



# LAND DEVELOPMENT CODE

## Appendix A Definitions

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## Appendix A Definitions

### A

**ABUTTING PROPERTY:** Any property that is immediately adjacent or contiguous to (adjoining), or immediately across any road or public right-of-way from the lot in question,

**ACCESSORY USE OR STRUCTURE:** A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

**ADMINISTRATIVE OFFICIAL:** The Director of Planning and Inspection or any other county department staff authorized to carry out the requirements of this code.

**ADULT ENTERTAINMENT ESTABLISHMENT:** A commercial enterprise which predominantly limits admission to "Adults Only" due to the sexual nature of its merchandise or entertainment. Such establishments shall include adult book stores, adult theater, and adult lounges with nude or semi-nude entertainers or employees. Reference Ordinance 88-26 for specific regulations regarding adult entertainment establishments.

**ADULT FOSTER HOME:** A full-time, family-type living arrangement, in a private home, under which a person or persons provide, on a nonprofit basis, services of room, board, personal assistance, general supervision, and health monitoring, as appropriate for the level of functional impairment, for three or fewer non-relatives who are aged or disabled adults placed in the home by the Florida Department of Children and Family Services.

**AFFORDABLE HOUSING:** "Affordable" means that monthly rents or monthly mortgage payments, including taxes and insurance, do not exceed thirty (30) percent of the amount representing the percentage of the area median income limits as determined by HUD, adjusted for family size.

**AGENT OF THE OWNER:** The person authorized to act as agent or representative of the owner shall be limited to architects, attorneys, engineers, surveyors, planners or persons having power-of-attorney to act.

**AGRICULTURAL LANDS:** Those lands in any agricultural use including forestry and aquaculture.

**AIRPORT, PRIVATE:** A private airport means an airport used primarily by the licensee but is available for use by invitation of the licensee. Aviation services may be provided if authorized by the Florida Department of Transportation (FDOT) and this Code. Public airports are defined in Section 3.03.01.

**ALLEY:** Any public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties where principal frontage is on a street, and having a right-of-way width of thirty (30) feet or less.

**AQUIFER:** An underground formation, group of formations, or part of a formation that is permeable enough to transmit, store or yield usable quantities of water.

**ARCHITECT:** A person duly licensed by the State of Florida to practice architecture or interior design.

**ARCHITECTURAL PLANTER:** A permanent container within which plantings may be placed to meet the requirements of this ordinance.

**ARTIFICIAL DRAINAGE SYSTEM:** Any canal, ditch, culvert, dike, storm sewer or other man-made facility which tends to control the surface flow of water.



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**AS-BUILT PLANS:** The amended site or construction plans specifying the locations, dimensions, elevations, capacities and capabilities of structures or facilities as they have been constructed,

**AUTHORIZED REPRESENTATIVE:** Any county employee authorized to carry out activities required by this ordinance.

### B

**BED AND BREAKFAST INN:** A house, or portion thereof, where short-term lodging rooms and meals are provided. The owner or resident manager of the inn shall live on the premises.

**BIOMEDICAL WASTE:** Any solid or liquid waste which may present a threat of infection to humans. The term includes, but is not limited to, non-liquid human tissue and body parts; laboratory and veterinary waste which contains human disease-causing agents; discarded disposable sharps; human blood, and blood products, and body fluids, and other materials which in the opinion of the Department of Family and Children Services represent a significant risk of infection to persons outside the generating facility. The term does not include human remains that are disposed of by persons licensed under Chapter 470, Florida Statutes.

**BIOMEDICAL WASTE GENERATOR:** A facility or person that produces or generates biomedical waste. The term includes, but is not limited to, hospitals, skilled nursing or convalescent hospitals, intermediate care facilities, clinics, dialysis clinics, dental offices, health maintenance organizations, surgical clinics, medical buildings, physicians' offices, laboratories, veterinary clinics, and funeral homes.

**BOARD OF COUNTY COMMISSIONERS:** The governing body of Okaloosa County, Florida. Also may be referred to as "County Commission" or "The Board."

**BOARDING HOUSE/ROOMING HOUSE:** An establishment, where meals, and/or lodging are provided for compensation:

- a. by prearrangement, but without limitations on time periods involved,
- b. with lodging for compensation other than in dwelling units.

**BOATHOUSE:** A structure which houses boats and related equipment. Maybe open or have enclosing walls.

**BOATYARDS:** An establishment for the hauling, repairing, painting, or manufacturing of vessels (boats), Also may include dock rentals, fuel sales, and sale of boats and related marine equipment.

