Secs. 39-567—39-577. Reserved.

ARTICLE XXXVI. ONE-FAMILY DWELLING—R-1A TO R-1C DISTRICTS

The following regulations shall apply in all R-1A, R-1B and R-1C districts:

Sec. 39-578. Uses permitted.

(a) No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one of the following uses:

(1) One-family dwelling.

(2) Recreation buildings and facilities, playgrounds, playfields, parks, beaches, owned and operated by federal, state, county or municipal government.

(3) Existing cemetery, crematory or mausoleum.

(4) Existing railroad right-of-way, not including switching, freight, or storage tracks, yards, buildings or maintenance structure.

(5) Publicly owned and operated library, art gallery or museum.

(6) Educational, recreational and social centers not operated for profit and intended to serve the surrounding neighborhood. Such use shall be located on a plot having at least 40,000 square feet of area and having at least 200 feet of street frontage. Any buildings or roofed structure on a plot utilized for such use shall be located at least 50 feet from any other residentially zoned property. No parking area shall be located within 20 feet of any plot line.

(7) Golf course, not including miniature golf course or practice driving tee, providing plot comprises at least 100 acres of land in one parcel and any accessory

parking area, building or structure is located at least 100 feet from any other residentially zoned property.

(8) Church, and church or parochial school incidental to a church on the same premises. Such use shall be located on a plot having at least 40,000 square feet of plot area and having at least 200 feet of street frontage. The coverage of all roofed structures shall not exceed 25 percent of the plot area. No building or roofed structure shall be located within 40 feet of any other residentially zoned property. No parking area shall be located within 10 feet of any plot line.

(9) Sewerage or water treatment, pumping and storage plants to serve the surrounding residential area. Such plants shall conform to the following requirements:

a. The plot shall not be less than 100 feet in width and 10,000 square feet in area, and as large as necessary to provide required setback area.

b. No building or structure shall be located nearer to any other residentially zoned property or to any street line than a distance equal to the height or such building or structure.

c. No unenclosed sewage treatment facility shall be located nearer to any street line than 125 feet nor nearer to any other residentially zoned property than 175 feet.

d. No enclosed sewage treatment facility, or water pumping or treatment facility, shall be located nearer than 35 feet to any street line or nearer than 50 feet to any other residentially zoned property.

e. All plots shall have a landscaped setback area at least 35 feet in width or depth adjacent to all street lines, and adjacent to all plot lines separating the subject plot from other residentially zoned property. The landscaped setback area shall not be used for any building, structure, fence,

wall, parking, storage or other use except that a fence not over 5 feet in height may be erected in any such setback area at least 35 feet from any street line. The landscaped setback area shall be planted with grass, shrubbery and trees; and no part shall be paved or surfaced except for minimum driveways and walkways for access. All landscaping shall be maintained in a healthy, growing condition, properly trimmed and watered.

f. All machinery, equipment and mechanical or electrical facilities shall be so designed and operated as to minimize noise effects upon surrounding residential properties.

g. Plots shall not be used for business, storage or service purposes for a franchised area.

(10) Sewage lift or pumping stations, containing no treatment facilities, subject to the following requirements:

a. Where the station is of the underground type, all parts of which are at least 3 feet below grade except for an access tube not over 5 feet in maximum horizontal dimension extending not over 3 feet above grade, and meters and switches on a post extending not over 5 feet above grade; such access tube and meter or switch post may be located within a utility easement but not less than 15 feet from any street line. If not located in a utility easement, all such aboveground structures shall be at least 25 feet from any street line and at least 15 feet from any plot line.

b. Where the station is wholly or partially above grade, there shall be a yard at least 30 feet in depth adjacent to all residentially zoned property. These requirements shall supersede the requirements of sections 39-579, 39-582, 39-583 and 39-584.

All yards and plot area shall be landscaped with grass, shrubbery and trees which shall be kept in

a healthy, growing condition, properly watered and trimmed.

(11) Transformer substation subject to the following requirements:

a. The plot shall be provided with yards not less than 30 feet in depth or width adjacent to all street lines and plot lines of other residentially zoned property and a yard at least 25 feet in depth adjacent to a rear plot line.

The yards required under this paragraph shall be fully landscaped with grass, shrubbery and trees, and shall not be used for any fences, wall, building or structure, except that a fence not over 6 feet in height may be erected at least 30 feet from any street line. Minimum driveways or walkways necessary for access may cross required yards.

All landscaped areas shall be maintained in a healthy, growing condition, properly watered and trimmed.

(12) Uses accessory to any of the above uses when located on the same plot and not involving the conduct of any business, trade, occupation or profession.

(b) Residence on a floating home or vessel shall not be permitted at moorages located on or immediately adjacent to property zoned R-1A, R-1B or R-1C. (Eff. 12-4-78)

Sec. 39-579. Size of plot.

(a) Every plot upon which a residential structure is hereafter erected shall not be less than the following:

(1) *R-1A districts:* Plot width of 100 feet and plot area of 10,000 square feet.

(2) *R-1B districts:* Plot width of 75 feet and plot area of 7,500 square feet.

(3) *R-1C districts:* Plot width of 60 feet and plot area of 6,000 square feet.

(b) Provided, however, that in areas subdivided prior to the effective date of this ordinance, a plot consisting of a lot of record may be utilized for a one-family dwelling.

(c) Every plot upon which a permitted nonresidential structure or use is erected or placed shall be not less than 100 feet in width and 10,000 square feet in area.

Sec. 39-580. Plot coverage.

The combined area occupied by all principal and accessory buildings shall not exceed 40 percent of the area of the plot.

Sec. 39-581. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding either 2 stories or 35 feet, except that a steeple or tower on a church may extend to a height of 50 feet.

Sec. 39-582. Front yard.

(a) *Residential Uses.* Every plot used for a 1-family dwelling shall have a front yard not less than 25 feet in depth.

(b) *Nonresidential Uses:* Every plot utilized for a nonresidential building, structure or use, except accessory buildings, structures or uses, shall have a front yard not less than 30 feet in depth.

Sec. 39-583. Side yards. R-1A = 10' s.yrd.

(a) *Residential Uses.* Every plot used for a 1-family dwelling shall have a side yard on each side, each of which shall be at least 10 feet wide in an R-1A and at least 7½ feet wide in R-1B or R-1C district; except that where a plot is less than 60 feet in width, each side yard shall be at least 5 feet in width.

(b) *Nonresidential Uses.* Every plot utilized for a nonresidential building, structure or use, except accessory buildings, structures or uses, shall have a side yard on each side, each of which shall be not less than 20 feet in width with an increase of 1 foot in width of each side yard for every 2 feet in height of the structure in excess of 20 feet.

(c) *Corner Plots.* Upon corner plots there shall be a front yard as hereinbefore specified, and in addition thereto a side yard at least 15 feet in width on the side of the plot abutting on the side street.

R-1A

Sec. 39-584. Rear yard.

(a) *Residential Uses.* Every plot used for a 1-family dwelling shall have a rear yard not less than 15 feet in depth.

(b) *Nonresidential Uses.* Every plot utilized for a nonresidential building, structure or use, except accessory buildings, structures or uses, shall have a rear yard not less than 25 feet in depth.

Sec. 39-585. Minimum floor area.

A 1-family dwelling shall have a minimum floor area of 1,500 square feet in an R-1A district, 1,000 square feet in an R-1B district and 600 square feet in an R-1C district.

Secs. 39-586—39-596. Reserved.

ARTICLE XXXVII. ONE-FAMILY DWELLING—PARKING R-1P DISTRICTS

Sec. 39-597. Purpose of district.

The R-1P One-Family Dwelling—Parking District is intended to apply to areas normally residential in character and located in a generally residential neighborhood which are located adjacent to a business district and which are needed for noncommercial off-street parking to serve public convenience, to reduce street congestion and to facilitate

desirable business development for service to the surrounding residential sections.

Sec. 39-598. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

(1) Any use permitted in any one-family dwelling district with limitations and requirements specified in the zoning regulations for such use in that most restrictive residential district which is closest thereto.

(2) Open parking lot, for the parking of private passenger vehicles, subject to all the provisions of Section 39-600, Open Parking Lot Regulations.

(3) Residence on floating homes and vessels. (Eff. 12-4-78)

Sec. 39-599. Location of R-1P districts.

An R-1P district shall be contiguous to, or separated only by an alley from, a B-1, B-2, B-2A, B-2B or B-3 district.

Sec. 39-600. Open parking lot regulations.

(a) *Limitation of Use.*

(1) Parking area shall be used only for the parking of private passenger vehicles, in good running order, of customers, clients, patrons, visitors, employees in the business area. No charge shall be made for parking. No business of any kind, including repair, service, washing, sale, display or storage, shall be conducted on or from the plot.

(2) No structures other than those specifically permitted or required shall be erected on the premises.

(3) No advertising signs shall be erected on the premises except that not more than 1 directional sign at each point of ingress and egress may be erected which may also bear the name of the operator of the parking

area, and the enterprise it is intended to serve. Such sign shall not exceed 20 square feet in area, not extend to a greater height than 6 feet above the ground, and shall be erected within the parking area.

(b) *Ingress and Egress.* Ingress and egress for such parking areas shall be over business zoned property or from streets or alleys separating the parking area from the business district. In no case shall residentially zoned property be used for driveways for access to the parking area; except that where there is not an alley separating the parking area from the business zoned property, not more than 20 feet of residentially zoned property adjacent to business zoning may be used for access.

(c) *Protective Wall.* The parking area shall be provided with a continuous unpierced masonry wall five feet in height adjacent to all required yards and adjacent to all other contiguous residentially zoned property. All such walls shall be smoothly finished and shall not be used for any sign. (INSIDE SET BACK LINES)

(d) *Side Yards.*

Where the parking plot is contiguous to side plot lines of residentially zoned property, a side yard at least 10 feet in width shall be provided.

Where the parking plot is separated by a street from residentially zoned property whereon the side plot lines abut the street, a side yard at least five feet in width shall be provided.

(e) *Front Yards.* Where the parking plot is located upon a street upon which residentially zoned properties front and abut in the same block, a front yard shall be provided at least 25 feet in depth. Where 1 or both of the plots contiguous to and on each side of the parking plot are developed with residential structures having front yards greater than 25 feet in depth, then the deeper of these existing front yards shall apply.

(f) *Landscaping.* All yard spaces between the required wall and plot lines shall be landscaped with at least one

hedgerow of hardy shrubs, not less than five feet in height placed next to the walls; and the remainder of the yard spaces shall be lawn. All such landscaping shall be maintained in a healthy, growing condition, neat and orderly in appearance; and yard spaces shall be kept free of refuse or debris.

(g) *Surfacing.* The parking area shall be provided with a pavement having an asphaltic or portland cement binder, and shall be so graded and drained as to dispose of all surface water accumulation within the parking area.

(h) *Lighting.* Where lighting facilities are provided for the parking area, they shall be designed and installed so as to reflect the light away from any contiguous residentially zoned property.

Secs. 39-601—39-611. Reserved.

ARTICLE XXXVIII. SPECIAL ONE-FAMILY D-1 DISTRICT

Sec. 39-612. Purpose of district.

The D-1 Special One-Family District is intended to apply to areas to be used for one-family dwellings in a project wherein each dwelling is held by a separate and different owner and the project area is held in common by all the participating site owners.

Sec. 39-613. Uses permitted.

(a) No building or structure, or part thereof, shall be erected, altered or used, or land and water used, in part or in whole, for other than the following specified uses:

(1) A special one-family project consisting of two or more one-family dwellings, each in a separate structure, detached from any other structure.

(2) Uses accessory to the above, including recreation facilities, utility service facilities, community centers.

(b) Residence on floating homes or vessels shall not be permitted at moorages located on or immediately adjacent to property zoned D-1. (Eff. 12-4-78)

Sec. 39-614. Size of plot.

No plot shall be less than one acre.

Sec. 39-615. Plot coverage.

The combined area occupied by all building and roofed structures shall not exceed 35 percent of the area of the plot.

Sec. 39-616. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding 2 stories or 30 feet.

Sec. 39-617. Yards.

(a) No dwelling shall be located less than 25 feet from a public or private street; provided that dwellings located at the intersection of 2 streets, public or private, shall be required to sit back 25 feet from only one such intersecting streets, and in these cases, the 25-foot setback shall be located on the street adjacent to any carport or garage entrance, and the setback from the other intersecting public or private street shall not be less than 15 feet. The aforesaid 25-foot requirement shall be reduced to a 15-foot setback requirement for sites fronting on NW First Terrace and NW 44th Street in the subdivision of Spring Lake 2nd Section, as recorded in Plat Book 63, at Page 16, of the Public Records of Broward County, Florida, because this project has already been fully planned and partially completed.

(b) Every plot shall have a yard not less than 25 feet in depth adjacent to any street when the property across such street is zoned in any residential district except A-1, D-1, T-1 or R-1T.

(c) Every plot shall have a yard not less than 15 feet in depth adjacent to any other property, adjacent to an alley or adjacent to a waterway, canal or body of water, providing

that this requirement shall not apply where such other property is zoned in a D-1 district.

Sec. 39-618. Minimum floor area.

The minimum floor area of a 1-family dwelling shall be 600 square feet.

Sec. 39-619. Separation of buildings.

(a) There shall be not less than 10 feet minimum clearance between the outer walls of any 2 buildings each of which is 1 story in height.

(b) There shall be not less than 15 feet minimum clearance between the outer walls of any 2 buildings where 1 of these 2 buildings is 2 stories in height.

(c) There shall be not less than 20 feet minimum clearance between the outer walls of any 2 buildings each of which is 2 stories in height.

Sec. 39-620. Plot area per unit.

Every plot shall have a gross area sufficient to provide not less than 5,000 square feet per 1-family dwelling.

Sec. 39-621. Definition of plot.

For the purpose of this article, "plot" shall mean the entire area occupied by a special one-family project, including areas occupied by buildings, yards, setbacks, parking, driveways, recreation, service facilities, private streets and accessory uses. It shall not include public streets.

Sec. 39-622. Limitations and special requirements.

(a) Deleted.

(b) All private streets and drives serving 2 or more sites shall be not less than 34 feet in width and shall be paved to a width of at least 22 feet. An easement for underground utilities and access for emergency vehicles shall be dedicated over all private streets.

(c) No private street or drive shall exceed 1,320 feet in center line length between points of intersection with a public street; provided that a private street or drive terminating in a paved turnaround not less than 70 feet in diameter and not over 400 feet in overall length may be utilized to serve sites; provided that this paragraph shall not apply to Golfview Drive in the area included in the subdivision of Crystal Lake Third Section, as recorded in Plat Book 60, Page 16, of the Public Records of Broward County, Florida.

(d) Each D-1 project shall have space designated for recreational purposes for the use of the occupants of the project, and said recreational space shall have at least 200 square feet of area for each dwelling unit in the project. No space less than 10,000 square feet in area or less than 50 feet in any dimension shall be counted in meeting recreational requirements. One D-1 project may supply required recreational space for other separate but related D-1 projects, all of which are to have a single association for operation and maintenance.

(e) For the purpose of this article, all land in a plot occupied by a D-1 project shall be held in common by the site owners except the specific and limited areas which are to be subject to individual ownership. This means that all yards, setback areas, private streets and recreation areas, except as provided in paragraph (h) following, are common property. The areas which are to be subject to private individual ownership shall be located at least 25 feet from any public or private street, except as provided in section 39-617(a) for setbacks at the intersection of 2 streets; and each such area shall be separated by at least 10 feet from any other such area.

(f) After recording of the original subdivision plat, no area occupied by or to be occupied by a D-1 project shall be further subdivided into lots by a subdivision plat or be further subdivided into lots by metes or bounds description.

(g) No building permit shall be issued for the building of any part of a special 1-family project in a D-1 district

unless and until instruments have been placed upon the public records of Broward County, Florida, providing that all areas subject to common ownership and the exterior portions of all structures constructed on sites subject to private individual ownership, and all recreation areas shall be maintained by a membership corporation organized for such purposes in which site owners shall be members. A certified copy of such instruments shall be attached to the first application for a building permit in a special 1-family project in a D-1 district, and thereafter reference to the official records book and pages where such documents are recorded shall be affixed to each subsequent application for a building permit in the same special 1-family project.

(h) Where recreation areas are not made part of the common property in a D-1 project, such recreation areas shall be made subject to leases or easements for a period of at least 49 years in favor of the site owners of the association created for the purposes of operating and maintaining the D-1 project.

(i) The provisions of subsections (d), (g) and (h) shall not apply to the D-1 district project which has been fully planned and partially completed prior to the effective date of this ordinance. (Eff. 1-16-76)

Secs. 39-623—39-633. Reserved.

ARTICLE XXXIX. MOBILE HOME DWELLING R-1T DISTRICT

Sec. 39-634. Purpose of district.

The R-1T Mobile Home Dwelling District is intended to apply to areas to be used for the parking and placement of house trailers for living quarters for permanent occupancy or individually owned plots or for occupancy under a lease or rental for a period in excess of one year.

Sec. 39-635. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following specified uses:

(1) One single-family dwelling in the form of a house trailer, together with attached appurtenant and accessory structures.

(2) Sewage and water treatment, pumping and storage plants to serve an R-1T district, and conforming to the provision of section 39-578(9) of this ordinance.

(3) Educational, recreational, service and social centers not operated for profit and intended to serve the surrounding neighborhood, and located on a plot having at least 10,000 square feet of area and having at least 100 feet of street frontage. Any building or roofed structure shall be located at least 25 feet from any other residentially zoned property.

(4) Sewage lift or pumping stations, subject to the requirements of section 39-578(10) of this ordinance.

(5) Transformer substations, subject to the requirements specified in section 39-578(11) of this ordinance.

(6) Residence on floating homes and vessels. (Eff. 12-4-78)

Sec. 39-636. Limitations and special requirements.

(a) Each unit of a mobile home originally moved onto the site as a separate house trailer, shall be currently licensed each year as provided under section 320.081, Florida Statutes.

(b) Attached appurtenant and accessory buildings and structures shall meet all county building code requirements.

(c) Plumbing fixtures and electrical connections associated with cooking facilities shall not be permitted in any building or structure other than the mobile home itself.

(d) Each plot shall abut on a public street at least 50 feet in width, have a pavement width of at least 22 feet, and shall be supplied with a driveway extending from the right-of-way pavement to the parking space required by section 39-217(7). Surfacing requirements for such driveways and parking spaces are subject to the provisions of section 39-223 of these regulations.

(e) Any R-1T district shall be at least five acres in gross area.

(f) Each plot shall be supplied with water and sewer facilities meeting the standards of the county health department and approved by that department.

(g) For the purpose of this article, the term "mobile home" shall mean a house trailer which is moved to the site on its own wheels, the mobility of the house trailer being maintained by built-in undercarriage and/or axles, so that the house trailer can be removed from the site on its own wheels which were used in moving it to the site. This definition shall not preclude the temporary removal of the wheels provided they are stored on the site, nor shall it preclude the use of foundations for temporary support of the house trailer while the wheels are temporarily removed. (Eff. 1-16-76; eff. 1-6-78)

Sec. 39-637. Height.

No building or structure, or part thereof, shall be erected to a height exceeding 12 feet, provided that this limitation shall not apply to radio or television antennae.

Sec. 39-638. Plot size.

Each plot shall not be less than 40 feet in width and not less than 80 feet in depth, width to be measured perpendicularly to the side lot line. This requirement shall not apply to any area, subdivision or development, part or all of which was used for mobile home dwellings prior to January 1, 1962, and which has been zoned in an R-1T district after January 1, 1962.

Sec. 39-639. Yards.

(a) *Side Yards.* Every plot shall be provided with side yards not less than four feet in width, except that a roofed carport, without enclosure or side walls, may be located not closer than two feet to any interior side plot line. The side of an open carport erected as an addition to a mobile home shall not be deemed to be enclosed by an exterior wall of the mobile home, or by an exterior wall of a storage room.

(b) *Front Yards.* Every plot shall be provided with a front yard not less than six feet in depth.

(c) *Rear Yards.* Every plot shall be provided with a rear yard not less than eight feet in depth.

(d) *Encroachments.* No enclosed or roofed structure shall be located in any required yard or setback area, except as specified in subsection (a) above.

(e) *Exempted Areas.* In areas, subdivisions or developments, part or all of which were used for mobile home dwellings prior to January 1, 1962, and which have been zoned in an R-1T district after January 1, 1962, shall be exempt from the provisions of subsections (a), (b) and (c) above; but the following setback requirements shall apply therein:

> Roofed or enclosed structures shall not be located less than five feet from a front plot line, less than eight feet from a rear plot line, or less than four feet from a side plot line; except that a roofed carport without enclosure or sidewalls may be located not less than two feet from a side plot line. The side of an open carport erected as an addition to a mobile home shall not be deemed to be enclosed by an exterior wall of the mobile home, or by an exterior wall of a storage room.

Sec. 39-640. Existing mobile home developments.

Any area, subdivision or development, part or all of which was used for mobile home dwellings prior to January 1, 1962, and which was zoned in an R-1T district after

January 1, 1962, shall not be subject to the requirements of section 39-636(d) and (e).

Secs. 39-641—39-650. Reserved.

ARTICLE XL. TRAVEL TRAILER PARK T-1 DISTRICT

Sec. 39-651. Purpose of district.

The T-1 Travel Trailer Park District is intended to apply to areas to be used for the parking or placement of mobile homes for occupancy as living quarters. Recreational vehicles shall also be permitted within the district to provide temporary living quarters. For purposes of this section "temporary living quarters" and "seasonal or temporary living quarters" shall relate to the period of time the recreational vehicle is occupied as a living quarter during each year and not to the period of time it is located in the travel trailer park. In no instance shall a recreational vehicle be occupied as living quarters for a continuous period of time that is longer than a 12-month calendar year, said calendar year measured from January 1 to December 31. During the time the recreational vehicle is not occupied as temporary or seasonal quarters, it may be stored and tied down on the recreational vehicle site. The affixing of a recreational vehicle to the ground, by way of tie-downs or other removable fasteners, and the attachment of carports, porches, screen rooms and similar appurtenances by way of removable attaching devices shall not render the recreational vehicle a permanent part of the recreational vehicle site.

The T-1 Travel Trailer District is intended to serve as a set of regulations applicable to land zoned T-1 district immediately prior to the effective date of this ordinance. New travel trailer parks shall be zoned and developed in accordance with RV-1 district. New mobile home parks shall be zoned and developed in accordance with T-1A, T-1B or T-1C districts. (Eff. 1-23-78; Ord. No. 87-33, § 2, 6-23-87)

Sec. 39-652. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

(1) Mobile home parks or travel trailer parks for rental of sites for occupancy by mobile homes as living quarters. Recreational vehicles as temporary living quarters.

(2) Accessory uses and structures, not including the conduct of any business, occupation or profession except as permitted under section 39-653 below.

(3) The sale, by its owner or licensed dealer, of used mobile homes or recreational vehicles on sites presently or previously occupied by the owner of such mobile home or recreational vehicle. The sale of new display models by licensed dealers preparatory to occupancy on that site.

(4) Storage or parking of mobile homes or recreational vehicles on sites preparatory to occupancy or between periods of occupancy.

(5) Residence on floating homes and vessels. (Eff. 1-23-78; eff. 12-4-78; Ord. No. 87-33, § 3, 6-23-87)

Sec. 39-653. Special accessory uses.

A mobile home or travel trailer park providing space for 40 or more mobile homes or recreational vehicles may have retail stores and personal service shops for the care or treatment of the occupants or their clothing, subject to the following limitations and requirements:

(1) Such uses are wholly conducted within a completely enclosed building.

(2) There are no signs or displays visible from any street, indicating such uses.

(3) Such uses are conducted for the convenience of occupants of the mobile home or travel trailer park and not normally made available to other persons. (Eff. 1-23-78; Ord. No. 87-33, § 4, 6-23-87)

Sec. 39-654. Prohibited uses.

The permissible uses enumerated in sections 39-652 and 39-653 shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

(1) Display or sale of used mobile homes or recreational vehicles, except an occupied mobile home or an unoccupied mobile home or recreational vehicle previously occupied on that same site, may be sold on that site by its owner or licensed dealer.

(2) Any service station, service or repair garage.

(3) No secondhand or used merchandise shall be offered for sale, displayed or stored on the premises except as incidental to the bona fide sale of a mobile home or recreational vehicle.

(4) Dwelling units or living quarters except in a mobile home or recreational vehicle or as an accessory use.

(5) A separate utility building on any mobile home or recreational vehicle site, except for a code-approved storage closet.

(6) No cooking or sanitary facilities shall be installed or maintained on any mobile home or recreational vehicle site in any building or structure other than in the mobile home or recreational vehicle.

(7) Storage or parking of mobile homes or recreational vehicles except when a mobile home or recreational vehicle is located on a site preparatory to occupancy or between periods of occupancy. (Eff. 1-23-78; Ord. No. 87-33, § 5, 6-23-87)

Sec. 39-655. Plot size.

Every plot shall not be less than 100 feet in width and one-half acre in area. The required 100-foot minimum width need not be measured at a street line if the plot extends to a street by means of a strip at least 50 feet in width.

Sec. 39-656. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding 2 stories or 30 feet.

Sec. 39-657. Minimum site requirements.

(a) A mobile home consisting of 1 or more units designed as a single dwelling shall be placed upon a site not less than 2,400 square feet in area and not less than 40 feet in average width.

(b) A recreational vehicle shall be placed upon a site not less than 1,200 square feet in area and not less than 30 feet in average width. (Eff. 4-23-76; Ord. No. 87-33, § 6, 6-23-87)

Sec. 39-658. Yards.

Every plot for mobile home or recreational vehicle park purposes shall provide yards as follows:

(1) *Front yard.* Every plot shall have a front yard not less than 25 feet in depth, and this minimum depth of yard shall be provided on all streets upon which the plot abuts.

(2) *Side yard.* Each side of every plot shall have a side yard not less than 10 feet in width.

(3) *Rear yard.* Every plot shall have a rear yard not less than 15 feet in depth.

(4) *Accessory buildings.* No accessory building or structure shall be placed in any required yard space. (Eff. 4-23-76; Ord. No. 87-33, § 7, 6-23-87)

Sec. 39-659. Separation.

(a) No part of any mobile home or recreational vehicle except as otherwise specified in this article, shall be placed closer than 10 feet side-to-side, 8 feet end-to-side or 6 feet end-to-end horizontally of any other mobile home or recreational vehicle. No part of any mobile home or recreational vehicle shall be located within 25 feet of any accessory or service building or structure used in connection with a mobile home park.

SEC. 39.659 – Separation must be 10' from another mobil home or addition

(b) Permanent structures and additions for mobile homes and temporary structures and additions for recreational vehicles shall be permitted to be located immediately adjacent to a site line, mobile home or recreational vehicle when constructed entirely of materials which do not support combustion and provided that such facilities are not less than three feet from a structure or addition on an adjacent site. A structure or addition using combustible materials shall not be located closer than five feet from the site line of an adjoining site, mobile home or recreational vehicle.

(c) All mobile homes or appurtenances shall be located at least five feet from the exterior boundaries of the travel trailer park. (Ord. No. 87-33, § 8, 6-23-87)

Sec. 39-660. Access to sites.

(a) Each site shall abut upon a driveway or unobstructed space, not less than 30 feet in width, which space shall have unobstructed access to a street. Such driveway or space shall have a hard-surfaced roadway not less than 20 feet in width and shall be adequately lighted.

(b) Each site shall be supplied with a driveway extending from the right-of-way pavement to the parking space required by section 39-217(7). Surfacing requirements for such driveways and parking spaces are subject to the provisions of section 39-223 of these regulations. (Eff. 1-23-78)

Sec. 39-661. Structures and additions.

(a) Permanent structures and additions added or attached to a mobile home or recreational vehicle such as enclosed porches, screened enclosures, storage closets, carports and awnings shall conform to all applicable provisions of the South Florida Building Code. The total combined area of all such additions or attachments shall not exceed the gross area of the mobile home itself. Carports are not included in the above limitations of area, if the width of site is adequate for separation requirements.

Sec. 39-662. Health and sanitation.

(a) *Water Supply.* Fresh water supply shall be available to each mobile home site and within 100 feet of every dependent recreational vehicle site.

(b) *Toilets.* No dependent recreational vehicle site shall be more than 200 feet from approved toilet facilities.

(c) The sanitary regulations of the state and county shall be complied with as to all fixtures installed or maintained. Mobile home or travel trailer parks shall provide at least 1 septic tank of 1,800-gallon capacity, which shall be increased as required by the county health department regulations if more than 20 recreational vehicles are accommodated. (Ord. No. 87-33, § 10, 6-23-87)

Secs. 39-663—39-673. Reserved.

ARTICLE XLI. MOBILE HOME PARK MH-1 DISTRICT

The following regulations shall apply in all MH-1 districts:

Sec. 39-674. Purpose of district.

The MH-1 Mobile Home Park District is intended to apply to areas to be used for the parking or placement of mobile homes for occupancy as living quarters.

Sec. 39-675. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land and water used, in whole or in part, for other than one or more of the following specified uses:

(1) Mobile home parks for occupancy by mobile homes as living quarters.

(2) Accessory uses and structures, not including the conduct of any business, occupation or profession except as permitted under section 39-676 below.

(3) The sale, by its owner or licensed dealer, of used mobile homes on sites presently or previously occupied

by the owner of such mobile homes. The sale of the new display models by licensed dealers preparatory to occupancy on that site.

(4) Storage or parking of mobile homes on sites preparatory to occupancy or between periods of occupancy.

Sec. 39-676. Special accessory uses.

A mobile home park providing space for 40 or more mobile homes may have retail stores and personal service shops for the care or treatment of the occupants or their clothing, subject to the following limitations and requirements:

MH

(1) Such uses are wholly conducted within a completely enclosed building.

(2) There are no signs or displays visible from any street, indicating such uses.

(3) Such uses are conducted for the convenience of occupants of the mobile home park and not normally made available to other persons.

Sec. 39-677. Prohibited uses.

The permissible uses enumerated in sections 39-675 and 39-676 shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

(1) Display or sale of used mobile homes except an occupied mobile home, or an unoccupied mobile home previously occupied on the same site, may be sold on that site by its owner or licensed dealer.

(2) Any service station, service or repair garage.

(3) No secondhand or used merchandise shall be offered for sale, displayed or stored on the premises except as incidental to the bona fide sale of a mobile home.

(4) No animals, reptiles, insects, poultry or fowl shall be raised or kept in any mobile home park, except where a park has special facilities to take care of not more than one domestic animal per mobile home.

(5) Dwelling units or living quarters except in a mobile home or as an accessory use.

(6) Occupancy of travel trailers or recreational vehicles as living units.

(7) A separate utility building on any mobile home site, except for a demountable, code-approved storage closet.

(8) No cooking or sanitary facilities shall be installed or maintained on any mobile home site in any building or structure other than in the mobile home.

(9) Storage or parking of mobile homes except when a mobile home is located on a site preparatory to occupancy or between periods of occupancy.

Sec. 39-678. Plot size.

Every plot shall not be less than 100 feet in width and one-half acre in area. The required 100-foot minimum width need not be measured at a street line if the plot extends to a street by means of a strip at least 50 feet in width.

Sec. 39-679. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding 2 stories or 30 feet.

Sec. 39-680. Minimum site requirements.

A mobile home consisting of 1 or more units designed as a single dwelling shall be placed upon a site not less than 2,400 square feet in area and not less than 40 feet in average width.

Sec. 39-681. Yards.

Every plot used for mobile home park purposes shall provide yards as follows:

(1) *Front yard.* Every plot shall have a front yard not less than 25 feet in depth, and this minimum depth of yard shall be provided on all streets upon which the plot abuts.

(2) *Side yard.* Each side of every plot shall have a side yard not less than 10 feet in width.

(3) *Rear yard.* Every plot shall have a rear yard not less than 15 feet in depth.

(4) [*Accessory buildings.*] No accessory building or structure shall be placed in any required yard space.

Sec. 39-682. Separation.

No part of any mobile home or any addition or appurtenance thereto shall be placed within 10 feet of any mobile home, addition or appurtenance thereto. No part of any mobile home or addition or appurtenance thereto shall

be located within 25 feet of any accessory or service building or structure used in connection with a mobile home park.

Sec. 39-683. Access to sites.

(a) Each site shall abut upon a driveway or unobstructed space not less than 30 feet in width, which space shall have unobstructed access to a street. Such driveway or space shall have a hard-surfaced roadway not less than 22 feet in width and shall be adequately lighted.

(b) Each site shall be supplied with a driveway extending from the right-of-way pavement to the parking space required by section 39-217(7) of these regulations. Surfacing requirements for such driveways and parking spaces are subject to the provisions of section 39-223 of these regulations.

Sec. 39-684. Porches and additions.

(a) Structures of a permanent nature shall not be added or attached to a mobile home unless such mobile home is placed upon a site conforming to the minimum requirements for a mobile home.

(b) Structures of a permanent nature added or attached to a mobile home, such as enclosed porches, screened enclosures, storage closets and carports, shall conform to all applicable provisions of the Broward County Building Code. The total combined area of all such additions or attachments shall not exceed the gross area of the mobile home itself. Carports are not included in the above limitation of the area, if the width of site is adequate for separation requirements.

(c) All portable or demountable awnings, roofs or appurtenances which do not meet the requirements of paragraph (a) above shall be dismantled and stored either within the mobile home or in some permanent building during the following circumstances:

(1) Within one hour after all hurricane alerts by the U.S. Weather Bureau.

(2) If the mobile home is not to be occupied for a period of 30 days or more.

Sec. 39-685. Health and sanitation.

(a) Fresh water supply shall be available to each mobile home site.

(b) Provisions shall be made for the semiweekly removal of all garbage, trash and refuse from the mobile home park.

(c) The number of occupants of a mobile home and its porches or additions shall be limited to the sleeping accommodations for which the mobile home was designed.

(d) The sanitary regulations of the state and county shall be complied with as to all fixtures installed or maintained. Mobile home parks shall provide at least 1 septic tank of 1,800-gallon capacity, which shall be increased as required by the county health department regulations if more than 20 mobile homes are accommodated.

Secs. 39-686, 39-687. Reserved.

ARTICLE XLII. MOBILE HOME PARK T-1A, T-1B AND T-1C DISTRICTS

Sec. 39-688. Purpose of districts.

The T-1A, T-1B and T-1C Mobile Home Park Districts are intended to apply to areas to be used for the parking or placement of mobile homes for occupancy as living quarters.

Sec. 39-689. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

(1) Mobile home parks for rental of lots for occupancy by mobile homes as living quarters, wherein the mobile home park is owned and/or operated as a unit.

(2) Condominium mobile home parks.

(3) Mobile home parks involving the sale of mobile home lots for occupancy by mobile homes as living quarters, wherein individual lots within the mobile home park are owned separately.

(4) A mobile home park providing space for 40 or more mobile homes may have retail stores and personal service shops for the care or treatment of the occupants or their clothing, subject to the following limitations and requirements:

(a) Such uses are wholly conducted within completely enclosed building.

(b) There are no signs or displays visible from any public street indicating such uses.

(c) Such uses are conducted for the convenience of occupants of the mobile home park and not normally made available to other persons.

(5) The sale, by its owner or licensed dealer, of used mobile homes on lots presently or previously occupied by the owner of such mobile home. The sale of new mobile homes by a licensed dealer on a sales lot not to exceed five percent of the gross area of the park, for delivery within the park.

(6) A centralized storage area designed to serve the residents for the park which must be fenced and screened from view.

(7) Residence on floating homes and vessels. (Eff. 12-4-78)

Sec. 39-690. Prohibited uses.

The permissible uses enumerated in section 39-689(2) and (3) shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

(1) Display or sale of used mobile homes, except an occupied mobile home, or any unoccupied mobile home previously occupied on the same lot, may be sold on that lot by its owner or licensed dealer.

(2) Any service station, service or repair garage.

(3) No secondhand or used merchandise shall be offered for sale, displayed or stored on the premises except as incidental to the bona fide sale of a mobile home.

(4) No animals, reptiles, insects, poultry or fowl shall be raised or kept in any mobile home park, provided no more than two house pets may be kept in each mobile home.

(5) Dwelling units or living quarters except in a mobile home or as an accessory use.

(6) A separate utility building on any mobile home lot except for a demountable, code-approved storage closet.

(7) No cooking or sanitary facilities shall be installed or maintained on any mobile home lot in any building or structure other than in the mobile home.

(8) Storage or parking of mobile homes except when a mobile home is located on a lot preparatory to occupancy or between periods of occupancy.

(9) Storage or parking of commercial vehicles.

(10) Dwellings other than mobile homes.

Sec. 39-691. Plot size.

Every plot shall be not less than 25 acres in area.

Sec. 39-692. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding 30 feet, or 2 stories; and mobile homes shall not exceed 12 feet.

Sec. 39-693. Minimum lot requirements.

A mobile home consisting of 1 or more units designed as a single-family dwelling shall be placed upon a lot not less than 45 feet in width and 65 feet in depth.

Sec. 39-694. Yards.

Every plot used for mobile home park purposes shall provide a perimeter yard 10 feet in width, except that a front yard of 25 feet shall be required where the plot abuts residentially zoned land. Each mobile home lot shall provide a side yard 5 feet in width and a rear yard 10 feet in depth.

Sec. 39-695. Access to lots.

(a) Each mobile home lot shall front on a street 50 feet in width with pavement not less than 22 feet in width.

(b) Each mobile home lot shall be supplied with a driveway extending from the right-of-way pavement to the parking space required by section 39-217(7). Surfacing requirements for such driveways and parking spaces are subject to the provisions of section 39-223 of this ordinance. (Eff. 1-16-76)

Sec. 39-696. Porches and additions.

Structures of a permanent nature added or attached to a mobile home, such as enclosed porches, screened enclosures, storage closets and carports, shall conform to all applicable provisions of the Broward County Building Code. The total combined area of all such additions except carports shall not exceed the gross area of the mobile home itself.

Sec. 39-697. Utilities requirements.

Each lot shall be supplied with water, sewer, electrical and telephone connections with the service of such utilities to be underground.

Sec. 39-698. Limitations and special requirements.

No permit for the construction of a mobile home park shall be issued by the building and zoning department

unless and until the land area to be developed has been subdivided by a recorded plat. For the purpose of this district, the plat may contain private streets not less than 50 feet in width and an easement for utility purposes shall be dedicated on all private streets.

Sec. 39-699. Density limits.

Notwithstanding any of the provisions of this regulation, no mobile home park shall be developed to a density exceeding:

(1) Six dwelling units per acre of gross area, T-1A.

(2) Eight dwelling units per acre of gross area, T-1B.

(3) Ten dwelling units per acre of gross area, T-1C.

Sec. 39-700. Recreation facilities.

All mobile home parks shall provide recreation facilities not less than six percent of the gross area. Yard space shall not be included in the calculation of this area. Lakes and waterways may be used to satisfy up to one-third of this requirement. At least one land recreation area of not less than two acres shall be provided in any park.

Secs. 39-701—39-710. Reserved.

ARTICLE XLIII. RECREATIONAL VEHICLE RV-1 DISTRICT

The following regulations shall apply to all RV-1 districts:

Sec. 39-711. Purpose of district.

