



# Annual Report Form For Individual NPDES Permits For Municipal Separate Storm Sewer Systems (RULE 62-624.600(2), F.A.C.)

- This Annual Report Form must be completed and submitted to the Department to satisfy the annual reporting requirements established in Rule 62-621.600, F.A.C.
- Submit this fully completed and signed form and any REQUIRED attachments by email to the NPDES Stormwater Program Administrator or to the MS4 coordinator (<http://www.dep.state.fl.us/water/stormwater/npdes/contacts.htm>). Files larger than 10MB may be placed on the FTP site at: [ftp://ftp.dep.state.fl.us/pub/NPDES\\_Stormwater/](ftp://ftp.dep.state.fl.us/pub/NPDES_Stormwater/). After uploading files, email the MS4 coordinator or NPDES Program Administrator to notify them the report is ready for downloading; or by mail to the address in the box at right.
- Refer to the Form Instructions for guidance on completing each section.
- **Please print or type information in the appropriate areas below.**

**Submit the form and attachments to:**  
 Florida Department of Environmental Protection  
 Mail Station 3585  
 2600 Blair Stone Road  
 Tallahassee, Florida 32399-2400

**SECTION I. BACKGROUND INFORMATION**

|   |  |                        |                                   |
|---|--|------------------------|-----------------------------------|
| <b>A.</b>   | Permittee Name: <b>Town of Ocean Ridge</b>   |                        |                                   |
| <b>B.</b>   | Permit Name: <b>Palm Beach County MS4</b>  |                        |                                   |
| <b>C.</b>   | Permit Number: <b>FLS000018-004</b>  |                        |                                   |
| <b>D.</b>   | Annual Report Year: <input type="checkbox"/> Year 1 <input type="checkbox"/> Year 2 <input type="checkbox"/> Year 3 <input checked="" type="checkbox"/> Year 4 <input type="checkbox"/> Year 5 <input type="checkbox"/> Other, specify Year: |                        |                                   |
| <b>E.</b>   | Reporting Time Period (month/year): <b>10 / 2019 through 9 / 2020</b>  |                        |                                   |
| <b>F.</b>   | Name of the Responsible Authority: <b>Tracey Stevens</b>   |                        |                                   |
|   | Title: <b>Town Manager/Finance Director</b>  |                        |                                   |
|   | Mailing Address: <b>6450 N. Ocean Boulevard</b>  |                        |                                   |
|   | City: <b>Ocean Ridge</b>   | Zip Code: <b>33435</b> | County: <b>Palm Beach</b>         |
|   | Telephone Number: <b>(561) 732-2635</b>  |                        | Fax Number: <b>(561) 737-8359</b> |
| E-mail Address: <b>tstevens@oceanridgeflorida.com</b> |  |                        |                                   |
| <b>G.</b>   | Name of the Designated Stormwater Management Program Contact (if different from Section I.F above):<br><b>Kimberli Kile, E.I., Engenuity Group, Inc.</b>   |                        |                                   |
|   | Title: <b>Project Engineer</b>   |                        |                                   |
|   | Department: <b>Engineering</b>   |                        |                                   |
|   | Mailing Address: <b>1280 N. Congress Avenue, Suite 101</b>   |                        |                                   |
|   | City: <b>West Palm Beach</b>   | Zip Code: <b>33409</b> | County: <b>Palm Beach</b>         |
|   | Telephone Number: <b>(561) 655-1151</b>  |                        | Fax Number: <b>(561) 832-9390</b> |
| E-mail Address: <b>kkile@engenuitygroup.com</b>       |  |                        |                                   |

**SECTION II. MS4 MAJOR OUTFALL INVENTORY (Not Applicable in Year 1)**

|           |   |
|-----------|---|
| <b>A.</b> | Number of outfalls ADDED to the outfall inventory in the current reporting year (insert "0" if none): 0<br>(Does this number include non-major outfalls? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable)     |
| <b>B.</b> | Number of outfalls REMOVED from the outfall inventory in the current reporting year (insert "0" if none): 0<br>(Does this number include non-major outfalls? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable) |
| <b>C.</b> | Is the change in the total number of outfalls due to lands annexed or vacated? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable  |

**SECTION III. PART V.B. ASSESSMENT PROGRAM**

|           |   |
|-----------|---|
| <b>A.</b> | <p>Provide a brief statement as to the status of water quality monitoring plan implementation. Status may include sampling frequency changes, monitoring location changes, or sampling waiver conditions.<br/><i>DEP Note: If permittee participates in a collaborative monitoring plan, permittee may refer to a joint response as defined by the interlocal agreement.</i></p> <p>Name and date of the approved plan: <b>5/15/2018 (via email)</b></p> <p>Status: <b>The monitoring program is carried out jointly by the PBC permittees. See the PBC Joint Annual Report. The information relevant to the permittee's outfalls is addressed within the Annual Assessment Report documents provided herewith.</b></p> |
| <b>B.</b> | <p>Provide a brief discussion of the monitoring and loading results to date which includes a summary of the water quality monitoring data and / or stormwater pollutant loading changes from the reporting year.<br/><i>DEP Note: Results must be specific to the permittee's SWMP.</i></p> <p><b>See attached Annual Assessment Report and Permittee's Year 3 Pollutant Loading Report.</b></p>  |
| <b>C.</b> | <p>Attach a monitoring data summary as required by the permit. An analysis of the data discussing changes in water quality and/or stormwater pollutant loading from previous reporting years.<br/><i>DEP Note: Analysis must be specific to the permittee's SWMP.</i></p> <p><b>See attached Annual Assessment Report and Permittee's Year 3 Pollutant Loading Report.</b></p>  |

**SECTION IV. FISCAL ANALYSIS**

|           |   |
|-----------|---|
| <b>A.</b> | Total expenditures for the NPDES stormwater management program for the current reporting year: \$269,634.64   |
| <b>B.</b> | Total budget for the NPDES stormwater management program for the subsequent reporting year: \$127,500.00  |
| <b>C.</b> | <p>Did the current reporting year resources decrease from the previous year? Y <input type="checkbox"/> / N <input checked="" type="checkbox"/></p> <p>If program resources decreased, provide a discussion of the impacts on the implementation of the SWMP.</p> |

**SECTION V. MATERIALS TO BE SUBMITTED WITH THIS ANNUAL REPORT FORM**

Only the following materials are to be submitted to the Department along with this fully completed and signed Annual Report Form (check the appropriate box to indicate whether the item is attached or is not applicable):

| Attached                            | N/A                                 | Required Attachments  | Permit Citation          | Attachment Number/Title                                       |
|-------------------------------------|-------------------------------------|---|--------------------------|---|
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Any additional information required to be submitted in this current annual reporting year in accordance with Part III.A of your permit that is not otherwise included in Section VII below.   | Part III.A               |   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | An explanation of why the minimum inspection frequency in Table II.A.1.a. was not met, if applicable.   | Part II.A.1              |   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | A list of the flood control projects that did not include stormwater treatment and an explanation for each of why it did not (if applicable).   | Part III.A.4             |   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | A monitoring data summary as directed in Section III.C above and in accordance with Rule 62-624.600(2)(c), F.A.C.   | Part V.B.3               | See Joint Annual Report and attached Annual Assessment Report |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | YEAR 1 ONLY: An inventory of all known major outfalls and a map depicting the location of the major outfalls (hard copy or CD-ROM) in accordance with Rule 62-624.600(2)(a), F.A.C.   | Part III.A.1             |   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | YEAR 2: A summary review of codes and regulations to reduce the stormwater impact from development.   | Part III.A.2             |   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Year 3 ONLY: The estimates of pollutant loadings and event mean concentrations for each major outfall or each major watershed in accordance with Rule 62-624.600(2)(b), F.A.C.  | Part V.A                 |   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | YEAR 3: Summary of TMDL Monitoring Results (if applicable).   | Part VIII.B.2            |   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | YEAR 3: Bacteria Pollution Control Plan (if applicable).  | Part VIII.B.3            |   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | YEAR 4: A follow-up report on plan implementation of changes to codes and regulations to reduce the stormwater impact from development.   | Part III.A.2             | See Land Development Regulations (LDRs) Report                |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | YEAR 4: A report on any amendments to the applicable legal authority (if applicable).   | Part III.A.7.a           |   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | YEAR 4: Permit re-application information in accordance with Rule 62-624.420(2), F.A.C. <ul style="list-style-type: none"> <li>The monitoring plan (with revisions, if applicable).</li> <li>If the total annual pollutant loadings have not decreased over the past two permit cycles, revisions to the SWMP, as appropriate.</li> </ul> | Part V.B.3<br>Part V.A.3 | See Joint Annual Report                                       |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | YEAR 4: TMDL Supplemental SWMP (if applicable).   | Part VIII.B.3            |   |

**DO NOT SUBMIT ANY OTHER MATERIALS**  
(such as records and logs of activities, monitoring raw data, public outreach materials, etc.)

**SECTION VI. CERTIFICATION STATEMENT AND SIGNATURE**

The Responsible Authority listed in Section I.F above must sign the following certification statement, as per Rule 62-620.305, F.A.C.:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name of Responsible Authority (type or print): Tracey Stevens

Title: Town Manager/Finance Director

Signature:  Date: 1/18/21

**SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE**

| A.   | B.  |                                 |                                  |                              |   | C.   | D.   | E.   | F.   |
|--|---|---------------------------------|----------------------------------|------------------------------|---|--|--|--|--|
| Permit Citation/<br>SWMP Element   | Permit Requirement/Quantifiable SWMP Activity   |                                 |                                  |                              |   | Number of<br>Activities<br>Performed   | Documentation /<br>Record  | Entity<br>Performing<br>the Activity             | Comments   |
| <b>Part III.A.1</b>  | <b>Structural Controls and Stormwater Collection Systems Operation</b>  |                                 |                                  |                              |   |  |  |  |  |
|  | <p>Report the current known inventory.</p> <p>Report the number of inspection and maintenance activities conducted for each applicable type of structure included in Table II.A.1.a, and the percentage of the total inventory of each type of structure inspected and maintained.</p> <p><i>Note: Delete structures that are not in your MS4's inventory. The permittee may choose its own unit of measurement for each structural control to be consistent with the unit of measurement in the documentation. Unit options include: miles, linear feet, acres, etc.</i></p> |                                 |                                  |                              |   |  |  |  |  |
|  | <b>Type of Structure</b>  | <b>Number of<br/>Structures</b> | <b>Number of<br/>Inspections</b> | <b>Percent<br/>Inspected</b> | <b>Number of<br/>Maintenance<br/>Activities</b> | <b>Percent<br/>Maintained</b>  |  |  |  |
| <p><b>Dry retention systems</b></p> <p><b>Exfiltration trench / French drains (lf)</b></p> <p><b>pump stations</b></p> <p><b>Major outfalls</b></p> <p><b>pipes / culverts (miles)</b></p> <p><b>Percolation Boxes</b></p> |   | 34                              | 12                               | 100                          | 12  | 100  | <b>Dry Retention<br/>systems<br/>Inspection<br/>Procedure Form</b> | <b>Public Works<br/>Department</b>               | <b>Maintenance<br/>performed<br/>when needed</b> |
|  | 43  | 43                              | 100                              | 0                            | 100   | <b>Exfiltration<br/>trench/French<br/>drains Structural<br/>Control<br/>Inspection</b> | <b>Public Works<br/>Department</b>                                 | <b>Maintenance<br/>performed<br/>when needed</b> |  |
|  | 2   | 4                               | 100                              | 1                            | 100   | <b>Stormwater<br/>Pump Station<br/>Inspection<br/>Procedure Form</b>                   | <b>Public Works<br/>Department</b>                                 | <b>Maintenance<br/>performed<br/>when needed</b> |  |
|  | 3   | 43                              | 100                              | 0                            | 100   | <b>Major<br/>Stormwater<br/>Outfall Structural<br/>Control<br/>Inspection</b>          | <b>Public Works<br/>Department</b>                                 | <b>Maintenance<br/>performed<br/>when needed</b> |  |
|  | 4   | 8                               | 100                              | 8                            | 100   | <b>Pipes / Culverts<br/>Control<br/>Inspection</b>                                     | <b>Public Works<br/>Department</b>                                 | <b>Maintenance<br/>performed<br/>when needed</b> |  |
|  | 2   | 2                               | 100                              | 0                            | 100   | <b>Percolation<br/>Boxes Structural<br/>Control<br/>Inspection</b>                     | <b>Public Works<br/>Department</b>                                 | <b>Maintenance<br/>performed<br/>when needed</b> |  |

**SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE**

| A.                               | B.   |                          |    |     | C.                                   |     | D.   | E.                                   | F.   |
|----------------------------------|--|--------------------------|----|-----|--------------------------------------|-----|--|--------------------------------------|--|
| Permit Citation/<br>SWMP Element | Permit Requirement/Quantifiable SWMP Activity  |                          |    |     | Number of<br>Activities<br>Performed |     | Documentation /<br>Record  | Entity<br>Performing<br>the Activity | Comments   |
|                                  | <b>Inlets / catch basins / grates</b>  | 221                      | 43 | 100 | 8                                    | 100 | <b>Roadway Catch<br/>Basin<br/>Inspections/illicit<br/>Detection<br/>Structural<br/>Control<br/>Inspection</b> | <b>Public Works<br/>Department</b>   | <b>Maintenance<br/>performed<br/>when needed</b> |
|                                  | <b>Ditches / conveyance swales (miles)</b>   | 12.3                     | 43 | 100 | 0                                    | 100 | <b>Conveyance<br/>Ditch and Swale<br/>system<br/>Structural<br/>Control<br/>Inspection</b>                     | <b>Public Works<br/>Department</b>   | <b>Maintenance<br/>performed<br/>when needed</b> |
|                                  | If the minimum inspection frequencies set forth in Table II.A.1.a. were not met, provide as an attachment an explanation of why they were not and a description of the actions that will be taken to ensure that they will be met. | <input type="checkbox"/> |    |     |                                      |     |  | All met                              |  |

| SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE |  |                                      |                           |                                      |   |
|---|--|--------------------------------------|---------------------------|--------------------------------------|---|
| A.  | B.   | C.                                   | D.                        | E.                                   | F.  |
| Permit Citation/<br>SWMP Element                                | Permit Requirement/Quantifiable SWMP Activity  | Number of<br>Activities<br>Performed | Documentation /<br>Record | Entity<br>Performing<br>the Activity | Comments  |
| Part III.A.1<br>Summary   | Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.   |                                      |                           |                                      |   |
|   | <b>Strengths: The frequency of checking the structures is weekly</b>   |                                      |                           |                                      |   |
|   | <b>Limitations: None</b>   |                                      |                           |                                      |   |
|   | <b>SWMP revisions implemented to address limitations: None</b>   |                                      |                           |                                      |   |
| Part III.A.2  | <b>Areas of New Development and Significant Redevelopment</b>  |                                      |                           |                                      |   |
|   | Report the number of significant development projects, including new and redevelopment, reviewed and approved by the permittee for post-development stormwater considerations.   |                                      |                           |                                      |   |
|   | <b>Number of significant development projects reviewed</b>   | 0                                    | Email on File             | Building Official                    | No significant redevelopment projects have been reviewed nor approved |
|   | <b>Number of significant development projects approved</b>   | 0                                    | Email on File             | Building Official                    |   |
|   | Provide in the Year 2 Annual Report the summary report of the review activity. Provide in the Year 4 Annual Report the follow-up report on plan implementation.  |                                      |                           |                                      |   |
|   | <b>Year 2 ONLY: Attach the summary report of the review activity</b>   | <input type="checkbox"/>             |                           |                                      |   |
|   | <b>Year 4 ONLY: Attach the follow-up report on plan implementation</b>   | <input checked="" type="checkbox"/>  | LDRs Report               | Planner                              |   |
| Part III.A.2<br>Summary   | Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.   |                                      |                           |                                      |   |
|   | <b>Strengths: There has been no significant redevelopment in the Town. The building has been sporadic individual homes and rehabilitation centers.</b>   |                                      |                           |                                      |   |
|   | <b>Limitations: None</b>   |                                      |                           |                                      |   |
|   | <b>SWMP revisions implemented to address limitations: None</b>   |                                      |                           |                                      |   |
| Part III.A.3  | <b>Roadways</b>  |                                      |                           |                                      |   |
|   | Report on the litter control program, including the frequency of litter collection, an estimate of the total number of road miles cleaned or amount of area covered by the activities, and an estimate of the quantity of litter collected.<br><i>Note: If the permittee does not contract activities, delete CONTRACTOR activities.</i> |                                      |                           |                                      |   |
|   | <b>PERMITTEE Litter Control: Frequency of litter collection</b>  | Continuous                           | Litter Control Program    | Public Works Department              | None  |
|   | <b>PERMITTEE Litter Control: Estimated amount of area maintained (lf)</b>  | 18 miles                             | Right Of Way Map          | Public Works Department              | None  |
|   | <b>PERMITTEE Litter Control: Estimated amount of litter collected (cy)</b>   | 104 Bags                             | Litter Control Program    | Public Works Department              | Estimated 2 bags per week   |
|   | OPTIONAL: If an Adopt-A-Road or similar program is implemented, report the total number of road miles cleaned and an estimate of the quantity of litter collected. If you do not participate in an Adopt-A-Road program, report "0".   |                                      |                           |                                      |   |
|   | <b>Trash Pick-up Events: Total miles cleaned</b>   | 0                                    |                           |                                      |   |
|   | <b>Trash Pick-up Events: Estimated amount of litter collected (cy)</b>   | 0                                    |                           |                                      |   |
|   | <b>Adopt-A-Road: Total miles cleaned</b>   | 0                                    |                           |                                      |   |
|   | <b>Adopt-A-Road: Estimated amount of litter collected (cy)</b>   | 0                                    |                           |                                      |   |

**SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE**

| A.                               | B.  | C.                                   | D.  | E.                                   | F.   |
|----------------------------------|---|--------------------------------------|---|--------------------------------------|--|
| Permit Citation/<br>SWMP Element | Permit Requirement/Quantifiable SWMP Activity   | Number of<br>Activities<br>Performed | Documentation /<br>Record   | Entity<br>Performing<br>the Activity | Comments   |
|                                  | Report on the street sweeping program, including the frequency of the sweeping, total miles swept, an estimate of the quantity of sweepings collected, and the total nitrogen and total phosphorus loadings that were removed by the collection of sweepings. If no street sweeping program is implemented, provide the explanation of why not in column F. |                                      |   |                                      |  |
|                                  | <b>Frequency of street sweeping</b>   | Quarterly                            | Street Sweeping Program and Invoices  | All American Sweeping, Inc.          | None   |
|                                  | <b>Total miles swept</b>  | 72 miles                             | Right Of Way Map  | All American Sweeping, Inc.          | 18 miles swept<br>4 times a year   |
|                                  | <b>Estimated quantity of sweeping material collected (cubic yards)</b>  | 14                                   | Invoices  | All American Sweeping, Inc.          | None   |
|                                  | <b>Total phosphorous loadings removed (pounds)</b>  | 11                                   | Florida Stormwater Association Street Sweeping Nutrient Removal Spreadsheet (2019 Update) | Public Works Department              | None   |
|                                  | <b>Total nitrogen loadings removed (pounds)</b>   | 20                                   | Florida Stormwater Association Street Sweeping Nutrient Removal Spreadsheet (2019 Update) | Public Works Department              | None   |
|                                  | Report the equipment yards and maintenances shops that support road maintenance activities, and the number of inspections conducted for each facility.  |                                      |   |                                      |  |
|                                  | <b>Name of Facility</b>   | <b>Number of Inspections</b>         |   |                                      |  |
|                                  | <b>N/A</b>  | <b>0</b>                             | 2019 Adopted Comprehensive Plan   | Town                                 | The Town of Ocean Ridge is a Residential Community and does not have any of these facilities |

