

1 **Section 3. Repeal of Laws in Conflict**

2 All local laws and ordinances in conflict with any provisions of this Ordinance are
3 hereby repealed to the extent of such conflict.

4 **Section 4. Severability**

5 If any section, paragraph, sentence, clause, phrase, word, map, diagram, or any other
6 item contained in this Ordinance is for any reason held by the Court to be unconstitutional,
7 inoperative, void, or otherwise invalid, such holding shall not affect the remainder of this
8 Ordinance.

9 **Section 5. Savings Clause**

10 All development orders, permits, enforcement orders, ongoing enforcement actions,
11 and all other actions of the Board of County Commissioners, the Zoning Commission, the
12 Development Review Officer, Enforcement Boards, all other County decision-making and
13 advisory boards, Special Masters, Hearing Officers, and all other County officials, issued
14 pursuant to the regulations and procedures established prior to the effective date of this
15 Ordinance shall remain in full force and effect.

16 **Section 6. Inclusion in the Unified Land Development Code**

17 The provisions of this Ordinance shall be codified in the Unified Land Development
18 Code and may be reorganized, renumbered, or re-lettered to effectuate the codification of this
19 Ordinance.

20 **Section 7. Providing for an Effective Date**

21 The provisions of this Ordinance shall become effective on July 1, 2024.

22 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm Beach

23 County, on the 22nd day of February, 2024.

24 ATTEST:

25 JOSEPH ABRUZZO, CLERK
26 & COMPTROLLER

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

27 By Tracy Powell
28 Clerk ~~Deputy~~

By [Signature]
Maria Sachs, Mayor

29 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

30 By [Signature]
31 Scott A. Stone, County Attorney

32 Filed with the Department of State on the 27th day of February, 2024.

EXHIBIT 1

This exhibit revises the following Article(s):

- ARTICLE 1 – GENERAL PROVISIONS
- ARTICLE 4 – USE REGULATIONS
- ARTICLE 5 – SUPPLEMENTARY STANDARDS
- ARTICLE 6 – PARKING, LOADING, AND CIRCULATION
- ARTICLE 7 – LANDSCAPING

Revision Key: Proposed revisions are shown with new text as underlined, deleted text in strike-out, and relocated text italicized. *Stricken and italicized* means text to be totally or partially relocated. Unaltered text omitted for brevity is indicated by a series of four bolded ellipses....

Part 1. ULDC Art. 1.H.2, General Provisions, Definitions and Acronyms, Definitions, is hereby amended as follows:

1 **CHAPTER H DEFINITIONS AND ACRONYMS**

2

3 **Section 2 Definitions**

4

5 **C. Terms defined herein or referenced Article shall have the following meanings:**

6

7 **44. Commercial Vehicle** – means any Motor Vehicle ~~a vehicle~~ principally used in
8 commerce or trade ~~or any vehicle that is not a recreational vehicle that exceeds the~~
9 ~~following limits: rated capacity of one ton; gross vehicle weight rating (GVWR) does~~
10 ~~not exceed 12,500 pounds, including load; height exceeds nine feet, including any~~
11 ~~load, bed, or box; and, total vehicle length of 26 feet.~~ The term Commercial Vehicle
12 does not apply to Recreational Vehicles that are not used in commerce or trade, and
13 does not apply to Motor Vehicles that are registered and operated for personal use
14 that are not used in commerce or trade. A Commercial Vehicle is categorized by Gross
15 Vehicle Weight Rating (GVWR) as follows:

16 o Class 1 (< 6,000 lbs)

17 o Class 2 (6,001-10,000 lbs)

18 o Class 3 (10,001-14,000 lbs)

19 o Class 4 (14,001-16,000 lbs)

20 o Class 5 (16,001-19,500 lbs)

21 o Class 6 (19,501-26,000 lbs)

22 o Class 7 and up (26,001+ lbs), including any vehicle meeting the definition of
23 “commercial motor vehicle” per F.S. § 320.01 which is principally used in
24 commerce or trade ~~Such vehicles shall include tow trucks, transport vehicles,~~
25 ~~construction vehicles, semi-trucks, and step vans.~~ **[Ord. 2008-003]**

26

27 **G. Terms defined herein or referenced Article shall have the following meanings:**

28

29 **21. Gross Vehicle Weight Rating (GVWR)** – means the value specified by the
30 manufacturer as the loaded weight of a single motor vehicle. This figure consists of
31 the summation of the axle weight, the curb vehicle weight, and the weight of all
32 accessories, passengers, and cargo.

