



LAND DEVELOPMENT CODE

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A

ABANDONMENT: Relinquish the public's interest, claim, or title to a public right-of-way, easement, public way, or other public property.

ABUTTING: Having a common border with, or being separated by such a common border, by an alley or easement.

ACCELERATION LANE: An added roadway lane that permits the merging of slower moving vehicles into the main vehicular stream.

ACCESS: A way of approaching into or leaving from a property.

ACCESSORY STRUCTURE OR USE: A building or use which: (1) is subordinate to and serves a principal building or principal use; (2) is subordinate in area, extent, or purpose to the principal building or principal use served; (3) contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use; and (4) is located on the same lot or parcel as the principal building or principal use.

ADDITION: Any construction or expansion, which increases the size or capacity of a structure or land use after the completion of the original structure or use.

ADJACENT LAND: A lot or parcel of land that shares all or part of a common lot line with another lot or parcel of land.

ADULT CONGREGATE LIVING FACILITY (ACLF): A type of residential care facility as defined in Chapter 400, Part II, F.S.

ADULT USES: (See following list).

(1) ADULT ARCADE: An establishment where, for any form of consideration, one or more motion picture projectors, slide projectors, or similar machines for viewing by five or fewer persons each are used to show films, motion pictures, video cassettes, slides, or other photographic reproductions that are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

(2) ADULT BOOKSTORE: An establishment that has as a substantial portion of its stock-in-trade and offers for sale, for any form of consideration, any one or more of the following: 1) books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, slides, or other visual representations that are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas; or 2) instruments, devices, or paraphernalia that are designed for use in connection with specified sexual activities.

(3) ADULT CABARET: A nightclub, bar, restaurant, or similar establishment that regularly features live performances that are characterized by the exposure of specified anatomical areas or by specified sexual activities, or films, motion pictures, video cassettes, slides, or other photographic reproductions in which a substantial portion of the total presentation time is devoted to the showing of material that is characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.



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(4) ADULT MOTION PICTURE THEATER: An establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are shown, and in which a substantial portion of the total presentation time is devoted to the showing of material characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas.

(5) ADULT THEATER: A theater, concert hall, auditorium, or similar establishment characterized by [activities featuring] the exposure of specified anatomical areas or by specified sexual activities.

(6) MASSAGE PARLOR: An establishment where, for any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation of the human body is administered, unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist, or similar professional person licensed by the state. This definition does not include an athletic club, health club, school, gymnasium, reducing salon, spa, or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.

AD VALOREM TAX: A tax levied on the value of real property.

ADVERSELY AFFECTED PARTY; Any person or local government which will suffer an adverse affect to an interest protected or furthered by the Code, including interests related to health and safety, police and fire protection service systems, densities or intensities of development, transportation facilities, health care facilities, equipment or services, or environmental or natural resources. The alleged adverse impact may be shared in common with other members of the community at large, but shall exceed in degree the general interest in community shared by all persons (ss.163.3215(2),F.S.).

AFFORDABLE HOUSING: As defined at Section 420.9071, F.S.

AGRICULTURAL USES: Activities within land areas which are predominantly used for the cultivation of crops and livestock including: cropland; pasture land; orchards; vineyards; nurseries; ornamental horticulture areas; groves; confined feeding operations; specialty farms; and silviculture areas. Agricultural uses generally include those listed in the North American Industry Classification System (2002), Chapter 11.

AIRPARK: A planned development that includes an airport or landing field, which may include accessory or support services (i.e. hangars), as an integral part thereof.

AIRPORT: An area of land or water used for, or intended to be used for, landing and takeoff of aircraft, including appurtenant areas, buildings, facilities, or rights-of-way necessary to facilitate such use or intended use. "Private airport" means an airport, publicly or privately owned, which is not open or available for use by the public, but may be made available to others by invitation of the owner or manager.

ALLEY: A roadway dedicated to public use affording only a secondary means of access to abutting property and not intended for general traffic circulation.

ALLOWABLE USE: A use by right allowed in a particular land use district.



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ALTERATION, STRUCTURAL: Any change in the supporting members of a building or structure, such as bearing walls, columns, beams, or girders; provided, however, that the application of any exterior siding to an existing building shall not be considered a structural alteration.

AMENDMENT: A duly approved formal change to the text of this Code, not including any changes made to correct typographical errors or scrivener's errors.

AMENITY: A natural or created feature that enhances the aesthetic quality, visual appeal, or makes more attractive or satisfying a particular property, place, or area.

AMUSEMENT USE: A commercially operated enterprise that provides non-sport amusement and entertainment opportunities, usually on a seasonal basis, including but not limited to: rides; games; arcades; carpet golf; and other similar activities.

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 (Section 171.031, F.S.).

ANTENNA: Any system of wires, poles, rods, reflecting discs or dishes, or similar devices used for the transmission or reception of electronic emissions.

APARTMENT: Any building or portion thereof used to provide three (3) or more separate dwelling units which may share means of ingress/egress and other essential facilities and which are usually renter-occupied rather than owner-occupied.

APPEAL: Review of a decision or act by a higher tribunal.

APPELLANT: A person who requests or petitions for an appeal.

APPLICANT: A person submitting an application for a Development Order, permit, variance, zone change or other government act; usually a landowner or his authorized agent.

APPLICATION: Any number of forms provided by the County that represent a request for some type of government approval.

APPLICATION FOR DEVELOPMENT APPROVAL: A form provided by the Planning Division, usually accompanied by a site plan drawing, that makes a formal request for the approval of a development project.

AQUIFER RECHARGE AREA: Areas defined by the Northwest Florida Water Management District that have soils and geologic features that are conducive to allowing significant amounts of surface water to percolate into groundwater.

ARCHAEOLOGICAL SITE: Land or water areas that show evidence of artifacts of human, plant, or animal activity usually dating from periods of which only vestiges remain.

ARCHITECT: A professional architect licensed by the State of Florida.

AREA OR AREA OF JURISDICTION: The total unincorporated area of Okaloosa County, Florida.



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ARTERIAL ROAD: A road or highway intended to carry longer-distance traffic between important activity or population centers and are typically designed with some measure of access control.

ASSESSED VALUE: The value at which property is appraised for property tax purposes.

AUTHORIZED AGENT: A person authorized in writing by a second person to represent or act on behalf of the second person.

AVERAGE ANNUAL DAILY TRAFFIC: The total yearly traffic volume in both directions of travel divided by 365.

B

BAR: A business premises engaged primarily in the sale or dispersing of alcoholic beverages for on-premises consumption and where food service may be available as an accessory use.

BASE FLOOD ELEVATION: The highest height, expressed in feet above sea level, of the level of floodwaters occurring in the regulatory base flood.

BASEMENT: Any building story having a floor below grade.

BEACH: The zone of unconsolidated material that extends landward from the mean low water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves.

BED AND BREAKFAST: Overnight accommodations and a morning meal, in a dwelling unit offered to the general public and transients for compensation.

BEDROOM: A private room planned and intended for sleeping, separated from other rooms by a door, and may be accessible to a bathroom without crossing another bedroom.

BERM: A mound of earth or the act of pushing earth into a mound.

BEST MANAGEMENT PRACTICE: State-of-the-art technology or practice as applied to a specific situation or problem.

BICYCLE AND PEDESTRIAN WAYS: Any road, path or way which is open to bicycle travel or foot traffic and from which motor vehicles are excluded.

BILLBOARD: A sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

BLIGHTED AREA: Shall have the definition found in [Florida Statutes](#).

BLOCK: Land usually bounded on all sides by roadways or other physical boundaries such as water or public space, and not traversed by a through roadway (not including alleys).

BOARD OF ADJUSTMENT: The appointed Board of Adjustment for Okaloosa County.

BOARD OF COUNTY COMMISSIONERS: The duly elected Board of County Commissioners of Okaloosa County, Florida.



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BOARDING HOUSE: An establishment, which provides in return for compensation, lodging for five or more persons and regularly prepared meals served without the ordering of portions from a menu.

BOARDING STABLE: A structure designed for the feeding, housing, and exercising of horses not owned by the owner of the premises and for which the owner of the premises receives compensation.

BOAT HOUSE: A partially or fully enclosed structure including a roof located over a water body and used for the storage or mooring of boats or vessels.

BOAT YARD: (See "Marine Repair Facility").

BORROW PIT: An excavated hole in the ground where earth materials are being or have been removed for construction purposes.

BOUNDARY: A perimeter around an area to be specifically identified as being within a border.

BUFFER: A specified land area, together with any planting, landscaping, fencing or any physical structure erected on the land used to visibly separate, shield, or block the view, noise, lights, or other incompatibilities between land uses.

BUILDING: Any structure that encloses a space used for sheltering any occupancy. Each portion of a building separated from other portions by a fire wall shall be considered as a separate building.

BUILDING FOOTPRINT: The total area of a building including roof or eave overhangs, porches, and other attached accessory structures.

