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ARTICLE 6 DEVELOPMENT STANDARDS

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155.600 GENERAL PROVISIONS

- (A) Article 6 is intended to provide standards that regulate the physical layout and design of all development within the City of Pembroke Pines. The provisions of this article shall be in accordance with the regulations set forth in this LDC.
- (B) Nothing in this Article shall obstruct sight distance triangles, fire hydrants, water valves, water meters, sewer clean-outs, trafficway signage and utility maintenance to be performed by the City.
- (C) No buildings, structures, or parts thereof, unless otherwise noted within the provisions of this LDC shall encroach into any required setback.
- (D) Planned development districts as defined in 155.450 – 155.456 may have standards which differ from those herein. Any deviations from City Code must coincide with those district's design guidelines.
- (E) Any use or structure not listed in this Article may go through the interpretation process as outlined in 155.301(L).
- (F) The provisions of this Article include:
1. Access, Loading and Parking
 2. Accessory Buildings and Structures
 3. Bufferyards and Encroachment
 4. Development Design Guidelines
 5. Fences, Walls and Hedges
 6. Landscaping
 7. Lighting
 8. Signs
 9. Supplemental Site Development Standards
 10. Sustainability

ACCESS, LOADING AND PARKING

155.601 GENERAL – ACCESS, LOADING AND PARKING

(A) Purpose

This section is intended to regulate the access, circulation, loading and parking of all properties within the city.

(B) Applicability

The following provisions shall apply to residential and non-residentially zoned property unless otherwise specified herein.

(C) General Standards

1. No land which is residentially-zoned shall be used as a driveway or vehicular access for a non-residential use.
2. Uses not specifically listed. The requirements for off-street parking for any uses not specifically listed in this section shall be determined by the Director. The applicant may seek an appeal or interpretation of the Director's determination to the City's Planning and Zoning Board as outlined in Article 3.
3. Additional loading, parking, or stacking plans and studies may be required upon application submittal to the Planning and Economic Development Department.
4. Fractional measurements. When units or measurements determining number of required off-street parking and loading spaces result in requirement of fractional space, any fraction shall require a full off-street parking and loading spaces.
5. The placement of loading or parking shall not interfere with the connectivity of the shopping center or community in which it is located.

155.602 ACCESS TO GATED COMMUNITIES FOR EMERGENCY VEHICLES

(A) Access gates to gated communities shall be the types approved by the Police and Fire Chiefs.

(B) Access gates shall be provided with a keypad and lockbox entry system and shall be installed in an accessible location. If a coded system is to be used, a coded number will be designated by the Fire Chief and Police Chief for Fire and Police Department entry.

(C) All access gates must be designed to provide automatic entry for police and fire apparatus through the resident entry lane(s) in the form of one electronic remote activation system which shall be approved by the Police and Fire Chiefs. Said access shall be provided at all entry points to the community.

(D) All access gates shall be designed to unlock with a readily accessible manual release device.

(E) During a power failure, all access gates shall be designed to fail in the open position.

- (F) Gated communities that are staffed with security 24/7 are not exempt from the requirements of this section.

155.603 GENERAL– OFF-STREET LOADING AND PARKING

- (A) Every building, use, or structure erected after the effective date of this LDC shall be provided with off-street parking facilities in accordance with the provisions of this Article for the use of occupants, employees, visitors, or patrons.
- (B) These off-street parking facilities shall be maintained and continued as an accessory use as long as the main use is continued.
- (C) Parking facilities shall meet landscape requirements for parking areas and parking islands in accordance with 155.661 through 155.663.
- (D) Where a building existed at the effective date of this LDC, that building may be modernized, altered, or repaired, provided there is no increase in floor area or capacity and there is no change of occupancy, without providing additional off-street parking facilities.
- (E) Where a building or use, which existed at the effective date of this LDC is enlarged in floor area, volume, capacity, or space occupied, off-street parking facilities as specified herein shall be provided for the additional floor area, volume, capacity, or space so created or occupied.
- (E) Where a building or use which existed at the effective date of this LDC is changed in use or occupancy, additional off-street parking facilities shall be provided to meet the parking requirements of this article.
- (F) It shall be unlawful for an owner or operator of any building, structure, or use affected by this LDC to discontinue, change, or dispense with, or to cause the discontinuance or reduction of the required parking facilities; apart from the discontinuance, sale, or transfer of that structure or use; without establishing alternative vehicle parking facilities which meet the requirements of this section.
- (G) It is the intent of this Article to require all uses except agricultural to provide off-street parking.

155.604 IDENTIFICATION OF FACILITIES; REQUIRED SURFACE

- (A) The required off-street parking facilities shall be identified on the plan submitted to the Planning and Economic Development Department.
- (B) Off-street parking facilities including drive aisle and driveways shall be surfaced with a hard, dustless material and maintained in a smooth, well graded condition.

- (C) The required parking shall be completely accessible by the public during operating hours. Any parking areas not open to the public either behind a gate, wall, fence, etc. will not count toward the required parking as identified in this section.

155.605 MINIMUM OFF STREET PARKING REQUIREMENTS

- (A) The off-street parking required by this article shall be provided and maintained on the basis of the following minimum requirements:

Table 155.605 Minimum Parking Requirements		
Use Category	Use Type	Requirement
Residential		
Residences	Dwelling – Mobile Home	2 spaces per unit (16 feet x 20 feet or 9 feet x 35 feet)
	Dwelling – Multi-Family	2 spaces per unit (1 or 2 bedroom)
		2.5 spaces per unit (3 or more bedrooms)
		2.5 guest parking spaces per ten units
	Dwelling – Single Family	2 spaces per unit (16 x 20 feet)
	Dwelling – Single-Family Zero Lot Line	2 spaces per unit (16 x 20 feet)
		2.5 guest parking spaces per ten units
Dwelling – Two-Family	2 spaces per unit (20 feet x 20 feet)	
Dwelling – Town House		2 spaces per unit (1 or 2 bedroom)
		2.5 spaces per unit (3 or more bedrooms)
		2.5 guest parking spaces per ten units
Group Living	College Dormitory	1 space per bed
	Assisted Living Facility or Special Residential or Nursing Home	0.5 space per room
Community Facilities/ Government/ Institutional		
Educational Facilities	School - Elementary or Middle	20% of "population"
	School – High	30% of "population"
	School - University or College	35% of "population"
Government	Library	5 spaces per 1,000 square feet
Religious Institution	Religious Institution [1]	8.5 spaces per 1,000 square feet
Commercial		
Automotive, Boats, Equipment and Vehicle sales and service	Car wash - manual	2 spaces per work station See 155.508
	Service Station	3.5 per 1,000 square feet 155.527
	Vehicle Rental and Trailer Storage	3.5 per 1,000 square feet 155.529

Table 155.605 Minimum Parking Requirements		
Use Category	Use Type	Requirement
	Vehicle Sales	3.5 per 1,000 square feet 155.505
Animal Related	Veterinary office	3.5 spaces per 1,000 square feet
Office and Professional Services	Office - Call Center	10 spaces per 1,000 square feet
	Office - General	3.5 spaces per 1,000 square feet
Daycare	Adult Daycare	3 spaces per 1,000 square feet
	Day Care Center	3 spaces per 1,000 square feet
Financial Services	Bank	3.5 spaces per 1,000 square feet
Food and Beverage Service	Banquet Hall	10 spaces per 1,000 square feet
	Night Club	20 spaces per 1,000 square feet
	Restaurant	10 spaces per 1,000 square feet
	Restaurant - Take Out or Outdoor Dining	20 spaces per 1,000 square feet of customer service area
Health Care Related; Medical Office	Medical - General	5.75 spaces per 1,000 square feet
	Medical - Hospital	2.5 spaces per 1,000 square feet
	Medical - Specialized	3.5 spaces per 1,000 square feet
Lodging, Visitor Accommodations	Hotel or Motel (Limited Service)	1 space per room
	Hotel (Full Service)	1.25 spaces per room
Personal Services	Personal Services	3.5 spaces per 1,000 square feet
	Mortuary or Funeral Home	5 spaces per 1,000 square feet
Recreation and Entertainment	Amusement Center	5 spaces per 1,000 square feet
	Movie Theater - Freestanding	1 space per 3 seats
	Movie Theater - In Line	1 space per 5 seats
	Bowling Alley	7 spaces per lane
	Fitness Center/Gymnasium	7 spaces per 1,000 square feet
	Specialized Gymnasium	5 spaces per 1,000 square feet
	Stadium or Arena	1 space for every 3 seats
Retail	General	3.5 spaces for every 1,000 square feet
	Home Improvement Center and Furniture Sales	3 spaces for every 1,000 square feet
Other	Instructional Services	3.5 spaces per 1,000 square feet
	Self-Storage	0.5 spaces for every 1,000 square feet
Industrial		
Manufacturing and Production	Manufacturing	1.5 spaces per 1,000 square feet

Table 155.605 Minimum Parking Requirements		
Use Category	Use Type	Requirement
Storage and Warehousing	Warehouse or Wholesale	1 space per 1,000 square feet
Other		
Miscellaneous	Airport - Hangar	1 space per hangar (up to 50% interior)
	Airport - Tie Down	1 space per every 5 tie-downs
	Places of Assembly	5 spaces per 1,000 square feet
[1] Up to 50% of the required parking may be surfaced with grass or lawn.		

1. Mixed uses. In the case of mixed uses, the total requirements for off-street parking shall be the sum of the requirements of the various uses computed separately, and off-street parking space for one use shall not be considered as providing the required off-street parking for any other use.
2. Measurement. For the purpose of this LDC, calculation for parking is measured from the interior walls of the space.
3. Measurement for outdoor dining. Applicants proposing outdoor dining shall provide the Planning and Economic Development department an outdoor dining plan in accordance with 155.519. Upon review, dimensions of the area will be determined.
4. Combined off-street parking. Nothing in this section shall be construed to prevent collective provision for, or joint use of, off-street parking facilities for two or more buildings, adjacent parcels or uses by two or more owners or operations, excluding outparcels. However, the total of those parking spaces when combined or used together shall not be less than the sum of the requirements of the several individual uses computed separately in accordance with this article.
5. Off-street parking for nonconforming use. In the case of a building occupied by a use which is not permitted as a new use in the district in which the building is located, major repairs, substantial alterations, or extensions of use shall be permitted unless and until the off-street parking requirements of this article for a new use of the type involved are applied to existing use and are fully provided for.
6. Parking of commercial vehicles. Off-street parking facilities supplied by the owner or operator to meet the requirements of this article shall not be used by commercial vehicles owned, operated, or used in the business of the owner or operator during regular hours of business.

155.606 PARKING SPACE DIMENSIONS

- (A) Each parking space required and provided pursuant to the provisions of this code shall be scaled accordingly and shall contain a minimum of ten feet in width.
- (B) Standard parking spaces must adhere to one of the following consistent with the City's engineering standard which may be amended from time to time (as maintained by the City Engineer):

- (C) Each parking space shall be directly accessible from a street or alley, or from an adequate aisle or driveway leading to a street or alley. Drive aisle and driveways shall be of sufficient size to permit convenient maneuvering of cars, and each space shall be accessible without driving over or through any other parking space.
- (D) If provided bollards shall be placed 0.75 feet from the parking space and 5 feet separation between. Bollards shall be 6 inches in diameter made of steel with reflectorized safety paint or other approved sleeve or cover.
- (E) Parking Space Dimensional Chart

Table 155.606: Parking Space Dimensions		
Parking Type	Requirements	
	Dimensions	Specific Regulations
Standard Vehicle	9 by 19 feet	Includes a wheel stop placed 3 feet from curb or edge of pavement.
	9 by 16 feet	[1] Includes a 3 foot overhang using a "D" curb, no wheel stops.
Parallel	9 by 25 feet	N/A
Angled Parking (varying)	10' in width by varying length	N/A
Motorcycle	4 by 9 feet	N/A
[1] Any pervious areas adjacent or perpendicular to any parking space does not count toward the landscape requirements.		

155.607 BICYCLE PARKING FACILITY REQUIRED

- (A) Intent. The bicycle parking requirements established in this section are intended to encourage the use of bicycles as a means of transportation in the city. By encouraging the use of bicycles, the public health, safety and welfare will be furthered through improved air quality, reduced energy consumption, and more efficient use of vehicular parking facilities. Bicycle parking facilities shall be installed and maintained by the property owner and are subject to the following provisions:
1. Location. All bicycle parking facilities provided to satisfy the requirements of this section shall be located on the same lot or building site as the uses they serve. Bicycle parking shall be distributed evenly throughout the site and located as close as is practical to the entrance the parking is intended to serve, as determined by staff. Bicycle parking shall be situated so as not obstruct the flow of pedestrians using the building entrance or sidewalk.
 2. Design,
 - (a) All bicycle parking facilities shall be permanently fixed.

- (b) Covered bicycle parking facilities shall be encourage where feasible.
3. Amount Required.
- (a) Non-residential: Bicycle parking shall be provided at 1 space per 10,000 square feet of commercial area up to 20 spaces.
- (b) Multi-family: Bicycle parking shall be provided at 1 space per 5 units of up to 20 spaces. A minimum of 2 spaces shall be provided.
4. Exemption. When determined by Planning and Economic Development Director that the proposed development is not conducive to bicycle parking, he or she may grant an exemption from the provision of this subsection.
5. Fractional measurements. When units or measurements determining number of required bicycle parking spaces result in requirement of fractional space, any fraction shall require a full bicycle space.

155.608 SHORT-TERM PARKING

- (A) Short-term parking may be permitted within multi-tenant non-residential shopping centers. Short-term parking spaces shall be approved via the administrative review process as outlined in 155.301(C) of this LDC. Short-term parking spaces shall be subject to the following provisions:
1. Outparcel buildings and freestanding buildings of over 3,000 square feet or more of gross floor area may be permitted a maximum of three short-term parking spaces.
 2. Multi-tenant shopping centers, office parks or industrial parks may be allotted up to 1% of the total parking on site to be used for short-term parking space. Short-term parking in a multi-tenant shopping center must be distributed throughout the parking area of the shopping center.
 3. All short-term parking spaces are deemed exclusive and must be in excess of the parking otherwise required for the site based on use.
 4. All short-term parking must meet minimum design standards of 155.606.
 5. Short-term parking must not impede normal traffic flow nor interfere with the operations of emergency equipment.

155.609 NON-CONCURRENT PARKING

- (A) If there is not sufficient parking within a shopping center per code requirements to accommodate a proposed use, the applicant may submit a non-concurrent parking plan. The plan shall indicate that the amount of parking require based on the hours of operation for all tenants does not exceed the supplied parking at any time.
- (B) Non-concurrent parking agreements shall be reviewed via the Administrative Review process as outlined in Article 3.

155.610 OFF-STREET LOADING

- (A) On the same lot with every structure or use hereafter erected or created, there shall be provided and maintained adequate space for loading and unloading of materials, goods, or things, and for delivery and shipping; so that vehicles for these services may use this space without encroaching on or interfering with the public use of streets and alleys by pedestrians and vehicles.
- (B) Off-street loading spaces shall be provided and maintained in accordance with the following schedule:

Table 155.610: Off-Street Loading Space Requirements		
Use	Gross Floor Area or Dwelling Units	Minimum Number of Off-Street Spaces
Residential		
Dwelling – Multi-Family	50 – 100 dwelling units	1 space
	Over 100 dwelling units	1 space; plus 1 space per each additional 100 dwelling units
Commercial / Industrial / Community Facilities		
Retail Store, Storage Warehouse, Wholesale, Industrial Plant; Factory, Freight Terminal, Market, Restaurant, Mortuary, Laundry, Dry Cleaning, or similar	Over 10,000 square feet to 25,000 square feet	1 space
	Over 25,000 square feet to 60,000 square feet	2 spaces
	Over 60,000 square feet to 120,000 square feet	3 spaces
	Over 120,000 square feet to 200,000 square feet	4 spaces
	Over 200,000 square feet to 290,000 square feet	5 spaces
	Over 290,000 square feet	5 spaces; plus 1 space per each additional 90,000 square feet
Auditorium, Convention Hall, Exhibition Hall, Museum, Hotel, Office Building, Sports Area, Stadium, Hospital, or similar	Over 20,000 square feet to 40,000 square feet	1 space
	Over 40,000 square feet	1 space; plus 1 space per each additional 60,000 square feet

- (C) Where any structure is enlarged or any use is extended so that the size of the resulting occupancy comes within the scope of this section, the full amount of off-street loading space shall be supplied and maintained for the structure or use in its enlarged or extended size. Where the use of a structure or land or any part thereof is changed to a use requiring off-street loading space under this section, the full amount of off-street loading space shall be supplied and maintained to comply with this section.

- (D) For the purposes of this section, an off-street loading space shall be an area at the grade level at least 10 feet wide by 25 feet long, with 14-foot vertical clearance. Each off-street loading space shall be directly accessible from a street alley without crossing or entering any other required off-street loading space, and arranged for convenient and safe ingress and egress by motor truck or trailer combination. The loading space shall also be accessible from the interior of any building it is intended to serve.
- (E) Off-street loading facilities supplied to meet the needs of one use shall not be considered as meeting off-street loading needs of any other use.
- (F) No area or facilities supplied to meet the required off-street parking facilities for a use shall be utilized for or be deemed to meet the requirements of this article for off-street loading facilities.
- (G) Nothing in this section shall prevent the collective, joint, or combined provision of off-street loading facilities for two or more buildings or uses, provided that the off-street loading facilities are equal in size and capacity to the combined requirements of the several buildings or uses and are so located and arranged as to be usable thereby.

155.611 DRIVE-THRU STACKING SPACES

(A) Drive-Thru facilities shall comply with the following regulations:

1. Inbound vehicles spaces shall be counted from the first stopping point, such as a menu board.
2. Outbound vehicle spaces shall be counted from the last vehicle stopping points, such as the service window.
3. Vehicle stacking lanes shall be a minimum of 10 feet wide and 20 feet in length per required vehicle.
4. Vehicle stacking space shall not encroach upon main vehicle drive aisle or block adjacent parking spaces and pedestrian walkways.
5. Stacking lanes and their circulation shall include escape lanes at logical and functional locations for drive-thru uses.
6. Escape lanes may be provided before the ordering station/menu board where possible dependent upon the site layout.
7. Drive-thru facilities and automatic carwash facilities must provide inbound and outbound stacking spaces as follows. If a drive-thru property does not meet one of the categories below, then a stacking study shall be required to be performed by the applicant and reviewed by the City Engineer for conformity with this LDC and the City engineering standards.
8. Minimum Drive-Thru Stacking Spaces Table

Table 155.611: Minimum Drive-Thru Stacking Spaces		
Type of Facility (Per Lane)	Inbound Vehicle Spaces	Outbound Vehicle Spaces
Bank	3	1
Beverage / Food	5	2
Car Wash Automatic as an Accessory	8	3
Car Wash Automatic with Attendant	18	5
Car Wash Manual/Detailing	2 per work station for storage, stacking, pick-up or drop-off	
Laundry	3	1
Pharmacy	2	1

155.612 VALET PARKING REGULATIONS

- (A) Any applicant proposing valet parking shall describe the specific storage areas for valet vehicles for each proposed and/or existing use, shall undergo the development review process in accordance with Article 3 of this Code. All parking for the storage of valet vehicles must be in excess of required parking for the property served by the valet parking. The Planning and Zoning Board shall make a determination on whether or not the location for the storage of vehicles interferes or impedes with the use of the parking lot for the customers, employees or owners of the other businesses in the center.
- (B) The property owner must provide a valet parking plan to identify the following:
1. An operations plan.
 2. Location of parking exclusively reserved for valet use.
 3. Valet Loading zones.
 4. Valet Queuing spaces.

155.613 COMMERCIAL VEHICLE PARKING.

- (A) Parking of trucks and trailers; exceptions. No person shall park, cause to be parked, or allow to be parked upon property owned or under the control of that person, or in the streets, alleys, or parkways of the city, any trailers having a length greater than 30 feet measured from the hitch to the rear of the trailer, tractor trailers, tow trucks, trucks having a box cabinet, a platform, a rack, a lifting device, a ladder or bucket or aerial device, a refrigerated box, a utility bed, or having any other equipment for the purpose of carrying goods other than personal effects of passengers or performing any work of a commercial nature. The provisions of this section shall not apply to:
1. Public Safety Vehicles
 2. Agricultural or industrial zoning districts.

3. Private property, whereon construction is under way, for which a current and valid building permit has been issued by the city as to those vehicles actively engaged in the construction.
 4. Those persons performing lawful and authorized work upon the premises where the vehicle is parked.
 5. Personal motor vehicles in residential neighborhoods outside of enclosed carports and garages.
 6. Any vehicle that is parked entirely inside a garage or is parked in a carport, where no part of the vehicle extends outside the roofline of the carport.
- (C) Temporary parking. Nothing herein is to prohibit the reasonable parking and use of any vehicle or equipment at a location while performing lawful and authorized work, public or private, at the location, including:
1. Tradesman performing service work or making deliveries of merchandise.
 2. Public utility service work.
 3. Temporary parking for the purpose of and while actually loading; or unloading of a vehicle in preparation for or upon return from the use of that vehicle; providing, however, that any vehicle so parked shall be kept in the driveway where possible.
- (D) Permitted nonresidential uses. Permitted nonresidential uses may utilize and park on their premises such commercial or other vehicles as may be necessary and customary for those uses, but this provision shall not be construed to permit the parking or storage of school buses for private or parochial schools.
- (E) Non-accessory commercial vehicles. Commercial vehicles, other than those accessory to a permitted use, shall not be parked or stored in any property located in a B-1, B-2, or B-3 District. A plot occupied as a service station may have stored thereon not over three non-accessory commercial vehicles, bearing a valid state commercial vehicle license, or which would require such a license plate if licensed in the state, except commercial vehicles which would require a state non-GW license.

155.614 ELECTRIC VEHICLE PARKING

(A) Purpose.

1. The purpose of this article is to ensure the effective installation of electric vehicle charging stations. Where any other provisions of the City of Pembroke Pines Code of Ordinances directly conflict with this LDC, this article shall control.
2. All operations of electric vehicle charging stations shall comply with applicable Federal, state, local laws, rules and regulations. *(B) Electric Vehicle Level Classification*
 - (a) Level 3 operates on a 60 amp or higher breaker on a 480 volt or higher three phase circuit with special grounding equipment.
 - (b) Level 2 operates on a 40 to 100 amp breaker on a 208 or 240 volt AC circuit.
 - (c) Level 1 operates on a 15 to 20 amp breaker on a 120 volt AC circuit.

- (d) As electric vehicle technology continues to evolve, the City's Planning and Economic Development Director will review new systems and determine the equivalent level of electric vehicle charging station pursuant to the city's established level classifications.

(B) Electric vehicle service stations as a Principal Use.

1. Electric vehicle service stations shall be the principal use which shall include but is not limited to the following services: charging, maintenance, retail, and/or repair.
 - (a) Permitted in B-3, C-1, I-L, I-M, I-H zoning districts.
 - (b) Permitted operations including charging stations with an output of greater than or equal to 480 volts, car battery replacement, and vehicle maintenance.
 - (c) Electric vehicle service station must meet the requirements set forth in 155.432 and 155.527.
 - (d) Operators of electric vehicle service stations must apply for a local business tax receipt or use permits in compliance with Ch. 115 of the City Code of Ordinances.

(C) Electric vehicle charging station as an accessory use.

