS (MHRP).

The following general requirements and special regulations shall apply to all mobile home rental park developments:

1. **Minimum area.**
No site shall qualify for a MHRP development unless the development consists of a contiguous area of at least nine (9) acres owned by the petitioner wholly.
2. **Unified control.**
All land included for purpose of development within a MHRP development shall be owned or under the control of the petitioner for such zoning designation, whether that petitioner be an individual, partnership or corporation, or a group of individuals, partnerships or corporations. The petitioner shall present firm evidence of the unified control of the entire area within the proposed MHRP development and shall state agreement that, if he proceeds with the proposed development, he will:
 - a. Do so in accord with the officially approved Final Master Land Use Plan of the development, and such other conditions or modifications as may be attached to the special exception;
 - b. Provide agreements, covenants, contracts, deed restrictions, or sureties acceptable to the County for completion of the undertaking in accordance with the adopted Final Master Land Use Plan as well as for the continuing operation and maintenance of such areas, functions, and facilities as are not to be provided, operated or maintained at general public expense;
 - c. Bind his development successors in title to any commitments made under (a) and (b) preceding.
3. **Configuration of the site.**
Any tract of land for which a MHRP development application is made shall contain sufficient width, depth, and frontage on a publicly dedicated arterial or major street or appropriate access thereto as shown on the Palm Beach County Thoroughfare Plan to adequately accommodate its proposed use and design.

ORDINANCE NO. 23-2

4. Authorized uses.

MOBILE HOME and its customary uses

PUBLIC OPERATED PARKS AND RECREATION AREAS or other facility operated by a nonprofit organization

CARPORT as an accessory to a mobile home residence

PUBLIC AND PRIVATE UTILITY SERVICES and accessory buildings and structures (excluding sanitary land fill, incinerator, refuse and trash dumps)

GOVERNMENT SERVICES and accessory buildings and structures

RECREATION FACILITIES AND CLUBS, accessory to the park

CHURCHES OR PLACES OF WORSHIP and accessory buildings and structures

5. Authorized commercial uses

DAY CARE CENTERS (See Section 500.12)

PERSONAL SERVICES, including but not limited to barber shops, beauty salons, and the like

FOOD AND BEVERAGE STORE

DRYCLEANING AND LAUNDRY PICK-UP STATIONS

SELF-SERVICE LAUNDRY AND DRYCLEANING

NEWSSTAND

PHARMACY

6. Master Land Use Plan.

All MHRP development applications shall be accompanied by a Proposed Master Land Use Plan meeting the requirements of Section 401.2 (A) and (B) and of this provision. This Proposed Master Land Use Plan will serve as the basis for a more refined Preliminary Master Land Use Plan and a Final Master Land Use Plan.

7. Application Fees and Required Copies of Plans.

a. Application Fees.

- 1) At the time of filing of the MHRP development application, the base sum of two hundred (200) dollars plus one (1) dollar per acre within the development application area shall be payable.

2) At the time of filing of each final site development plan pursuant to the Final Master Land Use Plan, the sum of:

- a) One (1) dollar per individual mobile home site shall be payable.
- b) Ten (10) dollars per acre for commercial land use shall be payable.

b. Required Copies of Plans.

1) The applicant shall provide the County with copies of:

- a) Proposed Master Land Use Plan, and attendant documents and information - six (6) copies, one (1) of which shall be a time-stable reproducible
- b) Preliminary Master Land Use Plan and attendant documents and information - six (6) copies, one (1) of which shall be a time-stable reproducible
- c) Final Master Land Use Plan and attendant documents and information - six (6) copies, one (1) of which shall be time-stable reproducible

2) The Commission may amend the required amount of plan copies from time to time as may be needed.

8. Professional Services Required.

Any master plan of development submitted as part of a petition for a MHRP development shall certify that the services of two (2) or more of the following professionals were utilized in the design or planning process:

- a. A planner who possesses the education and experience to qualify for full membership in the American Institute of Planners and/or
- b. A landscape architect registered by the State of Florida.
- c. An architect licensed by the State of Florida together with
- d. A professional engineer registered by the State of Florida and trained in the field of civil engineering, or
- e. A land surveyor registered by the State of Florida.

9. MHRP Development Procedure.

a. Preapplication Conference.

Prior to the submission of a formal MHRP development application, the prospective petitioner is encouraged to schedule a preapplication conference with the Department of Planning, Zoning and Building and other governmental agencies having appropriate jurisdiction over the proposed site to present a tentative Proposed Land Use Plan Sketch for review. The pre-application conference should also address itself to pertinent development matters including but not limited to:

- 1) The proper relation between the anticipated project and surrounding uses, and the effect of the proposed development on the Comprehensive Land Use Plan and/or stated planning and development objectives of the County or adjacent municipalities
- 2) The adequacy of existing and proposed streets, utilities, and other public facilities to serve the development
- 3) The nature, design, and appropriateness of the proposed land use arrangement for the size and configuration of property involved
- 4) The adequacy of open space areas in existence and as proposed to serve the development
- 5) The ability of the subject property and of surrounding areas to accommodate future expansion, if needed.

b. Formal Application and Acceptance.

After completion of the Preapplication Conference, the petitioner shall submit an application for a special exception pursuant to Section 401.2 (A) and (B) of this Code accompanied by a Proposed Master Land Use Plan and attendant documents and information.

c. Prehearing Conference.

After official acceptance of the application by the Department, the MHRP development application shall be submitted to the Planning and Zoning Division for scheduling on the agenda of a Prehearing Conference within thirty (30) days of the date of official acceptance by the Department.

The purpose of such Prehearing Conferences is to assist the applicant in bringing the MHRP development application and Proposed Master Land Use Plan as nearly as possible into conformity with the intent of these and other applicable County regulations, and to define those areas where justifiable deviations from application of these regulations is suggested by the development's Proposed Master Land Use Plan.

All recommendations and requests for change from the Proposed Master Land Use Plan by either government or the applicant shall be committed to writing and made a part of the official department file for the subject MHRP development.

Pursuant to Section 402.3 (C) of this Code, upon completion of the amendments or revisions to the Proposed Master Land Use Plan as requested by the Department to meet the requirements and regulations of this Code, the application shall be certified for inclusion on the next official Agenda of the Planning Commission.

- d. Notice and Hearing - Planning Commission.
Pursuant to Section 402.3 (D), a duly noticed public hearing on the MHRP development application shall be held within thirty (30) days of the date of the Department's certification for inclusion on an Official Planning Commission Agenda.
- e. Notice and Hearing - Board of County Commissioners.
Pursuant to Section 402.4 (D), a duly noticed public hearing on the MHRP development application shall be held within thirty (30) days of the date of rendering of the Planning Commission advisory recommendation on the application.
- f. Site Plan Review Committee.
 - 1) Pursuant to Section 402.7, the Preliminary Master Land Use Plan and MHRP development application shall be reviewed by the Site Plan Review Committee of the Planning, Zoning and Building Department within thirty (30) days of the receipt of the official decision of the Board of County Commissioners.
 - 2) Within a reasonable time, not to exceed thirty (30) days, following the date of the Site Plan Review Committee Meeting, the Department shall notify the applicant in writing that the Committee has reviewed the Preliminary Master Land Use Plan, has approved it with or without modifications, and has certified it as the development's final Master Land Use Plan, or will advise the applicant of any further changes which should be made to bring the Preliminary Master Land Use Plan into full compliance with this Code and other applicable County ordinances and regulations.

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g. Final Master Land Use Plan and Final Site Development Plan.

1) Upon certification of the Preliminary Master Land Use Plan as the Final Master Land Use Plan, the final site development Plan must be filed with the Department, for review and approval by the Site Plan Review Committee within one (1) year of the date of Board of County Commission approval of the MHRP development special exception. Upon approval, the Department shall forward a copy of each final site development plan(s) to the County Engineer.

2) Phasing Controls.

If the Final Master Land Use Plan is to be developed in phases or stages requiring more than one (1) final site development plan, successive final site development plans must be filed so that construction and development activity shall be of a reasonable continuous nature; but in no event shall more than two (2) years elapse between the filing of successive final site development plans. The final site development plan must be filed within ten (10) years of the date of approval of the Final Master Land Use Plan.

Should a MHRP development be constructed in phases requiring more than one final site development plan, the following sequence must be adhered to:

- a) The entire open space system and/or recreation facility must be shown prior to the development of more than forty (40) percent of the total permitted mobile home unit sites;
- b) The commercial facilities shall not be constructed prior to the development of at least forty (40) percent of the total permitted mobile home unit sites;
- c) The gross density of an individual site development plan shall not exceed the maximum density permitted for the entire development, unless the instant final site development plan considered in conjunction with all previously filed final site development plans of record produces an average density less than or equal to the approved maximum density for the entire MHRP development.

h. Final Site Development Plan.

Six (6) copies of the Site Development Plan shall be submitted to the Department, one (1) copy shall be time-stable reproducible, and all shall contain the following:

- 1) Name of park or identifying title which shall not duplicate or closely approximate the name of any other MHRP or subdivision in the incorporated or unincorporated area of Palm Beach County;
- 2) If more than one (1) sheet is required for the map, the final site development plan shall contain an index sheet on Page 1, showing the entire park on the sheet indexing the area shown on each succeeding sheet and each sheet shall contain an index delineating that portion of the park shown on that sheet in relation to the entire park. When more than one (1) sheet must be used to accurately portray the park, each sheet must show the particular number of that sheet and the total number of sheets included, as well as clearly labeled match lines to each sheet;
- 3) A vicinity sketch showing the location of the tract in reference to other areas of the County;
- 4) North arrow, graphic scale, scale and date;
- 5) Name, address and telephone number of the developer, along with the name and address of the engineer and surveyor responsible for the plan;
- 6) The location and names of adjacent subdivisions, if any, and plat book and page reference;
- 7) The tract boundary with bearings and distances along with a written legal description;
- 8) Topographical conditions on the tract including all the existing water courses, drainage ditches and bodies of water, marshes and other significant features;
- 9) All existing streets and alleys on or adjacent to the tract including name, right-of-way width, street or pavement width and established centerline elevation. Existing streets shall be dimensioned to the tract boundary;
- 10) All existing property lines, easements and rights-of-way, their purpose, and their effect on the property to be developed;
- 11) The location and right-of-way width of all proposed streets, alleys, rights-of-way, easements and their purpose along with the proposed layout of the lots and blocks;

- 12) The incorporation and compatible development of present and future streets as shown on the Official Map adopted by the Board of County Commissioners under the Thoroughfare Plan Ordinance, when such present or future streets are affected by the proposed MHRP development;
- 13) Access points to collector and arterial streets showing their compliance to the access requirements established by the Palm Beach County Subdivision and Platting Ordinance;
- 14) Ground elevations by contour line at intervals of not more than two (2) feet based on N.O.S. datum or as otherwise determined by the County Engineer;
- 15) All existing drainage district facilities and their ultimate right-of-way requirements as they affect the property to be developed;
- 16) Generalized statement of subsurface conditions on the property location and results of tests made to ascertain subsurface soil conditions and ground water depth;
- 17) Zoning classification of the tract;
- 18) Utilities such as telephone, power, water, sewer, gas, etc. on or adjacent to the tract including existing or proposed water treatment plants and sewerage treatment plants. The Plan shall contain a statement that all utilities are available and have been coordinated with all required utility authorities;
- 19) Sites proposed for parks, recreational areas, and commercial facilities;
- 20) A park that generates three thousand (3,000) vehicle single directional trips per day or two hundred fifty (250) vehicle single directional trips in a one (1) hour period must submit along with the plan, a traffic impact analysis. The traffic impact analysis shall be prepared by a professional engineer and shall be used to determine the number of lanes and capacity of the street system proposed or affected by the development, based on ultimate permitted development;

- 21) A master drainage plan outlining the primary and secondary drainage facilities needed for the proper development of the park, excluding tertiary facilities which are required on construction plans, shall be submitted along with the site development plan. The master drainage plan shall consist of a plan and report indicating the method of drainage, existing water elevations, recurring high water elevations, the proposed design water elevations, drainage structures, canals and ditches and any other pertinent information pertaining to the control of storm and ground water. In cases where modifications or improvements are not planned for primary and secondary drainage facilities, this requirement may be accomplished by so indicating on the final site development plan;
- 22) The density, the location of buildings and other improvements, and the location of areas to be set aside as open space shall be shown on a final site development plan for the area to be developed;
- 23) In addition, a statement giving the substance of covenants, grants, and easements or other restrictions proposed to be imposed upon the use of land, buildings and structures shall be provided;
- i. Construction Plans and Implementation.
Upon approval of the Final Site Development Plan, the construction plans and implementation shall be coordinated through the Office of the County Engineer. The construction plans shall coincide with the approved final Site Development Plan. Changes desired by the developer in the Final Site Development Plan must be resubmitted to the Department for review and approval by the Site Plan Review Committee.
- j. Required Improvements.
- 1) Bridges. Where a park is traversed by or develops canals, water courses, lakes, streams, waterways or channels, bridges shall be provided as necessary to facilitate the proposed street system. The requirement for the bridge is subject to the agency having jurisdiction over above enumerated facilities or as required by the proposed street layout of the development in conjunction with a proposed waterway.

- 2) Buffer Areas (Screening). Parks shall be buffered or screened with a decorative masonry wall, chain link fence with landscaping, or natural barrier from adjacent expressways, arterials, major collectors or railroad rights-of-way. Buffer areas shall be contained in a non-access strip.
- 3) Clearing - Grading - Filling. The park shall be graded and where necessary filled to comply with the drainage design prescribed in the Design Criteria. Developers shall be required to clear all roadways and to make all grades, streets, alleys, lots and other areas, compatible for drainage as prescribed in the drainage design.
- 4) Drainage. An adequate drainage system, including necessary open ditches, storm sewers, drain inlets, manholes, headwalls, endwalls, culverts, bridges and other appurtenance shall be required in all parks for the positive drainage of storm and ground water. The drainage system shall provide for surface waters affecting the development.
- 5) Fire Hydrants. Fire hydrants shall be provided.
- 6) Monuments. Monuments shall be set along the boundary of the tract as prescribed by Chapter 177, Florida Statutes, as amended.
- 7) Sanitary Sewers. Complete sewage collection system, sewage treatment and disposal shall be installed as approved by the governmental agencies having the appropriate jurisdiction.
- 8) Pedestrian Circulation. Adequate pedestrian circulation throughout the development must be provided by means of an access bicycle path or other approved system.
- 9) Streets. All streets and related facilities required to serve the proposed park shall be constructed by the developer. The construction shall consist, but not be limited to, street grading, base preparation and surface course along with drainage as required in the Design Criteria Section. However, surface courses are not required for the Recreation Vehicle Parks (RVP).
- 10) Street Markers. Street markers shall be provided at each intersection in the type, size and location required by the current County Standards. Street name signs shall carry the street name approved on the Final Site Development Plan.

- 11) Street Lighting. Street lights shall be installed at each street intersection and at mid-block locations where the distance between intersections exceeds nine hundred (900) feet and at the end of each cul-de-sac. Such lights shall be required on interior streets, alleys, boundary streets and access paths. Wherever a dangerous condition is created by sharp curves or irregularities in street alignment, additional lights shall be required. The street lights and mounting poles shall be a type approved by the County Engineer and shall be wired for underground service.
- 12) Central Water system. A complete water distribution and treatment system shall be installed.
- 13) Traffic Control Devices. Traffic control devices excluding traffic lights shall be installed in all developments by the County at the developer's expense.
- 14) Schools, Parks and Recreational Areas.

- a) Regional or Metropolitan Parks and Preservation/Conservation Areas.

Where a planned regional or metropolitan park or preservation or conservation area is shown on the County's Comprehensive Land Use Plan or other official map or plan and a proposed development is located in whole or in part of said planned area, the developers shall be required to reserve such area for a period not to exceed two (2) years during which time the County shall either commence acquisition of the property or release the reservation. Such time period shall commence with the approval of the site development plan.

- b) Recreation Areas.

In a proposed development consideration shall be given to the adequate provision of recreation areas to accommodate the needs of the residents of the development. The recreation areas shall be dedicated to the public or the residents of the development.

- c) School Sites.

To provide for the orderly growth of the County, it is essential to plan for the provision of public school sites. In order to provide for the influx of people and to accommodate the increasing financial burden to residents created by abnormally rapid growth of the County. In proposed developments, consideration shall be given to the provision of school sites.

LESS the area included in public and private streets and uncovered parking areas in excess of twenty-five (25) percent of the gross area of the MHRP (excluding that area contained in County arterials and collectors required by the County Engineering Department _____ acres

EQUALS the Effective Base Residential Area _____ acres

MULTIPLIED by the applicable density factor _____ MH's/acre

EQUALS the total number of mobile home units permitted _____ MH's

J. OPEN SPACE REQUIREMENT AND COMPUTATION.

MHRP developments shall exhibit and maintain a total open space requirement of at least equal to thirty-five (35) percent of the gross area of the MHRP. The following areas qualify wholly or partially as open space.

