

EXHIBIT P

BIG BOX ORDINANCE

PART 1. Unified Land Development Code of Palm Beach County (ULDC), Article 5.C.1, Architectural Guidelines, (page 35 of 63), is amended as follows:

CHAPTER C DESIGN STANDARDS

Section 1 Architectural Guidelines

....

I. Large Scale Commercial Development

Large Scale Commercial Development shall be defined as any large single tenant retail use, with or without accessory tenants, in a single building, between 65,000 and 200,000 gross square feet. These regulations shall apply to all new developments and developments meeting the requirements of Art. 5.C.1.D, Effect.

1. Single Tenant Limit

Deviations from these requirements shall not be permitted.

a. CL FLU

The maximum building size for a single tenant shall be 65,000 gross square feet.

b. CH FLU

The maximum building size for a single tenant shall be 200,000 gross square feet.

2. Façade Orientation

For the purposes of this section, façade orientation shall be defined as follows:

a. Front façade: The wall of a building containing the principal public entrance. The front façade is generally located parallel with and facing the principal parking area for the building.

b. Side A façade: The wall of a building containing a secondary public entrance. The Side A façade is generally located parallel with and facing secondary parking area for the building.

c. Side B façade: Any side building façade not having a secondary public entrance.

d. Rear façade: The rear wall of a building generally opposite the front façade.

3. Single Tenants 65,000 Gross Square Feet or More

Developments with single tenants occupying 65,000 gross square feet or more shall be subject to the requirements of Table 5.C.1.I-12, Large Scale Commercial Development.

Table 5.C.1.I-12, Large Scale Commercial Development

Façade Requirements	Front	Side A (1)	Side B	Rear
<u>Roofline – Parapet Articulation</u>	<u>5 feet</u>	<u>5 feet</u>	<u>2.5 feet (2)</u>	<u>2.5 feet (2)</u>
<u>Façade – Recesses and Projections (3)</u>	<u>Option 1: 15 foot depth for 20%; or Option 2: 15 foot depth for 15%, and 5 foot depth for 15%</u>	<u>10 foot depth for 20% (2)</u>	<u>5 foot depth for 20% (2)</u>	<u>5 foot depth for 20%</u>
<u>Fenestration Details – Windows (3)</u>	<u>1.6 sf per lf of facade</u>	<u>0.8 sf per lf of facade</u>	<u>Not Required</u>	<u>Not Required</u>
<u>Exterior Treatment – Use of Building Materials</u>	<u>Minimum of 2 types – 70%/30% ratio</u>			
<u>Covered Walkways/Arcades</u>	<u>70%</u>	<u>30%</u>	<u>Not Required</u>	<u>Not Required</u>
<u>Location of Required Parking</u>	<u>75% maximum</u>	<u>25% minimum side and/or rear (6)</u>		
<u>Foundation Planting % of Façade Length (4)</u>	<u>Min. 50%</u>	<u>Min. 50%</u>	<u>Min. 50%</u>	<u>Min. 20%</u>
<u>Width of Foundation Plantings (5)</u>	<u>50% of façade height</u>	<u>50% of façade height</u>	<u>12 feet</u>	<u>12 feet</u>
<u>Perimeter Buffers</u>	<u>Perimeter buffers shall be in accordance with Art. 7.F.10, Large Scale Commercial Development</u>			

Notes

1. Any side or rear façade with a secondary public entrance shall meet the requirements of Side A above.
2. Front façade requirements shall be used for any façade that is oriented towards a street.
3. Percentage as a total length of façade.
4. The percentage length shall be in accordance with Table 5.C.1.I-12, Large Scale Commercial Development, or Table 7.C.3-1, Minimum Tier Requirements, whichever is greater.
5. Minimum width: 12 feet.
6. A minimum of 15 percent of the parking shall be located immediately fronting a Side A entrance.

Underlined language indicates proposed new language.

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- 37 **a. Roofline**
- 38 **1) Parapet Articulation**
- 39 a) Articulation in parapet shall be required with a minimum of five feet for
- 40 front and side A facades, and any façade oriented towards a street;
- 41 and, two and one half feet for side B and rear facades.
- 42 b) A Parapet return is required with a length equal to or exceeding the
- 43 required parapet articulation.
- 44 **b. Facade**
- 45 **1) Recesses/Projections**
- 46 Facades greater than 100 feet in length shall incorporate recesses and
- 47 projections along the total length of the façade, in accordance with Table
- 48 5.C.1.I-12, Large Scale Commercial Development. Required recesses
- 49 and projections shall be distributed along the façade with a maximum
- 50 spacing of 150 feet. Recesses and projections shall be from finished
- 51 grade to roofline.
- 52 **2) Fenestration Details**
- 53 a) **Windows**
- 54 Windows shall be provided in accordance with Table 5.C.1.I-12, Large
- 55 Scale Commercial Development.
- 56 (1) A minimum of 70 percent of windows on front and side A façades
- 57 shall be transparent, or window box displaying only merchandise.
- 58 The remaining 30 percent may be non-transparent.
- 59 (2) Windows shall be at pedestrian scale.
- 60 **3) Exterior Treatment**
- 61 a) A minimum of two different types of building materials shall be used,
- 62 with a 70 percent-30 percent ratio. A change in stucco or use of
- 63 windows will not count toward meeting this requirement.
- 64 b) Exposed gutters or rain leaders are permitted if decorative in nature.
- 65 **4) Covered Walkways**
- 66 a) Facades with a public entrance shall provide covered walkways along
- 67 a minimum of 70 percent of the overall length of the front façade, and
- 68 30 percent of the overall length of side A facades.
- 69 b) Covered walkways shall be a minimum of 10 feet in width,
- 70 unobstructed, with appropriately spaced columns and pitched roofs.
- 71 **c. Public Entrances**
- 72 1) A minimum of one public entrance shall be provided along the front
- 73 façade.
- 74 2) One additional secondary public entrance shall be provided on a side
- 75 façade, subject to the following:
- 76 a) The secondary entrance shall be accessible to the public during the
- 77 same business hours as the primary entrance, or from 10 a.m. to 6
- 78 p.m., whichever is less.
- 79 b) Secondary public entrances shall be located a minimum distance of
- 80 25 percent of the length of the side A façade, from the corner of the
- 81 front facade.
- 82 **d. Pedestrian Amenities**
- 83 1) One public amenity shall be provided for every 50,000 square feet, or
- 84 fraction thereof, including but not limited to public art; (not depicting any
- 85 advertising); fountains (of at least eight feet in height, 16 feet diameter;
- 86 pergolas; bell or clock tower; and public seating areas (not in conjunction
- 87 with a restaurant). Required pedestrian amenities shall be a minimum of
- 88 800 square feet and 25 feet in width.
- 89 2) A minimum of two pedestrian pathways a minimum of ten feet in width
- 90 leading from the furthest parking spaces to public entrances shall be
- 91 required. These pathways shall incorporate the use of decorative pavement,
- 92 trellises, seating, pergolas, arbors, gazebos and landscaping.

94 [Renumber accordingly.]

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PART 2. ULDC, Article 6.A.1.D.2.c, Rear Parking, (page 15 of 39), is amended as follows:

CHAPTER A PARKING

Section 1 General

D. Off Street Parking

2. Location of Required Parking

c. Location of Front, Side and Rear Parking

A minimum of ten percent of the required parking spaces shall be located at the rear or side and/or rear of each building it is intended to serve. A public pedestrian walk shall connect the parking areas to a store entrance. Such pedestrian access way shall be a minimum of four feet in width, clearly marked, well lighted and unobstructed.

1) Large Scale Commercial Development

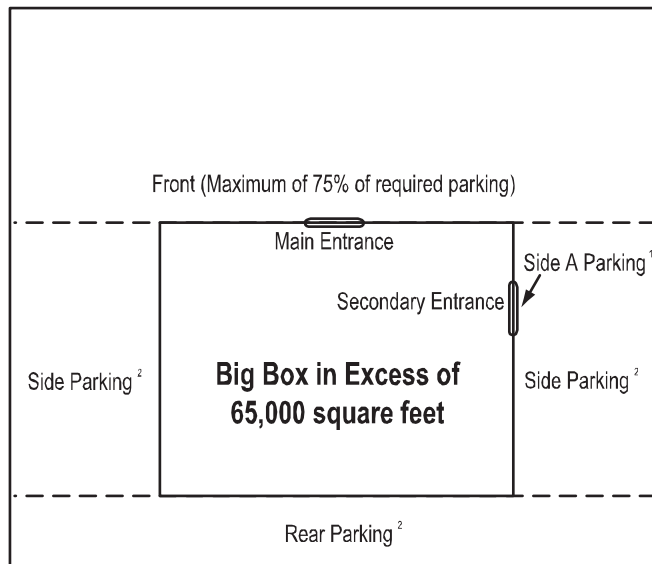
Developments with single tenants occupying 65,000 gross square feet or more shall locate parking in accordance with Figure 6.A.1.D-3, Location of Front, Side and Rear Parking, as follows:

- a) A maximum of 75 percent of required parking shall be located at the front.
b) A minimum of 15 percent of required parking shall be located immediately fronting a side A entrance.
c) A minimum of 25 percent of the required parking spaces at the side or rear, as indicated in Figure 6.A.1.D-3, Location of Front, Side and Rear Parking.

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PART 3. ULDC, Article 6.A.1.D.3, Off Street Parking (page 32 of 63), is amended as follows:

Figure 6.A.1.D-3, Location of Front, Side and Rear Parking



(1) A minimum of 15 percent of required parking shall be located immediately fronting a side A entrance.

(2) A minimum of 25 percent of required parking shall be located on the side or rear.

[Renumber all subsequent figures accordingly.]

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143 PART 4. ULDC, Article 7.D.11, Foundation Plantings (page 25 of 52), is amended as
144 follows:

145
146 CHAPTER D General Standards

147
148 Section 11 Foundation Plantings

149
150 **E. Large Scale Commercial Development**

151 In addition to the requirements of this Code, developments with single tenants occupying
152 65,000 gross square feet or more shall be subject to the following foundation planting
153 standards:

154 **1. Dimensional Requirements**

155 a. Planting areas shall be in accordance with Table 5.C.1.I-12, Large Scale
156 Commercial Development, or Table 7.C.3-1, Minimum Tier Requirements
157 whichever is greater.

158 b. Foundation planting shall meander along building facade, and shall not be
159 entirely located at the base of the building.

160 **2. Easements**

161 No easement encroachment shall be permitted, except for bisecting utility easements
162 and pedestrian walkways.

163 **3. Planting Requirements**

164 a. One tree or palm for every 15 feet of façade.

165 b. Trees/palms shall be evenly distributed along the façade.

166 c. The height of plant material shall be in relation to the height of the adjacent
167 façade or wall. The height of 50 percent of required trees or palms shall be a
168 minimum of two-thirds of the height of the building.

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172 PART 5. ULDC, Article 7.F, Perimeter Buffer Landscape Requirements (page 34 of
173 52), is amended as follows:

174
175 CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS

176
177 **Section 10 Large Scale Commercial Development**

178
179 **A. Perimeter Buffer**

180 In addition to the requirements of this Code, developments with single tenants 65,000
181 gross square feet or more shall be subject to the following standards:

182 **1. R-O-W Buffers**

183 The width, berm and planting requirements along streets, thoroughfares and/or other
184 means of vehicular access shall be upgraded as follows:

185 **a. U/S Tier**

186 1) A minimum 25 foot wide buffer.

187 2) A three foot high berm.

188 **b. Glades and Rural/Ex Tiers**

189 1) A minimum 50 foot wide buffer. If a lake/retention area is located along a R-
190 O-W, the buffer may be split to border the perimeter of the lake, 25' along the
191 street and 25' along the interior side of the lake.

192 2) Required trees, palms and shrubs shall be double the quantities required
193 under Art. 7.F.2, Trees, shrubs and hedges.

194 **2. Compatibility Buffers**

195 The width, berm and planting requirements along property lines adjacent to
196 compatible uses shall be upgraded as follows:

197 **a. U/S Tier**

198 1) A minimum 25 foot wide buffer.

199 2) A three foot high berm.

200 **b. Glades and Rural/Ex Tiers**

201 1) A minimum 50 foot wide buffer.

202 2) Required trees, palms and shrubs shall be double the quantities required
203 under Art. 7.F.2, Trees, shrubs and hedges.

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3. Incompatibility Buffers

The width, berm and planting requirements along property lines adjacent to residential and other incompatible uses, and vacant properties with a residential FLU designation, shall be upgraded as follows:

a. U/S Tier

- 1) A minimum 50 foot wide buffer.
- 2) A four foot high berm.
- 3) Required trees, palms and shrubs shall be double the quantities required under Art. 7.F.2, Trees, shrubs and hedges.

b. Glades and Rural/Ex Tiers

- 1) A minimum 50 foot wide buffer.
- 2) Required trees, palms and shrubs shall be double the quantities required under Art. 7.F.2, Trees, shrubs and hedges.

4. Encroachment

No easement encroachment shall be permitted in required perimeter buffers, except for bisecting utility easements and required safe sight distance easements not to exceed a maximum of fifty percent of the required buffer width.

5. Perimeter Sidewalk

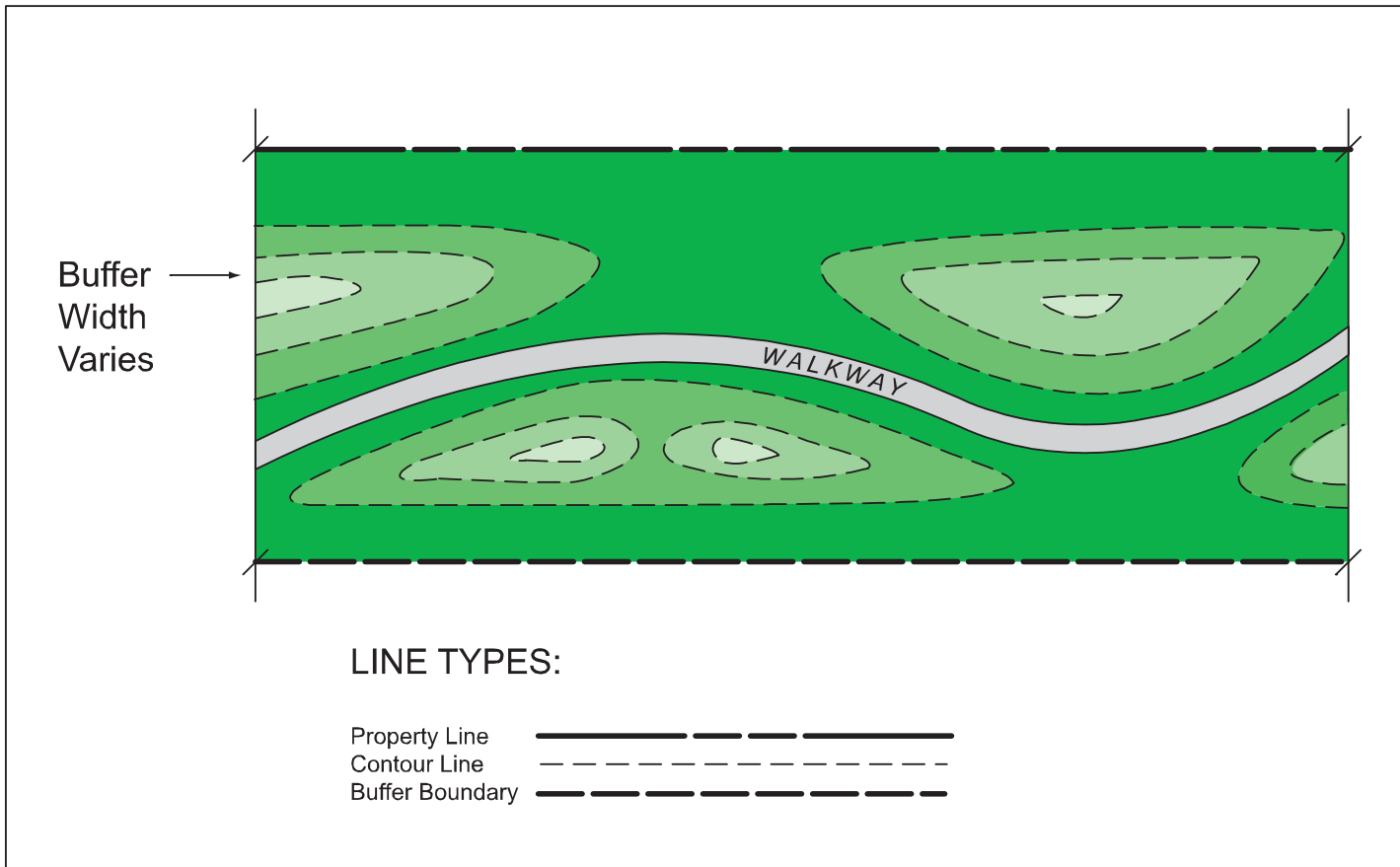
A perimeter sidewalk a minimum of shall be required in all R-O-W buffers 50 feet in width, and shall meander through the buffer.

6. Berm

Berms shall be staggered, rolling or offset, as indicated in Figure 7.F.10.A-13, Typical Example of Staggered, Rolling or Offset Berm.

PART 6. ULDC, Article 7. F, Perimeter Buffer Landscape Requirements (page 34 of 52), is amended as follows:

Figure 7.F.10.A-13, Typical Example of Staggered, Rolling or Offset Berm



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[Renumber subsequent figures accordingly].

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