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|---|---|--------------------------------------|------------------------------------|--------------------------------------|-------------------------------|
| A.  | B.  | C.                                   | D.                                 | E.                                   | F.                            |
| Permit Citation/<br>SWMP Element                                | Permit Requirement/Quantifiable SWMP Activity   | Number of<br>Activities<br>Performed | Documentation /<br>Record          | Entity<br>Performing<br>the Activity | Comments                      |
| Part III.A.3<br>Summary   | Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.  |                                      |                                    |                                      |                               |
|   | <b>Strengths: Continuous litter control by the Town and contracted quarterly street sweeping reduces pollutants from being discharged into the MS4.</b>   |                                      |                                    |                                      |                               |
|   | <b>Limitations: None</b>  |                                      |                                    |                                      |                               |
|   | <b>SWMP revisions implemented to address limitations: None</b>  |                                      |                                    |                                      |                               |
| Part III.A.4  | <b>Flood Control Projects</b>   |                                      |                                    |                                      |                               |
|   | Report the total number of flood control projects that were constructed by the permittee during the reporting period and the number of those projects that did NOT include stormwater treatment. The permittee shall provide a list of the projects where stormwater treatment was not included with an explanation for each of why it was not. |                                      |                                    |                                      |                               |
|   | Report on any stormwater retrofit planning activities and the associated implementation of retrofitting projects to reduce stormwater pollutant loads from existing drainage systems that do not have treatment BMPs.   |                                      |                                    |                                      |                               |
|   | <b>Flood control projects completed during the reporting period</b>   | 0                                    | Five Year Capital Improvement Plan | Public Services                      | None were completed this year |
|   | <b>Flood control projects completed that did <u>not</u> include stormwater treatment</b>  | 0                                    | Five Year Capital Improvement Plan | Public Services                      | None                          |
|   | <b>Stormwater retrofit projects planned/under construction</b>  | 0                                    | Five Year Capital Improvement Plan | Public Services                      | None                          |
|   | <b>Stormwater retrofit projects completed</b>   | 0                                    | Five Year Capital Improvement Plan | Public Services                      | None                          |
|   | If there were projects that did not include stormwater treatment, provide as an attachment a list of the projects and an explanation for each of why it did not.  | <input type="checkbox"/>             |                                    |                                      |                               |
| Part III.A.4<br>Summary   | Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.  |                                      |                                    |                                      |                               |
|   | <b>Strengths: None</b>  |                                      |                                    |                                      |                               |
|   | <b>Limitations: None</b>  |                                      |                                    |                                      |                               |
|   | <b>SWMP revisions implemented to address limitations: None</b>  |                                      |                                    |                                      |                               |



| SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE |   |   |  |                                      |   |
|---|---|---|--|--------------------------------------|---|
| A.  | B.  | C.  | D.   | E.                                   | F.  |
| Permit Citation/<br>SWMP Element                                | Permit Requirement/Quantifiable SWMP Activity   | Number of<br>Activities<br>Performed  | Documentation /<br>Record                    | Entity<br>Performing<br>the Activity | Comments  |
| <b>Part III.A.5</b>   | <b>Municipal Waste Treatment, Storage, and Disposal Facilities Not Covered by an NPDES Stormwater Permit</b>  |   |  |                                      |   |
|   | Report the applicable facilities and the number of the inspections conducted for each facility.   |   |  |                                      |   |
|   | <b>Name of Facility</b>   | <b>Number of<br/>Inspections</b>  |  |                                      |   |
|   | N/A   | 0   | 2019 Adopted<br>Comprehensive<br>Plan        | Town                                 | The Town of<br>Ocean Ridge is<br>a Residential<br>Community<br>that does not<br>have any of<br>these facilities |
| <b>Part III.A.5<br/>Summary</b>                                 | Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.  |   |  |                                      |   |
|   | <b>Strengths: The Town does not operate any waste treatment, storage or disposal facilities.</b>  |   |  |                                      |   |
|   | <b>Limitations: None</b>  |   |  |                                      |   |
|   | <b>SWMP revisions implemented to address limitations: None</b>  |   |  |                                      |   |
| <b>Part III.A.6</b>   | <b>Pesticides, Herbicides, and Fertilizer Application</b>   |   |  |                                      |   |
|   | Report the number of permittee personnel applicators and contracted commercial applicators of pesticides and herbicides who are FDACS certified / licensed.   |   |  |                                      |   |
|   | Report the number of permittee personnel who have been trained through the Green Industry BMP Program and the number of contracted commercial applicators of fertilizer who are FDACS certified / licensed.   |   |  |                                      |   |
|   | <b>PERSONNEL: FDACS public applicators of pesticides/herbicides</b>   | 0   | Invoices                                     | Vulcan Pest<br>Control               | Applied by<br>Contractors   |
|   | <b>CONTRACTORS: FDACS commercial applicators of pesticides/ herbicides</b>  | 1   | Public Health<br>Applicator License          | Vulcan Pest<br>Control               | Nicholas<br>James Hume  |
|   | <b>PERSONNEL: Green Industry BMP Program training completed</b>   | 0   | Email on File                                | None                                 |   |
|   | <b>CONTRACTORS: FDACS certified / licensed applicators of fertilizer</b>  | 1   | Public Health<br>Applicator License<br>& COI | Chris Wayne &<br>Associates, Inc.    | Applied by<br>Contractors   |
|   | Provide a copy of the adopted ordinance with the Year 2 Annual Report. If this provision is not applicable because the permittee is not within the watershed of a nutrient-impaired water body, indicate that in Column F.  |   |  |                                      |   |
|   | <b>Year 2 ONLY: Attach copy of adopted Florida-friendly ordinance</b>   | <input type="checkbox"/>  |  |                                      |   |
|   | Report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee's jurisdiction to encourage citizens to reduce their use of pesticides, herbicides and fertilizers including the type and number of activities conducted, the type and number of materials distributed, and the number of Web site visits (if applicable). |   |  |                                      |   |
|   | <b>Public Education and Outreach Program</b>  | The public outreach and education plan is carried out as a joint effort by the Palm Beach County Co-permittees. Please see the Palm Beach County Joint Annual Report for the public education and outreach information. |  |                                      |   |

| SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE |  |                                      |   |                                      |   |
|---|--|--------------------------------------|---|--------------------------------------|---|
| A.  | B.   | C.                                   | D.  | E.                                   | F.  |
| Permit Citation/<br>SWMP Element                                | Permit Requirement/Quantifiable SWMP Activity  | Number of<br>Activities<br>Performed | Documentation /<br>Record   | Entity<br>Performing<br>the Activity | Comments  |
|   | <b>Brochures/Flyers/Fact sheets distributed</b>  | 1                                    | Brochure  | Town Hall                            | None  |
| <b>Part III.A.6<br/>Summary</b>                                 | Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.   |                                      |   |                                      |   |
|   | <b>Strengths: All spraying is done by a landscape company that is state certified for spraying. Town employees do not apply any pesticides, herbicides, or fertilizers. The main reason for spraying is no-see-ums and white flies.</b>  |                                      |   |                                      |   |
|   | <b>Limitations: None</b>   |                                      |   |                                      |   |
|   | <b>SWMP revisions implemented to address limitations: None</b>   |                                      |   |                                      |   |
| <b>Part III.A.7.a</b>   | <b>Illicit Discharges and Improper Disposal — Inspections, Ordinances, and Enforcement Measures</b>  |                                      |   |                                      |   |
|   | Report amendments in Year 4.   |                                      |   |                                      |   |
|   | <b>Year 4 ONLY: Attach a report on amendments to applicable legal authority</b>  | <input type="checkbox"/>             |   |                                      | <b>No changes in legal authority</b>                    |
| <b>Part III.A.7.c</b>   | <b>Illicit Discharges and Improper Disposal — Investigation of Suspected Illicit Discharges and/or Improper Disposal</b>   |                                      |   |                                      |   |
|   | Report on the proactive inspection program, including the number of inspections conducted by the permittee, the number of illicit activities found, and the number and type of enforcement actions taken.  |                                      |   |                                      |   |
|   | <b>Proactive inspections for suspected illicit discharges</b>  | 43                                   | Proactive Illicit Discharge/Illegal Connection Inspection Form                          | Public Works Department              | Performed along with the Structural Control Inspections |
|   | <b>Illicit discharges found during a proactive inspection</b>  | 0                                    | Incident Report Proactive Illicit Discharge/Illegal Connection Inspection Form          | Public Works Department              | These are kept on file when detected                    |
|   | <b>NOV/WL/citation/fines issued for illicit discharges found during proactive inspection</b>   | 0                                    | Violation Notice  | Public Works or Police Department    | No Illicit Discharges Found                             |
|   | Report on the reactive investigation program as it relates to responding to reports of suspected illicit discharges, including the number of reports received, the number of investigations conducted, the number of illicit activities found, and the number and type of enforcement actions taken. |                                      |   |                                      |   |
|   | <b>Reports of suspected illicit discharges received</b>  | 3                                    | Reactive Investigation of Reported Illicit Discharge/Illegal Connection/Illegal Dumping | Public Works or Police Department    | None  |
|   | <b>Reactive investigations of reports of suspected illicit discharges etc.</b>   | 3                                    | Reactive Investigation of Reported Illicit Discharge/Illegal                            | Public Works or Police Department    | None  |

| <b>SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE</b> |   |   |   |   |   |
|--|---|---|---|---|---|
| <b>A.</b>  | <b>B.</b>   | <b>C.</b>   | <b>D.</b>   | <b>E.</b>                                     | <b>F.</b>   |
| <b>Permit Citation/<br/>SWMP Element</b>                               | <b>Permit Requirement/Quantifiable SWMP Activity</b>  | <b>Number of<br/>Activities<br/>Performed</b>   | <b>Documentation /<br/>Record</b>   | <b>Entity<br/>Performing<br/>the Activity</b> | <b>Comments</b>                                   |
|  | <b>Illicit discharges etc. found during reactive investigation</b>  | 2   | Connection/Illegal Dumping<br>Reactive Investigation of Reported Illicit Discharge/Illegal Connection/Illegal Dumping | Public Works or Police Department             | None  |
|  |   | 0   | Violation Notice  | Public Works or Police Department             | None  |
|  |   | Report the type of training activities, and the number of permittee personnel and contractors trained (both in-house and outside training) within the reporting year. |   |   |   |
|  | <b>Personnel trained</b>  | 3   | NPDES Annual Training Sign-In Sheet – 2020 (Town and NPDES)   | Town and PBCO NPDES                           | Bill Armstrong<br>Chad Armstrong<br>Kimberli Kile |
|  | <b>Contractors trained</b>  | 0   | NPDES Annual Training Sign-In Sheet - 2020  | Town and PBCO NPDES                           | None  |
| <b>Part III.A.7.d</b>  | <b>Illicit Discharges and Improper Disposal — Spill Prevention and Response</b>   |   |   |   |   |
|  | Report on the spill prevention and response activities, including the number of spills addressed.   |   |   |   |   |
|  | <b>Hazardous and non-hazardous material spills responded to</b>   | 0   | Spill Prevention and Response Procedure   | Public Works Department                       | None  |
|  | Report the type of training activities, and the number of permittee personnel and contractors trained (both in-house and outside training) within the reporting year.   |   |   |   |   |
|  | <b>Personnel trained</b>  | 3   | NPDES Annual Training Sign-In Sheet – 2020 (Town and NPDES)   | Town and PBCO NPDES                           | Bill Armstrong<br>Chad Armstrong<br>Kimberli Kile |
|  | <b>Contractors trained</b>  | 0   | NPDES Annual Training Sign-In Sheet - 2020  | Town  | None  |
| <b>Part III.A.7.e</b>  | <b>Illicit Discharges and Improper Disposal — Public Reporting</b>  |   |   |   |   |
|  | Report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee's jurisdiction to encourage the public reporting of suspected illicit discharges and improper disposal of materials, including the type and number of activities conducted, the type and number of materials distributed, and the number of Web site visits (if applicable). |   |   |   |   |

| SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE |  |   |                           |                                      |                      |
|---|--|---|---------------------------|--------------------------------------|----------------------|
| A.  | B.   | C.  | D.                        | E.                                   | F.                   |
| Permit Citation/<br>SWMP Element                                | Permit Requirement/Quantifiable SWMP Activity  | Number of<br>Activities<br>Performed  | Documentation /<br>Record | Entity<br>Performing<br>the Activity | Comments             |
|   | <b>Public Education and Outreach Program</b>   | The public outreach and education plan is carried out as a joint effort by the Palm Beach County Co-permittees. Please see the Palm Beach County Joint Annual Report for the public education and outreach information. |                           |                                      |                      |
|   | <b>Brochures/Flyers/Fact sheets distributed</b>  | 1   | Brochure                  | Town Hall                            | None                 |
| <b>Part III.A.7.f</b>   | <b>Illicit Discharges and Improper Disposal — Oils, Toxics, and Household Hazardous Waste Control</b>  |   |                           |                                      |                      |
|   | Report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee's jurisdiction to encourage the proper use and disposal of oils, toxics, and household hazardous waste, including the type and number of activities conducted, the type and number of materials distributed, the amount of waste collected / recycled / properly disposed, and the number of Web site visits (if applicable). |   |                           |                                      |                      |
|   | <b>Public Education and Outreach Program</b>   | The public outreach and education plan is carried out as a joint effort by the Palm Beach County Co-permittees. Please see the Palm Beach County Joint Annual Report for the public education and outreach information. |                           |                                      |                      |
|   | <b>Brochures/Flyers/Fact sheets distributed</b>  | 1   | Website Brochure          | Public Works Department              | None                 |
| <b>Part III.A.7.g</b>   | <b>Illicit Discharges and Improper Disposal — Limitation of Sanitary Sewer Seepage</b>   |   |                           |                                      |                      |
|   | Report on the type and number of activities undertaken to reduce or eliminate SSOs and inflow/ infiltration, the number of SSOs or inflow / infiltration incidents found and the number resolved, and the name of the owner of the sanitary sewer system within the permittee's jurisdiction. Report only the SSOs and inflow / infiltration incidents into the MS4.   |   |                           |                                      |                      |
|   | <b>Owner of the sanitary sewer system</b>  | <b>Individual Private Septic Systems</b>  |                           |                                      |                      |
|   | <b>Activity to reduce/eliminate SSOs and I&amp;I: (description)</b>  | 0   | Private System            | Private System                       |                      |
|   | <b>Activity to reduce/eliminate SSOs and I&amp;I: (description)</b>  | 0   | Private System            | Private System                       |                      |
|   | <b>SSO incidents discovered</b>  | 1   | Email on File             | FDEP                                 | Colonial Crown Manor |
|   | <b>SSO incidents resolved</b>  | 1   | Email on File             | FDEP                                 | Colonial Crown Manor |
|   | <b>Inflow / infiltration incidents discovered</b>  | 0   | Private System            | Private System                       |                      |
|   | <b>Inflow / infiltration incidents resolved</b>  | 0   | Private System            | Private System                       |                      |
| <b>Part III.A.7 Summary</b>                                     | For activities required by Part III.A.7: Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.  |   |                           |                                      |                      |
|   | <b>Strengths: The Town does not have a public sanitary sewer system, only private septic systems. Palm Beach County Health Department is the leading authority for private septic systems</b>  |   |                           |                                      |                      |
|   | <b>Limitations: N/A</b>  |   |                           |                                      |                      |
|   | <b>SWMP Revisions implemented to address limitations: N/A</b>  |   |                           |                                      |                      |
| <b>Part III.A.8.a</b>   | <b>Industrial and High-Risk Runoff — Identification of Priorities and Procedures for Inspections</b>   |   |                           |                                      |                      |
|   | Report on the high-risk facilities inventory, including the type and total number of high risk facilities and the number of facilities newly added each year.  |   |                           |                                      |                      |

| <b>SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE</b> |  |                                 |                                  |   |   |                                   |  |                 |
|--|--|---------------------------------|----------------------------------|---|---|-----------------------------------|--|-----------------|
| <b>A.</b>  | <b>B.</b>  |                                 |                                  | <b>C.</b>                                     |   | <b>D.</b>                         | <b>E.</b>  | <b>F.</b>       |
| <b>Permit Citation/<br/>SWMP Element</b>                               | <b>Permit Requirement/Quantifiable SWMP Activity</b>   |                                 |                                  | <b>Number of<br/>Activities<br/>Performed</b> |   | <b>Documentation /<br/>Record</b> | <b>Entity<br/>Performing<br/>the Activity</b>  | <b>Comments</b> |
|  | Report on the high-risk facilities inspection program, including the number of inspections conducted and the number and type of enforcement actions taken. |                                 |                                  |   |   |                                   |  |                 |
|  | <b>Type of Facility</b>  | <b>Number of<br/>Facilities</b> | <b>Number of<br/>Inspections</b> | <b>Enforcement<br/>Actions</b>                |   |                                   |  |                 |
|  | Operating municipal landfills  | 0                               | 0                                | 0   | Solid Waste<br>Facility Inventory<br>Report printout<br>from DEP<br>website     | Engenuity<br>Group, Inc.          | None   |                 |
|  | Hazardous waste treatment, storage, disposal and recovery (HWTSDR) facilities  | 0                               | 0                                | 0   | Hazardous<br>Waste Facility<br>Inventory Report<br>printout from<br>DEP website | Engenuity<br>Group, Inc.          | None   |                 |
|  | EPCRA Title III, Section 313 facilities (TRI)  | 0                               | 0                                | 0   | Toxics Release<br>Inventory (TRI)<br>printout from<br>DEP website               | Engenuity<br>Group, Inc.          | None   |                 |
|  | Facilities determined as high risk by the permittee  | 0                               | 0                                | 0   | Superfund<br>(CERCLIS)<br>printout from<br>DEP website                          | Engenuity<br>Group, Inc.          | None   |                 |
| <b>Part III.A.8.b</b>  | <b>Industrial and High-Risk Runoff — Monitoring for High Risk Industries</b>   |                                 |                                  |   |   |                                   |  |                 |
|  | Report the number of high risk facilities sampled.   |                                 |                                  |   |   |                                   |  |                 |
|  | High risk facilities sampled   |                                 | 0                                |   | 2019 Adopted<br>Comprehensive<br>Plan   | Town                              | The Town of<br>Ocean Ridge is<br>a Residential<br>Community<br>and does not<br>have any of<br>these facilities |                 |

| SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE |   |  |                              |                                      |                                       |  |
|---|---|--|------------------------------|--------------------------------------|---------------------------------------|--|
| A.  | B.  | C.   | D.                           | E.                                   | F.                                    |  |
| Permit Citation/<br>SWMP Element                                | Permit Requirement/Quantifiable SWMP Activity   | Number of<br>Activities<br>Performed   | Documentation /<br>Record    | Entity<br>Performing<br>the Activity | Comments                              |  |
| Part III.A.8<br>Summary   | Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.  |  |                              |                                      |                                       |  |
|   | <b>Strengths: There are none of the above facilities in the Town of Ocean Ridge</b>   |  |                              |                                      |                                       |  |
|   | <b>Limitations: None</b>  |  |                              |                                      |                                       |  |
|   | <b>SWMP revisions implemented to address limitations: None</b>  |  |                              |                                      |                                       |  |
| Part III.A.9.a  | <b>Construction Site Runoff — Site Planning and Non-Structural and Structural Best Management Practices</b>   |  |                              |                                      |                                       |  |
|   | Report the number of permittee and private pre-construction site plans reviewed for stormwater, erosion, and sedimentation controls, and the number approved. |  |                              |                                      |                                       |  |
|   | <b>PERMITTEE SITES: Construction site plans reviewed</b>  | 0  | Site Plan Review Procedures  | Engenuity Group, Inc. and the Town   | No plans were reviewed                |  |
|   | <b>PERMITTEE SITES: Construction site plans approved</b>  | 0  | Site Plan Review Procedures  | Engenuity Group, Inc. and the Town   | None                                  |  |
|   | <b>PRIVATE SITES: Construction site plans reviewed</b>  | 0  | Site Plan Review Procedures  | Engenuity Group, Inc. and the Town   | No plans were reviewed                |  |
|   | <b>PRIVATE SITES: Construction site plans approved</b>  | 0  | Site Plan Review Procedures  | Engenuity Group, Inc. and the Town   | None                                  |  |
|   | Report the number of development permit applicants notified of the ERP and CGP, and the number of applicants who confirmed ERP and CGP coverage.              |  |                              |                                      |                                       |  |
|   | <b>Notified of ERP stormwater permit requirements</b>   | 0  | Site Plan Review Procedures  | Engenuity Group, Inc. and the Town   | None                                  |  |
|   | <b>Confirmed ERP coverage</b>   | 0  | Site Plan Review Procedures  | Engenuity Group, Inc. and the Town   | None                                  |  |
|   | <b>Notified of CGP stormwater permit requirements</b>   | 0  | Site Plan Review Procedures  | Engenuity Group, Inc. and the Town   | None                                  |  |
|   | <b>Confirmed CGP coverage</b>   | 0  | Site Plan Review Procedures  | Engenuity Group, Inc. and the Town   | None                                  |  |
|   | Part III.A.9.b  | <b>Construction Site Runoff — Inspection and Enforcement</b>   |                              |                                      |                                       |  |
|   |   | Report on the inspection program for privately-operated and permittee-operated construction sites, including the number of active construction sites during the reporting year, the number of inspections of active construction sites, the percentage of active construction sites inspected, and the number and type of enforcement actions / referrals taken. |                              |                                      |                                       |  |
| <b>PERMITTEE SITES: Active construction sites</b>               |   | 0  | Construction Site Inspection | Public Works Department              | No construction sites for this period |  |