**BREAKAWAY WALL (FRANGIBLE WALL):** A partition independent of supporting structural members that will withstand design wind forces, but will fail under hydrostatic, wave, and run-up forces associated with the design storm surge. Under such conditions, the wall will fail in a manner such that it disintegrates or breaks up into components that will minimize the potential for damage to life or adjacent property.

**BUFFER STRIP:** A strip of land utilized to separate and protect one type of land use from another; for example, a screen of planting or fencing to insulate the surrounding from the noise, smoke, or visual aspects of an incompatible zoning district or land use.

**BUILDING:** Any structure that encloses a space used for sheltering any use of occupancy, including a building in the course of construction, alteration or repair and a manufactured (mobile) home on a foundation.



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**BUILDING AREA:** The portion of a lot remaining after required yards have been provided.

**BUILDING SETBACK:** The minimum horizontal distance permitted between the front, side or rear of a structure for a building and the nearest property line. May be referred to as "yard."

**BULKHEADS (SEAWALLS):** Structural walls located in or near the water to prevent erosion caused by wind or wave action. May be used to prevent shoaling in channels or as a breakwater to stop wave action for mooring of vessels.

### C

**CAMPGROUND:** One or more buildings, structures, tents, trailers or camping vehicles together with the land, used as temporary living quarters for fifteen (15) or more persons, including children, whether or not rent is paid for space in connection with the use of the premises. A campground shall include all land utilized for the temporary housing of people for uses such as recreational, educational, commercial, and for temporary labor.

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

**COASTAL BUILDING ZONE:** The land area from the seasonal high-water line landward to a line fifteen hundred (1,500) feet landward from the Coastal Construction Control Line as established pursuant to s.161.053, and for those coastal areas fronting on the Gulf of Mexico, Atlantic Ocean, Florida Bay, or Straits of Florida and not included under s. 161.053, the land area seaward of the most landward Velocity zone (V-zone) line as established by the Federal Emergency Management Agency and shown on Flood Insurance Rate Maps. The Coastal Construction Code in Section 6.02.01 K applies to this land area.

**COASTAL CONSTRUCTION CONTROL LINE(CCCL):** The line established by the Florida Department of Environmental Protection, Bureau of Beaches and Shores, that defines the upland line of jurisdiction for D.E.P.'s coastal regulatory jurisdiction along the sandy beaches of the state which front on the Gulf of Mexico, Atlantic Ocean, and the Straits of Florida. CCCLs are established pursuant to Section 161.053, F.S. on a county by county basis.

**CODE ENFORCEMENT OFFICER:** Includes the Building Official, Building Inspectors, Fire Inspectors, and County Engineering Inspectors. For the purpose of this ordinance, "code enforcement officer" shall mean any authorized agent or employee of the county whose duty is to enforce and assure compliance with codes and ordinances of the county.

**COMMON AREAS:** Areas of land or water owned, controlled, maintained, and improved through an organization consisting of all individual owners of PUDs, residential or commercial subdivisions.

**COMMUNITY RESIDENTIAL HOME:** A dwelling unit licensed to serve clients of Florida Department of Family and Children Services, that provides a living environment for one-six (1-6) or seven-fourteen (7-14) community residential home residents who operate as the functional equivalent of a family, including such supervision and care by support staff as may be necessary to meet the physical, emotional and social needs of the residents pursuant to Chapter 419, Florida Statutes,

**COMMUNITY RESIDENTIAL HOME RESIDENT:** An aged person as defined in s. 400.618(3), Florida Statutes; a physically handicapped or disabled person as defined in s. 760.22 (7) (a), Florida Statutes; a developmentally disabled person as defined in s. 393.063 (11), Florida Statutes; a non-dangerous mentally ill person as defined in s. 394.455 (3), Florida Statutes; a dependent child as defined in s. 39.01 (14), Florida Statutes. Excluded are delinquent children,



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alcohol or drug abusers, and dangerous mentally ill persons,

**COMPREHENSIVE PLAN:** Okaloosa County Comprehensive Plan, Ordinance No. 90-1, as amended.

**CONCERNED AGENCIES:** County, state, federal or private agencies that would be involved in any phase of planning or construction as set forth in the provisions of this ordinance. Such agencies would be the County Health Department, County Public Works Department, Department of Environmental Protection, Department of Community Affairs, U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, etc.

**CONCURRENCY:** Means that the necessary public facilities (roads, sanitary sewer, solid waste, drainage, potable water, and parks and recreation) and services to maintain the adopted level of service standards are available when the impacts of development occur.

