

WORKPLACE



Land Development Regulations

September 15, 2023: Ordinance No. 144

July 26, 2023: Ordinance No. 141

December 15, 2021: Ordinance No. 133

September 3, 2021: Ordinance No. 132

July 4, 2021: Ordinance No. 130

May 12, 2021: Ordinance No. 129

September 5, 2019: Ordinance No. 125

May 15, 2016: Ordinance No. 121

March 18, 2015: Ordinance No.110

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LAND DEVELOPMENT REGULATIONS

1.01 TITLE:

This manual shall be known as, cited as, and referenced to as the Village of Golf “Land Development Regulations”. It may, in subsequent sections, be referred to as the “Land Development Code” or the “Code”.

1.02 AUTHORITY:

The Village of Golf Land Development Regulations is adopted pursuant to Chapter 163, Part II, and 166 *Florida Statute*.

1.03 FINDINGS:

The Village Council finds that:

- A. A unified set of administrative procedures for making all land use decisions promotes efficiency, equitability, and citizen participation and knowledge.
- B. All development proposals must undergo a development review process to assure compliance with the requirements of this Code, and the Village adopted Comprehensive Development Plan, which was determined to be “IN COMPLIANCE” by the State of Florida Department of Community Affairs on August 20, 2007; which became a Final Order on September 10, 2007.

1.04 PURPOSE AND INTENT:

The primary purpose of the Land Development Regulations is to implement the adopted Comprehensive Development Plan of the Village of Golf and said regulations must be consistent with the goals, objectives and policies of the approved Village Comprehensive Development Plan.

The objectives of this Land Development Regulations are to provide for the following: efficiency and economy in the process of development; appropriate and best use of land; preservation, protection, development and conservation of the natural resources of land, water, and air; healthful and convenient distribution of population; adequate public utilities and facilities; promotion of the civic amenities of beauty and visual interest; promoting the orderly development or redevelopment of residential land use through implementation of land use categories and provision of adequate open space; convenience of traffic and circulation of people; for the provision all land development regulations stated in Section 163.3202, *Florida Statutes*; and for development in accordance with the adopted Comprehensive Plan.

To accomplish these purposes, the Village Council has divided the entire Village into land use categories pursuant to the Land Use Element of the Village Comprehensive Development Plan, and within these land use designations may regulate, determine and establish:

- A. Height, number of stories, size, bulk, location, erection, construction, addition, repair, reconstruction, and alteration of structures;
- B. Use of buildings for trade, professional, residential and other purposes;
- C. Use of land and water for trade, professional, residential and other purposes;
- D. Size of yards and other open spaces;
- E. Percentage of lot that may be occupied;
- F. Density and intensity of development allowed;
- G. Conditions under which various classes of non-conformities may continue, including authority to set fair and reasonable amortization schedules for the elimination of non-conforming uses and/or buildings;
- H. Use, type and size of structures in those areas subject to seasonable or periodic flooding and/or storm damage so that danger to life and property in such areas will be minimized; and
- I. Performance standards for use of property and location of structures thereon.

All such regulations shall be uniform throughout each land use classification, but the regulations in one land use category may differ from those in other land use categories. In or for each land use category designated for the location of commercial enterprises, residences or buildings designed for specific use, regulations may specify those uses that shall be excluded or subjected to reasonable requirements of a special nature.

1.05 DEFINITIONS:

- A. For the purpose of this code, the following words and phrases shall have the meanings respectively ascribed to them by this section:
- B. All words used in the present tense include the future; all words in the singular number include the plural and the plural the singular; the word “building” includes the word “structure” the word “shall” is mandatory and the word “person” includes a firm, corporation or municipal corporation as well as a natural person. The word “map” shall mean the “Official Land Use Map of the Village of Golf”. The term “Council” shall mean the Council of the Village of Golf and the word “Village” shall mean the Village of Golf, a municipal corporation of the State of Florida. The word “used” shall be deemed to include the words “arranged”, “designed” or “intended to be used”, and the word “occupied” shall be deemed to include the words “arranged”, “designed” or “intended to be occupied”. Any word or term not interpreted or defined by this section shall be used with a meaning of common or standard utilization.

Abutting. Having a common border with, or being separated from such common border by, an alley or easement.

Access. The principal means of ingress and egress to property from a publicly dedicated right-of-way or dedicated access easement.

Accessory Structure (Appurtenant Structure). A detached, subordinate structure, the use of which is clearly incidental and related to that of the principal structure or use of the land, and which is located on the same lot as that of the principal structure or use. Examples of accessory structures are detached garages, and storage sheds.

Accessory Use. A use customarily incident and accessory to the principal use of land or building located on the same lot.

Acre, Gross. A tract of land consisting of forty-three thousand five hundred sixty (43,560) square feet. As it relates to density, it is the quotient of the total number of dwelling units divided by the overall size of a site in acres.

Acreage. That land lying within the village limits which has not been subdivided according to the records on file in the office of the Clerk of the Circuit Court, in and for the County of Palm Beach.

Addition (to an Existing Building). Any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls is new construction.

Adjacent. That which lies near or close to, not widely separated or necessarily touching.

Adjoining. That which is joined or united, actually touching.

Advertising Structure. Any structure installed for advertising purposes, with or without any advertisement display thereon, situated upon or attached to real property upon which any poster, bill, printing, painting, device or other advertisement of any kind whatsoever may be placed, posted, painted, tacked, nailed, or otherwise fastened, affixed, or displayed, provided, however, that said term shall not include buildings.

Alley. A dedicated public right-of-way other than a street, which provides only a secondary means of access to abutting property, is not over twenty (20) feet in width and is not intended for general traffic circulation.

Alteration. Any modifications, additions, deletions, or change in construction, or change and arrangement in the structural parts of a building; whether by extending a side or by increasing or decreasing in height; or the moving from one location to another.

Appeal. A request for a review of the Village’s interpretation of any provision of this code, a request for a variance or a means for obtaining review of a decision, determination, order, or failure to act pursuant to the terms of this Code.

Arbor. See “Pergola”.

Arcade:

- a. Game/Video. Any establishment, room, place or business location in which there are available to the public more than three (3) coin or token operated amusement devices which are coin or token operated or where a fee is charged for the operation of such devices.
- b. Structural. A permanently roofed, arched covered continuous area or passageway at ground level, open to a street, plaza, open space or building, which is accessible and open to the public at all times.

Awning. Any movable roof-like structure cantilevered, or otherwise entirely supported from a building, so constructed and erected as to permit its being readily and easily moved within a few minutes time to close an opening, or rolled or folded back to a position flat against the building or a cantilevered projection thereof, or which is detachable.

Bakery. An establishment engaged solely in the retail sale directly to the consumer of products such as breads, cakes, pies, pastries, etc., which are based or produced and sold on premises.

Bedroom. A room other than a kitchen, dining room, living room, bathroom, or closet, which is marketed, designed, or otherwise likely to function primarily for sleeping.

Block. A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, bulkhead lines, or shorelines of waterways, or corporate boundary lines of the Village.

Bookstore. An establishment engaged in the retail sale of new books, magazines and accessory supplies.

Breakaway Wall. A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

Breezeway. A roofed, open-sided passageway connecting two (2) separate structures, or two (2) separate portions of the same structure.

Building. A single structure which is permanently affixed to the land; and has one (1) or more floors and a room. A building may, for example, consist of only one (1) family residence which may have a guest house. A building may also be a single store or a row of stores (depending on location of lot lines) in the commercial zone; or any structure built for support, shelter, or enclosure

for any occupancy or storage. Garages which are not an integral part of the main building will be considered accessory buildings as defined herein; See “**Structure**”.

Building, Accessory. See “**Accessory Structure**”.

Building Code, State. See “**Standard Building Code**”.

Building Design Elements. Pursuant to Section 163.3202, building design elements means: the external building color; the type or style of exterior cladding material; the style or material of roof structures or porches; the exterior nonstructural architectural ornamentation; the location or architectural styling of windows or doors; the location or orientation of the garage; the number and type of rooms; and the interior layout of rooms. The term does not include the height, bulk, orientation, or location of a dwelling on a zoning lot; or the use of buffering or screening to minimize potential adverse physical or visual impacts or to protect the privacy of neighbors.

Building, Detached. A building having no party walls in common with another building.

Building, Elevated. See “**Elevated Building**”.

Building Front. That exterior wall of a building which faces the lot line of the frontage.

Building, Height of. The vertical distance from finished floor elevation to the peak or ridge of the roof. Basements shall be considered as part of the overall building height.

Building Line. A line on a lot generally parallel to a lot line or road right-of-way line, located a sufficient distance there from to provide the minimum yards required by this ordinance. The building line delimits the area in which buildings are permitted subject to all applicable provisions of this ordinance.

Building, Nonconforming. A legally existing building which fails to comply with the regulations (for height, number of stories, size, area, yards, location, and use) set forth in this chapter applicable to the land use category in which this building is located.

Building Official. That person who is appointed by the Village Manager and is charged with the responsibility of enforcing and administering the various land and building regulations of the Village of Golf.

Building Permit. The document or certificate issued by the Village which verifies adherence to all applicable development regulations and gives permission to the permit applicant to proceed with the actions for which the permit was requested.

Building, Principal. A building in which is conducted, or in which is intended to be conducted, the main or principle use of the lot on which it is located.

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

Building Support Structure. Any structure which supports floor, wall, or column loads, and transmits them to the foundation. The term shall include beams, grade beams, or joists, and includes the lowest horizontal structural member exclusive of piles, columns, or footings.

Bulk. The term used to describe the size of buildings or other structures, and their relationships to each other and to open areas and lot lines.

Business. An establishment primarily engaged in rendering services to other business establishments on a fee or contract basis not involving the sale of any goods or commodities available on the premises and not dispensing a personal service. Such establishments include such activities as real estate, insurance, accounting or bookkeeping, financial institution, management or consulting, or other similar uses. No business use may be conducted within a residential land use area unless permitted under this Code pursuant to Sec. 3.03. Residential.

Canopy. A roof like structure made of any material which projects from the wall of a building and overhangs in a public way.

Casualty. An unforeseen or unpreventable property loss or property damage arising from a sudden, unexpected event such as an accident or from a sudden, unexpected disastrous occurrence of unusual causation.

Certificate of Occupancy. Official certification that a premise conforms to provisions of the zoning ordinance (and building code) and may be used or occupied. Such a certificate is granted for new construction or for alteration or additions to existing structures. Unless such a certificate is issued, a structure cannot be occupied.

Charter. The document issued to the Village of Golf and established pursuant to the applicable laws of Florida creating the Village as a public corporation and defining its privileges, purposes, powers and duties.

Church/House of Worship. A building, structure, or premise wherein persons regularly assemble for religious worship which is specifically designed and used only for such purpose and is maintained and controlled by a religious body organized to sustain public worship.

Clinic. An establishment where patients, who are not lodged overnight, are admitted for examination and treatment, by one (1) person or group of persons licensed by the State of Florida as a physician, dentist, chiropractor, therapist or other similar health related profession.

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

Club, Private. See “Private Club”.

Commercial Building. A building used only for commercial use.

Commercial Use. An establishment which supplies commodities and services to the general public, including retail consumer goods, professional, business and personal services.

Commercial Vehicle. Any vehicle of any nature, which is used, for hire or for profit.

Common Area. The total area not designed for rental to tenants and which is available for common use by all tenants or groups of tenants and their invitees, including such areas as parking lots and their appurtenances, lobbies, malls, sidewalks, landscaped areas, public restrooms, truck and service facilities, etc.

Compatible Use. A use, which is capable of existing in harmony with other uses situated in its immediate vicinity.

Comprehensive Development Plan. The composite of the Village Comprehensive Development Plan, all accompanying maps, charts and explanatory material adopted by the Village Council, and all amendments thereto, all in accordance with applicable State of Florida Local Government Comprehensive Planning requirements.

Confectionery. Establishments engaged solely in the preparation and production of candy products for direct retail sale to the consumer on premises.

Construction, Major. The building of a new structure or *substantial improvement* to any *structure*, inclusive of the clearing, filling, or excavation of any land, which requires a building permit pursuant to Sec 105.1, Chapter 1 Administration of the Florida Building Code. It shall also mean any of the following: exterior change in a structure for which a building permit is required; *alterations* in a *building support structure*, both interior or exterior; or any *alteration* in the size or use of any existing structure or the appearance of any land.

Construction, Minor. Work performed on the interior of a structure, and which does not increase the overall footprint of the structure, or upon its lands, including repair or replacement work involving a structure and its lands, which is deemed to be exempt from a building permit pursuant to Sec 105.2, Chapter 1 Administration of the Florida Building Code. Such *minor construction* activity may occur throughout the year and is exempt from the construction time period restrictions set forth in this Code at Sec. 10.03. Construction Period unless it threatens to adversely affect neighboring property owners, at which point such construction period regulations may be made applicable by the building official.

Construction, Start of. See “Start of Construction”.

Convenience Store. A retail establishment which is usually open for extended daily hours of business (12 to 24 hours), located as a single entity or in a strip building configuration along arterial road-ways, is normally self-service facility not dependent upon comparison shopping and by its manner of display and merchandising usually sells a limited selection of items and brands, candy, beverages, dairy products or sundries, all of which are frequently purchased for immediate use, and may be developed with facilities for the dispensing and sales of vehicular fuels, but with no sale or installation of tires, batteries or similar accessories. If such establishment is combined with said fuel sales and dispensing, it shall be regulated as a full service fuel station and there shall be stringent limitations and controls placed upon the nature, size, delivery, storage, location, and type of said fuel sales or dispensing

facilities, in order to provide maximum possible protection to adjacent properties and it must meet the specific zoning requirements of a full service station.

Corner Lot. See “**Lot, Corner**”.

Cornice. The horizontal projecting part of the roof crowning the wall of a building. The juncture which connects a vertical wall to the horizontal portion of the roof at the roof line.

Court. An open, unoccupied space on the same lot, and fully enclosed on at least three (3) adjacent sides by walls of the buildings. An outer court facing for its full required width on a street, or on any other required open space not a court. An inner court is any other required court.

Coverage, Ground. That portion of the lot area covered by the aggregate of all buildings including accessory buildings.

Curb Level. The level of the established curb in front of such building measured at the center of such front. Where no curb elevation has been established, the mean elevation of the finished lot grade immediately adjacent to a building shall be considered the “curb level.”

Curb Cut. In indentation or depression through or into a raised curb forming a driveway or walkway.

Dedication. The transfer of property interests from private to public ownership for a public purpose. The transfer may be of fee simple interest or of a less than fee interest, including an easement.

Density. The relationship between the number of existing or proposed amount of dwelling units on a specific land area, usually expressed in terms of the number of dwelling units per gross acre.

Development. The division of a parcel of land into two (2) or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any buildings; any use or change in use of any buildings or land; any extension of any use of land or any clearing, grading, or other movement of land, or any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or the permanent storage of materials for which permission may be required this ordinance.

Development, Large Scale. Development site plans, other than small-scale development site plans, shall be considered Large-Scale developments and may be subject to specific site plan requirements.

Development, Small Scale. Development site plans for single family residences shall be considered small scale developments and may be subject to specific site plan review requirements.

Development Site Plan. A graphic and textual presentation of a development proposal. *See Section 10.7.*

Drainage. The removal of surface water or groundwater from land by drains, grading, or other means. Drainage includes the control of runoff to minimize erosion/sedimentation during and after development and includes the means necessary for water supply preservation or prevention or alleviation of flooding.

Drive-in or Drive-Through Facility. An establishment which by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services or obtain goods, while remaining in their motor vehicles.

Driveway. That space specifically designated and reserved on the site for the movement of vehicles from one site to another or from a site to a public street.

Dual Front. A building designed or constructed so as to present the appearance of having two (2) fronts.

Dwelling. Any building or structure designed exclusively for residential occupancy. It shall be deemed and construed to include both the main portion of such structure and all projections therefore, such as windows, bays, exterior chimneys, covered porches, or porticoes, including any garages incorporated within or forming a part thereof, but shall not include the eaves of such structures, nor any open patio, nor any uncovered porch, stoop or steps. A dwelling may be designed and built for the use of one family, but it does not include a hotel, club, motel, boarding or lodging house, or automobile, house trailer, or any recreation vehicle whether such trailer or vehicle is mobile or located in a stationary fashion on blocks or other foundation.

Easement. Authorization by a property owner of the use by another and for a specified purpose of any designated part of his property.

Erect. To build, construct, attach, hang, place, suspend, or affix, and shall also include the attachment of wall signs.

Elevated Building. A non-basement building built to have the lowest floor elevated above the ground level by foundation walls, pilings, columns, posts, piers, or shear walls.

Elevation. Shall mean:

- a. The vertical distance above or below a fixed reference level; or
- b. A flat scale drawing of the front, rear, or side of a building or structure.

Engineer, Registered (Civil). A professional engineer registered by the State of Florida.

Enlargement or To Enlarge. An enlargement is an addition to the floor area of an existing building, an increase in the size of any other structure, or an increase in that portion of a tract of land occupied by an existing use.

Erosion. The detachment and movement of soil or rock fragments by water.

Establishment. An economic unit, generally at a single physical location, where business is conducted or services are offered.

Facing or Surface. The surface of the sign upon, against, or through which the message is displayed or illustrated on the sign.

Family. One (1) or more persons who are either related or unrelated by blood, marriage or adoption; and who also occupy a single dwelling unit and have chosen to reside as a member of an independent residence. There cannot be more than two (2) unrelated people in a single-family home without written permission granted by the Village. Each "family", however, may be subject to the maximum occupancy restrictions if adopted by the Village. The term "family" does not include the occupants of a hotel, motel, rooming house or any other living arrangements within a building or facility which is being utilized for the transient occupancy of its inhabitants.

Financial Institution. Establishments such as, but not limited to, banks and trust companies, credit agencies, investment companies, brokers and dealers of securities and commodities, security and commodity exchanges and brokers, and other similar uses.

Finished Floor Elevation. The finished floor elevation for buildings and structures shall be established at two (2') feet above the average elevation of the surface of the lot on which a building or structure is located.

Floor. The top surface of an enclosed area in a building i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Floor Area. See "Gross Floor Area"; "Gross Leasable Area".

Floor Area Ratio. The gross floor area of all buildings or structures on a lot divided by the total lot area. Building shall include garages, any covered terrace, breezeway, porch or patio. Pools and uncovered patios are not included in Floor Area Ratio.

Frontage, Street. All the property on one (1) side of a dedicated public street or place between two (2) intersecting dedicated public streets or places measured along the line of the dedicated public street or place, or if the dedicated public street or place is dead-ended, then all of the property abutting on one (1) side between an intersecting dedicated public street or place and the dead-end of the dedicated public street or place. Also includes dedicated ingress-egress easements when used for the only means of access.

Full-Service Fuel Station. A retail establishment, which primarily sells, dispenses and installs automotive fuels and lubricants and products. Such establishments may include the sale of typical convenience store items, but must sell and install tires, batteries, lubricants, similar accessories and products, and perform minor repair work and services in order to maintain its definition classification, and regulation as a full-service fuel station.

Garage, Detached. See "Accessory Structure"

Garage, Parking. A building or portion of building, or area beneath a building or structure, except those described as a private garage, used for the parking only of automotive vehicles.

Garage, Private. A building or space used as an accessory to or a part of a main building permitted in any residence district, and providing for the storage of motor vehicles and in which no business, occupation or service for profit is in any way conducted.

Gas Station. A retail establishment which sells automotive fuels, oils and lubricants only, with no sale or installation of tires, batteries or similar accessories. A gasoline station is not a Full-Service Fuel Station or a convenience store. (For additional reference, see also “**Full Service Fuel Station**”).

Golf Course Lots. Residential Lots within the Village of Golf shall be deemed “Golf Course Lots” when all or a portion of the residential property abuts or is contiguous to property owned by The Country Club of Florida, its successors and assigns, (except for the property south of Country Road South on which the maintenance facility is located) as well as Lots 4, 5, and 8B of Unit 2A.

Governmental Use. Public land areas and facilities which are utilized for daily administration and operation of government business which house personnel, records, equipment and the like belonging to the local, county, state, or federal government, or special district or agency.

Grade. A reference plane representing the average finished ground level adjoining the building at all exterior walls.

Grade, Highest Adjacent. See “**Highest Adjacent Grade**”.

Greenhouse. An enclosed building, permanent or portable, which is used for the growth of small plants.

Gross Acre. See “**Acre, Gross**”.

Gross Floor Area. The sum of the total areas taken on a horizontal plane of a floor or several floors of a building measured between the outside face of the exterior walls, exclusive of areas open and unobstructed to the sky. Gross floor area is used by the Village for determining valuation for the issuance of a building permit.

Gross Leasable Area (GLA). The total floor area designed for tenant occupancy and exclusive use; mezzanines, and upper floors, if any, expressed in square feet and measured from the center line of join partitions and from outside wall faces. GLA is all that area on which the tenants pay rent; it is the area producing income, and is the square footage amount used by the Village for determining required parking area. GLA includes all areas less common areas. (See “**Common Area**”).

Hardscape. Any surface, which serves as a ground covering such as decking, patios, paver bricks, concrete, or asphalt. Landscaping is not to be considered hardscape.

Hardship. The community requires that the variance is exceptional, unusual, and peculiar to the property involved and not be self-imposed. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended. As related to this code, see Standards at Section 10.041.

Height of Building or Structure. See “**Building, Height of**”.

Highest Adjacent Grade. The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

Hospital. A facility licensed by the State of Florida providing primary health services and medical or surgical care to persons, primarily in patients suffering from illness, disease, injury, deformity, other abnormal physical or mental conditions, chemical or substance dependency or abuse, and the institution, related facilities such as laboratories, outpatient facilities as training facilities.

Hotel. Any building principally containing sleeping rooms in which transient guests are lodged with or without meals, with no provisions made for cooking in any individual room or suite and located in commercial zone. Such facility may have one (1) or more dining rooms, restaurants or cafes as accessory uses. Such facility also, would structurally and for purposes of safety, be obliged to conform to the laws of the State of Florida regulating hotels.

Illuminated Sign. Any sign, which has characters, letters, figures, designs, or outline illuminated by electric lights, or from a remote position.

Impervious Surface. Impervious surfaces are those, which do not absorb water. They consist of all buildings, parking areas, driveways, roads, sidewalks, and any areas of concrete or asphalt.

Improvement. Any building, structure, place, work of art, or other object constituting a physical betterment of real property, or any part of such betterment.

Improvement, Substantial. See “**Substantial Improvement**”.

Incombustible Material. Any material which will not ignite at or below a temperature of one thousand two hundred (1200) degrees Fahrenheit and will not continue to burn or glow at that temperature.

Incompatible Use. A use, which is incapable of existing in harmony with other uses situated in its immediate vicinity.

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

Intersection. Any street or public way or court, which joins another at an angle, whether or not it crosses the other.

Intent. The objective toward which any section of this ordinance strives or for which it exists.

Landscape Plan. A detailed sketch to scale illustrating the type, size, location and number of plants to be placed in a development.

Land Use Category. A contiguous area of land for which there are uniform regulations governing the use of buildings and premises, density of development, yard requirements and height limitations.

Landscape Strip. A strip of land along the perimeter of the site containing trees, barriers, ground cover and/or other plant material.

Landscaping. Landscaping shall consist of any of the following or combination of: Material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees or palms; and non-living durable material commonly used in the landscape, such as, but not limited to, rocks, pebbles, mulch, sand, walls or fences, benches, fountains, paving for pedestrian use (but excluding paving for vehicles), exterior landscape accent lighting fixtures and other item of exterior landscape furniture.

Laundromat. An establishment providing washing, drying, or dry-cleaning machines on the premises for rental use to the general public for family laundering or dry-cleaning purposes.

Laundry. A retail sales and service establishment which provides for the drop-off of clothing, linens, and the like to be washed, dry-cleaned, ironed, mended, or repaired with no machines or equipment for the dyeing of same and specifically no machines or equipment available for self-service directly by the consumer.