| <b>SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE</b> |   |   |                                   |   |   |
|--|---|---|-----------------------------------|---|---|
| <b>A.</b>  | <b>B.</b>   | <b>C.</b>                                     | <b>D.</b>                         | <b>E.</b>   | <b>F.</b>   |
| <b>Permit Citation/<br/>SWMP Element</b>                               | <b>Permit Requirement/Quantifiable SWMP Activity</b>  | <b>Number of<br/>Activities<br/>Performed</b> | <b>Documentation /<br/>Record</b> | <b>Entity<br/>Performing<br/>the Activity</b>               | <b>Comments</b>   |
|  | <b>PERMITTEE SITES: Pre-, During, and Post inspections of active construction sites for E&amp;S and waste control BMPs</b>  | 0   | Construction Site Inspection      | Public Works Department                                     | No construction sites for this period                         |
|  | <b>PERMITTEE SITES: Percentage of active construction sites inspected</b>   | 0   | Construction Site Inspection      | Public Works Department                                     | No construction sites for this period                         |
|  | <b>PRIVATE SITES: Active construction sites</b>   | 0   | Construction Site Inspection      | Public Works Department                                     | No construction sites for this period                         |
|  | <b>PRIVATE SITES: Pre-, During, and Post inspections of active construction sites for E&amp;S and waste control BMPs</b>  | 0   | Construction Site Inspection      | Public Works Department                                     | No construction sites for this period                         |
|  | <b>PRIVATE SITES: Percentage of active construction sites inspected</b>   | 0   | Construction Site Inspection      | Public Works Department                                     | No construction sites for this period                         |
|  | <b>Enforcement Action</b>   | 0   | Violation Notice                  | Public Works Department                                     | No construction sites for this period                         |
| <b>Part III.A.9.c</b>  | <b>Construction Site Runoff — Site Operator Training</b>  |   |                                   |   |   |
|  | Report the type of training activities, the number of inspectors, site plan reviewers and site operators trained (both in-house and outside training).  |   |                                   |   |   |
|  |   | <b>DEP<br/>Certification</b>                  | <b>Annual<br/>Training</b>        |   |   |
|  | <b>Permittee construction site inspectors</b>   | 2   | 1                                 | NPDES Annual Training Sign-In Sheet – 2020 (Town and NPDES) | Town and PBCO NPDES<br>Bill Armstrong, Kimberli Kile (annual) |
|  | <b>Permittee construction site plan reviewers</b>   |   | 0                                 | Sign-In Sheet   | FDEP Certified Trainer; coordinated by steering committee     |
|  | <b>Permittee construction site operators</b>  |   | 0                                 | N/A   | N/A   |
| <b>Part III.A.9<br/>Summary</b>  | Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.  |   |                                   |   |   |
|  | <b>Strengths: Permits are issued for all construction. The permit requires all runoff to be contained. The sites are checked periodically by the building inspectors and the code enforcement officers for compliance. Stop work orders are issued if infractions are found. All projects are less than 1 acre.</b> |   |                                   |   |   |
|  | <b>Limitations: None</b>  |   |                                   |   |   |
|  | <b>SWMP revisions implemented to address limitations: None</b>  |   |                                   |   |   |

**SECTION VIII. CHANGES TO THE STORMWATER MANAGEMENT PROGRAM (SWMP) ACTIVITIES (Not Applicable in Year 4)**

|    |                                  |   |
|----|----------------------------------|---|
| A. | Permit Citation/<br>SWMP Element | Proposed Changes to the Stormwater Management Program Activities Established as Specific Requirements Under Part III.A of the Permit (Including the Rationale for the Change) — <b>REQUIRES DEP APPROVAL PRIOR TO CHANGE IF PROPOSING TO REPLACE OR DELETE AN ACTIVITY.</b> |
|    |                                  | N/A   |
| B. | Permit Citation/<br>SWMP Element | Changes to the Stormwater Management Program Activities NOT Established as Specific Requirements Under Part III.A of the Permit (Including the Rationale for the Change)  |
|    |                                  | N/A   |

**SECTION IX. TMDL Status Report**

| A. | YEAR 1 Provide a table summarizing the status of the TMDL process. Include a list of prioritized TMDLs and their monitoring and implementation schedule; and include the Identification number of the outfall prioritized for TMDL monitoring.  |                                 |  |  |   |               |                     |   |                                  |
|----|---|---------------------------------|--|--|---|---------------|---------------------|---|----------------------------------|
|    | WBID Number   | Segment/<br>Waterbody/<br>Basin | Pollutant of<br>Concern                      | TMDL<br>DEP / EPA  | Percent<br>Reduction<br>(WLA)                               | Priority Rank | Priority<br>Outfall | Monitoring<br>Summary /<br>BPCP<br>Due Date | Supplemental<br>SWMP<br>Due Date |
|    | N/A   |                                 |  | <input type="checkbox"/> / <input type="checkbox"/>  |   | 1             |                     | (Year 3 AR)                                 | (Year 4 AR; N/A<br>if BPCP)      |
|    |   |                                 |  | <input type="checkbox"/> / <input type="checkbox"/><br><input type="checkbox"/> / <input type="checkbox"/> |   |               |                     |   |                                  |
| B. | YEAR 3 and annually thereafter, provide a summary of the estimated load reductions that have occurred for the pollutant(s) of concern being discharged from the MS4 to the TMDL water body during the reporting period and cumulatively since the date the Supplemental SWMP was implemented.<br>Year 3: Submit a Monitoring data summary or BPCP (if applicable).<br>Year 4: Submit a Supplemental SWMP (if applicable). |                                 |  |  |   |               |                     |   |                                  |
|    | WBID Number   | Pollutant of<br>Concern         | Monitoring<br>Summary /<br>BPCP<br>Submitted | Supplemental<br>SWMP<br>Submitted  | Projected load reductions OR Actual load reductions to date |               |                     |   |                                  |
|    | N/A   |                                 | (Year 3 AR)                                  | (Year 4 AR; N/A if<br>BPCP)  |   |               |                     |   |                                  |
|    |   |                                 |  |  |   |               |                     |   |                                  |
| C. | Provide a brief statement as to the status of TMDL implementation according to Part VIII.B of the permit (e.g. status of monitoring to validate WLA):<br><b>No discharge to a TMDL WBID at this time</b>  |                                 |  |  |   |               |                     |   |                                  |





## Town of Ocean Ridge

# Cycle 4, Year 4 Water Quality Monitoring Assessment Report

### Objective

The purpose of this Report is to provide information for the Town of Ocean Ridge to determine the overall effectiveness of its Stormwater Management Program (SWMP) in reducing stormwater pollutant loadings from its Municipal Separate Storm Sewer System (MS4) to receiving water bodies.

### Assessment Report Components

As required by the MS4 Permit, the following parts make up this Assessment Report:

- A. A Water Quality Monitoring Plan – The water quality monitoring plan is intended to identify local sources where urban stormwater is adversely affecting surface water resources
- B. A Pollutant Loading Estimate/Results – The pollutant loadings and results are reported and discussed.
- C. Conclusion – The response plan is the plan of action to be taken based on the results from A. and B. and will be used to identify portions of the MS4 to be targeted for loading reduction/corrective action

### Part A –Water Quality Monitoring Program

Currently, the joint NPDES program in Palm Beach County collects ambient water quality data at several monitoring sites based on the location of major outfalls and TMDL's within the County. For the Water Quality Monitoring Plan, the Town of Ocean Ridge is proposing to use the ambient water quality data provided by the joint program from site LWL-18.

### Monitoring Locations

For the assessment program, the Town has selected the monitoring station located on Ocean Avenue, LWL-18, which collects data for the joint program. The joint program offers one (1) sampling location within Town limits as shown in Figure 1. The Town has chosen to use LWL-18 for the Assessment Program as it is assumed that when the tide is running out of the Lake Worth Lagoon, the water will run north towards LWL-18. Thus, this sampling site should provide more accurate data as to any stormwater pollutants specific to the Town of Ocean Ridge's MS4. The following table identifies this monitoring station, along with relevant information about the location.

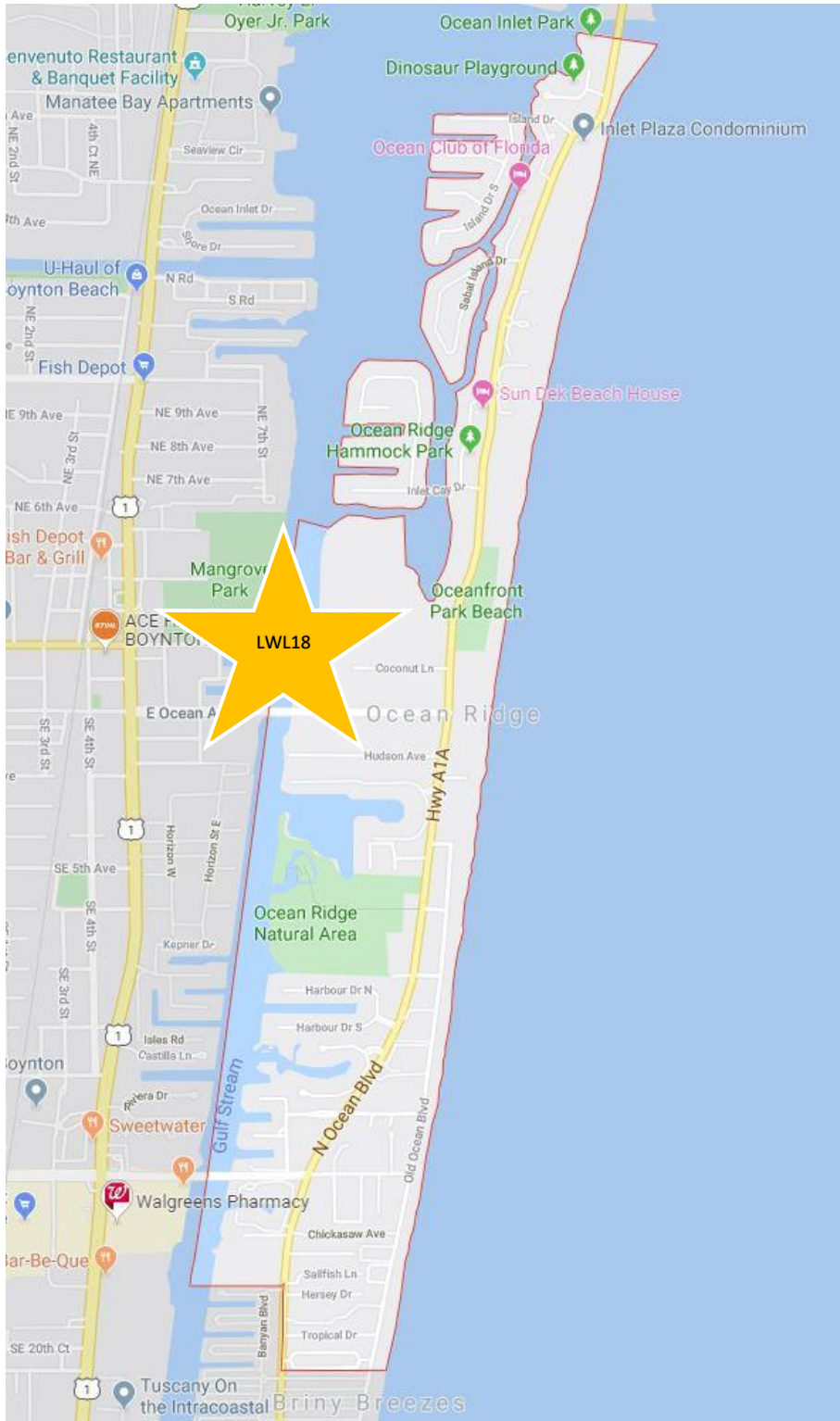


Figure 1 – LWL-18 Monitoring Station



Table 1 - MS4 Monitoring Station Information

| Monitoring Station Number | Location Description  | Latitude/Longitude | Receiving Water Body  |
|---------------------------|---|--------------------|---|
| LWL-18                    | This former DEP station (28010771) is located near the Ocean Avenue Causeway in the City of Boynton Beach, North of the Causeway, West of the ICWW and East of Mangrove Park and Boynton Beach Blvd | 263243.99/800313.2 | Intracoastal Waterway (South) (ICWW-S) / Lake Worth Lagoon (Southern Segment) (LWL-S) |

### Monitoring Results

The primary concern that FDEP has regarding the stormwater permitting program is related to nutrients and what impacts are created by excess nutrients entering into the stormwater system. The Town of Ocean Ridge has evaluated nutrient monitoring results at the location in Table 1. The main nutrients of concern are Total Nitrogen (TN), Total Phosphorus (TP) and Chlorophyll-A (a surrogate for nutrient enrichment).

The acceptable annual geometric mean concentrations of Total Nitrogen (TN) and Total Phosphorous (TP) present in the ICWW-S watershed per the FDEP are less than or equal to 0.59 mg/l and less than or equal to 0.05 mg/l, respectively. The acceptable concentration of Chlorophyll-A is less than or equal to 5.70 ug/l.

Based on the recorded monitoring data provided on the PBCO NPDES website, water quality monitoring results for the last 20 years (2000-2020) are provided graphically in Figures 2, 3, and 4 for TN, TP and Chlorophyll-A, respectively.

### Nutrient Trends

The Mann-Kendall Test was used to evaluate the long-term TN, TP, and Chlorophyll-A statistical trends of the LWL-18 monitoring station and is described in the Cycle 4, Year 4 Joint Annual Report prepared by Mock-Roos as follows:

Surface water quality values can have variability driven by seasonal fluctuation, flow variation, changes in watershed, precipitation variation, and other independent variables. Statistical analysis can be used to determine if changes in water quality are part of this variability or if the changes represent a significant water quality trend. The Mann-Kendall Test has been accepted by many governmental agencies as a robust



method to evaluate water quality data statistically for trends over time. In this report, the Mann-Kendall Test (M-K) is used to identify surface water quality trends in the nutrient data for each water quality monitoring site. The M-K works well with data that has seasonal variations, violates assumptions of normality required for other regressions, and is resistant to outliers. The M-K can detect monotonic trends that do not double back on themselves. The analysis provides a Kendall Tau that is resistant to power-transforms. This is to say the Kendall Tau for a raw data set, or the same data set transformed would result in the same value. The M-K Test uses a ranked method of analysis. The M-K results contain a Kendall Tau value that is a measurement of the monotonic relationship between X and Y, in this analysis time and concentration. Kendall Tau is a ranked-based correlation measure, therefore, the scale it is evaluated on differs from non-ranked-based correlation measures such as R. Tau will have lower values than other correlation measures such as R. A strong correlation similar to R = 0.9, would be equivalent to Tau = 0.7. Kendall Tau can be calculated by the following formula:

$$\tau = \frac{S}{\frac{n(n-1)}{2}}$$

In the formula above, the Kendall (S) value is calculated by subtracting the number of "discordant pairs" M, or the pairs that have y (concentration) decreasing as x (time) increases (this is called "M"), from the number of "concordant pairs" where y increases with x (these are called "P"). Kendall S can be written in the form  $S = P - M$ . It should be noted that due to the possible number of comparisons available to compare P and M if all comparisons are increasing Tau would equal one and if all comparisons are decreasing Tau would equal -1. Sen's Slope (also called Theil slope) estimator " $\hat{b}_1$ " is closely related to Kendall's S and Tau. Sen's Slope can be calculated by the following formula for x and y values:

$$\hat{b}_1 = \text{median} \frac{(Y_j - Y_i)}{(X_j - X_i)} \text{ for all } i < j \text{ and } i = 1, 2, \dots, (n-1), \quad j = 2, 3, \dots, n.$$

Thus, Kendall Tau, Kendall S, and Sen's Slope all indicate the direction of the trend. To determine if a trend is significant a p-value must be tested against the null hypothesis " $H_0$ " that Tau = 0. For small sample sized or data pairs, these values can be pulled from a table of p-values based on Kendall S, Kendall Tau, and the number of data pairs "n". When the n is greater than 10 it is more appropriate that the p-value be approximated by a normal distribution  $Z_s$  test statistic.

$$\sigma_S = \sqrt{\left(\frac{n}{18}\right) \cdot (n-1) \cdot (2n+5)} \quad , \quad Z_S = \begin{cases} S - 1/\sigma_S & \text{if } S > 0 \\ 0 & \text{if } S = 0 \\ S + 1/\sigma_S & \text{if } S < 0 \end{cases}$$

S was defined previously as the Kendall S value.  $Z_{crit}$  is the value of  $\alpha/2$ , where  $\alpha$  is the selected significance level. The  $H_0$  is rejected when  $|Z_S| > Z_{crit}$ . M-K analysis can be used



to see the slope and direction of a trend regardless of significances. Though it may be useful to see this trend as a potential indicator of the direction of data. It must be emphasized that rejection of the  $H_0$  means there is not enough evidence available to conclude that there is a trend or no trend. An alternative statement of this would be there is not enough evidence to say that the trend is any different than the null hypothesis. For additional information on Kendall Tau, the USGS "Statistical Methods in Water Resources" By D.R. Helsel and R.M. Hirsch, provides examples and narrative on the topic.

Table 2 summarizes the long-term statistical trend interpretation data of the LWL-18 monitoring site spanning from year 2000 to 2020 (extracted from Table 5-11 of the Cycle 4, Year 4 PBC Joint Annual Report). Figures 2, 3, and 4 below graphically display both the raw nutrient concentration monitoring data and the statistical trend line (Sen's Slope) produced by the Mann-Kendall Test for the LWL-18 monitoring station.

