



LAUDERDALE • BY • THE • SEA

Agenda Item Memorandum

Development Services

Linda Connors

Department

Town Planner

COMMISSION MEETING DATE (*) - 7:00 PM	Deadline to Town Clerk
<input checked="" type="checkbox"/> September 11, 2012	August 31 st

***Subject to Change**

- Presentation Reports Consent **Ordinance**
 Resolution Quasi-Judicial Old Business New Business

FY2012 DESIGNATED HIGH PRIORITY ITEM - PRIORITY TOPIC

SUBJECT TITLE: Ordinance 2012-14: Commission Priority 4 - Proposed amendments to Chapter 30 to Protect Single Family Neighborhoods and Address Safety, Historical and Archaeological Resources.

EXPLANATION: The Commission approved Ordinance 2012-14 (Exhibit 1) on first reading at their August 21st meeting. This ordinance added new language to include CPTED (safety design) standards, archeological and historic standards, and compatibility review; required site lighting schematic for site plan submittal; amended the standards as to when renderings would be required and gave the Development Services Director the ability to waive certain submission requirements. It also reorganized and updated our adequacy review requirement standards and amended the current parallel parking standards. The Planning and Zoning Board reviewed the proposed amendments at their August 15th meeting and recommended approval of the proposed amendments with a 3-0 vote.

At first reading, Commissioner Dodd asked us to review the necessity of having Protection of Air Navigation standards in our Code (Line 408). The Code's current language requires any development subject to the provisions of the Federal Aviation Regulations Part 77, Subpart B (Exhibit 2) to receive FAA determination that it does not constitute a hazard to air navigation. Development subject to the requirements of Subpart B includes buildings of greater height than 100:1 for horizontal distance of 20,000 feet from the nearest runway, 50:1 for a horizontal distance of 10,000 feet and 25:1 for a horizontal distance of 5,000 feet. Lauderdale-By-The-Sea is approximately 9,000 linear feet from Pompano Airpark and about 19,000 linear feet from Fort Lauderdale's Executive Airport. Since the Town has a height limit of 44 feet, new construction would not be subject to this provision. However, reconstruction of a legal non-conforming use could result in the construction of a building that would be subject to this provision. We therefore recommend maintaining this language in the code as written.

Since the Commission's first reading, we added Neighborhood Electric Vehicle (NEV) parking space standards to accommodate their growing popularity and their inclusion in the Commercial Boulevard redevelopment designs (Line 684). NEV standards were not previously included in our Code. We also deleted the reference to major site plan application regarding the submission of renderings as the standards we included to trigger these submissions would automatically include major site plan applications (Line 580). Finally, scrivener's errors were corrected and internal references to code sections were reviewed and updated as necessary due to the proposed code reorganization. These changes are shown in Ordinance 2012-14 as double underline for additions and double strike through for deletions.

RECOMMENDATION: We recommend approval of Ordinance 2012-14.



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EXHIBITS: Exhibit 1 – Ordinance 2012-14
 Exhibit 2 – FAR Subpart B – Notice of Construction or Alteration

Ordinance Reviewed by Town Attorney

Yes No

Town Manager Initials CA

ORDINANCE 2012-14

AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING ARTICLE V “ZONING” OF CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES TO ADDRESS PLANNING PRIORITY 4 BY ESTABLISHING NEIGHBORHOOD COMPATIBILITY STANDARDS AND ADDRESSING SAFETY AND HISTORICAL AND ARCHAEOLOGICAL RESOURCES, BY AMENDING SECTION 30-71 “DEVELOPMENT REVIEW REQUIREMENTS”; AND BY AMENDING ARTICLE IV “SITE PLAN PROCEDURES AND REQUIREMENTS”; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE

WHEREAS, the Town Commission recognizes that changes to the adopted Code of Ordinances are periodically necessary in order to ensure that the Town’s land development regulations are current and consistent with the Town’s planning and regulatory needs; and

WHEREAS, the Town Commission established seven planning priorities including the establishment of neighborhood compatibility standards (“Priority #4”); and

WHEREAS, the Town Commission, as part of Priority #4, desires to protect single family neighborhoods and address safety as well as historical and archaeological resources; and

WHEREAS, Section 30-531 of the Code requires issuance of a Notice of Intent prior to the processing of any amendment to the land development regulations in Chapter 30 of the Code, and such notice was given of this amendment on June 26, 2012; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, has reviewed this revisions proposed in this Ordinance at a duly noticed public hearing on August 15, 2012, and provided a recommendation of approval of the proposed revisions; and

WHEREAS, the Town Commission conducted a first and second reading of this Ordinance at duly noticed public hearings, as required by law, and after having received input from and

32 participation by interested members of the public and staff, the Town Commission has determined
33 that this Ordinance is consistent with the Town’s Comprehensive Plan and is in the best interest of
34 the Town, its residents, and its visitors.

35 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE**
36 **TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, THAT:**

37 **SECTION 1. Recitals.** The preceding “Whereas” clauses are ratified and incorporated
38 as the legislative intent of this Ordinance.

39 **SECTION 2. Amendment.** Article V, Zoning, of Chapter 30, Unified Land
40 Development Regulations, of the Code of Ordinances is hereby amended as follows¹:

41 **Sec. 30-71. Development Review Requirements.**

42
43 (a) Conformity with the Comprehensive Plan. The development review criteria contained
44 herein shall be construed and applied to be consistent with the goals, objectives and
45 policies of the Town's adopted Comprehensive Plan.

46
47 (b) Consistency with site development plan requirements. Development shall be consistent
48 with the site development plan requirements of Article IV Site Plan Procedures and
49 Requirements of this chapter.

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51 (c) Review for Adequacy of Public Services and Facilities: An application for development
52 permit in the Town of Lauderdale-By-The-Sea must comply with the following
53 requirements:

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55 (a) (1) Adequacy of regional road network. The adequacy of the regional transportation
56 network shall be determined based upon conditions at the time the final plat or
57 site plan application is submitted in accordance with the following provisions:

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59 (1)a. Level of service (LOS). For the purpose of issuing development permits,
60 the level of service for roadways in the Town are as follows:

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SR A1A:	Maintain and Improve
Commercial boulevard:	Maintain
Collector roadways:	LOS "C" - Average Annual Daily Traffic

¹ Additions to existing text are shown in underline. Deletions are shown in ~~striketrough~~. Additions between first and second reading are shown in double underline. Deletions between first and second reading are shown in ~~double striketrough~~.

	LOS "D" - Peak Season Daily Traffic
	LOS "D" - Peak Hour Daily Traffic
Local street:	LOS "C"

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(2)b. *Measurement of capacities.* The procedure for the initial measurement of highway capacities is the Florida Department of Transportation Table of Generalized Daily Level of Service Maximum Volumes for use by local governments from January, 1989 to December, 1990. Alternately, highway capacity may also be determined through a detailed traffic engineering study of local conditions of traffic flow, field conditions and traffic operations. Such studies shall be technically developed and comply with proper and recognized traffic engineering procedures. All studies shall be evaluated by the Town, and/or other parties as the Town designates, for acceptability. In instances where the Town finds that the study does not comply with proper and recognized traffic engineering procedures, the study results will not be accepted.

(3)c. *Development subject to adequacy determination.*

a1. For plats and replats, site plans or building permits where the property is unplatted or was platted, with plat approval received before March 20, 1979, all development of previously vacant land except that specified in subsection (c) below, shall be subject to adequacy determination.

b2. For plats or replats, site plans or building permits where the property is unplatted or was platted, with plat approval received before March 20, 1989, all development of previously improved lands shall be subject to an adequacy determination for the additional trips to be generated by the development specified in the proposed note on the plat and the trips generated by any existing development. Existing development shall be construed to include previous development demolished no earlier than 18 months previous to the date the final plat is submitted, or the application for a site plan or building permit approval is submitted.

e3. For a replat, or an amendment to a note on a plat, or a requirement to place a note on a plat, where property was platted after March 20, 1979, an adequacy~~te~~ determination shall be required for those additional trips that equal the difference between the previous plat and the replat; or the previous note and the proposed amendment to the note; or the development approved by the Town Commission at the time of plat approval and the proposed note to be placed on the plat.

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(4)d. Traffic study required. All development applications, except for development applications where the traffic generation of new trips is less than 750 trips per day, shall submit a study identifying the traffic impact of the proposed development. The Town may also require traffic impact studies from development applications with less than 750 new trips per day in instances where existing traffic conditions warrant specific study.

The traffic impact study shall identify existing traffic volumes and existing level of service for average daily, peak hour and peak season daily conditions. The study area shall include the entire Town. The study shall identify the project's daily and peak hour trip generation, trip distribution and traffic assignment. An analysis of peak hour turning movements at project entrances shall be provided. Traffic conditions at project build-out shall be identified including existing traffic, background traffic and project traffic. The impact of the project traffic on the operating condition of SR A1A and Commercial Boulevard shall be identified. The impact of the project on the level of service of other Town collectors shall also be assessed. An evaluation of the need for traffic improvements at project entrances and at other roadway locations shall be provided.

(5)e. Required determination.

a1. Before a development permit is approved, the following findings shall be made:

1 i. The proposed development will not lower the level of service of arterials and collectors below the adopted levels. This includes SR A1A and Commercial Boulevard below LOS of the existing operating condition and Town collectors below LOS "C" for annual average daily traffic (AADT) and LOS "D" for peak season daily (PADT) and peak hour (PKHR).

2 ii. In instances where the proposed development will lower the level of service of Town arterials and collectors below the adopted LOS, the necessary improvements to provide the adopted LOS are under construction at the time a permit is issued, or are subject of an executed contract with a road contractor for immediate construction, or the necessary improvements are provided in an enforceable development agreement and will be available prior to certificates of occupancy, or the necessary improvements are included in the Town, Broward County or Florida Department of Transportation annual work program or capital improvement program.

3 iii. In instances where the existing level of service of Town arterials and collectors are below the adopted LOS, the necessary improvements to provide adopted LOS are under

150 construction at the time a permit is issued, or are ~~the~~
151 subject of an executed contract with a road contractor for
152 immediate construction, or the necessary improvements are
153 provided in an enforceable development agreement and
154 will be available prior to certificates of occupancy, or the
155 necessary improvements are included in the Town,
156 Broward County or Florida Department of Transportation
157 annual work program or capital improvement program or
158 there is an approved action plan to accommodate the traffic
159 impact of the development.

160 4 iv. The development is found to have vested rights.

161
162 b 2. Dedication of right-of-way for Town arterials and collectors. The
163 trafficways on the Broward County Trafficways Plan and
164 trafficways as delineated in the Town's traffic circulation element
165 of the Comprehensive Plan, which are located within the area
166 proposed to be developed, shall be conveyed to the public by
167 dedication on the face of the plat, deed or, if acceptable to the
168 Town, by grant or easement.

169 ~~(b)~~(2) Access to trafficways.

170 A final plat of lands which abut or contain an existing or proposed trafficway
171 shall be designed to facilitate the safe and efficient movement of vehicles between
172 the trafficway and the proposed development and shall comply with the following
173 standards and requirements:

174 (1) a. Street capacities shall be determined by the standards established by the
175 Highway Capacity Manual prepared by the Transportation Research Board
176 of the National Research Council, Washington, D.C.

177 (2) b. The geometric design of Town arterials shall conform to the Manual of
178 Uniform Minimum Standards for Design, Construction and Maintenance
179 for Streets and Highways, prepared by the Florida Department of
180 Transportation.

181 (3) c. Trafficways shall conform to the criteria and characteristics established by
182 and shown on the Broward County Trafficways Plan.

183 (4) d. At the intersection of Town arterials and collector, a chord shall be drawn
184 at the corner between the intersecting rights-of-way. This additional area
185 shall be dedicated or provided by easement for traffic control equipment.
186 At the intersection of arterials the chord shall be based on a 30-foot radius,
187 at the intersection of collectors the chord shall be based on a 30-foot
188 radius.

189 (5) e. A nonvehicular ingress and egress line shall be delineated along the
190 trafficways corridor except at those points of access not in conflict with
191 the standards provided within this article.