Lawn Accoutrements. Art objects, lawn jockeys, statuary or animal yard ornaments or similar items.

Loading Space, Off Street. An off street loading space of not less than twelve (12) feet wide, fifty (50) feet long, and having a minimum vertical clearance height of fourteen (14) feet, exclusive of access aisles and drives, for the short term parking of a vehicle while loading or unloading merchandise or materials.

Local Planning Agency. The agency designated to prepare the Comprehensive Plan or Amendments and to review Land Development Regulations required by Chapter 163, *Florida Statutes*. The Village Council has been so designated in the Village of Golf.

Lot. A parcel of land occupied or to be occupied by one (1) main building or buildings and their accessory buildings with such open and parking spaces as may be required by provisions of this ordinance, and having their principal frontage upon a public or private street.

Lot Area. The area contained within the boundary lines of a lot.

Lot, Building. Land occupied or to be occupied by a building and its accessory buildings, or by a dwelling group and its accessory buildings, together with such open spaces as are required under the provisions of this code, having not less than the minimum area and width required by this code for a lot in the land use category in which land is situated, and having it and required by this ordinance for a lot in the district in which such land is situated, and having its principle frontage on a street or on such other means of access as may be determined in accordance with the provisions of the law to be adequate as a condition of the issuance of a building permit for a building on such land.

Lot, Corner. A lot abutting two (2) or more streets at their intersection.

Lot Depth. The mean horizontal distance between the front lot line and the rear lot line of a lot measured within the lot boundaries.

Lot Frontage. The front of a lot shall be construed to be the portion nearest the street which has the street address of the building facing that street.

Lot, Interior. A lot other than a corner lot.

Lot Line. A line bounding a lot, which divides one (1) lot from another or from a street or any other public or private space.

Lot Line, Rear. That lot line which is parallel to and most distant from the front lot line of the lot; in the case of an irregular, triangular, or gore shaped lot, a line twenty (20) feet in length, entirely within the lot, parallel to and at the maximum possible distance from, the front line shall be considered the rear lot line.

Lot Line, Side. Any lot line other than a front or rear lot line.

Lot Line, Street. In the case of a lot abutting only one (1) street, the street line separating such lot from such street; in the case of a lot adjacent to two (2) streets, each street line separating such lot from a street shall be considered to be the front yard requirement in which case one (1) of two (2) opposing yards shall be a rear yard.

Lot of Record. A part of the land subdivision, the map of which has been recorded in the office of the clerk of the court of Palm Beach County, Florida.

Lot, Through. A lot, other than a corner lot, having frontage on more than one (1) street.

Lot Width. The mean horizontal distance between the side lot line measured at right angles to those side lot lines at the building line. Where there is only one (1) side lot line, lot width shall be measured between such lot line and the opposite lot line or future right-of-way line.

Lounge. A building or portion of a building, wherein alcoholic beverages are sold by the drink and consumed on the premises.

Lowest Adjacent Grade. The lowest elevation, after the completion of construction, of the ground, sidewalk, patio, or deck support immediately next to the structure.

Main Building. See “**Building, Principal**”.

Maneuvering Space. The unobstructed area needed for a truck to back in a single movement directly from the access street into a loading space, the depth of which is measured perpendicular to and from the front of the loading space to the curb side of the most remote traffic lane in the access street.

Mangrove Stand. An assemblage of mangrove trees which are mostly low trees noted for a copious development of interlacing adventitious roots above the ground and which contain one or more of the following species: black mangrove (*Avicennia Nitida*); red mangrove (*Rhizophora mangle*); white mangrove (*Languncularia Racemosa*); and buttonwood (*Conocarpus Erecta*).

Map, Official. See “**Official Zoning Map**”.

Market Value. The building value, which is the property value excluding the land value and that of the detached accessory structures and other improvements on site (as agreed to between a willing buyer and seller) as established by what the local real estate market will bear. Market value can be established by an independent certified appraisal (other than a limited or curbside appraisal, or one based on income approach), Actual Cash Value (replacement cost depreciated for age and quality of construction of building), or adjusted tax-assessed values.

Marquee. See “**Canopy**”.

Minimum Living Area. The area within the outside perimeter of the walls with no deduction for corridors, stairs, closets, thickness of walls, columns or other features, exclusive of areas open and unobstructed to the sky, and not to include garages, open porches, open breezeways, or store rooms, or screened-in porches.

Mixed Use Zoning. Zoning which permits a combination of usually separated uses within a single development.

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

Museum. A non-profit non-commercial establishment operated as a repository or a collection of nature, scientific, or literary curiosities or objects of interest or works of art, not including the regular sale or distribution of the objects collected.

New Construction. Structures for which the “start of construction” commenced on or after the effective date of this ordinance. The term also includes any subsequent improvements to such structures. For flood insurance rates, structures for which the start of construction commenced on or after August 26, 1977, and includes any subsequent improvements to such structures.

Nonconforming Use. Any building, structure, or land lawfully occupied by a use at the effective date of this ordinance or amendment thereto which does not conform after the passage of this ordinance or amendment with the use requirements of this district in which it is situated.

Nuisance. The use of property of course of conduct that interferes with the legal rights of others which shall cause damage, annoyance, inconvenience, or tend to injure the health, safety, or morals of village residents.

Nursery. An enterprise, establishment, or portion thereof which conducts the retail or wholesale sale of plants grown on the site as well as accessory items (but not power equipment such as gas or electric lawnmowers and farm implements) directly related to their care and maintenance. The accessory items normally sold include items such as clay pots, potting soil, fertilizers, insecticides, hanging baskets, rakes, and shovels.

Occupancy. Pertains to and is the purpose for which a building is used or intended to be used. A change of occupancy is not intended to include a change of tenants or proprietors.

Official Zoning Map. The graphic document bearing the official seal and signature of the Village of Golf, which depicts the geographic location of Zoning Districts in the Village is formally adopted as part of these Land Development Regulations (LDRS) and is referred to as the Village of Golf Official Zoning Map. [Ord. No. 125-2019]

Off Street Parking. The minimum off-street, on-site parking of vehicles, which shall be provided under the appropriate terms of this ordinance.

On-Site. Located on the lot in question, except in the context of on-site detention, when the term means within the boundaries of the development site as a whole.

Open Air Trellis. Considered an architectural structure, usually made from an open framework or lattice of interwoven or intersecting pieces of wood, bamboo or metal made to support and display climbing plants.

Open Space. The part of a lot, including courts or yards, which is open and unobstructed and is available for entry and use from its lowest level to the sky, and is available for entry and use by the occupants of the building or buildings on the premises and may include space located and treated to enhance the amenity of the development by providing landscaping and/or screening for the benefit of the occupants or neighboring areas. Open space may include water surfaces that comprise not more than ten (10) percent of total open space, however, buffer areas, required setbacks or required parking shall not be computed as required open space.

Open Storage. See “**Storage, Open**”.

Out Parcel. A tract of land of any size or dimension, which is not included in a land development proposal or site plan and is specifically indicated as such on the proposal or plan.

Outdoor Sale(s). The selling of any goods, material, merchandise, or vehicles for more than twenty-four (24) hours, in an area open to the sky and/or visible from adjacent properties or rights-of-way.

Parking Lot. Off-street facility used for the storage or parking of motor vehicles to provide an accessory service to a commercial, industrial, or residential use.

Party Wall. A wall used or adapted for joint service between two (2) buildings or units.

Pergola. A landscape feature forming a shaded walkway, passageway, or sitting area of vertical posts or pillars that usually support cross-beams.

Personal Service. Beauty parlors, shops or salons; barbershops; reducing or slenderizing studios, electrolysis service; manicurist and the like.

Place of assembly. Place of assembly means a building or portion of a building in which facilities are provided for civic, fraternal, educational, political, religious, or social purposes, including but not limited to, “Church/House of worship” or “Club” as these terms are defined hereinabove.

Plat. A map, plan or layout of the village, section or subdivision indicating the location and boundaries of individual properties.

Plot. A parcel of ground containing more than one (1) lot upon which a building and its accessory buildings have been or may be erected.

Porch, Open. A roofed open structure projecting from the outside wall of a building without window sash or any other form of permanent enclosure.

Premises. Land and all building and structures thereon.

Principal Building. See “**Building, Principal**”.

Principal Use. See “**Use, Principal**”.

Private Club. Organizations, which are privately owned and operated by their members and not operated for profit, which maintain recreational, dining and athletic facilities for the exclusive use of its members and their guests and uses accessory or incidental thereto.

Professional Office. The office of a person engaged in any occupation, vocation, or calling, not purely commercial, mechanical, agricultural or agricultural/equestrian in which a professed

knowledge or skill in some department of science or learning is used by its practical application to the affairs of others, either advising or guiding them in serving their interest or welfare through the practice of an art founded thereon. [Ord. No. 132-2021]

Professional Service. The conduct of business in any of the following related categories: Architectural, engineering, planning, law, medicine, music, art, interior design, dentistry, accounting, insurance, real estate, finance and securities investments and any similar type business.

Public Agency. Any government or governmental agency, board, commission, authority or public body of the Village of Golf, Palm Beach County, State of Florida, of the United States Government, or any legally constituted district.

Public Building. Any building held, used, or controlled exclusively for public purposes by any department or branch of government, state or county, or municipal, without reference to the ownership of the building or of the realty upon which it is situated.

Public Improvement. Any improvement, facility, or service, together with customary improvements and appurtenances thereto, necessary to provide for public needs as: Vehicular and pedestrian circulation systems, storm sewers, flood control improvement, water supply and distribution facilities, sanitary sewage disposal and treatment, public utility and energy services.

Public Use. The use of any land, water, or building by a public agency for the general public.

Public Safety and Nuisance. Anything which is injurious to safety or health of the entire community or a neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

Public Utility. Includes any publicly or privately owned utility, such as, but not limited to, storm drainage, sanitary sewers, electric power, water service, gas service, telephone lines, whether underground or overhead.

Recorded Lot. See “**Lot of Record**”

Recreation/Open Space Use. Any privately or publicly-owned passive or active park, playground, golf course, access easement, beach, parkway, or other recreation areas and open space as well as areas designated as such in the recreation/open space land use category.

Residence. See “**Dwelling**”.

Residential Use. Use of land or structure(s) thereon, or portion thereof, as a dwelling place for a single family. See “**Dwelling**” and “**Family**” definition. [Ord. No. 133-2021]

Restrictive, More (Less). A regulation imposed by this ordinance is more (less) restrictive than another if it prohibits or limits development to a greater (lesser) extent or by means of more (less) detailed specifications.

Restaurants.

Type I Restaurant – (High turnover). An establishment that includes three or more of the following components as part of its sale of food and beverages: may include a drive-thru, an area for sales to patrons for takeout or dining in, that includes food or beverage choices advertised on a menu board whereby the patrons orders at an in-store kiosk, or countertop and payment is made to a sales clerk prior to the consumption of the food and/or beverages; disposable containers and utensils; limited service dining facilities with no hostess or waiters; and self-service or prepackaged condiments. This type of restaurant may either be in-line with other uses or supported within a stand-alone structure. A specified allocation of square footage may be requested within a Planned Commercial Development and indicated on the master/site plan to allow for flexibility placement of Type I Restaurants for in-line development. [Ord. No. 119-2019]

Type II Restaurant – (High quality/sit down). An establishment with no drive-thru, that includes three or more of the following components as part of its sale of food and beverages: tables whereby food and beverages are served and consumed on the premises; a host or hostess that assists patrons upon entry with seating and reservations previously made and may offer a printed menu; food and beverage choices are selected from a printed menu and made to waiters or waitresses at a table; food is served on dishes and metal utensils are provided; and, payment is made after the consumption of the food and/or beverages. [Ord. No. 119-2019]

Retail Sales and Service. The selling of goods in small quantities directly to the consumer in establishments, which provide a service or offer a product to the general public.

Retail Sales Area. The area in square feet devoted exclusively for the sale or display of goods or commodities.

Right-of-Way. A street, alley, or other thoroughfare or easement, whether physically accessible or not, which has been permanently established or dedicated for the passage of persons or vehicles. Title to this land remains with the public or private agency until the need no longer exists.

School. A place for systematic instruction in any branch or branches of knowledge.

Screen (Screening). To conceal; a structure of landscape planting or other suitable opaque material, for the purpose of totally concealing from view those areas so screened.

Setback. A distance from the property line, or other line specifically established by zoning ordinance, within which buildings are prohibited.

Setback, Center Line. See “Street Centerline Setback”.

Shopping Center. A group of architecturally unified commercial establishments built on a site, which is planned, developed, owned and managed as an operating unit related in its location, size, and type of shops to the trade area that the unit serves.

Sign. Any advertisement, announcement, direction, or communication produced in whole or in part by the construction, erection, affixing, or placing of a structure on any land or water or on any other structure, produced by attaching on or posting or placing any printed, lettered, pictured, figured, or colored material on any building, structure or surface. Signs placed or erected by government agencies or non-profit civic associations for a public purpose in the public interest shall not be included herein, nor shall this include signs, which are a part of the architectural design of a building. Every sign, ground sign, wall sign, roof sign, illuminated sign, projecting sign, temporary sign, and street clock, (which) shall include any announcement, declaration, demonstration, illustration or insignia used to advertise or promote the interests of any person when the same is placed in view of the general public is included in this definition.

Single Family Residence. A dwelling intended for occupancy by one family. See “**Dwelling**” and “**Family**” definitions. [Ord. No. 133-2021]

Special Exception. A use that would not be appropriate generally or without restriction throughout a land use category, but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare of the area and the community. Such uses may be permitted in such land use category as special exceptions, only if specific provision for such special exceptions is made in the ordinance.

Standard Building Code. The building code adopted by a municipality or county pursuant to the requirements of Section 553.73, *Florida Statutes*.

Start of construction. For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P. L. 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within one hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a structure, whether or not that alteration affects the external dimensions of the structure.

Storage Shed. See “**Accessory Structure**”

Storage, Open. The safekeeping of any goods or products in an unoccupied space open to the sky for eventual removal not expected within seventy-two (72) hours, or for continuous replacement by same or similar goods or products.

Story. That portion of a building included between the upper surface of any floor, and the upper surface of the floor next above, except that the top-most story shall be that portion of a building included between the upper surface of the top-most floor and the ceiling or roof above.

Street. Any public or private thoroughfare, which affords the principal means of access to abutting property. It may be designated on the map as a street, avenue, boulevard, drive, place, court, road, terrace, way, circle, lane, walk, path, or otherwise.

Street Centerline. The line midway between the street right-of-way lines of the surveyed and platted centerline of a street, which may or may not be the line midway between the existing right-of-way lines or pavement.

Street Centerline Setback. The minimum distance measured from the street centerline required for the preservation of existing right-of-way and future right-of-way expansion.

Street Intersection. See “**Intersection**”.

Street Line. The line between the street and abutting property also referred to as right-of-way line.

Street Tree. Landscape plantings located alone or within rights-of-way, which are conducive to the aesthetics and safety of said rights-of-way.

Structure. A walled and roofed building that is principally above ground, a gas or liquid storage tank, or other man-made facility or infrastructure, or that which is built or constructed; an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner. This includes but is not limited to, platforms, radio towers, sheds, storage bins, tents, and display signs. Fences and walls of less than three (3) feet in height and walkways and other landscaping elements such as birdbaths, fountains and like items of less than three (3) feet in height, flagpoles, lampposts, basketball backboards, and mailboxes shall not be considered as structures. For flood plain management purposes, structure means a walled and roofed building that is principally above ground, a including gas or liquid storage tank, or other manmade facilities or infrastructures.

Structure, Accessory. See “**Accessory Structure**”.

Structural Alteration. Any change in the supporting members of a building.

Structural Trim. The molding battens, capping, nailing strips, latticing, and platforms, which are attached to the sign structure.

Subdivision. The division or separation of a parcel of land into two (2) or more lots or parcels by means of mapping, platting, conveyance, change or rearrangement of boundaries. All subdivisions are also developments and shall be in conformance with subdivision regulations of the Village of Golf.

Substantial damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement. Any combination of repairs, reconstruction, alteration, rehabilitation, addition, or other improvements to a structure, taking place in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure before the start of construction of the improvement.

Swimming Pool. Any structure designed for swimming, wading or other aquatic recreational purposes, capable of containing a body of water eighteen (18) inches or more in depth and forty (40) square feet or more of water surface area, and top edge of pool not to exceed two (2) feet above average finished grade.

Temporary Use. See “Use, Temporary”.

Terrace. An open porch without a permanent roof.

Theater. A building or part of a building, devoted to showing motion pictures, or for dramatic, musical or live performances.

Trellis. See “Open Air Trellis”.

Trim. See “Structure Trim”.

Use. The purpose of activity for which land or any building thereon is designed, arranged, or intended, or for which it is occupied or maintained.

Use, Accessory. An accessory use is one which: (1) is subordinate to and serves a principal structure or a principal use; (2) is subordinate in area, extent, and purpose to the principal structure or use served; (3) is located on the same lot as the principal structure or use served except as otherwise expressly authorized by provisions of this ordinance; and (4) is customarily incidental to the principal structure or use.

Use, Principal. The specific primary purpose or function for which land is used.

Use, Temporary. A temporary use is one established for a fixed period of time with the intent to discontinue such use upon the expiration of such time. Such uses do not involve the construction or alteration of any permanent structure.

Variance. A variance is a deviation from the district requirements of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the physical characteristics of that particular property and not the result of the actions of the owner, agent, or applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship.

Vehicle. Any self-propelled conveyance without commercial signage designed for and used for the purpose of transporting or moving persons, animals, freight, merchandise, or any substance, and shall include passenger cars, trucks, buses, motorcycles, and scooters, and recreational vehicles.

Video Sales and Rental. Commercial establishments engaged in the sale and rental of video equipment, tapes, and accessories for home entertainment.

Waiver. A minor deviation, as described in Section 10.041.F Waiver, in lieu of Variance of the code, from zoning district requirements where such waiver will not be contrary to the public interest.

Warehouse. A building used primarily for the storage of goods and materials.

Wholesale. The sale of goods or commodities usually in bulk or large quantities and usually at a lower cost to a retailer for resale. Such sales activity takes place in establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers, or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

Yard. The unoccupied and unobstructed open spaces on the same lot with the main building, which extend from the ground upward.

- a. Front Yard. The open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the main building.
- b. Rear Yard. The open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest line of the main building.
- c. Side Yard. The open space between the main building and side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point of the side lot line to the nearest point of the main building.

Zone. The area within certain uses of land and buildings are permitted and certain others are prohibited, yards and other open spaces are required, lot areas, building height limits, and other requirements are established, all of the foregoing being identical for the zone in which they apply.

1.06 JURISDICTION:

The development regulations contained herein apply to all properties and lands within the corporate limits of the Village of Golf, Florida, as they exist now or as they may be legally altered.

1.07 LAND USE CATEGORIES; ZONING DISTRICTS:

For purposes of the Land Development Regulations, the following land use classifications are used to describe the current land uses in the Village of Golf:

- A. Residential
- B. Commercial
- C. Agricultural
- D. Agricultural/Equestrian
- E. Recreation/Open Space
- F. Conservation
- G. Public Building and Facilities

[Ord. No. 132-2021]

[Ord. No 134-2022]

The boundaries of the land use classifications and the zoning districts are as shown in the Future Land Use and Official Zoning Maps adopted by the Village Council. [Ord. No. 125-2019]

Village Zoning Districts identical in name to the Land Use classifications have been assigned to parcels with the identical land use classification except within the Commercial Land Use classification where the Village has adopted three commercial zoning districts entitled, Limited Commercial, Commercial General, and Workplace Commercial. [Ord. No. 125-2019]

2.01 SUBDIVISION OF LAND:

2.02 PURPOSE:

Provide for the development of suitable and compatible land uses which will preserve, protect, enhance and be within the established character of the Village of Golf (Future Land Use Element, Goal 1.0.0)

DEVELOPMENT SITE PLANS REQUIRED:

Unplatted areas or parcels of land within the Village of Golf, Palm Beach County, Florida shall not be subdivided into smaller areas or parcels of land until a plat of or development site plan for such subdivision, showing location and size of proposed smaller areas or parcels of land, rights of way and easements, has been submitted to and formally approved by the Village Council. The Village Council shall not approve a development site plan which results in a reduction in the level of services as established in the Capital Improvement and Infrastructure Element of the adopted Village of Golf Comprehensive Development Plan. The subdivision of land must also adhere to Florida State Statutes Chapter 177.

3.01 LAND & WATER USE REGULATIONS FOR LAND USE CLASSIFICATIONS:

3.02 PURPOSE:

To promote the health, safety, morals, and general welfare of the present and future residents of The Village by:

- A. Giving effect to the Goals, Objectives, Policies and plan recommendations of the Future Land Use Element of the current adopted Village of Golf Comprehensive Development Plan.
- B. Regulating the use of land and water for those existing land use classifications included in the current adopted Village of Golf Comprehensive Development Plan.
- C. Controlling and regulating the growth of the Village concentrating development in areas where only adequate infrastructure can be provided.
- D. Preventing the overcrowding of land, and protecting landowners from adverse impacts on adjoining developments.
- E. Preserve and Protect open space and recreational areas (Recreation/Open Space Element, Goal 1.0.0).

3.03 RESIDENTIAL:

Within the residential land use category depicted on the Future Land Use Map of the Village of Golf Comprehensive Development Plan and zoning district of the same name, no building, structure, land or water shall be used except for one of the following uses:

- 1. **Permitted Uses:**
 - a. Single-family dwellings including accessory structures, swimming pools and uses customarily incident to the above uses or approved special exception uses, not involving the conduct of business. All applications for use in the residential land use category shall adhere to the land development application requirements set forth in the Administrative Section of this Code.
 - b. Adult Living Facilities of six (6) or fewer residents as defined, and in accordance with Chapter 419 F.S. regulations for community residential homes located north of Golf Road.

2. **Building and Site Regulations**

a. **Minimum Lot Area**

1 acre* see below for nonconforming lots.

b. **Density**

Maximum density allowed in the Residential Zoning District is one (1) dwelling units per acre, located on a minimum one (1) acre lot. However, to prevent creating additional non-conformities, one (1) single-family unit may be built on each of the residential platted vacant lots existing as of June 27, 2007; and existing single-family dwelling units may be re-developed on the existing lot, even though the lot size may be non-conforming.

c. **Minimum Front Setback**

50 feet; measured from the centerline of the street bordering the lot frontage of the property.

d. **Minimum Rear Yard Setback**

(1) Buildings and Structures

(a) Golf Course Lots

40 feet for vacant property; however, if 51% of the total exterior wall area of the structure, or 51% of the footage of the exterior footprint of the building, measured on a linear basis around the footprint of the structure is requested to be demolished, then the structure shall be classified as a new structure, and must conform to the current setback of 40 feet unless this action is as a result of a natural disaster, such as a hurricane or fire, in which case the structure may be rebuilt as it stood previous to the natural disaster.

(b) Golf Course Lot Additions

An addition to an existing structure on a Golf Course lot may be constructed utilizing the rear setback of the existing structure in place as of the effective date of this Ordinance, if the addition utilizes at least two walls of the existing structure.

(c) All Other Lots and Special Circumstances

All structures, new or additions, must meet a 20-foot setback. Where lots whose rear yard abut a lake, pond or other water body, a minimum rear yard of twenty (20) feet from the closest edge of water to the nearest point of the building footprint as identified on a current lot survey shall be required.

(d) Open Air Trellis Structures

Minimum 20' setback from rear property line or edge of water where a lake or pond encroach onto a property.

(2) Hardscape

10 feet, i.e. for open area such as patios or porches without a roof.