Table 2 – Statistical Water Quality Trend Interpretation of LWL-18 Monitoring Site

|                            | <b>Date Range</b> | <b>Tau</b> | <b>Slope<sup>1</sup></b> | <b>Selected P-Value<sup>2</sup></b> | <b>Statistical Trend Interpretation<sup>3</sup></b> |
|----------------------------|-------------------|------------|--------------------------|-------------------------------------|---|
| <b>Total Nitrogen</b>      | 2000-2020         | -0.235708  | -0.000042                | < 0.0001                            | Significant Decreasing Trend                        |
| <b>Total Phosphorous</b>   | 2000-2020         | -0.049988  | -0.000001                | 0.386904                            | Decreasing Trend                                    |
| <b>Total Chlorophyll-A</b> | 2000-2020         | 0.076600   | 0.000174                 | 0.204251                            | Increasing Trend                                    |

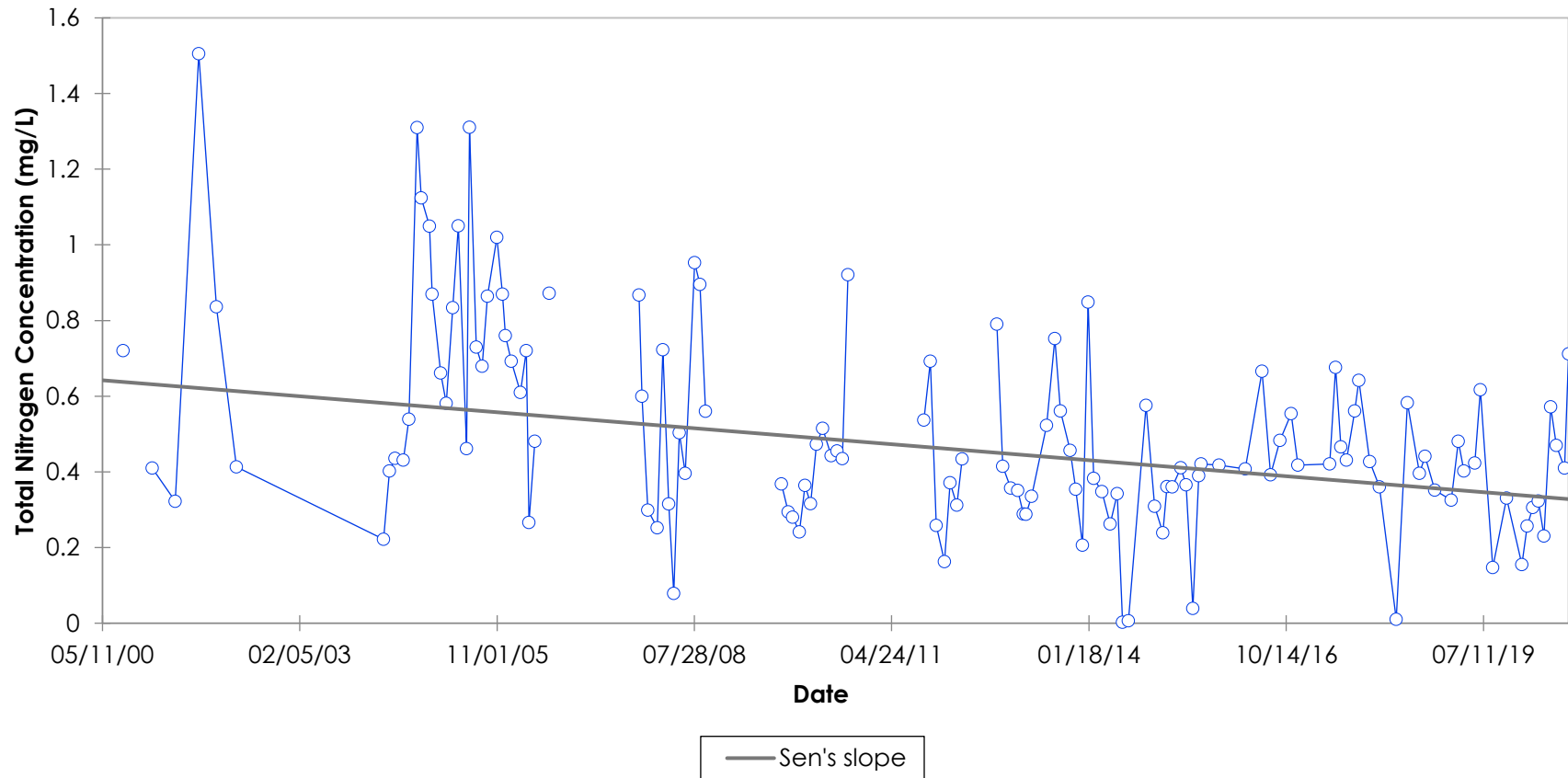
<sup>1</sup> Even if the p-value is determined to be statistically significant, the result may not be ecologically significant. For example, if a trend is statistically significantly declining (negative trend) but the slope is near 0, then it may not be realistic to assume that an improvement in water quality reductions in TN or TP may positively impact the ecological system in a measurable way. A negative slope is an indication of a decreasing trend, while a positive slope is an indication of an increasing trend.

<sup>2</sup> Series with serial correlation (as per autocorrelation analysis results) used the p-value adjusted for serial correlation.

<sup>3</sup> If the p-value is less than 0.05, then a decreasing trend may suggest an improvement in water quality, and an increasing trend may suggest a decline in water quality.

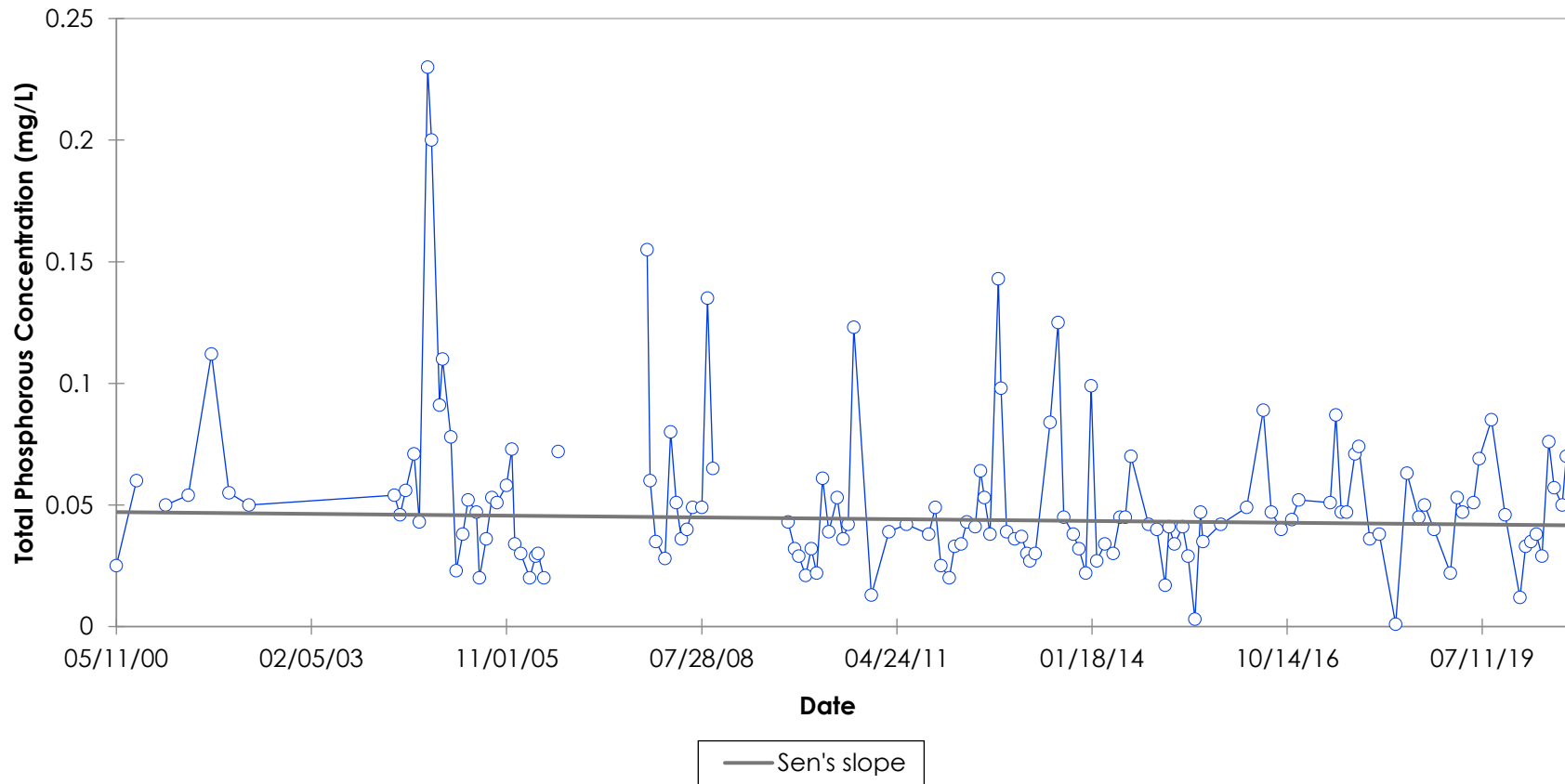


## LWL-18 Long-Term Total Nitrogen (TN) Concentration Data and Statistical Trend for the ICWW-S Watershed





## LWL-18 Long-Term Total Phosphorous (TP) Concentration Data and Statistical Trend for the ICWW-S Watershed





## LWL-18 Long-Term Chlorophyll-A Concentration Data and Statistical Trend for the ICWW-S Watershed

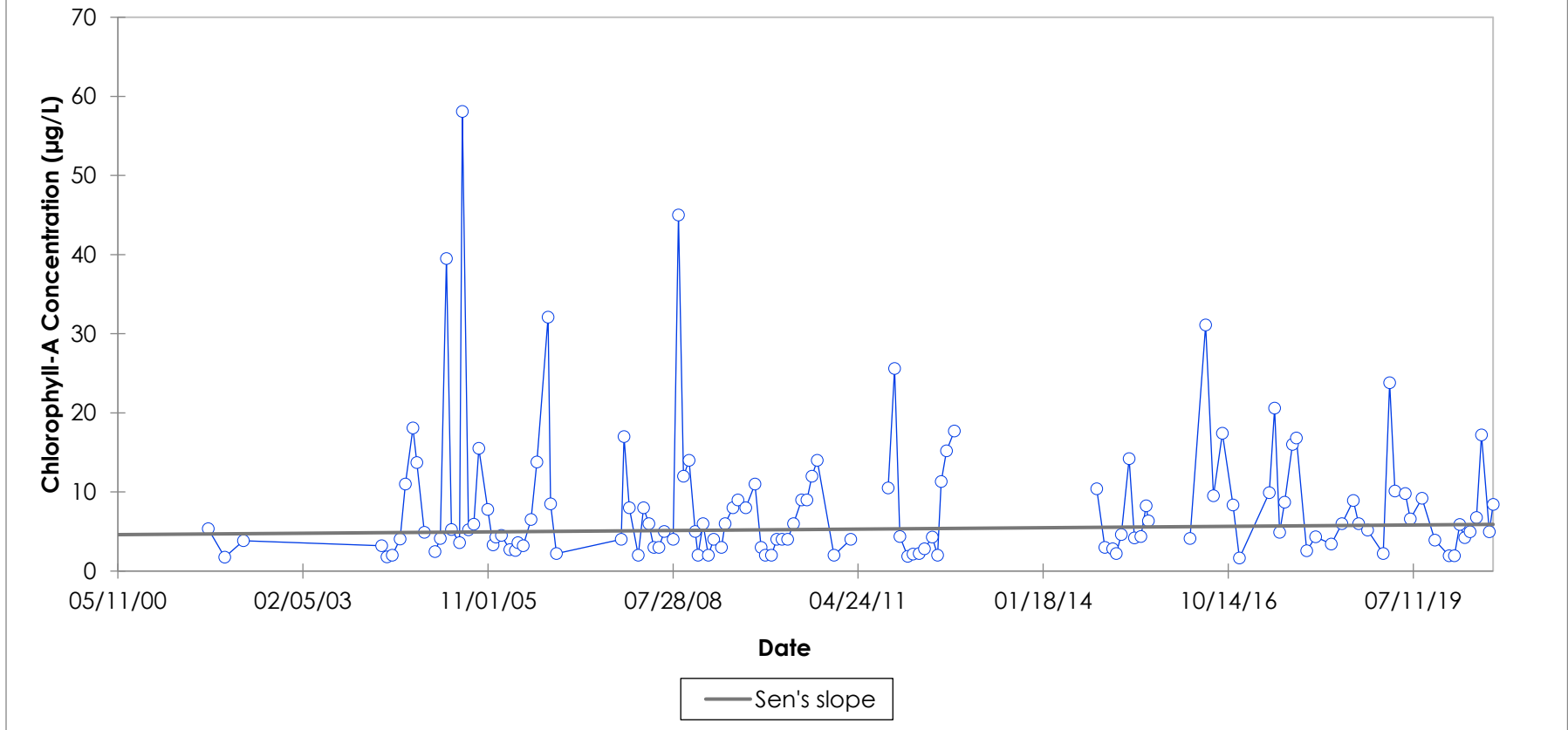


Figure 4 - LWL-18 Long-Term Chlorophyll-A Concentration Data and Statistical Trend for the ICWW-S Watershed

Source: PBCO NPDES Website (<http://www.pbc-npdes.org/monitoring.asp?menu=JointMenu>)





## Part B – Pollutant Loading Estimates/Results

The municipal separate storm sewer system (MS4) National Pollutant Discharge Elimination System (NPDES) Cycle 4 permit, issued September 8, 2016, requires in PART V. – Monitoring Requirements that average annual pollutant loading, and event mean concentration (EMC) estimates be provided for six (6) parameters. The six (6) parameters identified are: 1) five-day biochemical oxygen demand (BOD<sub>5</sub>); 2) total copper (Cu); 3) Total nitrogen (TN); 4) total phosphorus (TP); 5) total suspended solids (TSS); and, 6) total zinc (Zn), all in the unit of mg/l. It is assumed by the FDEP that pollutant loading generated within a watershed flows through MS4 outfalls and directly affects the receiving bodies. An option is provided in the permit to provide the average annual pollutant loading estimates based on major outfalls watersheds since the pollutant loading estimates for permit Cycles 1 through 3 were provided on a watershed basis, it was agreed with the FDEP that the Cycle 4 loading estimates would also be provided on a watershed basis. In addition to meeting the requirements of the permit, modeling the average annual pollutant loading generated by a watershed or a MS4's watershed can assist in planning for future improvements in stormwater quality treatment, regulations or stormwater management.

The Town of Ocean Ridge contributes to both the Lake Worth Lagoon (LWL-S) and the Intracoastal Waterway South (ICWW-S) watersheds. The pollutant loading data related to the Lake Worth Lagoon will be used to represent the Town of Ocean Ridge. All six (6) parameters are analyzed and graphed in the Cycle 4, Year 3 'Summary of Average Annual Pollutant Loading Model Activities' report (2019) for all of the watersheds including the Lake Worth Lagoon Watershed (See Figures 3-8, pgs. 20-23) prepared by Mock-Roos for the co-permittees reference. All parameters indicate decreases between the Cycle 3, Year 3 and Cycle 4, Year 3 reporting period within the Lake Worth Lagoon watershed.

Pollutant loadings for the Ocean Ridge MS4 are also reported in the 'Summary of Average Annual Pollutant Loading Model Activities' report cited above. Pollutant loadings for all six (6) parameters are reported for year 2013 (Table 26, p. 39 of the report) and 2018 (Table 27, p. 40 of the report) and, specifically, for the Town of Ocean Ridge MS4 below in Table 3.

The Town of Ocean Ridge has in place stormwater management programs that reduces the nutrient loading into the ICWW-S/LWL-S. These programs include maintenance of conveyance swales, detention ponds, public education (brochures and flyers for public distribution, annual newsletter, MS4 group activities and an adopted Fertilizer Ordinance). The public education component alone allows a further 6% reduction in pollutant loadings reported in Table 3 below.



Table 3  
 Pollutant Loadings (lbs/year)  
 -Town of Ocean Ridge-  
 Lake Worth Lagoon

| <b>Parameter</b>  | <b>BOD<sub>5</sub></b> | <b>TSS</b> | <b>TP</b> | <b>CU</b> | <b>ZN</b> | <b>TN</b> |
|---|------------------------|------------|-----------|-----------|-----------|-----------|
| <b>2013 Loads</b>   | 1,570                  | 6,052      | 227       | 5         | 11        | 6,713     |
| <b>2018 Loads</b>   | 1,531                  | 5,719      | 225       | 5         | 11        | 6,704     |
| <b>Other Reduction<br/>(Less 6%, rounded,<br/>per public<br/>education)</b> | (92)                   | (343)      | (14)      | (.3)      | (.7)      | (402)     |
| <b>Total Amount</b>   | 1,439                  | 5,376      | 211       | 4.7       | 10.3      | 6,302     |
| <b>Percent (%)<br/>Reduction</b>  | 8.3%                   | 11.2%      | 7.0%      | 6.0%      | 6.4%      | 6.1%      |

Sources: Tables 26 (p.39) and 27 (p.40) of the "Summary of Average Annual Pollutant Loading Model activities" Report (2019) by Mock-Roos.

Reductions in pollutant loadings for the six (6) parameters in the Town of Ocean Ridge MS4 indicate significant reductions between 2013 and 2018.

### Part C – Conclusion

The Town of Ocean Ridge's stormwater management programs are effective in reducing nutrient loadings. This is supported by the water quality monitoring program (both FDEP and the MS4 group information) and pollutant loading information. At this time there is no need to develop further stormwater management programs.



## Town of Ocean Ridge

### Cycle 4, Year 4 - Land Development Regulations Review Follow-up Report

An internal review of the Town of Ocean Ridge's Code of Ordinances and Land Development Regulations was required as part of the Cycle 4, Year 2 Annual Report per the Palm Beach County NPDES MS4 Permit, specifically Part III.A.2 of the Annual Report Form For Individual NPDES Permits For Municipal Separate Storm Sewer Systems. Table 1 contains all of the code sections that were reviewed, a brief description of the code, and the recommended improvements to the code/regulation to further reduce stormwater impacts of new development or significant redevelopment, if any. Appendix A is the complete verbiage of the code sections listed in Table 1 extracted from the Town's Code of Ordinances at the time of the Cycle 4, Year 2 review, dated September 14, 2018.