BUILDING OFFICIAL: The chief building official or building inspector for Okaloosa County.

BUILDING PERMIT: A permit authorizing building construction issued by the Building Official pursuant to an established building code.

BULK REGULATIONS: Standards and controls that establish the maximum size of buildings and structures on a lot or parcel and the buildable area in which the building may be located including density, lot coverage, height, setbacks, and yard requirements.

BULKHEAD: A retaining wall created along a body of water behind which fill is placed.

BUSINESS: A building, premises, or place where goods and services are offered for compensation.

C

CAMPGROUND: An area or parcel of land on which accommodations for temporary occupancy are located or may be placed, including cabins, tents, recreational vehicles, or other similar accommodations primarily used for recreational purposes of an open air or natural character.

CANAL: A man-made waterway for vessel transportation.



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CARPORIT: An unenclosed roofed structure that provides covered space for parking motor vehicles.

CEMETERY: A place dedicated to and used or intended to be used for the permanent interment of human remains or cremated remains. A cemetery may contain land or earth interment; mausoleum, vault, or crypt interment; a columbarium, ossuary, scattering garden, or other structure or place used or intended to be used for the interment or disposition of cremated remains; or any combination of one or more of such structures or places.

CERTIFICATE OF ACCEPTANCE – A certificate issued by the Planning Official or designee which verifies that the development has been completed in accordance with the approved site plan.

CERTIFICATE OF OCCUPANCY: A certificate issued by the Building Official which verifies that building construction has been completed in accordance with the Building Code.

CHANGE OF USE: Any use that substantially differs from the previous use of a building or land.

CHILD CARE FACILITY: Any establishment which provides child care for more than five (5) children unrelated to the operator, for which the owner or operator is compensated.

CHILD CARE, FAMILY DAY CARE HOME: An occupied residence in which child care is regularly provided for no more than five (5) children for compensation.

CHIMNEY: A structure containing one or more flues for drawing off emissions from stationary sources of combustion.

CHURCH: An institution that people regularly attend to participate in or hold religious services, meetings, and related activities. This term shall not carry a secular connotation and shall include institutions in which the services of any denomination are held.

CLEARING: The removal of trees and brush from a substantial part of the land, shall not include mowing of grass and weeds.

CLEAR-CUTTING: The wholesale, indiscriminate removal of trees, shrubs and underbrush from the land with the intention of preparing real property for nonagricultural development purposes.

CLERK OF COURT: Clerk of the Circuit Court of Okaloosa County.

CLINIC: A structure where patients who are not lodged overnight are admitted for examination and treatment by a health care provider.

CLUBS, NEIGHBORHOOD RECREATION OR SOCIAL: Buildings or facilities owned and operated by a corporation or association for neighborhood social or recreational purposes but not operated primarily for profit or the rendering of services which are customarily carried on as a business and not limited to special interest groups or gatherings.

CLUSTER DEVELOPMENT: A development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, open space, preservation of environmentally sensitive areas, or other similar uses.



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COASTAL CONSTRUCTION CONTROL LINE: The line of jurisdiction established pursuant to Chapter 161, F.S. by the Department of Environmental Protection effective in Okaloosa County.

COASTAL HIGH-HAZARD AREA: All land area located within the Category 1 Storm hurricane evacuation zone.

COASTAL OR SHORE PROTECTION STRUCTURES: Shore-hardening structures, such as sea walls, bulkheads, revetments, rubble mound structures, groins, breakwaters, and aggregates of materials other than natural beach sand used for beach or shore protection, to prevent erosion, or to protect other structures from waves and hydrodynamic forces.

COASTAL PLANNING AREA: All land and water areas seaward of the landward section line of those sections of land which contain the Category 5 Storm hurricane evacuation zone.

COLLECTION LINE: A hollow pipe typically made of plastic or PVC used to collect raw sewage for delivery to a sewage treatment facility.

COLLECTOR ROAD: A roadway intended to link the local street system with arterial roadways. Such roads collect traffic, serve as local through-facilities, and serve to access abutting land uses.

COMMERCIAL USES: Activities within land areas which are predominantly connected with the wholesale and retail sale, rental, or distribution of products; or performance of services for compensation. Commercial uses generally include those listed in the North American Industry Classification Manual (2002) Codes 22, 23, 42, 44, 45, 48, 49, 51, 52, 53, 54, 55, 56, 61, 62, 72, 81, 92.

COMMUNITY PARK: Recreation areas which serve relatively large user populations, usually two or more neighborhoods.

COMMUNITY RESIDENTIAL HOME: A dwelling which provides a living environment for 7 to 14 unrelated individuals (clients of HRS) including disabled or handicapped persons, developmentally disabled or non-dangerous mentally ill persons or children.

COMPATIBLE: A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition [Section 9J-5.003(23), FAC].

COMPLETE: A determination that an application contains all of the information or material required by law.

COMPREHENSIVE PLAN: The adopted Comprehensive Plan, as amended, for Okaloosa County, Florida.

CONCURRENCY: A condition where public facilities and services necessary to maintain adopted level of service standards are available to accommodate the impact of a certain development at the time such impact occurs.

CONDITIONAL USE: A land use or development which is normally not allowed in a certain land use district or zone but which may be allowed subject to specific conditions of development or use.



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CONDOMINIUM: That form of ownership by one or more persons of a unit of real property in which there is, appurtenant to each unit, an undivided share in common elements.

CONSERVATION EASEMENT: The grant of a property right stipulating that the described land will remain in its natural state and precluding future or additional development.

CONSERVATION USES: Land areas used for conserving or protecting natural resources or environmental quality including areas designated for such purposes as flood control, protection of quality and quantity of groundwater or surface water, floodplain management, fisheries management, or protection of vegetative communities or wildlife habitats.

CONSPICUOUS PLACE: A location on a property for posting a public notice sign so that it can be readily seen by passers-by.

CONSTRUCTION: The act of putting together or building a structure.

CONSTRUCTION AND DEMOLITION LANDFILL: A landfill facility typically used for the deposit of construction and demolition debris such as waste wood and masonry materials.

COTTAGE: A small, detached dwelling unit.

COUNTY: Okaloosa County, Florida (See Okaloosa County).

COUNTY ENGINEER: The person, currently licensed and registered to practice engineering in the State of Florida, who is responsible for overseeing certain provisions of this ordinance.

COUNTY ROAD SYSTEM: The system of roads, streets, and highways for which Okaloosa County has construction and maintenance responsibility pursuant to Chapter 336, F.S.

CREEK: A small stream of naturally flowing surface water.

CROP: A harvestable product, planted, grown and cultivated in the soil.

CUL-DE-SAC: The specific type of turning area at the end of a dead-end street.

CULVERT: A drain, ditch, or conduit not incorporated in a closed system, that carries drainage water under a driveway, roadway, railroad, sidewalk, or paved area.

CURB: The boundary, usually marking the edge of a roadway or paved area, made of concrete or other material as approved by the County Engineer.

CURB CUT: The opening along the curb line at which point vehicles may enter or leave the roadway.

CURVILINEAR STREET SYSTEM: A pattern of streets that is curved rather than running along rectangular blocks.

D

DAY CARE CENTER: See *Child Care Facility*.



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DEBRIS: The scattered remains of something broken or destroyed.

DECELERATION LANE: An added roadway lane that allows vehicles to slow down and leave the main vehicle stream.

DECK: An outside accessory structure either attached to or separated from a principal structure typically used for recreation purposes.

DEDICATION: The transfer of property by the owner to another party, usually for a specific use such as roads, stormwater/drainage facilities, or utilities.

DEED: A written instrument used to transfer an interest in land or real property.

DEED RESTRICTION: A private legal restriction on the use of property contained in a deed to the property or otherwise legally recorded.

DEMOLITION PERMIT: Official authorization part, or all, of a building or structure.

DENSITY: The number of families, individuals, dwelling units, households, or housing structures per unit of land, usually expressed in acres.

DENSITY TRANSFER: The transfer of all or part of the allowable density on a lot or parcel of land to another area of the same lot or parcel of land, or on a different lot or parcel of land.

DETENTION: The collection and storage of surface water for a subsequent controlled discharge rate.

DEVELOPER: Any person, including a government agency, undertaking any development as defined herein.

DEVELOPMENT: A human-created change to improved or unimproved real estate including buildings or other structures, land clearing, mining, dredging, filling, grading, paving, excavating or drilling, or an activity, action or alteration that otherwise changes undeveloped property into developed property.

DEVELOPMENT AGREEMENT: An agreement entered into pursuant to ss. 163.3220 -163.3243, Florida Statutes.

DEVELOPMENT OF REGIONAL IMPACT: A "development of regional impact" shall have the meaning given at Section 380.06(1), F.S.

DEVELOPMENT ORDER: A final decision or authorization from the Planning Division that has the effect of approval, approval with conditions, or denial of an application for development approval.