**CONDOMINIUM:** A condominium is a building or buildings on an undivided tract of real estate under single ownership and individual units are sold for business, residential, or industrial purposes using the condominium form of ownership and the project is also platted as a condominium in accordance with Florida Statutes,

**CONGREGATE LIVING FACILITY:** A facility providing assisted living for elderly and/or disabled persons that is operated and regulated as a residential environment with supportive services and not as a medical or nursing facility.

**CONSTRUCTION:** The placing of construction materials in a permanent position and fastened in a permanent manner.

**CONSTRUCTION AND DEMOLITION DEBRIS:** Discarded materials generally considered to be not water soluble and non hazardous in nature, including but not limited to steel, glass, brick, concrete, asphalt material, pipe, gypsum wallboard, and lumber, from the construction or destruction of a structure as part of a construction or demolition project or from the renovation of a structure, including such debris from construction of structures as a site remote from the construction or demolition project site. The term includes rocks, soils, tree remains, and other vegetative matter which normally results from land clearing or land development operations for a construction project; clean cardboard, paper, plastic, wood, and metal scraps from a construction project; effective January 1, 1997, except as provided in Section 403.707(13)(j), F.S., unpainted, non treated wood scraps from facilities manufacturing materials used for construction of structures or their components and unpainted, non-treated wood pallets provided the wood scraps and pallets are separated from other solid material where generated and the generator of such wood scraps or pallets implements reasonable practices of the generating industry to minimize the commingling of wood scraps or pallets with other solid waste; and de minimum amounts of other non-hazardous wastes that are generated at construction or demolition projects, provided such amounts are consistent with best management practices of the construction and demolition industries. Mixing of construction and demolition debris with other types of solid waste will cause it to be classified as other construction and demolition debris. SEE DEFINITION OF LANDFILLS.

**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. The Department Head of the Public Works Department.

**COUNTY PLANNING AND INSPECTION DEPARTMENT:** The staff of Okaloosa County Planning and Inspection Department.



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CROWN SPREAD: The distance measured across the greatest diameter of a tree.

### D

DATA AND ANALYSIS: Those documents which support the goals, policies and objectives of the Okaloosa County Comprehensive Plan, Ordinance 90-1.

DETENTION: The collection and storage of surface water for subsequent controlled discharge at a rate which is less than the rate of inflow,

DEVELOPED AREA: The portion of a plot or parcel of land, excluding public right-of-way, upon which a building, structure, pavement, landscape material, or other improvements have been placed.

DEVELOPMENT ACTIVITY: The commencing of clearing, grading, draining, site preparation or any other activity to prepare a site for roads, or buildings, or paving. This does not include running of utility lines across private property.

DEVELOPMENT, MAJOR: Any development which either (a) involves ten (10) dwelling units or more, (b) less than ten (10) dwelling units with infrastructure, (c) greater than ten thousand (10,000) square feet or more of commercial, (d) less than ten thousand (10,000) square feet of commercial with infrastructure, or (e) a tall structure project greater than one hundred (100) feet in height.

DEVELOPMENT, MINOR: Any development which either (a) involves less than ten (10) dwelling units with no infrastructure, (b) less than ten thousand (10,000) square feet of commercial with no infrastructure, or (e) a tall structure project less than one hundred (100) feet in height.

DEVELOPMENT ORDER: The final authorization of a development project; the authorization which must be granted prior to the issuance of a development permit. Development Orders include rezonings, special exceptions, Planned Unit Development and project approval granted by the Board of County Commissioners, Board of Adjustment or the Planning Commission,

DEVELOPMENT PERMIT: For purposes of this Code, a development permit is the official County document which authorizes the commencement of land alteration or construction. Development permits include all types of building, zoning and construction permits, sign permits and the like.

DISCHARGE POINT: The point of outflow of water from a project, site, aquifer, drainage basin or facility,

DOCKS (PIERS): Structures in and adjacent to the water used for mooring of vessels. Private docks are those which are privately owned and are not for rent and have a maximum of two (2) slips.

DRAINAGE SYSTEM: The system through which water flows; it includes all watercourses, water bodies, and wetlands.

DRIP-LINE: The outer perimeter of the crown of the plant.

DUNE: A mound, bluff or ridge of loose sediment, usually sand-sized, lying landward of the beach, and deposited by natural or artificial means.

DWELLING, DUPLEX: A building containing two (2) dwelling units.



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**DWELLING, MODULAR HOME:** A detached single family dwelling which complies with all the specifications of the Florida Manufactured Building Act of 1979, Chapter 553.35, and bearing the insignia of the Florida Department of Community Affairs, Division of Housing and Community Development.