1. If the major recreation facility is concentrated in a localized section of the MHRP with less than forty (40) percent of the mobile home units abutting it, only fifty (50) percent of the area contained in the facility may count toward the total open space.

_____ acres

2. If, however, the major recreation facility is dispersed throughout the MHRP with more than forty (40) percent of the mobile home units abutting it, seventy-five (75) percent of the area contained therein may count toward the open space requirement.

_____ acres

3. Twenty-five (25) percent of the area contained in man-made water bodies and canals with average widths less than one hundred and fifty (150) feet, or seventy-five (75) percent of the area if the canal or water body has an average width wider than one hundred and fifty (150) feet may count toward the open space requirement.

_____ acres

4. If the water body is natural and the shoreline vegetation will not be disturbed by the development, the total area contained therein may be counted as open space.

_____ acres

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5. If natural habitats of significant value are determined to exist, the Planning, Zoning and Building Department shall require the area so defined to be left in an undisturbed state and adequately protected or incorporated into the design of the MHRP as a passive recreation area with a minimum of improvements permitted. In either case the total area contained therein may be counted as open space.

_____ acres

6. The total area contained in a continuous open space pedestrian system, consisting of permanently maintained walks and trails not less than twenty-five (25) feet wide leading to a natural amenity, recreation facility or commercial use, offering intradevelopment communication that is divorced from roads and streets may be counted as open space.

_____ acres

7. The total area contained in mini-parks which may or may not be a part of the open space system but contain at least one (1) acre and have a minimum dimension of one hundred (100) feet together with but not limited to one of the following: benches, playground apparatus, barbeque pits, and fire rings, may be counted as open space.

_____ acres

8. The area occupied by a multiple-use recreation building and its attendant outdoor recreation facilities, excluding a golf course, may be counted as open space.

_____ acres

9. Any privately maintained or owned exterior open space adjacent to and for the exclusive use by the residents of the individual mobile home unit, enclosed or partially enclosed by walls, hedges, buildings or structures, including but not limited to balconies, terraces, porches, decks, patios and atriiums may be counted toward the total open space requirement, provided the total area contained therein does not exceed five (5) percent of the gross area of the MHRP nor decreases the amount of ground level open space below the acreage equal to thirty (30) percent of the gross area of the MHRP.

_____ acres

10. The area contained in public and private streets is not considered as open space and receives no credit toward the open space requirement.

_____ acres

K. PROPERTY DEVELOPMENT REGULATIONS FOR MHRP DEVELOPMENTS - RESIDENTIAL USES.

1. Minimum Yard Setback Requirements.

- a. All buildings and structures shall observe the following regulations governing setbacks and yard areas. The distances stated below apply both to the proximity of one mobile home to another as well as to the property line. All developments shall be required to have a buffer area at least fifty (50) feet wide adjacent to and completely around the boundary of the site. However, a buffer of twenty-five (25) feet will be allowed if the remaining twenty-five (25) feet is added to the interior of the project as open space.
- b. Mobile homes shall be parked on each space so that there will be at least twenty (20) feet side-to-side spacing between homes, twenty (20) feet end-to-end spacing between homes and any adjacent property line, twenty-five (25) feet from the side line of any public street or highway, and thirty (30) feet from any building or structure.
- c. Spaces shall be so dimensioned, improved and arranged that when any space is occupied no portion of any unit (including awning or other accessory attachments) shall be within ten (10) feet of any portion of any other unit or any building.

2. Maximum Permitted Lot Coverage.

The total ground floor building area of all buildings and structures shall not exceed thirty-five (35) percent of the total area of the MHRP or development phase.

3. Special Regulations.

- a. Access. (See Section 500.20 and Section 500.22, Subsection M (2), and Section 500.29).
- b. Fences and Walls. (See Section 500.15).
- c. Landscaping. (See Palm Beach County Landscape Ordinance).
- d. Off-Street Loading. (See Section 500.19).
- e. Parking, Storing, Keeping of Commercial and Recreational Vehicles. (See Section 500.18).
- f. Performance Standards. (See Section 500.16).
- g. Signs. (See Palm Beach County Sign Ordinance).

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For equal apportionment of the cost of school sites, the consideration for such sites shall be in the form of a dedication of land in the amount of one thousand two hundred twenty-five (1,225) square feet per student, based on a factor of one-half (1/2) student per unit within the development. The location and configuration of the land to be dedicated within the development shall be determined by the School Board of Palm Beach County based on the school site requirements of:

High School	2,000 students/60 acres
Middle School	1,200 students/30 acres
Elementary School	750 students/20 acres

Where such dedication is not feasible, as determined by said school board, the consideration for such sites shall be in the form of a fee of one hundred thirty-five (135) dollars per unit proposed in the development and shall be paid to the County at the time the final site development plan is approved. The fee shall be placed in a non-lapsing fund of the School Board of Palm Beach County for the benefit of the school district in which the development lies. Such funds shall be used exclusively for immediate or future site acquisition or capital improvement.

- F. MHRP DEVELOPMENT DENSITY BY APPLICABLE ZONING DISTRICT.
 The gross residential density for a MHRP development shall not exceed the maximum permitted as prescribed by the following:

RS-RESIDENTIAL SINGLE FAMILY: 7 mobile home units/gross acre

h. Off-Street Parking.

Parking areas shall be located for convenient access to the living units without impairing the views from the living rooms, entrances to the mobile home or excessively consume front yard space.

Parking of vehicles on arterials or collectors is prohibited.

Parking areas shall be screened as required by the Palm Beach County Landscape Ordinance.

Parked vehicles may not back out onto any arterial or collector streets. Turning movements for vehicle orientation purposes must be accomplished prior to entering any street of high traffic volumes.

L. PROPERTY DEVELOPMENT REGULATIONS FOR MHRP DEVELOPMENTS-COMMERCIAL USES.

1. Lot Area and Minimum Dimensions.

Minimum Area	One (1) acre
Maximum Area	Two (2) percent of the total gross area of the MHRP
Width	200 feet
Depth	200 feet
Frontage	200 feet

2. Minimum Yard Setback Requirements.

Front	60 feet
Side (interior)	60 feet
Side (corner)	60 feet
Rear	60 feet

3. Maximum Building Height, Total Floor Area.

Maximum Building Height	25 feet
Total Floor Area	30% of the total lot area

4. Minimum Off-Street Parking and Loading Regulations.
(See Sections 500.17 and 500.19).

5. Special Regulations.

a. Enclosed Uses.

All uses, except automobile service stations, shall be operated entirely within enclosed buildings.

b. Operating Hours.

No commercial use shall commence business activities (including delivery and stocking operations) prior to 6:00 a.m. nor continue activities later than 11:00 p.m. except as otherwise provided in this Code.

- c. **Lighting.**
Artificial lighting used to illuminate the premises and/or advertising copy shall be directed away from adjacent properties and shall be extinguished no later than 11:00 p.m. of the regular business day.
- d. **Outdoor Storage.**
Outdoor storage of merchandise shall be permitted only when incidental to the commercial use located on the same premises provided that:
 - 1) The storage area shall not be located in any of the required setbacks or yards;
 - 2) The stored merchandise shall not protrude above the height of the enclosing walls or buildings.
- e. **Access.** (See Section 500.20, Section 500.22, Subsection M (2), and Section 500.29).
- f. **Landscaping.** (See Palm Beach County Landscape Ordinance).
- g. **Fences and Walls.** (See Section 500.15).
- h. **Performance Standards.** (See Section 500.16).
- i. **Signs.** (See Palm Beach County Sign Ordinance).

M. DESIGN CRITERIA.

All MHRP developments shall observe and accommodate in the design solution the following objectives and requirements.

- 1. **General Objectives.**
 - a. To provide a suitable residential environment by utilizing the potential advantages of the site, including suitable placement of the mobile homes and facilities in relation to the site and surrounding influences
 - b. To provide adequate open space related to mobile homes and other land improvements
 - c. To conveniently locate adequate car storage space within a reasonable distance to the mobile home unit
 - d. To preserve those existing trees and other natural features of the site
 - e. To enhance the appearance of the mobile home and grounds with supplemental plantings to screen objectionable features and to control noise from areas or activities beyond the control of the MHRP
 - f. All of the elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and shape of the plot, the character of adjoining property, and the type and size of the mobile home, in order to produce a livable, economical land use pattern

- g. Arrangements of mobile homes shall be in favorable relation to the natural topography, existing desirable trees, views within and beyond the site, and exposure to the sun and to other mobile homes on the site
- h. See Section 500.29 for additional Design Criteria pertaining to required improvements.

2. Access and Circulation.

- a. Principal vehicular access points shall be designed to encourage smooth traffic flow and minimize hazards to vehicular or pedestrian traffic. Merging and turning lanes and traffic medians shall be required where existing or anticipated heavy traffic flows indicate needed controls. Minor streets within the MHRP shall not connect with minor streets in adjacent developments in such a way so as to encourage through traffic. In addition, visibility triangles shall be maintained at all intersections.
- b. Access to the mobile homes and circulation between mobile homes and other important project facilities for vehicular and pedestrian traffic shall be comfortable and convenient for the residents.
- c. Access and circulation for fire fighting equipment, furniture moving vans, garbage collection, deliveries and other large utility vehicles shall be planned with the appropriate design criteria as determined by the County Engineer.
- d. Streets shall not occupy more land than is required to provide access as indicated, not create unnecessary fragmentation of the development into small blocks, nor shall streets be so laid out or constructed as to interfere with desirable drainage in or adjacent to the development.
- e. All major streets shown on the Master Land Use Plan as arterials or collectors shall be controlled access facilities and the only vehicular access thereto shall be by public or private streets.
- f. Arterial and collector public streets shall connect with similarly classified streets in adjacent developments. If no streets exist, the County Engineer shall determine whether future connections are likely and desirable and shall have the authority to alter the design of the MHRP as determined by the criteria established in the Palm Beach County Subdivision and Platting Regulations.

- g. Access to commercial facilities shall be from an arterial or collector which is part of the interior circulation system within the MHRP development. No commercial facility shall maintain frontage or direct physical access on any arterial or collector bordering or traversing the MHRP development tract.

3. Garbage and Refuse Collection.

Outdoor collection stations shall be provided for garbage and trash removal when individual collection is not made and indoor storage is not provided.

- b. Outdoor collection stations shall not be offensive and shall be enclosed by a fence or wall on at least three (3) sides with a height as high as the containers and in no case less than four (4) feet.
- c. Access to indoor or outdoor collection stations shall be such that the removal vehicle need not make several unnecessary turning or backing movements.

N. PERMANENT AND TEMPORARY STRUCTURES AND FACILITIES.

No residential or commercial construction permits shall be issued until the Final Master Land Use Plan has been approved by the Site Plan Review Committee.

1. Permanent structures and Facilities may be allowed under the following conditions for the following uses:

- a. Office. If in an area designated for commercial use on the Final Master Land Use Plan and subject to the property development and special regulations for commercial uses pursuant to Section 500.22, Subsection L
- b. Gatehouses. For internal project security purposes if properly shown on the Final Master Land Use Plan and not in conflict with right-of-way and setback requirements of this Code, the Palm Beach County Subdivision and Platting Ordinance and the Palm Beach County Thoroughfare Plan
- c. Public Utility or Private Services and Accessory Buildings and Structures. If properly shown on the Final Master Land Use Plan and in compliance with all applicable rules and regulations governing such facilities
- d. Accessory Recreation Facilities and Clubs. In conjunction with the open space or recreation land use system of the MHRP development if properly shown on the Final Master Land Use Plan.

2. Temporary structures and facilities may be allowed under the following conditions for the following uses:
- a. Construction Trailer.
Use of this facility shall be limited to storage and on-site office work. The facility is not to be inhabited overnight.
 - b. Watchman Mobile Home.
Use of this facility allows overnight habitation if:
 - 1) The mobility of the vehicle used as a mobile home or house trailer is maintained.
 - 2) Sanitary facilities have approval of all governmental agencies having appropriate jurisdiction and permits and inspections for necessary electric and water supply and sewage disposal facilities from the Palm Beach County Planning, Zoning, and Building Department must be obtained
 - 3) The temporary permit be valid for a period of one (1) year
 - 4) Requests for extensions of time beyond the initial one (1) year approval be made to the Commission on forms prescribed by the Department. In no case shall the total time exceed a maximum of two (2) years for the initial approval and subsequent extension(s)
 - 5) Execution of notarized Mobile Home Removal Agreement
 - 6) No additions or adjuncts shall be permitted to the mobile home except Department approved awnings and demountable screen panels.
 - c. Rental Models.
Placed on the site pursuant to the Final Master Land Use Plan and all applicable codes and ordinances. The number of rental models shall not exceed eight (8) in number, and shall not be connected to water and sewer facilities. One (1) of the rental models may be used for a temporary office if sanitary facilities are approved by the appropriate governmental agencies.
 - d. Mobile Home Rental Office.
Use of this facility shall be limited to on-site office work with no overnight habitation and subject to the following:

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- 1) The mobility of the vehicle used as a mobile home or house trailer must be maintained
- 2) Sanitary facilities must have approval of all governmental agencies having appropriate jurisdiction and permits and inspections for necessary electric and water supply and sewage disposal facilities from the Palm Beach County Planning, Zoning and Building Department must be obtained
- 3) The issuance of a valid building permit for a permanent MHRP Office
- 4) The temporary permit to be valid for a period of one (1) year
- 5) Requests for extensions of time beyond the initial one (1) year approval shall be made to the Commission on forms prescribed by the Department. In no case shall the total time exceed a maximum of two (2) years for the initial approval and subsequent extension(s)
- 6) Execution of notarized Mobile Home Removal Agreement
- 7) No additions or adjuncts shall be permitted to the mobile home except Department approved awnings and demountable screen panels.

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500.23 RECREATION VEHICLE PARK (RVP).

A. PURPOSE AND INTENT.

The purpose of this provision is to provide a tourist park-like oriented living environment through the application of enlightened and imaginative approaches to recreation planning. The facility should be located near an established natural or recreational resource to allow convenient access for tourists.

B. SCOPE.

Although RVP developments produced in compliance with the provisions and requirements of Chapter I, Section 102, Chapter IV, Section 400, 400.1, 401, this section, and other regulations as set forth and defined in this Code may depart from the district or districts in which the RVP development is proposed to be located, such developments are to be in compliance with the Comprehensive Land Use Plan, and constructed in accordance with the following requirements.

C. CONFLICT WITH OTHER APPLICABLE REGULATIONS.

Where conflicts exist between these special RVP development regulations and general zoning, subdivision, and other applicable ordinance provisions, these special regulations shall apply.

D. SPECIAL DEFINITIONS.

All definitions appearing in Chapter II of this Code shall be applicable to this Section except to the extent of inconsistency with any special definitions contained herein.

Recreation Vehicle Park (RVP): A land area under unified control designed and planned to be developed in a single operation or by a series of prescheduled development phases according to an officially approved Final Master Land Use Plan and Unity of Title covenants running with the land which does not necessarily correspond to the property development and use regulations of the zoning district in which the development is located. The RVP development is intended and designed to accommodate short-term, overnight tourist guests and not for permanent residential use.

Recreation Vehicle: An automobile trailer, camp-car, trailer, pickup camper, bus, or other vehicle with or without motive power, designed and constructed to travel on public thoroughfares without special permit in accordance with the provisions of the Vehicle Code of the State of Florida. The unit may be used for temporary human habitation but the total living area shall not exceed three hundred and fifty (350) square feet.

Contiguous: Lands are contiguous if they abut each other or if separated by streets, ways, easements, pipelines, power lines, conduits, or rights of way, are under ownership of the petitioner or a governmental agency or subdivision or public or private utility.

E. GENERAL REQUIREMENTS AND SPECIAL REGULATIONS FOR RECREATION VEHICLE PARKS (RVP).

The following general requirements and special regulations shall apply to all RVP developments.

1. Minimum Area.
No site shall qualify for a RVP development unless the development consists of a contiguous area of at least nine (9) acres wholly owned by the petitioner.
2. Unified Control.
All land included for purpose of development within a RVP development shall be owned or under the control of the petitioner for such zoning designation, whether that petitioner be an individual, partnership or corporation, or a group of individuals, partnerships or corporations. The petitioner shall present firm evidence of the unified control of the entire area within the proposed RVP development and shall state agreement that, if he proceeds with the proposed development, he will:
 - a. Do so in accord with the officially approved Final Master Land Use Plan of the development, and such other conditions or modifications as may be attached to the special exceptions
 - b. Provide agreements, covenants, contracts, deed restrictions, or sureties acceptable to the County for completion of the undertaking in accordance with the adopted Final Master Land Use Plan as well as for the continuing operation and maintenance of such areas, functions, and facilities as are not to be provided, operated or maintained at general public expense; and
 - c. Bind his development successors in title to any commitments made under (a) and (b) preceding.
3. Configuration of the Site.
Any tract of land for which a RVP development application is made shall contain sufficient width, depth, and frontage on a publicly dedicated arterial or major street or appropriate access thereto as shown on the Palm Beach County Thoroughfare Plan to adequately accommodate its proposed use and design.