(3) Swimming Pools

20 feet, except for Golf Course lots which shall undergo site plan review by the Village Council. Determination of location approval will only be made after submittal of a plot site plan, a survey, a physical inspection by staff and an affirmative vote of the Village Council.

e. Minimum Side Setback

(1) Buildings and Structures

20 feet each side for one (1) story buildings and 30 feet for two (2) story buildings; and, in no instance shall the second story of a dwelling exceed 60% of the total area of the first story. (No building shall be nearer than 40 feet from any other building on the adjoining lot.).

(2) Hardscape

10 feet, i.e. for open area such as patios or porches without a roof.

(3) Swimming Pools

20 feet, except for Golf Course lots which shall undergo site plan review by the Village Council. All other lots and special circumstances- All structures, new or additions, must meet a 20-foot setback. Where lots whose rear yard abut a lake, pond or other water body, a minimum rear yard of twenty (20) feet from the closest edge of water to the nearest point of the building footprint as identified on a current lot survey shall be required.

f. Maximum Structure Height

(1) Golf Course lots:

Homes on these lots shall not exceed one-story. One story homes shall not exceed 25 feet in height measured from the finished floor elevation to the peak or ridge of the roof. Chimneys, decorative cupolas or other decorative features shall not extend more than 5 feet above the peak or ridge of the roof. Renovations or additions to existing homes shall not exceed the height of the home existing as of the effective date of Ordinance Number 50, (March 24, 1999) or twenty-five feet (25') whichever is less. All renovations or additions shall utilize the same architecture, roof pitch and style as the existing home.

(2) All other lots:

Homes may be one-story or two-story on all other lots within the Village. If a home is one-story, the maximum height shall not exceed 25 feet measured from the finished floor elevation to the peak or ridge of the roof. Chimneys, decorative cupolas, or other decorative features shall not extend more than 5 feet above the peak or ridge of the roof. If a home is two-story, the maximum height shall be 35 feet measured from the finished floor elevation to the peak or ridge of the roof. Renovations and/or additions to existing structures shall not exceed the height of the structure existing as of the effective date of Ordinance Number 94, (January 19, 2011) or twenty-five feet (25') for single story homes, whichever is less. Two story renovations and/or additions to homes on Turtle Grove Lane may be permitted after the effective date of Ordinance Number 94, (January 19, 2011). All renovations or additions shall utilize the same architecture, roof pitch and style as the existing home.

3. Other Regulations

a. Fences, walls and hedges

The installation of a fence, wall or continuous hedge must be approved by the Village prior to installation. No fence, wall or hedge may be constructed within any easement for streets or public utility. Nothing shall be constructed or placed in front of any easements for streets or public utilities. This applies to fences, walls, hedges, pillars, light poles, etc. Entry piers shall be setback a minimum thirteen (13') feet from the edge of road pavement to the edge of entry piers and proportionally correct. All fences must be landscaped to screen them from public view at the time of installation to a minimum of 75% of fence height. All walls must be landscaped to be aesthetically compatible with the surrounding area. All chain link fences must be coated with black or green coating and must be landscaped and screened at the time of installation. The maximum height of a fence or wall is six (6) feet, except that a maximum height of eight (8') feet is allowed for walls and fences at the following locations: on the rear lot line of Lots 18 through 33, Unit 1, Country Road; on the rear lot line of Lots 7 through 17, Unit 2, Country Road; on property adjacent to Golf Road and north of Country Road owned either by the Village of Golf or The Country Club of Florida, Inc.; on the side lot lines adjacent to Golf Road for Lot 1, Unit 1 and Lots 5, 6, and D, Unit 2; and a maximum height of only four (4) feet is allowed on lot lines adjacent to Golf Course property. All fences and walls adjacent to the golf course must be set back a minimum of 10 feet from the property line. All fences and walls allowed at the height of eight (8) feet must be fully landscaped and screened from public view. No fence or wall may be constructed within the rear yards of Lots 47 through 55, Unit 1, Pine Lane West. Gates to enclose any fence, wall, or hedge may only be installed in the rear or side yard, or in the front yard at a setback equal to the front wall of the main home. No gate shall be installed under the following circumstances: a gate that extends the front yard beyond the wall of the main home; a gate installed on a residential Lot line along Golf Road; or a gate installed to close off a driveway. There shall be no freestanding gates permitted in any location. [Ord. No. 133-2021]

b. Screens

No screened pool enclosures or screened roofed patios shall be constructed on Golf Course lots. Pools may be screened on non-Golf Course lots, however, they must be landscaped at a minimum of 75% of the final landscape height at time of installation, so as not to be visible from the road and must be screened from view of the adjoining properties.

c. Mechanical Equipment

All mechanical equipment (air conditioning, pool filters, pool heaters and pumps, etc.) shall be setback a minimum of 20 feet from the rear property line and must be screened from view of adjoining properties.

d. Construction

All construction shall conform to the Standard Building Code. All construction sites are required to be kept clean with construction materials stacked in an orderly fashion and no litter on site. A permit issued by the Village is required for construction containers or trailers. All vehicles working on the site must be parked on the property. Parking on the street or in Village parks is prohibited without prior approval of the Village Manager. Portable toilets are required to be enclosed on three sides with green plywood with the door facing the property under construction. The location must be approved by the Village Manager. Construction trailers require a building permit for temporary power and location placement and must be removed on or before the last day of the construction season. Portable Containers, such as those commonly known as PODs, are permitted on site for no more than 2 workdays and may not be left on site over a weekend. [Ord. No. 133-2021]

e. Non-Conforming Structures or Lots

Homes not meeting the requirement of this Zoning Code, as of the effective date of this ordinance shall be considered legal non-conforming structures and shall be allowed to remain as is and may be repaired. Complete replacement of structures shall be allowed. Nothing in this Section shall be taken to prevent the restoration of a building destroyed to the extent of not more than fifty (50) percent of its assessed value by flood, fire, explosion or other natural disaster casualty, or act of God or the public enemy, nor the continued occupancy of use of such building or part thereof which existed at the time of such partial destruction. The restoration of a building destroyed more than fifty (50) percent of its assessed value by flood, fire, explosion or other natural disaster casualty that was not self-inflicted or self-imposed, or act of God, or the public enemy shall be allowed to re-construct to 100 percent of its original size and dimensions. Restoration under this section must be started within ninety (90) days. No continued occupancy should be allowed in buildings that have been destroyed more than fifty (50%) percent of value until a Certificate of Occupancy is issued. Notwithstanding the above, an existing single family

structure may be replaced on an existing platted lot even though the lot size may be or remain non-conforming.

f. **Subdivision; Platting**

No property or portion of property may be combined, subdivided, re-subdivided or platted without prior approval from the Village Council. See Section 2.01 et seq.

g. **Permitted floor slab heights**

For all homes, the floor slab shall be a minimum of 18 inches above the crown of the road and a maximum of 24 inches above the crown or 18" above existing grade of the property, unless site conditions or FEMA warrant otherwise. For floor slabs not meeting this requirement, engineering justification must be submitted.

h. **Lawn Accoutrements**

Any lawn accoutrements located on a lot are prohibited from being viewed from the street and must be approved by Village Council. Such accoutrements are to be with surrounding properties.

4. **Floor Area Ratio (FAR)**

a. **Definition:**

FAR is a measure of land use intensity, expressing the mathematical relationship between the floor area of a building, including covered terraces, porches, outdoor patios, and recreation areas (but not open patios) and the gross area of the property. It is calculated by dividing the gross floor area of all buildings on a lot by the gross area of that lot.

b. **Formula Used; Residential:**

The following FAR formula shall be applied to all residential lots within the Village of Golf to determine the maximum floor area of all buildings on a lot, which shall be permitted to be constructed:

| Lot Size: | Maximum FAR |
|--|-------------|
| First 21,780 square feet: | .20 |
| Square footage in excess of 21,781 square feet | .10 |

c. **Maximum Size Cap:**

In addition to the above FAR, there shall be a maximum size cap of 12,000 square feet of building(s) on a single-family lot regardless of lot size.

5. **Design Guidelines**

While the Village of Golf has a variety of architectural styles, the preferred styles are Bermuda, British or Dutch Colonial, Traditional Mediterranean, French

Country, or Traditional however, existing buildings and structures with architectural designs and features that do not meet these preferred styles will be allowed for as long as the use continues. The following design guidelines are established to set forth parameters to apply to all residential construction within the Village of Golf to promote the goals of consistency of neighborhood character and consistency of color and materials. The Guidelines are as follows:

a. **Roof**

Roofs are a major visual element and similarities in roof types create visual continuity in a neighborhood; therefore, roof design, slope and materials shall match the architectural style of the building.

- (1) The plate height or roof-bearing height (eve height) of a single story structure shall not exceed 12 feet.
- (2) The plate height or roof-bearing height (eve height) of a two-story structure shall not exceed 24 feet.
- (3) The pitch of the roof shall be no steeper than 8:12 and no less than 4:12, excluding any flat roof area.
- (4) Flat roofs shall not exceed 10% of the total roof area. Portions of a hip or gable roof that appear flat are not to be included in this calculation.
- (5) Roof colors shall be white or natural earth tones; no bright or primary colored tiles are permitted.
- (6) Hip or gable roof designs are preferred, with roof overhangs not to exceed 3 feet.
- (7) Asphalt shingles, dimensional or compositional shingles, and S-Tiles shall be prohibited; however, individual shingles and tiles can be replaced resulting from damage or age. Gutters and downspouts shall be designed as a continuous architectural feature of the building and be painted to match fascia or wall materials unless copper is utilized.
- (8) Vents, flashing and pipe shall be painted to match adjacent building surface.
- (9) Roof overhangs and exposed rafters shall be consistent with the architectural style of the building.

b. **Windows**

Windows provide light and ventilation, as well as adding to the aesthetics of a building by creating proportion and articulation. The window style should conform to the building's architectural style, in addition to adhering to the following guidelines:

- (1) On a single story home, the vertical dimension of the window shall not exceed 8 feet. Transom windows are allowed for openings over 8 feet in height. The installation of a 2" minimum horizontal mull bar (minimum 6" visible dimension glass to glass) is required between the lower window and transom unit.
- (2) Windows on all homes shall be proportionately correct with more vertical dimension than horizontal dimension. A bank of windows over 2 windows wide requires a 6" visible vertical mull bar, measured glass to glass.

- (3) The use of muntins to divide windows into unified sections of four (4) square feet or less is preferred.
- (4) Casement, single hung or double hung windows are preferred.
- (5) There shall be a higher percentage of wall covering per wall than window treatment. Window areas should not exceed 50% of any single elevation and sliding glass or French doors are not considered windows in reviewing a design plan for compliance.
- (6) Hurricane resistant impact glass is preferred; however operable hurricane shutters are acceptable and should be proportional to the size of the window.
- (7) Glazed, reflective or mirrored glass shall be prohibited.

c. Shutters

Shutters shall function as a visual detail as well as weather protection. The shutter style should conform to the building's architectural style and adhere to the following guidelines:

- (1) Shutters shall be functional or give the appearance of functionality when windows or doors are rated impact resistant.
- (2) Classic shutter colors that are compatible with the building colors shall be preferred; shutters painted the same color as the building shall be discouraged; and shutters with extremely bright or fluorescent colors shall be prohibited.
- (3) The use of traditional horizontal slat (louvered) or panel type shutters shall be preferred.
- (4) Shutters that are out of scale with windows shall be discouraged.

d. Exterior materials, colors, driveways, and miscellaneous:

- (1) Vinyl, metal, or aluminum siding is not permitted.
- (2) Half elevation treatments, unfinished exposed concrete block, or logs (milled or rough), are not permitted as exterior treatments.
- (3) All sides of the house should relate to each other and the front of the house should not look substantially different from the other sides.
- (4) Earth tones or soft pastel colors should be the exterior color palette and no more than two colors of paint (excluding trim) should be used.
- (5) Porte Cochere (covered entry porches which vehicles can drive through) is not encouraged.
- (6) Enclosed garages are required; no carports are allowed; garage doors shall be located on the side of the dwelling, unless specifically approved by the Village Council; and, in no instance, shall a garage be located with the doors facing golf course lots.
- (7) Pervious surfaces, such as pavers are preferred for driveways.
- (8) Continuous columns that exceed 20 feet in height are discouraged.
- (9) Permanent foundation planting is required on all four elevations, as well as area planting.
- (10) At least 30% of the total lot area must be open green space, landscaped or sodded.
- (11) Stand-alone storage sheds are prohibited.

- (12) Swimming pools on Golf Course lots or visible from the Golf Course shall be screened from view by use of landscaping, fencing or any other method approved by the Village Council except for total pool enclosures and must undergo site plan review by the Village Council. Determination of location approval will only be made after submittal of a plot site plan, a survey, a physical inspection of the property by staff, and an affirmative vote of the Village Council
- (13) Entry piers shall be setback a minimum thirteen (13') feet from the edge of road pavement to the edge of entry piers and be proportionally correct.
- (14) Privacy walls within 20' from edge of paved road are discouraged.

e. **Denial**

Any project which does not adhere to the requirements of these guidelines, or which does not, in the sole determination of the Village Council, include sufficient preferred design features or which incorporates discouraged design guidelines such that the property is not harmonious with the surrounding homes, may be denied by the Village Council.

6. **Adult Living Facilities (ALFs)**

ALFs, as defined for this zoning district, shall conform to the following building and site regulations and the ALF regulations listed below.

ALF Regulations:

- (1) Building and Site Regulations, Other Regulations;
Floor Area Ratios (FARs); and, design guidelines that apply to single family homes shall apply to ALFs.
- (2) ALFs shall not be located south of Golf Road and within a radius of 1000 feet of another existing home with six (6) or fewer residents. Such homes shall not be required to comply with notification provisions of Ch. 419 F.S.; provided that, prior to the licensure, the sponsoring agency provides the Village with the most recently published data compiled from the licensing entities that identifies all community residential homes within the Village limits to show that no other community residential home is within a radius of 1000 feet of the proposed home with six (6) or fewer residents. At the time of home occupancy, the sponsoring agency shall notify the Village that the home is licensed by the licensing agency.
- (3) Only adult living facilities licensed by the appropriate agency of the State of Florida shall be permitted.
- (4) No temporary or permanent identification, directional or similar sign denoting name or purpose of establishment shall be permitted.

- (5) One parking space is required for each staff member, including part-time staff, and one and one-half (1-1/2) parking spaces are required for each non-staff members.
- (6) Sprinkler systems are required in all sleeping areas and all food preparation areas in accordance with the National Fire Protection Association (NFPA 101) Life Safety Code and the Florida Fire Prevention Code (FFPC).
- (7) No existing single family homes within this zoning district of the Village of Golf shall be reconstructed or converted into any type of ALFs.

3.04 COMMERCIAL DISTRICTS [Ord. No. 125-2019]

A. Limited Commercial

Purpose and Intent: To provide a limited mix of commercial retail, office, and personal service uses to serve Village residents and visitors of the surrounding residential neighborhoods. [Ord. No. 125-2019]

1. Permitted Uses:

- a. Personal Services establishments such as barber shops, beauty parlors, medical and dental clinics, restaurants, retail stores, professional and other offices, parking garages and lots, shoe repair, tailoring, watch and clock repairs, locksmith and mail facilities.
- b. Theaters, except drive-in theaters.
- c. Limited service establishments such as television and appliance sales and repairs, pet shops, bicycle repair shops, drug stores, dental, beauty and barber supply shops, cutlery sharpening and office supplies, provided that all activity be conducted entirely within an enclosed building.
- d. Gasoline pumping service stations providing no major repairs.
- e. Dry cleaning shops intended to serve the “walk-in-public” and modern automatic dry cleaning systems with a completely enclosed process and with solvent and vapor recovery units designed to prevent the emission of objectionable odors and effluents, provided that the cleaning solvents be a nonflammable agent and have the endorsement of the Board of Life Underwriters and Palm Beach County Fire Rescue.
- f. With the exception of gasoline pumping service stations, all permitted and special exception uses in a Limited Commercial District shall be conducted entirely within an enclosed building.

2. Special Exception Uses:

- a. Hotels and motels when located on sites having a lot area of at least twenty thousand (20,000) square feet, an average lot frontage at the base building line of a least one hundred (100) feet and a minimum lot area per sleeping unit of one thousand (1000) square feet.
- b. “Adult day care center” as this term is defined by state law and which is a state licensed facility pursuant to Part III of Chapter 429. Assisted Care Communities, *Florida Statutes*, (See Secs. 429.90-429.931, *Florida Statutes*.) Such center may not apply to be additionally designated as a “specialized Alzheimer’s services adult day care center” for Alzheimer’s disease or dementia-related disorder (ADRD) participants without obtaining additional special exception review and approval pursuant to Sec 10.05 of the Code.
- c. “Place of Assembly (75 seats or less)”

3. Building and site regulations:

- a. Front Yards – Not less than thirty (30) feet from the ultimate right of way line to the building.
- b. Side Yards – No side yard shall be required for commercial.
- c. Rear Yards – Not less than five (5) feet where an alley exists and fifteen (15) feet where no alley exists, provided that the minimum alley width is not less than ten (10) feet.
- d. Maximum structure height – No building or structure may be erected, converted, established, altered or enlarged to a height exceeding fifty (50) feet.
- e. Maximum Floor Area Ratio – 1.0.
- f. All building and parking regulations must conform to the Standard Building Code.

B. General Commercial

Purpose and Intent: To provide for a broad mix of commercial retail, office, and personal service uses to serve Village residents and the residents and visitors of the surrounding residential neighborhoods.

1. Permitted Uses:

- a. Personal Service establishments such as beauty parlors, day spas or salons, massage parlors, tailors or seamstresses, laundry and dry cleaning, tailoring.
- b. Medical, dental, veterinary offices or clinics, including urgent care facilities.

- c. Television and appliance sales and/or services.
 - d. Pet shops.
 - e. Bicycle sales and/or services, including repairs.
 - f. Shoe repair.
 - g. Office supplies.
 - h. Retail Stores.
 - i. Pet daycare (including grooming).
 - j. Carpet and upholstery cleaning services
 - k. Extermination and pest control.
 - l. Janitorial and general cleaning services.
 - m. Florist.
 - n. Watch and clock repairs.
 - o. Mail facilities.
 - p. Indoor fitness, including health clubs, cross training and instruction.
 - q. Professional offices.
 - r. Banks, brokerage offices and other financial institutions.
 - s. Type II Restaurant.
 - t. With the exception of gasoline pumping service stations and uses that include a drive-thru component, all permitted and special exception uses in a General Commercial District shall be conducted entirely within an enclosed building, unless expressly approved by the Village Council.
2. Special Exception Uses: The Village Council may waive the requirement for a Special Exception use review through a formal request to accompany the development application. The Village Council may apply conditions of approval relating to the use and/or operations taking place on the property as presented by the applicant.
- a. Hotels and motels for transient guests when located on sites having a lot area of at least twenty thousand (20,000) square feet, an average lot frontage at the base building line of at least one hundred (100) feet and a minimum lot area per sleeping unit of one thousand (1000) square feet.
 - b. Assisted Living Facilities as this term is defined in Chapter 429, Florida Statutes.
 - c. "Place of Assembly (75 seats or less)."
 - d. Gasoline pumping station with or without convenience store, providing no repairs.
 - e. Grocery stores with or without accessory uses, including Pharmacy or liquor stores.
 - f. Pharmacy.

- g. Shopping Center.
- h. Type I Restaurant (High turnover/fast food restaurants).
- i. Daycare, pre-schools, tutorial and testing centers.
- j. Any use identified herein which includes a drive-thru component.
- k. Wholesale trade and distribution.

3. Building and Site Regulations:

- a. Front Yards – Not less than thirty (30) feet from the ultimate right of way line to the building.
- b. Side Yards – The minimum side street (local, collector, arterial) setback shall be 20' from the base building line. The minimum side interior setback shall be 15'.
- c. Rear Yards – The minimum rear yard setback shall be 15'.
- d. Maximum structure height – No building or structure may be erected, converted, established, altered or enlarged to a height exceeding fifty (50) feet.
- e. Maximum Floor Area Ratio – 1.0 (based on gross acreage; FAR is calculated across the entire PCD).
- f. Maximum building coverage - .40 (based on gross acreage; building coverage is calculated across the entire PCD).

4. All building and parking regulations must conform to the Standard Building Code.

[Ord. No. 125-2019]

C. Workplace Commercial

Purpose and Intent: To provide a location for a mix of commercial uses which are more intensive and may require the imposition of conditions to appropriately segregate these uses from the uses existing in the general commercial, residential, agricultural and agricultural/equestrian zoning districts of the Village. [Ord. No. 132-2021]

1. Permitted Uses:

- a. Office/warehouses, less than 35,000 s. f. (includes research and development).
- b. Indoor self-storage (limited access) with no on-site resident manager and limited

to 2 stories.

- c. Uses listed as Permitted Uses in the General Commercial Zoning District, with the exception of Retail Stores which are not specifically listed as a Permitted Use in the General Commercial Zoning District (for example, a florist shop would be a Permitted Use in the Workplace Commercial Zoning District). Type II Restaurants, and Banks, brokerage offices and other financial institutions, all of which shall be prohibited in the Workplace Commercial Zoning District.

2. Special Exception Uses: The Village Council may apply conditions of approval relating to the use and/or operations taking place on the property as presented by the applicant.

- a. Service industry facilities such as equipment rental and repair and applicable accessory outdoor storage yards, contractor facilities, vehicle rentals, commercial printing, call center.
- b. Manufacturing, fabrication and processing of finished goods, including ancillary retain sales of finished goods.
- c. Wholesale trade and distribution.
- d. Landscape garden and nursery supply.
- e. Warehouse not greater than 50,000 s.f.

[Ord. No. 141-2023]

3.05 RECREATION/OPEN SPACE:

A. Land and water uses permitted in the recreation land use category depicted on the Future Land Use Map of the Village Comprehensive Development Plan and zoning district of the same name shall be for the following:

- 1. Permitted Uses: One private country club, including all necessary appurtenances, such as a clubhouse with restaurant, bar, offices, locker rooms and other facilities, and swimming pools, racquet courts, golf shop, employee quarters, caddie house, shelters, maintenance buildings and garages and any other structures, drainage ditches and other facilities necessary to the proper and efficient operation of the land and water uses for Recreation and passive open spaces.
- 2. Special Exception Uses: All Proposed new development. Applications must adhere to Goal 1.0.0 of the Recreation and Open Space Element of the Village Comprehensive Plan.
- 3. Building and site regulations:

- a. May be set by the Village Council through the Special Exception process, but may not exceed a Maximum Floor Area Ratio of 1.0.

3.06 PUBLIC BUILDINGS & FACILITIES:

A. Uses permitted. Within the Public Buildings & Facilities land use category depicted on the Future Land Use Map of the Village Comprehensive Development Plan and zoning district of the same name, a building, structure, facility, land or water may be used for one or more of the following purposes:

1. Permitted Uses:
 - a. Utilities facilities such as water treatment, storage and distribution; wastewater collection, lift stations, treatment and evaporation-percolation.
 - b. Administrative offices, security and maintenance facilities.
 - c. Parks and recreational facilities.
 - d. Vehicle fuel service station.
2. Building and site regulations.
 - a. Maximum structure height 35 feet
 - b. Minimum front set back 50 feet
 - c. Minimum rear set back 20 feet
 - d. Minimum side yards 20 feet from adjacent property line
 - e. Maximum Floor Area Ratio 1.0

3.07 AGRICULTURAL:

A. Uses permitted. Within the Agricultural land use category depicted on the Future Land Use Map of the Village of Golf Comprehensive Development Plan and zoning district of the same name, no building, structure or land use shall be allowed except one or more of the following:

1. Permitted Uses:
 - a. Horse stables for the breeding, training, raising and training of saddle and harness horses for sale.
 - b. Buildings such as attendant residency, equipment shelters and the like whose use is incidental to an approved agricultural use.
 - c. Preservation or conservation uses intended to maintain the general open space or vegetation on the land for environmental, educational or open space reason, without any commercial activity.
2. Special Exception Uses: Commercial purposes, i.e. horse exhibition, public riding lesson, produce, farm animals or other related commercial uses.
3. Building and Site Regulations.