1. Electric vehicle charging stations will be considered an accessory use when there is a monetary transaction or subscription associated with the service.
2. Level 2 and 3 electric vehicle charging stations shall be permitted to classify as an accessory use and shall be subject to the following requirements:
 - (a) Permitted in B-2, B-3, C-1, I-L, I-M and I-H zoning districts where underlying land use permits such use.
 - (b) Signage: maximum 1.5 square feet in size per unit.
 - (c) Accessory use electric vehicle charging stations shall be permitted based on availability of surplus parking, at the discretion of the City Manager or designee.
 - (d) Accessory use electric vehicle charging station parking spaces shall be specifically designated for charging an electric vehicle with a sign referencing F.S. § 366.94(3)(a), as may be later amended. One exclusive use parking space per charging station shall be required adjacent to each charging unit. Pursuant to F.S. § 366.94(3)(a), it is unlawful for a person to stop, stand, or park a vehicle that is not capable of using an electrical recharging station within any parking space specifically designated as an accessory use electric vehicle charging station pursuant to the requirements of this subsection.
 - (e) Count: six to 20 electric vehicle charging stations per shopping center or free-standing building shall be permitted, at the discretion of the City Manager or designee.
 - (f) Equipment must be concealed from the road right of way by landscape or other means and maybe permitted in landscape and utility buffers, subject to prior approval by city staff.
 - (g) Electric vehicle charging stations must be visible from the road right of way.
 - (h) Operators of electric vehicle charging stations must apply for a local business tax receipt or use permits in compliance with Ch. 115 of the City Code of Ordinances.
 - (i) All equipment components, including but not limited to functioning, shall be maintained at all times.

- (j) Current contact information, including but not limited to a telephone number for a representative or department of the operator of the charging station shall be posted on each station as contact to report all issues relating to the particular station.

(D) Electric vehicle charging station as an amenity use.

1. Electric vehicle charging stations will be considered an amenity use when the service is offered free of charge.
2. Level 1 and 2 electric vehicle charging stations shall be permitted to be classified as an amenity use and shall be subject to the following requirements:
 - (a) Permitted in all zoning districts.
 - (b) Signage: maximum 1.5 square feet in size per unit.
 - (c) Amenity use electric vehicle charging stations spaces will count towards the required parking set forth in 155.603-155.606.
 - (d) Amenity use electric vehicle charging station parking spaces shall not be exclusively designated for charging an electric vehicle.
 - (e) Count: a maximum of five electric vehicle charging stations per shopping center or free-standing building shall be permitted.
 - (f) All equipment components, including but not limited to functioning, shall be maintained at all times.
 - (g) Current contact information, including but not limited to a telephone number for a representative or department of the operator of the charging station shall be posted on each station as contact to report all issues relating to the particular station.

(E) Residential Electrical Vehicle Charging Infrastructure

1. Single-Family. All new residential construction that includes a carport or garage, is encouraged to install an electrical outlet and circuit breaker dedicated for electric vehicle charging infrastructure. When locating such equipment in a residential garage or carport, the following shall be depicted on the plans:
 - (a) The location where the vehicle will be typically parked.
 - (b) The location of the charging station.
 - (c) Electrical plans showing circuit, panel schedules and routing.
2. Multi-Family. All new residential multi-family projects that have a common parking area are encouraged to provide electric vehicle charging outlets and grounded alternating current outlet in at least five (5) percent of the total number of parking spaces. All outlets shall be located within the required parking area.

155.615 RECREATIONAL VEHICLES - PARKING

- (A) The following regulations shall apply to recreational vehicles, special purpose vehicles, boats, and utility trailers:

1. No recreational vehicle, boat, or utility trailer exceeding ten feet in height shall be permitted to be parked or stored on residentially zoned property.
2. No special purpose vehicles shall be permitted to be parked or stored in residentially zoned property except in an enclosed garage.
3. No more than one recreational vehicle, one boat, and one utility trailer shall be parked or stored upon residentially zoned property. A boat adjoined to a boat trailer, or structure designed to be mounted upon or carried by another vehicle, when so mounted, shall be considered one unit for the purpose of this section.
4. All recreational vehicles, boats, and utility trailers shall be parked or stored in the side or rear setbacks of residentially zoned property whenever possible. It shall be considered impossible to park or store the recreational vehicles, boats, or utility trailers in the side or rear setbacks if to do so would require encroachment upon the property of adjacent owners.
5. In the event it shall be impossible to park or store a recreational vehicle, boat, or utility trailer in the side or rear setbacks, then said recreational vehicle, boat, or utility trailer may be parked or stored on the driveway, not less than seven feet from the front property line.
6. In the event a recreational vehicle, boat, or utility trailer cannot be parked or stored on the driveway as provided in (A) (5) of this section, then the recreational vehicle, boat, or utility trailer may be parked or stored in the front setback, parallel to the main structure, provided it is parked or stored on a paved surface and that no part of the recreational vehicle, boat, or utility trailer may extend beyond the paved surface. In no event shall any such vehicle be permitted to be parked in the swale.
7. No separate unit intended to be mounted upon a truck for the purpose of converting that truck into a recreational vehicle shall be stored in the front setback of residentially zoned property.
8. All vehicles herein permitted shall have affixed thereto a currently valid license tag registered to the vehicle; shall be parked or stored with wheels and tires mounted; and shall be maintained in a movable condition.
9. No recreational vehicle, boat, or structure designed to be mounted upon and carried by another vehicle shall be used as an accessory building; occupied in any manner; or connected to any utility or electrical service, except as necessary to repair or maintain that vehicle, boat, or structure.

ACCESSORY BUILDINGS AND STRUCTURES

155.620 GENERAL – ACCESSORY BUILDINGS AND STRUCTURES

(A) Purpose

This section is intended to regulate the location, height, and appearance of Accessory Buildings and Structures.

(B) Applicability

Accessory buildings and structures as outlined in the provisions of this article shall include, but are not limited to, the following:

1. Accessory Buildings, including but not limited to:
 - (a) Sheds
 - (b) Private Detached Garages
 - (c) Storage Containers
2. Free standing open sided structures, which may be permanent or temporary, including but not limited to:
 - (a) Gazebos
 - (b) Trellises
 - (c) Chickee Huts
 - (d) Pergolas
 - (e) Canopies
3. Pools
4. Residential Driveways
5. Walkways
6. Decks and Patios
7. Docks
8. House Trailers
9. Screen Enclosures
10. Portable Storage Units
11. Sculptures and Statues

(C) General Standards

1. Unless otherwise noted herein, a residential lot may have one of each of the following accessory buildings and structures:
 - (a) Shed
 - (b) Private Detached Garages
 - (c) Free standing open sided structures
2. Lot coverage. Accessory buildings and structures constructed, with solid roofs, in accordance with the provisions of this section shall be subject to the lot coverage standards of the zoning district in which the structure is located.
3. Accessory Buildings and Structures Table

Table 155.620 Accessory Building and Structures								
	Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
		Front	Side	Street Side	Rear			
Accessory Buildings	Shed	Primary Building	5 feet	15 feet	5 feet	Primary building or 24 feet, whichever is less	[1] 100 square feet [2] 200 square feet if located in A or R-E.	[2] If over 200 square feet it shall meet primary building setbacks
	Private Detached Garage	Primary Building	5 feet	15 feet	5 feet	Primary building or 24 feet, whichever is less	Not to exceed the size of the primary building.	[1] Shall not be prefabricated. [2] 8 foot wide garage door required [3] 15 feet of vehicular access and connection to roadway is required.
	Storage Container	In Driveway	In Driveway	In Driveway	N/A	10 feet	130 square feet	Sec. 155.625
Accessory Structures	Open Sided Structure (Free Standing)	Primary Building	5 feet	15 feet	5 feet	Primary building or 24 feet, whichever is less	200 square feet if located in A or R-E.	N/A
	Pool	Primary Building	5 feet to waterline	15 feet to waterline	5 feet to waterline	N/A	N/A	N/A
	Pool, Therapeutic	Primary Building	2 feet	2 feet	2 feet	N/A	N/A	N/A
	Driveway, Circular	0 feet	5 feet	5 feet	0 feet	N/A	35% front lot coverage 40 % width of lot	[1] Shall include 5 foot radius between driveway and lot line. [2] 10 feet wide minimum
	Driveway, Typical	0 feet	5 feet	155.600(B)	0 feet	N/A	35% front lot coverage 40 % width of lot	[1] 10 feet wide minimum

Table 155.620 Accessory Building and Structures								
	Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
		Front	Side	Street Side	Rear			
	Driveway, Zero Lot Line	0 feet	0 on the zero side, 5 feet on the nonzero side	5 feet	0 feet	N/A	40% lot coverage 40% Width if lot	[1] 10 feet wide minimum
	Walkway	N/A	2 feet	5 feet	5 feet	N/A	3 feet in width	Lots with side yards 7 1/2 feet or less, only one walkway is permitted
	Deck or Patio	Primary Building	5 feet	5 feet	5 feet	N/A	N/A	N/A
	Screen Enclosure	Primary Building	5 feet	5 feet	5 feet	Primary building	N/A	N/A
	Roofed Structure (attached)	Primary Building	Primary Building	Primary Building	Primary Building	Primary building	N/A	N/A
	Sculpture or Statue	Primary Building	Primary Building	Primary Building	Primary Building	Primary Building	Scale to be determined upon review	155.626

(D) Exemptions

- Section 102.2(H) of the Florida Building Code waives the building permit requirements for Chickee Huts constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. All Chickee Huts constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida.
- Chickee Huts shall comply with the setbacks, height, and dimensions of free-standing open-sided structures in table 155.620.

155.621 SUPPLEMENTAL REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

(A) The following regulations are supplemental to the standards identified in 155.620.

- Residential Districts
 - Accessory buildings and structures located within the (R-MH) district shall be located at least 4 feet from any side lot line, and at least 5 feet from any rear lot line.

- (b) For waterfront lots located within developments approved under the design criteria of (R-1Z) single family zoning districts, accessory structures shall be allowed to extend to the zero setback side property line, excluding structures with a roof. Structures with roofs may extend to the zero setback side property line if a six foot high concrete block privacy wall is installed along the entire length of the accessory structure.
 - (c) Pool Barriers
 - i. Swimming pool barriers shall be permanently affixed.
 - ii. Swimming pool safety barriers shall include either a screened enclosure, a fence, a concrete block wall, a body of water or other barrier.
 - iii. Physical pool barriers shall be no less than four feet in height.
 - iv. The safety barrier shall be erected either around the swimming pool or around the premises on which the swimming pool is located. In either event, it shall enclose the area entirely, prohibiting unrestrained admittance to the enclosed area.
 - v. Gates shall be self-locking and comply with 155.655.
 - vi. Safety barriers shall meet all applicable State Statutes' and building codes as amended from time to time.
 - (d) Decks that are connected to a dock shall be permitted within the rear setback, however, the portion of the deck within the rear setback shall not exceed width of the dock.
2. Non-Residential Zoning Districts
- (a) Accessory buildings and structures as outlined in this article shall meet the setbacks of the district in which they are located.
 - (b) Accessory buildings and structures shall not exceed the height or size of the primary building.

155.622 DOCKS

- (A) Docks may be permitted in any residential district on any waterway as an accessory use to a residential use. The following standards shall apply to docks:
1. No boat landing, dock, pier, or mooring pile shall be constructed on a parcel of land which abuts or adjoins a body of water, the width of which body of water is less than 100 feet between the mean water's edge when measured perpendicular to the lot at any point of construction.
 2. No boat landing, dock, pier, or mooring pile shall be constructed on a lot which abuts or adjoins a body of water so that it extends as follows:
 - (a) Into the body of water more than 10% of the width of the body of water, when the width of the body of water is measured between the mean water's edge perpendicular to the lot at any point of construction.
 - (b) More than 20 feet beyond the mean water's edge, whichever of one or two is more restrictive and provides for the smaller dock.
 3. No boat landing, dock, pier, or mooring pile shall be more than 20 feet in width, running parallel to the shore line, and in no case shall the total area of the dock exceed 300 square feet, nor shall the dock be at an elevation higher than 6.0 NGVD.
 4. No boat landing, dock, pier, or mooring pile shall be constructed without a permanent connection to the land.

5. No more than one dock shall be erected on any lot or adjacent thereto. On lots having more than one building, no more than one dock shall be erected for each building fronting on a waterway.
6. No boat landing, dock, pier, or mooring pile shall be constructed so as to encroach upon the side setback.
7. No cover shall be permitted to be erected in connection with a boat landing, dock, pier, or mooring pile.
8. No ramps for boats or aircraft shall be constructed on any residential lot.
9. Approval must be obtained from applicable drainage districts for docks located in a maintenance or drainage easement.

155.623 TRASH AND RECYCLING FACILITIES

- (A) The provisions of this section are subject to the development review process outlined in Article 3.
- (B) All dumpsters, trash containers, and contents thereof shall be stored or concealed by means of fences, walls or opaque landscaping so as not to be visible from any street or adjoining lot.
- (C) All screening methods shall be finished to match surrounding construction or landscape.
- (D) Dumpsters: Outdoor collection stations shall be provided for garbage and trash removal when individual collection or indoor storage is not provided. All areas or receptacles for the storage and disposal of trash, garbage, or vegetation, such as dumpsters and trash compactors, shall meet the following standards. These provisions shall not apply to litter containers provided for convenience of pedestrians.
 1. Access. Access to indoor or outdoor collection stations shall be such that the removal vehicle need not make unnecessary turning or backing movements.
 2. Distance. When required, dumpsters shall be provided within 250 feet from the main entrance (or center of the building, if appropriate) of each principal building.
 3. Setback. The minimum setback for dumpsters from other residential property lines shall be 25 feet.
 4. Screening. All dumpsters or receptacles for the storage and disposal of trash or garbage shall be screened by a solid opaque enclosure constructed of brick, concrete, concrete block, or other material, consistent with the architectural character of the development or principal building. The open end of the enclosure shall have an opaque gate. All exterior sides of such enclosure, except the open end, shall be landscaped with shrub material, a minimum of 24 inches in height, spaced 24 inches on center at planting, or an alternative acceptable to the Planning and Zoning Board.
 5. Alternative methods of solid waste collection, such as centrally located compactors, trash collection at each door or unit, or trash chutes with enclosed dumpsters and roll out pads, may be substituted for dumpsters subject to the approval of the Planning and Zoning Board.

155.624 HOUSE TRAILERS

(A) A house trailers shall not be a permitted accessory dwelling unit.

(B) No person shall park, store, or occupy a house trailer for living purposes except:

1. On a parcel of land, not less than ten acres in area, which is zoned agricultural, and which is used for the growing of fruit, vegetables, produce, sod, or crops, and where the use of the house trailer is accessory to the agricultural use.
2. For a period not in excess of six months, on property for which a building permit for the construction of a permanent dwelling has been obtained, which construction is actively carried forward to completion within the aforesaid six months.
3. On property which is zoned R-MH, a house trailer may be occupied as a single-family dwelling, provided the lot conforms to all of the requirements of 155.423.

(C) A house trailer may be used as a temporary office or shelter incidental to construction on, or development of, the premises on which the trailer is located.

(D) Except as provided herein, no house trailer shall be parked or stored on residentially zoned property, except in a private detached garage or other accessory building.

155.625 PORTABLE STORAGE UNITS

(A) Location of portable storage units.

1. Portable storage units may be temporarily located in single-family zoning districts so long as they shall be placed only in the driveway, are not located in the right-of-way and do not obstruct the sidewalk.
2. Portable storage units may be allowed in multi-family zoning districts only upon the applicant demonstrating, to the satisfaction of the city, that the specific location and site has sufficient space to place a portable storage unit and continue to provide adequate parking, public safety access and comply with all health, safety and welfare concerns.
3. Sites in residential zoning districts are governed by the provisions of this

(B) Size of portable storage units. The portable storage unit shall be no larger than 130 square feet in area and no higher than ten feet from grade.

(C) Permits.

1. Prior to commencing business in the city, or otherwise placing portable storage units on sites within the city, the portable storage company must obtain an annual permit, at a fee of \$500, from the city outlining the obligations and requirements prior to conducting business in the city.
2. The portable storage company, which has obtained an annual permit to conduct business in the city, shall provide the user, at the point of purchase, with written information detailing the user's rights and obligations under this section. The portable storage company shall

further provide such information to users who access the company's services by telephone, the Internet or other means. The city will provide the portable storage company the information; the portable storage company shall provide copies to the user at the portable storage company's expense.

3. Zoning approval is required for the placement of a portable storage unit on a residential site for any time period greater than 14 days. The owner/ occupant may apply for zoning approval when there is an active building permit on the subject property. Application for the zoning approval shall be made to the city on a form provided by the city.
4. The site owner is required to sign the zoning approval application in order to ensure that the site owner consents to the placement of the portable storage unit on the site and acknowledges the zoning approval requirements of this section.
5. No permit or fee is required for the first 14 days.
6. The exterior of the portable storage unit shall have a weatherproof clear pouch which must display the zoning approval letter at all times.
7. A portable storage unit shall have no signage other than the name, address and telephone number of the person or firm engaged in the business of renting or otherwise placing the portable storage unit. The sign must be permanently adhered to, or painted on, the portable storage unit.
8. Portable storage unit zoning approvals will not be granted to any portable storage unit company or site property owner or occupant, which is found to be in violation of the regulations of this section until such violation is brought into compliance.
9. The Planning and Economic Development Department is delegated with the authority to monitor progress and extend the amount of days a portable storage unit is on site.

(D) Duration.

1. A portable storage unit may remain at a site for up to 14 days without a zoning approval.
2. Zoning approval is required for the placement of a portable storage unit remaining at a site longer than 14 days, up to a maximum time period of 30 days unless otherwise approved by the Planning and Economic Development Department. The portable storage company shall affix a placard, visible to public view, on each storage unit specifying the date on which the unit was delivered to the site. All portable storage units must maintain public safety access and comply with all health, safety and welfare concerns.
3. The homeowner may apply for an extension beyond 30 days within the time period as provided in the permit. Such application shall include a scope of work and justification for an extension of days. The Planning and Economic Development Department shall monitor progress of the building permit through inspections and has the authority to grant additional 30 day increments or more, depending on the inspections and review of the residential property.
4. The Planning and Economic Development Department may rescind zoning approval after conducting an inspection of the residential property.

(E) Maintaining Portable Storage Units.

1. The portable storage unit company shall be responsible to ensure that the portable storage unit is in good condition, free from evidence of deterioration, weathering, discoloration, rust, ripping, tearing or other holes or breaks.
2. When not in use, the portable storage unit shall be kept locked.

3. The owner/occupant of any site on which a portable storage unit is placed shall also be responsible for ensuring that no hazardous substances are stored or kept within the portable storage units.
4. In the event of a hurricane warning, as defined by the National Oceanic and Atmospheric Administration (NOAA) the portable storage unit company shall use their best efforts to contact customers and remove storage units in a timely manner prior to the storm.

(F) Violations.

1. It shall be unlawful for any owner/ operator of a portable storage unit company to place or permit the placement of a portable storage unit on a site within the city without first obtaining an annual permit and a zoning approval from the city.
2. A portable storage company that places or allows the placement of a portable storage unit on a site without first obtaining an annual permit as required by this section shall be provided a grace period of one business day from delivery of the portable storage unit to remove the portable storage unit or obtain an annual permit.
3. A person who allows a portable storage unit to remain at a site for longer than 14 days without first obtaining a zoning approval as required by this section shall be provided a grace period of one day from the fourteenth day of the placement of the portable storage unit to remove the portable storage unit or to obtain zoning approval.
4. Should the person or company in violation of the regulations of this section fail to obtain a permit or remove the portable storage unit at the termination of the grace period, the person or company shall be considered in violation of the code.
5. It shall be unlawful for a portable storage unit to remain at a site in excess of the time periods permitted under this section. Each day that any such portable storage unit remains at a site in violation of the provisions of this section shall constitute a violation against the portable storage company, and against the owner of the site.

155.626 SCULPTURES AND STATUES

(A) Sculptures and statues shall be considered permanent accessory structures on non-residential property and shall be architecturally compatible with surroundings.

(B) Sculptures and Statues shall not:

1. Be used for the purpose of advertising or signage.
2. Exceed the height of the primary building.
3. Be internally illuminated

(C) The size of sculptures and statues shall be determined based on the scale by staff during plan review.

155.627 NONCONFORMING STRUCTURES

(A) The provisions of this section are intended to apply only to nonconforming uses, and are not intended to apply to buildings, structures, and their plots, existing at the effective date of this

LDC which do not meet the regulations of this LDC for height, yards, plot size, plot area coverage, separation, or other similar dimensional requirements or limitations. Any additions, extensions, or alterations to such existing buildings or structures shall comply with all applicable provisions of this article.

(B) Repair, alteration, or enlargement.

1. No structure utilized for a nonconforming use shall be enlarged, extended, reconstructed, or structurally altered, unless the use is changed to one which complies with the provisions of this LDC.
2. Repairs, maintenance, and improvement may be carried out in any one year in an amount not to exceed 25% of the assessed value of the structure for that year; provided that the work does not increase the cubical content of the building nor the floor area devoted to the nonconforming use, nor increase the number of dwelling units.
3. Nothing in this section shall prevent compliance with applicable laws or resolutions relative to the safety and sanitation of a building occupied by a nonconforming use.

(C) Reconstruction after catastrophe. If any nonconforming structure, or building in which there is a nonconforming use, is damaged by fire, flood, explosion, collapse, wind, war, or other catastrophe to such an extent that the cost of rebuilding, repair, and reconstruction will exceed 75% of the replacement cost of the building or structure, it shall not be again used or reconstructed except in full conformity with the regulations of the district in which it is located.

(D) Continuance. Any legal nonconforming use or structure may be continued.

(E) Unlawful use not authorized. Nothing in this LDC shall be interpreted as authorization for, or approval of, the continuation of the use of the structure or premises in violation of any resolution in effect at the effective date of this LDC.

(F) Illegal use. The casual, temporary, or illegal use of land or a building shall not be sufficient to establish the existence of a nonconforming use or to create any rights in the continuance of such a use.

BUFFERYARDS, ENCROACHMENT AND SCREENING

155.630 GENERAL – BUFFERYARDS AND ENCROACHMENT

(A) Purpose. This section is intended to establish additional criteria for bufferyards and encroachment within residential and nonresidential lots within the city.

(B) Applicability

1. The following subsections will establish additional lot configuration criteria and limitations for non-residential or residential properties.
2. This section shall not apply to free-standing telecommunication facilities.

(C) General Standards. Any property requiring a bufferyard shall provide a maintenance plan indicating which property owner is the responsible for the general maintenance of bufferyard. Maintenance includes but it not limited to landscaping, lighting, and utilities, and fences or walls.

155.631 MINIMUM BUFFERYARD REQUIREMENT – NON-RESIDENTIAL

Unless otherwise noted within the LDC, bufferyards shall be a minimum of 10 feet wide along all non-residential property lines. All bufferyards shall be fully landscaped in accordance with the provisions outlined in 155.656-155.682.

155.632 BUFFERYARD BETWEEN RESIDENTIAL AND NON-RESIDENTIAL

(A) Applicability.

1. The provisions of this section shall apply to proposed non-residential development adjacent to a developed or site plan approved residential site.
2. If a residential site is proposed adjacent to an existing non-residential site, the provisions of this subsection shall not apply.

