

**ORDINANCE NO. 2021 - 007**

**AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC") TO CREATE A NEW ZONING CLASSIFICATION ENTITLED, "US HIGHWAY 27 PLANNED BUSINESS DISTRICT;" PROVIDING FOR DISTRICT REGULATIONS AND RELATED AMENDMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Future Land Use Element Policy 1.8-m requires the Town establish a zoning classification in the form of a planned development district to implement the US 27 Category; and

**WHEREAS**, the Town Council, sitting as the Local Planning Agency, held a duly noticed public hearing on October 8, 2020 and recommended that the Town Council adopt the proposed amendment; and

**WHEREAS**, the Town Council finds that the amendment implements Future Land Use Element Policy 1.8-m and related objectives, policies and provisions of the adopted Comprehensive Plan.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:**

**Section 1: Ratification.** That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

**Section 2: ULDC Amendment.** The ULDC is hereby amended to create Article 51 entitled, "US Highway 27 Planned Business District" as set forth in Exhibit "A", which is attached hereto and made a part hereof.

**Section 3: Codification.** The Town Clerk shall cause this ordinance to be codified as a part of the ULDC during the next codification update cycle.

**Section 4: Conflict.** All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.


**Section 5: Severability.** If any word, phrase, clause, sentence or section of this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

**Section 6: Effective Date.** This Ordinance shall take effect upon the effective date of Ordinance No. 2021-006 (Plan Amendment Application No. PA-20-4).

**PASSED ON FIRST READING** this 8<sup>th</sup> day of October, 2020 on a motion made by Council Member Jablonski and seconded by Council Member Hartmann.

**PASSED AND ADOPTED ON SECOND READING** this 11<sup>th</sup> day of February, 2021, on a motion made by Council Member Jablonski and seconded by Vice Mayor Hartmann.

Breitkreuz	<u>Yes</u>	Ayes	<u>5</u>
Hartmann	<u>Yes</u>	Nays	<u>0</u>
Allbritton	<u>Yes</u>	Absent	<u>0</u>
Jablonski	<u>Yes</u>	Abstaining	<u>0</u>
Kuczynski	<u>Yes</u>		

  
Steve Breitkreuz, Mayor

Attest:

  
Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

  
Keith M. Poliakoff, J.D., Town Attorney

## EXHIBIT "A"

### Article 51. US Highway 27 Planned Business District.

#### Sec. 051-010. Intent and applicability.

(A) *Intent.* The US Highway 27 Planned Business District ("US 27 District") is intended to facilitate a limited range of light industrial and business uses along the US 27 corridor that are not a threat to the potable water quality of the Biscayne Aquifer or to the peaceful enjoyment of residential properties to the east.

It is the further the intent of this district to coordinate access, circulation, buffering and screening, utilities, drainage, and design among parcels within the US 27 corridor through a master development plan, and to utilize the flexibility of the master development plan process to coordinate certain development standards with locational contexts and the unique impacts of different land uses.

(B) *Applicability.* This zoning district shall only be applied to property designated US Highway 27 Business Category on the Future Land Use Map. The provisions of this article, together with policies under Objective 1.8, the permitted uses in the Future Land Use Element of the comprehensive plan, and master development plans approved pursuant to this article shall govern the use and development of land within this district.

#### Sec. 051-020. Permitted, prohibited and special exception uses.

(A) *Unauthorized use.* No land or improvements thereon shall be used for any purpose other than as provided in this section. Further, no land shall be used for any use not authorized by an approved master development plan for a given parcel or tract.

(B) *Permitted uses.* Uses followed by a "P" are permitted, subject to compliance with all applicable conditions for the use set forth in section 051-030.

(C) *Special exception uses.* Uses followed by an "SE" are special exception uses that require town council approval pursuant to the procedures and requirements of Article 112 - Special Exception Uses, with an additional required finding that the use does not involve chemicals, substances or byproducts that are combustible, carcinogenic, biohazardous, or are otherwise toxic to humans or animals.

