

Chapter 2 – DEFINITIONS ~~AND RULES OF CONSTRUCTION~~

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Chapter 2 – DEFINITIONS ~~AND RULES OF CONSTRUCTION~~

Section 200 ~~Section 201~~. Definitions.

Abandoned Sign. (See "Sign, Abandoned.")

Abandonment shall mean the visible or otherwise apparent intention of an owner to discontinue a structure, use of a structure, or lot; or the removal of the characteristic equipment or furnishings used in the performance of the use without its replacement by similar equipment or furnishings, or the replacement of a nonconforming use or structure by a conforming use or structure; for six (6) consecutive months.

Access Improvements (Impact Fees). (See "Impact Fees".)

Accessory Structure. (See "Structure, Accessory.")

Accessory Use. (See "Use, Accessory.")

Accounts (Impact Fees). (See "Impact Fees".)

Acroter shall mean a small pedestal placed on the top of a pedestal or post.

Addition shall mean any extension or increase in area or height of a building or structure.

Addition (To an Existing Building) shall mean any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load bearing wall other than a free wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load bearing walls shall be considered to be new construction.

Adjacent shall mean to have property lines, or portions thereof, in common or facing each other across a street, right-of-way or narrow water body.

Administrative Adjustment shall mean an administratively approved grant of relief from the requirements of this Code, specifically related to errors in yard measurements, front yard setbacks consistent with established neighborhoods, and errors of structure encroachments into county easements or rights-of-way.

Administrative Procedures (Impact Fees). (See "Impact Fees".)

Adult Day Care Center shall mean any building, buildings, or part of a building, whether operated for profit or not, in which is provided through its ownership or management, for a part of a day, basic services to three (3) or more persons who are 18 years of age or older, who are not related to the owner or operator by blood or marriage, and who require such services.

Adult Family Care Home - see *Residential Care Facility*

Adverse Impact shall mean any modification or effect which is or potentially may be harmful or injurious to human health, safety, welfare or property; to biological productivity, diversity, or stability; or which unreasonably interferes with the enjoyment of life or property, including outdoor recreation. The term includes direct, secondary and cumulative impacts.

Affordable shall mean that monthly rents or monthly mortgage payments including taxes and insurance do not exceed thirty (30) percent of that amount which represents the percentage of the median annual gross income for the households which are classified as a Low-Income household, Moderate Income household or a Very-Low Income household. However, it is not the intent to limit an individual household's ability to devote more than thirty (30) percent of its income for housing, and housing for which a household devotes more than thirty (30) percent of its income shall be deemed affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the thirty (30) percent benchmark.

Agent shall mean any person or firm authorized by a property owner to act on his behalf.

~~*Roadside Sale of Agricultural Products*~~ *Retail Stand* shall mean a structure used for the retail sale of fruit, vegetables, and other agricultural products accessory to the agricultural use which produced them.

~~Agricultural Activities Selected shall mean any commercial agricultural operation which falls within the definition of "Agriculture" in this Code, provided that no animal feedlots or stockyards, other than temporary facilities, are allowed.~~

Commented [LD11]: 1.Term not used in LDC

Agricultural Product Processing Plant shall mean the use of land, buildings or structures for the production of vegetable or fruit crops, and the sorting, grading, cooling, washing, and final packaging and shipping of such agricultural products. This term may include animal products production, however, this term shall not be deemed to include an animal farm, farm, ranch, or feedlot and stockyard.

Agricultural Research Facility shall mean any premises where the principal use is the experimentation, testing, planting, raising, or growing of agricultural flora or fauna for research purposes.

Agricultural Uses shall mean ~~the use of land for one or more of the following:~~ activities such as aquaculture, silviculture, livestock and poultry raising, cattle and animal grazing, cultivation crops and other commercial production for sale to others, including apiculture, aquaculture, floriculture, groves and orchards, horticulture, pasturing of animals, training or instruction of animals, sod farming, tree farming, viticulture, on-farm composting and similar activities. Preparation (sorting, washing, packing) and shipping or sale of value added goods made using products produced onsite shall be considered an agricultural use. Stables or Equestrian Centers, Public or Private, are deemed to be agricultural uses.

~~(A) The production of strawberries, tomatoes, vegetables or other food and grain crops; production shall include, as permitted accessory uses, the sorting, grading, cooling, washing or initial packing, including a conveyor system and shipping of the agricultural output;~~

~~(B) The production of nut trees, citrus and other fruit trees, vines and bushes; production shall include, as permitted accessory uses, the sorting, grading, cooling, washing or initial packing of the agricultural output and shipping;~~

~~(C) Pasture for cattle, horses, sheep, goats or other farm animals;~~

~~(D) Forestry, sod farms or other forms of food and fiber production for human and animal consumption, including tree farms;~~

~~(E) Greenhouses, nurseries, ornamental horticulture, and commercial flower/bulb growing;~~

~~(F) The raising, breeding, working and use of farm animals including dairies; animal farms, small animal specialty farms;~~

~~(G) Aquaculture; production shall include, as permitted accessory uses, the sorting, grading, cooling, washing or initial packing of the agricultural output;~~

~~(H) Beekeeping.~~

Agricultural Uses, Short Term shall mean agricultural uses projected to transition to urban or suburban development. New short term agricultural uses which are subject to development order approval shall be reviewed and conditioned, when appropriate, to ~~insure~~ ensure that such uses do not have adverse impacts on adjacent existing or future residential uses.

Airport ~~AIRPORT~~

Aircraft Landing Field shall mean a privately owned area of land or water, state licensed as a limited, temporary, or private airport under Chapter 330 Florida Statutes, which is used or intended to be used for the landing and taking off of aircraft, which provides limited size runways, required surfaces and any appurtenant areas that may be used for buildings or other aircraft facilities. ~~An aircraft landing field shall be used primarily by the licensee but is available for use by invitation of the licensee.~~

Commented [LD12]: 2.Moved to chapter 5.

Airport shall mean any State Licensed Federal Aviation Administration (FAA) approved airport within Manatee County.

Airport Elevation shall mean the highest point of the airport's usable landing area measured in feet above Mean Sea Level (MSL).

Airport Hazard shall mean any structure, tree or use of land ~~on or in the vicinity of an airport, which obstructs or causes~~ which exceed the federal ~~obstructions~~ standards as contained in 14 C.F.R., and which obstructs

~~to the air-space required for the flight of aircraft in taking off, maneuvering or landing or taking off at such airport, or is otherwise hazardous to such or taking off, maneuvering or landing of aircraft and for which no person has previously obtained a permit or variance pursuant to Chapter 333, Florida Statutes.~~

Airport Hazard Area shall mean any area of land or water upon which an airport hazard ~~such as any structure or tree or use of land over or in the vicinity of an airport, which obstructs or causes obstruction to the airspace required for the flight of aircraft in landing or taking off at such airport, or is otherwise hazardous,~~ might be established if not prevented ~~pursuant to Chapter 333, F.S.~~

Airport Height shall mean the height of the airport runway as designated by the Federal Aviation Administration (FAA).

Airport Obstruction shall mean any structure or object of natural growth or use of land which obstructs the airspace required for flight of aircraft in taking off, maneuvering or landing at an airport or which may otherwise be hazardous to the taking off, maneuvering or landing of aircraft at the airport.

Airport Proposal shall mean any new airport or any expansion, addition or amendment to an existing airport which increases the total length of available runway, square footage of structures or land area.

Airport, Private Use shall mean any privately owned state licensed airport which is used for the landing or departure of aircraft, other than a personal aircraft of the airport owner.

Airport, Public Use shall mean any publicly owned state licensed airport which is used for the landing or departure of aircraft.

Airspace Height shall mean the height limits as established in all zones set forth in this Code. Mean Sea Level (MSL) elevation shall be the datum unless otherwise specified.

Aviation Airport, Commercial shall mean any airport facility which is designed, constructed, or used for the operation of commercial air carriers and their passengers.

Climb Gradient shall mean any aircraft instrument departure procedure requiring adherence to a minimum climb slope or grade expressed in feet per nautical mile.

Heliport shall mean any area, either at ground level or elevated on a structure, licensed or approved for the landing and take-off of helicopters, and including auxiliary facilities such as parking, waiting room, fueling and maintenance equipment.

Helistop shall mean any designated landing area, but without auxiliary facilities such as parking, waiting room, fueling and maintenance equipment.

Minimum Descent Altitude (MDA) shall mean the lowest altitude to which descent is authorized on final approach or during circling to land maneuvering in execution of a Standard Instrument Approach (SIAP) where electronic glide slope is not provided.

Minimum En Route Altitude (MEA) shall mean the lowest published altitude between radio fixes that assures acceptable navigational signal coverage and meets obstruction clearance requirements between those fixes.

Minimum Obstruction Clearance Altitude (MOCA) shall mean the lowest published altitude between fixes on federal airways, off-airway routes, or route segments that meets obstruction clearance requirements for the entire route segment and assures acceptable navigational signal coverage within twenty-two (22) miles of an en route radio navigation aid.

Minimum Vectoring Altitude (MVA) shall mean the lowest altitude at which aircraft operating on Instrument Flight Rules (IFR) will be vectored by a radar controller, except when otherwise authorized for radar approaches, departures or missed approaches.

Non-Precision Instrument Runway shall mean a runway having an instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight in non-precision instrument approach procedure has been approved or planned, and for which no precision instrument approach facilities are planned or indicated on an appropriate civil or military airport planning document.

Commented [LD13]: 3. Updated definition to be consistent with Comp Plan and Sarasota Airport Regulations.

Commented [LD14]: 4. Updated definition to be consistent with Comp Plan

Non-Standard Take-Off Minimums shall mean conditions of existing weather required for take-off at an airport which exceeds the standards prescribed in Federal Aviation Regulations.

Other Than Utility Runway shall mean a runway that is constructed for and intended to be used by aircraft of a maximum gross weight greater than twelve thousand five hundred (12,500) pounds.

Precision Instrument Runway shall mean a runway having an instrument approach procedure established by the Federal Aviation Administration utilizing an Instrument Landing System (ILS), Microwave Landing System (MLS), or a Precision Approach Radar (PAR) including a runway for which such a system is planned as indicated on an approved airport layout plan or on any other airport planning document.

Utility Runway shall mean a runway that is constructed for and intended to be used by propeller driven aircraft of twelve thousand five hundred (12,500) pounds maximum gross weight and less.

Visual Runway shall mean a runway intended for the operation of aircraft using visual approach procedures with no instrument approach procedure planned or indicated on an approved layout plan, or on any other airport planning document.

~~Drinking Establishment shall mean any establishment devoted primarily to the retailing and on premises drinking or merely the on premises drinking of malt, vinous, or other alcoholic beverages. This shall also include any "bring your own bottle" or "bottle club".~~

Commented [LD15]: 5.Changed name to Alcohol Drinking Establishment

Alcoholic Beverage Establishment shall mean any use located in any structure or building or portion thereof which:

Commented [LD16]: 6.Added more detail based on Section 708.

A. Involves the retail sale of alcoholic beverages for consumption on the premises. This phrase does not include an accessory use which involves the retail sale of alcoholic beverages for consumption on-premises if the principal use is any of the following:

1. Restaurants of any size;
2. Hotels and motels meeting the requirements of F.S. § 561.20(2)(a)1;
3. Country clubs meeting the requirements of F.S. § 561.20(7)(b);
4. Private, civic and fraternal clubs located in non-residential zoning districts and meeting the requirements of F.S. §§ 561.20(7)(a) and 565.02(4); or
5. Performing arts centers meeting the requirements of F.S. § 561.20(2)(j), and theaters with live performances meeting the requirements of F.S. § 565.02(10); or
6. Stadiums.

B. Is a bottle club (bring-your-own-bottle).

~~Alley shall mean a narrow strip of land intended for vehicular traffic which has a minimum width of twenty five (25) feet, is and designed to give only main or secondary access, not principal access, to the side or rear of properties whose principal frontage and access is on a street, and is legally established to provide such secondary access.~~

Commented [LD17]: 7.[Minimum width is a standards and doesn't belong in definitions so was deleted from definition]

Alteration shall mean any change or modification.

Alteration of a Sign. (See ~~SIGNS~~ "Signs".)

Alternative Support Structure shall mean clock towers, steeples, light poles, buildings, or similar structures that may support telecommunication facilities.

Animal Boarding Facility. (See Animal Services (Wild and Exotic Animals-))

Animal Exhibits. (See ~~WILD AND EXOTIC ANIMALS~~ Animal Services ("Wild and Exotic Animals-"))

Animal Farm shall mean any facility or portion of any facility used for:

- A. ~~(A)~~-Pasturage, including but not limited to cow, horse, sheep, or goat grazing;
- B. ~~(B)~~-Dairying, including milk processing and distribution;
- C. ~~(C)~~-The raising of poultry or livestock; ~~and~~ or

~~D. (D)~~ The raising or breeding of any other animals primarily for the production of food or agricultural products. (See "Agriculture.")

~~Animal Product Processing Facility~~ shall mean the use of land, buildings or structures for the processing of animal products including the grading, cooling, washing, packaging and shipping of animal products and falls under the classification of Industrial, heavy. This term shall not be deemed to include an animal farm, farm, ranch, feedlot, stockyard or slaughterhouse.

~~Animal Services (Wild and Exotic Animals)~~ shall mean the boarding (temporary or permanent), rehabilitation, shelter, breeding, sale, and similar activities, of any Class I or II wildlife as listed in Section 68A-6.002, FAC, of the following species. For the purpose of this code, ~~This~~ this definition does not include zoo, animal exhibit and circus uses (See "Recreation, High Intensity").

Commented [LD18]: 8.Replaced lists of species with a reference to the FAC.

~~Animal Boarding Facility~~ shall mean any facility or portion of any facility used primarily for the accommodation, whether temporary or permanent, of Exotic and Wild Animals, for a fee.

~~Animal Exhibits~~ shall mean any use wherein live animals are kept in captivity for the purpose of public display with or without charge or for public sale. Animal Exhibits shall not be deemed to include zoos.

~~Animal Rehabilitation Center~~ shall mean any facility or portion of any facility used primarily for the treatment and temporary housing of sick, injured or orphaned animals, and the maintenance of permanently disabled animals, not for a fee. For the purpose of this definition, "animals" shall include any species of bird, mammal, or reptile.

~~Animal Shelter~~ shall mean any not-for-profit facility primarily designed to provide for the temporary accommodation, for not more than five (5) or more stray common household pets until more appropriate disposition of such pets can be made.

~~Breeding Facility—Wild and Exotic Animals~~ shall mean any facility or a portion of any facility used primarily for the breeding of Exotic and Wild Animals.

~~Pet Store, Wild and Exotic~~ shall mean any commercial retail use where wild and exotic animals are possessed, maintained, or sold for a fee.

~~Professional Staff (Wild and Exotic Animals)~~ shall mean employees of an animal facility especially qualified in the care and keeping of exotic and wild animals. Such persons shall have obtained a degree in zoo keeping, animal training or a related field from a State approved educational institution, or alternatively possess a minimum of three (3) years experience in the care, keeping, and husbandry of Exotic and Wild Animals.

~~Water Animal~~ shall mean amphibians, fish, or other marine or estuarine animals that meet the definition of exotic or wild animals under the provisions of this Code.

~~Wild and Exotic Animals~~ shall mean all wild or non-domestic birds, mammals, reptiles, fish or amphibians which are identified as Class I or Class II Wildlife or poisonous or venomous reptiles by the Game and Freshwater Fish Commission and which require Game and Freshwater Fish Commission permits for their possession or exhibition under Sections 372.86, 372.921, and 372.922, Florida Statutes, as further delineated through Title 39, Florida Administrative Code, which defines Class I and Class II Wildlife as follows:

~~Class I Wildlife:~~

- ~~(A) Chimpanzees~~
- ~~(B) Gorillas~~
- ~~(C) Gibbons~~
- ~~(D) Drills and mandrills~~
- ~~(E) Orangutans~~
- ~~(F) Baboons~~
- ~~(G) Siamangs~~
- ~~(H) Gelada Baboons~~
- ~~(I) Snow leopards~~

- ~~(J) Leopards~~
- ~~(K) Jaguars~~
- ~~(L) Tigers~~
- ~~(M) Lions~~
- ~~(N) Bears~~
- ~~(O) Rhinoceros~~
- ~~(P) Elephants~~
- ~~(Q) Hippopotamuses~~
- ~~(R) Cape Buffalo~~
- ~~(S) Crocodiles~~
- ~~(T) Gavials~~
- ~~(U) Black Caimans~~
- ~~(V) Komodo Dragons~~
- Class II Wildlife:
- ~~(A) Howler Monkeys~~
- ~~(B) Uakaris~~
- ~~(C) Mangabeys~~
- ~~(D) Guenons~~
- ~~(E) Bearded Sakis~~
- ~~(F) Guereza Monkeys~~
- ~~(G) Celebes Black Apes~~
- ~~(H) Indris~~
- ~~(I) Macaques~~
- ~~(J) Langurs~~
- ~~(K) Douc Langurs~~
- ~~(L) Snub-nosed Langurs~~
- ~~(M) Proboscis Monkeys~~
- ~~(N) Servals~~
- ~~(O) European and Canadian Lynx~~
- ~~(P) Cougars, Panthers~~
- ~~(Q) Bobcats~~
- ~~(R) Cheetahs~~
- ~~(S) Caracals~~
- ~~(T) African Golden Cats~~
- ~~(U) Temminck's Golden Cats~~
- ~~(V) Fishing Cats~~
- ~~(W) Ocelots~~

~~(X) Clouded Leopards~~
~~(Y) Coyotes~~
~~(Z) Gray Wolves~~
~~(AA) Red Wolves~~
~~(BB) Asiatic Jackals~~
~~(CC) Black-backed Jackals~~
~~(DD) Side-striped Jackals~~
~~(EE) Indian Dhols~~
~~(FF) African Hunting Dogs~~
~~(GG) Wolverines~~
~~(HH) Honey Badgers~~
~~(II) American Badgers~~
~~(JJ) Old World Badgers~~
~~(KK) Binturongs~~
~~(LL) Hyenas (all species)~~
~~(MM) Dwarf Crocodiles~~
~~(NN) Alligators, Caimans (except American Alligator and Spectacles Caiman)~~
~~(OO) Cassowary~~

In addition to the Class I and Class II Wildlife, the following animals shall be considered Wild and Exotic for purposes of land use regulation:

~~A. 1-~~ Primates collectively referred to as "prosimians," including but not necessarily restricted to lemurs, bushbabies, lorises and tarsiers.