- 192 (6) f. Left-turn or right-turn lanes, or both, and bus pullout bays may be required
193 dependent on the traffic study submitted in [sub]section 30-124(b).
- 194 (7) g. Sidewalks adjacent to the development may be required pursuant to
195 section 30-124(a)(13).
- 196 (8) h. Ingress and egress easements may be required in order to provide joint use
197 driveways for adjacent properties, pursuant to [sub]section 30-124(b)(9)
198 ~~(4)e.g.~~
- 199 (9) i. Additional right-of-way shall be conveyed to the public by dedication on
200 the face of the plat, by deed, or, if acceptable to the Town, by grant of
201 easement which is necessary for the ultimate construction of turn lanes,
202 bicycle facilities, sidewalks, bus pullout bays, bus shelters, or roadway
203 drainage facilities as required pursuant to section 30-124.
- 204 (e) (3) *Adequacy of water management.*
- 205 (1) a. The proposed development shall be designed to provide adequate areas
206 and easements for the construction and maintenance of a water
207 management system to serve the proposed development and adjacent
208 public rights-of-way in a manner which conforms to sound engineering
209 standards and principles, and which will be provided in accordance with
210 applicable provisions of the Town's Code of Ordinances and the local
211 agency having water management review and permitting authority over
212 the area.
- 213 (2) b. The development order shall require that the applicant for a building
214 permit demonstrate prior to the issuance of the building permit within the
215 development that the following levels of service standards, where
216 applicable, will be met prior to the issuance of a certificate of occupancy:
- 217 a 1. Buildings. The lowest floor elevation for buildings shall be no
218 lower than the elevation for the respective area depicted on the
219 "100-year Flood Criteria Map."
- 220 b 2. Off-site discharge. Off-site discharge is not to exceed the inflow
221 limit of South Florida Water Management District (SFWMD)
222 primary receiving canal or the local conveyance system.
- 223 e 3. Storm sewers. The design frequency applicable to storm sewers is
224 the three-year rainfall intensity of the State Department of
225 Transportation Zone 10 rainfall curves.
- 226 d 4. Floodplain routing. Calculated flood elevations based on the ten-
227 year and 100-year return frequency rainfall of three-day duration
228 shall not exceed the corresponding elevations of the ten-year
229 "Flood Criteria Map" and the "100-Year Flood Elevation Map."
- 230 e 5. Antecedent water level. The antecedent water level is the higher
231 elevation of either the control elevation or the elevation depicted
232 on the map "Average Wet Season Water Levels."

233 § 6. On-site storage. Minimum capacity above antecedent water level
234 and below floodplain routing elevations shall be design rainfall
235 volume minus off-site discharge occurring during design rainfall.

236 § 7. Best management practices (BMP). Prior to discharge of surface or
237 ground water, BMP's will be used to reduce pollutant discharge.

238 ~~(d)~~ (4) *Adequacy of ~~portable~~ potable water service.*

239 (1) a. Potable water service must be available prior to a certificate of occupancy
240 to provide for the needs of the proposed development at the level of
241 service of 290 gallons per year-round-resident person per day. The
242 proposed development shall be designed to provide adequate areas and
243 easements which may be necessary for the installation and maintenance of
244 a potable water distribution system which will meet all applicable
245 building, health, and environmental regulations, including Chapter 17-22,
246 Florida Administrative Code.

247 (2) b. A finding that potable water service is available at the adopted level of
248 service must be based upon a demonstration that an existing water
249 treatment facility has sufficient plant and network capacity to provide for
250 the potable water needs of the application and for other developments in
251 the service area which are occupied, available for occupancy, for which
252 building permits are in effect or for which potable water treatment
253 capacity has been reserved. If potable water service is not available, but
254 will be made available, any development order shall be conditioned on
255 such availability. A finding that potable water service will be made
256 available at the adopted level of service must be based upon a
257 demonstration that there is a fiscally feasible plan to construct or expand a
258 water treatment facility which will have sufficient plant and network
259 capacity to provide for the potable water needs of the development
260 proposed by the application prior to the issuance of certificates of
261 occupancy for that development, and for other developments in the service
262 area, which are occupied, available for occupancy, for which building
263 permits are in effect or for which potable water treatment capacity has
264 been reserved.

265 (3) c. An agreement will be required between the Town and the developer prior
266 to the issuance of a building permit to provide for the expansion of water
267 treatment facilities necessary to service the proposed development. Town
268 or County Commission approval of an application for plat approval shall
269 not be construed to effect a reservation of potable water plant or network
270 capacity, or a commitment to provide service.

271 ~~(e)~~ (5) *Adequacy of wastewater treatment and disposal services.*

272 (1) a. Wastewater treatment and disposal services must be available prior to
273 occupancy to provide for the needs of the proposed development at the
274 adopted level of service of 225 gallons per year-round-resident per day.
275 The proposed development shall be designed to provide adequate areas

276 and easements which may be necessary for the installation and
277 maintenance of a wastewater disposal system which will meet all
278 applicable health and environmental regulations.

279 ~~(2)~~ b. A finding that wastewater treatment and disposal services are available at
280 the adopted level of service must be based upon a demonstration that an
281 existing wastewater treatment and disposal facility has sufficient plant and
282 network capacity to provide for the wastewater treatment and disposal
283 needs of the development proposed by the application and for other
284 developments in the service area which are occupied, available for
285 occupancy, for which building permits are in effect or for which
286 wastewater treatment or disposal capacity has been reserved. If existing
287 capacity is unavailable, conditional approval may be granted if it is shown
288 that there is a fiscally feasible plan to construct or expand a wastewater
289 treatment and disposal facility which will have sufficient plant and
290 network capacity to provide for the treatment and disposal needs of the
291 development proposed by the application prior to the issuance of
292 certificates of occupancy for that development, and for other
293 developments in the service area which are occupied, available for
294 occupancy, for which building permits are in effect or for which
295 wastewater treatment or disposal capacity has been reserved.

296 ~~(3)~~ c. An agreement will be required between the Town and the developer prior
297 to the issuance of a building permit for the expansion of water/wastewater
298 treatment and disposal facilities necessary to service the proposed
299 development.

300 ~~(4)~~ d. Town or County Commission approval of an application for plat approval
301 shall not be construed to effect a reservation of wastewater capacity or
302 commitment to provide service.

303 ~~(5)~~ (6) *Adequacy of solid waste disposal sites or facilities.*

304 ~~(1)~~ a. Solid waste disposal sites or facilities shall be available prior to occupancy
305 to provide for the needs of the proposed development at the level of
306 service of seven and one-tenth (7.1) pounds per year-round-resident per
307 day.

308 ~~(2)~~ b. A finding that solid waste disposal sites or facilities are available must be
309 based upon a demonstration that existing solid waste disposal sites or
310 facilities have sufficient capacity to provide for the solid waste disposal
311 needs of the development proposed by the application and for other
312 developments in the service area which are occupied, available for
313 occupancy, for which building permits are in effect or for which solid
314 waste disposal capacity has been reserved. If existing capacity is
315 unavailable, conditional approval may be granted if it is shown that there
316 is an economically and fiscally feasible plan to expand solid waste
317 disposal site so that sufficient capacity will be available for the solid waste
318 disposal of the development proposed by the application and for other
319 developments in the service area which are occupied, available for

320 occupancy, for which building permits are in effect or for which solid
321 waste disposal capacity has been reserved.

322 ~~(g) Consideration of hazardous material disposal services and impact on air quality and~~
323 ~~wellfield protection.~~

324 ~~An application for a development permit shall be reviewed to determine the adequacy of~~
325 ~~hazardous material treatment and disposal services, as well as, the proposed~~
326 ~~development's impact on air quality and wellfield protection. Review shall be pursuant to~~
327 ~~the Broward County Environmental Quality Control Board's Code of Regulations, and~~
328 ~~any other standards which may be adopted by the Town Commission by amendment to~~
329 ~~this article.~~

330 ~~(l) Violation of environmental regulations. An application for a development permit may be~~
331 ~~denied or approved with appropriate conditions where the property is subject to a notice~~
332 ~~of violation of an environmental regulation by a County, State or Federal agency, which~~
333 ~~violation the Town Commission determines makes all or part of the land unsuitable for~~
334 ~~development.~~

335 ~~(h) (7) Adequacy of school facilities.~~

336 ~~— An application for a development permit shall be reviewed to determine the~~
337 ~~adequacy of educational facilities to serve the needs of the future residents of the~~
338 ~~developed area. Pursuant to the Amended Interlocal Agreement for Public School~~
339 ~~Facility Planning (ILA), the applicant, in collaboration with the Town, Broward~~
340 ~~County and the School Board of Broward County, shall ensure that public school~~
341 ~~facilities will be available for current and future students consistent with available~~
342 ~~financial resources and adopted level of service standards and that such facilities~~
343 ~~are available concurrent with the impact of proposed residential development.~~

344 ~~(i) Protection of air navigation.~~

345 ~~If the plat or site plan includes property subject to notice requirements of Federal Aviation~~
346 ~~Regulations (FAR) Part 77, Subpart B, development within the plat or site plan must~~
347 ~~receive an FAA determination that it does not constitute a hazard to air navigation or~~
348 ~~require operational modifications to the airport to avoid such a hazard. The note on the~~
349 ~~plat or site plan shall specify this restriction.~~

350 ~~(j) Conformity to the land use plan.~~

351 ~~The development of land within the Town shall conform to the Broward County Land Use Plan,~~
352 ~~or the Town's future land use element as certified by the Broward County Planning~~
353 ~~Council.~~

354 ~~(k) Design of development.~~

355 ~~The design of a final plat shall be consistent with the site development plan requirements of~~
356 ~~Article IV of this chapter.~~

357 ~~(l) (8) Adequacy of solid waste collection service.~~

358 Solid waste collection service will be available prior to occupancy to provide for
359 the needs of the proposed development.

- 360 ~~(m)~~—(9) *Adequacy of fire protection service.*
- 361 a. Fire protection service will be adequate to protect people and property in
362 the proposed development.
- 363 b. A finding that adequate fire protection service is available and shall be
364 based upon a determination that all ~~proposed development meets the~~
365 ~~following requirements:(1) (a)Water supply.~~ Water supply facilities
366 either existing or proposed to be constructed by the developer shall be
367 adequate to meet the fire protection needs of the proposed development.
- 368 ~~(n)~~ (10) *Adequacy of Police protection service.*
- 369 Police protection service will be adequate to protect people and property in the proposed
370 development.
- 371 ~~(o)~~—(11) *Adequacy of local parks and recreation facilities.*
- 372 Land suitable for residential development pursuant to the applicable land development
373 regulations shall be designed to provide for the park, open space and recreational
374 needs of the future residents of the developed area.
- 375 (d) Review for Compliance with Environmental Standards and Regulations:
- 376 (1) An application for a development permit shall be reviewed pursuant to applicable
377 federal, state, regional and local environmental regulations, including any
378 applicable Broward County environmental standards and requirements, and any
379 other environmental standards as may be applicable and necessary to determine
380 that the proposed development has adequately addressed:
- 381 a. hazardous material treatment and disposal services;
- 382 b. impact on air quality, smoke, emissions of particulate matter;
- 383 c. impact on wellfield protection; and
- 384 d. impact on environmentally sensitive lands.
- 385 (2) Violation of environmental regulations. An application for a development permit
386 may be denied or approved with appropriate conditions where the property is
387 subject to a notice of violation of an environmental regulation by a County, State
388 or Federal agency, which violation the Town Commission determines makes all
389 or part of the land unsuitable for development.
- 390 (e) Consideration of Lands Containing Historic or Archaeologically Significant Artifacts or
391 Relics
- 392 (1) If the proposed site plan includes any land designated as having historic or
393 archaeological significance in the Town's Comprehensive Plan or the Broward
394 County Land Use Plan Map Series or is listed in the Florida Master Site File, then
395 site plan approval shall include provisions for the management of the historic or
396 archaeological site based on the level of significance attributed to such site.
- 397 (2) If the site is evaluated as eligible to meet criteria for National Register listing,
398 than the provisions required by subsection 1 shall be based upon an
399 archaeological or historic report prepared by a professional archaeologist or

400 historic preservationist and submitted by the applicant. The report shall include
401 the history of the site, field survey methods, an assessment of the archaeological
402 significance of the site and proposed plan for mitigating impacts.

403 (3) The DRC will review the mitigation plan submitted by the applicant, and provide
404 a recommendation to the Town Commission. The Town Commission will
405 consider the proposed mitigation plan and the DRC recommendation in approving
406 a final site plan for the archaeological or historic site.

407 (f) *Protection of air navigation.*

408 If the plat or site plan includes property subject to notice requirements of Federal
409 Aviation Regulations (FAR) Part 77, Subpart B, development within the plat or site plan
410 must receive an FAA determination that it does not constitute a hazard to air navigation
411 or require operational modifications to the airport to avoid such a hazard. The note on the
412 plat or site plan shall specify this restriction.