DIAMETER AT BREAST HEIGHT (DBH): Fifty-four (54) inches above the normal grade of the land on which a tree is located.

DIMENSIONAL REQUIREMENTS: Standards and criteria that establish the minimum or maximum size of properties or buildings which may include requirements for density, intensity, land size, land coverage, building heights, and yard setbacks.



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DISTRIBUTION LINE: A hollow pipe typically made from plastic, PVC, or metal used to distribute water or natural gas from its source to a receiving area.

DIVISION: The Okaloosa County Planning Division.

DOCK: A stationary or floating platform that extends from shore over water typically to provide access to boats or watercraft.

DRAINAGE: (1) Surface water runoff. (2) the removal of surface water or groundwater from land by drains, grading, or other means, which includes runoff controls to minimize erosion and sedimentation during and after construction and development.

DREDGE: The process of removing sand, soil, or other substrate material from a water body or wetland for any reason.

DREDGE AND FILL: A process that creates land by dredging material from a water body and depositing the dredged material on land, usually adjacent to the water body.

DRIVE-UP, THROUGH: An establishment that by design, physical facilities, or service allows customers to receive goods or services or be entertained while remaining in their motor vehicles.

DRIVEWAY: A private vehicular way providing access from a property to a public or private roadway, usually across a public right-of-way.

DUMP: A site used primarily for disposal by dumping, burying, burning or other means and for whatever purposes of garbage, sewage, trash, refuse, and other waste, or discarded material of any kind.

DUNE: A mound or ridge of loose sediments, usually sand-sized sediments, lying landward of the beach and deposited by any natural or artificial mechanism [s.161.54(4), F.S.].

DUPLEX: A building containing two dwelling units totally separated from each other by an unpierced wall extending from ground to roof.

DUST: Particles of unconsolidated natural or man-made materials capable of being wind-driven and dispersed into the ambient air.

DWELLING, DETACHED SINGLE-FAMILY: A building containing one dwelling unit not attached to any other dwelling unit.

DWELLING, MULTI-FAMILY: A residential building containing two or more separate dwelling units, including duplexes, triplexes, quadraplexes, apartments, townhouses, condominiums or other similar buildings.

DWELLING, SEMIDETACHED: A one-family dwelling attached to one other one-family dwelling by a common vertical wall, with each dwelling located on a separate lot.

DWELLING, TOWNHOUSE: A one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical firewalls. Also, single-family attached dwelling.



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DWELLING, OR DWELLING UNIT: A single housing unit providing complete, independent living facilities for one housekeeping unit, but not including hotels, motels, boarding or lodging houses and resort condominiums operated and licensed pursuant to the requirements of Chapter 509 of the Florida Statutes.

DWELLING, SEASONAL: A residential dwelling occupied during periodic times every year, and not used as a permanent, year-round residence.

E

EASEMENT: An implied grant of a way of necessity or a statutory way of necessity exclusive of common-law rights as defined in Section 704.01, F.S. or an implied or express right to use a parcel of property for a particular purpose or purposes, typically associated with drainage or access.

ELECTRONIC INTERFERENCE: Electronic or electromagnetic signal or wave that overrides or interferes with normal television, radio, or telecommunications broadcasts.

ELEVATION: (1) A vertical distance above or below a fixed reference level. (2) A fully dimensional drawing of the front, rear, or side of a building showing features such as windows, doors, and relationship of grade to floor level.

ENDANGERED SPECIES: Plant or animal species whose prospects for survival are in immediate danger because of a loss or change in habitat, overexploitation, predation, competition, disease, disturbance, or contamination and designated as such by a government agency.

EQUIPMENT: Tools or machinery used for construction, manufacture, assembly or other industrial purpose.

ESTUARY: A body of water where fresh and salt water meet but which is typically inhabited by saltwater plants and animals.

EXCAVATION: Removal or recovery of soil, rock, minerals, or organic substances, other than vegetation, from water or land on or beneath the surface thereof, or beneath the land surface whether exposed or submerged.

EXCEPTION: Permission to depart from or waiver the requirements and provisions of the Code.

EXEMPTION: An activity, use, or other action to which a requirement or requirements of this Code would not apply.

EXISTING USE: The use of a lot or structure at the time of the enactment of a land use or zoning ordinance.

EXPANSION: (See "Addition").

EX PARTE: Communications involving only one side or party, not hearing from all parties involved in a particular matter.

EXTERIOR WALL: Any wall that defines the exterior boundaries of a building or structure.



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F

FACTORY: A building in which raw materials and semi-finished or finished materials are converted to a different form or state or where goods are manufactured, assembled, treated, or processed.

FAMILY: A group of individuals not necessarily related by blood, marriage, adoption, or guardianship living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship.

FAMILY HOMESTEAD: A situation where property may be subdivided among or between immediate family members when the subdivided land is described and recorded by deed, and the family member will occupy and use the subdivided land as an actual homestead.

FARM: The land, buildings, support facilities, machinery, and other appurtenances used in the production of farm or aquaculture products.

FARM ANIMAL: Any variety or number of animals that are raised or used on a farm for consumptive or work-related purposes typically including fowl, cows, sheep, goats, horses, swine, etc.

FARM OPERATION: Shall have the meaning given at Section 823.14, F.S.

FEDERAL: From, of, or relating to the U. S. Government.

FENCE: A man-made barrier or structure erected to prevent escape or intrusion, to mark a boundary, or to provide a buffer between properties, land uses, land use districts, or zones.

FIRM: Flood Insurance Rate Maps as published by the Federal Emergency Management Agency.

FILL MATERIAL: Sand, clay, gravel, earth or other materials typically deposited for purposes of leveling land.

FINISHED ELEVATION: The proposed elevation of the land surface of a site after the completion of all site preparation work.

FIRE CODE: The Florida Fire Prevention Code.

FIRE LANE: An unobstructed paved or improved surface area clearly defined by pavement markings and signs and designed to provide access for fire-fighting equipment.

FLAG LOT: A lot where access to a public or private road is provided by a private right-of-way or driveway that would have the effect of creating a lot behind an existing lot fronting upon such public or private road when each flag lot has its own private driveway right-of-way.

FLOOD: The temporary overflow of water onto land areas that are usually devoid of surface waters.

FLOOD ATTENUATION: To reduce the impact caused by flood waters whether on-site or on adjacent or downstream lots or parcels.



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FLOOD INSURANCE RATE MAP (FIRM): An official map on which the Federal Emergency Management Agency has delineated both special areas and risk zones applicable to areas of potential flooding.

FLOOD ZONE: A defined area shown on a map where flooding may be likely to occur; areas subject to flooding.

FLOODWAY: The channel of a river or watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

FLOOR AREA, GROSS: The sum of the gross horizontal areas of the several floors of a building or structure from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but excluding any space where the floor-to-ceiling height is less than six feet.

FLOOR AREA, NET: The total of all floor areas of a building, excluding stairwells and elevator shaft, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

FLOOR AREA RATIO (FAR): The net floor area of all buildings or structures on a lot or parcel divided by the total lot area of the lot or parcel.

FLORIDA ADMINISTRATIVE CODE: The official administrative rules and regulations of the State of Florida published by the Secretary of State.

FLORIDA STATUTES: The official statutory law of the State of Florida published by the Florida Legislature.

FOOD SERVICE ESTABLISHMENT: Shall have the definition given at s. 509.013, Fla. Stat.

FOOTCANDLE: The unit of illumination when the foot is the unit of length.

FORESTRY: Activities associated with the planting, growing, and harvesting of trees including timber tracts, tree farms, forest nurseries, the gathering of forest products, and forest services.

FUNERAL HOME: A building used for the preparation of the deceased for burial and rituals associated therewith before burial or cremation.

FUTURE LAND USE MAP: The official future land use map or map series authorized by the Comprehensive Plan.

G

GARAGE: An enclosed accessory structure that may be attached or detached from a principal use that is intended for the parking or storage of motor vehicles.

GARAGE APARTMENT: An accessory structure which provides enclosed space for the parking or storage of motor vehicles with a separate space for temporary or permanent living accommodations.



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GARBAGE: Animal and vegetable waste resulting from the handling, storage, sale, preparation, cooking, and serving of foods.

GASOLINE STATION: A business premises engaged primarily in the sale and dispensing of motor vehicle fuel and related products, which may also include motor vehicle repair and servicing.

GLARE: The effect produced by brightness or reflection sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

GOLF COURSE: A tract of land laid out for at least nine holes for playing the game of golf and improved with tees, greens, fairways, and hazards and that may include a clubhouse and/or pro shop.

GOVERNMENT AGENCY: Any department, commission, independent agency, or instrumentality of the United States, State of Florida, county, city, authority, district, or other governmental unit.

GRADE: The height of the ground relative to the mean sea level or relative to an established benchmark.

GRADE PLANE: A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet (1829 mm) from the building, between the building and a point 6 feet (1829 mm) from the building.