~~B. 2-~~ Primates collectively referred to as "anthropoids," including but not necessarily restricted to New World Monkeys (cebids), Old World Monkeys (cercopithecids), gibbons and great apes.

[Animal Services \(Non-Wild and Exotic\) - see Pet Services](#)

[Animal Rehabilitation Center \(See ~~Animal Services \(Wild and Exotic Animals\)~~\)](#)

[Animal Shelter. \(See ~~WILD AND EXOTIC ANIMALS~~, ~~Wild and Exotic Animals~~, ~~Animal Services~~ and "Pet Services".\)](#)

[Animated Sign. \(See "Sign, Animated."\)](#)

[Antenna](#) shall mean any exterior apparatus designed for telecommunication and any other electronic communicating devices or services through the sending or receiving of electromagnetic waves. This term includes satellite dish antennas, utility pole mounted antennas, [amateur radio antennas](#), [antennas for the reception of television broadcasts](#), [antennas which provide telemetry for lift stations](#), [private mobile service](#), and antenna arrays.

[Apartment. \(See "Dwelling, Multi-family."\)](#)

[Appeal](#) shall mean any request for a review of a decision of an administrative determination of an official or employee of Manatee County.

[Application for Development Approval](#) shall mean a written request for approval of a proposed use and for issuance of a development order, including applications for approval of permitted uses, ~~conditional~~ [special permit](#) uses, rezonings, text amendments, and variances.

[Approved Agency](#) shall mean an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when such agency has been approved by the appropriate department or governmental agency having jurisdiction.

Aquaculture shall mean the cultivation of animal and plant life in a water environment. (See "Agriculture.")

Aquarium shall mean any facility or structure designed for the keeping of water animals, under the supervision of professional staff, for the purpose of public display, with or without a charge. (See "Recreational Use, High Intensity.")

Aquiclude shall mean a soils formation which contains water but cannot transmit it rapidly enough to furnish a significant supply to a well or spring.

Arterial shall mean a route providing service which is relatively continuous and of relatively high traffic volume, long average trip length, high operating speed, and high mobility importance. The primary purpose of arterials is to provide service to major traffic movements; access to abutting property is a subordinate purpose. An arterial street (or road) is also typically characterized by restricted parking, access control, signals at important intersections and stop signs on the side streets, and typically distributes traffic to and from collector streets or roadways. Existing roads classified as Arterial are indicated on the adopted Roadway Functional Classification Map. Roads which are built or proposed subsequent to the adoption of the Comprehensive Plan shall be initially classified as Arterial only by action of the Manatee County Department of Planning, following a recommendation from the Manatee County Department of Public Works, providing inter-urban or continuous intra-urban service between major population centers, with long average trip lengths.

Artificial Drainage System. (See "Drainage System, Artificial.")

Asphalt Processing or Manufacturing shall mean a plant utilizing sand, stone, shell, recycled asphalt or other materials, plus petroleum products, to produce asphalt to be used in roadway and other paving.

Assisted Living Facility (ALF) shall mean any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator. For the purpose of this code, small ALF facilities house up to fourteen (14) residents. Large ALF facilities house more than fourteen (14) residents.

Auction House, Enclosed shall mean an establishment where the principal use is the public or private sale of property or items of merchandise to the highest bidder within an enclosed building. ~~(This shall not be deemed to include Auction House, Auto).~~

Auction House, Open ~~Auto~~ shall mean an establishment where the principal use is the public or private sale of property or items of merchandise, including motor vehicles and/or recreational vehicles, to the highest bidder.

Automatic Teller shall mean any automated facility through which certain banking functions such as deposits or withdrawals can be completed. For the purpose of this Code, when automatic teller is listed as a separate use, it refers to a freestanding facility not a part of a bank or branch bank building.

~~*Automotive services, limited* means establishments primarily engaged in providing any of the following services: automobile stereo and cellular telephone sales and installation; auto detailing which may include washing, waxing and polishing by hand; pinstripping, window tinting, interior cleaning and carpet shampooing; rustproofing; sales and installation of car accessories such as car covers, car masks, sunroofs and louvers; automobile batteries, tires and brakes, sales and installation; automotive lubrication and fluid change operations which may include the replacement of engine oil, brake and transmission fluids, and filters; and diagnostic automotive center (tune-up clinics), which may include the testing, adjustment and replacement of spark plugs, points, condensers, coils, carburetors, fuel injectors, distributor caps, voltage regulators, fan belts and water hoses.~~

Average Grade shall mean a horizontal reference plane representing the average of finish ground surface elevations within and for a prescribed area.

Awning Sign. (See "Sign, Awning.")

Bank shall mean any financial institution engaged in deposit banking and closely related functions such as the extension of credit by means of loans, investments, and fiduciary activities. For the purpose of this Code, this use is classified as an Office.

Bank, Drive-Through shall mean any financial institution engaged in deposit banking and closely related functions, where the principal use is drive through banking. Not more than four (4) drive-through lanes may be considered

Commented [LDI9]: 9.Updated definition to be consistent with Comp Plan

Commented [LDI10]: 10.Replaces Group Care Homes.

Commented [AM11]: 11.Consider adding in Phase 2

accessory to the enclosed bank facility.

Banner. (See ~~SIGNS~~ "Signs".)

Base Flood. (See ~~FLOODPLAIN MANAGEMENT~~ "Floodplain Management".)

Base Flood Elevation (BFE). (See ~~FLOODPLAIN MANAGEMENT~~ "Floodplain Management".)

Basement shall mean any building story having a floor below grade.

Beach shall mean the zone of unconsolidated material that extends landward from the mean low waterline 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.

Beach and Shoreline Access Point shall mean ~~access to these~~ beaches and shorelines that are ~~publicly owned and are~~ suitable for ~~passive~~ recreation, boat launches or other use by the general public. Small, unsuitable access points ~~in environmentally sensitive areas are~~ shall not be considered beach and shoreline access points.

Beacon Light shall mean any light with one (1) or more beams having a wattage that exceeds seventy-five (75) watts and is capable of being directed at any direction or directions, capable of being revolved automatically, or capable of having any part thereof revolve automatically. Beacon light shall not be deemed to include any lights used to illuminate either directly or indirectly, a sign, airport, or seaport rotating beacon lights.

Bed and Breakfast shall mean any building of residential character or portion thereof which provides lodging with no more than eight (8) rental room units for transient occupancy on a daily or weekly basis, where food may be served family style and not from a menu.

Bedroom (Impact Fees). (See ~~IMPACT FEES~~ "Impact Fees".)

Bench Sign. (See "Sign, Bench.")

Benefit District (Impact Fees). (See ~~IMPACT FEES~~ "Impact Fees".)

Berm shall mean any mound of soil used for screening or landscaping purposes which is planted with trees, shrubs or ground cover to prevent erosion.

Best Management Practices shall mean the practices which are technologically and economically feasible in abating pollution generated by point and non-point sources, to a level compatible with water quality and quantity objectives of this Code (BMP list of approved practices by Board resolution for Special Overlay Districts—Evers Reservoir and Lake Manatee Watershed Areas).

Best Possible Technology shall mean the most advanced technology which provides the maximum protection possible for the public health, safety, and welfare and which minimizes to the greatest degree possible any adverse impacts from industrial uses, mining activities or major earthmoving activities, in the Special Treatment Overlay District. Best Possible Technology may include, but is not limited to: innovative reclamation techniques, augmentation of public water supplies that could be adversely affected by mining activities; construction of secondary containment structures or other measures to ensure against catastrophic failure of primary containment structures; construction of below grade slime ponds; elimination of mine site rock dryers; and zero point discharge; provided however, such requirements shall not be applied if the applicant demonstrates that they are technologically infeasible.

Board shall mean the Board of County Commissioners of Manatee County, Florida.

~~*Board of Zoning Appeals (BZA)* shall mean the body established by the Board pursuant to Section 303 of this Code.~~

Boarding House shall mean any building or establishment which provides two (2) or more lodging units for non-transient occupancy, which may provide dining room service; and which is subject to licensing by the Division of Hotels and Restaurants of the Florida Department of Business Regulations as a rooming or boarding house. A rooming or boarding house shall not be deemed to include a Hotel, Motel, Group Care Home, Recovery Home, Residential Treatment Facility, or any similar establishment. For the purpose of this Code, this use is classified as Group Housing.

Boat Dock. (See "Single Boat Docking Facility" and "Dock.")

Boat Livery shall mean any commercial establishment providing boat hauling or launching facilities, rental of covered

Commented [LDI12]: I2.Update d definition to be consistent with Comp Plan

Commented [LDI13]: I3.Section 303 was a reserved section. The Code does not have BZA mentioned in it in ch. 2. Does the County still have this board?

or uncovered boat slips or dock space, or enclosed dry storage space, rental or sale of boats or boat motors, repair and maintenance of boats or boat motors; or the sale of marine fuel or lubricants and accessory service uses, including onshore restaurants, hotels or motels, and sale of bait and fishing equipment. The term boat livery shall be deemed to include Marina, but shall not be deemed to include Boat Yard and Way. (See "Water Dependent Use"(if applicable).)

Commented [LDI14]: 14.Update d definition to be consistent with Comp Plan

Boat Yard and Way shall mean A premise or site used as an establishment for the provision of all such facilities as are customary and necessary to the construction, reconstruction, repair, or maintenance and accessory sale of boats, marine engines, or marine equipment, supplies, or services of all kinds including, but not limited to, rental of covered or uncovered boat slips, or dockspace or enclosed dry storage space, marine railways, listing or launching services. ~~any premise or site which is used as an industrial establishment for the provision of all such facilities as are customary and necessary to the construction and reconstruction of boats.~~ The term boat yard and way shall be deemed to include Boat Livery and Marina. (See "Water Dependent Use"(if applicable).)

Commented [LDI15]: 15.Update d definition to be consistent with Comp Plan

Breeding Facility—Non-Wild and Non-Exotic Animals shall mean any facility or a portion of any facility used primarily for the breeding of animals other than Exotic and Wild Animals. This definition ~~is deemed~~ does not to include the breeding of ~~dogs~~ common household animals. (See Kennels).

Breeding Facility—Wild and Exotic Animals. (See Animal Services~~Wild and Exotic Animals~~.)

Buffer, Roadway shall mean that area located within the required front yard of any nonresidential or multifamily lot, and adjacent to any right-of-way (public or private) that contains landscaping materials and/or fencing. The width of the roadway buffer is determined by whether or not the site is located within an entranceway on a collector or higher road.

Buffer, Screening shall mean a landscaped or fenced area providing residential and other low intensity land uses with protection from the visual, noise and other adverse impacts of more intensive land uses. (See Section 701745.)

Buffer, Wetland shall mean any upland area adjacent to a wetland that is necessary to protect the wetland and wetland species from the detrimental impacts of development or alteration. The buffer shall include canopy, understory, and groundcover, which consists of preserved existing vegetation or planted native species.

Buffer Yard is a landscaped strip along a parcel boundary that serves to separate uses and/or create attractive boundaries.

Buffer Zone shall mean the area which shields a natural community or protected species habitat by prohibiting development activities and the removal of native vegetation. (See Chapter 767.)

Building shall mean any structure that encloses a space used for sheltering any occupancy; including a gas or liquid storage tank, that is principally above grade; and shall include ~~manufactured~~ mobile homes. The term building shall not be deemed to include any "restricted vehicles."

Building Codes. (See "Manatee County Florida Building Codes.")

Building Footprint shall mean the two-dimensional area at grade level of a building as measured at the outer perimeter of the structure from the exterior surfaces of the exterior walls. Where a building is elevated above grade level, the building footprint is the area the building would cover if it were located at grade level. In the Parrish Commercial Village Overlay, the building footprint shall not include a one-story covered, unenclosed front porch; canopied patio; one-story gallery or walkway; porte-cochere, etc., even if covered by metal, asphalt, tile, or other permanent roof materials.

Building Frontage shall mean the length of an exterior wall of an establishment facing a street or any rights-of-way, exclusive of alleys and railroad rights-of-way.

Building Height. (See "Height, Building.")

Building Line shall mean a line intersecting the side lot lines of a lot and located parallel to the front lot line at the point closest to and at the farthest point from such front lot line where the principal structure or building is erected.

Building Materials Establishment shall mean any supplier of a wide variety of materials which enter into building construction which shall include but shall not be limited to carpentry including a lumberyard, masonry, painting, plumbing, electrical and heating.

Building Official shall mean the Building Official of the Building Division of the ~~Planning Department~~ Building and

[Development Services Department](#) of Manatee County, Florida.

Building Permit shall mean an official document or certification issued by the Building Official authorizing performance of a specified activity.

~~*Building Permit Review (BPR)* shall mean a review for compliance with building construction standards adopted by the County under Chapter 533, Florida Statutes, and does not include a review for compliance with Land Development Regulations.~~

Commented [LDI16]: 16.This chapter was repealed in 2000.

Building, Principal shall mean a building in which the principal, main, or primary use is conducted.

~~*Build-to line* shall mean a line stated as a setback dimension, along which a facade must be placed.~~

Commented [LDI17]: 17.Added at the request of staff.

Bulk Regulations shall mean the dimensional regulations set out in this Code.

Bus, Truck or Train/Railroad Maintenance Facility shall mean a facility where buses, trucks, railroad cars, railroad engines and other associated equipment is cleaned, maintained and upgraded. This shall not be deemed to include any manufacturing, fabrication or other manufacturing type uses.

Bus Terminal shall mean any area or building where buses stop to load and unload passengers, cargo, or luggage on a regular basis. The sale of tickets may occur in conjunction with this use.

Business Service shall mean any establishment offering primarily services to the business community and to individuals. Such services shall include but shall not be limited to advertising agencies, blueprinting services, interior cleaning services, computer and data processing services, detective agencies and security services, insurance agencies, management consulting and public relations services, news syndicates, personnel services, photofinishing laboratories, photography, art and graphics services, financial services (other than banks), ~~and printing services with no use or storage of noxious chemicals apparent off-site -(printing services using noxious heavy-chemicals are classified as an Intensive Service Light Industrial).~~

Caliper shall mean a measurement of the diameter of the tree trunk measured six (6) inches above grade for trees under four (4) inches in diameter and one (1) foot above grade for trees greater than four (4) inches in diameter.

Camouflaged Tower shall mean any telecommunication tower that due to design or appearance hides, obscures, or conceals the presence of the tower and antennas. Towers which have been painted shall not be considered "camouflaged."

Canopy Sign. (See "Sign, Awning.")

Canopy Tree. (See "Tree, Canopy.")

Capital Improvement shall mean physical assets constructed or purchased to provide, improve or replace a public facility, and which are large scale and high in cost. The cost of a capital improvement is generally non-recurring and may require multi-year financing. For the purpose of this Code, physical assets which have been identified as existing or projected needs in the individual Comprehensive Plan elements shall be considered capital improvements.

Capital Law Enforcement Facilities (Impact Fees). (See ~~IMPACT FEES~~ "Impact Fees".)

Capital Public Safety Facilities (Impact Fees). (See ~~IMPACT FEES~~ "Impact Fees".)

Capital Public Facility Standards (Impact Fees). (See ~~IMPACT FEES~~ "Impact Fees".)

Capital Transportation Facilities (Impact Fees). (See ~~IMPACT FEES~~ "Impact Fees".)

Capture and Diversion Rate (Impact Fees). (See ~~IMPACT FEES~~ "Impact Fees".)

Carport, Attached shall mean an open sided or semi-enclosed shelter intended primarily for the storage of vehicles, which has at least one wall in common with a residence or other main building and has a permanent roof. ~~(See Section 604.7.3.5).~~

Carrier or Cellular on Wheels (COW) shall mean a portable PWSF that can be moved to a location and set up to provide wireless communication service on a temporary or emergency basis. A COW is ordinarily mounted on or towed by a vehicle or trailer and often contains a telescoping boom as the antenna support structure.

Car Wash, Full Service shall mean any facility providing complete car washing and cleaning services. Car washing is

generally automatic, with the driver leaving the car during the washing procedure. Waxing and detailing may also be provided.

Car Wash, Incidental shall mean any automated car wash which is incidental to the sale of fuel, and characterized by an automatic wash which requires the driver to remain in the vehicle during operation. The facility may be an attached or a free standing structure.

Car Wash, Self Service shall mean any facility providing stalls with water, soap, wax or other materials for cleaning vehicles by individuals.

Catering Service. (See "Food Catering Service.")

Cemetery shall mean one of the following:

- A. ~~(A)~~ Human—Land used or intended to be used for the burial of the human dead and dedicated to cemetery purposes, including crematories, mausoleums, and mortuaries, if operated in connection with and within the boundaries of such cemetery; or
- B. ~~(B)~~ Pet—Land used or intended to be used for the burial of animals in individual burial plots or a mausoleum, dedicated to cemetery purposes.

Centerline shall mean a line lying midway between the side lines of the rights-of-way or a street.

Certificate of Appropriateness shall mean a written document ~~issued pursuant to Section 514 of this Code,~~ permitting specified alterations, demolition, or other work to a designated historic landmark or for a building within a designated historic landmark district.

Certificate of Completion shall mean one of the following certificates:

- A. ~~1-~~A Certificate other than a Certificate of Occupancy that is issued upon the satisfactory completion of a building, structure, electrical, gas, mechanical or plumbing system. ~~This Certificate is proof that a structure or system is complete and, for certain types of building permits, is released for use and may be connected to a utility system. This Certificate does not grant authority to occupy or connect electrical service to a building, such as a shell building, prior to the issuance of a Certificate of Occupancy. This Certificate is issued by the Building Official; or~~
- B. ~~2-~~A Certificate issued for subdivisions under [Chapter 3](#)~~Section 328910~~; or
- C. ~~3-~~A Certificate that is issued for site plans and other development approvals upon the satisfactory completion of a project. This Certificate is issued when no building permit or Certificate of Occupancy is required.

Certificate of Occupancy shall mean a document issued by the ~~Department Director~~ [Building Official](#) allowing the occupancy or use of a building and certifying that the structure or use has been constructed in compliance with all applicable County codes and ordinances.

Certificate of Use Compliance shall mean the Certificate of Use and Density/Intensity Compliance under the provisions of the Comprehensive Plan and this Code.

Change of Use shall mean any change, modification or alteration of the use of any structure, lot, or building from one defined use to another. In instances where the specific use is not defined, the defined use closest to that of the specific use shall be used.

Changeable Copy Sign. (See "Sign, Changeable Copy.")

Church or Other Place of Worship shall mean any premises operating as a non-profit organization and used principally as a place of worship and religious education, which shall include, but shall not be limited to chapels, [funeral chapels](#), temples, and synagogues. A church shall not include any Group Housing. A church may also include one (1) accessory dwelling unit for exclusive use of the pastor, priest, rabbi or other church leader.