413 (g) Crime Prevention Through Environmental Design (CPTED) Review Requirements.

414 An application for development review shall demonstrate compliance with the following
415 Crime Prevention Through Environmental Design (CPTED) principles so as to minimize
416 the risk to public safety and reduce the potential for criminal activity:

417 (1) Natural Surveillance – Natural surveillance that promotes design features that
418 maximize visibility of people, parking areas, building entrances, and vulnerable
419 interior spaces thereby reducing crime opportunity by increasing offenders’ risk
420 of being observed.. Such design features may include but not be limited to the
421 placement of doors and windows that look out on to streets and parking areas,
422 and designs that encourage pedestrians and on-lookers to use sidewalks, paths,
423 and front yard areas. Natural surveillance is also facilitated by adequate sightlines
424 and lighting.

425 (2) Territorial Reinforcement – Physical design that helps to create or extend a sphere
426 of influence, which increases offenders’ sense of risk and legitimate users’ sense
427 of territorial control. Physical features that clearly define property lines and
428 distinguish private spaces from public spaces may include, but not be limited to
429 the use of such elements as landscape plantings, pavement designs, gateway
430 treatments, among other devices.

431 (3) Natural Access Control – Physical strategies that decrease crime opportunity by
432 denying or delaying access to crime targets and creating a perception of increased
433 effort and risk in offenders. Streets, sidewalks, building entrances, and
434 neighborhood gateways should be utilized to clearly indicate public routes and
435 discourage access to private or off-limit areas with structural elements. Target
436 hardening may also be achieved by the use of physical features that prohibit or
437 delay entry or access, including, for example, window locks, door dead bolts and
438 metal door frames, bollards, gates, and planters.

439 (4) The use of "dead space" for activities and maintenance of the built environment -
440 as may be required by the Town in order to demonstrate compliance with CPTED
441 principals.

442

443 **SECTION 3. Amendment.** Article IV, Site Plan Procedures and Requirements, of
444 Chapter 30, Unified Land Development Regulations, of the Code of Ordinances is hereby
445 amended as follows²:

446 **Sec. 30-121. - Mandatory Site Plan Approval.**

447 Approval ~~by the Town Commission~~ of a final site plan is required prior to ~~any~~ development of
448 land in the Town of Lauderdale-By-The-Sea.

449 (a) *Exempt development.*

450 Notwithstanding any other provision of this article, the following activities shall not
451 require compliance with this section:

452 (1) The deposit and contouring of fill on land.

453 (2) Implementation, by a governmental entity, of a water management plan approved
454 by the Town Commission, as such plan relates to an approved development of
455 regional impact (not conceptual development of regional impact).

456 (3) Construction of a single-family home on an existing single-family lot.

457 (4) Construction of a single-family home [or] duplex on an existing single lot.

458 **Sec. 30-122. - Application for conceptual or preliminary site plan review.**

459 (a) *Necessity of filing.*

460 If the location, design, size, impact or other special problem of a proposed development
461 warrants, the DRO may require an applicant to file an application for preliminary site
462 plan review prior to filing an application for final site plan approval. In all other cases, an
463 applicant has the option of filing an application for conceptual site plan or preliminary
464 site plan review prior to filing an application for final site plan approval.

465 (b) *Procedures.*

466 An application for conceptual or preliminary site plan review shall be filed and processed
467 pursuant to subsection 30-54(a) ~~(e)~~ of this chapter.

468 (c) *Submission requirements; conceptual site plan.* A conceptual site plan shall include the
469 following information unless waived by the Development Services Director upon a

² Additions to existing text are shown in underline. Deletions are shown in ~~strikethrough~~.

470 determination that such information is not applicable or not essential to the review of a
471 specific project:

- 472 (1) Legal description.
- 473 (2) Schematic representation of proposed use.
- 474 (3) Schematic representation of major vehicular circulation within the site.
- 475 (4) Schematic representation of points of connection to the public right-of-way.
- 476 (5) Schematic representation of drainage system, including retention areas, swales
477 and direction of drainage flow.
- 478 (6) Computation of proposed number of dwelling units and the total acreage for
479 residential use and approximate square footage of building for nonresidential use.
- 480 (7) Indication of type of water and sewage disposal to be used.

481 (d) *Submission requirements; preliminary site plan.*

482 An application for preliminary site plan review shall include a development plan, the
483 overall size of which shall be 24 inches by 36 inches, drawn to scale, not smaller than one
484 inch equals 50 feet, and shall include the following unless waived by the Development
485 Services Director upon a determination that such information is not applicable or not
486 essential to the review of a specific project:

- 487 (1) Legal description.
- 488 (2) Site boundaries clearly identified, and tie to section corners.
- 489 (3) A survey prepared by a Florida-registered land surveyor, certified as to meeting
490 the requirements of Chapter 21HH-6, Florida Administrative Code, reflecting
491 existing natural features, such as topography, vegetation, and waterbodies. Any
492 existing structures and paved areas which will remain on the property after
493 construction shall be included in the survey.
- 494 (4) Proposed land uses.
- 495 (5) Location and height of all structures and total floor area with dimensions to lot
496 lines, and designation of use.
- 497 (6) Building separations.
- 498 (7) Vehicular circulation system for cars, bicycles and other required vehicle types,
499 with indication of connection to public rights-of-way. Location of all parking and
500 loading areas.
- 501 (8) All adjacent rights-of-way, with indication of ultimate right-of-way line, center
502 line, width, paving width, existing median cuts and intersections, street light poles
503 and other utility facilities and easements.
- 504 (9) Pedestrian circulation system.
- 505 (10) Provider of water and wastewater facilities.

- 506 (11) Existing and proposed fire hydrant locations and watermain sizes.
- 507 (12) The following computations:
- 508 a. Gross acreage.
- 509 b. Net acreage. Gross acreage covered by the property excluding road
- 510 easements and rights-of-way, if any.
- 511 c. Number of dwelling units and density for residential uses only.
- 512 d. Square footage of ground covered by buildings or structures and
- 513 designation of use.
- 514 e. Required number of parking spaces.
- 515 f. Number of parking spaces provided.
- 516 (13) Schematic representation of drainage system including retention areas, swales and
- 517 direction of drainage flow.
- 518 (14) Indication of existing native vegetation and portion that will be preserved.
- 519 (15) Site plan location sketch.
- 520 (16) Computation of pervious, impervious, and paved surface, in square footage and
- 521 percentage.
- 522 (17) Geometry of all paved areas including centerlines, dimensions, radii and
- 523 elevations.
- 524 (18) The location of the coastal construction control line (CCCL), if applicable, and
- 525 the building envelope and building setbacks.
- 526 (e) *Committee review.*
- 527 The Development Review Committee shall review an application for conceptual or
- 528 preliminary site plan review and shall discuss with the applicant any steps necessary to
- 529 bring the application into compliance with the requirements for final site plan approval of
- 530 this article.

531 **Sec. 30-123. - Application for final site plan approval.**

- 532 (a) *Procedures.*
- 533 An application for final site plan approval shall be filed and processed pursuant to
- 534 ~~subsections 30-123 and 30-124(a) — (e)~~ of this chapter.
- 535 (b) *Submission requirements.*
- 536 An application for final site plan approval shall include the following information unless
- 537 waived by the Development Services Director upon a determination that such
- 538 information is not applicable or not essential to the review of a specific project:

- 539 (1) A development plan, the overall size of which shall be 24 inches by 36 inches,
540 drawn at a scale not less than one inch equals 50 feet and depicting the following:
- 541 (1) a. All information required for a preliminary site plan.
- 542 (2) b. Location of trash and garbage disposal system and provisions for
543 accessibility to garbage trucks.
- 544 (3) c. Loading areas and provisions for accessibility to vehicles of the required
545 type.
- 546 (4) d. Areas for emergency vehicles and fire engines, and provisions for
547 accessibility to vehicles of the required type.
- 548 (5) e. Location of all drainage features, and retention areas, if any.
- 549 (6) f. Schematic water and sewer plans.
- 550 (7) g. A landscape plan demonstrating compliance with applicable landscape
551 regulations.
- 552 h. Site Lighting Plan
- 553 (8) i. Building floor plans.
- 554 (9) j. Proposed building materials and colors. Building colors shall be
555 designated in accordance with a color or paint code generally accepted in
556 the industry. The applicant shall provide samples of the building materials
557 at the Planning and Zoning Board and/or Town Commission hearing. The
558 building materials and color samples shall be retained by the Town for the
559 purpose of comparing the completed development with the approved
560 materials and colors.
- 561 (10) k. Front, side and rear elevations of all buildings showing concealment of all
562 mechanical or accessory equipment located on the roof.
- 563 (11) l. For presentation purposes, the applicant shall prepare and present to the
564 Planning and Zoning Board and/or to the Town Commission, as
565 applicable, a landscape plan, site plan and building elevations which have
566 been colored to accurately reflect the colors and materials of the proposed
567 development. Upon approval of the final site plan the colored site plan and
568 elevations shall be retained by the Town for the purpose of comparing the
569 completed development with the approved plans. Upon approval of the
570 final site plan the applicant shall submit to the Town color photographs,
571 eight inches by ten inches in size, of the colored site plan and building
572 elevations to be retained by the Town for the purpose of comparing the
573 completed development with the approved plans.

574 ~~(12) When the project is in an overlay zoning district and the project~~
575 ~~construction costs will exceed \$1,000,000 dollars, a scale model of the~~
576 ~~project which shall demonstrate the features and quality of the project and~~
577 ~~which, following approval shall be available to the Town Commission and~~
578 ~~the public for review. The model shall be submitted prior to Town~~
579 ~~Commission review of the application for site plan approval.~~

580 (2) Renderings if the submittal is a Major Site Plan application or if the improvement
581 1) is visible from any public right-of-way, 2) is to a building façade or 3) involves
582 the renovation or expansion of more than 25% of the building area. Such
583 renderings shall include:

584 a. Street-level perspective drawings as one would view the project from a
585 pedestrian level, with ground truths to depict and determine the
586 appropriate scale of the project.

587 b. Oblique aerial drawings from opposing view which indicate the mass
588 outline of all proposed structures, including the outlines of adjacent,
589 existing and previously approved structures.

590 c. Context plan indicating the proposed development and outline of nearby
591 properties with uses and height labeled

592 (c) *Committee Review and Board and Commission approval.*

593 The Development Review Committee (DRC) shall review the application for final site
594 plan approval for conformity to the requirements of this article and shall make one of the
595 following determinations:

596 (1) That the application meets the requirements of this article, in which case the
597 Development Review Committee shall submit the application for review by the
598 Planning and Zoning Board. The Planning and Zoning Board will then prepare a
599 recommendation for the consideration of the Town Commission. The Town
600 Commission will then consider the site plan, the recommendation of the Planning
601 and Zoning Board and public comments prior to approval or denial of a site plan.
602 The DRO or a designee, after receiving evidence of approval by the Town
603 Commission, shall indicate such an approval by signing the final site plan. A final
604 site plan signed by the DRO pursuant to this subsection shall constitute a
605 development order granting an application for final site plan approval.

606 (2) That the application does not meet the requirements of this article in which case
607 the Planning and Zoning Board and/or Town Commission shall direct the DRO to
608 issue a development order denying the application.

609 (3) That the application does not meet the requirements of this article, but that the
610 required changes to the application do not warrant filing a new application, in
611 which case the applicant will be allowed to submit a corrected site plan to the
612 DRO within 30 calendar days of the meeting. At a meeting no later than the next
613 regular meeting occurring at least ten working days after the corrected application

614 has been filed, the Development Review Committee shall act on the corrected
615 application as provided in this section.

616 (4) That the application does not meet the requirements of this article, but that the
617 required changes to the application are of such a minor nature that an additional
618 review by the Development Review Committee, Planning and Zoning Board
619 and/or Town Commission is not warranted, in which case the DRO shall approve
620 the application for final site plan with specified conditions, including
621 conformance to the specified conditions, ~~{and}~~ shall indicate such approval by
622 signing the final site plan.

623 (d) *Review site plan.*

624 If an applicant's development plans change after previously receiving final site plan
625 approval, the applicant may file an application for revised final site plan approval with
626 the DRO. In such cases, the procedures of this section shall be repeated; provided,
627 however, that minor deviations from an approved final site plan may be approved by the
628 DRO.