(D) *Prohibited uses.* Uses followed by an "NP" are prohibited.

(E) *Unlisted uses.* An unlisted use may be permitted if it is not a listed permitted, conditional, special exception, or prohibited use in any district, pursuant to the findings and procedures of this subsection.

- 1 (1) The town council may approve a use that it finds is similar to a listed special  
 2 exception use in this district upon consideration of an application for similar  
 3 special exception use that shall follow the process for special exception uses in  
 4 Article 112.
- 5 (2) The town administrator may approve a use upon finding the use similar to a  
 6 listed permitted use in this district subject to the following requirements:
- 7 (a) Finding that the use possesses similar characteristics to a permitted use in  
 8 this district, including but not limited to operating hours, emission of noise,  
 9 odor, dust, smoke or other particulates, vibration, and glare. Approval of a  
 10 similar use may be made subject to any master plan and site plan conditions  
 11 that are applicable to the similar use, or as deemed appropriate by the town  
 12 administrator to mitigate potential incompatibilities with residential uses.
- 13 (b) The use shall not involve chemicals, substances or byproducts that are  
 14 combustible, carcinogenic, biohazardous, or that are otherwise toxic to  
 15 humans or animals.
- 16 (c) The town administrator shall provide written notice to all town council  
 17 members the intent to authorize the similar use. If no councilmember files a  
 18 written objection with the town administrator within ten (10) business days,  
 19 the town administrator may approve the use.
- 20 (d) If by the end of the ten (10)-day period any councilmember files an objection,  
 21 the use may only be approved as a special exception use.
- 22 (F) *Schedule of uses.* The schedule in this subsection enumerates those uses that are  
 23 permitted, prohibited and subject to special exception permit.

	Use	
1.	Abrasive product manufacturing	NP
2.	Accessory uses & structures, including outdoor storage, incidental fuel storage and caretaker/watchman living quarters, [subject to sec. 051-030 (C), (D) and (E), respectively]	P
3.	Acid (corrosive) manufacturing, including hydrochloric, nitric, picric, sulfurous, and sulfuric	NP
4.	Adult entertainment	NP
5.	Agricultural equipment sales and display	P
6.	Agricultural uses (non-residential)	P
7.	Airport and airport hanger	NP
8.	Alkaline products manufacturing	NP
9.	Ammunition reloading	NP
10.	Animal burial ground	NP

11.	Animal hospital or veterinary clinic including equine [subject to sec. 051-030(A) – noise]	P
12.	Animal refuge	SE
13.	Asphalt manufacturing or refining	NP
14.	Asphalt paving plant	NP
15.	Assembly of appliances and instruments	P
16.	Assembly of pre-manufactured components	P
17.	Automobile, commercial vehicle, RV, boat, tractor, trailer storage, transport, parking or open-air storage [subject to sec. 051-030(B)-screening]	P
18.	Automobile, motor vehicle, motorcycle, vehicle accessories, parts sales and display - new & used	P
19.	Automobile, motor vehicle detailing including car washes	P
20.	Automobile wrecking yard	NP
21.	Awning and canvas repair	P
22.	Battery repair and rebuilding	NP
23.	Boarding kennel [subject to sec. 051-030(A)-noise]	P
24.	Boat sales, including outdoor display, and indoor minor repair of components as an accessory use (ex: upholstery, wiring and electronics, switchgear, pumps, batteries, hydraulics, window seals, etc.) but excluding any work relating to the hull and power generating components.	P
25.	Body and paint shop, both as stand-alone use and accessory to auto sales	NP
26.	Bookbinding- no use of adhesives	P
27.	Bottling plant - only liquids safe for human consumption	P
28.	Broadcasting, movie production, relay station	P
29.	Brewing and distilling -subject to ability of municipal sewer to treat effluent	P
30.	Brick, tile, terra cotta manufacturing	NP
31.	Bulk storage excluding chemicals	P
32.	Building supplies sales and display. May be outdoors if roofed and if screened from view pursuant to sec. 51-030(B).	P
33.	Butane or propane manufacturing	NP
34.	Carnival, circus, circus quarters, menagerie, or keeping wild animals	NP
35.	Carpet manufacture, power looms	NP
36.	Cement and concrete products manufacturing, batching or mixing plant	NP
37.	Cemetery, columbarium, mausoleum	P