~~*Child Day Care Center*~~ shall mean any establishment that provides, on a regular basis, supervision and care for six (6) or more ~~persons~~ [children](#) unrelated to the operator and which may or may not receive a payment, fee or grant for any of the ~~persons~~ [children](#) receiving care, wherever operated, and whether or not operated for profit. A ~~Day Care Center~~ shall not be deemed to include: public [and non-public schools](#), ~~private schools which are in compliance with the compulsory school attendance law, Chapter 232~~ [and their integral programs, except as](#)

Commented [LDI18]: 18.Moved to Chapter 3.

Commented [LDI19]: 19.Change d name for consistency with Florida Statutes.

provided in [Section 402.3025](#), Florida Statutes; summer camps having children in fulltime residence; summer day camps; ~~or~~ Bible schools normally conducted during vacation periods; and operators of transient establishments, as defined in chapter 509, F.S. which provide child care services solely for the guests of their establishment or resort, provided that all child care personnel of the establishment are screened according to the level 2 screening requirements of chapter 435, F.S. The term shall include but shall not be limited to, kindergartens, nurseries, nursery schools, and day nurseries. A Child Day-Care Center shall fall under one of the following categories:

A. ~~(A)~~ Small—6 to 50 persons.

B. ~~(B)~~ Medium—51 ~~to 100~~ or more persons.

~~(C) Large—101 or more persons.~~

Child Day-Care Facility Center, ~~(Accessory)~~ shall mean any day-child care facility used in conjunction with any church, school, private community use, or cultural facility. A day-child care facility built in conjunction with any other professional, commercial, industrial or retail use shall not be deemed an Accessory Day-Child Care Facility Center ~~(Accessory)~~.

Circus or Circus Exhibition shall mean a permanent facility or temporary, traveling facility where wild and exotic animals are displayed or exhibited to the public during scheduled performances under the supervision of Professional Staff, primarily for commercial, entertainment purposes. (See "[High-Intensity-Recreation Use, High Intensity.](#)")

Civic, Social and Fraternal Organizations/Clubs shall mean any recreational or social use, owned, organized and operated by a profitable or non-profit organization, where membership is limited to bona fide members paying dues or to the residents of nearby residential areas. Food, meals, and beverages may be served on the premises, provided adequate dining room space and kitchen space is available.

Clearing shall mean the removal of trees that have a two-and-one-half (2½) inch diameter breast height or greater. The term shall not include grubbing, the removal of brush, or the ordinary mowing of grass.

Clinic shall mean any establishment where patients, who are not lodged overnight except for observation or emergency treatment, are admitted for examination and treatment by one (1) person or group of persons practicing any form of healing or health building services to individuals, whether such persons are medical doctors, chiropractors, osteopaths, chiropodists, naturopaths, optometrists, dentists, or any such profession, the practice of which is lawful in the State of Florida. The term clinic shall not be deemed to include Veterinary Clinics, Hospitals, ~~Residential Care Facilities~~ or Personal Service Establishments.

Clinic, Veterinary. (See "Veterinary Clinic.")

Cluster Development. (See "Development, Cluster.")

Coastal Evacuation Area (CEA) shall mean the evacuation Level A for a Category 1 hurricane as established in the regional hurricane evacuation study applicable to Manatee County, as updated on a periodic basis.

Coastal High Hazard Area (CHHA) shall mean The geographic area below the Category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model, pursuant to applicable law, as updated on a periodic basis, ~~those portions of The County which lie seaward of the five (5) foot Mean Sea Level topographic contour (the predicted average storm surge height for a Class 1 storm) and which have either historically experienced destruction or severe damage by tidal or wave action, or which have been scientifically predicted to experience destruction or severe damage from storm surge, waves, erosion, or other manifestation of rapidly moving or storm driven water. Notwithstanding the foregoing, this area shall also include all areas within Manatee County's jurisdiction where public facilities have been damaged or undermined by coastal storms, FEMA designated velocity zones (V-zones), areas seaward of the coastal construction control line as established by the Florida Department of Environmental Protection pursuant to Chapter 161, Florida Statutes, and inlets which are not structurally controlled. The CHHA shall consist of two (2) sub-areas. The first sub-area, the Federal Emergency Management Agency's V-zone, is that area subject to direct wave action during storm events and is shown on the most current Flood Insurance Rate Maps (FIRM) for the County. The second sub-area is the area predicted to be subject to other manifestations of storm driven water, and may be referred to as the flood zone. This area is predicted to be subject to coastal flooding during Category 1 hurricane and is defined as that area seaward of the five (5) foot contour and not within the V-zone. The subareas of the CHHA may be treated differently for the purpose of establishing policy for the CHHA.~~

Commented [LDI20]: 20.Was originally called private community uses. "residents of nearby areas deleted per CAO comments. Last sentence moved to Chapter 5.

Commented [LEA21]: 21.Added definition from comp plan.

Commented [LDI22]: 22.Update d according to Comp Plan definition

Coastal Planning Area (CPA) shall mean those portions of Manatee County which lie within the Hurricane Vulnerability Area (evacuation levels A, B, and C) as updated on a periodic basis. This area shall also include water and submerged lands of oceanic water bodies or estuarine water bodies; shorelines adjacent to such water bodies; coastal barriers; living marine resources, marine wetlands; water-dependent or water-related facilities on oceanic or estuarine waters; public access facilities to oceanic beaches or estuarine shorelines; and all lands adjacent to such occurrences where development activities would impact the integrity of the above mentioned land or water body.

Commented [LEA23]: 23.Added definition from Comp Plan.

Code shall mean this Land Development Code.

Collapse Zone. See "Falldown Radius."

Collector, Major shall mean a route A route providing service which is of relatively moderate average traffic volume, moderately average trip length, and moderately average operating speed. Traffic movement is a priority but there is a higher degree of land access than with an arterial road, allowing such a route to collect and distribute traffic between local roads or arterial roads and serve as a linkage between land access and mobility needs. A collector street (or road) is also one which typically collects traffic from local streets and which generally connects with Arterials, as defined herein, providing linkage to arterials or other major collectors or major traffic generators and which is relatively continuous through urban areas.

Commented [LDI24]: 24.Update d definition to be consistent with Comp Plan

~~*Collector, Minor* shall mean a route providing linkage to major collectors, minor collectors, and arterials or high traffic generating land uses.~~

College. (See "School, College/University.")

Collocation shall mean the placement of a second or subsequent wireless antenna on an existing telecommunication tower or existing structure. The term includes the ground, platform or roof installation of equipment enclosures, cabinets or buildings, and cables, brackets, and other equipment associated with the location and operation of the antennae.

Co-location shall mean the ability to use or the use of a common telecommunication facility by more than one (1) telecommunication service provider, or more than one (1) type of telecommunications technology by one (1) provider.

Combination Sign. (See "Sign, Combination.")

Commercial Parking. (See "Parking, Commercial.")

Commercial Vehicle shall mean any motor vehicle (including mobile homes or recreational vehicles) that qualifies as one of the following:

- A. ~~(A)~~-Is designed, altered or used principally for business, governmental, institutional, or non-profit organizational purposes; ~~or~~
- B. ~~(B)~~-Has a platform, cabinet, box, rack, compartment, or other facility for transportation of materials, equipment, and items other than the personal effects of private passengers or for carrying passengers for hire; ~~or~~
- C. ~~(C)~~-Conspicuously displays the name or other advertising of the business, agency or organization on the exterior thereof, resulting in a total of more than six (6) square feet of sign area on the vehicle; ~~;~~
- D. ~~(D)~~-Is designed to carry passengers for hire; or
- E. ~~(E)~~-Has a rated gross payload of three-quarter (¾) ton or greater. ;
- ~~(F) Commercial vehicles shall not be deemed to include any manufactured homes or recreational vehicles.~~

Common Household Pet. (See "Pet, Common Household.")

Common Improvement shall mean all streets, driveways, parking areas and other vehicular use areas, and all uses, facilities, structures, buildings, and other improvements, or portions thereof, which are designed and provided for the common use, benefit, and enjoyment of all residents or occupants of all or a designated portion of a development or neighborhood, or for the protection of adjacent property.

Common Open Space. (See "Open Space, Common.")

Common Ownership. (See "Ownership, Common-")

~~*Community Residential Home.* A dwelling unit licensed to serve clients of the Department of Elderly Affairs, the Agency for Persons with Disabilities, the Department of Juvenile Justice, or the Department of Children and Family Services or licensed by the Agency for Health Care Administration which provides a living environment for 7 to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents. Homes of six (6) or fewer residents shall be deemed a single-family unit and a non-commercial, residential use. For the purpose of this Code, Adult Family Care Homes, as defined in the Florida Statutes, are deemed to be Community Residential Homes.~~

Commented [LEA25]: 25.From Sec. 419.001, Florida Statutes. Previously known as Family Care Homes in the County. Simplified to avoid needing to change agency/departments' names.

~~*Community Residential Home Resident.* A frail and elderly person, a physically disabled or handicapped person, a developmentally disabled person, a non-dangerous mentally ill person or child as defined by Florida Statutes.~~

Commented [LEA26]: 26.419.001, FS.

Compactor shall mean a container ranging from five (5) to forty (40) cubic yards in size, in which wastes are compressed to reduce their volume and are stored for disposal.

~~*Compatibility* shall mean not having significant adverse impact as defined by specific goals, objectives, or policies within the Comprehensive Plan. Also, with limited variation from adjacent uses in net density, in type and use of structures (unless highly complementary), and with limited variation in visual impact on adjacent land uses. Compatibility may be achieved through the use of mitigation measures.~~

Commented [LEA27]: 27.To be addressed in phase 2.

Comprehensive Plan shall mean the Manatee County Comprehensive Plan adopted pursuant to the requirements and authority of Chapter 163, Part II, Florida Statutes (the "~~Local Government Comprehensive Community Planning and Land Development Regulation Act~~") ~~as adopted by Ordinance No. 89-1 and as may be amended from time to time.~~

~~*Conditional Use.* (See "Use, Conditional.")~~

Commented [LEA28]: 28.The LDC uses the term "conditional use" to refer to uses that have additional standards in section 704. This can be confusing as most communities use the term to refer to uses that require public hearing. The new LDC will refer to the uses subject to additional standards as "specifically regulated uses".

Conservation Area shall mean any area that has been set aside for environmental protection through conservation easements, dedicated open space, or other legal mechanism.

Consistent shall mean in accordance, in compliance, in agreement, and to the same extent as.

Construction shall mean any manmade change to improved or unimproved real estate, which shall include but shall not be limited to: buildings or other structures, mining, dredging, filling, grading, paving, or excavation.

Construction Drawing shall mean the drawing(s) showing the location, elevations, dimensions, and materials of improvements and facilities to be installed in a development.

Construction Service Establishment shall mean any premises which may contain outside storage of equipment, materials, vehicles and other items, where the principal use is the provision of services off the premises that directly result in the fabrication, construction, addition, alteration, repair or development of land, buildings or other structures. Construction Service Establishment shall also mean an establishment whose principal use is the retail and retail/wholesale sales of heavy equipment over one and one-half (1½) tons in size. This equipment shall include, but not be limited to bulldozers, backhoes, other construction equipment and tractor/trailer rigs. For the purpose of this code, this use is classified as *Equipment Sale, Rental, Leasing, Storage and Service*, if there is equipment stored on the site, or as *Office* if there is no equipment involved.

Construction Sign. (See "Sign, Construction.")

Contiguous shall mean adjoining or separated by no more than a street, railroad, canal, stream, or similar feature.

Control Structure shall mean any structure designed to control the volume of stormwater runoff that passes through it during a given time period.

Convenience Retail. (See "Retail, Convenience.")

Correctional Facility shall mean any facility used for the housing of persons convicted of or being held for a crime. A correctional facility ~~shall be considered as one of the following~~ may be:

A. ~~(A) Major Facility.~~ A prison facility regulated by the State of Florida Department of Corrections designed for maximum security to house persons convicted of a crime, ~~or~~

~~B. (B) Community Facility~~—A facility designed to house persons convicted of a crime, or for the custody of persons arrested for a crime and awaiting adjudication. Such facilities shall include community correctional centers, probation and restitution centers, vocational training centers and forestry camps (all as defined by the State of Florida Department of Corrections), or local government jails or detention centers.

Cost (Floodplain Management). See Floodplain Management.

County shall mean Manatee County, Florida, a political subdivision of the State of Florida.

County Capital Facilities (Impact Fees). (See ~~IMPACT FEES~~ "Impact Fees".)

~~County~~ *Impact Fee Administrator (Impact Fees)*. (See ~~IMPACT FEES~~ "Impact Fees".)

County Impact Fee Funds (Impact Fees). (See ~~IMPACT FEES~~ "Impact Fees".)

Critical Habitat shall mean viable areas of habitation for Endangered and Threatened species as confirmed by appropriate jurisdictional agency documentation, or by reports which may be submitted by an applicant requesting a development order on a site containing an area of such habitation by Endangered or Threatened species. The extent of these areas shall have a definitive boundary which may vary in extent based upon the individual species, e.g., bald eagle's nest or pond harboring a protected turtle.

Cul-de-Sac shall mean a minor local street, one (1) end of which is closed and consists of a non-symmetrically shaped circular space for turning around vehicles, and designated either as a left cul-de-sac which indicates that the turning is mostly accomplished on the left portion of the center of the turning area, when looking at the subject space from the open end of the street; as a right cul-de-sac which indicates that the turning is mostly accomplished on the right portion of the center of the turning area, when looking at the subject space from the open end of the street. (See also "Turnaround.")

Cultural Facility shall mean the use of land, buildings, or structures to provide educational and informational services to the general public, which shall include but shall not be limited to art galleries, museums, libraries, conference and convention centers which do not include hotels.

Dam or Dike shall mean a barrier erected to impound or restrain the flow of water or fluid materials.

Dancing Establishment shall mean a dance hall or night club where the primary use of the facility is for the purpose of recreational dancing.

Day Care Home, Family. (See "Family Day Care Home.")

~~*D.B.H. (See Diameter Breast Height.)*~~

Decision Making Body shall mean the person or body designated by this Code to have decision making authority.

Dental Laboratory. (See "Medical and Dental Laboratory.")

Department Director shall mean the ~~Department Director~~ staff person designated by the County Administrator to administer this code.

Design Storm shall mean the minimum recurrent interval storm, based upon the current edition of the Florida Department of Transportation Rainfall Duration Charts applicable in the County, for which a stormwater management facility shall be designed.

Detention shall mean the temporary storage of stormwater runoff for subsequent disposal by evapo-transpiration, percolation, or surface release at a rate which is less than the rate of inflow.

Detention Area or Facility shall mean a natural or artificially created area or facility for stormwater detention.

Developer shall mean any person undertaking the use of land, the construction, reconstruction, or demolition of structures or improvements thereon, or the preparation of land for any use. A developer shall be the legal or beneficial property owner of the land involved, or the authorized agent, thereof. The holder of an option of contract to purchase, any person with the power of condemnation, or other person having an enforceable possessory interest in such land shall be deemed to be a developer for the purpose of this Code. Developer shall also mean the owner(s) of record executing the dedication required for approval of a plat in accordance with Ch. 177, F.S.

Development shall mean the carrying out of any building activity or mining operation, the making of any material

Commented [LDI29]: 29.County Environmental Preserve now called Environmental Land Preserve. Moved below.

Commented [LDI30]: 30.Already included in the abbreviations section

change in the use or appearance of any structure or land, or the dividing of land into parcels. The following activities or uses shall be taken, for the purpose of this Code, to involve development:

- A. ~~(A)~~ A New construction, reconstruction, alteration of, or material change in the extent or external appearance of a structure, or land.~~;~~ ~~or~~
- B. ~~(B)~~ A change in the intensity or use of land, such as an increase in the number of dwelling units in a structure or on a parcel or lot, or an increase in the number of businesses, manufacturing establishments, offices, or other uses on one (1) lot or parcel.~~dwelling units in a structure or on land.~~~~;~~ ~~or~~
- C. ~~(C)~~ The alteration of a shore or bank of a seacoast, river, stream, lake, pond, or canal, including any coastal construction as defined in Section 161.021, Florida Statutes.~~;~~ ~~or~~
- D. ~~(D)~~ Mining, drilling, or excavation, except to obtain soil samples, on a parcel of land.~~;~~ ~~or~~
- E. ~~(E)~~ The demolition of a structure.~~;~~ ~~or~~
- F. ~~(F)~~ The clearing of land as an adjunct of construction.~~;~~ ~~or~~
- G. ~~(G)~~ Depositing refuse, solid or liquid waste, or fill on a parcel of land.

The following operations or uses shall not be taken, for the purpose of this Code, to involve "development":

- A. ~~(A)~~ Work by a governmental highway or road agency or railroad company for the maintenance or improvement of a road or railroad track, if the work is carried out on land within the boundaries of the rights-of-way; government owned property or public easements; or~~;~~
- B. Work by any utility and other persons engaged in the distribution or transmission of gas or water, for the purpose of inspecting, repairing, renewing, or constructing on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, power lines, towers, poles, tracks, or the like.
- C. Environmental preserve restoration taking place within environmental preserves.
- D. ~~(B)~~ Work for the maintenance, renewal, improvement, or alteration of any structure of, or minor repairs of a non-structural nature, if the work affects only the interior or the color of the structure finish surface, the color, or the decoration of the exterior of the structure.~~;~~ ~~or~~
- E. ~~(C)~~ The use of any structure or land devoted to dwelling units uses for any purposes customarily incidental to enjoyment of the dwelling.~~;~~ ~~or~~
- F. The use of any land for the purpose of growing plants, crops, trees, and other agricultural or forestry products; raising livestock; or for other agricultural purposes.
- G. ~~(D)~~ A change in the ownership or form of ownership of any parcel or structure.~~;~~ ~~or~~
- H. ~~(E)~~ The creation or termination of rights of access, riparian rights, easements, covenants concerning development of land, or other rights in land.

Development shall include all other development customarily associated with it unless otherwise specified. When appropriate to the context, "development" refers to the act of development developing or to the result of development. (See also "Redevelopment.")

Development, Cluster shall mean a development approach of the division of land into lots which permits a reduction in the minimum lot size requirements for certain residential districts where said lots are arranged into one (1) or more groups while keeping the overall project gross density the same as in a conventional development. These clusters or groups shall be separated from adjacent property and other groups of lots by intervening common land. No lot shall front on a major local street, thoroughfare, or arterial.