**DWELLING, MULTI-FAMILY:** A building containing three (3) or more dwelling units on an undivided tract of real estate under the sole ownership of an individual, family, firm, association, organization, partnership, trust-company or corporation, The term includes rental apartments, cooperative apartments, residential condominiums, and the like,

**DWELLING, ONE-FAMILY DETACHED:** A one-family dwelling, including mobile homes, entirely separated from structures on adjacent lots.

**DWELLING UNIT:** A room or rooms connected together constituting a separate, independent housekeeping establishment, physically separated from any other rooms or dwelling units, and containing independent cooking, sleeping and bathing facilities.

### E

**EASEMENT:** Any strip of land created by a subdivider, government agency, or utility provider for public or private utilities, drainage, sanitation, or other specified uses having limitations, the title of which shall remain in the name of the property owner, subject to the right of use designated in the reservation of the servitude, Public utility includes any public or private utility, such as, but not limited to, storm drainage, sanitary sewers, electric power, water service, gas service, or telephone line, whether underground or overhead. Easement width shall not be greater than required to meet or satisfy the specified use or uses.

**ENGINEER:** A person duly licensed by the State of Florida to practice engineering.

**EROSION:** The wearing or washing away of soil (consolidated or unconsolidated material) by the action of wind or water.

### F

**FAMILY:** One (1) or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage no such family shall contain more than five (5) persons, but further provided, that up to three (3) servants employed on the premises may be housed on the premises without being counted as a family or families and not more than two (2) rooms may be occupied by a total of four (4) or fewer boarders, including roomers. For five (5) or more roomers or boarders, see boarding and rooming houses). The term "family" shall not be construed to mean a fraternity, sorority, club, or institutional group. In addition, a family may be constituted of one (1) or more persons, not related by blood or marriage, if the occupants are handicapped persons as defined in Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Act of 1988.

**FARM:** For the purposes of this ordinance, a farm is land used for the production of any food or fiber products,

**FENCE:** A barrier erected to screen, protect, control animals, or mark boundary of any open, area. Fences can be made of wood, metal, concrete, or similar type of material, or planted matter. Fences shall be installed in conformance with Chapter 7.01.01.

**FILLING STATION:** Building and premises where gasoline, oil, grease, batteries, tires, and



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automobile accessories may be supplied and dispensed at retail. Uses permissible at a filling station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operating condition, or other work involving noise, glare, fumes, smoke or other noxious characteristics. Sales of cold drinks, package foods, tobacco, and similar convenience goods for filling station's customers, as an accessory and incidental to principal operation, are allowed.

**FLOOD:** A temporary rise in the level of any water body, watercourse, or wetland which results in the inundation of areas not ordinarily covered by water.

**FRONTAGE:** The length of the front property line of the lot, lots, or tract of land abutting a public street, road, highway, or rural right-of-way.

### G

**GRADE:** The average finished ground level of the land around the building or structure.

**GROUND COVER:** Natural mulch or low growing evergreen plants other than deciduous varieties installed to form a continuous cover over the ground.

**GROUND WATERS:** Naturally remaining water beneath the surface of the ground, whether or not flowing through known and definite channels.

### H

**HEIGHT, BUILDING:** The vertical distance from grade to the highest finished roof surface in the case of flat roofs or to a point at the average height of the highest roof having a pitch, measured from the eaves to the ridge. Height of a building in stories includes basements, parking and storage areas.

**HEIGHT, STORY:** The vertical distance from top to top of two (2) successive finished floor surfaces,

**HEIGHT, WALL:** The vertical distance to the top measured from the foundation wall, or from a girder or other intermediate support of such wall,

**HOME OCCUPATION:** An accessory use of a service character customarily conducted within a dwelling by the resident thereof. Home occupations are permitted in all specified residential zoning districts, provided certain criteria are met upon review by the Planning and Inspection Department. Reference Chapter 7.02.01.

**HOMEOWNERS' ASSOCIATION:** An association of people who own homes in a given area, formed for the purpose of improving or maintaining the quality of the area. An association formed by a land developer or the builder of condominiums or Planned Unit Developments, The builder's participation, as well as the duties of the association, are controlled by Florida Statutes, Such non-profit associations are commonly formed pursuant to restrictive covenants or a declaration of restrictions.

**HOTEL, MOTEL:** An establishment where lodging is provided for compensation other than in dwelling units. Unless otherwise specified by district regulations, hotels may include restaurants, lounges, gift shops, and other customary uses open to both occupants and others. For purposes of these regulations, the term hotel shall be construed to include motel, motor court, motor inn, tourist court, motor lodge and similar facilities.