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Ordinance No. 2021-007 Key: Underlined words are added and ~~stricken~~ words are deleted.

38.	Chemical manufacturing	NP
39.	Clothing fabrication – no use of chemicals	P
40.	Cold storage facility [subject to sec. 051-030(A)-noise]	SE
41.	Commercial recreation uses including rifle and gun range - indoors only [subject to sec. 051-030(A)-noise]	P
42.	Contractor shops-indoor only; carpentry shops are subject to sec. 051-030(A)-noise.	P
43.	Contractor yards, principal or accessory to a contractor shop	SE
44.	Courier, packing or delivery service	P
45.	Creosote manufacture or treatment	NP
46.	Daycare	P
47.	Dental lab	P
48.	Disinfectant and insecticide manufacturing	NP
49.	Distribution warehouse, truck or freight terminal [subject to sec. 051-030(A)-noise.]	SE
50.	Educational lab	P
51.	Electronics assembly	P
52.	Electronics manufacturing	NP
53.	Fabrication	P
54.	Feed, seed and fertilizer sales and display	P
55.	Fertilizer compounding	NP
56.	Food catering service	P
57.	Food processing, packaging and distribution without refrigeration	P
58.	Food processing, packaging and distribution with refrigeration [subject to sec. 051-030(A)-noise]	SE
59.	Foundry	NP
60.	Frozen food lockers, bulk storage & warehousing [subject to sec. 051-030(A)-noise]	SE
61.	Fruit packing and shipping	P
62.	Funeral home or mortuary including monument sales and display	P
63.	Furniture manufacturing [subject to sec. 051-030(A)-noise]	P
64.	Furniture, appliance repair [subject to sec. 051-030(A)-Noise]	P
65.	Gas station, fuel sales	NP
66.	Glass and mirror shop	P
67.	Hazardous materials storage in bulk	NP
68.	Home improvement center including accessory outdoor sale and display of utility trailers, lawn furniture and barbeques	P
69.	Hospitals, sanitariums, orphanages, and similar institutions for the treatment of persons (excluding adult day care)	NP

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70.	Hotel	P
71.	Household items repair shop	P
72.	House wrecking yards; used building materials yard	NP
73.	Ice manufacturing including storage, distributing and self-service ice station [subject to sec. 051-030(A)-noise]	P
74.	Incineration, reduction, or storage of garbage, offal, dead animal refuse, and rancid fats	NP
75.	Industrial lab	SE
76.	Junk yard	NP
77.	Laboratories/labs: see individual lab types: dental lab; educational lab; industrial lab; and research and development lab	---
78.	Lawnmower rental, sales, repair [repair subject to sec. 051-030(A)-noise].	P
79.	Light manufacturing	SE
80.	Livery stable, riding academy or dude ranch	P
81.	Livestock auction	P
82.	Lumber yard with planing mill	NP
83.	Machine shop, including use of screw machines [subject to sec. 051-030(A)-noise]	P
84.	Manufacturing of canvas, cork, textiles -no chemical treatment of textiles	P
85.	Manufacturing of glass products from previously manufactured glass	P
86.	Machinery sales and display	P
87.	Medical waste incineration, sterilization or transfer station	NP
88.	Metalsmithing [subject to sec. 051-030(A) – noise]	P
89.	Mobile collection center and food units	NP
90.	Motor vehicle repair, including body shops, both as a principal use and accessory use	NP
91.	Motor vehicle and equipment wholesale and public auctions including boat, RV, commercial vehicles (whole car or salvage)	NP
92.	New equipment and tool sales and display including tool rental (commercial and contractor)	P
93.	Night club, music hall, bar, tavern, pool or billiard room, penny arcades, games of skill and science	NP
94.	Offices	P
95.	Paint or varnish manufacture	NP
96.	Paper or pulp mills	NP
97.	Penal Institutions and detention centers	NP