~~Development Concept Plan shall mean a preliminary development plan that accompanies plan development applications and can be submitted to the Building and Development Services Department for review and approval. Approval of a Development Concept Plan does not allow a developer to obtain a Certificate of Level of Service Compliance.~~

Development Order shall mean any order granting, denying, or granting with conditions, an application for a

Commented [LDI31]: 31.This definition matches the FS. The comp plan definition is much shorter: "The construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure; any mining, excavation, landfill or nonagricultural land disturbance, and any nonagricultural use or extension of the use of land. Includes redevelopment but does not include environmental preserve restoration taking place within environmental preserves." They are not exactly the same but are consistent.

Commented [LDI32]: 32.Added to match FS.

Commented [LDI33]: 33.Added for consistency with Comp Plan (not in Statutes).

Commented [LDI34]: 34.Slightly different than FS. Modified to match.

development permit, including ~~development approval~~, a building permit, zoning compliance permit, subdivision approval, rezoning, certification, conditional special permit use, variance, or any other official action of the County having the effect of permitting the development of land. It shall also refer to the final action of a land use hearing officer. The issuance of any development order shall be determined to include the issuance of a certificate of density and intensity compliance as required by the Comprehensive Plan.

Commented [LDI35]: 35. Clarified as requested by staff

Development (Impact Fees). (See ~~IMPACT FEES~~ "Impact Fees".)

Development Standards shall mean the adopted Manatee County Development Standards, and any amendment thereto, setting forth engineering and construction standards and practices, and associated procedures, for approval of improvements for development.

Development Unit (Impact Fees). (See ~~IMPACT FEES~~ "Impact Fees".)

Diameter Breast Height (DBH) shall mean a measurement of the diameter of the tree trunk measured four and one half (4.5) feet above grade.

Directional Sign, Off Site. (See "Sign, Directional Off Site.")

Directional Sign, On Site. (See "Sign, Directional On Site.")

Discharge Rate shall mean the volume of runoff over time, expressed as Gallons Per Minute (G.P.M.) or Cubic Feet per Second (C.F.S.).

Discharge, Stormwater shall mean the stormwater runoff which leaves a site and subsequently directly enters natural or artificial surface drainage systems, artificial subsurface drainage systems, or other property. For water quality purposes, this term shall also include stormwater runoff which directly or indirectly enters surface waters of the State, including surface waters wholly within the site boundaries.

District shall mean all areas of land or water whose boundaries are identified on the Official Zoning Atlas adopted pursuant to the provisions of this Code.

District, Non-Residential shall mean any parcel or parcels of land or water identified as such by this Code, or any areas designated as Professional Office (PR), Neighborhood Commercial (NC), General Commercial (GC), Heavy Commercial (HC), Commercial Recreational Vehicle (CRV), Planned Development Urban Industrial (PDUI), Planned Development Port Manatee (PDPM), Planned Development Office (PDO), Planned Development Commercial (PDC), Planned Development Industrial (PDI), Planned Development Public Interest (PDPI), Planned Development Research Park (PDRP), and Planned Development Mixed Use (PDMU).

District Park. ~~(See "Park, District.")~~ shall mean a park designed to serve the recreational needs of several communities or an entire county, and usually provides some areas and facilities that are resource-based. Typical facilities may include play apparatus, natural lands, natural trails, multi-use trails, nature center, boating, swimming, picnic areas and sports fields.

Commented [LDI36]: 36. Updated according to Comp Plan definition

Disturbed Wetland. (See "Wetland, Disturbed.")

~~Ditch~~ shall mean a man-made channel or excavation, through upland, non-hydric soils, for the purpose of conveying or directing water, draining land, watering livestock or irrigating crops; ~~and for which the point of connection to other waters is not more than thirty-five (35) square feet in total cross-sectional area and which normally has a water depth of no more than three (3) feet.~~

Commented [LDI37]: 37. Dimensions deleted as recommended by staff (12/03/14).

Dock shall mean any structure intended to serve a boat which is constructed on pilings over open water, or which is supported by flotation on the water. The term shall include but shall not be limited to piers, wharfs, and loading platforms. (See also "Waterfront Structures" and "Single Boat Docking Facility.")

Domestic Vehicle. (See "Vehicle, Domestic.")

Dormitory shall mean any building used as group living quarters for a student body, religious order, rehabilitation/support group or other group as an associated use to a college, university, boarding school, orphanage, convent, monastery, farm labor camp or other similar use. Dormitories shall not include any kitchen facilities but may include a group kitchen facility to serve all residents. For the purpose of this Code, this use is classified as Group Housing.

Drainage Facility, Major shall mean any retention/detention pond, ditch, culvert, or other drainage way or facility

designed to serve more than one (1) development, and shall include all major drainageways and facilities so designated on the official ~~M~~major ~~D~~drainage ~~P~~plan.

Drainage Outfall shall mean any positive conveyance of stormwater by means of natural or artificial structures.

Drainage Plan, Major shall mean a plan depicting the major drainage facilities for the County as adopted by the Board.

Drainage System, Artificial shall mean any canal, ditch, culvert, dike, storm sewer, detention or retention facility, or other manmade facility which is designed to control the surface flow of water.

Dredging shall mean excavation by any means in the water or a wetland; also the excavation or creation of a waterbody that is, or is to be, connected to waters, directly or via excavated waterbodies or a series of waterbodies.

Drive-through ~~Bank (See "Bank, Drive-Through.")~~ Facilities shall mean establishments which provide services or sales that are extended mechanically or personally to customers who do not exit their motorized vehicle. Such facilities include banking facilities, restaurants, food and/or beverage sales, dry cleaning, drug stores, retail sales, express mail services and other services. Not included in this definition are auto fuel pumps and depositories which involve no immediate exchange or dispersal to the customer, such as mailboxes, library book depositories and recycling facilities.

Driveway shall mean that portion of a lot unobstructed to the sky, and the portion of the rights-of-way, which provides vehicular access between an abutting street and vehicular parking area.

Dry Cleaner, General shall mean any establishment engaged in providing laundry, dyeing or dry cleaning services ~~which exceeds three thousand (3,000) square feet in gross floor area.~~ General Dry Cleaners shall not be deemed to include a dry cleaning plant. For the purpose of this Code, this use is classified as an *Intensive Service*.

~~*Dry Cleaner, Neighborhood* shall mean any establishment engaged in providing laundry, dyeing or dry cleaning services to individual customers which does not exceed three thousand (3,000) square feet in gross floor area.~~

Dry Cleaner, Pick-Up shall mean any establishment where all laundry cleaning operations are conducted off site and where the customer delivers and later retrieves the laundry. For the purpose of this Code, this use is classified as a *Personal Service*.

Dry Lines shall mean pipes used for the transmission of wastewater, which are internal to a project site, and which are installed during initial construction but remain dry (i.e., not used) until an adequate off-site sanitary sewer collection system is available to take wastewater from the development site to the wastewater treatment plant.

Dumpster shall mean a container ~~two (2), three (3), or six (6) cubic yards in size,~~ with a lid, used by ~~smaller~~ businesses to store wastes.

Duplex shall mean ~~any a single residential building that contains two (2) dwelling units attached to each other by a common wall sharing a floor-to-ceiling masonry party or partition wall and designed for or used as the separate homes or residences of two (2) separate and distinct families which is entirely surrounded by open space or yards on the same lot and contains only two (2) dwelling units.~~ any a single residential building that contains two (2) dwelling units attached to each other by a common wall and designed for or used as the separate homes or residences of two (2) separate and distinct families.

Dustless Surface shall mean a pavement composed of asphaltic concrete or cement concrete, or other pavement or surface determined by a professional testing laboratory to be equivalent with respect to dust emissions and stability, in accordance with the Development Standards.

Dwelling shall mean a conventional or manufactured, detached or attached structure constituting a single, independent, habitable unit used for, or intended to be used for, living, sleeping, sanitation, cooking, and eating purposes by one family only, for owner occupancy or for rental, lease or other occupancy on a weekly or longer basis, and containing kitchen, sanitary and sleeping facilities not shared by any other such unit. ~~any structure containing one (1) or more dwelling units and kitchen facilities which is readily accessible and open in the interior to all space therein.~~ A dwelling shall not include hotels, rooming or boarding houses, dormitories, fraternity or sorority houses, lodging houses, guest houses, ~~residential care facilities,~~ nursing homes, recreational vehicles or any temporary lodging, boarding or rooming building or structure designed for transient residence.

Dwelling, Modular Unit (also known as manufactured dwelling units) shall mean a dwelling unit that may include structural, electrical, plumbing, heating, ventilating, or other service systems manufactured in manufacturing

Commented [LDI38]: 38. Combined with Dry Cleaner, General

Commented [LDI39]: 39. Updated according to Comp Plan definition

Commented [LDI40]: 40. Dimensions deleted as recommended by staff (12/3/14).

Commented [LDI41]: 41. Updated to be consistent with Comp Plan

~~facilities for installation or erection as a finished building or as part of a finished building. any factory fabricated transportable building, approved by the Department of Economic Opportunity (DEO) Department of Community Affairs (DCA), designed to be used by itself or to be incorporated with similar units at a building site into a modular structure, that will be a finished permanent building in a fixed location on a permanent foundation. The term is intended to apply to major assemblies, and does not include pre-fabricated panels, trusses, plumbing trees, and other pre-fabricated sub-elements incorporated into a structure at the site.~~ A modular dwelling unit shall be deemed a Single Family dwelling and shall not be deemed a Manufactured Mobile Home Dwelling.

Commented [LEA42]: 42. Copied definition from 553.36, FS. Modified to apply to dwelling units.

Dwelling, Multi-Family shall mean any residential building containing three (3) or more separate dwelling units located on a single lot or parcel of ground such as triplexes, ~~quadriplexes~~ quadruplexes, condominiums and apartments.

Dwelling, Single Family Attached shall mean three (3) single family dwellings or more attached to one another by a common wall, a building divided by a floor-to-ceiling masonry party or partition wall(s) into at least three (3) single family dwellings intended for fee simple ownership, one family dwelling which is joined to another such unit in a group of at least three (3) but not more than nine (9) dwelling units, by a common party wall, floor ceiling and/or connecting permanent structure such as breezeways, carports, or garages, where the dwelling units are also located on adjoining individual lots, such as townhouses. This term includes townhouse development.

Commented [LEA43]: 43. Fixed to be consistent with Building Code. also deleted reference to having to be in fee simple ownership.

Dwelling, Single Family Detached shall mean any building which is developed with open yards on all sides and contains one (1) dwelling unit, not attached to any other building or dwelling unit. A detached dwelling shall not include ~~manufactured mobile~~ homes. No such dwelling shall contain more than one kitchen facility.

Dwelling, Single Family Semi Detached shall mean a one (1) family dwelling which is joined to no more than one (1) other such unit by a common party, wall, a common floor/ceiling or connecting permanent structure such as breezeways, carports, garages, screening fences or walls, where such two (2) dwelling units are also located on adjoining individual lots such as duplex dwellings which have been divided into two (2) dwelling units on separate lots.

Commented [LEA44]: 44. In Phase 2, we will recommend eliminating this term from the LDC and instead including a provision under specific uses that allows the split of a duplex site into two independent sites as long as each site meets the lot size requirements of the district.

Dwelling Unit shall mean one (1) or more rooms in a residential building or residential portion of a building which are arranged, designed, used or intended for use as a complete independent living facility for no more than one (1) family and which includes permanent provisions for living, sleeping, eating, cooking and sanitation, and is readily accessible in the interior to all spaces therein.

Dwelling Unit, Substandard shall mean any dwelling unit which is unsafe, unsanitary, unfit for human habitation, or not provided with adequate egress, or which constitutes a fire hazard, or is otherwise dangerous to human life, or which in relation to existing use constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.

Earthmoving shall mean the removal, extraction, excavation, fill or grading for any purpose of soil, sand, shell, limestone, dolomite, gravel, ore, rock, clay, peat or any material by whatever process. ~~(See Section 732, Earthmoving.)~~

~~*Earthmoving, Major.* (See Section 732, Earthmoving.)~~

~~*Earthmoving, Minor.* (See Section 732, Earthmoving.)~~

Easement shall mean a grant by a property owner of the right of use of his land by another party for a specific purpose.

Eating Establishment shall mean any establishment which provides, for compensation, food or drinks for consumption by patrons on the premises. The term shall not be deemed to include a drive-through eating establishment or drinking establishment.

Eating Establishment, Drive-Through shall mean any establishment which provides, for compensation, food or drinks for consumption by patrons. A drive-through eating establishment shall include a pick-up or drive-through window or area and may accommodate individuals dining on the premises. The term shall not be deemed to include an eating establishment or drinking establishment.

Ecosystem Management Plan shall mean a plan for significant, cumulative improvement to the ecological function of the drainage basin in which wetlands are proposed to be impacted by development. The ecosystem management plan shall demonstrate no net loss of wetland quality and function. To mitigate impacts, a combination of restoration, creation, enhancement, and upland preservation may be considered depending on the size, type,

function, viability, and historic status of the wetlands proposed to be altered.

Egress Window shall mean any window meeting the requirements of emergency egress openings from bedrooms as required by the ~~Manatee County Building Code~~ [Florida Building Code](#).

Elementary School. (See "School, Elementary-")

Eligible Affordable Housing shall mean any dwelling unit located within the County which is designed and intended for the primary purpose of providing decent, safe and sanitary residential units that are designed to meet the standards of Chapter 553, Florida Statutes, (excluding mobile and manufactured homes) for home ownership or rental for eligible persons. Eligible affordable housing units shall not exceed the maximum values as defined by Manatee County's Local Housing Assistance Plan.

Eligible Persons or "*Eligible Household*" shall mean one or more natural persons or a family determined by Manatee County to be of very low income, low income, or moderate income according to the income limits adjusted to family size published annually by the United States Department of Housing and Urban Development based upon the annual gross income of the household.

Emergency Shelter shall mean any residence, building, or other place providing, for a period not to exceed an average stay of thirty (30) days per person; room, board, protection, pre-placement screening, or counseling for abused children, abused adults, or similar persons not related to the owner of the premises by law, blood, marriage or adoption; provided that such services shall not include intensive treatment or therapy. The term emergency shelter shall not be deemed to include ~~group care homes~~ [assisted living facilities](#), [community residential homes](#), ~~family care homes~~, recovery homes, or residential treatment facilities.

Emergency Shelter Home shall mean any dwelling providing, (for a period not to exceed an average stay of thirty (30) days per person), room, board and protection, pre-placement screening or counseling for no more than two (2) abused children, abused adults, or similar persons, not related to the owner of the premises by law, blood, marriage or adoption provided that such services shall not include intensive treatment or therapy. ~~This term shall not be deemed to include Group Care Homes, Residential Treatment Facilities Recovery Homes or Nursing Homes.~~

Encumbered shall mean the obligation to expend funds under a purchase order issued by the County.

Engineer shall mean a professional who is registered with the State of Florida to engage in the practice of engineering and licensed as a professional engineer.

Engineering Standards (See "[Manatee County Engineering Public Works Standards](#).")

Enhancement shall mean the increase in one (1) or more values on all or a portion of an existing wetland by man's activities. The intentional alteration of an existing wetland to provide conditions which previously did not exist and by consensus increase more than one (1) wetland value is enhancement for the purpose of this Code.

~~County~~ *Environmental Land Preserve, Public and Private* shall mean a resource based preserve operated by [a public or private entity](#) ~~the County~~ for the primary purpose of environmental preservation and public enjoyment of environmentally sensitive lands.

Commented [LDI45]: 45. Change d name to Environmental Preserve (see below) and combined with land reserve

Environmental Preserve Management Plan shall mean a management plan, ~~as amended from time to time~~, depicting or describing the improvements to and uses within, an Environmental Preserve.

Commented [LDI46]: 46. Moved uses to chapter 5.

Equestrian Centers shall mean any commercial facility designed primarily for the purpose of riding, training, or stabling of horses.

Equipment sales, rental, leasing, storage and repair, heavy shall mean establishments primarily engaged in [sale, renting, leasing, storing and/or repair of farming, landscaping or construction equipment, industrial trucks, portable toilets, lawn care and similar equipment](#).

Equipment sales, rental, leasing service and repair, light shall mean establishments primarily engaged in [sale, renting, leasing and/or servicing computers, electronic equipment, appliances, party supplies, pianos, plants, vending machines, and furniture](#).

Erosion shall mean the [wearing away of the land surface by water, wind, ice or other geologic agents or by the activities of man, other animals, or natural catastrophes](#). ~~general process by which soil particles are moved by flowing surface or subsurface water or wind; the actual movement of soil particles by such means.~~

Commented [LDI47]: 47. Updated to be consistent with Comp Plan

Erosion Control Structure shall mean any groin, jetty, breakwater, riprap, seawall, or other similar structure intended to control erosion.

Establishment shall mean any entity that functions as a separate economic unit.

Exempt Sign. (See "Sign, Exempt.")

Existing shall mean in existence on or before the effective date of ~~Ordinance No. 90-04~~ a regulation or standard contained in the Land Development Code.

Existing Structure shall mean a structure that exists at the time an application for permission to place antennae on a structure is filed with the County. The term includes any structure that can structurally support the attachment of antennae in compliance with applicable codes.

Exit Discharge shall mean that portion of a means of egress between the termination of a building exit and a public way.

Expansion of the Capacity of a Road shall mean, but shall not be limited to, any widening, intersection improvement, signalization or other capital improvement designed to increase the road's capacity.

Expansion of the Capacity of a Road (Impact Fees). (See ~~IMPACT FEES~~ "Impact Fees".)

Exterminating and Pest Control shall mean an establishment engaged in the service of eliminating insects, mice, rats or other nuisance animals. For the purpose of this Code, this use is classified as Intensive Service.

Facility Investment Fee (FIF) (relative to water and sanitary sewer) shall mean the dollar investment, the capital cost of the facilities necessary to collect or distribute and treat the volume purchased by a typical customer in each class of customers pursuant to Article VIII of Chapter 2-31 of the Code of Ordinances. The FIF approximates the customer's proportional share of the total capital costs of facilities serving all customers. It is not transferable from one property to another.

~~*Fair Market Value.* The value shall be established by the Manatee County Property Appraiser, or an appraisal as provided by a State of Florida licensed real estate appraiser, or an appraiser which is a member of the American Institute of Real Estate Appraisers or the Society of Real Estate Appraisers.~~ *Fair market value* shall mean that value that has been established prior to the commencement of impact generating land development activity. The value shall be established by the Manatee County Property Appraiser, or an appraisal as provided by a State of Florida licensed real estate appraiser, or an appraiser which is a member of the American Institute of Real Estate Appraisers or the Society of Real Estate Appraisers.