The RV-1 Recreational Vehicle District is intended to apply to areas for the parking and storing of recreational vehicles for temporary occupancy, sleeping and living quarters. For purposes of this article, "temporary" shall mean a period of time that is less than a 12-month calendar year, said calendar year measured from January 1 to December 31. (Ord. No 87-32, § 2, 6-23-87)

Sec. 39-712. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land and water used, in whole or part, for other than one or more of the following uses:

(1) Campgrounds providing rental sites for recreational vehicles in accordance with the requirements of section 39-726.

(2) Accessory uses and structures as herein specified.

(3) Residence on floating homes or vessels.

(4) Sites may be used for the sale of recreational vehicles; however, such sites shall not exceed 15 percent of the recreational vehicle park itself. (Eff. 12-4-78; Ord. No. 87-32, § 4, 6-23-87)

Editor's note—Section 39-712, defining "recreational vehicle campground," derived unamended from the original zoning ordinance, was repealed by § 3 of Ord. No. 87-32, adopted June 23, 1987, effective July 13, 1987. Sections 4—7 of Ord. No. 87-32 renumbered former §§ 39-713—39-715.1 as §§ 39-712—39-715.

Sec. 39-713. Special accessory uses.

A recreational vehicle campground having 50 or more recreational vehicle sites may have retail stores or personal shops for the care or treatment of the occupants and/or their personal effects subject to the following limitations and requirements:

(1) Such uses are conducted entirely within a completely enclosed building.

(2) There are no signs or displays indicating such uses visible from any street or any other private property.

(3) Such uses are conducted solely for the convenience of the occupants of the campgrounds and are not normally available to other persons, and the structure shall be located so that it discourages outside use.

(4) Residence of a park manager and his immediate family. (Ord. No. 87-32, § 5, 6-23-87)

Note—Formerly, § 39-714. See the editor's note to § 39-712.

Sec. 39-714. Uses prohibited.

The permissible uses enumerated in sections 39-712 and 39-713 above shall not be construed to include, either as principal or accessory use, any of the following, which are listed for emphasis:

(1) Display or sale of mobile homes or motor vehicles, except for recreational vehicles placed on a recreational site. Sites used for sale of recreational vehicles shall not exceed 15 percent of the gross area of the recreational vehicle park itself.

(2) Any use first permitted in another district. (Ord. No. 87-32, § 6, 6-23-87)

Note—Formerly, § 39-715. See the editor's note to § 39-712.

Sec. 39-715. Plot size.

Every plot used for a recreational vehicle campground shall not be less than 10 acres in area and not less than 300 feet in any dimension. (Eff. 1-6-78; Ord. No. 87-32, § 7, 6-23-87)

Note—Formerly, § 39-715. See the editor's note to § 39-712.

Sec. 39-716. Site size.

Each site for a recreational vehicle shall be at least 1,500 square feet in area with at least 1 dimension of 50 feet. (Ord. No. 87-32, § 8, 6-23-87)

Sec. 39-717. Site access.

(a) Each site to accommodate a recreational vehicle shall abut upon and be accessible from a road not less than 30 feet in width with a surface top finish not less than 22 feet in width. Such streets may be private; however, access by government, utility, public or emergency vehicles shall not be impeded.

(b) Each recreational vehicle site shall be supplied with a driveway extending from the right-of-way pavement to a paved parking space. Such parking space shall be at least 10 feet by 40 feet. Surfacing requirements of such driveways

and parking spaces are subject to the provisions of article XII of this ordinance. (Ord. No. 87-32, § 9, 6-23-87)

Sec. 39-718. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding 2 stories or 30 feet.

Sec. 39-719. Perimeter strip.

There shall be a perimeter strip surrounding the entire campground of at least 50 feet. This perimeter strip shall be fenced and landscaped in order to provide visual and noise separation from the adjacent property. No facility, either recreational, sanitary, commissary or sales facility, shall be allowed within this perimeter strip although the innermost 30 feet of this strip may be utilized for access to sites as provided in section 39-717. On any side of the campgrounds in which a natural or artificial barrier at least 500 feet in width already exists, such as a limited-access highway or a lake or river, no such strip shall be required.

Sec. 39-720. Separation and setback.

(a) Except as otherwise specified in this article, no part of any recreational vehicle shall be placed closer than 10 feet side-to-side, 8 feet end-to-side or 6 feet end-to-end horizontally from any other recreational vehicle on another site. No part shall be located within 25 feet of any accessory or service building or structure used in connection with a recreational vehicle campground.

(b) Temporary structures and additions shall be permitted to be located immediately adjacent to a site line or recreational vehicle when constructed entirely of materials which do not support combustion and provided that such facilities are not less than three feet from a temporary structure or addition on an adjacent site. A temporary structure or addition using combustible materials shall not be located closer than five feet from the site line of an adjoining site or recreational vehicle.

(c) There shall be a front yard setback of at least 10 feet.

(d) On corner sites, no recreational vehicle, trailer, tent or structure shall be closer than five feet to the street side line of any site.

(e) All recreational vehicle units shall be parked 25 feet or more from any public street or highway right-of-way. (Ord. No. 87-32, § 10, 6-23-87)

Sec. 39-721. Utilities.

(a) Each site shall be provided at least one electrical receptacle with 110/115 volt alternating electrical current. All electrical wiring shall be underground.

(b) Each site shall provide at least one connection to an approved potable water system.

(c) Each site shall provide at least one connection to an approved sewage collection and treatment system.

(1) No unenclosed sewage treatment facility shall be located nearer to any street line than 125 feet nor nearer to any other residentially zoned property than 175 feet.

(2) No enclosed sewage treatment facility or water pumping or treatment facility shall be located nearer than 35 feet to any street line or nearer than 50 feet to any other residentially zoned property. (Ord. No. 87-32, § 11, 6-23-87)

Sec. 39-722. Recreational area required.

Every plot used for a recreational vehicle campground shall have at least 5 percent recreational area, which can be in separate sites not less than 10,000 square feet. The minimum recreational area for any campground shall be one acre. (Ord. No. 87-32, § 13, 6-23-87)

Editor's note—Section 12 of Ord. No. 87-32, adopted June 23, 1987, effective July 13, 1987, repealed former § 39-722, relating to occupancy limitations on recreational vehicles, derived from the original zoning ordinance. Section 13 renumbered § 39-724 as § 39-722.

Sec. 39-723. Sanitation facilities.

Each campground plot shall provide sanitary facilities in a permanent building on a separate site located not more than 300 feet from any campsite. All sanitary facilities shall be consistent with the applicable provisions of the Florida Administrative Code. (Ord. No. 87-32, § 15, 6-3-87)

Editor's note—Formerly, § 39-723 related to platting in RV-1 districts and was repealed by § 2 of Ord. No. 81-16, adopted Mar. 19, 1981. The present § 39-723 is derived from former § 39-726(d)(1), renumbered as such by § 15 of Ord. No. 87-32, adopted June 23, 1987, effective July 13, 1987.

Sec. 39-724. Temporary structures and additions.

(a) Temporary structures or additions added or attached to a recreational vehicle shall not exceed, in total combined area, the gross area of the recreational vehicle itself.

(b) Roll-out type awnings supported by the recreational vehicle and temporary poles are exempt from the requirements in subsection (a).

(c) The affixing of a recreational vehicle to the ground, by way of tie-downs or other removable fasteners, and the attachment of carports, porches, screen rooms and similar appurtenances by way of removable attaching devices shall not render the recreational vehicle a permanent part of the recreational vehicle site. (Ord. No. 87-32, § 18, 6-23-87)

Editor's note—Sections 16, 17 of Ord. No. 87-32, adopted June 23, 1987, effective July 13, 1987, repealed §§ 39-727, 39-728, relating to condominium campgrounds; and § 18 added a new § 39-724.

Secs. 39-725—39-739. Reserved.

Sec. 39-728. Special and distinct entities.

Condominium and rental recreational vehicle parks shall be developed and operated as separate and distinct entities, and there shall be no physical connection for traversal between the entities. Where rental and condominium parks may happen to abut, a fifty-foot landscaped buffer must be maintained.

Secs. 39-729—39-739. Reserved.

ARTICLE XLIV. TWO-FAMILY DWELLING R-2 DISTRICT

Sec. 39-740. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

(1) Any use permitted in an R-1A, R-1B or R-1C district, subject to the limitations, requirements and procedure specified for such use.

(2) Two-family dwelling.

(3) Two one-family dwellings.

(4) Church and church school incidental to church.

(5) Uses accessory to any of the above when located on the same plot and not involving the conduct of any business, trade, occupation or profession.

(6) Residence on floating homes or vessels. (Eff. 12-4-78)

Sec. 39-741. Size of plot.

(a) *Dwellings.* Every plot upon which a residential structure is erected shall be not less than 60 feet in width and 6,000 square feet in area; except that a plot, consisting of a single lot of record not less than 50 feet in width, and held in separate ownership at the effective date of this ordinance, may be utilized for a two-family dwelling.

(b) *Nonresidential uses.* Every plot upon which a permitted nonresidential structure or use, other than an accessory structure or use, is erected or placed shall be not less than 100 feet in width and 10,000 feet in area.

Sec. 39-742. Plot coverage.

The combined area occupied by all main and accessory buildings shall not exceed 40 percent of the area of the plot.

Sec. 39-743. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding either 2 stories or 35 feet, except that a steeple or tower on a church may extend to a height of 50 feet.

Sec. 39-744. Front yard.

(a) *Residential Uses.* Every plot for dwelling purposes shall have a front yard not less than 25 feet in depth.

(b) *Nonresidential Uses.* Every plot whose principal use is nonresidential shall have a front yard not less than 30 feet in depth.

Sec. 39-745. Side yards.

(a) *Residential Uses.* Every plot used for dwelling purposes shall have a side yard on each side, each of which shall be at least 7½ feet in width, except that where a plot is less than 60 feet in width, each side yard shall be at least 5 feet in width.

(b) *Nonresidential Uses.* Every plot whose principal use is nonresidential shall have a side yard on each side, each of which shall be not less than 20 feet in width, with an increase of 1 foot in width of each side yard for each 2 feet in height of the structure in excess of 20 feet.

(c) *Corner Plots.* Upon corner plots there shall be front yard as hereinbefore specified, and also a side yard at least 15 feet in width on the side of the plot abutting on the side street.

Sec. 39-746. Rear yard.

(a) *Residential Uses.* Every plot whose principal use is residential shall have a rear yard not less than 15 feet in depth.

(b) *Nonresidential Uses.* Every plot whose principal use is nonresidential shall have a rear yard not less than 25 feet in depth.

Sec. 39-747. Minimum floor area.

The minimum floor area of a 1-family dwelling shall be 600 square feet, and the minimum floor area of a dwelling unit in a 2-family dwelling shall be 400 square feet.

Secs. 39-748—39-758. Reserved.

ARTICLE XLV. TWO-FAMILY DWELLING—PARKING R-2P DISTRICT

Sec. 39-759. Purpose of district.

The R-2P Two-Family Dwelling—Parking District is intended to apply to areas normally residential in character and located in a generally residential neighborhood which are situated adjacent to a business district and which are needed for noncommercial off-street parking to serve public convenience, to reduce street congestion and to facilitate desirable business development to serve the surrounding residential sections.

Sec. 39-760. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

(1) Any use permitted in an R-2 district, subject to all of the limitations and requirements specified in this ordinance for such use in that district.

(2) Any use permitted in an R-1P district, subject to all of the limitations and requirements specified in this ordinance for such use in that district.

Sec. 39-761. Location of R-2P districts.

An R-2P district shall be contiguous to or separated only by an alley from a B-1, B-2, B-2A, B-2B or B-3 district.

Secs. 39-762—39-767. Reserved.

ARTICLE XLVI. TWO-FAMILY DWELLING R-2U DISTRICT

Sec. 39-768. Purpose of district.

The R-2U Two-Family Dwelling District is intended to apply to areas to be used for the construction of dwellings containing two dwelling units, which are designed, arranged and constructed for the ownership of each dwelling unit by a separate and different owner.

Sec. 39-769. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following specified uses:

(1) Any use permitted in an R-2 district, subject to all limitations and requirements specified in this ordinance for such use in that district.

(2) Two-family dwellings which are designed, arranged and constructed for the ownership of each dwelling unit by a separate and different owner.

(3) Uses accessory to any of the above when located on the same plot and not involving the conduct of any business, trade, occupation or profession.

Sec. 39-770. Size of plot; dwellings.

Every plot upon which a residential structure is erected shall be not less than 60 feet in width and 6,000 square feet in area; provided that each unit of a 2-family dwelling may be located on a lot not less than 30 feet in width and 3,000 square feet in area, except that a portion of a common party wall separating 2 such 1-family dwelling units may be located on the adjoining lot.

Sec. 39-771. Plot coverage.

The combined area covered by all main and accessory buildings and roofed structures shall not exceed 40 percent of the area of the plot.

Sec. 39-772. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding 2 stories or 30 feet, except that a steeple or tower on a church may extend to a height of 50 feet.

Sec. 39-773. Front yard.

(a) *Residential Uses.* Every plot used for dwelling purposes shall have a front yard not less than 25 feet in depth.

(b) *Nonresidential Uses.* Every plot whose principal use is nonresidential shall have a front yard not less than 30 feet in depth.

Sec. 39-774. Side yards.

(a) *Residential Uses.* Every plot used for dwelling purposes shall have a side yard on each side, each of which shall be at least seven and one-half feet in width; provided that where a two-family dwelling is erected on two platted lots with a dividing party wall centered on the common lot line between the two platted lots, a side yard shall not be required adjacent to and on either side of said common lot line.

(b) *Nonresidential Uses.* Every plot whose principal use is nonresidential shall have a side yard on each side, each of which shall be not less than 20 feet in width, with an increase of 1 foot in width of each side yard for each 2 feet in height of the structure in excess of 20 feet.

(c) *Corner Plots.* Upon corner plots, there shall be a front yard as hereinbefore specified and also a side yard at least 15 feet in width on the side of the plot abutting on the side street.

Sec. 39-775. Rear yard.

(a) *Residential Uses.* Every plot whose principal use is residential shall have a rear yard not less than 15 feet in depth.

(b) *Nonresidential Uses.* Every plot whose principal use is nonresidential shall have a rear yard not less than 25 feet in depth.

Sec. 39-776. Minimum floor area.

The minimum floor area of a 1-family dwelling in a separate detached building shall be 600 square feet. The minimum floor area of a dwelling unit in a 2-family dwelling shall be 400 square feet.

Secs. 39-777—39-785. Reserved.

ARTICLE XLVII. LOW-DENSITY MULTIPLE R-3 DISTRICT

Sec. 39-786. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

(1) Any use permitted in an R-1A, R-1B, R-1C or R-2 district, subject to the limitations, requirements and procedure specified for such use.

(2) Multiple dwellings.

(3) Private office for doctor or dentist accessory to a dwelling provided such office does not exceed 25 percent of the floor space of a dwelling unit occupied by such doctor or dentist and not more than 1 doctor or dentist practices in such office.

(4) Nursery school or child care center when the building is located not less than 20 feet from any other plot in an R district; provided that there is established, maintained and used for the children at play in connection therewith 1 or more completely and securely fenced play lots which, if closer than 50 feet to any property line, shall be screened by a masonry wall or compact evergreen hedge not less than 5 feet

in height, located not less than 2 feet from any other plot in an R district.

(5) Rooming house with not more than four rooms for rent.

(6) Public, private or parochial elementary, junior and senior high schools. Private and parochial schools shall offer curricula substantially equivalent to public schools of comparable grades and shall meet the academic requirements of the state department of education.

(7) Open parking lots for the parking of private passenger vehicles, subject to all of the provisions of Section 39-794, Open Parking Lots.

(8) Uses accessory to and of the above uses not involving the conduct of any business, trade, occupation or profession, including a distributor transformer station for direct service to customers.

Sec. 39-787. Size of plot.

(a) *Dwellings.* Every plot upon which a dwelling is erected shall not be less than 60 feet in width at the building line and 6,000 square feet in area, provided that a plot consisting of a single lot of record on the effective date of the zoning of the subject property which is less than 60 feet in width and 6,000 square feet in area, may be improved with a 1-family or 2-family dwelling.

(b) *Nonresidential Uses.* Every plot upon which a permitted nonresidential structure or use, other than an accessory structure or use, is erected or placed shall be not less than 100 feet in width and 10,000 square feet in area.

Sec. 39-788. Plot coverage.

The combined area occupied by all main and accessory buildings and structures shall not exceed 40 percent of the area of the plot for 2-story buildings or 50 percent for 1-story buildings.

Sec. 39-789. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding 35 feet, except that a steeple or tower on a church may extend to a height of 50 feet. (Eff. 5-17-74)

Sec. 39-790. Front yard.

(a) *Residential Uses.* Every plot used for dwelling purposes shall have a front yard not less than 25 feet in depth.

(b) *Nonresidential Uses.* Every plot whose principal use is nonresidential shall have a front yard not less than 30 feet in depth.

Sec. 39-791. Side yards.

(a) *Residential Uses.* Every plot used for dwelling purposes shall have a side yard on each side each of which shall be at least 7½ feet in width for a 1-family or a 2-family dwelling and at least 10 feet in width for other residential uses, except that on a plot less than 60 feet in width which is utilized for a 1-family or 2-family dwelling, each side yard shall be at least 5 feet in width.

(b) *Nonresidential Uses.* Every plot whose principal use is nonresidential shall have a side yard on each side, each of which shall be not less than 25 feet in width with an increase of 1 foot in width for each 2 feet in height of the structure in excess of 20 feet.

(c) *Corner Plots.* Upon corner lots, there shall be a front yard as hereinbefore specified, and also a side yard at least 15 feet in width on the side of the plot abutting on a side street.

Sec. 39-792. Rear yard.

(a) *Residential Uses.* Every plot whose principal use is residential shall have a rear yard not less than 15 feet in depth, except that a rear yard abutting upon a waterway shall be at least 25 feet in depth.

(b) *Nonresidential Uses.* Every plot whose principal use is nonresidential shall have a rear yard not less than 25 feet in depth.

Sec. 39-793. Minimum floor area.

The minimum floor area of a 1-family dwelling shall be 600 square feet, the minimum floor area of a dwelling unit in a 2-family dwelling shall be 400 square feet, and the minimum floor area of a dwelling unit in a multiple dwelling shall be 400 square feet.

Sec. 39-794. Open parking lots.

Open parking lots for parking of private, self-propelled passenger vehicles, not including buses, as permitted under section 39-450(7) shall be arranged, maintained and used in accordance with the following:

(1) The plot shall provide a front yard not less than 25 feet in depth, nor less than the front yard of any existing residential structure immediately adjacent and on either side of the plot.

(2) A side yard shall be provided on each side of the plot, except on an alley side, not less than 10 feet in width.

(3) An ornamental fence or wall four feet in height shall be placed between the parking area and the required yards and on the rear plot line, with only such openings as may be required for access.

(4) The required front and side yards shall be planted and kept in lawn that is maintained so as to present a healthy, neat and orderly appearance. The required yards shall be kept free from refuse and debris.

(5) No signs shall be permitted other than unlighted entrance and exit markers, not exceeding two square feet in area, located within the parking area.

(6) The parking area shall be provided and maintained with a stable surface treated and graded so as to prevent dust and surface water accumulation.

(7) If lighting is provided for the parking area, all lights shall be subdued, shaded and focused away from all dwellings.

(8) No business of any kind, including repair, service, washing, sale, display or storage, shall be conducted on or from the plot.

ARTICLE XLVIII. ROW HOUSE R-3U DISTRICT

Sec. 39-795. Purpose of district.

The R-3U Row House District is intended to apply to areas to be used for the construction of dwelling containing three or more dwelling units, which are designed, arranged and constructed for the ownership of each dwelling unit and the land thereunder by a separate and different owner.

Sec. 39-796. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following specified uses:

(1) Any use permitted in an R-2U district, subject to all limitations and requirements specified in this ordinance for such use in that district.

(2) Multiple dwellings which are designed, arranged and constructed for the ownership of each dwelling unit and the land thereunder by a separate and different owner.

(3) Uses accessory to any of the above when located on the same plot and not involving the conduct of any business, trade, occupation or profession.

Sec. 39-797. Size of plot.

(a) *Dwellings.* Every plot upon which a residential structure is erected shall be not less than 60 feet in width and 6,000 square feet in area; provided that each dwelling

unit of a multiple-family dwelling may be located on a lot not less than 20 feet in width and 100 feet in depth, except that a portion of a common party wall separating 2 such separate dwelling units may be located on an adjoining lot.

(b) *Nonresidential Uses.* Every plot upon which a permitted nonresidential structure or use, other than an accessory structure or use, is erected or placed shall be not less than 100 feet in width and 10,000 square feet in area.

Sec. 39-798. Plot coverage.

The combined area covered by all main and accessory building and roofed structures shall not exceed 40 percent of the area of the plot.

Sec. 39-799. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding 2 stories or 30 feet, except that a steeple or tower on a church may extend to a height of 50 feet.

Sec. 39-800. Front yard.

(a) *Residential Uses.* Every plot used for dwelling purposes shall have a front yard not less than 25 feet in depth.

(b) *Nonresidential Uses.* Every plot whose principal use is nonresidential shall have a front yard not less than 30 feet in depth.

Sec. 39-801. Side yards.

(a) *Residential Uses.* Every plot used for a 1-family or a 2-family dwelling shall have a side yard on each side, each of which shall be at least seven and one-half feet in width. Every plot used for a multiple dwelling shall have a side yard on each side, each of which shall be at least 10 feet in width; provided that where a multiple dwelling in the form of a row house is erected on 3 or more platted lots with the dividing party walls between separate dwelling units

centered on the common lot line between 2 platted lots, a side yard shall not be required adjacent to and on either side of said common lot line.

(b) *Nonresidential Uses.* Every plot whose principal use is nonresidential shall have a side yard on each side, each of which shall be not less than 20 feet in width, with an increase of 1 foot in width of each side yard for each 2 feet in height of the structure in excess of 20 feet.

(c) *Corner Plots.* Upon corner plots, there shall be a front yard as hereinbefore specified and also a side yard at least 15 feet in width on the side of the plot abutting on the side street.

Sec. 39-802. Rear yard.

(a) *Residential Uses.* Every plot whose principal use is residential shall have a rear yard not less than 15 feet in depth.

(b) *Nonresidential Uses.* Every plot whose principal use is nonresidential shall have a rear yard not less than 25 feet in depth.

Sec. 39-803. Minimum floor area.

The minimum floor area of a 1-family dwelling in a separate detached building shall be 600 square feet. The minimum floor area of a dwelling unit in a 2-family dwelling shall be 400 square feet. The minimum floor area of a dwelling unit in a multiple dwelling shall be 600 square feet.

Sec. 39-804. Limitations and special requirements.

(a) Deleted.

(b) The party walls, which separate and define the individual dwellings of a multiple dwelling, shall be centered on the dividing lot lines of the recorded subdivision plat.

(c) No multiple dwelling designed for sale of individual dwelling units to separate and different owners shall exceed 200 feet in length. (Eff. 1-16-76)

Secs. 39-805—39-814. Reserved.

ARTICLE XLIX. APARTMENT R-4 DISTRICT

Sec. 39-815. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

(1) Any use permitted in an R-3 district, subject to the limitations, requirements and procedure prescribed for such use.

(2) Hospitals, sanitariums, convalescent homes, nursing homes.

(3) Orphanages, institutions for the aged, indigent or infirm, but not including mental cases. → For Housing or Residence.

(4) Community garage.

(5) Accessory uses and structures.

Sec. 39-816. Size of plot.

(a) *Residential Uses.* Every plot upon which a dwelling is erected shall not be less than 100 feet in width at the building line and 10,000 square feet in area; provided that a plot consisting of a single lot of record on the effective date of the zoning of the subject property which is less than 100 feet in width and 10,000 square feet in area may be improved with a 1-family or 2-family dwelling.

(b) *Nonresidential Uses.* Every plot upon which a permitted nonresidential structure or use, other than an accessory structure or use, is erected or placed shall be not less than 100 feet in width and 10,000 square feet in area.

See Density req'mt

Sec. 39-817. Plot coverage.

The combined area occupied by all main and accessory buildings and structures shall not exceed the percent given in the following table for various heights of buildings:

Height	*Percent*
One-story	55
Two-story	55
Three-story	50
Four-story	50
Five-story	45
Six-story	45
Seven-story	40
Eight-story	40

Sec. 39-818. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding 8 stories or 100 feet.

Sec. 39-819. Front yard.

(a) *Residential Uses.* Every plot used for dwelling purposes shall have a front yard not less than 25 feet in depth.

(b) *Nonresidential Uses.* Every plot whose principal use is nonresidential shall have a front yard not less than 30 feet in depth.

Sec. 39-820. Side yards.

(a) *One-family or Two-Family Dwellings.* Every plot used for a 1-family or 2-family dwelling shall supply side yards as specified in section 39-745.

(b) *Multiple Dwellings.* Every plot used for a multiple dwelling or rooming house shall provide a side yard on each side, each of which shall be at least 10 feet in width; provided that the above-required width of side yard shall be increased by 1¼ feet for each 10 feet by which the height of building exceeds 22 feet.

(c) *Nonresidential Uses.* Every plot whose principal use is nonresidential shall provide a side yard on each side, each of which shall be at least 25 feet in width with an increase of 1 foot in width for each 2 feet in height of the structure in excess of 20 feet.

(d) [*Corner Plots.*] Upon corner plots there shall be a front yard as hereinbefore specified, and also a side yard at least 15 feet in width on the side of the plot abutting on the side street unless a greater width is required under subsections (a), (b) and (c) above.

Sec. 39-821. Rear yard.

(a) *One-Family and Two-Family Dwellings.* Every plot used for a 1-family or a 2-family dwelling shall have a rear yard not less than 15 feet in depth, except that a rear yard abutting on a waterway shall be at least 25 feet in depth.

(b) *Other Uses.* Every plot, the principal use of which is other than a 1-family or 2-family dwelling, shall have a rear yard not less than 20 feet in depth, plus an increase in depth of 2 feet for every 10 feet in height of building or structure in excess of 44 feet.

Sec. 39-822. Deleted.

Editor's note—Section 39-822, relating to plot area per room, was deleted by legislation effective Sept. 12, 1975.

Sec. 39-823. Minimum floor area.

The minimum floor area of a 1-family dwelling shall be 600 square feet, the minimum floor area of a dwelling unit in a 2-family dwelling shall be 400 square feet and the minimum floor area of a dwelling unit in a multiple dwelling shall be 400 square feet.

Secs. 39-824—39-833. Reserved.

ARTICLE L. PLANNED APARTMENT R-4A DISTRICT

Sec. 39-834. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

(1) Any use permitted in an R-4 district.

Sec. 39-835. Size of plot.

Every plot shall be not less than one acre in area.

Sec. 39-836. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding 8 stories or 100 feet.

Sec. 39-837. Plot coverage.

The combined area occupied by all main and accessory buildings and roofed structures shall not exceed the percent given in the following table for various heights of building, such height of building being the height of the highest main building:

Height	*Percent*
One-story	35
Two-story	30
Three-story	30
Four-story	29
Five-story	27
Six-story	25
Seven-story	23
Eight-story	21

Sec. 39-838. Street yards.

(a) Where a street separates the plot from residentially zoned property, there shall be a street yard on the plot adjacent to such street not less than 50 feet in width or depth.

(b) Where a street separates the plot from nonresidentially zoned property, there shall be a street yard on the plot adjacent to such street not less than 25 feet in width or depth.

Sec. 39-839. Side yards.

Every plot shall have a side yard on each side, each of which shall be at least 20 feet in width with an increase of 1 foot in width for each 2 feet in height of the structure in excess of 20 feet.

Sec. 39-840. Rear yard.

Every plot shall have a rear yard not less than 20 feet in depth with an increase of 1 foot in depth for each 2 feet in height of the structure in excess of 20 feet.

Sec. 39-841. Deleted.

Editor's note—Section 39-841, dealing with plot area per room, was deleted by legislation effective Sept. 12, 1975.

Sec. 39-842. Minimum floor area.

The minimum floor area of a 1-family dwelling shall be 1,000 square feet, the minimum floor area of a dwelling unit in a 2-family dwelling shall be 600 square feet, and the minimum floor area of a dwelling unit in a multiple dwelling shall be 400 square feet.

Sec. 39-843. Special yard.

Notwithstanding any other provision of this ordinance, the following requirements shall apply on all plots in R-4A districts:

(1) No part of any street yard within 25 feet of any street yard shall be used for parking.

(2) No fence or hedge over 2 feet in height shall be located within 25 feet of any street line.

(3) No accessory building or roofed structure shall be located in any required street yard.

(4) No accessory building or roofed structure shall be located within 25 feet of any side or rear plot line.

Sec. 39-844. Deleted.

Editor's note—Section 39-844, dealing with site development plan, was deleted by legislation effective Jan. 16, 1976.

Sec. 39-845. Maintenance.

(a) All setback areas, yards, walkways, driveways and parking areas shall be maintained and kept in a neat and clean condition, free of refuse and debris.

(b) All landscaped areas shall be maintained in a live, healthy and growing condition, properly watered and trimmed. Any planting of grass, shrubs or tree which becomes dead or badly damaged shall be replaced with a similar sound, healthy plant material.

Secs. 39-846—39-855. Reserved.

ARTICLE LI. PLANNED APARTMENT R-4B DISTRICT

The following regulations shall apply in all R-4B districts:

Sec. 39-856. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

(1) One-family, two-family and multiple-family dwellings.

(2) Accessory uses and structures.

(3) Residence on floating homes and vessels. (Eff. 12-4-78)

Sec. 39-857. Uses prohibited.

The permissible uses enumerated in section 39-856 above shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

(1) Hotel, motel, rooming or boarding house.

(2) Hospital, sanitarium, nursing home, convalescent home.

(3) Orphanages, institutions for the aged, indigent or infirm.

(4) Institutions of an educational, philanthropic or eleemosynary character.

Sec. 39-858. Size of plot.

Every plot shall be not less than five acres in area.

Sec. 39-859. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding 4 stories or 50 feet.

Sec. 39-860. Plot coverage.

The combined area occupied by all main and accessory buildings and roofed structures shall not exceed the percent given in the following table for various heights of buildings, such height of building being the height of the highest main building:

Height	*Percent*
One-story	35
Two-story	30
Three-story	30
Four-story	25

Sec. 39-861. Street yards.

(a) Where a street separates the plot from a single-family district, there shall be a street yard on the plot adjacent to such street not less than 35 feet in width or depth.

(b) Where a street separates the plot from nonresidentially zoned property, there shall be a street yard on the plot adjacent to such street not less than 25 feet in width or depth.

Sec. 39-862. Setbacks.

(a) When the plot abuts residentially zoned property and no waterway separates the plot from the abutting property, then buildings within the plot shall be no closer than 15 feet plus 1 foot for every foot of building height in excess of 10 feet, to the abutting property. When the plot abuts nonresidentially zoned property, and no street or waterway separates the plot from the abutting property, then buildings within the plot shall be no closer than 25 feet to the abutting property.

(b) When the plot is separated from the abutting property by a waterway at least 60 feet in width, regardless of whether the abutting property is residential or nonresidential, then buildings within the plot shall have a minimum setback of 25 feet regardless of height.

Sec. 39-863. Deleted.

Editor's note—Section 39-863, dealing with plot area per room, was deleted by legislation effective Sept. 12, 1975.

Sec. 39-864. Minimum floor area.

Each dwelling unit shall have not less than the following floor area [in square feet]:

Efficiency apartment	500
1-bedroom apartment	700
2-bedroom apartment	900
3- or more bedroom apartment	1050

Sec. 39-865. Special yard requirements.

Notwithstanding any other provision of this ordinance, the following requirements shall apply on all plots in R-4B districts:

(1) No part of any street yard within 25 feet of any street shall be used for parking.

(2) No fence or hedge over 2 feet in height shall be located within 25 feet of any street line.

(3) No accessory building or roofed structure shall be located in any required street yard.

(4) No accessory building or roofed structure shall be located within 25 feet of any side or rear plot line.

Sec. 39-866. Building separation.

The minimum distance between any 2 buildings on the plot shall be 15 feet or three-fourths the height of the higher of the 2 buildings, whichever may be greater.

Sec. 39-867. Off-street parking.

Off-street parking shall conform to Section 39-217(2), Amount of Off-Street Parking.

Sec. 39-868. Deleted.

Editor's note—Section 39-868, dealing with site development plan, was deleted by legislation effective Jan. 16, 1976.

Sec. 39-869. Maintenance.

(a) All setback areas, yards, walkways, driveways and parking areas shall be maintained in a neat and clean condition, free of refuse and debris.

(b) All landscaped areas shall be maintained in a live, healthy and growing condition, properly watered and trimmed. Any planting of grass, shrubs or trees which becomes dead or badly damaged shall be replaced with similar sound, healthy plant material.

Secs. 39-870—39-879. Reserved.

ARTICLE LII. PLANNED UNIT DEVELOPMENT (PUD) DISTRICT

Sec. 39-880. Objectives.

In order to promote the planned growth of viable new communities, allow greater freedom of design, improve the opportunity for flexibility and creativity in land development, limit the expenditure of public funds, and achieve the intent of land use regulations, this district is established to:

(1) Encourage provision of planned residential communities (along with supporting commercial and industrial uses), planned commercial centers, planned industrial parks, or other special uses containing a variety of structures and diversity of building arrangements when authorized in accordance with an approved comprehensive development plan.

(2) Allow diversification of uses, structures and open spaces when not in conflict with existing and permitted land uses on abutting properties.

(3) Reduce improvement costs through a more efficient use of land and a smaller network of utilities and streets than is possible through application of standards contained in conventional land development regulations.

(4) Conserve the natural amenities of the land by encouraging the preservation and improvement of scenic and functional open space.

(5) Provide maximum opportunity for application of innovative site planning concepts to the creation of aesthetically pleasing environments for living, shopping and working on properties of adequate size, shape and location.

(6) Ensure that development will occur according to limitations of land use, site design, population density, building coverage, improvement standards and construction phasing authorized through approval of a comprehensive development plan.

(7) Preserve, protect and enhance agricultural uses through the application of the clustering provisions as specified

within the Broward County Comprehensive Plan. These provisions allow the clustering of residential uses within land designated Agriculture by the certified Future Unincorporated Area Land Use Element Map Series.

(8) Encourage urban infilling, discourage urban sprawl and provide for affordable housing through the application of the flexibility provisions of the Broward County Comprehensive Plan. These provisions provide for a density bonus of up to 100 percent of the density allowed by the certified Future Unincorporated Area Land Use Element Map Series. The flexibility provisions also promote urban infilling and discourage urban sprawl by permitting commercial uses within land designated agriculture, residential and industrial. (Ord. No. 91-36, § 1, 9-11-91)

Sec. 39-881. Definitions.

Inclusions: As used in this article, words in the singular shall include the plural and those in the plural include the singular. The word "person" includes a corporation, unincorporated association and partnership, as well as individual. The word "building" includes structure and shall be construed as if followed by the phrase "or part thereof." The word "street" includes any name commonly used for a roadway. The word "watercourse" includes channel, creek, ditch, dry run, spring, stream and canal, but does not include a lake, pond or pool without outlet. The word "may" is permissive; the word "shall" is mandatory and not merely directory.

Block: Means a group of lots existing within well-defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers and having assigned numbers, letters or other names through which it may be identified.

Building: Shall mean any roofed structure, open or including all floor area within supporting construction members.

Building, Enclosed: Shall mean a building completely enclosed on all sides.

Common Open Space: Shall mean a parcel or parcels of land, or a combination of land and water within the site designated as a planned unit development, and designed and intended for the use or enjoyment of residents of the planned unit development. All common open space shall be improved to complement the residential uses and may contain compatible and complimentary structures for the benefit and enjoyment of the residents of the planned unit development.

County: Shall mean the unincorporated area of the County of Broward, Florida, or the Board of County Commissioners of Broward County, as may be appropriate in the context where such word appears.

Developer: A person, or his agent, who is responsible for the planning, subsequent land improvement, and development of a parcel of land.

Lot: A tract or parcel of land identified as a single unit in a subdivision, and intended for transfer of ownership, use or improvements.

Master Development Plan: Shall mean the total site plan of a planned unit development drawn in conformity with the requirements of this article. Said development plan shall specify and clearly illustrate the location, relationship and design nature and character of all primary and secondary uses, public and private easements, structures, parking areas, public and private roads, and common open space.

Phase: Shall mean a specified portion of a planned unit development that may be developed as an individual component and shall be in the final development plan, and specified within the development schedule.

Planned Unit Development: Shall mean an area of land developed as a single entity, or in approved stages in conformity with a site development plan by a developer, or group of developers acting jointly, which is totally planned to provide for a variety of residential and compatible uses and common open space.

Site Development Plan, Conceptual: An informal development plan, indicating existing site features, including existing roadways, proposed land use areas, proposed interior vehicular circulation systems and the surrounding community development.

Site Development Plan, Preliminary: A tentative development plan, to scale and dimensioned, which may be submitted prior to submission of final plans.

Site Development Plan, Final: A complete and exact plan which shall be submitted and approved prior to filing for a building permit.

Sec. 39-882. Land use standards.

The land use standards are determined for each land use intensity (LUI) rating by computing each element of the rating shown in figure 1 [printed at the end of this article].

(1) *Floor Area Ratio (FAR):* FAR is the permitted residential square foot amount of floor area of buildings per square foot of land area in the planned unit development site. FAR times the total square footage of land area equals the maximum floor area permitted in the planned unit development.

(2) *Open Space Ratio (OSR):* OSR is the minimum required square foot amount of land area which must remain open space, without buildings, but including paved area, per square foot of residential floor area. OSR times the total square footage of floor area equals the minimum open space required.

(3) *Livability Space Ratio (LSR):* LSR is the required square foot amount of open space which is not used for vehicular purposes, i.e., driveways and parking, per square foot of floor area. LSR times the total square footage of residential floor area equals the minimum livability space required.

Sec. 39-883. Permitted uses.

(a) *Residential Uses:*

(1) Single-family attached and detached dwellings, and multiple-family dwellings.

(2) Adult congregate living facilities subject to this article as modified by section 39-395.

(3) Planned residential communities. Supporting commercial, industrial and special uses may also be permitted within an approved residential planned unit development district when complementary to, compatible with and required for the orderly operation of the planned community.

(4) A density bonus of up to 100 percent of the density allowed by the certified Future Unincorporated Area Land Use Element Map Series may be applied to encourage urban infilling, discourage urban sprawl and provide for affordable housing, in accordance with the flexibility provisions of the Broward County Comprehensive Plan.

(b) *Nonresidential Uses:*

(1) Planned commercial centers. Supporting noncommercial and special uses may also be permitted within an approved commercial planned unit development district when complementary to, compatible with and required for the orderly operation of a commercial center.

(2) Planned industrial parks. Supporting nonindustrial and special uses may also be permitted within an approved industrial planned unit development district when complementary to, compatible with and required for the orderly operation of a planned park.

(3) Planned special complexes. Recreational, cultural, educational or other similar uses may also be permitted within an approved special planned unit development district when complementary to, compatible with and required for the orderly operation of planned complexes.

(4) Retail sales, including food and beverage service; automobile service station.

(5) Personal services and household appliance repair services. Dry cleaning shall be done within completely enclosed solvent-reclaiming units.