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98.	Personal services	P
99.	Pest control service	NP
100.	Petroleum product manufacturing	NP
101.	Poisonous gas storage	NP
102.	Photographic, radio and TV studio	P
103.	Printing plant - no use of solvents or offset printing	P
104.	Railroad freight or passenger station, transfer, storage or team tracks	NP
105.	Recycling facility	NP
106.	Research and development lab	SE
107.	Restaurant including bakery and delicatessen	P
108.	Restaurant and hotel supplies and equipment sales and display, including store fixtures	P
109.	Retail sales, including firearms, ammunition [subject to 051-030(F)-incidental retail sale of prepackaged chemicals]	P
110.	Rock, gravel, or sand distribution	P
111.	Self-storage and mini warehouses	P
112.	Sewage or water treatment, pumping and storage plants	NP
113.	Sharpening and grinding [subject to sec. 051-030(A)-noise]	P
114.	Sign printing shop - digital printing only	P
115.	Slaughterhouse	NP
116.	Smelting or refining of ores or metals	NP
117.	Swimming pool supplies retail sales and display [subject to sec. 051-030(F)-incidental sale of prepackaged chemicals]	P
118.	Tank storage of bulk oil or gas	NP
119.	Theatrical studio	P
120.	Tire recapping and vulcanizing	NP
121.	Tractor, construction equipment sales and display	P
122.	Trade and vocational schools	P
123.	Truck stop	NP
124.	Upholstery shop	P
125.	Utility trailer sales and display	P
126.	Welding equipment and supplies sales and display	P
127.	Wholesale (no chemicals)	P

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**Sec. 051-030. Limitations of uses.**

*(A) Noise compatibility.*

(1) The town may require a noise study for any use subject to this subsection in the table of permitted uses, and any other use, equipment or machinery that may



1 be expected to generate noise detectable beyond the property line. The study  
2 shall identify the anticipated noise impact from the proposed use at the nearest  
3 point of the lot line of the receiving residentially zoned property ("impact  
4 location").

5 (2) The impact analysis shall consider the level of sound that would be generated  
6 by the proposed use, as well as its temporal characteristics (how it varies with  
7 time) and its spectral characteristics ((how it varies over frequency). If the  
8 projected noise from the proposed use or proposed modifications to an existing  
9 use exceed either 5 dB above the average daytime ambient sound level or 55  
10 dB at the impact location, the noise study shall include recommendations to  
11 mitigate the noise impacts. Design and construction recommendations shall be  
12 incorporated in the design of all plans submitted for town approval. All use-  
13 related recommendations shall be made part of the approved site plan, an  
14 enforceable agreement approved as to form by the town attorney, the certificate  
15 of use, or a combination of these. The 55 dB noise threshold shall be corrected  
16 to 50 dBA for sources emitting a discrete tone as defined in ANSI S.13, and shall  
17 be corrected to 50 dBA for noise sources that are of an impulsive character as  
18 defined in ANSI S.13.

19 (3) Acceptable methods of sound attenuation may include limitations on the  
20 proposed scope of a use or its operations, deliberate site design, sound walls,  
21 acoustic blankets or insulation, and other measures or combinations of same  
22 acceptable to the town.

23 (4) In determining whether to require a noise study, the town shall consider the  
24 applicability of previous studies, distance of the noise source from residentially  
25 zoned parcels, intermediate conditions such as intervening land uses and land  
26 cover, site design characteristics, existing noise walls or other attenuation  
27 measures, and any other factors the town deems relevant.