Fair Market Value (Impact Fees). (See "Impact Fees.")

Falldown Radius shall mean the designated area of a telecommunication facility surrounding a telecommunication tower, which, in the event of a structural failure of all or part of the telecommunications tower, would likely contain the failed or collapsed telecommunication tower. This area may also be called the collapse zone. The falldown radius size shall equal one hundred twenty-five (125) percent of the tower height, unless an engineering certification (structural) shows that in the event of collapse, the telecommunication tower is designed to collapse within a smaller area.

Family shall mean one (1) or more persons living together on a non-transient basis as a single, housekeeping unit in a dwelling unit, which group is comprised of:

- A. ~~(A)~~ A natural family of one (1) or more persons who are all related to each other by law, blood, marriage or adoption.
- B. ~~(B)~~ Two (2) or more persons so related (the natural family) and not more than four (4) persons who are not so related to persons in the natural family.
- C. ~~(C)~~ A group of not more than six (6) persons who are not so related.

Stepchildren and foster children under State approved care shall be deemed to be part of the family.

~~*Adult Family Care Home* shall mean a full-time, family-type living arrangement, in a private home, under which a person who owns or rents the home provides room, board, and personal care, on a 24-hour basis, for no more than five (5) disabled adults or frail elders who are not relatives, any residence, occupied by six (6) or less~~

Commented [LDI48]: 48.STAFF/CAO: Replaced the date with a statement. Please verify.

Commented [LDI49]: 49.Definition specific to antenna regulations. To be addressed in Phase 2.

Commented [LDI50]: 50.Florida Statutes definition (Chapter 429)

~~persons, including resident staff, whether operated for profit or not, which provides, for the period exceeding twenty-four (24) hours, one (1) or more personal services for persons not related to the owner or administrator by law, blood, marriage or adoption, who requires such services. The personal services, in addition to housing and food services, may include but shall not be limited to personal assistance with bathing, dressing, housekeeping, adult supervision, emotional security and other related services but shall not include medical services.~~

Family Day Care Home shall mean an occupied residence in which child care is regularly provided for ~~no more than five (5) preschool children from more than one (1) at least two~~ unrelated families, and which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit. Household children under 13 years of age, when on the premises of the family day care home or on a field trip with children enrolled in child care, shall be included in the overall capacity of the licensed home. The maximum number of five (5) preschool children includes preschool children living in the home and preschool children received for day care who are not related to the resident caregiver. Elementary school siblings of the preschool children received for day care may also be cared for outside of school hours provided the total number of children including the caregiver's own and those related to the caregiver, does not exceed ten (10). A family day care home shall be allowed to provide care for one of the following groups of children, which shall include household children under 13 years of age:

A. Small Family Day Care Home:

1. A maximum of four children from birth to 12 months of age.
2. A maximum of three children from birth to 12 months of age, and other children, for a maximum total of six children.
3. A maximum of six preschool children if all are older than 12 months of age.
4. A maximum of 10 children if no more than 5 are preschool age and, of those 5, no more than 2 are under 12 months of age.

B. Large Family Day Care Home:

5. A maximum of 8 children from birth to 24 months of age.
6. A maximum of 12 children, with no more than 4 children under 24 months of age.
7. Has at least two (2) full-time child care personnel on the premises during the hours of operation One of the two full-time child care personnel must be the owner or occupant of the residence.

Farm Animal shall mean those animals commonly raised, bred or used for agricultural or livestock purposes, including, but not limited to: cattle, sheep, poultry, swine (including miniature pot-bellied pigs), horses, ostriches, emus, rheas, goats and other livestock. Farm animals shall not be deemed to include common household pets, or pot-belly pigs ~~(see definition of Agricultural Uses) maintained in compliance with Section 704.2.2 hereof.~~

~~*Farm Equipment and Supply Establishment* shall mean any premises where the principal use is the sale of farm equipment, machinery, hardware, production supplies and other miscellaneous farm and garden supplies, and may include farm equipment repair provided such repair is incidental and accessory to the principal selling of farm equipment and supplies.~~

Farm Labor Housing. (See "Farm Worker Housing.")

Farm, Tree. (See "~~Tree Farm~~ Agricultural Uses.")

Farming Service Establishment shall mean any premises where the principal use is the provision of farming services off of the premises, such as vegetable or fruit picking, harvesting, agricultural pest control, plowing, hauling of agricultural products or similar operations. Farming Service Establishment shall not be deemed to include airfields or landing strips, but may include the carrying out, maintaining, operating or accomplishing repairs upon the user's or occupier's farm implements, vehicles and farming service related equipment.

Farmworker(s) shall mean a person(s) who has worked twenty-five (25) days or more, earning at least one-half (½) of their income in agricultural work in the last twelve (12) months and was not employed year round by the same employer.

Farm Worker Housing shall mean habitable structures or dwelling units intended to be occupied by, and for which occupancy is limited to, farm employees and their families. Such uses occur exclusively in association with the

Commented [LEA51]: 51. Combined with Community Residential Homes. Per state statutes, 6 or less residents are deemed to be a SF home.

Commented [LDI52]: 52. From Ch. 402, F.S.

Commented [LDI53]: 53. See Equipment sales, rental and leasing.

~~performance of agricultural labor, the living accommodations of farm employees and their families, on one (1) lot or parcel without regard to duration, which occurs exclusively in association with the performance of agricultural labor.~~

Commented [LDI54]: 54.Update d to be consistent with Comp Plan

Fascia Sign. (See "Sign, Wall" under **SIGNS** "Signs".)

Federal Communications Commission (FCC) shall mean an independent federal agency charged with licensing and regulating wireless communications at the national level.

Feed Lot and Stock Yard shall mean the use of land, buildings or structures for the confinement of animals for the purpose of producing animal products for consumption or other uses, conducting such activities predominantly outdoors and in partially enclosed buildings. This term shall not be deemed to include farms, ranches, or agricultural product processing plants.

Feepayer (Impact Fees). (See **IMPACT FEES** "Impact Fees".)

Fence shall mean a freestanding structure of metal, masonry, composition or wood or any combination thereof resting on, or partially buried in, the ground and rising above ground level, and used for confinement, screening or partition purposes. This shall not be deemed to include a retaining wall.

Festoon. (See **SIGNS** "Signs".)

Filling shall mean the deposition or burial of materials, such as land clearing debris, soil, rock or other solid materials, onto any land, water, or wetland. For purpose of this Code, filling shall not include permitted Landfills with garbage or other similar waste matter, or the (non-jetted) placement of pilings.

Fire Control District shall mean areas in the County that are units of special purpose government created by a special act and are public municipal corporations having the powers and duties of fire protection and control as set forth in their individual special acts.

~~Firework/Sparkler Manufacturer~~ shall be the manufacturer of fireworks and/or sparklers as defined in [Section 2-21-86 of the Code of Ordinances Ordinance 86-14](#). [For the purpose of this Code, firework/sparkler manufacturer is classified as Manufacturing, Heavy.](#)

Commented [LDI55]: 55.Moved to Industrial Heavy

Fish Hatchery shall mean any commercial facility designed for the artificial propagation of non-tropical fish species, for the primary purpose of producing food or food products. (See "Agriculture.")

Five-year CIE shall mean the five-year schedule of transportation improvements set forth in the capital improvements element of the Comprehensive Plan.

Flashing Sign. (See "Sign, Flashing.")

Flea Market shall mean any premises where the principal use is the sale of new and used household goods, personal effects, tools, art work, small household appliances, and similar merchandise, objects, or equipment, in small quantities, in broken lots or parcels, not in bulk, for use or consumption by the immediate purchaser in open air or partly enclosed booths or stalls or within an enclosed building.

Floating Residential Unit shall mean a structure primarily designed or constructed as a living unit, built upon a floating base, which is not designed primarily as a vessel, is not self-propelled although it may be towed about from place to place, and is primarily intended to be anchored or otherwise moored in a fixed location.

Floodplain Management **FLOODPLAIN MANAGEMENT**

Base Flood shall mean the flood having a one (1) percent chance of being equaled or exceeded in any given year, also known as the one hundred (100) year flood.

Base Flood Elevation (BFE) shall mean the height above mean sea level that flood waters are estimated to reach during a base flood event.

Cost (Floodplain Management) shall mean the dollar value, actual or estimated, of all material, equipment and labor used in the reconstruction, addition, rehabilitation, or other improvements of a structure. Nationally published and industry accepted cost valuation or manhour tables may be used as a guide by the Building Official, who may adjust such information as necessary to more accurately verify or estimate the cost.

When material or equipment is donated or discounted below the retail market value, the cost shall be equal to the retail market value.

The value of labor, donated or self, shall be computed based on the standard trade wage in Manatee County, but in no case less than the minimum federal hourly wage.

____ Surveyors, architects, designers, testing labs, other professional fees, permitting costs, impact fees, and site development costs that are not directly related to the physical construction, reconstruction, rehabilitation, addition or other improvement of a structure are not included in the determination of cost for substantial improvement, (floodplain management).

Flood or Flooding shall mean a general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. ~~(A)~~ The overflow of inland or tidal waters; or
- b. ~~(B)~~ The unusual and rapid accumulation of runoff of surface waters from any source.

Flood Boundary and Floodway Map shall mean an official map of the unincorporated area of the County on which the Federal Emergency Management Agency (FEMA) has delineated the One Hundred (100) and Five Hundred (500) Year Flood Boundary and Floodways.

Flood Insurance Rate Map (FIRM) shall mean an official map of the unincorporated area of the County on which the Federal Emergency Management Agency (FEMA) has delineated both the One Hundred (100) Year Floodplain and the insurance risk premium zones.

Flood Insurance Study shall mean the official flood insurance study, dated September 15, 1983, along with the "Flood Insurance Rate Map (FIRM), dated March 15, 1984, all provided by the Federal Emergency Management Agency (FEMA).

Flood Protection Elevation shall mean the height above mean sea level (MSL) that a building must be elevated in order to substantially minimize property damage. The Flood Protection Elevation (F.P.E.) shall be one (1) foot above the Base Flood Elevation (B.F.E.) established in accordance with the Floodplain Management Section ~~718~~. (See "Freeboard.")

Floodplain, One Hundred (100) Year shall mean areas inundated during a 100-year, or other specified flood event or identified by the National Flood Insurance Program as an A Zone or V Zone on Flood Insurance Rate Maps or Flood Hazard Boundary Maps, land which will be inundated by floods known to have occurred in the past or those which can be expected to occur in the future from the overflow of inland or tidal waters and the accumulation of runoff of surface water from rainfall under certain conditions. The One Hundred (100) Year Floodplain is the area adjoining a river, stream, bay, lake, or gulf which is inundated by the One Hundred (100) Year Flood or storm. For riverine areas, the One Hundred (100) Year Floodplain consists of a high hazardous area (V-zone) and a low hazard area (A-zone). The One Hundred Year Floodplain for the County is identified in the adopted FIRM and Flood Boundary Floodway Maps, Flood Insurance Study.

Floodplain Management Code. (See "Manatee County Floodplain Management Code.")

Floodplain Management Permit shall mean a separate permit issued by ~~the Building Division of the Building and Development Services Planning~~ Department for structures within the Floodplain. The purpose is to track and insure compliance with this Code and the Manatee County Floodplain Management Code. Upon issuance, the applicant may apply for a building permit.

Floodway shall mean the a channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 100-year flood discharge can be conveyed without increasing the elevation of the 100-year flood more than a specified amount of a river or other 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 one (1) foot.

Floor, Lowest (For Floodplain Management Purposes) shall mean the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable

Commented [LDI56]: 56.Update d to be consistent with comp plan definition

Commented [LDI57]: 57.Update d to be consistent with Comp Plan

non-elevation design requirements of 44 CFR, 60.3.

Habitable Space [shall mean] a space in a structure for living, sleeping, eating, cooking, working, entertainment or otherwise occupied by people for their use. Storage or utility space and similar areas are not considered habitable space. (For Floodplain Management purposes only.)

National Flood Insurance Program (NFIP) shall mean a federal program enabling property owners to purchase flood insurance. NFIP is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods. The NFIP is based on an agreement between local communities and the Federal Government which states that if a community will implement measures to reduce future flood risks to construction, the Federal Government will make flood insurance available within the community. The NFIP is administered by the Federal Insurance Administration (FIA), a component of the Federal Emergency Management Agency (FEMA), an independent agency.

Substantial Improvement (Floodplain Management) shall mean any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

- a. ~~4.~~ Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- b. ~~2.~~ Any alteration of a historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Floor Area, Gross shall mean the sum of the horizontal areas of the several floors of all buildings on a lot, measured from the exterior faces of exterior walls, and from the center line of walls separating two (2) or more buildings. The term gross floor area shall be deemed to include but shall not be limited to: basements, wall-less structures, elevator shafts and stairwells at each story, floor space used for mechanical equipment with structural headroom of six (6) feet six (6) inches or more, penthouses, attic space, whether or not a floor has actually been laid, providing structural headroom of six (6) feet six (6) inches or more, interior balconies, mezzanines and garage space, exclusive of area open and unobstructed to the sky. Gross floor area shall also include that area covered by a roof and not enclosed.

Floor Area, Minimum (Residential) shall mean the minimum habitable gross floor area permitted for a dwelling unit, exclusive of carports, attics, garages, breezeways, porches, terraces, basements or cellars.

Floor Area Ratio shall mean gross nonresidential building floor area divided by gross land area related to such building area. Floor Area Ratio (F.A.R.) is a measure of intensity for nonresidential development, and is calculated by determining the ratio of gross floor area of the sum of gross horizontal areas of all floors of an enclosed building measured from the exterior face of exterior walls, but not including interior parking, loading, or heights of less than six feet (in square feet), to the product of the total number of Gross Nonresidential Acres (as defined herein) contained in that lot or parcel times 43,560. Height of any floor within an existing or proposed building shall not be considered in determining F.A.R. of an existing building, nor considered in determining maximum allowable gross floor area by use of a maximum F.A.R. Where projects are proposed to contain more than one lot, Floor Area shall be calculated on a project-wide basis (see also definition of "Intensity"). ~~a ratio determined by dividing the nonresidential gross floor area of all buildings on a lot by that portion of the lot used for nonresidential uses.~~

Floor, Lowest. See Floodplain Management.

Food Catering Service shall mean any establishment primarily engaged in the ~~provision~~ preparation and sale of prepared food and drinks to be served and consumed off ~~of~~ the premises.

Forestry shall mean the use of land for the planting, raising, harvesting, and replanting of trees. (See "Agriculture.")

Foundation Landscaping shall mean a planting area located contiguous to the principal structure on the site.

Freeboard shall mean a factor of safety usually expressed in feet above a flood level for purposes of floodplain

Commented [LD158]: 58. Updated to be consistent with Comp Plan

management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed. For the purpose of this Code, the term "Freeboard" shall be deemed the distance between the Base Flood Elevation (BFE) and the Flood Protection Elevation (FPE).

Freestanding Sign. (See "Sign, Freestanding.")

Front Lot Line. (See "Lot Line, Front.")

Front Yard. (See "Yard, Front.")

Frontage shall mean the length of the property line for a single parcel which runs contiguous to and parallel with each public rights-of-way or private street, exclusive of alleys, that it borders.

Functionally Dependent Facility. (See "Water Dependent Use.")

Functionally Impaired shall mean any person sixty (60) years of age or older with physical or mental limitations which restricts the ability to perform the normal activities of daily living and which impede the capacity to live independently without the provisions of core services. This term shall include those persons who meet the definition of Functionally Impaired according to Section 410.023(f), F.S., and are determined to be such through a function assessment administered in accordance with state provisions.

~~*Funeral Chapel* shall mean any building which is used primarily for human funeral services, provided that said building shall not contain facilities for any of the following:~~

~~(A) Embalming;~~

~~(B) The performance of autopsies or other surgical procedures;~~

~~(C) Cremation;~~

~~(D) The storage of funeral caskets and funeral urns, except those on display on the premises;~~

~~(E) Funeral vehicles shall not be stored on the premises unless such vehicles are stored in a garage or other accessory building which has no direct public street frontage. The garage or other accessory building shall not be used for any other purpose.~~

Funeral Home shall mean any building or part thereof used for human funeral services. Such building may contain space and facilities for any of the following:

A. ~~(A)~~ Embalming and the performance of other services used in the preparation of the dead for burial,

B. ~~(B)~~ The performance of autopsies and other surgical procedures,

C. ~~(C)~~ The storage of caskets, funeral urns and other related funeral supplies,

D. ~~(D)~~ The storage of funeral vehicles, or

E. ~~(E)~~ Facilities for cremation.

Future Development Area Boundary (FDAB) shall mean a boundary generally established to designate on the Future Land Use Map the location for new residential and non-residential development consistent with the adopted Land Use Concept in the Technical Support Document for the Manatee County Comprehensive Plan (May 15, 1989). Those lands east of the Future Development Area Boundary are intended to be preserved for primarily agricultural uses. The boundary is intended to serve as a means to provide an efficient use of land and public and private investment, and to contain urban sprawl. This line shall be consistent with the boundaries of the Water Supply and Wastewater Service Areas established by the Board of County Commissioners.

Game Preserve shall mean a privately owned commercial facility where game is taken or hunted for a fee.

Garage shall mean an enclosed building or portion thereof which is designed for the enclosed parking or storage of automobiles and other motor vehicles. To be considered as a garage, the building or portion thereof shall have a garage door or similar opening to allow automobiles or motor vehicles to enter or exit.

Garage Sale shall mean the sale of used household or personal articles, such as furniture, tools, or clothing, held on

Commented [LDI59]: 59. Include d in church

Commented [LDI60]: 60. Update d to be consistent with Comp Plan

Commented [LDI61]: 61. CAO recommended moving the last sentence to standards chapter. This should be part of definition.

residentially used property for a limited time.

~~Gas Pumps shall mean any pump used for the retail sale of fuel for up to two (2) motor vehicles at a time where no service or repair activity is provided. The sale of fuel for motor vehicles shall be incidental to the sale of other goods or activities on site. For the purposes of this Code, a gas pump may have up to three (3) dispenser nozzles. If the gas pump contains more than three (3) dispenser nozzles, each multiple of three (3) shall be considered one (1) pump. This definition shall not include gas pumps that are accessory to an agricultural use or gas pumps for boats.~~

General Development Plan shall mean the initial development approval in the planned development approval process under Section 603 of this Code and shall meet the requirements of Section 508.3.

Generation of Traffic (Impact Fees). (See ~~IMPACT FEES~~ "Impact Fees".)

Golf Course shall mean any tract of land for playing golf, improved with tees, greens, fairways, hazards, and other similar improvements. A golf course may include a driving range. (See "Recreational Use, Low Intensity.")