(B) The goal of the bufferyard is to accomplish the following:

1. To better reinforce compatible development with adjacent residential and non-residential land uses, particularly low-density residential uses through proper land use transitions and buffering techniques;
2. To provide more adequately for the proper site for non-residential accessory uses such as loading, refuse storage, parking, mechanical equipment and exterior lighting that can be the cause for noise, dust, glare, and other nuisances or inconveniences in proximity to low-density residential areas;

3. To provide unobstructed minimal space for fire access, driveways, and service roads to service non-residential activities; and
4. To provide unobstructed space for adequate landscaping to screen and/or soften the visual impact of non-residential uses that adjoin residential settings.

(C) Bufferyard characteristics.

1. Bufferyards shall be a minimum of 100 feet wide on all adjacent sides exclusive of street facings. At a minimum the first 50 feet shall be dedicated to landscaping to permit minimum space for the creation of landscape berm, mounds, and the planting of vegetation including shade trees and hedge materials.
2. The following is permitted in bufferyards, only in areas which lie beyond the required landscaped portions of the bufferyard area:
 - (a) Drainage easements.
 - (b) Fences, walls and hedges;
 - (c) Parking;
 - (d) Service drives;
 - (e) Sidewalks or Walkways
 - (f) Television antennas, satellite dishes;
 - (g) Utility easements;

(D) Alternative Bufferyard.

1. The Planning and Zoning Board may approve other means of buffering including, but not limited to, a solid masonry wall, which shall be a minimum of six feet in height, for amendments, to non-residential site plans, when one of the following apply:
 - (a) The previously approved bufferyard is being reduced in size; or
 - (b) The scope of the site plan amendment includes demolition of more than 50% of the previously approved structure on a site or plat of land regardless of ownership.
2. All landscape areas shall be established beyond any and all required utility, drainage, or other easements that would compromise the establishment of dense landscaping without interfering with utilities.
3. Landscaping requirements
 1. One shade tree of a height not less than 12 feet with a three inch caliper trunk measured at a height of four and one half feet above grade shall be planted for each 500 square feet of landscaped bufferyard. Provided, however, one-half of the required trees may be other landscaped material if it complies with the requirements of this section as determined by the Planning and Zoning Board.
 2. The final landscape design shall provide an effective visual screen between the two uses within three years of planting. Hedge materials and suitable ground cover shall be provided. Hedging shall be planted to a height not less than two feet at installation. Irrigation shall be required in all landscaped areas.
 3. Grass seeding shall be provided during the initial phases of site development to mitigate against the nuisance factors that occur during large-scale construction.

155.633 PINES BOULEVARD CORRIDOR – BUFFERYARD

(A) The following bufferyards shall be established for all properties adjacent to Pines Boulevard as outlined in the *Pines Boulevard Corridor Study and Manual of Design Guidelines*:

1. Properties located east of University Drive shall a minimum 15' landscape buffer between the right-of-way and the base building line.
2. Properties located west of University Drive shall a minimum 40' landscape buffer between the right-of-way and the base building line.

155.634 SETBACK ENCROACHMENT REGULATIONS

(A) Every part of every required setback shall be open and unobstructed from the ground to the sky, except as hereinafter provided or as otherwise permitted in this article

(B) Setback Encroachment Regulations Table

Table 155.634 Setback Encroachment Regulations						
Type	Maximum Setback Encroachment				Maximum Dimensions	Additional regulations
	Front	Side	Street Side	Rear		
Sills or Belt Courses	1 foot	1 foot	1 foot	1 foot	N/A	N/A
Cornices, Eaves, Gutters, Overhangs, and retractable awnings	1/3 of required setback	1/3 of required setback	1/3 of required setback	1/3 of required setback	5 feet regardless of setback	For yards less than 5 feet, shall not exceed 1/2 of the setback width.
Chimney, Fireplace, or Pilaster	2 feet	2 feet	2 feet	2 feet	N/A	N/A
Moveable Awnings	1 foot	1 foot	1 foot	1 foot	N/A	Shall only be placed over doors and windows
Fire Escapes, Stairways, and Balconies (unenclosed)	3 feet 8 inches	3 feet 8 inches	3 feet 8 inches	5 feet	N/A	Applicable in Multifamily or hotel uses
Unroofed Porches or Terraces	5 feet	3 feet	3 feet	10 feet	N/A	First Floor Only, except for railings.

Table 155.634 Setback Encroachment Regulations						
Type	Maximum Setback Encroachment				Maximum Dimensions	Additional regulations
	Front	Side	Street Side	Rear		
Hoods, Canopies, or Marquees	1/3 of required setback	1/3 of required setback	1/3 of required setback	1/3 of required setback	5 feet regardless of setback	Shall be a minimum of 1 foot away from any lot line.
HVAC or Emergency Generator	Not Allowed	Not restricted	Not restricted	Not Restricted	N/A	Single Family Districts Only
Liquefied Petroleum (LP) Tanks (above ground)	Primary Building	5 feet	15 feet	5 feet	N/A	N/A
Liquefied Petroleum (LP) Tanks (below ground)	Not restricted	Not restricted	Not restricted	Not restricted	N/A	N/A

155.635 ENCROACHMENT OF ACCESSORY BUILDING AND STRUCTURES WITHIN EASEMENTS

- (A) Drainage Easements. An accessory building or structure shall not be erected over or impair access to a drainage easement or culvert. Approval must be obtained from applicable drainage district for accessory buildings and uses located in a drainage easement.
- (B) Utility Easements. An accessory building or structure shall not be placed within a utility easement without the approval from all applicable utility companies.
- (C) Maintenance Easements
1. Lake and canal maintenance easements
 - (a) An accessory building or structure shall not be erected over or impair access to a lake or canal maintenance easement. Approval must be obtained from applicable drainage district for accessory buildings and uses located in a drainage easement.
 2. Zero Lot Line Homes shall have a maintenance easement in accordance with 155.652.

155.636 HEIGHT LIMITATION ENCROACHMENT SPECIFICATIONS

- (A) Penthouses, scenery lofts, towers, cupolas, steeples, and domes, not exceeding in gross area at maximum horizontal section 30% of the roof area.
- (B) Flag poles, airplane beacons, broadcasting towers, antennae, chimneys, stacks, tanks, and roof structures used for ornamental or mechanical purposes may exceed one of the following height limitations:
 - 1. 25% of the allowable height in any district or;
 - 2. 25% higher than the principal building to which it relates or is attached, whichever is less, unless otherwise waived by the Commission for the health and safety of the community.
- (C) Parapet walls may extend not more than five feet above the allowable height of a building.

155.637 SCREENING OF SERVICE AND MECHANICAL EQUIPMENT

- (A) All garbage and trash containers or compactors, oil tanks, bottled gas tanks and irrigation system pumps must be underground or placed in walled-in areas or landscaped screened areas.
- (B) All air-conditioning units, mechanical equipment, and the like, whether roof mounted or at grade shall be shielded and hidden so that they shall not be visible from a point six feet above the ground from any abutting public or private right- of-way and/or property line.

DEVELOPMENT DESIGN GUIDELINES

155.640 GENERAL – DEVELOPMENT DESIGN GUIDELINES

- (A) Purpose. This section is intended to establish additional site design criteria for various building types and lot configurations supplemental to the requirements of the zoning district in which they are located.
- (B) Applicability. The following subsections will establish additional criteria for non-residential or residential properties exclusively including but not limited to:
1. Commercial Outbuildings
 2. Commercial Outparcels
 3. Regional Mall Developments
 4. Multi-Family Developments
 5. Townhouse Developments
 6. Zero Lot Line Developments

155.641 GENERAL – COMMERCIAL OUTBUILDINGS

- (A) The development of commercial outbuildings may be permitted in the B-2, B-3 and C-1 zoning districts. The objectives of these standards are as follows:
1. To maintain architectural compatibility with the principal design features of the shopping center.
 2. To encourage complementary amenities:
 3. To provide convenient and safe pedestrian connection with the principal development buildings;
 4. To encourage interconnectivity between the shopping center and outbuilding.

155.642 COMMERCIAL OUTBUILDING STANDARDS

- (A) Development standards. Commercial outbuildings shall be developed in accordance to the requirements and limitations of the zoning district in which they are located.
- (B) Number of tenants. Commercial outbuildings may be occupied by multiple tenants.
- (C) Parking. The required parking shall be counted toward the total required parking of the shopping center.
- (D) Architectural compatibility. Commercial Outbuildings shall incorporate elements, including colors or materials that are architecturally compatible with the principal building.

- (E) Landscaping. Any additional landscaping required by an outbuilding shall be count toward the total landscaping of the shopping center.
- (F) Signage. The signage shall comply with the Uniform Sign Plan of the shopping center in which the commercial outbuilding is located.
- (G) Process. The development of a new outbuilding shall be subject to the site plan process as outlined in 155.301(A)

155.643 GENERAL– COMMERCIAL OUTPARCELS

- (A) The establishment of commercial outparcel to serve freestanding structures may be permitted in the B-2, B-3 and C-1 zoning districts. All of the provisions in this section shall apply unless otherwise stated herein. The objectives of these standards are as follows:
 1. To maximize the visibility of principal developments and shopping center.
 2. To maintain architectural continuity with the shopping center and incorporate design elements, including colors or materials, consistent with their individual business.
 3. To encourage complementary amenities.

155.644 COMMERCIAL OUTPARCEL STANDARDS

- (A) Number of outparcels. All of the following provisions apply to new or redeveloped outparcel developments.
 1. There shall be no more than one outparcel for every ten acres of total site area.
 2. There shall be no more than one outparcel for every 500 feet of shopping center frontage.
- (B) Building coverage and distance.
 1. Total building square footage for all outparcels shall not exceed ten percent of the square footage of the principal building(s) and outbuilding(s).
 2. There shall be a minimum of 300 lineal feet of separation between buildings except when separated by a roads or drive aisles.
 3. Outparcels shall only be occupied by a single tenant and are limited to one building per outparcel.
- (C) Height.
 1. Height shall not exceed one story with a maximum height of 30 feet and;
 2. Height shall not exceed the height of the principal building.
- (D) Access, storage services. Access to the outparcel shall be as direct as possible avoiding drive aisles and queuing across surrounding parking and driving aisles. All access to the outparcel

must be internalized utilizing the main access drive of the principal retail center. Storage and service facilities for all outparcels shall be integrated within the building zone and preferably constructed as an integral part of the structure. Drive-in facilities shall be provided on the outparcel site exclusively. In no instance shall the circulation and access of the principal commercial facility and its parking and service be impaired.

(E) Parking.

1. All required parking for the outparcel shall be located within that parcel exclusively.
2. Parking provided in the outparcel shall not count toward the required parking for the shopping center.

(F) Architectural compatibility. Outparcel buildings may incorporate design elements, including colors or materials, consistent with their individual business brand, but shall not incorporate design elements, including colors or materials, which the Planning and Zoning Board determines detracts architecturally from the theme of the principal building.

(G) Setbacks. Buildings within outparcels shall not be located within any required setback of the shopping center where it is located and are not required to meet bufferyard landscape requirements within the outparcel .

(H) Signage. Outparcel signage shall comply with 155.699-155.6100.

(I) Process. The development of a new outparcel shall be subject to the site plan process as outlined in 155.301.

155.645 GUIDING PRINCIPLES – REGIONAL MALL OUTPARCEL DEVELOPMENT

(A) The following provisions shall govern development on properties which have been approved for the construction and development of a regional mall.

1. Guiding principles.

- (a) All building elements shall be aesthetically and architecturally compatible throughout the site.
- (b) Regional mall and secondary building placement shall maximize parking, open space, safety and access to the facility.
- (c) Placement of buildings shall not hinder the operations of the regional mall.
- (d) The road network shall be designed to enable efficient vehicular flow.
- (e) Building uses shall be supportive and complementary to the principal use.
- (f) Regional mall and secondary building height, width, setback and landscaping must meet the requirements set forth in the provisions of this division.

155.646 SITE DEVELOPMENT STANDARDS FOR REGIONAL MALL OUTPARCELS

- (A) Mall outparcel plan requirements. A mall outparcel master plan shall be submitted by any applicant proposing to add a new outparcel to the mall property. Applicant shall provide a site plan of the entire mall property as well as the location of all existing and proposed principal, secondary and outparcel buildings.
- (B) Mall outparcels shall be permitted within parcels A, B and C as defined within the mall development of regional impact.
- (C) The number of outparcels shall not exceed 13.
- (D) Maximum outparcel building width. In order to ensure that the development of the outparcel buildings does not obscure the identity of the principal commercial uses located behind the outparcels, outparcel buildings shall not exceed 125 feet in width measured parallel to the abutting public right-of-way or access road excluding roof overhangs, porte-cocheres and other similar projections. Further, the combined width of all outparcel buildings shall not exceed 50% of the road frontage.
- (E) Maximum outparcel building height. The maximum outparcel building height shall be one story not to exceed 25 feet above the crown of the road for the portion of the property located between the regional mall structure and Pines Boulevard and two stories not to exceed 35 feet above the crown of the road for the remainder of the property.
- (F) Setbacks. All buildings along Pines Boulevard shall comply with Pines Boulevard landscape buffer requirements. All other parcel lines shall provide a minimum ten-foot landscape buffer and 30 feet setback from the mall access and/or mall ring road.
- (G) Landscape requirements. Mall outparcel development sites shall comply with the city's landscaping requirements for the number, type, size and quality of both trees and ground cover. Any area not devoted to structured or paved parking must be landscaped and irrigated in accordance with the minimum standards set by the city. All landscaped areas shall be protected from vehicular encroachment by a continuous curb and gutter.
- (H) Signage. Outparcels within Parcels B and C, located along Pines Boulevard pursuant to the mall development of regional impact, and shall comply with the sign requirements of 155.699 through 155.6100. Parcel A, located within the main mall parcel pursuant to the mall development of regional impact, shall be required to amend the mall master sign plan with standards compatible with the existing development subject to review and approval by the Planning and Zoning Board.
- (I) Pedestrian access. The owner/developer of an outparcel site should be conscious of providing and open space network of pedestrian walkways, open areas and buffers throughout the site.

- (J) Walls and fences. No wall, fence or screen enclosure shall be constructed within any landscape buffer along a property line with a height of more than six feet above the ground level of adjoining property, and no hedge or shrubbery shall be permitted with a height of more than eight feet. All proposed fences, walls, and screens shall be constructed of materials and utilize colors that are compatible with the principle structure on the site. There shall be no wooden fences or walls permitted.
- (K) Parking. Each mall outparcel must provide sufficient parking on-site to meet the city zoning code requirements in accordance with its use.

155.647 USE RESTRICTIONS – REGIONAL MALL OUTPARCELS

- (A) Accessory buildings. No accessory buildings shall be permitted on outparcel development sites, except that a drive-in teller or drive-up window and associated menu boards, and the like shall not be considered as accessory buildings so long as they are integrated with the principal building. Garbage and trash dumpsters may be kept in freestanding locations, except that they shall not be permitted along Pines Boulevard, and they must be completely screened from view by a combination of fences, walls, and screens and landscaping and shall be submitted as part of and shall be subject to site plan review. There shall be no freestanding kiosk type buildings or small light structures permitted in the parking areas or service areas outside of the main buildings.
- (B) Service and delivery. All service and deliveries to any building shall be to the rear of the building where physically possible. There shall be no outside display or storage of materials, products or goods. No truck or commercial vehicle of any kind shall be permitted to be parked on the property for a period of more than four hours between 9:00 a.m. and 9:00 p.m. unless said vehicle are temporarily present and necessary and incident to the business on the property.
- (C) Limitation on recreational vehicles. No recreational vehicle of any kind shall be parked overnight and no boats, boat trailers or trailers of any kind, or campers or mobile homes shall be permitted to park overnight on or near the property at any time unless kept inside a screened enclosure. No vehicles shall be used as a domicile or residence, either permanent or temporary.
- (D) Screening of service and mechanical equipment. All garbage and trash containers or compactors, oil tanks, bottled gas tanks and irrigation system pumps must be underground or places in walled-in areas or landscaped screened areas. All air-conditioning units, mechanical equipment, and the like, whether roof mounted or at grade shall be shielded and hidden so that they shall not be visible from a point six feet above the ground from any abutting public or private right- of-way and/or property line. Wood may not be used as a screening material.

155.648 ARCHITECTURAL COMPATIBILITY – REGIONAL MALL OUTPARCELS

Mall outparcel buildings may incorporate design elements, including colors or materials consistent with their individual business brand, but shall not incorporate design elements, including colors or materials, which the architectural review board determines detract architecturally from the theme of the principal building.

155.649 SCOPE OF APPLICATION – REGIONAL MALL

- (A) The development of any property for retail store, restaurant or other commercial use which is located on the same platted parcel of land where a principal structure either exists or is planned to exist (i.e. an outparcel), regardless of different ownership of the principal structure, shall be subject to, and developed in accordance with, the requirements of this sub-section.
- (B) If title to an outparcel is transferred after a master plan or site plan is approved by the city for the platted parcel where the principal structure and outparcel are to be located, then the seller is obligated to disclose to the buyer, by covenants in the deed, the applicability of the requirements of this subsection and any additional requirements imposed by the City in connection with the master plan or site plan approval to the property being sold.

155.650 MULTI-FAMILY – APARTMENTS AND CONDOMINIUMS

In addition to the standards within Article 4, the following standards shall apply to apartments and condominiums developed within the Residential Multi-Family (R-MF) zoning district.

- (A) Building coverage: 30% maximum. Building coverage includes all habitable space, carports, garages, recreation buildings, and the like. It does not include uncovered patios and decks, swimming pools, tennis courts, fountains and the like.
- (B) Open space: 45% minimum. Open space includes landscaping, pervious ground, uncovered patios and decks, swimming pools, tennis courts, fountains and lakes as described below.
 - 1. On-site lakes shall be included in open space.
 - 2. Adjacent lakes shall be counted as open space based on the ratio of project shoreline to total shoreline up to the maximum of 25% of the project area. The Planning and Zoning Board must determine that adjacent water features are visible and enhance the design of the project to receive the open space credit. Open space is calculated as shown on the table below:

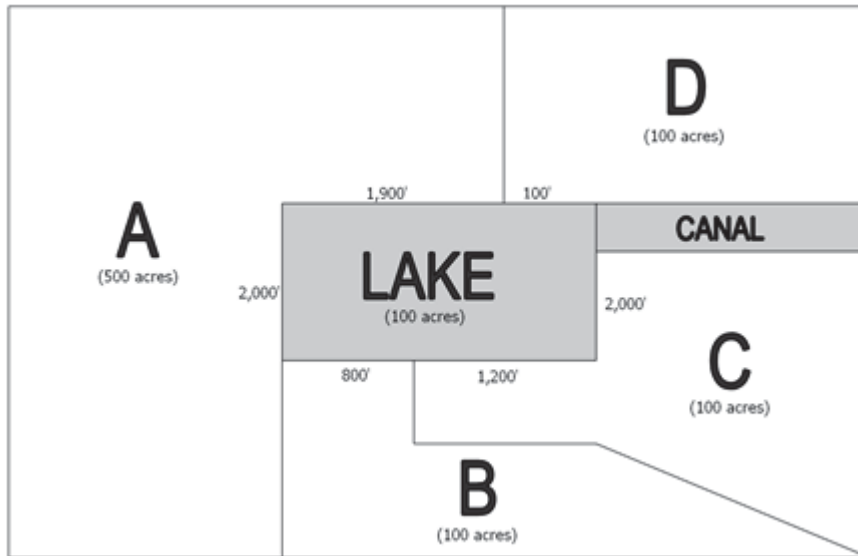


Table 155.650 Adjacent Lakes Counted as Open Space Ratios					
Project	Area (AC)	Shore (FT)	Shore (%)	Credit (AC)	Total (AC)
A	500	3,900	48.75	48.75	548.75
B	100	800	10	10	110
C	100	3,200	40	25*	125
D	100	100	1.25	1.25	101.25
Total Land	800	8,000	100	85	885
Lake	100	8,000	N/A	N/A	N/A

*Maximum credit is 25% of land area

(C) Vehicular use area: (Non-pervious) 30% maximum.

(D) Required design features:

1. Paved sidewalks (with a minimum width of four feet) shall connect all buildings, parking lots and tenant facilities.
2. In addition to the required sidewalks in (D) (1) of this section, the following list is an indication of desired amenities and design features. Actual projects may contain some or all of these. The size of the project, as well as its unit mix, will require different amenity and design packages. The role of the Planning and Zoning Board in its site plan review is to ensure that projects will provide a well-designed package of features for its residents including the following: full masonry construction, tile or metal roofs, porches for each ground level unit, balconies for all units above ground level, and clubhouse and recreation center.
3. Recreational vehicle and boat storage shall be provided at the rate of 300 square feet per 30 dwelling units or fraction thereof. The location, design and screening of this area shall

be included on the site plan and approved by the Planning and Zoning Board. This requirement may be waived by the Board provided the site plan contains a prohibition of the storage of these and similar items.

- (E) Parking: The Planning and Zoning Board shall determine that parking is to be distributed throughout the project and must be shown to be convenient and accessible from all units and amenities. Parking garages and other covered parking may be counted as required parking if they are not tandem spaces. Notwithstanding the foregoing, tandem parking spaces may be counted only with the express approval of the Planning and Zoning Board provided the tandem parking spaces are compatible with the surroundings, satisfy the needs of the development, and provide sufficient access.
- (F) In R-MF Districts, the first five feet of a required front or street side yard, adjacent to a street, shall be landscaped, and shall not be used for parking except on lots developed with a one-family or a two-family dwelling; but this five-foot, landscaped strip may be crossed by sidewalks and driveways reasonably necessary for access to buildings and permissible parking areas. Other portions of required yards may be used for accessory parking. This regulation shall apply only to streets designated as traffic ways by the City Commission.

155.651 TOWNHOUSES

In addition to the standards within 155.425, the following standards shall apply to townhouse development.

- (A) Access to units. Access to townhouse developments must be convenient to public streets or private drives. Access to individual units or buildings may be from streets, drives, pedestrian ways, garden courts, parking areas, or similar methods.
- (B) Utilities and services.
1. Each townhouse shall be independently served by separate heating, air conditioning, electric power, gas, and other facility and utility services, excluding sewer and water, wherever those utilities and services are provided.
 2. No townhouse shall be in any way dependent upon services or utility lines located within another townhouse or townhouse site, except as may be installed in public easements.
 3. All townhouses must be connected to public water and sewer lines, and all electrical and telephone lines in a townhouse development site shall be placed underground.
 4. Proper and adequate access for firefighting purposes and access to services, areas to provide for garbage and waste collection, and for the other necessary services shall be provided.
- (C) Parking spaces may be provided on the lot of the townhouse, in commonly owned or maintained parking bays, or in combination of both.

(D) Private open areas. There shall be provided for each townhouse at least 500 square feet of private open areas, exclusive of parking and service areas. These areas may consist of one or more locations. Open-roof areas and balconies designed and planned for patio purposes may be credited for no more than 50% of the required area.

(E) Maintenance of common areas.

1. Provisions shall be made to assure that non-public areas and facilities for the common use of occupants of a townhouse development, but not in individual ownership of those occupants, shall be maintained in a satisfactory manner, without expense to the general taxpayer of the City.
2. This assurance may be provided by the incorporation of an automatic membership home association for the purpose of continuously holding title to nonpublic areas and facilities; which may include, but not be limited to recreational areas, off-street parking bays, private streets, sidewalks, street lights, and common, open landscaped areas and waterways. These assessments shall be a lien superior to all others, except mortgage and tax liens.
3. Other methods may be acceptable if they positively provide for the proper and continuous payment of taxes and maintenance without expense to the general taxpayers.
4. The instrument incorporating such provisions shall be in legal and recordable form before issuance of a building permit and shall be recorded in the public records of the county.