GREEN SPACE: Land kept in its natural condition, landscaped, or otherwise characterized by vegetation rather than structures.

GROUND COVER: Grass, plants, landscaping or other vegetation used to stabilize soil and prevent soil erosion.

GROUND FLOOR: The first floor of a building other than a cellar or basement.

GROUNDWATER: The natural occurring level of freshwater under the surface of the earth in an aquifer or geologic formation.

GROUP HOMES: A facility which provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional, and social needs of the residents. Adult congregate living facilities comparable in size to group homes are included in this definition. It shall not include rooming or boarding homes, clubs, fraternities, sororities, monasteries or convents, hotels, residential treatment facilities, nursing homes, or emergency shelters.

GULF BEACH: The land area adjacent to the Gulf of Mexico.

H

HABITABLE FLOOR AREA: The total floor area of all the habitable rooms in a dwelling unit.

HABITABLE STRUCTURE: A structure or building intended for human occupancy.



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HANDICAPPED PARKING: A parking space or spaces reserved exclusively for persons with disabilities as described in Section 316.1955, F.S.

HARDSHIP: Physical characteristics of a piece of property such as size, shape, elevation, etc. that create practical difficulties for use or development of the property.

HAZARDOUS MATERIAL: Any substance or material that, by reason of its toxic, caustic, corrosive, abrasive, or otherwise injurious properties, may be detrimental or deleterious to human health or the environment.

HEIGHT, BUILDING: The vertical distance from grade plane to the average height of the highest roof surface.

HEALTH CARE FACILITY: A facility or institution, whether public or private, principally engaged in providing services for health maintenance and the treatment of mental or physical conditions.

HIGHWAY: A public or private vehicular roadway.

HISTORIC RESOURCES: Something that has been identified or otherwise determined to be of historic significance.

HOME OCCUPATION: A commercial or business activity that: (i) is conducted by a person on the same lot (in a residential district) where such person resides, and (ii) is not so insubstantial or incidental or is not so commonly associated with the residential use as to be regarded as an accessory use, but that can be conducted without any significantly adverse impact on the surrounding neighborhood.

Without limiting the generality of the foregoing, a use may not be regarded as having an insignificantly adverse impact on the surrounding neighborhood if (i) goods, stock in trade, or other commodities are displayed, (ii) any on-premises retail sales occur, (iii) more than one person not a resident on the premises is employed in connection with the purported home occupation, (iv) it creates objectionable noise, fumes, odor, dust or electrical interference.

HOME OFFICE OF CONVENIENCE: The use of a room or other part of a residence as an office which is incidental to the residential use.

HOSPITAL: An institution providing primary health care services and medical and surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical and mental conditions and may include related facilities such as laboratories, outpatient facilities, training facilities, medical offices, staff residences, and administrative offices.

HOTEL: A facility offering transient lodging accommodations to the general public and providing additional services, such as restaurants, meeting rooms, entertainment, and recreational facilities, or any similar facility licensed as a hotel by the State.

HOUSE OF WORSHIP: A building, structure, place, or facility where religious services and associated activities are regularly held, includes churches, temples, halls, etc.

HOUSEHOLD: A family living together in a single dwelling unit, with common access to and common use of all living and eating areas and all areas and facilities for the preparation and serving of food within the dwelling unit.



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I

IMPACT FEE: A fee imposed upon on a development to help finance the cost of improvements or services.

IMPERVIOUS SURFACE: Any surface or material which prevents the absorption of water into land, including buildings, structures, and pavement.

IMPERVIOUS SURFACE RATIO: The ratio of the total impervious surface area to the gross area of a lot or parcel.

INCIDENTAL: Subordinate and minor in significance and bearing a reasonable relationship with the primary use.

IMPROVEMENT: The result of any activity, which has the effect of changing a particular property from its existing condition to a condition that improves or otherwise adds value to such property.

INCOMPLETE: The status of an application when all information or materials have not been submitted as required by law.

INDUSTRIAL PARK: A tract of land that is planned, developed, and operated as an integrated facility for a number of individual industrial uses.

INDUSTRIAL USES: Any activity within land areas predominantly associated with manufacturing, assembly, processing, or storage of products primarily intended for further processing or retail sale. Industrial uses generally include those listed in the North American Industry Classification System (2002) Codes 21, 22, 31, 32, 33, 42, 48, 49, 51, 5611, 5612.

INDUSTRY: Those fields of economic activity typically including forestry, fishing, hunting, and trapping; mining; construction; manufacturing; transportation, communication, electric, gas, and sanitary services; and wholesale trade.

INFRASTRUCTURE: Man-made structures which serve the common needs of the public, such as: sewage disposal systems; potable water systems; potable water well system; solid waste disposal sites or retention areas; stormwater systems; utilities; piers; docks; wharves; breakwaters; bulkheads; sea walls; bulwarks; revetments; causeways; marinas; navigation channels; bridges; and roadways.

INSITUTIONAL USE: A nonprofit, religious, or public use, such as a church, library, public or private school, hospital, or government owned or operated building structure or land used for public purposes.

ISLAND: (1) A land area totally surrounded by water. (2) In parking lot design, built-up structures, usually curbed, placed at the end or middle of parking rows as a guide to traffic and for landscaping, signing, or lighting.

INTENSITY: The degree to which land is used, developed, or otherwise altered from its natural undeveloped state.



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J

JUNK: Any scrap, waste, reclaimable material, or debris whether or not stored, for sale or in the process of being dismantled, destroyed, processed, salvaged, stored, baled, disposed, or other use or disposition.

JUNKYARD: An open area where used or secondhand parts and materials are salvaged, recycled, bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including but not limited to scrap iron and other metals, cloths, paper, rags, plumbing fixtures, rubber tires and bottles, but excluding motor vehicle wrecking yards.

JURISDICTION LINE: A line established to delineate the landward extent of wetland areas for permitting purposes.

K

KENNEL: A commercial establishment or business premises where dogs and/or other domesticated animals are housed, groomed, bred, boarded, trained, or sold for a fee or compensation.

KIOSK: A freestanding structure upon which temporary information and/or posters, notices, and announcements are posted.

L

LAND: The earth, water, and air, above, below, or on the surface, and includes any improvements or structures customarily regarded as land (Section 163.3164(11),F.S.).

LAND CLEARING: The removal of vegetation from a lot, parcel, or other land by any mechanized means other than manual or power hand tools (e.g. shovel, ax, sling, chain saw, etc.). Does not include mowing of grass or weeds.

LAND USE: A description of how land is occupied or utilized.

LANDFILL: A disposal site in which refuse and earth, or other suitable cover material, are deposited and compacted in alternating layers of specified depth in accordance with an approved permit.

LANDOWNER: A person who has an ownership interest in land.

LANDSCAPE: (1) An expanse of natural scenery (2) lawns, trees, plants, and other natural materials, such as rock, wood chips, or straw and may include decorative features such as sculpture, patterned walks, fountains, and pools.

LANDSCAPED BUFFER: Natural or landscaped vegetation, which may be used in combination with fences, walls, or berms, to screen one use or property from another so as to visually or physically block views, noise, lights, or other potential nuisances.

LAUNDROMAT: An establishment providing washing, drying, or dry-cleaning machines on the premises for rental use to the general public.



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LEGISLATURE; The Legislature of the State of Florida.

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 or related to the operational characteristics of the facility. Level of service shall indicate the demand capacity required per unit of each public facility as defined in the Comprehensive Plan.

LIFT STATION: A structure used to house pumps and equipment for pumping water or sewage; pump station.

LIVESTOCK: All animals of the equine, bovine, or swine class including goats, sheep, mules, horses, hogs, cattle, ostriches, and other grazing animals

LOADING ZONE: An off-street space or berth used for the loading or unloading of cargo, products, or materials from vehicles.

LOCAL PLANNING AGENCY: The Planning Commission of Okaloosa County, Florida.

LOCAL ROAD OR STREET: Roadways intended to provide access to the transportation network from developed land uses and are characterized by low speed and low traffic volume.

LODGING HOUSE: A facility in which rental sleeping accommodations are provided and in which meals may be provided as part of the service.

LOT: A parcel, tract, or area of land established by plat, subdivision, deed, or other instrument of conveyance which has been recorded in the Official Records of Okaloosa County.

LOT AREA: The size of a lot computed by multiplying the width by the depth.

LOT, CORNER: A lot abutting two (2) or more intersecting streets.

LOT COVERAGE: The area of a lot or parcel covered by buildings, structures, pavement, or other impervious surface.

LOT DEPTH: The depth of lot is the distance measured from the midpoint of the front lot line to the midpoint of the opposite rear lot line.

LOT, FLAG: A lot where access to a roadway is provided by a narrow, private right-of-way or driveway.

LOT, INTERIOR: A lot other than a corner lot.

LOT LINE: A line of record bounding a lot that divides one lot from another lot or from a public or private roadway or any other public space.