(6) Business and professional office, medical facilities, funeral homes, private and commercial schools.

(7) Marine facilities.

(c) *Hotels, Motels and Restaurants:* Hotels, motels and restaurants may be permitted upon a consideration of the following criteria:

(1) The total acreage used for said hotel, motel and restaurant, including necessary parking, support buildings and grounds appurtenances, shall not be considered common open space and shall be included within the maximum total acreage permitted under this section for commercial use.

(2) The trafficway system in the area adjacent to said use shall be adequate to support the anticipated traffic to be generated by the hotel, motel or restaurant.

(3) The area of said use shall be calculated as part of the total commercial acreage permitted, and the density shall not exceed 40 hotel-motel units per gross acre as per special area delineated on the development plan.

(d) *Business Use Requirements for Residential and Industrial Planned Unit Development:*

(1) No more than five percent of the total land area may be used for permitted business uses, except as provided in article XXIV, section 39-395, regarding adult congregate living facilities.

(2) All business uses located within the interior of the proposed planned unit development shall be designed having no store fronts, signs or advertisements visible from outside the property line, so there is no indication that the business uses are within.

(3) In a planned unit development having 50 acres or more, or such other acreage as provided for in article XXIV, section

39-395, subsections (1) and (3), regarding adult congregate living facilities, business uses may be located other than in the interior of the proposed planned unit development and do not have to meet the limitations imposed on interior business uses.

(4) All products shall be for sale on the premises.

(5) All business activities and storage of merchandise, equipment and material shall be within an enclosed building except for automobile service station uses, live plants accessory to a plant nursery or garden supplies, and marine facilities.

(6) Business activities operated within a planned unit development shall not provide delivery service to locations outside the planned unit development.

(7) No building devoted primarily to a commercial use shall be permitted in a residential planned unit development until a certificate of occupancy for no less than 50 percent and/or 100 units, whichever is less, of the total planned residential floor area, including dwelling units and hotel/motel rooms, has been issued by the county.

(8) Commercial uses within a residential planned unit development shall only be permitted in accordance with the 5 percent Flexibility Rule provision of the Broward County Land Use Plan.

(9) Commercial uses within an industrial planned unit development shall only be permitted in accordance with the 20 percent Flexibility Rule provision of the Broward County Land Use Plan. (Ord. No. 86-27, §§ 3, 4, 6-24-86; Ord. No. 91-36, § 2, 9-11-91)

Sec. 39-884. Common open space.

(a) All common open space shall be preserved for its intended purpose as expressed in the site development plan. The developer shall choose one or a combination of the following three methods of administering common open space:

(1) Public dedication to the county of the common open space. This method is subject to formal acceptance by the county in its sole discretion.

(2) Conveyed to trustees provided in an indenture establishing an association or nonprofit corporation of all individuals or corporations owning property within the planned unit development so that the common open space will be used as specified on the development plan and to ensure the maintenance of all common open space.

(3) Retention of ownership, control and maintenance of all common open space by the developer.

(b) All privately owned common open space shall conform to its intended use and remain as expressed in the site development plan through the inclusion in all deeds of appropriate covenants. Said deed restrictions shall run with the land and be for the benefit of present as well as future property owners.

(c) All common open space as well as public and recreational facilities shall be specifically included in the development plan schedule and be constructed and fully improved by the developer at an equivalent or greater rate than the construction of residential structures. At least once every six months the division of building and zoning shall inspect the planned unit development and examine the construction which has taken place on the site. If the rate of construction of dwelling units is greater than the rate at which common open spaces and recreational facilities have been constructed and provided, no permits shall be issued until the proper ratio has been provided.

(d) If the developer elects to administer common open space through an association or nonprofit corporation, said organization shall conform to the following requirements:

(1) The developer shall establish, by charter, the association or nonprofit corporation prior to any sale.

(2) Membership in the association or nonprofit corporation shall be mandatory for all property owners within the planned unit development, and said association or corporation shall not discriminate in its members or shareholders.

(3) The association or nonprofit corporation shall manage all common open space and recreational and cultural facilities which are not dedicated to the public and shall provide for the maintenance, administration and operation of said land and any other land within the planned unit development not publicly or privately owned. (Ord. No. 91-36, § 3, 9-11-91)

Sec. 39-885. Land use regulations.

(a) *Minimum Size.* All planned unit developments, except as provided in article XXIV, section 39-395, regarding adult congregate living facilities, shall provide for a minimum of 20 acres of contiguous land, unless the zoning board finds that a tract which contains less than 20 acres is suitable as a planned unit development by the virtue of some unusual conditions; this minimum may then be waived.

(b) *Land Use Intensity (LUI).*

(1) The maximum land use intensity ratios permitted in each planned unit development shall be established by the planning and administrative systems division. The criteria for establishing land use intensity includes the predictable effect this proposed planned unit development will have on adjacent areas, specifically on the adequacy of existing and proposed public facilities and services. Site characteristics and recommended land use intensity of any land use plan involving the area in question will also determine the land use intensity of the proposed planned unit development. In addition to other considerations for rezoning, a land use intensity rating shall be assigned to each proposed planned unit development.

(2) The planning division and/or zoning board may recommend an increase in the land use intensity of the planned unit development to encourage distinctiveness and excellence in design, landscaping and open space.

(c) *Minimum Lot Area, Distance Between Structures, Frontage and Setbacks.*

(1) No minimum lot size shall be required within a planned unit development district.

(2) No minimum distance between structures shall be required within a planned unit development district.

(3) Each dwelling unit or other permitted use shall have access to a public street either directly or indirectly via an approach, private road, pedestrian way, court or other area dedicated to public or private use or common easement guaranteeing access. Permitted uses are not required to front on a dedicated road. The county shall be allowed access on privately owned roads, easements and common open space to ensure the police and fire protection of the area, to meet emergency needs, to conduct county services, and to generally ensure the health and safety of the residents of the planned unit development.

(4) There are no required setbacks or yards except the following:

a. There shall be a setback or yard not less than 25 feet in depth abutting all public rights-of-way within or abutting a planned unit development district.

1. All lots, tracts or parcels of a subdivided or resubdivided planned unit development are to be controlled by the final site development plan rather than by the provisions of the zoning code. The provisions governing changes in the final site development plan will apply. (Ord.91- , Eff. 1/29/91)

(d) *Compatibility Zone.* Within 150 feet of the interior perimeter of the planned unit development district, use, setback, height and plot coverage requirements shall be at least as restrictive as the adjacent zoning or as indicated by established adjacent development.

(e) *Maximum Length of Structures.* No maximum length of structure shall be required within a planned unit development district.

(f) *Off-Street Parking Requirements.* Off-street parking shall meet all requirements of Article XII, Off-Street Parking and Loading, of this ordinance.

(g) *Landscaping.* Landscaping shall meet all requirements of this ordinance.

(h) *Underground Utilities.* Within the planned unit development, all utilities, including telephone, television cable and electrical systems, shall be installed underground. Primary facilities providing service to the site may be exempted from this requirement. Large transformers shall be placed on the ground and contained within pad mounts, enclosures or vaults. The developer shall provide adequate landscaping with shrubs and plants to screen all utility facilities permitted above ground.

(i) *Professional Services Required.* Any master plan of development submitted as part of a petition for a planned unit development shall certify that the services of two or more of the following professionals were utilized in the design or planning process:

(1) A planner who possesses the education and experience to qualify for full membership in the American Institute of Planning, and/or

(2) A landscape architect registered by the State of Florida, and/or

(3) An architect licensed by the State of Florida, together with

(4) A professional engineer registered by the State of Florida, and trained in the field of civil engineering, and/or

(5) A land surveyor registered by the State of Florida. (Ord. No. 86-27, § 5, 6-24-86)

Sec. 39-886. Reserved.

Editor's note—Section 39-886, relating to platting in PUD districts, derived from the original zoning ordinance, was repealed by § 2 of Ord. No. 81-16, adopted Mar. 19, 1981.

(2) *Impact statement and assignment of tentative land use intensity rating.* The developer shall submit to the planning division an impact statement, pursuant to section 39-100(d) of this ordinance. The planning division shall review the impact statement and inform the developer within 10 business days as to its completeness and acceptability. The planning division will then review the substantive content of the impact statement, performing such additional research and analysis as is necessary to verify, corroborate and/or expand upon the factual statement, data and conclusions therein contained. On the basis of such substantive review and related research and analysis, the planning division will assign a tenative land use intensity rating. This rating will be assigned with 60 calendar days following receipt of a complete and acceptable impact statement by the planning division.

(3) *Application fees and required copies of plans.*

(a) *Application fees.*

1. At the time of the planned unit development application, the base sum of $200.00.

2. At the time of filing of each plat pursuant to the final master land use plan, the sum of:

a. $1.00 per dwelling unit shall be payable.

b. $10.00 per acre for commercial land use shall be payable.

(4) *Plat and site plan review committee.* Prior to accepting an application for rezoning to planned unit development district, the plat and site plan review committee shall review and act on the subject plans. The applicant may choose any one of the following options to present to the committee as provided for in the Broward County Subdivision Regulations [Chapter 5 of the Code of Ordinances]:

(a) Master development plan.

(b) Conceptual site development plan.

(c) Layout site development plan.

(d) Final site development plan.

The plat and site plan review committee shall make their recommendation to the zoning board within 60 days of receiving the plan.

(5) *Broward County zoning board.* After the recommendation of the plat and site plan review committee, the applicant may apply for rezoning to planned unit development. The zoning board shall make its recommendations and land use intensity rating to the board of county commissioners within 90 days of the public hearing held by the zoning board on the application for planned unit development zoning.

(6) *County commission.*

(a) Upon receiving the recommendation of the zoning board of Broward County, the board of county commissioners shall, at a regularly scheduled public meeting, review said recommendation and the site development plan and either approve, approve subject to conditions, or disapprove the application.

(b) In the event the rezoning is approved by the board of county commissioners, the site development plan shall be certified by the clerk of the board; and said certified copy shall be filed with the planning division as a permanent record. The site development plan approved by the plat and site plan review committee shall be recorded with the county comptroller. (Eff. 9/14/73)

Sec. 39-888. Conformance to approved plan.

(a) No building permit for a particular phase of a planned unit development shall be issued for such phase of the planned unit development, which was approved based upon a master development plan, a conceptual site development plan or a preliminary site development plan and which was subsequently platted as a boundary or perimeter plat, until a final site development plan for that particular phase of the planned unit development reflecting the following is approved by the development review committee:

i. All dedicated and private streets,
ii. All proposed lots, parcels or tracts, including dimensions, lot, tract or parcel numbers and type of structures or uses,
iii. Common open space and recreational areas,
iv. Maximum plot coverage per lot, tract or parcel,
v. Minimum setbacks from individual lot, tract or parcel boundaries,
vi. Minimum separation between any two buildings on the same lot, tract or parcel,
vii. Maximum height of any proposed structure,
viii. All easements.

With respect to a final site development plan for nonresidential development, the information described in (ii) through (viii) above need not be provided, except for the lots, parcels or tracts for which building permits are being sought. Such information relating to the remaining lots, parcels or tracts shall be submitted in the form of amendments to the final site development plan prior to the issuance of building permits for such lots, parcels or tracts.

(4) Maximum plot coverage per lot, tract or parcel.

(5) Minimum setbacks from individual lot, tract or parcel boundaries.

(6) Minimum separation between any two buildings on the same lot, tract or parcel.

(7) Maximum height of any proposed structure.

(8) Maximum density.

(9) All easements.

With respect to a final site development plan for non-residential development, the information described in (2) through (8) above need not be provided, except for the lots, parcels or tracts for which building permits are being sought. Such information relating to the remaining lots, parcels or tracts shall be submitted in the form of amendments to the final site development plan prior to the issuance of building permits for such lots, parcels or tracts.

(b) One copy of the approved final site development plan shall be filed with both the office of planning and the code and zoning enforcement division. All development shall be in conformance with the final site development plan except that lot, parcel or tract dimensions may be increased or decreased without submittal of a new final site plan, provided not more than 50 percent of the lots, tracts or parcels are altered.

(c) The office of planning may approve minor changes and deviations from the approved planned unit development which are in compliance with and which do not depart from the principal concept of the approved planned unit development.

(d) Should the office of planning determine that a requested change or deviation from the approved planned unit development does not comply with or departs from the principles of the approved planned unit development the developer shall submit the requested changes or deviations to the development review committee for approval of such changes or deviations.

(e) Upon submittal for change or deviation from the approved planned unit development, the development review committee

may take such action as they deem appropriate. This may include referring the requested changes or deviations to the zoning board for study and recommendations, or requiring that a new development plan or rezoning application be filed. (Ord. No. 91-4, § 2, 1-29-91)

Sec. 39-889. Failure to begin planned unit development.

If no construction has begun or no use established in the planned unit development within 1 year from time of rezoning, the site development plan shall lapse and be of no further effect.

If a site development plan lapses under the provisions of this section, the county commission may initiate a petition to rezone the planned unit development district to an appropriate zoning classification. This procedure shall comply with the standard procedures of the county for rezoning.

Sec. 39-890. Building permit.

No building permit shall be issued by Broward County until the site development plan has been recorded by the county comptroller.

Sec. 39-891. Future application of PUD.

The regulations stated within Article LII, Planned Unit Development (PUD) District, shall only be applicable to lands designated PUD on the effective date of this ordinance, and to lands for which completed applications for rezoning to PUD have been accepted by the office of planning prior to the effective date of this ordinance. All other applications and requests to rezone property to create a PUD shall follow the provisions specified within the Planned Development District (PDD). (Ord. No. 91-36, § 4, 9-11-91)

Note—See the editor's note to § 39-892.

Sec. 39-892. Reserved.

Editor's note—Section 39-891, providing for codification of this article in the zoning ordinance, and § 39-892, declaring the provisions of the article severable, have been omitted as being superfluous. Subsequently, § 4 of Ord. No. 91-36, adopted Sept. 11, 1991, effective Sept. 23, 1991, added a new § 39-891.

FIGURE 1

(See section 39-882)

LUI *Land Use* *Intensity*	*FAE* *Floor Area* *Ratio*	*OSR* *Open Space* *Ratio*	*LSR* *Livability* *Space Ratio*
3.0	0.100	8.0	6.5
3.1	0.107	7.4	5.8
3.2	0.115	6.9	5.2
3.3	0.123	6.4	4.7
3.4	0.132	5.9	4.2
3.5	0.141	5.5	3.8
3.6	0.152	5.1	3.5
3.7	0.162	4.8	3.3
3.8	0.174	4.4	3.0
3.9	0.187	4.2	2.8
4.0	0.200	3.8	2.6
4.1	0.214	3.6	2.4
4.2	0.230	3.3	2.2
4.3	0.246	3.0	2.0
4.4	0.264	2.8	1.8
4.5	0.283	2.6	1.7
4.6	0.303	2.4	1.5
4.7	0.325	2.2	1.4
4.8	0.348	2.1	1.3
4.9	0.373	1.9	1.2
5.0	0.400	1.8	1.1
5.1	0.429	1.7	1.0
5.2	0.459	1.6	0.91
5.3	0.492	1.5	0.84
5.4	0.528	1.4	0.77

FIGURE 1—Cont'd.

LUI Land Use Intensity	*FAR Floor Area Ratio*	*OSR Open Space Ratio*	*LSR Livability Space Ratio*
5.5	0.566	1.3	0.71
5.6	0.606	1.2	0.66
5.7	0.650	1.1	0.61
5.8	0.696	1.0	0.57
5.9	0.746	0.91	0.53
6.0	0.800	0.85	0.50
6.1	0.857	0.80	0.46
6.2	0.919	0.74	0.43
6.3	0.985	0.70	0.40
6.4	1.06	0.65	0.38
6.5	1.13	0.60	0.36
6.6	1.21	0.56	0.34
6.7	1.30	0.52	0.32
6.8	1.39	0.49	0.30
6.9	1.49	0.46	0.29
7.0	1.60	0.43	0.27
7.1	1.72	0.40	0.26
7.2	1.84	0.38	0.25
7.3	1.97	0.36	0.24
7.4	2.11	0.34	0.23
7.5	2.26	0.32	0.22
7.6	2.42	0.31	0.21
7.7	2.60	0.30	0.20
7.8	2.79	0.29	0.20
7.9	2.99	0.28	0.19
8.0	3.20	0.27	0.19

ARTICLE LIII. MOTEL R-5 DISTRICT

Sec. 39-893. Uses permitted.

(a) Any use permitted in an R-4 district, subject to the limitations, requirements and procedure prescribed for such use.

(b) Hotel, motel, tourist home, lodging house, boarding-house, villas, bungalow court.

(c) Private club, lodge, fraternity, sorority and other similar uses, not operated for profit.

(d) Institutions of an educational, philanthropic or eleemosynary character, not operated for profit, other than penal or correctional institutions or vocational or trade schools.

(e) Medical or dental office or clinic.

(f) Colleges and universities offering courses of study leading to an academic degree and meeting the academic requirements of the Southern Association of Colleges and Secondary Schools.

(g) Accessory uses and structures, not involving a business, except as provided in section 39-894.

Sec. 39-894. Special accessory uses.

(a) Hotel, apartment hotel and motels having 50 or more units may have restaurants, nightclubs, dining rooms or bars which are located in the main building and which are of such design and size as to cater primarily to the guests of the main use, subject to the provisions of all regulations of Broward County.

(b) Hotels, apartment hotels, multiple dwellings and motels having 100 or more guest rooms may have retail stores, personal service shops, offices and similar uses for the convenience of their guests.

(c) The special accessory uses permitted under paragraphs (a) and (b) above shall be subject to the following limitations and requirements:

(1) Access to such special accessory uses shall be limited to the interior of the building, and there shall be no direct public access from the exterior of the building; provided that the doors for exit purposes only may be located in the exterior walls of the building.

(2) For each street front, 1 sign not to exceed 15 square feet in area shall be allowed for each 100 feet of street frontage or fraction thereof; but in no case shall the total of such signs exceed 2 signs per street frontage. Such signs shall be used to advertise the following accessory uses: Restaurants, dining rooms and cocktail lounges. Such accessory uses may be advertised only upon these permitted signs.

(3) There shall be no show windows or displays relating to such special accessory uses on the exterior of the building or visible from any street, waterway, ocean front or adjacent property.

(4) The space occupied by such special accessory uses shall be on the interior of the building, and there shall be no evidence or indication of the existence of such special accessory uses on or from the exterior of the building.

Sec. 39-895. Size of plot.

Every plot shall be not less than 100 feet in width and 10,000 square feet in area; provided that a plot consisting of a single lot of record on the effective date of this ordinance, not less than 50 feet in width, may be utilized for a 1-family dwelling.

Sec. 39-896. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding 3 stories or 50 feet.

Sec. 39-897. Plot coverage.

The combined area occupied by all main and accessory buildings and structures shall not exceed the percent given in the following table for various heights of buildings:

Height	*Percent*
One-story	55
Two-story	55
Three-story	50

Sec. 39-898. Deleted.

Editor's note—Section 39-898, dealing with plot area per room, was deleted by legislation effective Sept. 12, 1975.

Sec. 39-899. Front yard.

Every plot shall have a front yard not less than 25 feet [in depth].

Sec. 39-900. Side yards.

(a) *One-Family or Two-Family Dwellings.* Every plot used for a one-family or two-family dwelling shall supply side yards as specified in section 39-745.

(b) *Other Permitted Uses.* Every plot utilized for any other use permitted in an R-5 district shall provide a side yard on each side, each of which shall be at least 10 feet in width; provided that the above-required width of side yard shall be increased by 2 feet for each 10 feet, or major fraction thereof, by which the height of the building exceeds 22 feet.

(c) *Corner Plots.* Upon corner plots, there shall be a front yard as hereinbefore specified and a side yard on the side street at least 15 feet in width.

Sec. 39-901. Rear yard.

Every plot shall have a rear yard not less than 25 feet in depth.

Sec. 39-902. Minimum floor area.

The minimum floor area of a 1-family dwelling shall be 600 square feet; the minimum floor area of a dwelling unit in a 2-family dwelling shall be 400 square feet; the minimum floor area of a dwelling unit in a multiple dwelling shall be 400 square feet; and the minimum floor area of a rental

sleeping room in a hotel, motel, lodging house, tourist home or similar use shall be 150 square feet.

Secs. 39-903—39-912. Reserved.

ARTICLE LIV. HOTEL R-6 DISTRICT

Sec. 39-913. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

(1) Any use permitted in an R-5 district, subject to the limitations, requirements and procedure prescribed for such use.

Sec. 39-914. Size of plot.

Every plot shall be not less than 100 feet in width and 10,000 square feet in area; provided that a plot consisting of a single lot of record on the effective date of this ordinance, not less than 50 feet in width, may be utilized for a 1-family dwelling.

Sec. 39-915. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding 15 stories or 150 feet; provided that where any portion of a building or structure is utilized for a medical or dental office or clinic, such use shall not extend to a greater height than 3 stories or 35 feet.

Sec. 39-916. Plot coverage.

The combined area occupied by all main and accessory buildings and structures shall not exceed the percent given in the following table for various heights of buildings:

Height	*Percent*
One-story	55
Two-story	55

Height	*Percent*
Three-story	50
Four-story	50
Five-story	45
Six-story	45
Seven-story	40
Eight-story	40
Nine-story	40
Ten-story	40
Eleven-story	40
Twelve-story	40
Thirteen-story	40
Fourteen-story	40
Fifteen-story	40

Sec. 39-917. Deleted.

Editor's note—Section 39-917, dealing with plot area per room, was deleted by legislation effective Sept. 12, 1975.

Sec. 39-918. Front yard.

Every plot shall have a front yard not less than 25 feet in depth; provided that where the building exceeds 100 feet in height, the depth of the front yard shall be increased by 2½ feet for each 10 feet, or major fraction thereof, by which the height of the building exceeds 100 feet. A greater depth of front yard shall be provided where required under Article V, Yard Space Districts.

Editor's note—Article V, referred to in this section, is Art. V of former Ch. 39 of the Code of Ordinances, which is not included as a part of this zoning ordinance.

Sec. 39-919. Side yards.

(a) *One-Family or Two-Family Dwellings.* Every plot used for a one-family dwelling or two-family dwelling shall provide side yards as specified in section 39-745.

(b) *Other Permitted Uses.* Every plot utilized for any other use permitted in an R-6 district shall provide a side yard on each side, each of which shall be at least 10 feet in width;

provided that the above-required width of side yard shall be increased by 2 feet for each 10 feet, or major fraction thereof, by which the height of the building exceeds 22 feet.

(c) *Corner Plots.* Upon corner plots, there shall be a front yard as hereinbefore specified and a side yard at least 15 feet in width, unless a greater width is required under subsection (b) above.

Sec. 39-920. Rear yard.

Every plot shall have a rear yard not less than 20 feet in depth, which shall be increased by 2 feet for each 10 feet or major fraction thereof by which the height of the building exceeds 44 feet.

Sec. 39-921. Minimum floor area.

The minimum floor area of a 1-family dwelling shall be 600 square feet; the minimum floor area of a dwelling unit in a 2-family dwelling shall be 400 square feet; the minimum floor area of a dwelling in a multiple dwelling shall be 400 square feet; and the minimum floor area of a rental sleeping room in a hotel, motel, lodging house, tourist home or similar use shall be 150 square feet.

ARTICLE LV. NEIGHBORHOOD BUSINESS B-1 DISTRICT

Sec. 39-922. Purpose of district.

The B-1 Neighborhood Business District is intended primarily to meet the local neighborhood shopping and personal service needs of a limited surrounding residential area. Retail stores permitted therein are intended to include primarily convenience goods which are usually a daily necessity for a residential neighborhood.

Sec. 39-923. Uses permitted.

(a) The following kinds of retail stores: Confectionery, dairy products, dressed poultry, drug, florist, fruit and

vegetable, garden supply, gift, grocery, hardware, hobby supply, ice cream, jewelry, meat market, music, notions, pet supply, seafood, souvenir, sundry, supermarket, tobacco, toy variety, wearing apparel.

(b) Bakery or delicatessen, provided all preparation of food is for retail sale on the premises, and the services of not more than six persons are utilized in any such establishment.

(c) The following personal services: Barber, beauty parlor, hat cleaning and blocking, pressing and mending, shoe repair, shoeshine.

(d) The following miscellaneous uses: Day nursery, dressmaking, laundry and dry cleaning pickup station, medical and dental offices, nonalcoholic beverage bar, nursery school, restaurant, self-service ice stations, tailor, watch and jewelry repair, self-service laundry, business and professional offices.

(e) Self-service coin-operated dry cleaning establishments, subject to the following limitations and requirements:

(1) Service shall be rendered directly to customers who shall bring in and take away the articles to be cleaned.

(2) The establishment shall not provide pickup or delivery service.

(3) The customers shall operate the machines provided to do their own dry cleaning.

(4) The services of not more than three persons shall be utilized in the operation of the establishment.

(5) Not more than 10 individual cleaning units shall be used in any establishment, and the total combined rated capacity shall not exceed 80 pounds.

(6) The entire cleaning and drying process shall be carried on within completely enclosed solvent reclaiming units.

(7) All solvents used in the cleaning process and the vapors therefrom shall be nonexplosive and nonflammable.

(f) Automobile parking lot and parking garage.

(g) Church, private or parochial school, nursery school or child care center, nonprofit private club.

(h) A residential use accessory to a permitted use.

(i) Accessory uses and structures.

(j) One-family dwelling on plots the use of which is restricted by valid restrictive covenants of record to such residential use.

(k) Sewage or water treatment, pumping and storage plants to serve the surrounding residential area. Such plants shall conform to the following requirements:

(1) The plot shall not be less than 100 feet in width and 10,000 square feet in area, and shall be as large as necessary to provide required setback areas.

(2) No building or structure shall be located nearer to any residentially zoned property or to any street line than a distance equal to the height of such building or structure.

(3) No unenclosed sewage treatment facility shall be located nearer to any residentially zoned property than 175 feet.

(4) No enclosed sewage treatment facility or water pumping or treatment facility shall be located nearer than 50 feet to any residentially zoned property.

(5) All plots shall have a landscaped setback area at least 20 feet in width or depth adjacent to all street lines and adjacent to all plot lines separating the subject property from residentially zoned property. The aforesaid landscaped setback area shall not be used for any building, structure, fence, wall, parking or storage. The landscaped setback area shall be planted with grass, shrubbery and trees; and no part

shall be paved or surfaced except for minimum driveways and walkways for access. All landscaping shall be maintained in a healthy, growing condition, properly trimmed, watered and cleaned.

(6) All machinery, equipment and mechanical or electrical apparatus shall be so designed, installed and operated as to minimize noise effects upon surrounding property.

(7) Plots shall not be used for storage of machinery or equipment or for service facilities for a franchised area.

(l) Sewage lift or pumping stations, containing no treatment facilities, subject to all requirements of section 39-578(10).

(m) Residence on floating homes and vessels. (Eff. 12-4-78)

Sec. 39-924. Uses prohibited.

The permissible uses enumerated in section 39-923 above shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

(1) Automobile, truck, trailer, motorcycle, boat or machinery sale, storage or service, including repair garages, used car lots, service stations and auto laundries.

(2) Mortuaries.

(3) Business offices, and professional offices not listed under permitted uses.

(4) Drive-in restaurants or refreshment stands.

(5) Wholesale establishments.

(6) Pawnshops.

(7) Sales, storage or display of lumber or building materials.

(8) Theaters, nightclubs, establishments for consumption of alcoholic beverages on the premises.

(9) Plumbing, electrical or sheet metal shops.

(10) Animal hospitals and veterinary clinics.

(11) Cabinet or carpenter shop.

(12) Storage or warehouse uses except as incidental to a permitted use.

(13) Advertising sign.

(14) Any other use first permitted in a less restricted district.

Sec. 39-925. Limitations on uses.

(a) Except for automobile parking lots, all activities of permitted uses, including sale, display, preparation and storage, shall be conducted entirely within a completely enclosed building.

(b) No secondhand or used merchandise shall be offered for sale, displayed or stored.

(c) All products produced shall be sold at retail in connection with a permitted use.

(d) No retail store shall have a floor area open to the public, including display, service and sales, greater than 5,000 square feet.

Sec. 39-926. Height.

(a) No building or structure shall be erected or altered for a use first permitted in a B-1 district to a height exceeding 2 stories or 30 feet.

(b) No building or structure shall be erected or altered for any other use permitted in a B-1 district to a height exceeding 4 stories or 50 feet.

Sec. 39-927. Plot size.

There shall be no minimum required width or area of plot.

Sec. 39-928. Yards.

(a) Plots utilized for both a nonresidential and permitted residential use shall provide yards as specified in section 39-169.

(b) All plots shall provide yards in accordance with section 39-163.

Secs. 39-929—39-938. Reserved.

ARTICLE LVI. COMMUNITY BUSINESS B-2 DISTRICT

Sec. 39-939. Purpose of district.

The B-2 Community Business District is intended primarily to meet the shopping and limited service needs of several neighborhoods or a substantial territory. Retail stores are intended to include convenience, fashion and durable goods. B-2 districts may be located along traffic arteries or in concentrated shopping centers.

Sec. 39-940. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land and water used, in whole or in part, for other than one or more of the following specified uses:

(1) Any use permitted in a B-1 district.

(2) Hotel, motel, rooming or boarding house, and multiple dwellings, provided they conform to article IX, section 39-162 of this ordinance.

(3) The following kinds of retail stores, and others similar thereto: Antiques, art supply, automobile accessory, automobile new parts, bait and tackle, boat and marine motors in buildings, business machines, camera and photographic supply, corsetiere, department, dry goods, furniture, furrier, greeting cards, home appliances, household furnishings, leather goods and luggage, linens, fabrics and draperies, millinery

and modiste, musical instruments, newsstand, office furniture and equipment, optical goods, package liquor, paint, pets, sporting goods, stationery and books, television, radio and phonograph, wallpaper, swimming pool supplies and equipmer t, dairy supplies and equipment not including feed or fertilizer, takeout service stores including home delivery.

(4) The following services: Commercial gymnasiums, service stations, fur storage, health institutions, home appliance repair, job printing, radio, television and phonograph repair, reducing studio, coin laundry, automobile air conditioning installation and repair occupying not more than 4,000 square feet of floor space.

(5) Dry cleaning establishment for direct service to customers, subject to the following limitations and requirements:

(a) Service shall be rendered directly to customers who bring in and pick up the articles to be dry cleaned.

(b) The establishment shall not provide pickup or delivery service.

(c) The services of not more than five persons shall be utilized in the operation of the establishment.

(d) Not more than 2 cleaning units shall be used in any establishment, neither of which shall have a rated capacity in excess of 40 pounds.

(e) The entire cleaning and drying process shall be carried on within completely enclosed solvent-reclaiming units.

(f) All solvents used in the cleaning process and the vapors therefrom shall be nonexplosive and nonflammable.

(6) The following amusement and recreation uses: Aquarium, assembly hall, nightclub, music hall, bar, tavern, pool or billiard room, theater, museum, exhibits, amusement devices such as penny arcades, shooting galler-

ies, games of skill and science, astrologists, fortune-telling, palmistry, phrenology.

(7) The following office types of uses: Banks and financial institutions, business and professional offices, custom brokers and manufacturers' agency, employment office, governmental offices, messenger office, post office, public utility offices, stockbroker, stock exchange, telegraph office, ticket office, travel agency, newspaper office.

(8) The following water-related uses: Boat and marine motor service and repair while boats are in water, boat rental, livery and hire, charter boats, group fishing boats, commercial wharves, piers, slips and anchorages, sightseeing and excursion boats.

(9) The following miscellaneous uses: Art, charm, dancing, dramatic or music schools, business or commercial school, artist studio, auction of art goods, jewelry, rugs and the like, costumer, dental laboratory, interior decorator, motor bus terminal, lawn furniture sale, photographic studio, radio and television studios, day nursery or nursery school, mortuary or funeral home, not including ambulance service, except for transportation of human remains, crematory for human remains as an accessory use within the same building that houses a funeral home or mortuary, and furniture upholstery shop, the floor space of which shall not exceed 4,000 square feet.

(10) The following noncommercial types of uses: Church, church school and uses accessory thereto; library, museum and similar institutions of a nonprofit character; publicly owned or operated buildings or uses, including community buildings, parks, playgrounds, but not including dump, sanitary fill or incinerators; private club, lodge, fraternity and similar uses not operated for profit.

(11) Accessory uses and structures, including an automatic car wash rack as an accessory use to a service station when the plot occupied by the service station and

accessory uses has not less than 135 feet of street frontage and 27,500 square feet of area.

(12) *Self*-service coin-operated auto wash, wherein the customer performs all services in washing, cleaning, and drying. There shall be a continuous unpierced masonry wall five feet in height on all plot lines except street plot lines.

(13) Pest control agencies that do not store fumigant gases.

(14) Mobile collection centers, pursuant to the provisions set out in section 39-262.

(Eff. 3-14-75; eff. 5-14-76; eff. 12-13-77; eff. 5-23-78; Ord. No. 85-20, § 1, 3-15-85; Ord. No. 89-42, § 1, 10-24-83; Ord. No. 90-31, § 1, 8-28-90)

Sec. 39-941. Uses prohibited.

The permissible uses enumerated in section 39-940 above shall not be construed to include, either as a principal or accessory use, any of the following:

(1) Any use specified or similar in character or nature to any use in an industrial district;

(2) Any use specified or similar in character or nature to any use in a less restricted business or commercial district;

(3) Any residential use not specifically permitted;

(4) Any use not specified or similar in character or nature to any use in a more restricted business district or this district. (Eff. 9-26-77; Ord. No. 90-31, § 2, 8-28-90)

Sec. 39-942. Limitations of uses.

(a) Except for automobile parking lots, drive-in banks, mobile collection centers, and gasoline sales and day care centers, all activities of permitted uses, including sale, display, preparation and storage, shall be conducted entirely within a completely enclosed building; provided that drive-in type retail stores may conduct sales through open doors or windows. (Ord. No. 89-42, § 2, 10-24-89; Ord. No. 90-31, § 3, 8-28-90)

Sec. 39-943. Height.

No building or structure shall be erected or altered to a height exceeding 100 feet.

Sec. 39-944. Plot size.

There shall be no minimum required width or area of plot.

Sec. 39-945. Yards.

(a) Plots utilized for both a nonresidential and a permitted residential use shall provide yards as specified in section 39-169.

(b) All plots shall provide yards in accordance with section 39-163.

Secs. 39-946—39-955. Reserved.

ARTICLE LVII. PLANNED BUSINESS CENTER B-2A DISTRICT

Sec. 39-956. Purpose of district.

The B-2A Planned Business Center District is intended for locations where there is a need for proper design of buildings and structures, access and circulation and relation to surrounding areas to provide for efficient functioning of the permissible uses, especially business uses, and for adequate protection to adjacent and nearby residential areas. The objectives can be only defined in general terms and their realization can only be attained by adequate yards, setbacks and limitation on principal and accessory uses where the plot is contiguous to or near residentially zoned property.

Sec. 39-957. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part for other than one or more of the following specified uses:

(1) Any use permitted in B-2 districts, except service stations; provided that service stations shall be a permitted use in any area zoned B-2A prior to November 1, 1962, and residential uses provided they conform to article IX, section 39-162 of this ordinance. (Eff. 3-14-75)

Sec. 39-958. Uses prohibited.

The permissible uses enumerated in section 39-957 above shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

(1) Any use listed as prohibited in a B-2 district.

(2) Service stations, provided that this prohibition shall not apply to areas zoned B-2A prior to November 1, 1962.

Sec. 39-959. Limitations on uses.

(a) Except for automobile parking lots, all activities of permitted uses, including sales, display, preparation and storage, shall be conducted entirely within a completely enclosed building unless otherwise indicated and approved in a site development plan; provided that this limitation shall not apply to service stations in areas zoned B-2A prior to November 1, 1962.

(b) No secondhand or used merchandise shall be offered for sale, displayed or stored except in an antique store.

(c) All products produced incidental to a permitted use shall be sold at retail on the premises.

(d) Any plot in a B-2A district, having a common plot line with a residentially zoned district, shall be separated from such district by a substantial, continuous, masonry wall a minimum of six feet in height, so designed and constructed as to prevent horizontal vision through such wall, along the common plot line. Such walls shall not extend closer to a street line than the required depth, or width, of yard on the residentially zoned property adjacent to the B-2A zoned plot.

Sec. 39-960. Deleted.

Editor's note—Section 39-960, dealing with site development plan, was deleted by legislation effective Jan. 16, 1976.

Sec. 39-961. Height.

No building or structure shall be erected or altered to a height exceeding 35 feet.

Sec. 39-962. Plot size.

Every plot shall be not less than 100 feet in width and 10,000 square feet in area.

Sec. 39-963. Yards and setbacks.

(a) All plots shall conform to sections 39-162, 39-163 and 39-169 as well as conforming to this article.

(b) Every plot shall be provided with an open space area at least 25 feet in depth adjacent to all streets.

(c) The open space areas hereinbefore specified shall not be used for fences, walls, signs, lighting standards, parking, loading, or for any other structure or purpose other than for driveways and walkways as hereinafter provided. All open space areas shall be fully landscaped with grass, shrubbery and trees except where crossed by permissible driveways or walkways.

(d) Driveways and walkways which may cross required open space areas shall be limited as follows:

(1) No driveway shall exceed 20 feet in width, and no walkway shall exceed 6 feet in width.

(2) Total width of driveways and walkways measured along each street line shall not exceed 20 percent of the plot frontage along that street; provided that where the frontage on a street is less than 200 feet, but not less than 100 feet, 2 driveways shall be permitted, each not more than 20 feet in width, and each plot may have at least 1 driveway for each street frontage.

(3) No driveway or walkway shall be located nearer than 20 feet to any other driveway or walkway.

(4) No driveway shall be located nearer than 25 feet to a street intersection.

(5) No driveway or walkway shall be located nearer than 25 feet to any residentially zoned property, nor nearer than 10 feet to the plot line of any other property.

(e) All buildings and roofed structures shall be located not less than 15 feet, plus 1 foot for each foot of building height (including projecting roof signs) over 15 feet, from all residentially zoned property, and not less than 25 feet from all street lines.

Sec. 39-964. Maintenance.

(a) All setback areas, yards, walkways, driveways and parking areas shall be maintained and kept in a neat and clean condition, free of refuse and debris.

(b) All landscaped areas shall be maintained in a live, healthy and growing condition, properly watered and trimmed. Any planting of grass, shrubs or trees which become dead or badly damaged shall be replaced with similar sound, healthy, plant materials.

Secs. 39-965—39-974. Reserved.

ARTICLE LVIII. SPECIAL BUSINESS B-2B DISTRICT

Sec. 39-975. Purpose of district.

The B-2B Special Business District is intended to apply to frontage trafficways where business uses of a somewhat more varied and liberal nature than B-2 district uses may be justified for public convenience and for an economic utilization of such frontage.

Sec. 39-976. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following specified uses:

(1) Any use permitted in a B-2 district, provided that residential uses shall conform to section 39-162 of this ordinance.

(2) Any of the following uses:

Adult bookstore.
Adult motion picture theater.
Adult mini motion picture theater.
Adult nightclub.
Encounter studio.

