

ORDINANCE NO. 133

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF GOLF AMENDING THE VILLAGE LAND DEVELOPMENT REGULATIONS AT THE TABLE OF CONTENTS, SECTION 1.05 DEFINITIONS (RESIDENTIAL USE; SINGLE FAMILY RESIDENCE); SECTION 3.03(3)(A) (FENCES, WALLS AND HEDGES); SECTION 3.03(3)(D) (CONSTRUCTION SITE REQUIREMENTS); SECTION 5.03(B)(6) (LAWN GRASS); SECTION 5.03(C)(3) (SYNTHETIC GRASS); SECTION 5.03(C)(12) (LANDSCAPE LIGHTING); 5.04(B) (PROHIBITED PLANT MATERIALS); SECTION 5.05(F)(1) (PROPERTY PERIMETER REQUIREMENTS); SECTION 9.05 (PARKING RESTRICTIONS); SECTION 10.03(B) AND (C) (INTERIOR CONSTRUCTION EXTENSIONS); SECTION 10.041(C) (VARIANCES - NOTICE REQUIREMENTS); SECTION 10.05(A)(1) (SPECIAL EXCEPTIONS - NOTICE REQUIREMENTS); SECTION 10.12(A) (BUILDING PERMIT FEES); PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, from time to time the Village Land Development Regulations (LDRs) require updating and or amending to reflect current conditions and circumstances in the Village; and

WHEREAS, an amendment to the LDRs is required to reflect numerous changes in current conditions and circumstances.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF GOLF, FLORIDA THAT:

SECTION 1: The Village Land Development Regulations are amended as follows:

Table of Contents:

[The page numbers of the Table of Contents will change with the addition of amended or additional language and will be revised in the final version accordingly.]

1.05: DEFINITIONS:

Residential Use. Use of land or structure(s) thereon, or portion thereof, as a dwelling place for ~~one (1) or more families or households.~~ for a single family. See **“Dwelling”** and **“Family”** definitions.

Single Family Residence. A dwelling intended for occupancy by one family. See **“Dwelling”** and **“Family”** definitions.

and

3.03 RESIDENTIAL:

3. Other Regulations

a. Fences, walls and hedges

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

and

d. Construction

All construction shall conform to the Standard Building Code. All construction sites are required to be kept clean with construction materials stacked in an orderly fashion and no litter on site. A permit issued by the Village is required for construction containers or trailers. All vehicles working on the site must be parked on the property. Parking on the street or in Village parks is prohibited without prior approval of the Village Manager. Portable toilets are required to be enclosed on

three sides with green plywood with the door facing the property under construction. The location must be approved by the Village Manager. Construction trailers require a building permit for temporary power and location placement and must be removed on or before the last day of the construction season. Portable containers, such as those commonly known as PODs, are permitted on site for no more than two workdays and may not be left on site over a weekend.

and

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

B. PLANT MATERIALS

Minimum Plant Heights and Widths Required at Time of Installation:

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

1. Trees:
Tree species with invasive root systems which are likely to cause damage to roadways, underground utility lines, and paved areas shall not be planted. Trees shall be installed so that they are either in or out of planting beds by at least 48". Trees planted in sod areas shall have a 36" ring of mulch surrounding them. Trees shall be placed so that they will not grow into the building eaves. Use of native species trees are encouraged.
2. Palms:
Three (3) palm trees in clusters shall equal one (1) shade tree. Palm clusters shall include a minimum 4' stagger of palm heights. A palm shall have the minimum number of fronds as required for a "Florida No. 1" designation.
3. Shrubs:
Layout and spacing shall be done to create a tight mass of each variety with a space between each variety for ease of maintenance. Plants shall be selected and maintained to form layers or steps with the smaller plants in front of the larger growing varieties. Native, low maintenance, and flowering shrubs are encouraged.
4. Hedges:
May not exceed 6 ft. in height between properties and 8 ft. high along the rear property line, a main street, or a perimeter of the community.

5. Vines:

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

6. Lawn Grass:

Lawn areas shall be planted with St. Augustine, except for Floratam, Zoyzia, or Bermuda Grass. Grass areas shall be sodded (solid sod) and shall be free of weeds and capable of growth and development. Sod shall continue to lake edges (water level) and edge of pavement in all cases. Odd, narrow hard-to-mow strips are discouraged because of maintenance problems. All sod edges at planting beds, walks and drives shall be neatly and evenly cut.

and

C. GENERAL LANDSCAPING GUIDELINES

1. Planting Beds:

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

2. Understory Accent Material:

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

3. Synthetic Plant Materials or Grass:

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

4. Preservation of Existing Plant Material:

Removal of mature, existing trees is discouraged, and preservation would be preferred. The intent is to retain large, tall, mature trees so that the community has an established appearance rather than the look of a newly developed property. All attempts should be made to properly prune overbearing trees to retain their natural tree shape, to open their canopy to allow air to properly flow through, to address

root systems that may be causing paving issues, and to remove periodic tree droppings to prevent temporary staining of paving, rather than removing the trees.