629 (e) *Conformity to recorded plat.*

630 If a final site plan depicts land previously recorded by plat, the application for final site
631 plan approval shall conform to such plat.

632 (f) *Conformity to zoning regulations.*

633 Development depicted in a final site plan shall conform to all applicable Town zoning
634 ordinances and regulations.

635 (g) *Effective period of final site plan approval.*

636 (1) Upon approval of a site plan by the Town Commission, the applicant shall have
637 one year to obtain a building permit for an above-ground principal structure as
638 shown on the approved site plan from the Town's permitting authority when the
639 property which is the subject of the site plan is west of the coastal construction
640 control line and 18 months when the property is east of the coastal construction
641 control line.

642 (2) The granting of approval for a major site plan amendment recommences the
643 running of the above referenced time periods. The granting of approval of a minor
644 site plan amendment does not recommence the running of the above referenced
645 time periods.

646 (3) If an ~~application~~ ~~{applicant}~~ fails to secure a building permit in allowed time, all
647 previous approvals shall become null and void.

648 (4) A clearing and grubbing permit shall not constitute a building permit for site plan
649 review purposes.

650 (5) The Town Commission, at its discretion, may extend the approval of a site plan
651 for an additional time period, not to exceed one year, provided a request for
652 extension is filed prior to the expiration of the original one-year period. In
653 granting such extensions the Town Commission may require modifications to or
654 impose additional conditions on the site plan.

655 **Sec. 30-124. - Site plan requirements.**

656 Development depicted in a site plan shall meet the following requirements:

657 (a) *Site plan design.*

658 (1) Off-street parking facilities.

659 a. General design requirements. Internal site circulation shall follow a
660 functional classification and hierarchical design criteria to assure that the
661 movements between the public right-of-way, and the parking stall, are
662 conducted in an efficient and orderly manner. All streams of departing
663 traffic from the parking stalls in a parking lot shall be assembled and
664 delivered to an internal collector facility that combines them into a few
665 concentrated streams which will then be connected to the public right-of-
666 way at a properly spaced access location.

667 b. Functional elements of on-site circulation system. Car parking stalls,
668 parking aisles, driveways, reservoir areas and entrances are the basic
669 functional elements of the on-site circulation system. Additional elements,
670 including but not being limited to perimeter roads, rear collector roads,
671 service roads within the proposed development, left-turning lanes, right-
672 turning lanes, traffic lights, frontage roads in the public right-of-way
673 immediately adjacent to the proposed development may also be required,
674 pursuant to this article.

675 1. Parking stalls and aisles.

676 (a) i. The minimum size (in feet) of a vehicular parking stall
677 space shall be as follows:

678 9' x 18'—Standard space

679 9' x 23' 8.5' x 20'—Parallel space

680 10' x 25'—Loading space

681 12' x 18'—Handicap space

682 8' x 15'—Compact space

683 ~~(b) A standard parking stall shall be nine feet wide by 18 feet deep.~~

684 (e) ii. The minimum size (in feet) of a neighborhood electric
685 vehicular parking stall space shall be 8' x 11'.

686 All required parking stalls shall have direct and unobstructed
687 access from a parking aisle unless waived by the DRC and
688 appropriate board or commission.

689 ~~(d)~~ iv. No parking stall shall directly abut a driveway unless
690 waived by the DRC and appropriate board or commission.

691 ~~(e)~~ v. Access for emergency fire vehicles shall be in accordance
692 with fire protection standards.

693 ~~(f)~~ vi. All off-street parking areas shall be so arranged and marked
694 as to provide for orderly safe loading, unloading, parking
695 and storage of vehicles with individual parking stalls
696 clearly defined with directional arrows and traffic signs
697 provided as necessary for traffic control.

698 ~~(g)~~ vii. Acceptable plans must illustrate that proper consideration
699 has been given to the surrounding street plan, traffic
700 volumes, proposed street improvements, vehicular street
701 capacities, pedestrian movements and safety.

702 ~~(h)~~ viii. All parking areas shall be so arranged that if there are ten or
703 more contiguous parking stalls along the same parking
704 aisle, the 11th space shall be a landscaped peninsula a
705 minimum of five feet in width. Other suitable solutions or
706 innovative designs may be submitted when approved by the
707 DRC and appropriate board or commission.

708 ~~(i)~~ ix. Acceptable plans for off-street parking shall designate not
709 more than 25 percent of the total parking spaces as compact
710 parking spaces.

711 2. Driveways.

712 ~~(a)~~ i. All parking aisles shall connect to a driveway.

713 ~~(b)~~ ii. A parking lot which exceeds 60 parking stalls shall be
714 designed with at least one two-way directional driveway
715 loop system connecting the entrance to the parking stalls
716 and the principal building. Other innovative designs may be
717 substituted when approved by the DRC and appropriate
718 board or commission.

719 ~~(c)~~ iii. The minimum distance from a driveway, service drive,
720 parking stall, or parking aisle, to a structure or property line
721 shall be five feet, except at a drive-in teller or pick-up
722 window. The minimum distance to a driveway, service

723 drive, or parking aisles from a right-of-way shall be ten feet
724 where there is no connection between the driveway and the
725 street.

726 ~~(d)~~ iv. Two-way driveways shall be a minimum of 24 feet wide.
727 Required widths shall be increased according to vehicle
728 type or if the number of parking stalls connected or the
729 number of trips generated justifies such increase.

730 ~~(e)~~ v. One-way driveways shall be a minimum of 15 feet wide.
731 Required widths shall be increased according to vehicle
732 type or if the number of parking stalls connected or the
733 number of trips generated justifies such an increase in
734 width.

735 ~~(f)~~ vi. Any off-street parking facility shall have either driveway
736 approaches of sufficient width to allow for two-way traffic,
737 or one-way driveways connected to aisles, parking areas or
738 maneuvering areas in such a manner as to permit traffic to
739 both enter and leave the property, facing forward, at the
740 same time. A driveway which is only wide enough for one-
741 way traffic shall not be used for two-way access.

742 ~~(g)~~ vii. Driving aisles: Two-way driving aisles shall be a minimum
743 of 24 feet wide; one-way driving aisles shall be a minimum
744 of 12 feet wide, clearly marked for one-way traffic.

745 ~~(h)~~ viii. Drive-through requirements: Drive-through service
746 windows, lanes, markings and stacking spaces required.

747 ~~(1)~~ aa. Businesses that provide a drive-through service are
748 required to provide drive-through service lane or
749 lanes, whether for stacking or queuing, as separate
750 and distinct lanes from the circulation lanes
751 necessary for entering or exiting the property.

752 ~~(2)~~ bb. Each drive-through lane shall be separated from
753 other on-site lanes. Each such drive-through lane
754 shall be curbed, striped, marked or otherwise
755 distinctly delineated.

756 ~~(3)~~ cc. Drive-through lanes shall not conflict, or otherwise
757 hamper access, to or from any parking space.

758 ~~(4)~~ dd. Pedestrian walkways shall be clearly separated from
759 drive-through lanes.

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(5) ee. No drive-through speaker box shall be directed to face a residential zoning district.

(6) ff. Stacking spaces necessary for the provisions of drive-through lanes shall be determined using the following table:

Type of Facility	Inbound Vehicles	Outbound Vehicles
Drive-thru bank tellers	6 spaces per service position	1 space per service position
Drive-thru bank, automatic tellers	3 spaces per service position	1 space per service position
Drive-thru restaurant (measured from pick-up window)	6 spaces per service position	1 space per service position
Drive-thru coffee/espresso restaurant or café	3 spaces per service position	1 space per service position
Laundry	3 spaces per service position	1 space per service position

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(7) gg. A stacking space is hereby defined as a space within a vehicular use area for the temporary stopping of a vehicle awaiting service as provided in this section.

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A stacking space shall be 22 feet long by ten feet wide. A stacking space shall be located in an area within a parking facility which is not used for any other vehicular use such as access, parking, site circulation or loading.

~~(8)~~ hh. Inbound stacking requirements shall be counted from the first stopping point. Outbound stacking requirements shall be counted from the last stopping point.

~~(9)~~ ii. Each stacking space shall be clearly defined on the site plan and shall be in a location that does not conflict or interfere with other traffic entering, using, or leaving the site. Design configuration shall be such that there shall be no backing into the street permitted.

~~(10)~~ jj. Each proposed drive-through business shall be analyzed for consideration of vehicular circulation for other cars, pedestrian circulation, and ADA accessibility.

~~(11)~~ kk. Any business not listed shall have the same requirements as the most similar use described above, as determined by the Development Services Director.

3. Circulation design. A parking lot abutting a trafficway shall be designed for full circulation. A parking lot abutting a street other than a trafficway may be designed for partial circulation.

4. Parking and loading areas to be curbed. Except for one-family and two-family dwellings, all parking and loading areas shall be constructed with a six-inch raised curb or bumper blocks located a minimum distance of seven feet behind the street right-of-way line and other property lines along sidewalks, safety islands, driveways, sight distance triangles, and other places as needed unless determined to be unnecessary by a finding of the Town that given the particular circumstances of the site such curb can be eliminated in certain areas without creating safety hazards. The raised curb shall be constructed in such a manner as to prevent vehicles from crossing sidewalks or other pedestrian walkways, other than by means of an approved driveway approach.

- 808 (2) Loading facilities.
- 809 a. Truck loading and unloading areas may be required for all buildings and
- 810 establishments which receive and/or ship materials or merchandise by
- 811 truck. The number of loading spaces will be determined by the DRC and
- 812 appropriate board or commission.
- 813 b. Off-street truck loading shall be required except as provided in
- 814 [subsection] c. below. The off-street loading facility shall be designed to
- 815 accommodate both the parking of and maneuvering of the design vehicle
- 816 exclusive of those areas designated for aisles, driveways or parking stalls.
- 817 c. On-street loading shall be permitted on alleys and on a local cul-de-sac
- 818 street abutting commercial development. Where permitted such on-street
- 819 loading areas shall berth the design vehicle exclusive of the public right-
- 820 of-way.
- 821 (3) Vehicular reservoir areas. Adequate reservoir capacity shall be required for both
- 822 inbound and outbound vehicles to facilitate the safe and efficient movement
- 823 between the public right-of-way and the development. An inbound reservoir shall
- 824 be of sufficient size to ensure that vehicles will not obstruct the adjacent roadway,
- 825 the sidewalk and the circulation within the facility. An outbound reservoir shall be
- 826 required to eliminate backup and delay of vehicles within the development.
- 827 a. Design. A reservoir area shall be designed to include a space of 12 feet
- 828 wide by 22 feet long for each vehicle to be accommodated within the
- 829 reservoir area and so that vehicles within the reservoir area do not block
- 830 parking stalls, parking aisles or driveways of off-street parking facilities.
- 831 b. Adjacent to trafficway. The number of vehicles required to be
- 832 accommodated within a reservoir area adjacent to a trafficway shall be in
- 833 conformance with the Town's design standards.
- 834 c. Adjacent to nontrafficway street. All off-street parking facilities shall
- 835 provide a reservoir area at the point(s) of connection of a driveway with a
- 836 public right-of-way. The reservoir area for any residential use other than
- 837 single-family detached or commercial use shall accommodate at least one
- 838 percent of the number of parking stalls served by the driveway. For
- 839 parking lots with fewer than 100 cars, the reservoir area shall be able to
- 840 accommodate at least one car.
- 841 (4) Access for vehicles other than automobiles.
- 842 a. Structures intended for principal uses shall be made accessible to the
- 843 following type of vehicles:

- 844 Residential uses, other than single-family or duplex: Single unit truck
845 (SU)
- 846 Commercial uses: Single unit truck and semi-trailer (WB-40) combination
847 intermediate
- 848 Definitions of, as well as, required specifications for the above vehicle
849 types shall be those found in the American Association of State Highway
850 and Transportation Officials (AASHTO) Geometric Highway Design.
- 851 b. All buildings other than single-family or duplex residences shall be
852 accessible to fire apparatus from two sides. Fire engines shall be
853 considered as a WB-40 as defined by the AASHTO Geometric Highway
854 Design. The area required to meet the AASHTO design standards shall be
855 paved or treated to ensure support to a sixteen-ton weight vehicle. This
856 area shall be maintained free of trees and bushes and shall be clearly
857 designated for this purpose.
- 858 c. Fire lanes shall be provided for all buildings or any part thereof which are
859 set back more than 150 feet from the ultimate right-of-way line of a public
860 road, or which exceed 30 feet in height and are set back more than 50 feet
861 from the ultimate right-of-way line of a public road. Fire lanes shall be at
862 least 20 feet in width with a minimum of ten feet provided between the
863 fire lane and any adjacent building. Any dead-end road more than 300 feet
864 long shall be provided with a turn around area at the closed end. The turn
865 around area shall be a minimum of 90 feet in diameter.
- 866 d. Required parking spaces, parking aisles and driveways shall not be used as
867 loading or parking areas for any type of vehicle including emergency
868 vehicles other than automobiles.
- 869 (5) Setbacks.
- 870 a. Development adjacent to a trafficway shall comply with a ten-foot
871 building setback requirement.
- 872 b. Any yard abutting a nontrafficway street shall be considered a front yard.
873 The front yard requirement for any building construction along a
874 nontrafficway shall be a minimum of five feet in depth measured from the
875 ultimate right-of-way line where applicable.
- 876 c. Any fence or hedge which will cause a sight visibility obstruction within
877 100 feet of a driveway or cross street, which is to be installed along a
878 nontrafficway collector street shall be set back a minimum of five feet
879 from the ultimate right-of-way line of the collector.