Furniture repair shop.
Glass and mirror shop.
Hand laundry.
Lawn mower rentals, sales and repair.
Locksmith.
Massage establishment.
New and used furniture.
Pawnshop.
Plumbing and electrical contractor.
Printing shop.
Radio, television and phonograph repair.
Research and testing laboratory.
Retail plumbing and electrical fixtures.
Sale of automobile parts, bicycles.
Sharpening and grinding shop.
Telephone answering service.
Tire and battery store.
Upholstery shop.

(3) Accessory uses and structures. (Eff. 3-14-75; Ord. No. 85-19, § 1, 3-15-85)

Sec. 39-977. Uses prohibited.

The permissible uses enumerated in section 39-976 above shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

(1) Automobile, truck, trailer or machinery sales, display, storage or repair, including repair garages, used car agencies, used car lots and auto laundries.

(2) Vocational schools, except as specially permitted.

(3) Drive-in theaters, drive-in restaurants or drive-in refreshment stands.

(4) Bulk sales, storage or display of lumber or building materials.

(5) Wholesale establishments.

(6) Cabinet, carpenter, sign or sheet metal shop.

(7) Storage or warehouse uses except as accessory to a permitted use.

Sec. 39-978. Limitation of uses.

(a) Except for automobile parking lots, drive-in banks, service stations, and plant nursery or landscaper, all activities of permitted uses, including sale, display, preparation and storage, shall be conducted entirely within a completely enclosed building.

(b) All products produced incidental to a permitted use shall be sold at retail on the premises.

Sec. 39-979. Height.

No building or structure shall be erected or altered to a height exceeding 100 feet.

Sec. 39-980. Plot size.

There shall be no minimum required width or area of plot.

Sec. 39-981. Yards.

(a) Plots utilized for both a nonresidential and a permitted residential use shall provide yards as specified in section 39-169 for a plot in a B-2 district.

(b) All plots shall provide yards as specified in section 39-163 for B-2 districts.

Secs. 39-982—39-991. Reserved.

ARTICLE LIX. GENERAL BUSINESS B-3 DISTRICT

Sec. 39-992. Purpose of district.

The B-3 General Business District is intended to apply to arterial streets and trafficways where business establish-

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ments primarily not of a neighborhood or community service type may properly locate to serve large sections of the city and metropolitan area. Such businesses generally require considerable ground area, do not cater directly to pedestrians, and need a conspicuous and accessible location convenient for motorists.

Sec. 39-993. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

(1) Any use permitted in a B-1 or B-2 district, provided that residential uses shall conform to article IX, section 39-162 of this ordinance.

AUTO SALES & REPAIRS

(2) New or used automobile, truck and trailer display, sales and repair. Repair and service garage, not including bumping and painting. Auto laundry. Display and storage of not more than 10 utility trailers for sale or rental purposes.

(3) Boat sales.

DOG KENNEL

(4) Home appliance repair, hand laundry, job printing shop, locksmith, sharpening and grinding, radio, television and phonograph repair, newspaper printing plant.

(5) Archery range, barbecue stand, boxing or sports arena, drive-in restaurant or refreshment stand, golf driving range, miniature golf course, bowling alley, pony ride and pony riding, skating rink, swimming pool, drive-in theater.

(6) Armory, lodge hall, pawnshop, telephone exchange, taxidermist, veterinary, research and testing laboratory, pest control agency, plant nursery or landscaper.

(7) Tire and battery store, retail plumbing and electrical fixtures, lawn mower rental, sales and service, ship chandlery, upholstering shop utilizing the services of not more than 4 persons on the premises and occupying not more than 4,000 square feet of floor space, offices of electrical and plumbing contractors including not over 4,000 square feet of enclosed storage and shop space, with no outside or

DISPLAY

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open air storage of supplies or materials, used furniture and household appliances entirely within a fully enclosed building.

(8) Accessory uses and structures.

(9) Milk distributing stations, on a site not less than 2 acres in area, 200 feet in depth and 200 feet in width.

(10) Sales of used auto parts, new and used motorcycles, sign painting, glass and mirror shop, awning and canvas shop, furniture repair shop, all inside a fully enclosed building and occupying not more than 4,000 square feet of floor space.

(11) Ceramic stores and/or schools having not more than a total of 25 cubic feet of electric or gas ceramic kiln capacity.

(12) Mobile collection centers, pursuant to the provisions set out in section 39-262.

(13) Food catering.

(Eff. 3-14-75; Eff. 1-16-76; Eff. 1-23-78; Ord. No. 84-66, § 1, 8-17-84; Ord. No. 86-35, § 2, 8-26-86; Ord. No. 89-43, § 1, 10-24-89)

Sec. 39-994. Uses prohibited. ? OUTDOOR DISPLAY of VEHICLES ?

The permissible uses enumerated in section 39-993 above shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

(1) Open-air sale or display of machinery, farm implements, construction equipment.

(2) Manufacturing, except as accessory to a permitted use.

(3) Wholesale, warehouse or storage uses.

(4) Any use first permitted in a less restricted district.

Sec. 39-995. Limitations on uses.

All products produced incidental to a permitted use other than food catering shall be sold at retail on the premises. (Ord. No. 89-43, § 2, 10-24-89)

peace or disorderly conduct, shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

History.—s. 1, ch. 59-325; s. 1147, ch. 71-136; s. 2, ch. 86-174.

877.04 Tattooing prohibited; penalty.—

(1) It is unlawful for any person to tattoo the body of any human being; except that tattooing may be performed by a person licensed to practice medicine or dentistry under chapters 458 and 459 or chapter 466, or by a person under his direction.

(2) Any person who violates the provisions of this section shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

History.—ss. 1, 2, ch. 59-439; s. 1, ch. 69-118; s. 1148, ch. 71-136; s. 1, ch. 77-174.

877.05 Killing young veal for sale; penalty; exception.—Whoever kills or causes to be killed for the purpose of sale, any calf less than 4 weeks old, and knowingly sells, or has in his possession with intent to sell, the meat of any calf killed when less than 4 weeks old, shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.083. This section shall not apply to calves slaughtered on the premises of meat packing or slaughtering establishments operating under state or federal meat inspection supervision.

History.—s. 2, ch. 1637, 1868; RS 2661; GS 3590; RGS 5519; CGL 7684; s. 1, ch. 59-150; s. 1149, ch. 71-136.

Note.—See former s. 585.42.

877.06 Labeling of beef not slaughtered according to state or United States standards; enforcement; penalty.—

(1) Every person, firm, or corporation operating a restaurant or any other eating place, or retail or wholesale market or packinghouse, in this state, and who sells beef that has not been slaughtered and inspected according to standards established by either the Government of Florida or of the United States, shall mark, stamp, or describe the same by the following words, "slaughtered in" followed by the name of the state or country and the words "has not been slaughtered and inspected according to federal or state standards."

(2)(a) Packinghouses and wholesale and retail meat markets before sale of beef which is within the purview of subsection (1) shall plainly stamp on each carcass, each carton, each can, and each container, the words prescribed in subsection (1) and all advertising as to the sale of such beef shall include such words; provided, however, that a conspicuous sign containing the words prescribed in subsection (1) visibly displayed near the display of such beef in retail markets may be used when the stamping of individual cuts of beef is impractical.

(b) It shall be the duty of the Department of Agriculture and Consumer Services through its agents or inspectors to enforce the provisions of this subsection.

(3)(a) Restaurants or other eating places advertising their meals or food, by menus or otherwise, shall set out plainly in such menus, advertisements or otherwise as to beef coming within the purview of the law the words prescribed in subsection (1).

(b) It shall be the duty of the Division of Hotels and Restaurants of the Department of Business Regulation through its agents or insp
sions of this subsection.

(4) Any person willfully
of the provisions of this sec
to comply with any of the req
guilty of a misdemeanor of the second deg
able as provided in s. 775.082 or s. 775.08
day during which such a violation shall contir
deemed a separate violation and a separat

(5) Nothing herein shall be construed to
use of additional words in describing the gr
or kind of such beef.

History.—ss. 1-5, ch. 65-29; ss. 14, 16, 35, ch. 69-106, s. 11

**877.061 Marketing establishments; m
of scales.—**

(1) Any milk plant, meat-processing pl
other marketing establishment which purcl
and agricultural products directly from the pr
agent or employee on the basis of the we
product shall maintain scales in a location
or other marketing establishment where
producer and purchaser or their agent sha
right and opportunity to attest to the weigh

(2) The Department of Agriculture and
Services shall designate agents
as often as it deems practic

(3) Any person who will
the provisions of this sectio
meanor of the second degr
in s. 775.082 or s. 775.083.

History.—s. 1, ch. 67-119; ss. 14, 35, ch.

**877.08 Coin-operated vending machine
ing meters; defined; prohibited acts, penal**

(1) A "coin-operated vending machine
meter," for the purposes of this act, is define
machine, contrivance, or device that is adap
in such a way that, as the result of the inse
piece of money, coin, or other object, the ma
trivance, parking meter, or device is caused
or may be operated and by reason of such co
user may become entitled to receive any
telephone or telegraph service, insurance
parking privilege or any other personal prope
protection, right or privilege of any kind or n
soever.

(2) Whoever maliciously or mischievous
opens, breaks, injures, damages, or inserts
his body or any instrument into any coin-ope
ing machine or parking meter of another, sh
of a misdemeanor of the second degree, pu
provided in s. 775.082 or s. 775.083.

(3) Whoever molests, open
ages, or inserts any part of hi
into any coin-operated vendi
ter of another with intent to
a misdemeanor of the secon
provided in s. 775.082 or s. 775.

(4) Whoever violates the provisions of su
a second time, and is convicted of such se
rate offense, either at the same term or a
term of court, shall be guilty of a felony of

Sec. 39-996. Height.

No building or structure shall be erected or altered to a height exceeding 100 feet.

Sec. 39-997. Plot size.

(a) There shall be no minimum required size of plot for non-residential uses.

(b) Plots containing a residential use permitted in a B-2 district shall be not less than 100 feet in width and 10,000 square feet in area, except for accessory uses.

Sec. 39-998. Yards.

(a) Plots which have both nonresidential and permitted residential uses, shall be provided with the yards specified under section 39-169.

(b) All plots shall provide yards in accordance with section 39-163.

Sec. 39-999. Minimum floor area.

The minimum floor area of a dwelling unit shall be 325 square feet. The minimum floor area of a rental sleeping room in a hotel, lodging house, tourist home or similar use shall be 150 square feet.

Secs. 39-1000—39-1009. Reserved.

ARTICLE LX. COMMERCIAL C-1 DISTRICT

Sec. 39-1010. Purpose of district.

The C-1 Commercial District is generally intended for certain repair and other services, wholesale, storage and warehouse uses, and sales of large or heavy machinery and equipment. It serves large sections of the county rather than nearby residential areas and does not cater to pedestrian trade.

Sec. 39-1011. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

(1) Any use permitted in B-3 districts, except as specified in section 39-1012.

(2) Sales and display of the following:

Agricultural implements.
Automobile secondhand parts (no wrecking).
Building supplies in a building.
Construction equipment.
Dairy supplies.
Feed.
Fertilizer.
Fuel.
Machinery.
Monuments.
Motorcycles.
Pumps.
Produce.
Restaurant and hotel supplies and equipment.
Secondhand merchandise.
Ship chandlery.
Swimming pool supplies.
Tractors.
Welding equipment and supplies.

(3) The following service establishments:

Ambulance service.
Animal hospital.
Boarding kennel.
Bookbinding.
Carpet and rug cleaning.
Cleaning and dyeing establishment.
Crating, packing and shipping service.
Diaper service.
Distribution service and package delivery.
Food catering.
Fruit packing and shipping.
Glass and mirror shop.
Laundry.
Linen supply.
Magazine wholesale agency.
Milk distributing stations.
Mirror silvering.

Printing, lithography and engraving.
Soft drink bottling.

(4) The following repair and shop uses:

Automobile paint shop.
Awning and canvas shop.
Battery repair and rebuilding.
Electrical contractor shop.
Electrical repair shop.
Furniture repair shop.
Household repair shop.
Plumbing shop.
Restaurant and store fixture shop.
Roofing contractor shop.
Sign painting shop.
Tire recapping and vulcanizing.
Upholstery shop.

(5) The following wholesale, warehouse and storage uses:

Cold storage plant.
Fish house.
Frozen food lockers.
Ice storage house.
Storage warehouse.
Wholesale establishment.
Wholesale seafoods.

(6) The following miscellaneous uses:

Bottled gas storage, filling and distribution.
Creamery.
Electric utility yard.
Express office.
Gas regulator station
Lumberyard.
Nonaccessory parking or open-air storage of commercial vehicles.
Railroad freight or passenger station.
Railroad tranfer, storage and team tracks.
Theatrical studio.
Trade and vocational school.

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Transformer and electrical switching station.
Seaplane base.
Utility trailer display and storage.

(7) The following uses, when so located that no land allocated to such use or building occupied by such use lies within 100 feet of any residentially zoned property; provided that this separation requirement shall apply only to principal uses and not to accessory uses which are not included in the list of uses which follows:

Automobile body shop.
Boat building and repair, up to 45-foot length.
Cabinet and carpenter shop.
Heating contractor shop.
Sheet metal shop.
Sign shop.
Tinsmith shop.

(8) Accessory uses and structures.

(9) Building, service and repair of pleasure boats not over 100 feet waterline length, provided such use is located at least 300 feet from any residentially zoned property except where such property is zoned A-1 or A-2.

(10) Storage of pleasure boats not over 100 feet waterline length, provided such storage is located at least 100 feet from any residentially zoned property except where such property is zoned A-1 or A-2.

(11) Bath and massage parlors. (Eff. 9-26-77)

Sec. 39-1012. Uses prohibited.

The permissible uses enumerated in section 39-1011 above shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

(1) Motor freight terminal.

(2) Open-air display, sale or storage of new or used building materials, except as accessory to a permitted use.

(3) Any use first permitted in a less restricted district.

(4) Dwellings, except as accessory to a permitted use.

(5) Hotels, motels, apartment hotels, rooming, boarding ro lodging houses, villas, bungalow courts.

(6) Hospitals, sanitariums, orphanages and similar institutions for the care or treatment of persons.

Sec. 39-1013. Height.

No building or structure shall be erected or altered to a height exceeding 100 feet.

Sec. 39-1014. Plot size.

There shall be no minimum required size of plot.

Sec. 39-1015. Yards.

Yards shall be provided in accordance with the provisions of sections 39-163 and 39-169.

Secs. 39-1016—39-1025. Reserved.

ARTICLE LXI. INDUSTRIAL PARK M-1A DISTRICT

Sec. 39-1026. Purpose of district.

The M-1A Industrial Park District is intended to provide a restricted light industrial district for research development and manufacture of small products making the use of processes of manufacturing not likely to be objectionable to neighboring properties because of noise, vibration, odors, smoke, air pollution or other physical manifestations. The development standards in M-1A districts are intended to assure an open, uncrowded and attractive appearance through limitations on yards, setbacks, coverage and location of incidental activities.

Sec. 39-1027. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following uses:

(1) Manufacture of the following:

Brooms and brushes.
Candles.
Candy.
Ceramic products, electrically fired.
Cigars, cigarettes or snuff.
Clothing and hats.
Cosmetics and toiletries, except soap.
Dairy products.
Ice cream.
Jewelry.
Leather goods and luggage.
Optical equipment.
Orthopedic and medical appliances.
Paper products and cardboard products
Perfume.
Pharmaceutical products.
Plastic products, except pyroxylin
Pottery, electrically fired.
Precision instruments.
Shoes.
Silverware.
Spices and spice packing.
Stationery.
Television, radio and phonograph.

(2) Manufacture of products from aluminum, brass, bronze, copper, steel or other metal, or from bone, cloth, hair, leather, paper, rubber, shell, plastic, wood or other materials, such as:

Artificial flowers, feathers or plumes.
Bags.
Buttons or novelties.
Canvas products.
Electrical fixtures and electronic devices.

Food products, chewing gum, syrups, fruit juices, extracts, drugs or medicines.
Hardware and cutlery.
Musical instruments.
Small parts and devices.

Provided, that any machine utilizing any motor of more than 20 horsepower shall be operated inside of a fully enclosed, air conditioned building.

(3) Any of the following:

Bakery.
Cutting or blending of liquor.
Electroplating.
Motion picture studio.
Pattern making.
Printing, publishing, lithography and engraving.
Stamping, dieing, shearing or punching of metal not over one-eighth inch in thickness incidental to other manufacturing processes.
Tool, die and gauge shop.
Transformer and electrical switching station.

(4) Educational, scientific and industrial research.

(5) Accessory uses and structures, including living quarters accessory to a permitted use.

(6) Residence on floating homes or vessels. (Eff. 12-4-78)

Sec. 39-1028. Uses prohibited.

The permissible uses listed in section 39-1027 preceding shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

(1) The manufacture of any product or the utilization of any process or operation expressly specified for an M-2, M-3 or M-4 district.

(2) Foundry.

(3) Drop forging.

(4) Stamping, dieing, shearing or punching of metal exceeding one-eighth inch in thickness, or of lesser thickness as incidental to other manufacturing processes.

(5) Paint or varnish manufacture.

(6) Oil compounding or barrelling.

(7) Manufacture of asphalt, brick, tile, cement, lime, plaster, concrete or products thereof.

(8) Open-air storage in bulk of asphalt, brick, building materials, butane, cement, clay products, concrete products, coal, contractor's equipment, cotton, fuel, gasoline, grain, gravel, grease, hay, ice, lead, lime, liquor, plaster, pipe, lumber, machinery, propane, roofing, rope, sand, stone, tar, tarred or creosoted products, terra cotta, timber, wine, wood or wool. This prohibition does not apply to storage of these materials in warehouses.

(9) Use of automatic screw machines.

(10) Institutions for the housing, care or treatment of sick, indigent, aged or adolescent persons.

(11) Dwellings, except as accessory to a permitted use.

(12) Hotels, motels, apartment hotels, rooming, boarding or lodging houses, villas, bungalow courts.

(13) Motor freight terminals.

(14) Warehouse or storage buildings, except as incidental to a permitted use.

(15) Retail stores, business offices and services.

(16) Advertising signs, billboards or roof signs.

Sec. 39-1029. Height.

No building or structure shall be erected or altered to a height exceeding 100 feet, except that radio antenna towers may be erected to a height not exceeding 200 feet.

Sec. 39-1030. Plot size.

Every plot shall be not less than 100 feet in width and not less than 20,000 square feet in area.

Sec. 39-1031. Setbacks.

(a) No building or roofed structure shall be located less than 50 feet from any street line nor less than 25 feet from any plot line other than a street line.

(b) No more than half of the depth of any required setback area measured from a street line or a plot line, as the case may be, may be used for parking; and such parking shall be located on the half of the required setback area away from the street or plot line.

(c) All required setback areas, except where used for permitted parking, shall be landscaped. A required landscaped area shall not be crossed by more than the minimum of walkways and driveways necessary for access to the building.

(d) Signs, light standards and fences shall be permitted in required setback areas as hereinafter specified.

Sec. 39-1032. Fences.

All fences and walls shall be constructed of concrete, masonry or metal. Metal fences shall be of the open weave, chain link type. Fences and walls shall not exceed 10 feet in height adjacent to nonresidential property nor exceed 8 feet in height adjacent to residential property. Fences and walls shall not be located within any required setback area on a street. No barbed wire shall be used except on brackets entirely within the area enclosed.

Sec. 39-1033. Lighting.

(a) All light standards shall be constructed of masonry or metal.

(b) All necessary exterior lighting on the plot shall be so installed as not to cause any nuisance to adjoining residential areas.

Sec. 39-1034. Loading and unloading.

All loading docks and areas for receipt, dispatch and handling of products, materials, equipment and supplies shall not be located on the street side of buildings but shall be located on the side or rear of buildings, unless effectively screened from direct view at ground level from any street.

Sec. 39-1035. Storage.

There shall be no open outside storage of materials, supplies, products, equipment or machinery, except automotive vehicles, unless area used for such outside storage is effectively screened from direct view at ground level from any street.

Sec. 39-1036. Signs.

(a) Signs of the directional or caution type shall be permitted of ground, flat or projecting type. No such sign shall exceed eight square feet in area. No such sign constructed as a ground sign shall extend over five feet above the ground, and no such sign constructed as a projecting sign shall project more than four feet beyond its supporting building nor extend more than eight feet above the ground.

(b) Signs identifying the owner, operator, or character of the industry or use, and its activities or products shall be of the wall or ground type. No such ground sign shall exceed 8 feet in overall height above the ground, 20 feet in length or 160 square feet in area.

(c) No signs shall be animated or provided with intermittent or flashing illumination.

(d) No signs shall be permitted except as specified in this section.

Sec. 39-1037. Coverage.

The area of the plot occupied by buildings and roofed structures shall not exceed 33 1/3 percent of the plot area.

Sec. 39-1038. Developmental standards.

(a) All developed property shall be landscaped, improved and maintained in full conformity with all applicable requirements of these regulations.

(b) Undeveloped property shall be well graded and free from underbrush and objectionable plant growth. Undeveloped property shall be mowed periodically as necessary to control natural grass growth.

(c) All property shall be kept clean and free from rubbish or debris.

ARTICLE LXII. LIGHT INDUSTRIAL M-1 DISTRICT

Sec. 39-1039. Purpose of district.

The M-1 Light Industrial District is intended primarily for the manufacture of small articles and nonobjectionable products not involving the use of any materials, processes or machinery likely to cause undesirable effects upon nearby or adjacent residential or business property. The M-1 district may directly abut a residential or business district, and the activities permitted in an M-1 district are intended to be such as may be compatible with such neighboring districts under the yard and separation regulations provided. In order to minimize conflict and preserve the M-1 districts for their primary purposes, residential and institutional uses are not permitted therein.

Sec. 39-1040. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following uses:

(1) Any use permitted in a B-3 district, except as prohibited in section 39-1041.

(2) Manufacture of the following:

Brooms and brushes.
Candles.
Candy.
Ceramic products, electrically fired.
Cigars, cigarettes or snuff.
Clothing and hats.
Cosmetics and toiletries, except soap.
Dairy products.
Ice cream.
Jewelry.
Leather goods and luggage.
Optical equipment.
Orthopedic and medical supplies.
Paper products, and cardboard products.
Perfume.
Pharmaceutical products.
Plastic products, except pyroxylin.
Pottery, electrically fired.
Precision instruments.
Shoes.
Silverware.
Spices and spice packing.
Stationery.
Television, radio and phonograph.

(3) Manufacture of products from aluminum, brass, bronze, copper, steel or other metal, or from bone, cloth, hair, leather, paper, rubber, shell, plastic, wood or other materials, provided power not in excess of 20 horsepower on any 1 motor is utilized in the operation of any 1 machine, such as:

Artificial flowers, feathers or plumes.
Bags.
Buttons or novelties.
Canvas products.
Electrical fixtures.
Electronic devices.
Food products, chewing gum, syrups, fruit juices, extracts, drugs or medicines.

Hardware and cutlery.
Musical instruments.
Small parts and devices.

(4) Any of the following:

Bakery.
Cutting or blending of liquor.
Cheese making.
Carpenter and cabinet shop.
Electroplating.
Egg storage, candling or processing.
Hydroponic garden.
Hatchery, fish or fowl.
Motion picture studio.
Pattern making.
Printing, publishing, lithography and engraving.
Stamping, dieing, shearing or punching of metal not over one-eighth inch in thickness.
Tool, die and gauge shop.
Transformer and electrical switching station.
Boat building and repair, up to 45-foot length, when located more than 500 feet from residentially zoned property.
Plumbing or electrical shop entirely within an enclosed building.
Slat house.
Manufacture of powder blends, potting compounds and plastisols.
Manufacture of water-based and/or epoxy-based coatings, adhesives, sealants and paints.

(5) Warehouse and storage buildings.

(6) Accessory uses and structures, including living quarters accessory to a permitted use.

Sec. 39-1041. Uses prohibited.

The permissible uses enumerated in section 39-1040 above shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

(1) The manufacture of any product or the utilization of any process or operation expressly specified for an M-2, M-3 or M-4 district.

(2) Foundry.

(3) Drop forging.

(4) Stamping, dieing, shearing or punching of metal exceeding one-eighth inch in thickness.

(5) Paint or varnish manufacture.

(6) Oil compounding or barreling.

(7) Manufacture of asphalt, brick, tile, cement, lime, plaster, concrete or products thereof.

(8) Open-air storage in bulk of asphalt, brick, building materials, butane, cement, clay products, concrete products, coal, contractors' equipment, cotton, fuel, gasoline, grain, gravel, grease, hay, ice, lead, lime, liquor, plaster, pipe, lumber, machinery, propane, roofing, rope, sand, stone, tar, tarred or creosoted products, terra cotta, timber, wine, wood or wool. This prohibition does not apply to storage of these materials in warehouses.

(9) Use of automatic screw machines.

(10) Institutions for the housing, care or treatment of sick, indigent, aged or adolescent persons.

(11) Dwellings except as accessory to a permitted use.

(12) Hotels, motels, apartment hotels, rooming, boarding or lodging houses, villas, bungalow courts.

(13) Motor freight terminals.

Sec. 39-1042. Height.

No building or structure shall be erected or altered to a height exceeding 100 feet.

Sec. 39-1043. Plot size.

There shall be no minimum required size of plot.

Sec. 39-1044. Yards.

Every plot shall be provided with the yards required under sections 39-163 through 39-169.

Secs. 39-1045—39-1054. Reserved.

ARTICLE LXIII. MEDIUM INDUSTRIAL M-2 DISTRICT

Sec. 39-1055. Purpose of district.

The M-2 Medium Industrial District is intended primarily for those manufacturing operations which, by their inherent nature, or by virtue of the materials used, processes utilized or products produced, may involve some characteristics objectionable to or incompatible with residential areas. Hence M-2 districts are not intended for locations abutting residential property. In order to minimize possible conflicts and preserve M-2 districts for their primary purposes, residential or institutional uses are not permitted therein.

Sec. 39-1056. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

(1) Any use permitted in an M-1 district or a C-1 district, except bath or massage parlors.

(2) Manufacture of the following:

Acids, except hydrochloric, nitric, picric, sulphurous or sulphuric acid.
Automobile accessories, except tires.
Batteries and other electrical apparatus.
Boxes.
Canvas, cloth, cork, excelsior or textiles.
Carbon.
Disinfectant and insecticide.
Mattress.

Rope.
Sash and doors.
Starch, glucose and dextrine.

(3) Any of the following:

Airplane hangar.
Airport.
Animal refuge.
Automatic screw machines.
Automobile assembly plant.
Assaying.
Blacksmith shop.
Canning factory.
Cider mill.
Construction or contractor yard.
Cooperage.
Die casting.
Existing cemetery, columbarium, mausoleum or crematory, or the expansion of existing cemeteries as of December 13, 1974.
Livery stable, riding academy or dude ranch.
Lumberyard with planing mill.
Machine shop.
Mattress and bedding renovator.
Meat processing, no slaughtering.
Metal buffing, plating and polishing.
Millwork, lumber and planing mill.
Motor freight terminal and depot.
Painting and varnishing.
Radio or television broadcasting towers or antennae.
Welding shop.

(4) Storage in bulk of asphalt, brick, building materials, butane, cement, clay products, concrete products, coal, contractors' equipment, cotton, fuel, gasoline, grain, gravel, grease, hay, ice, lead, lime, liquor, plaster, pipe, lumber, machinery, propane, roofing, rope, sand, stone, tar, tarred or creosoted products, terra cotta, timber, wood or wool, provided the area so used is located inside a fully enclosed building or masonry wall at least six feet in height.

The enclosure requirements for the above-permitted storage uses shall not apply to any land area that directly abuts any part of land currently zoned in an M-3, M-4 or M-5 Industrial District.

(5) The following uses, when so located that no land allocated to such use or building occupied by such use lies within 300 feet of any residentially zoned property; provided that this separation requirement shall apply only to principal uses, and not to accessory uses which are not included in the list of uses which follows:

Animal burying ground.
Brewing and distilling of malt beverages or liquors.
Carnival, circus or similar amusement enterprise.
Circus quarters, menagerie or keeping of wild animals.
Correctional or penal institution.
Crematoria for animal or human remains.
Fish smoking, curing or canning.
Manufacture of poison or sperm oil.
Racetrack: automobile, motorcycle, horse or dog.
Rifle range.
Tank storage of bulk oil or gasoline.
Truck terminal or motor freight terminal.

(6) Accessory uses and structures, including living quarters accessory to a permitted use.

(7) Cutting and finishing of stone from precut slabs for interior or exterior facing of buildings, if such operations are conducted within a fully enclosed building. (Eff. 12-13-74; eff. 9-26-77; eff. 8-27-79; Ord. No. 85-47, § 1, 8-16-85) 14-T-85

Sec. 39-1057. Uses prohibited.

The permissible uses enumerated in section 39-1056 above shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

(1) The manufacture of any product or the utilization of any material, process or operation expressly specified for an M-3 or M-4 district.

(2) Foundry.

(3) Drop forging.

(4) Smelting or refining of ores or metals.

(5) Paint or varnish manufacture.

(6) Manufacture of asphalt, brick, tile, cement, lime, plaster, concrete or products thereof.

(7) One-family, two-family or multiple dwellings except as specified under permitted uses.

(8) Hotel, motels, boarding or rooming houses, lodging house, tourist home, trailer court or park, bungalow court.

(9) Institutions for the housing, care or treatment of sick, indigent, aged or adolescent persons.

Sec. 39-1058. Height.

No building or structure shall be erected or altered to a height exceeding 100 feet except that radio antenna towers may be erected to a height not exceeding 200 feet.

Sec. 39-1059. Plot size.

There shall be no minimum required size of plot.

Sec. 39-1060. Yards.

Every plot shall be provided with the yards required under sections 39-163 through 39-169.

Secs. 39-1061—39-1070. Reserved.

ADMINISTRATIVE DECISIONS

M-3

ADDITIONAL USES (x GATTENER)

1. $RECYCLING of ALUMINUM
   (WITHIN TOTALLY ENCLOSED BUILDING)

2. GARBAGE TRUCKS, DUMPSTERS } EMPTY

(OTHERWISE M-5)

ELECTRO - CHEMICAL - RECLAMATION OF METALS M-2

GG 2/8/84

IE METAL BUFFING, PLATING & POLISHING

ARTICLE LXIV. GENERAL INDUSTRIAL M-3 DISTRICT

Sec. 39-1071. Purpose of district.

The M-3 General Industrial District is intended primarily for the larger and heavier types of manufacturing uses

which normally have no serious effects upon contiguous nonresidential areas. In order to minimize conflict and to preserve the general industrial areas for the intended uses, certain residential and institutional uses are not permitted therein.

Sec. 39-1072. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following uses:

(1) Any use permitted in M-2 districts.

(2) Any of the following uses:

Brewing and distilling of malt beverages or liquors.
Bulk storage of petroleum and petroleum products.
Butane or propane manufacturing or storage.
Can manufacturing from metal, such as tin cans or aluminum cans.
Carpet manufacture, power looms.
Celluloid or similar cellulose material manufacture or storage.
Cleansing preparation manufacturing, such as soaps, detergents, cleansers, etc.
Concrete batching or mixing plant.
Concrete products manufacture.
Cotton gin.
Cotton oil plant.
Cottonseed product.
Dredging base.
Dry ice manufacturing.
Feed, flour and grist milling.
Fertilizer compounding from dry, nonodorous materials.
Fertilizer compounding from liquid, nonodorous materials.
Furniture manufacturing, not elsewhere permitted.
Glass products from previously manufactured glass.
Magnetic wire manufacturing.

Oil compounding involving flammable materials, such as oil, lacquer, shellac, etc., except as incidental to other business.
Pottery manufacturing, not elsewhere permitted.
Salt works.
Septic tank service.
Soap manufacturing.
Vegetable oil manufacturing or refining.
Veneer or plywood plant.

(3) Any use not prohibited by section 39-1073, not prohibited by other resolutions or by law, and not listed as permissible only in an M-4 or an M-5 district.

(4) Accessory uses and structures, including living quarters accessory to a permitted use.

(5) Docks and docking of boats and ships for loading and unloading, storage, repair and building of boats not over 120 feet in length.

Sec. 39-1073. Uses prohibited.

(a) Dwellings except as accessory to a permitted use.

(b) Hotels, motels, apartment hotels, rooming, boarding or lodging houses, villas, bungalow courts.

(c) Institutions for the housing, care or treatment of sick, indigent, aged, adolescent or other persons.

(d) Any use which produces effects upon contiguous property in the form of noise, odor, vibration, smoke, particulate matter, glare, heat, or fire or explosive hazard to a degree equivalent to any use specified in this ordinance as first permitted in an M-4 or M-5 district.

Sec. 39-1074. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding 150 feet.

Sec. 39-1075. Plot size.

Every plot utilized for a use first permitted in an M-3 district shall not be less than 100 feet in width and 10,000 square feet in area.

Sec. 39-1076. Yards.

Every plot shall be provided with yards required under sections 39-163 and 39-169.

Secs. 39-1077—39-1086. Reserved.

ARTICLE LXV. LIMITED HEAVY INDUSTRIAL M-4 DISTRICT

Sec. 39-1087. Purpose of district.

The M-4 Limited Heavy Industrial District is intended to apply to areas situated within an industrial section, which, because of location, access, transportation and relation to other industrial areas, can be appropriately utilized for heavier types of industry which would not be suitable for M-3 districts.

Sec. 39-1088. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

(1) Any use permitted in an M-3 district.

(2) Any of the following uses:

Abrasive products manufacturing.
Asphalt paving plant.
Bag cleaning.
Brick, tile, terra cotta manufacturing.
Carnival, circus, circus quarters, menagerie or keeping of wild animals.
Creosote manufacture or treatment.

Fish smoking, curing or canning.
Foundry.
Freight classification yard.
Grain processing and storage except as incidental to feed and seed business.
House wrecking yards; used building materials yard.
Junkyards; automobile wrecking yards. (see Pg 934)
Livestock auction.
Oil reclamation.
Poison or sperm oil manufacturing.
Potash manufacture.
Pyroxlin and pyroxlin products manufacturing.
Sawmill.
Shipyard.
Slag crushing.
Storage of poisonous gases except as incidental to exterminating business.
Wool pulling or scouring.

(3) Accessory uses and structures, including living quarters accessory to a permitted use.

Sec. 39-1089. Uses prohibited.

The permissible uses enumerated in section 39-1088 above shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

(1) Dwellings except as accessory to a permitted use.

(2) Hotels, motels, apartment hotels, rooming, boarding or lodging houses, villas, bungalows, courts, trailer parks.

(2) Institutions for the housing, care or treatment of sick, indigent, aged, adolescent or other persons.

Sec. 39-1090. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding 150 feet.

ADMINISTRATIVE M-5

10/8/76

ABATTOIR --- PROCESSING - RABBITS FISH & POULTRY.

Sec. 39-1091. Plot size.

(a) Every plot utilized for a use first permitted in an M-3 district shall not be less than 100 feet in width and 10,000 square feet in area.

(b) Every plot utilized for a use first permitted in an M-4 district shall not be less than 200 feet in width and 40,000 square feet in area.

Sec. 39-1092. Yards and separation.

(a) Every plot shall be provided with yards required under sections 39-163 and 39-169.

(b) No portion of any land utilized for, or building occupied by a use first permitted in, an M-4 district shall be located within 300 feet of any residentially zoned property or any property zoned in an A-1 or A-2 district; provided that this separation requirement shall not apply to accessory uses which are permissible in M-3 or more restricted districts as principal uses.

(c) Any land, building or structure utilized for a use first permitted in an M-4 district shall be located at least 50 feet from all plot lines; provided that this 50-foot setback area may be utilized for accessory uses, buildings and structures permitted in an M-3 or more restricted district.

Secs. 39-1093—39-1102. Reserved.

ARTICLE LXVI. HEAVY INDUSTRIAL M-5 DISTRICT

Sec. 39-1103. Purpose of district.

The M-5 Heavy Industrial District is intended to apply to areas which presently or in the future will be embedded in or surrounded by other kinds of industrial districts, and which areas will be suitable for the heaviest types of industry. Such areas are not compatible with residential uses and must be well separated therefrom in order to minimize any possible objectionable effects.

Sec. 39-1104. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following uses:

(1) Any use permitted in an M-4 district.

(2) Any of the following uses:

Abattoir or slaughterhouse.
Acid (corrosive) manufacturing, including hydrochloric, nitric, picric, sulphurous and sulphuric.
Alkaline products manufacturing, not elsewhere permitted.
Ammonia, chlorine or bleaching powder manufacture.
Asphalt manufacturing or refining.
Blast furnace.
Blooming mill.
Bone distillation.
Cement, lime, gypsum or plaster of paris manufacture.
Chemical manufacturing, not elsewhere permitted.
Coke oven.
Drilling, production, or refining of petroleum products.
Drop forge.
Distillation of coal, tar, petroleum refuse and similar materials.
Extraction of animal or fish oils.
Fertilizer manufacturing, not elsewhere permitted.
Garbage, offal, dead animal refuse, rancid fats; incineration, reduction or storage of glue, size or gelatin manufacturing where process includes refining or recovery from fish, animal refuse.
Paper and/or pulp mills.
Radium extraction.
Rendering plant.
Rolling mill.
Rubber manufacturing from raw materials.
Smelting or refining ores.
Steel manufacturing by Bessemer, open hearth or other process.

Stockyards or feeding pens.
Sugar refining.
Tanning, curing or storage of raw hides, except as incidental to taxidermy.
Tire and/or tube manufacturing.

(3) Any use not prohibited by section 39-1105 and not prohibited by law or by other ordinances.

(4) Accessory uses and structures, including living quarters accessory to a permitted use.

(5) Gunpowder, fireworks or explosives manufacturing and/or storage permitted as a special exception use. (Eff. 4-23-76)

Sec. 39-1105. Uses prohibited.

(a) Dwellings except as accessory to a permitted use.

(b) Hotels, motels, apartment hotels, rooming, boarding or lodging houses, villas, bungalow courts.

(c) Institutions for the housing, care or treatment of sick, indigent, aged, adolescent or other persons.

Sec. 39-1106. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding 200 feet.

Sec. 39-1107. Plot size.

(a) Every plot utilized for a use first permitted in an M-3 district shall not be less than 100 feet in width and 10,000 square feet in area.

(b) Every plot utilized for a use first permitted in an M-4 district shall be not less than 200 feet in width and 40,000 square feet in area.

(c) Every plot utilized for a use first permitted in an M-5 district shall be not less than 400 feet in width and 4 acres in area.

Sec. 39-1108. Yards and separation.

(a) Every plot shall be provided with yards required under sections 39-163 and 39-169.

(b) No portion of any land utilized for, or building occupied by a use first permitted in, an M-4 district shall be located within 300 feet of any residentially zoned property or any property zoned in an A-1 or A-2 district; provided that this separation requirement shall not apply to accessory uses which are permissible in M-3 or more restricted districts as principal uses.

(c) Any land, building or structure utilized for a use first permitted in an M-4 district shall be located at least 50 feet from all plot lines; provided that this 50-foot setback area may be utilized for accessory uses, buildings and structures permitted in an M-3 or more restricted district.

(d) No portion of any land utilized for, or building occupied by a use first permitted in, an M-5 district shall be located within 600 feet of any residentially zoned property or any property zoned in an A-1 or A-2 district; provided that this separation requirement shall not apply to accessory uses which are permissible in M-3 or more restricted districts as a permissible use.