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### I

**IMMEDIATE FAMILY:** A group of related people limited to the grandparents, father, mother, sisters, brothers, spouse, sons, daughters and grandchildren of a person.

**IMPERVIOUS SURFACE:** A surface which has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. The term includes most conventionally surfaced streets, roofs, sidewalks, parking lots, and similar structures.

**INCINERATOR:** Any unit of any facility that combusts any waste material and is not categorized as a boiler or process heater.

### J

**JUNKYARD, SALVAGE OR WRECKING YARD:** Place, structure or lot where junk, waste, discarded, salvaged or similar materials such as old metals, lumber, glass, paper, rags, cloth, bagging, cordage, barrels, containers, etc., are bought, brought, sold, exchanged, baled, packed, disassembled, stored or handled; including used lumber and building material yards, house wrecking yards, heavy equipment wrecking yards and yards or places for the storage, sale or handling of salvaged house wrecking steel materials and also including the dismantling or disassembling of used motor vehicles, boats or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete, or wrecked vehicles or their parts.

### L

**LANDFILLS:** Landfills or solid waste disposal units are classified according to the amount or types of waste received

- a. **LANDFILL, CLASS I.** Landfills that receive an average of 20 tons or more of solid waste per day. Class I landfills receive general, non-hazardous household, commercial, industrial, and agricultural wastes, subject to the restrictions of Rules 62-701.300 and 62-701.520, F.A.C.
- b. **LANDFILL, CLASS II.** Landfills that receive an average of less than 20 tons of solid waste per day. Class II Landfills receive general, non-hazardous household, commercial, industrial, and agricultural wastes, subject to the restrictions of Rules 62-701.300 and 62-701.520, F.A.C.
- c. **LANDFILL, CLASS III.** Landfills that receive only yard trash, construction and demolition debris, waste tires, asbestos, carpet, cardboard, paper, glass, plastic, furniture other than appliances, or other materials approved by the Department which are not expected to produce leachate which poses a threat to public health or the environment. Class III landfills shall not accept putrescible household waste.
- d. **SEE DEFINITION FOR CONSTRUCTION AND DEMOLITION DEBRIS:**

**LAND SURVEYOR:** A person or duly registered by the State of Florida to practice land surveying.

**LANDSCAPE:** The placement of landscape material in the planting area in accordance with the requirements of the land development code, undisturbed areas of natural vegetation, or areas which maybe used for drainage.



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**LANDSCAPE MATERIAL:** Living plant material including trees, shrubs, vines, lawn grass, ground cover, landscape water features, and non-living durable material commonly used in landscaping including rocks, pebbles, sand, prairie film, brick pavers, earthen mounds, but excluding impervious surfaces for vehicular use.

**LOT:** A parcel of land of sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as are herein required, Lot includes tract or parcel and means the least fractional part of subdivided lands having limited fixed boundaries, and an assigned number, letter, or other name through which it may be identified. Such lot shall consist of:

- A. A single lot of record;
- B. A portion of a lot of record;
- C. A combination of complete lots of record, or complete lots of record and portions of lots of record, or portions of lots of record; or
- D. A parcel of land described by metes and bounds.

**LOT - CORNER:** A lot abutting upon two (2) or more streets at a street intersection, or abutting upon two adjoining and deflected lines of the same street.

**LOT DEPTH:** Depth of a lot shall be the distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rear-most points of the side lot lines in the rear.

**LOT - DOUBLE FRONTAGE:** A lot having two (2) non-adjointing property lines abutting upon a street or streets.

**LOT FRONTAGE:** The front of a lot shall be construed to be the portion nearest the street or streets. For the purposes of determining yard requirements on corner lots and double-frontage lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under "yard" in the Schedule of Dimensional Requirements.

**LOT - INTERIOR:** A lot other than a corner lot or a double frontage lot.

**LOT OF RECORD:** A lot which is part of a recorded subdivision or a Planned Unit Development, or a parcel of land which has been duly recorded with the Clerk of Court's Office of Okaloosa County and is identified on tax records dating prior to adoption of the Okaloosa County Comprehensive Plan, Ordinance 90-1 (July 10, 1990).

**LOT - REVERSE FRONTAGE:** A double frontage lot fronting on both a minor street and primary or collector street with access only permitted to the minor street. Rear access to the primary or collector street shall be prohibited by means of a non-access reservation strip or easement along the primary or collector street.

**LOT WIDTH:** Width of a lot shall be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the required front building setback line; provided, however, that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than eighty (80) percent of the required lot width except in the ease of lots on the turning circle of a cul-de-sac, where the eighty (80) percent requirement shall not apply.