Table 1 – Review of Local Codes for Cycle 4, Year 2 Annual Report

| <b><u>CODE SECTION</u></b> | <b><u>TITLE</u></b>          | <b><u>DESCRIPTION</u></b>  | <b><u>REVIEWED</u></b> | <b><u>RECOMMENDED IMPROVEMENTS</u></b> |
|----------------------------|------------------------------|--|------------------------|--|
| <b>1-3</b>                 | <b>Definitions</b>           | Words, terms and phrases, when used in this Code, shall have the meanings ascribed to them in this Code, except where the context clearly indicates a different meaning.   | MODIFIED<br>11-6-2017  |  |
| <b>63-51 (b)</b>           | <b>Types of applications</b> | Minor and major developments. If a development permit application is in conformance with the comprehensive plan, zoning district regulations and subdivision requirements, they shall follow the procedures stated in this code. | MODIFIED<br>11-6-2017  |  |



|                     |  |  |                               |  |
|---------------------|--|--|-------------------------------|--|
| <p><b>63-52</b></p> | <p><b>Minor development application and site plan requirements</b></p> | <p>Applications for a minor development shall conform to the requirements of Chapter 67, pertaining to buildings, and such administrative requirements as may be specified by the administrative official.</p>   | <p>MODIFIED<br/>11-6-2017</p> |  |
| <p><b>63-56</b></p> | <p><b>Concept development plan review</b></p>                          | <p>All development related to a single- or two-family structure that is for new development or construction that increases the size of the current structure by more than 50 percent or where such construction costs more than 50 percent of the existing structure shall be required to submit the development/construction/site plans to the planning and zoning commission for review. A developer/applicant shall be required to submit all documents/plans, as set forth in the development action form, prior to being heard by the planning and zoning commission. The planning and zoning commission shall use the review criteria as set forth herein when reviewing site plans.</p> | <p>NEW<br/>(11-6-2017)</p>    |  |



|          |                                    |   |   |  |
|----------|------------------------------------|---|---|--|
| 63-71    | <b>Comprehensive Plan</b>          | The town commission shall adopt a comprehensive plan in accordance with F.S. ch. 163 and appropriate administrative rules. It shall do so only after a public hearing and recommendation by the planning and zoning commission. Article III of this chapter specifies further procedures for both bodies. | X | No revisions to code at this time.                   |
| 66-1 (c) | <b>General Provisions</b>          | <i>Pervious area.</i> At least 25 percent of any lot area shall be maintained in a natural or landscaped state pervious to rainfall in order to recharge the aquifer and otherwise minimize runoff. See article IV of this chapter for plant material details.  | X | Change of pervious area requirements from 25% to 35% |
| 66-36    | <b>Purpose and intent</b>          | The purpose and intent of this article is to promote the health, safety and general welfare of the inhabitants of the town. This article is intended to comply with federal and state law and regulations regarding water quality.  | X | No revisions to code at this time.                   |
| 66-42    | <b>Requirements for monitoring</b> | The building official may require any person engaging in any activity or owning any property, building or facility (including but not limited to a site of industrial activity) to undertake such reasonable monitoring of any  | X | No revisions to code at this time.                   |



|              |   |   |   |                                    |
|--------------|---|---|---|------------------------------------|
|              |   | discharge(s) to the stormwater system and to furnish periodic reports   |   |                                    |
| <b>66-43</b> | <b>Maintenance of privately owned stormwater management systems</b> | All privately owned stormwater management systems that discharge into the town's stormwater management system are responsible for establishing and implementing an effective maintenance program.   | X | No revisions to code at this time. |
| <b>66-79</b> | <b>Illicit connections</b>  | No person may maintain, use or establish any direct or indirect connection to the stormwater system that results in any discharge in violation of this article. This prohibition is retroactive and applies to connections made in the past, regardless of whether made under a permit, or other authorized, or whether permissible under laws or practices applicable or prevailing at the time the connection was made. | X | No revisions to code at this time. |



|                      |   |  |          |   |
|----------------------|---|--|----------|---|
| <p><b>66-98</b></p>  | <p><b>Notification of spills</b></p>                                | <p>As soon as any person has knowledge of any discharge to the stormwater system in violation of this article, such person shall immediately notify the building official by telephone, and if such person is directly or indirectly responsible for such discharge, then such person shall also take immediate action to ensure the containment and clean up of such discharge and shall confirm such telephone notification in writing to the building official, at mailing address, within three calendar days.</p> | <p>X</p> | <p>No revisions to code at this time.</p> |
| <p><b>66-169</b></p> | <p><b>Exemptions</b></p>  | <p>The provisions of sections <u>66-162</u> through <u>66-170</u> shall not apply to any lands used for bona fide scientific research, including, but not limited to research on the effects of fertilizer use on urban stormwater, water quality, agronomics, or horticulture.</p>  | <p>X</p> | <p>No revisions to code at this time.</p> |
| <p><b>67-33</b></p>  | <p><b>Drainage, required; swales; construction of driveways</b></p> | <p>New construction of single or multifamily buildings, or any other new building made on any lot within the town or any addition of or removal of fill or grade alteration on a lot shall require a drainage system</p>   | <p>X</p> | <p>No revisions to code at this time.</p> |



|               |                 |   |   |                                    |
|---------------|-----------------|---|---|------------------------------------|
|               |                 | adequate to detain, retain and transport volumes of runoff as may be regulated from time to time by federal, state and county laws and regulations and this Code.   |   |                                    |
| <b>67-138</b> | <b>Drainage</b> | In addition to meeting the requirements of this land development code, the design and performance of all stormwater management systems shall comply with applicable federal and state regulations and requirements of the South Florida Water Management District. In all cases, the strictest of the applicable standards shall apply. | X | No revisions to code at this time. |

At the time of the LDR Review Report in Cycle 4, Year 2, there were three code modifications and one code addition that were incorporated in the Code of Ordinances Supplement 7, adopted on September 14, 2018, that aid in limiting potential stormwater impacts. *Section 1-3.-Definitions* was modified to revise the definition of *Family*. *Section 63-51.(b)- Types of applications* was altered to include verbiage that defines when a single- or two-family structure is required to have a development permit application compliant with *Section 63-56*. *Section 63-52.- Minor development application and site plan requirements* was modified to include reference to Ordinance No. 627, adopted November 6, 2017.

Lastly, *Section 63-56. – Concept development plan review* was added to Supplement 7 and mandates that any single- or two-family structure that is either new, or is being improved by more than 50% construction cost or 50% of its current size, must undergo a concept development plan review and have approval by the Planning and Zoning Commission prior to applying for a building permit.

Appendix B is the comprehensive verbiage of the new/modified code sections above, extracted from the Town's Code of Ordinances dated September 14, 2018, with the alterations highlighted.





During the Cycle 4, Year 2 review, it was also recommended that the Town increase the required minimum pervious area per lot from 25% to 35% to reduce the impacts of stormwater runoff. *Section 66-1.(c)- General Provisions* was modified to incorporate the pervious threshold recommendation as well as define items that cannot be classified as pervious. Other changes that were made to applicable code sections in Supplement 8, adopted on September 24, 2019, were located in *Section 1-3. – Definitions* and included updating the definitions of “mean sea level”, “National Geodetic Vertical Datum” and “North American Vertical Datum of 1988”. *Section 63-56. – Development plan review* was modified to include additional verbiage to definitions to further clarify the requirements and criteria set forth in the Section as well as the addition of two Subsections: (2) *Notice of development plan review meeting* and (3) regarding appeal information. *Section 67-33. - Drainage, required; swales; construction of driveways* was updated to require that the mandatory trench drains on impervious areas along the property line must connect to an existing or proposed drainage system.

Appendix C is the complete verbiage of the modified code sections above, extracted from the Town’s Code of Ordinances dated September 24, 2019, with the alterations highlighted.

The latest/current adoption of the Code of Ordinances, Supplement 9, is dated September 18, 2020. The only modification that impacted the applicable code sections is the modification of *Section 1-3.- Definitions*, to include artificial turf/synthetic grass in the definition of “landscaping”.

Appendix D is the full verbiage of the modified code section above, extracted from the Town’s Code of Ordinances dated September 18, 2020, with the alterations highlighted.

In general, the codes indexed under Article III, “Stormwater Systems”, were adopted in 1993 and have remained mostly unchanged with the exception of a few ordinance additions and modifications over the years according to the municode.com library. The Town’s Building Official reviews any proposed development or redevelopment to ensure proper code compliance. In some cases, the Town employs an outside company to perform supplemental reviews in addition to their internal building department reviews.

To conclude, the Town regularly reviews and makes improvements to their Code and Land Development Regulations to maintain and enhance the public health, safety, and welfare.



# Appendix A

Supplement 6 – 9//15/2017

# APPENDIX A

## Supplement 6 – 9/15/2017

### **Sec. 1-3. - Definitions.**

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

*Abandoned property* means all tangible personal property which has been left abandoned and unprotected from the elements, and includes wrecked, inoperative or partially dismantled motor vehicles, trailers, boats, machinery, refrigerators, washing machines, plumbing fixtures, furniture, and any other similar articles. Operable motor vehicles, boats and trailers shall be deemed abandoned property when the tag for such vehicles is expired and a reasonable inference can be drawn from the circumstances present that the vehicle in question has been abandoned.

*Abutting. See Contiguous.*

*Access* means the principal means of ingress and egress to abutting property from a publicly dedicated right-of-way.

*Accessory building or structure* means a detached, subordinate building, or other structure, the use of which is clearly incidental and related to that of the principal building or structure or use of the land, and which is located on the same lot as the principal building(s) or structures.

*Accessory use* means a use that is customarily incidental to the principal use and so necessary or commonly to be expected that it cannot be supposed that this Code intended to prevent it. Accessory uses including, but not limited to, garages, parking, boats, docks, swimming pools, etc., unless otherwise provided, shall be located on the same premises [lot] as the principal use.

*Administrative official* means the town manager, or any staff member of the town professional staff, or other person authorized by the town manager to enforce, interpret or administer this Code.

*Alarm agent* means any person employed by an alarm business whose duties include the altering, installing, maintaining, moving, repairing, replacing, selling, servicing, responding to or causing of others to respond to an alarm device. New construction personnel not in the employ of an alarm business may be involved under contracts or subcontracts in the use or installation of alarm systems. Such persons are not required to obtain identification cards as alarm agents or obtain licenses as alarm businesses.

*Alarm business* means any business operated by a person for a profit which engages in the activity of altering, installing, leasing, maintaining, repairing, replacing, selling, servicing or responding to a burglar, fire or holdup alarm system, or which causes any of these activities to take place.

*Alarm system* means an assembly of equipment and devices, or a single device such as a solid state unit which plugs directly into a 110-volt, AC line, arranged to signal the presence of a hazard requiring urgent attention and to which public safety officers or firefighters are expected to respond. The term "alarm system" shall include the terms "automatic holdup alarm system," "burglar alarm system," "holdup alarm system."

*Alarm user* means any person on whose premises an alarm system is maintained within the town, except for alarm systems on motor vehicles or proprietary systems. If, however, an alarm system

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on a motor vehicle is connected with an alarm system at a premises, other than a proprietary system, the person using such system is an alarm user. Also excluded from this definition and from the coverage of [chapter 6](#) are persons who use alarm systems to alert or signal persons within the premises in which the alarm system is located of an attempted unauthorized intrusion, or of a fire, or of a holdup attempt. If such a system, however, employs an audible signal emitting sounds or a flashing light or beacon designed to signal persons outside the premises, such system shall be within the definition of alarm system and shall be subject to [chapter 6](#).

*Alcoholic beverage* means distilled spirits and all beverages containing one-half of one percent or more of alcohol or more by volume, as determined in accordance with F.S. § 561.01(4)(b).

*Alley* means a right-of-way which affords only a secondary means of access to property abutting thereon and is not intended or used for general traffic circulation.

*Alteration* means any change, addition or modification in construction or occupancy.

*Alteration, building*, means any change in the structure which will increase the number of dwelling units, the floor area or the height of the structure.

*Anchor*, when used in reference to marine activities, means any appliance used to secure a vessel, other than to a pier, which is carried aboard such vessel as regular equipment when the vessel is under way.

*Annunciator* means the instrumentation on an alarm console at the receiving terminal or a signal line which through both visual and audible signals show when an alarm device at a particular location has been activated. It may also indicate line trouble.

*Answering service* means a telephone answering service providing among its services the service of receiving on a continuous basis, through trained employees, emergency signals from alarm systems, and thereafter immediately relaying the message by live voice to the communication center of the department of public safety.

*Antenna* means any exterior stealth designed device used for transmitting and receiving, mounted on a tower or building, and used in communications that radiate or capture electromagnetic waves for wireless telecommunications signals or other communication signals. This definition does not include over-the-air transmission or reception devices which deliver television broadcast signals, direct (radio) broadcast signals, direct broadcast satellite services or multi-channel multi-point distribution services, as defined and regulated by 47 CFR 1.4000, as amended.

*Apartment* means a room or a suite of rooms occupied, or which is intended or designed to be occupied, as the home or residence of one individual, family or household for housekeeping purposes.

*Approved* means approved by the department head of the enforcing agency or his designee.

*Arterial*. See *Street, arterial*.

*Attic* means the nonhabitable area between the ceiling of a structure and the underside of the roof.

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*Audible* means the quality or characteristic denoting that the information content of sound is clearly and unambiguously transferred to the listener, including, but not limited to, the understanding of spoken speech and the comprehension of musical compositions.

*Authorized official* means any employee or agent of the town authorized in writing by the building official to administer or enforce the provisions of the applicable portion of the Code.

*Automatic dialing device* means an alarm system which automatically sends over regular telephone lines, by direct connection or otherwise, a prerecorded voice message or coded signal indicating the existence of the emergency situation that the alarm system is designed to detect.

*Automatic holdup alarm system* means an alarm system in which the signal transmission is initiated by the action of the robber.

*Backhaul network* means the lines that connect a provider's towers/cell sites to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

*Basement* means that portion of a building between the floor and ceiling which is below ground and is so located that the vertical distance from the floor to the ceiling shall not be exposed on the outside perimeter except for openings, the total exposed surface of which shall not exceed 25 percent of the total square footage of the vertical walls.

*Bedroom* means a sleeping room of 100 square feet or any room conceivably used for sleeping purposes with some degree of privacy, excluding communal areas.

*Blighting influence* means any physical condition of property maintenance which directly or indirectly causes a reduction in the value of surrounding properties.

*Block*, when referring to land parcels, means a parcel of land entirely surrounded by streets, streams, parks or other public space, or a combination thereof.

*Brush* means any accumulation of the following, but not limited to: grass clippings, hedges and tree trimmings, palm fronds, leaf rakings, and other such debris resulting from the maintenance of lawns and yards.

*Building* means any structure constructed or built for the support, enclosure, shelter or protection of chattels, persons, animals or the like. The word "building" includes the word "structure," and shall include anything constructed or erected which requires permanent location on the ground or which is attached to anything having a permanent location on the ground, and shall include but not be limited to such structures as homes, hotels, motels, apartments, stores, service stations, radio towers, billboards and cooling towers. Such term shall be construed as if followed by the phrase "or part thereof."

*Building, detached*, means a building surrounded by yards or other open area on the same lot.

*Building height* means the vertical distance measured from the finished ground floor slab (topside) to the highest portion of the building.

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*Building, principal*, means a building in which is conducted the main or principal use of the lot on which such building is situated.

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

*Burglar alarm system* means an alarm system signaling an entry or attempted entry into the area protected by the system.

*Carport* means a roofed area open on one, two or three sides and attached to the main building for the storage of one or more vehicles.

*Cat* means any domestic feline, either male or female.

*Centerline* means the line midway between the right-of-way lines or the surveyed and prescribed centerline established by the department of transportation or the town commission, which may or may not be the line midway between the existing or proposed right-of-way lines.

*Central station* means an office to which remote alarm and supervisory signaling devices are connected, where operators supervise the circuits and where guards are maintained continuously to investigate signals.

*Certificate of occupancy* means a statement signed by a duly authorized town building official setting forth that a building or structure legally complies with the town building code and that the building or structure may be used for the purposes stated therein.

*Certificate of occupancy and use* means an official approval by the town that a building or structure and use of the building or structure has met the requirements of all applicable town ordinances.

*Charter* means the Charter of the Town of Ocean Ridge, printed as part I of this volume.

*Coastal high hazard area* means the area subject to high-velocity waters caused by, but not limited to, hurricane wave wash. The area is designated on the FIRM and comprehensive plan maps as V8.

*Code* means the Code of Ordinances of the Town of Ocean Ridge, Florida.

*Code inspector* means those employees or other agents of the town authorized and appointed by the town manager whose duty it is to enforce town codes and to present code violations to the special master.

*Codes* means the Ocean Ridge Code of Ordinances and all codes and statutes adopted by reference within the Code of Ordinances which are within the jurisdiction of the special master pursuant to [section 16-2](#), as now existing or as may be amended by ordinance from time to time.

*Collector*. See *Street, collector*.

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*Commencement*, in reference to construction, means receipt of a validly issued building permit and the initiation of site improvements not including soil preparation such as land clearing, land filling and soil compaction.

*Commercial establishment parking lot* means any private or public area appurtenant to a commercial establishment used by the public for parking and for pedestrian access to commercial establishments, including drives, parking areas, and sidewalks and walkways appurtenant thereto.

*Common lot line* means a line dividing one lot from another.

*Community residential home* means a dwelling unit licensed to serve clients of the department of health and rehabilitative services, which provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of residents. The clients are limited to children, the aged, and physically disabled, handicapped, developmentally disabled and mentally ill persons who do not constitute a direct threat to the health, property and safety of the neighborhood.

*Completely enclosed* means a building separated on all sides from the adjacent open area, or from other buildings or other structures, by a permanent roof and by exterior walls or party walls, pierced only by windows or entrance or exit doors normally provided for the accommodation of persons, goods or vehicles.

*Comprehensive plan* means the official public documents adopted by the town commission pursuant to F.S. ch. 163, as a policy guide to present and future land use decisions.

*Concurrency* means when the necessary public facilities and services to maintain the adopted level of service standards in this Code and the comprehensive plan are available when the impacts of development occur.

*Construction* means any site preparation, assembly, erection, substantial repair, alteration or similar action, but excluding demolition, for or on public or private rights-of-way, structures, utilities or similar property.

*Construction activities* means any and all activity incidental to the erection, demolition, assembling, altering, installing or equipping of buildings, structures, roads or appurtenances thereof, including the loading and unloading of materials and land clearing, grading, excavating and filling.

*Container*, when referencing regulations concerning alcoholic beverages, means any can, bottle, carton or other vessel in which is contained an alcoholic beverage.

*Contiguous* means the position of lands that abut each other or separated by streets, ways, easements, pipelines, power lines, conduits or rights-of-way under ownership of the petitioner, or a governmental agency, or subdivision, or public or private utility.

*Cooking facilities* means any equipment, machinery or appliances used in the preparation of food.

*Corner lot*. See *Lot, corner*.

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*County* means Palm Beach County, Florida.

*Court*, when referring to a portion of real property, means an open space which is completely surrounded by a building or buildings (inner court) or an open space between one or more buildings on the same lot (outer court).

*Crown* means the centerline elevation of the contiguous street; an inverted crown shall be referred to the edge of pavement.

*Cul-de-sac (dead-end street)* means a minor street with only one outlet terminating at one end with a circular turnaround.

*Damage* means when the cost of repair, replacement or relocation of a structure is 50 percent or less than its pre-disaster market value.

*Decibel (dB)* means a unit for describing the amplitude of sound, equal to 20 times the logarithm to the base [10](#) of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).

*Deficiency* means a condition of deterioration not currently in violation of this Code; however, such condition is expected to become a violation within a short period of time.

*Demolition* means any total or partial dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces or similar property.

*Density* means an existing or projected relationship between the total number of dwelling units proposed for a specific land area. All density calculations pursuant to this Code shall be based upon the total number of acres involved being divided by the total number of dwelling units proposed to equal the residential density per gross acre.

*Deterioration* means the condition or appearance of a building, or parts thereof, characterized by holes, breaks, rot, crumbling, cracking, peeling, rustling or other evidence of physical decay, neglect or lack of maintenance.

*Developer* means any individual, firm, association, syndicate, co-partnership, corporation, trust or other legal entity commencing proceedings under this Code. The term "developer" includes the term "subdivides."

*Development* shall have the meaning given in F.S. § 380.04, pursuant to a development order or permit.

*Development agreement* means an agreement entered into between a local government and a person in connection with the approval of a development order or permit including, but not limited to, a development agreement pursuant to F.S. § 163.3220, or an agreement on a development order issued pursuant to F.S. § 380.01 et seq.

*Development order* means any order granting, denying or granting with conditions an application for a development permit.



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*Development permit* means any permit for required improvements, buildings, zoning, rezoning, plat approval, master plan approval, subdivision, certification, variance, or other action having the effect of permitting commencement of development as defined in F.S. § 380.04, or any other official action or types of action by the town which, in the judgment of the town manager, would permit the use or development of land similar to any of the listed actions.

*Device* means any equipment or mechanism which is intended to produce or which actually produces sound when installed, used or operated.

*Direct connect* means an alarm system which has the capability of transmitting system signals to and receiving them at an agency maintained by the local government, for example, the department of public safety communication center.

*Direct line* means a telephone line leading directly from a central station to the communication center of the department of public safety that is for use only to report emergency signals on a person-to-person basis.

*Director* means the town manager or department head or designated representative supervising the town's code enforcement program, or authorized agent, charged with enforcing code regulations.

*Discharge* means any direct or indirect entry of any solid, liquid or gaseous matter.

*District* means any certain described area of the town to which the zoning regulations of this Code uniformly apply.

*Dock* means a structure built on or over the water which is designed or used to provide anchorage for and access to one or more boats. Necessary services such as water and other utilities are considered a part of a dock; however, no cooking, sleeping or business activity shall be permitted (see *Accessory use* ).

*Dog* means any domestic canine, either male or female.

*Dog at large* means off the premises of the owner and not under the control of the owner or a member of his immediate family, either by leash, cord, chain or other means of mechanical restraint.

*Dune* means a hill or ridge of windblown sand and marine deposits formed by action of the wind and water and stabilized by plant associations indigenous to the new formation, including sea oats, herbs and growth common to the beach areas, adjacent to the coastline.

*Dwelling* means any building which is wholly or partially used or intended to be used for living, sleeping, cooking, eating and sanitation, providing that temporary housing as hereinafter defined shall not be regarded as a dwelling.

*Dwelling unit* means a house, apartment or building used primarily for human habitation and which includes bath and culinary accommodations.

- (1) Single-family dwelling means a building containing only a single dwelling unit.

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- (2) Duplex family dwelling means a building containing two single-family dwellings attached by a common wall.
- (3) Multiple-family dwelling means a building containing three or more dwelling units (see *Apartment*).

*Easement* means any strip of land created by a subdivider or granted by the owner, for public or private utilities, access, drainage, sanitation or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the reservation of the servitude.