(e) Any land, building or structure utilized for a use first permitted in an M-5 district shall be located at least 100 feet from all plot lines; provided that this 100-foot setback area may be utilized for accessory uses, buildings and structures permitted in an M-3 or more restricted district.

Secs. 39-1109—39-1118. Reserved.

ARTICLE LXVII. RECREATIONAL S-1 DISTRICT

Sec. 39-1119. Purpose of district.

The S-1 Recreational District is intended for outdoor sports and recreational activities in which the participants are actively engaged, but which may also provide entertain-

ment for spectators. The activities for which the S-1 district is provided are normally and primarily conducted in the open air, while related accessory uses may be in the open air or in a building or structure. The functional characteristics of an S-1 district may require its location within, or in close relationship to, residential areas, public recreational areas or scenic areas. Because of the nature of uses involved and the variety of arrangement of uses and facilities on the site plan of development, broad general regulations for plot size, yards, setbacks and height must be adequate for any location at which an S-1 district may be established.

Sec. 39-1120. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses, subject to the procedure specified in section 39-1122 following:

(1) Archery range.
(2) Baseball driving range.
(3) Bathing beach.
(4) Boat anchorage.
(5) Boat dock.
(6) Boat launching facility.
(7) Cabanas.
(8) Charter boat dock.
(9) Country club.
(10) Excursion boat dock.
(11) Fishing pier.
(12) Golf course.
(13) Golf driving range.
(14) Group fishing boat dock.
(15) Lawn bowling.
(16) Miniature golf course.
(17) Shuffleboard court.
(18) Sightseeing boat dock or stop.
(19) Stadium.
(20) Swimming pool.
(21) Tennis courts.

S-1

(22) Social, athletic, neighborhood or community club.
(23) Accessory uses.
(24) Tent camps.
(25) Residence on floating homes or vessels. (Eff. 12-4-78)
(26) Athletic schools with or without dormitory facilities. (Eff. 12-4-78; Ord. No. 80-93, § 1, 11-14-80)

Sec. 39-1121. Uses prohibited.

The permissible uses enumerated in section 39-1120 above shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

(1) Any business or commercial use not permitted as a principal use, except when meeting requirements of an accessory use.

(2) Any industrial or manufacturing use.

(3) Drive-in theater, drive-in restaurant or drive-in refreshment stand.

Sec. 39-1122. Site development plan.

The site development plan for a plot in an S-1 district shall provide for such an arrangement and location of uses and facilities on the plot as to give maximum possible separation from, and protection to, contiguous and nearby residential property. Where the nature of the activities or facilities on the plot present any potential hazard or detriment to contiguous residential properties from noise, glare, odors, smoke, vibration, flying objects or traffic, protection to such contiguous residential properties shall be provided in the form of open space, fences, walls, hedges, enclosures and/or by such other means as may be appropriate and effective to prevent or minimize such hazards.

Sec. 39-1123. Landscaping.

All required yards and open spaces adjacent to streets and contiguous to residential property shall be planted and properly maintained with suitable planting in form of

grass, shrubs, hedges and trees to present an attractive appearance appropriate to the neighborhood.

Sec. 39-1124. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding 50 feet.

Sec. 39-1125. Plot size.

Every plot shall be not less than 100 feet in width and 10,000 square feet in area.

Sec. 39-1126. Yards.

(a) No parking area shall be located within 10 feet of any residentially zoned property nor within 25 feet of any street line.

(b) No structure, except fences or walls as hereinafter provided, shall be located within 20 feet of any residentially zoned property nor within 25 feet of any street line.

(c) No building or roofed portion of any structure shall be located within 25 feet of any plot line.

(d) No required open space, yard or setback area shall be used or developed for any purpose other than by landscaping and by the minimum amount of walkways and/or driveways reasonably necessary to serve the permitted S-1 uses.

Sec. 39-1127. Fences.

(a) No fence or wall shall be erected within 25 feet of any street line.

(b) No fence or wall situated within 10 feet of any residentially zoned property shall exceed 5 feet in height.

(c) No hedge or continuous planting exceeding 2 feet in height shall be placed or maintained within 25 feet of any street line.

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(d) No hedge or continuous planting exceeding 5 feet in height shall be placed or maintained within 10 feet of any residentially zoned property.

Sec. 39-1128. Requirements for tent camps.

The use and development of property for tent camps as permitted under section 39-1120(24) shall be subject to the following requirements, limitations and conditions in addition to all other provisions of this article:

(1) *Definitions.* "Tent camp" shall be defined as a place where sites are rented for placement and use of tents and/or tent trailers, for temporary, transitory occupancy as sleeping and living quarters. Tent camp includes necessary sanitary facilities and permitted accessory uses.

(2) *Plot size.* Every plot used for tent camp shall be not less than 5 acres in area and not less than 300 feet in any dimension.

(3) *Site size.* Each rental site for tent use shall be not less than 50 feet in width and 50 feet in length.

(4) *Site access.* Each tent site shall abut upon and be accessible from a driveway not less than 30 feet in width, and said driveway shall have surfaced roadway not less than 20 feet in width.

(5) *Sanitary facilities.* Each tent camp shall provide adequate sanitary facilities in a permanent building located not more than 300 feet from any tent site. Adequate sanitary facilities shall be not less than the following:

(a) For males, 2 urinals, 2 water closets, 2 showers and 3 wash basins for each 50 tent sites.

(b) For females, 3 water closets, 3 wash basins and 2 showers for each 50 tent sites.

(c) At least 2 laundry tubs for each 50 tent sites.

(6) *Water supply.* Each tent camp shall have at least 1 running water spigot for each 10 tent sites, and there shall be such a spigot not more than 200 feet from any tent site.

(7) *Refuse.* A covered rubbish and garbage container of at least 10-gallon capacity shall be provided for each tent site. Provisions shall be made by the operator of the camp for semiweekly removal of all refuse from the camp.

(8) *Health department requirements.* The construction, operation and maintenance of a tent camp shall comply in all respects with the requirements of the Broward County Health Department.

(9) Structures prohibited. Tent houses and other structures shall not be permitted on any tent site.

Secs. 39-1129—39-1138. Reserved.

ARTICLE LXVIII. OPEN SPACE S-2 DISTRICT

Sec. 39-1139. Purpose of district.

The S-2 Open Space District is intended to preserve areas designated or used for active or passive recreation and to preserve open space.

Sec. 39-1140. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses, subject to the procedure specified in section 39-1142 following:

(1) Bathing beach or swimming pool.
(2) Boat ramp.
(3) Bridle, foot or bicycle path.
(4) A commons.

(5) Country club.
(6) Golf course.
(7) Open water areas.
(8) Picnic area.
(9) Accessory uses.
(10) Residence on floating homes and vessels. (Eff. 12-4-78)

Sec. 39-1141. Uses prohibited.

The permissible uses enumerated in section 39-1140 above shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

(1) Any business or commercial use not permitted as a principal use, except when meeting requirements of an accessory use.

(2) Any industrial or manufacturing use.

(3) Drive-in theater, drive-in restaurant or drive-in refreshment stand.

(4) Any residential use.

Sec. 39-1142. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding 2 stories or 30 feet.

Sec. 39-1143. Plot coverage.

No more than two percent of the plot area shall be under roof.

Sec. 39-1144. Plot size.

There shall be no minimum plot size.

ARTICLE LXIX. CONSERVATION-1 AND CONSERVATION-2 DISTRICTS*

Sec. 39-1145. Purpose of Conservation-1 District.

The Conservation-1 District is intended to provide protection to the reserve water supply areas by promoting the restoration of the Everglades system, including its hydrological and ecological functions as well as any degraded or substantially disrupted surface waters; supporting land acquisition and management practices which provide a sufficient fresh potable water supply, protect wildlife and natural resources, and provide public access to natural areas, in coordination with the plans and programs of the South Florida Regional Planning Council and South Florida Water Management District; coordinating with the plans, policies and programs of the U.S. Department of Interior regarding the management of the Big Cypress Natural Preserve, an Area of Critical State Concern. (Ord. No. 89-36, § 9, 9-26-89)

Sec. 39-1146. Uses permitted within the Conservation-1 District.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

(1) Structures used for flood control, drainage, storage and conservation of water.

(2) Boat ramps and docks and camping facilities.

(3) Passive outdoor recreational uses such as wildlife sanctuaries and feeding stations, nature centers and trails, outdoor research stations and walkways.

(4) Uses which do not impair the natural environment or disturb the natural ecosystem of the area and which are not in conflict with applicable water management and wildlife

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*Editor's note—Section 9 of Ord. No. 89-36, adopted Sept. 26, 1989, effective Oct. 1, 1989, created a new art. LXIX, §§ 39-1145—39-1149. Article LXIX formerly consisted of §§ 39-1145—39-1147 and regulated F-1 Flood Control Districts, as amended by legislation effective Dec. 4, 1978.

Section 42 of Ord. No. 90-12, adopted June 26, 1990, effective July 5, 1990, reinstated F-1 district provisions as art. LXXX, §§ 39-1310—39-1312.

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protection policies of local, state and federal agencies. (Ord. No. 89-36, § 9, 9-26-89)

Sec. 39-1147. Roads within the Conservation-1 District.

New road or road expansions shall be required to be constructed in a manner that maintains the freshwater sheet flow. (Ord. No. 89-36, § 9, 9-26-89)

Sec. 39-1148. Purpose of the Conservation-2 District.

The Conservation-2 District is intended to apply to those natural reservation areas designated for conservation use on the future unincorporated area land use element map series; including public lands which are conservation areas operated by contractual agreement or managed by federal, state, regional, local government or nonprofit agency; promoting the acquisition, retention and management of unique natural areas in order to preserve their environmental, recreation and other public benefits; and protecting publicly owned sanctuaries, preserves, archaeological or historic sites, and open space, natural areas, ecological communities and designated wildlife management areas. (Ord. No. 89-36, § 9, 89-36)

Sec. 39-1149. Permitted uses in Conservation-2 District.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

(1) Passive outdoor recreational uses such as wildlife sanctuaries and feeing stations, nature centers and trails, outdoor research stations, walkways and uses accessory to these uses.

(2) Uses which do not impair the natural environment or disturb the natural ecosystem of the area and which ar not in conflict with any applicable contractual agreement or management policies of the federal, state, regional, county, municipal or nonprofit agency which manages the natural reservation. (Ord. No. 89-36, § 9, 9-26-89)

Secs. 39-1150—39-1157. Reserved.

ARTICLE LXX. INSTITUTIONAL-EDUCATIONAL I-1 DISTRICT*

Sec. 39-1158. Purpose.

The I-1 Institutional-Educational District is intended to apply to areas to be used for schools and educational institutions and other related activities by establishing and providing the proper environment for educational facilities through the grouping of educational, cultural and technological resources. In addition, this district is intended to be used for the location of religious institutions. (Ord. No. 83-10, § 1, 3-11-83; Ord. No. 84-67, § 1, 9-14-84)

Sec. 39-1159. Uses permitted.

No building or structure or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses, which shall be not-for-profit, except where for-profit use is specifically designated:

(1) Churches, synagogues, houses of worship, convents and accessory parish houses, accessory rectories and accessory day care facilities.

(2) Public and private primary and secondary schools and post-secondary educational institutions meeting all applicable requirements of state law and regulations.

(3) Accessory uses or structures. As used in this section, accessory uses or structures shall include a single mobile home or house trailer located on a public school site which is occupied as a residence by school security personnel employed by the School Board of Broward County and the school security personnel's family.

(4) Child day care centers, not-for-profit or for-profit.

(Eff. 12-4-78; Ord. No. 82-6, § 1, 2-12-82; Ord. No. 83-10, § 2, 3-11-83; Ord. No. 84-67, § 2, 9-14-84; Ord. No. 89-7, § 1, 1-24-89; Ord. No. 90-20, § 1, 8-14-90)

*Editor's note—Article LXX, §§ 39-1158—39-1163, was revised in its entirety by legislation effective Sept. 7, 1976.

Sec. 39-1160. Uses prohibited.

The permissible uses enumerated in section 39-1159 above shall not be construed to include either as a principal or accessory use, any of the following:

(1) Mental hospitals.

(2) Correctional institutions.

(3) Any use not specifically permitted is prohibited. (Ord. No. 84-67, § 3, 9-14-84)

Sec. 39-1161. Yards.

There shall be front, side and rear yards at least 50 feet in depth or width adjacent to all plot lines; provided any part of a building or structure which exceeds 25 feet in height shall be set back at least 1 foot additional for each foot of height of building or structure above 25 feet; however, any existing building proposed to be used for a child day care center which is located on property that has been rezoned from a residential district shall comply with the yard requirements of the former residential district. (Ord. No. 84-67, § 4, 9-14-84; Ord. No. 90-11, § 11, 6-26-90)

Sec. 39-1162. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding 100 feet; however, any building proposed to be used for a child day care center where the property on which the building is located has been rezoned from a residential district shall comply with the height limitations of the former residential district. (Ord. No. 84-67, § 4, 9-14-84; Ord. No. 90-11, § 2, 6-26-90)

Sec. 39-1163. Reserved.

Editor's note—Section 39-1163, prescribing special provisions relating to housing for the elderly in the I-1 district, was repealed by § 5 of Ord. No. 84-67, adopted Sept. 14,1984, effective Sept. 28, 1984. Such uses are no longer allowed in the I-1 district.

ARTICLE LXXI. BROWARD COUNTY AIRPORT ZONING ORDINANCE*

Sec. 39-1164. Purpose and declaration of legislative intent.

(a) Broward County, through its board of county commissioners, as the owner and operator of the two airports located within Broward County, via, Fort Lauderdale-Hollywood International Airport and North Perry Airport, is concerned with the safety and welfare of the traveling public as passengers of aircraft utilizing runways at said airports.

(b) It is hereby determined by the Board of County Commissioners of Broward County, Florida, that certain obstructions, whether natural or man-made, intruding into airspace near such runways, have the potential for being hazardous to aircraft operations as well as to persons and property on the ground in the vicinity of the obstruction. An obstruction may affect land use in the vicinity of the obstruction and, in effect, reduce the size of the area available for the landing, taking off and maneuvering of aircraft, thus tending to destroy or impair the utility of Fort Lauderdale-Hollywood International and North Perry Airports, and the public investment thereof. Accordingly, it is further declared:

(1) That the creation or establishment of an airport obstruction is a public nuisance and an injury to the region served by Fort Lauderdale-Hollywood International and North Perry Airports.

(2) That is is necessary to the interest of the public health, public safety and general welfare that the creation or alteration and proliferation of airport obstructions be prevented.

(3) That it is necessary in the interest of the public health and general welfare that the establishment of incompatible land uses be prevented in the areas defined as the accident potential hazard area hereinafter described.

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*Editor's note—Article LXXI, §§ 39-1164—39-1176, is derived from legislation effective May 23, 1978. In order to reflect the incorporation of the ordinance into the zoning ordinance, the word "ordinance" has been changed to "article."

(4) That the prevention of these obstructions, structures, trees and incompatible land uses should be accomplished to the extent legally possible, by the exercise of the police power of the county.

(5) It is further declared that the prevention of the creation or establishment of airport obstructions,

structures, trees and incompatible land uses and the elimination, removal, alteration, mitigation or marking and lighting of existing airport hazards are public purposes for which the county may raise and expend public funds and acquire land or interests in land.

Sec. 39-1165. Definitions.

Inclusions. As used in this article, unless the context otherwise indicates, the following definitions shall apply:

(1) *Airport:* Fort Lauderdale-Hollywood International and North Perry Airports.

(2) *Airport elevation:* The highest point of an airport's usable landing area measured in feet above mean sea level.

(3) *Airport obstructions:* Any structure or object of natural growth or use of land which would exceed the federal obstruction standards as contained in 14 CFR(ss), 77-21, 77-23, 77-25 and 77-28 or which obstruct the airspace required for flight of aircraft in landing and takeoff at an airport or is otherwise hazardous to such landing and takeoff of aircraft.

(4) *Airspace height:* To determine the height limits in all zones set forth in this article, the datum shall be mean sea level elevation (MSL) unless otherwise specified.

(5) *Decision height:* The height at which a decision must be made, during an Instrument Landing System (ILS) instrument approach, to either continue the approach or to execute a missed approach.

(6) *Minimum en route altitude:* The altitude in effect between radio fixes which assures acceptable navigational signal coverage and meets obstruction clearance requirements between those fixes.

(7) *Minimum obstruction clearance altitude:* The specific altitude in effect between radio fixes on VOR (visual omnirange navigational facility) airways, off-airways routes, or route segments which meets obstruction

clearance requirements for the entire route segment and which assures acceptable navigational signal coverage only within 22 miles of a VOR.

(8) *Minimum vectoring altitude:* The lowest mean sea level altitude at which an IFR aircraft will be vectored by a radar controller, except when otherwise authorized for radar approaches, departures, and missed approaches.

(9) *Runway:* A defined area on an airport prepared for landing and takeoff of aircraft along its length.

(10) *Visual runway:* A runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on an FAA-approved airport layout plan, a military services approved military airport layout plan, or by any planning document submitted to the FAA by competent authority.

(11) *Utility runway:* A runway that is constructed for and intended to be used by propeller-driven aircraft of 12,500 pounds maximum gross weight and less.

(12) *Non-precision-instrument runway:* A runway having a non-precision-instrument approach procedure utilizing air navigation equipment, for which a straight-in non-precision-instrument approach procedure has been approved or planned, and for which no precision approach facilities are planned or indicated on an FAA planning document or military service's military airport planning document.

(13) *Precision-instrument runway:* A runway having an instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an FAA-approved airport layout plan, a military service's approved military airport layout plan, any other FAA planning document, or military service's military airport planning document.

(14) *Structure:* Any object constructed or installed by man, including but not limited to buildings, towers, smokestacks, utility poles and overhead transmission lines.

(15) *Nonconforming uses:* Any preexisting structure, object of natural growth or use of land which is inconsistent with the provisions of this article or amendments thereto.

(16) *Accident potential hazard area:* An area within 5,000 feet of the approach or departure end of a runway, 5,000 feet wide, measured 2,500 feet on both sides of an imaginary line extending 5,000 feet from the center line of the runway.

(17) *Minimum descent altitude:* The lowest altitude, expressed in feet above mean sea level, to which descent is authorized on final approach or during circling-to-land maneuvering in execution of a standard instrument approach procedure where no electronic glide slope is provided.

(18) *FAA:* Federal Aviation Administration.

(19) *Person:* This term shall mean any individual, group, firm, corporation, including corporations not-for-profit, partnership, business or other entity. (Eff. 8-27-79; Ord. No. 82-75, § 1, 12-10-82; Ord. No. 85-31, § 1, 6-14-85)

Sec. 39-1166. Airport zones and airspace height limitations.

(A) In order to carry out the provisions of this article, there are hereby created and established certain zones, which include all of the land lying beneath the approach, transitional, horizontal and conical surfaces as they apply to a particular airport. Such zones are shown on the Fort Lauderdale-Hollywood International Airport Map attached hereto as Exhibit A and North Perry Zoning Map attached hereto as Exhibit B, both of which exhibits are incorporated into and made a part of this article.*

*Editor's note—These maps are not printed herein but are on file with the county.

(B) The zones identified and described in this section are established without regard to municipal jurisdictional boundaries. The county recognizes that it has no authority to enforce or prescribe the provisions of this article within the jurisdiction of any municipalities, unless authorized by the municipality in the manner provided in section 39-1168 hereof.

(C) An area located in more than one of the described zones shall be considered to be in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

Public Civil Airport Height Zones and Limitations:

(a) *Primary surface:* An area longitudinally centered on a runway, extending 200 feet beyond each end of that runway with the width so specified for each runway for the most precise approach existing or planned for either end of the runway.

(1) *Fort Lauderdale-Hollywood International:*

a. Runways 09L and 27R: 1,000 feet for all precision-instrument runways.

b. Runways 13 and 09R: 500 feet for non-precision-instrument runways having visibility minimums greater than three-fourths statute mile.

c. Runways 31 and 27L: 500 feet for visual runways having only visual approaches.

(2) *North Perry Airport:*

a. Runways 18R, 18L, 09R, 09L, 27R, 27L, 36R and 36L: 250 feet for utility runways having only visual approaches.

The width of the primary surfaces of a runway will be that width prescribed in this section for the most precise approach existing or planned for either end of that runway.

No structure or obstruction will be permitted within the primary surface that is not part of the landing and takeoff facilities and is of a greater height than the nearest point on the runway centerline.

(b) *Horizontal zone:* The area around each civil airport with an outer boundary the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the primary surface of each airport's runway and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is:

(1) *Fort Lauderdale-Hollywood International:*

a. Runways 09L, 27R, 13 and 09R: 10,000 feet for all runways not designated as utility or visual.

b. Runways 31 and 27L: 5,000 feet for all runways designated as utility or visual.

(2) *North Perry Airport:*

a. Runways 18R, 18L, 09R, 09L, 36R and 36L, 27R and 27L: 5,000 feet for all runways designated as utility or visual.

The radius of the arc specified for each end of a runway will have the same arithmetical value. That value will be the highest composite value determined for either end of the runway. When a 5,000-foot arc is encompassed by tangents connecting 2 adjacent 10,000-foot arcs, the 5,000-foot arc shall be disregarded on the construction of the perimeter of the horizontal zone.

No structure or obstruction will be permitted in the horizontal zone that has a height greater than 150 feet above the airport elevation.

(c) *Conical zone:* The area extending outward from the periphery of the horizontal zone for a distance of 4,000 feet. Height limitations for structures in the conical zone are 150 feet above the airport elevation at the inner boundary with permitted height increasing 1 foot vertically for every 20 feet of horizontal distance measured outward from the inner boundary to a height of 350 feet above airport elevation at the outer boundary.

(d) *Approach zone:* An area longitudinally centered on the extended runway center line and extending outward from each end of the primary surface. An approach zone is designated for each runway based upon the type of approach available or planned for that runway end.

(1) The inner edge of the approach zone is the same width as the primary zone and it expands uniformly to a width of:

a. *Fort Lauderdale-Hollywood International:*

(i) Runways 09L and 27R: 16,000 feet for all precision instrument runways.

(ii) Runways 13 and 09R: 3,500 feet for that end of a non-precision-instrument runway other than utility, having visibility minimums greater than three-fourths of a statute mile.

(iii) Runways 31 and 27L: 1,500 feet for that end of a runway other than a utility runway with only visual approaches.

b. *North Perry Airport:*

(i) Runways 18R, 18L, 09R, 09L, 27R, 27L, 36R and 36L: 1,250 feet for that end of a utility runway with only visual approaches.

(2) The approach surface extends for a horizontal distance of:

a. *Fort Lauderdale-Hollywood International:*

(i) Runways 09L and 27R: 50,000 feet for all precision-instrument runways.

(ii) Runways 13 and 09R: 10,000 feet for all non-precision-instrument runways other than utility.

(iii) Runways 31 and 27L: 5,000 feet for all utility and visual runways.

b. *North Perry Airport:*

(i) Runways 18R, 18L, 09R, 09L, 27R, 27L, 36R and 36L: 5,000 feet from all utility and visual runways.

(3) The outer width of an approach zone to an end of a runway will be that width prescribed in this subsection for the most precise approach existing or planned for that runway end.

(4) Permitted height limitation within the approach zones is the same as the runway and height at the inner edge and increases with horizontal distance outward from the inner edge as follows:

a. *Fort Lauderdale-Hollywood International:*

(i) Runways 09L and 27R: Permitted height increase 1 foot vertically for every 50 feet horizontal distance for the first 10,000 feet, and then increases 1 foot vertically for every 40 feet horizontal distance for an additional 40,000 feet for all precision-instrument runways.

(ii) Runways 13 and 09R: Permitted height increases 1 foot vertically for every 34 feet horizontal distance for all non-precision-instrument runways other than utility.

(iii) Runways 31 and 27L: Permitted height increases 1 foot vertically for every 20 feet horizontal distance for all utility and visual runways.

b. *North Perry Airport:*

(i) Runways 18R, 18L, 09R, 09L, 27R, 27L, 36R, and 36L: Permitted height increases 1 foot vertically for every 20 feet horizontal distance for all utility and visual runways.

(e) *Transitional zone:* The area extending outward from the sides of the primary surface and approach zones connecting them to the horizontal zone. Height limits within the transitional zone are the same as the primary surface or approach zone at the boundary line where it joins and increases at a rate of 1 foot vertically for every 7 feet horizontally, with the horizontal distance measured at right angles to the runway center line and extended center line, until the height matches the height of the horizontal zone or conical zone or for a horizontal distance of 5,000 feet from the side of the part of the precision approach zone that extends beyond the conical zone.

(f) *Other areas:* In addition to the height limitations imposed in paragraphs (a) through (e) above, no structure or obstruction will be permitted that would cause a minimum obstruction clearance altitude, a minimum descent altitude, a minimum vectoring altitude or a decision height to be raised. (Ord. No. 82-75, §§ 2, 3, 12-10-82)

Sec. 39-1167. Airport land use restrictions.

(a) *Use Restrictions:* Notwithstanding any other provisions of this article, no use may be made of land within any zones established by this article in such a manner as to interfere with the operation of an airborne aircraft. The following special requirements shall apply to each permitted use:

(1) All lights or illumination used in conjunction with streets, parking, signs or use of land and structures shall be arranged and operated in such a manner that it is not misleading or dangerous to aircraft operating from a public airport or in the vicinity thereof.

(2) No operations of any type shall produce smoke, glare or other visual hazards within three statute miles of any usable runway of Fort Lauderdale-Hollywood International or North Perry Airport.

(3) No operations of any type shall produce electronic interference with navigation signals or radio communications between the airport and aircraft.

(4) Use of land within the accident potential hazard area shall prohibit high-density residential use, schools, hospitals, storage of explosive material, assemblage of large groups of people or any other use that could produce a major catastrophe as a result of an aircraft crash.

(b) *Lighting:* Notwithstanding the preceding provisions of this section, the owner of any structure over 200 feet above ground level shall install lighting in accordance with Federal Aviation Administration Advisory Circular 70-7460-1 and amendments thereto on such structure. This lighting may include flashing red beacons, steady burning red obstruction lights or high-intensity obstruction lights. All required lighting must be in accordance with Federal Aviation Administration Advisory Circular 70-7460-1 and amendments thereto. (Ord. No. 85-35, § 3, 6-14-85)

Sec. 39-1168. Applicability.

(a) It is the intention of the board of county commissioners of Broward County, Florida, that each municipality and jurisdiction within Broward County, having an airport hazard area within its jurisdiction, which is within the zones described in section 39-1166 hereof will adopt an ordinance essentially similar to this article, including airport zoning regulations and provisions regarding the enforcement and administration thereof, and will enter into an interlocal agreement pursuant to chapter 163, Florida

Statutes, with Broward County. The provisions which follow establish an administrative agency for the enforcement of this article and issuance of permits, and a board of adjustment to consider applications for variances and appeals, for the administration of this article.

(b) If a municipality so provides, in its interlocal agreement with Broward County or in its ordinance or regulations, the agencies and the board of adjustment established in this article shall be the agencies and board of adjustment to which persons within the jurisdiction of said municipality shall apply for variances, permits and appeals and the performance of other functions pursuant to this article.

(c) The Broward County Building and Zoning Enforcement Division is hereby designated as the administrative agency charged with the authority to grant permits, and perform other functions designated to it hereunder and pursuant to chapter 333, Florida Statutes. The Broward County Board of Adjustment is hereby designated as the board of adjustment to perform the functions pursuant to this article and chapter 333, Florida Statutes. (Eff. 8-27-79)

Sec. 39-1169. Nonconforming uses.

No provision of this article shall be construed to require removal, lowering or other alteration or modification of any structure, or tree or other growth of natural vegetation not conforming to the regulations adopted hereby or otherwise interfere with the continuation of such use, except as provided in section 39-1170(b).

Sec. 39-1170. Permits and variances.

(a) [*Permit:*]

Any person desiring to replace, rebuild, alter, change or repair any structure or desiring to replant, replace or allow to grow higher, any tree or other growth of natural vegetation, which tree, growth or structure was in existence and in violation of the regulations and limitations herein adopted on the effective date of this

article, shall apply to the Broward County Building and Zoning Enforcement Division for a permit.

No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming structure, tree or other growth of natural vegetation or use to be made or become higher or become a greater hazard to air navigation than it was on the effective date of this article.

Whenever the Broward County Building and Zoning Enforcement Division determines that a nonconforming use or nonconforming structure or tree has been abandoned or is more than 80 percent torn down, destroyed, deteriorated or decayed, no permit shall be granted that would allow said structure or tree to exceed the applicable height limit or otherwise deviate from the regulations adopted hereunder; and, whether application is made for a permit under this subsection or not, the division may, by appropriate action, compel the owner of the nonconforming structure or tree, at his own expense, to lower, remove, reconstruct or equip such objects as may be necessary to conform to the regulations. If the owner of the nonconforming structure or tree shall neglect or refuse to comply with such order for 10 days after notice thereof, Broward County may proceed to have the object so lowered, removed, reconstructed or equipped, and assess the cost and expense thereof upon the object or the land whereon it is or was located; and, unless such costs are paid within 90 days from the service of notice thereof on the owner of such object or land, or his agent, the sum shall become a lien on said land and shall bear interest thereafter at the rate of 6 percent per annum until paid. The county shall file a claim of lien in the public records of Broward County stating and itemizing the costs incurred by the county and the location of the property upon which the county performed the work. The claim of lien shall be sworn to by such agent or employee of the county as may be authorized by the board of county commissioners to file said claim of lien. Said claim of lien shall be recorded in the public records at no charge. The recordation of the claim of lien and the lien secured

thereby shall have the same effect as a mortgage lien and shall be enforceable by the same procedure as a mortgage in the State of Florida. The lien shall be effective for a period of 20 years.

Except as provided herein, applications for permits shall be granted, provided the matter applied for meets the provisions of this article and the regulations adopted and in force hereunder.

(b) *Variances:*

Any person desiring to erect or increase the height of any structure, tree or growth of natural vegetation, or use his property in violation of the regulations prescribed in this article, may apply to the Broward County Board of Adjustment for a variance from such regulations.

In its consideration of the request for a variance pursuant to this article, the board may grant a variance when a literal application of enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but would do substantial justice and be in accordance with the spirit of this article. The board may grant a variance subject to reasonable conditions necessary to effectuate the purpose of this article.

No application for variance to the requirements of this article may be considered by the board of adjustment unless a copy of the application has been furnished to the Broward County Building and Zoning Enforcement Division and the Broward County Division of Aviation.

(c) *Hazard Marking and Lighting:* Any permit or variance granted pursuant hereto shall require the owner to mark and light the structure in accordance with FAA Advisory Circular 70-7460-1 or subsequent revisions. Any permit issued pursuant hereto may be conditioned so as to permit Broward County, at its own expense, to install, operate and maintain such markers and lights as may be necessary to indicate to pilots the presence of an airspace hazard if special conditions so warrant. (Ord. No. 85-35, § 4, 6-14-85)

Sec. 39-1171. Administration and enforcement.

It shall be the duty of the Broward County Building and Zoning Enforcement Division to administer and enforce the regulations prescribed herein within the airport hazard space and zones established pursuant to this article. In the event of any violation of the regulations contained herein, the person responsible for such violation shall be given notice in writing by the director of said division. Such notice shall indicate the nature of the violation and the necessary action to correct or abate the violation. A copy of said notice shall be sent to the Broward County Board of Adjustment. The director shall order discontinuance of use of land or building; removal of trees to conform with height limitations set forth herein; removal of buildings, additions, alterations or structures; discontinuance of any work being done; or shall take any or all other action necessary to correct violations and obtain compliance with all provisions of this article.

Sec. 39-1172. Board of adjustment.

(a) The Broward County Board of Adjustment shall have and will exercise the following powers on matters pursuant to this article:

(1) To hear and decide appeals from any order, requirement, decision or determination made by the building and zoning enforcement division in the enforcement of this article;

(2) To hear and decide variances as provided in section 39-1170(2).

(b) The board of adjustment shall adopt rules for its governance in harmony with the provisions of this article and pursuant to any requirements and procedures established by Broward County. Meetings of the board of adjustment shall be held at the call of the chairman and at such time as the board of adjustment may determine. The chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All hearings of the board of adjustment shall be public. The

board of adjustment shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of said board.

(c) The concurring vote of a majority of the members of the board of adjustment shall be sufficient to reverse any order, requirement, decision or determination of the building and zoning enforcement division, or to decide in favor of the applicant on any matter upon which it is required to pass pursuant to this article, or to effect any variance under this article.

Sec. 39-1173. Appeals to the board of adjustment.

(a) Any person aggrieved or any taxpayer affected by any decision of the building and zoning enforcement division made in the administration of this article may appeal to the board of adjustment.

(b) All appeals hereunder must be made within a reasonable time as provided by the rules of the board of adjustment, by filing with the building and zoning enforcement division, a notice of appeal specifying the grounds thereof. The division shall forthwith transmit, to the board of adjustment, all papers constituting the record upon which the action appealed was taken.

(c) An appeal shall stay all proceedings in furtherance of the action appealed unless the division certifies to the board of adjustment, after the notice of appeal has been filed, that by reason of the facts stated in the certificate a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the board of adjustment on notice to the division and after due cause is shown.

(d) The board of adjustment shall fix a reasonable time for hearing appeals, give public notice and due notice to the interested parties and render a decision within a reasonable time. During the hearing, any party may appear in person, by agent or by attorney.

(e) The board of adjustment may, in conformity with the provisions of this article, reverse or affirm, in whole or in part, or modify the order, requirement, decision or determination, as may be appropriate under the circumstances.

Sec. 39-1174. Judicial review.

Any person aggrieved or any taxpayer affected by any decision of the board of adjustment may apply to a court of competent jurisdiction for a writ of certiorari as provided in section 333.11, Florida Statutes.

Sec. 39-1175. Penalty and enforcement.

(a) Any person convicted of violating any portion of this article shall be punished as provided by law. Each day a violation continues to exist shall constitute a separate offense.

(b) In addition, Broward County shall have the right to institute, in a court of competent jurisdiction, an action to prevent, restrain, correct or abate any violation of this article or of any order or ruling made in connection with its administrative enforcement.

Sec. 39-1176. Conflicting regulations.

Where there exists a conflict between any of the regulations or limitations prescribed in this article and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, the use of land or any other matter, the more stringent limitation or requirement shall govern and prevail.

ARTICLE LXXII. ESTABLISHMENT OF NEW RESIDENTIAL ZONING DISTRICTS*

Sec. 39-1177. Residential Single-Family Detached Dwelling Districts, RS-2.

(1) [Purpose of District:] The purpose of this district is to provide for a low-density single-family detached dwelling district to provide for transitional zoning between agricultural or estate uses and conventional single-family subdivisions or to be used where adjacent land uses, the environmental characteristics or other factors make a lower density district preferable.

(2) *Uses Permitted:*

(a) One-family detached dwelling.

(b) Uses accessory to the above use when located on the same plot and not involving the conduct of any business, trade, occupation or profession.

(c) Accessory recreation centers and facilities.

(3) *Size of Plot:* Every plot shall not be less than 110 feet in width and contain not less than 21,780 square feet of net area.

(4) *Plot Coverage:* The combined area occupied by all buildings and roofed structures shall not exceed 20 percent of the area of the plot.

(5) *Height:* No building or structure, or part thereof, shall be erected or altered to a height exceeding two (2) stories.

(6) *Front Yard:* Every plot shall have a front yard not less than 50 feet in depth.

(7) *Side Yards:* Every plot shall have a side yard on each side, each of which shall be not less than 25 feet in width.

(8) *Rear Yards:* Every plot shall have a rear yard not less than 25 feet in depth.

(9) *Minimum Floor Area:* A one-family detached dwelling shall have a minimum floor area of 1,500 square feet. (Ord. No. 89-36, § 11, 9-26-89)

*Editor's note—Article LXXII, §§ 39-1177—39-1182, is derived from legislation effective Aug. 27, 1979.

Sec. 39-1178. Residential Single-Family Detached Dwelling Districts, RS-3 to RS-5 districts.

(1) *Purpose of District:*

The provisions of these districts are intended to provide a variety of one-family residences which conform to the density requirements of the Broward County Land Use Plan.

The nature of the use of the property within these districts is the same in all three one-family districts except for variations in the minimum plot width and lot area requirements. Clustered residential development is encouraged within these districts in order to promote efficient design and flexibility in development for the future growth of the county while at the same time promoting open space and recreation areas.

It is further intended to utilize these districts in accordance with the policies and objectives of the Broward County Land Use Plan.

(2) *Uses Permitted:* No building or structure, or part thereof, shall be erected, altered or used, or land and water used, in whole or in part, for other than one or more of the following specified uses:

(a) One-family detached dwelling.

(b) Cluster development, including such dwellings as detached dwellings, semidetached dwellings, and attached dwelling units, subject, however, to the cluster development regulations, [Article LXIII] of this ordinance.

(c) *Zero lot line:* On any two or more lots which meet the minimum area and dimensions stated within this zoning district, the residential structures may be placed thereon, contiguous to the interior property line common to their ownership; provided, however, that the sum of the two required side yards for each lot exists on the opposite side of the common interior property line. No openings of any kind shall be permitted on the interior property line wall, which wall shall be of fire-wall construction as defined in the applicable South Florida Building Code. At no time shall the zero lot line concept be utilized which would allow a residential structure to be placed on a lot line that directly abuts a platted lot or parcel of record held in separate ownership, except if the owner or owners of the abutting lot develops such lot in zero lot line development. All zero lot line developments are

subject to the approval of the plat and site plan review committee and shall comply with the requirements of Section 39-180, Site Development Plan Requirements, of this ordinance.

(d) Uses accessory to any of the above uses when located on the same plot and not involving the conduct of any business, trade, occupation or profession.

(e) Residence on floating homes or vessels shall not be permitted at moorages located on or immediately adjacent to property zoned RS-3, RS-4 or RS-5 districts.

(f) Transformer substations for electrical power distribution subject to the following:

1. The plot size shall not be less than two acres.

2. The plot shall be provided with yards not less than 30 feet in depth or width adjacent to all street lines and plot lines of other residentially zoned property, and a yard of at least 25 feet in depth adjacent to a rear plot line. The yards required under this paragraph shall be fully landscaped as specified below, and shall not be used for any fence, wall, building or structure; except that a fence, not over 8 feet in height, may be erected at least 30 feet from any street line. Minimum driveways or walkways necessary for access may cross required yards.

3. A hedge or decorative masonry screen, a minimum of eight feet shall enclose all exposed equipment areas. Hedges shall be a minimum of two feet high at the time of planting, except for transformer substations located in developed residential areas, which hedges shall be a minimum of four feet high at the time of planting.

4. Trees shall be planted in the open space surrounding the exposed equipment area according to the following formulas:

a. One tree per 1,000 square feet of open space for all yard area less than 100 feet in depth or width.

b. One tree per 1,500 square feet of open space for all yard areas greater than 100 feet in depth or width.

c. Minimum size of trees shall be eight feet high with a three-foot spread. Palms shall count as half a tree, and shall be planted in clusters.

d. The remaining open space shall be planted with grass, ground cover, shrubs or trees.

e. A sprinkler system shall be provided for all planting areas.

f. Planting material shall be Florida Grade No. 1 or better, and planted according to good horticultural practice. All landscaped areas shall be maintained in a healthy growing condition, properly watered and trimmed. All landscaping shall conform to all other applicable landscaping and other regulations.