4. Authorized Uses.

PUBLIC OPERATED PARKS AND RECREATION AREAS or other facility operated by a nonprofit organization

PUBLIC AND PRIVATE UTILITY SERVICES AND ACCESSORY BUILDINGS AND STRUCTURES (excluding Sanitary Land Fill, Incinerator, Refuse and Trash Dumps)

GOVERNMENT SERVICES AND ACCESSORY BUILDINGS AND STRUCTURES
RECREATION FACILITIES AND CLUBS, accessory to the Park

5. Authorized Commercial Uses.

FOOD AND BEVERAGE STORE

DAY CARE CENTERS (See Section 500.12)

DRY-CLEANING AND LAUNDRY PICKUP STATIONS

SELF-SERVICE LAUNDRY AND DRY-CLEANING

NEWSSTAND

6. Master Land Use Plan.

(See Section 500.22, Subsection E (6) for RVP requirements).

7. Application Fees and Required Copies of Plans.

Application Fees.

a. At the time of filing of the RVP development application, the base sum of two hundred (200) dollars plus one (1) dollar per acre within the development application area shall be payable.

b. At the time of filing of each Final Site Development Plan pursuant to the Final Master Land Use Plan, the sum of one (1) dollar per individual RVP site shall be payable.

Required Copies of Plans.

(See Section 500.22, Subsection E (7) (b) for RVP requirements).

8. Professional Services Required.

(See Section 500.22, Subsection E (8) for RVP requirements).

9. Recreational Vehicle Park Development Procedure.

(See Section 500.22, Subsection E (9); except subparagraphs j (11) and (14) for RVP requirements).

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F. RVP DEVELOPMENT DENSITY BY APPLICABLE ZONING DISTRICT.

The gross residential density for a RVP development shall not exceed the maximum permitted as prescribed by the following:

AG AGRICULTURAL DISTRICT

12 Recreation Vehicle Units/gross acre

G. PROPERTY DEVELOPMENT REGULATIONS FOR RECREATION VEHICLE PARK.

1. Minimum Recreational Vehicle Camp Area and Dimensions.

Area 1500 square feet.
Width 30 feet
Depth 50 feet

2. Setbacks.

No building or recreational vehicle shall be located closer than twenty-five (25) feet to any property line.

3. Special Regulations.

- a. Access (See Section 500.20 and Section 500.22 Subsection M (2)).
- b. Fences and walls (See Section 500.15).
- c. Landscaping (See Palm Beach County Landscape Ordinance).
- d. Offstreet loading (See Section 500.19).
- e. Parking, storing, keeping of commercial and recreational vehicles (See Section 500.18).
- f. Performance Standards (See Section 500.16).
- g. Signs (See Palm Beach County Sign Ordinance).
- h. Offstreet Parking.
A minimum of one (1) parking space per Recreational Vehicle unit shall be required.
Parking of vehicles on arterials or collectors is prohibited.
Parked vehicles may not back out onto any arterial or collector streets. Turning movements for vehicle orientation purposes must be accomplished prior to entering any street of high traffic volumes.
Parking bay design shall be governed by Section 500.17.

H. CAMP HEADQUARTERS.

1. Lot area and dimensions (for RVP developments greater than twenty (20) acres).

Minimum Area	one (1) acre
Maximum Area	two (2) acres

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2. Maximum Building Height, total floor area.

Maximum Building Height:	25 feet
Total Floor Area:	
Minimum	10,000 square feet
Maximum	20,000 square feet

3. Social Regulations.

a. Enclosed Uses.

All sanitary facilities, commercial and administrative services shall be operated and located entirely within the campground.

b. Operating Hours.

No commercial-service shall commence business activities (including delivery and stocking operations) prior to 6:00 a.m. nor continue activities later than 11:00 p.m. except as otherwise provided in this Code.

c. Lighting.

Artificial lighting used to illuminate the premises and/or advertising copy shall be directed away from adjacent properties and shall be extinguished no later than 11:00 p.m. of the regular business day.

d. Outdoor Storage.

Outdoor storage of merchandise shall be permitted only when incidental to the campground use located on the same premises provided that:

1. The storage area shall not be located in any of the required setbacks or yards
2. The stored merchandise shall not protrude above the height of the enclosing walls or buildings.

e. Access. (See Section 500.20 and Section 500.22, Subsection M(2)).

f. Landscaping. (See Palm Beach County Landscape Ordinance).

g. Fences and Walls. (See Section 500.15).

h. Performance Standards. (See Section 500.16).

i. Signs. (See Palm Beach County Sign Ordinance).

I. DESIGN CRITERIA.

All RVP Developments shall observe and accommodate in the design solution the following objectives and requirements.

1. General Objectives.

- a. To provide a suitable vacation environment by utilizing the potential advantages of the site, including suitable placement of the buildings and facilities in relation to the site and surrounding influences.
- b. To provide adequate open space related to recreation vehicles and other land improvements.
- c. To preserve those existing trees and other natural features of the site.
- d. To enhance the appearance of the buildings and grounds with supplemental plantings to screen objectionable features and to control noise from areas or activities beyond the control of the RVP.
- e. All of the elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and shape of the plot, the character of adjoining property, and type and size of the buildings, in order to produce a livable, economical land use pattern.
- f. Arrangements of recreation vehicle spaces shall be in favorable relation to the natural topography, existing desirable trees, views within and beyond the site, and exposure to the sun and to other buildings on the site.
- g. See Section 500.29 for additional Design Criteria pertaining to those required improvements referred to in Paragraph E, Subparagraph 9 of this section.

2. Access and Circulation.

- a. Principal vehicular access points shall be designed to encourage smooth traffic flow and minimize hazards to vehicular or pedestrian traffic. Merging and turning lanes and traffic medians shall be required where existing or anticipated heavy traffic flows indicate needed controls. Minor streets within the RVP shall not connect with minor streets in adjacent developments in such a way so as to encourage through traffic. In addition, visibility triangles shall be maintained at all intersections.

- b. Access and circulation between buildings and other important project facilities for vehicular and pedestrian traffic shall be comfortable and convenient for the vacationing public.
- c. Access and circulation for fire fighting equipment, garbage collection, deliveries and other large utility vehicles shall be planned with the appropriate design criteria as determined by the County Engineer.
- d. Streets shall not occupy more land than is required to provide access as indicated, not create unnecessary fragmentation of the development into small blocks, nor shall streets be so laid out or constructed as to interfere with desirable drainage in or adjacent to the development.
- e. All major streets shown on the Master Land Use Plan as arterials or collectors shall be controlled access facilities and the only vehicular access thereto shall be by public or private streets.
- f. Arterial and collector streets whether public or private shall connect with similarly classified streets in adjacent developments. If no streets exists, the County Engineer shall determine whether future connections are likely and desirable and shall have the authority to alter the design of the RVP as determined by the criteria established herein and in the Palm Beach County Subdivision Platting Regulations.

3. Garbage and Refuse Collection.

- a. Outdoor collection stations shall be provided for garbage and trash removal when individual collection is not made and indoor storage is not provided.
- b. Outdoor collection stations shall not be offensive and shall be enclosed by a fence or wall on at least three (3) sides with a height as high as the containers and in no case less than four (4) feet.
- c. Access to indoor or outdoor collection stations shall be such that the removal vehicle need not make several unnecessary turning or backing movements.

J. PERMANENT AND TEMPORARY STRUCTURES AND FACILITIES.

No construction permits shall be issued until the Final Master Land Use Plan has been approved by the Site Plan Review Committee.

1. Permanent Structures and Facilities may be allowed under the following conditions for the following uses.
 - a. Gatehouses.
For internal project security purposes, if properly shown on the Final Master Land Use Plan and not in conflict with right-of-way and setback requirements of this Code, the Palm Beach County Subdivision and Platting Ordinance and the Palm Beach County Thoroughfare Plan.
 - b. Public Utility or Private Services and Accessory Buildings and Structures.
If properly shown on the Final Master Land Use Plan and in compliance with all applicable rules and regulations governing such facilities.
 - c. Accessory Recreation Facilities and Clubs.
In conjunction with the open space or recreation land use system of the RVP development if properly shown on the Final Master Land Use Plan.
2. Temporary Structures and Facilities may be allowed under the following conditions for the following uses.
 - a. Construction Trailer.
Use of this facility shall be limited to storage and on site office work. No sanitary facilities are to be installed nor is the facility to be inhabited overnight.
 - b. Watchman Mobile Home.
Use of this facility allows overnight habitation if:
 - 1) The mobility of the vehicle used as a mobile home or house trailer is maintained
 - 2) Sanitary facilities have approval of all governmental agencies having appropriate jurisdiction and permits and inspections for necessary electric and water supply and sewage disposal facilities from the Palm Beach County Planning, Zoning and Building Department must be obtained
 - 3) The temporary permit be valid for a period of one (1) year
 - 4) Requests for extensions of time beyond the initial one (1) year approval be made to the Commission on forms prescribed by the Department. In no case shall the total time exceed a maximum of two (2) years for the initial approval and subsequent extension(s)

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5. Execution of notarized Mobile Home Removal Agreement
6. No additions or adjuncts shall be permitted to the Mobile Home except Department approved awnings and demountable screen panels.

ORDINANCE NO. 23-2

A. PURPOSE AND INTENT.

The purpose of this provision is to encourage the accomplishment of a more complete living environment through the application of enlightened and imaginative approaches to community planning and shelter design. This alternative should accommodate the housing needs of those residents who prefer mobile home condominium living and of those residents who desire an economic alternative to conventional single family dwellings. It is not the intent and purpose of this provision to allow the integration of permanent residential dwellings into the mobile home condominium environment.

B. SCOPE.

Although MHCP developments produced in compliance with the provisions and requirements of Chapter I, Section 102, Chapter IV, Sections 400, 400.1, 401, this section, and other regulations as set forth and defined in this Code may depart from the strict application of use and property development regulations for the district or districts in which the MHCP development is proposed to be located, such developments are to be in compliance with the Comprehensive Land Use Plan and constructed in accordance with the following requirements.

C. CONFLICT WITH OTHER APPLICABLE REGULATIONS.

Where conflicts exist between these special MHCP development regulations and general zoning, subdivision, and other applicable ordinance provisions, these special regulations shall apply.

D. SPECIAL DEFINITIONS.

All definitions appearing in Chapter II of this Code shall be applicable to this Section except to the extent of inconsistency with any special definition contained herein.

MOBILE HOME CONDOMINIUM PARK (MHCP): The development of a parcel of land under a condominium or property owner's association agreement to accommodate the housing needs of those residents who prefer mobile home living, where a non-profit property owner's association is organized under the laws of the State of Florida, operated under recorded maintenance and ownership agreements, through which each owner of a portion of the park is automatically a member and each member is subject to a pro-rata share of the expenses for maintaining the park, including, but not limited to, such improvements as roads, parks, recreational areas, common areas, and other similar properties. Within the text of this code, a condominium or property owner's association is considered to be a single entity for property ownership. The MHCP shall not be utilized for the purposes of accommodating permanent single family dwelling units.

MOBILE HOME: A manufactured detached, transportable, single family dwelling unit designed for long term occupancy and arriving at the site where it is to be occupied as a complete dwelling unit, containing all conveniences and facilities, with plumbing and electrical connections provided for attachment to approved utility systems. To retain mobility, under-carriage and axels must remain attached to the unit.

CONTIGUOUS: Lands are contiguous if they abut each other or if separated by streets, ways, easements, pipelines, power lines, conduits, or rights-of-way are under ownership of the petitioner or a governmental agency or subdivision or public or private utility.

E. GENERAL REQUIREMENTS AND SPECIAL REGULATIONS FOR MOBILE HOME CONDOMINIUM PARKS (MHCP).

The following general requirements and special regulations shall apply to all mobile home condominium park developments.

1. **Minimum Area.** (See Section 500.22, Subsection E(1) for MHCP requirements).
2. **Unified Control.** (See Section 500.22, Subsection E(2) for MHCP requirements).
3. **Configuration of the Site.** (See Section 500.22, Subsection E(3) for MHCP requirements).
4. **Authorized Uses.** (See Section 500.22, Subsection E(4) for MHCP requirements).
5. **Authorized Commercial Uses.** (See Section 500.22, Subsection E(5) for MHCP requirements).
6. **Master Land Use Plan.** (See Section 500.22, Subsection E(6) for MHCP requirements).
7. **Application Fees and Required Copies of Plans.** (See Section 500.22, Subsection E(7) for MHCP requirements).
8. **Professional Services Required.** (See Section 500.22, Subsection E(8) for MHCP requirements).
9. **MHCP Development Procedure.** (See Section 500.22, Subsection E(9); excluding, however, Subsection E(9)(h)(23), for MHCP requirements). Subsection E(9)(h)(23) shall be as follows for the MHCP: In addition, a statement giving the substance of property owners agreement, condominium documents, covenants, grants and easements or other restrictions proposed to be imposed upon the use of land, buildings and structures shall be provided.

F. MHCP DEVELOPMENT DENSITY BY APPLICABLE ZONING DISTRICTS.
(See Section 500.22, Subsection F for MHCP requirements).

G. MAXIMUM AREA LIMITATIONS.
(See Section 500.22, Subsection G for MHCP requirements).

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H. MINIMUM AREA LIMITATIONS.
(See Section 500.22, Subsection H for MHCP requirements).

- I. TOTAL MOBILE HOME UNIT COMPUTATION.
(See Section 500.22, Subsection I for MHCP requirements).
- J. OPEN SPACE REQUIREMENT AND COMPUTATION.
(See Section 500.22, Subsection J, for MHCP requirements).
- K. PROPERTY DEVELOPMENT REGULATIONS FOR MHCP DEVELOPMENTS - RESIDENTIAL USES.

1. Minimum Lot Area and Dimensions.

Area	6,000 square feet
Width (interior)	60 feet
Width (corner)	70 feet
Depth	100 feet
Frontage	60 feet

2. Minimum Yard Setback Requirements.

Front	15 feet
Side (interior)	7.5 feet
Side (corner)	15 feet
Rear	25 feet

3. Maximum Building Height, Total Floor Area and Lot Coverage.

Building Height	25 feet (Permanent construction structures)
Building Height	12 feet (Mobile home and temporary construction structures)
Total Floor Area	---
Lot Coverage	40% of the total lot area

4. Minimum Floor Area Requirements.

Efficiency	400 square feet
One Bedroom	525 square feet
Two Bedrooms	700 square feet
Three Bedrooms	800 square feet
More than Three Bedrooms	800 square feet plus 100 square feet for each additional bedroom

5. Special Regulations.

- a. Access. (See Section 500.20 and Section 500.22, Subsection M (2), and Section 500.29).
- b. Fences and Walls. (See Section 500.15).
- c. Landscaping. (See Palm Beach County Landscape Ordinance).
- d. Off-Street Loading. (See Section 500.19).
- e. Parking, Storing, Keeping of Commercial and Recreational Vehicles. (See Section 500.18).

- f. Performance standards. (See Section 500.16).
- g. Signs. (See Palm Beach County Sign Ordinance).
- h. Offstreet Parking.

Parking areas shall be located for convenient access to the living units without impairing the views from the living rooms, entrances to the mobile home or excessively consume front yard space.

Parking of vehicles on arterials or collectors is prohibited.

Parking areas shall be screened as required by the Palm Beach County Landscape Ordinance.

Parked vehicles may not back out onto any arterial or collector streets. Turning movements for vehicle orientation purposes must be accomplished prior to entering any street of high traffic volumes.

- L. PROPERTY DEVELOPMENT REGULATIONS FOR MHCP DEVELOPMENTS - COMMERCIAL USES.
(See Section 500.22, Subsection L for MHCP requirements).
- M. DESIGN CRITERIA.
(See Section 500.22, Subsection M for MHCP requirements).
- N. PERMANENT AND TEMPORARY STRUCTURES AND FACILITIES.
(See Section 500.22, Subsection N for MHCP requirements).

500.25 NURSING AND CONVALESCENT FACILITIES.

In addition to the requirements of Section 401.2 (A) and (B), the following requirements and regulations shall be met.

A. DEFINITION.

NURSING AND CONVALESCENT FACILITIES.

A building where for compensation pursuant to a previous arrangement, care is offered or provided for three (3) or more persons suffering from illness, other than a contagious disease or sociopathic or psychopathic behavior which is not of sufficient severity to require hospital attention or for three (3) or more persons requiring further institutional care after being discharged from a hospital, other than a mental hospital. Patients usually require domiciliary care in addition to nursing care.

B. LOCATION.

Such facilities shall not be located on any arterial or major street. Access to the facility, should the facility require ambulance service, shall be from a collector and in such a manner so as to minimize the adverse effects on adjacent property. The environment created should be of a pronounced residential nature and so designed as to minimize any adverse conditions which might detract from the primary convalescent purpose of the facility.

C. MINIMUM LOT AREA.

The minimum lot area shall not be less than ten thousand (10,000) square feet in area.

D. FRONTAGE.

The minimum frontage for the lot shall be one hundred (100) feet.