33 [ReNUMBER accordingly]

34 **M. Terms defined herein or referenced Article shall have the following meanings:**

35

36 **44. Motor Vehicle** – shall have the meaning ascribed by F.S. § 320.01 ~~the Statutes of the~~
37 ~~State of Florida providing for the regulation, registration, licensing, and recordation of~~
38 ~~ownership of motor vehicles in the State of Florida.~~

39

40 **S. Terms defined herein or referenced Article shall have the following meanings:**

41

42 **19. Semitrailer** – shall have the meaning ascribed by F.S. § 320.01.

43 [ReNUMBER accordingly]

44 **T. Terms defined herein or referenced Article shall have the following meanings:**

45

46 **45. Trailer** – shall have the meaning ascribed by F.S. § 320.01.

47 [ReNUMBER accordingly]

48 **69. Truck Tractor** – shall have the meaning ascribed by F.S. § 320.01.

49 [ReNUMBER accordingly]

Part 2. ULDC Art. 4.B.1.D, Use Regulations, Use Classification, Residential Uses, General Standards for Accessory Uses; and ULDC Art. 4.B.1.E, Use Regulations, Use Classification, Residential Uses, Accessory Uses and Standards, are hereby amended as follows:

1 CHAPTER B USE CLASSIFICATION

2 Section 1 Residential Uses

3
4 D. General Standards for Accessory Uses

5 Accessory uses shall comply with the specific Supplementary Use Standards contained
6 in this Section.

7 1. Corresponding Accessory Use to a Principal Use

8
9

Table 4.B.1.D – Corresponding Accessory Use to a Principal Use

| Accessory Use | Principal Use | | | | | | | | | | | | | |
|---|----------------------------|-------------|---------------|-----------|---------------|-----------------------|--|-------------------|-----------------|-----------------|--|-----------------|--------------------------------|---------------------|
| | Mobile Home Dwelling | Multifamily | Single Family | Townhouse | Zero Lot Line | Bona Fide Agriculture | Stable, Commercial/ Stable, Private | Agricultural Uses | Commercial Uses | Industrial Uses | Institutional, Public, and Civic Uses | Recreation Uses | Utility and Excavation Uses | Transportation Uses |
| | | | | | | | | | | | | | | |
| Home-based Business Occupation | P | P | P | P | P | - | - | - | - | - | - | - | - | - |
| [Ord. 2018-002] [Ord. 2018-018] [Ord. 2020-001] [Ord. 2023-023] | | | | | | | | | | | | | | |
| Notes: | | | | | | | | | | | | | | |
| - | Accessory use not allowed. | | | | | | | | | | | | | |
| P | Permitted by Right. | | | | | | | | | | | | | |

10
11
12 E. Accessory Residential Uses and Standards

13
14 11. Home-based Business Occupation

15 a. Definition

16 A business, profession, occupation, trade, artisan, or handcraft ~~conducted in a~~
17 ~~dwelling unit~~ for commercial gain by a resident of the unit on the property. A Home-
18 based Business Occupation shall not include those businesses that are open to
19 the public including those required by State of Florida agencies.

20 b. Approval Process Incidental Nature

21 Home-based Businesses on residential properties are Permitted by Right unless
22 otherwise regulated by this Article. Home-based Businesses within certain zoning
23 districts may be approved subject to additional standards and approval processes
24 for Home-based Businesses with Limited Pet Boarding, limited Landscape
25 Service, or limited Contractor Storage Yard pursuant to this Article. Shall be clearly
26 incidental and subordinate to the residential use of the dwelling property. [Ord.
27 2018-018]

28 c. Location

29 The Home-based Business may not conduct retail transactions at a structure other
30 than the residential dwelling; however, incidental business uses and activities may
31 be conducted at the residential property With the exception of outdoor instructional
32 services, a Home Occupation shall be conducted within the principal dwelling or
33 off site, and shall not be conducted within any accessory building or structure or
34 within any open porch or carport that is attached to and part of the principal
35 structure. Instructional services, which by their nature must be conducted outside
36 of the residential dwelling principal structure, such as swimming lessons, shall be
37 located in a rear or side yard.