LOT LINE, FRONT: The property line fronting a roadway right-of-way which provides the principle access; and used by the U.S. Postal Service for the delivery of mail to the structure located on the property.

LOT LINE, REAR: The lot line opposite and most distant from the front lot line.

LOT LINE, SIDE: Any lot line other than a front or rear lot line.



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LOT OF RECORD: The term “lot of record” or “parcel of record” means a piece of property duly recorded by plat or deed in the Official Records of the Clerk of the Circuit Court, and may include metes and bounds descriptions when such descriptions apply to individual, discreet parcels of land. Parcels of record recorded prior to March 11, 1974 shall be vested for the development of one dwelling unit regardless of the density or intensity of use assigned to that parcel by this Code.

LOT, REVERSE FRONTAGE: A lot located between two roadways where one roadway is of a higher functional classification (collector, arterial) than the other roadway (local) and where the rear lot line is located on the higher classified roadway (collector, arterial) with no driveway access thereon..

LOT SPLIT: Division of land into two lots where no drainage, roadway or other improvement except installation of utilities is required.

LOT, SUBSTANDARD: Any lot that does not conform in area or width to the minimum requirements of the Code.

LOT, THROUGH: A lot that fronts upon two parallel streets or that fronts upon two streets that do not intersect at the boundaries of the lot.

LOT WIDTH: The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line at the front property line.

LOW IMPACT PUBLIC UTILITIES: Pump or lift stations, backflow preventers, electrical power sub-stations, drainage structures, stormwater retention areas, and other similar facilities.

LOW INCOME FAMILIES: “Lower income families” as defined under the Section 8, Assisted Housing Program, including families whose annual income does not exceed 80 percent of median income in a certain neighborhood.

M

MAJOR THOROUGHFARE: Any principal arterial, minor arterial or major collector roadway as classified by the Florida Department of Transportation or the County.

MANUFACTURED BUILDING: A factory-constructed building not constructed on a chassis, built to comply with the Standard Building Code, and inspected by the Florida Department of Community Affairs.

MANUFACTURED HOUSING: A structure, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width and forty (40) body feet or more in length which when erected on site, has 320 or more square feet in living area; and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities. If fabrication of such a housing unit has occurred after June 15, 1976, each section must be built to standards prescribed by the U.S. Department of Housing and Urban Development.

MANUFACTURING: Establishments engaged in the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials, such as lubricating oils, plastics, resins, or liquors.



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MAP, FUTURE LAND USE: The Official Future Land Use Map shown in the Comprehensive Plan.

MAP, OFFICIAL ZONING: The Official Zoning Map of the Zoning Regulations.

MARINA, COMMERCIAL: Any dock or facility offering spaces for boat dockage or slip rentals not associated with the regular fabrication, repair, construction or maintenance of boats or vessels or the removal of boats or vessels from the water for such purposes. Any dock, with or without spaces for slip rental, where fuel or merchandise may be purchased shall be deemed a commercial marina.

MARINA FACILITY: Any business associated with the construction, fabrication, refurbishing, repair or maintenance of boats or vessels, including equipment installation thereon or the removal of any boat or vessel from the water for any such purpose.

MARINA, PRIVATE: Any dock or facility having spaces for boat dockage or slip rentals, the use of which is restricted to membership of a private club or organization, including yacht clubs, sailing associations and other like and similar types of organizations.

MASTER PLAN: A graphic representation, or combination of graphics and text, which depicts and describes an overall strategy of development including the layout of lots, buildings, streets, amenities, and related features.

MEAN HIGH WATER LINE: The intersection of the tidal plane of mean high water with the shore (Section 177.27, F.S.).

MEDIAN: A barrier placed between lanes of traffic flowing in opposite directions.

METES AND BOUNDS: A method of describing land boundaries by directions (bounds) and distances (metes) from a known point of reference.

MID-RISE: A building three to seven stories in height.

MINI-WAREHOUSE: *See Self-Service Storage Facility.*

MINING: The extraction of earth materials such as soil, sand, clay, rock, and other similar materials.

MITIGATION: A method, activity, or action used to lessen or compensate for the impact of development.

MIXED-USE DEVELOPMENT: The development of land with a variety of complementary and integrated uses, such as, but not limited to, residential, office, manufacturing, retail, public, entertainment, or recreation in a compact urban form.

MOBILE HOME: A structure, including manufactured homes, transportable in one or more sections, which is eight (8) feet or more in width and over thirty-five (35) feet or more in length, and which is built upon an integral chassis and designed to be used as a dwelling when connected to the required utilities including plumbing, heating, air conditioning and electrical systems. "Mobile homes" include structures fabricated before and after June 15, 1976, but does not include "manufactured buildings" as defined in Chapter 553, Part IV, F.S. or "recreational vehicles" as defined in Section 320.01, F.S.



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MOBILE HOME PARK: A use of land in which lot or spaces are offered for rent or lease for the placement of mobile homes for residential purposes.

MOBILE HOME SUBDIVISION: Recorded plats of land sold to individual owners for the placement of mobile homes, and where common areas or any amenities exclusively serving the subdivision may be retained by a sole owner, developer or homeowner association.

MOTEL, TOURIST COURT, MOTOR LODGE: A group of attached or detached buildings containing individual sleeping units, and providing automobile storage or parking space in connection therewith, for transients; or any facility licensed as a motel by the State.

MOTOR VEHICLE: The word "motor vehicle" shall have the meaning set forth in Chapter 320, F.S.

MULTI-FAMILY DWELLING: Any residential building or structure used as a multiple dwelling for the purpose of providing more than four separate dwelling units which may share means of egress and other essential facilities.

MULTI-USE BUILDING: A building which contains two or more distinct uses.

MUNICIPAL: Of or relating to an incorporated municipality.

MUNICIPALITY: A political subdivision incorporated pursuant to State law; a city or town.

N

NATIVE VEGETATION: Plants that are naturally occurring in any given area.

NATURAL RESOURCES: Any number of naturally occurring elements related to land, water, air, plant or animal life.

NATURE PRESERVE: Areas in which human activity is limited and where the natural environment is protected from man-made changes.

NEIGHBORHOOD: An area of a community with characteristics that distinguish it from other areas and that may include distinct ethnic or economic characteristics, housing types, schools, or boundaries defined by physical barriers, such as major highways and railroads, or natural features such as rivers.

NEIGHBORHOOD COMMERCIAL: A business or businesses of a low-impact commercial nature intended to provide goods and services to a surrounding residential area or areas.

NEWSPAPER OF GENERAL CIRCULATION: A newspaper published at least on a weekly basis and printed in the language most commonly spoken in the area within which it circulates (but not including those newspapers intended primarily for member of a particular profession or occupational group; a newspaper whose primary function is to carry legal notices, or a newspaper that is given away primarily to distribute advertising).

NIGHTCLUB: A place of business operated as authorized under State Beverage Laws where the sale, serving, and on-premises consumption of alcoholic beverages accounts for more than 51% of the business revenues and the hours of operation routinely extend beyond 11:00 PM.



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NONCONFORMING USE OR STRUCTURE: A lawful land use or structure existing at the time of passage of the Code or amendments hereto, which does not conform with the requirements of the Code.

NONPOINT SOURCE: Pollution of water with no definable source.

NOTICE OF INTENT: A notice issued by the County expressing an intent to take final action such as granting or denying a development order or other permit.

NUISANCE: An interference with the use and enjoyment of property.

NURSERY: An area or structures or both used to raise flowers, shrubs, trees, or other plants for sale.

NURSING HOME: An institution licensed by the state to provide health care under medical supervision for twenty-four or more consecutive hours to two or more patients who are not related to the caregivers by marriage, blood, or adoption.

O

OCCUPANCY: The residing of an individual or individuals overnight in a dwelling unit or the storage or use of equipment, merchandise, or machinery in any public, commercial, or industrial building.

ODOR: Any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance.

OFFICE BUILDING: A building used primarily for conducting the affairs of a business, profession, service, industry, or government, or like activity, and may include ancillary services for office workers, such as restaurant, coffee shop, newspaper or candy stand, and child-care facilities.

OFFICE PARK: A development on a tract of land that contains lots or parcels for a number of separate office buildings, accessory and supporting uses, and open space designed, planned, constructed, and managed on an integrated and coordinated basis.

OFFICIAL RECORDS: The official records of Okaloosa County filed with and kept by the Clerk of the Court.

OFF-SITE IMPROVEMENT: An improvement to public facilities that may be required as a result of a development project where the improvement is located outside of or away from the site where the development project is taking place.

OFF-SITE PARKING: A parking area provided for a specific use but located on a site other than the one on which the specific use is located.

OKALOOSA COUNTY: A political subdivision of the State of Florida; the boundaries of which are prescribed at Section 7.46, Florida Statutes.

ON-SITE: Located on the same lot or parcel as the construction or development.