- 880 (6) Driveway entrance from public right-of-way. If a driveway connects development
881 to a trafficway, or a street within a trafficway corridor, the provisions of
882 subsection 30-124(b) shall apply. The following requirements apply to driveways
883 connecting development to a nontrafficway corridor street.
- 884 a. Design requirements.
- 885 1. The area within the development to which the driveway provides
886 access shall be of sufficient size to allow all necessary functions
887 for loading, unloading, and parking maneuvers to be carried out on
888 private property and completely off the street right-of-way unless
889 waived by the DRC.
- 890 2. The minimum distance from the ultimate right-of-way line at any
891 ingress or egress driveway to any interior service drive or parking
892 stall with direct access to such driveway shall be 22 feet.
- 893 3. In the case of a main ingress or egress point to a public street or
894 highway from a site of a major development, that provides more
895 than 750 trips per day such as a shopping center or multiple-family
896 development the minimum distance from the ultimate right-of-way
897 line of the driveway to any interior service drive or parking stall
898 having direct access to such driveway shall be based on the amount
899 of traffic utilizing the drive as determined by the DRC and
900 appropriate board or commission.
- 901 b. Number and location of driveway entrances. In order to provide the
902 maximum safety with the least interference to the traffic flow on public
903 streets, and to provide ease and convenience in ingress and egress to
904 private property, the number and location of driveways shall be regulated
905 relative to the intensity or size of the property served and the amount of
906 frontage which that property has on a given street as follows:
- 907 1. One driveway shall be permitted for ingress and egress purposes to
908 a single property or development.
- 909 2. Two driveways entering on a particular street from a single
910 property or development may be permitted if all other
911 requirements of this section are met and if the minimum driveway
912 spacing between the two driveways equals or exceeds 50 feet.
- 913 3. Three driveways entering on a particular street from a single
914 property or development may be permitted if all other
915 requirements of this section are met and if the minimum driveway
916 spacing between adjacent driveways equals or exceed 100 feet.

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4. In general, not more than three driveways will be permitted from a single property or development. However, in the case of extensive property development (property exceeding ten acres in total land area and/or containing more than 1,000 parking stalls), additional driveways may be permitted provided all other requirements of this section are met and the minimum driveway spacing between adjacent driveways equals or exceeds 300 feet.
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5. The minimum driveway spacing between driveways on adjacent properties shall be 50 feet. This driveway spacing may be modified by the DRC and appropriate board or commission if a traffic engineering study acceptable to the Town demonstrates that public safety will not be adversely affected by such modification.
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- c. Driveway entrance width according to type.
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1. Ramp-type or swale-type driveway entrance. Except as provided in subsection 2 below all driveways shall be constructed with the standard ramp-type or swale-type driveway entrance and shall conform to the width requirements in the Town's design standards.
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2. Street-type driveway entrance. Construction of a street-type driveway shall be required for entrances of any development which includes a parking area for 300 or more vehicles or where the development anticipates substantial loading or trucking operations. Such driveway shall be a minimum width of 30 feet and a maximum width of 60 feet.
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- d. Limitations on driveway entrance improvements.
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1. There shall be a minimum of 15 feet of straight tangent length between a driveway and the radius return or chord of the ultimate right-of-way line of an intersection of local streets. At all other intersections the minimum straight tangent length shall be 50 feet.
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2. There shall be a minimum of 45 feet between the closest radius return of a driveway and the intersection of local street ultimate right-of-way lines. At all other intersections the distance shall be 80 feet.
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3. No driveway entrance shall include any public facility such as traffic signal poles, crosswalks, loading zones, utility facilities, fire alarm supports, meter boxes, sewer clean outs, or other similar type structures.
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4. Within the ultimate right-of-way limits, the maximum recommended driveway grade is approximately three percent. The

955 maximum allowable grade is 4.2 percent or one-half inch per foot.
956 The maximum slope immediately beyond the ultimate right-of-way
957 line shall not change in excess of five percent for either angle of
958 approach or break over angle. Variations from these standards shall
959 be permitted if adherence to these standards would cause
960 incompatibility with existing swales.

961 5. Existing driveway approaches shall not be relocated, altered, or
962 reconstructed without approval for relocation, alteration, or
963 reconstruction of such driveway approaches. When the use of any
964 driveway approach is changed, making any portion or all of the
965 driveway approach unnecessary, the developer of the abutting
966 property shall obtain a permit to abandon the driveway approach
967 and shall, at the developer's expense, replace all necessary curbs,
968 gutters, swale areas and sidewalks.

969 6. If the closest intersection involves two streets classified as arterial
970 or collector, then traffic movements to and from any driveway
971 within 125 feet of an intersection with a collector and 250 feet of
972 an intersection with an arterial shall be limited to right turns only
973 unless waived by the DRC and appropriate board or commission.

974 7. No driveway shall be constructed prior to issuance of a permit for
975 work in the right-of-way by the appropriate governmental agency.

976 (7) Limitations on improvements in the ultimate right-of-way. No obstructions of any
977 type which are deemed unsafe by FDOT or the Town shall be left in the ultimate
978 right-of-way as a result of any improvements in the ultimate right-of-way.

979 (8) Sight distance.

980 a. Cross-visibility requirements at the intersection of driveways and public
981 rights-of-way. If a driveway intersects a public right-of-way, there shall be
982 no sight obstruction within a triangular area of property on both sides of a
983 driveway formed by the intersection of each side of the driveway and the
984 ultimate right-of-way line with two sides of each triangle being ten feet in
985 length from the point of intersection and the third side being a line
986 connecting the ends of the two other sides.

987 b. Cross-visibility requirements at pedestrian crosswalks and other areas of
988 pedestrian concentration. If a crosswalk intersects a vehicular access aisle,
989 driveway or an ultimate right-of-way, there shall be no sight obstruction
990 within a triangular area of property on both sides of a crosswalk or
991 walkway formed by the intersection of each side of the walkway and the
992 ultimate right-of-way line or aisle with two sides of each triangle being ten

993 feet in length from the point of intersection and the third side of being a
994 line connecting the ends of the two sides.

995 c. Sight triangles.

996 1. Within the triangular areas described above, it shall not be
997 permissible to install, set out, to maintain, or to allow the
998 installation, setting out or maintenance of, either temporarily or
999 permanently, any vehicular parking space, sign, wall, hedge,
1000 shrubbery, tree, earth mound, natural growth or other obstruction
1001 of any kind which obstructs cross-visibility at a level between 30
1002 inches and eight feet above the level of the center of the adjacent
1003 intersection. Any wall or fence within the sight triangle must be
1004 constructed in such a manner as to provide adequate cross-
1005 visibility over or through the structure between 30 inches and eight
1006 feet in height above the driving surface.

1007 2. The following will be permitted within the triangular area
1008 described above:

1009 ~~(a)~~ i. Trees having limbs and foliage trimmed in such a manner
1010 that no limbs or foliage extend into the area between 30
1011 inches and eight feet above the level of the center of the
1012 adjacent intersection. Trees must be so located so as not to
1013 create a traffic hazard. Landscaping except required grass
1014 or ground cover shall not be located closer than five feet
1015 from the edge of any roadway pavement, and three feet
1016 from the edge of any alley or driveway pavement.

1017 ~~(b)~~ ii. Fire hydrants, public utility poles, street markers and traffic
1018 control devices.

1019 (9) Design of traffic corridors. A site connected to a street at any point within a
1020 trafficway corridor shall meet the design criteria, requirements and standards of
1021 subsection 30-124(b).

1022 (10) Design of nontrafficway corridors. A site connected to a street which is not within
1023 a trafficway corridor shall meet the design criteria, requirements and standards of
1024 subsection 30-124(c).

1025 (11) Pervious area and greenspace.

1026 a. The area covered by structures and impervious surface shall not exceed 75
1027 percent for commercial and 75 percent for residential uses. For the
1028 purposes of this requirement all other use, such as, but not limited to,
1029 utilities, transportation and office park, shall be included in the
1030 commercial category. In mixed use developments, the most restrictive of

1031 the applicable impervious area limitations shall be utilized. Pervious brick
1032 material may not be counted towards the required landscaped pervious
1033 area. If a property fronts the beach and the property owner has riparian
1034 rights on the beach, the portion of the property that has beach area cannot
1035 be counted towards the required landscaped pervious area.

1036 1. Pervious areas may be used to satisfy requirements for landscaping
1037 and setbacks, buffer strips, drain fields, passive recreation areas, or
1038 any other purpose that does not require covering with a material
1039 that prevents infiltration of water into the ground.

1040 2. In the case of the use of an impervious material which does not
1041 cover all the surface to which it is applied, credit towards the
1042 computation of the pervious area shall be given according to the
1043 percentage of pervious area that is retained.

1044 ~~(a)~~ i. Pervious paving blocks may not be used within major
1045 driveways, loading zones, actively used parking stalls in
1046 commercial or industrial developments, or any other area
1047 that may cause a liability to the property owner.

1048 ~~(b)~~ ii. Pervious paving blocks may be used in overflow parking
1049 areas, park and recreation parking facilities, and residential
1050 areas. In all cases where the pervious paving blocks are
1051 used where pedestrian traffic is prevalent, the block voids
1052 shall be planted with a nonrunner species of grass such as,
1053 but not limited to, zoysia and bermuda grass. However,
1054 pervious brick material may not be counted towards the
1055 required landscaped pervious area.

1056 3. In cases where the ULDR allows some required parking stalls to be
1057 grassed, no credit towards the computation of pervious area shall
1058 be granted for such areas.

1059 b. Each proposed development shall include provisions for the application of
1060 best management practices to enhance retention areas such as grass ponds,
1061 grass swales, French drains, or combinations thereof, and shall meet all
1062 requirements of the applicable 208 Areawide Wastewater Treatment
1063 Management Plan.

1064 (12) Natural resource areas. If a proposed development includes all or any part of any
1065 lands identified as a natural resource area, or any lands for which a notice of
1066 public hearing for designation as a natural resource area has been given the
1067 proposed development shall incorporate the natural resource area in such a
1068 fashion as to significantly conserve the integrity of the area as appropriate to the

1069 affected resource. The proposed development shall be subject to the following
1070 requirements:

1071 a. A generalized resource survey (GRS) shall accompany an application for a
1072 development permit. Said GRS shall be conducted by a professional with
1073 appropriate expertise for the resource involved. The survey may be in the
1074 form of an aerial or field survey, showing the approximate location and
1075 extent of the resource on the site, and shall be accompanied by
1076 photographs illustrating significant areas. The GRS shall be prepared at
1077 the same scale as the proposed site plan. Said survey shall contain a brief
1078 written assessment of the resources which have been identified.

1079 b. Resource area modification. Negative development impacts upon natural
1080 resource areas are to be discouraged. However, upon demonstration by the
1081 applicant that one or more of the following conditions exist, a
1082 modification to the natural resource area may be proposed:

1083 1. Street opening. The location of the natural resource area on the
1084 property prevents the opening of reasonable and necessary travel
1085 lanes in a public ROW;

1086 2. Utilities and drainage. The location of the natural resource area on
1087 the property prevents the construction of utility lines or drainage
1088 facilities which cannot feasibly be rerouted;

1089 3. Property access. The location of the natural resource area on the
1090 property prevents all reasonable access to the property; or

1091 4. Property use. The location of the natural resource area on the
1092 property precludes all reasonable use of the property.