- | | | |
|----|--------------------------|---|
| a. | Density acres | Maximum of one (1) dwelling unit per 9.5 acres |
| b. | Minimum lot size | 9 acres |
| c. | Maximum Structure Height | 35 feet in height, not to exceed two and one-half (2 ½ stories) |
| d. | Maximum Floor Area Ratio | 1.0 |

3.08 ADJACENT LAND USES:

New development shall ensure that land use compatibility between the Village and adjacent properties, which consist of low to medium density residential communities, remain intact.

3.09 PLANNED COMMERCIAL DEVELOPMENTS:

A. The purpose and intent of the Planned Commercial Development` (PCD) is to:

1. Provide the method by which parcels of land which have been assigned to one or more commercial districts may be developed pursuant to a unified master plan and land development regulations applicable to one or more commercial zoning districts.
2. Provide a maximum of design freedom by permitting applicants an opportunity to plan for the efficient development of a site utilizing flexible development regulations and to allow for the planned mixing of commercial uses.
3. Require that property approved by the Village council for a PCD will be developed through a unified design providing continuity among the various elements.
4. Provide for the continuity of functional landscaping with an emphasis on tree islands and shaded walkways throughout the parking fields throughout the PCD.
5. Provide for a strong emphasis on the aesthetics and architectural design of buildings within the PCD.

B. Unified control

All land included within a PCD shall be owned by or under the control of the owner, whether the owner is an individual, partnership, corporation or other form of ownership, which control may be in the form of a Property Owners Association. The owner or other form of ownership shall submit written consent from all property owners of record evidencing their consent to the unified development of the parcels within the PCD.

The owner or applicant shall execute a unified control agreement which binds all owners of parcels with the PCD, including their successors and assigns, which provides:

1. The site will be developed in accordance with a master plan approved by the Village Council, including any conditions of the approval.
2. Provide agreements, covenants, contracts, deed restrictions pertaining to the development of parcels within the PCD in accordance with the adopted final master plan; provide for the continuing operation and maintenance of any common areas, functions, and facilities; identify any areas within the PCD which the applicant proposes would be provided, operated or maintained at general public expense.
3. Bind all of the successors or assigns in title to the parcels within the PCD and to the conditions of development thereof.

C. PCD master site plan.

1. A PCD's master site plan may identify proposed sub-districts. The proposed sub-districts shall be shown on the PCD's master site plan and organized into uses from the Commercial General and Commercial Workplace sub-districts.
2. Those "in-line" uses which are proposed for development as part of, and which are contiguous to, a shopping center may be developed pursuant to and as components of the individual site plan for the shopping center.
3. Uses which are developed as outparcels of a shopping center, or otherwise independent of the "in line" uses within the shopping center shall be subject to a separate site plan review.
4. Any use which is not an "in-line" use of the shopping center which are designated as a special exception use shall be subject to review of the criteria established in the Land Development Regulations for special exception uses.

[Ord. No. 125-2019]

3.10 AGRICULTURAL/EQUESTRIAN

A. Uses permitted. Within the Agricultural/Equestrian land use category depicted on the Future Land Use Map of the Village of Golf Comprehensive Plan and zoning district of the same name, no building, structure or land use shall be allowed except one or more of the following:

1. Permitted Uses:
 - a. Horse stables for the boarding of horses or for the breeding, training, raising and training of saddle and harness horses, boarded or for sale.
 - b. Buildings such as attendant residency, equipment shelters and the like whose use is incidental to an approved agricultural/equestrian use.

c. Preservation or conservation uses intended to maintain the general open space or vegetation on the land for environmental, educational or open space reasons, without any commercial activity.

2 . Special Exception Uses:

Commercial agricultural/equestrian purposes, i.e. horse exhibition, public riding lessons, produce, farm animals or other related commercial agricultural/equestrian uses. Equestrian services shall be limited to uses intended to serve the needs of the adjacent agricultural/equestrian uses.

2. Building and Site Regulations.

| | |
|-----------------------------|---|
| a. Density acres | Maximum of one (1) dwelling unit per 9.5 acres |
| b. Minimum lot size | 9 acres |
| c. Maximum Structure Height | 35 feet in height, not to exceed two and one half (2 ½) stories |
| d. Maximum Floor Area Ratio | 1.0 |

[Ord. No. 132-2021]

4.01 STORM WATER MANAGEMENT/DRAINAGE:

4.02 PURPOSE:

To promote public safety, water quality, groundwater recharge and ecological factors by preventing flooding and environmental damage through the impositions of storm water management requirements on new development.

4.03 REQUIREMENTS:

- A. New development must meet the adopted level of service specified in the Capital Improvements Element Objective 1.2.0 of the Village Comprehensive Development Plan for all new development.
- B. Development site plans must specify the flow and control of water through elevation and swales (Drainage Sub-Element, Policy 1.1.2).
- C. Post development runoff volumes shall not exceed pre-development runoff volumes.

Review of the Village's existing residential developments indicates that the average lot has approximately 30% impervious area (70% pervious). Applying the Village criteria of pre and post development runoff volume and assuming the normal water table is four feet below the ground, the following table can be used for determining the amount of dry retention area needed to compensate for increases in impervious (building, pavement, etc.) areas.

| Percentage of Impervious Area | Required Onsite Retention in Inches |
|-------------------------------|-------------------------------------|
| ≤ 30% | 0 |
| 31% - 40% | 0.5 |
| 41% - 50% | 1.0 |
| 51% - 60% | 1.5 |
| 61% - 70% | 2.5 |

- D. New development must meet South Florida Water Management District (SFWMD) Lake Worth Drainage District (LWDD), Federal Emergency Management Flood Damage Prevention or the Village of Golf requirements for drainage facilities, whichever is more stringent.
- E. New Development must comply with the requirements of Chapter 6247-25, Florida Administrative Code, Regulations of Storm water Discharge, which is regulated by the Florida Department of Environmental Protection (D.E.). The purpose of this rule is to prevent pollution of Florida waters by storm water discharge from new, expanded or modified development.
- F. New development will be located in areas of minimal flooding on the Flood Prone Area Map, Village Comprehensive Development Plan, Future Land Use Element, Figure 3.
- G. New development must meet the following levels of service for protection from flooding and inundation shall be used as a basis for establishing minimum design for drainage requirements to support proposed new development:

DEVELOPMENT FEATURES

LEVEL OF SERVICE

| | | | |
|---|--|--------------|---------------------|
| 1. Lowest habitable space of residential and commercial buildings | 100-year, 3-day rainfall, assuming zero discharge; or 100 -year flood elevation per Flood Insurance Rate Map or 100-year flood elevation as stated by South Florida Water Management District rule, whichever is more restrictive. | | |
| 2. Residential Subdivision Lots | Drainage | Sub-Element, | Comprehensive Plan. |
| 3. Local Roadways | Drainage | Sub-Element, | Comprehensive Plan. |
| 4. Thoroughfare Plan Streets | In accordance with applicable requirements, per Florida Department of Transportation Drainage Manual. | | |
| 5. Residential Parking Lots | Drainage | Sub-Element, | Comprehensive Plan. |
| 6. Commercial Parking Lots | Drainage | Sub-Element, | Comprehensive Plan. |
| 7. Recreation/Open Space | Drainage | Sub-Element, | Comprehensive Plan. |

5.01 ENVIRONMENTAL REGULATIONS:

5.02 PURPOSE:

The following specific requirements for landscaping and conservation for land development in the Village are necessary to implement the Village of Golf Comprehensive Development Plan. These regulations shall be consistent with the Comprehensive Development Plan. The Environmentally sensitive lands designated in the Village of Golf Comprehensive Development Plan must be protected from development impacts. The Village Council is committed to ensuring the protection of soils, groundwater, surface water, shorelines, fisheries, vegetative communities, and wildlife habitat.

5.03 LANDSCAPE PLAN/LANDSCAPING REQUIREMENTS FOR NEW CONSTRUCTION AND MAJOR RELANDSCAPING OF EXISTING PROPERTY:

A landscape plan shall be required as part of the Development Site Plan application requirements for Large-Scale Developments defined in **10.07 DEVELOPMENT SITE PLAN REVIEW**. The landscape plan shall be reviewed by a qualified landscape architect, or other qualified professional with equivalent training and certification designated by the Village. No building permit or Certificate of Occupancy shall be issued for such building or paving unless such landscape plan complies with the provisions of these land development regulations and is approved by the Village Council. All inspections to determine compliance with the approved landscape plan shall be conducted by a qualified landscape architect, or other qualified professional with equivalent training and certification.

When a single family lot is being developed or redeveloped, a landscape plan shall also be submitted for review and approval of the Village Council. The landscape plan can be shown on an individual plot plan. The landscape plan shall be reviewed by, and written comments provided, for Village Council consideration by a qualified landscape architect, or equivalent professional training and certification designated by the Village. No building permit or Certificate of Occupancy shall be issued for such building or paving unless such landscape plan complies with the provisions of these land development regulations and is approved by the Village Council. All inspections to determine compliance with the approved landscape plan shall be conducted by a qualified landscape architect, or other qualified professional with equivalent training and certification.

1. All landscaped areas and plantings shall be provided with automatic irrigation facilities. All new development or construction shall provide irrigation wells on their property/site. No irrigation water shall be drawn from the lakes and ponds in the Village nor from the potable water system. All sprinkler heads shall be installed at ground level and their locations shown on the landscape plan.
2. The Village shall require the use of native vegetation, whenever possible, in landscaped area and removal of exotic tree species which are **listed in Section 5.04 Conservation Requirements**.

- A. A petitioner shall submit two (2) landscape plans on one or more sheets of paper measuring not more than 24" x 36" and drawn to a scale of 1/8"=1' - 0" or 1"=10' - 0". Eight (8) additional copies shall be submitted on one or more sheets of paper measuring not more than 11" x 17". One (1) electronic file in .pdf format shall be submitted on a CD. The following shall be provided on the Landscape Plan which have been prepared and sealed by a Landscape Architect registered in the State of Florida:

1. The landscape plans (drawn at a scale of 1/8"=1' - 0" or 1"=10' - 0") and specifications must show:

- a. Address
- b. Name of Owner or Builder
- c. Scale
- d. North Arrow
- e. Entire Lot
- f. Property Lines
- g. Easements
- h. Street Pavement Edge
- i. Existing & proposed above ground utility structures (transformers, light standards, etc.)
- j. Drainage swales and catch basins
- k. Proposed vegetation, scaled to size at time of installation
- l. All plants must be Fla #1 or better, as described in Grades and Standards for Nursery Plants Part I & II latest edition published by the Florida Department of Agriculture and Consumer Services.
- m. Existing vegetation to remain (name and size)
- n. Plant List (quantity, botanical and common name, container size, and the height, spread, and caliper at time of installation) (Palm tree heights to be shown at each palm on the plan).
- o. Transplant Information (if applicable).
- p. Vegetation on neighboring property that affects the landscape design (i.e. a hedge on the property line, large side yard neighboring trees that encroach over the property line).
- q. Irrigation statement that 100% of the property will have an automatic irrigation system installed.
- r. Use of 3" layer of mulch in all planted beds.

2. Minimum Tree Planting: A minimum of three (3) shade trees shall be required for the front yard and a minimum of two (2) shade trees shall be required for the back yard. Certain lots within a community may be granted exceptions (narrow, pie-shaped cul-de-sac lots etc.). Palm Trees may be substituted for shade trees at a 3-to-1 ratio (three (3) palms to equal one (1) shade tree). Certain large, specimen palm trees may be considered a 1-for-1 trade-off for shade trees (Canary Island Date Palm, large Royal Palms, Reclinata palm cluster, etc.) as determined on a case-by-case basis.

B. PLANT MATERIALS

Minimum Plant Heights and Widths Required at Time of Installation:

| | Min. Ht. | / | Min. Spread |
|--------------|----------|---|-------------------------|
| Trees | 14-16' | | 6-8' |
| Palms | 14-16' | | 10" caliper |
| Shrubs | 24" | | 18" (24" o. c. spacing) |
| Hedges | 36" | | 24" (24" o. c. spacing) |
| Vines | 36" | | staked |
| Groundcovers | N/A | | N/A |

1. Trees:

Tree species with invasive root systems which are likely to cause damage to roadways, underground utility lines, and paved areas shall not be planted. Trees shall be installed so that they are either in or out of planting beds by at least 48". Trees planted in sod areas shall have a 36" ring of mulch surrounding them. Trees shall be placed so that they will not grow into the building eaves. Use of native species trees are encouraged.

2. Palms:

Three (3) palm trees in clusters shall equal one (1) shade tree. Palm clusters shall include a minimum 4' stagger of palm heights. A palm shall have the minimum number of fronds as required for a "Florida No. 1" designation.

3. Shrubs:

Layout and spacing shall be done to create a tight mass of each variety with a space between each variety for ease of maintenance. Plants shall be selected and maintained to form layers or steps with the smaller plants in front of the larger growing varieties. Native, low maintenance, and flowering shrubs are encouraged.

4. Hedges:

May not exceed 6 ft. in height between properties and 8 ft. high along the rear property line, a main street, or a perimeter of the community.

5. Vines:

Vines may be used to assist with screening out fences and/or landscape walls where there is insufficient space for a hedge to provide the screening (i.e. narrow side yards, etc.). Vines may not be substituted for hedges where space permits a hedge to be used.

6. Lawn Grass:

Lawn areas shall be planted with St. Augustine (except for Floratam), Zoysia, or Bermuda Grass. Grass areas shall be sodded (solid sod), and shall be free of weeds and capable of growth and development. Sod shall continue to lake edges (water level) and edge of pavement in all cases. Odd, narrow hard-to-mow strips are

discouraged because of maintenance problems. All sod edges at planting beds, walks and drives shall be neatly and evenly cut. [Ord. No. 133-2021]

C. GENERAL LANDSCAPING GUIDELINES

1. Planting Beds:

Planting beds are required to have 80% coverage at time of installation regardless of quantities shown on plan. The desired effect of planting groups is one of fullness, with shrubs almost bursting out of their planting areas. Ideally, one should see no ground at all. This technique aids in minimizing unwanted weed growth in the plant bed. Planting bed edges should be smooth continuous curves for ease of maintenance.

2. Understory Accent Material:

Plants selected for understory accent planting should be of a variety that attain a maximum height of 6' at maturity.

3. Synthetic Plant Materials or Grass:

Synthetic plant material or grass is not permitted for exterior landscape planting within public view. However, realistic, premium grade synthetic grass or artificial grass may be used between pavers in driveways. The strips of turf may be no wider than four (4) inches and a minimum pile height of one (1) inch and must be installed over compacted subbase to which the artificial turf strips must be secured with glue or some other acceptable adhesive to avoid movement. The use of synthetic grass must be called out prominently in the landscape plan and a sample must be included at submission. [Ord. No. 133-2021]

4. Preservation of Existing Plant Material:

Removal of mature, existing trees is discouraged and preservation would be preferred. The intent is to retain large, tall, mature trees so that the community has an established appearance rather than the look of a newly developed property. All attempts should be made to properly prune overbearing trees to retain their natural tree shape, to open up their canopy to allow air to properly flow through, to address root systems that may be causing paving issues, and to remove periodic tree droppings to prevent temporary staining of paving, rather than removing the trees.

5. Impeding Drainage:

Trees, shrubs, and ground covers shall not be planted within any swale area or any other surface drainage pathway. Landscape material must not block lot drainage in any manner. Planting areas bounded by walks and patios should be raised and shaped to shed water and not create areas for water to collect.

6. Massing:

Plants should be arranged to create a definite composition. Plant material should be massed in groups of one variety rather than multiple single specimens. Avoid delineating property lines with planting arrangements.

7. Berms:
Berms should have smooth, gentle slopes characteristic of a golf course setting. A 3:1 slope shall be the maximum slope allowed, with 4:1 or flatter slopes preferred. This is not only more pleasing to the eye, but facilitates mowing and/or the retention of mulch. The height and width of ground forms should present an informal, gentle mounding appearance.
8. Buffering Of Wall Elevations and Roofs of Homes:
Particular attention should be given to homes with expansive areas of plain exterior wall (areas without windows, doors, detailing, etc.), especially when these elevations are visible from golf course areas, across lakes, from roadways and from neighboring homes. Large expanses of roof area should be buffered with the same considerations.
9. Buffering Two Story Homes:
Two story structures may require taller vertical plantings (trees and palms) to break-up the massing of the building(s).
10. Screening of Mechanical Equipment:
To minimize negative visual intrusion, all mechanical equipment (utility and junction boxes, air conditioners, pool equipment, pool heaters, generators, water filter systems, etc.) shall be completely screened from view from any roadway, golf area or neighboring homes with a 4' minimum height wall or hedge. Playground equipment shall be screened from golf courses, neighbors, and street views with landscaping sufficient to hide such equipment.
11. Irrigation:
Automatic underground irrigation systems will be installed to provide 100% coverage with a minimum 50% overlap of spray distribution. The use of controlled timing devices is required. The timing shall be adjusted to meet seasonal variation in watering requirements and drought restrictions. Owners are encouraged to use water conservation irrigation systems, such as drip systems and rain sensors and valves.

Irrigation systems are required to irrigate 25' from an owner's property line onto the golf course, to the edge of water at lakes, and to the edge of roadways.
12. Landscape Lighting:
Landscape lighting shall be designed to minimize off-site glare. Lamp color must be white, only. Fixtures shall be designed and installed to disappear into the landscaping. Lamp wattage, direction, and fixture-type selection shall all consider what is to be illuminated and to retain all illumination onto the owner's property. Landscape lighting plans must be included on the landscape site plan for review by the Village Council. [Ord. No. 133-2021]

13. Vegetation installation near water/wastewater service lines:
- a. The installation distance from a water/wastewater service line for a shrub, small tree or palm tree less than or equal to 20 feet at maturity shall be a minimum of 7 feet from the root barrier center, or 10 feet minimum from the planting's center line if no root barrier is used.
 - b. The installation distance from a water/wastewater service line for a typical canopy tree, "large palm tree" or exotic tree over 20 feet at maturity shall be a minimum of 10 feet from the root barrier center, or 15 feet minimum from the planting's center line if no root barrier is used.
 - c. The installation distance from a water/wastewater service line for any planting of a shrub, tree or palm tree shall be a minimum of 4 feet from the outer circumference edge of the existing root barrier;
 - d. Root barriers shall be planted a minimum of 36 inches deep, with approved root products to include "deep root" and "root solutions;"
 - e. All root barriers shall be installed in accordance with manufacturers written instructions; and
 - f. "Large palm trees" shall include, but not be limited to, royal, washingtonian, bismark and other similar sized species when implementing these regulations.
- [Ord. No. 121-2018]

5.04 CONSERVATION REQUIREMENTS:

- A. No existing pine or native tree with a diameter of four (4) inches or more at the base may be removed without prior Village Council approval. Dead and diseased trees may be removed on notification to the Village Manager.

The following native trees shall be protected but do not represent an exhaustive list:

Coccolabe uvifera, Lysiloma bahamensis, Conocapsus erectus, Coccoloba diversifolia, Simarouba glauca, Quercus verginiana, Bursera simaruba, Corgia Sebestena, Royalstonea elata, Sabal palmetto, (Conservation Element Objective 1.3.0)

- B. Prohibited Plant Materials:
- Ficus Trees (native banyan trees are permitted)
 - Acacia (Acacia farnesiana)
 - Rosewood (Dalbergia sissoo)
 - Laurel Oak (Quercus laurifolia) - Live Oak (Quercus virginiana) shall be used in place of these
 - Melaleuca (Malaleuca leucadendron)
 - Brazilian Pepper (Schinus terebinthifolius)
 - Australian Pine (Casuarina equisetifolia)
 - Poison Wood (Metodium toxiferum)
 - Washingtonia Palms (Washingtonia robusta)
 - Carrotwood
 - Java Plum

Schefflera Tree
St. Augustine Floratam grass

Owner/builder is required to remove these prohibited plants if they exist on the property.

- C. The Village will promote water conservation strategies in new development. (Conservation Element, Section 6.2 WATER CONSERVATION)
- D. The Village of Golf will encourage the preservation and protection of native vegetation and the use of xeriscaping in new development (Conservation Element, Objective 1.3.0). Additionally, the Village will ensure that land development and future land uses include provisions for the protection of native habitat, preservation of existing trees (other than undesirable exotic vegetation) minimizing pollution, preserving wetlands and historic resources (Future Land Use Element, Objective 1.4.0. The Village will also provide a traffic circulation system which minimizes adverse effects on the natural environment (Transportation Element, Goal 2.0.0.) To further the goals, objectives and policies of the Village Comprehensive Plan, Section 5.06 below provides for the preservation of historic and specimen trees.

The landscape plans must adhere to the Conservation requirements mentioned previously.

5.05 LANDSCAPING REQUIREMENTS FOR COMMERCIAL PROPERTIES

A. Landscape Plan Required

A landscape plan is required for the development of commercial Large-Scale Developments as defined in Section 10.07 DEVELOPMENT SITE PLAN A. REVIEW. The landscape plan shall be reviewed by a qualified landscape architect, or other qualified professional with equivalent training and certification designated by the Village. No building permit or Certificate of Occupancy shall be issued unless the landscape plan associated with a new development or redevelopment complies with these land development regulations and is approved by the Village Council.

The landscape plan shall be reviewed by, and written comments provided, for Village Council consideration by a qualified landscape architect, or equivalent professional training and certification designated by the Village. No building permit or Certificate of Occupancy shall be issued for such building or paving unless the landscape plan complies with these land development regulations and is approved by the Village Council. All inspections to determine compliance with the approved landscape plan shall be conducted by a qualified landscape architect, or other qualified professional with equivalent training and certification designated by the Village.

1. All landscaped areas and plantings shall be irrigated by automatic irrigation facilities. All new development or construction shall be connected to an irrigation well or a utility provided reclaimed water system. In the event reclaimed water is available to the site, irrigation shall be provided by reclaimed water rather than well water. The use of potable water for irrigation is prohibited on any properties

within the Village. All sprinkler heads shall be installed at ground level and their locations shown on the landscape plan.

2. Landscape requirements may be waived by the Village Council if it finds that:
 - a. A waiver is necessary to implement the design intent and the purpose of the Village's landscape requirements would be substantially fulfilled.
 - b. A waiver is appropriate due to circumstances unique to the property.
 - c. A waiver is appropriate due to conflicts with utilities and other essential facilities and services, and the Village Council determines that an alternative landscaping plan would satisfy the requirements of this section.
 - d. The waiver of certain landscaping requirements would result in the aesthetic improvement of the site and comply with the intent of these landscape requirements.
 - e. The proposed deviation allows the applicant to address the waiver through alternative solutions, including but not limited to one or a combination of the following: architectural features, building placement, setbacks, berms, and landscaping, that have the same effect as perimeter or right-of-way landscape and promote mixed use and walkability.

The Village Council hereby establishes the following rules, regulations and guidelines regarding the protection of existing vegetation, the installation of native landscaping and the maintenance of all vegetation including, but not limited to, trees, shrubs, and ground cover within the Village's corporate limits.

B. Purpose.

- (1) Provide for the appearance within the Village.
- (2) Protect, preserve and promote the appearance of the Village by requiring buffering between commercial and residential uses.
- (3) Provide for installation and maintenance of landscaping and screening to:
 - a. Improve air and water quality through natural processes of photosynthesis;
 - b. Maintain permeable land areas critical to surface water management and aquifer recharge;
 - c. Reduce and minimize air, noise, heat, and chemical pollution and soil erosion;
 - d. Promote energy conservation through the creation of shade and reduce heat gain in and on buildings or paved areas; and
 - e. Reduce the temperature of the microclimate through the process of evapotranspiration.

- (4) Increase land values by requiring landscaping for non-residential developments.

C. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

ANSI A300 Standards means the American National Standard for Tree Care Operations published by the National Arborist Association and approved by the American National Standards Institute.

Buffer, perimeter landscape, means a continuous area of landscaping which is required to be set aside along the perimeter of a property.

Caliper means quantity in inches of the diameter of supplemental and replacement trees measured at the diameter at breast height, or 4½ feet above the ground.

Conifer tree means any tree with needle leaves and a woody cone fruit, including, but not limited to, those representative species.

Deciduous means those trees that shed their leaves in the fall or winter.

Detention/retention area means an area, typically basin-shaped, which is designed to capture stormwater and to gradually release the same at a sufficiently slow rate to avert flooding.

Development means any proposed material change in the use or character of the land, including, but not limited to, land clearing, placement of buildings or other structures on land, mining, dredging, filling, grading, paving, excavating, drilling operations, permanent storage of materials or subdivision of the land into three or more parcels.

Diameter at breast height (DBH) means the diameter, in inches, of a tree measured at 4½ feet above the existing grade.

Earth berm means the mounding of earth or soil varying in heights above the normal grade as established by the crown of adjacent roads or roadways. The slope of the berm shall not exceed a one-foot to four-foot slope, to permit maintenance.

Evergreen means those trees, including broad-leaf and conifer evergreens, that maintain their leaves year-round.

Ground cover means plants, other than turf grass, normally reaching an average maximum height of not more than 24 inches at maturity.

Hat racking or tree topping means the cutting back of limbs larger than one inch in diameter within the tree's crown between branch collars/buds.

Hedge means a landscape barrier consisting of a continuous, dense planting of shrubs which form a compact, visually opaque living barrier.

Impervious area means a surface area on or in a parcel of real property, which prevents or severely restricts infiltration of stormwater into the earth.

Indigenous means having originated in and being produced, growing, living or occurring naturally within a particular region or environment.

Irrigation means the water supply system to support landscaping which shall be in the form of an underground sprinkler system providing 100 percent coverage of all landscaped areas or landscaping.

Irrigation system means a permanent, artificial watering system designed to transport and distribute water to plants.

Landscape architect means an individual engaged in the professional practice of landscape architecture. Such individual shall be licensed and currently registered within the state to practice under the bylaws as established by F.S. ch. 481, part II.

Landscaping means any combination of living plants (such as grass, ground cover, shrubs, vines, hedges, or trees) and non-living landscape material (such as rocks, pebbles, sand or mulch). Swimming pools, decking, pedestrian paths and sidewalks are not considered landscaping.

Mulch means non-living organic and synthetic materials customarily used in landscape design to retard erosion and retain moisture.

Native plant material means that material recognized as such by the state department of agriculture and consumer services.

Pervious surface area means all that area of land that can be landscaped or planted, that allows natural passage through by water, and is not covered by non-pervious manmade materials or structures, such as buildings or paving.

Plant community means a natural association of plants that is dominated by one or more prominent species, or a characteristic physical attribute.

Prohibited plant species means those plant species which are defined as Category I invasive plant species by the state exotic pest plant council. In addition, those species listed in section 26-125(b) shall also be prohibited.

Pruning means the removal of limbs, branches, and/or suckers in accordance with the National Arborist Standards.

Shrub means a self-supporting woody perennial plant of low to medium height characterized by multiple stems and branches continuous from the base.

Sight triangle means a point of measurement whereby an individual in a vehicle has the ability to sight a prescribed distance without pulling onto a vehicular thoroughfare.

Site means that parcel of land for which a vegetation removal permit is sought.

Site development plan or final site plan means an approved site development plan that has received site plan approval from the Village. Subdivision of land shall not be considered a site plan approval.

Supplemental planting means the planting of trees on a site that, prior to development, had less than the minimum standard of trees per acre of pervious surface area.

Tree means any living, self-supporting woody or fibrous plant which is a conifer, an evergreen, deciduous or ornamental.

Tree survey means a drawing certified by a land surveyor, engineer, or landscape architect registered in the state as to the location and size of all vegetation, as defined by this section.

Turf means continuous plant coverage consisting of grass species suited to growth.

Understory means assemblages of natural low-level woody, herbaceous, and ground cover species which exist in the area below the canopy of the trees, or one story in height.

Vegetation, native, means any plant species with a geographic distribution indigenous to all or part of the state according to the state department of agriculture and consumer services.

Vegetation, protected, means all vegetation other than prohibited plant species or vegetation excluded from protection under the exemption provisions of this chapter.

Vehicular use area (VUA) means any area used by vehicles, except public rights-of-way and thoroughfares, to include, but not be limited to, areas of parking, display or traverse of any and all types of vehicles, cars, motorcycles, bicycles, buses, boats, trailers, campers, airplanes or heavy construction equipment.

Vine means a plant whose natural growth characteristic produces climbing, meandering stems.

Weed means those trees, shrubs, or ground cover that are listed as such by the state exotic pest plant council, as well as any undesired, uncultivated plant that grows in profusion so as to crowd out a desired plant.

D. Applicability.

1. This Section shall apply to any new nonresidential development or to the expansion of existing development:

- a. Swales;
- b. Visibility at intersections;
- c. Pruning of trees;
- d. Turf and weed heights;
- e. Edging of curbs, sidewalks and roadways;
- f. Prohibited species;
- g. Clearance for tree canopies;
- h. Maximum hedge heights

2. All nonresidential properties which have applied to redevelop or renovate a site and which meet the thresholds below, shall comply with the minimum landscaping required herein. The property, to the extent of its alteration or expansion, as allowable, shall utilize the following thresholds:

- a. Structural additions in excess of ten percent of the total gross floor area of all existing buildings on the property; or
- b. Substantial improvement of the property, to include any combination of repairs, reconstruction, alteration or improvements to a structure or property (site), in which the cumulative costs is equal to, or exceeds ten percent of the current assessed value of the property and improvements thereon.

E. Inspections

Prior to scheduling a landscape inspection, the applicant shall submit a signed and sealed letter from the project landscape architect requesting an inspection and describing the status of the project's landscaping. If the landscape material has not been installed consistent with the approved landscape plan, the letter shall include a list of the modifications. If, at the time the inspection is requested, the landscape installation is not complete, the letter shall include a list of the outstanding improvements.

F. Property Perimeter Requirements

The following general requirements for the treatment of property perimeters shall apply to properties in the Commercial General and Workplace Commercial Zoning Districts:

1. The owner of any property which is developed or used for nonresidential uses and which is located adjacent to a residential zoning district or use shall install and maintain a protective screen wall or fence with a 6' hedge on the outside of the fence and applicable landscaped buffer along the entire perimeter of the property. Fenced enclosures around sideyards shall be screened from view by the public with landscaping. [Ord. No. 133-2021]
2. The minimum required perimeter landscaping buffer widths for commercially zoned properties shall be 20' when adjacent to residential zoned properties or those properties supporting residential uses. All other perimeter (not including right-of-way buffers) landscape buffers shall be a minimum of 15' in width.
3. A perimeter landscape and right-of-way landscape may have a maximum of 10' feet of overlap with utility easements with no less than 15' free and clear for landscape. Landscaping and structures within utility easements and utility rights-of-way are subject to the utility requirements and the approval of utility providers.
4. The following landscape buffer standards shall apply to properties being developed adjacent to or along Military Trail and Woolbright Road. A landscaping buffer shall be installed parallel with the applicable right-of-way.

- a. *Minimum width.* The landscape buffer shall have a minimum width of 25 feet, as measured from the ultimate right-of-way line.
 - b. *Restrictions.* No buildings or structures shall be erected or reconstructed within this buffer, except for permitted signs, lighting or required public utilities.
 - c. *Planting palette for installed vegetation.* The Village requires landscape plans to implement a minimum of 80 percent of the total installed and/or preserved landscape material to be those species listed on the Village's preferred species list or other species as approved by the Council.
 - d. A preferred species plant list is maintained at Village Hall and may be modified from time to time based on requirements of local utilities and best management practices.
5. Tree and shrub planting requirements for Military Trail and Woolbright Road
- a. At the time of installation, all tree material shall be of heights varying from eight (8) feet to fifteen (15) feet with 50% of the trees no less than twelve (12) feet in height at time of installation.
 - b. The minimum number of trees and shrubs required in the buffer is as follows:

Table 1. Military Trail, Golf and Woolbright Roads- Quantity of Trees and Shrubs Required

| Use Abutting Right-of-Way | Tree Planting Requirements long Roadway Frontage* | Shrub Planting along Roadway Frontage* |
|---------------------------|---|--|
| Nonresidential | 1 tree planted 25' on center | 100% of the linear frontage |

*Pedestrian and vehicular access points may be excluded from the above planting buffer requirements when the access points are approved by the Village. Landscape windows may be provided at a rate of 1 window per 300' of frontage and shall be no greater than 60' in width.

- c. *Shrub planting requirements.* At the time of installation all shrub material shall be from 10 to 36 inches with a minimum container size of three gallons and a maximum spacing of 24" on center. Tree spade and transplanted material from on-site shall be a minimum 36 inches in height at the time of planting.
6. *Maximum number of palm species planting.* The Village encourages the use of no greater than 50% of the total trees which are required to be installed may consist of palm species. Three palm trees shall account for one tree, as required pursuant to these regulations. This shall include preserved/relocated/installed plant materials.
7. *Berming requirements.* Where transplanted, relocated and/or nursery-installed materials are planted, a maximum average three-foot berm shall be located within the required buffer, subject to the following:

- a. The height of the berm shall be measured from the top of the adjacent installed sidewalk or top of the curb, whichever is lower.
 - b. The maximum average permitted slope shall be a three to one ratio.
 - c. In specific locations where it can be demonstrated that the construction of the berm and landscape material would obstruct special scenic views, obstruct views for safety reasons or prevent the successful preservation of native vegetation, the berm and/or landscape material may be reduced and/or eliminated, if approved by the Village Manager.
8. *Preserved plant materials.* On-site vegetation which is viable to be preserved shall be preserved within the required buffer widths. Existing native trees and shrubs that are preserved or relocated within the buffer areas, shall be credited towards satisfying the minimum required installation of landscaping.
9. *Lakes.* Lakes may be provided within the required buffer areas, provided there are no reductions in the minimum buffer width.
10. Sidewalks shall be provided within the right of way (ROW) buffers along Military Trail and Woolbright Road. Proposed sidewalks shall be a minimum of 5' in width. Existing may remain and be maintained at existing width if in accordance with Federal ADA regulations.

G. Interior Landscape Requirements

A parcel of land containing more than 6,000 square feet of impervious surface area shall meet the following interior landscaping requirements in addition to the perimeter landscaping required herein.

- 1. *Ratio of area.* An area of land equal to 20 percent of the amount of vehicular use area provided on a development plan shall be the amount required for the interior landscaped area. The required interior landscaped area shall be provided as foundation planting, peninsulas or islands in the vehicle use area, or in other green space areas, but excludes the required perimeter landscaping.
- 2. *Foundation planting area standards.*
 - a. A minimum of 40 percent of the linear length of all principal building façades shall be improved with foundation planting for those facades which are visible from a public right-of-way or residential zoning district.
 - b. The minimum width of any foundation planting area shall be five feet, measured from a point located 12 inches from the building base.
 - c. Areas within one foot of the building foundation shall not count towards the calculation of foundation planting.
 - d. Landscape material within one foot of the building foundation is prohibited (to allow for termite treatment of the building).

- e. *Plant materials.* A minimum of one shade tree, 12 to 14 feet in height, three palm trees, eight to 12 feet of clear trunk, or three accent trees, 6 to 10 feet in height, shall be provided for every 250 square feet of foundation planting. Additional plant material such as a combination of mass plantings of shrubs, of a minimum height of 2 to 3 feet, or mass plantings of ground cover of a minimum height of one-half foot to two feet, and/or accent plants are required as a foundation for buildings, accent architectural features, and reduce the scale of a building.
3. *Vehicle use area standards.* Interior landscaping peninsulas or islands shall be provided in vehicle use areas, subject to the following standards:
- a. *Plant materials.* Each landscape peninsula or island shall contain the following minimum plant material: one tree with a minimum height of 12 to 14 feet, plus seven shrubs with a minimum height of two to three feet and a minimum container size of three gallons, or 15 ground cover plants, a minimum of one-half to two feet in height. Peninsula and island areas over 150 square feet shall be vegetated to meet the green space standards set forth herein.
 - b. *Dimensions.* The minimum length of a landscape peninsula or island shall be equal to the length or depth of a standard parking space. The minimum width of a landscape peninsula or island shall be eight feet, measured from the interior curb.
 - c. *Location.* There shall not be more than ten (10) parking spaces occurring in a row, unless it is necessary to preserve existing vegetation or unless approved by Village Council, but in no case shall the number of parking spaces exceed 14 spaces..
4. Terminal landscape islands shall be placed at the end of each row of parking spaces, and shall be a minimum of eight feet in width from the interior of the curb, and the length of a parking space.
- a. *Divider medians.* A divider median a minimum of 12' in width shall be provided between every fourth aisle or sixth row of parking spaces and between all parking and vehicular use areas. This divider median shall include a 4' sidewalk with pedestrian amenities for weather protection such as a trellis, canopy, benches, or similar.

H. Pervious Area Standards

- 1. This section establishes minimum requirements for pervious areas to:
 - a. Improve environmental quality, including improved air and water quality through the removal of carbon dioxide, the generation of oxygen, the

facilitation of aquifer recharge, the reduction of stormwater runoff, and the prevention of soil erosion and sedimentation, through the preservation and installation of vegetation.

- b. Conserve water by preserving and installing plants which are adapted to south Florida seasonal precipitation rates; by encouraging the use of plant materials specifically suited to the growing conditions of a particular location; and by planting of fewer sod/turf areas.
 - c. Reduce heat gain in or on buildings or paved areas by naturally cooling surrounding air through the evapotranspiration process from vegetation and the creation of shade by providing trees.
 - d. Provide human psychological and physical benefits through the use and arrangement of landscape materials to break up and moderate the monotonous built environment.
 - e. Provide a haven for urban wildlife.
 - f. Improve the aesthetic appearance of development through the use of plant material, thereby protecting and increasing property values within the Village.
 - g. Encourage the use of transitional plantings in stormwater detention/retention areas.
2. The provisions of this section shall apply to each parcel of land zoned for nonresidential use, as identified on the official zoning map of the Village.
3. The minimum green space requirements apply to:
- a. All areas of preserved native vegetation;
 - b. All interior and perimeter landscape areas; and
 - c. Stormwater retention/detention areas; provided, however, no more than 10 percent of the required green space shall consist of dry and wet stormwater areas. Stormwater retention/detention areas may constitute a larger portion of the overall green space if such areas are vegetated in a manner that is consistent with the requirements herein.
4. Calculation of Pervious Area.
- a. A minimum of 25% of the overall site must be allocated as pervious surface area. This includes dry detention areas; however it does not include lakes or wet retention areas.

I. Curbing

Curbing shall be incorporated into all interior portions of vehicle use areas, interior landscape areas, buffer yards, and perimeter landscape areas. Such curbing may extend two feet into each parking stall as a replacement for wheel stops or an alternative method of preventing damage to plant material. Mountable curbs shall only be used in conjunction with wheel stops. Wheel stops are not otherwise required. Weep holes or breaks should be provided through curbs or other appropriate means and shall be provided for stormwater runoff to be absorbed by landscaped areas. Catch basins for stormwater runoff should be encouraged to be located within grassy areas but not in the minimum required perimeter landscape buffers or preserve areas.

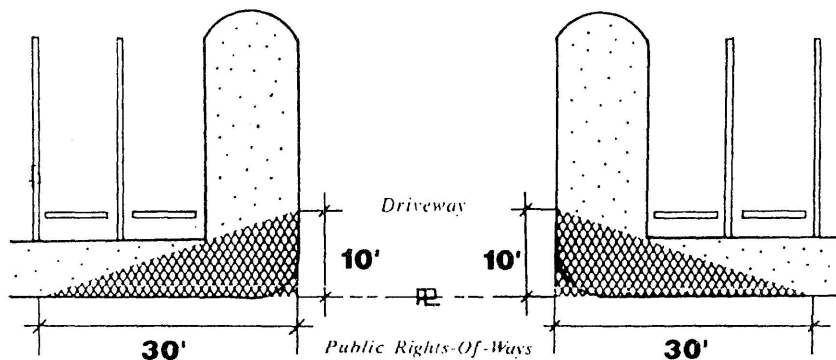
J. Driveway and Street Intersections

To ensure that landscape materials do not create driving hazards, sight triangles shall be preserved at all street intersections or intersections of driveways with streets. Within this sight triangle, no landscape material nor parked vehicles, except for grass or ground cover, shall be permitted. Within the sight triangle, trees shall be permitted as long as, except during early growth stages, only the trunks (no limbs, leaves, etc.) are visible between the ground and six feet above the ground or otherwise do not present a traffic visibility hazard. Shrubbery is permitted, however, the maximum height at maturity shall not exceed 30 inches.

A sight triangle defined as providing minimum line of sight of ten feet by 30 feet shall be maintained at all driveway intersections as illustrated in the following driveway intersection sight triangle drawing in this subsection.

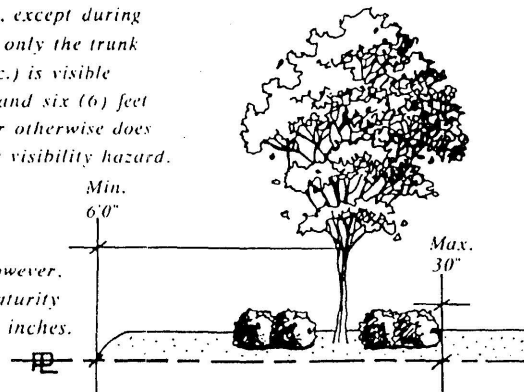
Driveway Intersection Sight Triangle

A minimum line of sight (ten (10) feet by thirty (30) feet) shall be maintained at all driveway intersections as illustrated below:



**Within the sight triangle, trees shall be permitted as long as, except during early growth stages, only the trunk (no limbs, leaves, etc.) is visible between the ground and six (6) feet above the ground, or otherwise does not present a traffic visibility hazard.*

**Shrubbbery is permitted, however, the maximum height at maturity may not exceed thirty (30) inches.*



K. Screening

All mechanical equipment, electrical equipment, water meters, exhaust vents, etc., located at ground or roof level shall be entirely screened from public view (all sides) utilizing opaque materials (e.g., wood fencing, brick, block, etc.) and/or landscaping as screening. Landscaping material shall be incorporated in addition to opaque screening on equipment located at ground level. Screening material shall accommodate maintenance or inspection thereof with the use of appropriate panels and/or hinged gates.

L. Irrigation Design Standards

All required landscaping material, except as noted below, shall have available an automatic underground irrigation or sprinkler system that provides 100 percent plant coverage with an automatic rain sensor for properties over one acre in size.

1. *Hours of operation.* Automatic systems shall be used and operated only during nighttime and dusk/dawn hours, thereby conserving water from evaporation and reducing fungus growth.
2. *Restrictions on the use of well water.* Well water irrigation shall not reduce the water table because it may result in salt water intrusion. If it is determined by the Village that such conditions occur, it may prohibit a property owner from using this method of irrigation.
3. *Amount of irrigation provided.* Watering of landscaping shall be of a sufficient amount to thoroughly soak material, thereby promoting deep root growth and drought tolerance and/or to provide adequate plant growth.
4. *Maintenance.* All irrigation systems shall be maintained to eliminate waste of water due to loss of sprinkler heads, broken pipes or misadjusted nozzles.
5. *Areas covered by irrigation.* Irrigation spray, whenever possible, shall only cover permeable areas, and shall not spray onto any paving or road surface. Special attention should be paid to well water, as the iron and minerals in the water cause unsightly staining.
6. *Conservation measures.* Weep or drip irrigation systems shall be used to promote conservation of water resources. Wherever feasible, use of IQ (irrigation quality) water for irrigation purposes shall be required to promote water conservation.
7. *Exceptions.* Temporary irrigation shall be permitted for those green space areas that include plant species indigenous to pine flatwoods. The temporary irrigation system shall be provided for a period of six months after plant installation or until plant material is established, whichever is later.

M. Plant Material and Installation

1. No more than 25 percent of all trees required or proposed to be planted in perimeter landscape buffers shall be palms (all species). When palms are chosen to meet buffer requirements, the clustering of three palms is required and the three palms shall be equal to one canopy tree, for buffer area requirements. No more than 50 percent of the total trees required or proposed on-site may be palms (all species). Fifty percent or more shall be native plant material, as recognized by the South Florida Water Management District.
2. All heights, specified herein, are the minimum height at the time of installation.
3. Ground cover shall be placed or planted on all portions of exposed ground or earth not occupied by other landscape materials. Ground cover consists of low-level plant material, grass or other permeable organic material capable of absorbing runoff.

Mulch, and similar approved materials may be used only in conjunction with living ground cover. Native ground cover is encouraged where possible.

4. Berming or earth mounds shall be physical barriers which block or screen the view similar to a hedge, fence or wall. Such berms shall be constructed not to exceed a three to one slope and adequate ground cover, and plant material shall be installed to prevent erosion.
5. All new vegetation shall be located so as to provide unrestricted flow or access to drainage swales or utility easements or areas where frequent pruning is required to avoid interference with overhead electric lines.
6. All new landscaping shall meet the minimum standards of Florida Number One or better, represented by the state department of agriculture and consumer services.
7. Shrub planting, when required to be planted by the Village, shall be spaced according to plant size and type of hedge material used. Hedges, where required, shall form a solid continuous visual screen one year after planting.
8. Tree planting, pursuant to the requirements, may be grouped upon meeting the overall intent of this chapter to provide visual buffers, breaking of monotony and a positive influence on the microclimate of the area. The use of walls, berming, and fencing may be utilized in conjunction with grouping of trees. All plant materials of each type and quantity, including trees, shrubs and ground cover, shall be at least 50 percent native. Native material shall mean such of natural plant materials as are listed by the South Florida Water Management District.
9. Substitutions of an approved plant material may be approved; however, such substitution shall only incorporate additional native material in excess of the 50 percent native materials as required.
10. Staking of all trees is required to ensure that healthy, stabilized plant and root growth occurs. The staking shall be as follows: guy and stake tree in three directions with black guying system or two strands of 14-gauge twisted galvanized wire and turnbuckle through flexible hose chafing guards, with wooden stake anchors immediately after planting. The staking shall remain until the plant has been established. The staking shall remain until the then current hurricane season ends unless otherwise determined to be appropriate by the Village. Staking shall be replaced or removed prior to causing girdling or damage to the plant, at the discretion of the Village Manager.

N. Landscape Maintenance

A property owner and/or its tenants, shall be jointly and severally responsible for the maintenance of all landscaping materials. The materials shall be maintained in a healthy, neat, and orderly

appearance, free from disease, pests, weeds, refuse and debris at all times. Property maintenance includes:

1. Periodic watering to maintain healthy flora, the use of more drought-tolerant material, minimizing fungus growth and stimulating deep root growth;
2. Pruning shall be in accordance with good horticultural standards as defined in the ANSI A300 Standards (or the most current standards), as set forth by the National Arborists Association and approved by the American National Standards Institute (with the exception of section 2.3.1 of the ANSI A300 Standards, which requires that pruning be performed only by arborists or arborist trainees). A maximum of one-fourth of a tree canopy may be removed from a tree within a one-year period, provided that the removal conforms to the standards of crown cleaning, crown thinning, crown raising, vista pruning, and crown restoration techniques. At the discretion of the Village and based on the severity of the violation, a tree which is pruned in excess of these requirements shall either be replaced in accordance or shall be subject to corrective pruning by a certified arborist. Nuisance and exotic species shall be exempt from the pruning requirements of this chapter;
3. Turf and weeds shall be mowed as required and shall not exceed six inches in height for developed nonresidential areas and eight inches in height in developed residential areas. Grasses and weeds shall not exceed 12 inches in height on vacant undeveloped properties;
4. All roadways, curbs and sidewalks shall be edged by the property owner who is adjacent to the roadway, curb and/or sidewalk as necessary to prevent encroachment of grasses;
5. All lawns and planted areas shall be fertilized periodically to ensure continued healthy growth;
6. Replacement of dead plant material is required;
7. Removal of unprotected, prohibited, harmful and illegal plant species shall occur;
8. All tree canopies that are planted on private property and overhang onto a public and/or private right-of-way shall remain clear from the ground level up to a height of eight feet six inches over sidewalks or drainage areas, and to a height of 13 feet six inches over public alleys, streets or highways.
9. Landscaping shall be inspected on a periodic basis by the Village to determine compliance with landscape installation standards.
10. Landscaping may be inspected as needed, of which the standards established above are maintained. The owner, or tenant shall be notified in writing via certified mail by the Village of any areas which are not being properly maintained, and shall,

within 15 calendar days from the time of notification, address and rectify the deficiency.