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ON-SITE SEWAGE TREATMENT AND DISPOSAL SYSTEM: A system that contains a standard subsurface, filled, or mound drainfield system; an aerobic treatment unit; a graywater system tank; a laundry wastewater system tank; a septic tank; a grease interceptor; a dosing tank; a solids or effluent pump; a waterless, incinerating, or organic waste-composting toilet; or a sanitary pit privy that is installed or proposed to be installed beyond the building sewer on land of the owner or on other land to which the owner has the legal right to install a system. This term does not include package sewage treatment facilities and other treatment works regulated under Chapter 403(Section 381.0065, F.S.).

OPEN SPACE: A parcel or area of land generally unimproved set aside, dedicated, or reserved for conservation or recreation purposes, or for the public or private use and enjoyment of the landowners.

OPEN SPACE RATIO: The amount of open space area remaining on a lot or parcel of land relative to the developed or built area of the same lot or parcel.

ORDINANCE: An enactment of the Board of County Commissioners having the effect of law.

ORDINARY HIGH WATER: (Reserved)

OUTBUILDING: A separate accessory building or structure not physically connected to the principal building on a lot or parcel.

OUTDOOR RECREATION: Recreational activities that take place outside any building or structure.

OUTDOOR STORAGE: The keeping of any goods, junk, materials, merchandise, equipment, or product in the open outside of any building or structure for more than 48 consecutive hours.

OUTSTANDING FLORIDA WATER: A special category of water body within the State which shall be worthy of special protection because of its natural attributes (Section 403.061(27), F.S.).

OVERLAY ZONE: A zone that encompasses one or more underlying land use districts or zones and that imposes additional requirements above those required by the underlying zone.

OWNER: An individual, firm, association, syndicate, partnership, or corporation having sufficient proprietary interest to seek development of land. The one who has the primary or residual title to property.

P

PAPER STREET: A street or road shown on an approved plan, plat, tax map, or other official map that does not actually exist on the ground.

PARCEL: An area of land capable of being described with such definition that its location and boundaries may be legally established.

PARK: An area of land used by the public designated for active or passive recreation.



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PARKING AREA: Any public or private area, under or outside of a building or structure, designed and used for parking motor vehicles including parking lots, garages, driveways, and legally designated areas of public streets.

PARKING LOT: An off-street, ground level open area, usually improved, for the temporary parking of motor vehicles.

PARKING SPACE: A space for the parking of a motor vehicle within a public or private parking area.

PARKING STRUCTURE: A multi-level structure used for the temporary parking or storage of motor vehicles.

PARTY: One who takes part in a transaction.

PATH: A cleared way for pedestrians and/or bicycles that may or may not be paved or otherwise improved.

PAVING MATERIAL: Any number of materials including asphalt products, concrete, crushed shell, or other substance used to stabilize a soil surface to be suitable for the movement of motor vehicles.

PEAK-HOUR TRAFFIC: The largest number of vehicles passing over a designated section of a street during the busiest one-hour period during a twenty-four hour period.

PERCOLATION TEST: A test designed to determine the ability of ground to absorb water and used to determine the suitability of soils for buildings, drainage, or septic systems.

PEDESTRIAN: An individual who travels on foot.

PERIMETER: The boundaries or borders of a lot, parcel or area of land.

PERMIT: Written governmental permission issued by an authorized official, empowering the holder thereof to do some act not forbidden by law but not allowed without such authorization.

PERMITTED USE: Any use allowed in a zoning district and subject to the restrictions applicable to that district.

PERSON: An individual, corporation, governmental agency, business trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other legally established entity.

PERSONAL SERVICES: Establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel.

PERVIOUS SURFACE: Any material including naturally occurring soils or vegetation that allows full or partial absorption of rainfall or stormwater runoff.

PETITION: A formal written document requesting an action, right, or benefit from the County.

PICNIC AREA: A place equipped with tables, benches, grills, and trash receptacles, and may include play equipment, for people to assemble, cook, eat, and relax.



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PIER: (1) See DOCK. (2) A column poured or placed in the ground to support a structure.

PLACE OF WORSHIP: A church, synagogue, temple, mosque, or other facility that is used for prayer and religious services by a religious congregation or persons of similar beliefs.

PLAN AMENDMENT: Any action of the County which has the effect of amending, adding to, deleting from, or changing the Comprehensive Plan or Future Land Use Map.

PLANNED UNIT DEVELOPMENT: A contiguous area of at least four (4) acres in size to be planned, developed, operated, maintained as a single entity under unified control, and which contains one or more residential clusters or mix of housing types, and which may also contain one or more public, quasi-public, commercial, industrial, recreation, or other non-residential uses.

PLANNING COMMISSION: The appointed local planning agency for Okaloosa County.

PLAT: A map or delineated representation of the subdivision of lands, being a complete exact representation of the subdivision and other information in compliance with the applicable requirements of Chapter 177, F.S. and this Code (Section 177.031(14), F.S.).

PLAT, FINAL: A plat accepted and signed by the Board of County Commissioners, and officially recorded with the Clerk of Court.

PLAT, PRELIMINARY: A plat submitted to obtain a Development Order to begin construction of subdivision improvements prior to final inspection and acceptance (final plat).

PLAYGROUND: A recreation area with play equipment such as swings, slides, etc. which may also include courts and fields.

PLOT: A parcel of land that can be identified and referenced to a recorded plat or map.

POINT-SOURCE: A stationary, identifiable source of pollutant emissions.

POTABLE WATER: Water suitable for drinking and cooking purposes.

PREEXISTING USE: The use of a lot or structure prior to the time of the enactment of a zoning or development code.

POULTRY: All kinds of poultry and includes chickens, turkeys, ducks, guineas, geese, pigeons raised as domesticated food birds, quail, and other domesticated food birds

PREMISES: A lot, parcel, tract, or plot of land together with the buildings and structures thereon.

PRESCRIPTION: The acquisition of land by right of continuous use without protest from the owner of said land.

PRINCIPAL USE: The primary, main, or predominate use located on a lot or parcel.

PRIVATE ROADWAY: A road or street owned and maintained by a private person or entity other than a government agency.

PROFESSIONAL ENGINEER: A person licensed as a professional engineer by the State of Florida.



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PROHIBITED USE: A use that is not permitted in a zoning district.

PROPERTY: A lot, parcel, or tract of land together with the building and structures located thereon.

PROPERTY LINE: See *Lot Line*.

PROPERTY OWNER: A person possessing an ownership interest in a piece of property.

PROPERTY VALUE: The monetary worth of a piece of property established by appraisal, assessment, sales price, or other accepted means of valuation.

PROTECTED TREE: A tree which by virtue of type or size cannot be destroyed without a permit being issued.

PUBLIC: Something owned, maintained for, or used by the general community or the people at large.

PUBLIC ACCESS: Any road, easement, trail, path, or way where the public is invited to, and unrestricted from, moving across.

PUBLIC FACILITIES: Facilities such as roadways, drainage structures, water and sewer lines, pump stations, treatment plants, or other similar improvements owned, operated, and maintained by a government agency.

PUBLIC FOOD SERVICE ESTABLISHMENT: Shall have the meaning given at s.509.013, Fla. Stat.

PUBLIC HEARING: A formal proceeding held by a presiding body where the public is allowed to present statements or testimony relative to an action to be undertaken by the County.

PUBLIC LODGING ESTABLISHMENT: Shall have the meaning given at s.509.013, Fla. Stat.

PUBLIC NOTICE: The advertisement of a public hearing or meeting through the news media, posting of signs, letters, or other devices intended to inform the public about a particular hearing or meeting.

PUBLIC PARKING: Any parking area available and open to the general public for motor vehicle parking.

PUBLIC RECORDS: The official records of Bay County maintained by the Clerk of the Court.

PUBLIC UTILITY: A regulated utility provider with a franchise for providing to the public a utility service deemed necessary for the public health, safety, and welfare.

PUBLIC WAY: Any road, street, alley, easement, trail, path, or access available for an open to use by the public.

PUMP STATION: A structure used to house pumps and equipment for pumping water or sewage; lift station.



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QUADRAPLEX: Four attached dwelling units contained in one building in which each unit shares one or more walls with the adjoining units.

QUASI-JUDICIAL: Like judicial; a hearing where procedures are conducted similar to a court trial including testimony, cross-examination, findings, and preservation of a record.

QUARTER SECTION: A tract of land one-half mile square, 2,640 feet by 2,640 feet, or 160 acres.

QUASI-PUBLIC USE: A use owned or operated by a nonprofit, religious, or institution and providing educational, cultural, recreation, religious, or other similar types of programs.

QUORUM: A majority of the full authorized membership of a board or agency.

R

RECORD: The act of recording an instrument or document in the public records.

RECORD: A preserved description or text of the dialogue and proceedings conducted at a hearing or meeting.

RECREATION: Any number of leisure time activities involving play, sports, or relaxation.

RECREATIONAL VEHICLE: A motor vehicle or trailer as described at Section 320.01, F.S.