(g) Existing water and wastewater treatment plants, sewage lift and pumping stations or the expansion of the existing facilities. Such uses shall be considered as nonconforming uses and shall be eligible for the issuance of development permits.

(h) Sewage lift or pumping stations containing no treatment facilities, and subject to the following requirements:

1. Where the station is constructed wholly or partially above grade, the plot shall not be less than 30 feet in width and 1,050 square feet in area, and as large as necessary to provide required landscaped area.

2. The plot shall be provided with a landscaped strip of land at least five feet in depth or width

adjacent to all property lines and abutting street lines.

3. Required landscaping shall consist of the following:

   a. A hedge or decorative masonry screen, a minimum of six feet in height, shall be placed along the inside perimeter of such landscape strip.

   b. One tree for each 30 lineal feet or fraction thereof shall be located within the required landscaped strip and shall be planted in a planting area of at least 25 square feet with a dimension of at least 5 feet. The minimum height and size of the trees required shall comply with the requirements of section 39-182 of this ordinance.

   c. Hedges shall be a minimum of four feet at the time of planting.

   d. The remaining open space area shall be planted with grass, ground cover or shrubs and maintained in a healthy growing condition, properly watered and trimmed. All landscaping shall conform to all other applicable landscape and other regulations.

4. Necessary accessways for the public right-of-way through all such landscaping shall be permitted to service the sewerage lift or pumping station, and such accessways may be subtracted from the lineal dimension used to determine the number of trees required.

5. Where the station is of the underground type which utilizes submersible pumps and where the electrical control panel is above grade:

   a. The plot shall be as large as necessary to provide an area large enough to service such facility.

b. All plots shall be landscaped with grass, ground cover or shrubs and maintained in a healthy growing condition.

6. Where the subject property abuts the intersection of two or more public rights-of-way, all required landscaping shall comply with the sight distance requirements provided for in section 39-182(5) of this ordinance and shall supersede the requirements of section 39-155.

(i) *Special exception:* Persons seeking to use property in one of the following categories of special exception shall make application to the Broward County Zoning Board. Requests for special exceptions shall be processed as zoning ordinances and shall be subject to the notice and hearing requirements that are required in article VII of this ordinance. The Broward County Zoning Board may recommend reasonable conditions to limit the special exception use. The Broward County Commission shall then have the right to accept or reject the conditions recommended by the zoning board, as well as to impose additional reasonable conditions before granting final approval to a special exception use. All special exception approvals shall comply with all development regulations as set forth in this section and all applicable sections of this ordinance.

1. Publicly owned and operated library, art gallery, museum or civic center.

2. Recreation buildings and facilities, playgrounds, playfields, parks, beaches, owned or operated by federal, state, county or municipal government.

3. Governmental administration offices, police and fire facilities, flood control facilities, owned or operated by federal, state, county or municipal government.

4. Golf course, not including miniature golf course or practice driving tee, providing plot comprises at

least 100 acres of land in 1 parcel, and any accessory parking area, building or structure is located at least 100 feet from any other residentially zoned property.

5. Educational and social centers not operated for profit and intended to serve the surrounding neighborhood. Such use shall be located on a plot having at least 40,000 square feet in area and having at least 200 feet of street frontage. Any building or roofed structure, on a plot utilized for such use, shall be located at least 50 feet from any other residentially zoned property. No parking area shall be located within 10 feet of any plot line.

6. Public, private or parochial elementary, junior and senior high schools.

7. Church, synagogue or parochial school incidental to a church or synagogue on the same premises. Such use shall be located on a plot having at least 40,000 square feet of plot area, and having at least 200 feet of street frontage. The coverage of all roofed structures shall not exceed 25 percent of the plot area. No building or roofed structure shall be located within 50 feet of any other residentially zoned property. No parking area shall be located within 10 feet of any plot line.

8. Water and wastewater treatment plants and pumping or storage plants to serve the surrounding residential area. Such plants and facilities shall conform to the requirements of Section 39-166, Essential Services, and Section 39-184, Special Regulations for Public Utilities, of this ordinance.

(3) *Size of Plot:*

(a) *Dwellings:* Every plot upon which a residential structure is hereafter erected shall not be less in size than the following:

1. *RS-3 district:* Plot width 80 feet and plot area of 10,000 square feet.
2. *RS-4 district:* Plot width 70 feet and plot area of 7,000 square feet.
3. *RS-5 district:* Plot width of 60 feet and plot area of 6,000 square feet.

(b) Every plot upon which a permitted nonresidential structure or use is erected or placed shall not be less than 100 feet in width and 10,000 square feet in area.

(4) *Density Limits:*

District	*Permitted Dwelling Units per Gross Acre*
RS-3	3.0
RS-4	4.0
RS-5	5.0

(5) *Plot Coverage:* The combined area occupied by all principal and accessory buildings shall not exceed 40 percent of the area of the plot.

(6) *Height:* No building or structure, or part thereof, shall be erected or altered to a height exceeding 35 feet. All buildings, regardless of height, shall be subject to setback requirements.

(7) *Front Yard:*

(a) *Residential uses:* Every plot, used for dwelling purposes, in each of these districts, shall have a front yard not less than 25 feet in depth.

(b) *Nonresidential uses:* Every plot whose principal use is nonresidential, shall have a front yard not less than 30 feet in depth, except as otherwise specified.

(8) *Side Yards:*

(a) *Residential uses:* Every plot for dwelling purposes shall have a side yard on each side, each of which shall be a minimum of 10 percent of the lot frontage; provided that no side yard shall be less than 7½ feet

in all single-family zoned districts, or double the minimum side setback requirement if "zero lot line concept" is utilized. Where the height of the structure exceeds the required side setback of the property, plus the required side setback of the adjacent property, the excess shall be set back one foot for each foot of excess height.

(b) *Nonresidential uses:* Every plot whose principal use is nonresidential shall have a side yard on each side, each of which shall not be less than 20 feet in width with an increase of 1 foot in width of each side yard for every foot in height of the structure in excess of 20 feet.

(c) *Corner plot:* Upon corner plots, there shall be a front yard as hereinbefore specified, and in addition, a side yard at least 25 feet in width on the side of the plot abutting on the side street.

(9) *Rear Yard:*

(a) *Residential uses:* Every plot whose principal use is residential in each of these districts shall have a rear yard not less than 15 feet in depth.

(b) *Nonresidential uses:* Every plot whose principal use is nonresidential shall have a rear yard not less than 25 feet in depth.

(10) *Minimum Floor Area:*

(a) One-family dwelling shall have a minimum floor area of 1,500 square feet in RS-3 district, 1,000 square feet in an RS-4 district, and 600 square feet in an RS-5 district.

(11) *Special Regulations for Zero Lot Line Development:*

(a) No roof overhangs, accessory structures, air conditioners or garbage receptacles shall be permitted over the property line where the "zero lot line" is utilized as setback on one side.

(b) Whenever a zero lot line development is undertaken by a single developer, a site plan shall be submitted to the plat and site plan review committee for approval. Upon site plan approval, there shall be recorded a maintenance easement of 7½ feet on each lot prior to the issuance of any development permits for the approved zero lot line development. This easement shall be located adjacent to the zero lot line setback. Lots owned by individual owners seeking to utilize zero lot line development must be favored with a maintenance easement of 7½ feet on the property adjoining the zero lot line setback. Additionally, the abutting property granting the easement must also be developed in "zero lot line" development. The subservient property shall not place any landscaping which may interfere with reasonable access to the easement for maintenance purposes.

Sec. 39-1179. Residential Duplex Dwelling Districts; RD-2 to RD-10 Districts.

(1) *Purpose of District:*

The provisions of these districts are intended for the development of new residential growth which can accommodate greater densities than those normally constructed in single-family districts, but still in a low-rise building profile. The areas zoned within these districts shall fall within a low- to low-medium density range, and consist primarily of dwellings containing two dwelling units.

It is further intended to utilize these districts in accordance with the policies and objectives of the Broward County Land Use Plan.

(2) *Uses Permitted:* No building or structure, or part thereof, shall be erected, altered or used, or land and water used, in whole or in part, for other than one or more of the following specified uses:

(a) One-family detached dwelling

(b) Duplex dwellings.

(c) *Zero lot line:* On two or more lots which meet the minimum area and dimensions stated within this zoning district, the residential structures may be placed thereon, contiguous to the interior property line common to their ownership; provided, however, that the sum of the two required side yards for each lot exists on the opposite side of the common interior property line. No openings of any kind shall be permitted on the interior property line wall, which wall shall be of fire-wall construction as defined in the applicable South Florida Building Code. At no time shall the "zero lot line concept" be utilized which would allow a residential structure to be placed on a lot line that directly abuts a platted lot or parcel of record held in separate ownership, except if owner or owners of the abutting lot develops such lot in "zero lot line" development. All "zero lot line" developments are subject to the approval of the plat and site plan review committee, and shall comply with the requirements of section 39-180, Site Development Plan Requirements, of this ordinance.

(d) Uses accessory to any of the above uses, when located on the same plot and not involving the conduct of any business, trade, occupation or profession.

(e) Transformer substations for electrical power distribution subject to the following:

1. The plot size shall not be less than two acres.
2. The plot shall be provided with yards not less than 30 feet in depth or width adjacent to all street lines and plot lines of other residentially zoned property, and a yard of at least 25 feet in depth adjacent to a rear plot line. The yards required under this paragraph shall be fully landscaped as specified below and shall not be used for any fence, wall, building or structure; except that a fence, not over 8 feet in height, may be erected at least 30 feet from any street line. Minimum driveways or walkways necessary for access may cross required yards.

3. A hedge or decorative masonry screen, a minimum of eight feet shall enclose all exposed equipment areas. Hedges shall be a minimum of two feet high at the time of planting, except for transformer substations located in developed residential areas, which hedges shall be a minimum of four feet high at the time of planting.

4. Trees shall be planted in the open space surrounding the exposed equipment area according to the following formulas:

   a. One tree per 1,000 square feet of open space for all yard area less than 100 feet in depth or width.

   b. One tree per 1,500 square feet of open space for all yard areas greater than 100 feet in depth or width.

   c. Minimum size of trees shall be eight feet high with three-foot spread. Palms shall count as half a tree and shall be planted in clusters.

   d. The remaining open space shall be planted with grass, ground cover, shrubs or trees.

   e. A sprinkler system shall be provided for all planting areas.

   f. Planting material shall be Florida Grade No. 1 or better and planted according to good horticultural practice. All landscaped areas shall be maintained in a healthy growing condition, properly watered and trimmed. All landscaping shall conform to all other applicable landscaping and other regulations.

(f) Existing water and wastewater treatment plants, sewage lift and pumping stations or the expansion of existing facilities. Such uses shall be considered as nonconforming uses and shall be eligible for the issuance of development permits.

(g) Residence on floating homes and vessels.

(h) Sewage lift or pumping stations containing no treatment facilities, and subject to the following requirements:

1. Where the station is constructed wholly or partially above grade, the plot shall not be less than 30 feet in width and 1,050 square feet in area, and as large as necessary to provide required landscaped area.

2. The plot shall be provided with a landscaped strip of land at least five feet in depth or width adjacent to all property lines and abutting street lines.

3. Required landscaping shall consist of the following:

   a. A hedge or decorative masonry screen, a minimum of six feet in height, shall be placed along the inside perimeter of such landscape strip.

   b. One tree for each 30 lineal feet or fraction thereof shall be located within the required landscaped strip and shall be planted in a planting area of at least 25 square feet with a dimension of at least 5 feet. The minimum height and size of the trees required shall comply with the requirements of section 39-182 of this ordinance.

   c. Hedges shall be a minimum of four feet at the time of planting.

   d. The remaining open area shall be planted with grass, ground cover or shrubs and maintained in a healthy growing condition, properly watered and trimmed. All landscaping shall conform to all other applicable landscape and other regulations.

4. Necessary accessways from the public right-of-way through all such landscaping shall be

permitted to service the sewage lift or pumping station, and such accessway may be subtracted from the lineal dimension used to determine the number of trees required.

5. Where the station is of the underground type which utilizes submersible pumps and where the electrical control panel is above grade:

   a. The plot shall be as large as necessary to provide an area large enough to service such facility.

   b. All plots shall be landscaped with grass, ground cover or shrubs and maintained in a healthy growing condition.

6. When the subject property abuts the intersection of two or more public rights-of-way, all required landscaping shall comply with the sight distance requirements provided for in section 39-182(5) of this ordinance and shall supersede the requirements of section 39-155.

(i) *Special exception:* Persons seeking to use property in one of the following categories of special exceptions shall make application to the Broward County Zoning Board. Requests for special exceptions shall be processed as zoning ordinances and shall be subject to the notice and hearing requirements that are required in article VII of this ordinance. The Broward County Zoning Board may recommend reasonable conditions to limit the special exception use. The Broward County Commission shall then have the right to accept or reject the conditions recommended by the zoning board, as well as to impose additional reasonable conditions before granting final approval to a special exception use. All special except, approvals shall comply with all development regulations as set forth in this section and all applicable sections of this ordinance.

1. Publicly owned and operated library, art gallery, museum or civic center.
2. Recreation buildings and facilities, playgrounds, playfields, parks, beaches, owned and operated by federal, state, county or municipal government.
3. Governmental administrative offices, police and fire facilities, flood control facilities owned and operated by federal, state, county or municipal government.
4. Golf course, not including miniature golf course or practice driving tee; providing plot comprises at least 100 acres of land in 1 parcel, and any accessory parking area, building or structure is located at least 100 feet from any other residentially zoned property.
5. Educational and social centers not operated for profit and intended to serve the surrounding neighborhood. Such use shall be located on a plot having at least 40,000 square feet in area and having at least 200 feet of street frontage. Any buildings or roofed structure, on a plot utilized for such use, shall be located at least 50 feet from any other residentially zoned property. No parking area shall be located within 10 feet of any plot line.
6. Public, private or parochial elementary, junior and senior high schools.
7. Church, synagogue or parochial school incidental to a church or synagogue on the same premises. Such use shall be located on a plot having at least 40,000 square feet of plot area and having at least 200 feet of street frontage. The coverage of all roofed structures shall not exceed 25 percent of the plot area. No building or roofed structure shall be located within 50 feet of any other residentially zoned property. No parking area shall be located within 10 feet of any plot line.

8. Water and wastewater treatment plants and pumping and storage plants to serve the surrounding residential area. Such plants and facilities shall conform to the requirements of Section 39-166, Essential Services, and Section 39-184, Special Regulations for Public Utilities, of this ordinance.

(3) *Size of Plot:*

(a) *Dwellings:* Every plot upon which a residential structure is hereafter erected shall not be less than 60 feet in width and 6,000 square feet in area.

(b) *Nonresidential uses:* Every plot upon which a permitted nonresidential structure or use is erected or placed shall not be less than 100 feet in width and 10,000 square feet in area.

(4) *Density Limits:*

District	*Permitted Dwelling Units per Gross Acre*
RD-2	2.0
RD-3	3.0
RD-4	4.0
RD-5	5.0
RD-6	6.0
RD-7	7.0
RD-8	8.0
RD-9	9.0
RD-10	10.0

(5) *Plot Coverage:* The combined area occupied by all principal and accessory buildings shall not exceed 40 percent of the area of the plot.

(6) *Height:* No building or structure, or part thereof, shall be erected or altered to a height exceeding 35 feet. All buildings, regardless of height, shall be subject to setback requirements.

(7) *Front Yard:*

(a) *Residential uses:* Every plot used for dwelling purposes in each of these districts shall have a front yard not less than 25 feet in depth.

(b) *Nonresidential Uses:* Every plot whose principal use is nonresidential shall have a front yard not less than 30 feet in depth, except as otherwise specified.

(8) *Side Yards:*

(a) *Residential uses:* Every plot used for dwelling purposes in each of these districts shall have a side yard on each side, each of which shall be a minimum of 10 percent of the lot frontage, provided that no side yard shall be less than 7½ feet in all duplex districts, or double the minimum side setback requirement if "zero lot line" concept is utilized. Where the height of the structure exceeds the required side setback of the property, plus the required side setback of the adjacent property, the excess shall be set back one foot for each foot of excess height.

(b) *Nonresidential uses:* Every plot whose principal use is nonresidential shall have a side yard on each side, each of which shall not be less than 20 feet in width, with an increase of 1 foot in width of each side yard for every foot in height of the structure in excess of 20 feet.

(c) *Corner plot:* Upon corner plots, there shall be a front yard as hereinbefore specified and in addition thereto, a side yard at least 25 feet in width on the side of the plot abutting the side street.

(9) *Rear Yard:*

(a) *Residential uses:* Every plot whose principal use is residential in each of these districts shall have a rear yard not less than 15 feet in depth.

(b) *Nonresidential uses:* Every plot whose principal use is nonresidential in each of these districts shall have a rear yard not less than 25 feet in depth.

(10) *Minimum Floor Area:* The minimum floor area of a 1-family dwelling shall be 600 square feet, and the minimum floor area of a dwelling unit in a duplex dwelling shall be 400 square feet.

(11) *Special Regulations for Zero Lot Line Development:*

(a) No roof overhangs, accessory structures, air conditioners or garbage receptacles shall be permitted over the property line where the "zero lot line" is utilized as setback on one side.

(b) Whenever a zero lot line development is undertaken by a single developer, a site plan shall be submitted to the plat and site plan review committee for approval. Upon site plan approval, there shall be a recorded maintenance easement of 7½ feet on each lot prior to the issuance of any development permits for the approved zero lot line development. This easement shall be located adjacent to the zero lot line setback. Lots owned by individual owners seeking to utilize zero lot line development must be favored with a maintenance easement of 7½ feet on the property adjoining the zero lot line setback. Additionally, the abutting property granting the easement must also be developed in "zero lot line" development. The subservient property shall not place any landscaping which may interfere with reasonable access to the easement for maintenance purposes.

Sec. 39-1180. Residential Multiple-Family Dwelling RM-3 to RM-10 Districts.

(1) *Purpose of District:*

The provisions of these districts are intended to apply to areas of low- to low-medium density range, and designed to accommodate dwellings containing three or more dwelling units.

These multiple-family districts are generally situated where they are served by public and commercial services and have convenient access to arterial highways and collector streets.

It is further intended to utilize districts in accordance with the policies and objectives of the Broward County Land Use Plan.

(2) *Uses Permitted:* No building or structure, or part thereof, shall be erected, altered or used, or land and water used, in whole or in part, for other than ~~two~~ ONE or more of the following specified uses:

(a) One-family detached dwelling.

(b) Duplex dwelling.

(c) Multiple-family dwelling.

(d) *Zero lot line:* On any two or more lots which meet the minimum area and dimensions stated within this zoning district, the residential structures may be placed thereon, contiguous to the interior property line common to their ownership; provided, however, that the sum of the two required side yard for each lot exists on the opposite side of the common property line. No openings of any kind shall be permitted on the interior property line wall, which wall shall be of fire-wall construction as defined in the applicable South Florida Building Code. At no time shall the "zero lot line concept" be utilized which would allow a residential structure to be placed on a lot line that directly abuts a platted lot or parcel of record held in separate ownership, except if the owner or owners of the abutting lot develops such lot in "zero lot line" development. All "zero lot line" developments are subject to the approval of the plat and site plan review committee and shall comply with the requirements of section 39-180, Site Development Plan Requirements, of this ordinance.

(e) Transformer substations for electrical power distribution subject to the following:

1. The plot size shall not be less than two acres.

2. The plot shall be provided with yards not less than 30 feet in depth or width adjacent to all

street lines and plot lines of other residentially zoned property, and a yard at least 25 feet in depth adjacent to a rear plot line. The yards required under this paragraph shall be fully landscaped as specified below and shall not be used for any fence, wall, building or structure; except that a fence, not over 8 feet in height, may be erected at least 30 feet from any street line. Minimum driveways or walkways necessary for access may cross required yards.

3. A hedge or decorative masonry screen, a minimum of eight feet, shall enclose all exposed equipment areas. Hedges shall be a minimum of two feet high at the time of planting, except for transformer substations located in developed residential areas, which hedges shall be a minimum of four feet high at the time of planting.

4. Trees shall be planted in the open space surrounding the exposed equipment area according to the following formulas:

   a. One tree per 1,000 square feet of open space for all yard area less than 100 feet in depth or width.

   b. One tree per 1,500 square feet of open space for all yard areas greater than 100 feet in depth or width.

   c. Minimum size of trees shall be eight feet high with three-foot spread. Palms shall count as half a tree and shall be planted in clusters.

   d. The remaining open space shall be planted with grass, ground cover, shrubs or trees.

   e. A sprinkler system shall be provided for all planting areas.

   f. Planting material shall be Florida Grade No. 1 or better and planted according to good horticultural practice. All landscaped areas

shall be maintained in a healthy growing condition, properly watered and trimmed. All landscaping shall conform to all other applicable landscaping and other regulations.

(f) Existing water and wastewater treatment plants, sewage lift and pumping stations or the expansion of existing facilities. Such uses shall be considered as nonconforming uses and shall be eligible for the issuance of development permits.

(g) Uses accessory to any of the above uses, when located on the same plot and not involving the conduct of any business, trade, occupation or profession.

(h) Sewage lift or pumping stations containing no treatment facilities, and subject to the following requirements:

1. Where the station is constructed wholly or partially above grade, the plot shall not be less than 30 feet in width and 1,050 square feet in area, and as large as necessary to provide required landscaped area.

2. The plot shall be provided with a landscaped strip of land at least five feet in depth or width adjacent to all property lines and abutting street lines.

3. Required landscaping shall consist of the following:

   a. A hedge or decorative masonry screen, a minimum of six feet in height, shall be placed along the inside perimeter of such landscaped strip.

   b. One tree for each 30 lineal feet or fraction thereof shall be located within the required landscaped strip and shall be planted in a planting area of at least 25 square feet with a dimension of at least 5 feet. The minimum height and size of the trees required shall

comply with the requirements of section 39-182 of this ordinance.

c. Hedges shall be a minimum of four feet at the time of planting.

d. The remaining open area shall be planted with grass, ground cover or shrubs and maintained in a healthy growing condition, properly watered and trimmed. All landscaping shall conform to all other applicable landscape and other regulations.

4. Necessary accessways from the public right-of-way through all such landscaping shall be permitted to service the sewerage lift or pumping station, and such accessway may be subtracted from the lineal dimension used to determine the number of trees required.

5. Where the station is of the underground type which utilizes submersible pumps and where electrical control panel is above grade:

a. The plot shall be as large as necessary to provide an area large enough to service such facility.

b. All plots shall be landscaped with grass, ground cover or shrubs and maintained in a healthy, growing condition.

6. When the subject property abuts the intersection of two or more rights-of-way, all required landscaping shall comply with the sight distance requirements provided for in section 39-182(5) of this ordinance and shall supersede the requirements of section 39-155.

(i) *Special exception:* Persons seeking to use property in one of the following categories of special exceptions shall make application to the Broward County Zoning Board. Requests for special exceptions shall be processed as zoning ordinances and shall be subject to

the notice and hearing requirements that are required in article VII of this ordinance. The Broward County Zoning Board may recommend reasonable conditions to limit the special exception use. The Broward County Commission shall then have the right to accept or reject the conditions recommended by the zoning board, as well as to impose additional reasonable conditions before granting final approval to a special exception use. All special exception approvals shall comply with all development regulations as set forth in this section and all applicable sections of this ordinance.

1. Publicly owned and operated library, art gallery, museum or civic center.
2. Recreation buildings and facilities, playgrounds, playfields, parks, beaches, owned and operated by federal, state, county or municipal government.
3. Governmental administrative offices, police and fire facilities, flood control facilities, owned and operated by federal, state, county or municipal government.
4. Golf course, not including miniature golf course or practice driving tee, providing plot comprises at least 100 acres of land in 1 parcel and any accessory parking area, building or structure is located at least 100 feet from any other residentially zoned property.
5. Educational and social centers not operated for profit and intended to serve the surrounding neighborhood. Such use shall be located on a plot having at least 40,000 square feet in area and having at least 200 feet of street frontage. Any buildings or roofed structures, on a plot utilized for such use, shall be located at least 50 feet from any other residentially zoned property. No parking area shall be located within 10 feet of any plot line.

6. Public, private or parochial elementary, junior and senior high schools.

7. Church, synagogue or parochial school incidental to a church or synagogue on the same premises. Such use shall be located on a plot having at least 40,000 square feet of plot area, and having at least 200 feet of street frontage. The coverage of all roofed structures shall not exceed 25 percent of the plot area. No building or roofed structure shall be located within 50 feet of any other residentially zoned property. No parking area shall be located within 10 feet of any plot line.

8. Water and wastewater treatment plants and storage plants to serve the surrounding residential area. Such plants and facilities shall conform to the requirements of Section 39-166, Essential Services, and Section 39-184, Special Regulations for Public Utilities, of this ordinance.

(3) *Size of Plot:*

(a) *Dwellings:* Every plot upon which a residential structure is hereafter erected, in each of these multiple-family districts, shall not be less in size than the following:

1. *One-family detached or duplex dwelling:* Plot width 60 feet and plot area 6,000 square feet in area.

2. *Multiple-family dwelling:* Plot width 72 feet and plot area of 7,200 square feet in area.

(b) *Nonresidential uses:* Every plot upon which a permitted nonresidential structure or use is erected or placed shall not be less than 100 feet in width and 10,000 square feet in area.

(4) *Density Limits:*

District	*Permitted Dwelling Units per Gross Acre*
RM-3	3.0
RM-4	4.0
RM-5	5.0
RM-6	6.0
RM-7	7.0
RM-8	8.0
RM-9	9.0
RM-10	10.0

(5) *Plot Coverage:* The combined area occupied by all main and accessory buildings shall not exceed 35 percent of the area of the plot.

(6) *Height:* No building or structure, or part thereof, shall be erected or altered to a height exceeding 35 feet. All buildings, regardless of height, shall be subject to setback requirements.

(7) *Front Yard:*

(a) *Residential uses:* Every plot used for dwelling purposes in each of these districts shall have a front yard not less than 25 feet in depth.

(b) *Nonresidential uses:* Every plot whose principal use is nonresidential shall have a front yard not less than 30 feet in depth, except as otherwise specified.

(8) *Side Yards:*

(a) *One-family or duplex dwelling:*

Every plot used for a 1-family or duplex dwelling, in these districts, shall have a side yard on each side, each of which shall be 10 feet in width, or double the minimum side setback if "zero lot line concept" is utilized.

Where the height of the structure exceeds the required side setback of the property, plus the required

side setback of the adjacent property, the excess shall be set back one foot for each foot of excess height.

(b) *Multiple-family dwellings:*

Every plot for a multiple-family dwelling shall provide a side yard on each side, each of which shall be at least 10 feet in width.

Where the height of the structure exceeds the required side setback of the property, plus the required side setback of the adjacent property, the excess shall be set back one foot for each foot of excess height.

(c) *Nonresidential uses:* Every plot whose principal use is nonresidential shall have a side yard on each side, each of which shall not be less than 25 feet in width, with an increase of 1 foot in width for each side yard for every foot in height of the structure in excess of 20 feet.

(d) *Corner plots:* Upon corner plots, there shall be a front yard as hereinbefore specified and in addition thereto, a side yard at least 25 feet in width on the side of the plot abutting on the side street.

(9) *Rear Yard:*

(a) *Residential uses:* Every plot whose principal use is residential in each of these districts shall have a rear yard not less than 15 feet in depth.

(b) *Nonresidential uses:* Every plot whose principal use is nonresidential in each of these districts shall have a rear yard not less than 25 feet in depth.

(10) *Location of Dwellings on Same Lot or Parcel:* There shall be a minimum distance of 15 feet between 2 or more detached dwelling structures on the same lot or parcel.

(11) *Minimum Floor Area:* The minimum floor area for a 1-family dwelling shall be 600 square feet, the minimum floor area of a dwelling in a duplex dwelling shall be 400 square feet, and the minimum floor area of a dwelling unit in a multiple dwelling or town house shall be 400 square feet.

(12) *Special Regulations for Zero Lot Line Development:*

(a) No roof overhangs, accessory structures, air conditioners or garbage receptacles shall be permitted over the property line where the "zero lot line" is utilized as setback on one side.

(b) Whenever a zero lot line development is undertaken by a single developer, a site plan shall be submitted to the plat and site plan review committee for approval. Upon site plan approval, there shall be recorded a maintenance easement of 7½ feet on each lot, prior to the issuance of any development permits for the approved zero lot line development. This easement shall be located adjacent to the zero lot line setback. Lots owned by individual owners seeking to utilize zero lot line development must be favored with a maintenance easement of 7½ feet on the property adjoining the zero lot line setback. Additionally, the abutting property granting the easement must also be developed in "zero lot line" development. The subservient property shall not place any landscaping which may interfere with reasonable access to the easement for maintenance purposes.

Sec. 39-1181. Residential Multiple-Family Dwelling RM-11 to RM-16 Districts.

(1) *Purposes of District:*

The provisions of these districts are intended to apply to areas where it is generally compatible to develop or extend the development of residential dwellings with low to medium density. The purpose of these districts is to provide a variety of housing types, including one-family, duplex and multiple-family dwellings. These districts are generally situated where they are served by public and commercial services and have convenient access to arterial highways and collector streets.

It is further intended to utilize these districts in accordance with the policies and objectives of the Broward County Land Use Plan.

(2) *Uses Permitted:* No building or structure, or part thereof, shall be erected, altered or used, or land and water used, in whole or in part, for other than one or more of the following uses:

(a) One-family detached dwelling.

(b) Duplex dwelling.

(c) Multiple-family dwelling.

(d) Hotels, motels or lodgings for transients subject to limitations upon density of guest rooms, not to exceed double the maximum number of dwelling units permitted for that parcel by section 39-181(d) of this ordinance.

(e) Rooming house with not more than four rooms for rent.

(f) *Zero lot line:* On any two or more lots which meet the minimum area and dimensions stated within this zoning district, the residential structures may be placed thereon, contiguous to the interior property line common to their ownership; provided, however, that the sum of the two required side yards for each lot exists on the opposite side of the common interior property line. No openings of any kind shall be permitted on the interior property line wall, which wall shall be of fire-wall construction as defined in the applicable South Florida Building Code. At no time shall the "zero line lot concept" be utilized which would allow a residential structure to be placed on a lot line that directly abuts a platted lot or parcel of record held in separate ownership, except if the owner or owners of the abutting lot develop such lot in "zero lot line" development. All "zero lot line" developments are subject to the approval of the plat and site plan review committee and shall comply with the requirements of Section 39-180, Site Development Plan Requirements, of this ordinance.

(g) Transformer substations for electrical power distribution subject to the following:

1. The plot size shall not be less than two acres.
2. The plot shall be provided with yards not less than 30 feet in depth or width adjacent to all street lines and plot lines of other residentially zoned property, and a yard at least 25 feet in depth adjacent to a rear plot line. The yards required under this paragraph shall be fully landscaped as specified below and shall not be used for any fence, wall, building or structure; except that a fence, not over 8 feet in height, may be erected at least 30 feet from any street line. Minimum driveways or walkways necessary for access may cross required yards.
3. A hedge or decorative masonry screen, a minimum of eight feet, shall enclose exposed equipment areas. Hedges shall be a minimum of two feet high at the time of planting, except for transformer substations located in developed residential areas, which hedges shall be a minimum of four feet high at the time of planting.
4. Trees shall be planted in the open space surrounding the exposed equipment area according to the following formulas:
   a. One tree per 1,000 square feet of open space for all yard areas less than 100 feet in depth or width.
   b. One tree per 1,500 square feet of open space for all yard areas greater than 100 feet in depth or width.
   c. Minimum size of trees shall be eight feet high with three-foot spread. Palms shall count as half a tree and shall be planted in clusters.
   d. The remaining open space shall be planted with grass, ground cover, shrubs or trees.
   e. A sprinkler system shall be provided for all planting areas.

f. Planting material shall be Florida Grade No. 1 or better and planted according to good horticultural practice. All landscaped areas shall be maintained in a healthy, growing condition, properly watered and trimmed. All landscaping shall conform to all other applicable landscaping and other regulations.

(h) Existing water and wastewater treatment plants, sewage lift and pumping stations or the expansion of existing facilities. Such uses shall be considered as nonconforming uses and shall be eligible for the issuance of development permits.

(i) Sewage lift or pumping stations, containing no treatment facilities, subject to the following requirements:

1. Where the station is constructed wholly or partially above grade, the plot shall not be less than 30 feet in width and 1,050 square feet in area, and as large as necessary to provide required landscaped area.

2. The plot shall be provided with a landscaped strip of land at least five feet in depth or width adjacent to all property lines and abutting street lines.

3. Required landscaping shall consist of the following:

a. A hedge or decorative masonry screen, a minimum of six (6) feet in height, shall be placed along the inside perimeter of such landscape strip.

b. One tree for each 30 lineal feet or fraction thereof shall be located within the required landscape strip and shall be planted in a planting area of at least 25 square feet with a dimension of at least 5 feet. The minimum height and size of the trees required shall

comply with the requirements of section 39-182 of this ordinance.

c. Hedges shall be a minimum of four feet at the time of planting.

d. The remaining open space shall be planted with grass, ground cover or shrubs and maintained in a healthy, growing condition, properly watered and trimmed. All landscaping shall conform to all other applicable landscape and other regulations.

4. Necessary accessways from the public right-of-way through all such landscaping shall be permitted to service the sewerage lift or pumping station, and such accessway may be subtracted from the lineal dimension used to determine the number of trees required.

5. Where the station is of the underground type which utilizes submersible pumps and where the electrical control panel is above grade:

a. The plot shall be as large as necessary to provide an area large enough to service such facility.

b. All plots shall be landscaped with grass, ground cover or shrubs and maintained in a healthy, growing condition.

6. When the subject property abuts the intersection of two or more public rights-of-way, all required landscaping shall comply with the sight distance requirements provided for in section 39-182(5) of this ordinance and shall supersede the requirements of section 39-155.

(j) Uses accessory to any of the above uses, when located on the same plot, and not involving the conduct of any business, trade, occupation or profession.

(k) *Special exception:* Persons seeking to use property in one of the following categories of special exceptions

shall make application to the Broward County Zoning Board. Requests for special exceptions shall be processed as zoning ordinances and shall be subject to the notice and hearing requirements that are required in article VII of this ordinance. The Broward County Zoning Board may recommend reasonable conditions to limit the special exception use. The Broward County Commission shall then have the right to accept or reject the conditions recommended by the zoning board, as well as to impose additional reasonable conditions before granting final approval to a special exception use. All special exception approvals shall comply with all development regulations as set forth in this section and all applicable sections of this ordinance.

1. Publicly owned library, art gallery, museum or civic center.
2. Recreation buildings and facilities, playgrounds, playfields, parks, beaches, owned and operated by federal, state, county or municipal government.
3. Governmental administration offices, police and fire facilities, flood control facilities, owned or operated by federal, state, county or municipal government.
4. Golf course, not including miniature golf course or practice driving tee, providing plot comprises at least 100 acres of land in 1 parcel, and any accessory parking area, building or structure is located at least 100 feet from any other residentially zoned property.
5. Educational and social centers not operated for profit and intended to serve the surrounding neighborhood. Such use shall be located on a plot having at least 40,000 square feet in area and having at least 200 feet of street frontage. Any buildings or roofed structure, on a plot utilized for such use, shall be located at least 50 feet from any other residentially zoned property. No parking

area shall be located within 10 feet of any plot line.

6. Nursery school or child care center when building is located not less than 10 feet from any other plot in a residential district, provided that there is established, maintained and used for children at play, in connection therewith, 1 or more completely and securely fenced play lots which, if closer than 50 feet to any property line, shall be screened by a masonry wall or compact evergreen hedge not less than 5 feet in height, located not less than 2 feet from any other plot in a residential district.

7. Public, private or parochial elementary, junior and senior high schools.

8. Church, synagogue or parochial school incidental to a church or synagogue on the same premises. Such use shall be located on a plot having at least 40,000 square feet of plot area and having at least 200 feet of street frontage. The coverage of all roofed structures shall not exceed 25 percent of the plot area. No building or roofed structure shall be located within 50 feet of any other residentially zoned property. No parking area shall be located within 10 feet of any plot line.

9. Water and wastewater treatment plants and pumping and storage plants to serve the surrounding residential area. Such plants and facilities shall conform to the requirements of Section 39-166, Essential Services, and Section 39-184, Special Regulations for Public Utilities, of this ordinance.

10. Open parking lots for the parking of private passenger vehicles, subject to all the provisions of Subsection (13), Open Parking Lots, [of this section].

(3) *Size of Plot:*

(a) *Dwellings:* Every plot upon which a residential structure is hereafter erected, in each of these multiple-family districts, shall not be less in size than the following:

1. *One-family detached or duplex dwelling:* Plot width 60 feet and plot area 6,000 square feet in area.

2. *Multiple-family dwellings:* Plot width 72 feet and plot area of 7,200 square feet in area.

(b) *Nonresidential uses:* Every plot upon which a permitted nonresidential structure or use is erected or placed shall not be less than 100 feet in width and 10,000 square feet in area.

(4) *Density Limits:*

District	*Permitted Dwelling Units per Gross Acre*
RM-11	11.0
RM-12	12.0
RM-13	13.0
RM-14	14.0
RM-15	15.0
RM-16	16.0

(5) *Plot Coverage:* The combined area occupied by all main and accessory buildings shall not exceed 35 percent of the area of the plot.

(6) *Height:* No building or structure, or part thereof, shall be erected or altered to a height exceeding 100 feet. All buildings, regardless of height, shall be subject to setback requirements.

(7) *Front Yard:*

(a) *Residential uses:* Every plot used for dwelling purposes in each of these districts shall have a front yard not less than 25 feet in depth.

(b) *Nonresidential uses:* Every plot whose principal use is nonresidential shall have a front yard not less than 30 feet in depth, except as otherwise specified.

(8) *Side Yard:*

(a) *One-family or duplex dwelling:*

Every plot used for a 1-family or duplex dwelling, in each of these districts, shall have a side yard on each side, each of which shall be 10 feet in width or double the minimum side setback if "zero lot line concept" is utilized.

Where the height of the structure exceeds the required side setback of the property, plus the required side setback of the adjacent property, the excess shall be set back one foot for each foot of excess height.

(b) *Multiple-family dwelling:*

Every plot used for a multiple-family dwelling or rooming house shall provide a side yard on each side, each of which shall be at least 10 feet in width.

Where the height of the structure exceeds the required side setback of the property, plus the required side setback of the adjacent property, the excess shall be set back one foot for each foot of excess height.

(c) *Nonresidential uses:* Every plot whose principal use is nonresidential shall have a side yard on each side, each of which shall not be less than 25 feet in width, with an increase of 1 foot in width of each side yard for every foot in height of the structure in excess of 20 feet.

(d) *Corner plots:* Upon corner plots, there shall be a front yard as hereinbefore specified, and in addition thereto, a side yard at least 25 feet in width on the side of the plot abutting on the side street.

(9) *Rear Yard:*

(a) *Residential uses:* Every plot whose principal use is residential in each of these districts shall have a rear yard not less than 15 feet in depth.