1093 c. Resource management plan. Any proposed development activity which
1094 would negatively impact the natural resource area must be mitigated
1095 through a long term resource management plan, approvable by the Office
1096 of Planning, which significantly improves the viability of the remainder of
1097 the resource. Said resource management plan must be based upon the
1098 generalized resource survey and provide for the enhancement and/or the
1099 restoration of the ecological value of the remainder of the natural resource
1100 area through the proposed mitigation.

1101 d. No development order shall be issued until an agreement providing for
1102 implementation of the natural resource plan has been executed and
1103 recorded, and any covenants, easements or physical improvements
1104 required by the plan are in place; or

1105 e. No certificate of occupancy shall be issued for developments that include
1106 natural resource areas unless it is determined that the applicable provisions

1107 of the resource management plan and agreement specified in subsection d
1108 above have been met.

1109 (13) Sidewalks.

1110 a. Location. Sidewalks shall be constructed adjacent to all trafficways
1111 delineated on the Broward County Trafficways Plan, as amended, and
1112 functionally classified County roads, and local streets. Sidewalks shall be
1113 on both sides of the trafficway and functionally classified County roads,
1114 except when the DRC approves an alternate pedestrian circulation plan
1115 submitted by the applicant, or the Town Commission waives the sidewalk
1116 requirements on one or both sides of the local street.

1117 b. Dimensions. A sidewalk shall be at least five feet wide and shall be
1118 constructed in accordance with the Town design standards. The sidewalk
1119 shall be separated from the trafficway or street by a curb or swale.

1120 c. Pedestrian barriers. The DRC and appropriate board or commission may
1121 require that a site plan indicate fences, hedges, berms, other landscaping,
1122 or other barriers on site plans in order to discourage pedestrians from
1123 crossing hazardous streets at unsafe points or at numerous points. When
1124 possible, sites shall be designed so as to promote pedestrian street
1125 crossings only at traffic control signals, crosswalks, or intersections.

1126 (14) Water and wastewater easements. If a water or wastewater line to be maintained
1127 by the Fort Lauderdale Utilities Division, is to be installed, it shall be installed
1128 within a dedicated easement or a dedicated right-of-way if approved by the Fort
1129 Lauderdale Utilities Division which meets the following standards:

1130 a. An easement adjacent to a dedicated road right-of-way shall be a
1131 minimum of 12 feet in width, shall run parallel to the dedicated road right-
1132 of-way and shall not be included as part of the road dedication.

1133 b. A lot line easement shall be a minimum of 15 feet in total width. Such
1134 easement may be mutually shared by adjoining lots or parcels.

1135 c. A maintenance easement in which both water and wastewater lines are to
1136 be installed shall be wide enough to allow for a ten-foot separation
1137 between lines unless one of the lines is entirely encased in concrete.

1138 d. The width of an easement immediately adjacent to a building or structure
1139 shall be determined by the following factors: Type of pipeline (water,
1140 wastewater, or force main), size and elevation of line, damage to buildings
1141 or structures in the case of failure, and accessibility to utility maintenance
1142 equipment.

1143 (15) Architectural review criteria. The Planning and Zoning Board and/or the Town
1144 Commission, as applicable, shall evaluate the building elevations, floor plans,
1145 building materials and building colors submitted by the applicant in terms of the
1146 following criteria:

1147 a. Consistency and harmony with the design of the existing and approved
1148 development within the surrounding area.

1149 b. The extent to which the project design contributes to and enhances the
1150 quality of development within the Town and is consistent with the intent
1151 of this article.

1152 c. The extent to which the design of the project is consistent with sound and
1153 accepted architectural, planning and engineering principles.

1154 d. Compliance with Article I General Requirements, Section 30-9
1155 Architectural Standards of this chapter.

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1157 (16) Review of Potential Impacts on Adjacent Development. The proposed
1158 development shall include a review of potential impacts on adjacent development,
1159 to ensure development is compatible and harmonious with adjacent land uses and
1160 does not adversely impact land use activities and residential areas in the
1161 immediate vicinity. Such review shall include, but is not limited to, the following
1162 site plan development characteristics:

1163 a. Location of building(s), dimensions, height, and floor area ratio.

1164 b. Location and extent of parking, access drives and service areas.

1165 c. Traffic generation and traffic circulation.

1166 d. Hours of operation.

1167 e. Trash management plan.

1168 f. Alteration of light, air, odors, shadows, and noise levels.

1169 g. Setbacks and buffers such as fences, walls, landscaping and open space
1170 treatment.

1171 (b) *Access to trafficway corridors* In order to provide safe and adequate access between
1172 proposed development and trafficways, a trafficway corridor shall meet the following
1173 requirements:

1174 (1) General street design and construction standards.

1175 a. Street capacities shall be determined by the standards established by the
1176 Highway Capacity Manual prepared by the Transportation Research Board
1177 of the National Research Council, Washington, D.C.

1178 b. The geometric design of streets shall conform to the minimum standards
1179 established by the Manual of Uniform Minimum Standards for Design,
1180 Construction and Maintenance for Streets and Highways, prepared by

1181 Florida Department of Transportation and by A Policy on Design of Urban
1182 Highways and Arterial Streets prepared by the American Association of
1183 State Highway and Transportation Officials (AASHTO).

1184 c. The construction of trafficways and work in the public right-of-way shall
1185 conform to Broward County Resolution No. 85-3606, Broward County
1186 Administrative Code, Minimum Construction Standards Applicable to
1187 Public Rights-Of-Way Under Broward County Jurisdiction or the Florida
1188 Department of Transportation Standards Specifications for Road and
1189 Bridge Construction.

1190 d. The determination of traffic generation rates for a particular development
1191 shall conform to the rates specified in the latest version of the Institute of
1192 Transportation Engineers (ITE) "Trip Generation" Handbook. Alternately,
1193 rates adopted for the Broward County Traffic Review and Impact Planning
1194 System (TRIPS) may be substituted if not covered by the ITE.

1195 (2) Design criteria and street characteristics within a trafficway corridor.

1196 a. Trafficway streets shall conform to the criteria and characteristics
1197 established by and shown on the Broward County Trafficways Plan.

1198 b. Collector streets which have not been identified on the Broward County
1199 Trafficways Plan shall conform to the criteria and characteristics of the
1200 Town's design standards.

1201 c. Local streets within a trafficway corridor shall conform to the criteria and
1202 characteristics of the Town's design standards.

1203 (3) Intersections. The minimum spacing requirements of this section may be reduced
1204 upon a finding by the County that, given the particular conditions of the proposed
1205 development, such reduction will not compromise operational and safety
1206 standards.

1207 a. Additional right-of-way required at intersections.

1208 1. For the installation of traffic control equipment, a chord may be
1209 drawn at each intersection, and the area between the chord and the
1210 tangents of the intersecting streets shall be dedicated or, if
1211 acceptable to the Town, granted by easement. Such required chord
1212 shall be based on the radius shown for the particular intersection as
1213 specified in the Town's design standards.

1214 Provided, however, that for intersections between two local streets,
1215 the area between the chord and the arc of the circle formed by the
1216 radius:

- 1253 1. All median openings shall include left-turn lanes with at least 200
 1254 feet storage with 100 feet transition unless otherwise demonstrated
 1255 by a traffic engineering study based on the ultimate use, acceptable
 1256 to the DRC, and appropriate board or commission and responsible
 1257 agency. Increased storage and transition lengths may be required to
 1258 eliminate disruption of through-traffic flow.
- 1259 2. Final design of median openings must be approved by the DRC
 1260 and responsible agency for compliance with the standards set forth
 1261 in subsection 30-124(b)(1)c.
- 1262 (5) Setback on trafficway.
- 1263 a. Any building constructed along a street within a trafficway corridor shall
 1264 have a minimum setback of ten feet in depth measured from the ultimate
 1265 right-of-way line.
- 1266 b. Any fence or hedge constructed along a street within a trafficway corridor
 1267 which would cause a sight visibility obstruction shall be set back a
 1268 minimum of ten feet from the ultimate right-of-way line.
- 1269 c. The minimum distance from a driving aisle or an access easement, or both,
 1270 to the ultimate right-of-way line of a street within a trafficway corridor
 1271 shall be ten feet where there is no connection to a driveway.
- 1272 d. Within the ten-foot setback area included in the street or driveway
 1273 intersection sight triangle thereby created, it shall be unlawful to install,
 1274 set out or maintain, or to allow the installation, setting out or maintenance
 1275 of any sign, hedge, shrubbery, tree, natural growth or other obstruction of
 1276 any kind which obstructs cross-visibility at a level between 24 inches and
 1277 96 inches above the level of the center of the adjacent intersection.
- 1278 e. The ten-foot setback requirement of subsection d may be modified or
 1279 waived by the DRC and appropriate board or commission to the extent
 1280 that a traffic study acceptable to the Town demonstrates that the public
 1281 safety will not be adversely affected by such modification or waiver.
- 1282 (6) Bus bay requirements. If the development abuts a trafficway or trafficway
 1283 corridor with an existing or proposed bus route, additional right-of-way for and
 1284 construction of bus pullout bays may be required to provide for bus stops in
 1285 suitable locations as determined by the DRC and appropriate board or
 1286 commission pursuant to the following standards:
- 1287 a. Bus pullout bays are specialized bus stop auxiliary lanes, independent of
 1288 the through-traffic travel lane. A bus pullout bay allows through-traffic to
 1289 flow freely, without being impeded by stopped buses. Design of bus
 1290 pullout bays shall conform to the following:

- 1291 1. Design requirements. All bus pullout bays shall be designed as
1292 follows:
- 1293 ~~(a)~~ i. Twelve (12) feet in width.
- 1294 ~~(b)~~ ii. One hundred 196 feet in length; consisting of 60 feet of
1295 inbound transition, 100 feet of storage, and 36 feet of
1296 outbound transition.
- 1297 2. Location. Bus pullout bays shall be required in the following
1298 locations:
- 1299 ~~(a)~~ i. If the development is a shopping center or activity center,
1300 or major residential development.
- 1301 ~~(b)~~ ii. If the development is on the far side of an intersection of
1302 two trafficways or a trafficway and a nontrafficway
1303 collector.
- 1304 3. Sidewalk. Construction of on-site sidewalks and sidewalk along
1305 adjacent roadways shall be designed to connect building entrances
1306 and bus pullout bays as directly as possible, to avoid conflicts
1307 between passengers and parking spaces, driving aisles, and
1308 landscaping.
- 1309 ~~(a)~~ i. Design. Sidewalks shall be at least five feet wide. The
1310 sidewalk shall be separated from the roadway or from the
1311 driving aisles by a curb or swale and shall be wheelchair
1312 accessible. Construction shall connect to adjacent bus stops
1313 or bus shelters.
- 1314 (7) Bus shelter easement requirement. If the development abuts a trafficway or
1315 trafficway corridor with an existing or proposed bus route, bus shelter easements
1316 may be required in suitable locations as determined by the DRC, and appropriate
1317 board or commission and the Broward County Mass Transit Division pursuant to
1318 the following standards:
- 1319 a. The easement shall generally be 14 feet by eight feet in size.
- 1320 b. Such easements shall be a minimum of 1,200 feet apart.
- 1321 (8) Nonvehicular ingress and egress line. If development abuts a street within a
1322 trafficway corridor, a nonvehicular ingress and egress line shall be delineated
1323 along the ultimate right-of-way line except at those points of access provided in
1324 conformance with the standards of this article.
- 1325 In order to amend a nonvehicular ingress and egress line reflected on the face of a
1326 recorded plat the applicant shall file an application with the Office of Planning for

1327 submittal to the Broward County Board of County Commissioners. The
1328 application shall be subject to the Broward County development review process.
1329 The Town will provide a written response to the County regarding the proposed
1330 change in the nonvehicular ingress and egress line. Any change in the
1331 nonvehicular ingress and egress line approved by the Board of County
1332 Commissioners shall be reflected in a document recorded in the public records of
1333 Broward County, Florida.

1334 (9) Vehicular access to trafficways. Nondedicated or dedicated vehicular access to a
1335 street within a trafficway corridor shall conform to the following standards.