38 d. Incidental Nature No Change to Character of Dwelling

39 The activities of the Home-based Business shall be secondary to the property's
40 use as a residential dwelling and shall be clearly incidental and subordinate to the
41 residential use of the property. As viewed from the street, the use of the residential
42 property shall be consistent with the uses of the residential areas that surround the
43 property. External modifications made to a residential dwelling to accommodate a
44 Home-based Business must conform to the residential character and architectural
45 aesthetics of the neighborhood. The residential character of the dwelling in terms

1 ~~of exterior appearance and interior space shall not be altered or changed to~~
2 ~~accommodate a Home Occupation.~~

3 **e. Employees**

4 ~~The employees of the Home-based Business who work at the residential dwelling~~
5 ~~must also reside in the residential dwelling, except that up to a total of two~~
6 ~~employees or independent contractors who do not reside at the residential dwelling~~
7 ~~may work at the residential dwelling. The business may have additional remote~~
8 ~~employees that do not work at the residential dwelling. Shall be conducted by~~
9 ~~members of the immediate family residing in the dwelling unit only. A maximum of~~
10 ~~one person who is not a member of the immediate family may assist in the~~
11 ~~operation of the Home Occupations at the residence.~~

12 **f. Advertising**

13 No external evidence or sign shall advertise, display, or otherwise indicate the
14 presence of the Home-based Business Occupation, nor shall the street address of
15 the Home-based Business Occupation be advertised through signs, billboards,
16 television, radio, or newspapers. Advertising on vehicles shall be limited to the
17 minimum necessary to meet requirements mandated by F.S. ch. 489 or Chapter
18 67-1876 of the PBC Contractor's Certification Division Manual.

19 **g. Cottage Foods**

20 No food preparation shall be allowed, except as allowed in accordance with F.S. §
21 500.80, Cottage Food Operations, as amended.

22 **h. On-Premise Sale of Goods and Services**

23 A Home-based Business Occupation shall not involve the sale of any stock, trade,
24 supplies, products, or services on the premises, except for instructional services
25 or incidental retail sales ~~where the Home Occupation is a mail-order or internet~~
26 ~~business.~~

27 **i. Instructional Services**

28 Instructional services shall meet the following additional regulations:

29 **1) Home Instruction, Inside**

30 Teaching which takes place inside the dwelling unit of the instructor. Typical
31 instruction includes music lessons and academic tutoring.

32 **2) Home Instruction, Outside**

33 Teaching which takes place outside the dwelling unit, on the property of the
34 instructor. This type of instruction is limited to subject matter which
35 necessitates outside instruction. Typical instruction includes tennis, swimming
36 lessons, dog training, and equestrian lessons.

37 **3) Hours of Operation**

38 Instruction shall occur only between the hours of 9:00 a.m. and 8:00 p.m. daily.

39 **4) Number of Students**

40 A maximum of three students at a time may be allowed to receive instruction
41 during a lesson.

42 ~~**5) Parking**~~

43 ~~No more than two vehicles associated with the lessons may be allowed to be~~
44 ~~parked at the instructor's home at any time.~~

45 ~~**6) Resident**~~

46 ~~The instruction must be conducted by a resident of the dwelling where lessons~~
47 ~~are provided. Only one instructor may be allowed to provide instruction.~~

48 ~~**j. Home Occupation in the AR/RSA**~~

49 ~~Additional standards and approval process apply to Home Occupation with limited~~
50 ~~Landscape Service or limited Contractor Storage Yard pursuant to this Article.~~
51 ~~[Ord. 2018-018]~~