5.06 PRESERVATION OF HISTORIC AND SPECIMEN TREES

1. Definitions.

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Historic trees and *specimen trees* are defined as follows:

a. *Historic tree* means a tree that has been determined in the judgment of the Village Manager, in conjunction with the Mayor, and a Village consultant, if any, to be of notable public interest because of its historic nature and has been so designated by action of the Village Council.

b. *Specimen tree* means a tree that has been determined in the judgment of the Village Manager, in conjunction with the Mayor, and a Village consultant, if any, to be of high value because of its type, size, age or other professional criteria, and has been so designated by action of the Village Council.

2. Procedure for designation.

The designation of certain trees as historic or specimen trees shall require the following procedure by the Village Council:

a. The Village Manager shall notify the owner of the land upon which the tree is located, by certified or registered mail, that the Village Council will consider such designation at its next regularly scheduled meeting, such notice being mailed not less than 20 days prior to the meeting date. In the case of trees owned by the Village, the Village Manager shall present such trees for designation by the Village Council at a regularly scheduled meeting.

b. The Village Council will hear the reasons for designation, and any objections thereto; thereafter it will make its designations, which will be promulgated as part of the official records of the Village. In addition, the Village shall prepare and shall record in the public records of the county an official document reflecting the designation of the historic or specimen tree, which document shall be recorded against the land upon which the tree is located.

c. Within 14 days after the designation of historic or specimen trees, the Village Manager shall notify the owner of the land upon which the tree is located, who shall be furnished with a copy of the official action, by certified or registered mail, at the last known address of the owner of the property involved.

3. Damaging, destroying without permission, trimming without permission.

a. *Prohibited; penalties; replacement required.* No person shall, directly or indirectly, cut down, remove or move, or effectively destroy through damage any historic or specimen tree except after written permission duly obtained by application to and after a hearing before the Village Council. In addition, no person shall trim any historic or specimen tree without first receiving the written permission of the Village Manager. A person found guilty of a violation of this section shall be subject to penalties established by resolution of the Village Council and shall be subject to mandatory injunctive relief in a civil proceeding and/or subject to the jurisdiction of the Village Council. Additionally, any person found guilty of a violation of this section shall be required to replace the tree that has been damaged, removed or materially altered in character through illegal trimming with, to the extent possible, two trees of a size and kind to be determined by the Village Manager. One of the two replacement trees shall be planted in the same location as the damaged or destroyed tree after the damaged or destroyed tree and its root system have been removed. The second replacement tree will be planted at a location to be determined by the Village Manager on the same property. Said trees shall be replaced within twenty days of written notice from the Village. Failure to replace the tree in the manner set forth herein may result in a daily fine for each day the violation occurs.

b. *Exceptions; emergency removal and specified areas.* If any historic or specimen tree designated as such shall become dangerous to the public health, welfare or safety, and should require removal without delay in the interest of public safety, the Village Manager may authorize the removal thereof and promptly report such actions in that regard to the Village Council. If it is determined by the Village Manager and a Village consultant, if any, that any historic or specimen tree is in need of trimming or pruning and a determination is made by the Village Manager and a Village consultant, if any, that the trimming or pruning will not have an adverse effect on the life or the health of the tree, the Village Manager in conjunction with the Mayor may authorize the trimming or pruning of the tree and report such actions in that regard.

The provisions of Section 5.06 shall not apply to the following specified areas: active municipal recreation areas; utility areas; and tee, fairway, putting green, and other natural or manmade landscape features of a golf course.

4. Annual inspection of historic and specimen trees.
 - a. The Village Manager in conjunction with a Village consultant, if any, shall conduct an annual inspection of all designated historic and specimen trees within the Village in order to confirm their continued existence and to determine the overall health and/or condition of each tree. If upon the conclusion of the annual inspection it is determined by the Village Manager and a Village consultant, if any, that any historic or specimen tree has been removed or pruned in violation of the terms of this section or if it is otherwise determined that the life or the health of the tree is endangered, the Village Manager shall notify in writing the owner or owners of the land upon which the tree is located of the deficiency noted; and the owner shall be advised of the corrective action deemed necessary by the Village Manager in conjunction with the Mayor.
5. Natural growth to be preserved.

Every effort shall be put forth on all undeveloped property to retain any particular area of natural vegetative cover that is determined by the Village Manager, in conjunction with the Village arborist, to be a unique, valuable or nearly extinct ecosystem, unless it would unduly restrict the use of surrounding property or create a condition of undue hardship on the owner. In no case shall any tree, plant or shrub that has been determined by the Village Manager and the Village arborist to be of a unique, valuable or nearly extinct ecosystem, be removed, transplanted, damaged or destroyed except with permission duly obtained by application to and after a hearing before the Village Council.
6. Responsibility for historic and specimen trees during construction.

A list of all properties on which historic and/or specimen trees are located shall be maintained by the Village Clerk. Any person applying for a building permit on property that contains a historic/specimen tree shall be required to sign an acknowledgment on a form provided by the Village, of the location of the tree and the responsibility of the applicant for the health and integrity of the tree or trees during construction. Additionally, a historic/specimen tree's drip line location shall be shown on a provided to the Village showing the relation of the tree to the proposed building or construction prior to a building permit being issued. The applicant for the building permit shall provide to the Village a plan which is satisfactory to the Village indicating the manner in which the historic/specimen tree or trees shall be protected from construction activities. The Village may also require a bond in an amount

sufficient to protect the trees in the manner intended by this section, said bond to remain in effect until 60 days subsequent to the completion of the construction activities. In the event a historic/specimen tree is damaged or threatened with damage during construction as a direct or indirect result of the construction, all work on the job may be stopped by the Village Manager until the matter is resolved to the satisfaction of the Village. Any decision of the Village Manager in regard to any provisions of this section may be appealed to the Village Council at the next meeting of the council scheduled subsequent to the action of the Village Manager. The Village Council's decision shall be final.

7. Maintenance responsibilities and use fees for historic and specimen trees.

For all historic and specimen trees the maintenance responsibility is borne by the property owner. Private property owners who choose to may enter into a maintenance agreement with the Village, whereupon the Village shall perform the maintenance responsibilities defined in the agreement. For such maintenance, the private property owner shall be responsible for payment of a fee per tree as determined by the Village Manager. In the absence of a maintenance agreement between the property owner and the Village as described herein, or for major trimming and maintenance not covered by the agreement, the property owner shall be responsible for maintaining and protecting historic and specimen trees in accordance with this division.

[Ord. No. 138-2022]

6.01 POTABLE WATER WELLFIELDS:

6.02 PURPOSE:

To protect and safeguard the health, safety, and welfare of the Village of Golf Utility System Users by providing criteria for regulating, and prohibiting the use, handling, production and storage of certain deleterious substances which may impair present and future Village of Golf potable water supply wells and wellfields pursuant to the Palm Beach County Wellfield Protection Ordinance and the Adopted Village of Golf Comprehensive Development Plan.

6.03 DEFINITIONS:

The definitions are set forth in the Palm Beach County Wellfield Protection Ordinance which is available for public review at the Village Hall and the Utilities Department.

6.04 ZONES OF INFLUENCE:

A. Wellfield Zones: The Palm Beach County Wellfield Protection Ordinance establishes three (3) wellfield zones.

The Zones of Influence indicated on the Palm Beach County Department of Environmental Resources Management's Zone of Influence Maps are as follows:

1. Zone 1: The land area situated between the well(s) and the thirty (30) day travel time contour.
2. Zone 2: The land area situated between the thirty (30) day and the two hundred ten (210) day travel time contours.
3. Zone 3: The land area situated between the two hundred ten (210) day and the five hundred (500) day travel time contours, or the two hundred ten (210) day and the one foot drawdown contour, whichever is greater.

B. Permits: No building permit for any proposed development shall be issued by the Village of Golf that would allow development or construction in Zones 1, 2, or 3 that is contrary to the restrictions and provisions in the Palm Beach County Wellfield Protection Ordinance.

7.01 SIGNAGE/NEWSRACK REGULATIONS

7.02 PURPOSE:

To promote the Village aesthetics, traffic safety and proper conveyance of information.

7.03 REQUIREMENTS:

A. Permitted Signs: The erection, display and maintenance of a sign on any property or building within the Village of Golf is prohibited except the following, which are permitted:

1. Signs required by the Village of Golf or other governmental agencies where required by law and those which are necessary and incidental to the performance of governmental activities and responsibilities.
2. Signs required by a club, as defined in the Code designating and naming the club, as well as those signs providing notice to the public designed to prevent trespassing and/or the use of the club's property by persons other than those authorized by said club.
3. Signs required by owners of private property including their agents and contractors, which shall be limited to:
 - a. Only one sign which identifies contractors and/or subcontractors and their building or renovation activities and only in relation to such activities as are being conducted on the particular property on which the sign is to be erected, displayed and maintained. Such sign shall be permanently removed prior to the issuance of a certificate of occupancy or final inspection for the building or renovation activity described on the sign.
4. Owners of private property may erect, display and maintain a sign identifying their name or ownership, entrance and exit roads and street number identifying said property. All properties should have street number displayed and visible from the roadway for emergency services. Street number shall be a minimum of four inches (4").
5. Except for the designation of resident name, property owner, location, or address, the erection, display, and maintenance of an illuminated sign on any property is strictly prohibited.
6. Signs violating the building or electrical codes; signs constituting a safety hazard; blank temporary signs; portable signs; signs with motion; and signs erected on public property without Council approval are expressly prohibited.
7. Approved signs in a commercial lease with Village Square owners are permitted. Snipe signs are strictly prohibited.

8. All erected signs within the Village limits shall require a building permit.
9. No news rack shall be placed, used or maintain in a right-of-way.
10. No news rack may be chained, bolted or otherwise attached to any fixture located in a right-of-way.

8.01 CONCURRENCY MANAGEMENT:

8.02 PURPOSE:

In order to establish that the concurrency requirements of Florida State Statutes Chapter 163.3177 (3) (a), Florida Statutes, have been met, the following sections described the procedures and requirements for reviewing proposed Building permit applications to ensure maintaining the level of service (L.O.S.) standards adopted in the Capital Improvements Element of the Village Comprehensive Development Plan. State law requires that no development be approved for which services and facilities are not available concurrent with the impact of development. It is the intent of this section to describe those level of service requirements for the following public facilities.

8.03 LEVEL OF SERVICE:

A. Potable Water: Treatment and distribution must be provided to meet the needs of development at the adopted level of service of three hundred fifty (350) gallons per Equivalent Residential Connection (ERC) per day average daily flow for Potable Water Service. (Capital Improvements Element, Policy 1.2.1 Village Comprehensive Development Plan).

B. Sanitary Sewer: The adopted level of service shall be three hundred fifty (350) gallons per day average daily flow for sanitary service. (Capital Improvements Element, Policy 1.2.1, Village Comprehensive Development Plan).

C. Traffic Circulation: The adopted level of service shall be “C” for average daily traffic conditions and level of service “D” for peak season peak hour traffic conditions (Capital Improvements Element, Policy 1.2.4, Village Comprehensive Development Plan).

D. Drainage: Compliance with the provisions of Policy 1.2.2 of the Capital Improvements Element, Village Comprehensive Development Plan shall constitute the acceptable level of service.

E. Solid Waste: The level of service for solid waste shall be seven (7) pounds per capita per day (Capital Improvements Element Policy 1.2.6.)

F. Recreation: Compliance with the provisions of the Recreation/Open Space Element and Policy 1.2.3 of the Capital Improvements Element.

8.04 CONCURRENCY MANAGEMENT SYSTEM:

8.05 PURPOSE:

Recognizing the primary intent of Florida’s Community Planning Act (Ch. 163, F.S.) is for facilities and services needed to support development to be in place concurrently with the impacts of the development, a concurrency management system, based upon a realistic and financially feasible schedule of capital improvements and adequate implementing regulations has been developed to assure that development orders and permits are issued in a manner that the necessary

facilities and services are available to accommodate the impact of the proposed development. The Village of Golf Concurrency Management System shall ensure that the adopted level of service standards require for roadways, potable water, sanitary sewer, solid waste, drainage and recreation will be maintained prior to the issuance of any building permit.

8.06 APPLICATION OF CONCURRENCY MANAGEMENT SYSTEM:

The provisions of this section shall apply to any application received after February 1, 1990 for a building permit (as defined herein), re-zoning, Future Land Use Plan Amendment, site development plan approval, plat, re-plat or waiver of plat, or other official action by the Village of Golf having the effect of permitting the development of land. This does not include any variance or other official action necessary solely for the purpose of issuing a permit, other than a building permit, pursuant to the South Florida Building Code.

8.07 CONCURRENCY FINDINGS:

A. As provided herein, no building permit shall be issued where levels of service for all public services and facilities in section 8.03 will not meet or exceed the adopted Level of Service Standards or where the issuance of the Development Order (building permits) would result in a reduction in the level of service for any service or facility below those Level of Service (L.O.S.) standards.

B. Where any public service or facility is currently operating below the adopted level of service standards, or where the issuance of a building permit will result in a reduction in the level of service for any service or facility below the level of service standards as set forth in Section 8.03 assurances that facilities or services necessary to serve the proposed development shall be made by one or more of the following means:

1. The necessary facilities are under construction at the time the building permit is issued; or
2. The necessary facilities and services are the subject of a binding executed contract for the construction of the facilities or the provision of the services at the time the building permit is issued; or
3. The necessary facilities are funded and programmed for construction in year one of the Village Capital Budget; or

C. Where public facilities and services for a development are provided by the Village or owner/developer, they shall be included in an enforceable developer agreement.

8.08 REVIEW PROCEDURE FOR CONCURRENCY:

A. Building Permits. The adequacy of facilities and services at the time of issuance of building permits (as defined herein) shall be the review responsibility of the Village Manager. If the review of “concurrency” finds that the proposed building permit will cause a public facility or service

deficiency as described in this section, then that application shall be recommended to the Village Council that it be denied.

B. All other required reviews. The Village Manager or his/her designee shall receive for review all applications and supporting documents for any proposed rezoning, Future Land Use Plan amendment, development site plan, plat, re-plat or waiver of plat, or other official action by the Village Council having the effect of permitting the development of land. The applicant shall provide eight (8) copies of all supporting documents. The Village Manager shall review each application for adequacy of submitted information. This review will include the Village of Golf Utilities (Water & Sewer) and the Building Inspector.

C. Each reviewing official shall prepare written comments and recommendations with respect to the adequacy of public services and facilities to meet the projected needs of the development at the adopted levels of services. After review of these comments and other available information and the criteria set forth by this Code, the Manager shall make a recommendation for approval or denial or approval with conditions to the Village Council. The Village shall not issue a building permit unless there is a finding that the proposed new development will not cause public services or facilities to fall below the adopted levels of service.

8.09 PUBLIC FACILITY CRITERIA:

A. Potable Water: A finding that potable water service is available must be based upon a demonstration that the Village of Golf water treatment facility has reserved sufficient plant and distribution capacity to provide for reserved sufficient plant and distribution capacity to provide for the potable water needs of the application and for other developments in the Village of Golf utility service area which are occupied, available for occupancy, for which building permits are in effect for which potable water treatment capacity has been reserved. If potable water service is not available, an enforceable developer agreement providing for expansion of the Village of Golf water treatment facilities necessary to serve the proposed development at the level of service set forth in Section 8.03 shall be entered into prior to the issuance of the building permit within the Village Utility Service Area Map, Exhibit 3A, Infrastructure Element of the current Village Comprehensive Development Plan.

B. Wastewater: A finding that wastewater service is available shall be based upon a demonstration that an existing wastewater collection and treatment facility has reserved sufficient treatment and disposal capacity to provide for the sanitary sewer needs of the application and for other developments in the Village of Golf Utility Service which are either occupied, available for occupancy, or for which building permits are in effect or for which wastewater treatment capacity has been reserved. If the wastewater service is not available, a developer agreement providing for expansion of the wastewater treatment facilities necessary to serve the proposed development at the level of service set forth in Section 8.03 shall be entered into prior to the issuance of the development permit.

C. Solid Waste: A finding that solid waste facilities and services will be available to serve the needs of the proposed development shall be based upon the availability to serve the needs of capacity on the Palm Beach County Dyer Landfill and resource recovery facilities.

D. Recreation: All building permits for new development must meet the minimum Level of Service Standards adopted in the Village Comprehensive Development Plan and set forth in Section 8.03.

E. Traffic: A finding that the levels of services set forth in Section 8.03 will be available to accommodate the needs of the proposed development shall be based upon a Traffic Impact Analysis.

F. Drainage: A finding that the Drainage levels of service set forth in Section 8.03 will be available to serve the needs of the proposed development.

8.10 PROPORTIONATE FAIR-SHARE PROGRAM:

A. Purpose and Intent. The purpose of this section is to establish a method whereby the impacts of development on transportation facilities can be mitigated by the cooperative efforts of the public and private sectors, to be known as the Proportionate Fair-Share Program, as required by and in a manner consistent with §163.3180(5), F.S.

B. Applicability. The Proportionate Fair-Share Program shall apply to all developments that fail to meet the standards of the Land Development Regulations and the Village's Comprehensive Plan on a roadway within the Village that is not the responsibility of Palm Beach County, the Florida Department of Transportation (FDOT) or another agency. The Proportionate Fair-Share Program does not apply to the following:

1. Collector and arterial roads which are not the responsibility of the Village pursuant to Section 1.3(4) of the Charter of Palm Beach County, Florida. However, a traffic concurrency letter from the county is required to be submitted by the applicant certifying compliance with the county-wide Traffic Performance Standards Ordinance adopted pursuant to the County Charter prior to the issuance of a development order by the Village.
2. Developments of Regional Impact (DRIs) using proportionate fair-share under §163.3180(5), F.S.
3. Projects exempted from this chapter by state law.
4. Projects that received traffic concurrency approval prior to December 1, 2006.
5. Individual single-family homes.
6. Vested projects.

C. General Requirements. An applicant may choose to satisfy the LOS for transportation by making a proportionate fair-share contribution, so long as each of the following requirements are met:

1. The proposed development is consistent with the comprehensive plan and applicable land development regulations.
2. The road improvement necessary to maintain the LOS for transportation is identified in the five-year schedule of capital improvements in the CIE.
3. Any improvement project proposed to meet the developer's fair-share obligation shall meet the Village's design standards for locally maintained roadways.

D. Intergovernmental Coordination. Pursuant to policies in the Intergovernmental Coordination Element of the Comprehensive Plan, the Village shall coordinate with Palm Beach County and other affected jurisdictions such as FDOT, regarding mitigation to impacted facilities not under the jurisdiction of the local government receiving the application for proportionate fair-share mitigation.

E. Application Process

1. In the event of a lack of capacity, to maintain the LOS for transportation, the applicant shall have the opportunity to satisfy LOS for transportation requirements through the Proportionate Fair-Share Program subject to the requirements of subsection C.
2. Prior to the submittal of an application, eligible applicants shall schedule a pre-application meeting with Village staff. Subsequent to the pre-application meeting, eligible applicants shall submit a completed development application and all documentation requested by the Village. The Applicant shall be required to pay a reasonable fee for the cost of reviewing the application, said fee to be set by Resolution of the Village Council. If the impacted facility is on the Strategic Intermodal System (SIS), then FDOT will be notified and invited to participate in the pre-application meeting. The Village shall also have the option of notifying and inviting Palm Beach County.
3. Village staff shall review the application and certify that the application is sufficient and complete within 14 working days. If an application is determined to be insufficient, incomplete or inconsistent with the general requirements of the Proportionate Fair-Share Program as indicated in subsection C, then the applicant will be notified in writing of the reasons for such deficiencies. If such deficiencies are not remedied by the applicant within 30 days of receipt of the written notification, then the application will be deemed withdrawn and all fees forfeited to the Village, unless the Village determines that the applicant is working toward a remedy of the stated deficiencies in good faith, in which case the Village may extend the deadline as deemed appropriate by the Village.
4. Pursuant to §163.3180(5), F.S., proposed proportionate fair-share mitigation for development impacts to facilities on the SIS requires the concurrency of the FDOT. The applicant shall submit evidence of an agreement between the applicant and the FDOT for inclusion in the proportionate fair-share agreement.

5. When an application is deemed sufficient and complete in accordance with subparagraph E.3, above, the applicant shall be advised in writing and a proposed proportionate fair-share obligation and binding agreement prepared by the Village shall be executed by the applicant and delivered to the appropriate parties for review, including a copy to the FDOT for any proposed proportionate fair-share mitigation on a SIS facility, no later than 60 days from the date at which the applicant received the notification of a sufficient and complete application. If the agreement is not received by the Village within these 60 days, then the application will be deemed withdrawn and all fees forfeited to the Village, unless the Village determines that the applicant is working toward a remedy of the stated deficiencies in good faith, in which case the Village may extend the deadline as deemed appropriate by the Village.
6. No proportionate fair-share agreement will be effective until approved by the Village through an administrative approval.

F. Determining Proportionate Fair-Share Obligation

1. Proportionate fair-share mitigation for transportation LOS impacts may include, without limitation, separately or collectively, private funds, contributions of land, and construction and contribution of facilities.
2. A development eligible for participation under the Proportionate Fair-Share Program shall not be required to pay more than its proportionate fair-share. The fair market value of the proportionate fair-share mitigation for the impacted facilities shall not differ regardless of the method of mitigation.
3. The methodology used to calculate a development's proportionate fair-share obligation shall be as provided for in §163.3180 (5), F.S., as follows:

The cumulative number of trips from the proposed development expected to reach roadways during peak hours from the complete build out of a stage or phase being approved, divided by the change in the peak hour maximum service volume (MSV) of roadways resulting from construction of an improvement necessary to maintain the adopted LOS, multiplied by the construction cost, at the time of developer payment, of the improvement necessary to maintain the adopted LOS.

OR

Proportionate Fair-Share = $\sum [((\text{Development Trips}_i) / (\text{SV Increase}_i)) \times \text{Cost}_i]$

Where:

Development Trips_i = Those trips from the stage or phase of development under review that are assigned to roadway segment "i" and have triggered a deficiency per the Village's concurrency management system;

SV Increase_i = Service volume increase provided by the eligible improvement to roadway segment "i" per subsection F.3;

Cost_i = Adjusted cost of the improvement to segment “i”. Cost shall include all improvements and associated costs, such as design, right-of-way acquisition, planning, engineering review, inspection, administration, and physical development costs directly associated with construction at the anticipated cost, including contingencies, in the year it will be incurred.

4. For the purposes of determining proportionate fair-share obligations, the Village Engineer shall determine improvement costs based upon the actual and/or anticipated cost of the improvement in the year that construction will occur.
5. If an improvement is proposed by the applicant, then the value of the improvement shall be based on an engineer’s certified cost estimate provided by the applicant and approved by the Village Engineer or by some other method approved by the Village Engineer.