Government Sign. (See "Sign, Government.")

Gross Floor Area. (See "Floor Area, Gross.")

Gross Non-Residential Acreage shall mean the total acreage within a project, or part thereof, which is proposed for nonresidential lots or parcels, and which is also:

- A. ~~(A)~~ Exclusive of all areas considered to be part of a project's gross residential acreage;
- B. ~~(B)~~ Above the mean high water line or mean high tide of any naturally occurring water body;
- C. ~~(C)~~ Occupied by any manmade water body;
- D. ~~(D)~~ Wetland acreage subject to the jurisdiction of any local, state, or federal environmental review agency, provided that the jurisdictional wetland area is less than or equal to twenty (20) percent of the total project acreage; and fifty (50) percent less in the WPM, WPE overlay districts;
- E. ~~(E)~~ Within any required setbacks from such jurisdictional area as required by ~~Policy 2.3.1.2~~ in the Comprehensive Plan;
- F. ~~(F)~~ Within any area reserved for protection of any threatened or endangered species, or species of special concern, including any setback from such species' habitat;
- G. ~~(G)~~ Part of any proposed public facility dedicated to, and accepted by the County, or by the Manatee County School Board, or part of any private park or outdoor recreation area;
- H. ~~(H)~~ Inclusive of local streets or other streets internal to the project;
- I. ~~(I)~~ Occupied by any easement for any public or private utility, including those easements shown as P/SP(1) on the Future Land Use Map of the Comprehensive Plan;
- J. ~~(J)~~ ~~Acreage P~~ proposed as an open space area; or
- K. ~~(K)~~ Adjusted, where applicable, for any reductions in gross residential acreage described in ~~Policy 2.3.4.7~~ of the Future Land Use Element in the Comprehensive Plan, regarding disturbance of wetlands which are directly connected with inflowing watercourses in the WPM and WPE Overlay Districts as shown on the Future Land Use Map in the Comprehensive Plan.

Commented [LD162]: 62.Wrong reference. No need to specify policy.

Commented [LD163]: 63.Wrong reference. No need to specify policy.

Gross Residential Acreage shall mean the total acreage within a project, or part thereof, which is proposed for residential lots or parcels above the mean high water or mean high tide line of any naturally occurring water body, and exclusive of all areas considered to be part of a project's gross nonresidential acreage, as defined herein. The total acreage shall include:

- A. ~~(A)~~ Any manmade water body;
- B. ~~(B)~~ Wetland acreage subject to the jurisdiction of any local, state, or federal environmental review agency, provided that the jurisdictional wetland area is less than or equal to twenty (20) percent of the total project acreage; and fifty (50) percent less in the WPE or WPM overlay districts;

C. ~~(C)~~ Acreage within any required setbacks from such jurisdictional area as required by ~~Policy 2.3.1.2 of the~~ Comprehensive Plan;

Commented [LDI64]: 64.Wrong reference. No need to specify policy.

D. ~~(D)~~ Acreage within any area reserved for protection of any threatened or endangered species, or species of special concern, including any setback from such species' habitat;

E. ~~(E)~~ Acreage that is part of any proposed public facility dedicated to, and accepted by the County, or by the Manatee County School Board, or part of any private park or outdoor recreation area;

F. ~~(F)~~ Local streets or other streets internal to the project;

G. ~~(G)~~ Any easement for public or private utility, including those easements shown as P/SP(1) on the Future Land Use Map of the Comprehensive Plan;

H. ~~(H)~~ Acreage proposed for any church or religious place of worship; and

I. ~~(I)~~ Acreage P proposed as an open space area or community center.

Total acreage shall be adjusted, where applicable, for any reductions in gross residential acreage as described in ~~Policy 2.3.4.7 of the~~ Future Land Use Element of the Comprehensive Plan regarding disturbance of wetlands, which are directly connected with inflowing watercourses in the WPE and WPM Overlay Districts shown on the Future Land Use Map of the Comprehensive Plan.

Commented [LDI65]: 65.Wrong reference. No need to specify policy.

Gross Sales Area. (See "Sales Area, Gross.")

~~Group Care Home, Small shall mean any residence, building or other place, occupied by sixteen (16) persons or less including resident staff, whether operated for profit or not, which provides, for a period exceeding twenty-four (24) hours, one (1) or more personal services for persons who may or may not be related to the owner or administrator by law, blood, marriage or adoption, and not in foster care, who require such services. The personal services, in addition to housing and food services, may include but shall not be limited to personal assistance with bathing, dressing, housekeeping, adult supervision, emotional security and other related service, however, shall not include medical services.~~

~~Group Care Home, Large shall mean any residence, building or other place, occupied by seventeen (17) persons or more including resident staff, whether operated for profit or not, which provides, for a period exceeding twenty-four (24) hours, one (1) or more personal services for persons who may or may not be related to the owner or administrator by law, blood, marriage or adoption, and not in foster care, who require such services. The personal services, in addition to housing and food services, may include but shall not be limited to personal assistance with bathing, dressing, housekeeping, adult supervision, emotional security and other related service, however, shall not include medical services.~~

Commented [LDI66]: 66.ALFs replaced Group Homes.

Commented [LDI67]: 67.Now includes Residential Care Facilities

Commented [LDI68]: 68.Moved to Chapter 5.

Ground Cover shall mean plants of species which normally reach a height of less than three (3) feet upon maturity, installed in such a manner as to form a continuous cover over the ground.

~~Group Housing shall mean any premises where the principal use involves the provision of two (2) or more residential units for non-transient or permanent occupancy. Group Housing may provide dining room service. The term group housing shall be deemed to include rooming and boarding house, hospital guest house, fraternity or sorority houses, dormitories, convents, monasteries, retreat houses or camps, farmworker housing and similar uses, but shall not be deemed to include hotels, or residential care facilities, nursing homes, or emergency shelters.~~

Commented [LDI69]: 69.The comp plan definition excludes rooming or boarding homes, fraternities, sororities, monasteries or convents, hotels, residential treatment facilities, nursing homes, or emergency shelters. The term *should* include rooming/boarding houses, fraternities, convents/monasteries. It doesn't have to include the others. We added nursing homes and shelters to the list

Guest House shall mean a structure ~~which is~~ accessory to a residential use, used for the occasional housing of guests of the occupants of the principal structure, and not as a rental unit or for permanent occupancy as a housekeeping unit. A guest house does not ~~The guest house shall not have any~~ kitchen or dining facilities. Mobile homes, recreational vehicles, or structures built in conformance with Section 320.823 Florida Statutes, ~~as may be amended from time to time,~~ shall not be deemed a guest house.

Commented [LDI70]: 70.CAO recommended taking out the part about kitchen and dining. This statement should be part of the definition. A guest house with kitchen/dining would no longer be deemed a guest house.

Guyed Tower shall mean a telecommunication tower that is supported in whole or in part by guy wires and ground anchors or other means of support besides the superstructure of the tower itself.

Hazardous Substance shall mean any substance which is defined as a hazardous substance in the U.S. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended.

Hazardous Waste shall mean ~~any waste materials or combinations of waste materials which require special~~

~~management techniques because of their acute and/or chronic effects on air and water quality; or fish, wildlife, and other biota, and on the health and welfare of the public. These waste materials include, but shall not be limited to, volatile, chemical, biological, explosive, flammable, radioactive, and toxic waste materials. solid waste, or a combination of solid wastes, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated, or otherwise managed. The term does not include human remains that are disposed of by persons licensed under chapter 497, F.S.~~

Commented [LDI71]: 71.Replac ed with FS definition (s. 403.703)

Hazardous Waste Generator shall mean any person, or site, whose action or process produces hazardous waste, identified or listed in 40 CFR 261, or whose act first causes a hazardous waste to become subject to regulation.

Commented [LDI72]: 72.Update d to be consistent with Comp Plan.

Hazardous Waste Transfer Facility shall mean any establishment providing short term storage, less than ninety (90) days, of hazardous waste.

Heavy Utility Use. (See Utility Use, Heavy.)

Hedge shall mean a row of closely planted shrubs, bushes, or other vegetative screening forming a boundary or restrictive barrier. The minimum height of such shrubs shall be twenty-four (24) inches at the time of planting.

Height, Building shall mean the vertical distance from average grade to the highest point of the roof for flat roofs; to the deck line for mansard roofs; and to the average height between eaves and the ridge for gable, hip, and gambrel roofs measured from the grade; provided that where land is subject to required minimum flood elevations the building height shall be measured from such required elevation.

Height, Satellite Dish Antenna shall mean the height of a ground mounted antenna measured vertically from the highest point of the antenna when positioned for operation to the bottom of the base which supports the antenna.

Height, Sign. (See **SIGNS** "Signs".)

Height, Telecommunication Tower shall mean the distance measured from base (top of foundation) to the highest point of the tower. This measurement excludes any attached antennas, and lighting. The height of the base exceeding four (4) feet above grade shall be included in height of tower.

Heliport. (See AIRPORT.)

Helistop. (See AIRPORT.)

High School. (See "School, High.")

Highest Adjacent Grade shall mean the highest natural elevation of the ground surface, prior to any construction immediately adjacent to and within two (2) feet of the proposed walls of a structure.

Historic Landmark shall mean any site, building, structure, landscape feature, improvement, aesthetically significant zone, or archaeological site, which has been designated as a historic landmark pursuant to procedures described in this Code.

Historic Property or Historic Resource shall mean any prehistoric or historic district, site, building, object or other real or personal property of historical, architectural, or archaeological value. These properties or resources may include, but are not limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, artifacts, or other objects with intrinsic historical or archaeological value, or any part thereof, relating to the history, government, and culture of Florida or Manatee County.

Historic Resources shall mean all areas, districts or sites containing properties listed as significant on the Florida Master Site File, the National Register of Historic Places, or designated by Manatee County as historically, architecturally, or archaeologically significant.

Historic Structure. (See "Structure, Historic.")

Historical Research shall mean a thorough study of a past event, place, character or society using primary resources such as but not limited to maps, oral histories, newspapers, diaries, photographs, inventories and governmental records.

~~*Historical Sign.* (See "Sign, Historical.")~~

Commented [LDI73]: 73.[No such definition in the code for historical sign so deleted]

Historical Significance shall mean ~~a determination and be~~ based on the U.S. Secretary of the Interior's criteria for eligibility to the National Register of Historic Places (including archaeological and historical resources).

Home Occupation shall mean any use of a dwelling unit for an occupation subordinate to the dwelling unit and only conducted by the resident thereof, entirely within the dwelling unit, and which is clearly incidental to the use of the structure for residential purposes, does not change the character thereof, and which shall not occupy more than twenty-five (25) percent of the gross floor area or two hundred (200) square feet, whichever is less. ~~No commodities shall be sold on the premises, unless otherwise allowed under the provisions of this Code.~~

~~*Homeless*, The a person(s) who is not residing in one (1) or more dwelling units.~~

Horticulture shall mean the science and art of growing fruits, vegetables, flowers, and ornamental plants. (See "Agriculture.")

Hospital shall mean any establishment that offers services more intensive than those required for room, board, personal service, and general nursing care, and offers facilities and beds for use beyond twenty-four (24) hours by individuals requiring diagnosis, treatment, or care of illness, injury, deformity, infirmity, abnormality, disease, or pregnancy, and regularly makes available at least clinical laboratory services, diagnostic x-rays services, and treatment facilities for surgery or obstetrical care, or other definitive medical treatment of similar extent, and including the issuance of a Certificate of Need by the State of Florida. The term "hospital" also includes a medical office building located on the same premises as a hospital facility if the premises were zoned for hospital purposes on **January 1, 1992**.

Hospital Guest House shall mean any establishment that provides lodging and meals to relatives of patients in a hospital or in a nursing, convalescent or extended care facility associated with the hospital guest house, ~~as an outpatient to said hospital.~~ For the purpose of this Code, this use is classified as *Group Housing*.

Hospital, Veterinary. (See "Veterinary Hospital.")

Hotel shall mean any building or portion thereof, or a group of buildings which provides two (2) or more lodging units for transient occupancy on a daily, weekly, or similar short term basis. Hotel shall include but shall not be limited to motel, inn, boatel, motor inn, motor lodge, tourist cabin and tourist court. A hotel shall also be deemed to include any establishment which provides residential living accommodations on a more or less permanent basis, such as an apartment hotel; provided that where more than twenty-five (25) percent of the units in an apartment hotel have cooking facilities, such establishment shall be deemed a multi-family dwelling and shall be subject to this Code as such, counting each such unit as a dwelling unit for all purposes. ~~A hotel shall not be deemed to include residential care facilities.~~

House. (See "Dwelling.")

~~*Hurricane Vulnerability Zone* shall mean see Coastal Planning Area which is the that area designated by the definition and delineation in Map 4 B of the Comprehensive Plan on the Coastal Planning Area Map.~~

Hydric Soil shall mean soil that is wet long enough to periodically produce anaerobic conditions, thereby influencing the growth of plants.

Hydrologic Connection shall mean connection to a natural surface water body such as lakes, ponds, rivers, creeks and sloughs, where a flow of surface water occurs on an average of thirty (30) or more consecutive days per year under normal hydrological conditions. In the absence of reliable hydrological records, a continuum dominated by the plant species listed in the Wetlands Planning Guidelines may be used to establish a hydrological connection. Artificial or manmade ditches, canals or channels constructed through uplands that connect previously isolated wetlands to natural surface water bodies shall not be deemed as a hydrological connection. Artificial or manmade ditches, canals or channels constructed in historical natural drainage ways shall be deemed a hydrological connection.

Hydroperiod shall mean a measure of the time (usually in days per year) that water is at or above soil surface under normal hydrologic conditions.

Identification Sign. (See "Sign, Identification.")

Illegal Sign. (See "Sign, Illegal.")

Illuminated Sign. (See "Sign, Illuminated.")

Commented [LD174]: 74.Already stated in chapter 5.

Commented [LD175]: 75.The term is not used anywhere in the LDC.

Commented [LD176]: 76.Original revisions per 3rd round comments- Sandy Tudor. Modified by John Osborne on 5/8/14.

Commented [LD177]: 77.Update d to be consistent with Comp Plan.

Impact Fees ~~IMPACT FEES~~

Access Improvements shall mean improvements designed to insure safe and adequate ingress and egress. The term "access improvements" includes, but is not limited to, acceleration, deceleration and turn lanes, traffic signals and signs and any road capital facility which does not increase the existing road's capacity.

Accounts shall mean any impact fee account established by the County pursuant to ~~Chapter 4011~~ Section 804.4.

Administrative Procedures shall mean the manual adopted by the Board by resolution, to implement the provisions of this Chapter ~~4011~~ 8: Impact Fees.

Bedroom (Impact Fee Calculations) shall mean a room that can be used for sleeping purposes, which exceeds seventy (70) square feet in floor area with no less than seven (7) feet in any dimension, which can be closed for privacy. A bedroom is a room other than a living room, family room, dining room, breakfast nook, sitting area, laundry room, pantry, or walk-in closet. Dens, studies, libraries, game rooms and offices immediately contiguous to a common area (excluding a hallway) and without a closet, shall not be considered a bedroom. ~~In no event, based on the criteria established in this definition, shall a dwelling unit not be required to pay a minimum one bedroom impact fee.~~

Commented [LDI78]: 78.Moved to computation section (Ch. 11)

Benefit District shall mean those Benefit Districts established pursuant to ~~Section 805 of Chapter 84011~~: Impact Fees.

Capital Countywide Parks Facilities shall mean lands, as well as buildings, improvements to land, and capital equipment, facilities and vehicles, used for public parks, recreation, open space, and/or trails — and specifically including those park, open space, recreation and trail elements included in the calculation of Countywide Parks Impact Fees in the Impact Fee Study. ~~The costs of Capital Countywide Park Facilities also includes the costs of related planning for the provision of Capital Countywide Parks Facilities.~~

Commented [LDI79]: 79.Moved to Ch. 11 (Use of Impact Fee Funds)

Capital Law Enforcement Facilities shall mean land, as well as buildings, improvements to land, and capital equipment, facilities and vehicles, used for county law enforcement services — and specifically including those law enforcement facilities included in the calculation of Law Enforcement Impact Fees in the Impact Fee Study. ~~The costs of Capital Law Enforcement Facilities also include the costs of related planning for the provision of Capital Law Enforcement Facilities.~~

Commented [LDI80]: 80.Moved to Ch. 11 (Use of Impact Fee Funds)

Capital Public Facility Standards shall mean those measures of levels of service for countywide parks facilities, law enforcement facilities, public safety facilities, and roads facilities documented and used in the Impact Fee Study to calculate the Impact Fees.

Capital Public Safety Facilities shall mean lands, buildings, improvements to land, and equipment, facilities and vehicles, used for the provision of public safety services — and specifically including those public safety facilities included in the calculation of Public Safety Impact Fees in the Impact Fee Study. ~~The costs of Capital Public Safety Facilities also include the costs of related planning for the provision of Capital Public Safety Facilities.~~

Commented [LDI81]: 81.Moved to Ch. 11 (Use of Impact Fee Funds)

Capital Roads Facilities shall mean transportation planning and the right-of-way acquisition, engineering and construction of road improvements to land of any project to expand the capacity of any arterial or collector shown in Map 5-B (the Future Traffic Circulation Functional Classification Map) of the Manatee County Comprehensive Plan but not including routine or periodic maintenance.

County Capital Facilities shall mean Capital Countywide Parks Facilities, Capital Roads Facilities, Capital Law Enforcement Facilities, and Capital Public Safety Facilities, as defined in this chapter.

Capture and Diversion Rate (Impact Fees) shall mean that portion of the travel to and from automobile oriented commercial land uses presented by vehicles making intermediate stops within a longer primary trip.

County Capital Facilities shall mean Capital Local Park Facilities, Capital Countywide Park/Open Space Facilities, Capital Transportation Facilities, Capital Law Enforcement Facilities, and Capital Public Safety Facilities, as defined in this chapter.

County Impact Fee Administrator shall mean the County Administrator or a designee, who shall be responsible for the administration of Chapter ~~4011~~ 8: Impact Fees.

County Impact Fee Funds shall mean the funds established by the County pursuant to ~~Section 804.1~~ Chapter 4011 to ensure the Impact Fees collected ~~pursuant to this Chapter 8: Impact Fees,~~ are designated for the accommodation of impacts reasonably attributable to new Impact-Generating Land Development that paid the Impact Fees. The County Impact Fee Funds include Accounts established pursuant to ~~Section 804.1~~ Chapter 4011.