(b) *Nonresidential uses:* Every plot whose principal use is nonresidential in each of these districts shall have a rear yard not less than 25 feet in depth.

(10) *Location of Dwellings on Same Lot or Parcel:* There shall be a minimum distance of 15 feet between any 2 or more detached dwelling structures on the same lot or parcel.

(11) *Minimum Floor Area:* The minimum floor area of a 1-family dwelling shall be 600 square feet, the minimum floor area of a dwelling unit in a duplex dwelling shall be 400 square feet, and the minimum floor area of a dwelling unit in a multiple dwelling shall be 400 square feet.

(12) *Special Regulations for Zero Lot Line Development:*

(a) No roof overhangs, accessory structures, air conditioners or garbage receptacles shall be permitted over the property line where the "zero lot line" is utilized as setback on one side.

(b) Whenever a zero lot line development is undertaken by a single developer, a site plan shall be submitted to the plat and site plan review committee for approval. Upon site plan approval, there shall be recorded a maintenance easement of 7½ feet on each lot, prior to the issuance of any development permits for the approved zero lot line development. This easement shall be located adjacent to the zero lot line setback. Lots owned by individual owners seeking to utilize zero lot line development must be favored with a maintenance easement of 7½ feet on the property adjoining the zero lot line setback. Additionally, the abutting property granting the easement must also be developed in "zero lot line" development. The subservient property shall not place any landscaping which may interfere with reasonable access to the easement for maintenance purposes.

(13) *Open Parking Lots:* Open parking lots for parking of private passenger vehicles, not including buses, as permitted under Subsection (2), Uses Permitted, shall be arranged, maintained and used in accordance with the following:

(a) Every plot used for an open parking lot shall have a front yard not less than 25 feet in depth.

(b) A side yard shall be provided on each side of the plot, except on an alley side, not less than 10 feet in width.

(c) An ornamental fence or wall four feet in height shall be placed between the parking area and the required yards, and on the rear plot line, with only such openings as may be required for access.

(d) The required front and side yards shall be landscaped with grass or ground cover materials defined in Section 39-182, Functional Landscaping Requirements, of this ordinance. The required landscaping shall be maintained so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris.

(e) No signs shall be permitted other than unlighted entrance and exit markers, not exceeding two square feet in area, located within the parking area.

(f) The parking area shall be provided and maintained with a stable surface treated and graded so as to prevent dust and surface water accumulation.

(g) If lighting is provided for the parking area, all lights shall be subdued, shaded and focused away from all dwellings.

(h) No business of any kind, including repair, service, washing, sale, display or storage, shall be conducted on or from the plot.

Sec. 39-1182. Residential Multiple-Family Dwelling RM-17 to RM-25 Districts.

(1) [*Purpose of District:*]

The purposes of these districts are intended to apply to areas of medium-high density, and designed to accommodate dwellings containing one-family dwellings, duplex dwellings, and dwellings with three or more residential units.

These districts are generally situated where they are served by public and commercial services and have convenient access to arterial highways and collector streets.

It is further intended to utilize these districts in accordance with the policies and objectives of the Broward County Land Use Plan.

(2) *Uses permitted:* No building or structure, or part thereof, shall be erected, altered or used, or land and water used, in whole or in part, for other than one or more of the following specified uses:

(a) One-family detached dwelling.

(b) Duplex dwellings.

(c) Multiple-family dwellings.

(d) Hotels, motels or lodgings for transients subject to limitations upon density of guest rooms, not to exceed double the maximum number of dwelling units permitted for that parcel by section 39-181(d) of this ordinance.

(e) Rooming house with not more than four rooms for rent.

(f) *Zero lot line:* On any two or more lots which meet the minimum area and dimensions stated within this zoning district, the residential structures may be placed thereon, contiguous to the interior property line common to their ownership; provided, however, that the sum of the two required side yards for each lot exists on the opposite side of the common interior property line. No openings of any kind shall be permitted on the interior property line wall, which wall shall be of fire-wall construction, as defined in the applicable South Florida Building Code. At no time shall "zero lot line concept" be utilized which would allow a residential structure to be placed on a lot line that directly abuts a platted lot, or parcel of record held in separate ownership, except if the owner

or owners of the abutting lot develops such lot in "zero lot line" development. All zero lot line developments are subject to the approval of the plat and site plan review committee and shall comply with the requirements of Section 39-180, Site Development Plan Requirements, of this ordinance.

(g) Uses accessory to any of the above uses, when located on the same plot and not involving the conduct of any business, trade, occupation or profession.

(h) Transformer substations for electrical power distribution subject to the following:

1. The plot size shall not be less than two acres.
2. The plot shall be provided with yards not less than 30 feet in depth or width adjacent to all street lines and plot lines of other residentially zoned property, and a yard of at least 25 feet in depth adjacent to a rear plot line. The yards required under this paragraph shall be fully landscaped as specified below and shall not be used for any fence, wall, building or structure; except that a fence, not over 8 feet in height, may be erected at least 30 feet from any street line. Minimum driveways or walkways necessary for access may cross required yards.
3. A hedge or decorative masonry screen, a minimum of eight feet, shall enclose all exposed equipment areas. Hedges shall be a minimum of two feet high at the time of planting, except for transformer substations located in developed residential areas, which hedges shall be a minimum of four feet high at the time of planting.
4. Trees shall be planted in the open space surrounding the exposed equipment area according to the following formulas:
   a. One tree per 1,000 square feet of open space for all yard area less than 100 feet in depth or width.

b. One tree per 1,500 square feet of open space for all yard areas greater than 100 feet in depth or width.

c. Minimum size of trees shall be eight feet high with three-foot spread. Palms shall count as half a tree and shall be planted in clusters.

d. The remaining open space shall be planted with grass, ground cover or shrubs or trees.

e. A sprinkler system shall be provided for all planting areas.

f. Planting material shall be Florida Grade No. 1 or better, planted according to good horticultural practice. All landscaped areas shall be maintained in a healthy, growing condition, properly watered and trimmed. All landscaping shall conform to all other applicable landscaping and other regulations.

(i) Existing water and wastewater treatment plants, sewage lift and pumping stations or the expansion of existing facilities. Such uses shall be considered as nonconforming uses and shall be eligible for the issuance of development permits.

(j) Sewage lift or pumping stations, containing no treatment facilities, subject to the following requirements:

1. Where the station is constructed wholly or partially above grade, the plot shall be not less than 30 feet in width and 1,050 square feet in area, and as large as necessary to provide required landscaped area.

2. The plot shall be provided with a landscaped strip of land at least five feet in depth or width adjacent to all property lines and abutting street lines.

3. Required landscaping shall consist of the following:

   a. A hedge or decorative masonry screen, a minimum of six feet in height, shall be placed along the inside perimeter of such landscape strip.

   b. One tree for each 30 lineal feet or fraction thereof shall be located within the required landscape strip and shall be planted in a planting area of at least 25 square feet with a dimension of at least 5 feet. The minimum height and size of the trees required shall comply with the requirements of section 39-182 of this ordinance.

   c. Hedges shall be a minimum of four feet at the time of planting.

   d. The remaining open area shall be planted with grass, ground cover or shrubs and maintained in a healthy, growing condition, watered and trimmed. All landscaping shall conform to all other applicable landscape and other regulations.

4. Necessary accessways from the public right-of-way through all such landscaping shall be permitted to service the sewerage lift or pumping station, and such accessway may be subtracted from the lineal dimension used to determine the number of trees required.

5. Where the station is of the underground type which utilizes submersible pumps and where the electrical control panel is above grade:

   a. The plot shall be as large as necessary to provide an area large enough to service such facility.

   b. All plots shall be landscaped with grass, ground cover or shrubs and maintained in a healthy, growing condition.

6. When the subject property abuts the intersection of two or more public rights-of-way, all required landscaping shall comply with the sight distance requirements provided for in section 39-182(5) of this ordinance and shall supersede the requirements of section 39-155.

(k) *Special exception:* Persons seeking to use property in one of the following categories of special exceptions shall make application to the Broward County Zoning Board. Requests for special exceptions shall be processed as zoning ordinances and shall be subject to the notice and hearing requirements that are required in article VII of this Code. The Broward County Zoning Board may recommend reasonable conditions to limit the special exception use. The Broward County Commission shall then have the right to accept or reject the conditions recommended by the zoning board, as well as to impose additional reasonable conditions before granting final approval to a special exception use. All special exception approvals shall comply with all development regulations as set forth in this section and all applicable sections of this ordinance.

1. Publicly owned and operated library, art gallery, museum or civic center.

2. Recreation buildings and facilities, playgrounds, playfields, parks, beaches, owned or operated by federal, state, county or municipal government.

3. Governmental administration offices, police and fire facilities, flood control facilities, owned and operated by federal, state, county or municipal government.

4. Golf course, not including miniature golf course or practice driving tee, providing plot comprises at least 100 acres of land in 1 parcel, and any accessory parking area, building or structure is located at least 100 feet from any other residentially zoned property.

5. Educational and social centers not operated for profit and intended to serve the surrounding neighborhood. Such use shall be located on a plot having at least 40,000 square feet in area and having at least 200 feet of street frontage. Any building or roofed structure, on a plot utilized for such use, shall be located at least 50 feet from any other residentially zoned property. No parking area shall be located within 10 feet of any plot line.

6. Nursery school or child care center when the building is located not less than 20 feet from any other plot in a residential district; provided that there is established, maintained and used for children at play in connection therewith, 1 or more completely and securely fenced play lots which, if closer than 50 feet to any property line, shall be screened by a masonry wall or compact evergreen hedge not less than 5 feet in height, located not less than 2 feet from any other plot in a residential district.

7. Hospitals, sanitariums, convalescent homes, nursing homes.

8. Orphanages, institutions for the aged, indigent or infirm, but not including mental cases.

9. Community garage.

10. Public, parochial or private elementary, junior and senior high schools.

11. Church, synagogue or parochial school incidental to a church or synagogue on the same premises. Such use shall be located on a plot having at least 40,000 square feet of plot area and having at least 200 feet of street frontage. The coverage of all roofed structures shall not exceed 25 percent of the plot area. No building or roofed structure shall be located within 50 feet of any other residentially zoned property. No parking area shall be located within 10 feet of any plot line.

12. Water and wastewater treatment plants and pumping and storage plants to serve the surrounding residential area. Such plants and facilities shall conform to the requirements of Section 39-166, Essential Services, and Section 39-184, Special Regulations for Public Utilities, of this ordinance.

13. Open parking lots for the parking of private passenger vehicles, subject to all the provisions of Section 39-1181(13), Open Parking Lots.

(3) *Size of Plot:*

(a) *Dwellings:* Every plot upon which a residential structure is hereafter erected in each of these multiple-family districts shall not be less than the following:

1. *One-family detached or duplex dwelling:* Plot width 60 feet and plot area 6,000 square feet in area.

2. *Multiple-family dwellings:* Plot width 100 feet and plot area of 10,000 square feet in area.

(b) *Nonresidential uses:* Every plot upon which a permitted nonresidential structure or use is erected or placed shall not be less than 100 feet in width and 10,000 square feet in area.

(4) *Density Limits:*

District	*Permitted Dwelling Units per Gross Acre*
RM-17	17.0
RM-18	18.0
RM-19	19.0
RM-20	20.0
RM-21	21.0
RM-22	22.0
RM-23	23.0
RM-24	24.0
RM-25	25.0

(5) *Plot Coverage:* The combined area occupied by all main and accessory buildings shall not exceed 35 percent of the area of the plot.

(6) *Height:* No building or structure, or part thereof, shall be erected or altered to a height exceeding 100 feet. All buildings, regardless of height, shall be subject to setback requirements.

(7) *Front Yard:*

(a) *Residential uses:* Every plot used for dwelling purposes in each of these districts shall have a front yard not less than 25 feet in depth.

(b) *Nonresidential uses:* Every plot whose principal use is nonresidential shall have a front yard not less than 30 feet in depth, except as otherwise specified.

(8) *Side Yards:*

(a) *One-family detached or duplex dwelling:*

Every plot for a 1-family detached or duplex dwelling, in each of these districts, shall have a side yard on each side, each of which shall be 10 feet in width, or double the minimum side setback if "zero lot line concept" is utilized.

Where the height of the structure exceeds the required side setback of the property, plus the required side setback of the adjacent property, the excess shall be set back one foot for each foot of excess height.

(b) *Multiple-family dwelling:* Every plot used for a multiple-family dwelling or rooming house shall provide a side yard on each side, each of which shall be at least 10 feet in width; provided that the above required width of the side yard shall be increased by 1¼ feet for each 10 feet by which the height of the building exceeds 22 feet.

(c) *Nonresidential uses:* Every plot whose principal use is nonresidential shall have a side yard on each side, each of which shall not be less than 25 feet in width,

with an increase of 1 foot in width of each side yard for every foot in height of the structure in excess of 20 feet.

(d) *Corner plots:* Upon corner plots, there shall be a front yard as hereinbefore specified, and in addition thereto, a side yard at least 25 feet in width on the side of the plot abutting on the side street.

(9) *Rear Yard:*

(a) *Residential uses:* Every plot whose principal use is residential in each of these districts shall have a rear yard not less than 20 feet in depth.

(b) *Nonresidential uses:* Every plot whose principal use is nonresidential in each of these districts shall have a rear yard not less than 25 feet in depth.

(10) *Location of Dwellings on Same Lot or Parcel:* There shall be a minimum distance of 15 feet between any 2 or more detached structures on the same lot or parcel.

(11) *Minimum Floor Area:* The minimum floor area of a 1-family dwelling shall be 600 square feet, the minimum floor area of a dwelling unit in a duplex dwelling shall be 400 square feet, and the minimum floor area of a dwelling unit in a multiple dwelling or town house shall be 400 square feet.

(12) *Special Regulations for Zero Lot Line Development:*

(a) No roof overhangs, accessory structures, air conditioners or garbage receptacle shall be permitted over the property line where the "zero lot line" is utilized as setback on one side.

(b) Whenever a zero lot line development is undertaken by a single developer, a site plan shall be submitted to the plat and site plan review committee for approval. Upon site plan approval, there shall be recorded a maintenance easement of 7½ feet on each lot, prior to the issuance of any development permits for the approved zero lot line development. This easement shall be located adjacent to the zero lot line setback.

Lots owned by individual owners seeking to utilize zero lot line development must be favored with a maintenance easement of 7½ feet on the property adjoining the zero lot line setback. Additionally, the abutting property granting the easement must also be developed in "zero lot line" development. The subservient property shall not place any landscaping which may interfere with reasonable access to the easement for maintenance purposes.

ARTICLE LXXIII. REGULATIONS FOR THE USE AND CONTROL OF RESIDENTIAL CLUSTER DEVELOPMENT*

[Sec. 39-1183. Generally.]

(1) *General Purpose:*

The purpose of this article is to permit the development of a parcel of land in a more imaginative, efficient, attractive and economical development pattern without regard to exacting dimensional regulations. The provisions of these regulations are to increase flexibility in the location and arrangement of a variety in types of housing while providing for more usable open space and recreational areas.

The residential dwellings located within these developments shall contain two or more dwelling units and may be constructed as detached, semidetached, patio and attached dwellings. Any parcel of land which is to be developed as a cluster development under the regulations of this article may be built upon by utilizing zero lot line side yard setbacks.

(2) *Applicability:* Any parcel of land with a minimum of two acres in area under single ownership at the time of development, and located within a residential zoning

*Editor's note—Article LXXIII is derived from legislation effective Aug. 27, 1979. For convenience of reference, the editor has assigned the article § 39-1183.

district which permits cluster developments, may be designated as such and shall be subject to all regulations of this article and all applicable sections of this ordinance.

(3) *Processing:*

(a) Processing of all cluster development applications shall be subject to the approval of the plat and site plan review committee and shall comply with the requirements of Section 39-180, Site Development Plan Regulations, of this ordinance.

(b) Upon final approval of the plat and site plan review committee, the final site development plan shall be recorded by the owner and/or developer prior to the issuance of any development permits.

(c) Any major departure from the approved site plan shall require reapplication of a new site development plan to the plat and site plan review committee for approval. If in the event minor revisions are requested by the developer to the recorded site plan, the director of the planning and administrative systems division shall determine whether such revisions constitute a major departure from the approved recorded site plan. If the director determines that minor changes do not affect the overall design concept of the development, nor creates any detrimental or adverse effects to the surrounding land uses, such revisions shall be approved and recorded by the developer. Minor revisions will not include density increases, relocation of principal or accessory structures and/or relocation of parking areas, reduction of required setbacks, landscaping and open space requirements.

(d) The expiration date for all cluster development projects shall be the required time limit as set forth in Section 39-180, Site Development Plan Requirements, of this ordinance.

(4) *Limitations on the Allowable Minimum Lot Size for Cluster Developments:* The lot area per dwelling unit may be reduced by up to one-third of the minimum otherwise

required in the applicable zoning district, provided that common open space is supplied to the extent that the total area of the reduced size of the lots and the open space reserve will be equal to the original lot size requirements of the district. Cluster developments shall be subject to the following:

(a) The density shall not exceed the maximum of the particular zoning district in which the subject property is located.

(b) The minimum floor area shall be no less than that required by the zoning district in which the subject property is located.

(c) The minimum setback requirements shall be no less than that required by the zoning district in which the subject property is located.

(d) There shall be no minimum lot width or lot depth for residential dwellings.

(e) The maximum building height shall be no greater than that of the zoning district in which the subject property is located.

(f) The maximum plot coverage of all main and accessory structures shall be no greater than that required by the zoning district in which the subject property is located.

(g) Any parcel of land developed with "zero lot line concept" shall comply with the zero lot line requirements of the zoning district which permits zero lot line development.

(5) *Open Space Requirements:* Reserves of open space in cluster developments shall consist of an area sufficient to conform to the requirements stated herein. Such land shall be reserved for parks, woodlands, conservation areas, playgrounds, golf courses, or other suitable recreational purposes. The open space shall be designed and maintained for the exclusive use of the residents of the project. Such

reservations shall be made by any of the following procedures:

(a) The acceptance of the deed to such land by the board of county commissioners of Broward County.

(b) The sale, lease or other disposition of such property to a nonprofit corporation, such as a homeowners association, chartered under the laws of Florida, to administer and maintain the facilities.

(c) The inclusion of a portion of said property in the deeded lots or descriptions of individual purchasers, subject to an acceptable deed restriction limiting that portion to the use outlined in the approved site plan recorded in the public record. Access rights for all residents within the development shall be guaranteed.

(d) Retention of ownership, control and maintenance of all common open space by the original owner or developer.

(e) The required amount of open space shall be kept free of structures, buildings, driveways, parking areas, service areas public or private streets, tennis courts and recreational buildings. The open space shall be designed and maintained for the exclusive use of the residents of the project, and may be dispersed throughout the housing clusters as open space, and limited recreational activities. Water areas, regardless of size, shall not account for more than 75 percent of the required open space.

ARTICLE LXXIV. OFFICE PARK (OP) DISTRICT

Sec. 39-1184. Purpose.

The Office Park (OP) District is intended to encourage the location of planned office complexes and corporate headquarters in Broward County. (Ord. No. 82-13, § 1, 3-2-82)

Sec. 39-1185. Permitted uses.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

(1) Offices for business, professional and administrative uses.

(2) Banks and financial institutions.

(3) Laboratories for scientific, educational and industrial research and development.

(4) Medical and dental laboratories; hospitals and clinics.

(5) Community facilities, limited to fire stations, post offices, libraries, courts and governmental administrative offices.

(6) Office and studio facilities for radio and television, except for broadcasting towers.

(7) Public and private colleges and universities.

(8) *Accessory uses:* The accessory uses shall be retail establishments providing goods and services to the patrons and employees of the principal uses. The aggregate gross interior floor area of the accessory uses shall not exceed 10 percent of the total gross interior floor area of the office park. The floor area of enclosed or structure parking shall not be included in the calculations of interior area. The permitted accessory uses include:

a. The following kinds of retail sales: Newsstand, florist, pharmacy, confectionary, tobacco, stationery, gifts, greeting cards and books.

b. The following kinds of retail services: Barbershop, beauty shop, job print shop, laundry and dry cleaning pickup station, day care facility, health club, restaurant and lounge. (Ord. No. 82-13, § 1, 3-2-82)

Sec. 39-1186. Ownership and control.

Any plot to be developed pursuant to the regulations of this district shall be in single ownership or under unified control. (Ord. No. 82-13, § 1, 3-2-82)

Sec. 39-1187. Site development plan.

No building or structure, or part thereof, shall be used, erected or altered, or land and water used, or any change of use made, nor shall any building permit be issued except in accordance with a final site development plan approved pursuant to Section 5-190, Application for Final Site Development Plan Approval, Broward County Code of Ordinances. (Ord. No. 82-13, § 1, 3-2-82)

Sec. 39-1188. Size of parcel.

Any development to be undertaken pursuant to the requirements of this district shall be on a parcel not less than three net acres in area. (Ord. No. 82-13, § 1, 3-2-82)

Sec. 39-1189. Parcel coverage.

In addition to the limitations of impervious area of Section 5-192(a)(10)a), Pervious Area and Stormwater Runoff, Broward County Code of Ordinances, the combined ground area coverage of all principal and accessory buildings and structures shall not exceed 35 percent of the gross area of the parcel. (Ord. No. 82-13, § 1, 3-2-82)

Sec. 39-1190. Heights, setbacks and buffers.

(a) No building or roofed structure shall be located less than 40 feet from any public right-of-way line or property line abutting residentially zoned property, nor less than 25 feet from any other property line abutting another district.

(b) At the above-specified setback lines, no building, structure or part thereof shall be erected or altered to a height exceeding 25 feet. Beginning at the above-specified setback lines, 1 additional foot in height beyond 25 feet may be added for each additional foot of distance from the street right-of-way line or property line, as the case may be. Under no condition shall any building, structure or part thereof be erected or altered to a height exceeding 100 feet.

(c) No parking shall be located less than 30 feet from any property line abutting residentially zoned property, nor less than 15 feet from any other property line.

(d) Signs and light standards shall not be permitted in any setback area abutting residentially zoned property. All exterior lighting shall be directed away from adjacent residentially zoned property. (Ord. No. 82-13, § 1, 3-2-82)

Sec. 39-1191. Parking and loading.

The requirements of chapter 39, article XII, Broward County Code of Ordinances, shall be fully applicable to development in this district. Loading docks for receipt, dispatch or handling of materials, products or supplies shall not be located on the street-side of buildings unless effectively screened from direct view at ground level from any street. (Ord. No. 82-13, § 1, 3-2-82)

Sec. 39-1192. Access.

Any plot to be developed pursuant to the regulations of this district shall have direct access to a roadway meeting at least the specifications of a minor arterial, as defined by the Broward County Trafficways Plan. (Ord. No. 82-13, § 1, 3-2-82)

Sec. 39-1193. Enclosure of uses.

All uses shall be within enclosed buildings. There shall be no open, outside storage of materials, supplies, products, equipment or machinery, except for the vehicles of employees and visitors. (Ord. No. 82-13, § 1, 3-2-82)

Sec. 39-1194. Landscaping requirements.

(a) A landscape buffer shall be provided along all property lines abutting residentially zoned property. The landscape buffer shall include a wall, hedge or other durable landscape barrier not greater than 6 feet in height nor less than 3½ feet in height to form a continuous screen along the property line. The landscape buffer shall contain at least 1 tree for each 40 lineal feet or fraction thereof of the property line. The requirements of Section 39-182, Functional Landscaping, Broward County Code of Ordinances, shall be fully applicable in this district; and trees required in the landscape buffer may be counted towards the requirements of that section.

(b) All undeveloped property, such as in cases when an approved site plan provides for phased or sequential development of the plot,

shall be well graded and maintained in an appropriate condition, free from underbrush and objectionable plant growth. (Ord. No. 82-13, § 1, 3-2-82)

Sec. 39-1195. Sign regulations.

The following signs shall be permitted within an Office Park (OP) District:

(1) *Office park center sign:* One single- or double-faced sign, containing no more than 60 square feet of sign area per facia. The sign shall identify only the name and/or address of the office park. If such sign is of the freestanding type, it shall not exceed eight feet in height. No such sign shall be closer than 10 feet to the line of a dedicated public right-of-way. If the sign is of the wall type, it shall be attached parallel with and flush to a wall of a building, below the roof line.

(2) *Office or professional building signs:* One single-faced sign per street frontage, not exceeding one square foot of sign area for each lineal foot of building width facing such street. In no case may such a sign exceed 150 square feet in area. The sign may denote only the building's name or a single principal tenant's name, and/or the major enterprise or principal profession, and/or the street address. Such sign shall be attached parallel to and flush with a wall of the building facing the street, below the roof line.

(3) *Nameplates:* One single-faced sign per entrance denoting the name of the occupant, address, professional qualifications, and/or major enterprise only, not to exceed two square feet in area. If access for more than one occupant is through a single entrance, the sign may be increased one square foot for each additional occupant using that entrance, up to a maximum of four square feet. Such sign shall be attached parallel with and flush to a wall of the building at the entrance.

(4) *Accessory use signs:* Each individual establishment constituting an accessory use may display one sign denoting only its name, and not exceeding four square feet in area. Such signs shall be of the wall type and shall be attached parallel with and flush to the wall of a building at a height not

exceeding 12 feet above the ground. All accessory use signs in any single office complex shall be uniform in size and shape.

(5) Signs of a directional or caution type shall be permitted. No such sign shall exceed eight square feet in area or five feet in height.

(6) *Real estate sign (temporary):* One single-faced sign per street frontage, advertising the sale, rental or leasing of the premises on which it is displayed provided such sign shall not exceed 12 square feet in area, per facia. If the sign is to be mounted on a building, it shall be attached flush to and parallel with the wall of the building below the roof line. If the sign is to be freestanding, it shall not exceed 6 feet in height and shall not be located within 10 feet of any property line. Such signs shall be unlighted and neither fluorescent nor reflective. Such signs shall be removed upon the sale, rental or leasing of the premises.

(7) No sign shall be animated or provided with intermittent or flashing illumination.

(8) No exterior signs shall be permitted except as specified in this section. (Ord. No. 82-13, § 1, 3-2-82)

Secs. 39-1196—39-1205. Reserved.

ARTICLE LXXV. RESIDENTIAL, SINGLE-FAMILY DETACHED AND OFFICE DISTRICT: RSO DISTRICTS*

Sec. 39-1206. Purpose of district.

The provisions of these districts are intended to provide for single-family detached dwellings and offices, conveniently located in low-density residential neighborhoods and designed to retain the character of a residential neighborhood. These zoning districts are intended to facilitate redevelopment of residential neighborhoods which

*Editor's note—Ord. No. 80-67, adopted Aug. 15, 1980, effective Aug. 29, 1980, inadvertently omitted from inclusion at time of passage, added art. LXX to ch. 39, which the editor has redesignated art. LXXV, §§ 39-1206—39-1222.

have undergone certain radical changes such as widening of a heavily traveled street, or blight, structure obsolescence or maintenance neglect due to the pressures of economic conditions. The RSO District could act as a buffer or transitional zoning district between residential and commercial land uses. (Ord. No. 80-67, § 1(1), 8-15-80)

Sec. 39-1207. Applicability.

The establishment of the RSO District shall only be considered with the following limitations and provisions of the Broward County Unincorporated Area Land Use Plan for mixture of office and/or residential dwelling uses:

(1) Each parcel of land considered for residential-office use must be designated or assigned a residential land use category by the unincorporated area land use plan.

(2) No contiguous land area used for offices may exceed 10 acres.

(3) Within each flexibility zone, each parcel must be given a commercial designation using the 5 percent commercial uses in residential areas, as provided for in section 3.02(a)(11) of the unincorporated area land use plan, or designated Residential-Office District on the unincorporated area land use map.

Compliance to these requirements shall be verified by the office of planning prior to acceptance of the rezoning application. (Ord. No. 80-67, § 1(2), 8-15-80)

Sec. 39-1208. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land and water used, in whole or in part, for other than one of the following uses:

(1) Professional and business offices such as doctor, dentist, chiropractor, engineer, attorney, architect, planning, accounting, bookkeeping, real estate, stockbroker, insurance, manufacturers agency, governmental, advertising, management consultants or other similar uses compatible to the RSO District.

(2) Single-family detached dwelling.

(3) Accessory uses and structures. (Ord. No. 80-67, § 1(3), 8-15-80)

Sec. 39-1209. Uses prohibited.

The permissible uses enumerated in section 39-1208 above shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

(1) Sale, display, storage or handling of merchandise on the premises.

(2) Trade, vocational or private schools.

(3) Trade or personal service shops, including appliance repair or service, pest control, animal hospital, shoe repair, barbershop or beauty shop.

(4) Mortuaries.

(5) Employment agencies. (Ord. No. 80-67, § 1(4), 8-15-80)

Sec. 39-1210. Size of plot.

Every plot shall not be less than the minimum plot size required for the abutting residentially zoned district or the existing approved subdivision in which the plot is located; provided, however, that in areas subdivided prior to the effective date of this ordinance, a plot consisting of a lot of record may be utilized for an office or single-family dwelling. If, however, subject property directly abuts two or more residentially zoned districts, the plot size shall be the most restrictive requirements of the two residentially zoned districts. (Ord. No. 80-67, § 1(5), 8-15-80)

Sec. 39-1211. Plot coverage and open space.

(a) The combined area occupied by all main and accessory buildings shall not exceed the maximum plot coverage permissible for the abutting residentially zoned district or not more than 30 percent of the plot.

(b) At least 35 percent of the plot area shall be used for outdoor living space, patios, swimming pools and landscaping. Such outdoor living space shall be at ground level and properly maintained in lawns, shrubs, patios, swimming pools or other landscaping. (Ord. No. 80-67, § 1(6), 8-15-80)

Sec. 39-1212. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding the height of the adjacent residentially zoned district or not to exceed 35 feet. Where the height of the structure exceeds 2 stories, the third story shall sit back an additional 10 feet from each required side yard setback. (Ord. No. 80-67, § 1(7), 8-15-80)

Sec. 39-1213. Front yard.

Every plot shall have a front yard not less than the required front yard setback for any abutting residentially zoned district; provided however, no front yard setback shall be less than 25 feet in depth. (Ord. No. 80-67, § 1(8), 8-15-80)

Sec. 39-1214. Side yards.

Every plot shall have a side yard on each side, each of which shall not be less than the same side setback requirement of any abutting residentially zoned district or not less than 10 feet. (Ord. No. 80-67, § 1(9), 8-15-80)

Sec. 39-1215. Corner plot.

Upon corner plots, there shall be a front yard as hereinbefore specified, and in addition thereto, a side yard at least 25 feet in width on the side of the plot abutting on the side street. Side yards abutting adjacent streets shall be equal to the front yard setbacks required for residential dwellings located on the same street. (Ord. No. 80-67, § 1(10), 8-15-80)

Sec. 39-1216. Rear yard.

Every plot shall have a rear yard not less than 25 feet in depth. (Ord. No. 80-67, § 1(11), 8-15-80)

Sec. 39-1217. Location of structures on same lot or parcel.

There shall be a minimum distance of 15 feet between any 2 or more detached structures on the same lot or parcel. The location of accessory swimming pools shall be subject to requirements of article XIX of this ordinance. (Ord. No. 80-67, § 1(12), 8-15-80)

Sec. 39-1218. Minimum floor area.

All residential and office buildings shall have the same minimum floor area as required in the adjacent residentially zoned district. If, however, subject property abuts two or more districts, the plot size shall be the most restrictive requirements of the two zoning districts. (Ord. No. 80-67, § 1(13), 8-15-80)

Sec. 39-1219. Hedge, fence or wall requirements.

A seven foot masonry wall finished on the side facing any residential dwelling shall be erected and maintained on any property line abutting any single-family zoned property if the property is used for other than residential dwelling. Corner lots shall comply with the site-distance requirements of section 39-182(5) of this ordinance. (Ord. No. 80-67, § 1(14), 8-15-80; Ord. No. 88-39, § 1, 8-23-88) Revised

Sec. 39-1220. Existing buildings.

Existing buildings, not conforming to required setbacks, height limits or plot coverage, may be used for offices but may not be enlarged if this increases the extent of the violation. The amount of outdoor living space or landscaping may be reduced below 35 percent if necessary in such cases. (Ord. No. 80-67, § 1(15), 8-15-80)

Sec. 39-1221. Limitations on permitted uses.

(a) Except for accessory parking, patios and swimming pools, all uses permitted under Section 39-1208, Uses Permitted, shall be conducted entirely within a completely enclosed building.

(b) Signs for offices shall be limited to a nameplate attached flat to the side of the building and having an area of not more than two square feet. Such signs shall not be illuminated or lighted. One such sign shall be permitted for each tenant of an office building on not more than two faces of the building located at a street intersection. One such sign shall be permitted for each tenant of an office building when such building is located on an interior lot.

(c) Office building design shall be by an architect registered under the laws of Florida, and such that the building substantially resembles a house of residential character.

(d) All lights and lighting on an office use shall be so designed and arranged as to not cause a direct glare into residentially zoned property.

(e) There shall be no show windows or display windows, nor shall any window or door be used for display purposes in any building used as permitted in Section 39-1208, Uses Permitted.

(f) No off-street parking facilities shall be permitted within 10 feet of the property line abutting any residentially zoned district. (Ord. No. 80-67, § 1(16), 8-15-80)

Sec. 39-1222. Building size limitations.

The maximum length of a building shall not exceed 80 feet. (Ord. No. 80-67, § 1(17), 8-15-80)

Secs. 39-1223—39-1232. Reserved.

ARTICLE LXXVI. RESIDENTIAL, MULTIPLE-FAMILY/ OFFICE DISTRICT: RMO DISTRICTS*

Sec. 39-1233. Purpose of district.

The provisions of these districts are intended to provide for an integrated harmonious mix of multiple-family dwellings, offices and limited retail and service uses while retaining the character of a residential neighborhood. These zoning districts are intended to facilitate redevelopment of residential neighborhoods which have undergone certain radical changes such as widening of a heavily traveled street, or blight, structure obsolescence or maintenance neglect due to the pressures of economic conditions. The RMO district could act as a buffer or transitional zoning district between residential and commercial land uses. (Ord. No. 80-68, § 1(1), 8-15-80)

*Editor's note—Ord. No. 80-68, adopted Aug. 15, 1980, effective Aug. 29, 1980, inadvertently omitted from inclusion at time of passage, added art. LXXI, which the editor has redesignated art. LXXVI, §§ 39-1233—39-1249.

Sec. 39-1234. Applicability.

The establishment of an RMO District shall be considered only with the following limitations and provisions of the Broward County Unincorporated Area Land Use Plan for mixture of multiple-family dwellings, offices, retail and services uses:

(1) Each parcel of land considered for residential, multiple-family office district must be designated or assigned a residential land use category by the unincorporated area land use plan.

(2) No contiguous land area used for offices, retail and service uses may exceed ten (10) acres.

(3) Within each flexibility zone, each parcel must be given a commercial designation, using the 5 percent commercial available under the rules of flexibility governing commercial uses in residential areas, as provided for in section 3.02(a)(11) of the unincorporated area land use plan, or designated residential-office on the unincorporated area land use plan map.

Compliance with these requirements shall be verified by the office of planning prior to acceptance of rezoning applications.

Sec. 39-1235. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one of the following uses:

(1) Professional and business offices such as doctor, dentist, chiropractor, engineer, attorney, architect, planning, accounting, bookkeeping, real estate, stockbroker, insurance, manufacturers agency, governmental, advertising, management consultants, or other similar office uses compatible to the RMO district.

(2) Multiple-family dwellings, single-family and two-family dwellings.

(3) Hotels, motels, lodging for transients subject to limitations upon density of the guest rooms, not to exceed double the maximum number of dwelling units permitted for that parcel as expressed by the unincorporated area land use plan.

(4) Retail and service facilities within an office building, which may include barbershops, beauty shops, newsstands, and retail stores for sale of books, gifts, flowers, tobacco, drugs and sundries. Such uses shall occupy no more than 25 percent of the floor space of the office building.

(5) Charitable, church, civic, fraternal or professional associations.

(6) Accessory uses and structures. (Ord. No. 80-68, § 1(3), 8-15-80)

Sec. 39-1236. Uses prohibited.

The permissible uses enumerated in section 39-1235 above shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

(1) Sale, display, storage or handling or merchandise on the premises, except as permitted in section 39-1235(4) above.

(2) Trade or vocational schools.

(3) Trade or personal service shops, including appliance repair or service, pest control, animal hospital, shoe repair or jewelry repair.

(4) Mortuaries.

(5) Employment agencies. (Ord. No. 80-68, § 1(4), 8-15-80)

Sec. 39-1237. Size of plot.

Every plot shall be not less than the minimum plot size required for the abutting residentially zoned district or existing approved subdivision in which the plot is located; provided, however, the lot size is not less than 6,000 square feet of lot area and lot width of 60 feet. If, however, subject property directly abuts two or more residentially zoned districts, the plot size shall be the most restrictive requirements of the two residentially zoned districts. (Ord. No. 80-68, § 1(5), 8-15-80)

Sec. 39-1238. Density limits.

The maximum number of dwelling units permitted in this district shall be subject to the limitations upon density designated on the county unincorporated area land use plan map. (Ord. No. 80-68, § 1(6), 8-15-80)

Sec. 39-1239. Plot coverage.

(a) The combined area occupied by all principal and accessory buildings shall not exceed 35 percent of the area of the plot.

(b) At least 35 percent of the plot area shall be used for outdoor living space, patios, swimming pools and landscaping. Such outdoor living space shall be at ground level and properly maintained in lawns, shrubs, patios, swimming pool or other landscaping. (Ord. No. 80-68, § 1(7), 8-15-80)

Sec. 39-1240. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding the height of the abutting residentially zoned district or not to exceed 3 stories and 35 feet. (Ord. No. 80-68, § 1(8), 8-15-80)

Sec. 39-1241. Front yard.

Every plot shall have a front yard not less than the required front yard setback for the abutting residentially zoned district; provided, however, no front yard setback shall be less than 25 feet in depth. (Ord. No. 80-68, § 1(9), 8-15-80)

Sec. 39-1242. Side yards.

Every plot shall have a side yard on each side, each of which shall not be less than the same side setback requirement of any abutting residentially zoned district, or not less than 10 feet. (Ord. No. 80-68, § 1(10), 8-15-80)

Sec. 39-1243. Corner plot.

Upon corner plots, there shall be a front yard as hereinbefore specified, and in addition thereto, a side yard at least 25 feet in width on the side of the plot abutting on the side street. Side yards abutting adjacent streets shall be equal to the front yard setbacks required for residential dwellings located on the same street. (Ord. No. 80-68, § 1(11), 8-15-80)

Sec. 39-1244. Rear yard.

Every plot shall have a rear yard not less than 25 feet in depth. (Ord. No. 80-68, § 1(12), 8-15-80)

Sec. 39-1245. Location of structures on the same lot or parcel.

There shall be a minimum distance of 15 feet between 2 or more detached structures on the same lot or parcel. The location of accessory swimming pools shall be subject to the requirements of article XIX of this ordinance. (Ord. No. 80-68, § 1(13), 8-15-80)

Sec. 39-1246. Minimum floor area.

(a) Single-family dwellings shall have a minimum floor area of 600 square feet.

(b) Duplex and multiple-family dwellings shall have a minimum floor area of 400 square feet per dwelling unit.