52 ~~**k. Outside Storage**~~

53 ~~No equipment or materials used in the Home Occupation shall be stored or~~
54 ~~displayed outside of the dwelling, including driveways.~~

55 ~~**l. Nuisances and Hazards**~~

56 ~~The Home-based Business activities shall comply with Article 5.E.4, Nuisances,~~
57 ~~and with any Local and State regulations with respect to signage and equipment~~
58 ~~or processes that create No Home Occupation shall involve the use of any~~
59 ~~mechanical, electrical, or other equipment, materials, or items which produce~~
60 ~~noise, electrical or magnetic interference, vibration, heat, glare, smoke, dust,~~
61 ~~fumes, or noxious odors, or other nuisance outside the residential building. There~~
62 ~~shall be no storage of hazardous or noxious materials on the site of the Home~~
63 ~~Occupation. All Home-based Business activities shall comply with any relevant~~
64 ~~Local, State, and Federal regulations with respect to the use, storage, or disposal~~
65 ~~of any corrosive, combustible, or other hazardous or flammable materials or~~
66 ~~liquids. [Ord. 2019-034]~~

1 **k. Vehicles, Parking, and Outside Storage**

2 **1) Parking**

3 The need for parking generated by the business may not be greater in volume
4 than would normally be expected at a similar residence where no business is
5 conducted. Vehicles and trailers used in connection with the business must be
6 parked in legal parking spaces on the lot operating the Home-based Business
7 and shall not be parked within the right-of-way, on or over a sidewalk, or on
8 any unimproved surfaces at the residence. The operation of refrigeration units
9 is prohibited while the vehicle is parked or stored on the property.

10 **2) Employee Parking**

11 One parking space shall be provided on the property for each employee
12 working at the residence.

13 **3) Hours of Operation**

14 The loading or unloading, or movement of any parked or stored Commercial
15 Vehicles, equipment, or other similar activities, or arrival/departure of
16 employees shall be prohibited between the hours of 8:00 p.m. and 6:00 a.m.

17 **4) Commercial Vehicle Registration and Ownership**

18 The Commercial Vehicles parked on the Home-based Business property must
19 be registered to the Home-based Business and/or owned by a resident of the
20 dwelling unless approved as a Home-based Business Contractor Storage Yard
21 pursuant to the approval process in Article 4.

22 **5) Number of Commercial Vehicles**

23 a) A maximum of two Commercial Vehicles and two trailers shall be allowed
24 in the AR/RSA Zoning District;

25 b) A maximum of one Commercial Vehicle and one trailer shall be allowed on
26 all other residential properties.

27 **6) Commercial Vehicle Maximum GVWR**

28 Commercial Vehicles shall be limited to the following categories and GVWR:

29 **a) Residential Properties Except AR/RSA**

30 Class 1, 2, and only those vehicles in Class 3 up to a maximum of 12,500
31 pounds GVWR and a trailer up to a maximum of 10,000 pounds GVWR
32 shall be allowed on all residential properties, except AR/RSA; and

33 **b) AR/RSA Zoning District**

34 Class 1, 2, 3, and 4 up to a maximum of 16,000 pounds GVWR and trailers
35 up to a maximum of 10,000 pounds GVWR shall be allowed in the AR/RSA
36 Zoning District.

37 ~~**m. Violations or Hazard**~~

38 ~~If any of the above requirements are violated, or if the use, or any part thereof, is~~
39 ~~determined by the Zoning Director to create a health or safety hazard, then the~~
40 ~~Business Tax Receipt may be revoked.~~

41 ~~**n. Vehicles**~~

42 ~~One business-related vehicle per dwelling unit not over one ton rated capacity may~~
43 ~~be parked at the home, provided the vehicle is registered to a resident of the~~
44 ~~dwelling; commercial vehicles are prohibited.~~

45

Part 3. ULDC Art. 6.A, Parking, Loading, and Circulation, General, is hereby amended as follows:

46 **CHAPTER A GENERAL**

47 **Section 1 General**

48 **A. Purpose and Intent**

49 The purpose and intent of this Article is to ensure the design and function, provisions of
50 parking, loading, queuing, vehicular and pedestrian circulation, driveways, and access are
51 in proportion to the demand created by each use and are efficient and safe. **[Ord. 2020-**
52 **001]**

53 **B. Applicability**

54 The standards of this Article shall apply to all development in unincorporated PBC, or
55 existing development that is modified to the extent that it includes uses or site design
56 features that were not specifically shown on previously approved plans. All parking areas
57 established by this Section shall be continuously maintained in accordance with this
58 Article. Parking and loading spaces shall be provided in accordance with Table 6.B.1.B,
59 Minimum Parking and Loading Requirements, unless stated otherwise below. **[Ord. 2020-**
60 **001]**

61 **1. Prohibitions**

62 Parking and loading spaces are prohibited in the following: **[Ord. 2020-001]**

63 a. Landscape buffers; and **[Ord. 2020-001]**

b. Drainage District R-O-W or Easements, except additional parking in excess of the minimum required may be located in these areas with an agreement with the applicable district and subject to approval by the Zoning Director. [Ord. 2011-011] [Ord. 2020-001]

2. Exemptions

The following exemptions shall apply, unless the parcel is vacant. [Ord. 2007-013] [Ord. 2020-001]

a. ~~Commercial Vehicle~~

~~One commercial vehicle of not over one ton rated capacity may be parked per dwelling unit, providing all of the following conditions are met:~~

- ~~1) vehicle is registered or licensed;~~
- ~~2) used by a resident of the premises;~~
- ~~3) gross vehicle weight rating (GVWR) does not exceed 12,500 pounds;~~
- ~~4) height does not exceed nine feet, including any load, bed, or box; and,~~
- ~~5) total vehicle length does not exceed 26 feet. [Ord. 2005-041]~~

~~b. Construction Vehicles~~

~~Temporary parking of construction vehicles or equipment engaged in work on private land where construction is underway, for which a current and valid Building Permit has been issued by the Building Director and the Building Permit is displayed on the premises. [Ord. 2007-013]~~

~~c. Delivery and Service Vehicles~~

~~The routine deliveries by tradesmen, or the use of trucks in making service calls. [Ord. 2007-013]~~

~~d. Emergency Repairs~~

~~A situation where a motor vehicle becomes disabled and, as a result of such emergency, is required to be parked in a residential district longer than two hours. Any prohibited motor vehicle shall be removed from the residential district within 24 hours, regardless of the nature of the emergency.~~

....

Part 4. ULDC Art. 6.D, Parking, Loading, and Circulation, Residential Parking Storage, is hereby amended as follows:

CHAPTER D RESIDENTIAL PARKING STORAGE

Section 1 Parking and Storage

A. ~~Applicability 4. Parking of Equipment, Vehicles, or Marine Vessels, and Trailers in Residential Districts~~

The following ~~regulations standards~~ shall apply to the parking of equipment (including construction equipment), Motor Vehicles, recreational vehicles, sports vehicles, ~~or~~ marine vessels, and trailers on residential parcels in any zoning district, vacant parcels in a residential district or subdivision, or adjacent streets in residential districts. ~~For the purposes of this Section, legally established, non-residential uses in the AR district on lands designated Rural Residential in the Plan shall not be considered a residential district and is subject to Art. 5.B.1.A.3, Outdoor Storage and Activities, where allowed. [Ord. 2007-013] [Ord. 2019-005] [Ord. 2020-001]~~

1. ~~a. General Prohibition~~

~~a. 1) On-Street~~

No person shall park, store, or keep any equipment, Motor commercial Vehicles, recreational vehicles, marine vessels, ~~trailer, or~~ sports vehicles, ~~or trailers, such as a dune buggy, jet skis, racing vehicle, off road vehicle, air boat, canoe, or paddleboat,~~ on any public street, or other thoroughfare or any R-O-W ~~within a residential district~~ for a period exceeding one hour in any 24-hour period, each such period commencing at the time of first stopping or parking. [Ord. 2007-013] [Ord. 2019-005] [Ord. 2019-034]