RECREATIONAL VEHICLE PARK: A business where spaces are offered for the parking of recreational vehicles as described at Section 513.01, F.S.

RENT: A periodic payment, made by a tenant, to a landlord for the use of land, buildings, structures, or other property, or portions thereof.

RENTAL BEACH HOUSE: A residential dwelling located proximate to the gulf beach which is offered for rent or lease on a daily, weekly, or monthly basis primarily for tourists or vacationers.

REPAIR: To restore something to its original or a working condition after it has been damaged or rendered inoperable.

REPLACEMENT: To put back into a former condition or use, or provide a substitute for.

REPLAT: Any change in a plat, except for an error or omission of data as described at s.177.141, F.S.

RESIDENCE: A home, abode, or place where an individual or household is actually living at a given time as opposed to temporary or seasonal quarters.

RESIDENTIAL: Of or related to being a residence.

RESIDENTIAL DENSITY: The number of dwelling units per acre of residential land.



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RESORT: A facility for transient guests where the primary attraction is generally recreational features or activities.

RESOURCE BASED RECREATION: Recreation dependent upon some element or combination of elements in the natural or cultural environments that cannot be easily duplicated by man. It may be either active or passive in nature. Examples include hunting, fishing, camping, backpacking, boating, water skiing, surfing, and nature study. Visiting historical and archaeological sites is also included because such sites, while not strictly natural resources, share the limitations of being fixed in both quantity and location.

RESTAURANT: An establishment where food and drink are prepared, served, and consumed primarily within the principal building.

RESTAURANT, TAKE-OUT: An establishment where food and/or beverages are sold in a form ready for consumption, where all or a significant portion of the consumption takes place or is designed to take place outside the confines of the restaurant, and where ordering and pickup of food may take place from an automobile.

RESTRICTION: A limitation on property that may be created in a property deed, lease, mortgage, through certain zoning or subdivision regulations, or as a condition of approval of a development.

RESTRICTIVE COVENANT: A restriction on the use of land usually set forth in the deed, generally enforceable by court action rather than the County.

RESUBDIVIDE: The further division of lots or the relocation of lot lines of any lot or lots within a subdivision previously approved and recorded according to law; or the alteration of any streets or the creation of any new streets within any such subdivision, but not including conveyances made so as to existing lots by deed or other legal instrument.

RETAIL SALES: Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and may render services incidental to the sale of such goods.

RETAIL SERVICES: Establishments providing services or entertainment, as opposed to goods or products, to the general public for personal or household use.

RETENTION BASIN: A stormwater collection location in which the collected volume is primarily recovered via percolation through the basin floor. Recovery of available pond volume via evaporation and transpiration is negligible in comparison to the soil percolation rate.

REZONE: To change the zoning district classification of a particular lot(s) or parcel(s) of land.

RIGHT-OF-WAY: A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, and other similar uses.

RIPARIAN RIGHT: Rights of a landowner to the water on or bordering his or her property, including the right to make use of such waters and to prevent diversion or misuse of upstream waters.



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RIVER: A natural stream of water flowing in a more or less permanent bed or channel, between defined banks or walls, with a current that may be continuous in one direction or affected by the ebb and flow of the tide.

ROAD OR ROADWAY: Any public or private way used primarily for the movement of motor vehicles.

ROAD, PRIVATE: A road that has not been dedicated or accepted by a government agency, and where nongovernment entities own and are responsible for operation and maintenance.

ROOF: The outside top covering of a building or structure.

RUNOFF: Rainfall or stormwater, which flows across the natural or man-made surface of the earth.

RUN WITH THE LAND: A covenant or restriction to the use of land contained in a deed or other legal instrument and binding on the present and future owners of the property.

RURAL AREA: A sparsely development area, generally with a population density of less than 100 persons per square mile and where the land is primarily undeveloped or used for agricultural purposes.

S

SALE: The exchange of goods or property for money or some other consideration.

SANITARY LANDFILL: A site for solid waste disposal.

SANITARY SEWER: Pipes that carry domestic or commercial sewage and into which storm, surface, and ground waters are not intentionally admitted.

SATELLITE DISH: A parabolic or dish-shaped antenna or device that is designed for the purpose of receiving radio waves.

SCALE: (1) The relationship between distances on a map and actual distances on the ground;
(2) The proportioned relationship of the size of parts to one another.

SCALE OF DEVELOPMENT: The relationship of a particular development in terms of size, height, bulk, intensity, and aesthetics, to its surroundings.

SCHOOL: Any building or part thereof which is designed, constructed, or used for education or instruction in any branch of knowledge.

SCREENING: A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, landscaping, or natural vegetation.

SEA TURTLE: Any of various marine reptiles of the order Chelonia; normally of the Loggerhead variety in Okaloosa County.

SEAGRASS: An intertidal or subtidal marine plant that is affixed to the substrate including Tuttle grass, Manatee grass, Shoal grass, Widgeon grass, and Star grass.



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SEASONAL HIGH WATER TABLE: The elevation to which the groundwater can be expected to rise due to normal wet season. The engineer of record or appropriate soil scientist need to make a determination of the seasonal high water table based on engineering practices.

SEAWALL: A wall or embankment that acts as a breakwater along a shoreline generally used to prevent shoreline erosion.

SEDIMENTATION CONTROL: Any number of methods used to prevent the erosion of soil from a site including hay bales, screening, silt fences, or other similar means.

SELF-STORAGE SERVICE FACILITY: A structure containing separate, individual, and private storage spaces which may be of varying sizes leased or rented on individual leases for varying periods of time.

SEPTIC TANK: See ON-SITE SEWAGE DISPOSAL SYSTEM.

SETBACK: A specific distance between two defined, identifiable points.

SETBACK, BUILDING: An area defined within the boundaries of a lot or parcel of land within which no building may be located, except for accessory structures or appurtenant structures (i.e. exterior stairs, chimneys, etc.).

SEWAGE; The total of organic waste and wastewater generated by all residential and non-residential sources.

SEWER: A pipe or conduit used to collect and carry away sewage or stormwater runoff from the generating source to treatment facilities or receiving areas.

S.H.I.P PROGRAM: The State Housing Initiative Partnership program for Okaloosa County.

SHOP: (1) A small business usually engaged in the sale of specialty merchandise or services; (2) An accessory building where tools and equipment are stored and used.

SHORELINE: The point at which a body of water meets an adjacent upland usually defined by mean high water or ordinary low water.

SHRUB: A woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground; may be deciduous or evergreen.

SIDEWALK: A paved, surfaced, or leveled area, paralleling and usually separated from a street, used as a pedestrian walkway.

SIGHT TRIANGLE: A triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. Also known as a sight easement.

SIGNS: See Chapter 8.

SIGHT TRIANGLE: A triangular-shaped portion of land established at street intersections in which nothing should be erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the vision of motorists entering or leaving the intersection.



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SILVICULTURE: The care, cultivation, and harvesting of forest products.

SIMILAR USE: A use that has the same characteristics as the specifically cited uses in terms of the following: trip generation and type of traffic, parking and circulation, utility demands, environmental impact, physical space needs, and clientele.

SINGLE FAMILY DWELLING; A building containing one dwelling unit that is not attached to any other dwelling by any means, and which is usually surrounded by a yard.

SITE: Any lot or parcel of land or combination of contiguous lots or parcels of land.

SITE CLEARING: See LAND CLEARING.

SITE PLAN: A drawing or other graphic representation which depicts existing and proposed conditions of a lot or parcel including all proposed development and improvements to be developed consistent with this Code.

SITE PREPARATION: The act of making a site ready for development such as clearing, grading, filling or installing improvements.

SLOPE: The deviation of a surface from the horizontal, usually expressed in percent in percent or degrees.

SOIL: All unconsolidated mineral and organic material of whatever origin that overlies bedrock and can be readily excavated.

SOILS MAP: The official Soils Survey for Okaloosa County published by the U.S. Soil Conservation Service.

SOLID WASTE: Unwanted or discarded material, including waste material with insufficient liquid content to be free flowing.

SPECIAL EVENT: An event of special significance usually intended to attract large numbers of people and which is held for a specified (usually one week or less) duration of time.

SQUARE FEET: A measurement used to describe the total area of a lot or parcel of land usually determined by multiplying width by depth.

STANDING: The legal position or right of an aggrieved or adversely affected party, usually used in terms of a legal challenge to an action taken by the County.

START OF CONSTRUCTION: The point at which site preparation takes pace for a particular development after a Development Order has been issued.

STATE: The State of Florida.

STATE HIGHWAY SYSTEM: The system of roads and highways owned, operated, and maintained by the Florida Department of Transportation as described at Chapter 335, F.S.

STAY: To take no further action; hold in abeyance pending an outcome.

STORAGE SHED: An accessory building or structure where any number of products, materials, tools, supplies, or things are kept or stored.