E. PROPERTY DEVELOPMENT REGULATIONS.

Setbacks, building height and lot coverage shall be the minimums for the district within which the facility is located.

F. DENSITY.

The maximum permitted density shall not exceed 43.56 patient rooms per gross acre. Density shall be computed as follows:

One (1) patient room for each one thousand (1,000) square feet of lot area.

G. ROOM SIZE.

Sleeping rooms shall not be less than one hundred (100) square feet per patient.

- H. **PROHIBITION - HOUSEKEEPING.**
Rooms or suites of rooms shall not be designed, altered or maintained for housekeeping or family living purposes.
- I. **FOOD PREPARATION.**
The preparation of food shall be accomplished at a central kitchen facility under the auspices of a trained nutritionist. Meals may be served to individuals in their rooms.
- J. **STAFF.**
Facilities in excess of twenty (20) patients shall have at least one (1) Registered Nurse (RN) on duty twenty-four (24) hours per day and at least one (1) Licensed Practical or Registered Nurse for each floor or for every fifty (50) patients.

Facilities with less than twenty (20) patients shall have a Licensed Practical Nurse (LPN) on duty twenty-four (24) hours per day.
- K. **ROOM FACILITIES.**
Each patient room shall be equipped with a bathroom and bathing facility in addition to audio monitors and call buttons. Individual patient rooms or suites shall in no case have kitchen facilities available for the preparation of food.
- L. **MINIMUM LEISURE FLOOR AREA.**
At least ten (10) percent of the total floor area shall be devoted to a common area exclusive of halls, corridors, stairs, elevator shafts wherein a variety of recreational or therapeutic activities may occur.

500.26 HOSPITALS AND FULL SERVICE MEDICAL FACILITIES.

- A. **MINIMUM LOT AREA.**
The minimum lot area shall not be less than five (5) acres.
- B. **FRONTAGE.**
The minimum frontage for the lot shall be three hundred (300) feet.
- C. **PROPERTY DEVELOPMENT REGULATIONS.**
Setbacks, building height and lot coverage shall be the minimums for the district within which the facility is located.
- D. **DENSITY.**
The maximum permitted density shall not exceed 43.56 patient rooms per gross acre. Density shall be computed as follows:

One (1) patient room for each one thousand (1,000) square feet of lot area.
- E. **PROHIBITION - HOUSEKEEPING.**
Rooms or suites of rooms shall not be designed, altered or maintained for housekeeping or family living purposes.
- F. **FOOD PREPARATION.**
The preparation of food shall be accomplished at a central kitchen facility under the auspices of a trained nutritionist. Meals may be served to individuals in their rooms.
- G. **STAFF.**
All hospital facilities shall be required to have at least five (5) licensed physicians in residence and at least one (1) physician on duty twenty-four (24) hours per day.
- H. **SURGICAL REQUIREMENTS.**
In order for a facility to qualify as a hospital the physical plant must contain major surgery facilities.

In addition to the requirements of Section 401.2 (A) and (B), the following requirements and regulations shall be met.

A. LOCATION.

If the seaplane facility is to be used by the immediate residential population, and not be of a commercial nature, and jointly owned and maintained by the aircraft owners using the facility, it may be located in a residential district, provided that the facility is not within four hundred (400) feet of a residential structure.

If the facility is a commercial venture, it shall not be located within one thousand (1,000) feet of a residential district.

B. MINIMUM LAND AREA.

The minimum required land area for any type of seaplane operation shall be two (2) acres.

C. WATER AREA.

All seaplane operations shall comply with the following minimum standards for water landing area:

Length	3,500 feet
Width	300 feet
Depth	4 feet.

D. AIRPORT APPROACH.

No seaplane operation shall be considered unless the airport approach to the water landing area is at a slope of 40:1 or flatter for a distance of at least two (2) miles from both ends of the water landing area and is clear of any building structure or portion thereof which extends through and above the airport approach plane.

E. SETBACKS.

All buildings, structures and aircraft parked on shore shall observe a minimum distance from all property lines of at least fifty (50) feet.

F. LANDING OPERATIONS.

All aircraft landings shall be performed under visual flying rules (VFR) and shall not be conducted during the hours between sunset and sunrise.

G. VEHICLE PARKING REQUIREMENTS.

Shore facilities shall provide one (1) automobile parking space for each two thousand (2,000) square feet of hanger or tie-down area, or one (1) space per craft, whichever is greater. All shore facilities shall provide a minimum of five (5) parking spaces.

H. CERTIFICATION.

Applications for seaplane operation facilities shall be accompanied by a complete "Airspace Analysis" report for the Federal Aviation Administration as well as a copy of the "Preliminary License Report" from the Florida Department of Transportation.

500.28

EXCEPTIONS TO PROPERTY DEVELOPMENT REGULATIONS.

The regulations set forth in this section qualify or supplement, as the case may be, the district regulations appearing elsewhere in this ordinance.

A. HEIGHT.

The height limitations stipulated in the applicable districts shall not apply to the following.

CHURCH SPIRES

BELFRIES

MONUMENTS

TANKS

WATER TOWERS

FIRE TOWERS

STAGE TOWERS OR SCENERY LOFTS

COOLING TOWERS

ORNAMENTAL TOWERS AND SPIRES

CHIMNEYS

ELEVATOR BULKHEADS

SMOKE STACKS

OIL DERRICKS

CONVEYORS

FLAG POLES

AIRCRAFT CONTROL TOWERS

AIRCRAFT NAVIGATION AIDS

ORDINANCE NO. 23-2

B. YARD.

1. Alley.

Whenever a lot in either the commercial or industrial districts is contiguous to an alley, one-half (1/2) of the alley width may be considered as a portion of the required rear yard, but in no case shall the rear yard be reduced to less than five (5) feet.

2. Projections.

No building or portion of a building shall project into a required yard area more than four (4) feet.

3. Railroad Access.

Industrial uses that abut railroad trackage may reduce the rear yard setback to zero (0) feet along such trackage.

4. Reduced Lot Frontage.

On curving streets or cul-de-sacs, the required lot frontages for lots contiguous to and between the points of curvature (P.C.) of said streets may be reduced by forty (40) percent, provided that the centerline radius of the contiguous street is one hundred (100) feet or less.

5. Zero Front Yard.

For those commercial and industrial uses fronting on a full section frontage road, the front yard may be reduced to zero (0) feet.

A. SCOPE.

The design of the park required improvements shall be in accordance with acceptable engineering principles. Design data, such as calculations and analysis shall be submitted along with the development plans covering important features affecting design and important features of construction. Such calculations and analysis shall include, but not be limited to, high water, drainage facilities of all kinds, subsurface soil data, alternate pavement and subgrade types, and radii at intersections when minimum standards of the American Association of State Highway Officials are inadequate. Should the developer elect to provide improvements in excess of the minimum requirements, such improvements shall be considered on an individual basis. The design of Required Improvements shall be accomplished in such a manner that they shall be equal to or exceed current County Standards and the following:

B. ACCESS.

Points of access to lots within a development shall be located a minimum of thirty (30) feet from intersecting right-of-way lines on local streets and one hundred eighty (180) feet from intersecting right-of-way lines on all other streets of higher classification as defined in this Code. The development shall be designed to accomplish access to the lots by the use of local streets. Local street connections to collector streets shall be a minimum of six hundred sixty (660) feet apart and collector street connections to arterial streets shall be a minimum of one thousand three hundred twenty (1,320) feet apart. Where access is desired along collector or arterial streets, it shall be provided by means of a marginal access road. The first point of access to the marginal access road from collector and arterial streets shall be a minimum of three hundred thirty (330) feet from intersecting right-of-way lines as shown on the Thoroughfare Plan, with intermittent points being a minimum of six hundred sixty (660) feet apart. Access spacing of greater lengths may be granted if requested by the developer and is deemed advisable by the County Engineer because of topographical conditions. Where double frontage lots are created adjacent to a collector or arterial street, they shall front on a local street and the rear of the lot shall be the side which abuts the collector or arterial street. In such cases, the lot shall be screened from the abutting collector or arterial street with landscaping in a non-access reservation along the rear lot line, dedicated to the public or a property owners' association.

C. ALLEYS.

Alleys shall be paved ten (10) feet wide in a minimum twelve (12) foot right-of-way for park use, eighteen (18) feet wide in a minimum twenty (20) foot right-of-way for commercial use, all having appropriate radii for the use intended. Alleys shall have inverted crowns with three-eighths (3/8) inch per foot traversed slope. The alley grade shall not exceed five (5) percent or be less than thirty (30) percent and sharp changes in alignment shall be avoided and dead-end alleys are prohibited.

AMENDED - See Meeting
held July 23, 1985 85-15

AMENDED - See Meeting
Ord. 81-7
MAY 5, 1981

AMENDED - See Meeting
held 10-22-85 Ord. # 85-36

73-2

D. BRIDGES.

Bridges shall be designed in general accord with the current Department of Transportation practices and shall include planning for utility installation. They shall be reinforced concrete, however, other low maintenance materials may be used upon request and approval, having a clear roadway width between curbs two (2) feet in excess of the pavement width in each direction and shall provide four (4) foot wide sidewalks on each side. All bridge structures shall be designed for H-20-S16-44 loading.

E. DRAINAGE.

All parks must have comprehensive storm drainage facilities which convey storm waters through easements to publicly dedicated and maintained drainage canals or natural water courses. The design data of the drainage system shall be submitted along with the construction plans in a report form prepared by the developer's engineer indicating the method of control of storm and ground water, including the method of drainage, existing water elevations, recurring high water elevations, proposed design water elevations, drainage structures, canals, ditches and any other pertinent information pertaining to the system. The drainage system shall be designed using acceptable engineering principles with consideration being given to the protection of all future buildings from a one (1) in one hundred (100) year storm. The storm sewers shall be designed for rainstorms of the maximum intensity predicted for the Palm Beach County area at three (3) year intervals according to current Department of Transportation charts and data. The system shall provide for drainage of lots, streets, roads and all other areas including surface waters which drain into or through the property. The design for drainage of the park must be adequate to provide for surface water drainage of adjacent contributory areas. Where additional ditches and canals are required to accommodate contributory surface waters, right-of-way shall be provided for future needs; however, the developer may be permitted to excavate or open sufficient capacity to provide for existing drainage needs whenever the developed or undeveloped status of adjacent areas so warrant, as determined by the County Engineer. The runoff coefficients used in the design of the park shall be those applicable after complete development has occurred and shall be calculated on sample areas of each type of ultimate use. The drainage system shall be designed for long life, low maintenance cost and ease of maintenance by normal maintenance methods. Minimum grades for swale sections shall be three thousandths (0.003) of a foot per foot. The storm sewer systems shall be so designed that the elevation of the hydraulic is never higher than the grate elevation of any inlet in the system. The pipe shall be sloped and structures channeled to develop sufficient scouring to minimize sediment. Drainage pipe shall be fitted with headwalls, endwalls, inlets and other appropriate terminating and intermediate structures. Structure design shall meet or exceed County Standards.

ORDINANCE NO. 73-2

1. Drainage Easements.

Drainage easements shall be provided where necessary at a width adequate to accommodate the drainage facilities. A minimum of twelve (12) feet shall be provided for underground storm drainage installations and where canals or ditches are permitted, the width shall be adequate to accommodate

drainage facilities plus twenty (20) feet on one (1) side for maintenance purposes; however, the width shall not exceed sixty (60) feet. Where the width of canals or ditches exceed sixty (60) feet in order to accommodate adequate drainage facilities, the ditch or canal shall be acceptable to and placed under the control of the drainage district having jurisdiction in the area. Drainage easements shall be provided to facilitate surface waters from contributory areas.

SOILS.

The plan shall show the location and results of test borings of the subsurface condition of the tract to be developed. When non-pervious soils (hardpan or other non-pervious soils) or unstable soils (peat, muck, etc.) are encountered, the plan shall reflect a satisfactory design to cope with such conditions. If the soil analysis reflects that the area contains hardpan or other non-pervious soils or contains peat, muck or other unstable materials, the County Engineer shall require such additional design and construction as are necessary to assure proper drainage and development of the area. Test locations shall be mutually determined by the developer's engineer and the County Engineer and shall be recorded as to location and result on the construction plans.

STREETS.

The proposed park street layout shall be coordinated with the street system of the surrounding area and consideration shall be given to existing and planned streets, relation to topographical conditions, to public convenience, safety and their appropriate relation to the proposed use of the land to be served by such streets. The arrangement of streets in the park shall provide for the continuation of existing streets if adjoining areas are not subdivided, the arrangement of streets in the park shall provide for the proper projection of streets. When the park adjoins unsubdivided land, then the new street, where necessary, shall be carried to the boundary of the tract to promote reasonable development of adjacent lands and provide continuity of street systems. Local streets, when extended to the boundary of the tract, shall be designed in a manner that will discourage through traffic. The park shall provide for the incorporation and compatible development of present and future streets as shown on the Official Map adopted by the Board under the Thoroughfare Plan Ordinance, when such present or future streets are affected by the proposed park.

1. Traffic Analysis.

A park that will generate three thousand (3,000) vehicle one (1) directional trips per day or two hundred fifty (250) one (1) directional vehicle trips in a one (1) hour period must submit along with the site development plan a traffic impact analysis. The traffic impact analysis shall be prepared by a professional engineer and shall be used to determine the number of lanes and capacity of the street system proposed or affected by the development.

ORDINANCE NO. 73-2

2. **Street Width and Construction Standards.**
Excluding right-of-way shown, street widths and construction standards shall be those shown in the Palm Beach County Construction Standards and Details. The classification of streets used shall be as determined by the traffic analysis.
3. **Dead-end Streets.**
Dead-end streets shall be prohibited except when designed as a cul-de-sac. Such streets shall not exceed six hundred (600) feet in length and shall be provided at the closed end with a circular dedicated right-of-way with a diameter of not less than one hundred (100) feet at the property line and not less than eighty (80) feet at the edge of pavement or curb line. If a dead-end street is of a temporary nature, an adequate turn around within the proposed right-of-way may be required.
4. **Construction in Muck or Clay Areas.**
When streets or alleys are to be constructed in muck areas, the muck or peat shall be completely removed from the centerline ten (10) feet beyond the edge of pavement on each side. When gumbo or other plastic clays are encountered, they shall be removed within the roadway area one (1) foot below the subgrade extending horizontally to the outside edge of the shoulder area. The design of streets proposed in excessive muck areas shall be considered on an individual basis.
5. **Materials.**
Streets shall include a subgrade, base and wearing surface in accordance with current County Standards. Local streets may be paved with either one and one-half (1-1/2) inches of Type II asphaltic concrete surface course on an acceptable base with a compacted subgrade, or surface treatment slag pavement on an acceptable base with a stabilized subgrade producing a fifty (50) pound Florida bearing value. All other streets of higher classification shall be paved with either one and three-fourths (1-3/4) inches of Type II asphaltic concrete surface course, or surface treatment slag pavement all on an acceptable base with a stabilized subgrade producing a seventy-five (75) pound Florida bearing value. Acceptable base material shall be limerock or approved local shell having an eight (8) inch compacted thickness or the equivalent of sand asphalt plant mix meeting State Standards. An alternate of Type I, asphaltic concrete, may be used and shall be one and one-quarter (1-1/4) inches thick on local streets and one and one-half (1-1/2) inches thick on all streets of higher classification.
6. **Alternate Types of Pavement, Base and Subgrade.**
Alternate types of pavement, base and subgrade which, in the opinion of the County Engineer, are equal or superior to those specified may be approved. Application for such approval shall be accompanied by written data, calculations and analysis which show, by accepted engineering principles, that the alternate types are equal or superior to those specified.

7. **Stabilized Shoulders.**
Stabilized shoulders eight (8) feet wide shall be provided for distress lanes unless paved lanes are provided. The shoulder shall consist of a six (6) inch layer of soil having a minimum of fifty (50) p.s.i. Florida bearing value for local streets and seventy-five (75) p.s.i. for streets of higher classification. Where sod is desired, six (6) inches of stabilization may be left two (2) inches below finished grade.
8. **Street Grades.**
Street grades shall be determined in relation to the drainage installations for the development. Street grades shall not exceed two and one-half (2-1/2) percent unless adequate protection for erosion is provided or be less than three-tenths (0.3) percent swale sections or two-tenth (0.2) percent for guttered sections unless otherwise approved by the County Engineer. Road grades shall be shown on the development plans by the direction, percent of fall and with a centerline lineal distance between control points.
9. **Swale and Swale Grades.**
Swales within the right-of-way shall not exceed those shown in the current County Standards. Runoff may be accumulated and carried in the swales guttered locations in the right-of-way along streets in accordance with the maximum flood lines shown in the current County Standards. Water in excess of those quantities shall not be carried in the street swale or gutter in the right-of-way, but shall instead be diverted therefrom and carried away in storm sewers.
10. **Street Jogs Prohibited.**
Local street jogs with centerline offsets of less than one hundred twenty-five (125) feet are prohibited.
11. **Marginal Access Streets.**
Where a park abuts or contains an existing limited access highway, freeway or arterial street, if access is desired to adjoining property other than street connections, a marginal access street to afford separation of through and local traffic shall be required.
12. **Local Streets.**
Local streets shall be so laid out that their use by through traffic shall be discouraged.
13. **Railroads on or Abutting Other Developments.**
When a development borders on or contains a railroad right-of-way, a street approximately parallel to and on each side of such right-of-way may be required at a distance suitable for appropriate use of the intervening land for park purposes.