(F) The following standards below, as outlined in section 155.425, may be modified by the Planning and Zoning Board where such variations, when incorporated into the site plan, illustrate that the purpose and intent of this section will be met by the overall development. The applicant shall provide a letter of justification stating the necessity for the standards to be modified and how the proposed meets the purpose and intent of this section.

1. Unit size
2. Height
3. Setbacks
4. Separation of building
5. Private open areas

(G) Districts in which townhouse developments permitted. In all districts permitting multiple-family zoning, townhouse developments will be permitted, which may vary the regulations of that particular zoning district as outlined above.

155.652 ZERO LOT LINE HOMES

In addition to the standards within 155.422, the following standards shall apply to zero lot line home development.

(A) Traffic ways setback. Notwithstanding any of the setback requirements identified above, there shall always be a building setback of 25 feet from all arterial roadways of 100 feet in width as shown on the County Traffic Plan.

- (B) Openings prohibited on the zero lot line side. The wall of the dwelling located on the lot line shall have no windows, doors, air conditioning units, or any other type of openings with the exception of a condensate line. Atria or courts shall be permitted on the zero lot line side when the court or atrium is enclosed by three walls of the dwelling unit, and a solid wall of at least eight feet in height is provided on the zero lot line. The wall shall be constructed of the same material as exterior walls of the unit, or may be constructed of decorative opaque glass block.
- (C) Maintenance and drainage easements.
1. Lots developed utilizing the R-1Z criteria shall have a perpetual, seven-foot easement for maintenance of the wall on the lot adjacent to the zero lot line property line which, with the exception of the following shall be kept clear of structures.
 - (a) Walls or fences
 - (b) Structures at grade, not to encroach greater than two feet into the seven-foot easement.
 2. Lots developed utilizing the R-1Z criteria may have overhangs that encroach into the easement on the adjacent lot a maximum of 24 inches, but the roof shall be so designed that water runoff from the dwelling places in the lot line is limited to the easement area.
 3. At grade structures encroaching into the five foot required setback on the Zero Lot Line side shall place a 6 foot high completely opaque privacy wall in accordance with 155.621 (A)(1)(b).
- (D) Parking. All visitor parking must be paved and evenly distributed throughout the development.
- (E) Common open space. For the purpose of this section, common open space shall be defined as recreational facilities including, but not limited to, swimming pools, clubhouses, bicycle/pedestrian paths, and open recreational areas for the common use of the owners or residents of the dwelling units. Common open space is not required but may be permitted. If common open space is provided, provisions satisfactory to the Planning and Zoning Board shall be made to assure that non-public areas and facilities for the common use of occupants of zero lot line developments shall be maintained in a satisfactory manner without expense to the general taxpayer of the city. These may be provided by the incorporation of an automatic membership homeowners association, or condominium for the purpose of continually holding title to the non-public areas and facilities and levying assessments against each unit for the purpose of paying the taxes and maintaining the common open space.
- (F) Sidewalks. Continuous sidewalks shall be provided on both sides of a public or private street and roads within a development in accordance with 154.32(S).
- (G) Elevations. There shall be no more than three consecutive identical dwelling unit elevations.
- (H) Garages. All residential units shall contain a minimum of a single-car garage fully enclosed, and units with three or more bedrooms shall contain a minimum of a two-car garage fully enclosed.

- (l) Rear yards and side yards. Where a rear yard is adjacent to another home's side yard, only single-story homes shall be permitted on both lots, provided however, subject to the building height restrictions of this section and upon application to the Planning and Zoning Board, a developer may request approval to erect two-story homes on either one or both of the lots. The Board shall consider the character and use of adjoining dwelling units or structures as well as compatibility and may require additional amenities to be provided in determining whether to approve the request.

FENCES, WALLS AND HEDGES

155.655 FENCES, WALLS, AND HEDGES

(A) Purpose

This section is intended to regulate safety, security and privacy of properties while maintaining visual harmony within neighborhoods.

(B) Applicability

This section shall regulate the location, height and appearance of fences, walls, and hedges within all zoning districts.

(C) General Standards

1. Residential

- (a) No fence, wall, or hedge shall be erected or maintained along or adjacent to a lot line on residentially zoned property to a height exceeding six feet in any yard; except that where the lot line is adjacent to non-residential use, there shall be an eight-foot limit on the height of a fence, wall, or hedge along the lot line. Height shall be measured from grade.
- (b) A fence, wall, or hedge shall not encroach into the front yard setback, except as provided herein.
 - i. A fence may be installed in the front yard setback for corner residential lots where the primary entrance to the residential structure is located on the street side yard as defined herein. The decision to permit the installation of the fence in the front yard setback of the corner residential lot is at the discretion of the Zoning Administrator.
 - ii. A fence may be installed within the front yard setback of the R-MH district, subject to the following regulations:
 - a. The fence shall not exceed 36 inches in height.
 - b. Such fence must be constructed of decorative aluminum or wood and shall be no more than 50% opaque. No chicken wire or any wire-type fence shall be permitted.
- (c) In any residential district, no fence, wall, or hedge shall be erected, constructed, maintained, or grown to a height exceeding two feet above the street grade nearest thereto, within the front setback of within 25 feet of the intersection of any street lines or of the street lines produced.
- (d) No barbed wire or barbed wire-topped fences may be erected, placed, or maintained on any residentially zoned or residentially used property, other than (R-E) or (A) zoning districts.

2. Non-Residential

- (a) Fences, walls or hedges may exceed past 6 feet in height when utilized to screen mechanical equipment or to enclose sport courts as defined in 155.637. The allowable height shall be determined by the Zoning Administrator.

- (b) No barbed wire or barbed wire-topped fences may be erected, placed, or maintained on any Community Facility, Recreation, or Commercial zoning districts.
 - (c) Barbed wire or barbed wire topped fences may be permitted in the industrial zoned districts through the development review process.
- (D) Prohibitions. Fences, walls, or hedges shall not obstruct, fire hydrants, water valves, water meters, sewer clean-outs and or otherwise precludes any utility maintenance to be performed by the City.

LANDSCAPING

155.656 PURPOSE - LANDSCAPING

The purpose of this section shall be to establish the minimum standards and requirements of property owners for the installation and maintenance of landscaped areas. Proper landscaping promotes the general welfare, public safety, and public health through trees and other plant materials by creating aesthetically pleasing, sustainable residential and non-residential environments that promote improved air quality, an urban canopy, and many other benefits. (Because the City Commission finds that the peculiar characteristics and qualities of the City justify regulations to perpetuate this aesthetic appeal on a city-wide basis, this LDC is enacted.)

155.657 LANDSCAPE PLAN REQUIREMENTS

(A) All landscape plans shall contain all of the following items for document plan review by City professional landscape personnel.

1. All landscape plans shall contain all of the following items for document plan review by City professional landscape personnel:
2. Landscape plans shall be signed and sealed by a registered landscape architect or qualified personnel. A digital and hard copy of all landscape plans shall be submitted to the City for review.
3. Landscape calculation table, on a form provided by the City, shall be shown on planting plans.
4. Tree survey bearing the seal of a landscape architect or qualified personnel indicating the location, number, species, DBH, size, and condition of all existing trees and vegetation on-site to be preserved, relocated, or removed. In the event there are no trees on-site, the applicant shall submit a letter stating that there are no existing trees on-site.
5. The location and outline of existing buildings and site improvements to remain.
6. Location, number, species, size, and condition of existing vegetation along abutting properties within 25 feet of property line.
7. Location of existing and proposed hardscape features such as driveways and sidewalks, additional embellishment of walls, fences, gates, and signs including type and height.
8. A proposed plant list by symbol, quantity, required specifications, native or non-native, drought tolerance, mature canopy spread, total mature canopy spread proposed on site, and botanical and common names. The plant list shall be indicated on all planting sheets.
9. Location and labeling of existing and proposed lighting on site, proposed fire hydrants, and Fire Department check valves.
10. Location of existing and proposed easements, right-of-ways, drainage structures, overhead utility wires, vertical features, underground utilities, controllers, above ground electrical elements, and transformers.
11. All planting and staking details, including but not limited to planting/staking specifications, general notes, and tree protection details
12. Location and specification of proposed root barrier.

13. Existing and proposed water bodies, water retention areas, and berms indicating required slopes.
 14. An indication of water source, valves, pumps, backflow preventers, controllers, main line, lateral lines, sleeves, head types, specifications, and spacing.
 15. Sight triangles shall be depicted on planting plans.
 16. Such other information as needed to give a complete understanding of the proposed plan.
- (B) Exceptions to these requirements may be granted upon determination of the City based on scope of work.

155.658 LANDSCAPE PLAN REVIEW AND ACCEPTANCE PROCEDURES

- (A) Landscape plans shall be required for all site plan submittals unless determined to be unnecessary by City staff.
- (B) All proposed and approved landscape plans shall include details pertaining to plant materials, nonliving durable landscape material, root barriers, and an irrigation system where applicable.
- (C) For existing properties, if neither the property owner nor the City possesses an approved landscape plan for the site, the property owner must seek a landscape plan to be approved by the City as set forth in 155.657 if the property owner seeks to obtain any new building permit.
- (D) All site developments or landscaping improvements to existing sites shall submit to City landscape personnel a set of landscape plans that comply with plan details outlined in 155.642. Once the landscape plans are approved, the property owner can apply for a landscape permit; work may not begin until City staff has reviewed, approved, and provided owner with approved permit.
- (E) City landscape representative(s) shall be charged with the responsibility to review plans, issue permits, and inspect all details post-installation for all items found in the landscape plan.
- (F) Upon completion of the landscape installation, owner or applicant must request final landscape inspection.
- (G) Upon completing a final landscape inspection, the owner must file "as-built" landscape plans with the City within 30 days.
- (H) All plans submitted shall be retained by the City in accordance with F.S. Code 119, as amended from time to time, and the rules and regulations promulgated from time to time for records retention by the Bureau of Archives and Records Management of the Division of Library and Information Services of the Florida Department of State.

155.659 ISSUANCE OF CERTIFICATE OR OCCUPANCY OR FINAL LANDSCAPE INSPECTION APPROVAL

- (A) A landscape permit is required for all new construction and redevelopment of properties located in such districts and the following is required for permit:
1. Landscape permit application;
 2. Permit fee reflective of total landscape costs;
 3. A cost breakdown of materials including species, size and labor costs;
 4. Proof of contractor's Broward County local business tax receipt (LBTR);
 5. A copy of contractor's liability insurance;
 6. Hard set of plans and a digital copy; quantity to be determined by the City; and
 7. Tree removal/relocation permit if applicable.
- (B) An owner/contractor cannot begin installation of material until a landscape application has been received and approved by the City and a landscape permit has been issued.
- (C) Conditions: No final certificate of occupancy for new construction or significant redevelopment projects shall be issued unless the as built conforms to the approved landscape and irrigation plan.
1. The landscape architect shall be required to inspect the property after installation to determine whether landscape and irrigation installation conforms to the approved plan.
 2. The landscape architect shall submit a written report of compliance to the City upon completion of their inspection.
- (D) Inspection:
1. The City shall inspect the property to ensure that landscape has been installed, maintained, and irrigated in accordance with the landscape plan approved by the City and the provisions of this section. If the inspection reveals that the approved landscape and irrigation plans have been satisfied, and the City has received a landscape and irrigation certification letter, hardcopy of landscape and irrigation plans, and as-built digital file all signed and sealed by a landscape architect or qualified personnel, then the final certificate of occupancy may be issued.
 2. The property owner/developer shall be responsible for payment of a landscape inspection fee prior to issuance of final certificate of occupancy.
- (E) Replacement of material:
1. It shall be the duty of the property owner to maintain the current approved landscape plan for the property including, but not limited to, replacing dead and poorly performing plant and other landscape material. The City has the right to inspect all properties to ensure that landscaping has been properly installed, maintained, and irrigated in accordance with the approved landscape plan and require the property owner to make all appropriate corrections.

2. The property owner has 90 days to replace all substandard and missing landscaping to ensure compliance with this section upon notice from the City. If unable to achieve scope of work within a 90 day period an extension may be granted based on significant progress and communication with City landscape personnel.

155.660 LANDSCAPE PARAMETERS – GENERAL CONSIDERATIONS

- (A) All areas within a property not considered a building, structure, sidewalk, parking area, and other approved vehicular use area shall have the maximum coverage of living plant material where possible. All non-living durable landscape material shall not be considered an appropriate substitution for living plant material unless clearly stated on an approved landscape plan.
- (B) All properties and approved landscape plans shall follow the Florida Friendly Landscaping Program (FFLP) guidelines as hereby adopted by the City with the exclusion of the wildlife section. The City further agrees to adopt the plant lists within the FFLP as a guideline for the City's approved plant list.
- (C) All properties and approved landscape plans are required to have at least 50% native and drought-resistant plant materials within the total site vegetation excluding sod.
- (D) During any construction, protective barriers of specifications approved by the City shall be placed and maintained around the drip line of all trees to be retained on the site to prevent their destruction or damage. The developer shall use every precaution possible to avoid damaging the trees by preventing the use or storage of materials or equipment, or the contamination of soil with such materials as paint, oil, solvents, asphalt, concrete, mortar, and the like, within the "drip line".
 1. No attachments, other than those of a protective or nondamaging nature, shall be attached to any tree except those trees approved by the City to be eliminated and not to be retained or relocated.
 2. All trees damaged as a result of construction or the operation of heavy equipment in the vicinity of a tree shall be replaced in accordance with the provisions of this section.
- (E) Sight distances. When an drive aisle intersects a public right-of-way or when the subject property abuts the intersection of two or more public rights-of-way, all landscaping within the triangular areas shall conform to Florida Department of Transportation (FDOT) Roadway and Traffic Design Standards for Design Construction, Maintenance and Utility Operations on the State Highway System, Standard Index 546, and Engineering Division details R13, R14, and R15, as amended and updated from time to time.

155.661 MINIMUM LANDSCAPE REQUIREMENTS – ALL PROPERTIES

- (A) All landscaped areas shall be installed according to the approved site plan and shall be maintained by the property owner, including but not limited to replacing dead and poorly performing material. The City has the right to inspect all properties to ensure landscaping has been properly installed, maintained, and irrigated in accordance to the approved landscape plan.
- (B) A property owner can receive credits toward the minimal landscape requirements for the preservation, replacement, or relocation of existing plant material on site prior to development if determined by City landscape personnel, an adjustment will preserve the intent of this section.
- (C) All common areas, excluding totally enclosed privacy areas, for attached and detached single-family units shall be fully landscaped and irrigated. Common areas require one tree for every 1,000 square feet and shall require no more than 50% sod.
- (D) Recreational facilities both commercial and private, shall be substantially landscaped. The landscape at recreational facilities such as but not limited to clubhouse, pool area, and gym cannot be utilized in fulfilling or contributing to minimal landscape requirements for general planting requirements outlined in 155.662 and 155.663.
- (E) Utility structures, garbage, and refuse areas shall be screened with landscaping material to the extent that these areas are not visible at a maximum height of six feet from abutting properties or adjacent right-of-ways.
- (F) The property owner is responsible for the landscape development and maintenance of the non-paved portion fronting on the property where a waterway directly abuts public right-of-way and where the ingress and egress from a property is over the waterway in accordance with an approved site plan and according to South Broward Drainage District standards.
- (G) Trees in excess of five shall have no more than 20% of a single species:
1. All properties three stories and below minimum:
 - (a) 20% of required trees meet 14-16' H with 3" diameter at breast height.
 - (b) 20% of required trees meet 12-14' H with 2" diameter at breast height.
 - (c) 60% of required trees required meet 155.664 (M).
 2. All properties four stories and above minimum:
 - (a) 30% of required trees meet 14-16' H with 3" diameter at breast height.
 - (b) 30% of required trees meet 12-14' H with 2" diameter at breast height.
 - (c) 40% of required trees required meet 155.664 (M).
- (H) Landscaping for Boulevard Strips, Medians, and Swales – All Properties.

1. All medians within or adjacent to a development shall be landscaped and irrigated by the developer as per an approved site development plan where such modifications are determined necessary by City staff.
2. The boulevard strip shall be sodded. Where the area is bordered by a sidewalk and curbing, it shall be contoured to insure satisfactory surface run-off. Planting will be considered in this area provided that the stock is of type as specified in the approved list for boulevard planting and that the planting does not encroach beyond the center line closest to the public right-of-way. Landscaping to incorporate xeriscaping principles is encouraged.
3. Where the area is not curbed, the block drainage pattern must remain unobstructed. Planting shall not take place in the center line of the swale. Planting, however, will be considered on the residential side of the slope provided that the material is as specified in the approved list for boulevard planting and that the planting does not take place closer than two feet from the center line of the swale.
4. For trees located in a boulevard strip or swale, special attention should be made to ensure that there is adequate root and canopy space at maturity.
5. All planting on City property must be as per an approved site plan.

(I) Landscape Adjacent to Public Right-of-Ways – All Properties.

1. A ten foot strip of land adjacent to the right-of-way shall be provided for and landscaped for property areas adjacent to public right-of-ways where the property will not be entirely visually screened by an intervening building or structure from the abutting right-of-way. All required landscaped strips shall be landscaped 100% coverage of turfgrass or other approved groundcover along with one tree for each 50 lineal feet or fraction thereof, or one tree for every 250 square feet. Necessary drive aisles may be subtracted from the above lineal dimensions where determining the required number of trees.
2. The above required trees shall be located between the abutting right-of-way and development of the property. A hedge, wall, berm, or other durable landscape barrier of at least two feet in height shall be placed along only the perimeter of the landscape strip. If the durable barrier is of nonliving material, a hedge, vine or other living material shall screen the street side of the barrier. Barrier placement shall not impede sightlines.
3. Utility easements shall be excluded from this section's provisions regarding trees only and dedicated alleyways shall be excluded from this section's provisions regarding trees, hedge material and berm requirements, unless they are commercial alleyways abutting residential property as in 155.661(l).

(J) Landscaping Adjacent to Abutting Properties – All Properties.

1. On the site of a building, structure, or open-lot use providing an off-street parking area or other vehicular use area, where the area will not be entirely screened visually by an intervening building or structure from abutting property, screening shall be required as provided within this section.
2. The buffer screening shall comply with the setback and yard requirements as provided in 155.632.

3. Walls, hedges, or other durable landscape barriers at least three feet in height, with appropriate spacing as provided in the SFWMD Guide, shall be accepted as screening material if that material can provide the required full screening from the abutting property.
4. In addition, trees and landscape beds shall be located between the common lot line and the off-street parking area or other vehicular use area. The required number of trees shall be calculated as one tree provided for every 50 lineal feet or fractional part thereof. Each tree shall be planted in at least a 100 square feet planting area consisting of grass, groundcover, or other landscape material with a minimal dimension of at least ten feet. Non-living durable landscape material shall not be acceptable material for these landscape beds.

155.662 SPECIFIC MINIMUM LANDSCAPE REQUIREMENTS

(A) Minimum Landscape Requirements for Single-Family Residential Properties.

1. The minimum planting requirements per single-family lot:
 - (a) Three trees of two different species per unit, where possible located in the front of the lot including swale area.
 - (b) Ten shrubs per unit.
 - (c) Two accent plants per unit.
2. Swale trees shall be located in the swale area or boulevard strip between the road's edge and the sidewalks. The trees shall be planted to ensure that there is adequate root and canopy space upon maturity. Root barriers shall be installed, if, in the opinion of the City licensed landscape arborist or professional landscape inspector, they shall be required to allow for future controlled growth.
3. For all lots larger than 8,000 square feet in area, additional trees and shrubs shall be provided at the rate of one tree and three shrubs every 3,000 square feet of lot area; however there shall be no more than ten trees and 30 shrubs required per acre.
4. The complete site area shall be landscaped in accordance with the approved site plan. For residential properties over 10,000 square feet, the area in excess may be plugged, sprigged, or seeded.
5. The owner of an existing nonconforming single-family residence, under this subsection, may apply for mitigation pursuant to 155.680.

(B) Minimum Landscape Requirements for Multi-Family Residential Properties.

1. All landscape areas shall be installed according to the approved site plan.
2. Multifamily properties shall comply with the following minimum requirements:
 - (a) Shrubs:
 - i. Twenty-five per unit (first floor);
 - ii. Five additional shrubs per unit (second and third floors); and
 - iii. No additional shrubs required for units above fourth floor.
 - (b) Trees:
 - i. One and one-half canopy trees per unit (first floor);
 - ii. One additional canopy tree per unit (second floor);

- iii. One-half additional canopy tree per unit in excess of two stories.

(C) Minimum Landscape Requirements for Non-Residential Properties.

1. For non-residential properties the planting requirement shall be calculated on the following basis:
 - (a) One tree every 5,000 square feet of gross area.
 - (b) Ten shrubs every 5,000 square feet of gross area.
2. Grass areas shall be sodded. Areas in excess of 20,000 square feet may be plugged, sprigged, or seeded.
3. The base of all ground signs must be adequately landscaped. Permit applications for ground signs must be accompanied by a landscape plan compliant with the following standards:
 - (a) Landscape area must consist of 2 layers of shrubs, groundcover, annual or perennial flowers, or some combination of live plants to complement and enhance the sign. Sod may not be used to meet this requirement.
 - (b) Sign landscaping is subject to landscape provision of this article.
4. For industrial properties;
 - (a) A planting area, having a street frontage of not less than ten feet and a depth of not less than 20 feet, shall be provided and maintained on every lot in an I-L District. This area shall be located adjacent to a side lot line or in another manner which provides a total street frontage of not less than ten feet. Where a single structure occupies more than one lot, the landscaped area required by this division for each lot shall be provided. The area may, however, be combined and located in the same manner as if the total area occupied by the structure were a single lot.
 - (b) A planting strip not less than 50 feet in depth shall be provided along main arteries.
 - (c) Areas not covered by buildings, parking, driveways, or walled storage areas, shall be planted and landscaped; and shall be properly maintained by the owner of the property. Planting and landscaping plans for all areas required by this section shall be submitted when building plans are submitted to the Planning and Economic Development Department for review.
 - (d) No parking shall be allowed on any planting or landscaping area required by this section and those areas shall not be considered as providing any of the paved parking area required by this section.
 - (e) Open storage, garbage and refuse. The storage of vehicles, equipment, materials, and supplies shall be within a building or within an area enclosed by a wall, fence, hedge, or other device which will effectively screen that storage from public view. Garbage or refuse shall be stored only within a building.
 - (f) A perimeter buffer shall be used to provide a transition between one type of land use and another. This buffer shall be a continuous are of land along the perimeter of a Parcel of Land, including; landscaping, berms, walls, fences, and building setbacks.

(D) Minimum Landscape requirements for green walls.