1336 a. General design requirements. The design of driveways shall be regulated
1337 as follows:

1338 1. Any development with access to a trafficway shall have either
1339 driveway approaches of sufficient width to allow for two-way
1340 traffic, or one-way driveways connected to aisles, parking areas or
1341 maneuvering areas in such a manner as to permit traffic to both
1342 enter and leave the development, facing forward, at the same time.
1343 A driveway which is only wide enough for one-way traffic shall
1344 not be used for two-way access.

1345 2. The area within the development to which the driveway provides
1346 access shall be of sufficient size to allow all necessary functions
1347 for loading, unloading, and parking maneuvers to be carried out on
1348 private property and completely off the street right-of-way.

1349 b. Type of driveway required:

1350 1. Minor driveway entrance. The minimum distance from the
1351 ultimate right-of-way line at any ingress or egress minor driveway
1352 to the outer edge of any interior service drive or parking space with
1353 direct access to such driveway shall be 25 feet, measured
1354 perpendicularly from the ultimate right-of-way line. This driveway
1355 shall provide service for a maximum average daily trip volume of
1356 400 vehicles or a maximum of an average peak hour inbound right-
1357 turn volume of 40 vehicles or both. A minor driveway entrance
1358 radius shall be 30 feet and a minimum width shall be 24 feet. The
1359 DRC may require a deceleration lane of 12 feet in width, 150 feet
1360 storage with 100 feet transition, unless a traffic engineering study
1361 acceptable to the Town demonstrates that the modification or
1362 absence of such a lane will not adversely impact traffic conditions.

1363 2. Intermediate driveway. The minimum distance from the ultimate
1364 right-of-way line at any ingress or egress intermediate driveway to

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the outer edge of any interior service drive or parking space with direct access to such driveway shall be 50 feet, measured perpendicularly from the ultimate right-of-way line unless waived by the DRC. This driveway shall provide for a maximum average daily trip volume of 2,000 vehicles and/or a maximum average peak hour volume of 200 vehicles. A minimum deceleration lane 12 feet wide, 150 feet storage with 100 feet transition shall be provided, unless a traffic engineering study acceptable to the DRC demonstrates that the modification or absence of such a lane will not adversely impact traffic conditions. A minimum of two egress lanes 12 feet in width each with one sixteen-foot wide ingress lane shall be provided. An intermediate driveway radius shall be 35 feet.

3. Major driveway entrance. The minimum distance from the ultimate right-of-way line at any ingress or egress major driveway to the outer edge of any interior service drive or parking space with direct access to such driveway shall be 100 feet, measured perpendicularly from the ultimate right-of-way line unless waived by the DRC. This driveway shall provide for a maximum average daily trip volume of 5,000 vehicles and/or a maximum average peak hour volume of 500 vehicles. A minimum deceleration lane 12 feet wide, 200 feet storage and 100 feet transition shall be provided, unless a traffic engineering study acceptable to the DRC and appropriate board or commission demonstrates that the modification or absence of such a lane will not adversely impact traffic conditions. A minimum of two egress lanes 12 feet each in width and one 16-foot wide ingress lane shall be provided. A major driveway radius shall be 40 feet.

4. Major driveway, signalized. Any major drive requiring traffic signal shall conform to those warrants specified in the Manual of Uniform Traffic Control Devices in addition to the following minimum requirements:

~~(a)~~ i. The installation of any traffic signal shall be subject to the standards of the Florida Department of Transportation.

~~(b)~~ ii. A right turn shall be provided at all driveway locations where posted speeds are 35 mph or greater unless waived by the DRC and appropriate board or commission.

~~(c)~~ iii. Number and location of driveways. The number and location of driveways shall be determined as follows:

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(1) aa. *Spacing of driveways.*

- a. To allow for proper corner clearance, the minimum tangent curb length between a minor driveway and an intersection shall be 50 feet unless waived by the DRC and appropriate board or commission.
- b. If the closest intersection involves two streets classified as arterial or collector, then traffic movements to and from any driveway within 660 feet of an intersection with a collector and 760 feet of an intersection with an arterial shall be limited to right turns only unless waived by the DRC and appropriate board or commission.
- c. Minimum acceptable spacing between intermediate or major driveways and an intersection shall be similar to the criteria for intersections of local streets with a trafficway or collector.

(2) bb. *Frontage.*

- a. One driveway shall be permitted for ingress and egress purposes to a single property or development.
- b. Two driveways entering a particular arterial street from a single property or development may be permitted if all other requirements of this section are met and if the minimum distance between the adjacent driveways conforms to the minimum spacing requirements of subparagraph ~~(c)~~ (cc) below.
- c. Three driveways entering a particular arterial street from a single property or development may be permitted if all other requirements of these regulations are met and if the minimum distance between adjacent driveways conforms to the

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minimum spacing requirements of subparagraph ~~(3)~~ (cc) below.

- d. A joint access driveway will be considered as adequate access for any two adjacent developments. For a development where additional driveways are being requested and where those driveways do not meet the spacing requirements, the applicant shall be required to submit a brief traffic report justifying the need, describing the internal circulation and parking system, and identifying the impact of the development and its proposed access facilities on the operation of the trafficway corridor.

~~(3)~~ cc. *Driveway centerline spacing requirements within trafficway corridor.*

- a. The minimum distance between centerlines of two-way driveways shall conform to the Town's design standards. For those driveways with left turn movements, median opening spacing requirements shall have precedence.
- b. Driveway centerline spacing may be increased if the required turn lane storage or transition is increased by any governmental agency.
- c. Minimum driveway centerline spacing may be decreased if one-way driveways are utilized and accepted by the DRC, and appropriate board or commission and appropriate agency.

~~(4)~~ dd. *Special driveway requirements.* In the case of a land use with special driveway needs, an applicant may submit a traffic engineering study requesting technical deviations from the requirements of this section. If deviations from driveway requirements are permitted, substitute requirements which deviate no more than necessary to serve the special land use needs may be applied to the development in order to

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minimize the impact on the adjacent street. Such deviations from the driveway requirements shall be approved by the DRC, and appropriate board or commission and the appropriate agency.

~~(5)~~ ee. *Replacement of abandoned [relocation or abandonment of driveways] within a trafficway corridor.* Existing driveway approaches shall not be relocated, altered, or reconstructed without approval for relocation, alteration, or reconstruction of such driveway approaches. When the use of any driveway approach is changed, making any portion of all of the driveway approach unnecessary, the developer of the abutting property shall obtain a permit from the appropriate agency to abandon the driveway approach and shall, at his expense, replace all necessary curbs, gutters, and sidewalks.

~~(6)~~ ff. *Turning lanes.*

- a. Left-turn lane requirements immediately adjacent to the development. A left-turn lane with a minimum of 200 feet storage with 100 feet transition shall be provided at each driveway that meets the minimum spacing requirements of subsection 30-124(b)(4), when the speed limit equals or exceeds 35 mph or if the average daily traffic (ADT) of the driveway is 1,000 vehicles or more and/or the average peak hour inbound left-turn volume is 25 vehicles or more.
- b. Right-turn lane requirements immediately adjacent to the development. A right-turn lane with a minimum of 150 feet of storage and 100 feet of transition shall be provided at each driveway when the speed limit equals or exceeds 35 mph or if the development will generate 100 or more right-turn movements during the peak hour.
- c. Intersection improvements immediately adjacent to the development. At intersections which abut the development

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the following improvement shall be provided:

1. A right-turn lane shall be provided if the street's speed limit equals or exceeds 35 mph or if the development will generate 100 or more right turns during the peak hours.
 2. A left-turn lane shall be provided if the street's speed limit equals or exceeds 35 mph or if the development will generate 25 or more left turns during the peak hour.
- d. Required storage and transition lengths may be modified where conditions warrant and are acceptable to the DRC, and appropriate board or commission and appropriate agency. When storage and transition lengths are so modified, the minimum distances set forth in the Town's design standards may be correspondingly adjusted if appropriate.

(7) gg. *Frontage roads within the public right-of-way.* All driveway access along arterials with existing or planned frontage roads shall be provided to such frontage roads. To gain temporary direct access to the arterial, the developer shall construct the section of the frontage road adjacent to the property. The frontage road section shall be located where planned. Any right-of-way not previously dedicated shall be dedicated prior to issuance of a temporary driveway permit providing direct access to the arterial. If driveway access is provided from frontage roads, driveway spacing and property clearance and minimum lot width requirements under this section may be reduced by one-third. However, minimum driveway spacing for temporary direct access to the arterial should be adequate to ensure safe traffic operation at the design speed.

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~~(8)~~ hh. *Access between trafficway and private property.*

- a. Access easement. Easement for and construction of access on private property shall be required when property that abuts an existing or proposed roadway does not or will not align with an approved median access or when the location of the property will prohibit adjacent properties of similar land use from gaining access to an approved median opening. The easement shall guarantee the interconnection to and through such properties for access to and from the divided roadway.
- b. Location. The intersection of any portion of an access easement with that portion that contains the driveway shall conform to the minimum depth of the appropriate driveway type as required by this section.
- c. Design. The minimum pavement width for the two-way access shall be 24 feet.

~~(9)~~ ii. *Off-street vehicular circulation.* Where a development is located on a street within a trafficway corridor the parking facility shall have full internal vehicular circulation and storage. Vehicular circulation must be completely contained within the property and vehicles located within one portion of the development must have access to all other portions without using the adjacent street system.

~~(10)~~ jj. *Off-street truck maneuvering.* Where a proposed development includes a truck loading operation and has access to a street within a trafficway corridor, adequate space shall be provided such that all truck limit equals or exceeds 35 mph or if the development will generate 100 or more right turns during the peak hours.

~~(11)~~ kk. *Off-street vehicle reservoir areas.* Adequate reservoir capacity shall be required for both inbound and outbound vehicles to facilitate the safe

1597 and efficient movement between the street and the
1598 development. An inbound reservoir shall be of
1599 sufficient size to ensure that vehicles will not
1600 obstruct the adjacent street, sidewalk and circulation
1601 within the facility. An outbound reservoir shall be
1602 required to eliminate backup and delay of vehicles
1603 within the development.

1604 (c) *Design standards and requirements for traffic control on local streets.*

1605 (1) General requirements applicable to all local streets.

1606 a. Improvements required. An applicant shall construct or bond for the
1607 construction, prior to issuance of any development order, all roadway and
1608 drainage improvements for those rights-of-way lying within or adjacent to
1609 the proposed development and necessary to accommodate the traffic
1610 generated by the development. Such improvements shall be in accordance
1611 with the applicable portions of the following: The Town's Design
1612 Standards, Resolution No. 85-3606, "Minimum Construction Standards
1613 Applicable to Public Rights-of-Way Under Broward County Jurisdiction,"
1614 set out in the Broward County Administrative Code, the Manual for
1615 Uniform Minimum Standards for the Design, Construction and
1616 Maintenance of Streets and Highways (the "Green Book"), the Grading
1617 and Drainage Regulations and Standards, Water Management Regulations
1618 and Standards and Drainage Design Criteria and standards of the Broward
1619 County Water Resources Management Division, and the Manual of
1620 Uniform Traffic Control Devices as approved by the Broward County
1621 Traffic Engineering Division.

1622 1. On-site improvements. A developer shall be required to construct
1623 or bond for the construction those on-site improvements required
1624 by the provisions of this section and any additional improvements
1625 necessary for traffic safety including but not limited to the
1626 following: pavement, rock base, fill, curbs, gutters, sidewalks,
1627 bikeways, guardrail, shoulder areas, swales, roadside recovery
1628 areas, bridges, drainage outlets, catch basins, drainage pipes,
1629 culverts, drainage ditches, headwalls, endwalls, rip-rap, traffic
1630 signals and interconnecting facilities, traffic control signs and
1631 pavement markings, street name signs, identification signs, left-
1632 and right-turn lanes, median openings, bus turnouts, and traffic
1633 separators.

1634 2. Off-site improvements. A developer shall be required to construct
1635 or bond for the construction those roadway and drainage

1636 improvements on property adjacent to the proposed development
1637 necessary to connect the new development to an existing
1638 adequately paved adjacent street system unless waived by the DRC
1639 and the appropriate board or commission.

1640 b. Access to development.