Credit Authorization shall mean the document approved by the Board which grants impact fee credits to a person for the completion of non-site related improvements or non-site related transportation facilities and which includes any conditions placed on the use of those credits.

Development shall mean any construction or expansion of a building, structure, or use, any change in use of a building or structure, or any change in the use of land, which creates additional demand for public services.

Development Unit shall mean any lot, parcel, or phase in a project as depicted in a development order, and for which credit under the provisions of Chapter ~~84011~~ is sought.

Expansion of the capacity of a road includes any widening, intersection improvements or other capital improvements which results in an increase of the road's capacity.

Fair Market Value shall mean the value of land or land and Capital County Facilities that is determined as part of an Offer of Credit. Fair market value shall be established by the Manatee County Property Appraiser, or through an appraisal provided by a State of Florida licensed real estate appraiser, or an appraiser who is a member of the American Institute of Real Estate Appraisers or the Society of Real Estate Appraisers, or, in cases where the value of new construction has not yet been included on the Tax Roll in force, the declared value of the improvement on a Manatee County ~~B~~building ~~P~~ermit, pursuant to the Administrative Procedures.

Feepayer shall mean a person commencing Impact-Generating Land Development who is obligated to pay Impact Fees in accordance with the terms of Chapter ~~84011~~: Impact Fees.

Generation of Traffic (Impact Fees) shall mean both the production and attraction of traffic.

Impact Fees shall mean the Countywide Parks Impact Fees, the Roads Impact Fees, the Law Enforcement Impact Fees, and the Public Safety Impact Fees, established by Chapter ~~84011~~: Impact Fees.

Impact Fee Component shall mean each separate County Capital Facility for which Impact Fees are exacted. More specifically, the following shall each constitute a separate Impact Fee Component:

- a. ~~1~~-Capital Countywide Parks Facilities;
- b. ~~2~~-Capital Roads Facilities
- c. ~~3~~-Capital Law Enforcement Facilities; or
- d. ~~4~~-Capital Public Safety Facilities.

Impact Fee Road System shall mean all arterial and collector roads shown in Map 5-B (the Future Traffic Circulation Functional Classification map) of the Manatee County Comprehensive Plan.

Impact Fee Study shall mean the document titled "Impact Fees ~~Rate Study for Roads, Parks, Public Safety, and Law Enforcement in Manatee County, Florida~~", prepared ~~for Manatee County, Florida, by Henderson Young & Company, and dated May 26, 2011~~ October 25, 2006, and prepared by TischlerBise, that sets forth reasonable methodologies and analyses for determining the impacts of various types of development on the County's Capital Countywide Parks Facilities, Capital Roads Facilities, Capital Law Enforcement Facilities, and Capital Public Safety Facilities, and for determining the cost of these County Capital Facilities necessary to meet the demands created by new development.

Impact Fee Schedule shall mean a fee schedule comprised of Impact Fee Components for each separate County Capital Facility provided by the County for which Impact Fees are exacted. ~~The Impact Fee Schedule is established in Exhibit 8-1, and incorporated herein by reference.~~

Impact-Generating Land Development shall mean either:

- a. ~~1~~-Land development designed or intended to permit a use of the land that will contain more dwelling

Commented [LD182]: 82.[This part regarding incorporating by reference exhibit 8-1 should go in the impact fee chapter instead so deleted]

units, lots, or floor space than the then existing use of the land, or the making of any material change in the use of any structure or land in a manner that increases demand on Capital Countywide Parks Facilities, Capital Roads Facilities, Capital Law Enforcement Facilities, and/or Capital Public Safety Facilities, unless exempted pursuant to ~~Section 803.2~~Chapter 4011. (The type of proposed Impact-Generating Land Development shall be based on the proposed use of the land.); or

b. ~~2-~~Any "land development activity" as defined in Chapters ~~8402~~ and ~~211~~ of the Manatee County Land Development Code ~~repealed with the adoption of this Ordinance 064-75~~, that is obligated to pay but has not paid impact fees.

Commented [LDI83]: 83.STAFF: Deleted reference to ordinance. please verify.

Improvements shall mean the results of planning, engineering design, construction inspection, on-site construction, off-site construction, land, the purchase of related equipment, vehicles, and financing associated with new or expanded capital facilities, buildings, and equipment that expand the capacity of a facility or service system, but not including maintenance, operations, or improvements that do not expand capacity.

Independent Impact Analysis Study shall mean a study prepared by a Feepayer, calculating the cost the County will incur in providing the necessary Capital Countywide Parks Facilities, Capital Roads Facilities, Capital Law Enforcement Facilities, and/or Capital Public Safety Facilities to serve the Feepayer's proposed Impact-Generating Land Development, based on the established Capital Facility standard(s). ~~The Independent Impact Analysis shall be performed using an average cost (not marginal cost) methodology, that uses the service units and unit construction costs stated in the Impact Fee Study, and complies with all other relevant requirements established by Chapter 8: Impact Fees.~~

Commented [LDI84]: 84.Already stated in chapter 11.

Land (See "Land.") shall have the same meaning as set forth in Section 380.031(7), Fla. Stat.

Law Enforcement shall mean the provision of services for the protection of people and property in existing and proposed developments, and the enforcement of the penal, criminal, traffic or highway laws enforceable by the Manatee County Sheriff's Department.

Manufacturing (Impact Fees) shall mean the use of a building or structure or any portion thereof for assembling, disassembling, repairing, fabricating, finishing, manufacturing, packaging or processing operations.

~~*Non-Site Related Capital Roads Facilities* mean contributions, construction or dedication of land for right-of-way for Capital Roads Facilities that are not Site-Related Capital Roads Facilities.~~

Commented [LDI85]: 85.Deleted by Ord. 14-13.

Non-Site Related Improvements shall mean contributions, construction or dedication of land for Capital Countywide Parks Facilities, Capital Law Enforcement Facilities, Capital Roads Facilities, or Capital Public Safety Facilities that are not Site-Related Improvements.

Nursing Home (Impact Fees) shall mean the same as outlined in Chapter 400.021 Florida Statutes, and for the purposes of nursing home impact fees shall include residential treatment facilities.

Person shall mean an individual, corporation, governmental agency, business trust, estate, trust, partnership, association, two (2) or more persons having a joint or common interest, or any other entity.

~~*Site Related Improvements* means all Capital Local Park Facilities, Capital Countywide Park/Open Space Facilities, Capital Law Enforcement Facilities, or Capital Public Safety Facilities, located inside or outside the boundaries of the proposed development and designed and intended to serve only the needs of that development.~~

Commented [LDI86]: 86.Already defined below.

Successor-in-Interest shall mean a person who gains a fee simple interest in land for which Impact Fees are paid or a credit is approved pursuant to the terms of this chapter.

Warehouse (Impact Fees) shall mean any premises where the principal use is the storage of merchandise, products, or materials in bulk, for a fee or charge or for distribution to other establishments operated by the same business enterprise or establishment. A warehouse may include accessory wholesale sales, but shall not be deemed to include retail sales establishments, motor freight terminals, mini-warehouses or the bulk storage of flammable, explosive, toxic, or noxious materials as a principal use.

Impact Fee Component (Impact Fees). (See ~~IMPACT FEES~~"Impact Fees".)

Impact Fee Road System (Impact Fees). (See ~~IMPACT FEES~~ ["Impact Fees"](#).)

Impact Fee Schedule (Impact Fees). (See ~~IMPACT FEES~~ ["Impact Fees"](#).)

Impact Fee Study (Impact Fees). (See ~~IMPACT FEES~~ ["Impact Fees"](#).)

Impact-Generating Land Development (Impact Fees). (See ~~IMPACT FEES~~ ["Impact Fees"](#).)

Impervious Surface shall mean any surface which has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes surfaces such as compacted sand, lime rock, shell, or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots and other similar structures.

Improvements (Impact Fees). (See ~~IMPACT FEES~~ ["Impact Fees"](#).)

Incidental Adult Materials Vendor. (See ~~ADULT ENTERTAINMENT~~ ["Adult Entertainment"](#).)

Incinerator shall mean a facility in which wastes are reduced by combustion.

Independent Impact Analysis Study (Impact Fees). (See ~~IMPACT FEES~~ ["Impact Fees"](#).)

Independent Special District shall mean a special district that is not a dependent special district.

Industrial, heavy shall mean an establishment whose principal purpose is the mechanical or chemical transformation of materials or substances, including the bulk storage of raw materials, and which process may emit noise, vibration, dust, odor or pollutants. Activities include animal product processing facility, manufacturing, assembly and fabrication of items, including large scale or specialized industrial operations, firework/ sparklers, processing and compounding of semi-finished products from raw material in bulk form to be used in an industrial operation.

Industrial, light shall mean an establishment whose principal purpose is the manufacturing, assembling, compounding, processing, packing, baling, repairing, storing or distribution of products made from previously prepared basic materials, such as bond, cloth, cork, fiber, leather, paper, plastics, metals (not involving punch presses over fifty (50) tons rated capacity), stones, tobacco, wax, yarns, or wood (except where sawmills or planing mills are employed). Also included in this definition are ~~printing and publishing plants, and~~ micro-breweries. See personal and business services for repair of household appliances and office equipment.

Infirm Elderly shall mean any person sixty (60) years of age or older meeting the definition of functionally impaired.

Infrastructure shall mean road, water, sewer, stormwater or drainage facilities, public use area specifically designed to accommodate the impact generating land development activity.

Intensity. See ["Floor Area Ratio"](#).

Intensive Industrial Services Establishment shall mean any premises where the principal use is the provision of maintenance, cleaning, supply, repair, or similar services, such as linen suppliers, or building maintenance, where personal customer visits to the establishment are not commonly necessary. ~~shall mean any type of service that includes carpet cleaning plants, pest control/exterminating services, industrial-type cleaning and laundry, printing and publishing plants, sign painting establishments, wholesale photo processing, and other similar service uses where personal customer visits to the establishment are not commonly necessary.~~ This use category shall also include taxi/limousine service and towing service establishments as defined in this chapter.

Commented [LD187]: 87.consist ent with comp plan definition

Interior Lot. (See "Lot, Interior.")

Interior Play Space shall mean that indoor area which equals the licensed capacity, which is usable space for each child as defined per Section 10M-12.003(3), HRS Manual, 11/88.

Commented [LD188]: 88.Interior Play Space term not used in LDC.

Intermodal Terminal shall mean the use of land, buildings or structures for the storage and handling of cargo and the transfer of cargo from one mode of transportation to another. Such intermodal transfer may include the transfer of cargo from water vessels to rail or truck. This term shall not be construed to mean airport or airfield as defined in this section.

Interneighborhood Tie shall mean any ~~new~~ future street connection made to an existing residential neighborhood's local street network.

Interstate Connector shall mean any thoroughfare that both intersects and has access onto Interstate 75 (I-75) and Interstate 275 (I-275).

Irreversible shall mean any action, deed or accomplishment that is incapable of being reversed as it relates to the Code Enforcement citation program.

Isolated Wetland. (See "Wetland, Isolated.")

Junk Vehicle. (See "Vehicle, Junk.")

Junkyard shall mean any establishment or place of business which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles, motor vehicle parts, scrap metal, waste paper rags, used building materials, white goods, etc.

Laboratory, Medical and Dental. (See "Medical and Dental Laboratory.")

Land shall mean the earth, water, and air above, below, or on the surface, and includes any improvements or structures customarily regarded as land pursuant to same as defined in Section 380.031 (7), Florida Statutes.

Land (Impact Fees). (See **IMPACT FEES** "Impact Fees".)

Land Development Regulations shall mean documented rules, standards and procedures contained in the Manatee County Comprehensive Zoning and Land Development Code or in any regulations developed pursuant to Section 163.3202, F.S. an ordinance enacted by the County for the regulation of any aspect of development, including an ordinance governing zoning, subdivisions, landscaping, tree protection, or signs, the County's Comprehensive Plan or any other ordinance concerning any aspect of the development of land. The term does not include any building construction standard adopted under and in compliance with Chapter 553, Florida Statutes.

Land Reserve, Public or Private shall mean land restricted for the protection and preservation of the wildlife, natural resources or unique features of the land. For the purpose of this Code, this use is classified as *Environmental Land Preserve*.

Landfill shall mean land used for the disposal of waste as defined by the Florida Department of Environmental Protection. All landfills shall be in compliance with Chapter 403, Florida Statutes, as amended. Landfills may include accessory resource recovery or volume reduction facilities. For the purpose of this code, landfills are classified as *Solid Waste Management Facilities*.

Landscape Architecture shall mean the consultation, investigation, research, planning, design, preparation of drawings, specifications, contract documents and reports, responsible construction supervision, or landscape management in connection with the planning and development of land and incidental water areas where, and to the extent that the dominant purpose of such services or creative works is the preservation, conservation, enhancement, or determination of proper land uses, natural land features, ground cover and plantings, or naturalistic and aesthetic values.

Landscape Professional shall mean a landscape architect or other professional permitted to prepare plans or drawings in accordance with Chapter 481 Pt. II, Florida Statutes.

Landscaping Service. (See "Lawn Care and Landscaping Service.")

Lattice Tower shall mean a telecommunication tower that consists of vertical and horizontal supports and crossed metal braces, which is usually triangular or square in a cross section.

Law Enforcement (Impact Fees). (See **IMPACT FEES** "Impact Fees".)

Lawn Care and Landscaping Service Establishment shall mean any establishment engaged in performing a variety of lawn and landscaping services such as but not limited to lawn fertilizing, mowing, spraying and planting, and the planting and maintenance of landscaping. For the purpose of this Code, this use is classified as *Office if no storage of equipment is provided on-site. Otherwise it shall be classified as *Equipment sales, leasing, storage and repair*.*

Level of Service shall mean an indicator of extent or degree of service which is, or will be, provided by a facility. Level of Service standards are targets or objectives with which compliance is required.

Lighting, Outdoor. (See "OUTDOOR LIGHTING.")

Limits of Clearing shall mean the area of land to be cleared of trees and other vegetation in conjunction with proposed development or land use.

Commented [LDI89]: 89.Include d full definition from FS)

Commented [LDI90]: 90.Update d definition to be consistent with Comp Plan.

Commented [LDI91]: 91.Combine d with environmental land preserve

Limousine Service. (See "Taxi-Cab and Limousine Service.")

Liquor Store shall mean an establishment engaged in the retail sale of packaged alcoholic beverages for consumption off-premises. (See "Retail Sales, Other.")

Live Bottom Communities shall mean sub-tidal biological communities which aggregate on the bottom of water bodies. Live bottom communities include oyster bars, clam, scallop and mussel beds, hard and soft coral reefs, seagrass and algae beds.

~~*Local Park* shall mean a park that is a "walk-to" or "short drive-to" a public or private park generally located along streets people can walk or bicycle without encountering heavy traffic. It serves the population of a neighborhood/community in radius of up to one and one-half miles and should have at least two acres for each 1,000 population or other space requirement as determined by adopted level of service standards. (See "Park, Local.")~~

Commented [LDI92]: 92. Local park definition was added to be consistent with comp plan.

Local Road. (See "Road, Local.")

Local Street. (See "Street, Local.")

LOS shall mean the level of service established for a transportation facility pursuant to the Comprehensive Plan.

Lot shall mean a single or continuous plot, parcel, or tract of land all of which is to be used, developed or built upon as a unit under single ownership throughout and defined by boundaries or lot lines ascertainable by recorded deed or plat; and which shall be deemed to be a lot in accordance with this definition, regardless of whether or not the boundaries thereof coincide with the boundaries of lots or parcels as shown on any map of record. This definition shall not include individual units under condominium ownership. ~~A lot shall not be developable if it does not meet the standards within the Code, unless it is legally non-conforming in accordance with provisions of Chapter 11.~~

Commented [LDI93]: 93. Already stated in Ch. 4.

Lot Area shall mean the total horizontal area within the legal lines of a lot, excluding streams, ponds, canals, rivers, creeks, or other water bodies, except as may be permitted in the General Agricultural District ~~under Section 702.4.3~~, and any area under an easement for a private street or dedicated as or otherwise having the legal status of a public street except for platted subdivisions in the A District platted or recorded prior to **September 9, 1926**, in which one-half (1/2) of the adjacent platted right-of-way or easement for a private street from the extensions of lot lines may be included in calculating lot area. That portion of a lot within the area between the existing right-of-way of a street and any officially adopted future right-of-way lines shall be considered as part of the lot area.

Lot Consolidation shall mean the combining of two or more subdivision lots into a single parcel for the purpose of development and density calculations.

Lot Coverage shall mean the number determined by dividing that area of a lot, which is occupied or covered by the total horizontal projected surface of all buildings, including covered porches and accessory buildings, by the lot area.

Lot Depth shall mean the mean horizontal distance between the front and rear lot lines.

Lot Line shall mean any legal boundary line of a lot.

Lot Line, Front shall mean the street line of a lot, except:

Lot, Corner shall mean a lot at the point of intersection of and abutting on two (2) or more intersecting street lines, or in the case of a curved street, extended street lines, being not more than one hundred thirty-five (135) degrees.

Lot, Interior shall mean any lot, including a through lot, other than a corner lot.

A. ~~(A)~~ On a through lot, the front lot line shall be deemed the street line which faces the principal entrance of the principal building.

B. ~~(B)~~ On lots in common or dedicated open space, the front lot line shall be deemed to be the closest lot line which faces the principal entrance to the principal building or structure.

C. ~~(C)~~ On an existing approved flag lot (lot of record) ~~or a flag lot approved per Chapter 3 Section 103.2.3~~, the closest lot line which faces the principal entrance or approach to the principal building shall be deemed to be the front lot line.

Commented [LEA94]: 94. No new flag lots are allowed according to old section 103.2.3

Lot Line, Rear shall mean that lot line that is most distant from, and is most nearly parallel with, the front lot line. A

corner lot shall not have a rear lot line. If a rear lot line is less than ten (10) feet in length, or if the lot comes to a point at the rear, the rear lot line shall be deemed to be a ten (10) foot line parallel to the front lot line, lying wholly within the lot.

Lot Line, Side shall mean a lot line which is neither a front lot line, nor a rear lot line.

Lot, Nonconforming shall mean any lot of record lawfully existing on the effective date of this Code, which is not in accordance with all provisions of this Code or any amendment hereto for the zoning district in which it is located.

Lot of Record shall mean either a lot or contiguous lots which legally exist, under single ownership at the time of adoption of this Code, and which are part of a subdivision, the plat of which has been recorded in the office of the Clerk of the Circuit Court of the County; or any parcel of land not a part of a subdivision, that has been officially recorded by deed in the office of the Clerk; provided that such platted lot or parcel was legally established at the time of recording, or provided that the deed for the lot or parcel was recorded prior to the effective date of zoning in the area where the lot is located.