1. A green wall, also referred to as a living wall or a vertical garden, is an internal or external wall partially or completely covered with vegetation that includes a support structure,

- growing medium, and integrated water delivery system. Green walls can contain one planting bed in the ground at the base of the wall; this is limited to one or two stories buildings with vine coverage; planting boxes at the bases of each floor for multi-story buildings, or individual planting cells uniformly dispersed over the entirety of the structure. Green walls can conserve energy and promote a healthy landscape.
2. Installation of a green wall shall require a building permit. The plan set submitted for the building permit application shall include, at a minimum, the following:
 - (a) The delineation of and the total area of green wall,
 - (b) The specifications for the irrigation system,
 - (c) The structural components of the support system and demonstrated compliance with the Florida Building Code,
 - (d) Identification of the planting medium, and the structure, size and location of planting cells and/or planting beds,
 - (e) A planting chart that includes plant identification, quantities and specifications,
 - (f) The plant installation specifications including how vines/plants will initially be fastened to the structure, and
 3. A green wall shall comply with all the following installation standards:
 - (a) Shall include an irrigation system,
 - (b) The area delineated as green wall shall contain 100% living plant material and shall not incorporate artificial plant material into the green wall.
 - (c) Green walls greater than twenty (20) feet in height:
 - i. Shall have planting cells uniformly dispersed over the entire green wall area or have planting beds at multiple heights along the green wall area,
 - ii. Planting cells and planting beds shall be of sufficient size, spacing, and quantity to provide for a minimum of at least 60% coverage by installed plant materials on the delineated green wall area upon installation, and
 - iii. Installed material shall be of sufficient density and fullness to meet at least 60% coverage of the delineated green wall area upon installation.
 4. All green walls shall comply with the following additional standards:
 - (a) Installed plants shall be maintained and replaced as needed to ensure at minimum of 85% viability of quantity of installed material,
 - (b) Installed material shall attain an 95% coverage of the delineated green wall within one year of installation, and
 - (c) The green wall shall be maintained in an attractive condition free of weeds, debris and structural defects.
 5. Green wall systems shall be permitted in all zoning categories. Nothing contained in this LDC, including design standards or guidelines included or referenced herein, shall be deemed to prohibit the installation of a green wall that meets the requirements of this section, as accessory equipment.
 6. The green wall structural components (non-vegetative components) shall be in conformance with 166.626.
 7. To be deemed a green wall it must cover at least forty (40) percent of the building elevation.

(E) Minimum Landscape Requirements for a Green Roof

1. A Green roof, also referred to as a living roof, is a roof of a building that is partially or completely covered with living vegetation and a growing medium, planted over a waterproofing membrane. A green roof also includes additional layers such as a root barrier and drainage and irrigation systems. A green roof can be comprised of a single planting bed or multiple individual planting bed components integrated as a single roof system.
2. Installation of a green roof shall require a building permit. The plan set submitted for the building permit application shall include, at a minimum, the following:
 - (a) A delineation of and the total area of the green roof,
 - (b) Specifications for the irrigation system,
 - (c) Specification on the structural components of the green roof system and demonstrated compliance with the Florida Building Code,
 - (d) Identification of the planting medium, and structure and location of planting cells if comprised of multiple integrated component beds,
 - (e) A planting chart that includes plant identification, quantities and specifications, and installation.
3. A green roof shall comply with all the following installation standards:
 - (a) Shall include an irrigation system, and
 - (b) Plant material shall meet at least 85% coverage of the delineated green roof area upon installation.
4. A green roof shall comply with the following additional standards:
 - (a) Installed plants shall be maintained and replaced as needed to ensure at minimum of 85% viability of quantity of installed material,
 - (b) Installed material shall attain an 100% coverage of the delineated green roof area within one year of installation, and
 - (c) The green roof shall be maintained in an attractive condition free of weeds, debris and structural defects.
5. Nothing contained in this LDC, including design standards or guidelines included or referenced herein, shall be deemed to prohibit the installation of a green roof that meets the requirements of this section, as accessory equipment to conforming buildings.
6. Due to design considerations and functionality requirements, a green roof system shall be in conformance with height limitations in 155.636.
7. To be deemed a green roof it must cover at least twenty-five (25) percent of the roof surface.

(F) Minimum Landscape Requirements for a Vegetable Garden. A Vegetable Garden shall comply with Florida State Statute section 604.71.

155.663 PARKING ISLANDS

(A) Landscaping of interior parking areas, also defined as parking islands and other vehicular use areas within a property shall be a mixture of ground cover, turfgrass, hedge material, trees, and palms with no more than 50% of total island areas planned or installed as turfgrass sod or mulch. Interior islands must be a minimum ten feet wide from inside of curb adequately landscaped and contain minimum of one tree. The intent of interior parking islands is to create

a fully landscaped parking lot without disrupting continuous parking stalls and to lower the area ambient surface temperature.

- (B) Parking lot landscaping should be designed to be sustainable and to function as part of the development's stormwater management system.
- (C) For other vehicular use areas only, where the strict application of minimal landscaping requirements will seriously limit the function of the area, the required landscaping may be located near perimeter of the paved area, including those perimeters that may be adjacent to a building on the site. The required interior landscaping which is relocated as provided herein shall be in addition to the perimeter landscape requirements.
- (D) Concrete curbing, wheel stops permanently anchored three feet away from landscape area at a four-inch height, or other approved equal shall be installed to prevent encroachment of vehicles into the required landscape area.
- (E) Individual interior parking lot areas shall be a minimum of 100 square feet total adequately landscaped with shrubs, groundcover, or other authorized landscape material not to exceed three feet in height in addition to requirements listed below. The landscape areas shall be located in such a manner as to divide and break up the expanse of paving.
- (F) Parking lots shall comply with the following minimum requirements:
 - 1. One tree:
 - (a) Every five parking spaces; and
 - (b) Every 100 square feet of interior landscaping;
 - 2. Ten square feet of interior landscaping every parking space up to 50 spaces;
 - 3. One hundred square feet of landscaping every ten parking spaces over 50 spaces;
 - 4. One square foot of landscaping:
 - (a) Every 100 square feet of paved areas up to 50,000 square feet; and
 - (b) Every 200 square feet of paved area over 50,000 square feet; and
 - 5. Interior parking landscape requirements shall be reduced by 25% for areas zoned for industrial use.

155.664 PLANT MATERIAL DESIGN AND INSTALLATION STANDARDS

- (A) All areas not covered by main and accessory structures, walks and vehicular use areas shall be fully landscaped with living plant material. Non-living landscape materials shall not be considered as substitution for living plant material unless specifically approved on the landscape plan.
- (B) Landscaped areas shall be constructed with no more than 25% of the total area of gravel, stone, artificial turf, of other similar materials.

- (C) It shall be the duty of a property owner that all plant material and non-living durable landscaping material shall be installed and perpetually maintained in a manner as determined by qualified City staff to be generally consistent with proper horticultural practices found in the most recent editions of the following:
1. Grades and Standards for Nursery Plants from the Florida Department of Agriculture Division of Plant Industry;
 2. Florida Friendly Best Management Practices for Protection of Water Resources by the Green Industries from the Florida Department of Environmental Protection;
 3. Selecting and Planting Trees for the South Florida Urban Forest from the Florida Urban Council;
 4. The Right Tree in the Right Place brochure from Florida Power and Light;
 5. American National Standards Institute A-300 and Z-133; and
 6. Principles and Practices of Planting Trees and Shrubs by Gary W. Watson and E.B. Himelick.
- (D) All installed plant material shall be a minimum grade of Florida #1 or better as identified in Grades and Standards by the Florida Department of Agriculture, where applicable.
- (E) All landscape areas excavated shall be filled with 50% muck soil mix.
- (F) All plant installations shall conform to all applicable regulations in regards to planting distances away from above ground utility structures and lines and shall not be installed underneath roofs, overhangs, and balconies unless their mature height does not encroach upon the structure.
- (G) All plant material shall not impede line of sight as stated in 155.660.
- (H) For proper plant material health, all landscaped areas shall have a readily available water supply or an appropriate and functional irrigation system. Refer to irrigation requirements in 155.667.
- (I) Sod
1. All irrigated landscape areas shall use solid St. Augustine, Bermuda or Palmetto Sod laid on a smooth planting base with tight joints at 100% coverage at time of planting and cut to fit all Landscape planters and curb areas unless otherwise approved by the Director of Planning and Economic Development Department.
 2. Bahia sod may only be used on vacant land parcels for future development may be sodded utilizing Bahia sod until such time that approved development of parcel commences.
 3. Sod areas shall be identified and labeled on the Landscape plans.
- (J) Groundcover installation standards:
1. Groundcover shall be installed using a minimum of 6 inches in depth of new topsoil.

2. All property other than the required landscaped strip lying between the right-of-way and off-street parking area or other vehicular use area shall be landscaped with at least grass or ground cover.
3. Turfgrass installation shall be completed by sodding and shall supply 100% coverage immediately upon installation. No more than 25% of total landscaped area shall be installed as turfgrass or mulch.
4. Wherein sod installation is impractical, qualified City landscape personnel may allow seeding or sprigging with prior written approval. Grass seed shall be clean and at least 90% weed free and free of noxious pests or diseases. The grass seed bags shall have Florida Department of Agriculture tags indicated compliance with the state's quality control program.
5. Other ornamental groundcovers used in lieu of turfgrass shall be installed to allow 75% coverage at installation and must have 100% within three months after planting.

(K) Vine installation specifications: Vines shall be a minimum of 30 inches in height at installation and may be used in conjunction with fences, screens, or walls to meet physical barrier requirements as specified.

(L) Shrubs and hedges:

1. Shrub, flower, and hedges shall be installed using a minimum of 6 inches in depth of new topsoil.
2. Shrubs shall be installed with a minimum 24 inches in height and 12 inches in spread, unless otherwise directed, immediately upon planting.
3. Shrubs shall be installed in a manner that prevents both intrusion and touching building surfaces from branches by the end of one year's growth.
4. Layering of shrub rows shall be done in accordance with the tallest mature shrubs placed in the back and progressively shorter mature shrubs placed progressively in the front section.
5. Hedges, where required on an approved landscape plan or by Code, shall be planted to form a future continuous, unbroken, solid visual screen within a maximum of one year after installation date.

(M) Trees: The minimum new tree installation requirements shall be delineated into four categories based on mature tree height and diameter at breast height.

1. Category I or known as large sized canopy tree: minimum of 14-16' in overall height and 3" diameter at breast height;
2. Category II or known as medium sized canopy tree: minimum of 12-14' in overall height and 2" diameter at breast height;
3. Category III or known as small sized canopy tree: minimum of 10-12' in overall height and 1.5" diameter at breast height; and
4. Category IV or known as palm category: minimum of 10' in overall height as determined by measurement from the ground to the top frond.
5. At the time of installation, a hole twice the size of the trees root ball must be excavated and backfilled with new 50% soil muck mix.

6. All guys and staking material shall be removed when the tree is stable and established, but in no case more than one year after initial planting of the tree. Stabilization shall be in accordance with ANSI A-300 and Z-133. Trees shall be re-staked in the event of blow over or other failures of the staking and guying.
 - (a) Nursery support must be removed at the time of installation; this will not be acceptable as the approved form of staking.
 - (b) Trees shall be staked every 120 degrees with a biodegradable twine keeping the tree upright or shall have 3 straps of biodegradable twine keeping the tree upright.

- (N) Trees shall be species having an average mature spread of crown of 30 feet or greater and having trunk(s) which can be maintained in a clean condition over six feet of clear wood. Trees having an average mature spread of crown less than 30 feet may be substituted by grouping to create the equivalent of a 30-foot crown spread, this shall not include any non-trees. The average mature canopy spread shall be determined by current University of Florida IFAS extension office publications. City staff reserves the ability to determine the mature canopy spread if a publication cannot be found on any particular species.

- (O) In the event canopy requirement cannot be met due to site limitations as determined by City landscape personnel, the equivalent value of the canopy tree shall be deposited into the City's Landscape Fund.

- (P) A preferred tree planting list identified by category and type is on file with City landscape personnel. The types of trees on this list may be amended from time to time.
 1. With regards to the approved species lists provided by the City landscape personnel, the scientific name shall take authority over the common name as amended by the scientific community from time to time.
 2. Tree species not on the above approved lists can only be installed with prior written permission from the City.
 3. Palms at a 3:1 ratio minimum ten feet in height, ten feet in spread, planted in close proximity to each other shall be considered as one canopy.
 4. All trees shall be planned to ensure that there is adequate root and canopy space at maturity. Trees planted within ten feet of a paved surface or a form of infrastructure (determined to have an invasive root system) shall require an approved root barrier system.
 5. All shade trees must be located a minimum of 15 feet from streetlight, and palms and small trees must be located a minimum of 7 feet 6 inches away from street light.
 6. Trees shall have a 6.0' clear trunk to allow unobstructed pedestrian movement under or around tree canopy.

- (Q) All species as defined as Category I invasive materials in the most recent document compiled by the Florida Exotic Pest Plant Council (FLEPPC) for the south region are prohibited from new installation. An exception may be made if, in the opinion of the City licensed landscape arborist or professional landscape inspector a Category I species will not be harmful in that particular area or to the immediate surrounding environment, it shall be allowed.

155.665 NON-LIVING DURABLE LANDSCAPE MATERIAL DESIGN AND INSTALLATION STANDARDS

(A) Any person, company, partnership, corporation, or service that installs non-living durable landscape material shall adhere to guidelines set forth in this article when applicable, and shall be installed to meet all other applicable ordinances and code requirements.

(B) Mulch.

1. A minimum of three inches of shredded, organic, heavy metal free mulch shall be installed around all tree plantings and landscape beds surrounding ornamental groundcovers, shrubs and hedges.
2. The use of mulch obtained from Melaleuca, Eucalyptus, or other invasive plant species is encouraged in order to reduce their impact on the environment and to preserve the remaining native plant communities.
3. Tree rings shall be a minimum of 12 inches away from the tree trunk flair but shall not be permitted within the first two inches from the tree trunk.

(C) Decorative rocks. Decorative rocks may be used in lieu of mulch installation with sizes ranging from two to four inches.

(D) Artificial Turf

1. The use and location of artificial turf shall be limited to the following:
 - (a) The construction of athletic fields and playgrounds associated with a community center, park, school, or university;
 - (b) As part of the construction of any nonresidential development ;
 - (c) On roof top terraces;
 - (d) On residential lots; or
 - (e) In multifamily residential developments as part of a recreation or amenity area.
2. Minimum material standards. All artificial turf shall comply with each of the following minimum standards:
 - (a) Artificial turf shall consist of green lifelike individual blades of grass that emulate natural turf in look and color.
3. Installation, maintenance and repair.
 - (a) All artificial turf shall, at a minimum, be installed according to the manufacturer's specifications.
 - (b) All artificial turf installations shall be anchored to ensure that the turf will withstand the effects of wind.
 - (c) All seams shall be secured and edges shall be trimmed to fit against all regular and irregular edges to resemble a natural look.
 - (d) Proper drainage shall be provided for all artificial turf installations to prevent excess runoff or pooling of water.
 - (e) Artificial turf shall be visually level, with the grain pointing in a single direction.
 - (f) All artificial turf shall be maintained in a green fadeless condition and shall be maintained free of dirt, mud, stains, weeds, debris, tears, holes, and impressions. Maintenance shall include, but not be limited to cleaning, brushing, debris removal; repairing of depressions

and ruts to maintain a visually-level surface; elimination of any odors, flat or matted areas, weeds, and invasive roots; and all edges of the artificial turf shall not be loose and must be maintained with appropriate edging or stakes.

- (g) All artificial turf must be replaced if it falls into disrepair with fading or holes or loose areas. Replacement and/or repairs shall be performed utilizing like materials from the same manufacturer and installed so in a manner that results in a repair that blends in with the existing artificial turf.

155.667 IRRIGATION STANDARDS

- (A) All landscape areas shall be provided with a permanent irrigation system maintained in good working order and designed to minimize water on impervious areas. The irrigation system must be designed to have a minimum of 100% coverage, with 50% minimum overlap.
- (B) All trees and palms located on non-single family residential properties, require the installation of an individual bubbler per tree and/or palm.
- (C) Each main line and zone valve shall comply with the guidelines set forth in the City Code as amended from time to time, and the latest revision of the Florida Irrigation Society Standards and Specifications. An irrigation system serving more than one property within a development or subdivision shall contain one or more main lines with separate manual zone valves for each individual parcel serviced by the system.
- (D) Irrigation systems shall be installed and maintained to eliminate water loss due to damaged, missing, or improperly operating sprinkler heads, emitters, and pipes and to minimize water on impervious areas.
- (E) Low-volume drip irrigation systems, emitter irrigation, and rain sensors where practical shall be encouraged to promote good Florida-friendly principles.
- (F) For permitted amounts and hours of watering, the City has adopted Code 40E-24.201 of the Florida Administrative Code, as may be amended from time to time, by reference as though fully set forth herein and shall be effective within the municipal limits of the City.
- (G) Reclaimed water shall be used in accordance with applicable federal, state, and local laws, rules and regulations. Pursuant to this section, reclaimed water may be used for irrigation of residential and non-residential lawns, golf courses, cemeteries, parks, landscaped areas, edible crops (as set forth in Code 62-610, Florida Administrative Code), highway medians, dust control, on construction sites, mixing of concrete, and cleaning of roads and sidewalks.

LANDSCAPING – TREE PRESERVATION

155.668 GENERAL INTENT STANDARDS AND DUTIES – LANDSCAPING

The purpose of this section is to establish tree preservation standards within the City. The intent is to perpetuate the protection, preservation, and conservation of existing trees, natural areas, and landscaped open space as an effective means of conserving energy and to preserve trees to improve the aesthetic quality of the City thereby promoting the health and general welfare of the citizenry. Owing to these many benefits provided by trees, it is the intent of the City to protect this valuable resource through permitting for tree removal. In the evaluation of a tree removal permit, priority shall be given to protected trees for the preservation or relocation, replacement, and/or payment into the City Landscape Fund. In addition, it is the policy of the City Commission that every effort shall be made to preserve and maintain natural vegetation within the City as identified in the City's Comprehensive Plan.

155.669 MAINTENANCE STANDARDS – ALL PROPERTIES

- (A) Any person, company, partnership, corporation, or service that administers tree maintenance practices within the City shall adhere to all American National Standards Institute (ANSI) practices found under A300 and Z133.
- (B) Utility companies shall be permitted to perform necessary tree pruning around electric or utility conductors to prevent disruption of utility service or for safety reasons.
- (C) Necessary precautions to prevent damage to paved surfaces and infrastructure, particularly public works, must be taken. This may require the installation of a root barrier system.

155.670 DUTIES OF PROPERTY OWNER FOR GENERAL LANDSCAPE MAINTENANCE

- (A) Property owner shall utilize tree installation and maintenance practices that follow guidelines set in The Florida Friendly Landscaping Program; such as staking, palm pruning and tress shaping while avoiding hat racking and over-lifting of the tree canopy.
- (B) Property owner shall maintain their lawn, hedges, trees, plants, ground covers and all other landscaping components free of refuse and unsightly debris, and present the property in a healthy, neatly trimmed fashion. Hedges shall be properly maintained to keep a neat orderly appearance and shall not exceed six feet in height for residential and eight feet for nonresidential properties.
- (C) In no case shall trees, hedges or other foliage visually or physically obstruct the right-of-way.

- (D) The duties of the property owner extend to landscape maintenance of adjacent right-of-ways, all easements, waterways directly abutting public right-of-ways, and where the ingress and egress from a property is over the waterway.
- (E) All fertilizer applicators will adhere to the standards set forth in the Florida Friendly Landscaping and Green Industries Best Management Practices from the Florida Department of Environmental Protection.
- (F) Property owner shall remove dead trees and their stumps, hazardous trees, or hazardous part(s) of the tree from the owner's property or the swale abutting owner's property upon notice by the City. The property owner shall apply for a tree removal permit prior to the removal of any tree. Upon the approval of the tree removal permit, you will have 90 days to remove and mitigate the tree as per permit specifications.
- (G) For the purposes of division (F) of this section, dead trees shall be defined as follows:
1. A palm shall be considered dead if more than 80% of the fronds are dead, leaving no more than three fronds remaining.
 2. Slash Pine (*Pinus elliottii* var. *densa*). The trees shall be considered dead if all of the pine needles are dead (red rusty color) or have fallen from the tree, and no new needles are budding out.
 3. All other species of tree: the tree shall be considered dead if all of the leaves or fronds have fallen or are dead and clinging to the tree. For species other than palms, the following criteria shall be applied in determining that the tree is dead:
 - (a) No new buds are appearing.
 - (b) The twigs at the ends of the branches are dry and brownish in color, both in the cambium and the pith (outer and inner layers of wood respectively), and snap when broken.
 - (c) The cambium layer (just beneath the bark) is brown and dry when cut to a depth of one and one-half inches at three and one-half feet above ground level for mature trees, and to a depth of one and one-half inches for smaller saplings.
- (H) For dead and hazardous trees, in the event the property owner does not uphold their duties, the City shall cause the tree or tree parts to be removed and shall bill the property owner for the cost of removal. In the event the property owner shall not pay the cost within 30 days, the City shall file a lien against the property for the cost of removal. Code Compliance shall have the discretion to allow property owner to pay the bill for removal in installments, in which event he shall apply interest at 6% per annum on the unpaid balance until paid in full.
- (I) Property owner shall remove all species as defined as category one invasive material in the most recent document compiled by the Florida Exotic Pest Plant Council (FLEPPC) for the south region, except where, in the opinion of the City licensed landscape arborist or professional landscape inspector such a Category I species will not be harmful in that particular area or to the immediate surrounding environment.

- (J) Property owner shall restore canopy loss as a direct result of natural causation. Canopy restoration shall occur 120 days from notice of violation for residential, commercial, and common area property. Any homeowner's association or condominium association may petition the Code Compliance Department for an extension of the timeframe set forth herein by submitting a plan detailing their efforts to comply with the terms of this section and consistent with the terms set forth in 155.677.

155.671 TREE MAINTENANCE COMPANIES WORKING IN PEMBROKE PINES

- (A) Any person, firm, corporation or other entity engaged in the business of tree maintenance or soliciting property owners for tree maintenance within the City must obtain a City local business tax receipt (LBTR). Proof as a current International Society of Arboriculture Certified Arborist or a current Class A or B Tree Trimmer License issued by the Broward County Environmental Licensing and Building Permitting Division shall be submitted at the time of application.
- (B) The person or business entity shall immediately notify the City at the loss of the above certified arborist or the Class A or B licenses. The person or entity will immediately lose the above local business tax receipt (LBTR) for tree maintenance until proof of current license(s) is shown.
- (C) The City may request that Broward County revoke a local business tax receipt (LBTR) in the event standards set in 155.669 are not met by the tree maintenance provider within Pembroke Pines.

155.672 IMPROPER TREE MAINTENANCE

- (A) Any person, company, partnership, corporation, or service that administers tree maintenance practices within the City that does not adhere to all American National Standards Institute (ANSI) practices found under A300 has committed tree abuse. Common tree abuse practices include but are not limited to the following:
1. Hat-racking defined as indiscriminate cutting of branches to stubs or lateral branches that are not large enough to assume the terminal role.
 2. Shaping defined as topiary pruning of Category I, II, and III trees.
 3. Destruction of a tree's natural habit of growth.
 4. Removing over 25% of the tree's canopy at one pruning event.
 5. Over thinning of interior canopy.
 6. Over lifting of lower canopy.
 7. Use of climbing spikes, nails, or hooks into a tree except for the purposes of total tree removal or any action specifically permitted by standards set by ANSI A300 or Z133.
 8. Bark removal.
 9. Excessive root pruning as determined by an ISA Certified Arborist

- (B) Property owners are allowed to topiary prune only on trees with written City approval or identified on an approved landscape plan from the City as appropriate for topiary pruning.
- (C) Pruning or removal of aerial roots is prohibited unless for the prevention of damage to paved surfaces and infrastructure, as well as the health, safety, and wellbeing of citizens such as but not limited to clearing of sightlines, traffic areas, pedestrian walkways, and utilities.