28 (5) The town may inspect construction pursuant to approved sound attenuation  
29 plans to verify strict compliance with the plans and may test the effectiveness of  
30 the sound attenuation measures to verify attainment of the approved noise  
31 reduction levels.

32 (6) The applicant shall be responsible for full cost recovery relating to the town's  
33 use of acoustical consultants.

34 (B) *Noise violations.*

35 (1) Notwithstanding the town's noise ordinance set forth in Chapter 9 of the Code  
36 of Ordinances, the operation of lawful uses in this district between the hours of  
37 7:00 a.m and 10:00 p.m. on weekdays, and from 8:00 a.m. to 10:00 p.m on  
38 weekends and holidays for which town administrative offices are closed, shall  
39 not constitute a violation of Chapter 9. Lawful use includes, at a minimum, use  
40 of land in compliance with this chapter, the approved master plan and site plan,

1 and any limitations including noise attenuation measures made part of, or  
2 required for, any town approval.

3 (2) Use of outside loudspeakers and other amplified sound is specifically prohibited  
4 unless the town determines that such use is adequately addressed in the noise  
5 study.

6 (C) *Outdoor storage-screening.* Outdoor storage shall be screened on all open sides by  
7 an eight- (8)-foot opaque enclosure unless otherwise approved by the town council.  
8 The outside perimeter of such enclosures facing, or visible from a bordering public  
9 street shall meet the requirements in subsec. 051-040(O).

10 (D) *Fuel storage as an accessory use.*

11 (1) On plots of 3.5 acres or more in area, one fuel storage tank up to 1,100 gallons  
12 capacity is permitted for servicing vehicles or equipment used in the regular  
13 course of business and for backup generators.

14 (2) The town council may permit additional fuel storage by special exception permit  
15 upon demonstration that the larger tank is necessary for the reasonable  
16 operation of the business, provided that the total amount of fuel storage within  
17 the master plan shall not exceed 300 gallons multiplied by the number of net  
18 acres zoned US 27 District within the master plan.

19 (3) Above ground tanks shall be protected on all sides from vehicular impact and  
20 potential windstorm-driven debris damage to ensure the continued integrity of  
21 the tank, as shall be demonstrated on the site plan to the satisfaction of the  
22 town council. The tank and enclosure shall be screened with a hedge on all sides  
23 visible from public rights-of-way and adjoining zoning districts.

24 (4) Underground tanks shall be installed to a depth of at not less than 12 inches  
25 above the future projected average wet season groundwater elevation  
26 established in Broward County Ordinance No. 2017-16 as may be amended from  
27 time to time, or the South Broward Drainage District control elevation, whichever  
28 is higher.

29 (5) All tanks shall comply with the installation, containment, inspection and other  
30 requirements of Article 27, Chapter 10, "Storage Tanks" of the Broward County  
31 Code of Ordinances, as may be amended from time to time.

32 (E) *Watchman's quarters.* One (1) dwelling unit is permitted accessory to a principal use  
33 on the plot for exclusive occupancy by a guard or night watchman. The unit may be  
34 constructed as part of a principal nonresidential building or a separate building. Use  
35 of a mobile home for watchman's quarters is permitted by special exception permit  
36 only.

1 (F) *Sale of chemicals.* Retail sale of chemicals that are combustible, flammable,  
2 carcinogenic, biohazardous, or are otherwise toxic to humans or animals is permitted  
3 when pre-packaged and sealed from the factory in containers designed and intended  
4 for retail sale to individual consumers, in quantities that are incidental to the sale of  
5 other goods, comprising not more than fifteen percent (15%) of inventory at any one  
6 time. Wholesale of such chemicals is prohibited.

7  
8 **Sec. 051-040. Development standards.**

9 (A) *Generally.* The US Highway 27 Business District is a planned development district  
10 that provides the flexibility for the applicant to propose certain development  
11 standards for evaluation by the town council, based upon site location, site  
12 configuration and proposed use.