~~b. 2) On-Site~~

~~a 1)~~ It shall be unlawful for any owner of land ~~in any residential district~~ to park on, cause to be parked on, or allow to be parked on ~~residentially zoned~~ land any unlicensed or unregistered Motor Vehicle or equipment, ~~commercial vehicle,~~ sports vehicle, recreational vehicle, marine vessel, or trailer for a period exceeding one hour in any 24-hour period, each such period commencing at the time of first stopping or parking, with the exception of one unregistered or unlicensed vehicle which may be kept on site provided the vehicle is completely screened from view from adjacent roads and lots. unless in compliance with Art. 6.D.1.A.2, Unregistered or Unlicensed Vehicles. [Ord. 2007-013] [Ord. 2019-005] [Ord. 2019-034] [Ord. 2020-001]

~~b 2)~~ Vehicles shall only be parked on an improved surface in the Urban/Suburban Tier. [Ord. 2019-034]

1 **c. 3) Vacant Lot Prohibitions**

2 Parking shall be prohibited on all vacant properties ~~in residential districts.~~ [Ord. 2007-013]

3
4 **2. ~~Unregistered or Unlicensed Vehicles~~**

5 ~~One vehicle may be kept on site provided the vehicle is completely screened from view~~
6 ~~from adjacent roads and lots. [Ord. 2007-013] [Ord. 2020-001]~~

7 **Commercial Vehicles**

8 The parking of Commercial Vehicles as defined by Article 1 on residential parcels in
9 any zoning district is subject to the following:

10 a. In the absence of a Home-based Business, a maximum of one Commercial Vehicle
11 shall be parked per dwelling unit, providing all of the following conditions are met:

- 12 1) vehicle is registered or licensed;
- 13 2) used by a resident of the premises;
- 14 3) limited to Class 1, 2, and only those vehicles in Class 3 up to a maximum of
15 12,500 pounds gross vehicle weight rating (GVWR);
- 16 4) height does not exceed nine feet, including any load, bed, or box; and,
- 17 5) total vehicle length does not exceed 26 feet. [Ord. 2005-041]

18 b. When parked in conjunction with a Home-based Business, the maximum number,
19 weight, and regulations of Commercial Vehicles shall be subject to the
20 requirements of Article 4 Home-based Business, Home-based Business with
21 Limited Landscape Service, or Home-based Business Limited Contractor Storage
22 Yard.

23 **4. 3. Recreational Vehicles, Sports Vehicles, Marine Vessels, and Trailers Outdoor**
24 **Storage**

25 A maximum of one recreational vehicle and any two or a maximum of three of the
26 following, may be parked outdoors on a residential parcel with a residential unit: sports
27 vehicle or marine vessel with accompanying trailers, and trailers may be parked
28 outdoors in a residential district provided that the vehicles are: [Ord. 2007-013] [Ord.
29 2019-005] [Ord. 2020-001]

- 30 a. owned and used by a resident of the premises;
- 31 b. not parked in a required front setback or other area between the structure and the
32 street, or on the street except for the purpose of loading or unloading during a
33 period not to exceed two hours in any 24-hour period; [Ord. 2007-013]
- 34 c. located in the side or rear yard and are screened from surrounding property and
35 streets with an opaque wall, fence, or hedge a minimum of six feet in height;
- 36 d. not used for living, sleeping, or housekeeping purposes;
- 37 e. operative and currently registered or licensed, as required by State or Federal law;
- 38 f. vehicles or marine vessels on navigable waterways are exempt; and, [Ord. 2007-
39 013] [Ord. 2019-005]
- 40 g. one vehicle which does not meet the requirements above may be approved
41 through the ZAR process upon demonstration that ~~the: 1) The~~ Property Owner,
42 family member, or legal tenant has a physical disability which requires a vehicle
43 which cannot meet these requirements. [Ord. 2018-002]

44 **4. 3. Recreational Vehicles, Sports Vehicles, Marine Vessels, and Trailers Indoor**
45 **Storage**