155.673 REMEDIAL MEASURES FOR TREE ABUSE BY PROPERTY OWNERS

- (A) Tree abuse is a violation under City Code.
- (B) The property owner is solely responsible for any person that commits tree abuse as defined in 155.672 and shall be responsible for undertaking remedial measures and/or fines for the abused tree(s) on their property. If owner provides sufficient proof of company contracted then additional measures set forth in 153.671 shall apply.
- (C) Remedial measures may include but not limited to any or a combination of the following actions: no action for a prescribed time, corrective pruning to improve the health and form of affected trees, probationary period under a pruning plan developed by a ISA Certified Arborist, or tree removal if the natural habit of the tree has been destroyed and cannot be corrected.
- (D) Any tree removals under division (C) of this section shall apply for tree removal permit and follow permit requirements.

155.674 TREE REMOVAL OR RELOCATION PERMIT

- (A) No property owner shall cut down or relocate any tree without first obtaining a permit from the City as herein provided. No trees shall be removed from any public land, including, but not limited to street right-of-way and swale areas, without the approval of the City.
- (B) No property owner shall cut down or relocate any tree without first obtaining a permit from the City as herein provided. No trees shall be removed from any public land, including, but not limited to street right-of-way and swale areas, without the approval of the City.
- (C) A tree removal or relocation permit shall be in a written form provided by the City for the property owner to request a tree removal or relocation. The applicant must state on the form the reason for the tree removal or relocation. The property owner or agent must fill out and sign the permit, provide the required documentation, and indicate that they will follow all terms and conditions associated with the permit issuance.
- (D) In addition, the property owner must attach the following items at the time of the permit application:

1. Letter from their homeowner association stating that the owner has their permission to act and either a photo of the tree or a detailed map indicating the tree location. Properties not under a homeowner association are not required to have said letter.
 2. A sketch or map indicating the location and number of trees slated for removal / relocation.
 3. At least once color photo of each tree being applied for. Attach additional photos as needed.
 4. Form of payment with appropriate fees; check, money order, etc.
 5. A copy of the notice of code violation (if applicable).
- (E) If all documentation is not received at the time of application, city officials may not proceed with processing the permit until all requested information is received.
- (F) The application fee shall be \$10 for single-family, detached owner-occupied properties. The application fee for non-residential and multi-family shall be \$50 for the first ten trees (any site proposing to remove more than ten trees shall be processed as a Landscape permit). Common area HOA shall be considered non-residential properties. The fee is due at the time of the application submission and will not be returned if permit is denied by the City.
- (G) Application fees shall be waived for species identified as category one invasive trees in the most recent document compiled by the Florida Exotic Pest Plant Council (FLEPPC) for the south region. Replacement value shall be determined by qualified City staff.

155.675 STANDARDS FOR TREE REMOVAL OR RELOCATION PERMIT ISSUANCE

- (A) Application for a permit request by this section shall be reviewed by the City that may include a visual inspection of the site. The City shall upon visual inspection of the tree determine whether requested tree(s) meet removal or if relocation is more beneficial than removal, the City may require the property owner to relocate the tree at the owner's expense.
- (B) The City shall as a condition of the issuance of a tree removal permit require replacement tree(s) for canopy replacement at the property owner's expense.
- (C) The following conditions must be proven to the City to issue a tree removal or relocation permit:
1. The tree unreasonably restricts the permitted use of the property.
 2. A proposed development cannot be located on the site without tree removal.
 3. The property owner has made every reasonable effort to incorporate existing trees in the development project and to minimize the number of trees removed.
 4. The tree is significantly damaging existing structures and cannot be mitigated through proper arboricultural practices or reasonable modifications to the property.
 5. The tree interferes with utility services and cannot be mitigated through proper arboricultural practices.

6. The tree creates an on-going safety problem for the existing development and cannot be mitigated through proper arboricultural practices.
7. The tree is obstructing safe sightlines.
8. The tree is growing too close in proximity to another more valuable tree(s) to permit normal growth and development of the affected tree(s).
9. The tree is of poor quality and condition but is not considered a hazardous tree.
10. It is in the public interest and welfare that the tree be removed for a reason other than set forth herein.

(D) All tree replacements or relocations shall be completed within six months of the permit issuance unless the property owner receives written notification from the City granting an extension.

155.676 CONDITIONS FOR TREE REMOVALS AND RELOCATION PERMITS

(A) Tree relocations and replacement trees shall be located within the site or, with concurrence of the City, on public or private land within a reasonable proximity of the site. Sites can also include public land in the City or donating to any citizen or citizen groups for the purpose of public interest and welfare as prior approved by the City.

(B) Relocated trees and replacement trees shall be planted in the area with adequate space for root and canopy growth and development and shall be planted in a location that will not interfere with existing or proposed utilities or other cables either above or below ground. The City may refer the installation site to such City departments or other utility agencies having an interest to determine the effect on public welfare, adjacent properties, or other public services and facilities before permitting the relocation or tree replacement site.

(C) The property owner shall refrain from causing unnecessary damages to other trees remaining on the site while planting or preparing the site for relocation or replacement.

(D) All new trees and palms shall be installed using commonly accepted industry practices for tree/palm installation. Remedial corrections may be requested by City landscape representative if installation was done contrary to industry standards. The property owner is responsible for removing all landscape supports after proper establishment or a maximum of one year after installation.

(E) All replacement trees shall be a minimum tree grade of Florida #1 or better as identified in Grades and Standards by the Florida Department of Agriculture.

(F) All permitted tree removals shall include removal of their stumps.

(G) Native replacement canopy trees must be used in removals of native trees.

(H) A list of preferred tree species updated at the discretion of qualified City staff is available through City landscape personnel.

155.677 CANOPY TREE AND PALM REPLACEMENT

- (A) The property owner shall install one and one-half replacement canopy trees of equivalent canopy area for every one non-specimen canopy tree permitted to be removed. City officials shall round up to the nearest whole number to calculate the required amount of replacement canopy trees. Existing site vegetation may be taken into consideration by City staff when determining replacement.
- (B) For specimen trees only, the replacement canopy tree calculation shall be obtained by a certified arborist using tree appraisal guidelines set in the most recent edition of the Guide for Plant Appraisal published by the Council of Tree and Landscape Appraisers and submitted to the City for review. Appraisal guidelines shall determine a dollar value for the requested removed tree which shall include purchase price of the replacement trees plus installation cost. The City shall use the specimen tree's dollar value to calculate the compensatory required number of replacement canopy trees.
- (C) The ultimate goal of the City shall be to replace canopy for canopy. The following replacement canopy tree minimum specifications shall be for Category I through IV, as listed below.
1. Category I canopy trees: minimum of 14' in height and 3" diameter at breast height.
 2. Category II canopy trees: minimum of 12' height and 2" diameter at breast height.
 3. Category III small trees: minimum of 10' in height and 1.5" diameter at breast height.
 4. Category IV palms: minimum of 10' in height and a mature canopy spread of 10'.
- (D) The property owner shall install one Category IV palm for every one palm removed. A multi-trunked palm shall be considered as one palm. Three Category IV palms in close proximity to each other may be used as one canopy replacement tree.
- (E) If the number of required replacement trees is greater than five, the City shall require the property owner to install no more than 20% of any given species.
- (F) Written approval must be obtained from the City prior to installation if the minimum tree size is commercially unavailable. Credit at the City's discretion may be given to a property owner for the installation of larger trees.
- (G) If determined by the City that the replacement value for a removed tree is not feasible due to lack of available planting space on site only, the property owner shall hire qualified landscape personnel and submit a mitigation plan in accordance with the conditions set forth in 155.680. This requirement may be waived by City landscape personnel for limited scope projects.
- (H) Property owner may be required to submit a mitigation plan in accordance with conditions set in 155.680 for removal of Category I invasive tree in the most recent document compiled by the Florida Exotic Pest Plant Council (FLEPPC) for the south region.

155.678 RELOCATION OF TREES

(A) Relocation of Non-Specimen Trees.

1. All relocations shall be in accordance to industry standards set by the International Society of Arboriculture, as amended. Industry standards extend to post-installation phase including but not limited to bracing, watering, and fertilization.
2. All root and canopy pruning shall be conducted prior to the tree's relocation and transportation.
3. During relocation and transplantation, the root ball shall be protected and kept moist at all times.
4. Trees with a dormancy period shall be transported during the dormancy phase.
5. No trees shall be relocated or transplanted during periods of strong, dry winds or during a water shortage as determined by the South Florida Water Management District.

(B) Relocation of Specimen Trees.

1. Relocated specimen trees may require a bond issuance to insure the survival of the specimen trees designated for preservation, unless otherwise exempted in writing from the City, from the property owner.
 - (a) Bonding specifications.
 - i. The bond shall meet the approval of the City Attorney and may be in the form of a letter of credit, cash bond or other form accepted by the City Attorney. The bond must be drawn upon a bank or saving and loan institution or insurance company authorized to conduct business in the State of Florida.
 - ii. This bond shall be in addition to any other bond that may be required by any other government agency.
 - iii. The amount of the bond shall be determined based upon computations calculated in accordance with the most current version of the Guide for Plant Appraisals published by the Council of Tree and Landscape Appraisers.
 - iv. Governmental entities shall be exempt from this bond requirement so long as sufficient security is provided as accepted by the City Attorney.
 - (b) Bond release requirements.
 - i. The specimen tree relocation bond will be released upon successful tree relocation as set forth in this section and written approval is obtained from the City Landscape Division.
 - ii. Written approval by the City landscape personnel may only be obtained upon the completion of construction activities and where it is determined by the City landscape personnel that the tree is not effectively destroyed one year from the date of relocation.
 - iii. The City may release a bond where a tree relocation permit is transferred. The release of the bond may be conditioned upon the posting of a new bond by the subsequent permittee.
2. If within one year of relocation the tree is determined to be effectively destroyed, the bond shall be drawn upon in accordance with the value of the tree pursuant to the most recent edition to the Guide for Plant Appraisals published by the Council of Tree and Landscape

Appraisers. Such funds will be deposited into the City's Landscape Fund and shall be used by the City to replace the effectively destroyed tree.

155.679 ENFORCEMENT – LANDSCAPING

- (A) The City Manager shall designate personnel to be responsible for implementing and enforcing the provisions of this section and any pertinent policies of the City Commission and shall prescribe the duties thereof.
- (B) Police officers and Code Compliance Officers, including, but not limited to the City landscape personnel, shall enforce the provisions of this section. Violation of any provision of this section may be pursued by the appropriate remedy in court or by the Code Compliance Board as contemplated in 10.99.
- (C) Police, Code Compliance, or the City landscape personnel may order that work not in accordance with the section's provisions be stopped and such persons performing work shall immediately cease such work. The work may not resume until such time as the person is in compliance with this section.
- (D) During emergency conditions caused by a hurricane or other disaster, the provisions of this section shall be suspended by resolution of the City, until the end of the emergency period.
- (E) Violations of this section shall be punishable as provided by 10.99.

155.680 MITIGATION PLAN

- (A) Residential. The residential Mitigation Plan is intended to provide homeowner associations the ability to meet minimum landscape requirements while not compromising infrastructure. This plan shall provide alternatives to the requirements set forth in this section and will be determined by the Landscape division of the Planning and Economic Development Department upon review and inspection.
- (B) Non-Residential. The Non-Residential Mitigation Plan is intended to provide property owners the ability to meet minimum landscape requirements. The guidelines shall provide alternatives to the requirements set forth in this section. Non-residential properties may also contribute to the landscape fund as defined in 155.681 in addition to the proposed mitigation plan. This plan will be reviewed by the Landscape division of the Planning and Economic Development Department.
- (C) Items subject to a mitigation plan may include but shall not be limited to:
 - 1. The removal of Category I invasive materials as defined by the Florida Exotic Pest Plant Council

2. The substitution of any tree(s) of lesser size(s) than previously approved by the city due to existing approved site limitations.
 3. The substitution of any tree(s) species which if planted would cause property damage.
- (D) The city landscape personnel will review the plan based on quality of material and site limitations. Once the property meets the intent of the purposes of the section, the approved landscape plan will stay on file with the city and act as the new standard for the property until modifications to site are made.
- (E) Mitigation credits shall apply: The property owner's registered landscape personnel shall appraise the tree's current value pursuant to the newest edition of the Guide for Plant Appraisal published by the Council of Tree and Landscape Appraisers to be reviewed by city landscape personnel. Value shall include trees required for replacement, cost of installation, and maintenance. Contribution to City Landscape Fund or landscape contribution on said property will act in lieu of tree replacement.

155.681 LANDSCAPE FUND

There is hereby a Landscape Fund for the deposit of funds in the accordance with the provisions of this section. Landscape Fund shall directly benefit landscape improvements and green initiatives within the City. If it is determined that mitigation cannot occur on the proposed site at the time of tree removal or landscape plan review, staff of the Landscape Division shall determine the value of contribution to the Landscape Fund for those qualifying projects. .

155.682 EXEMPTIONS – LANDSCAPING

- (A) All properties on or within the immediate vicinity of the North Perry Airport shall comply with federal regulations set forth by the Federal Aviation Administration (FAA) regarding canopy height considerations only where applicable. Any other conflicting FAA landscape regulations with the City Code will be judged on a case by case basis.
- (B) All waterways or waterway maintenance easements shall be landscaped to the water's edge in accordance with the applicable drainage or water management district standards and shall be shown on the landscape plan.
- (C) Where there may be interference with existing or proposed utilities, either above or below ground.
- (D) All landscaping shall comply with all applicable federal and state regulations.

LIGHTING

155.685 PURPOSE AND INTENT – LIGHTING

The purpose and intent of this section is to ensure that exterior (outdoor) lighting positively enhances the visual impact of a building or project on surrounding properties and uses. To that end, exterior lighting at a building or project should be designed, operated, and installed in a consistent and coordinated fashion to provide safe, convenient and efficient lighting for customers, pedestrians and vehicles, while avoiding the creation of hot spots, glare, obtrusive light, light pollution, light trespass, and visual nuisance. Also, exterior lighting should accentuate key architectural elements of a building or project, and highlight or otherwise emphasize landscape features.

(A) Guiding principles.

1. Lighting designs shall be of a consistent design within each respective site, and should minimize light trespass/pollution and impact on neighboring properties and natural habitats, while ensuring safety, security, utility, productivity, commerce, livability, and enjoyment. Lighting equipment should be responsibly selected and sourced through careful consideration of the short and long-term financial, environmental, and social costs incurred through lighting.
2. Energy and resource should be conserved to the greatest extent possible. Designs should be practical as well as financially and technologically feasible, based on industry-acceptable best practices. Energy efficient practices and lighting is encouraged

155.686 GENERAL LIGHTING STANDARDS

(A) Lighting. Shall at a minimum meet all applicable local, state, and Federal codes and regulations.

(B) Exterior lighting plan. An exterior lighting plan, including a photometric plan (which covers the parcel which is the site of the building or project in question), appropriate pole, fixture, and lamp cut sheets, and descriptions of lenses and appropriate data tables, shall be submitted for site plan review.

1. The exterior lighting plan shall be prepared by a licensed professional engineer, who shall certify that the exterior lighting plan complies with this section.
2. The photometric plan shall be prepared in a scale that is easily legible. The current edition of the "IES Lighting Handbook," published by the Illumination Engineers Society is the standard to be used by the engineer as a guide for the design and testing of lighting plans.
3. The standards contained therein shall apply unless standards developed and adopted by this section or subsequent amendments are more restrictive, in which case the more restrictive standards shall apply.

4. Lighting equipment must be of commercial quality and listed with a Nationally Recognized Testing Laboratory (NRTL) such as Underwriters Laboratories (U.L.) or Electrical Testing Labs (ETL).

(C) Pole lighting height standard. All private, pole mounted, outdoor surface lot lighting shall be limited to 30 feet in height above grade. Non-vehicular pedestrian areas shall incorporate pedestrian scale lighting where appropriate.

(D) Illumination levels. The maximum illumination for a project shall be 12 f.c. with the minimum average illumination, at grade, to be not less than two foot-candles, average maintained over the site. The illumination level at the property line of any project shall be 0.5 f.c. To avoid glare or spill light from encroaching onto adjacent properties, illumination shall be installed with house side shields and reflectors, and shall be maintained in such a manner as to confine light rays to the premises of the building or project. Color Correlated Temperature (CCT). The maximum color correlated temperature for a site shall be as follows:

Table 155.686 Color Correlated Temperature (CCT)	
Location	Maximum Color Correlated Temperature
B-2, B-3, C-1, I-L, I-M and I-H Zoning Districts	4,000K
B-1, PO, A, U, A-E, R-R, REC and CF Zoning Districts	3,000 K
Residential Common Area	3,000 K
Natural Areas, Preserves and Environmentally Sensitive Areas	3,000 K

(E) Installation. The lighting installation shall not be placed in permanent use until a letter of compliance from a registered engineer or architect has been provided stating that installation has been field checked and meets the requirements of this section.

(F) Architectural and landscape lighting.

1. Lighting should be designed, installed, and controlled to ensure that the lights only illuminate the intended object(s).
2. The placement of light poles shall consider existing and proposed ultimate growth of all landscaping and tree canopies to minimize or prevent conflicts between landscaping and lighting systems.
3. To the extent practical and where possible, lighting fixtures shall be directed downward rather than upward. Directional shielding shall be implemented to minimize or prevent glare, light trespass, and light pollution.
4. When up lighting is required, lighting systems should be low in intensity and incorporate full shielding.
5. Ground mounted lighting should be screened from view.

(G) Construction lighting.

1. All construction site lighting fixtures must be full cut-off or directionally shielded fixtures that are aimed and controlled so the directed light is substantially confined to the object intended to be illuminated and not directly visible outside of the property.
2. Interior construction lights shall be extinguished after the work has been completed for the day unless needed to ensure safety, security, or legal compliance.
3. A building is no longer considered under construction once exterior walls and windows are installed and permanent lighting replaces temporary lighting as the primary source of light for the building.

(H) Nonconforming lighting.

1. When 50% or more of any component (e.g., luminaires, poles) of the exterior lighting system at a building or project is upgraded, changed, or replaced (not including regular maintenance), such component for the remainder of the exterior lighting shall be brought in compliance with all applicable requirements of this section.
2. In the event less than 50% of the exterior lighting system is being replaced and the Planning and Economic Development Director or designee determine that an equivalent replacement is no longer obtainable, due to obsolescence or lack of supply, such component for the remainder of exterior light shall be brought in compliance with all applicable requirements of this section.

155.687 NON-RESIDENTIAL LIGHTING STANDARDS

(A) Light fixtures; types.

1. Pole mounted light fixtures on non-residential properties shall be full cutoff fixtures, and shall be incorporated as an integral design element that complements the design of the building or project through style, material or color. Exception - non-cutoff fixtures for pedestrian scale lighting for walkways may be utilized for non-residential projects upon review and approval of the Planning and Zoning Board. Planning and Zoning Board consideration may be with restrictions.
2. Lighting of buildings shall be limited to wall washer type fixtures or up-lights, which do not produce spill light or glare. Sag lenses, convex lenses, and drop lenses shall be prohibited.
3. Security lighting. Attached building fixtures, utilized for parking lot security purposes only, may be aimed no higher than 45 degrees above straight down.
4. Time controls and dimmers. Non-residential lighting shall be installed with time controls and dimmers which will assure that the required illumination shall be provided at dusk and that light levels are reduced not later than one hour by a minimum of 25% after the close of operations to the minimum levels needed to ensure safety and security.

155.688 OUTDOOR RETAIL LIGHTING

- (A) Exterior retail areas, including but not limited to car dealerships, gas stations, outdoor markets, and drive-through facilities, require lighting necessary to allow customers to comfortably review outdoor merchandise for extended times, and create safe pedestrian passage.
- (B) Canopied areas. At a canopied area, such as those found at drive-through facilities at banks, service stations, convenience centers, and car- washes, lighting under the canopied area shall be either recessed or cut-off fixtures. The maximum, footcandle level (under such canopied area) shall be 24 f.c. at grade, with a maximum to minimum ratio of 2:1. The remainder of the site shall be subject to illumination levels required per general standards.

155.689 LIGHTING OF RESIDENTIAL COMMON AREAS

- (A) Residential common areas (clubhouses, guardhouses, entry features, pool areas, private residential parks, tot lots, etc.) shall require the following light design standards.
- (B) Full cutoff fixtures are required for any lamp type with an initial output of greater than or equal to 2,000 lumens.
 - 1. Examples of lamp types of 2,000 lumens include the following:
 - (a) 100 watt standard incandescent;
 - (b) 15 watt cool white fluorescent;
 - (c) 15 watt compact fluorescent;
 - (d) 18 watt LED fluorescent; and
 - (e) 20 watt warm white LED light bulb.
- (C) All fixture types will be allowed for any lamp types below 2,000 lumens. Shielding of fixtures is not required but recommended.
- (D) Featured up lighting for landscaping, buildings, and water features may be allowed, provided light sources are completely shielded from public view.

155.690 LIGHTING OF NATURAL AREAS, PRESERVES AND ENVIRONMENTALLY SENSITIVE AREAS

- (A) Lighting systems in natural areas, preserves and environmentally sensitive areas shall employ adaptive lighting techniques such as dimmers, shielding, anti-glare filters, and time controls in order to minimize the effect on the natural habitat and wildlife in the area.
- (B) Amber colored LEDs are encouraged where possible in the design.

155.691 PROHIBITED LIGHTING

(A) Prohibited lighting.

1. High intensity, special purpose lighting such as aerial lasers and “searchlight” style lights.
2. Low pressure sodium lighting.
3. Search lights, laser source lights, strobe or flashing lights, motion or illusion lights or any similar high-intensity light shall not be permitted, except in emergencies by police and fire at their direction.
4. Mercury vapor lamps.
5. Lighting that can be confused for a traffic control device.
6. Blinking, flashing, moving, flickering, changing intensity, changing color lights not otherwise permitted in this section as determined by staff of the Planning and Economic Development Department.
7. Any exposed lamp or bulb visible from the property boundary of parcel on which the light is located.
8. Unshielded accent building mounted luminous tube.
9. Lighting used to internally illuminate an awning of a building.
10. Sag lenses, convex lenses, and drop lenses.

155.692 EXEMPTIONS – LIGHTING

- (A) Public facilities including but not limited to parks; lighted recreation and athletic areas, courts and fields; and water and wastewater treatment facilities shall be exempted from these standards.
- (B) Lighting for airports is subject to regulations set forth by the Federal Aviation Administration.
- (C) Lighting for public streets, roads, and right-of-way.
- (D) Emergency lighting for non-structural/temporary purposes including but not limited to:
- (a) State of emergency;
 - (b) Law enforcement;
 - (c) Fire services; and
 - (d) Emergency medical services.
- (E) Exterior seasonal lights are exempt from the standards provided they meet the following conditions:
- (a) Are installed properly and in compliance with all applicable codes and regulations;
 - (b) Do not pose a threat to the safety and security of occupants, visitors, motorists or passersby;
 - (c) Are not a nuisance to those in the surrounding area or motorists; and
 - (d) Suspended in a way which do not pose a safety or fire hazard.