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STORM SURGE: The rise of water above normal water level on the open coast due to a number of factors, including the action of wind stress on the water surface and the rise in water level due to atmospheric pressure reduction (s.62B-33.002(53),FAC).

STORMWATER: The flow of water, which results from, and which occurs immediately following, a rainfall event.

STORMWATER MANAGEMENT SYSTEM: The designed features of a property which collect, convey, channel, hold, inhibit, or divert the movement of stormwater (s62-25.020(15),FAC).

STORMWATER TREATMENT: The act of removing pollutants from stormwater runoff.

STORY: That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above it.

STREET: Any vehicular way that: (1) is an existing named or numbered state, county, municipal, or private roadway; (2) is shown on an approved plat; (3) provides access to more than two (2) lots intended for sale, or; (4) has been approved by other official action.

STREET, PAVED: A street surfaced with paving material such as asphalt products, concrete, or other similar hard surface.

STREET SYSTEM: The hierarchy of arterial, collector, and local streets that collectively provide for the movement of motor vehicles.

STREET, UNPAVED: A street which is not surfaced with paving material which is usually earth, clay, dirt, sand, or other similar unconsolidated material.

STRUCTURE: That which is built or constructed.

SUBDIVISION: The division of land into three (3) or more lots, parcels, tracts, tiers, blocks, sites, units, and any other division of land (hereinafter referred to as a "lot"); and may include the creation 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.

SUBDIVISION, PRIVATE: A subdivision within which street and drainage improvements are not dedicated to the County but are operated and maintained by a private entity.

SUBDIVISION, PUBLIC: A subdivision which street and drainage improvements have been accepted by and dedicated to the County.

SUBSTANTIAL DEVIATION: A significant change in the extent and scope of a development activity or other work authorized by an approved Development Order.

SUPERMARKET CENTER: A commercial building occupied by a supermarket and other businesses all under a continuous roof.

SURFACE WATER: Any natural or man-made water body where water is consistently present on the surface of the earth such as lakes, ponds, streams, rivers, bayous, bays, and oceans.



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SURVEY: (1) The process of precisely ascertaining the area, dimensions, and location of a piece of land; (2) a graphic representation drawn to scale of the location and characteristics of a piece of land.

SURVEYOR: A land surveyor licensed by the State of Florida.

SWALE: A depression in the ground that channels runoff.

SWIMMING POOL: A water-filled enclosure, permanently constructed or portable, having a depth of more than eighteen inches below the level of the surrounding land, or an above-surface pool, having a depth of more than thirty inches, designed, used, and maintained for swimming and bathing.

T

TAILWATER CONDITION: Depth of water at the point of discharge, immediately downstream from the discharge structure. It is expected that the engineer of record will need to make a determination of the tailwater conditions based on sound engineering practices.

TAP-ON: A connection onto a central water or sewer system.

TAX ROLL: The ad valorem (property) tax roll of Okaloosa County.

TEMPORARY STRUCTURE: A structure without any foundation or footings and that is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

TEMPORARY USE: A use established for a limited duration with the intent to discontinue such use upon expiration of a certain time period.

TENANT: An occupant of land or a premise, who occupies, uses, and enjoys real property for a fixed time, usually through a lease arrangement with the property owner and with the owner's consent.

THREATENED SPECIES: Plant and animal species listed by the federal government or State as "Threatened."

TIMBERLAND: Land where forest products are planted, cultivated, and harvested as a commercial source of wood.

TIMESHARE: The term "timeshare" shall be construed as described in Chapter 721, F.S.

TOPOGRAPHY: The ground surface or surface configuration of land.

TOPOGRAPHIC ELEVATION: A measurement used to express the height of land above mean sea level.

TOURIST: A person who is traveling for pleasure; a vacationer.



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TOWNHOUSE: A one-family dwelling unit in a row of at least three such units where each unit has its own front and rear access to the outside, no unit is located on top of or over another unit, and each unit is separated, by another unit by one or more vertical common fire-resistant walls.

TRAFFIC: The movement of motor vehicles on roadways.

TRAFFIC COUNT: A tabulation of the number of motor vehicles passing a certain point during a specified period of time.

TRAFFIC STUDY: A report based on engineering principles that provides an analysis of traffic conditions relative to a development project.

TREE: Any living, self-supporting, woody perennial plant which has a trunk diameter of no less than three (3) inches and normally grows to an overall height of no less than fifteen (15) feet.

TRIBUTARY: A stream, branch, creek, or river that flows into a larger body of water.

TRIP: A single or one-way motor vehicle movement either to or from a subject property or study area.

TRIP DISTRIBUTION: The measure of the number of vehicles or passenger movements that are or will be made between geographic areas.

TRIP ENDS: The total of trips entering and leaving a specific land use or site over a designated period of time.

TRIP GENERATION: The total number of vehicle trip ends produced by a specific land use or activity.

TRIPLEX: A building containing three dwelling units, each of which has direct access to the outside or to a common hall.

TURTLE SENSITIVE LIGHTING: The design and installation of lighting for buildings or structures that minimizes the disorientation of nesting sea turtles or turtle hatchlings.

U

UNDEVELOPED: Land in its natural state before development; unimproved land.

UPLAND: The dry area of a site; any non-wetland area.

URBAN DEVELOPMENT BOUNDARY: A designated service area described in the Comprehensive Plan within which urban characteristics and levels of service are to be maintained.

USE: The purpose or activity for which land or buildings are designed, arranged, or intended or for which land or buildings are occupied or maintained.

UTILITY EASEMENT: The right or right-of-way acquired by a utility or government agency to locate utilities, including all types of pipelines, telephone and electric lines, and similar devices.



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UTILITY, PUBLIC OR PRIVATE: (1) Any agency that, under public franchise or ownership, or under certificate of convenience and necessity, or by grant of authority by a governmental agency, provides the public with electricity, gas, heat, steam, communication, transportation, water, sewage collection, or other similar service; (2) a closely regulated enterprise with a franchise for providing a needed service.

V

VACATE: To relinquish or otherwise give up ownership or other legal interest in a right-of-way, easement, or plat.

VARIANCE: Permission to depart from the literal requirements of an ordinance.

VEGETATION: Natural or landscaped plants growing on a site.

VESSEL: Synonymous with boat as referenced in s.1(b), Art.VII of the State Constitution and includes every description of watercraft, barge, and air boat, other than a seaplane on the water, used or capable of being used as a means of transportation on water (Section 327.02(36), F.S.).

VESSEL RENTAL: A business where vessels are rented for operation without a licensed captain on board.

VETERINARY HOSPITAL: A place where animals are given medical care and where the boarding of animals is limited to short-term care incidental to the medical treatment.

W

WAIVER: Permission to depart from the requirements of an ordinance under certain specified conditions or circumstances.

WALL: (1) The vertical exterior surface of a building; (2) vertical interior surfaces that divide a building's space into rooms.

WAREHOUSE: A building used primarily for the storage of goods and materials.

WELL: Any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed when the intended use of such excavation is for the location, acquisition, removal, development, or artificial recharge of groundwater but does not include any well for the purpose of obtaining petroleum products.

WELL, PRIVATE: A well used to provide water to one or more consumptive users which is not part of a community or public water system.

WELL, PUBLIC: A well used to provide water to a community or public water system which usually requires a permit from the State.

WETLAND: The term "wetland" shall have the same meaning as given at Section 373.019(22), F.S.

WHEEL STOP: Permanent devices in a parking stall that block the front wheels of a motor vehicle.



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WHOLESALE TRADE: Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users; to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such companies as opposed to the general public.

WILDLIFE HABITAT: Land set aside for undomesticated, wild animal habitat.

Y

YARD: An open space that lies between the principal building or buildings and the nearest lot line. The minimum required yard as set forth in the Code is unoccupied and unobstructed from the ground upward except as may be specifically provided in the Code.

YARD, FRONT: A space extending the full width of the lot between any building and the front lot line and measured perpendicular to the building at the closest point to the front lot line.

YARD LINE: A line drawn parallel to a lot line at a distance therefrom equal to the depth of the required yard.

YARD, REAR: A space extending across the full width of the lot between the principal building and the rear lot line and measured perpendicular to the building to the closest point of the rear lot line.

YARD, SIDE: A space extending from the front yard to the rear yard between the principal building and the side lot line and measured perpendicular from the side lot line to the closest point of the principal building.

YOUTH CAMP: Any parcel or parcels of land having the general characteristics of a camp as the term is generally understood, used wholly or in part for recreational or educational purposes and accommodating five or more children under eighteen years of age for a period of, or portions of, two days or more and including a site that is operated as a day camp or as a resident camp.

Z

ZERO LOT LINE: The location of a building on a lot in such a manner that one or more of the building's sides rest directly on a lot line.

ZONING DISTRICT: A specifically delineated district within which uniform regulations and requirements govern the use, placement, spacing, and size of land and buildings.

ZOO: A place where animals are kept, often in a combination of indoor and outdoor spaces, and are viewed by the public.