14. Street Names.

Proposed streets which are in alignment with other existing named streets shall bear the same name of the existing street. All street names shall have a suffix and in no case, except as indicated in the preceding sentence shall the name of the proposed street duplicate or be phonetically similar to existing street names regardless of the use of the suffix street, avenue, boulevard, drive, place, court, etc.

15. Alignment, Tangent, Deflection, Radii.

Streets shall be laid out to intersect as nearly as possible at right angles. Multiple intersections involving the junction of more than two (2) streets shall be prohibited. The point of curvature of any local street shall not be closer than one hundred (100) feet to a curve at any intersection. All intersections shall be designed to provide adequate stopping and sight distance in accordance with the current edition of A.A.S.H.O. Standards. When the centerline of a local street deflects by more than ten (10) degrees, it shall be curved with a radius adequate to assure safe sight distance and driver comfort. Property lines at street intersections shall be the long chord of a twenty-five (25) foot or greater radius and street pavement radii shall be a minimum of thirty (30) feet and designed to facilitate the intended use.

16. Street Markers.

One (1) street marker of standard design as prescribed by current County Standards shall be provided at each intersection. A street sign shall be placed at a point eight (8) feet from the edge of pavement on a radial line that bisects the intersection radius curve.

H. UTILITIES.

Utilities, including franchised utilities, power and light, telephone and telegraph, water, sewer, CATV, wiring to street lights and gas shall be installed underground. This section shall apply to all cables, conduits or wires forming parts of an electrical distribution system including service lines to individual properties and main distribution feeder electrical lines delivering power to local distribution systems, provided that it shall not apply to wires, conduits or associated apparatus and supporting structures whose exclusive function is in transmission or distribution of electrical energy between developments, generating stations, sub-stations and transmission lines of other utility systems, or perimeter lines located adjacent to the park. Appurtenances such as transformer boxes, pedestal mounted terminal boxes, meter cabinets, service terminals, telephone splice closures, pedestal type telephone terminals or other similar "on the ground" facilities normally used with and as a part of the underground distribution system may be placed above ground, but shall be located so as not to constitute a traffic hazard. Easements shall be coordinated with requisite utility authorities and shall be provided as prescribed by this Ordinance for the installation of underground utilities or relocating existing facilities in accordance with the respective utility authority's rules and regulations.

I. FIRE HYDRANTS.

Fire hydrants shall be spaced no greater than five hundred (500) feet apart and not more than two hundred fifty (250) feet to the center of any lot in the park and shall be connected to mains no less than six (6) inches in diameter. The system shall provide capability for fire flow of at least five hundred (500) gallons per minute in addition to peak domestic requirements at residual pressures of not less than twenty (20) pounds per square inch. The system shall have the capability of sufficient storage or emergency pumping facilities to such an extent that the minimum fire flow will be maintained for at least four (4) hours or the current recommendations of the National Fire Underwriters, whichever is greater. No charge shall be made for the use of the fire hydrant or water consumed therefrom when a fire protection authority uses the fire hydrant in the performance of its official duty.

J. CENTRAL WATER SYSTEM.

The design of a central water system shall conform to the acceptable standards of sound practices for municipal water supply and fire protection systems. The system shall be designed to provide peak domestic requirements at residual pressures of not less than twenty (20) pounds per square inch, in addition to fire flows of at least five hundred (500) gallons per minute. The system shall be designed with minimum six (6) inch mains. Water mains shall be required on all streets and shall be looped. Sufficient storage or emergency pumping facilities shall be provided for at least one (1) day's consumption and to such an extent that the minimum fire flow will be maintained for at least four (4) hours. Materials used shall be acceptable to the County Engineer. The distribution system shall provide connections to each individual lot shown in the park, to each park facility. The appurtenances to the system shall be equal to or exceed those required by current County Standards. Plans for the system shall be fully approved by all requisite State and County authorities.

K. CENTRAL SEWER SYSTEM.

The sanitary sewer system shall be designed by a professional engineer, registered in the State of Florida, conforming to acceptable standards of sound practices for sewerage collection systems and shall conform to all requirements of State and County authorities. The entire sewerage collection system must be engineered and coordinated with the County's overall plan. The appurtenance to the system shall be equal to or shall exceed the minimum requirements of the current County Standards. Upon submittal of construction plans for a central sewer system, the design engineer shall supply data, calculations and analysis showing important features affecting design including but not limited to.

1. Number of units.

2. The expected population or estimated flow of sewage from any unit designed for use other than domestic.
3. A flow chart indicating the number of proposed connections to the system and the anticipated flow of sewage to the sewer plant.
4. Any other meaningful information necessary to arrive at estimates of amounts and character of sewage pertinent to the design.

L. WATER AND SEWER TREATMENT AND PROCESSING PLANTS.

Construction plans and specifications for both water and sewer treatment and processing plants to serve a proposed park shall be coordinated with the County Engineer's office. Such plant design shall incorporate the concept of modular construction such that additional treatment units can be constructed as demands dictate. The entire water and sewerage facilities must be engineered and coordinated with the County's overall plan.

M. TRAFFIC CONTROL DEVICES.

The design of traffic control devices shall be in accordance with the Manual for Uniform Traffic Control Devices.

N. CONSTRUCTION PLANS.

Upon approval of the Site Development Plan by the Site Plan Review Committee, the developer shall have prepared and shall submit to the County Engineer's Office within six (6) months, construction plans. The development of a large tract may be accomplished in two (2) or more increments and the developer may submit construction plans for approval to develop the park in increments. The construction plans shall coincide with the Site Development Plan as approved by the Site Plan Review Committee, any major deviation desired by the developer must be approved by the Review Committee by application of the developer to the Department. Four (4) sets of plans shall be provided with the engineer's signature and seal on each sheet submitted. The Developer shall pay a fee of two (2) percent of the estimated cost of construction of those improvements required to defray the cost of administration of the development and inspection of the construction.

1. Construction plans shall be submitted for all the improvements required. The plans shall be under separate cover for each of the following when required:
 - a. Paving, grading and drainage
 - b. Bridges
 - c. Water and sewerage systems
 - d. Street lighting, landscaping within public rights-of-way, parks, recreational areas and parking areas. Plans for street lights shall bear the approval of the requisite utility authorities involved.

2. The plans shall be so complete that from them a complete review and analysis can be made without research of any outside data. The plans shall consist of and contain, but shall not be limited to:
 - a. A cover sheet, including a vicinity sketch
 - b. Plan and profile showing complete details including water, sewer and storm drainage systems
 - c. A drainage map showing the complete drainage system including, but not limited to, closed drainage areas, design high water, recurring high water, acreage, the effect to and compatibility of drainage of surface waters and the complete calculations used to design the system
 - d. Typical sections and summary of quantities
 - e. Construction details showing compliance with County Standards
 - f. Special profile sheets, if necessary, showing special or unique situations
 - g. Bench mark, based on N.O. S. datum
 - h. Soil analysis, showing the locations and results of test borings of the subsurface condition of the tract to be developed. Where non-pervious soils (commonly called hardpan) are encountered, the plans shall reflect a satisfactory design to cope with such conditions. If the soil analysis reflects that the area contains hardpan or other non-pervious soils, the County Engineer shall require such additional design and construction as are necessary to assure proper drainage and development of the area
 - i. The plans shall contain the special conditions and specifications pertaining to the park in note form on the plans, such as:
 - 1) Required compliance to this ordinance
 - 2) Where applicable, required compliance with State Standards as currently adopted and in use
 - 3) Minimum standards for materials
 - 4) Test requirements for stabilization, base and backfill
 - 5) Source of water and sewer service

- 6) Required installation of subsurface construction such as water lines, sewer lines, public utilities and storm drainage prior to compaction of subgrade and roadway construction.
3. Plans shall be prepared, certified and scaled by the developer's engineer. One (1) set of plans each for: paving and drainage, bridges, water systems, sewerage systems, street lighting (bearing the approval of the requisite power authority), landscape, parks, recreational areas and parking areas shall be submitted to the Office of the County Engineer for review and approval. Prior to the final approval the plans shall have all applicable approvals of all requisite governmental agencies having jurisdiction which are affected by the development.

CONSTRUCTION OF REQUIRED IMPROVEMENTS.

1. Construction Methods.

Construction methods shall be those prescribed in the current Palm Beach County Construction Standards and Details and those prescribed by the current Department of Transportation Standard Specifications for Road and Bridge Construction.

2. Administration of Construction.

After the approval of the Final Site Development Plan and supplementary material, a developer may construct the Required Improvements subject to obtaining all required permits. The County Engineer shall be notified in advance of the date of commencement of such construction. Construction shall be performed under the surveillance of, and shall at all times be subject to, review by the County Engineer; however, this in no way shall relieve the developer and his engineer of the responsibility for close field coordination of final compliance with the approved plans, specifications and the requirements of this ordinance. The developer shall employ a Florida registered engineer for complete administration of the construction of the Required Improvements. The developer shall require that progress reports and final certification of the construction of the Required Improvements from such engineer be filed with the County Engineer. The County Engineer or his duly authorized representative shall have the right to enter upon the property for the purpose of inspecting the construction of Required Improvements during the progress of such construction. The developer's engineer shall submit construction progress reports, at points of progress prescribed by the County Engineer. The developer's engineer shall coordinate joint reviews of the construction with the County Engineer. The County Engineer shall have the authority to stop the work upon failure of the developer or his engineer to coordinate the construction of the required improvements as prescribed by this ordinance.

3. Measurements and Tests.

During construction, the developer's engineer shall make such measurements, field tests and laboratory tests or cause them to be made to certify that the work and materials conform with the approved development plans and the provisions of this ordinance. The County Engineer may require, at his discretion, tests and measurements which he deems necessary.

4. Completion Certificate.

The Required Improvements shall not be considered complete until a completion certificate along with the final project records have been furnished to, reviewed and approved by the County Engineer. The certificate shall be by the developer's engineer certifying that the Required Improvements were installed in a responsible direction and that the improvements conform with the approved construction plans and this ordinance. The developer's engineer shall also furnish a copy of each of the construction plans on a high quality, time stable reproducible material acceptable to the County Engineer. 185

ORDINANCE NO. 23-2

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AG-AGRICULTURAL DISTRICT.

A. PURPOSE AND INTENT.

The purpose and intent of the AG District is to provide for the protection of agriculture as a major industry in the County by preventing encroachment on agricultural lands by incompatible uses; to encourage a broad range of agricultural activities and their accessory operations, including the processing and sale of agricultural products raised on the premises; to protect watersheds and water supplies, wilderness and scenic areas, and conservation and wildlife areas; and to permit a variety of activities which require non-urban locations but which do not operate to the detriment of adjoining lands devoted to rural and agricultural purposes.

B. PERMITTED USES.

In an AG-Agricultural District, no building, structure or land and water use shall be permitted except for one or more of the following uses:

GENERAL FARMING ACTIVITIES including but not limited to the following:

- Apiculture
- Dairying
- Forestry
- Greenhouses
- Groves
- Horticulture
- Livestock Raising
- Nurseries
- Pisciculture
- Poultry and Egg Production
- Mushroom Raising
- Crop Raising

AGRICULTURAL ACCESSORY USES that are customary and incidental to principal agricultural use including but not limited to the following:

- Baling Stations
- Citrus Packing and Grading Plants
- Corrals

ORDINANCE NO. 23-2
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Dippi Vats
Equipment Storage Sheds
Forage Drying Facilities
Pre-cooling and Packing Plant
Pumping and Drainage Structures
Railway Tracks
Ramie-decortication Plants

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Stand for the sale of products which are raised on the premises providing no building or structure other than a stand not exceeding three hundred (300) square feet of gross floor area shall be placed closer than twenty-five (25) feet from the base building line.

Sugar Mill and Refinery

AGRICULTURAL RESEARCH AND DEVELOPMENT facilities, public and private (excluding manufacture and sale of products)

PUBLIC OPERATED PARKS & RECREATION AREAS including but not limited to the following:

Forests and other reservations
Game and wildlife preserves

SINGLE FAMILY DWELLING on a minimum lot area of five (5) acres

TENANT DWELLINGS consisting of one self-contained dwelling unit for each 25 acres in addition to the area required for the principal residence

PRIVATE GARAGE accessory to a principal residence

PRIVATE SWIMMING POOL accessory to a principal residence. (See Section 500.14)

RESIDENTIAL ACCESSORY USE (See Section 500.1)

HOME OCCUPATIONS (See Section 500.2)

PRIVATE KENNELS provided that animals are not kept for sale or resale nor for commercial breeding, boarding, or veterinary care.

C. USES SUBJECT TO SPECIAL PERMIT REGULATIONS.

In an AG District, the following buildings, structures, and uses shall be permitted after compliance with the following special regulations.

TEMPORARY AMUSEMENT RIDES, CARNIVALS, CIRCUS, REVIVAL TENTS subject to the following.

1. Duration.

The temporary facility shall not be permitted for a period exceeding seven (7) consecutive calendar days. If the time request exceeds seven (7) consecutive calendar days, the application shall be treated as a special exception subject to commission approval.

ORDINANCE NO. 73-2

2. Application.
The applicant shall provide the department with a letter from the property owner stating his consent and shall also provide an agreement to return the property to an orderly and sanitary condition.
3. Setbacks.
No building, mobile home, trailer, vehicle, tents, mechanical device, or animal shall be located closer than 200 feet from any property line.
4. Frontage.
The minimum frontage shall be 500 feet on a public road.
5. Access.
The primary access shall be from a major street or arterial and shall not cause traffic to flow through nearby residential areas. Backout parking directly onto a public street is prohibited.
6. Parking.
One (1) space per four (4) seats if activity is primarily enclosed or ten (10) spaces per acre of ground occupied by amusements, or 50 spaces whichever is greater.
7. Lighting.
Lighting to illuminate the premises of any advertisement, directional sign or amusement shall be so designed as to shine only on the subject use and shall be extinguished no later than eleven (11) p.m.
8. Noise.
Sounds emanating from the temporary use shall not adversely affect surrounding residential property.

RADIO TOWERS, incidental to an agricultural use, not exceeding one hundred and fifty (150) feet in height from ground level if:

1. Setbacks measured from the base of the tower to the property lines shall equal a distance of not less than the height of the tower
2. Located in such a manner that the tower will not fall on any power lines or adjacent property.

MOBILE HOME PARKING as a temporary residence on a minimum of ten (10) acres subject to the following requirements:

1. Mobility of mobile home or house trailer must be maintained
- ✓ 2. There shall be no more than one mobile home or house trailer per ten acre parcel of land

3. Sanitary facilities must have approval of all governmental agencies having appropriate jurisdiction and permits and inspections for necessary electric and water supply and sewage disposal facilities from the Palm Beach County Planning, Zoning and Building Department must be obtained
4. Minimum setbacks from public road rights-of-way shall be not less than two hundred (200) feet
5. Setbacks from property lines other than public road rights-of-way shall not be less than one hundred (100) feet
6. Approval to be on an annual review basis only, with options to renew for additional one year periods available to the petitioner.
7. No additions or adjuncts shall be permitted to the Mobile Home except Department approved awnings and demountable screen panels
8. Execution of Unity of Title documents and notarized Mobile Home Removal Agreements
9. Submission of a plot plan showing the location of the mobile home
10. A statement of the petitioner's interest in the property pursuant to Section 401.1 (A).

MOBILE HOME PARKING as an accessory use to bona fide agricultural uses on a minimum of ten (10) acres subject to the following requirements:

1. The mobility of the vehicle used as a mobile home or house trailer must be maintained
2. There shall be no more than one mobile home allowed per each ten acres of land under active cultivation
3. Sanitary facilities must have approval of all governmental agencies having appropriate jurisdiction and permits and inspections for necessary electric and water supply and sewage disposal facilities from the Palm Beach County Planning, Zoning and Building Department must be obtained
4. Minimum setbacks from public road rights-of-way shall be not less than two hundred (200) feet
5. Setbacks from property lines other than public road rights-of-way shall not be less than one hundred (100) feet
6. Approval to be on an annual review basis only, with options to renew for additional one year periods available to the petitioner
7. No additions or adjuncts shall be permitted to the Mobile Home except Department approved awnings and demountable screen panels

8. Where more than one mobile home is authorized in an area, they shall be separated by a minimum distance of twenty (20) feet
9. Minimum separation between an existing single family residence and a mobile home shall be not less than two hundred (200) feet
10. Execution of Unity of Title documents and notarized Mobile Home Removal Agreements
11. Submission of a plot plan showing the location of the mobile home
12. A statement of the petitioner's interest in the property pursuant to Section 401.1 (A).