- (F) Traffic signs or lights as part of road work and maintenance activities (i.e. repairs, setup, and tear-down) may supersede the lighting restrictions to ensure the safety and security of maintenance staff.
- (G) Automated Teller Machines must meet the requirements set forth in F.S. § 655.962 and as amended.
- (H) Other Federal or state properties and or use which may have regulations which supersede municipal requirements.
- (I) Municipal signage.

SIGNS

155.695 PURPOSE – SIGNS

(A) The purpose of this section is to create the framework for a comprehensive but balanced system of sign control, thereby facilitating a clear and pleasant communication between people and their environment. It is the belief of the City Commission that the nature of signs is to provide an index to the needed goods and services. It is the intention of this section to authorize the use of signs which are:

1. Appropriate in dimension and scale with surrounding buildings, shopping center and community.
2. Content neutral
3. Expressive of the identity of individual proprietors or the community as a whole.
4. Legible under the circumstances in which they are seen.
5. Effective in indexing the environment.
6. Promotive of the aesthetics, health, safety, welfare, and the assurance of protection of adequate lighting, energy, and air space within the City by regulation of the posting, displaying, erection, use, and maintenance of signs.
7. May also be determined by staff to ensure the sign is complementary to the surrounding community.

(B) Applicability. The provisions of this section include but are not limited to:

1. General Standards
2. Location
3. Sign Plans
4. Permanent Signs
5. Temporary Signs
6. Nonconforming signs
7. Exemptions
8. Prohibitions
9. Inspection and Violations

155.696 GENERAL STANDARDS – SIGNS

(A) The following general standards shall apply to all signs city-wide:

1. Obscene. It shall be unlawful for any person to display upon any sign or other advertising structure any obscene or indecent matter. No sign shall display any statement, word, character, or illustration of an obscene nature, as defined by F.S. Code 847, as may be amended from time to time.
2. Measurement. A sign calculation graphic will be maintained in the Planning and Economic Development Department.

3. Misleading. It shall be unlawful for a person to display false or misleading statements upon signs, intended to mislead the public as to anything sold, any services to be performed or information disseminated. The fact that any sign or display shall contain words or language sufficient to mislead a reasonable and prudent person in reading same, shall be prima facie evidence of a violation of this section by the person displaying the sign or permitting same to be displayed.
4. Non-commercial Copy. Any sign authorized in this article may contain non-commercial copy in lieu of any other copy. However, in non-residential zoning districts, the area of a sign containing non-commercial copy shall be construed to count towards the total signage area allowed for the sign type that it most closely resembles. Any sign allowed under this article may contain, in lieu of any other message or copy, any lawful non-commercial message that does not direct attention to a business operated for profit, or to a product, commodity or service for sale or lease, or to any other commercial interest or activity, so long as said sign complies with the size, height, area and other requirements of this article.
5. In accordance with F.S. § 526.111, 526.121, and 553.79, as may be amended from time to time, this article shall not apply to the design, construction, or location of signage advertising the retail price of gasoline.
6. In accordance with F.S. § 533.79, as amended from time to time, this article does not authorize the City to adopt or enforce any regulation that conflicts with or impairs corporate trademarks, service marks, trade dress, logos, color patterns, design scheme insignia, image standards, or other features of corporate branding identity on real property or improvements thereon used in activities conducted under F.S. Code 526, or in carrying out business activities defined as a franchise by Federal Trade commission regulations in 16 CFR section 436.1, et seq. This subsection does not affect any requirement for design and construction in the Florida Building Code.

155.697 LOCATION - SIGNS

No sign or support shall be placed in such position or manner as to obstruct or interfere, either physically or visually, with any fire alarm, police alarm, traffic signal, sign, or any devices maintained by or under public authority; or ingress or egress from any public or private right-of-way, roadway, or driveway.

155.698 SIGN PLANS

(A) Uniform Sign Plan

1. Shopping center signs. A uniform sign plan shall be required by the City for all attached tenant wall signs within shopping centers. The owner or owner-designated agent of a shopping center must create or revise a uniform sign plan to reflect the requirements of this section prior to the issuance of any future sign permits by the City. Uniform sign plans shall:
 - (a) Be coordinated through and approved by the shopping center owner.

- (b) Be presented for the whole shopping center, which shall be compatible with the architectural design of the entire center and enhance the aesthetics of the center.
- (c) A uniform sign plan shall be approved by the Planning and Zoning Board. The process to modify an existing uniform sign plan shall be determined by the Zoning Administrator. Signs utilizing legally registered and recognized logos, trademarks, or letter style shall be considered and may be permitted with approval of both the landlord and the City. Logos, trademarks, or letter styles that are of a different color than the approved uniform sign plan color guidelines will be considered during the permitting process upon review of compatibility issues by the City's Zoning Official. State or nationally registered trademarks/logos that the Zoning Official deems to be egregious or objectionable may be denied. The decision of the Zoning Official is appealable to the Planning and Zoning Board.
- (d) Box or cabinet signs shall be allowed when presented as part of a uniform sign plan.
- (e) Tenant signs within a uniform sign plan shall be limited to the following:
 - i. One font;
 - ii. One text color;
 - iii. One background color;
 - iv. One sign frame color;
 - v. Uniform material type; and
 - vi. One type of interior illumination.
- (f) Uniform sign plans shall include the following standards and specifications:
 - i. Height (sign copy). Sign copy shall have a maximum of 48 inches;
 - ii. Length (sign structure and sign copy). Sign copy shall be limited to a maximum of 75% of leased frontage.
 - iii. Tenants shall be allowed a maximum of 1.5 square feet per lineal foot of leased frontage, or 120 square feet whichever is less;
 - iv. Brightness. Illuminated and other lighting effects shall not create a nuisance to adjacent property or create a traffic hazard;
 - v. Typical sign type;
 - vi. Sign material(s);
 - vii. Method of illumination
 - viii. Hours of illumination; and
 - ix. Maximum sign coverage (as a percentage of sign band).
- (g) Uniform sign plans must incorporate illustration(s) of typical tenant sign to include:
 - i. Dimensions of proposed sign to show height, length and width of sign (sign structure and sign copy);
 - ii. Area of proposed sign face and logos;
 - iii. Exterior color(s) of typical sign including sign face and frame;
 - iv. Font on sign face; and
 - v. Elevation(s) of a typical tenant storefront(s) with the proposed sign location. Tenant sign must be centered both vertically and horizontally on the sign band.
- (h) Tenants are allowed one sign on each shopping center bay primary frontage.
- (i) Tenants occupying a corner bay within a shopping center shall be allowed an additional sign on the store's secondary frontage which shall not exceed the size of

the sign on the primary frontage. Sign area for both signs shall not exceed a maximum area of 120 square feet.

(B) Master Sign Plan

1. Master sign plan. Signs for regional malls, as defined in Article 2, hospitals or licensed facilities, as defined in F.S. § 395.002, may be established through a master sign plan. Sign standards as to type, number, size, height, or other design provisions established in addition to or in lieu of the restrictions placed on signs by this section are to be incorporated into the master sign plan.

(a) Requirements.

- i. Master sign plans shall illustrate all proposed signs in sufficient detail so as to provide knowledgeable review and design specificity. Master sign plans shall show, describe or illustrate all signs proposed to be located on a lot and the buildings and structures therein, whether existing or new, and whether permitted by right or as additional signage under these regulations.
- ii. Regional mall, hospital or licensed facility use must be the primary use of the property for which the master sign plan is created.
- iii. Minimum lot size of five acres is required to develop a master sign plan for hospitals or licensed facilities.
- iv. Master sign plans shall not be exempt from 155.699 and 155.6100.
- v. Upon approval, the master sign plan shall supersede any conflicting restrictions and regulations of the sign code unless specifically listed within.

(b) Master sign plan application. An application for a master sign plan shall include the following information:

- i. Accurate site plan, including location of building(s), parking lot(s), driveway(s), and landscaped area(s);
- ii. A drawing showing details of construction and foundation of proposed sign(s);
- iii. An accurate indication of the location of each present and proposed future sign of any type, whether requiring a permit or not;
- iv. An elevation drawing or photo depicting the proposed location of sign(s) on buildings, walls or windows;
- v. A scaled drawing showing the size, shape, design, colors, materials, lighting and letter styles of proposed sign(s);
- vi. Exterior paint or stain samples of the colors to be used in the construction of proposed sign(s);
- vii. Computation of the maximum total sign area. For buildings with two or more separate businesses, computations shall identify the total maximum area each individual business will be allowed;
- viii. Plans, including window signage, should indicate the area(s) of the window(s) to be covered and the general type of window signs (for example, painted, etched, stenciled, and the like);
- ix. Master sign plans must be signed by all owners or their authorized agents;
- x. Any other maps, drawings or materials as required by the Planning and Economic Development Department (including a colored rendering of the sign) to adequately describe the sign proposal.

- (c) Master sign plan review. An application for a master sign plan shall be reviewed by Planning and Zoning Board and be determined consistent with 155.695.
- (d) Individual sign permits. Individual sign building permits are required for all signs contained within an approved master sign plan.

155.699 PERMANENT SIGNS

Only such permanent signs as are detailed herein below shall be permitted to be erected or maintained upon any building lot, plot, or parcel of land:

Table 155.699: Permanent Signs				
Sign Type	Maximum Square Footage	Maximum Number of Signs	Maximum Height	Additional Regulations
Directional and Informational Signs	1.5 square feet	To be determined by staff based on shopping center design and circulation	Shall be in conformance with engineering standards in code 52.	Allowed where there are two or more buildings; a building has a drive thru; or a building is not visible from primary frontage
Directory Sign	32 square feet	1 per ingress to the site	8 feet	Not to exceed 3
Menu Board	32 square feet	1 per drive thru lane	N/A	Illuminated sign shall not be visible from adjacent right-of-way.
Model Home Signs	3 square feet	1 per model	N/A	N/A
Nameplate / Identification Sign	3 square feet	1 in the front and the rear of the building / tenant bay	3 inches	N/A
Outparcels and Freestanding Building Monument Sign	24 square feet	1	7.5 feet	Shall count towards the maximum allowed sign area for the site (120 square feet)
Outparcels and Freestanding Building Wall Signs	Up to 120 square feet for the site (including monument sign)	N/A	N/A	No more than 60 square feet of signage shall be placed on the primary façade. Secondary Sign area shall be equal to or less than the sign on the primary façade.
Parking Identification Signs	1.5 square feet	1 per designated parking space	8.5 feet	N/A

Table 155.699: Permanent Signs				
Sign Type	Maximum Square Footage	Maximum Number of Signs	Maximum Height	Additional Regulations
Regional Mall Outparcel Monument Sign	24 square feet facing Pines Boulevard or other arterial roadway and 16 square feet facing the ring road or interior of the site	2, one facing Pines Boulevard or other arterial roadway, and the second facing the ring road or interior of the site	7.5 feet	N/A
Regional Mall Outparcel Wall Sign	80 square feet	N/A	N/A	No more than 40 square feet of signage shall be placed on the primary façade. Secondary Sign area shall be equal to or less than the sign on the primary façade.
Residential Subdivision Sign	32 square feet	1 per subdivision entrance. Signs located on either side of the entrance shall be counted as 1 sign	15 feet above grade[1]	N/A
Service Station Monument Sign	36 square feet total	1	7.5 feet	Price panels shall not exceed 24 square feet
Service Station Wall Sign	36 square feet to be distributed on structure and canopies.	N/A	N/A	N/A
Shopping Center Monument Sign	48 square feet	1 per shopping center, plus one additional if the shopping center fronts on two main thoroughfares of at least secondary arterial designation (80 feet right-of-way) , or the shopping center has a minimum 1,500 lineal feet of frontage along a single thoroughfare.	9 feet	A third monument sign shall be permitted if the shopping center meets both of the aforementioned standards.
Supergraphics	25% of the area of the primary building face.	N/A	N/A	N/A

Table 155.699: Permanent Signs				
Sign Type	Maximum Square Footage	Maximum Number of Signs	Maximum Height	Additional Regulations
Tenant Bay Wall Sign	Master or Uniform Sign Plan	Master or Uniform Sign Plan	Master or Uniform Sign Plan	Master or Uniform Sign Plan
[1] The sign copy is limited to 15 feet above grade, the structure may extend past 15 feet from grade.				

155.6100 PERMANENT SIGNS – SUPPLEMENTAL REGULATIONS

(A) Bus bench advertising signs. Bus bench advertising signs must be located on bona fide bus stops, one bench per stop. Signs shall conform to the conditions of the City's contract entered into with a qualified bus bench provider.

(B) Changeable Copy Signs

1. The following uses may be permitted an additional 50 square feet of sign area to display changeable copy
 - (a) Changeable copy wall signage may be permitted for outparcels and freestanding buildings which are occupied by:
 - i. Theaters
 - (b) Changeable copy monument signage may be permitted for outparcels and free standing buildings which are occupied by
 - i. Community facilities
 - ii. Schools
 - iii. Religious institutions
 - (c) Changeable copy signage may also be permitted for inline tenant bays which are occupied by multi-screen theater tenants.
2. Theaters may be permitted additional sign area to display changeable copy, not to exceed 25 square feet per additional screen with a maximum of 175 square feet of total sign area, if the theater contains eight or more screens.

(C) Directory signs.

1. Directory signage may be permitted with shopping centers, office and/or industrial parks upon satisfying the following design criteria and gaining the approval of the Planning and Zoning Board.
 - (a) Directory signs shall be designed, built and maintained by the center owner.
 - (b) Individual tenant identification lettering shall not be less than two inches in height.
 - (c) Location. Entry areas where vehicular pull-off zones are provided. Within pedestrian zones as part of an information kiosk or as a map-board. The placement of directory signs shall in no manner impede traffic flow or visibility or cause any parking reductions.

(d) Colors/materials. Compatible with the center's approved colors and principal signage features identified in the uniform sign plan.

(D) Outparcels and freestanding buildings.

1. The maximum allowable sign area for an outparcel or freestanding building shall be 120 square feet or 1.5 square feet per foot of frontage, whichever is less.
2. The maximum allowable letter height on a sign for an outparcel or freestanding building shall be 48 inches.
3. Signs on outparcels and freestanding buildings may be placed on any elevation.

(E) Regional mall outparcels.

1. Materials used for freestanding signs must be compatible with materials used in the building.
2. Wall signage: letters shall not exceed 48 inches in height.
3. There shall be no advertising flags, pennants, streamers or the like displayed on any building or on the property, except for grand opening or special promotional displays which shall be limited to no more than 30 days.

(F) Service stations.

1. Signage on structures and canopies shall have a maximum letter height of 36 square feet.
2. Monument signs. Monument sign displays must include price panels. The monument sign may be internally illuminated.
 - (a) The number of signs for self-service and full-service shall be equal.
 - (b) All price panels for gasoline products at service stations shall display the highest price if there is a difference between the cash and credit prices.
 - (c) All price signs for gasoline products at gasoline service stations shall display separately and specifically, with equal prominence, the full-service price and the self-service price, in numbers or letters of equal size and on equally sized backgrounds with the same color combination and with equal illumination, if any. The number of signs for self-service and full-service shall be equal.

(G) Shopping Center Monument signs.

1. Unless otherwise provided for herein, shopping centers shall be entitled to one monument sign.
2. Monument signs in shopping centers shall be subject to the guidelines set forth in 155.698(A). Monument signs utilizing legally registered and recognized logos, trademarks or letter style shall be considered and may be permitted with approval of both the landlord and the City. Logos, trademarks or letter styles that are of a different color than the approved uniform sign plan color guidelines will be considered during the permitting process upon review of compatibility issues by the City's Zoning Official. State or nationally registered trademarks/logos that the Zoning Official deems to be

egregious or objectionable may be denied. The decision of the Zoning Official is appealable to the Planning and Zoning Board.

3. The name and street address of the shopping center shall be posted on the top of each sign; however, it shall not be factored into the total square footage. The name and address shall be no larger than nine square feet and one and one-half feet in height. The numbers of the street address shall be no less than six inches in height. If a shopping center does not have a name, the street address shall be included on the sign in accordance with this section.
4. Each monument sign shall contain no more than four panels on a maximum of 2 sides, not including the name and street address of the shopping center. Each panel shall be limited to two lines of text.
5. Monument signs may include the property management or leasing information on the base of the sign. Such information shall not be illuminated and have a maximum size of five square feet, which shall not count towards the overall square footage of the monument sign or count as a panel.
6. Monument signs shall have sufficient architectural spacing between sign panels to ensure legibility, subject to approval by the Planning and Economic Development Department.
7. Shopping center monument signs shall be separated by a minimum of 500 feet.
8. All signs shall comply with 52.10(B) (3) of this code of ordinances.

(H) Supergraphics. Supergraphics are permitted by approval of the Planning and Zoning Board. The criteria for supergraphics are as follows:

1. The proposed general design, arrangement, texture, material, colors, lighting, placement, and the appropriateness of the proposed supergraphic must rationally relate to other signs and the other structures, both on the premises and in the surrounding areas.
2. The supergraphic shall contain no lettering or business identification or logo or symbol used as a sign.
3. The number of items (scenes, symbols, shapes) shall be consistent with the amount of information which can be comprehended by the viewer and shall avoid visual clutter.
4. The shape of the supergraphic shall not create visual clutter.
5. The size, style, and location of the supergraphic shall be appropriate to the activity of the message.
6. The supergraphic shall complement the building and adjacent buildings by being designed and placed to enhance the structure.
7. The supergraphic should be consolidated into a minimum number of elements.
8. No additional or increased lighting shall be permitted which would cause attention to be focused upon the supergraphic. Normal wall lighting, at the intensity as for unadorned walls, may be provided.
9. The supergraphic may be placed on any building face but shall not exceed 25% of the area of the primary building face.

(I) Under-canopy signs may be permanently installed in shopping centers perpendicular to the store front, equidistant between the store front and the canopy edge, centered in the store

frontage. This sign shall be no longer than 50% of the width of the canopy up to a maximum of four feet in length. The depth shall meet ADA requirements. Internal illumination shall be allowable. Under-canopy signs must be uniform throughout the shopping center and must be provided through the owner of the shopping center or agent.

155.6101 TEMPORARY SIGNS

- (A) The City has the authority to remove all temporary signs installed or placed on public or private rights-of-way. Temporary signs that are freestanding signs shall not be placed within the sight triangle of an intersection as required by 155.600.
- (B) During such periods of time as are designated by the United States Weather Bureau as being a hurricane warning or severe storm warning or alert, the owner, occupant, or user of the property where the temporary sign is placed shall take precautions for removing or securing such signs, in accordance with the pertinent provisions of the Florida Building Code, as may be amended from time to time. If the property owner fails to remove a temporary sign during such weather conditions, the City may remove those signs it deems to be a danger to the public safety and welfare, and the cost of the sign removal shall be charged to the property owner.
- (C) Unless otherwise noted within the provision of this LDC, all temporary signs shall be non-illuminated.
- (D) Only such temporary signs as are detailed herein below shall be permitted to be erected temporarily upon any building lot, plot, or parcel of land:

Table 155.6101 Temporary Signs					
Sign Type	Maximum Square Footage	Maximum Number of Signs	Maximum Height	Duration	Removal
Non-Residential					
Ground signs for Parcels Under Construction	32 square feet	1 per frontage	7.5 feet	Sign may be displayed on site while construction is active	Prior to the issuance of a certificate of occupancy or certificate of completion

Table 155.6101 Temporary Signs					
Sign Type	Maximum Square Footage	Maximum Number of Signs	Maximum Height	Duration	Removal
Non-Residential					
Leasing Banner – Nonresidential	32 square feet	1 per vacant tenant	N/A	Not erected until the property or tenant bay is offered for sale, rent, or lease	Within three days of closing or the signing of a lease agreement
Real Estate Sale - Nonresidential and Multi-Family Residential	32 square feet	1 per street frontage	7.5 feet	Not erected until the property or tenant bay is offered for sale, rent, or lease	Within three days of closing or the signing of a lease agreement
Sidewalk Signs	6 square feet	1 per tenant or business	3.5 feet	N/A	N/A
Special Event Banners	32 square feet	1	N/A	Displayed no more than seven days prior to the date of the special event	Within 24 hours of the conclusion of the special event
Temporary Banner Signs	32 square feet	1	N/A	Up to 90 days after installation.	N/A
Residential					
Non-Commercial Signs	4 square feet per sign and 8 square feet per parcel	N/A	5 feet	No more than 120 days in any 12-month period	N/A
Real Estate Sale and Leasing	4 square feet	1 per street frontage	5 feet	Not erected until the property is offered for sale, rent, or lease	Within three days of closing or the signing of a lease agreement

155.6102 TEMPORARY SIGNS – SUPPLEMENTAL REGULATIONS

(A) Non-Residential

1. Leasing banners
 - (a) Leasing banners shall include those signs containing verbiage indicating the vacancy of nonresidential buildings.
 - (b) Leasing banners shall be located on a vacant tenant bay sign band within a shopping center; or primary frontage of freestanding building or outparcel.
 - (c) Leasing banners shall conform to the uniform sign plan, where applicable or be compatible with the architecture/building design in buildings where a uniform sign plan is not required.
 - (d) Building permits shall be required for leasing banners.
2. Fence signs for parcels under construction.
 - (a) Signs shall consist of banners, wraps or similar material and shall be securely affixed to the fence on which they are located, and any portions of a sign that become partially detached shall be promptly re-affixed to the fence; and
 - (b) Signs and the fencing to which they are affixed shall be maintained in good condition at all times and graffiti or other forms of defacement shall be removed or repaired promptly.
 - (c) Sign may be displayed while construction is active. The sign shall be removed prior to the issuance of a certificate of occupancy or certificate of completion.
3. Banner signs.
 - (a) All banner signs shall require a building permit.
 - (b) Banners shall be placed on the primary façade of the building and within the tenant's lease lines.
 - (c) Temporary Banners
 - i. Temporary banners shall not be permitted after 90 days of an active local business tax receipt by the City.
 - ii. Temporary business identification banners shall conform to the uniform sign plan, where applicable, or be compatible with the architecture/ building design in buildings where a uniform sign plan is not required.
 - (d) Special event banners.
 - i. Special event banners shall include those signs used to market or advertise a special event.
 - ii. Special event banners must be approved in conjunction with the approval of a special event.
 - iii. Special event banners shall conform to the architecture/building design in buildings where a uniform sign plan is not required.
4. Window signs and coverings. Window signs and coverings shall comply with the following requirements:
 - (a) Window signage/graphics/lettering/logos.
 - i. Window graphics/signage includes all lettering, advertising, logos, graphics, pictures, and the like, excluding the business address and hours of operation.
 - ii. This section applies to clear windows, windows completely covered by approved gray scale window perforation and windows completely tinted.