G. Impact Fee Credit for Proportionate Fair-Share Mitigation

1. Proportionate fair-share contributions shall be applied as a credit against road impact fees to the extent that all or a portion of the proportionate fair-share mitigation is used to address the same capital infrastructure improvements contemplated by road impact fees which may hereafter be established by the Village.
2. The proportionate fair-share obligation is intended to mitigate the transportation impacts of a proposed project. As a result, any road impact fee credit based upon proportionate fair-share contributions for a proposed project cannot be transferred to any other project.

H. Proportionate Fair-Share Agreements

1. Upon execution of a proportionate fair-share agreement (“Agreement”), the applicant shall receive a certification of concurrency reservation for capital road facilities. Should the applicant fail to apply for a development permit within 12 months, then the Agreement shall be considered null and void, and the applicant shall be required to reapply, unless the Village and the applicant mutually agree to an extension.
2. Payment of the proportionate fair-share contribution is due in full no later than issuance of the first building permit, and shall be non-refundable. If the payment is submitted more than 90 days from the date of execution of the Agreement, then the proportionate fair-share cost shall be recalculated at the time of payment, pursuant to subsection 8.11F and adjusted accordingly.
3. In the event an Agreement requires the applicant to pay or build 100 percent of one or more road improvements, all such improvements shall be commenced prior to

issuance of a building permit and assured by a binding agreement that is accompanied by a Performance Security, as determined by the Village, which is sufficient to ensure the completion of all required improvements.

4. Dedication of necessary rights-of-way for facility improvements pursuant to a proportionate fair-share agreement shall be completed prior to issuance of the first building permit.
5. Any requested change to a development subsequent to the issuance of a development order may be subject to additional proportionate fair-share contributions to the extent the change would generate additional traffic that would require additional mitigation.
6. Applicants may submit a letter to withdraw from the proportionate fair-share agreement at any time prior to the execution of the agreement. The application fee and any associated advertising costs paid to the Village will be non-refundable.

I. Appropriation of Fair-Share Revenues

1. Proportionate fair-share revenues shall be placed in the appropriate project account for funding of scheduled improvements in the CIE, or as otherwise established in the terms of the proportionate fair-share agreement. Proportionate fair-share revenues may be used as the 50 percent local match for funding under the FDOT TRIP, or any other matching requirement for State and Federal grant programs as may be allowed by law.
2. In the event a scheduled facility improvement is removed from the CIE, then the revenues collected for its construction may be applied toward the construction of another improvement within the Village that would mitigate the impacts of development pursuant to the requirements of subsection 8.11C.

9.01 ONSITE TRAFFIC FLOW:

9.02 PURPOSE:

To implement the Transportation Element of the Village Comprehensive Development Plan and to ensure safe and convenient traffic flow, considering needed vehicle parking regulations.

9.03 PARKING REQUIREMENTS:

A. Off-Street Parking Required. No commercial permitted accessory or special exception use or structure shall be located, erected, constructed, added on to, repaired, reconstructed or altered unless adequate off-street parking and loading/unloading is provided as hereinafter set forth.

B. Off-Street Parking. Size and access. An off-street parking space shall consist of a parking space having minimum dimensions of nine and a half (9.5') feet in width by eighteen (18) feet in length for the parking of each automobile, exclusive of access drives or aisles thereto. Minimum width of a one-way access drive shall be no less than twelve (12') feet and a two-way access drive shall be no less than twenty (20') feet in width. The minimum width of an aisle designed and intended for the maneuvering of vehicles into parking spaces shall be sufficient to allow maneuvering of a minimum of twenty-five (25') for 90 degree spaces, fifteen (15') for 60 degree spaces, and twelve (12') for 45 degree spaces. Each off-street parking space shall have direct connection to an access drive or aisle so that each automobile may be placed and removed from parking space without the necessity of moving any other automobile to complete the maneuver; tandem parking spaces are not permitted. [Ord. No. 125-2019]

C. Number of Parking Spaces. Applications for the construction of a home or for any proposed land use with the Commercial Zoning District must provide the required number of parking spaces as specified in Section 9.03D. Any proposed land use within the Recreation/Open Space Zoning District or the Agricultural Zoning shall provide the number of spaces required by the Village Council during the application's site plan review. District Parking calculations must also be evaluated for any use requesting an increase in capacity or intensity (i.e. adding dwelling units, guestrooms, floor area or seats) or a change in use or occupancy.

1. The off-street parking standards for specific land uses are as set forth in the table contained within subsection D. below. Building types or uses which do not correspond with the parking standards below, or are pursuant to a shared parking, or other agreement must be approved by the Village Council.
2. When more than one land use is proposed as part of a Large Scale Development or pods within a Planned Commercial Development, the number of required parking spaces may be calculated at a rate of 1 space per 250 square feet. Developments exceeding 25% gross floor area for Inline Type 1 Restaurants shall park the additional square footage beyond the 25% at 1 space per 3 seats.
3. When the calculation of the number of required parking spaces results in a fraction

of one-half space or greater, this shall be counted as one full parking space being required.

D. Required Parking Spaces

| | <u>USE</u> | <u>SPACES REQUIRED</u> |
|----|---|---|
| 1. | Single Family Detached Dwelling | Two (2) per dwelling unit |
| 2. | Hotels | One and one-tenth (1-1/10) per dwelling unit. A dwelling unit for the purpose of this requirement is composed of two (2) or less rooms. |
| 3. | Medical Clinics or Professional offices | 1 spaces per 200 s.f. |
| 4. | Type I and Type II Restaurants | 1 space per 3 seats |
| 5. | General Retail, commercial and Personal services, general offices, financial institutions | 1 space per 200 s.f. |
| 6. | Self Service Storage (limited or multi-access) | 1 space per 200 storage bays, minimum. 5 spaces |
| 7. | Convenience Store with gas/fuel sales | 1 space per 250 s.f., fueling stations may be counted toward required parking |
| 8. | Warehousing/Wholesaling | 1 space per 1,000 s.f. plus 1 space per 200 s.f. of office |
| 9. | Landscape Nursery and Garden Center | 1 space per 1,000 s.f. plus 1 space per 200 s.f. of indoor gross floor area |

E. Loading Spaces Requirement

- a. Those in-line uses and buildings within a Planned Commercial Development may request that the loading zone be waived based on justification presented by the applicant that a separate loading zone is not required or can be accomplished after business hours.

| Use | Gross Floor Area (Square Feet) | Loading and Unloading Spaces |
|-----|-----------------------------------|------------------------------|
|-----|-----------------------------------|------------------------------|

| | | 10 feet × 25 feet | 10 feet × 50 feet |
|-------------------------------|--------------------|-------------------|-------------------|
| Office Use | 0 to 1,000 | 0 | 0 |
| | 1,001 to 99,999 | 1 | 0 |
| | 100,000 to 149,999 | 0 | 1 |
| | 150,000 or more | 0 | 2 |
| Commercial and Industrial Use | 0 to 1,000 | 0 | 0 |
| | 1,001 to 19,999 | 1 | 0 |
| | 20,000 to 49,999 | 0 | 1 |
| | 50,000 to 99,999 | 0 | 2 |
| | 100,000 or more | 0 | 3 |

F. Bicycle Parking Requirement: One bike rack per 200 parking spaces. Each bike rack shall accommodate for 4 bikes.

G. Electronic Charging Units: A new or redeveloped use in the Limited Commercial Zoning District shall provide shall provide five (5) electronic charging stations for electronic or hybrid vehicles.

[Ord. No. 125-2019]

9.04 TRAILERS OR TEMPORARY STRUCTURES OR VEHICLES

A. On construction sites, trailers, temporary structures, or vehicles used for construction offices on a construction site or in a sub-division shall be permitted during the period of construction only after a building permit for the construction job has been issued; such trailer or trailers, temporary structures, or vehicles, must be removed from the building site following the issuance of the final certificate of occupancy. Extension periods of an additional thirty (30) days may be granted by the Building Official for good cause shown. Such permitted trailers, structures, or permission of the Village Council, and shall be permitted only after receiving a permit from the building official for each such trailer.

B. The intermittent or continual placement or utilization of any trailer, temporary structure, or vehicle for the use, such as, but not limited to, storage, shall be prohibited in all land development classifications.

9.05 PARKING RESTRICTIONS - COMMERCIAL VEHICLES AND TRUCKS, RECREATIONAL VEHICLES ON PRIVATE LOTS:

A. No commercial vehicles or trucks may be parked on any property or right-of-way within the residential land development classifications. Vehicles at residences must be parked in the

driveway or in the garage (with the exceptions listed below.) On street parking by residents or their guests is prohibited. [Ord. No. 133-2021]

1. Residential classifications include all areas within the Village of Golf as shown on the land use map.
2. This restriction shall not apply to the temporary parking of such vehicles on private property in residential classifications whereon construction is underway for which a current and valid building permit has been issued by the Village of Golf and said permit is properly displayed on the premises.
3. This restriction shall not apply to routine deliveries by tradesmen or the use of trucks in making service calls, providing that such time period is actually in the course of business deliveries or servicing, as the case may be.
4. This restriction shall not apply to the parking of emergency vehicles, providing that the time parked is actually necessary for the emergency vehicles driven by residents of the Village Of Golf and parked on their property.
5. This restriction shall not apply to a situation where such vehicle becomes disabled, and as a result of such emergency, is required to be parked within a residential classification for longer than the time allowed herein. However, any such vehicle shall be removed from the residential area within twenty-four (24) hours by wrecker towing, if necessary, regardless of the nature of the emergency, and the cost of such towing shall be at the expense of the owner of the vehicle.

B. Construction equipment, panel trucks, pickup trucks, vans, or similar types of trucks used for commercial purposes, recreational boating and camping equipment in the form of travel and camping trailers, boat trailers, boats on trailers and truck trailers designed and used as temporary living quarters for recreation, boating, camping or travel uses, parked on a lot containing a single-family residence in any residential area within the Village is not permitted.

These restrictions shall not apply to the parking of emergency vehicles, providing that the time parked is actually necessary for the emergency. Further, the restrictions shall not apply to volunteer emergency vehicles driven by residents or the Village of Golf and parked on their property.

C. The provisions and conditions set forth in subsection B above are intended to regulate the parking of vans or similar types of vehicles only used for personal transportation rather than commercial purposes.

D. In the case of doubt as to the proper classification of a specific vehicle under the terms of this subsection, the determination by the motor vehicle commission of the State of Florida shall be controlling.

E. All new development must conform to Policy 2.1.1 of the Transportation Element and must adhere to the requirements stated in the concurrency regulations for traffic in the Land Development Regulations.

F. Any part or the whole of this section may be waived by the Village Council on the filing of a written application for such action setting forth the reasons for the request. Such application must set forth a hardship on the part of the applicant, and granting of the request by the Village Council must be based on hardship.

G. Any person violating the provisions of this subsection, upon a finding of violation being issued, may be fined pursuant to the provisions of Ordinance 78, as may be amended, regarding code enforcement proceedings under Chapter 162, F.S. for each violation and for each day such violation continues.

10.01 ADMINISTRATIVE REGULATIONS

10.02 GENERAL PROVISIONS

A. Uses allowed. No land in the Village of Golf shall be used for any purposes other than those purposes set forth in this code.

B. Local Planning Agency.

1. The Village Council is hereby designated as the Village's Local Planning Agency pursuant to Chapter 163.3174, *Florida Statutes*, and shall perform all duties as prescribed in Chapter 163.3174(4), *Florida Statutes*.
2. All proposed land development regulations or amendments thereto relating to comprehensive planning shall be reviewed by the Village's Local Planning Agency. [Ord. No. 130-2021]

10.03 CONSTRUCTION PERIOD:

- A. Except as provided herein, complete plans for major construction, site, swimming pool, and associated landscape projects must be submitted and approved prior to a date which is provided in the Resolution of the Village Council for the construction period set forth at paragraph C. below. No building permit shall be issued for major construction projects after this start date for the major construction period each year except permits for that scope of work which is certified pursuant to paragraph D. below as being able to be completed within the said construction period after permit issuance. The Village may accept applications after this date and issue building permits on projects for which the owner or general contractor has offered certification pursuant to paragraph D below.
- B. At all times other than during the periods allowing for major construction as set forth in this paragraph, all major construction activity, including but not limited to, utilities, streets, sodding, heavy landscaping, pruning and the use of heavy equipment or the production of loud noises **is prohibited** except to the extent that such construction activity is deemed necessary for emergency repair in the interest of public health, safety and welfare. Notwithstanding this general prohibition, any major construction work within the scope of existing permits scheduled only for the interior of the project that does not threaten to create adverse effects for neighboring properties, may occur after November 1 until December 15, so long as such work is not allowed to continue during the Thanksgiving holiday period beginning from the Saturday prior to Thanksgiving through to the following Sunday. Requests for extension for completion of interior construction work may be made to the Village Manager as provided in Paragraph C below. However, these specific prohibitions against major construction activities shall not be construed to be applicable to general landscaping maintenance activities also utilizing heavy equipment with associated loud noises since such landscaping activities are specifically permitted from 7:00 A.M. through 7:00 P.M. throughout the year, except on Sundays and holidays when they are prohibited. [Ord. No. 133-2021]

- C. Requests for extensions for completion of interior construction work may be granted by the Village Manager pursuant to a resolution for such extensions adopted by the Village Council from time to time. [Ord. No. 133-2021]
- D. Major construction activity will be permitted Monday through Saturday at the following times during the specified periods of the year: from 7:00 A.M. to 7:00 P.M., from a start date which is set forth annually by Resolution of Village Council in November provided no start date is set earlier than April 1st through October 31; and from 7:00 A.M. to 5:00 P.M. from November 1 through December 15, subject to paragraph B regulations hereinabove. Major construction activity will not be permitted at any other times or on Sundays and holidays, except as permitted by the provisions of Section 10.03.
- E. The owner and general contractor shall certify by affidavit that major construction will start either on or after the initial date of the construction time period set forth in paragraph C. and will be completed by October 31 of that year, including the scope of work associated with landscaping, pool, and other approved accessory uses, unless otherwise permitted by the provisions of Sec. 10.03.
- F. The Construction Period Regulations contained in paragraphs A-D in this Section will apply only to property, regardless of zoning classification, located south of Golf Road. Property located north of Golf Road, regardless of zoning classification, may apply for land development approval and after receiving the appropriate approvals (site plan and building permit approval) may commence major construction at any time during the year.
- G. The Village Council has by Resolution established a policy relating to extensions for completion of the interior construction work (the Extension Period). All such extensions shall be governed by the Extension Policy as amended by resolution of the Village Council from time to time. [Ord. No. 130-2021]

10.04 CERTIFICATE OF OCCUPANCY:

It shall be unlawful to use or permit the use of any building or premises thereof hereafter created or erected, changes or converted wholly or partly in its use or structure until a certificate of occupancy to the effect that the building or premises or part thereof and the proposed use thereof conform to the provisions of this Ordinance shall have been issued by the officer designated by the Village Council in accordance with Sec. 111. Certificates of Occupancy and Completion of Chapter 1. Administration of the Florida Building Code as adopted by Ordinance No. 96 and as such ordinance may be amended.

10.041 VARIANCES

The Village Council shall have the duty and authority to hear applications for variances as set forth herein and make a final determination on said applications. When an application for variance is submitted to the Village, such application shall first be submitted to the Village Manager and Building Official for recommendation to the Village Council. Upon determination by the Village that the application is complete, a public hearing after due public notices as set forth below shall be held by the Village Council on said application.

- A. *Standards.* In considering a variance application, the Village Council must consider that variances may only be permitted where there are unusual and practical difficulties in carrying out the provisions of this Ordinance due to an irregular shape of the lot, topographical irregularities, or other specific site conditions. The Village Council shall consider whether, owing to these special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary and undue hardship. In order to authorize any variance from the terms of this ordinance, the Village Council must find that:
1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and that these conditions and/or circumstances are not applicable to other lands, structures or buildings in the same zoning district;
 2. The special conditions and circumstances do not result from the actions of the applicant;
 3. The granting of the variance requested will not confer upon the applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district;
 4. Literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant;
 5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; and
 6. The grant of the variance will be in harmony with the general intent and purpose of this ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
- B. *Conditions of Approval.* When approving applications for variance, the Village Council may prescribe appropriate conditions and safeguards in conformity with this code. A final determination to approve, to approve with conditions, or to deny the variance shall be made by the Village Council at the public hearing and a written order shall be issued within ten (10) days of the hearing date.
- C. *Notice Requirements.* Due public notice as herein required shall be deemed sufficient when a notice is mailed via First Class Mail approximately twelve (12) days before the public hearing date to all property owners within a 500 foot radius of the boundary lines of the property for which the variance is requested. The notice shall state the substance of the request, the time and the place for the public hearing before the Village Council. Any party may appear in person or by agent or attorney at the public hearing.

Additionally, the Village Clerk shall mail a copy of said variance application for residential construction to:

1. President of the Country Club of Florida
 2. President of the Village of Golf Homeowner's Association
- [Ord. No. 133-2021]

No application shall be heard less than twelve (12) days after the provision of notice to property owners directly affected as herein required, and all applications will be heard at a regular meeting of the Village Council unless otherwise ordered by the Council and duly advertised.

- D. *Violations; Time Limitations.* Violations of such conditions and safeguards as prescribed by the Village Council when made a part of the terms under which the variance is granted, shall be deemed a violation of this section and the variance shall be considered void. Variances shall become void if not exercised within six (6) months of the date granted. Before this six (6) month period has expired, the applicant may make a written request to the Village Council for an additional six (6) month's extension. Any further extensions of time shall require a new application to be processed as a new case. If the variance is denied no new application for the same request may be submitted for a period of one (1) year.
- G. *Application process for variances; filing fee.* A written application for variance shall be submitted in a form provided by the Village including a statement from the applicant as to why the variance is requested, indicating the section of the zoning code from which relief is sought, and how the request meets the six (6) standards set forth in section (A) above. The applicant shall also submit a Development Site Plan in conformance with **Section 10.07 DEVELOPMENT SITE PLAN REVIEW** herein.
- F. *Waiver, In Lieu of Variance.* A waiver, in lieu of variance may be granted for minor deviations equivalent to ten (10%) or less from the zoning district requirements. In no instance shall waivers be applied toward the use of property, minimum lot area, density or floor area ratio is considered.

The Village Manager, Village Building Official or the Village Council may waive any of the foregoing items that are not relevant to the variance request.

10.05 SPECIAL EXCEPTIONS:

- A. Where listed in the specific zoning district, application to the Village Council may be made for a specific special exception use.
1. Every person requesting a specific exception as herein contemplated shall make written application to the Village Council and shall file the same and eight (8) copies thereof with supporting facts and data with the Village Clerk.

The clerk shall mail or email a copy of said residential application to:

- a. Owners of the property immediately adjacent thereto and across the street or street easement therefrom.
- b. President of the Country Club of Florida (Owners of Golf Course Property).
- c. President of the Homeowner's Association, Village of Golf.

The clerk shall mail or e-mail a copy of said commercial application to:

- a. Owners of the property immediately adjacent thereto and across the street or street easement therefrom.

[Ord. No. 133-2021]

2. Notices would be mailed to an address recorded with the Village Clerk (if such address is not so recorded no such copy need be mailed), together with a notice from the Village Clerk advising the time of the hearing of said application before the Village Council. No application shall be heard less than ten (10) days after the mailing of the notice to property owners directly affected as herein provided and all applications will be heard at regular or special meetings of the Village Council.

NOTE; Zoning text changes, zoning map amendments, etc. may require an ordinance to amend. Therefore, public notice would be made to all property owners of the Village of Golf as required by applicable ordinance adoption procedures.

B. Criteria: Special exception uses and their related accessory uses or any expansion, enlargement, or modification or an existing special exception use shall be permitted only upon authorization of the Village Council provided that such uses shall be found by the Village Council to comply with the following requirements and other applicable requirements as set forth in this ordinance:

1. That the proposed use is a permitted special exception use as listed in the zoning district in which it is proposed.
2. That the use is so designed located and proposed to be operated so that the public health, safety, welfare and morals will be protected.
3. That the use will not cause substantial injury to the value of other property in the Village.
4. That the use will be compatible with adjoining development and the proposed character of the land class where it is to be located.
5. That adequate landscaping and screening is provided as required herein.

6. That adequate off-street parking and loading is provided, where required, and ingress and egress is so designed as to cause minimum interference with traffic or abutting roadways.
7. That the use conforms to all applicable regulations governing the land use where located.
8. That the use meets all the requirements in the land development regulations and conforms to the comprehensive plan.

C. Findings: Before any special exception is granted, the Village Council shall apply the standards set forth herein and shall determine that satisfactory provision and arrangement of the following factors have been met by the petitioner, where applicable:

1. Compliance with all elements of the Village of Golf Comprehensive Development Plan;
2. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
3. Off-street parking and loading area, where required, with particular attention to the items in 2. above;
4. Refuse and service areas with particular reference to items 2. and 3. above;
5. Nuisance factors detrimental to adjacent and nearby properties and the Village as a whole. Nuisance factors shall include but not necessarily be limited to: noise, odor, smoke, glare, electrical interference and/or mechanical vibrations;
6. Utilities, with reference to location, availability and compatibility;
7. Screening and buffering with reference to type, dimensions and character;
8. Signs and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the zoning district;
9. Required yards and other open space;
10. General compatibility with adjacent properties and other property in the zoning district;
11. Whether the change suggested is out of scale with the needs and character of the neighborhood or the Village;

12. Any special requirements set out in the zoning district in which it is proposed.

D. Conditions and safeguards: In addition to the standards listed above and specific conditions listed for each particular special exception listed within any particular zoning category, the Village Council may impose other such conditions and safeguards as it deems appropriate in conformity with these zoning regulations for the protection of the surrounding properties and the neighborhood or general welfare of the public.

E. Denial: Should the Village Council deny a special exception, it shall state fully for the record the reasons for doing so. Such reasons shall take into account the factors under subsection above and all other conditions and particular regulation relating to the specific special exception requested.

F. Limitations on the filing of a special exception:

1. Whenever Village Council has denied an application for a special exception, the Village shall not thereafter consider any further application for special exception on any part or all of the same property for a period of twelve (12) months from the date of such action.
2. The time limits of subsection 1. above may be waived by three (3) affirmative votes of Village Council when such action is deemed necessary to prevent injustice or to facilitate the proper development of the Village.

G. Time limits for special exceptions:

1. Special exception shall commence within twelve (12) months from the date of grant of the special exception unless extended by action of Village Council.
2. Only one extension shall be permitted and shall not exceed six (6) months.
3. Special exception granted to any governmental unit shall be exempt from the provisions of this subsection, unless a time limitation is made a specific condition of the special exception.

10.06 SPECIAL EXCEPTION APPLICATION PROCESS:

A. A written petition for special exception shall be submitted indicating the section of the land development regulations under which the special exception is sought and stating the grounds on which it is requested, with particular reference to the written findings in subsection B. and any other specific condition(s) if applicable which the Village Council should address. The petition shall include a development site plan in accordance with and any additional information that will demonstrate that the grant of special exception will be in harmony with the general intent and purpose of these zoning regulations.

- B. The application shall be reviewed by the appropriate Village staff within 30 days of the submission deadline. Upon staff review and analysis of all submitted materials, building official and manager shall forward a recommendation to the Village Council.
- C. A public hearing shall be held by the Village Council. The property owner may appear personally or by agent or attorney. The Council encourages the owner(s) of said property to be in attendance.
- D. Notice of public hearing shall be sent ten (10) days in advance of the public hearing by U.S. Mail. The owner of the property for which special exception is sought or his agent or attorney designated by him on the submitted petition shall be notified by mail. Notice shall be given by mail to all owners of property within a three hundred (300) foot radius of the boundary lines of the property for which special exception is requested. Notice of the public hearing shall be prominently posted other than residential land use categories on the property by the applicant for which a special exception is sought. Notwithstanding any other provision herein contained, failure to provide written notice to any adjacent property owners shall not constitute a jurisdictional defect provided that proper legal notice has been published.
- E. Filing fee: Upon filing an application for special exception, the applicant shall pay a fee to the Village at the time of filing of said application. Said fee shall be in the amount as established by Resolution of the Village Council, shall not be reimbursable and is intended to defray costs of administering, processing, and reviewing the application.