TEMPORARY MOBILE HOME PARKING while constructing a single family residence s ubject to the following requirements:

1. The mobility of the vehicle used as a mobile home or house trailer must be maintained
2. Sanitary facilities must have approval of all governmental agencies having appropriate jurisdiction and permits and inspections for necessary electric and water supply and sewage disposal facilities from the Palm Beach County Planning, Zoning and Building Department must be obtained
3. The issuance of a valid building permit for a single family dwelling on the subject site
4. The temporary permit to be valid for a period of one (1) year
5. Requests for extensions of time beyond the initial one (1) year approval shall be made to the Commission on forms prescribed by the Department. In no case shall the total time exceed a maximum of two (2) years for the initial approval and subsequent extension(s)
6. Execution of notarized Mobile Home Removal Agreement
7. No additions or adjuncts shall be permitted to the Mobile Home except Department approved awnings and demountable screen panels
8. A statement of the petitioner's interest in the property pursuant to Section 401.1 (A).

D. SPECIAL EXCEPTIONS SUBJECT TO COMMISSION APPROVAL.

ORDINANCE NO. 23-2

When the Commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions

and provisions of Chapter I, Section 102, Chapter IV, Section 400, 400.1, 401, and other regulations as set forth and defined in this Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Comprehensive Land Use Plan of Palm Beach County, the following uses shall be permitted:

PUBLIC AND PRIVATE UTILITY SERVICES and accessory buildings and structures including but not limited to the following:

- Electric power and light substation
- Gas and water regulation station
- Incinerator
- Refuse and trash dumps (See Section 500.5)
- Sanitary land fill (See Section 500.5)
- Sewage Treatment Plant
- Telephone exchange building and substation
- Water tower, storage tank, reservoir, treatment plant
- Transfer station (See Section 500.4)

GOVERNMENTAL SERVICES and accessory buildings and structures including but not limited to the following:

- Fire stations
- Police stations
- Libraries

EDUCATIONAL INSTITUTIONS including but not limited to the following:

- Colleges and universities
- Schools, public and private
- Vocational schools and training centers and seminaries
- Museums

AIRPORTS AND HELIPORTS, public and private (See Section 500.7)

AIRPLANE LANDING STRIPS, accessory to agricultural uses. (See Section 500.7)

RECREATION FACILITIES AND CLUBS, public and private, including but not limited to the following:

- Fraternal organizations and club facilities
- Golf course and country club
- Hunting and gun club
- Riding stable and club
- Swimming pool and club (See Section 500.14)

RECREATION FACILITIES, AMUSEMENTS AND ATTRACTIONS, AND EXHIBITS, public and private, including but not limited to the following: (See Section 500.9)

Athletic fields

Camps

Motorcycle and moto-cross tracks

Outdoor wildlife attraction

Privately operated recreation areas or structures
for public and private uses

CENETARIES, MOUSOLELMS, CREMATORIES

MIGRANT AND TRANSIENT FARM LABOR QUARTERS AND CAMPS and accessory
buildings and structures

COMMERCIAL RADIO, TELEVISION, MICROWAVE TRANSMISSION AND RELAY
STATIONS AND TOWERS and accessory equipment buildings. (See
Section 500.10)

COMMERCIAL KENNELS AND STABLES and accessory buildings and
structures (See Section 500.11)

COMMERCIAL SALES AND SERVICE ENTERPRISES providing products and
services of an agricultural nature customarily needed, utilized
and consumed in rural areas devoted to agricultural land uses,
such as feed and grain stores, farm implement sales and service,
and the like

CHURCHES OR PLACE OF WORSHIP, RECTORY, CONVENT, and accessory
buildings and structures

DAY CARE CENTERS (See Section 500.12)

RECREATION VEHICLE PARK (See Section 500.23)

EXCAVATION AND REMOVAL OF MUCK, SAND, ROCK, SHELL, SOIL, OR OTHER
EXTRACTIVE MATERIALS (See Section 500.3).

E. PROPERTY DEVELOPMENT REGULATIONS.

1. Minimum lot area and dimensions:

Area	5 acres
Width	300 feet
Depth	300 feet
Frontage	300 feet.

2. Minimum yard setback requirements:

Front	100 feet
Side (interior)	50 feet
Side (corner)	80 feet
Rear	100 feet.

3. Maximum building height, total floor area and lot coverage:
- | | |
|--------------------------|----------------------------|
| Maximum Building Height | 35 feet |
| Maximum Total Floor Area | 15% of the total lot area |
| Maximum Lot Coverage | 10% of the total lot area. |

4. Minimum floor area requirements:

Efficiency	400 square feet
One bedroom	525 square feet
Two bedrooms	500 square feet
Three bedrooms	500 square feet
More than three bedrooms	500 square feet plus 100 square feet for each additional bedroom.

F. SPECIAL REGULATIONS.

1. Access (See Section 500.20).
2. Offstreet parking (See Section 500.17).
3. Offstreet loading (See Section 500.19).
4. Parking, storing, keeping of commercial and recreational vehicles (See Section 500.18).
5. Landscaping (See Palm Beach County Landscape Ordinance).
6. Fences and walls (See Section 500.15).
7. Performance Standards (See Section 500.16).
8. Signs (See Palm Beach County Sign Ordinance).

RE-RESIDENTIAL ESTATE DISTRICT.

A. PURPOSE AND INTENT.

The purpose and intent of the RE District is to provide a transition between the agricultural and conservation areas and the more urban residential communities; and to create a rural residential environment wherein natural constraints applicable to development can be recognized and protected in a manner compatible with the needs of the future resident.

B. PERMITTED USES.

In a RE-Residential Estate District, no building, structure or land and water use shall be permitted except for one or more of the following uses:

SINGLE FAMILY DWELLING and its customary accessory uses

PRIVATE GARAGE accessory to a principal residence

PRIVATE SWIMMING POOL accessory to a principal residence
(See Section 500.14)

RESIDENTIAL ACCESSORY USE (See Section 500.1)

HOME OCCUPATION (See Section 500.2).

C. SPECIAL EXCEPTIONS SUBJECT TO COMMISSION APPROVAL.

When the commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter I, Section 102, Chapter IV, Sections 400, 400.1, 401, and other regulations as set forth and defined in this Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Comprehensive Land Use Plan of Palm Beach County, the following uses shall be permitted:

PUBLIC OPERATED PARKS AND RECREATION AREAS

PUBLIC AND PRIVATE UTILITIES (including necessary buildings and structures (excluding sanitary land fill, incinerator refuse and trash dumps)

GOVERNMENT SERVICES and Accessory Buildings and Structures

EDUCATIONAL INSTITUTIONS (excluding colleges and universities, seminaries, and vocational schools and training centers)

HELIPORTS (See Section 500.7)

AIRPLANE LANDING STRIPS (See Section 500.7)

CEMETARIES, MAUSOLEUMS, CREMATORIES

RECREATION FACILITIES AND CLUBS

COMMERCIAL RADIO, TELEVISION, MICROWAVE TRANSMISSION AND RELAY STATIONS AND TOWERS (See Section 500.10)

CHURCHES OR PLACES OF WORSHIP, RECTORY, CONVENT, and Accessory Buildings and Structures

DAY CARE CENTERS (See Section 500.12)

EXCAVATION AND REMOVAL OF MUCK, SAND, ROCK, SHELL, SOIL, OR OTHER EXTRACTIVE MATERIALS (See Section 500.13)

PLANNED UNIT DEVELOPMENT (See Section 500.21).

D. PROPERTY DEVELOPMENT REGULATIONS.

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1. Minimum lot area and dimensions:

Area	2-1/2 acres
Width	300 feet
Depth	300 feet
Frontage	300 feet.

2. Minimum yard setback requirements:

Front	100 feet
Side (interior)	50 feet
Side (corner)	60 feet
Rear	100 feet.

3. Maximum building height, total floor area and lot coverage:

Maximum Building Height	35 feet
Maximum Total Floor Area	15% of the total lot area
Maximum Lot Coverage	10% of the total lot area.

4. Minimum floor area requirements:

Efficiency	400 square feet
One bedroom	525 square feet
Two bedrooms	800 square feet
Three bedrooms	800 square feet
More than three bedrooms	800 square feet plus 100 square feet for each additional bedroom.

E. SPECIAL REGULATIONS.

1. Access (See Section 500.20).
2. Offstreet parking (See Section 500.17).
3. Offstreet loading (See Section 500.19).
4. Parking, storing, keeping of commercial and recreational vehicles (See Section 500.18).
5. Landscaping (See Palm Beach County Landscape Ordinance).
6. Fences and walls (See Section 500.15).
7. Performance Standards (See Section 500.16).
8. Signs (See Palm Beach County Sign Ordinance).

RS-RESIDENTIAL SINGLE FAMILY DISTRICT.

A. PURPOSE AND INTENT.

The purpose and intent of the RS District is to recognize the need to provide areas within which the traditional single family residence can thrive and can be protected from the more intense activities of other land uses.

B. PERMITTED USES.

In a RS-Residential Single Family district, no building, structure or land and water use shall be permitted except for one or more of the following uses:

- SINGLE FAMILY DWELLING and its customary accessory uses
- PRIVATE GARAGE accessory to a principal residence
- PRIVATE SWIMMING POOL accessory to a principal residence
(See Section 500.14)
- RESIDENTIAL ACCESSORY USE (See Section 500.1)
- HOME OCCUPATIONS (See Section 500.2).

C. SPECIAL EXCEPTIONS SUBJECT TO COMMISSION APPROVAL.

When the commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter I, Section 102, Chapter IV, Sections 400, 400.1, 401, and other regulations as set forth and defined in this Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Comprehensive Land Use Plan of Palm Beach County, the following uses shall be permitted:

PUBLIC OPERATED PARKS AND RECREATION AREAS

PUBLIC AND PRIVATE UTILITY SERVICES and Accessory Buildings and Structures (excluding sanitary land fill, incinerator, refuse and trash dumps)

GOVERNMENT SERVICES and accessory Buildings and Structures

EDUCATIONAL INSTITUTIONS (excluding colleges and universities, seminaries and vocational schools and training centers)

HELIPORTS (See Section 500.7)

CEMETARIES, MAUSOLEUMS, CREMATORIES

RECREATION FACILITIES AND CLUBS

COMMERCIAL RADIO, TELEVISION, MICROWAVE TRANSMISSION AND RELAY STATIONS AND TOWERS (See Section 500.10)

CHURCHES OR PLACES OF WORSHIP, RECTORY, CONVENT, and Accessory Buildings and Structures

DAY CARE CENTERS (See Section 500.12).

ZERO LOT LINE - On any two or more lots which meet the minimum area and dimensions stated herein, the residential structures may be placed thereon contiguous to the interior property line common to their ownership provided however, that the sum of the two required side yards for each lot exists on the opposite side of the common interior property line. No openings of any kind shall be permitted on the interior property line wall, which wall shall be of firewall construction as defined in the applicable Palm Beach County Building and Fire Codes

EXCAVATION AND REMOVAL OF MUCK, SAND, ROCK, SHELL, SOIL, OR OTHER EXTRACTIVE MATERIALS (See Section 500.3)

PLANNED UNIT DEVELOPMENT (See Section 500.21)

MOBILE HOME RENTAL PARK (MHRP) (See Section 500.22).

D. PROPERTY DEVELOPMENT REGULATIONS.

1. Minimum lot area and dimensions:

Area	7,500 square feet
Width (interior)	65 feet
Width (corner)	75 feet
Depth	100 feet
Frontage	65 feet.

2. Minimum yard setback requirements:

Front	25 feet
Side (interior)	7.5 feet
Side (corner)	15 feet
Rear	15 feet

3. Maximum building height, total floor area and lot coverage:

Maximum Building Height	35 feet
Maximum Total Floor Area	---
Maximum Lot Coverage	40% of the total lot area.

4. Minimum floor area requirements:

One bedroom	525 square feet
Two bedrooms	800 square feet
Three bedrooms	800 square feet
More than three bedrooms	800 square feet plus 100 square feet for each additional bedroom.

E. SPECIAL REGULATIONS.

1. Access (See Section 500.20).
2. Offstreet parking (See Section 500.17).
3. Offstreet loading (See Section 500.19).
4. Parking, storing, keeping of commercial and recreational vehicles (See Section 500.18).
5. Landscaping (See Palm Beach County Landscape Ordinance).
6. Fences and walls (See Section 500.15).
7. Performance Standards (See Section 500.16).
8. Signs (See Palm Beach County Sign Ordinance).

RM-RESIDENTIAL MULTIPLE FAMILY (MEDIUM DENSITY).**A. PURPOSE AND INTENT.**

The purpose and intent of the RM District is intended primarily for the development of multiple family residential structures and should be applied within the medium density designated areas of the Comprehensive Land Use Plan.

B. PERMITTED USES.

In a RM-Residential Multiple Family District, no building, structure, or land and water use shall be permitted except for one or more of the following uses:

SINGLE FAMILY DWELLING and its customary accessory uses.

MULTIPLE FAMILY DEVELOPMENT and Accessory Uses and Buildings

PRIVATE GARAGE accessory to a principal residence.

PRIVATE SWIMMING POOL accessory to a principal residence
(See Section 500.14)

RESIDENTIAL ACCESSORY USE (See Section 500.1)

HOME OCCUPATION (See Section 500.2)

ZERO LOT LINE - On any two or more lots which meet the minimum area and dimensions stated herein, the residential structures may be placed thereon contiguous to the interior property line common to their ownership provided however, that the sum of the two required side yards for each lot exists on the opposite sides of the common interior property line. No openings of any kind shall be permitted on the interior property line wall, which wall shall be of firewall construction as defined in the applicable Palm Beach County Building and Fire Codes.

C. SPECIAL EXCEPTIONS SUBJECT TO COMMISSION APPROVAL.

When the commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter I, Section 102, Chapter IV, Sections 400, 400.1, 401, and other regulations as set forth and defined in this Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Comprehensive Land Use Plan of Palm Beach County, the following uses shall be permitted:

ORDINANCE NO. 73-2

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COMMERCIAL USES contained within a residential structure limited to a total floor area not to exceed ten (10) percent of the gross residential floor area contained therein, exclusive of vehicular parking and service areas, and limited to such uses as restaurants, delicatessens, and such personal services as beauty shops, barber shops, drug stores, and professional offices.

PUBLIC OPERATED PARKS AND RECREATION AREAS

PUBLIC AND PRIVATE UTILITY SERVICES and Accessory Buildings, and Structures (excluding sanitary land fill, incinerators, refuse and trash dumps)

GOVERNMENT SERVICES and Accessory Buildings and Structures

EDUCATIONAL INSTITUTIONS (excluding colleges and universities, seminaries, and vocational schools and training centers)

HELIPORTS (See Section 500.7)

RECREATIONAL FACILITIES AND CLUBS

CHURCHES OR PLACES OF WORSHIP, RECTORY, CONVENT and Accessory Buildings and Structures

DAY CARE CENTERS (See Section 500.12)

EXCAVATION AND REMOVAL OF MUCK, SAND, ROCK, SHELL, SOIL, OR OTHER EXTRACTIVE MATERIALS (See Section 500.3)

PLANNED UNIT DEVELOPMENT (See Section 500.21)

NURSING AND CONVELESCENT FACILITIES (See Section 500.25).

D. PROPERTY DEVELOPMENT REGULATIONS.

1. Minimum lot area.

The minimum lot area for two (2) dwelling units shall be seven thousand (7,500) square feet. For each additional unit thereafter four thousand five hundred (4,500) square feet of lot area shall be required.

EXCEPTION: The minimum lot area for a single family dwelling shall not be less than six thousand (6,000) square feet and shall comply with the "Property Development Regulations" established below.

2. Minimum lot dimensions:

	Single Family Dwelling	Multifamily
Frontage	60 feet	75 feet
Depth	100 feet	100 feet
Width (interior)	60 feet	75 feet
Width (corner)	70 feet	85 feet

3. Minimum building setback by residential floors.

The following shall be the minimum building setbacks for all structures permitted and described in this district. The distances stated below apply both to the proximity of one building to another as well as to the property line:

SETBACKS/YARDS BY
NUMBER OF RESIDENTIAL STORIES

	1-2	3-5	6-7	Above 8
Front	25	30	40	60
Side (interior)	15	25	35	40
Side (corner)	25	25	35	40
Rear	12	25	35	40

In addition to the setbacks above, three (3) feet for each eight (8) stories shall be required.

4. Maximum lot coverage:

Lot coverage - 35% of the total lot area.

5. Minimum floor area requirements:

Efficiency	400 square feet
One bedroom	525 square feet
Two bedrooms	600 square feet
Three bedrooms	600 square feet
More than three bedrooms	600 square feet plus 100 square feet for each additional bedroom.

E. SPECIAL REGULATIONS.

1. Access (See Section 500.20).
2. Offstreet parking (See Section 500.17).
3. Offstreet loading (See Section 500.19).
4. Parking, storing, keeping of commercial and recreational vehicles (See Section 500.18).
5. Landscaping (See Palm Beach County Landscape Ordinance).
6. Fences and walls (See Section 500.15).
7. Performance Standards (See Section 500.16).
8. Signs (See Palm Beach County Sign Ordinance).