46 Motor Vehicles, marine vessels, and related trailers used for non-commercial
47 purposes, whether licensed and operational or not, may be located in a fully enclosed
48 garage or permitted roofed structure. [Ord. 2007-013] [Ord. 2019-005]

Part 5. ULDC Art. 7.D.4, Landscaping, Landscape Standards, Landscape Barriers, is hereby amended as follows:

49 **CHAPTER D LANDSCAPE STANDARDS**

50

51 **Section 4 Landscape Barriers**

52 Landscape barriers consist of hedges, walls, or fences. They are utilized to provide continuous
53 opaque screening, and are required for an Incompatibility Buffer. Landscape barriers may be
54 installed in other types of landscape buffers; the requirement may be modified based on the site
55 situations. [Ord. 2018-002]

56 **A. Hedges**

57 **1. Height and Spacing at Installation**

58 Hedge shall be planted at a minimum of 36 inches in height for a minimum mature
59 height of six feet ~~in height~~ with a maximum spacing of 24 inches on center at
60 installation to achieve a continuous screening effect. Adjustment shall be based upon
61 the type of plants utilized, with spacing not exceeding 36 inches on center. [Ord. 2005-
62 002] [Ord. 2014-025] [Ord. 2018-002]

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a. Single Family Residential Lot

Hedges may be planted and maintained along or adjacent to a residential lot line, as follows: [Ord. 2005-002] [Ord. 2014-025] [Ord. 2015-006] [Ord. 2018-002]

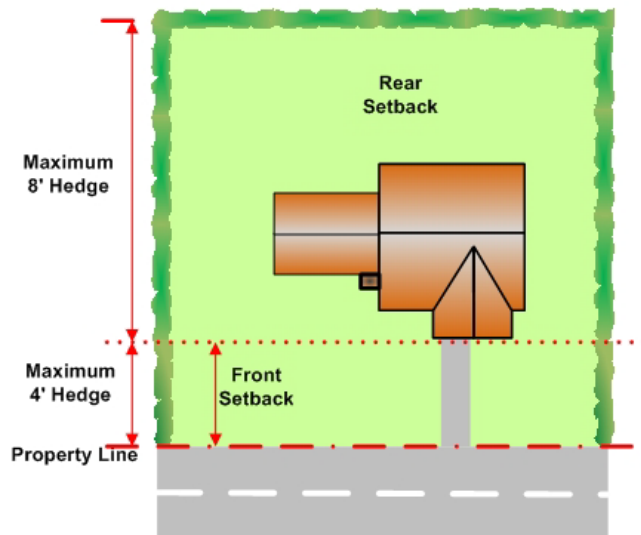
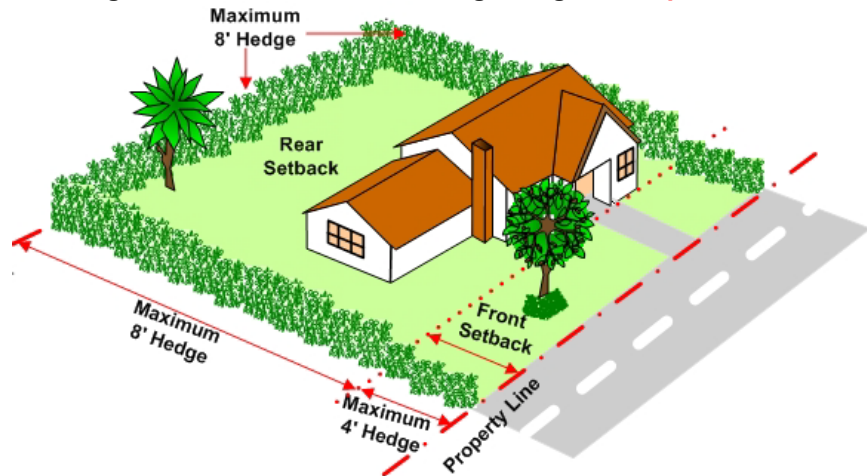
- 1) Hedges shall not exceed six feet in height in AR/RSA zoning, and four feet in height in all other residential zoning districts, when located within the required front setback. [Ord. 2005-002] [Ord. 2014-025] [Ord. 2018-002]
- 2) Hedges shall not exceed ten eight feet in height when located on or adjacent to the side, side street, or rear property lines. [Ord. 2005-002] [Ord. 2014-025] [Ord. 2018-002]

b. PDD and Non-Residential Perimeter Buffer Hedge Height

Hedges shall not exceed 12 feet in height. Height may be increased to a maximum of 20 feet for an industrial PDD for the purpose of screening outdoor industrial activities. [Ord. 2005-002] [Ord. 2014-025] [Ord. 2018-002]