13 (B) *Setbacks.* Setbacks for each parcel shall be established by the master development  
14 plan.

15 (C) *Pervious area.* Each master plan shall provide at least 25 percent pervious area.  
16 Abutting property not zoned US 27 District, that meets the requirements in subsec.  
17 (I) for an offsite landscape buffer, may be shown on the master plan and counted  
18 toward the pervious area requirement of this subsection rather than that of the  
19 abutting property.

20 (D) *Separation from local streets, rural land uses.* There shall be no nonresidential,  
21 nonagricultural building, structure, parking, storage or use within two hundred (200)  
22 feet of SW 209<sup>th</sup> Avenue and 210<sup>th</sup> Terrace, nor shall there be any such structure,  
23 parking, storage or use within two hundred (200) feet of any parcel with a rural land  
24 use plan designation, unless such parcel is under unified control with the parcel  
25 designated US Highway 27 Business. Open space use, including buffers and drainage  
26 retention for a US Highway 27 Business use, is not subject to this restriction.

27 (E) *Access.* Access to development from public streets shall be limited to US 27, Stirling  
28 Road and Griffin Road. Access to US 27 shall be in accordance with a master access  
29 management plan approved by the Florida Department of Transportation (FDOT) for  
30 the entire US 27 corridor within the Town. The town will not approve a plat  
31 application for property fronting US 27 until the applicant has submitted the plat to  
32 FDOT for review and obtained approval.

33 (F) *Floor Area Ratio (F.A.R.).* The overall F.A.R. within a master plan shall not exceed  
34 0.75.

35 (G) *Height.* No building or structure shall exceed forty (40) feet in height, measured to  
36 the highest point on the building, including parapets and roof-mounted equipment,  
37 provided that the town council may authorize up to eight (8) additional feet of height

1 after consideration of a line-of-site study demonstrating that the additional height  
2 will not adversely affect any property with a rural land use plan designation.

3 (H) *Parking and loading.* All buildings and uses shall provide off-street parking and  
4 loading facilities in accordance with Article 80, "Off-Street Parking and Loading,"

5 (I) *Landscaping and screening.* The landscaping requirements of Article 75, shall apply  
6 except as otherwise provided in this article, provided that:

7 (1) The town council may recognize a permanent offsite, upland vegetated area as  
8 satisfying a perimeter buffer requirement when it functions as an equivalent to  
9 a required buffer, and its permanence and upkeep are guaranteed by an  
10 enforceable agreement deemed acceptable by the town attorney. The intent of  
11 this provision is to encourage a forested buffer between development on the  
12 east side of US 27 and residential properties to the east.

13 (2) The master development plan shall include a street tree and understory planting  
14 program for the edge of the highway corridor.

15 (J) *Design.* Building facades that are visible from a public street shall, to the greatest  
16 extent possible, be lined with office, retail, service, and other types of habitable space  
17 with fenestration, utilizing Florida Vernacular architecture of Caribbean or Cracker  
18 style, or a combination thereof. This architecture generally promotes generous roof  
19 overhangs, colonnades and sloped standing seam metal roofs. Pleasing architecture  
20 and building placement shall emphasize and showcase the building(s). The town  
21 council may approve variations in architectural style that are consistent with the  
22 town's rural character. However, stucco walls in combination with flat, unarticulated  
23 rooflines or Mediterranean-style tile roofs that are typical of commercial development  
24 in South Florida are prohibited as a means of complying with the architectural  
25 requirement for building facades that are visible from a public street.

26 (K) *Lighting.* Outdoor lighting shall comply with Article 95, with the following exceptions:

27 (1) Ambient outdoor lighting impacts shall be further mitigated by limiting the height  
28 of parking lot lighting fixtures to 25 feet.