A. PURPOSE AND INTENT.

The purpose and intent of the RH District is intended primarily for the development of concentrated residential populations and should be applied only within the high density designated areas of the Comprehensive Land Use Plan.

B. PERMITTED USES.

In a RH-Residential Multiple Family District, no building, structure, or land and water use shall be permitted except for one or more of the following uses:

SINGLE FAMILY DWELLING and its customary accessory uses

MULTIPLE FAMILY DEVELOPMENT and Accessory Uses and Buildings

PRIVATE GARAGE accessory to a principal residence

PRIVATE SWIMMING POOL accessory to a principal residence
(See Section 500.14)

RESIDENTIAL ACCESSORY USE (See Section 500.1)

HOME OCCUPATION (See Section 500.2).

C. SPECIAL EXCEPTIONS SUBJECT TO COMMISSION APPROVAL.

When the commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter I, Section 102, Chapter IV, Sections 400, 400.1, 401, and other regulations as set forth and defined in this Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Comprehensive Land Use Plan of Palm Beach County, the following uses shall be permitted:

COMMERCIAL USES contained within a residential structure limited to a total floor area not to exceed ten (10) percent of the gross residential floor area contained therein, exclusive of vehicular parking and service areas, and limited to such uses as restaurants, delicatessens, and such personal services as beauty shops, barber shops, drug stores, and professional offices

PUBLIC OPERATED PARKS AND RECREATION AREAS

PUBLIC AND PRIVATE UTILITY SERVICES and accessory buildings and structures (excluding sanitary land fill, incinerator, refuse and trash dumps)

GOVERNMENT SERVICES and accessory buildings and structures

EDUCATIONAL INSTITUTIONS (excluding colleges and universities, seminaries and vocational schools and training centers)

CEMETARIES, MAUSOLEUMS, CREMATORIES

RECREATION FACILITIES AND CLUBS

COMMERCIAL RADIO, TELEVISION, MICROWAVE TRANSMISSION AND RELAY STATIONS AND TOWERS (See Section 500.10)

CHURCHES OR PLACES OF WORSHIP, RECTORY, CONVENT and accessory buildings and structures

DAY CARE CENTERS (See Section 500.12)

ZERO LOT LINE - On any two or more lots which meet the minimum area and dimensions stated herein, the residential structures may be placed thereon contiguous to the interior property line common to their ownership provided however that the sum of the two required side yards for each lot exists on the opposite sides of the common interior property line. No openings of any kind shall be permitted on the interior property line wall, which wall shall be of first class construction as defined in the Building Code of the County Building and Fire Codes

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EXCAVATION AND REMOVAL OF MUCK, SAND, ROCK, SHELL, SOIL OR OTHER EXTRACTIVE MATERIALS (See Section 500.3)

PLANNED UNIT DEVELOPMENT (See Section 500.21)

NURSING AND CONVALESCENT FACILITIES (See Section 500.23).

D. PROPERTY DEVELOPMENT REGULATIONS.

1. Minimum lot area.

The minimum lot area for two (2) dwelling units shall be seven thousand five hundred (7,500) square feet. For each additional unit thereafter two thousand five hundred (2,500) square feet of lot area shall be required.

EXCEPTION: The minimum lot area for a single family dwelling shall not be less than seven thousand five hundred (7,500) square feet and shall comply with the "Property Development Regulations" established for the RS District.

2. Minimum lot dimensions:

Frontage	75 feet
Depth	100 feet
Width (interior)	75 feet
Width (corner)	85 feet.

3. Minimum building setback requirements.

The following shall be the minimum building setbacks for all multiple family structures permitted and described in this district. The distances stated below apply both to the proximity of one (1) building to another as well as to the property line:

SETBACKS/YARDS BY
NUMBER OF RESIDENTIAL STORIES

	1-2	3-5	6-7	Above 8
Front	25	30	40	60
Side (interior)	20	25	35	40
Side (corner)	25	25	35	40
Rear	12	25	35	40

In addition to the setbacks above, three (3) feet for each story above (8) stories shall be required.

4. Maximum lot coverage:

Lot coverage 35 % of the total lot area.

5. Minimum floor area requirements:

Efficiency	400 square feet
One Bedroom	525 square feet
Two Bedrooms	800 square feet
Three Bedrooms	800 square feet
More than three bedrooms	800 square feet plus 100 square feet for each additional bedroom.

E. SPECIAL REGULATIONS.

1. Access (See Section 500.20).
2. Offstreet parking (See Section 500.17).
3. Offstreet loading (See Section 500.19).
4. Parking, storing, keeping of commercial and recreational vehicles (See Section 500.13).
5. Landscaping (See Palm Beach County Landscape Ordinance).
6. Fences and walls (See Section 500.15).
7. Performance Standards (See Section 500.16)
8. Signs (See Palm Beach County Sign Ordinance).

A. PURPOSE AND INTENT.

The purpose and intent of the CN District is to provide a limited commercial facility of a convenience nature, servicing residential neighborhoods within one-half (1/2) mile radius, located on a neighborhood collector street, with a total lot area not less than one (1) acre nor larger than three(3) acres, planned and developed as a integral unit.

B. PERMITTED USES.

In a CN-Neighborhood Commercial District, no building, structure, or land and water use shall be permitted except for one or more of the following uses:

BAKERIES, RETAIL - limited preparation of products for on-premises sale

CONFECTIONERY, RETAIL - limited preparation of products for on-premises sale

SELF-SERVICE LAUNDRY AND DRYCLEANING

CONVENIENCE FOOD AND BEVERAGE STORE (excluding liquor and distilled spirits)

DRY-CLEANING PICKUP AND LAUNDRY PICKUP STATIONS

NEWSSTAND

PERSONAL SERVICES (including but not limited to Barbershops, Beauty Salons, Masseuses)

HARDWARE, PAINT, AND GARDEN SUPPLIES

PHARMACY

OFFICE FOR UTILITY BILL COLLECT.

CONTRACT POST OFFICE.

C. SPECIAL EXCEPTIONS SUBJECT TO COMMISSION APPROVAL.

ORDINANCE NO. 73-2

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When the Commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter I, Section 102, Chapter IV, Sections 400, 400.1, 401, and other regulations as set forth and defined in this Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Comprehensive Land Use Plan of Palm Beach County, the following uses shall be permitted within a planned neighborhood commercial development:

AUTOMOBILE SERVICE STATIONS (no major repairs)

CLINICS, MEDICAL AND VETERINARY (outpatient only)

DAYCARE CENTER AND OTHER PRESCHOOL FACILITIES (See Section 500.12)

PUBLIC AND PRIVATE UTILITY SERVICES and accessory buildings and structures (excluding sanitary landfill, incinerators, and refuse and trash dumps)

GOVERNMENT SERVICES and accessory buildings and structures.

D. PROPERTY DEVELOPMENT REGULATIONS.

1. Lot area and dimensions:

Minimum area	one (1) acre
Maximum area	three (3) acres
Width	100 feet
Depth	100 feet
Frontage	100 feet.

2. Minimum yard setback requirements:

Front	30 feet
Side (interior)	30 feet
Side (corner)	30 feet
Rear	30 feet.

3. Maximum building height, total floor area:

Maximum building height	35 feet
Maximum Total Floor Area	35% of the total lot area.

E. SPECIAL REGULATIONS.

1. Enclosed Uses.

ORDINANCE NO. 73-2

All uses, except automobile service stations, shall be operated entirely within enclosed buildings.

No commercial use shall commence business activities (including delivery and stocking operations) prior to 6:00 a.m. nor continue activities later than 11:00 p.m. except as otherwise provided in this Code.

3. Lighting.

Artificial lighting used to illuminate the premises and/or advertising copy shall be directed away from adjacent properties and shall be extinguished no later than 11:00 p.m.

4. Outdoor Storage.

Outdoor storage of merchandise shall be permitted only when incidental to the commercial use located on the same premises provided that:

- a. The storage area shall not be located in any of the required setbacks or yards
- b. The stored merchandise shall not protrude above the height of the enclosing walls or buildings.

5. Access (See Section 500.20).

6. Offstreet parking (See Section 500.17).

7. Offstreet loading (See Section 500.19).

8. Parking, storing, keeping of commercial and recreational vehicles (See Section 500.18).

9. Landscaping (See Palm Beach County Landscape Ordinance).

10. Fences and walls.

In addition to the regulations of Section 500.15, a six (6) foot wall shall be required around the three (3) non-frontage perimeters of the site if adjacent to residential areas.

11. Performance Standards (See Section 500.16).

12. Signs (See Palm Beach County Sign Ordinance).

CG-GENERAL COMMERCIAL DISTRICT .

A. PURPOSE AND INTENT.

The purpose and intent of the CG District is to encourage the development of an intensive commercial facility, providing a wide range of goods and services, located adjoining at least one major collector or arterial and servicing a consumer market of at least a three (3) mile radius.

B. PERMITTED USES.

In a CG-General Commercial District, no building, structure, or land and water use shall be permitted except for one or more of the following uses.

SMALL-SCALE RETAIL USES (less than 5,000 square feet of total floor area) including but not limited to the following:

APPLIANCE

AUCTION, enclosed

BAKERIES, limited preparation

BUILDING SUPPLIES, enclosed

BUTCHER SHOP

CONFECTIONARY, limited preparation

CONVENIENCE FOOD AND BEVERAGE STORE

COSMETICS

DRY CLEANING PICK-UP STATIONS

ELECTRONIC EQUIPMENT

FURNITURE

FOOD STORE

HARDWARE, PAINT AND GARDEN SUPPLIES

LAUNDRY PICK-UP STATION

ORDINANCE NO. 23-2 211

LEATHER GOODS

MONUMENT SALES

NEWSSTAND

PHARMACY

PRECISION INSTRUMENTS AND OPTICS

RESTAURANT AND LOUNGE

SELF-SERVICE LAUNDRY AND DRYCLEANING

SHOE SHOP

VARIETY STORE

SMALL-SCALE CONSUMER SERVICE USES including but not limited to the following:

BUSINESS AND PROFESSIONAL OFFICES

CONTRACTOR'S BUSINESS OFFICE

EXTERMINATOR'S BUSINESS OFFICE

HELIPORT (See Section 500.7)

PERSONAL SERVICES (barber shop, beauty salon, spa)

PRINTING AND PUBLISHING SERVICE

SEPTIC TANK SERVICE (office and dispatch, no dumping)

TAXIDERMIST

UPHOLSTORY SHOP

SHOE, APPLIANCE AND OTHER REPAIR SERVICES.

C. SPECIAL EXCEPTIONS SUBJECT TO COMMISSION APPROVAL.

When the Commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter I, Section 102, Chapter IV, Sections 400, 400.1, 401, and other regulations as set forth and defined in this Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Comprehensive Land Use Plan of Palm Beach County, the following uses shall be permitted within a planned general commercial development:

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LARGE-SCALE RETAIL, WHOLESALE USES (more than 5,000 square feet of total floor area):

APPLIANCE, wholesale/retail

AUCTION, open, vehicular, or enclosed

AUTO PAINT AND BODY SHOP

AUTO SALES, new and used

BAKERY, large scale preparation

BOATS, retail/wholesale

BUILDING SUPPLIES, wholesale/retail

CHEMICALS, wholesale/retail

CONFECTIONARY, large scale preparation

DAIRY PROCESSING

DEPARTMENT STORE, full service

DRIVE-IN RESTAURANT

DRIVE-IN THEATER

DRYCLEANING PLANT

FURNITURE, wholesale/retail

LUMBER YARD

MACHINERY, retail

MEAT CUTTING, wholesale/retail

MILLWORK, WOODWORK, wholesale/retail

NURSERIES AND GREENHOUSES

PROPANE GAS AND FUELS, retail

COMMERCIAL, NEW AND USED, AUTOMOBILE, TRUCK, BOAT, MOTOR-CYCLE, MOBILE HOME, AND RECREATIONAL VEHICLE SALE AND RENTAL AND REPAIR FACILITIES AND LOTS (See Section 500.12)

PLANNED LARGE SCALE, COMMUNITY, OR REGIONAL SHOPPING CENTERS (100,000 square feet of total floor area or more)

CONSUMER SERVICE USES:

- AUTO SERVICE STATION (with or without mechanical repairs)
- CAR WASH (self service and automatic)
- FINANCIAL INSTITUTIONS
- LAUNDRY OR DRY CLEANING PLANT
- COMMERCIAL KENNEL (See Section 500.11)
- MOVING AND STORAGE, enclosed
- RECREATION FACILITIES, AMUSEMENTS AND ATTRACTIONS, AND EXHIBITS, public and private
- DAYCARE CENTERS AND PRE-SCHOOL FACILITIES (See Section 500.12)
- THEATERS, indoor
- SWIMMING POOLS AND CLUBS, commercial and private. (See Section 500.14)

MISCELLANEOUS USES:

- HELIPORTS (See Section 500.7)
- COMMERCIAL AM/FM RADIO, TELEVISION, MICROWAVE TRANSMISSION AND RELAY STATIONS AND TOWERS and accessory equipment buildings (See Section 500.10)
- GOVERNMENT SERVICES and accessory buildings and structures
- PUBLIC AND PRIVATE UTILITY SERVICES AND ACCESSORY BUILDINGS AND STRUCTURES (excluding sanitary land fill, incinerators, refuse and trash dumps).

D. PROPERTY DEVELOPMENT REGULATIONS.

1. Lot area and dimensions:

Minimum Area	one (1) acre
Maximum Area	Unlimited
Width	100 feet
Depth	200 feet
Frontage	100 feet.

2. Minimum yard setback requirements:

Front	50 feet
Side (interior)	15 feet
Side (corner)	25 feet
Rear	20 feet.

3. Total Floor Area and Building Height:

Maximum Total Floor Area 35% of the total lot area
Building height 35 feet

All commercial developments requiring a height greater than thirty-five (35) feet shall be permitted provided the minimum setbacks of Section 607, Subsection D (2) are met in addition to a three (3) foot setback for all yards for each story above thirty-five (35) feet.

E. SPECIAL REGULATIONS.

If the Commercial use abuts any residential district the Special Regulations enumerated in Section 606 (E) for CN-Neighborhood Commercial Districts shall apply.

In addition to the above requirements, the following special regulations shall apply.

1. Access (See Section 500.20).
2. Offstreet parking (See Section 500.17).
3. Offstreet loading (See Section 500.19).
4. Parking, storing, keeping of commercial and recreational vehicles. (See Section 500.18).
5. Landscaping (See Palm Beach County Landscape Ordinance).
6. Fences and walls (See Section 500.15).
7. Performance standards (See Section 500.16).
8. Signs (See Palm Beach County Sign Ordinance).

ORDINANCE NO. 23-2

A. PURPOSE AND INTENT.

The purpose and intent of the CS District is to encourage development of business office parks and the integration of other complementary uses within the business environment.

B. PERMITTED USES.

In a CS-Specialized Commercial District, no building, structure or land and water use shall be permitted except for one or more of the following uses:

BUSINESS OFFICES AND STUDIOS

PROFESSIONAL OFFICES

LABORATORIES, MEDICAL AND DENTAL

PERSONAL SERVICES, including but not limited to barber shops, beauty salons, and the like

CLINICS, MEDICAL, DENTAL, CHIROPRACTIC, AND VETERINARY (outpatient only).

C. SPECIAL EXCEPTIONS SUBJECT TO COMMISSION APPROVAL.

When the Commission determines as a fact after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter I, Section 102, Chapter IV, Sections 400, 400.1, 401, and other regulations as set forth and defined in this Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Comprehensive Land Use Plan of Palm Beach County, the following uses shall be permitted within a planned specialized commercial development:

HOSPITALS (See Section 500.26)

FINANCIAL INSTITUTIONS

FUNERAL HOME, MAUSOLEUM, AND CREMATORIES

MARINE FACILITIES (See Section 500.6)

ARENAS, AUDITORIUMS, STADIA AND TRADE EXPOSITIONS (See Section 500.8)

BROADCASTING STUDIO, COMMERCIAL AM/FM RADIO AND TELEVISION

HELIPORTS (See Section 500.7)

PUBLIC AND PRIVATE UTILITY SERVICE and accessory buildings and structures (excluding sanitary land fill, refuse and trash dumps)

GOVERNMENT SERVICES and accessory buildings and structures

HOTEL AND MOTEL having a lot area of at least one (1) acre and 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

RECREATION FACILITY AND CLUBS, including accessory buildings and structures, personal services

RESTAURANT AND LOUNGE when contained within an office or hotel or motel structure and limited to a total floor area not to exceed thirty (30) percent of the gross floor area contained therein, exclusive of vehicular parking and service areas.

PROPERTY DEVELOPMENT REGULATIONS.

1. Lot area and dimensions:

Minimum Area	One (1) acre
Maximum Area	Unlimited
Width	100 feet
Depth	200 feet
Frontage	100 feet.