1641 1. Every lot or parcel shall be served from a publicly dedicated street;
1642 provided however, that a developer may retain as private a local
1643 street or a collector nontrafficway street if the following conditions
1644 are met:

1645 ~~(a)~~ i. Public right-of-way is not required in order to serve
1646 adjacent development that is existing or projected on the
1647 Town's certified local land use plan;

1648 ~~(b)~~ ii. A permanent access easement is granted for service and
1649 emergency vehicles and for maintenance of public and
1650 semi-public utilities; and

1651 ~~(c)~~ iii. A reciprocal easement for ingress and egress is granted all
1652 residents of the development;

1653 ~~(d)~~ iv. Private local or collector streets comply with all applicable
1654 construction standards contained in the "Minimum
1655 Construction Standards Applicable to Public Rights-of-
1656 Way Under Broward County Jurisdiction," adopted by
1657 Resolution No. 85-3606, set out in the Broward County
1658 Administrative Code.

1659 c. Right-of-way required. An applicant will be required to dedicate right-of-
1660 way in addition to the right-of-way requirements of the Town's design
1661 standards in the following situations:

1662 1. If proposed access from the development to an existing dedicated
1663 and accepted street does not meet the total right-of-way
1664 requirement for a complete road.

1665 2. If a development has a greater impact on an existing road than that
1666 for which the roadway width had previously been designed.

1667 3. If a development abuts or contains an existing street of inadequate
1668 right-of-way width.

1669 d. Alleys.

1670 1. Alleys may be provided to serve residential, business, commercial
1671 and industrial areas and shall be a minimum of 30 feet in width.

- 1672 2. Changes in direction of the alignment of an alley shall be made on
1673 a centerline radius of not less than 50 feet.
- 1674 3. Dead-end alleys shall be prohibited where possible, but if
1675 unavoidable, shall be provided with adequate turnaround and
1676 facilities for service trucks at the dead-end, with a minimum
1677 external diameter of 100 feet of right-of-way, or as determined to
1678 be adequate by the DRC and the appropriate board or commission.
- 1679 4. At intersections with streets or other alleys, a corner chord right-
1680 of-way based on not less than a 20-foot radius shall be provided by
1681 dedication or, if acceptable to the DRC and Town Commission, by
1682 grant of easement.
- 1683 e. Blocks.
- 1684 1. The length, width and shape of blocks shall be determined with
1685 due regard to:
- 1686 ~~(a)~~ i. Provisions of adequate building sites, suitable to the needs
1687 of the use contemplated.
- 1688 ~~(b)~~ ii. Zoning requirements as to the lot sizes and dimensions.
- 1689 ~~(c)~~ iii. Need for convenient and safe access, circulation and
1690 control of pedestrian and vehicular traffic.
- 1691 ~~(d)~~ iv. Limitations and opportunities of topographic features.
- 1692 2. Pedestrian crosswalks, of not less than ten feet in width, may be
1693 required in blocks if necessary, to provide safe and convenient
1694 access to schools, playgrounds, shopping centers, transportation or
1695 other community facilities in accordance with subsection ~~(e)~~ (iii)
1696 of this section.
- 1697 f. Lots.
- 1698 1. The lot arrangement and design shall be such that all lots will
1699 provide satisfactory and desirable building sites, properly related
1700 {to the} topography and to the character of the area.
- 1701 2. Lot dimensions and areas shall not be less than those specified by
1702 the applicable zoning regulations.
- 1703 3. Side lot lines shall be substantially at right angles or radial to street
1704 lines.
- 1705 4. The minimum arc frontage for lots abutting the turnaround of a
1706 cul-de-sac shall be 25 feet for residential uses and 60 feet for uses
1707 other than residential.

- 1708 (2) Design criteria for local streets by development type. The design of local streets
1709 shall comply with the requirements of the provisions of the Town's design
1710 standards depending on the type of development proposed. Deviations may be
1711 allowed but only where approved by the DRC and Town Commission upon a
1712 finding that substantially equivalent protection of the public safety can be
1713 achieved by alternative standards; provided, however, that no alternative standard
1714 having more than a ten percent deviation from the numerical standard stated
1715 below shall be permitted. If a proposed development includes more than one type
1716 of use, the highest criteria shall apply.
- 1717 a. Residential development. Residential streets shall be adequate to permit
1718 neighborhood traffic circulation to flow from the highest element of the
1719 hierarchical classification, the expressway, arterial or collector, to the
1720 lowest element, the local residential street. Circulation within a residential
1721 development shall be adequate when the criteria of the Town's standards
1722 are met and when collectors and local streets are provided which meet the
1723 standards of the comprehensive plan.
- 1724 ~~1. Reserved.~~
- 1725 ~~2.~~ 1. Residential collector street. The residential collector street serves
1726 as the principal circulation facility within the residential
1727 neighborhood unit. Its function is to collect traffic from the interior
1728 and deliver it to the closest perimeter intraneighborhood
1729 transportation between the residential units and the local centers of
1730 attraction such as neighborhood shopping centers, schools, and
1731 neighborhood parks.
- 1732 ~~3.~~ 2. Local residential street. The primary function of the local street is
1733 to provide the access of vehicles to single-family residential
1734 development fronting on the street. Local streets shall provide
1735 access to low density residential development and connect local
1736 traffic from private driveways to collector streets. Local streets are
1737 required when connections of driveways or private streets to the
1738 collector would be otherwise closer than 250 feet.
- 1739 b. Commercial development. Commercial development shall be designed to
1740 satisfy the needs generated by residential development. The size and
1741 location of the proposed commercial development shall be appropriate to
1742 support the proposed use.
- 1743 1. Pedestrian access. Neighborhood and community commercial
1744 facilities shall have an efficient and direct pedestrian connection to
1745 the residential areas the facilities are intended to serve. The design
1746 of local commercial facilities shall allow pedestrian and bike riders

1747 direct access from adjacent neighborhood areas, with due
1748 consideration to the elimination of points of conflict between
1749 pedestrians and vehicles.

1750 **Secs. 30-125—32-150. - Reserved.**

1751 **SECTION 4. Severability.** If any section, sentence, clause or phrase of this Ordinance is
1752 held to be invalid or unconditional by any court of competent jurisdiction, then said holding shall in
1753 no way affect the validity of the remaining portions of this Ordinance.

1754 **SECTION 5. Conflicts.** All ordinances or parts of Ordinances and all Resolutions or
1755 parts of Resolutions in conflict with the provisions of this Ordinance are hereby repealed.

1756 **SECTION 6. Codification.** This Ordinance shall be codified.

1757 **SECTION 7. Effective Date.** This Ordinance shall become effective immediately upon
1758 adoption on second reading.

1759 **SECTION 8. Adoption.** Passed on the first reading, this __ day of _____, 2012.

1760 Passed and adopted on the second reading, this __ day of _____, 2012.

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Mayor Roseann Minnet

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First Reading

Second Reading

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Mayor Minnet

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Vice-Mayor Sasser

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Commissioner Brown

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Commissioner Dodd

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Commissioner Vincent

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Attest:

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Town Clerk, June White, CMC

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(CORPORATE SEAL)

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1782 Approved as to form:
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1784 _____
1785 Susan L. Trevarthen, Town Attorney

Subpart B—Notice of Construction or Alteration

77.11 Scope.

(a) This subpart requires each person proposing any kind of construction or alteration described in 77.13(a) to give adequate notice to the Administrator. It specifies the locations and dimensions of the construction or alteration for which notice is required and prescribes the form and manner of the notice. It also requires supplemental notices 48 hours before the start and upon the completion of certain construction or alteration that was the subject of a notice under 77.13(a).

(b) Notices received under this subpart provide a basis for:

- (1) Evaluating the effect of the construction or alteration on operational procedures and proposed operational procedures;
- (2) Determinations of the possible hazardous effect of the proposed construction or alteration on air navigation;
- (3) Recommendations for identifying the construction or alteration in accordance with the current Federal Aviation Administration Advisory Circular AC 70/7460 1 entitled "Obstruction Marking and Lighting," which is available without charge from the Department of Transportation, Distribution Unit, TAD 484.3, Washington, DC 20590.
- (4) Determining other appropriate measures to be applied for continued safety of air navigation; and
- 5) Charting and other notification to airmen of the construction or alteration.

(Amdt. 77-8, Eff. 2/1/69); (Amdt. 77-10, Eff. 3/ 4/72)

77.13 Construction or alteration requiring notice.

a) Except as provided in 77.15, each sponsor who proposes any of the following construction or alteration shall notify the Administrator in the form and manner prescribed in 77.17:

- (1) Any construction or alteration of more than 200 feet in height above the ground level at its site.
- (2) Any construction or alteration of greater height than an imaginary surface extending outward and upward at one of the following slopes:
 - (i) 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of each airport specified in paragraph (a)(5) of this section with at least one runway more than 3,200 feet in actual length, excluding heliports.
 - (ii) 50 to 1 for a horizontal distance of 10,000 feet from the nearest point of the nearest runway of each airport specified in paragraph (a)(5) of this section with its longest runway no more than 3,200 feet in actual length, excluding heliports.
 - (iii) 25 to 1 for a horizontal distance of 5,000 feet from the nearest point of the nearest landing and takeoff area of each heliport specified in paragraph (a)(5) of this section.
- (3) Any highway, railroad, or other traverse way for mobile objects, of a height which, if adjusted upward 17 feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance, 15 feet for any other public roadway, 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road, 23 feet for a railroad, and for a waterway or any other traverse way not previously mentioned, an amount equal to the height of the highest mobile object that would normally traverse it, would exceed a standard of paragraph (a) (1) or (2) of this section.
- (4) When requested by the FAA, any construction or alteration that would be in an instrument approach area (defined in the FAA standards governing instrument approach procedures) and available information indicates it might exceed a standard of subpart C of this part.
- (5) Any construction or alteration on any of the following airports (including heliports):
 - (i) An airport that is available for public use and is listed in the Airport Directory of the current Airman's Information Manual or in either the Alaska or Pacific Airman's Guide and Chart Supplement.

(ii) An airport under construction, that is the subject of a notice or proposal on file with the Federal Aviation Administration, and, except for military airports, it is clearly indicated that the airport will be available for public use.

(iii) An airport that is operated by an armed force of the United States.

(b) Each sponsor who proposes construction or alteration that is the subject of a notice under paragraph (a) of this section and is advised by an FAA regional office that a supplemental notice is required shall submit that notice on a prescribed form to be received by the FAA regional office at least 48 hours before the start of the construction or alteration.

(c) Each sponsor who undertakes construction or alteration that is the subject of a notice under paragraph (a) of this section shall, within 5 days after that construction or alteration reaches its greatest height, submit a supplemental notice on a prescribed form to the FAA regional office having jurisdiction over the region involved, if--

- (1) The construction or alteration is more than 200 feet above the surface level of its site; or
- (2) An FAA regional office advises him that submission of the form is required.

(Amdt. 77-5, Eff. 5/2/68); (Amdt. 77-9, Eff. 5/16/71); (Amdt. 77-10, Eff. 3/4/72)

77.15 Construction or alteration not requiring notice.

No person is required to notify the Administrator for any of the following construction or alteration:

(a) Any object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographic features of equal or greater height, and would be located in the congested area of a city, town, or settlement where it is evident beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation.

(b) Any antenna structure of 20 feet or less in height except one that would increase the height of another antenna structure.

(c) Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device, of a type approved by the Administrator, or an appropriate military service on military airports, the location and height of which is fixed by its functional purpose.

(d) Any construction or alteration for which notice is required by any other FAA regulation.

(Amdt. 77-5, Eff. 5/2/68); (Amdt. 77-9, Eff. 5/16/71)

77.17 Form and time of notice.

(a) Each person who is required to notify the Administrator under 77.13(a) shall send one executed form set (four copies) of FAA Form 7460-1, Notice of Proposed Construction or Alteration, to the Manager, Air Traffic Division, FAA Regional Office having jurisdiction over the area within which the construction or alteration will be located. Copies of FAA Form 7460-1 may be obtained from the headquarters of the Federal Aviation Administration and the regional offices.

(b) The notice required under 77.13(a) (1) through (4) must be submitted at least 30 days before the earlier of the following dates:

- (1) The date the proposed construction or alteration is to begin.
- (2) The date an application for a construction permit is to be filed.

However, a notice relating to proposed construction alteration that is subject to the licensing requirements of the Federal Communications Act may be sent to FAA at the same time the application for construction is filed with the Federal Communications Commission, or at any time before that filing.

(c) A proposed structure or an alteration to an existing structure that exceeds 2,000 feet in height above the ground will be presumed to be a hazard to air navigation and to result in an inefficient utilization of airspace and the applicant has the burden of overcoming that presumption. Each notice submitted under the pertinent provisions of this part 77 proposing a structure in excess of 2,000 feet above ground, or an alteration that will make an existing