29 (2) An applicant may petition the town council for a waiver of the requirement to  
30 provide parking lot lighting based upon limited hours of operation. The town  
31 council may approve the request subject to recordation of an enforceable  
32 agreement, approved as to form by the town attorney, that limits hours of  
33 operation and indemnifies the town.

34 (L) *Water and Sewer.* No permit for the construction of any building or roofed structure  
35 may be issued until the development is connected to, or the subject of a binding  
36 agreement for, connection to municipal water and sewer systems. No certificate of

- 1 occupancy, temporary or otherwise, may be issued until the property is served by  
2 municipal water and sewer.
- 3 (M) *Signs.* The standards and requirements of Article 70 shall govern signage. For the  
4 purpose of determining permissible freestanding sign height and area in Sec. 070-  
5 080, Table 70-1, the "non-shopping center" standards shall be used, and distance  
6 from edge of pavement shall be based upon US 27 (not any frontage road). The  
7 design of signage shall compliment the building architecture and site design .
- 8 (N) *Dumpsters.* Dumpsters and dumpster enclosures shall be provided in accordance  
9 with Section 015-070, "Dumpster enclosures."
- 10 (O) *Fences, walls and hedges.* Fences and walls shall not exceed eight (8) feet in height  
11 unless specifically authorized on the approved site plan. The outside perimeter of  
12 fencing and walls visible from public rights-of-way shall be lined with a continuous  
13 hedge maintained at a height of at least six (6) feet unless the town council waives  
14 the requirement upon finding that the fencing is of architectural or decorative quality,  
15 such as aluminum, iron or aesthetically commensurate material. Hedges are not  
16 limited in maximum height. The use of barbed wire and razor wire is prohibited on  
17 fences facing public rights-of-way.
- 18 (P) *Wireless communication facilities.* Wireless communication facilities are subject to  
19 provisions in Article 40, "Telecommunications Towers and Antennas."
- 20 (Q) *Definitions.* Definitions for certain terms used in this Article are located in Article 10,  
21 "Definition of Terms."
- 22 (R) *Nonconforming buildings uses and plots.* Any building, use or plot that has been  
23 established as nonconforming, or which becomes nonconforming, shall be subject to  
24 provisions of Article 30, "Nonconforming Uses, Structures and Plots."
- 25 (S) *Property maintenance.* Buildings and properties shall be maintained in accordance  
26 with Article 20, "Property Maintenance and Junk or Abandoned Property."
- 27 (T) *Construction trailers.* One (1) mobile home may be placed upon a plot to be used as  
28 a construction office, upon issuance of a building permit for the construction of a  
29 building or addition thereto. Such mobile home may not be utilized for dwelling  
30 purposes. The mobile home shall be removed from the property prior to issuance of  
31 a certificate of occupancy or after one (1) year, whichever occurs first. The town  
32 administrator may grant one (1) extension for a maximum six (6) months, upon  
33 petition from the property owner, provided the petition demonstrates unexpected  
34 hardship, and steady construction progress, such that construction can reasonably  
35 be completed within the six-month extension period. A decision of the town  
36 administrator to deny the request for extension may be appealed to the town council  
37 subject to the requirements of Article 135, "Appeals of Administrative Decisions."  
38 Placement of the mobile home shall is subject to all minimum yard requirements.

1 (U) *General provisions.* In addition to the general provisions herein, buildings, uses and  
2 properties shall be subject to the requirements of Article 15, "General Provisions."

3  
4 **Sec. 051-050. Rezoning procedure.**

5 (A) *Procedure.* Rezoning to US 27 District shall follow the procedure in Article 130,  
6 "Zoning map amendments," and the additional requirements in this section.

7 (B) *Unified control.* All land included in an application for rezoning to US 27 District shall  
8 be owned by or be under the complete control of the applicant, whether the applicant  
9 be an individual, partnership, corporation, other entity, group, or agency.