- iii. Window graphics/signage area for all windows shall not exceed 20% of the total window area.
 - iv. Any window perforation and/or tinting used to highlight only a portion of a window, whether or not it has graphics/signage, counts towards the 20% coverage limitation.
 - v. Window graphics/signage coverage shall be determined by measuring the outside perimeter of the graphics or sign.
 - vi. Window signs and tinting shall not be installed in a manner which would unreasonably obstruct the view of public safety personnel.
- (b) Window treatment/window coverings.
- i. Any type of material(s) covering/blocking windows, including but not limited to, curtains, drapes, blinds, solar screens, and storm shutters, other than those specifically addressed in this section, will not count towards the overall sign area permitted for windows, and shall not include any type of graphics/signage.
 - ii. Window covering shall be 65% to 100% gray scale, or color of surrounding wall only, and be consistent across the frontage of a business.
 - iii. No reflective and/or bronze tinting allowed.
- (c) Entry doors.
- i. Entry doors to a business shall be considered clear zones for security and safety purposes and shall remain clear of any window graphics/signage.
 - ii. Clear security/safety window covering is allowed on entry doors.
 - iii. Each place of business may exhibit the street address and hours of operation on entry doors. Letters within such signage shall not be greater than two inches in height, and may only consist of solid vinyl letters, with no background color, or window perforation.
- (d) Neon signs shall be limited to one for every other (alternating) vertical window panel surface with no two adjacent window panels containing such a sign and no sign exceeding three square feet. No duplicate sign shall be allowed on a single building face. Where these signs are of a type which plugs into an existing electrical outlet, they shall be exempt from existing electrical permit requirements.
5. Freestanding on site "open hours" and open house signs shall be allowed in addition to other permitted signs. Said "open hours" and open house signs may only be displayed when the premises are actually available for inspection by the prospective buyer or tenant, and shall be limited to three signs total.
6. Sidewalk signs. Sidewalk signs shall comply with the following requirements:
- (a) Location.
 - i. Located on a paved private walkway in a manner that the walkway continues to meet the minimum ADA requirements.
 - ii. Sidewalk signs shall be placed on a private sidewalk of business storefront, or on private property of a freestanding building on a parcel or outparcel and shall be located within five feet from the store front entrance for which it is associated.
 - iii. No signs shall be placed in the public right-of-way.
 - (b) Display characteristics.
 - iv. Sidewalk signs shall be freestanding, double-sided, single panel signs on a base. Sandwich or A-frame sign designs are prohibited.
 - (c) Hours of display.

- i. Sidewalk signs shall only be displayed during business hours.
- ii. Sidewalk signs shall be removed at the close of business each day.
- iii. Sidewalk signs shall be moved inside during high winds or other weather conditions that might cause the signs to pose a hazard to public safety.

155.6103 SIGNS ON RIGHTS-OF-WAY AND PUBLIC PROPERTY.

- (A) Only noncommercial signs erected by or on behalf of a governmental entity or public utility shall be allowed upon public property or in a public or private right-of-way.
- (B) Only signs placed at the direction of the City, or as may be required by this article, may be allowed on public property. This includes signs posted to provide notice for governmental action or events, digital display signs erected by the City on public property, and any City gateway signs installed by the City in public or private rights-of-way.
- (C) Non-complying signs on public property. Any sign installed or placed on public property, except in conformance with the provisions of this section, shall be forfeited to the public and subject to confiscation. In addition to other remedies, the City shall have the right to recover from the owner or person responsible for the placement of the sign the full costs of its removal and disposal.
- (D) Signs on public property.
 - 1. The City Manager or designee may allow temporary signs to be placed on public property.
 - 2. To protect the health, safety and welfare of motorist and pedestrians; signs may not be placed within parking spaces or on driveways.
 - 3. Signs shall not be placed in any manner as to damage infrastructure or create hazards or in conflict with line of sight.
 - 4. Signs may only remain in place during hours of operation.

155.6104 NONCONFORMING SIGNS.

- (A) A sign or advertising structure existing within the City limits on the effective date of this section, or a sign or advertising structure existing in an area annexed to the City after the effective date of this LDC, which by its height, square foot area, location, use, or structural support, does not conform to the requirements of this section, shall hereafter be termed nonconforming.
- (B) Any nonconforming sign that shall cease being used or cease being leased for a continuous period of one year shall not be reused for sign purposes unless and until it is used in conformity with the standards of this article.
- (C) Nonconforming signs shall not be altered or enlarged unless they are made to conform to all the requirements of a new sign or advertising display.

- (D) If any nonconforming sign is damaged by any cause or is otherwise in need of repair to such an extent that the cost of repairing the sign equals 50% or more of the original invoiced cost of the sign, then its classification as a nonconforming sign under this section shall be automatically revoked and repairs shall be made so that the sign shall meet all the requirements of this section.

155.6103 EXEMPT SIGNS

All vehicle signs shall be exempt from all provisions of this section except when those signs are utilized at a specific location or site for advertising or display purposes in addition to or in lieu of a permanent or temporary sign as permitted under this section.

155.6105 PERMIT AND FEE REQUIRED; EXEMPTIONS – SIGNS

- (A) Permit required. It shall be unlawful for any person to install, alter, or cause to be installed or altered within the municipal limits of the City, any sign, whether permanent or temporary, without first having obtained a permit from the Building department.
- (B) Signs exempt from permit requirements. The following signs, while covered by the general provisions of this section, shall be exempt from the permit requirements of this section. This exemption specifically in no way waives requirements of structural or safety requirements outlined by this section or the Florida Building Code.
1. Signs installed under the direction of a federal, state, county, or municipal agency.
 2. Window signs.
 3. Real estate signs.
 4. Nameplate signs and identification signs when letters for those signs do not exceed six inches in height and when those signs do not exceed two square feet in overall dimensions.
 5. Signs indicating the availability of accommodations in hotels, motels, and the like, when those signs conform to all other provisions of this section; and when signs do not exceed 1½ square feet.
 6. Public safety signs.

155.6106 PROHIBITED SIGNS

- (A) The following are those signs which shall not be permitted within the municipal limits of the City:
1. Animated signs.
 2. A-frame sign.
 3. Snipe signs.

4. Flags, or pennants, when used for advertising purposes, except as provided under 155.6100.
 5. Exposed neon tubes or bare bulb signs or neon borders inside window frames.
 6. Permanent signs which are illuminated from outside the boundaries of the sign by visible lighting fixtures.
 7. Roof signs.
 8. Billboards.
 9. Box or cabinet signs, with flat faced vinyl against a Plexiglas background.
 10. (a) Vehicle, mobile billboard, or trailer signs when used on a given location or site in addition to or in lieu of a temporary or permanent sign permitted under this section, unless required by governmental agencies.
(b) When a vehicle or trailer indicates the name of a business on it, such vehicle or trailer, when not in use for its intended purpose of transportation, shall be required to be parked in the rear of the parking lot or in the rear of the building which contains the business.
 11. Vehicle removable signs when the sign is projected in excess of 18 inches from the foremost point of attachment of the sign to the vehicle.
 12. Signs projecting in excess of 18 inches from the foremost point of attachment of the sign to the structure upon which it is constructed.
 13. Painted wall signs not conforming to 155.686 and 155.697.
 14. All abandoned signs, sign cabinets, poles, frames, structures, and electrical fixtures must be removed by owner/lessee or agent.
 15. Pole signs, including when attached to a vehicle or structure, except as in 155.696.
 16. Projecting signs.
 17. Inflatable balloons, regardless of the method of inflation, and regardless of whether they are tethered.
 18. Banner Signs, including when attached to a vehicle of any kind or structure unless otherwise permitted.
 - 19.
- (B) Sandwich signs and snipe signs, as set forth in division (A) (2) and (3) of this section, are classified as litter, as defined by 94.46 of this code of ordinances, and may be removed by the City. Persons placing these signs within the municipal limits of the City may be subject to a citation for violation of 132.04 of this code of ordinances or may be further subject to the issuance of a Notice to Appear by the City of Pembroke Pines Police Department.

155.6107 INSPECTION OF SIGNS BY CITY; SIGNS IN VIOLATION

- (A) The Chief Building Official shall inspect, or cause to be inspected, all permanent signs located within the City at least once in each year, prior to the renewal of their local business tax receipts.
- (B) Upon inspection, this section shall require the owner of any sign found to be in defective condition, or which does not comply with the terms, conditions, and provisions of this section, to be repaired or removed within 30 days from the date of notice of the defect. If the Chief Building Official shall ascertain and determine that the maintenance or use of the sign

adversely affects the public safety, he may require the immediate removal at owner's expense or prohibit the use of the sign until those defects shall have been remedied.

- (C) The Chief Building Inspector shall then have the authority, upon two weeks' notice, to remove any sign which is not properly maintained, and without notice in the event the sign is found, in their determination, to constitute a danger to human life or encroaches on a public right-of-way. In the event of removal of a sign pursuant to this section, the owner/lessee or agent shall bear the cost of removal in addition to the penalties.

SUPPLEMENTAL SITE DEVELOPMENT STANDARDS

155.6110 SUPPLEMENTAL SITE DEVELOPMENT STANDARDS - GENERAL

(A) Purpose

This section is intended to identify supplemental site development standards in addition to those defined in Articles 4 and 5.

(B) Applicability

This section shall regulate the following:

1. Elevation of Filled Land
2. Excavation
3. Floor Area Ratio
4. Relation of Grade of Floors to Crown of Street
5. Residential Use in a Non-Residential District
6. Sewage Disposal
7. Waterways

155.6111 ELEVATION OF FILLED LAND

(A) Any filled land created contiguous to the mainland or to any developed island in the City shall be filled so that the settled elevation of the filled land shall not be less than 5½ feet.

(B) All elevations required in this section shall be measured above mean sea level, U.S.C. and G.S. datum.

155.6112 EXCAVATION

(A) Permit Required; Permit Renewal.

1. A permit for new excavation shall be obtained from the City Engineering Department.
2. After an original permit for an excavation has been issued, the enforcing officer shall issue a renewal permit for the continuance of the excavation in accordance with the original permit and plans, where the work has been conducted in accordance with those plans and with these regulations.
3. Within 30 days after this code is adopted, owners or operators of existing excavations shall submit to the enforcing officer a plat showing their presently owned property adjacent to and forming a continuous property with the existing excavation area. The plat shall also show future right-of-way lines and the final limits to which the owner or operator plans to carry excavations in that property. These plats are to be kept for record, and the

excavations indicated thereon will be exempt from the requirements of these regulations, with the following exceptions:

- (a) The owners or operators of excavations existing at the time this code is adopted shall apply for an excavation permit within 30 days after this section is officially adopted.
 - (b) Sections 5 and 6 below shall apply to excavations existing at the time this section is officially adopted.
4. Yearly renewals of the excavation permit shall be granted to the owners and operators of excavations existing at the time this section is adopted, provided the applicable requirements are complied with.
 5. Any extension, beyond the excavation limits shown in each plat required by division 3 of this section to be filed with the Engineering Department, shall be treated as a new excavation; and shall, therefore, be subject to the full requirements of these regulations.
 6. Where excavation has been discontinued for a period of six months or more, or has been abandoned, any renewal or resumption of excavation shall be required to be subject to a permit for a new excavation, and the issuance of a permit therefor shall be subject to all the requirements of this section for a new permit.

(B) Application for permit; plans and surveys.

1. Applications for original permits shall be accompanied by the following:
 - (a) A lot plan to show the property owned or controlled by the applicant with reference to streets, highways, and contiguous platted areas.
 - (b) Cross-sections to show approximate elevation and grades at the final outside boundaries of excavation.
 - (c) A final grading plan to show the ground elevations of the land immediately adjacent to the side of the excavation and all of bounding streets or roads.
 - (d) Upon completion of the excavation, and when there is a question that the excavation is in accordance with the plans approved, a topographical survey may be required showing elevations and cross-sections of the final outside boundaries of each excavation at 100-foot intervals.
 - (e) The plans, maps, elevations, and cross-sections required by this section shall be made by a surveyor-engineer registered as such by the state.

(C) Performance bond. The applicant for a permit for an excavation shall post a performance bond which, shall be determined by the City's Engineering Division for each waterway to be excavated conditioned upon complete compliance with the regulations of the City pertaining to the initiation, conduct, and completion of excavations in a manner conforming to this article, within a period of not more than one year after the excavation has been carried to the extent authorized by a valid permit, or after work on excavation has been abandoned or discontinued for a period of six months or more.

(D) Zoning limitations

1. The use of heavy machinery for extraction and removal of natural material or deposits is permissible where the removal has been approved and authorized by permit.

2. The land area exposed by the extraction and removal of natural materials or deposits shall be left suitable for future use and development purposes in accordance with the final grading plan and in accordance with any zoning regulations applicable thereto.
3. New excavation shall be a permissible use only in a zoning district wherein that use is permissible under this code, subject to the provisions of this section.
4. An existing excavation for which a permit is issued pursuant to 155.6102(A) may be continued and extended pursuant to that permit and shall not be construed to be a nonconforming use.

(E) Location. No excavation shall be allowed within 50 feet of the future right-of-way line for any street or highway, nor within 100 feet of any private property line for lots less than one acre and 30 feet of any property line for lots one acre or greater.

(F) Posting of warning signs. During the excavation operations, the premises shall be suitably posted with warning signs of such character and location as may be adequate to warn the public concerning possible hazards.

(G) Conduct of excavation operation

1. The grading, leveling, and sloping of the final banks shall be on a progressive basis as the project develops and the excavation progresses.
2. If sand is encountered during excavation, the vertical cut at the final bank shall be modified in such a manner that the required perimeter slope of one vertical to five horizontal will be sustained and maintained.
3. The property shall be staked along the property line and the top-slope line in the portion of the final perimeter to which the excavation extends during the period covered by the yearly permit in effect. Stakes shall be maintained in proper fashion during that period so that the limits of excavation slopes and grade levels in that portion of the final perimeter may be easily determined and verified.
4. During the entire operation, dynamite shall not be used except in accordance with state regulations.
5. The hours of operation shall be limited to the period between the hours of 7:00 a.m. and 10:00 p.m. Monday through Saturday.
6. Every owner or operator of any excavation shall be insured to the extent of \$100,000 against liability arising from any activities or operations incidental to excavation carried on or conducted pursuant to any permit or approval given for that excavation by the City.
7. All excavation access-roads shall be well sprinkled to minimize dust. This sprinkling shall not be required 500 feet or more from a public street or highway.

(H) Clean-up and rehabilitation

1. Upon completion of the project, the property shall be dressed up so that it will be left in a presentable condition.
2. The perimeter of the excavation shall be properly backfilled and graded. Slopes shall comply with 154.31(E).

3. Whenever excavation operations on any property shall have been completed, abandoned, or permanently discontinued, then all plants, buildings, structures (except fences), and equipment shall be entirely removed from that property; and all stockpiles, topsoil, refuse, or waste materials shall be removed, redistributed on the premises, or backfilled within the pit, within one year after the completion. However, the provisions of this division shall not apply to any plants, buildings, structures, equipment, or stockpiles whenever and so long as any rock, gravel, or other materials shall be available from other properties for processing by or through any such plants, buildings, structures, or equipment.
4. These provisions shall not apply to any portion of an existing excavation which was in existence at the time of the passage of these regulations.

(I) Filling of excavations; permit required

1. Excavations may be filled if a permit is obtained from the Engineering Division, subject to the following conditions:
 - (a) The applicant for permit and the owner of property shall comply with such terms and conditions as may be required to prevent objectionable odors; to prevent the operation from becoming detrimental to the health, safety, and general welfare of the adjacent neighborhood; and which will prevent promiscuous dumping by unauthorized persons.
 - (b) That a top-dressing, consisting of not less than one foot of clear fill, shall be provided so that the property shall be in a clean, presentable, and sanitary condition.
 - (c) That the owner of the property, and the operator, shall post a bond in such amount as may be determined by the enforcing officer as necessary to insure compliance with the terms and conditions as may be established for the filling permit.
 - (d) No permit shall be issued for, or excavation or other area filled with refuse, debris, junk, organic material or garbage, unless the use conforms to all applicable zoning resolutions and conforms to any applicable regulations of the appropriate health officials.

155.6113 FLOOR AREA RATIO – NON-RESIDENTIAL

- (A) Floor area ratio is the gross floor area of all buildings or structures on a lot divided by the total lot area.
- (B) The maximum floor area ratio of proposed non-residential development, including mixed use developments (FAR's are provided for within the proposed Mixed Use-Residential land use category – Section F (Permitted Uses) of the City Comprehensive Plan, upon lands designated commercial, commercial recreation, office park, industrial, employment center, employment center – low, Conservation – Reserve Water Supply Areas, Conservation – Natural Reservations, local activity center, Transit Oriented Corridor, Transit Oriented Development, and regional activity center shall be as follows:
1. 0.25 for buildings not exceeding one story
 2. 0.50 for buildings two stories or greater

3. All buildings greater than 0.50 up to 1.0 shall be subject to the special exception process as outlined in Article 3.

155.6114 RELATION OF GRADE OF FLOORS TO CROWN OF STREET

The top surface of all floors of residential buildings shall be not less than 18 inches, and of nonresidential buildings shall be not less than six inches, above the highest point of the crown of all streets adjacent to the lot upon which the buildings are located.

155.6115 RESIDENTIAL USE IN NON-RESIDENTIAL DISTRICTS

- (A) The following regulations shall apply where a lot in a non-residential district is utilized for a permitted residential use:
1. The use and the lot shall conform to the district regulations for lot size, lot coverage, front setback, side setbacks, rear setback, and lot area per room specified for that particular residential district in which the residential use would first be permitted from a height limit standpoint, except as modified by divisions 2 and 3 of this section.
 2. Where a residential use is located on the first ground floor and there is also a principal non-residential use on the first or ground floor, the lot shall be provided with a rear setback and with side setbacks extending to the rear setbacks, for the portion of the lot occupied by the residential use.
 3. Where the residential use is located above a principal non-residential use, the lot shall be provided with a rear setbacks and with side setbacks on each side, provided that the setbacks may begin at the level of the lowest floor used for residential purposes, and a side setbacks shall not be required on a street side of the lot.

155.6116 SEWAGE DISPOSAL

- (A) Regardless of other provisions of this code, under all classifications and in all districts sewage collection and transmission systems shall be permitted, paid for and installed by the developer to discharge sewage, either by gravity or pumped, from the subject lot(s) to the City sewerage system. Lot plans accompanying building permit applications shall show clearly the proposed sewage disposal system. Such systems shall conform to the standards and requirements of the appropriate health officials. Onsite sewage disposal systems, septic tanks and drainfields are prohibited.

155.6117 WATERWAYS

- (A) Waterways

1. Location of waterways
 - (a) No portion of a waterway shall be created within a public road right-of-way or within reservations dedicated for roadway purposes.
 - (b) No waterway shall be located within 100 feet from an existing or future right-of-way line of a street, unless the waterway is designated to cross the street, and the waterway conforms to all of the provisions of this code.
 - (c) No waterway shall be created or maintained in such a location, or in such a connection with, or in such relation to, other existing waterways as to endanger through excessive salinity existing potable water resources, or to unreasonably change the existing limits of saline water penetration.
2. Permits
 - (a) No waterway shall be created unless a permit has been first obtained from the City Engineer. The exception to this shall be waterways that serve less than 640 acres, used for the conveyance of irrigation to or drainage from agricultural lands to other waterways leading to major discharge points, and those waterways controlled by the applicable flood control district.
 - (b) No permit shall be issued by the City Engineer for a waterway unless the City Engineer finds the proposed waterway to be in conformity with all of the requirements of these regulations; and the application therefor has been approved by the Planning and Zoning Board as being in conformity with the zoning, and platting regulations, and any comprehensive plan.
 - (c) Permits shall not be required for waterways created in an area covered by, and in conformity with, a recorded subdivision plat.
3. Application for permits
 - (a) Application for such permission shall be made to the City Engineer, by letter, stating the reason for alteration or construction of the waterway. This letter shall be accompanied by four sets of plans prepared by a surveyor or engineer, registered as such by the state, showing the location, proposed cross- sections, structures in or across the waterway, and other details as may be required by the City Engineer.
 - (b) If the requested waterway is to serve as a drainage system for a subdivision, the design calculation used in arriving at the waterway cross- section area and structures therein, showing degree of protection from flooding of the subdivision, estimated water surfaces, and other pertinent data used in the design of the waterway, shall be submitted. This shall be done by an engineer duly registered as such by the state.
 - (c) All information requested shall be referenced, all elevations shall refer to U.S. Coast and Geodetic Survey, mean sea level datum. All points or cross-sections of interest shall be stationed from a known reference point.
 - (d) Inspection. The City Engineer shall inspect waterways and all structures in or across any waterway during their construction period. As-built drawings shall be submitted to the City Engineer upon completion of all work in or across the waterway with as-built cross-connections of the waterway every 100 feet, or as often as may be necessary to determine the change in cross-section area.

SUSTAINABILITY

155.6120 PURPOSE AND INTENT – SUSTAINABILITY

The purpose of the sustainability code is to establish a program and administrative procedures which minimize environmental impacts of development; reduces the use of natural resources; creates a healthier and more sustainable living environment; promotes economic and environmental health through sustainable and environmental friendly design parameters; while providing leadership to both the private and public sectors in the area of green building practices.

155.6121 APPLICABILITY – SUSTAINABILITY

(A) The requirements of this section shall apply to the following types of development:

1. All new and redevelopment applications for residential, commercial, office, industrial, hotels, and civic uses which require site plan approval 155.301(A).
2. For any City-owned civic or office construction project, the City is expected to incorporate the requirements of this LDC unless the City Commission, in its sole discretion, determines that the cost (e.g., time, function, or funding) associated with the requirements significantly outweighs the benefits to the City, provided the project remains in compliance with Florida Statute 255.2575 Energy-efficient and sustainable buildings.

155.6122 SITE PLAN SUBMITTAL REQUIREMENTS – SUSTAINABILITY

(A) At the time of site plan application submittal to the Planning and Economic Development Department, the applicant must submit:

1. A narrative which lists green building techniques and practices which may include but are not limited to the sustainable options outlined in 155.6123. The aim of the narrative is to demonstrate how the developer will address specific local objectives related to: Environmental Design, Energy Efficiency, and Conservation of resources, Infrastructure, Transportation and Waste Management which are found within the City's Green Plan. The materials and practices listed should exceed current building code requirements.
2. If the applicant is pursuing a certification through a recognized third-party green building certification program (USGBC, FGBC, NGBS, etc.), the points table specific to that program, the designated level of certification, and proof of application into the green building program must be submitted.

155.6123 SUSTAINABLE OPTIONS

(A) The provisions contained herein are intended to provide options for the installation of environmental design on buildings and structures within the City. If constructed or implemented, the provisions set forth in this LDC shall be met.

(B) Sustainability Options Table

This table shall determine the sustainability elements encouraged for site plan approval in accordance with the requirements set forth in 155.6122. In addition to the options listed, city staff may consider other sustainable elements which are not listed.

Table 155.6123 Sustainable Options and Requirements Table		
Category	Element	Section
Environmental Design	Cool Pavement	
	Green Roofs	155.662(E)
	Green Walls	155.662(D)
	Multi-Use Path or Trail	
	White Roof	
Energy Efficiency	Daylight Controls	
	Energy Star Rated Appliances	
	Higher SEER AC than required by FBC	
	Low Flow Fixtures and Toilets	
	Photovoltaic Solar System	
Conservation of Resources	Tankless Hot Water Heater	
	Electric Vehicle Charging Stations	155.614
	Fuel Efficient Parking Spaces	
	Landscape Irrigation Rain Sensor	
Infrastructure	Use of Native Plant Material	
	Enhanced Hurricane Resistant Structure	
	Freeboard	
	Green Infrastructure or Low Impact Development	
	SITES, USGBC, FGBC, NGBS or other building certification	
Transportation	Use of Reclaimed or Recycled Building Materials	
	Bike Storage or Parking	155.607
Waste Management	Transit Stop Improvements	
	Diversion of Waste from Landfill	
	Recycling	155.623