5. Impeding Drainage:

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

6. Massing:

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

7. Berms:

Berms should have smooth, gentle slopes characteristic of a golf course setting. A 3:1 slope shall be the maximum slope allowed, with 4:1 or flatter slopes preferred. This is not only more pleasing to the eye but facilitates mowing and/or the retention of mulch. The height and width of ground forms should present an informal, gentle mounding appearance.

8. Buffering Of Wall Elevations and Roofs of Homes:

Particular attention should be given to homes with expansive areas of plain exterior wall (areas without windows, doors, detailing, etc.), especially when these elevations are visible from golf course areas, across lakes, from roadways and from neighboring homes. Large expanses of roof area should be buffered with the same considerations.

9. Buffering Two Story Homes:

Two story structures may require taller vertical plantings (trees and palms) to break-up the massing of the building(s).

10. Screening of Mechanical Equipment:

To minimize negative visual intrusion, all mechanical equipment (utility and junction boxes, air conditioners, pool equipment, pool heaters, generators, water filter systems, etc.) shall be completely screened from view from any roadway, golf area or neighboring homes with a 4' minimum height wall or hedge. Playground equipment shall be screened from golf courses, neighbors, and street views with landscaping sufficient to hide such equipment.

11. Irrigation:

Automatic underground irrigation systems will be installed to provide 100% coverage with a minimum 50% overlap of spray distribution. The use of controlled timing devices is required. The timing shall be adjusted to meet seasonal variation in watering requirements and drought restrictions. Owners are encouraged to use water conservation irrigation systems, such as drip systems and rain sensors and valves.

Irrigation systems are required to irrigate 25' from an owner's property line onto the golf course, to the edge of water at lakes, and to the edge of roadways.

12. Landscape Lighting:

Landscape lighting shall be designed to minimize off-site glare. Lamp color must be white, only. Fixtures shall be designed and installed to disappear into the landscaping. Lamp wattage, direction, and fixture-type selection shall all consider what is to be illuminated and to retain all illumination onto the owner's property. Landscape lighting plans must be included on the landscape site plan for review by the Village Council.

13. Vegetation installation near water/wastewater service lines:

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

and

5.05 LANDSCAPING REQUIREMENTS FOR COMMERCIAL AND RECREATIONAL /OPEN SPACE PROPERTIES

F. Property Perimeter Requirements

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

1. The owner of any property which is developed or used for nonresidential uses, and which is located adjacent to a residential zoning district or use shall install and maintain a protective screen wall or fence with a 6' hedge on the outside of the fence and applicable landscaped buffer along the entire perimeter of the property. Fenced enclosures around sideyards shall be screened from view by the public with landscaping.

and

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

A. No commercial vehicles or trucks may be parked on any property or right-of-way within the residential land development classifications. Vehicles at residences must be parked in the driveway or in the garage (with the exceptions listed below.) On street parking by residents or their guests is prohibited.

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

and

10.03 CONSTRUCTION PERIOD:

- A. Except as provided herein, complete plans for major construction, site, swimming pool, and associated landscape projects must be submitted and approved prior to a date which is provided in the Resolution of the Village Council for the construction

period set forth at paragraph C. below. No building permit shall be issued for major construction projects after this start date for the major construction period each year except permits for that scope of work which is certified pursuant to paragraph D. below as being able to be completed within the said construction period after permit issuance. The Village may accept applications after this date and issue building permits on projects for which the owner or general contractor has offered certification pursuant to paragraph D below.

- B. At all times other than during the periods allowing for major construction as set forth in this paragraph, all major construction activity, including but not limited to, utilities, streets, sodding, heavy landscaping, pruning and the use of heavy equipment or the production of loud noises **is prohibited** except to the extent that such construction activity is deemed necessary for emergency repair in the interest of public health, safety and welfare. Notwithstanding this general prohibition, any major construction work within the scope of existing permits scheduled only for the interior of the project that does not threaten to create adverse effects for neighboring properties, may occur after November 1 until December 15, so long as such work is not allowed to continue during the Thanksgiving holiday period beginning from the Saturday prior to Thanksgiving through to the following Sunday. Requests for extension for completion of interior construction work may be made to the Village Manager as provided in Paragraph C below. However, these specific prohibitions against major construction activities shall not be construed to be applicable to general landscaping maintenance activities also utilizing heavy equipment with associated loud noises since such landscaping activities are specifically permitted from 7:00 A.M. through 7:00 P.M. throughout the year, except on Sundays and holidays when they are prohibited.
- C. Requests for extensions for completion of interior construction work may be granted by the Village Manager pursuant to a resolution for such extensions adopted by the Village Council from time to time.

and

10.041 VARIANCES

- C. *Notice Requirements.* Due public notice as herein required shall be deemed sufficient when a notice is mailed via First Class Mail approximately twelve (12) days before the public hearing date to all property owners within a 500-foot radius of the boundary lines of the property for which the variance is requested. The notice shall state the substance of the request, the time and the place for the public hearing before the Village Council. Any party may appear in person or by agent or attorney at the public hearing.