10 (C) *Master development plan.* A master development plan, containing the information  
11 required in this section, shall be made part of the rezoning ordinance. The master  
12 development plan shall be prepared by a professional engineer, architect or  
13 landscape architect licensed in the State of Florida to scale. To the extent that an  
14 application involves parcels for which specific development plans do not yet exist,  
15 the master development plan shall reserve these parcels for later amendment  
16 through the rezoning process. The following information is required for a master  
17 development plan.

18 (1) Tier I information requirements, applicable to the entire master plan:

19 (a) Dimensioned boundaries and legal description for the property to be rezoned,  
20 and dimensions of abutting rights-of-way.

21 (b) A master circulation and access plan showing the location and width of public  
22 and private streets and their rights-of-way, and the location of access points  
23 to the external and internal thoroughfare network.

24 (c) A master utilities plan, including conceptual stormwater drainage.

25 (d) Architectural style standards for all buildings. The applicant shall be  
26 responsible for cost-recovery pertaining to the Town's use of an architectural  
27 consultant to review the architectural standards and advise the town council.

28 (e) Thematic landscape treatment of US 27 frontage, including a street tree and  
29 understory planting program. Specific development sites within the master  
30 plan may provide additional landscaping and buffering to compliment the US  
31 27 edge treatment.

32 (f) Typical buffer treatment along parcel lines that abut other zoning districts.

33 (g) Delineation and area of lots and parcels if the master development will be  
34 subdivided.

35 (h) An analysis of the adequacy of police, fire, municipal water and municipal  
36 sewer facilities for serving the master plan area.

1 (2) Tier II information requirements, pertaining to development sites within the  
2 master plan. Tier II information for future phases may initially be indicated on  
3 the master plan as conceptual or preliminary, to be refined as development plans  
4 progress. Alternatively, areas of the master plan may be labeled as reserved for  
5 future amendment.

6 (a) The proposed use(s) of each parcel or site (ex: retail, office and warehouse,  
7 refrigerated storage, etc.).

8 (b) Location, floor area, dimensions, and number of stories of each building and  
9 structure.

10 (c) Orientation and placement of loading doors and loading zones.

11 (d) Location of areas for outdoor storage, refrigeration equipment, generators,  
12 and fuel tanks larger than 200 gallons both above and below ground.

13 (e) Site-specific landscape buffers.

14 (D) *Site plan requirements.* Each site plan application shall conform with the approved  
15 master plan and shall comply with the site plan provisions in Article 120 and this  
16 subsection. The following information is required to demonstrate compliance with the  
17 US Highway 27 Business land use category of the comprehensive plan and this article:

18 (1) The application shall provide a detailed description of the processes, activities,  
19 equipment, and materials involved in the proposed use(s) of the property, and  
20 an analysis identifying any use and storage of chemicals or fuel, and identify any  
21 causes of noise, dust, smoke or other particulates, vibration, glare, or odor.  
22 Certain uses may require provision of more detailed information at time of  
23 building permit and certificate of use. See also, noise compatibility in subsec.  
24 051-030 (A).

25 (2) The application shall detail how the site plan design and proposed uses will  
26 minimize the need for police and fire services. By way of example, site design  
27 may use Crime Prevention Through Environmental Design principals, commercial  
28 uses that are associated with loitering may avoid late night operating hours, and  
29 businesses may provide on-site security.

30  
31 **Sec. 051-060. Master plan amendment.**

32 Amendments to an approved master development plan shall be by ordinance and shall  
33 follow the same process set forth herein for rezoning to the US 27 Business District.  
34 Master plan amendments for new phases or modifications to an existing phase may be  
35 processed concurrently with associated site plans and site plan modifications.

36  
37 **Sec. 051-070. Effect of zoning.**

1 All development in the district shall proceed in accordance with the site plan review and  
2 subdivision approval provisions of this chapter. Site plan and subdivision approval shall  
3 be granted only for developments that conform to the approved master development  
4 plan and stipulations made a part thereof.  
5