10.07 DEVELOPMENT SITE PLAN REVIEW:

A. Small-Scale Single Family Developments: Development site plans for single family residences shall be considered small-scale developments and subject to the following requirements:

- 1. All applications for a small-scale single-family development shall be subject to administrative review and recommendation by the ARC to the extent such application involves building design elements as defined in Section 1.05. approval by the Village Council.
- 2. A building permit shall not be issued until the application has been approved by the Village Council. A written approval letter of the Council's action shall be rendered to the applicant by the Village Manager.
- 3. A petitioner seeking small-scale development site approval shall submit two (2) development site plans on one or more sheets of paper measuring not more than 24" x 36" and drawn to a scale not smaller than 100 feet to the inch. Eight (8) additional copies shall be submitted on one or more sheets of paper measuring not more than 11" x 17". One (1) electronic file in .pdf format shall be submitted on a CD. The following shall be provided on the Development Site Plan:

- a. Scale, date, north arrow, vicinity sketch, title of the project and total gross acreage.

- b. The boundaries and dimensions of the property and its relationship to the surrounding road system including the width of the existing travel way (pavement).
- c. The location and dimension of existing man-made features such as existing roads and structures with indication as to which are to be removed, renovated or altered.
- d. The location of existing easements, rights-of-way, watercourses, section lines, water and sewer lines, well and septic tank location, and other existing important physical features in and adjoining the project.
- e. The location and delineation of existing trees and information as to which trees will be removed. (properly identified)
- f. A layout of the proposed lots and/or building sites including the following site data:
 - (1) Finished floor elevation
 - (2) Common open areas
 - (3) Generalized landscaping and buffer areas
 - (4) Total project density
 - (5) Percentage of building coverage
 - (6) Percentage of impervious surface coverage
 - (7) Percentage of open space area
 - (8) The shape, size, location and height of all structures
 - (9) Legal description of the proposed building site.
 - (10) Typical exterior front, side and rear elevations of the buildings.
 - (11) Size, location and orientation of signs.
 - (12) Architectural elevation
- f. The substance of covenants, grants of easements or other restrictions proposed to be imposed upon the use of the land, buildings and structures, including proposed easements or grants for public utilities, if applicable.

[Ord. No 134-2022]

B. Large-Scale Developments: Development site plans, other than development site plans for single family residences, shall be considered Large-Scale Development Plans which shall be subject to the following requirements. [Ord. No. 125-2019]

- 1. An application for Large-scale Development Plan shall meet all requirements for Small-scale site development plans (Reference 10.07 A. 4. above). The application shall submit the plans, studies, and details set forth below: [Ord. No. 125-2019]
- 2. A map illustrating the site proposed for large-scale development as well as the existing land use and zoning of properties adjacent to the site proposed for large-scale development. [Ord. No. 125-2019]

3. A traffic impact analysis or traffic statement, as required by Palm Beach County, or, if requested by the Village which addresses.
 - a. Future right-of-way dedications
 - b. Intersection improvements
 - c. Traffic control devices
 - d. Traffic generation analysis
 - e. Distribution and assignment of traffic
 - f. Additional roadway needs

[Ord. No. 125-2019]

4. A drainage statement or ~~drainage~~ plan for the site which is in accord with the Village's adopted Drainage Level of Service Standard. [Ord. No. 125-2019]
5. Plans prepared and sealed by a professional engineer registered in the State of Florida for disposing of sanitary waste and for providing the public water facilities and other public improvements, which are required to serve the development. [Ord. No. 125-2019]
6. A landscape plan that is consistent with Sections **5.05 LANDSCAPING REQUIREMENTS** and **5.04 CONSERVATION REQUIREMENTS** of these land development regulations. [Ord. No. 125-2019]
7. Off-street parking and off-street loading areas.
8. The proposed phasing of construction for the Large Scaled Development_if applicable. [Ord. No. 125-2019]
9. General Commercial applications shall provide the estimated square footage of the structure(s), the number of employees, estimated seating, and the estimated number of users of businesses within the property which is the subject of an application for Large Scale Development ~~the facility~~, such as members, students and patients. [Ord. No. 125-2019]
10. Proposed hours of operation for the various non-residential_commercial uses. [Ord. No. 125-2019]
11. Size, location and orientation of signs.
12. Proposed lighting of the premises.
13. Eight (8) aerial maps at a minimum scale of 1" = 300' showing the site with paved boundaries superimposed. Eight (8) additional copies shall be submitted on one or more sheets of paper measuring not more than 11" x 17". One (1) electronic file in .pdf format shall be submitted on a CD. [Ord. No. 125-2019]

14. Documents which demonstrate that the Large Scale Development is subject to unified control, if applicable. [Ord. No. 125-2019]
15. Such additional data, maps, plans or statements as may be required by the Village for its evaluation of impacts which may be created by the Large Scale Development. [Ord. No. 125-2019]

10.08 JUDICIAL INTERPRETATION:

A. In the event any court of competent jurisdiction should hold that any provision of this ordinance or the zoning map which is made a part hereof, is unconstitutional or unenforceable as to any particular parcel of land or building within the Village of Golf, because the use allowed for such parcel of land or building under this ordinance amounts to taking property without due process of law, or for any other reasons, then and in that event such piece or parcel of land or building is hereby declared to be, and is hereby classified under the Village's zoning laws in the next less restrictive classification.

10.09 ENFORCEMENT, VIOLATIONS AND PENALTIES:

This ordinance shall be enforced by the Village of Golf, Florida. The Village may exercise its authority in enforcing these provisions as provided by local, state or federal law and may seek the imposition of fines, liens, injunctive relief or seek to exercise its enforcement powers in any other manner permitted by law. Such other manner of enforcement may include, but not be limited to, proceedings as provided pursuant to Chapter 162, Florida Statutes, through a code enforcement board or special magistrate or pursuant to the enforcement procedures set forth in the Local Amendments to Chapter 1 of the Florida Building Code, adopted by Ordinance No. 96, and as such Chapter 1 local amendments may be amended in the future. In addition, appeals may be brought in circuit court by the parties as provided by law concerning quasi-judicial proceedings and the findings or orders rendered by the Village.

10.10 UNITY OF TITLE DECLARATION:

A. Where it reasonably appears that a certain proposed "development permit", as this term is defined at Sec. 163.3184, *Florida Statutes*, and as set forth in an application for a development permit, may subsequently be modified by the sale or transfer of a portion of said property; and that such change would negate the application of zoning requirements relating to the - development permit or such development permit would attempt to subject separate parcels to uniformly imposed regulations even though not legally joined together, the Village shall require the property owner(s) to execute a unity of title declaration as a condition precedent to the approval of the development site plan, or the issuance of a development permit. The unity of title declaration shall apply to all the property necessary for the proposed use or development permit, and shall declare that no portion of said property shall be sold or transferred by the owner(s) or successors in interest apart from the whole.

B. In the event a sale or transfer in contravention of a unity of title declaration, no building permit or other development permit will be issued for any portion of the property contained in the unity of title declaration. Declaration shall remain in effect until a release of unity of title declaration is executed by the Village.

C. The unity of title declaration shall be filed at the expense of the owner(s) in the public records of Palm Beach County, Florida. Proof of such filing shall precede the issuance of a building permit or development permit.

10.11 NON CONFORMING USES:

A. The lawful use of any building, structure or land existing at the time of the adoption of this ordinance may be continued although such use does not conform to the provisions thereof; provided however, the following conditions are met:

1. Unsafe structures or buildings: Any structure or building or portion thereof declared unsafe may be restored to a safe condition.
2. Construction approved prior to ordinance: Nothing herein shall require any change in plans, construction or designated use of a building or structure for which a building permit has been issued and the construction of which shall have been diligently carried on within six (6) months of the date of such permit in accordance with Sub-section 105.3.2 of Chapter 1. of the Florida Building Code adopted by Ordinance No. 96 and as such ordinance may be amended.
3. Alterations: A nonconforming building may be maintained and repairs and alterations may be made, except that in a building which is nonconforming as to use regulations, no structural alterations shall be made except those required by law including eminent domain proceedings. Repairs such as plumbing or changing of partitions or other interior alterations are permitted.
4. Extensions: Except as may be provided in the following subsections (a) or (b) herein, buildings or structures or uses of land, which are nonconforming, shall not be extended or enlarged.
 - a. An owner of a residence (Residence) with side setbacks of a single-family residential structure which are nonconforming may submit to the Village a site plan application for an extension or enlargement (collectively, an Extension) of the Residence which meets the following criteria in subsections (1) through (15) and is otherwise acceptable to the Village Council;
 1. a completed application in the form provided by the Village is submitted to the Village for review and submittal to the Village Council; and

2. a non-refundable application fee is submitted with the completed application; and
3. the proposed Extension of the structure (the Structure) does not extend beyond the width of the existing nonconforming side setback; and
4. the Extension does not cause an encroachment into either the front setback or the rear setback of the applicant's property; and
5. the height of the Extension does not extend beyond the height of the Structure or the height limitation in the Land Development Regulations, whichever is lower; and
6. the top of the window height of the Extension does not exceed the top of the window height on the Structure located within the nonconforming side setback; and
7. the Extension does not include any mechanical or other equipment within the nonconforming side setback; and
8. a landscape plan is submitted with the application that provides for satisfactory screening of the Extension from the property adjacent to the nonconforming side setback (Adjacent Property), such screening to include at the discretion of the Village Council, a hedge extending the full width of the Extension; and
9. a drainage plan is submitted with the application that demonstrates that the Extension will have no adverse effect on the Adjacent Property or any other property within the Village, including, but not limited to adjoining roadways or drives; and
10. if the Extension includes exterior lighting, a lighting plan is submitted with the application that demonstrates that such exterior lighting will have no adverse effect on the Adjacent Property; and
11. the Extension is for the existing structure only and does not include a patio or additional structures of any kind that extends beyond the back wall of the Structure; and
12. the Extension is consistent with the Design Guidelines pursuant to Sec. 3.03.5 and integrated with the Structure, including but not limited to, style, color and material; and

13. the Extension meets all other applicable provisions of the Land Development Regulations; and
 14. the applicant acknowledges that the Village Council may impose such conditions relating to approval of the Extension which the Council, in its sole and exclusive discretion determines are necessary to protect the health, safety and welfare of the Village; and
 15. the applicant acknowledges that the Village Council may deny an application for Extension which in its sole and exclusive discretion the Council determines is not in the best interest of the health, safety and welfare of the Village.
- a. A nonconforming front, side or rear setback shall not prohibit an owner's ability to seek an extension or enlargement of a side, front or rear setback that conforms to the setback requirements of the Land Development Regulations; and
5. Nonconforming use of land: When a nonconforming use of land has been discontinued for a period of ninety (90) days, its future use shall revert to the uses permitted in the land use category in which said land is located.
 6. Abandonment: A nonconforming use of land or of a building which has been vacated or abandoned for ninety (90) days shall not thereafter be occupied by any nonconforming use.
 7. Destruction by fire or other natural disaster casualty: Nothing in this Section shall be taken to prevent the restoration of a building destroyed to the extent of not more than fifty (50) percent of its assessed value by flood, fire, explosion or other natural disaster casualty, or act of God or the public enemy, nor the continued occupancy of use of such building or part thereof which existed at the time of such partial destruction. The restoration of a building destroyed more than fifty (50) percent of its assessed value by flood, fire, explosion or other natural disaster casualty that was not self-inflicted or self-imposed, or act of God, or the public enemy shall be allowed to re-construct to 100 percent of its original size and dimensions. Restoration under this section must be started within ninety (90) days. No continued occupancy should be allowed in building that have been destroyed more than fifty (50%) percent of value until a Certificate of Occupancy is issued. Notwithstanding the above, an existing single family may be replaced on an existing platted lot even though the lot size may be or remain non-conforming.
 8. Existing screened swimming pool enclosures may be replaced in the same location with a structure built within the same exterior dimensions and height as the existing structure shall be enclosed with solid walls or roof.
 9. Existing news racks are not exempted from Section 7.03A.9 & 10 of the Land Development Regulations.

10.12 BUILDING PERMIT APPLICATION FEES:

A. The Village Council may by resolution, establish appropriate Building, Demolition and Moving permit fees in accordance with the Florida Building Code, Chapter 553, Florida Statutes. All building permit applications shall include the estimated cost of construction of the residence including all interior finishes. Prior to issuance of a certificate of occupancy, the general contractor shall submit an amended building permit application which includes the actual cost of construction of the residence including all interior finishes. If the actual cost of construction exceeds the estimated cost contained in the initial application, the general contractor shall pay the difference in the building permit fee that results from the calculation of the fee based on the actual costs of construction. [Ord. No. 133-2021]

B. Applicable Palm Beach County Impact Fees shall be collected by the Village upon issuance of a building permit. The Village shall adhere to the Palm Beach County Impact Fee Ordinance and appropriate fees.

C. All building permit fees (i.e. building, plumbing, electrical, mechanical, etc.) will be assessed a surcharge of 1.5% of the permit fee, or a minimum of \$2 for both the Florida Department of Business and Professional Regulation (DBPR) and the Florida Department of Economic Opportunity (FDEO).

10.13 ADMINISTRATIVE FEES:

The Village Council shall establish by resolution adopted from time to time the administrative fees associated with review of applications filed pursuant to the Village land development regulations. Such administrative fees shall include the fees charged by consultants and other professionals hired by the Village to review applications. All administrative fees are payable immediately upon receipt of the invoice from the Village and failure to pay such fees when due shall result in delay of any further processing or public hearing on the application for which such fees apply. Due to the timing of a public hearing, there may be additional administrative fees that are invoiced following the date of the public hearing. Failure to pay such additional fees shall result in a delay in and/or withdrawal of any approval by the Village Council that occurred at the public hearing in connection with the application for which such fees apply. [Ord. No. 129-2021]

10.14 WITHDRAWAL, AMENDMENT, CONTINUATION AND RESUBMITTAL OF APPLICATIONS:

A. Withdrawal of applications.

1. Any application submitted pursuant to the Village land development regulations may be withdrawn by an applicant or designated representative by giving written notice to the Village Manager prior to a public hearing on the

application. An application may be withdrawn at a public hearing at the request of the applicant or designated representative. After the conclusion of the public hearing concerning an application, an application may be withdrawn only upon a majority affirmative vote of the Local Planning Agency or the Village Council, depending on which review authority has conducted the public hearing.

2. If an application is resubmitted or an amended application for some or all of the same property is submitted after withdrawal of the original application and the resubmitted application or an amended application is withdrawn for any reason, unless such time period is waived by a majority vote of the Village Council, the Village Council shall not consider any further application for all or any part of the same property for a period of twelve (12) months from the date of such withdrawal.

B. Amendments to Application.

Any application filed pursuant to the Village land development regulations may be amended prior to the publication of notice of public hearing. A written request for amendment to the application shall be made in writing to the Village Manager. A request of this nature shall require an additional amendment processing fee. Such amended applications shall be considered new applications and shall be processed by the Village as a new application.

C. Continuation of Applications.

Any application submitted pursuant to the Village land development regulations may be continued for a period not to exceed 60 days at the request of the Village Manager or the Village Council, if the authority requesting the continuation determines there is need for further study or information.

D. Resubmittal of Applications Upon Denial.

When an application submitted pursuant to the Village land development regulations is denied by the appropriate reviewing authority, unless such time period is waived by a majority vote of such reviewing authority, an application affecting all or part of the same property and containing some or all of the same request(s) for approval as the denied application shall not be resubmitted for a period of 12 months following the denial. The reviewing authority may waive this provision if new circumstances or material changes affect the application.

E. These provisions do not apply to Village-initiated applications.

[Ord. No. 129-2021]

10.15 ARCHITECTURAL REVIEW COMMITTEE:

- A. Creation. An architectural review committee (ARC) for the Village of Golf is hereby created in compliance with Section 163.3202, Florida Statutes. The purpose of the ARC is to assist the Village Council with enforcement of the building design elements as defined by and contained within these Land Development Regulations as amended from time to time. All other elements of development applications not included in the statutory definition of building design elements remain the exclusive jurisdiction of the Village Council.
- B. Composition.
- (1) The ARC shall consist of five regular members who shall be residents of the Village.
 - (2) The Village Manager shall serve as an ex-officio member of the ARC.
- C. Appointment, term and officers.
- (1) Members of the ARC shall be appointed by the Village Council by resolution. A term shall consist of two years or the completion of an unexpired term and the subsequent two years. For the initial organization of the ARC, three members shall serve for two years from the date of appointment and two members shall serve for one year. A member may serve beyond the expiration of a term until the appointment of a replacement of the member or the member's reappointment to the ARC.
 - (2) The ARC shall elect from its members a chairperson and a vice-chairperson. Elections shall be held at the ARC's first regular meeting of each fiscal year (October 1 through September 30). The chairperson shall call all meetings of the ARC to order and shall conduct business pursuant to Roberts Rules of Order, as revised. In the absence of the chairperson, the vice-chairperson shall call and conduct meetings. In the event of a vacancy in an office, the ARC shall hold a special election for any such vacancy after a full membership has been appointed by the Village Council. An officer may succeed him or herself.
- D. Removal from Office.
- (1) Members shall serve at the pleasure of the Village Council and may be removed by the Village Council without cause at any time.
 - (2) If any member fails to attend three consecutive regular ARC meetings without an excused absence, or four or more meetings within any twelve (12) month period, with or without an excused absence, the Village Council shall terminate the appointment of such person as a member. Participation for less than three-fourths of a meeting shall constitute lack of attendance.
 - (3) Excused absence constitutes absence due to illness, absence from Palm Beach County or personal hardship, if approved by a majority vote

of the ARC. Excused absence shall be entered into the minutes of the meetings.

(4) Members removed from office shall be terminated immediately and shall not continue to serve until a new appointment is made by the Village Council.

E. Meetings, Quorum and Voting.

(1) The ARC shall hold regular meetings at the request of the Village Manager as often as may required for review of pending development site plan or other design review applications. All meetings of the ARC shall be duly noticed, open to the public and held at Village Hall. The Village Council may determine from time to time that such meetings may also be attended by the public by Zoom or other electronic telecommunication means that afford public attendance to the ARC meetings. All members of the ARC are required to attend ARC meetings in person.

(2) Three members of the ARC shall constitute a quorum.

(3) A vote of the majority of the ARC members in attendance is required to make a recommendation to the Village Council.

(4) The Village Clerk or Deputy Clerk shall serve as secretary of the ARC and shall prepare minutes of each ARC meeting.

(5) Members of the ARC shall serve without compensation.

F. Duties, powers and responsibilities.

(1) The ARC is an advisory committee. All final decisions regarding applications involving regulation of building design elements are the exclusive jurisdiction of the Village Council. The ARC has the authority to review any and all site plan review or other design applications that involve regulation of building design elements as that term is defined in Section 1.05, Definitions, and to make such recommendations to the Village Council as it deems consistent with such building design elements.

(2) The ARC does not have the authority to require a continuance of any pending development site plan or other design review application. Failure to make a recommendation shall result in the application being presented to the Village Council without a recommendation.

(3) Provide such additional duties related to building design elements as may be requested by the Village Council.

G. Compliance with Laws and Conflict of Interest.

(1) All members of the ARC are required to comply with all applicable federal, state, and local laws, specifically including laws relating to public meetings, public records and ethics of government officials, employees and appointed advisory members as regulated by the Florida Statutes.

(2) No member shall have any interest, financial or otherwise, direct or indirect, or engage in any business transaction or professional activities, or incur any obligation of any nature which is in substantial conflict with the proper discharge of duties as a member of the ARC.

[Ord. No 134-2022]

11.01 NOISE ABATEMENT AND CONTROL FOR GENERATORS:

- A. Purpose. The purpose of this section is to minimize the exposure of citizens to the physiological and psychological dangers/discomforts of excessive noise from generators and to protect, promote and preserve the public health, safety and welfare. It is the express intent of the Village to control the level of generator noise in a manner which promotes the use, value and enjoyment of property, sleep and repose, and the quality of the environment.
- B. Findings. The problem of noise produced by existing generators in residential districts is in need of abatement. Regulations are to be followed by those installing a new generator or relocating an existing one. Abatement measures are also mandatory for existing generators not meeting the established threshold.

11.02 DEFINITIONS:

Decibel or dB(A). The sound level measured in decibels, using the "A" weighting scale which reflects the response characteristics of the human ear.

Decibel level rating. Decibel level measured from a distance of 23 feet (7m) from the noise source in order to conform with manufacturers' ratings.

Enclosure. A housing that accompanies the generator, usually from the manufacturer. Custom enclosures are aftermarket enclosures allowed for the sole purpose of noise reduction.

Generator. A permanently installed accessory powered by a fossil fuel that creates electricity.

11.03 REGULATIONS:

Generators shall have a decibel level rating no greater than 72dB(A) at "full power" or "full load". Decibel level ratings vary from model and manufacturer and are found in the manual and sales information. Generators with a manufacturer rating above the 72dB(A) may be installed, provided that a custom enclosure reduces noise to 72dB(A) and has literature from the enclosure manufacturer attesting that the sound level has been met.

11.04 HOURS OF OPERATION:

Generators in all residential districts may be operated for testing and scheduled maintenance purposes between the hours of 9:00 a.m. through 5:00 p.m., Monday through Friday.

Servicing for repair is permitted from 9:00 a.m. to 5:00 p.m., Monday through Saturday.

There shall be no restriction as to hours of operation when generators are operated during power outages.

11.05 LOCATION/SETBACKS/SCREENING:

Generators shall meet the established setbacks as set forth in the zoning district in which it is located.

Distances are to be measured from the actual generator and excludes the generator's enclosure.

Generators must be landscaped to screen them from public view at time of installation. Landscape to be planted shall be planted to 75% of generator height.

Screening methods to be employed include, but are not limited to, the use of a concrete wall and a hedge around the perimeter of the generator.

11.06 NOISE REDUCTION:

Although noise reduction is encouraged, preexisting generators that exceed the 72dB(A) decibel level rating limit are to be muffled by one or more of the following techniques:

- A. A professionally made custom enclosure specifically made to reduce the noise level to a level not to exceed 72dB(A).
- B. A noise barrier wall constructed of concrete or similar material with a minimum height equal to that of the generator plus six inches, completely obscuring the visibility of the generator from the street and abutting neighbors. All walls/screening shall be able to safely withstand any heat produced by the generator for an indefinite amount of time.
- C. The professional installation of rock wool insulation or a similar heat resistant acoustical insulation to either the interior of the generator's enclosure or lining the interior side of the noise barrier wall is recommended.

12.01 PROHIBITION OF MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES

- A. *Purpose.* The purpose of this section is to prohibit the location of any Medical Marijuana Treatment Center Dispensing Facilities (“MMTC Dispensing Facilities”) within the corporate boundaries of the Village of Golf pursuant to the specific authorization to do so under state law at Sec. 381.986(11)(b)1, F.S., a portion of an act codified as Chapter 2017-232, *Laws of Florida*.
- B. *Definitions.*
“**Marijuana**” means all parts of any plant of the genus *Cannabis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including low-THC cannabis as defined in Chapter 2017-232, *Laws of Florida*, which are dispensed from a medical marijuana treatment center for medical use by a qualified patient pursuant to Sec. 381.986, F.S.

“**Medical Marijuana Treatment Center**” (MMTC) means an entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their caregivers and is registered by the Department of Health pursuant to Article X, s. 29 of the State Constitution.
- C. *Prohibition.* MMTC Dispensing Facilities are specifically banned and prohibited from locating within any zoning district of the Village of Golf, Florida.