*Electrical* means all work, material and/or system of electrical wiring for use of light, heat or power and all appurtenances, apparatus or equipment used in conjunction therewith, inside of or attached to any building or structure, lot or premises.

*Emergency* means any threat thereof, whether accidental, natural, or caused by man, in war or in peace, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property.

*Emergency repairs* means temporary repairs necessary to prevent injury, loss of life, imminent collapse of a structure, or other substantial damage to a structure. Emergency repairs are those necessary to make the site safe and/or prevent further imminent danger and are not intended to be permanently incorporated into the structure. For illustrative purposes only, items that constitute emergency repairs may include temporary roof repairs to avoid further water damage, repairs to walls, and the temporary shoring of a structure to avoid imminent collapse.

*Emergency response vehicles* means vehicles of all police and fire departments, emergency vehicles of any public service corporation, all ambulances and rescue vehicles.

*Emergency work* means any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

*Encroachment, vehicular* means any protrusion of a vehicle outside of a parking space or accessway into a landscaped area. No vehicular encroachment shall be allowed over or into any landscaped area. Wheel stops or curbs shall be placed at least two feet from the edge of all landscaped areas. Where a wheel stop or curb is utilized, the paved area between the curb and the end of the parking space may be omitted, provided the area is landscaped in addition to the required landscaping provided for in this Code.

*Enforcement agency or officer* means any employee or code enforcement officer of the town charged with the responsibility of making inspections of building and structures, and issuing notices, when necessary. These items shall be synonymous with title of code inspector, building inspector, building official, building code administrator, fire inspector, fire marshal, public safety officer and code enforcement officer. Technical assistance shall be provided to any code inspector by the building official and the fire marshal, as requested.

*Engineer* means a registered engineer licensed in the state to provide any information of an engineering nature whether civil, electrical or mechanical.

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

*Extermination* means the control of insects, rodents, vermin and/or other pests by destroying their harborage places; by removing or making inaccessible those materials that may serve as their food, nests, or other living spaces; by poisoning, spraying, fumigating and trapping; or by any other recognized legal and humane means.

*FAA* means the Federal Aviation Administration.

*False alarm* means the activation of an alarm system through mechanical failure, malfunction, improper installation or the negligence of the owner or lessee of an alarm system or of his employees or agents. Such terminology does not include, for example, alarms caused by hurricanes, tornadoes, earthquakes or other violent conditions.

*Family* means one or more persons occupying a single dwelling unit; provided that, unless all members are related by blood, legal adoption or marriage, no such family shall contain over five persons; but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a family. Any person under the age of 18 years whose legal custody has been awarded to the state department of health and rehabilitative services or to a child-placing agency licensed by the department, or who is otherwise considered to be a foster child under the laws of the state, and who is placed in foster care with a family, shall be deemed to be related to and a member of the family for the purposes of this definition.

*Federal Communications Commission and FCC* mean the present federal agency of that name as constituted by the Communications Act of 1934, or any successor agency created by the United States Congress.

*Fence* means a structural or natural physical barrier.

*Final master site development plan* means a finished drawing showing all requirements of this Code.

*Fire hazard* means anything or any act which violates the fire codes of the town and/or the National Fire Protection Association regulations, then in effect.

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

*Floor area, minimum*, means the area of the floors measured from the centerline of the exterior walls to the centerline of dividing walls, excluding the area for garages, whether separate or integral, carports, open porches, open breezeways or storerooms not accessible from the interior of the building. Not more than 20 percent of any minimum floor area shall be credited to screened-in porches or breezeways.

*Floor area, total*, as used for calculating floor area ratio, means the gross horizontal areas of all floors of all buildings on a lot, measured from the exterior face of exterior walls or other type of enclosure, or from the centerline of a wall separating two buildings, including garages, carports,

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and porte cocheres, but not including: basements, attics (unless used as living space), unenclosed decks or patios, covered porches, balconies (covered or uncovered), or crawl spaces.

*Floor area ratio (FAR)* means the ratio of the total floor area of all structures on a lot to the usable land area.

*Fowl* means any guineas, peafowl, pigeons, pheasants or poultry and the like.

*Freestanding sign* means a detached sign, which shall include any signs supported by uprights or braces placed upon or in or supported by the ground and not attached to any building.

*Frontage, street*, means the portion of a lot that abuts a street.

*F.S.* means the latest edition or supplement of the Florida Statutes.

*Garage*, when referring to structure or a portion of a structure within a residential area, means an accessory building or portion of a main building used for the parking or storage of automobiles of the occupants of the main building.

*Garbage* means the animal and/or vegetable waste resulting from the handling, preparation, cooking, and/or consumption of food; and wastepaper plastic or related materials used in the packaging and preparation of foods.

*Good state of repair* means a structure which is safe and habitable for its ordinary and intended use; the materials used therein or any fixture related thereto must be sound, stable and performing the function for which intended.

*Grade, finished*, means the elevation taken at the topside of the finished slab of the ground floor of that portion of a building intended for human occupancy.

*Grandfathered building or structure* means a building or structure existing at the time of the passage of Ordinance No. 229 or amendment thereto which was rendered nonconforming but which was subsequently grandfathered by amendment of the town zoning ordinance (see *Nonconforming building or structure* ).

*Grandfathered characteristic of use* means a characteristic of use existing at the time of the passage of Ordinance No. 229 or amendment thereto which was rendered nonconforming but which was subsequently grandfathered by amendment of the town zoning ordinance (see *Nonconforming characteristic of use* ).

*Grandfathered lot* means a single lot, tract or parcel of land of record existing at the time of the passage of Ordinance No. 229 or amendment thereto which was rendered nonconforming but which was subsequently grandfathered by amendment of the town zoning ordinance (see *Nonconforming lots* ).

*Grandfathered use* means a land use existing at the time of the passage of Ordinance No. 229 or amendment thereto which was rendered nonconforming but which was subsequently grandfathered by amendment of the town zoning ordinance (see *Nonconforming use* ).

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*Grantee, for the purposes of this Code related to cable television*, means the legal entity which is ultimately licensed by the town commission to construct and operate a cable television system within the town. The grantee shall be designated by separate action of the town commission.

*Gross area* means the total area, including all public and private areas, within the legal boundaries of a particular parcel of land or project.

*Gross subscriber revenues* means any and all compensation or receipts derived by a grantee from installation, disconnection and reinstallation charges and periodic service charges in connection with the carriage of broadcast signals and FCC mandated nonbroadcast services within the town, but shall not include any refunds or credits made to subscribers or any taxes imposed upon the services furnished by the grantee.

*Ground floor* means the floor measured from the slab at the established grade level of the lot.

*Guest* means and includes any person using or occupying a residence, with or without the owner's consent, and not owned, leased or rented to them.

*Guest cottage* means a building occupying not more than 1/20 of the area of the lot on which it is situated and which is used exclusively for housing members of the family occupying the principal dwelling or their nonpaying guests.

*Habitable* means a type of building feature, structure, unit, room or enclosed floor space used or intended to be used for living, working, sleeping, cooking or eating purposes.

*Hedge* means any domesticated woody plant growth, including bushes and shrubs, with sufficiently dense and continuous foliage to create an architectural barrier, similar to that created by a wall or fence. This term includes the use of *Casuarina* spp. (Australian pine) trees, when maintained as a hedge at ten feet in height, or less, but the term does not include a barrier for a swimming pool.

*Height* means, when referring to a tower or other structure, the distance measured from the zero datum of the lot, as defined in the land development code, to the highest point on the tower or other structure, including any antenna.

*Highest adjacent grade* means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

*Holdup alarm system* means an alarm system signaling a robbery or attempted robbery.

*Hotel or motel unit* means any room or group of hotel or motel rooms forming a single habitable unit used or intended to be used for living and sleeping and which may not be used for cooking and eating. For the purpose of this Code, motel units and dormitory-type sleeping accommodations shall be included in this category.

*Identification sign* means a sign, other than a bulletin board sign or nameplate sign, indicating the name of the primary use, the name or address of a building, or the name of the management thereof.

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*Infestation* means the presence of insects, rodents, vermin or other pests.

*Institution* means a nonprofit corporation or a nonprofit establishment for public use.

*Inundation* means water in motion or standing or ponded water of sufficient depth to damage property due to the mere presence of water or the deposit of silt, which may be a nuisance, hazard or health problem.

*Interconnect* means to connect an alarm system to a voice grade telephone line, either directly or through a mechanical device that utilizes a standard telephone, for the purpose of using the telephone line to transmit an emergency message upon the activation of the alarm system.

*Landowner*. See *Owner*, as applied to a building or land.

*Landscape screen or barrier* means a screen planted and maintained to form a continuous screen of plant material within a maximum of three years after the time of the initial planting. Screens or barriers may be either sheared or natural, and symmetrical or asymmetrical, and shall be at least four feet in height. Walls or fences used as landscape screens or barriers shall be constructed in accordance with the requirements of the town building and zoning codes and landscaped in accordance with the requirements provided for in this Code.

*Landscaping* means all materials such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees or palms, and other material such as rocks, pebbles, walls or fences, and decorative paving materials, all of which are approved by the administrative official.

*Loading space* means accommodation off the street for loading and unloading of trucks, in the form of one or more truck berths located either within a building or in an open area on the same lot.

*Lot* means:

- (1) Either:
  - a. A lot of record, as part of a land subdivision recorded in the office of the clerk of the circuit court of the county, and existing on November 25, 1976;
  - b. A portion of a lot of record; or
  - c. A combination of complete lots of record or complete lots of record and portions of lots of record, or of portions of lots of record; or a parcel of land described by metes and bounds which does not create any residual lot or parcel failing to meet the requirements of this Code.
- (2) A lot is also a plot or parcel of land which has frontage on an improved public or private street and which meets the minimum property development regulations of the zoning district in which the lot is located.
- (3) For purposes of this definition, ownership of a lot shall be deemed to include a ground lease of not less than 50 years' duration with an option to renew such lease so as to provide for a total leasehold period of not less than 75 years' duration.

*Lot area* means the total horizontal area included within lot lines.

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*Lot, corner*, means either a lot bounded entirely by streets, or a lot which adjoins the point of intersection of two or more streets.

*Lot coverage* means that portion of the area of a lot, expressed as a percentage, occupied by all buildings or structures which are roofed or otherwise covered and that extend more than three feet above the ground surface.

*Lot depth* means the horizontal length of a straight line drawn from the midpoint of the front property line of the lot to the midpoint of the rear property line of the lot.

*Lot frontage* means the property line adjacent to a public street or waterway.

*Lot line* means the boundary of a lot.

*Lot, through (double-frontage)*, means any lot, not a corner lot, having both the front and rear property lines adjacent to a public street, public street right-of-way, or waterway.

*Lot width* means the horizontal distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear property lines.

*Loud and raucous noise* means any sound which is unnecessary, unnatural or which is unusual in its time, place and use, and which, because of its volume level, duration and character disturbs, injures or endangers the comfort, sleep, health, peace, safety or otherwise interferes materially with the rights of a reasonable person of ordinary sensibilities.

*Major development* means any development other than those listed as minor development.

*Manufactured housing* means a housing unit manufactured in whole or in part off of the site and trucked to the site. However, it shall not have a chassis or other mechanism for towing. See [section 64-54](#).

*Mean sea level* means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this article, the term is synonymous with National Geodetic Vertical Datum (NGVD).

*Minor damage* means when the total cost of repair is less than \$1,000.00 or in the case of roof repair less than \$500.00.

*Minor development* means development that includes only those listed in subsection [63-51\(b\)\(1\)](#) of this Code.

*Mobile home* means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers and similar transportable structures placed on a site for 180 days consecutive days or longer and intended to be improved property.

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*Modified central station* means an office to which remote alarm and supervisory signaling devices are connected, where operators supervise the circuits. Such modified central station is not listed by Underwriters' Laboratories, Inc.

*Mooring* means any appliance used to secure a vessel other than to a pier.

*Motor vehicle* means and includes any wheeled conveyance propelled by motor, battery, electricity, or any means other than solely by human effort. Motor vehicle shall not include vehicles utilized for the purpose of transporting physically disabled persons.

*Motorboat* means any boat or vessel propelled or powered by machinery, whether or not such machinery is the principal source of propulsion, including but not limited to boats, barges, amphibious craft, water ski towing devices and hovercraft.

*Multifamily dwelling* means a building or other shelter that has been divided into separate units to house more than one family.

*National geodetic vertical datum (NGVD)*, as corrected in 1929, is a vertical control used as a reference for establishing varying elevations within the floodplain.

*New construction* means structures for which the "start of construction" commenced on or after February 27, 1990.

*Noise* means any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

*Noise control officer* means the environmental control officer or other municipal administrative official having the responsibility for enforcing this Code.

*Noise disturbance* means any sound in quantities which are or may be potentially harmful or injurious to human health or welfare, animal or plant life or property, or which unnecessarily interfere with the enjoyment of life or property, including outdoor recreation, of a reasonable person with normal sensitivities.

*Noise sensitive zone* means existing quiet zones, until designated otherwise by the administrative official. Noise sensitive activities include, but are not limited to, operations of schools, libraries open to public, churches, hospitals and nursing homes or other designated area provided that conspicuous signs are displayed indicating the presence of the zone.

*Nonconforming building or structure* means a building or structure existing at the time of passage of Ordinance No. 229 or amendment thereto which does not conform to the property development regulations of area, height, lot coverage, yard setbacks, lot location or other requirements of the zoning district in which it is located.

*Nonconforming characteristic of use* means a characteristic of use, including parking areas, loading areas, landscape provisions and the like, which is incidental to the construction of a structure or building existing at the time of passage of Ordinance No. 229 or amendment thereto, which does not conform to the property development regulations of the zoning district in which the



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characteristic of use is located or does not conform to other applicable land use regulations of the town.

*Nonconforming lot* means a single lot, tract or parcel of land of record in existence at the effective date of adoption of Ordinance No. 229, or any amendment thereto, which is in separate ownership and not of continuous frontage with other lots of the same ownership but which does not meet the requirements for area, width or depth, or all, that are generally applicable in the zoning district in which the lot, parcel or tract is located; provided, however, that yard dimensions and requirements other than those property development regulations applying to area, width or depth, or all, of the lot shall conform to the regulations for the zoning district in which such lot is located.

*Nonconforming sign* means a sign or advertising structure existing within the incorporated area of the town on the effective date of Ordinance No. 229, as amended, which by its height, square foot area, location, use or structural support does not conform to the requirements of Ordinance No. 229, as amended.

*Nonconforming use* means a land use existing at the time of passage of Ordinance No. 229, or any amendment thereto, which does not conform to the provisions, requirements and regulations of the zoning district in which it is located.

*Notification* and *written notification* mean either personally serving the notice upon the person required to be notified, mailing the notice to that person by certified mail, return receipt requested or posting the notice at the site of the violation, as provided in [section 16-12](#).

*Nuisance* means anything that endangers life or health, gives offense to the senses, or obstructs reasonable use of any property or any act or activity prohibited by general, special or local laws.

*Occupant* means any person living, sleeping, cooking, eating in or having actual possession of a dwelling, dwelling unit, hotel unit, motel unit, or rooming unit.

*Ocean View Special Area* shall mean that area within the town consisting of residential lots of less than 7,500 square feet fronting Ocean View or Douglas Drive as described in [section 64-3](#).

*Official zoning map* means the official map upon which the boundaries of each zoning district are designated and established as approved and adopted by the town commission and made a part of the official public records of the town, and shall be the final authority for all matters pertaining to the zoning status of land and water areas, buildings and other structures within the incorporated area of the town.

*Open space* means a required exterior open area, clear from the ground upward, devoid of residential and commercial buildings, accessory structures and impervious areas, except however, those buildings and structures used exclusively for recreational purposes.

*Operate*, when referring to boats, means to navigate or otherwise use a boat or a vessel.

*Operator* means any person who has charge, care, custody or control of a building, utility company, vehicle, boat or structure, or part thereof, which is subject to this Code.

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*Owner*, as applied to a building or land, includes any person who alone or jointly has legal or equitable or record title to any building or land, including any part owner, joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety, of the whole or of a part of such building or land.

*Owner*, as applied to the ownership of dogs, means any person owning, keeping or harboring a dog.

*Owner*, as applied to a boat or vessel, means a person, other than a lienholder, having the property in or title to a vessel. The term shall include a person entitled to the use or possession of a vessel subject to an interest of another person reserved or created by agreement and securing payment of performance of an obligation.

*Parking area* means the total area devoted to the parking and maneuvering of vehicles.

*Parking lot* means an open area which is used for the parking of automobiles.

*Parking space* means a surfaced area, enclosed or unenclosed, sufficient in size to store one automobile, together with a driveway connecting the parking space with a street or alley and permitting ingress and egress of an automobile.

*Parkway* means the area within any street right-of-way, which has a curb and gutter section, lying between the curb and the edge of the sidewalk, or, if there is no sidewalk, then lying between the curb and the edge of the right-of-way.

*Patio* means an open unoccupied space which may be partially enclosed by a wall, fence or building, and which is not considered part of the residential living structure.

*Person* means any individual, firm, corporation, association, club, society, body politic and corporate, partnership, institution, or other legal entity.

*Personal property* means and includes every species of property except real property.

*Pier* means any fixed or floating structure that is part of or affixed to land, such as a wharf, dock, float or other loading facility.

*Planning and zoning commission* means the advisory body to the governing body of the town known as the town planning and zoning commission.

*Plat* means a map depicting the division or subdivision of land into lots, blocks, parcels, tracts or other portions thereof, however the division or subdivision may be designated; prepared in accordance with the provisions of this Code and those of any applicable law or local ordinance; and which may be designated to be placed on record in the office of the clerk of the circuit court of the county.

*Plat of record* means a plat which conforms to the requirements of the applicable laws of the state and ordinances of the town, and placed in the official records of the county.

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*Plumbing* means and includes all of the following supplied facilities and equipment; gas pipes, gas burning equipment, water pipes, garbage disposal unit, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machine, catchbasins, drains, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines and water pipes and line utilized in conjunction with air conditioning equipment.

*Police department* means the publicly supported police department of the town, or any authorized agent thereof.

*Powered model vehicle* means any self-propelled airborne, waterborne or landborne plane, vessel or vehicle which is not designed to carry persons, including but not limited to any model airplane, boat, car or rocket.

*Preexisting towers and preexisting antennas* means any tower or antenna for which a building permit has been properly issued prior to the effective date of this ordinance, including permitted towers or antennas that have not yet been constructed so long as such approval is current and not expired.

*Premises* means any lot, area or tract of land, whether used in connection with a building or not.

*Primary trunk line* means a telephone line leading directly into the communication center of the department of public safety that is for the purpose of handling emergency calls on a person-to-person basis, and which is identified as such by a specific number included among the emergency numbers listed in the telephone directory issued by the telephone company and covering the service area within the jurisdiction of the department of public safety.

*Property line, front.* See *Lot frontage*.

*Property line, rear,* means a property line opposite and most distant from the front property line. For a triangular lot, the rear property line shall mean a line ten feet in length within the lot parallel to the front property line, or parallel to the chord of a curved front property line, and at the maximum distance from it.

*Property owners' association* means a nonprofit organization recognized as such under the laws of the state operated under recorded land agreements through which each owner of a portion of a subdivision, be it a lot, home, property or any other interests, is automatically subject to a charge for a prorated share of expenses, either direct or indirect, for maintaining common properties within the subdivision, such as roads, parks, recreational areas, common areas or other similar properties. Within the text of this Code, a property owners' association is considered a single entity for property ownership.

*Proprietary system* means an alarm system sounding or recording alarm and supervisory signals at a control center located within the protected premises, with the control center being under the supervision of the proprietor of the protected premises. If a proprietary system includes a signal line connected directly or by means of an automatic dialing device to a police or fire communication center, central station, modified central station or answering service, it thereby becomes an alarm system subject to this chapter.

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*Public agency* means any government or governmental agency, board, commission, authority or public body of the county, of the state or of the United States government, or any legally constituted governmental subdivision or special district.