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### M

#### MARINA

Commercial establishment for the rental of boat docks as a principal use. Fuel sales, repairs and sales of related marine and recreational equipment are allowed as accessory uses.

MANUFACTURED BUILDING (ALSO MODULAR BUILDING): A closed structure, building assembly, or system of subassemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service systems manufactured in manufacturing facilities for installation or erection, with or without other specified components, as a finished building or as part of a finished building, which shall include but not be limited to residential, commercial, institutional, storage, and industrial structures. This does not apply to mobile homes. Manufactured building may also mean, at the option of the manufacturer, any building of open construction made or assembled in manufacturing facilities away from the building site for installation, or assembly and installation, on the building site.

MEAN HIGH-WATER: The average height of the high waters over a nineteen (19) year period. For shorter periods of observation, it means the average height of water after corrections are applied to eliminate known variations and to reduce the result to the equivalent of a mean nineteen (19) year value. The mean high-water line along the shores of land immediately bordering on navigable waters is recognized and declared to be the boundary between the foreshore owned by the state in its sovereign capacity and upland subject to private ownership.

MEAN HIGH-WATER LINE: The intersection of the tidal plane of mean high-water with the shore.

MEAN LOW-WATER: The average height of the low waters over a nineteen (19) year period. For shorter periods of observation, it means the average height of water after corrections are applied to eliminate known variations and to reduce the result to the equivalent of a mean nineteen (19) year value.

MEAN LOW-WATER LINE: The intersection of the tidal plane of mean low water with the shore.

MITIGATION: An action or series of actions taken to alleviate, reduce, abate, or diminish impacts caused by a proposed or existing land use.

MOBILE HOME: Any residential unit constructed to the Federal Mobile Home Construction and Safety Standards, 42 USC ss. 5401 et seq, and rules and regulations promulgated by HUD and found in 24 CFR Parts 3280, 3282 and 3283.

MOBILE HOME PARK: A residential development on a parcel of land in one ownership providing rental space for three (3) or more mobile homes on a long term basis. May include recreation and service facilities for the tenants.

MOBILE HOME SPACE: A plot of ground within a mobile home park or mobile home subdivision designated for the accommodation of one (1) mobile home or travel trailer.

MOBILE HOME SUBDIVISION: A residential development designed for the accommodation of mobile homes on individually-owned lots or cooperative ownership, including recreation and open space areas held in common ownership, but not including developments serving tourist or vacation-oriented travel trailers, motor homes, campers and the like.



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### N

**NATURAL SYSTEMS:** Systems which predominately consist of or use those communities of plants, animals, bacteria, and other life systems which naturally occur on the land, in the soil or in the water.

**NON-CONFORMING USE:** A land or structure use that is inconsistent or does not conform to the regulations of the use district in which it is located.

**NON-RESIDENTIAL SUBDIVISION:** Subdivisions designed and used exclusively for nonresidential purposes.

**NON-TIDAL WATERS:** Waters not daily affected by the periodic rise and fall of the waters of the Gulf of Mexico, Choctawhatchee Bay, Santa Rosa Sound (Inter-coastal waters) and all of the bayous connected to the system. Non-tidal waters include all freshwaters of the rivers, lakes, and streams.

### O

**OPEN SPACE:** Undeveloped lands suitable for passive recreation or conservation uses.

### P

**PARK:** The word "Park" appearing on plats for subdivisions, PUDs and the like shall be construed to mean land dedicated for and suitable for recreation uses as defined in Chapter 163, F.S. and Chapter 93-5, F.A.C.

**PLANNED UNIT DEVELOPMENT:** A Planned Unit Development is land under unified control which;

- a. is planned and improved in a single development operation or a programmed series of development operations according to an approved development plan and development order which describes the provision, operation, and maintenance of such areas, their improvements, facilities, and services.

**PLAT:** A map or delineated representation of the subdivision of lands, being a complete exact representation of the subdivision and other information and may include the terms "replat," "amended plat," or "revised plat."

**PRINCIPAL STRUCTURE:** A building which is the primary use of the lot on which the building is located,

**PROFESSIONAL OFFICE:** Office space utilized for administering professional services. The term professional is limited in its application to physicians, lawyers, members of the clergy, registered architects and engineers, or other persons holding advanced degrees from accredited institutions of higher learning in the field in which they practice. The term is not here intended to include insurance adjusters, Realtors, real estate salesmen or persons engaged in trade or sales. In permitting professional offices as home occupations, and only as accessory uses, in certain districts, it is intended that such offices shall be subject to limitations placed on home occupations generally, but that only offices occupied by persons engaged in professions, as herein defined, shall be permitted.