2. Minimum yard setback requirements:

Front	40 feet
Side (interior)	15 feet
Side (corner)	25 feet
Rear	20 feet.

3. Total floor area and building height:

Maximum Total Floor Area	35% of the total lot area
Building height	35 feet

ORDINANCE NO. 23-2

EXCEPTION: All commercial developments requiring a height greater than thirty-five (35) feet shall be permitted provided the minimum setbacks of Section 608, Subsection D (2) are met in addition to a three (3) foot setback for all yards for each story above thirty-five (35) feet.

E. SPECIAL REGULATIONS.

1. Enclosed Uses.

All uses shall be operated entirely with enclosed buildings.

2. Lighting.

Artificial lighting used to illuminate the premises and/or advertising copy shall be directed away from adjacent properties and shall be extinguished no later than 11 p.m. of the regular business day.

3. Outdoor Storage.

Outdoor storage of merchandise shall be permitted only when incidental to the commercial use located on the same premises provided that:

- a. The storage area shall not be located in any of the required setbacks or yards
- b. The stored merchandise shall not protrude above the height of the enclosing walls or buildings

4. Access (See Section 500.20).

5. Offstreet parking (See Section 500.17).

6. Offstreet loading (See Section 500.19).

7. Parking, storing, keeping of commercial and recreational vehicles (See Section 500.18).

8. Landscaping (See Palm Beach County Landscape Ordinance).

9. Fences and walls (See Section 500.15).

10. Performance Standards (See Section 500.16).

11. Signs (See Palm Beach County Sign Ordinance).

A. PURPOSE AND INTENT.

The purpose and intent of the IL District is to provide sufficient space in appropriate locations for certain types of business, and light manufacture, processing or fabrication of non-objectable products not involving the use of materials, processes, or machinery likely to cause undesirable effects upon nearby or adjacent residential or commercial property.

B. PERMITTED USES.

In an IL-Light Industrial District, no building, structure, or land and water use shall be permitted except for one or more of the following uses.

PRIMARY LIGHT INDUSTRIAL USES:

APPLIANCE manufacturing
 BAKERIES, wholesale, large scale preparation
 BOATS, manufacturing
 CONFECTIONERY, wholesale, large scale preparation
 COSMETICS manufacturing
 DAIRY PROCESSING
 DRY ICE manufacturing
 ELECTRONIC EQUIPMENT manufacturing
 FISH PROCESSING
 FOOD PROCESSING
 FURNITURE manufacturing
 GLASS manufacturing
 LEATHER GOODS manufacturing
 METAL FABRICATION
 MILLWORK
 MONUMENT WORKS

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PRECISION INSTRUMENTS AND OPTICS manufacturing

TEXTILE AND CLOTHING manufacturing

TOBACCO PRODUCTS manufacturing

WOODWORKING

SECONDARY INDUSTRIAL SERVICE USES:

AUTO PAINT AND BODY SHOP

BUSINESS OFFICES accessory to the primary industrial use

COLD STORAGE

CONTRACTOR'S STORAGE YARD

DRY CLEANING PLANT

ENGRAVING

GARAGE, PARKING AND STORAGE

LAUNDRY PLANT

LUMBER YARD

MACHINERY SHOP

MEAT CUTTING AND WHOLESALE STORAGE

MOTION PICTURE STUDIO

MOVING AND STORAGE, enclosed

OPEN STORAGE

PRINTING AND PUBLISHING

UPHOLSTERY SHOP

WAREHOUSES

WELDING SHOP

WHOLESALE, accessory to manufacturing.

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C SPECIAL EXCEPTIONS SUBJECT TO COMMISSION APPROVAL.

When the Commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter I, Section 102, Chapter IV, Sections 400, 400.1, 401, and other regulations as set forth and defined in this Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Comprehensive Land Use Plan of Palm Beach County, the following uses shall be permitted:

AUTO SERVICE STATION (with or without mechanical repairs)

BEVERAGE, manufacture

BOTTLING WORKS

BULK STORAGE OF GAS AND OIL

DRIVE IN RESTAURANT

EXTERMINATOR, warehouse and manufacture of pesticides

LABORATORY INDUSTRIAL RESEARCH

PUBLIC AND PRIVATE UTILITY SERVICES and accessory buildings and structures including but not limited to the following:

- Telephone Exchange Building
- Gas and Water Regulation Station
- Electric Power and Light Substation
- Sewage Treatment Plant
- Water Tower, Storage Tank, Reservoir, Treatment Plant
- Incinerator (See Section 500.5)
- Sanitary Land Fill. (See Section 500.5)
- Refuse and Garbage Transfer Station (See Section 500.4)

GOVERNMENTAL SERVICES and accessory buildings and structures including but not limited to the following:

- Police Stations
- Fire Stations
- Libraries

RESTAURANT AND LOUNGE

SALVAGE AND JUNK YARDS

COMMERCIAL RADIO, TELEVISION, MICROWAVE TRANSMISSION AND RELAY STATIONS AND TOWERS (See Section 500.10)

PLANNED INDUSTRIAL PARK DEVELOPMENTS

EXCAVATION AND REMOVAL OF MUCK, SAND, ROCK, SHELL, SOIL,
OR OTHER EXTRACTIVE MATERIALS (See Section 500.3)

HELIPORTS (See Section 500.7).

D. PROPERTY DEVELOPMENT REGULATIONS.

1. Lot area and dimensions:

Minimum Area	one (1) acre
Maximum Area	Unlimited
Depth	200 feet
Width	100 feet
Frontage	100 feet.

2. Minimum yard setback requirements:

Front	40 feet
Side (interior)	0 feet
Side (corner)	25 feet
Rear	20 feet.

3. Total floor area and building height:

Maximum total floor area	45% of the total lot area
Building height	35 feet

All industrial developments requiring a height greater than thirty-five (35) feet shall be permitted provided the minimum setbacks of Section 609, Subsection D (2) are met in addition to a three (3) foot setback for all yards for each story above thirty-five (35) feet.

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E. SPECIAL REGULATIONS.

1. Access (See Section 500.20).
2. Offstreet parking (See Section 500.17).
3. Offstreet loading (See Section 500.19).
4. Parking, storing, keeping of commercial and recreational vehicles (See Section 500.18).
5. Landscaping (See Palm Beach County Landscape Ordinance).
6. Fences and walls (See Section 500.15).
7. Performance standards (See Section 500.15).
8. Signs (See Palm Beach County Sign Ordinance).

ORDINANCE NO. 23-2

610 IG-GENERAL INDUSTRIAL DISTRICT.

A. PURPOSE AND INTENT.

The purpose and intent of the IG District is to provide areas in appropriate locations where various heavy and extensive industrial operations can be conducted without creating hazards or property devaluation to surrounding land uses. Such industrial facilities are to be located with convenient access to transportation facilities.

B. PERMITTED USES.

In an IG-General Industrial District, no building, structure, or land and water use shall be permitted except for one or more of the following uses:

PRIMARY INDUSTRIAL USES:

ANY MANUFACTURING AND PROCESSING USES (unless provided for as a special exception herein)

SECONDARY INDUSTRIAL SERVICE USES:

BUSINESS OFFICE accessory to the primary industrial use

WAREHOUSE accessory to the primary industrial use

RESTAURANT/CAFETERIA accessory to a primary industrial use.

C. SPECIAL EXCEPTIONS SUBJECT TO COMMISSION APPROVAL.

When the Commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter I, Section 102, Chapter IV, Sections 400, 400.1, 401, and other regulations as set forth and defined in this Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Comprehensive Land Use Plan of Palm Beach County, the following uses shall be permitted:

AUTO SERVICE STATION with or without mechanical repairs

BULK STORAGE, gas and oil

CHEMICALS, manufacturing and warehousing

DEAD ANIMAL REDUCTION

ENGINE TESTING

EXPLOSIVES, manufacturing and warehousing

EXTERMINATOR, manufacturing and warehousing

FERTILIZER MANUFACTURING

FOUNDRY AND STEEL OR METAL FABRICATING AND MANUFACTURING

PETROLEUM AND COAL DERIVATIVES, manufacturing and storage

ASPHALT AND CONCRETE MIXING AND PRODUCT MANUFACTURING

PULP AND PAPER PRODUCTS MANUFACTURING

PUBLIC AND PRIVATE UTILITY SERVICES and accessory buildings and structures including but not limited to the following:

- Telephone Exchange Building and Work Center
- Gas and Water Regulation Station
- Electric Power and Light Substation
- Sewage Treatment Plant
- Sewage Pumping Station
- Water Tower, Storage Tank, Reservoir, Treatment Plant
- Incinerator (See Section 500.5)
- Sanitary Land Fill (See Section 500.5)
- Refuse and Garbage Transfer Station (See Section 500.4)
- Refuse and Garbage Bumps (See Section 500.5)

GOVERNMENTAL SERVICES and accessory buildings and structures including but not limited to the following:

- Police Stations
- Fire Stations
- Libraries

RADIOACTIVE MATERIALS, manufacturing or use of

RENDERING PLANT

SALVAGE AND JUNK YARDS

PLANNED INDUSTRIAL PARK DEVELOPMENTS

ORDINANCE NO. 73-2

SMELTING

COMMERCIAL AM/FM RADIO, TELEVISION, MICROWAVE, TRANSMISSION
AND RELAY TOWERS and accessory equipment and buildings.
(See Section 500.10)

TRANSPORTATION AND MULTI-NODE TERMINALS

EXCAVATION AND REMOVAL OF MUCK, SAND, SHELL, ROCK, SOIL, OR
OTHER EXTRACTIVE MATERIAL (See Section 500.3).

1. PROPERTY DEVELOPMENT REGULATIONS.

1. Lot area and dimensions:

Minimum Area	Two (2) acres
Maximum Area	Unlimited
Depth	200 feet
Width	200 feet
Frontage	200 feet.

2. Minimum yard setback requirements:

Front	45 feet
Side (interior)	20 feet
Side (corner)	45 feet
Rear	20 feet.

3. Total floor area and building height:

Maximum Total Floor Area	45% of the total lot area
Building height	35 feet

All industrial developments requiring a height greater than thirty-five (35) feet shall be permitted provided the minimum setbacks of Section 610, Subsection D (2) are met in addition to the three (3) foot setback for all yards for each story above thirty-five (35) feet.

E. SPECIAL REGULATIONS.

1. Access (See Section 500.20).
2. Offstreet parking (See Section 500.17).
3. Offstreet loading (See Section 500.19).
4. Parking, storing, keeping of commercial and recreational vehicles (See Section 500.16).
5. Landscaping (See Palm Beach County Landscape Ordinance).
6. Fences and walls (See Section 500.15).
7. Performance standards (See Section 500.16).
8. Signs (See Palm Beach County Sign Ordinance).

611 PC-PRESERVATION/CONSERVATION DISTRICT.

A. PURPOSE AND INTENT.

The purpose and intent of this district is to establish and protect certain areas which are composed of the habitats of endangered species of wildlife, fish, or flora, or which are important habitats for the production of fish and wildlife, or which are sites of historical or archaeological significance.

B. PERMITTED USES.

In a PC-Preservation/Conservation District, no building, structure or land and water use shall be permitted except for one or more of the following uses:

NATURE AND FOOT TRAILS

CANOE TRAILS

BOATING limited to motors of less than ten (10) horsepower

WILDLIFE MANAGEMENT performed by the Game and Fish Commission

HUNTING AND FISHING under policies and regulations prescribed by the Game and Fish Commission

EXPLORATION, OBSERVATION, AND EXCAVATION by recognized authorities.

C. SPECIAL EXCEPTIONS SUBJECT TO COMMISSION APPROVAL.

When the commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter I, Section 102, Chapter IV, Sections 400, 400.1, 401, and other regulations as set forth and defined in this Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Comprehensive Land Use Plan of Palm Beach County, and are not detrimental to the health, safety and general welfare of the community, the following uses shall be permitted:

PUBLIC OPERATED PARKS AND RECREATION AREAS

HUNTING AND FISHING CAMPS.

73-2

D. PROHIBITED USES.

Any use which has an adverse impact upon the habitat or archaeological site causing the deterioration of the habitat or physically altering an archaeologically significant environment is prohibited. Intense activity levels of the uses permitted herein without due consideration of the compatibility of the activity with the natural resource is also prohibited. Any alteration of the soils, vegetation, or water levels beyond the minimum required to accommodate the uses permitted is prohibited. Further, wheeled vehicles, tracked vehicles, and airboats are prohibited.

ORDINANCE NO. 73-2

229

A. PURPOSE AND INTENT.

The purpose and intent of the PO District is to provide a coordinated land planning approach to the sale, rent, lease, purchase, management, or alteration of publically owned or operated property. Notwithstanding those public uses permitted elsewhere in this Code, the PO District is primarily concerned with, although not limited to, the enlightened planning of parks and recreation areas, public buildings and facilities, other capital improvements of a distinctly significant nature, and the coordination with other public agencies in their future land planning efforts.

B. PERMITTED USES.

In a PO-Public Ownership District, no building, structure or land and water use shall be permitted except for one or more of the following uses:

PUBLIC AND PRIVATE UTILITY SERVICES and accessory buildings and structures including but not limited to the following:

- Electric power and light substation
- Gas and water regulation station
- Incinerator (See Section 500.5)
- Refuse and trash dumps (See Section 500.5)
- Sanitary land fill (See Section 500.5)
- Sewage Treatment Plant
- Telephone exchange building and substation
- Water tower, storage tank, reservoir, treatment plant
- Refuse and garbage transfer station (See Section 500.4)

GOVERNMENT SERVICES and accessory buildings and structures including but not limited to the following:

- Fire Stations
- Police Stations
- Libraries

ORDINANCE NO. 73-2

EDUCATIONAL INSTITUTIONS including but not limited to the following: **73-2**

Colleges and universities
Schools, public and private
Vocational schools and training centers and seminaries

AIRPORTS AND HELIPORTS, public and private (See Section 500.7)

COMMERCIAL RADIO, TELEVISION, MICROWAVE TRANSMISSION AND RELAY STATIONS AND TOWERS and accessory equipment buildings (See Section 500.29)

PUBLICLY OWNED AND OPERATED PARKS AND RECREATION AREAS

MULTI-MODE TRANSPORTATION TERMINALS including but not limited to the following:

Bus terminal facilities
Waterborne transportation facilities
Railroad yards and passenger terminals.

MILITARY INSTALLATIONS.

C. SPECIAL REGULATIONS.

Any development, redevelopment or increase in the intensity of the land uses permitted herein shall be subject to Chapter IV, Sections 400, 400.1, 401, and other applicable regulations of Palm Beach County including:

1. Access (See Section 500.20)
2. Offstreet parking (See Section 500.17)
3. Offstreet loading (See Section 500.19)
4. Parking, storing, keeping of commercial and recreational vehicles (See Section 500.18)
5. Landscaping (See Palm Beach County Landscape Ordinance)
6. Fences and walls (See Section 500.15)
7. Performance standards (See Section 500.16)
8. Signs (See Palm Beach County Sign Ordinance).

ORDINANCE NO. 23.2

700.1

SEVERABILITY.

If any section, part of a section, paragraph, sentence, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portions of this ordinance and it shall be construed to have been the legislative intent to pass this ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

700.2

EFFECTIVE DATE.

The provisions of this ordinance shall become effective upon receipt from the Department of State of official acknowledgement that this ordinance has been filed with the Department of State.

700.3

INCLUSION IN CODE.

It is the intent of the Board and is hereby ordained, that the provisions of this ordinance shall become and be made a part of the Code of Laws and Ordinances of Palm Beach County, Florida; that the sections of this ordinance may be renumbered or relettered to accomplish such intentions; and the word "ordinance" may be changed to "section," "article," or other appropriate word.

700.4

CONFLICTING REGULATIONS REPEALED.

All special laws applying to and within Palm Beach County, general laws applying only to Palm Beach County, any general law which the Board of County Commissioners is specifically authorized by Article VIII of the 1968 Florida Constitution to supersede, nullify or amend and any local County ordinance and resolution in conflict with any provision of this ordinance are hereby repealed, including but not limited to, Chapter 31119, Laws of Florida, Special Acts of 1955; Chapter 57-1691, Laws of Florida, Special Acts of 1957; Chapter 59-1686, Laws of Florida, Special Acts of 1959; Palm Beach County Zoning Code Resolution 3-57; Palm Beach County Zoning Ordinance 72-5; Palm Beach County Planning Ordinance 72-19.

Approved and adopted by the Board of County Commissioners of
Palm Beach County, Florida, on this 18 th day of _____
December . 1972. Reconfirmed January 23, 1973.

BOARD OF COUNTY COMMISSIONERS
OF PALM BEACH COUNTY, FLORIDA

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY


COUNTY ATTORNEY

By: Late Lytal
Chairman

Acknowledged by the Department of State of Florida on the 30th
day of January, 1973, and filed in the Office of the
Circuit Court, on February 2, 1973, 11:24 A.M.

Effective Date: February 2, 1973, 11:24 A.M.

ORDINANCE NO. 73-2