*Public or semipublic area open for vehicular travel* means all public and private rights-of-way, lanes, alleys, parking lots and parking areas on which the public is expressly or implicitly invited to travel by motor vehicle or which are otherwise open for vehicular travel, except private driveways or walkways serving a single-family dwelling.

*Public right-of-way* means any street, avenue, boulevard, highway, sidewalk or alley or similar place normally accessible to the public which is owned or controlled by a governmental entity.

*Public safety officer* means a full-time or part-time member of the police department who is a police officer or a firefighter, or both a police officer and a firefighter. Any reference to a police officer or firefighter shall be construed to mean a public safety officer or the police department.

*Public space* means any real property or structures thereon normally accessible to the public.

*Pure tone* means any sound which can be distinctly heard as a single pitch or a set of single pitches. For the purposes of measurement, a pure tone shall exist if the one-third octave band sound pressure level in the band with the tone exceeds the arithmetic average of the sound pressure levels of the two contiguous one-third octave bands by five decibels for center frequencies of 500 hertz and above and by eight decibels for center frequencies between 160 and 400 hertz and by [15](#) decibels for center frequencies less than or equal to 125 hertz.

*Real property line* or *property line* means an imaginary line along the surface, and its vertical plane extension, which separates the real property owned, rented or leased by one person from that owned, rented or leased by another person, excluding intrabuilding real property divisions.

*Repeat violation* means a violation of a provision of the Code of Ordinances by a person who has previously been found through a code enforcement special master or other quasi-judicial or judicial process to have violated, or who has admitted violating, the same provision within five years prior to the violation, notwithstanding the violations occur at different locations.

*Residence.* See *Dwelling unit*.

*Resident* means a person who makes his legal residence or domicile within the town or who, having his legal residence or domicile elsewhere, has continuously maintained a residence or dwelling place within the town for a period of not less than [30](#) consecutive days. For purposes of the land development code, resident shall include owners, trustees, lessees, sublessees, renters, or any other person maintaining physical or fiduciary control over residential real property within the town.

*Residential area* means an area of land whose use is designated to provide only permanent housing, excluding all tourist accommodations, which include, but are not limited to, hotels, motels, apartment hotels, space for parking a recreational vehicle, trailer or mobile home (except as otherwise expressly provided in this Code), etc.

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*Rezoning* means the legal process by which changes are made to the boundaries of a zoning district or where new boundaries are established for a zoning district. This process is referred to in this Code as a district boundary change.

*Right-of-way* means a strip of land dedicated or deeded to the perpetual use of the public.

*Rms sound pressure* means the square root of the time averaged square of the sound pressure.

*Rubbish* means all combustible and noncombustible waste materials except garbage including, but not limited to, nonoperating toys, bicycles, motorcycles, automobiles, mechanical equipment and machines or parts thereof.

*Sand dunes* means naturally occurring accumulations of sand in ridges or mounds landward of the beach.

*Setback line* means a line delineating the minimum allowable distance between the lot lines and a structure (see *Yard, front*). The setback line shall be measured from the lot line or right-of-way line, whichever is closer.

*Shrubs* means woody perennial plants of low stature characterized by persistent stems and branches springing from the base.

*Sign* means any device designed to inform or attract the attention of persons not on the premises on which the sign is located. A sign also includes any writing, pictorial representation, emblem, flag or any other figure of similar character which is a structure or any part thereof, or is attached, painted on or in any other manner represented on a building or other structure, and shall include any sign placed upon a vehicle used to announce, direct attention to or advertise, and which is visible from outside a building.

*Signal line* means the transmission line through which the signal passes from one of the elements of the signal transmission to another.

*Site of industrial activity* means any area or facility used for manufacturing, processing or raw materials storage, as defined under 40 CFR 122.26(a)(14) of regulations of the U.S. Environmental Protection Agency, as amended.

*Site plan* means a graphic and informational representation of a specific design solution for a proposed development within the town, prepared for determination of compliance with the regulations and intent of this Code.

*Solicitor* means a person who goes from door to door visiting multifamily or single-family dwellings for the following purposes:

- (1) To sell any goods, wares or merchandise or accept subscriptions or orders therefor.
- (2) To solicit donations for any purpose.

*Sound*, as it is used in [chapter 34](#), means an oscillation in pressure, stress, particle displacement, particle velocity or other physical parameter, in a medium with internal forces. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

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*Sound level* means the weighted sound pressure level obtained by the use of a metering characteristic and weighting A, B or C as specified in the American National Standards Institute specification for sound level meters, ANSI S1.4-1971, or in successor publications. If the weighting employed is not indicated, the A-weighting shall apply.

*Sound level meter* means an instrument which includes a microphone, amplifier, rms detector, integrator or time averager, output meter and weighting networks used to measure sound pressure levels. The output meter reads sound pressure levels when properly calibrated. The instrument shall be of type 2 or better, as specified in the American National Standards Institute publication S1.4-1971, or its successor publications.

*Sound pressure* means the instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space, as produced by the presence of sound energy.

*Sound pressure level* means 20 times the logarithm to the base 10 of the ratio of the rms sound pressure to the reference pressure of 20 micropascals ( $20 \times 10^{-6} \text{N/m}^2$ ). The sound pressure level is denoted  $L_p$  or SPL and is expressed in decibels.

*Sound producing device* means any equipment or machine for the production or reproduction of speech, music or other sound, including, but not limited to, radios, televisions, phonographs, tape players, compact disk players, DVD players, musical instruments, walkie-talkie, CB radios or synthesizers.

*Special event* means any meeting, activity, gathering, or group of persons, animals, or vehicles, or any combination thereof, having a common purpose, design or goal, upon a public facility, street, sidewalk, beach, park, waterway, or other place or building open to the public, where the special event substantially inhibits the usual flow of pedestrian or vehicular traffic or which occupies any public area or building and preempts use by the general public. A special event shall include, but shall not be limited to a festival, celebration, concert, parade, block party, and other similar gathering which requires town services in addition to the quantity or type of services normally provided, or is expected to have 500 persons or more, at the site of the special event.

*Special exception* means a use that would not be appropriate generally or without restriction throughout the zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance or prosperity, is permissible. Such uses may be permitted in such zoning districts as special exceptions as outlined in the applicable zoning district.

*Special trunk line* means a telephone line leading into the communication center of the department of public safety and having the primary purpose of handling emergency signals or messages originating either directly or through a central location from automatic dialing devices.

*Start of construction* (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348)) includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of preparation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling;

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nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

*Stealth design* means a method which would camouflage, hide or conceal an antenna, and its supporting electrical or mechanical equipment, or any other support structure that is identical to, or closely compatible with, the color, and texture of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

*Stealth tower* means manmade trees, clock towers, bell steeples, and similar alternative design or mounting structures which camouflage or conceal the presence of antennas or towers.

*Stormwater* means any stormwater runoff, and surface runoff and drainage.

*Stormwater system* means the system of conveyances used for collecting, storing and transporting stormwater owned by the town but not including any facilities intended to be used in accordance with applicable law for collecting and transporting sanitary or other wastewater.

*Story (floor)* means that part of a building between the surface of a floor and the ceiling immediately above. The part of a building below the ground floor shall not be considered a story (see *Basement*).

*Street* means a strip of land, owned privately or publicly, which affords the principal means of access to abutting property. The term "street" includes any road, thoroughfare, parkway, avenue, boulevard, expressway, lane, throughway, place, square or other such facility, however otherwise designated, within such right-of-way.

*Street, arterial*, means a street of a higher classification than a local street and which is used for continuous travel, primarily as a main traffic artery and carries more traffic for greater distances than a collector street.

*Street, collector*, means a street which carries traffic from local streets to arterial streets, and includes the principal entrance streets of a subdivision, and for the purposes of this Code shall be considered a street of higher classification than a local street.

*Street, local*, means a minor street designed and maintained primarily to provide access to abutting property. A local street is of limited continuity and not for through traffic.

*Street, private*, means any street which has not been dedicated for public use and not accepted for ownership or maintenance by the town commission.

*Street, public*, means any street designed to serve more than one property owner which is dedicated to the public for use and has been accepted for ownership and maintenance by the town commission.

*Street right-of-way line*. See *Right-of-way*.

*Structurally sound* means free of imperfection which affects the intended safe use of the structure.

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*Structure* means a combination of materials, whether fixed or portable including, but not limited to, all buildings, dwellings, pools, fences and enclosures, gas or liquid storage tanks, or other manmade facilities.

*Subdivision* means the division of a parcel of land, whether improved or unimproved, into two or more contiguous lots or parcels of land, designated by reference to the number or symbol of the lot or parcel contained in the plat of such subdivision, for the purpose, whether immediate or future, of transfer of ownership, or, if the establishment of a new street is involved, any division of such parcel.

*Subscriber* means a person who buys or leases or otherwise obtains an alarm signaling system and thereafter contracts with or hires an alarm business to monitor or service the alarm device.

*Substantial damage* means when the cost of repair, replacement or relocation of a structure exceeds 50 percent of its pre-disaster market value.

*Substantial improvements* means any combination of repairs, reconstruction, alteration or improvements to a structure, taking place during the life of a structure in which the cumulative cost equals or exceeds 50 percent of the market value of the structure. The market value of the structure which, for the purposes of this definition, shall be the most recent market value as determined by the county property appraiser, should be:

- (1) The appraised value of the structure prior to the start of the initial repair or improvement; or
- (2) In the case of damage, the value of the structure prior to the damage occurring.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to ensure safe living conditions.

*Supplied* means paid for, furnished or provided by or under control of the owner or operator.

*Swale* means the area within any street right-of-way which has no curb or gutter section lying between the edge of the street pavement and the nearest edge of the sidewalk, or, if there is no such sidewalk, then lying between the edge of the street pavement and the edge of the right-of-way.

*Swimming pool* means any confined body of water, located either above, at or below the existing finished grade of the site, exceeding 150 square feet in surface area and two feet in depth, designed, used or intended to be used for swimming or bathing purposes.

*Telephone company* means the utility that furnishes telephone service to the town.

*Temporary housing* means any tent, trailer, motor home, mobile home or other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure or to any utilities system on the same premises for more than [30](#) consecutive days.



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*Temporary sign* means any sign erected and maintained for a specific length of time.

*Time-sharing use* means the use of any dwelling unit under which the exclusive right of use or occupancy of the dwelling unit circulates among various occupants in accordance with a fixed time schedule on a periodically recurring basis for a period of time established by the schedule.

*Tower* means any ground-mounted structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone and similar telecommunication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term as used in this Code does not include radio and television transmission towers, microwave towers, common-carrier towers, alternative tower structures, or other transmissions not provided for herein. The term includes the structure and any ancillary buildings or structures, supports, guy wires and anchors.

*Town commission* and *commission* mean the town commission of the town.

*Town floor area ratio overlay* shall mean all residential lots within the town less than 7,500 square feet in areas other than those lots subject to the provisions of the Ocean View Special Area criteria.

*Townhouse* means a single-family dwelling unit attached to one or more other single-family dwelling units by not more than two party walls.

*Trailer* means a separate vehicle, not driven or propelled by its own power, but drawn by some independent power.

*Transient housing unit* means a housing unit used for transient housing such as a hotel or motel room, public lodging establishment, rooming house, vacation rental, room, or, except as otherwise expressly provided in this Code, space for parking a recreational vehicle, trailer or mobile home.

*Trees* means self-supporting woody plants of species which normally grow to a minimum overall height of 15 feet in the town.

*UL* means Underwriters' Laboratories, Inc.

*Unity of title* means a document recorded in the office of the clerk of the circuit court of the county stipulating that a lot, lots or parcel of land shall be held under single ownership, shall not be eligible for further subdivision and shall not be transferred, conveyed, sold or divided in any unit other than in its entirety.

*Use* means any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained or occupied; or any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a tract of land.

*Use, principal*, means the primary purpose for which land or a building is used, as permitted by the applicable zoning district.

*Vacation rental or unit* means an attached or detached dwelling unit that is rented, leased, subleased or assigned for periods of less than 30 days' duration.

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*Variance* means a grant of relief from the requirements of this Code which permits construction in a manner otherwise prohibited by this Code where literal enforcement would result in unnecessary hardship and where the other criteria for issuance of a variance are satisfied.

*Vehicle* means any wheeled conveyance designed and used for the purpose of transporting or moving persons, animals, freight, merchandise or any substance, including but not limited to bicycles and motor vehicles. Vehicle shall not include any boat or vessel as defined below and regulated by [chapter 62](#) of this Code. Vehicle shall not include baby carriages, strollers, wheelchairs or other devices used solely to transport small children or disabled persons.

*Vessel* means any watercraft of any description used or capable of being used as a means of transportation on water, in addition to the definitions provided for in F.S. ch. 327.

*Vested rights* means rights which have so completely and definitely accrued to or settled in a person to the extent that it is right and equitable that government should recognize and protect them, as being lawful in themselves, and settled according to then current law.

*Vines* means plants which normally require support to reach mature form.

*Violator* shall mean the person responsible for the code violation, which, in the appropriate circumstances, shall either be the perpetrator of the violation or the owner of the real property upon which the violation occurred.

*Warning device* means any sound emitting device used to alert or warn people.

*Water craft* means any machine upon which any person or property is or may be transported or drawn upon or over any watercourse or body of water, including swamplands; this term shall include hovercraft and airboats.

*Water resource* means any and all water on or beneath the surface of the ground, including natural or artificial watercourses, lakes, ponds or diffused surface water, and water percolating, standing or flowing beneath the surface of the ground.

*Water shortage emergency* means that situation when the powers which can be exercised under are not sufficient to protect the public health, safety or welfare; the health of animals, fish or aquatic life; a public water supply; or commercial, industrial, agricultural, recreational or other reasonable uses.

*Waters of the town* means any water within the incorporated limits of the town.

*Weekday* means any day from Monday through Saturday which is not a legal holiday.

*Yard* means a required open space clear from the ground upward, unoccupied and unobstructed by any structure, except for fences, walls and hedges as provided in this Code.

*Yard, corner,* means a yard on the side of a corner lot, being the minimum horizontal distance between the side lot line and any structure or any projections thereto.

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*Yard, front*, means a yard extending across the front of a lot, being the required minimum horizontal distance between the front lot line and the front of the buildings, or a yard extending across the lot and adjacent to a body of water, being the required minimum horizontal distance between the property line adjacent to the water and the building (see *Setback line* ).

*Yard, interior*, means a yard between any structure and the side line of the lot, extending from the required front yard to the required rear yard and being the minimum horizontal distance between a side lot line and the side of a structure or any projections thereon.

*Yard, rear*, means a yard extending across the rear of a lot, being the required minimum horizontal distance between the rear property line and the rear of the building.

(Ord. No. 540, 3-13-2003; Ord. No. 548, § 1, 12-6-2004; Ord. No. 550, § 1, 12-6-2004; Ord. No. 553, § 1, 3-7-2005; Ord. No. 554, § 1, 3-7-2005; Ord. No. 557, § 2, 8-8-2005; Ord. No. 560, § 1, 11-7-2005; Ord. No. 609, §§ 2, 3, 9-9-2014; Ord. No. 613, § 2(A), 12-7-2015; Ord. No. 615, § 2, 11-7-2016; Ord. No. 623, § 2, 7-10-2017)

**Cross reference**— General and administrative provisions, [ch. 63](#).

### **Sec. 63-51. - Types of applications.**

(a) *Generally*. In order to receive a development order, one or more of the following procedures are required depending upon the specifics of the case; all but item (1) are potentially considered development permits:

- (1) Comprehensive plan amendment.
- (2) Rezoning: map or text change.
- (3) Subdivision, plat approval or plat amendment.
- (4) Site plan approval of minor or major development application and special exception application or amendment.
- (5) Planned residential development approval or amendment.
- (6) Variance.
- (7) Modification of commission conditional approval.
- (8) Building or sign permit.

Subsections (a)(1), (6), (7) and (8) of this section, plus single-family dwellings on a lot in ownership separate from adjacent lots, may not be subject to concurrency; see article II of this chapter. The most significant review procedure for purposes of this land development code is site plan review of minor and major development applications. Procedures for subsections (a)(1), (2) and (6) are found in article V of this chapter, procedures for subsection (3) are found in article V of [chapter 64](#), and procedures for building permits are found in [chapter 67](#). The planned residential development procedure, as set out in article II of [chapter 64](#), is a specialized major development plan review process. Development permit applications shall be made upon forms provided by the administrative official with accompanying fees as may from time to time be specified by the town commission.

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(b) *Minor and major developments.* If a development permit application is in conformance with the comprehensive plan, zoning district regulations and subdivision requirements, the following shall apply:

(1) A minor development permit application shall require site plan approval by the administrative official. A minor development includes only:

- a. Single- or two-family structure in single and separate ownership;
- b. A modification to a previously-approved site plan which adds less than five percent, cumulatively, to the approved square footage of all structures, or which deviates no more than five percent, cumulatively, from the dimensions of the previously approved site plan;
- c. Signs;
- d. Bulkhead filling; and
- e. Dune vegetation trimming or pruning.

(2) *Major development.* All development permit applications other than those for minor development are considered for major development and shall require a site plan to be submitted to the administrative official for approval by the town commission after recommendation by the planning and zoning commission. This includes any special exception uses as specified in article I of [chapter 64](#).

(c) *Site plan and special exception distinction.*

(1) *Site plan.* A major or minor development application is reviewed to make certain that all of the district, supplemental and special regulations have been met by the application, including concurrency as set out in article II of this chapter; these are largely on-site considerations.

(2) *Special exception.* In addition to the onsite considerations of the site plan review, a use requiring special exception approval shall also be reviewed for its impact on surrounding uses and facilities. See [section 63-54](#) for review criteria.

(3) *Construction documents.* Each set of construction documents furnished to the town for review shall include all mathematical calculations, survey and scaled dimensions in sufficient detail such that the reviewer can determine compliance with the dimensional requirements established by the town or other governmental agency, including but not limited to the minimum lot and floor area, minimum yard setbacks, maximum floor area ratio (FAR), maximum lot coverage and building height, drainage, first floor elevations, and landscape.

(Ord. No. 540, 3-13-2003)

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### **Sec. 63-52. - Minor development application and site plan requirements.**

Applications for a minor development shall conform to the requirements of [chapter 67](#), pertaining to buildings, and such administrative requirements as may be specified by the administrative official, but at a minimum the site plan shall include:

- (1) Proof of ownership.
- (2) A boundary survey.
- (3) The approximate location of all existing and proposed structures on the site, as well as those existing on adjacent properties within 100 feet of the outside boundaries of the site.
- (4) The location and area dimensions of all existing environmentally significant vegetation (e.g., mangroves) and exotic vegetation (e.g., Australian pines) plus the proposed landscaping plan as it relates to these plant materials.
- (5) All existing and proposed means of vehicular access to and from the site.
- (6) Proposed fencing, screening and landscaping.
- (7) Proposed location, direction and type of outdoor lighting.
- (8) Existing and proposed contours with intervals of two feet or less extending 50 feet beyond the tract.
- (9) Location of all proposed pervious and impervious surfaces, including onsite runoff detention areas and other drainage facilities.
- (10) Soil suitability for septic tanks.
- (11) Connection to public water line and stub-out for potential connection to public sewer line.
- (12) Site drainage plan which meets the requirement of this land development code.

Subsections (8), (10) and (11) of this section are not applicable to signs, and subsections (8) and (10) of this section are not applicable to bulkhead filling.

(Ord. No. 540, 3-13-2003)

### **Secs. 63-56—63-70. - Reserved.**

### **Sec. 63-71. - Comprehensive plan.**

- (a) *Adoption.* The town commission shall adopt a comprehensive plan in accordance with F.S. ch. 163 and appropriate administrative rules. It shall do so only after a public hearing and recommendation by the planning and zoning commission. Article III of this chapter specifies further procedures for both bodies.
- (b) *Amendment.* Twice each calendar year the town commission shall accept recommendations for amendments to the adopted comprehensive plan maps or text. Any applicant wishing to initiate such an amendment shall do so within such time limits and formats as specified by the administrative official. Within the specified time limits, the planning and zoning commission shall receive such applications and hold a public hearing thereon before making recommendations to the town commission. Article 3 of this chapter specifies further procedures for both bodies.

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- (c) *Conformity.* As specified in [section 63-16](#), all development permits shall be in conformance with the comprehensive plan.
- (d) *Evaluation and appraisal report.* The planning and zoning commission shall undertake evaluation and appraisal reports in conformance with state statutes and the 1989 comprehensive plan. The planning and zoning commission shall monitor and evaluate the comprehensive plan annually.

(Ord. No. 540, 3-13-2003)

### **Sec. 66-1. - General Provisions.**

- (a) *Stormwater runoff.* Every site plan shall demonstrate the ability of the onsite detention facilities to accommodate a minimum of one inch of rainfall in one hour. Through the use of natural swales and other similar devices, post-development runoff and nonpoint source pollution shall not exceed predevelopment rates.
- (b) *Water body and wetlands environmental protection report.*
  - (1) The site plan of any development adjacent to the Intracoastal Waterway and its tributaries, mangroves or conservation areas shall be subject to review of the vegetative cover adjacent to such water body or wetland area. The goal shall be to ensure that no direct stormwater runoff flows into these adjacent areas and that the vegetative cover achieves a natural transition to the maximum extent feasible. An environmental report shall demonstrate this water body and wetland protection.
  - (2) This report shall address any plans to trim or remove mangroves, including a mitigation plan acceptable to the county department of resource management and state department of natural resources, as applicable.
- (c) *Pervious area.* At least 25 percent of any lot area shall be maintained in a natural or landscaped state pervious to rainfall in order to recharge the aquifer and otherwise minimize runoff. See article IV of this chapter for plant material details.
- (d) *Exotic vegetation.* The site plan application shall show any exotic plant species, including Melaleuca, Brazilian pepper and Australian pine. The plan shall demonstrate the removal of such species from the site.
- (e) *Wellfield cones of influence.* Should any wellfields be established in the town, the provisions of County Ordinance No. 88-7 (the Wellfield Protection Ordinance) shall apply to ensure protection of the wellfield cone of influence.

(Ord. No. 540, 3-13-2003)

### **Sec. 66-36. - Purpose and intent.**

The purpose and intent of this article is to promote the health, safety and general welfare of the inhabitants of the town. This article is intended to comply with federal and state law and regulations regarding water quality.

(Code 1993, § 26-271)

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### **Sec. 66-42. - Requirements for monitoring.**

The building official may require any person engaging in any activity or owning any property, building or facility (including but not limited to a site of industrial activity) to undertake such reasonable monitoring of any discharge(s) to the stormwater system and to furnish periodic reports.

(Code 1993, § 26-278)

Note—Provisions required by 40 CFR, 122.26(d)(1)(ii)(A), (B), (C), (E) and (F), and the Florida Interlocal Cooperation Act of 1969 (F.S. § 163.01 et seq.)

### **Sec. 66-43. - Maintenance of privately owned stormwater management systems.**

- (a) *Maintenance required.* All privately owned stormwater management systems that discharge into the town's stormwater management system are responsible for establishing and implementing an effective maintenance program.
- (b) *Entity responsible; plan.* A statement designating the entity that will be responsible for the operation and maintenance of the stormwater management system must be provided to the Town prior to issuance of any development order affecting or potentially affecting the town's stormwater management system. A proposed maintenance plan for the stormwater management system must also be submitted to the town, prior to the issuance of a certificate of occupancy or certificate of completion for any construction affecting the town's stormwater management system. Notwithstanding the above, all owners of existing privately owned stormwater management systems must submit a maintenance plan and designated entity within 120 days of the adoption of this section.
- (c) *System functioning.* If a privately owned stormwater management system does not function as designed and intended, the owner and any contracted maintenance entity shall be responsible for correcting all deficiencies to restore and ensure the proper operation of the system.
- (d) *Right to inspect.* The administrative official or his duly authorized agent may enter at all reasonable times in or upon any privately owned and maintained stormwater management system which discharges into the town's stormwater management system, or into any water body over which there is governmental jurisdiction, for the purpose of inspection, and to verify operation and maintenance of the privately owned system. Owners of private stormwater management systems will permit town employees or agents access to property to perform inspections, will provide maintenance records from the prior year or since the last inspection, whichever is the longer time period, and shall certify to the town each year any changes made in the system, or that no changes have been made. Upon written notification by the town, to the owner, said owner shall cause any deficiencies in the system to be corrected within a reasonable time to be established by the town.
- (e) *Violation.* The code enforcement special master shall have authority to levy fines and penalties for violations of this section.

(Code 1993, § 26-279)

# APPENDIX A

## Supplement 6 – 9/15/2017

### **Sec. 66-79. - Illicit connections.**

No person may maintain, use or establish any direct or indirect connection to the stormwater system that results in any discharge in violation of this article. This prohibition is retroactive and applies to connections made in the past, regardless of whether made under a permit, or other authorized, or whether permissible under laws or practices applicable or prevailing at the time the connection was made.

(Code 1993, § 26-314)

### **Sec. 66-98. - Notification of spills.**

As soon as any person has knowledge of any discharge to the stormwater system in violation of this article, such person shall immediately notify the building official by telephone, and if such person is directly or indirectly responsible for such discharge, then such person shall also take immediate action to ensure the containment and clean up of such discharge and shall confirm such telephone notification in writing to the building official, at mailing address, within three calendar days.

(Ord. No. 540, 3-13-2003)

### **Sec. 66-169. - Exemptions.**

The provisions of sections [66-162](#) through [66-170](#) shall not apply to any lands used for bona fide scientific research, including, but not limited to research on the effects of fertilizer use on urban stormwater, water quality, agronomics, or horticulture.

(Ord. No. 602, § 2, 5-6-2013)

### **Sec. 67-33. - Drainage, required; swales; construction of driveways.**

- (a) *Drainage required.* New construction of single or multifamily buildings, or any other new building made on any lot within the town or any addition of or removal of fill or grade alteration on a lot shall require a drainage system adequate to detain, retain and transport volumes of runoff as may be regulated from time to time by federal, state and county laws and regulations and this Code. The required drainage system shall not cause additional runoff to discharge to adjacent properties. Swales shall be installed where public or private rights-of-way are wide enough to accommodate both the roadway and a viable swale. Such swales shall be no less than six inches below the elevation of the nearest edge of the roadway, and the normal design shall be not less than eight feet in width with a contour slope of 1:8. It is at all times prohibited to plant trees or bushes on swales or otherwise obstruct the flow of water in any swale system. Variations in these criteria may be made by the building code administrator to accommodate individual property limitations. Where it is not practical to install a swale, other means of retaining, detaining and transporting runoff shall be made with the approval of the building code administrator.



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- (b) *Driveways; change of grade.* No person shall cause the changing of a street or road grade abutting any property or cause the right-of-way to be changed in grade in any manner which blocks or impedes proper or adequate drainage along the swale of such road. No driveway or approach shall interfere with public drainage. Where grading of a right-of-way is required, approval by the building code administrator shall be required prior to changing any grade of the swale within the right-of-way.
- (c) *Trench drains; required.* A trench drain, as used herein, is any drainage structure approved by the building code administrator for the transport of runoff, which is below grade, and which crosses a driveway or other impervious structure, and which also allows for the collection of runoff from the surface elevation. It may include perforated pipe, a grade and trough, or other approved means. Any construction or reconstruction of a driveway, other than resurfacing, patching or top dressing, shall require the placement of a trench drain across the driveway at a suitable point where the driveway crosses the public right-of-way, if surface swaling is either insufficient to carry the drainage flow, or the angle of elevation of the driveway without a trench drain would otherwise impede normal vehicular use.

(Code 1993, §14-28)

### **Sec. 67-138. - Drainage.**

In addition to meeting the requirements of this land development code, the design and performance of all stormwater management systems shall comply with applicable federal and state regulations and requirements of the South Florida Water Management District. In all cases, the strictest of the applicable standards shall apply.

(Ord. No. 540, 3-13-2003)



## Appendix B

Supplement 7 – 9/14/2018

# APPENDIX B

## Supplement 7 – 9/14/2018

### Section 1-3. – Definitions.

~~Family means shall one mean two~~ or more persons ~~living together and interrelated by bonds of consanguinity, marriage or legal adoption, and/or a group of persons not more than three in number who are not so interrelated,~~ occupying the whole or part of a dwelling as a single dwelling housekeeping unit; ~~provided that, unless all members are related by blood, legal adoption or marriage, no such family shall contain over five persons; but further provided that domestic shares servants common employed living, on sleeping, the cooking, premises and may eating be housed on the premises without being counted as a family facilities.~~ Any person under the age of 18 years whose legal custody has been awarded to the state department of health and rehabilitative services or to a child-placing agency licensed by the department, or who is otherwise considered to be a foster child under the laws of the state, and who is placed in foster care with a family, shall be deemed to be related to and a member of the family for the purposes of this definition. ~~Occupancies in excess of the number allowed herein shall have 12 months from the date of the enactment of this definition or the termination of the current lease agreement to come into compliance, whichever occurs first. A family does not include any society; nursing home; club; boarding or lodging house; dormitory; fraternity; sorority; or group of individuals whose association is seasonal or similar in nature to a resort, hotel, boarding or lodging house.~~

### Section 63-51. – Types of applications.

(b) *Minor and major developments.* If a development permit application is in conformance with the comprehensive plan, zoning district regulations and subdivision requirements, the following shall apply:

- (1) A minor development permit application shall require site plan approval by the administrative official. A minor development includes only:
  - a. Single- or two-family structure in single and separate ownership;
  - b. A modification to a previously-approved site plan which adds less than five percent, cumulatively, to the approved square footage of all structures, or which deviates no more than five percent, cumulatively, from the dimensions of the previously approved site plan;
  - c. Signs;
  - d. Bulkhead filling; and
  - e. Dune vegetation trimming or pruning.

A development permit application related to a single- or two-family structure that is for new development or construction that increases the size of the current structure by more than 50 percent or where such construction costs more than 50 percent of the existing structure shall comply with section 63-56.

- (2) *Major development.* All development permit applications other than those for minor development are considered for major development and shall require a site plan to be submitted to the administrative official for approval by the town commission after

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recommendation by the planning and zoning commission. This includes any special exception uses as specified in article I of [chapter 64](#).

(c) *Site plan and special exception distinction.*

(1) *Site plan.* A major or minor development application is reviewed to make certain that all of the district, supplemental and special regulations have been met by the application, including concurrency as set out in article II of this chapter; these are largely on-site considerations.

(2) *Special exception.* In addition to the onsite considerations of the site plan review, a use requiring special exception approval shall also be reviewed for its impact on surrounding uses and facilities. See [section 63-54](#) for review criteria.

(3) *Construction documents.* Each set of construction documents furnished to the town for review shall include all mathematical calculations, survey and scaled dimensions in sufficient detail such that the reviewer can determine compliance with the dimensional requirements established by the town or other governmental agency, including but not limited to the minimum lot and floor area, minimum yard setbacks, maximum floor area ratio (FAR), maximum lot coverage and building height, drainage, first floor elevations, and landscape.

(Ord. No. 540, 3-13-2003; [Ord. No. 627, § 2, 11-6-2017](#))

### **Section 63-52. – Minor development application and site plan requirements.**

(Ord. No. 540, 3-13-2003; [Ord. No. 627, § 2, 11-6-2017](#))

### **Sec. 63-56. - Concept development plan review.**

All development related to a single- or two-family structure that is for new development or construction that increases the size of the current structure by more than 50 percent or where such construction costs more than 50 percent of the existing structure shall be required to submit the development/construction/site plans to the planning and zoning commission for review. A developer/applicant shall be required to submit all documents/plans, as set forth in the development action form, prior to being heard by the planning and zoning commission. The planning and zoning commission shall use the review criteria as set forth herein when reviewing site plans.

(1) *Relationship of building to site:*

- a. The site should be planned to accomplish a desirable transition with the streetscape. The overall balance and proportion of the proposed building will be considered.
- b. The height and scale of each building should be compatible with its site and other buildings onsite.

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### (2) *Relationship of building and site to adjoining area(s):*

- a. Buildings should be designed to enhance the surrounding neighborhood.
- b. Harmony in architectural style, form, texture, mass and lines, as well as materials, colors, and use of architectural elements should be provided in the design of all buildings.
- c. Buildings should be consistent with the established neighborhood character or within acknowledged architectural styles.

### (3) *Building design:*

- a. Evaluation of a project should be based on quality of its design and relationship to surroundings.
- b. Components such as roofs, windows, doors, eaves, and parapets should have balanced proportions in relationship to one another.
- c. Colors should be harmonious and representative of the architectural style of the building and generally within the character of the neighborhood.
- d. Design attention should be given to mechanical equipment or other utility hardware on roofs, buildings and at grade so as to screen them from view.
- e. Buildings should be of a size as to be in harmony with permanent neighboring development or within acknowledged architectural styles.
- f. Use of any/all of the above preferred design elements in conjunction with the renovation or addition to existing homes is encouraged, along with the removal of any existing elements that are not preferred.

The planning and zoning commission shall provide the findings of its review to the planning official of the town, who shall then consider such findings while making his/her review of the development application.

(Ord. No. 627, § 3, 11-6-2017)



# Appendix C

Supplement 8 – 9/24/2019

# APPENDIX C

## Supplement 8 -9/24/2019

### Section 1-3. – Definitions.

*Mean sea level* means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. ~~For purposes of this article, the term is synonymous with National Geodetic Vertical Datum (NGVD).~~

*National geodetic vertical datum* (~~NGVD~~**NGVD1929**), as corrected in 1929, is a vertical control used as a reference for establishing varying elevations within the floodplain.

**North American Vertical Datum of 1988 (NAVD-88) is a vertical datum for orthometric heights established for vertical control used as a reference for establishing varying elevations within the floodplain. This datum has replaced the National Geodetic Vertical Datum of 1929 (NGVD1929) in the Town's code. The conversion factor within the Town's limits from the NAVD-88 to NGVD1929 is 1.55 ft. (NAVD-88 + 1.6 ft. = NGVD1929)**

(Ord. No. 540, 3-13-2003; Ord. No. 548, § 1, 12-6-2004; Ord. No. 550, § 1, 12-6-2004; Ord. No. 553, § 1, 3-7-2005; Ord. No. 554, § 1, 3-7-2005; Ord. No. 557, § 2, 8-8-2005; Ord. No. 560, § 1, 11-7-2005; Ord. No. 609, §§ 2, 3, 9-9-2014; Ord. No. 613, § 2(A), 12-7-2015; Ord. No. 615, § 2, 11-7-2016; Ord. No. 623, § 2, 7-10-2017; Ord. No. 628, § 2, 11-6-2017; **Ord. No. 2019-03, § 2, 4-1-2019; Ord. No. 2019-08, § 2, 6-3-2019**)

### Sec. 63-56. - ~~Concept development~~**Development** plan review.

All development related to a single- or two-family structure that is for new development or construction that increases the size of the current structure by more than 50 percent or where such **renovation** construction, **as classified as substantial improvements per the Florida Building Code, costs more than 50 percent of the existing structure (value of existing structure may be as determined by the Palm Beach County Property Appraiser or as determined by an appraisal submitted by the property owner from a licensed/certified property appraiser)** shall be required to submit the development/construction/site plans to the planning and zoning commission for review **and approval. Development review applications which do not meet the above 50 percent threshold may be brought before the planning and zoning commission by the building official if the building official determines that one of the following criteria (as set forth in subsection (1) below) has not been sufficiently addressed.** A developer/applicant shall be required to submit all documents/plans, as set forth in the development action form, prior to being heard by the planning and zoning commission.

**(1)** *The planning and zoning commission shall use the review criteria as set forth herein when reviewing site plans.*

**(1)a.** *Relationship of building to site:*

**a1.** The site should be planned to accomplish a desirable transition with the streetscape. The overall balance and proportion of the proposed building will be considered.

**b2.** The height and scale of each building should be compatible with its site and other buildings onsite.

**(2)b.** *Relationship of building and site to adjoining area(s):*

**a1.** Buildings should be designed to enhance the surrounding neighborhood.

**b2.** Harmony in architectural style, form, texture, mass and lines, as well as materials, colors, and use of architectural elements should be provided in the design of all buildings.

# APPENDIX C

## Supplement 8 -9/24/2019

~~e~~3. Buildings should be consistent with the established neighborhood character or within acknowledged architectural styles.

4. The height and scale of the proposed structure (3s) should be compatible with the surrounding neighborhood.

c. Building design:

~~a~~1. Evaluation of a project should be based on quality of its design and relationship to surroundings.

~~b~~2. Components such as roofs, windows, doors, eaves, and parapets should have balanced proportions in relationship to one another.

~~e~~3. Colors should be harmonious and representative of the architectural style of the building and generally within the character of the neighborhood.

~~d~~4. Design attention should be given to mechanical equipment or other utility hardware on roofs, buildings and at grade so as to screen them from off-site view.

~~e~~5. Buildings should be of a size as to be in harmony with permanent neighboring development or within acknowledged architectural styles.

~~f~~6. Use of any/all of the above preferred design elements in conjunction with the renovation or addition to existing homes is encouraged, along with the removal of any existing elements that are not preferred.

7. The architectural style and elements of proposed additions and renovations shall be consistent with the other portions of the building.

8. All proposed structures shall be consistent with the town's land development regulations and the goals, objectives and policies of the comprehensive plan.

(2) Notice of development plan review meeting.

a. Written notice shall be mailed, no later than 20 calendar days prior to the planning and zoning commission meeting, to the property owners within 300 feet of the perimeter of the property which is the subject of the development plan review.

b. Notice shall be posted on the town's web site at least 15 calendar days prior to the scheduled meeting.

c. Notice posted by the town on the property requesting the development plan review by placing one placard visible from each adjoining right-of-way or on each street block face, at least 15 calendar days before the scheduled meeting.

(3) Following the development plan review hearing, the planning and zoning commission shall ~~provide~~approve, deny, approve with conditions, or request additional information in order to make a determination that the findingsproposal is compliant with the above criteria. Written notice of its~~appeal~~ reviewof the planning and zoning commission's decision to the ~~planningtown~~ officialcommission shall be made within 30 calendar days of the town,date whosuch decision is rendered and shall ~~thenbe~~ consider~~filed~~ suchwith findings~~the while~~town making~~clerk~~. his/herThose reviewprop~~erty~~ owners within 300 feet of the development~~perimeter~~ applicationof the subject property shall have the right to appeal the planning and zoning commission's decision to the town commission, in accordance with the time frames set forth herein. Such appeal shall be heard and considered by the town commission at its next available meeting.

(Ord. No. 627, § 3, 11-6-2017; Ord. No. 634, § 2, 10-1-2018; Ord. No. 2019-07, § 2, 6-3-2019)

Editor's note— Ord. No. 2019-07, § 2, adopted June 3, 2019, changed the title of § 63-56 from "Vacancies; forfeitures of office; filling of vacancies in office and candidacy" to read as herein set out.





# Appendix D

Supplement 9 – 9/18/2020

# APPENDIX D

## Supplement 9 – 9/18/2020

### Section 1-3. – Definitions.

*Landscaping* means all materials such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees or palms, and other material such as rocks, pebbles, **artificial turf/synthetic grass**, walls or fences, and decorative paving materials, all of which are approved by the administrative official.

(Ord. No. 540, 3-13-2003; Ord. No. 548, § 1, 12-6-2004; Ord. No. 550, § 1, 12-6-2004; Ord. No. 553, § 1, 3-7-2005; Ord. No. 554, § 1, 3-7-2005; Ord. No. 557, § 2, 8-8-2005; Ord. No. 560, § 1, 11-7-2005; Ord. No. 609, §§ 2, 3, 9-9-2014; Ord. No. 613, § 2(A), 12-7-2015; Ord. No. 615, § 2, 11-7-2016; Ord. No. 623, § 2, 7-10-2017; Ord. No. 628, § 2, 11-6-2017; Ord. No. 2019-03, § 2, 4-1-2019; Ord. No. 2019-08, § 2, 6-3-2019; **Ord. No. 2019-15, § 2, 3-2-2020**)