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**PROJECT OF AREAWIDE IMPACT:** Any land development activity which contemplates the construction of a residential, office, shopping, recreational, or transient accommodation complex, or any combination thereof which, when completed, will include more than one hundred thousand (100,000) square feet in total floor area. This definition includes rental apartments, office building, shopping centers, motels and hotels,

### R

**RECEIVING BODY OF WATER:** Any water body, watercourse or wetland into which surface waters flow.

**RECHARGE:** The inflow of water into a project, site, aquifer, drainage basin or facility.

**RESIDENTIAL AIRPARK:** A residential airpark or fly-in community is a residential subdivision containing a private airport for the use of the owner(s) and invitees.

**RESTRICTIVE COVENANTS:** Agreements and restrictions placed on property, usually by deed, and filed in the Office of Clerk of Circuit Court for subdivisions, townhouses, condominiums and the like.

**RETENTION:** The collection and storage of runoff without immediate surface discharge to surface waters.

**ROADWAY:** That portion of the street right-of-way containing the street pavement and gutter used primarily as a channel for vehicular movement and secondarily as a drainage channel for storm water.

### S

**SCHOOL:** Private or public primary or secondary (K-12) facility in compliance with Chapter 232, F.S. This definition does not include technical, business, trade or vocational schools.

**SEDIMENT:** Solid material, whether mineral or organic, that is in suspension, is being transported, or has moved from its site of origin by air, water or gravity.

**SEDIMENTATION FACILITY:** Any structure or area which is designed to hold runoff water until suspended sediments have settled.

**SETBACK:** An area defined within the limits of a lot in which no building, other than accessory structures may be located, except as otherwise specified in this ordinance.

**SETBACK LINE:** A line generally parallel with and measured from the lot line defining the limits of a setback or yard.

**SEWER, PUBLIC OR COMMUNITY:** An approved sewage disposal system which provides a collection network and disposal system and central treatment facility for a single development, community or region.

**SEWER, ON-SITE:** A septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

**SHADE TREE:** Any self-supporting woody plant of a species that is well-shaped, well-balanced



# LAND DEVELOPMENT CODE

## Appendix A Definitions

and well-foliated which normally grows to a height of at least twenty-five (25) feet and normally develops an average mature spread of crown greater than twenty (20) feet in Okaloosa County, Florida.

**SHRUB:** A woody perennial plant differing from a perennial herb by its persistent and woody stems and from a tree by its shorter stature and habit of branching from the base.

**SIGN:** Outdoor advertising display by means of any letter, figure, character, mark, plane, point, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter, or illuminated service, which shall be so constructed, placed, attached, painted, erected, fastened, or manufactured in any manner whatsoever, so that the same shall be used for the attraction of the public to any place, subject, person, firm corporation, public performance, article, machine, or merchandise, whatsoever, and which is displayed in any manner whatsoever outdoors.

**SIGN, ON-SITE:** A sign relating in its subject matter to the premises on which it is located or to products, accommodations, service or activities on the premises. Free-standing signs are those which have structural support for the sign independent of support by buildings or other structures.

**SIGN, OFF-SITE:** A sign relating in its subject matter to a premises other than the premises on which it is located or to products, accommodations, service or activities available on premises other than on the site on which the sign is located, including signs erected in the conduct of the outdoor advertising business,

**SIGNS, NUMBER AND SURFACE AREA:** For the purpose of determining number of signs, a sign shall be considered to be a double display surface or display device containing elements organized, related and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign. The surface area of a sign shall be computed as including the entire area within a regular geometric form or combinations of regular geometric forms comprising all of the display area of the sign, and including all of the elements of the matter displayed. Frames and structural members shall be included in computation of surface area.

**SITE:** Any tract, lot or parcel of land or combination of tracts, lots or parcels of land which are in one ownership, or are contiguous and in diverse ownership where development is to be performed as part of a unit, subdivision or project.

**SPECIAL EXCEPTION:** A special exception is a use that would not be appropriate generally or without restriction throughout the zoning division or districts, but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such use may be permitted in such zoning district as special exceptions, if specific provisions for such special exception is made in any particular zoning district. The Board of Adjustment will hear and decide requests for special exceptions where required in this ordinance.

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

**STRUCTURE:** Anything constructed or erected with fixed location on the ground, measuring thirty (30) inches above natural grade, or attached to something having a fixed location on the ground. May be a building, mobile home, sign or billboard, gas or liquid storage tank, antenna, or tower.