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Figure 7.D.4.A – Maximum Hedge Height, except AR/RSA



[Ord. 2005-002] [Ord. 2015-006]

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C. Fences

Fence material shall include, but not be limited to: wood, vinyl panel, or vinyl-coated chain link. In addition, in the AR/RSA Zoning District, rail and wire fencing may be used the Exurban and Rural Tiers, the Applicant may submit a product alternative to the Zoning Division for approval prior to the issuance of the Building Permit for the fence. [Ord. 2018-002]

1. Chain Link Fences

Chain link fences are prohibited in Incompatibility or R-O-W Buffers unless they are vinyl coated. Vinyl-coated chain link fences are only permitted in a R-O-W or Incompatibility Buffer, and when installed behind an opaque six-foot-high hedge. [Ord. 2007-001] [Ord. 2007-013] [Ord. 2016-016] [Ord. 2018-002]

a. Exception

An electrified fence in accordance with Art. 5.B.1.A.2.e.2), Electrified Fences – Exceptions and Regulations, shall not be required to be vinyl coated. [Ord. 2013-018] [Ord. 2018-002]

....

Part 6. ULDC Art. 5.B.1.A.2.b, Supplementary Standards, Accessory Uses and Structures, Supplementary Regulations, Accessory Uses and Structures, Fences and Walls, is hereby amended as follows:

1 CHAPTER B ACCESSORY USES AND STRUCTURES

2 Section 1 Supplementary Regulations

3 A. Accessory Uses and Structures

4
5 2. Fences and Walls

6 a. Height Measurement

7 The height shall be measured adjacent to the fence or wall from the lowest grade
8 on either side of the fence or wall, unless stated otherwise below: [Ord. 2015-006]
9 [Ord. 2016-016]

10 1) Located on Berm

11 Height shall be measured from the elevation of the berm where the fence or
12 wall is constructed, unless in conflict with standards for Grade Change below.
13 [Ord. 2015-006]

14 2) Grade Change

15 a) Residential

16 Height may be increased when the fence or wall is located on a retaining
17 wall, subject to the requirements of Art. 5.B.1.A.2.b.5), Residential District
18 Grade Changes. [Ord. 2016-016]

19 b) PDD or Non-Residential Perimeter Buffers

20 Height may be increased when the fence or wall is located on a retaining
21 wall, subject to the requirements of Art. 7.D.5, Landscape Buffers with
22 Grade Changes. [Ord. 2016-016]

23 b. Height and Related Standards

24 1) Residential Uses

25 The maximum height for a fence or wall on or adjacent to a residential lot line
26 or in a landscape buffer shall be as follows: [Ord. 2015-006] [Ord. 2019-023]
27 [Ord. 2019-034]

28 a) Within required front setback:

29 (1) four feet, or [Ord. 2005-041] [Ord. 2015-006]

30 (2) six feet for property owned by PBC for preservation or conservation
31 purposes. [Ord. 2005-041] [Ord. 2015-006]

32 (3) six feet for rail fencing in the AR/RSA Zoning District.

33 b) Within required side, side street, and rear setback: six feet. [Ord. 2015-
34 006]

35 c) Within a landscape buffer: six feet. [Ord. 2015-006]

36



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

February 27, 2024

Tracey Powell
Deputy Clerk of the Circuit Court and Comptroller
Palm Beach County
301 North Olive Avenue
West Palm Beach, Florida 33401

Dear Tracey Powell:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Palm Beach County Ordinance No. 2024-004, which was filed in this office on February 27, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh