

LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE

ARTICLE 9

DEFINITIONS

For the purposes of this Code, the following terms shall have the meanings set forth below. Included are pertinent definitions adopted in the Comprehensive Plan, in addition to others applicable to this Code but not covered in the Plan. It is the intent of this Article to incorporate Comprehensive Plan definitions in substantially the same form in which they were adopted, although some terms may be defined here in a more detailed or restrictive manner. In the event a Comprehensive Plan amendment conflicts with a definition contained herein, the definition in the Comprehensive Plan shall take precedence, and shall be incorporated into this Code by reference.

Abandonment of Use: An intent on the part of the user to abandon his right to a nonconforming use of the premises, as well as an actual cessation of the use in issue.

Access Walkway: That portion of a water oriented structure that allows access to a docking facility or terminal platform or provides a way along the structure from the shore.

Accessory Building or Use: A building, use of a building, a use of land or water that is clearly secondary and incidental to the principal use of a building, water or land, which building or use is located on the same parcel of land with the principal building or use.

Adjacent Municipalities: Those municipalities that could have an immediate effect on land use decisions.

Adult Day Care Center: Any building, buildings, or part of a building, whether operated for profit or not, in which is provided through its ownership or management, for a part of a day, basic services to **three or more** persons who are 18 years of age or older, who are not related to the owner or operator by blood or marriage, and who require such services. (c. 400.551, F.S.)

Adult Entertainment Establishment: Any business that excludes minors by virtue of age due to the presence or display of films, photographs, published materials, or activities of a sexual nature. This definition shall include adult bookstores and theaters, and establishments offering massage, body rubs and similar activities to the exclusion of minors. Establishments that offer medical and therapeutic services provided by state licensed practitioners are excluded from this definition. Any business qualifying as an incidental adult materials vendor shall also be excluded from this definition.

Adult Family-Care Home: A full-time, family-type living arrangement, in a private home, under which a person(s) provide, for profit or not for profit, room, board, and one or more personal services, as appropriate for the level of functional impairment, for no more than

five aged persons or disabled adults who are not relatives. The following establishments are not adult family-care homes:

- (a) An establishment that provides personal services for three or fewer adults who do not receive optional state supplementation under s. 409.212, F.S., but that does not hold itself out to the public to be an establishment that regularly provides such services.
- (b) An establishment in which a person(s) provide personal services only to their relatives.
- (c) An establishment that is licensed as an assisted living facility. (c. 400.617, F.S.)

Adverse Effects: Any modifications, alterations, or effects on waters, associated wetlands, or shore lands, including their quality, quantity, hydrology, surface area, species composition, or usefulness for human or natural uses that are or may potentially be harmful or injurious to human health, welfare, safety or property, to biological productivity, diversity, or stability or that unreasonably interfere with the reasonable use of property, including outdoor recreation. The term includes secondary and cumulative as well as direct impacts.

Advertising Structure (sign): Any sign, billboard, object, or structure that serves to give notice of, call attention to, or advertise any product, service, or subject matter; any written or printed matter, symbol, marking, or device intended to give notice of, call attention to, or advertise any product, service, or subject matter.

Affordable Housing: Housing costs that, on a monthly basis, requires rent or mortgage payments of no more than 30 percent of a household's monthly gross income.

Agricultural Tax Exempt Properties: In Polk County, in order to qualify for an agricultural tax exempt status, the property must be fenced, and must be certified by an inspector ,from the Polk County Property Appraisers Office. All rules for tax exempt status are in accordance with Chapter 193.461, F.S. Such properties may be annexed into the City of Lake Alfred and continue an already qualified agricultural use, as allowed by the State, under Chapter 193.461, F.S., "which includes, but is not limited to, horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; bee, pisciculture (breeding, hatching, and rearing of fish), when the land is used principally for the production of tropical fish; aquaculture; sod farming; and all forms of farm products and farm production."

Agricultural Uses, Limited: Land uses in residential areas that are characterized as agricultural in nature and are limited to orchards; vineyards; nurseries; ornamental horticulture areas; groves; noncommercial greenhouses. (_9J-5.003 F.A.C.)

Alley: Any public right-of-way less than twenty (20) feet in width which affords secondary access to property and is not intended for general traffic circulation.

Alteration: Any change in, addition to, deletion from, or rearrangement of structures, walls, roofs, floors, wiring, pipes, or other structural parts of a building, except customary maintenance or repair.

Amnesty Days: A period time authorized by the state for the purpose of purging small quantities of hazardous waste, free of charge, from the possession of homeowners, farmers, schools, state agencies, and small businesses. (_403.7264 F.S.)

Antenna: A mechanism, less than 30 feet in height, the purpose of which is to receive television or radio signals directly from ground-based sources, or to transmit such signals directly to ground-based receivers.

Annexation: The adding of real property to the boundaries of an incorporated municipality, such addition making such real property in every way a part of the municipality. (_171-031 F.S.)

Apartment: A dwelling unit in a duplex or multiple family dwelling.

Apartment Building: A building that is used or intended to be used as a home or residence for three (3), or more, families living in separate quarters.

Aquifer: A water bearing stratum of permeable rock, sand, or gravel.

Area of Shallow Flooding: Areas located within the areas of special flood hazard having hazards associated with base flood depths of one (1) to three (3) feet, where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate.

Area of Special Flood Hazard: The Area of Special Flood Hazard shall include:

1. All areas designated as an area of special flood hazard pursuant to Section 5.01.01(C). The relevant Flood Hazard Boundary Map and Flood Insurance Rate Maps, and any revisions thereto, are adopted by reference and declared to be a part of this Code.
2. Other areas of the community designated on a map by the Development Director as having a one percent or greater chance of flooding in any given year. This may include isolated topographic depressions with a history of flooding or a high potential for flooding.

Arterial Road: A roadway providing service that is relatively continuous and of relatively high traffic volume, long trip length, and high operating speed. In addition, every United States numbered highway is an arterial road. (_9J-5.003 F.A.C.)

Assisted Living Facility (aka Adult Congregate Living Facility): Any building or buildings, section of a building, or distinct part of a building, residence, private home, boarding

home, home for the aged or other place, whether operated for profit or not, that undertakes through its ownership or management to provide, for a period exceeding 24 hours, housing, food service, and one or more personal services for **four or more** adults, not related to the owner or administrator by blood or marriage, who require such services; or to provide extended congregate care, limited nursing services or limited mental health services, when specifically licensed to do so pursuant to s. 400.407, unless the facility is licensed as an adult family-care home. A facility offering personal services, extended congregate care, limited nursing services, or limited nursing services, or limited mental health services for fewer than four adults is within the meaning of this definition, if it formally or informally advertises to or solicits the public for residents or referrals and holds itself out to the public to be an establishment that regularly provides such services, unless the facility is licensed as an adult family-care home. (§400.402, F.S.)

Availability or Available: With regard to the provision of facilities and services concurrent with the impacts of development, means that at a minimum the facilities and services will be provided in accordance with the standards set forth in Rule 9J-S.0055(2), Florida Administrative Code. (_9J-5.003 F.A.C.)

Automobile Graveyard: An establishment, or place of business, which is maintained or operated for the use of storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles.

Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year.

Bed and Breakfast: An owner-occupied dwelling unit containing no more than three guest rooms where lodging, with or without meals, is provided for compensation.

Best Management Practice (BMP): A practice or combination of practices that are determined to be the most effective, practical means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals.

Bicycle and Pedestrian Ways: Any road, path or way that is open to bicycle travel and traffic afoot and from which motor vehicles are excluded. (_9J-5.003 F.A.C.)

Blighted Areas: Developed areas that have deteriorated through neglect or abandonment and which could benefit the community if redeveloped.

Board of Adjustment: The board of adjustment of the City of Lake Alfred as established by article VII of this ordinance.

Boarding House: Residential facility other than an apartment building, hotel/motel, or restaurant where meals and/or lodging are provided in exchange for monetary compensation for three or more persons.

Buffer Yard: An area or strip of land established to separate and protect one type of land use from another with which it is incompatible. A buffer area typically is landscaped and contains vegetative plantings, berms, and/or walls or fences to create a visual and/or sound barrier between the two incompatible uses.

Building: A structure created to shelter any form of human activity. This may refer to a house, barn, garage, church, hotel, packing house, or similar structure. Buildings may refer to a historically or architecturally-related complex, such as a house or jail, or a barn.

Building Area: The gross land area covered by a building or buildings, including the total land coverage by roofs, steps, balconies, and unroofed porches, stoops, porticos, and patios, including accessory buildings.

Building Height: The vertical distance from the average finish grade elevation at the building line to the highest point of the structure.

Building Line: The vertical projection of the outer limits of the roof and portions of the structure onto the ground.

Building Permit: A permit that may be required by appropriate authority as described herein, relating to the location, construction, alteration, demolition, or relocation of structures within the area of jurisdiction.

Building Site: The lot, lots, or parcel of land upon which a building or use of land has been located or is proposed to be located.

Bulk Storage of Explosive Gases: The maintenance on a commercial or industrial development site, for sale or on-site use, of a quantity of fuel-related gases exceeding 500 gallons with the exception of propane gas on an industrial site.

Camouflaged construction: Methods of design and construction of communication towers which permit such towers to unobtrusively blend into the existing surroundings and disguised so as to not have the appearance of a communication tower. Notwithstanding the camouflaged construction, the structure shall continue to be considered a communication tower for purposes of this Code.

Canopy: Canopy refers to the area shaded by the crown of mature tree, that is listed among the approved species.

Capital Budget: The portion of each local government's budget that reflects capital improvements scheduled for a fiscal year. (_9J-5.003 F.A.C.)

Capital Improvement: Physical assets constructed or purchased to provide, improve or replace a public facility and that are large scale and high in cost. The cost of a capital improvement is generally nonrecurring and may require multi-year financing. For the purposes of this rule, physical assets that have been identified as existing or projected

needs in the individual comprehensive plan elements shall be considered capital improvements. (_9J-5.003 F.A.C.)

Capital Improvement Program (CIP): A five year listing of proposed capital improvement projects.

Carpport: A roofed area open on one (1) or more sides and is attached to or is within three (3) feet of the principal building and designed or intended for storage of one (1) or more motor vehicles, trailers, boats, or other moveable property.

Cemetery: A plot or parcel of land used or intended for use as a burial place in or above the ground for dead human bodies, whether or not markers or monuments are used.

Child Care: The care, protection, and supervision of a child, for a period of less than 24 hours a day on a regular basis, which supplements parental care, enrichment, and health supervision for the child, in accordance with his or her individual needs, and for which a payment, fee, or grant is made for care. (402.302, F.S.)

Child Care, Drop-in: Child care provided occasionally in a child care facility in a shopping mall or business establishment where a child is in care for no more than a **4-hour period** and the parent remains on the premises of the shopping mall or business establishment at all times. Drop-in child care arrangements shall meet all requirements for a child care facility unless specifically exempted. (402.302, F.S.)

Child Care, Evening: Child care provided during the evening hours and may encompass the hours of 6:00 p.m. to 7:00 a.m. to accommodate parents who work evenings and late-night shifts. (402.302, F.S.)

Child Care, Weekend: Child care provided between the hours of 6 p.m. on Friday and 6 a.m. on Monday. (402.302, F.S.)

Child Care Facility: Any child care center or child care arrangement which provides child care for **more than five children** unrelated to the operator and which receives a payment, fee, or grant for any of the children receiving care, wherever operated, and whether or not operated for profit. The following are **not** included:

- (a) Public schools and nonpublic schools and their integral programs, except as provided in s. 402.3025, F.S.;
- (b) Summer camps having children in full-time residence;
- (c) Summer day camps;
- (d) Bible schools normally conducted during vacation periods; and
- (e) Operators of transient establishments, as defined in chapter 509, which provide child care services solely for the guests of their establishment or resort, provided that all child care personnel of the establishment are screened according to the level 2 screening requirements of chapter 435. (402.302, F.S.)

Chief Building Official: the City Manager or his/her designee responsible for supervising and administering the City's Building and Code Enforcement activities.

Chief Planning Official: the City Manager or his/her designee responsible for directing the City's Planning, Zoning, Subdivision, and Growth Management activities.

Church: Any building or structure used or intended for use by a nonprofit religious organization or group primarily for worship purposes, and any use customarily accessory thereto.

City: The City of Lake Alfred, Florida.

Clearing: The alteration of the shoreline vegetation by complete removal, chemical treatment, and mechanical or non-mechanical uprooting.

Clear Visibility Triangle: In order to provide a clear view of intersecting roads to the motorist, there shall be a triangular area of clear visibility formed by two intersecting roads or the intersection of a driveway and a road. Nothing shall be erected, placed, parked, planted or allowed to grow in such a manner as to materially impede vision between a height of three feet and eleven feet above the grade for semi-trucks, measured at the centerline of the road with the exception of publicly-owned highway signs, utility poles and traffic control poles.

Clinic: An establishment operated by one (1) or more persons for the purpose of rendering human health care or services by any lawful practitioner of medical arts under Florida statutes.

Club: Building, facilities and property owned and operated by a corporation or association of persons for social or recreational purposes, including those organized chiefly to promote friendship and welfare among its members, but not operated primarily for profit or to render a service that is customarily carried on as a business. The term when used herein shall also mean lodge, fraternal order, or society.

Cluster Development: Generally refers to a development pattern - for residential, commercial, industrial, institutional, or combinations of such uses - in which the uses are grouped or "clustered", rather than spread evenly throughout a parcel as a conventional lot-by-lot development. A zoning ordinance may authorize such development by permitting smaller lot sizes if a specified portion of the land is kept in permanent open space either through public dedication or through creation of a homeowners association.

Collector Road: A roadway providing service that is of relatively moderate traffic volume, moderate trip length, and moderate operating speed. Collector roads collect and distribute traffic between local roads or arterial roads. (_9J-5.003 F.A.C.)

Commercial: Relating to or is connected with any aspect of buying or selling any goods, products or services.

Commercial, limited: Uses that include, but are not limited to, barber and beauty shops, chiropodists, shoe repair, book and record sales, laundry pickup and delivery, antique shops, camera and photographic supplies and sales, medical supply and pharmaceutical sales, decorators, tea rooms or tea houses not for sale of alcoholic beverages, social clubs, bakery shops, swimming services, custodial care centers for preschoolers or elderly persons, educational facilities public or private, florist shops, jewelers, television sales and service, and any similar use that is not prohibited by this ordinance but which, after a public hearing, may be determined to be similar by the Board of Adjustment.

Commercial Building: Any structure which is used for commercial purposes and other structures which are located on the property, which is primarily used for commercial purposes whether or not said structure is actually used for commercial purposes itself.

Commercial Motor Vehicle: Any vehicle which is not owned or operated by a governmental entity, which uses special fuel or motor fuel on the public highways, and which has a gross vehicle weight in excess of 26,000 pounds, or has three or more axles regardless of weight, or is used in combination when the weight of such combination exceeds 26,000 pounds gross vehicle weight. (F.S. 320.01 (26))

Commercial Motor Vehicle: Any non-motorized trailer or mobile structure primarily used for commercial purposes; all mobile grove or agricultural equipment; all buses.

Commercial Uses: Activities within land areas that are predominantly connected with the sale, rental and distribution of products, or performance of services. (_9J-5.003 F.A.C.)

Commercial Zoning District: C-1 Limited Commercial District; C-2 Retail Commercial District; C-3 General Commercial District; or any additional zoning district which may be established by the City Commission for the purpose of authorizing the sale of goods and services.

Commission: The City Commission of the City of Lake Alfred, Florida.

Communications antenna: Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals, or other communications signals.

Communications tower: Any structure that is designed and constructed primarily for the purpose of supporting one or more communication antenna for telephone, radio, and similar communication purposes, including self-supporting guyed towers or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, camouflaged towers, and any support structures thereto.

Community Park: A park between 16 and 100 acres in size designed to serve more than one neighborhood.

Concurrency: The necessary public facilities and services to maintain the adopted level of service standards are available when the impacts of development occur. (9J-5.003 F.A.C.)

Concurrency Management System: The procedures and/or process that the local government will utilize to assure that development orders and permits are not issued unless the necessary facilities and services are available concurrent with the impacts of development. (9J-5.003 F.A.C.)

Conditional Permit: A valid permit to operate a sidewalk café for a period of thirty (30) days, in which the permittee must bring the establishment into compliance with outstanding conditions noted on the conditional permit document before final approval by the City Building Department.

Cone of Influence: An area around one or more major water wells the boundary of which is determined by the government agency having specific statutory authority to make such a determination based on groundwater travel or drawdown depth. (9J-5.003 F.A.C.)

Conservation: The preservation of native plants and trees to provide canopy, buffer yards, and reduce water demanded to maintain landscaping.

Conservation Easement: A right or interest in real property intended to maintain land or water areas predominantly in their natural, scenic, open, or wooded condition. Such areas may preserve habitat for fish, plants, or wildlife; the structural integrity or physical appearance of sites of historical, architectural, archaeological, or cultural significance; or existing land uses compatible with conservation of natural resources.

Conservation Use: Publicly owned wetlands, floodplains, and other areas in which limited development is permitted in order to preserve a natural resource. Municipal wellfields and associated facilities. Boat docks and marinas, provided that all structures and parking areas are above the 100-year flood elevation.

Consumptive Use Permit: A permit issued by the Water Management District that allows the production (or pumping) of groundwater up to a specified amount, usually expressed in gallons per day.

DCA (FDCA): The Florida Department of Community Affairs.

DCA Field Office: Established in 1992, the DCA field office was located in Bartow. All proposed development within the Green Swamp Area of Critical State Concern was reviewed and monitored by this office until its closing in 1999. After its closing, all reviews will be handled at DCA in Tallahassee.

Demolition: The complete or constructive removal of any or part or whole of a building or structure upon any site when same will not be relocated intact to a new site.

Density: The average number of families or dwelling units per acre of land.

Density Bonus: An additional number of dwelling units above what would otherwise be permissible within a particular zoning classification or future land use classification.

Density, Gross: The overall number of units per acre in a development, including all supporting facilities.

Density, Net: Number of units per buildable acre of land, excluding supporting facilities such as subdivision road right-of-way, water and wastewater treatment plants, and property owned or used in common by the residents of a development (e.g., clubhouse or golf course).

Developer: Any person, including a governmental agency, undertaking any development. (380.031 F.S.)

Development: The carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels.

The following activities or uses shall be taken to involve "development:"

A reconstruction, alteration of the size, or material change in the external appearance of a structure on land; a change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land; alteration of a shore or bank of a seacoast, river, stream, lake, pond, or canal, including any "coastal construction"; commencement of drilling, except to obtain soil samples, mining, or excavation on a parcel of land; demolition of a structure; clearing of land as an adjunct of construction; deposit of refuse, solid or liquid waste, or fill on a parcel of land.

The following operations or uses shall not be taken to involve "development":

Work by a highway or road agency or railroad company for the maintenance or improvement of a road or railroad track, if the work is carried out on land within the boundaries of the right-of-way; work by any utility and other persons engaged in the distribution or transmission of gas or water, for the purpose of inspecting, repairing, renewing, or constructing on established rights of way any sewers, mains, pipes, cables, utility tunnels, power lines, towers, poles, tracks, or the like; work for the maintenance, renewal, improvement, or alteration of any structure, if the work affects only the interior or the color of the structure or the decoration of the exterior of the structure; the use of any structure or land devoted to dwelling uses for any purpose customarily incidental to enjoyment of the dwelling; the use of any land for the purpose of growing plants, crops, trees, and other agricultural or forestry

products, raising livestock, or for other agricultural purposes; a change in use of land or structure from a use within a class specified in an ordinance or rule to another use in the same class; a change in the ownership or form of ownership of any parcel or structure; the creation or termination of rights of access, riparian rights, easements, covenants concerning development of land, or other rights in land.

"Development" as designated in an ordinance, rule, or development permit includes all other development customarily associated with it unless otherwise specified. When appropriate to the context, "development" refers to the act of developing or to the result of development. Reference to any specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not development. (380.04 F.S.)

Development Capacity: An element of the concurrency management system, addressing the ability of public facilities to absorb development that has not been built, or that has not been completely built out, and that therefore has not impacted, or fully impacted, existing public facilities. The availability of public facilities to accommodate future development, in order to maintain an established level of service, will take into account this vested but currently unused or under-utilized capacity.

Development of Regional Impact (DRI): Any development that, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county.

Development Order: Any order granting, denying, or granting with conditions an application for a development permit. (380.031 F.S.)

Development Permit: Includes any building permit, zoning permit, plat approval, or rezoning, certification, variance, or other action having the effect of permitting development. (380.031 F.S.)

Drainage Basin: The area defined by topographic boundaries that contributes storm water to a drainage system, estuarine waters, or oceanic waters, including all areas artificially added to the basin. (9J-5.003 F.A.C.)

Drainage Detention Structure: A structure that collects and temporarily stores storm water for the purpose of treatment through physical, chemical, or biological processes with subsequent gradual release of the storm water. (9J-5.003 F.A.C.)

Drainage Facilities: A system of man-made structures designed to collect, convey, hold, divert or discharge storm water, and includes storm water sewers, canals, detention structures, and retention structures. (9J-5.003 F.A.C.)

Drainage Retention Structure: A structure designed to collect and prevent the release of a given volume of storm water by complete on-site storage. (9J-5.003 F.A.C.)

Dredging: Excavation by any means in any water body or wetland. Excavation or creation of a water body that is, or is to be connected to waters, directly or via excavated water bodies or a series of excavated water bodies.

Duplex: A single building containing two (2) dwelling units.

Dwelling: A building used or intended for use primarily for human habitation. The word shall not include hotels, motels, tourist courts, fraternity or sorority houses, rooming or boarding houses, nor other structures primarily for transient uses.

Dwelling, single family: A building used or designed to be used as a dwelling unit.

Dwelling, two family: See Duplex.

Dwelling, multiple family: A building used or designed to be used for three (3) or more dwelling units.

Dwelling Unit: A room or rooms comprising the essential elements of a single housekeeping unit. Facilities for preparation, storage, and keeping of food for consumption within the premises shall identify the unit as a dwelling unit.

Easement: A right given by the owner of land to another party for specific limited use of that land. For example, a property owner may give or sell an easement on his property to allow utility facilities like power lines or pipelines, or to allow access to another property. A property owner may also sell or dedicate to the government the development rights for all or part of a parcel, thereby keeping the land open for conservation, recreation, scenic or open space purposes.

Eaves: The extension or overhang of a roof, measured horizontally from the outer face of exterior walls or columns to the most distant point of the roof system.

Educational Uses: Activities and facilities of public or private primary or secondary schools, vocational and technical schools, and colleges and universities licensed by the Florida Department of Education, including the areas of buildings, campus open space, dormitories, recreational facilities or parking. (9J-5.003 F.A.C.)

Efficiency Apartment: A minimum dwelling unit.

Environmentally Sensitive Land: Wetlands, floodplains, or critical habitat for plant or animal species listed by the Florida Department of Agriculture and Consumer Services, Florida Game and Freshwater Fish Commission, or U.S. Fish and Wildlife Service as endangered, threatened, or species of special concern.

Evacuation Routes: Routes designated by county civil defense authorities or the regional evacuation plan, for the movement of persons to safety, in the event of a hurricane. (9J-5.003 F.A.C.)

FAA: the Federal Aviation Administration.

FAC: Florida Administrative Code.

FCC: the Federal Communications Commission.

Factory-built Housing: Shall mean any residential building, or building component or building system therefor, which is of closed construction and that is made or assembled in manufacturing facilities for installation, or assembly and installation, on the building site. Factory-built housing may also mean any residential building, or building component or building system therefor of open construction made or assembled in manufacturing facilities for installation or assembly and installation on the building site.

Family: An individual or number of individuals living together as a single housekeeping unit; it is primarily intended to indicate persons related by blood, law, or marriage residing together, but may also include unrelated persons residing together as a single housekeeping unit. This latter shall not exceed five in number in a dwelling unit.

Family Day Care Home: An occupied residence in which child care is regularly provided for children from **at least two unrelated families** and which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit. A family day care home shall be allowed to provide care for one of the following groups of children, which shall include those children under 13 years of age who are related to the caregiver:

- (a) A maximum of four children from birth to 12 months of age.
- (b) A maximum of three children from birth to 12 months of age, and other children, for a maximum total of six children.
- (c) A maximum of six preschool children if all are older than 12 months of age.
- (d) A maximum of 10 children if no more than 5 are preschool age and, of those 5, no more than 2 are under 12 months of age. (402.302, F.S.)

Family Foster Home: A private residence in which children who are unattended by a parent or legal guardian are provided 24-hour care. Such homes include emergency shelter family homes, family foster group homes, and specialized foster homes for children with special needs. The following are not considered a family foster home: a person who cares for a child of a friend for a period not to exceed 90 days; a relative who cares for a child and does not receive reimbursement for such care from the state or federal government; or an adoptive home which has been approved by the state or by a licensed child-placing agency for children places for adoption. (c. 409.175, F.S.)

Fill: Depositing of any materials by any means in any water body or wetland.

Filling Station (service station): A building and land used or intended for use to dispense, sell, or offer for sale any motor fuels, oils, or automotive accessories, but where no major

automotive repair, body rebuilding, welding, tire capping, or painting is or is intended to be performed.

Flood or Flooding: A temporary partial or complete inundation of normally dry land from the overflow of lakes, rivers, or other water bodies, or from the unusual and rapid accumulation of runoff or surface waters from any source.

Flood Hazard Boundary Map (FHBM): An official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as Zone A.

Flood Insurance Rate Map (FIRM): An official map of a community on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Floodplain: Land that will be inundated by floods known to have occurred or reasonably characteristic of what can be expected to occur from the overflow of inland or tidal waters and the accumulation of runoff of surface waters from rainfall.

Flood Protection Elevation: The elevation of the base flood plus one foot.

Floodway: The channel of a stream plus any adjacent flood plain areas that must be kept free of encroachment in order that the 100-year flood may be carried without substantial increases in flood heights.

Floor Area, Minimum: The sum of gross horizontal area of the several stories of the building measured from the exterior faces of the exterior walls or from the center line of party walls. Included shall be any basement floor, interior, balconies and mezzanines, elevator shafts and stair wells, and enclosed porches. Attached, enclosed garages are not a part of the calculation of minimum floor area.

Foster Care Facility: A residential facility which provides a family living environment including supervision and care necessary to meet the physical, emotional, and social needs of its residents. The capacity of such a facility shall not be more than **three residents**. (c. 393.063, F.S.)

Frontage: Street frontage shall mean all of the property abutting one side of a street right-of way between two intersecting streets measured along the adjacent street right-of-way line in all directions. Lot frontage shall mean the width of a lot or parcel of land measured along the adjacent street right-of-way line between opposite property lines.

Frontage Road: A road designed to parallel a major roadway, thereby allowing the major roadway to function as a limited-access facility while providing access to lands adjacent to the roadway. (Sometimes designated a "service road.") **F.S.:** Florida Statutes.

Garage Apartment: An accessory building that is or is intended to be detached from the principal building and that contains one or more dwelling units, whether or not vehicular storage is or was intended.

Garage, mechanical: Any building or land used or intended to be used to accommodate automotive repair, rebuilding, reconstruction, painting, tire recapping, welding, or servicing.

Garage, private: A building, attached or detached to or from the principal structure, intended for the storage of automobiles or other wheeled property belonging primarily to occupants of the premises.

Garage, public: Any land or building used for the storage of automobiles or other wheeled property primarily for non-occupants of the premises, whether or not remuneration is paid or received for such storage.

Garden home: see Single-Family Attached Dwelling Unit.

Goal: The long-term end toward which programs or activities are ultimately directed. (9J-5.003 F.A.C.)

Green Swamp Area of Critical State Concern (Green Swamp ACSC): An area delineated by Statute in the State of Florida that is considered to be extremely sensitive to development; and the development of which may be harmful to the health of the citizens of the State.

Green Swamp Area of Critical State Concern (Green Swamp ACSC) Agreement: An agreement between the City of Lake Alfred and the State of Florida, executed on 9-13-96, to allow residential development and a small amount of commercial and institutional uses development, at a density greater than that permitted for the rest of the Green Swamp ACSC.

Green Swamp Critical Area Resource Management Plan - Selected Area Plan and associated maps: the data base for a development area in the Green Swamp ACSC, directly north of the 1999 city limits of Lake Alfred. The data serves as the basis for development of lands in that designated area that are annexed into the City. A tally of units shall be kept, to ensure that 30% of the entire area designated as the Lake Alfred Selected Area remains in perpetual open space.

Group Home Facility: A residential facility which provides a family living environment including supervision and care necessary to meet the physical, emotional, and social needs of its residents. The capacity of such a facility shall be **at least four residents but not more than 15 residents**. For the purposes of this chapter, group home facilities shall not be considered commercial enterprises. (c. 393.063, F.S.)

Hazardous Material: A hazardous chemical, toxic chemical, or extremely hazardous substance, as defined in s. 329 of Title III, Superfund Amendments and Reauthorization Act of 1986 (42 USC s. 11001, et seq.). (s. 252.82 F.S.)

Hazardous Waste: Solid waste, or a combination of solid wastes, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated or otherwise managed. (9J-5.003 F.A.C.)

High Recharge Area: Geographic areas designated by a Florida Water Management District where, generally, water enters the aquifer system at a rate of greater than ten inches per year.

Highest Adjacent Grade: The highest natural elevation of the ground surface adjacent to the proposed walls of a structure.

Home Occupation: Any occupation in connection with which there is kept no stock in trade or commodity sold upon the premises, no person employed other than a member of the immediate family residing upon the premises, and no mechanical equipment used except such as is permissible for purely domestic or household purposes; and in connection with which there is used no sign, other than an unlighted name plate not more than one (1) square foot in area, nor display that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling.

Hospice: A centrally administered corporation not for profit (“not-for profit” as defined in c. 617, F.S.) providing a continuum of palliative and supportive care for the terminally ill patient and his or her family. (400.601, F.S.)

Hospice Residential Unit: A homelike living facility, or other facility licensed under other parts of c. 400, F.S., or c. 395, F.S., that is operated by a hospice for the benefit of its patients and is considered by a patient who lives there to be his or her primary residence. (c. 400.6005, F.S.)

Hotel: A building or other structure used and maintained as primarily a place where sleeping and supplemental accommodations are supplied transient guests.

Hurricane Shelter: A structure designated by local officials as a place of safe refuge during a storm or hurricane. (9J-5.003 F.A.C.)

Impervious Surface: Impervious surfaces shall include all land paved with concrete or asphalt that is used for off-street parking, driveways, sidewalks, patios, and service areas; and is any material that will not allow rainfall to percolate into the soil, such as concrete and asphalt.

Incidental Adult Materials Vendor: A business establishment offering adult-oriented materials that meets all of the following criteria:

1. At all times, no more than 10 percent of the business stock, as measured in relation to total gross floor area of the business, is devoted to the display or sale of adult-oriented materials;
2. Such establishment provides, within three (3) days of a request by the Development Director, such information as may be required to determine whether more than 10 percent of the business stock is devoted to adult materials;
3. All adult materials are kept in a location where no portion is visible to the public;
4. No adult materials are sold, rented or displayed to minors.

Incompatible Land Uses: Land uses that, if occurring adjacent to one another, have a detrimental effect on one or both of the uses.

Industrial Uses: The activities within land areas predominantly connected with manufacturing, assembly, processing, or storage of products. (9J-5.003 F.A.C.)

Infrastructure: Those manmade structures that serve the common needs of the population, such as: sewage disposal systems; potable water systems; potable water wells serving a system; solid waste disposal sites or retention areas; storm water systems; utilities; piers; docks; wharves; breakwaters; bulkheads; seawalls; bulwarks; revetments; causeways; marinas; navigation channels; bridges; and roadways. (9J-5.003 F.A.C.)

Intensity: The degree to which land is used, referring to levels of concentration or activity in uses such as residential, commercial, industrial, recreation, or parking.

Isolated Wetland: Any wetland that has no hydrological or vegetative connections with any water of the state as defined in 327.02 (28) F.S.

Junk: Old or scrap copper, brass, or other metal, rope, rags, batteries, paper, lumber, trash, rubber, debris, oddments, wastements, litter, leavings, ruins, castoffs, rummage, waste, or junk, dismantled or wrecked automobiles, or parts thereof, iron, steel, and other old or scrap ferrous and non-ferrous materials.

Junk Yard: An establishment, or place of business, or other place not necessarily operated for commercial gain, which is maintained or operated or used for the use of storing, keeping, buying or selling such junk, or for the maintenance and operation of an automobile graveyard, and shall be construed to include garbage dumps and sanitary fills.

Kennel: A facility for the overnight boarding of animals, where outside runs or pens are provided.

Land Development Regulations: Includes local zoning, subdivision, building, and other regulations controlling the development of land. (380.031 F.S.)

Land Use: The development that has occurred on land. (380.031 F.S.)

Level of Service (LOS): An indicator of the extent or degree of service provided by, or proposed to be provided by a facility based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility. (9J-5.003 F.A.C.)

Limited Access Facility: A roadway especially designed for through traffic, and over, from, or to which owners or occupants of abutting land or other persons have no greater than a limited right or easement of access. (9J-5.003 F.A.C.)

Littoral Zone: The shallow-water region of a water body where sunlight penetrates to the bottom and that is intended for and capable of supporting aquatic vegetation.

Living Area: All of the area measured within the outside foundation walls of the principal structure, including such areas as utility rooms, pantries and storage closets; excluding such areas as attic storage, garages, carports, breezeways, patios and porches (screened, roofed or otherwise).

Loading Space: A space on the lot or parcel of land accessible to an alley or street not less than twelve (12) feet in width, thirty (30) feet in depth and fourteen (14) feet in height.

Local Comprehensive Plan: Any or all local comprehensive plans or elements or portions hereof prepared, adopted, or amended pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, as amended. (380.031 F.S.)

Local Road: A roadway providing service that is of relatively low traffic volume, short average trip length or minimal through traffic movements, and high volume land access for abutting property. (9J-5.003 F.A.C.)

Lot: A parcel of land occupied or intended of occupancy by one (1) or more principal buildings together with its accessory buildings, including the open spaces and parking spaces required by this ordinance. For the purpose of this ordinance the word "lot" shall be taken to mean any number of contiguous lots or portions thereof upon which one (1) or more main structures for a common use is to be erected.

Lot, corner: A lot abutting upon two (2) or more streets at their intersection.

Lot coverage maximum: The "maximum lot coverage" is the maximum percentage of a building lot that can be covered by principal and accessory buildings.

Lot, depth: The depth of a lot is the distance measured perpendicular to and from the midpoint of the front lot line to the midpoint of the opposite main rear line of the lot.

Lot, double frontage: A lot having a frontage on two (2) nonintersecting streets, as distinguished from a corner lot.

Lot, Flag: A flag lot is a residential lot that does not provide the minimum required frontage width on a public or privately maintained street, but is created to be served by a private driveway extending along a stem from the street to the portion of the lot which is deemed to be buildable, subject to standards addressed in Article 2. Flag lots are generally most appropriate for dividing property that has sufficient area for two (2) or more lots meeting the minimum lot size of the zoning district, and where lot depth is extraordinary such that the buildable portion of the flag lot is typically located behind a separate lot that meets the minimum street frontage width.

Lot, interior: A lot other than a corner lot

Lot, width: The distance measured between the side lot lines at the front building line.

Lot of Record: A lot that is a part of a subdivision, the map of which was recorded in the office of the Clerk of the Circuit Court of Polk County, Florida, prior to January 31, 1962.

Lowest Floor: The lowest enclosed floor of a structure, including a basement, but not including the floor of an area enclosed only with insect screening or wood lattice as permitted by the flood damage prevention regulations in this Code.

Manufactured Home or Building: Any structure, or portion of a structure, including electrical, plumbing, heating, or ventilating systems, that was built in a manufacturing facility for installation or erection as a finished building or as part of a finished building. Manufactured buildings must be constructed to meet the requirements of the Standard Building Code and any other design standards the City may adopt which apply to conventional construction. Manufactured buildings may include residential, commercial, institutional, storage, and industrial structures. For purposes of this Code, manufactured buildings shall not include mobile homes.

Manufacturing: Assembly or fabrication of parts that are free of hazardous or objectionable elements, such as noise, odor, dust, smoke or glare, that may be detectable to the normal senses from outside the building. Such uses shall operate entirely within enclosed structures, and the premises shall not contain any outdoor or open storage or aboveground tank storage of merchandise, products or materials or any outdoor or open storage of equipment, materials or other items utilized by such establishments except for automobiles and delivery or service trucks. Such uses shall not involve electrical interference to television, radio or communication systems off the premises.

Mean Sea Level: The average height of the sea for all stages of the tide. For purposes of this Section the term is synonymous with National Geodetic Vertical Datum (NGVD).

Minerals: All solid minerals, including clay, gravel, phosphate rock, lime, shells (excluding live shellfish), stone, sand, heavy minerals, and any rare earths, that are contained in the soils or waters of the state. (9J-5.003 F.A.C.)

Mining: The act of taking mineral substances from a pit or excavation in the earth.

Mini Park: A park one acre in size or less.

Mini-Warehouse: A self-service facility consisting of individual self-contained units used for storage and no other purpose, plus an office/residence for a manager.

Minor Automotive Repairs: Activities conducted at a service garage involving maintenance or small-scale mechanical work on motor vehicles. This shall include inspection, maintenance, repair or replacement of the following: brake systems; ignition and electrical systems; carburetors and fuel systems; batteries; oil, antifreeze and other fluids; and tires. Also included are auto washing and detailing, and the tuning and adjustment, but not disassembly or removal, of engines and transmissions.

Minor Storage of Explosive Gases: The maintenance on a commercial or industrial development site, for sale or on-site use, of a quantity of fuel-related gases not exceeding 500 gallons.

Mitigation: Any action, including but not limited to, restoration, enhancement, or creation of wetlands, required to be taken in order to offset environmental impacts on permitted activities.

Mixed-Use: A building or development that contains two or more of the following major use types: residential, office, retail, or industrial.

Mobile Home: A pre-constructed dwelling unit, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width, and which is built on a metal frame and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. If manufactured after June 15, 1976, each section must bear a U.S. Department of Housing and Urban Development label certifying that it is built in compliance with the federal Manufactured Home Construction and Safety Standards. Mobile homes shall be used for single-family residential purposes only and shall be licensed pursuant to Chapter 320, F.S. In the event a mobile home becomes ineligible for a title certificate under Chapter 319, F.S., it shall no longer be considered a mobile home.

Mobile Home Park: Development site on which mobile homes are installed and organized around a common set of amenities, including private internal roads, clubhouse or recreation facility, and common open space. A mobile home park may not be platted or otherwise divided by fee simple ownership; however, the sale of interests or memberships on a condominium basis is permitted. All facilities, including roads, are privately owned or owned in common by residents of the park.

Mobile Home Unit: Shall mean a mobile home, factory built dwelling, the land area assigned thereto, access, and parking for one (1) motor vehicle.

Most Effective Recharge Areas: are areas with soils classified by the Soil Conservation Service as Type A Hydrologic Soil Group.

Motel: Shall also include the terms motor hotel, tourist court, transient accommodations, and efficiency motel; a building primarily for the use of persons traveling by automotive vehicles and consisting of two (2) or more rooms or suites for rent for the purpose of sleeping and/or light housekeeping with no common entrance or lobby.

Motor Home: Shall include the terms motor coach, sport coach, and describe any self-propelled vehicle fitted and equipped for living purposes, including facilities for sleeping or preparation of goods for consumption.

Multiple Family Dwelling: Shall mean a structure designed or used for residential occupancy by more than two families, with or without common or separate kitchen or dining facilities, including apartment houses, apartment hotels, rooming houses, boarding houses, fraternities, sororities, dormitories, row houses, townhouses and similar housing types, but not including hotels, hospitals or nursing homes.

National Register of Historic Places: Established by Congress in 1935, the National Register of Historic Places is a listing of culturally significant buildings, structures, objects, sites, and districts in the United States. The listing is maintained by the U.S. Department of Interior.

Natural Drainage Features: The naturally occurring features of an area that accommodate the flow of storm water, such as streams, rivers, lakes and wetlands. (9J-5.003 F.A.C.)

Natural Reservations: Areas designated for conservation purposes, and operated by contractual agreement with or managed by a federal, state, regional or local government or on profit agency such as: national parks, state parks, lands purchased under the Save Our Coast, Conservation and Recreation Lands or Save Our Rivers programs, sanctuaries, preserves, monuments, archaeological sites, historic sites, wildlife management areas, national seashores, and Outstanding Florida Waters. (9J-5.003 F.A.C.)

Natural Resources: Land, air, water, groundwater, drinking water supplies, fish and their habitats, wildlife and their habitats, biota, and other such resources belonging to , managed by, held in trust by, appertaining to, or otherwise controlled by the State of

Florida and situated in an area of critical state concern or offshore from an area of critical state concern. (380.0558 F.S.)

Neighborhood Park: A park between one and fifteen acres in size that serves the population of a neighborhood and is generally accessible by bicycle or pedestrian ways. (9J-5.003 F.A.C.)

New Construction: Structures or substantial improvements for which the "start of construction" occurred on or after the effective date of this Code, and any alteration, repair, reconstruction or improvements to a structure that is in compliance with these flood damage prevention regulations.

Nonconforming Use: Land use or activity that is prohibited under the current provisions of the Comprehensive Plan or this Code, but complied with those requirements in effect at the time it was established. Such uses may continue indefinitely, except where this Code requires their elimination. Once a nonconforming use is eliminated, removed, or suspended for a period exceeding 90 consecutive days, associated land or structures shall be used only in accordance with the adopted Comprehensive Plan and this Code (see Section 7.12.00).

Nonpoint Source Pollution: Any source of water pollution that is not a point source. (9J-5.003 F.A.C.)

Nursing Home Facility: Any facility which provides nursing services as defined in Chapter 464, F.S., and which is licensed according to Chapter 400, F.S. Facility means any institution, building, residence, private home, or other place, whether operated for profit or not, including a place operated by a county or municipality, which undertakes through its ownership or management to provide, for a period exceeding 24-hours, nursing care, personal care, or custodial care for **three or more persons** not related to the owner or manager by blood or marriage, who by reason of illness, physical infirmity, or advanced age require such services; but does not include any place providing care and treatment primarily for the acutely ill. A facility offering services for **fewer than three persons** is within the meaning of this definition if it holds itself out to the public to be an establishment which regularly provides such services. (c. 400, F.S.)

Open Space: Undeveloped lands suitable for passive recreation or conservation uses. (9J-5.003 F.A.C.)

Ordinary High Water Line (OHWL): A line defined by the physical characteristics of the shore and banks of the water body caused by the continued presence and action of water. The OHWL corresponds to water levels frequently and commonly sustained in the high water season during normal years and to the SWFWMD adopted Lake Management Levels.

Outdoor Displays and Outdoor Sales: Finished products or signage on a sidewalk abutting a retail business or restaurant. For the City of Lake Alfred, see specific criteria listed under the C2 Retail Commercial Zoning District in Article 2.

Outdoor Storage: Unfinished materials and/or products stored outside a business and to be used in the manufacture of the product sold at the site; and, items to be repaired as the nature of the business on site, such as vehicles waiting repair at a body shop or lawnmowers waiting to be repaired at a repair shop.

Package Plant: A package plant is a sewer treatment plant with less than 100,000 gallons per day capacity.

Parcel of Land: Any quantity of land capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit or which has been used or developed as a unit. (380.031 F.S.)

Parking Lot: An open area which is used for the parking of automobiles.

Park Model Recreation Vehicle (Park Trailer): A transportable unit which has a body width not exceeding 14 feet and which is built on a single chassis and is designed to provide seasonal or year round living quarters when connected to utilities necessary for operation of installed fixtures and appliances. The total area of the unit in a setup mode, when measured from the exterior surface of the exterior stud walls at the level of maximum dimensions, not including any bay window, does not exceed 400 square feet when constructed to ANSI A-119.5 standards, and 500 square feet when constructed to U.S. Department of Housing and Urban Development Standards. The length of a park trailer means the distance from the exterior of the front of the body (nearest to the drawbar and coupling mechanism) to the exterior of the rear of the body (at the opposite end of the body), including any protrusions. (320.01, F.S.)

Parking Space: A surfaced area, enclosed or unenclosed, sufficient in size to store one (1) automobile, together with a driveway connecting the parking space with a street or alley and permitting ingress and egress of an automobile.

Permittee: The holder of a valid sidewalk café permit under the terms and conditions of Section 2.03.05.

Perpetual Open Space: The portion of a site from which the density has been transferred and which shall *not be developed* with additional residential units *at any time in the future* and shall therefore remain open space in perpetuity.

Person: Any individual, group of individuals, firm, corporation, association, organization, or any legal entity.

Personal services: see Commercial, limited.

Piling: Vertical poles, concrete bars or other materials forming the structural support of a water access structure.

Planned Unit Development (PUD): A form of development characterized by a unified site design for residential, commercial, office, industrial, or a mix of uses, allowing for the clustering of buildings, and providing relatively high net residential densities balanced by common open space. It permits the planning of a project and the calculation of densities/intensities over the entire development, rather than on a lot-by-lot basis. It also refers to a process, mainly revolving around site plan review, in which public officials have considerable involvement in determining the nature of the development. It includes aspects of subdivision, site plan and zoning regulation and is administered through a rezoning process.

Playground: A recreation area with play apparatus. (9J-5.003 F.A.C.)

Point Source Pollution: Any source of water pollution that constitutes a discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture. (9J-5.003 F.A.C.)

Pollutant: Any substance, contaminant, noise, or manmade or man-induced alteration of the chemical, physical, biological, or radiological integrity of air or water in quantities or at levels that are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property, or that unreasonably interfere with the enjoyment of life or property, including outdoor recreation.

Pollution: The presence in the outdoor atmosphere, ground or water of any substances, contaminants, noise, or manmade or man induced alteration of the chemical, physical, biological, or radiological integrity of air or water, in quantities or at levels that are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property, or unreasonably interfere with the enjoyment of life or property. (9J-5.003 F.A.C.)

Porch, enclosed and open: An enclosed porch is a roofed space attached to the outside of the outer wall of the building, one on one (1) or more sides, that has railings or screened enclosures. An open or unenclosed porch is a roofed space attached to an outer wall of a building open on one (1) or more sides without railing, glass, canvas, screen or similar materials on the open sides.

Portable Sign: Any advertisement, announcement, direction, or communication produced in whole or in part on a non-fixed sign, with the intent of being able to move that sign from place to place. The portable sign might be hooked up to the establishment for electricity, or not. For definition of a sign, see "Sign."

Potable Water: Water suitable for human consumption and that meets water quality standards determined by the Department of Health and Rehabilitative Services, provided through a public system or by private well.

Potable Water Facilities: A system of structures designed to collect, treat, or distribute potable water, and includes water wells, treatment plants, reservoirs, and distribution mains. (9J-5.003 F.A.C.)

Potable Water Wellfield Protection Zone: In accordance with Policy 2.13 of the Future Land Use Element of the Lake Alfred Comprehensive Plan, the protection zone is defined as the area within a 400 foot radius of the location of the well head. Within a 200 foot radius of the well head is a zone of exclusion, in which no new land uses may be established.

Prime Aquifer Recharge Areas: Geographic areas of recharge to the aquifer system, to be designated by the appropriate Water Management District, as critical for the continuation of potable ground water supplies.

Private Recreation Sites: Sites owned by private, commercial or non-profit entities available to the public for purposes of recreational use. (9J-5.003 F.A.C.)

Professional offices: Those uses that include, but are not limited to, dental, medical, photography, legal, architecture, real estate, insurance, accounting, finance, trade organizations, cooperatives, travel agency, government; where the principal use is that of providing such service but not primarily of a retail point of delivery.

Property Owner: Any owner of fee title to the land in question. Also, see Developer.

Public Buildings and Grounds: Structures or lands that are owned, leased, or operated by a government entity, such as civic and community centers, hospitals, libraries, police stations, fire stations, and government administration buildings. (9J-5.003 F.A.C.)

Public Facilities: Transportation systems or facilities, sewer systems or facilities, solid waste systems or facilities, drainage systems or facilities, potable water systems or facilities, educational systems or facilities, parks and recreation systems or facilities and public health systems or facilities. (9J-5.003 F.A.C.)

Public Hurricane Shelter: A structure designated by local emergency management officials and the American Red Cross as a shelter during a hurricane. (308.032 F.S.)

Public School: A school giving regular instructions, with a recognized general curriculum on an elementary, secondary, or higher academic level at least five days a week, except holidays, for a normal school year of not less than seven months, which school is held, used or controlled exclusively for public purposes by a department or branch of government without reference to the ownership of the building or structure or the realty upon which it is situated. This term shall not be deemed to include day care centers

unless such centers are conducted as part of the school of general education, but shall include vocational schools or other special education facilities if such facilities are held, used or controlled exclusively for public purposes as described above.

Public Supply Potable Water Wellfield: A potable water wellfield that serves a public supply water system.

Public Supply Water System: A public water system that serves at least 15 service connections used by year round residents or regularly serves at least 25 year-round residents. (403.852 F.S.)

Public Recreation Sites: Sites owned or leased on a long-term basis by a federal, state, regional or local government agency for purposes of recreation use. (9J-5.003 F.A.C.)

Recharge Areas: Geographic areas where the aquifer system is replenished through rainfall. Areas of high aquifer recharge are important for the continuation of potable ground water supplies.

Reconstruction: The authentic reproduction of a building or site that once existed, but disappeared or was demolished.

Recreation: The pursuit of leisure time activities occurring in an indoor or outdoor setting. (9J-5.003 FAC)

Recreation Facility: A component of a recreation site used such as a trail, tennis court, basketball court, athletic field, golf course or swimming pool. (9J-5.003 F.A.C.)

Recreation Uses, indoor: Indoor recreation uses include areas for recreation activities including, but not limited to, aquariums, day or youth camps, community or recreation centers, gymnasiums, libraries or museums, indoor skating rinks, indoor swimming pools, indoor tennis, racquetball, handball courts, and all other institutional, indoor recreation.

Recreation Uses, indoor commercial: This category consists of uses that share land use characteristics such as traffic-generation rates and bulk (buildings) requirements. These uses include but are not limited to, bowling alleys, dance studios, schools for martial arts, physical fitness centers, private clubs or lodges, movie theater, theaters and auditoriums, and indoor skating rinks.

Recreation Uses, outdoor: Outdoor recreation uses include areas for recreation activities including, but not limited to, arboretums, basketball courts, boat launching ramps, areas for cycling, hiking, and jogging, golf courses (regulation or par 3), outdoor nature areas, parks (public or private), picnic areas, playfields, playgrounds, commercial stables, outdoor swimming pools and springs, tennis courts, tot lots, wildlife sanctuaries, and all other outdoor recreation uses. Specifically excluded are outdoor movie theaters, firing ranges, miniature golf courses, golf driving ranges, and marinas.

Recreation Uses, outdoor commercial: This group includes recreation uses that are greater nuisances than conventional outdoor recreation activities because of their size and scale, traffic volumes, noise, lights, or physical hazards such as flying objects or use of weapons. These uses include, but are not limited to, amusement parks, drive-in theaters, fairgrounds, golf driving ranges (including miniature golf), marinas, outdoor theaters (or amphitheaters), race tracks (e.g., auto, dog, go-kart, harness, horse, motorcycle), ranges (skeet, rifle, or archery), sport arenas, and all other outdoor commercial recreation uses.

Recreation Vehicle (RV): A unit primarily designed as temporary living quarters for recreation, camping, or travel use, that either has its own motive power or is mounted on or drawn by another vehicle. The basic entities of recreation vehicles are: travel trailer, fifth-wheel travel trailer, camping trailer, truck camper, motor home, private motor coach, van conversion, and park model RV/park trailer. (320.01, F.S.)

Recreation Vehicle Campgrounds: A development designed specifically to accommodate recreation vehicles for overnight or limited vacation-season stays.

Recreation Vehicle, Park Model RV: See Park Model Recreation Vehicle.

Recreation Vehicle Parks: A development designed specifically to accommodate recreation vehicles in which park model mobile homes are permanently sited and occupied seasonally or year round.

Recreation Vehicle Unit: Those units primarily designed as temporary living quarters for recreation, camping or travel use, that either have their own mode of power or are mounted on or drawn by another vehicle

1. "Travel trailer": A vehicular Portable unit mounted on wheels, of such a size or weight as not to require special highway movement permits when drawn by a motorized vehicle. It is primarily designed and constructed to provide temporary living quarters for recreation, camping, or travel use. It is of a body width, not more than eight feet and a body length of no more than thirty-five feet when factory equipped.
2. "Camping trailer": A vehicular portable unit mounted on wheels and constructed with collapsible partial sidewalls that fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreation, camping or travel use.
3. "Truck camper": A portable unit, designed to be loaded onto, or affixed to, the bed or chassis of a truck, constructed to provide temporary living quarters, for recreation, camping, or travel use.
4. "Motor home": A vehicular unit built on a self-propelled motor vehicle chassis, primarily designed to provide temporary living quarters for recreation, camping or travel use.

5. "Park Model RV/Mobile Home": See Park Model RV (Park Trailer).

Redevelopment: Undertakings, activities, or projects of a county, municipality, or community redevelopment agency in a community redevelopment area for the elimination and prevention of the development or spread of slums and blight or for the provision of affordable housing, whether for rent or for sale, to residents of low or moderate income, including the elderly, and may include slum clearance and redevelopment in a community redevelopment area or rehabilitation or conservation in a community redevelopment area, or any combination or part thereof, in accordance with a community redevelopment plan and may include the preparation of such a plan. (163-340 F.S.)

Regional Park: A park that is designed to serve two or more communities. (9J-5.003 F.A.C.)

Regulatory Floodway: The channel of a river or other watercourse and the adjacent land areas that must be unobstructed in order to discharge the base flood without increasing the water surface elevation of that flood more than one (1) foot at any point.

Relocation Housing: Those dwellings that are made available to families displaced by public programs, provided that such dwellings are decent, safe and sanitary and within the financial means of the families or individuals displaced. (9J-5.003 F.A.C.)

Resident Population: Inhabitants counted in the same manner utilized by the United States Bureau of the Census, in the category of total population. Resident population does not include seasonal population. (9J-5.003 F.A.C.)

Residential Uses: Activities within land areas used predominantly for housing. (9J-5.003 F.A.C.)

Resource Planning and Management Committee or Committee: A committee appointed pursuant to s.380.045. (380.031 F.S.)

Restaurant: Any establishment where food is served or prepared or both, for public consumption on or off the premises.

Drive-in Restaurant: A business establishment where food or drink is served to patrons in automobiles, or that have take-out services or provide parking spaces, or outside tables for use by patrons.

Drive-thru Restaurant: An establishment that by design, physical facilities, service, or packaging procedures encourages or permits costumers to receive services or to obtain goods while remaining in their motor vehicles.

Restoration: The creation of an authentic reproduction beginning with existing parts of an original object or building.

Retail Sales: Any legal use of land or building that offers goods or services for retail sale or rental to the public or any sector of the public. Such uses shall include new and used cars, truck, tractor, or farm equipment display for any retail sale; mobile home display and sale, outdoor advertising structures and devices that meet setback requirements; small bakeries where not more than four (4) persons are employed and the products produced are primarily sold on the premises; food and drink establishments for both conventional and drive-in or delivery sales and services; repair of any goods or machinery and; any combination of permitted uses.

Revitalization: The imparting of new economic and community life in an existing neighborhood, area, or business district while at the same time preserving the original building stock and historic character.

Right of Way: Land in which the state, a county, or a municipality owns the fee simple title or has an easement dedicated or required for a transportation or utility use. (9J-5.003 F.A.C.)

Roadway: A road, that includes streets, sidewalks, alleys, highways, and other ways open to travel by the public, including the roadbed, right-of-way, and all culverts, drains, sluices, ditches, water storage areas, waterways, embankments, slopes, retaining walls, bridges, tunnels, and viaducts necessary for the maintenance of travel and all ferries used in connection therewith. (334.03(18) F.S.)

Roadway Functional Classification: The assignment of roads into categories according to the character of service they provide in relation to the total road network. Basic functional categories include limited access facilities, arterial roads, and collector roads, that may be subcategorized into principal, major or minor levels. Those levels may be further grouped into urban and rural categories. (9J-5.003 F.A.C.)

Rooming House: Any house, or other structure, or any place or location kept, used, maintained, advertised or held out to the public to be a place where living quarters, sleeping or housekeeping accommodations are supplied for pay to transient or permanent guests or tenants, whether in one or adjoining buildings.

Row house: see Single-Family attached Dwelling Unit.

Sanitary Sewer Facilities: Structures or systems designed for the collection, transmission, treatment, or disposal of sewage and includes trunk mains, interceptors, treatment plants and disposal systems. (9J-5.003 F.A.C.)

Sanitary Sewer Interceptor: A sewerage conduit that connects directly to, and transmits sewage to, a treatment plant. (9J-5.003 F.A.C.)

Sanitary Sewer Trunk Main: A sewerage conduit that connects directly to, and transmits sewage to, an interceptor. (9J-5.003 F.A.C.)

School: A place for systematic instruction in any recognized branch or branches of knowledge.

Screen Enclosure: A frame erected of wood or metal spaced and constituted in accordance with all applicable building requirements, as from time to time prescribed, that frame and any overhead supports, are only covered with insects screening or metal, fiberglass or other improved insects screening material that such screening possesses at least 50 percent open area per square inch.

Seasonal Population: Part time inhabitants who utilize, or may be expected to utilize, public facilities or services, but are not residents. Seasonal population shall include tourists, migrant farmworkers, and other short term and long term visitors. (9J-5.003 F.A.C.)

Semitrailer: Any vehicle without motive power designed to be coupled or drawn by a motor vehicle and constructed so that some part of its weight and that if its load rests upon or is carried by another vehicle. (F.S. 320.01 (5))

Septic Tank: A watertight receptacle constructed to promote separation of solid and liquid components of wastewater, to provide limited digestion of organic matter, to store solids, and to allow clarified liquid to discharge for further treatment and disposal in a soil absorption system. (10D-6 F.A.C.)

Setback: The distance between a street right of way line and the front building line of a principal building or structure, projected to the side lines of the lot, and including driveways and parking areas except where otherwise restricted by this ordinance.

Service Station: See Filling Station.

Services: The programs and employees determined necessary by local government to provide adequate operation and maintenance of public facilities and infrastructure as well as those educational, health care, social and other programs necessary to support the programs, public facilities, and infrastructure set out in the local plan or required by local, state, or federal law. (9J-5.003 F.A.C.)

Seven Identified Natural Areas of the Lake Alfred Green Swamp Critical Area Resource Management Plan SAP: These seven areas in the Green Swamp ACSC directly north of Lake Alfred are high probability areas for wildlife. A wildlife management plan must be submitted and approved by the City before any development can occur in these seven areas. [Requirement of DCA per letter to the City dated 9-16-99.] The March 1998 HDR Engineering, Inc., *Cultural Resource and Listed Species/Habitat Reconnaissance*, page 7, Section 4.2, "Results" states: "Both the SWFWMD land use/land cover map and the GFC habitat map revealed five patches of upland that were characterized as natural plant communities. In addition to these, two patches of overgrown scrub (or xeric hammock) were identified on the blue line aerials and ground-trothed in the field." The seven areas are identified on Page 9, Figure 3 "Map Depicting Natural Vegetative Communities" of the above mentioned report, which is on file with the City of Lake Alfred.

Sewage Disposal Facility: Facility or property used in conjunction with a wastewater treatment plant for the disposal and/or purification of treated sewage effluent including, but not limited to, spraying, land spreading, and artificial wetlands, including a private package treatment plant.

Shopping Center: For the purpose of determining the area of a sign, a shopping center is any building with more than one tenant space, which shall be store fronts on the ground floor.

Shopping Center Tenant Space: Within a shopping center, the individual business space for rent. In order for a tenant space to have a sign, it must have a store front on the ground floor.

Shoreline: All land or water that is on the lake side of the ordinary high-water line.

Shoreline vegetation: Vegetation that grows within the shoreline area; included are terrestrial and aquatic plants associated with wetlands and both emergent (plants growing above the water surface) and nonemergent (vegetation below the water surface).

Sidewalk: The portion of a public street right-of-way between the curb line or the lateral line of a road way and the adjacent property lines which is improved for use by pedestrians.

Sidewalk Café: A use, located on a sidewalk, which is associated with a business establishment which receives 50% of their revenue from the sale of food or beverage products, and is located in the abutting building. Sidewalk cafés may use awnings, canopies, or umbrellas for shade, provided that the awnings, canopies, or umbrellas comply with all other applicable laws.

Side Yard: An open unoccupied space within the lot between a side lot line and the parts of the building, structure, or outbuilding nearest thereto; such side yard shall extend on both sides of the lot through from the street line to rear line of said lot.

Signs: The following are definitions for different kinds of signs and parts of signs.

1. Advertising sign: Any form of public announcement intended to aid, directly or indirectly, in the sale, use or promotion of a product, commodity, service, activity or entertainment.
2. Advertising Balloon sign: A balloon of any size containing a display of advertising.
3. Animated sign: A sign which utilized motion of any part by any means, including wind power, or displays flashing, oscillating or intermittent lights.
4. Area of a Sign: The area enclosed by a perimeter line encompassing all the items of information in a sign or the area of a sign face.

5. Awning as a sign: A sign composed of cloth or canvas supported by a metal or rigid framework attached to and extending from an exterior wall or any other portion of a building and utilized as protection from the rain or sun.
6. Banner as a sign: Any signs having characters, letters, illustrations, or ornamentation applied to cloth, paper, or fabric of any kind, including foil, with only such material for backing; and including flags, streamers, and flappers.
7. Billboard: A structure, including signs located in the public right-of-way, utilized for advertising an establishment, an activity, a product, service or entertainment, which is sold, produced, manufactured, available or furnished at a place other than on the property on which said sign is located.
8. Building directory sign: A sign indicating the location of an activity or service, incidental to a use, but not advertising the use in any manner.
9. Canopy as a sign: A sign attached to the face of, or hung from, a canopy or covered structure which projects from, or is supported by a building, when such canopy or covered structures extends beyond the building, building line, or property line.
10. Community service sign: A temporary sign which advertises solely a function of a nonprofit organization.
11. Double-faced sign: A sign with two faces that are no more than 12 inches apart at their closest point, and which describe an internal angle between face planes extended no more than 30 degrees.
12. First Story sign: An exterior wall identification sign installed below the height of the roof line or 25 feet above grade, whichever is less, which is placed within the space occupied by the tenant for which the sign is placed.
13. Ground-mounted: A self-supported structure not attached or affixed in any way to a building or any other structure and which is no more than three feet from the ground.
14. Identification sign: A sign that indicates the name, owner and use or service of a particular activity.
15. Illuminated sign: Any sign having characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes designed for that purpose, whether or not said lights or tubes are physically attached to the sign.
16. Logo as a sign: A sign used to signify an organization, corporation or the like.

17. Noncommercial direction or information sign: A sign located on and relating to an activity on the premises upon which the sign shall be located including, “entrance,” “exit,” “caution,” “no trespassing,” “parking in rear,” and the like.
18. Nonconforming sign: A sign or advertising structure existing within the City limits, or a sign or advertising structure existing in an area annexed to the City which, by its height, type, content, square foot area, location, use or structural support does not conform to the requirements of the sign chapter.
19. Pole sign: A sign erected upon a pole or poles and which is wholly independent of any building or other structure for support, and which has ground clearance of at least ten feet.
20. Reader Board on a sign: A permanently affixed sign on which the occupant alters daily, or from time to time, the products and/or services offered, prices, special events, and related information. A reader board area shall be computed as part of the permitted sign area, according to the requirement of the district in which it is located.
21. Real Estate sign: A sign erected by the owner, or his agent, indicating property which is for rent, sale or lease.
22. Roof sign: A sign erected over or on the roof, or extending above the roof line, which is dependent upon the roof, parapet or upper walls of any building, or portion thereof, for support.
23. Sandwich or sidewalk sign: A moveable sign not exceeding dimensions of 2 feet by 4 feet which is not secured or attached to the ground and must be removed to the interior of the building at the close of each business day. A sandwich or sidewalk sign shall be constructed of commercial sign material and shall be in a professional manner. Position of the sign may not obstruct traffic view or block sidewalk area and shall comply with all other sign regulations as to safety and conditions.
24. Sign area for wall signs consisting of individual cutout letters: The total area of the imaginary rectangles contiguous to and surrounding each word. The horizontal separation of words shall not exceed twice the maximum letter height. The maximum vertical separation of words shall not exceed 60% of the maximum letter height.
25. Sign face: The part of the structure that is intended primarily for or can be utilized for communication purposes.
26. Snipe sign: A sign which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, or fences, or to other objects with the message appearing thereon not applicable to the present use of the premises or structures upon which the sign is located.

27. **Solid Base Sign:** Solid Base Signs shall comply with the height and setback standards for Free Standing Signs, unless greater distances are deemed necessary by the Building Official so as not to block the line of sight from adjoining highways and driveways.
28. **Subdivision Sign:** A sign identifying a recorded subdivision.
29. **Temporary Sign:** Any sign intended for a use not permanent in nature. For the purposes of the sign chapter, Article 4, any sign with an intended use of 12 months or less shall be deemed a “temporary sign.”
30. **Wall sign:** A sign which is approximately parallel to and supported by any wall or other enclosure.
31. **Window sign:** A sign located on a window or within a building or other enclosed structure which is visible from the exterior through a window or other opening intended to attract the attention of the general public.

Significant Adverse Effect: Any modification, alteration, or effect upon a wetland protection or Wetland Transitional Zone that measurably reduces the Area's beneficial functions as delineated in the Conservation Element of the City of Lake Alfred Comprehensive Plan.

Single-Family Attached Dwelling Unit: Residential dwelling unit designed and constructed to meet Standard Building Code requirements for single family attached structures, sharing a common side wall with at least one other unit, and having a designated yard and entrance that are not shared with other units. Such units shall be built only on property that is platted according to applicable subdivision regulations provided in Section 7.01.00. This definition includes cluster development, garden homes, townhouses, row houses, zero lot line homes and z-lot development.

Single-Family Detached Dwelling Unit: Freestanding structure, completely separate from all other structures, designed to house one family as a single housekeeping unit.

Site: The location of a significant event, activity, building, structure, or archaeological resource.

Site Development Plan: A plan, to scale, showing uses and structures proposed for a parcel of land. It includes lot lines, streets, building sites, reserved open spaces, buildings, major landscape features; both natural and man-made; the locations of proposed utility lines; and, other pertinent information, per Section 7.04.00 of this Code.

Site Plan Review: The process whereby local officials review the site plans and maps of a developer to assure that they meet the stated purposes and standards of land development regulations, provide for the necessary public facilities, and protect and preserve topographical features and adjacent properties through appropriate siting of structures and landscaping.

Small Lot Subdivision: Small lot subdivisions are subdivisions that have a maximum density of six (6) dwelling units per acre. However, in the Green Swamp ACSC, the maximum density is three (3) dwelling units per acre or five (5) dwelling units in cluster development.

Solid Waste: Sludge from a waste treatment works, water supply treatment plant, or air pollution control facility or garbage, rubbish, refuse, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations. (9J-5.003 F.A.C.)

Solid Waste Facilities: Structures or systems designed for the collection, processing or disposal of solid wastes, including hazardous wastes, and includes transfer stations, processing plants, recycling plants, and disposal systems. (9J-5.003 F.A.C.)

Solid Waste Processing Plant: A facility for incineration, resource recovery, or recycling of solid waste prior to its final disposal. (9J-5.003 F.A.C.)

Solid Waste Transfer Station: A facility for temporary collection of solid waste prior to transport to a processing plant or to final disposal. (9J-5.003 F.A.C.)

Special Needs Housing: Facilities that provide 24-hour care, services and housing in an institutional or residential setting for adults and/or children with conditions, disabilities or circumstances that qualify them for short or long-term housing and care. Such facilities include, but are not limited to: Adult Family-Care Home, Assisted Living Facility, Family Foster Home, Foster Care Facility, Group Home Facility, Hospice Residential Unit, Nursing Home Facility, and other similar facilities and homes; all of which are defined elsewhere in this Article.

Standard Housing: Dwelling units that meet the federal Minimum Housing Quality Standards as established for the HUD Section 8 Program.

Start Of Construction: The date the construction permit was issued, provided the "actual start of construction" was within 180 days of the permit date. The "actual start of construction" means the first placement of permanent elements of a structure on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or of the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; installation of streets and/or walkways; excavation for a basement, footings, piers or foundations; erection of temporary forms; or the installation of accessory structures.

Stormwater: The flow of water that results from a rainfall event. (9J-5.003 F.A.C.)

Street: A public access way 20 feet or more in width dedicated or otherwise having legal sanction for unlimited public use, includes the terms road, avenue, lane, boulevard, thoroughfare, highway, place, way, drive, and terrace.

Structure: Anything constructed, installed, or portable, the use of which requires a location on a parcel of land. It includes a movable structure while it is located on land that can be used for housing, business, commercial, agricultural, or office purposes either temporarily or permanently. Structure also includes fences, billboards, swimming pools, poles, pipelines, transmission lines, tracks, and advertising signs. (380.031 F.S.)

Subdivision: The platting of real property into two or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land; and includes establishment of new streets and alleys, additions, and resubdivisions; and, when appropriate to the context, relates to the process of subdividing or to the lands or area subdivided.

Substandard Housing: Dwelling units that do not meet the federal Minimum Housing Quality Standards as established for the HUD Section 8 Program.

Substantial Improvement: 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 fifty (50) percent of the market value of the structure. The market value of the structure is the appraised value of the structure prior to the start of the initial repair or improvement, or, in the case of damage, the value of the structure prior to the occurrence of the damage. For the purposes of this definition, "substantial improvement" occurs when the first alteration of any wall, ceiling, floor, or other structural part of the structure commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any improvement of a structure to comply with existing health, sanitary, or safety codes, or any alteration of a structure listed on the National Register of Historic Places, the Local Register of Historic Places, or a State Inventory of Historic Places, unless that alteration will cause the structure to lose its historical designation.

Townhouse: A design term, referring to the physical form of more than two single-family attached homes with a ground floor entry. Also, see Single-Family Attached Dwelling Unit.

Trailer: Any vehicle without motive power designed to be coupled to or drawn by a motor vehicle and constructed so that no part of its weight or that of its load rests upon the towing vehicle. (F.S. 320.01 (4))

Trailer, Boat: Any vehicle or device having one (1) or more axles, designed to be towed by a motor vehicle, and used for transporting boats and other water craft.

Trailer, Camper: A structure capable of being moved having no foundation other than wheels, having one (1) or more axles, designed to be transported by motor vehicles, customarily used for camping or recreational purposes.

Transitional Zone: Upland areas adjacent to wetlands that are necessary to protect the wetlands and wetland species from the detrimental impacts of development or alteration. The transitional zone shall include canopy, understory and groundcover that consists of preserved existing vegetation or planted native species.

Travel trailer: See Recreation Vehicle.

Trimming: The pruning or clipping of shoreline vegetation with hand tools that does not result in the removal of three (3) inches of stem and the root of the plant.

Truck: Any motor vehicle with a net vehicle weight of 5,000 pounds or less and which is designed or used principally for the carriage of goods and includes a motor vehicle to which has been added a cabinet box, a platform, a rack, or other equipment for the purpose of carrying goods other than the personal effects of the passengers. (F.S. 320.01 (9)). For trucks over 5,000 pounds, See Truck, Heavy. For other related definitions, See Semitrailer, See Truck Tractor, See Commercial Motor Vehicle.

Truck: All motorized vehicles having a stake body or flat bed with a rated capacity in excess of three-fourths (3/4) ton; all other motorized vehicles having a rated capacity in excess of one (1) ton; other vehicles used or designated for use in transporting equipment, machinery or power plants, upon a base or platform; all other motorized vehicles having dual rear wheels.

Truck camper: See Recreation Vehicle.

Truck, Heavy: Any motor vehicle with a net vehicle weight of more than 5,000 pounds, which is registered on the basis of gross vehicle weight in accordance with F.S. 320.08(4), and which is designed or used for the carriage of goods or designed or equipped with a connecting device for the purpose of drawing a trailer that is attached or coupled thereto by means of such connecting device and includes any such motor vehicle to which has been added a cabinet box, a platform, a rack, or other equipment for the purpose of carrying goods other than the personal effects of the passengers. (F.S. 320.01 (10))

Truck tractor: A motor vehicle which has four or more wheels and is designed and equipped with a fifth wheel for the primary purpose of drawing a semitrailer that is attached or coupled thereto by means of such fifth wheel and which has no provision for carrying loads independently. (F.S. 320.01 (11))

Urban Sprawl: Scattered, untimely, poorly planned urban development that occurs in urban fringe areas and frequently invades land important for environmental and natural resource protection. Typically, urban sprawl is manifested in leap frog development, ribbon or strip development, or large expanses of low density single dimensional development.

Variance: A modification of the zoning ordinance regulations when such variance will not be contrary to the public interest, and when, owing to conditions peculiar to the property and

not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. A variance is authorized only for height, area, size of structure or size of yards and open spaces, or other dimensional requirements. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance nor shall the variance be granted because of the presence of nonconformities in the zoning district or classification or in the adjoining zoning districts or classifications.

Vegetative Communities: Ecological communities, such as coastal strands, oak hammocks, and cypress swamps, that are classified based on the presence of certain soils, vegetation and animals. (9J-5.003 F.A.C.)

Vested Right: A right is vested when it has become absolute and fixed and cannot be defeated or denied by subsequent conditions or change in regulations, unless it is taken and paid for. There is no vested right to an existing zoning classification or to have zoning remain the same forever. However, once development has been started or has been completed, there is a right to maintain that particular use regardless of the classification given the property. In order for a nonconforming use to earn the right to continue when the zoning is changed, the right must have vested before the change. If the right to complete the development was not vested, it may not be built, no nonconforming use will be established, and the new regulations will have to be complied with.

Veterinary Clinic: Facility for the treatment of animals where all animals are kept within a completely enclosed structure. No outside runs or pens are allowed. When in conjunction with a kennel, the regulations for kennels shall apply.

Water or Waters: Includes, but is not limited to, water on or beneath the surface of the ground or in the atmosphere, including natural or artificial watercourses, streams, rivers, lakes, ponds, or diffused surface water and water percolating, standing, or flowing beneath the surface of the ground.

Water Body: Any natural or artificial pond, lake, reservoir, or other area with a discernible shoreline that ordinarily or intermittently contains water.

Watercourse: Any natural or artificial channel, ditch, canal, stream, river, creek, waterway or wetland through which water flows in a definite direction, either continuously or intermittently, and that has a definite channel, bed, banks, or other discernible boundary.

Water Wells: Wells excavated, drilled, dug, or driven for the supply of industrial, agricultural or potable water for general public consumption. (9J-5.003 F.A.C.)

Wetland Vegetation: Vegetation identified as wetland species in Rule 17-301.400 Florida Administrative Code.

Wetlands: Lands that are identified by being inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do or would support, a prevalence of vegetation typically adapted for life

in saturated soil conditions. The definition includes all contiguous and noncontiguous or isolated wetlands to waters, water bodies, and watercourses. Wetlands include, but are not limited to swamp hammocks, hardwood hybrid hammocks, riverian cypress, cypress ponds, bayheads, bogs, wet prairies and freshwater marshes. Dominant wetland vegetation shall be determined as provided in Rule 17-301.400, Florida Administrative Code.

Xeriscaping: Xeriscaping is a method of landscaping that conserves water and protects the environment by using mostly native plants, an efficient watering system, mulches, property maintenance and less lawn. The key to xeriscaping is to cluster plants according to similar sunlight and water needs, creating landscape “zones.” Typically, xeriscaping reduces watering costs by 20 to 50 percent per month. Reducing the amount of watering reduces the amount of runoff from the property, which reduces the amount of pollutants, including fertilizer that leaves the homeowner’s property.

Yard: An open space on the same lot with a building unoccupied and unobstructed from the ground upward, except by trees or shrubbery or as otherwise provided herein.

Yard, front: A yard across the full width of the lot, extending from the building line of the building to the line of the street on which it faces.

Yard, rear: A yard extending across the rear of a lot measured between lot lines and being the minimum horizontal distance between the rear lot line and the rear of the main building or any projection other than steps, unenclosed balconies or unenclosed porches. On corner lots the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner and interior lots the rear yard shall in all cases be at the opposite end of the lot from the front yard.

Yard, side: A yard between the building and the side line of the lot and extending from the front yard to the rear yard.

Z-lot development: see Single Family Attached Dwelling Unit.

Zero Lot Line Development: A development approach in which a building is sited on one lot line with no yard while retaining the other required yards. The intent is to allow more flexibility in site design and to increase the amount of usable open space on the lot.

100-year flood: A flood so severe that it would only occur once in one hundred years. **100-year floodplain:** The high water mark for the 100-year flood for a lake or river. In the City, no principal or permanent structures may be constructed in the 100-year floodplain.

[RESERVED]