**SUBDIVISION:** The platting of real property into three (3) or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land; may include establishment of new streets and



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## Appendix A Definitions

alleys, additions, and re-subdivisions, and, when appropriate to the context, may relate to the process of subdividing or to the lands of areas subdivided.

**SURFACE WATERS:** Rivers, lakes, streams, springs, impoundments and all other waters upon the surface of the earth, whether contained in bounds created naturally or artificially, shall be designated as surface waters until they disappear by infiltration or evaporation.

**SWALE:** A natural or manmade drainage pathway, which if manmade has a top width to depth ratio of the cross-section equal to or greater than six (6) to one (1) or side slopes equal to or greater than three (3) feet horizontal to one (1) foot vertical; and has a grade as flat as the topography and design conditions will allow; and contains contiguous areas of standing or flowing water only following the occurrence of rainfall or flooding; and is planted with vegetation suitable for soil stabilization; stormwater treatment, and nutrient uptake.

### T

**TEMPORARY USE:** A prospective use, intended for limited duration, to be located in a zoning district not permitting such use, and not continuing a nonconforming use or building,

**TIDAL WATERS:** Waters that are affected daily by the periodic rise and fall of the waters of the Gulf of Mexico and water connected such as the waters of Choctawhatchee Bay, Santa Rosa Sound (Inter-Coastal waters), and all of the bayous connected to the system.

**TOWNHOUSE:** A single-family dwelling unit constructed as part of a group of at least three (3) dwelling units with individual entrances. The group of dwelling units are contiguous, customarily owner-occupied (but also may be rented), and share common walls.

**TRAVEL TRAILER:** A recreational vehicle used for temporary housing by individuals and families during travel. This category includes campers, camping trailers, motorhomes, and smaller mobile homes (up to a length of twenty-eight (28) feet exclusive of *hitch*) capable of being towed by a passenger motor car.

**TRAVEL TRAILER PARK:** A development for the accommodation of tourists or vacationers on a short-term basis, providing rental spaces for individual trailers, campers, motorhomes, etc. May provide recreation and service facilities for the use of the tenants. Spaces are not individually owned.

**TREE, CANOPY:** A tree, either single stemmed or multi-stemmed (clump form) which has a height at planting of at least eight (8) feet and, if single stemmed, a diameter of at least two (2) inches (measured six (6) inches above grade) at the time of planting; and, is of a species which at maturity, can be expected to reach a height of at least thirty-five (35) feet.

**TREE, UNDERSTORY:** A tree, either single stemmed or multi-stemmed (clump form) which has a height at planting of at least five (5) feet and, if single stemmed, a diameter of at least one and one-quarter (1.25) inches (measured six (6) inches above grade) at the time of planting, and, is of a species which, at maturity, can be expected to reach a height of at least fifteen (15) feet.

### U

**UTILITY COMPANY:** Any public company engaged in providing a public service, such as water, electricity, wastewater disposal, telephone service or natural gas.



# LAND DEVELOPMENT CODE

## Appendix A Definitions

### V

**VARIANCE:** A quasi-judicial action approving, because of unusual or unique circumstance, a use of land, building, structure or property, which is otherwise restricted by this code. Variances may be authorized only for height, area, size of structure, or size of yards. Reference Chapter 11.

**VEHICULAR USE AREA:** Either an area designed or used for off-street parking or an area used for loading, circulation, access, storage, display, or traverse of property by vehicles, boats or construction equipment.

**VISUAL SCREEN:** A barrier of living or nonliving landscape material put in place for the purpose of separating and obscuring from view those areas so screened.

**VOLUME:** Occupied space, measured in cubic units.

### W

**WATER BODY:** Any natural or artificial pond, lake, reservoir, or other containment which ordinarily or intermittently contains water and which has a discernible shoreline.

**WATERCOURSE:** Any natural or artificial stream, creek, channel, ditch, canal, waterway, gully, ravine or wash in which water flows in a definite direction, either continuously or intermittently and which has a definite channel, bed or banks.

**WETLANDS:** Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

### Y

**YARD:** The open unoccupied space on a building lot situated between the front, rear, or side walls of a building and the nearest lot line. Yard may also mean setback or setback area.

### Z

**ZERO LOT LINE HOUSE:** A single-family attached or detached dwelling unit sited on one side lot line with zero side yard building setback, and a required side yard setback on the opposite side. These units are generally designed for owner occupancy, but may be rented. Zero lot line houses include patio houses, garden homes, townhouses, row houses, duplexes, and the like.