(c) Sleeping rooms for rental purposes shall have a minimum floor area of 150 square feet. (Ord. No. 80-68, § 1(14), 8-15-80)

Sec. 39-1247. Fence, hedge and wall requirements.

A 6½-foot high hedge, fence or wall shall be erected and maintained on any property line abutting any residentially zoned property if the RMO zoned property is used for other than residential dwellings. Corner plots shall comply with sight distance requirements of section 39-182(5) of this ordinance. Existing fences, walls or landscaping, which the building and zoning enforcement division considers adequate, may be approved in lieu of the fence or wall requirement. A chain link fence shall not comply with the fence or wall requirements. (Ord. No. 80-68, § 1(15), 8-15-80)

Sec. 39-1248. Existing buildings.

Existing buildings not conforming to required setbacks, height limits or plot coverage may be used for offices but may not be enlarged if this increases the extent of the violation. The amount of outdoor living space and landscaping may be reduced below 35 percent if necessary in such cases. (Ord. No. 80-68, § 1(16), 8-15-80)

Sec. 39-1249. Limitation on permitted uses.

(a) Except for accessory parking, patios and swimming pools, all uses permitted under Section 39-1235, Uses Permitted, shall be conducted entirely within a completely enclosed building.

(b) Signs, accessory to a use permitted under Section 39-1235, Uses Permitted, shall be limited as follows:

(1) No roof sign, projecting sign, marquee sign, billboard sign, banner sign, pennant sign or animated sign shall be permitted.

(2) Each building occupied by such use as a principal use may have 1 wall sign not exceeding 2 feet in height or 10 feet in length.

(3) Each building site occupied by such use may have one ground sign not exceeding three feet in width or five feet in length, the top of which shall not be over five feet above the ground.

(4) Each building site may have directional signs, each not over two square feet in area, and not exceeding three feet above the ground.

(c) There shall be no show windows or display windows, nor shall any window or door be used for display purposes in any building used as permitted in Section 39-1235, Uses Permitted.

(d) All lights and lighting on an office use shall be so designed and arranged as to not cause a direct glare into any residentially zoned property.

(e) No off-street parking facilities shall be permitted within 10 feet of the property line abutting any residentially zoned district. (Ord. No. 80-68, § 1(17), 8-15-80)

ARTICLE LXXVII. CF COMMUNITY FACILITIES DISTRICT

Sec. 39-1250. Purpose of district.

The CF Community Facilities District is intended to accommodate land uses providing governmentally owned or operated services and facilities, health-related facilities and certain not-for-profit organizational services and facilities, meeting the governmental, cultural, community and health needs of a particular neighborhood or region. (Ord. No. 84-68, § 1, 9-14-84)

Sec. 39-1251. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used of land or water used, in whole or in part, for other than one of the following uses:

(1) Governmentally owned or operated or not-for-profit museums, art galleries, libraries, cultural centers, auditoriums and civic centers.

(2) Police and fire protection facilities.

(3) Governmental administration facilities.

(4) Courts and related facilities.

(5) Governmentally owned or operated or not-for-profit child care facilities.

(6) Governmentally owned or operated or not-for-profit health clinics.

(7) Governmentally owned or operated residential care facilities for the elderly or handicapped.

(8) Nursing homes, convalescent homes or hospitals.

(9) Governmentally owned or operated or not-for-profit rehabilitation centers.

(10) Accessory uses and structures. (Ord. No. 84-61, § 1, 9-14-84)

Sec. 39-1252. Size of plot.

Every plot upon which a permitted structure or use, other than an accessory structure or use, is erected or placed shall not be less than 30,000 square feet of area and have at least 150 feet of street frontage. (Ord. No. 84-61, § 1, 9-14-84)

Sec. 39-1253. Height.

No building, structure or use shall be erected, placed or altered to exceed the maximum height permitted within the zoning district on adjacent property. The most restrictive height shall apply if the zoning districts on adjacent properties vary. (Ord. No. 84-61, § 1, 9-14-84)

Sec. 39-1254. Yards.

Every plot shall have a front yard of not less than 25 feet in depth. Every plot shall have a side and back yard of not less than 25 feet if the plot abuts residentially zoned property. (Ord. No. 84-61, § 1, 9-14-84)

Sec. 39-1255. Consistency with land use plan.

Any use permitted herein shall be consistent with the uses permitted, and the restrictions set out, in the applicable land use designations set forth in the Unincorporated Area Land Use Plan, 1979, as amended. In the event a use enumerated in this section is not a use permitted in the applicable land use category designation for the particular property, said use shall not be permitted. (Ord. No. 84-61, § 1, 9-14-84)

Secs. 39-1256—39-1269. Reserved.

ARTICLE LXXVIII. PLANNED EMPLOYMENT CENTER DISTRICT

Sec. 39-1270. Purpose of district.

The Planned Employment Center District (PECD) is intended to encourage nonresidential development, compatible with residential and other less intensive land uses, and which would support the tourist-oriented segment of Broward County's economy as well as high-technology and service-based activities. (Ord. No. 89-36 § 12, 9-26-89)

Sec. 39-1271. Permitted uses.

Principal Uses:

(a) Planned light industrial parks, which may include research and development, assembly and light manufacturing.

(b) Planned office park, which may include business and professional offices, medical facilities, private and commercial schools.

(c) Planned special complexes, which may include recreational, cultural, educational, or other community facilities.

(d) The continuation of nonresidential agricultural uses until the development of property in accordance with this district is permitted and shall not be considered nonconforming.

(2) *Accessory Uses:* The following accessory uses (limited to less than 50 percent of the site) may be permitted when complimentary [complementary] to and compatible with other planned employment center uses:

(a) Hotels, motels and similar lodging.

(b) Restaurants and personal services.

(c) Transportation and utilities.

(d) Storage.

(e) Retail within buildings devoted to principal uses.

(f) Recreation and open space uses.

(3) *[Commercial and Retail Business Uses:]* Commercial and retail business uses may be permitted within a planned employment center if:

(a) Certified by the Broward County Planning Council in the Future Unincorporated Area Land Uses Element of the Broward County Comprehensive Plan;

(b) The total area of these uses does not consume more than 20 percent of the land designated Employment Center on the Future Broward County Land Use Plan Map (Series) within a flexibility zone; and

(c) The location of these uses do not preclude or adversely affect the future use of surrounding areas for employment center use. (Ord. No. 89-36, § 12, 9-26-89)

Sec. 39-1272. Common open space.

Common open space shall be required to meet all requirements of Section 39-884, Common Open Space. (Ord. No. 89-36, § 12, 9-26-89)

Sec. 39-1273. Land use regulations.

(1) *Minimum Size:* All planned employment centers shall provide for a minimum of 10 acres of contiguous land, unless the zoning board finds that a tract which contains less than 10 acres is suitable as a planned employment center by virtue of some unusual condition.

(2) *Minimum Lot Area, Distance Between Structures, Frontage and Setbacks:*

(a) No minimum lot size shall be required within a planned employment center district.

(b) No minimum distance between structures shall be required within a planned employment center district.

(c) Setbacks or yards are to be controlled by the site development plan rather than by the provisions of the zoning regulations that otherwise would be applicable. The provisions governing changes in the site development plan will apply.

(3) *Landscaping:* Landscaping shall meet all requirements [of] Section 39-182, Functional Landscaping, provided that site plans may require additional area where such districts are adjacent to LAPC's, NRA's, parks or residential zoning districts.

(4) *Signs:* Signs within a planned employment center are limited to the following:

(a) Caution and no-trespassing signs.

(b) One entrance or exit sign and one directional sign at each point of ingress or egress on a single plot.

(c) No-parking signs.

(d) Handicap signs.

(e) The signs permitted in paragraphs (a), (b), (c) and (d) above shall not exceed eight square feet in area and four feet in height above the ground.

(f) Real estate signs, subject to section 39-310.

(g) Temporary construction signs, subject to section 39-312.

(h) Political signs subject to section 39-309.

(i) Subdivision signs, subject to section 39-313.

(j) One ground sign per plot, not more than 100 square feet in area, for identification of a permitted use or uses.

(k) One wall sign not more than 20 percent of the wall area for identification of each individual business on a single plot.

(l) Window signs providing such signs do not cover more than 15 percent of any window or other opening. (Ord. No. 89-36, § 12, 9-26-89)

Sec. 39-1274. Procedure for rezoning to a Planned Employment Center District.

The following applications, exhibits and procedures shall be required when applying for rezoning to a planned employment center district:

(1) *Application form:* The applicant shall complete a standard rezoning application form and submit with the appropriate filing fee to the office of planning. Information necessary to review the impact of the proposed development upon public services and facilities, including traffic, drainage and natural resources, shall accompany the application.

(2) *Site development plan:* The applicant shall submit a site development plan to be included with application form. The site development plan shall be adopted as part of the rezoning approval and shall specify setbacks or yards, plot coverage, height, landscaping, common areas, drainage, internal circulation and signage.

(3) *Application and site development plan review:* The rezoning application and site development plan shall be reviewed in accordance with Section 39-100, Procedure for [Rezoning and] Amendments. The development review committee shall prepare a recommendation prior to review by the zoning board. (Ord. No. 89-36, § 12, 9-26-89)

Sec. 39-1275. Conformance to approved site development plan.

(a) After rezoning to Planned Employment Center District, no permits shall be issued by the county and no development shall

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commence unless in conformance with the approved site development plan, unless a change or deviation is approved.

(b) The office of planning may approve minor changes and deviations from the approved site development plan which are in compliance with the provisions and intent of this code, which do not depart from the principal concept of the approved site development plan.

(c) All other changes will require an amendment to the zoning ordinance creating the PCD.

(d) The board of adjustment shall not have the authority to approve changes to the approved site development plan. (Ord. No. 89-36, § 12, 9-26-89; Ord. No. 90-12, § 41, 6-26-90)

Secs. 39-1276—39-1279. Reserved.

ARTICLE LXXIX. BEACHES

Sec. 39-1280. Beach area lighting restrictions.

(a) *Definitions:* For purposes of interpreting this section, the following terms shall be defined as herein prescribed:

Beach shall mean the zone of unconsolidated sandy material that extends landward from the mean low-water line to the place where there is marked changed in material or physiographic form, or to the line of permanent vegetation (usually the effective limit of storm waves).

Beachfront lighting shall mean lighting located within 200 feet of the beach. For fixtures within multistory structures, this distance shall be measured from the window.

Directly visible shall mean the sight of any portion of a light fixture's lamp from any location on the beach while the light fixture is lighted.

Footcandle shall mean a measure of light intensity equal to one lumen per square foot.

Illumination shall mean greater than 0.5 footcandle of artificial light.

Lighting or *lights* shall mean any source of light from a man-made device.

Low-profile lighting shall mean a light fixture that places the source of light at a height no greater than 48 inches from the ground, and is designed in such a way that light is directed downward from a hooded light source.

New development shall mean new construction and alteration of existing structures that includes modification of exterior lighting.

Turtle nesting season shall mean May 1 through October 1 of each year.

Window treatment shall mean window tinting with a shading coefficient (the percent of incident radiation passing through a window) of 0.45 or less, blackout draperies, shadescreens, verticals, or blinds.

(b) *Existing Development:*

(1) Existing beachfront lighting shall comply with the following provisions within 6 months of the effective date of this ordinance [October 1, 1989]:

a) Lights illuminating buildings or property shall be shielded or screened in such a manner that light does not also illuminate the beach, or shall be turned off between the hours of 11:00 p.m. and 7:00 a.m., during turtle nesting season. However, low-pressure sodium or other light fixtures that do not emit wavelengths shorter than 530 nanometers, and low-profile lighting shall not be restricted by this section.

b) Lights located within the interior of multistory structures shall be screened by window treatments on windows facing the ocean, or shall be turned off between the hours of 11:00 p.m. and 7:00 a.m., during turtle nesting season.

c) Where possible, public street lights shall be shielded and aimed so as to minimize backlighting and so that

the bulk of the illumination is directed away from the beach.

(c) *New Development:*

(1) Applicants for site plan approval for new development within 200 feet of the beach shall submit a lighting plan. No light shall be constructed or installed that illuminates or is otherwise directly visible from the beach. However, lighting fixtures may be installed with hoods or shields, screened with vegetation or other permanent physical objects, aimed away from the beach area, or located in any other manner that the applicant demonstrates will prevent beach illumination or direct visibility of light fixtures.

(2) Applicants for site plan approval for new development of multistory structures shall be required to record restrictive covenants [or] otherwise require compliance with subsection (b)(1)b) above, as a condition of site plan approval.

(3) This section shall not restrict or prohibit the use of low-pressure sodium or other light fixtures that do not emit wavelengths shorter than 530 nanometers, or low-profile lighting.

(d) *Violations, Penalty and Enforcement:* Any private property owner, occupant, or other person who violates this section may be punished in accordance with section 125.69, Florida Statutes. Each day the violation continues shall be deemed a separate offense. In addition, violations of this section may be enforced by the Broward County Code Enforcement Board, restrained by injunction, or abated by any other means provided by law. (Ord. No. 89-36, § 13, 9-26-89)

Secs. 39-1281—39-1309. Reserved.

ARTICLE LXXX. FLOOD CONTROL F-1 DISTRICT

Sec. 39-1310. Purpose of district.

The F-1 Flood Control Districts are intended to apply to those areas of Broward County which, through ownership or easement,

the South Florida Water Management District has a right to use for flood control, drainage, reclamation, conservation, recreation, water storage and related purposes. The regulations of the F-1 districts are designed to facilitate these primary objectives and to provide for the protection of public health, safety and welfare by limiting and controlling any other secondary uses of these areas. (Ord. No. 90-12, § 42, 6-26-90)

Sec. 39-1311. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

(1) Buildings, structures or topographic features constructed or used by the South Florida Water Management District for flood control, drainage, storage and conservation of water.

(2) Hunting, fishing, boating and camping.

(3) Sales or rental of equipment and supplies for hunting, fishing, camping or other recreational purposes, as authorized by the South Florida Management District on land held by that district.

(4) Hotels, motels, multiple dwellings, rooming, boarding or lodging houses, villas, courts or trailer parks as authorized by the South Florida Management District on land held by that district.

(5) Parks and recreational facilities as authorized by the South Florida Management District on land held by that district, and other publicly owned park and recreational facilities.

(6) Agricultural, farming or storage use on privately owned land, which use the South Florida Management District certifies can be made of such land without interference with the district's right to use for flood control and drainage purposes.

(7) Accessory uses and structures.

(8) Residence on floating homes and vessels. (Ord. No. 90-12, § 42, 6-26-90)

Sec. 39-1312. Uses prohibited.

The permissible uses enumerated in section 39-1146 [39-1311] shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

(1) Manufacturing or industrial.

(2) Warehouse or storage, except as permitted under section 39-1311(6).

(3) Display, storage, sale or rental of merchandise except as permitted under section 39-1311(3).

(4) Dwellings, except as accessory to a permitted use.

(5) Hotels, motels, multiple dwellings, rooming, boarding or lodging houses, villas, courts or trailer parks except as permitted under section 39-1311(4).

(6) Agricultural or farming, except as permitted under section 39-1311(6). (Ord. No. 90-12, § 42, 6-26-90)

ARTICLE LXXXI. Planned Development District (PDD)

The following regulations shall apply in all Planned Development Districts:

Sec. 39-1313. Purpose of District.

The Planned Development District ("PDD") is intended to encourage the implementation of innovative land planning and site design which create enhanced living and working environments while concurrently discouraging urban sprawl through the enforcement of the concurrency management and levels of service standards specified within the Broward County Comprehensive Plan and the Broward County Land Development Code. The PDD shall provide for density or intensity bonus incentives which promote compact urban areas and shall also be utilized to protect, preserve and enhance lands designated Agriculture by the certified Future Unincorporated Area Land Use Element Map Series of the Broward County Comprehensive Plan through the adoption and enforcement of creative land development regulations. (Ord. No. 91-37, § 1, 9-11-91)

Sec. 39-1314. Definitions.

(1) *Common Open Space:* Shall mean a parcel or parcels of land or a combination of land and water, held in common ownership by, and under the control of, one or more associations, not-for-profit corporations or other appropriate private or governmental entities which are responsible for the operation, administration and maintenance of all land designated as common open space within the planned development, which land is designed and intended to complement the principal concept of a Master Development Plan.

(2) *Environmentally Sensitive Lands:* Those lands defined as environmentally sensitive in the 1989 Broward County Land Use Plan.

(3) *Master Development Plan:* Shall mean the ordinance rezoning land to a PDD, together with the site plan for the PDD drawn in conformity with the conceptual site plan requirements of Section 5-189 of the Broward County Land Development Code. The approval of a Master Development Plan shall not relieve an applicant from the requirement to comply with applicable provisions of the Broward County Land Development Code regarding final site plan approval.

(4) *Phase:* Shall mean a specified portion of a planned development that may be developed as an individual component, as specified within the development schedule of a PDD.

(5) *Planned Development:* Shall mean an area of land developed as a single entity or in phases in conformity with the Master Development Plan of a PDD.

(6) *Development Review Committee:* Shall mean the committee described in section 5-179 of the Broward County Land Development Code.

(7) *Similar Lodging:* Shall mean any establishment, or area within an establishment, which is licensed as a hotel or motel by the Florida Department of Business Regulation, that includes sleeping and/or living accommodations, which accommodations may include kitchen facilities for use by one or more primarily transient guests registered with the establishment, which estab-

lishment may also provide maid service and has a central switchboard telephone system. (Ord. No. 91-37, § 1, 9-11-91)

Sec. 39-1315. Conformance to master development plan.

(1) After rezoning to planned development district, no plat approval, final site plan approval or building permits shall be issued by the county and no development shall commence unless in conformance with the approved master development plan, unless a change or deviation to the master development plan is approved by Broward County. The approval of a master development plan shall not relieve an applicant from the requirement to comply with applicable provisions of the Broward County Land Development Code regarding final site plan approval.

(2) The director of the office of planning may approve minor changes and deviations from the approved Master Development Plan which are in compliance with the applicable provisions and intent of the Broward County Land Development Code, and which do not depart from the principal concept of the approved master development plan. Approved minor changes and deviations may become effective without formally amending the development order. The ordinance rezoning land to a PDD shall set forth the criteria for determining minor changes and deviations from the master development plan.

(3) Should the director of the office of planning determine that a requested change or deviation from the approved master development plan does not comply with the applicable provisions and intent of the Broward County Land Development Code, or departs from the principal concept of the approved master development plan or otherwise exceeds the criteria for determining minor changes, the director shall refer such change to the development review committee for additional review and to the zoning board for a public hearing and recommendation. The applicant may then request the county commission to approve such change or deviation.

(4) Upon request for change or deviation from the approved plan, the county commission may take such action as it deems appropriate. This action may include referring the requested change or deviation to the zoning board for study and recommen-

dation, or requiring that a new master development plan be filed. A major change or deviation shall be accomplished by the adoption of an ordinance by the board of county commissioners amending the master development plan.

(5) Copies of the effective master development plan shall be filed with the office of planning, plan implementation division and the code and zoning enforcement division. (Ord. No. 91-37, § 1, 9-11-91)

Sec. 39-1316. Common open space.

(1) All common open space shall be preserved for its intended purpose as expressed in the master development plan. The developer shall choose one or a combination of the following three methods of administering common open space, and the method chosen by the developer shall be stated in the master development plan:

(a) Dedication to the county of the common open space. This method is subject to formal acceptance by the county in its sole discretion.

(b) Conveyance to one or more associations, nonprofit corporations or other appropriate entities provided all persons and entities owning property within the planned development are members of one or more of the associations, nonprofit corporations or other entities so that the common open space will be used as specified on the master development plan and all common open space will be properly maintained.

(c) Retention of ownership, control and maintenance of all common open space by the developer.

(d) If the developer elects to administer common open space through one or more associations, nonprofit corporations or other entities, said organizations shall conform to the following requirements:

1. They shall be created prior to the sale of any property within a phase of the PDD.
2. Membership shall be mandatory for all property owners within the planned development, and the organiza-

tions shall not discriminate as to race, color, religion, national origin, sex, age, marital status, political affiliation or handicap regarding their membership or shareholders.

3. They shall:

   a. Manage all common open space and recreational and cultural facilities that are not dedicated to the public; and

   b. Provide for the maintenance, administration and operation of said land and any other land within the planned development not publicly or privately owned.

(2) All privately owned common open space shall conform to the intended use of and remain as expressed in the master development plan through the inclusion of appropriate covenants in all conveyances of land within the PDD. The covenants shall run with the land and be for the benefit of present and future property owners.

(3) All common open space and public recreational and cultural facilities shall be specifically included in the development plan schedule and be completed by the developer in accordance with such schedule. (Ord. No. 91-37, § 1, 9-11-91)

Sec. 39-1317. Land use regulations.

(1) *Minimum and Maximum Size:* All planned developments shall provide for a minimum of 5 acres of contiguous land and be no larger than 2 square miles or 1,280 acres. The planned development district may be applied to any sized area specified within an approved development of regional impact.

(2) *Minimum Lot Area, Distance Between Structures, Frontage, Setbacks and Height Regulations:*

(a) No minimum lot size shall be required within a planned development, except as specified by the master development plan.

(b) No minimum distance between structures shall be required within a planned development district, except as specified by the master development plan.

(c) Each dwelling unit or other permitted use shall have access to a public street either directly or indirectly via an approach, private road, pedestrian way, court or other area dedicated to public or private use or common easement guaranteeing access. The county shall be allowed access on privately owned roads, easements and common open space to ensure the police and fire protection of the area, to meet emergency needs, to conduct county services, and to generally ensure the health and safety of the residents of the planned development.

(d) There are no required setbacks or yards except as specified by the master development plan, together with the following:

1. There shall be a setback or yard not less than 25 feet in depth abutting all public road rights-of-way.
2. All lots of a planned development are to be controlled by the master development plan in accordance with the provisions of the Broward County Land Development Code. The provisions governing changes in the master development plan will apply to the amendment of lot lines depicted on the master development plan.

(e) No maximum height limitations shall apply in a PDD except as specified in the master development plan.

(3) *Landscaping:* Landscaping shall meet all the requirements of section 39-182, as amended, "Functional Landscaping," Broward County Zoning Code, provided that additional landscaped areas may be required for site plans that are adjacent to LAPC's, NRA's, parks or residential zoning districts.

(a) *LAPC* or *local area of particular concern* means an area designated on the Natural Resource Map Series of the Broward County Land Use Plan which has been declared to be environmentally sensitive.

(b) *NRA* or *natural resource area* means real property designated by the Board of County Commissioners of Broward County as meeting the criteria for classification of such lands under Chapter 5, Article XII, Broward County Code of Ordinances.

(4) *Signs:* Signs within a PDD shall comply with the appropriate sections of chapter 39, article XVIII, "Sign Regulations, " according to the types and density and intensity of uses permitted by the master development plan. Specific sections of article XVIII, "Sign Regulations, " applicable to a PDD shall be set forth in the master development plan.

(5) The density and intensity of land uses permitted within a PDD shall conform with the Future Unincorporated Area Land Use Element of the Broward County Comprehensive Plan, in accordance with the categories of planned developments set forth below. (Ord. No. 91-37, § 1, 9-11-91)

Sec. 39-1318. Planned agricultural centers.

(1) *Purpose:* The planned agricultural center is intended to encourage the retention of agricultural uses on lands designated "agricultural" in the Future Unincorporated Area Land Use Element of the Broward County Comprehensive Plan. Agricultural uses, and the existing incentives for such uses, may feasibly be retained when incorporated within a planned development by the use of innovative land planning and site design techniques such as clustering of dwelling units and provision for a variety of permitted uses.

(2) *Permitted Uses:*

(a) Agricultural uses, which include the cultivation of crops, groves, thoroughbred and pleasure horse ranches, private game preserves, fish breeding areas, tree and plant nurseries, cattle ranches, and other similar activities.

(b) Single-family residences of one dwelling unit per two net acres or greater or one dwelling unit per two and one-half gross acres or greater.

(c) The clustering of residential dwelling units within a designated planned agricultural center may be permitted in accordance with the certified Future Unincorporated Area Land Use Element of the Broward County Comprehensive Plan if the following conditions are met:

1. The entire parcel is developed through the application of the PDD-Planned Development District;

2. The areas from which density is transferred are relinquished of all future development rights for the purpose of preserving agriculturally productive lands, environmentally sensitive lands, open space or any combination thereof;
3. The arrangement and location of the clustered dwelling units shall be depicted as part of the master development plan; and
4. The clustering of dwelling units shall not result in the establishment of attached single-family or multifamily dwelling units.

(d) Nonagricultural uses that are compatible with planned agricultural centers, limited to the following:

1. Neighborhood commercial and retail facilities to the extent permitted by the Broward County Land Use Plan.
2. Recreation and open space.
3. Special residential facilities, as defined in the Special Residential Facilities Permitted Uses subsection of the Plan Implementation Requirements of the Broward County Land Use Plan. (Ord. No. 91-37, § 1, 9-11-91)

Sec. 39-1319. Planned residential communities.

(l) *Purpose:* The planned residential community is intended to encourage the use of innovative land planning and site design techniques to create enhanced living and working environments. The regulations applicable to planned residential communities are intended to discourage urban sprawl and encourage the efficient use of land by: providing for conservation of natural amenities as common open space; providing for accessory and supporting nonresidential uses in accordance with the commercial flexibility provisions of the Broward County Land Use Plan; permitting a variety of residential unit types; and providing for density bonuses, all in accordance with the Future Unincorporated Area Land Use Element of the Broward County Comprehensive Plan.

(2) Permitted Uses:

(a) Single-family and multifamily residences at a density in conformance with the certified Future Unincorporated Area

Land Use Element Map Series of the Broward County Comprehensive Plan.

(b) Special residential facilities, as defined in the Special Residential Facilities Permitted Uses subsection of the Plan Implementation Requirements of the Broward County Land Use Plan.

(c) Density bonuses shall be available which encourage urban infilling and discourage urban sprawl through the application of the reserve unit provisions specified within the certified Future Unincorporated Area Land Use Element of the Broward County Comprehensive Plan.

(d) Accessory nonresidential uses that are compatible with planned residential communities, to the extent permitted by the flexibility provisions of the Broward County Land Use Plan, limited to the following:

1. Hotels and Motels.
2. Community facilities and utilities.
3. Open space, parks and recreation facilities.
4. Professional offices, personal services and retail sales, including automobile service stations with no on-site repairs.
5. Aviation and marine facilities.

(Ord. No. 91-37, § 1, 9-11-91)

Sec. 39-1320. Planned commercial centers.

(1) *Purpose:* The planned commercial center is intended to encourage the use of innovative land planning and site design techniques to create enhanced working and living environments. The regulations applicable to planned commercial centers are intended to discourage urban sprawl and encourage the efficient use of land by: providing for conservation of natural amenities as common open space; providing for certain residential uses in accordance with the Broward County Comprehensive Plan; and providing for density bonuses, all in accordance with the Future Unincorporated Area Land Use Element of the Broward County Comprehensive Plan.

(2) *Permitted Uses:*

(a) Hotels and motels and similar lodging.

(b) Professional offices, personal services, retail sales and automobile service stations.

(c) Warehouses.

(d) Aviation and marine facilities.

(e) Noncommercial uses that are compatible with planned commercial centers, limited to the following:

1. Special residential facilities, as defined in the Special Residential Facilities Permitted Uses subsection of the Plan Implementation Requirements of the Broward County Land Use Plan.
2. Recreational vehicle park.
3. Residential uses within the same structure as a commercial use, provided that flexibility or reserve units are applied, and the residential floor area does not exceed 50 percent of the total floor area of the building; or the first floor is confined to commercial uses; other residential uses that are consistent with the Broward County Comprehensive Plan.
4. Open space, parks and recreation facilities.
5. Community facilities and utilities.

(Ord. No. 91-37, § 1, 9-11-91)

Sec. 39-1321. Planned industrial parks.

(1) *Purpose:* The Planned Industrial Park is intended to encourage the use of innovative land planning and site design techniques to create enhanced working environments. The regulations applicable to Planned Industrial Parks are intended to discourage urban sprawl and encourage the efficient use of land by: providing for conservation of natural amenities as common open space and providing for a variety of uses in accordance with the flexibility provisions of the Broward County Land Use Plan, all in accordance with the Future Unincorporated Area Land Use Element of the Broward County Comprehensive Plan.

(2) *Permitted Uses:*

(a) Warehouses.

(b) Manufacturing and assembly.

(c) Research and development facilities.

(d) Automobile, aviation and marine manufacturing and repair.

(e) Aviation and marine facilities.

(f) Nonindustrial uses that are compatible with planned industrial parks, limited to the following:

1. Professional offices, personal services and retail sales, in accordance with the flexibility rule provisions of the Broward County Land Use Plan.
2. Community facilities and utilities.
3. Open space, parks and recreation facilities. (Ord. No. 91-37, § 1, 9-11-91)

Sec. 39-1322. Planned special complexes.

(l) *Purpose:* The planned special complex is intended to encourage the use of innovative land planning and site design techniques to, within the permitted uses of the applicable land use designation, accommodate highly intensive uses, public facilities, or mixed-use developments that may not be appropriately addressed by other planned development districts. The flexibility provisions of the Broward County Land Use Plan may also be used to provide density and intensity bonuses within a Planned Special Complex that discourage urban sprawl and encourage the efficient use of land.

(2) *Permitted Uses:*

(a) Cultural, recreation, amusement, exhibition and education centers.

(b) Community facilities and utilities.

(c) Aviation and marine facilities.

(d) Nonspecial complex uses that are compatible with special complexes, limited to the following:

1. Multifamily residences.

2. Hotels and motels.
3. Professional office, personal services and retail sales.
4. Warehouses.
5. Open space, parks and recreation. (Ord. No. 91-37, § 1, 9-11-91)

Sec. 39-1323. Mixed uses permitted.

(1) This article is intended to permit, within a single PDD master development plan, a combination of the PDD types described in sections 39-1318 through and including 39-1322, provided such uses are permitted by the land use designations on the property within the PDD.

(2) When a combination of PDD types is included within a single master development plan, conditions may be imposed on the development to ensure the compatibility of uses, to address access between such uses, and to address other issues of site development that may arise because of the combination of PDD types. (Ord. No. 91-37, § 1, 9-11-91)

ARTICLE LXXXII. RURAL ESTATES DISTRICTS

The regulations given in this article shall apply in all Rural Estates Districts.

Sec. 39-1324. Purpose of district.

The Rural Estates District is intended to apply to areas to be used for one-family dwellings on plots of 1.0 acre, with ranches and related agricultural uses. (Ord. No. 93-4, § 1, 1-26-93)

Sec. 39-1325. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one of the following uses:

(1) One-family detached dwelling.

(2) Keeping of animals not exceeding 1 animal for each 10,000 square feet of plot area.

ok

(3) The following non-residential uses:

a. Educational, recreational and social centers not operated for profit and intended and designed to serve the surrounding neighborhood, open space and recreational uses such as recreation buildings and facilities, playgrounds, playfields, and parks owned and operated by the federal, state, county or municipal governments.

b. Churches, mosques, synagogues or other similar religious structures, and schools incidental to such uses which are located on the same plot or premises.

c. Publicly owned and operated libraries, art galleries, museums and civic centers designed to serve the surrounding neighborhood.

d. Wayside stands for display or sale or farm products produced and/or cultivated on the premises.

e. Grove, produce farm, botanical garden, plant nursery, sod farming and fish breeding, provided that only products grown and/or cultivated or bred on the property are sold.

(4) a. The following shall be permitted as an accessory use to a one-family detached dwelling:

1. Guest house without a kitchen.
2. Detached servants' quarters without a kitchen.
3. Keeping of fowl not exceeding 25 in total number, provided such fowl are kept in an enclosure which is located at least 50 feet from any plot line.
4. Home occupation and professional office, provided that such business or professional office shall not utilize over 10 percent of the floor area of the one-family detached dwelling occupied by the business or professional person.

b. The following commercial agricultural uses shall be permitted on a plot of a minimum of 2.3 acres in area as an accessory use to a one-family detached dwelling:

1. Dude ranch, riding stable, livery stable and boarding stable. (Ord. No. 93-4, § 1, 1-26-93)

Sec. 39-1326. Size of plot.

(a) New one-family detached dwellings shall be located on plots not less than 1.0 acre in area, and not less than 125 feet in width, with no clustering permitted.

(b) One-family detached dwellings may be permitted on smaller plots of record as of the effective date of this article [February 8, 1993] which:

(1) Are not less than 125 feet in width and which contain not less than 35,000 square feet or more in net area; and

(2) Were of public record prior to September 18, 1979; and

(3) Have not been at any time since September 18, 1979, contiguous with another plot or plots in common ownership which could be combined into a single plot of at least one gross acre; or

(4) Are included within an approved plat in which the average density is not more than 1 family dwelling per gross acre; in no case, however, shall this exemption be construed to allow construction to take place, on property zoned Rural Estates, on lots which are less than 35,000 square feet in net area, except as permitted in paragraph (5) of this subsection.

When a plot which was recorded prior to January 1, 1973, and contained 35,000 square feet or more in area was reduced in size due to dedication for right-of-way for public use, the resulting plot need be no larger than 125 feet in width and 30,000 square feet in net area. Said plot shall not be further subdivided.

It is the responsibility of the applicant to provide evidence of compliance with the above exceptions.

(c) *Nonresidential Plots:* Buildings, structures or activities located on nonresidential plots shall be located on a minimum plot size of 1.0 acre and a maximum of 5.0 acres in size. (Ord. No. 93-4, § 1, 1-26-93)

Sec. 39-1327. Plot coverage.

The combined area occupied by all buildings and roofed structures shall not exceed 20 percent of the area of the plot. (Ord. No. 93-4, § 1, 1-26-93)

Sec. 39-1328. Height.

No building or structure shall be erected or altered to a height exceeding 2 stories or 35 feet. (Ord. No. 93-4, § 1, 1-26-93)

Sec. 39-1329. Front yard.

Unless otherwise indicated within this code, every plot shall have a front yard not less than 50 feet in depth. (Ord. No. 93-4, § 1, 1-26-93)

Sec. 39-1330. Side yards.

(a) Every plot used for residential purpose shall have a side yard on each side, each of which shall be not less than 25 feet in width.

(b) Every plot used for permitted nonresidential uses shall have a side yard on each side, each of which shall be not less than 50 feet in width. (Ord. No. 93-4, § 1, 1-26-93)

Sec. 39-1331. Rear yard.

(a) Every plot used for residential purposes shall have a rear yard not less than 25 feet in depth.

(b) Every plot used for permitted nonresidential uses shall have a rear yard not less than 50 feet in depth. (Ord. No. 93-4, § 1, 1-26-93)

Sec. 39-1332. Minimum floor area.

A one-family detached dwelling as a principal use shall have a minimum floor area of 1,500 square feet. (Ord. No. 93-4, § 1, 1-26-93)

Sec. 39-1333. Accessory use setbacks.

Accessory use structures shall observe the same setbacks (side, front and rear) as the principal use, except for animal shelters, which shall require a minimum setback of 50 feet from any property line. (Ord. No. 93-4, § 1, 1-26-93)

ARTICLE LXXXIII. RURAL RANCHES DISTRICT

The regulations given in this article shall apply in all Rural Ranches Districts.

Sec. 39-1334. Purpose of district.

The Rural Ranches District is intended to apply to areas to be used for one-family dwellings on plots of 2.5 gross acres or 2.0 net acres, or more, with horse ranches and agricultural uses. (Ord. No. 93-5, § 1, 1-26-93)

Sec. 39-1335. Uses permitted.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one of the following uses:

(1) One-family detached dwelling.

(2) One animal per 10,000 square feet of plot area.

(3) The following nonresidential uses:

a. Educational, recreational and social centers not operated for profit and intended and designed to serve the surrounding neighborhood, open space and recreational uses such as recreation buildings and facilities, playgrounds, playfields, or parks owned and operated by the federal, state, county or municipal governments.

b. Churches, mosques, synagogues or other similar religious structures, and schools incidental to such uses which are located on the same plot or premises.

c. Publicly owned and operated libraries, art galleries, museums and civic centers designed to serve the surrounding neighborhood.

d. Grove, produce farm, botanical garden, plant nursery, sod farming and fish breeding, provided that only products grown and/or cultivated or bred on the property are sold.

e. Wayside stands for display or sale of farm products produced and/or cultivated on the premises.

(4) a. The following shall be permitted as an accessory use to a one-family detached dwelling:

1. Guest house without a kitchen.
2. Detached servants' quarters without a kitchen.
3. Keeping of fowl not exceeding 25 in total number, provided such fowl are kept in an enclosure which is located at least 50 feet from any plot line.
4. Home occupation and professional office, provided that such home occupation or professional office shall not utilize over 10 percent of the floor area of the one-family detached dwelling occupied by the business or professional person.

b. Accessory uses on plots exceeding 4.5 acres in area shall include the following:

1. One additional animal per 10,000 square feet of plot area, if sheltered, excluding hogs.
2. Private riding instructions, training or breeding horses and boarding stables. (Ord. No. 93-5, § 1, 1-26-93)

Sec. 39-1336. Size of plot.

(a) New one-family detached dwellings shall be located on plots with a maximum of 1 unit per 2.5 gross acres, or 1 unit per 2 net acres with no clustering permitted.

(b) *Existing Residential Plots:*

(1) Every plot of record as of the effective date of this article [February 8, 1993] which is not less than 125 feet in width and which contains not less than 80,000 square feet in area may be utilized for a single-family dwelling.

(2) A plot having a minimum area of 35,000 square feet, and which is not less than 125 feet in width, the size of which was established as a matter of record prior to November 18, 1977, may be utilized for a single-family dwelling.

(c) *Nonresidential Plots:* Buildings, structures or activities located on nonresidential plots shall be located on a minimum plot size of 2.5 acres and a maximum of 5.0 acres in size. (Ord. No. 93-5, § 1, 1-26-93)

Sec. 39-1337. Plot coverage.

The combined area occupied by all buildings and roofed structures shall not exceed 10 percent of the area of the plot. (Ord. No. 93-5, § 1, 1-26-93)

Sec. 39-1338. Height.

No building or structure shall be erected or altered to a height exceeding 2 stories or 35 feet. (Ord. No. 93-5, § 1, 1-26-93)

Sec. 39-1339. Front yard.

Every plot shall have a front yard not less than 50 feet in depth. (Ord. No. 93-5, § 1, 1-26-93)

Sec. 39-1340. Side yards.

Every plot shall have a side yard on each side, each of which shall be not less than 25 feet in width, provided that the required side yard shall be increased by 1 foot for each foot in height of the structure exceeding 24 feet. (Ord. No. 93-5, § 1, 1-26-93)

Sec. 39-1341. Rear yard.

Every plot shall have a rear yard not less than 25 feet in depth. (Ord. No. 93-5, § 1, 1-26-93)

Sec. 39-1342. Minimum floor area.

A single-family detached dwelling as a principal use shall have a minimum floor area of 1,500 square feet. (Ord. No. 93-5, § 1, 1-26-93)

Sec. 39-1343. Accessory use setbacks.

Accessory use structures shall observe the same setbacks (side, front and rear) as the principal use except for animal shelters, which shall require a minimum setback of 50 feet from any property line. (Ord. No. 93-5, § 1, 1-26-93)

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