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

1. President of the Country Club of Florida
2. President of the Village of Golf Homeowner's Association

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

and

10.05 SPECIAL EXCEPTIONS:

A. Where listed in the specific zoning district, application to the Village Council may be made for a specific special exception use.

1. Every person requesting a specific exception as herein contemplated shall make written application to the Village Council and shall file the same and eight (8) copies thereof with supporting facts and data with the Village Clerk.

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

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

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

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

and

10.12 BUILDING PERMIT APPLICATION FEES:

- A. The Village Council may by resolution, establish appropriate Building, Demolition and Moving permit fees ~~in accordance with Sub-section 109.2 of Chapter 1 of the Florida Building Code as adopted by Ordinance No. 96 and as may be amended.~~ in accordance with the Florida Building Code, Chapter 553, Florida Statutes. All building permit applications shall include the estimated cost of construction of the residence including all interior finishes. Prior to issuance of a certificate of occupancy, the general contractor shall submit an amended building permit application which includes the actual cost of construction of the resident including all interior finishes. If the actual cost of construction exceeds the estimated cost contained in the initial application, the general contractor shall pay the difference in the building permit fee that results from the calculation of the fee based on the actual costs of construction.

SECTION 2: Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict with this Ordinance are repealed.

SECTION 3: Severability. Should any section or provision of this Ordinance or any portion hereof, or any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

SECTION 4: This Ordinance shall take effect immediately upon passage.

FIRST READING this 17th day of November 2021.

SECOND READING AND FINAL PASSAGE this 15th day of December 2021.

VILLAGE OF GOLF

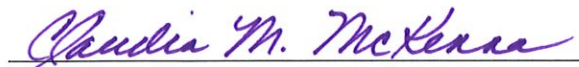


Michael E. Botos, Mayor

ATTEST:


Donn M. Lynn, Village Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY


Claudia M. McKenna, Village Attorney

(SEAL)



The Palm Beach Post

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PUBLIC NOTICE

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VILLAGE OF GOLF, FL 33436-5609

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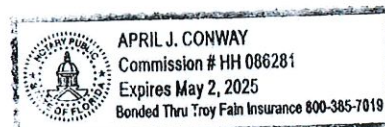
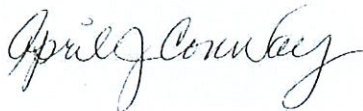
Signed



(Legal Advertising Agent)

Sworn or affirmed to, and subscribed before me, this 8th day of December, 2021 in Testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Signed



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Ad Cost:	\$700.00
Paid:	\$0.00
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VILLAGE OF GOLF NOTICE OF PUBLIC HEARING PROPOSED TEXT AMENDMENT TO LAND DEVELOPMENT REGULATIONS

**TO THE CITIZENS OF THE
VILLAGE OF GOLF, FLORIDA:
TO ALL PARTIES IN INTEREST AND
TO ALL IT MAY CONCERN:**

Please take notice that a Public Hearing will be held in the Village Council Chambers of the Village Hall Complex, 21 Country Road, Village of Golf, Florida on **Dec. 15th at 9 a.m.** before the Village Council, or as soon thereafter as may be heard, on a proposed amendment to the Village's Land Development Regulations pertaining to definitions; fences walls and hedges; construction site requirements, lawn grass; synthetic grass; landscape lighting; prohibited plant materials; property perimeter requirements; parking restrictions; interior construction extensions; variances - notice requirements; and building permit fees.

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This amendment may be inspected by the public on the Village Website (www.villageofgolf.org). At this Public Hearing the Village Council will hear all comments and arguments in support or in opposition to the proposed text amendment to the Village Land Development Regulations. Anyone desiring to appeal a decision of the presiding body on matters considered at this meeting or this hearing may need a record of the proceedings. They may need to ensure that a verbatim record is made including the testimony and

that a formal record is made, including the testimony and comments on which the appeal is based. The Village of Golf does not provide such a record. The above item(s) may be postponed or withdrawn without prior notice. If you have any questions, call the Village Manager at (561) 732-0236.

Donn M. Lynn
Village Clerk

Publish: December 5, 2021

WE-2020GT19T3-01