Lot, Reverse (or Double) Frontage shall mean any through or corner lot, intentionally designed so that the front lot line faces a local street rather than facing a thoroughfare.

Lot, Through shall mean any lot, other than a corner lot, abutting two (2) or more public streets, but not abutting an alley.

Lot Width shall mean the horizontal distance between the side lot lines of a lot measured at right angles to its depth along a straight line, parallel to the front lot line at the minimum required building setback line.

Low Income Household shall mean one (1) or more natural persons or a family with a total annual gross household income which does not exceed eighty (80) percent of the median annual income adjusted for family size for households within the metropolitan statistical area, the County, or the non-metropolitan median for the state, whichever amount is greatest. With respect to rental units, the low income household's annual income at the time of initial occupancy may not exceed eighty (80) percent of the area's median income adjusted for family size. While occupying the rental unit, a low income household's annual income may increase to an amount not to exceed one hundred forty (140) percent of eighty (80) percent of the area's median income adjusted for family size.

Lowest Floor. (See "Floodplain Management, Floor, Lowest.")

Lumberyard shall mean any establishment engaged in the cutting, dressing, finishing and wholesale sale of lumber. For the purpose of this Code, lumberyards are deemed Building Materials Establishments.

Lumen (Outdoor Lighting). (See "OUTDOOR LIGHTING.")

Mail Order Pickup Facility shall mean any establishment which engages in the taking of requests in person or the on premises delivery of mail order or catalog merchandise.

Major Collector. (See "Collector, Major.")

Major Drainage Facility. ("See Drainage Facility, Major.")

Major Drainage Plan. (See "Drainage Plan, Major.")

Major Earthmoving. (See "Earthmoving, Major.")

Major Subdivision. (See "Subdivision, Major.")

Major Trip Generators or Attractors shall mean concentrated areas of intense land use or activity that produces or attracts a significant number of local trip ends.

Major Wellheads shall mean major ground water wells with a permitted capacity of one hundred thousand (100,000) gallons or greater, or a well casing of six (6) inches in diameter or larger.

Management Practices shall mean, with respect to water quality, design, construction, and operation practices tending to maximize water quality control within the limits of demonstrated technology and reasonable cost. Best management practices for control of non-point sources have been established in the Area-Wide Water Quality Management (208) Plan for the Tampa Bay Region and shall be as set forth in the Manatee County Development Standards, or as the County Engineer may otherwise approve.

Commented [LDI95]: 95.Last sentence not moved to standards as recommended by CAO because we couldn't figure out where this section wd be relevant.

Commented [LDI96]: 96.Added to be consistent with Comp Plan.

~~Manatee County Building Codes for the purposes of this Code shall mean all the Codes adopted by the Board and administered by the Building Division of the Planning Department. These Codes shall include but not be limited to building, electrical, plumbing mechanical, floodplain management, unsafe structures, handicap accessibility, and energy codes.~~

Commented [LD197]: 97.Replaced with Florida building code

~~Manatee County Floodplain Management Code shall mean Section 802 of this LDCthe Ordinance, adopted by the Board, numbered as 89-10 or as amended, entitled Manatee County Floodplain Management Code.~~

~~Manatee County Public Works Standards shall mean those standards contained in the Public Works Standards Manual. The document, which contains three parts: the Stormwater Management Design Manual, the Traffic and Highway Standards Manual, and the Utility Standards Manual, is adopted and amended by resolution by the Board, and is on file with the Manatee County Planning DepartmentBuilding and Development Services Department.~~

~~Mangrove Stand shall mean an assemblage of mangrove trees which is mostly low trees noted for a copious development of interlacing adventitious roots above the ground and which contain one (1) or more of the following species: black mangrove (Germinans); red mangrove (Rhizophora mangle); white mangrove (Languncularia racemosa); and buttonwood (Conocarpus erects).~~

~~Mansard Sign. (See "Sign, Mansard.")~~

~~Manufacturing shall mean the processing, fabricating, preparing, extracting, assembling, packaging, cleaning, servicing, testing or repairing of materials, products, or equipment on the premises of a manufacturing establishment as defined below. The impacts, adverse or not, for matters discussed in Section 723 shall be certified by an engineer or other qualified professional.~~

Commented [LD198]: 98.Change d name to Industrial and has new definition under industrial

~~The term manufacturing shall be deemed to include accessory wholesale sales, but shall not be deemed to include any retail sales. The term manufacturing shall also not be deemed to apply to such processing and related activities when performed as an accessory use to retail sales establishments, repair service establishments, wholesale trade establishments, or any other principal use.~~

~~Manufacturing shall be considered as one of the following:~~

~~(A) Light Manufacturing shall mean any premises where the principal use is manufacturing which complies with the use limitations and the purpose and intent of the light district, and shall include but shall not be limited to uses such as food preparation, electronics manufacture, automotive parts assembly, appliance manufacture, and photographic labs, but shall not include heavy manufacturing. Light manufacturing shall not create any adverse impacts on adjacent or nearby residential uses.~~

~~(B) Heavy manufacturing shall mean those uses such as ammonia, chlorine manufacture, blast furnaces, boat yards and ways, bulk storage of flammable, toxic, explosive or noxious materials as a principal use, concrete mixing or batching plants, fertilizer or pesticide manufacture, petroleum or asphalt refining/manufacture, the outdoor storage of used tires, phosphate rock dryers, and other similar uses shall be considered heavy manufacturing uses. Additionally, a heavy manufacturing establishment shall mean any premises where the principal use is manufacturing which complies with the use limitations and the purpose and intent of the heavy manufacturing district. Heavy manufacturing uses also shall include any use which creates any adverse impacts per Section 723, on adjacent or nearby residential uses.~~

~~Manufacturing (Impact Fees). (See IMPACT FEES"Impact Fees".)~~

~~Marina shall mean any establishment with a waterfront location for the dockage of watercraft in wet slips, or for the refueling of watercraft used primarily for recreation, and providing minor repair services for such craft, not involving removal of the watercraft from the water or the removal of an inboard or outboard engine from the watercraft. A marina may include on-shore accessory uses, including food service establishments, laundry or sanitary facilities, sundries store and other customary accessory facilities. A marina shall not include facilities for boat or motor rental, or for mechanical or structural repairs (other than for minor repairs as noted above), or facilities for boat hauling. The term marina shall not be deemed to include a boat yard and way, or boat livery. (See Water Dependent Uses).~~

Commented [LD199]: 99.Standards moved to Chapter 5 (new section - Marinas).

~~Marina-Type Uses shall mean any marina, boat livery or boat yard and way.~~

Mass Transit shall mean passenger services provided by public, private or non-profit entities such as the following surface transit modes: commuter rail, rapid rail transit, light rail transit, light guideway transit, express bus and local fixed route or demand-response bus.

Master Mining Plan shall mean ~~the a~~ Master Mining Plan, approved in accordance with Chapter 2-20 of the Code of Ordinances which describes the mining and land reclamation activities by the applicant over the life of the mine, so as to allow the overall plans to be reviewed, in as much detail as possible, prior to the onset of any mining activities, thereby enabling the Board to ascertain whether the impacts of the activities are consistent with the public health, safety, and welfare and the overall development of the County.

Commented [LDI100]: 100.Revised per CAO comments.

Mean High Water Line shall mean the line formed by the intersection of the tidal plane of mean high water with the shore as established by procedures approved under the Florida Coastal Mapping Act of 1974, Ch. 177, Florida Statutes, as amended.

Mean Sea Level shall mean the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. ~~For the purpose of this Code, the term is synonymous with National Geodetic Vertical Datum (NGVD);~~

Commented [LDI101]: 101.Deleted language per Todd Boyle's email

Medical and Dental Laboratory shall mean any establishment engaged in the testing and analysis of material for medical or dental services or for the patient on prescription of a health practitioner. This shall also include the creation, fitting and fixing of dentures, crowns, and other dental materials.

~~Mentally Ill means an impairment of the emotional processes, of the ability to exercise conscious control of one's actions, or of the ability to perceive reality or to understand, which impairment substantially interferes with a person's ability to meet the ordinary demands of living, regardless of etiology; except that, for the purposes of this Code, the term does not include retardation or developmental disability as defined in Chapter 393, F.S., simple intoxication, or conditions manifested only by antisocial behavior or drug addiction. This term includes those persons included in the definition of the same, or Section 395.455, F.S.~~

Commented [LEA102]: 102.The term is only used in the definition of Community Residential Home Resident and that definition already refers to the statutes. No need to repeat.

Message Center Sign. (See "Sign, Message Center.")

Middle School. (See "School, Middle.")

Minimum En Route Altitude (MEA). (See AIRPORT.)

Minimum Descent Altitude (MDA). (See AIRPORT.)

Minimum Obstruction Clearance Altitude (MOCA). (See AIRPORT.)

Minimum Floor Area (Residential). (See "Floor Area, Minimum (Residential).")

Minimum Project Size shall mean the minimum size in acres or dwelling units, of a development project for which a particular development approval may be obtained. The project size may be divided into phases where initial site or development plan approval is obtained for the entire project, and may include contiguous lands separated only by a public street, canal, or similar feature.

Minimum Vectoring Altitude (MVA). (See AIRPORT.)

Mining shall ~~have the meaning set forth in Chapter 2-20 of the Code of Ordinances~~ mean any earthmoving involving extraction of phosphate ore, limestone, or other minerals. (See "Earthmoving, Major.")

Commented [LDI103]: 103.Recommend deleting reference to Earthmoving to avoid confusion between the two activities.

Mining Activities shall mean all functions, work, facilities, and activities in connection with the development, extraction, drying, transporting or processing of mineral deposits and all uses reasonably incidental thereto. The definition of mining activities shall also include reclamation of lands disturbed by oil, natural gas, or mineral extraction operations incidental thereto.

Mini-Warehouse. (See "Warehouse, Mini.")

Minor Collector. (See "Collector, Minor.")

Minor Earthmoving. (See "Earthmoving, Minor.")

Minor Subdivision. (See "Subdivision, Minor.")

Mitigation. (See "Wetland Mitigation.")

Mixed-use shall mean the mixture of more than one land use within a single building, or within a single project in separate buildings, with such uses planned in a coordinated manner under a single master development plan. Land uses, which when combined constitute mixed or multiple uses, exclude parks, golf courses, schools, and public facilities (fire stations, utility substations, etc.). Land uses, which when combined within a single project constitute mixed or multiple uses include residential, commercial, industrial uses.

Commented [LDI104]: 104.From Comp Plan.

Mobile Home shall have the meaning set forth in Section 513.01, Florida Statutes.

~~Manufactured Mobile Home and Recreational Vehicle Sale, Rental and Leasing Establishment~~ shall mean any premises where the principal use is the sale, rental or leasing of any ~~manufactured mobile~~ home or recreational vehicle. A ~~manufactured mobile~~ home and recreational vehicle sale, rental and leasing establishment shall not be deemed to include the storage, except for sales display, of any ~~manufactured mobile~~ homes or recreational vehicles or the sale, rental or leasing of any commercial or domestic vehicles.

Mobile Home Park shall have the meaning set forth in Section 513.01, Florida Statutes.

~~Manufactured Mobile Home Park, Existing~~ shall mean all ~~manufactured mobile~~ home parks or subdivisions built and operating before **April 30, 1981**.

~~Manufactured Mobile Home Park Pre-FIRM~~ shall mean any ~~manufactured mobile~~ home park or subdivision that was built and operating before **January 1, 1975**.

~~Manufactured Mobile Home Site~~ shall mean any designated area of land within a ~~manufactured mobile~~ home park or a lot within a ~~manufactured mobile~~ home subdivision, where such area of land or lot is designed for occupancy by not more than one (1) ~~manufactured mobile~~ home dwelling.

~~Manufactured Mobile Home Subdivision.~~ (See "Subdivision, ~~Manufactured Mobile Home.~~")

Mobile service shall mean a radio communication service that is carried on between mobile stations or receivers and land stations, by mobile stations communicating among themselves, and includes (A) one-way and two-way radio communication services, (B) a mobile service which provides a regularly interacting group of base, mobile, portable, and associated control and relay stations (whether licensed on an individual, cooperative, or multiple basis) for private one-way or two-way land mobile radio communications by eligible users over designated areas of operation, and (C) any service for which a license is required in a personal communications service established pursuant to the proceeding entitled "Amendment to the Commission's Rules to Establish New Personal Communications Services" (GEN Docket No. 90-314; ET Docket No. 92-100), or any successor proceeding.

~~Private Mobile Service, Private~~ shall mean a radio communication service that is not a commercial mobile service or the functional equivalent of a commercial mobile service, as specified by Federal Communication Commission (FCC). This term, shall also include aviation and emergency services.

Model Home shall mean any residential structure used for demonstration or sales purposes, open to the public for inspection, and not occupied as a dwelling unit.

Moderate Income Household shall mean one (1) or more natural persons or a family with a total annual gross household income which does not exceed one hundred twenty (120) percent of the median annual income adjusted for family size for households within the metropolitan statistical area, the County, or the non-metropolitan median for the state, whichever is greatest. With respect to rental units, the moderate income household's annual income at the time of initial occupancy may not exceed one hundred twenty (120) percent of the area's median income adjusted for family size. While occupying the rental unit, a moderate-income household's annual income may increase to an amount not to exceed one hundred forty (140) percent of one hundred twenty (120) percent of the area's median income adjusted for family size.

Commented [LDI105]: 105.Last sentence not moved to standards as recommended by CAO because we couldn't figure out where this section would be relevant.

Modular Unit shall mean any factory fabricated transportable building, approved by the Department of ~~Economic Opportunity (DEO) Community Affairs (DCA)~~, designed to be used by itself or to be incorporated with similar units at a building site into a modular structure, that will be a finished permanent building in a fixed location on a permanent foundation. This term is intended to apply to major assemblies, and does not include pre-fabricated panels, trusses, plumbing trees, and other pre-fabricated sub-elements incorporated into a structure at the site.

Monopole Tower shall mean a telecommunication tower of a single pole design.

Monument shall mean a survey marker which must:

- A. ~~A~~-Be composed of a durable material.
- B. ~~B~~-Have a minimum length of eighteen (18) inches.
- C. ~~C~~-Have a minimum cross-section area of material of 0.2 square inches.
- D. ~~D~~-Be identified with a durable marker or cap bearing either the Florida registration number of the professional surveyor and mapper in responsible charge or the certificate of authorization number of the legal entity, which number shall be preceded by LS or LB as applicable.
- E. ~~E~~-Be detectable with conventional instruments for locating ferrous or magnetic objects.

Motel. (See "Hotel.")

Motor Freight Terminal shall mean a building or area where freight brought by truck is assembled and/or stored for routing and reshipment, or where semitrailer trucks, including tractor and/or trailer units, are stored.

Motor Pool Facility shall mean any premises where the principal use is the outdoor or indoor storage, service, maintenance or repair of any truck, bus, van, automobile or other motor vehicle fleets. A motor pool facility shall not be deemed to include motor vehicle rental establishments.

Motor Vehicle Repair shall ~~mean either (A), (B), or (C):~~ include neighborhood serving, community serving or major repair establishments, as follows:

Commented [LDI106]: In Phase 2, combine community and neighbor into automotive services, limited

- A. ~~(A)~~-Neighborhood Serving, which may include any of the following:
 1. ~~1~~-Sale and service of spark plugs and batteries.
 2. ~~2~~-Replacement of fan belts, brake fluids, light bulbs, fuses, floor mats, windshield wipers and blades, and mirrors.
 3. ~~3~~-Fluid replacement.
 4. ~~4~~-Greasing and lubrication.
 5. ~~5~~-Emergency repair of wiring.
 6. ~~6~~-Minor adjustment not involving removal of the head of crankcase and grinding valves.
 7. ~~7~~-Battery recharging.
 8. ~~8~~-Safety inspections.
- B. ~~(B)~~-Community Serving, which may include all neighborhood serving motor vehicle repair and may include any of the following:
 1. ~~1~~-Sale or service of distributor and ignition system parts.
 2. ~~2~~-Sale, service or repair of tires, but shall not include recapping or regrooving.
 3. ~~3~~-Replacement of mufflers, tail pipes, water hoses, seat covers, grease retainers, wheel bearings, and the like.
 4. ~~4~~-Radiator cleaning and flushing.
 5. ~~5~~-Providing and repairing fuel pumps, oil pumps, and the like.
 6. ~~6~~-Minor adjustment and repair of carburetors.
 7. ~~7~~-Adjusting brakes and installing exchange brake shoes.
 8. ~~8~~-Wheel balancing.
 9. ~~9~~-Warranty maintenance.
 10. ~~10~~-Other minor servicing of a similar intensity to those listed above.
- C. ~~(C)~~-Major. Activities of greater intensity than those listed in (A) or (B). Major motor vehicle repair shall also

include the repair of boats and boat motors. (See Section 704, Motor Vehicle Repair).

Motor Vehicle Sale, Rental or Leasing Establishment shall mean any premises where the principal use is the sale, rental or leasing of any commercial or domestic vehicle. Vehicle sale, rental or leasing establishments shall not be deemed to include the storage, except for sales display, of trucks, machinery or equipment of more than one-and-one-half (1½) tons in weight or buses, or the sales, rental or leasing of ~~manufactured~~ mobile homes or recreational vehicles.

Multiple Occupancy Parcel shall mean any parcel which is occupied by more than one (1) establishment.

Multiprism Sign. (See "Sign, Multiprism.")

National Flood Insurance Program (NFIP). (See "Floodplain Management.")

National Geodetic Vertical Datum (NGVD) as corrected in 1929 shall mean a vertical control used as a reference for establishing varying elevations. ~~(See "Mean Sea Level.")~~

Native (Natural) Vegetation shall mean flora which naturally occurs in the County.

New shall mean a specific entity which is existing legally for the first time on or after the effective date of this Code.

New Construction shall mean any structure for which the "start of construction" commenced on or after the effective date of this Code.

Nonconforming Lot. (See "Lot, Nonconforming.")

Nonconforming Structure. (See "Structure, Nonconforming")

Nonconforming Use. (See "Use, Nonconforming.")

Non-Precision Instrument Runway. (See AIRPORT.)

Non-Preferred Zone Districts, ~~as used in Section 704.59 of this Code,~~ shall mean the zone districts listed ~~as Non-Preferred zone districts as described in Table 5-1 Figure 7-A~~ within which new telecommunication towers are discouraged to be located.

Non-Residential District. (See "District, Non-Residential.")

Non-Site Related Capital Transportation Facilities (Impact Fees). (See ~~IMPACT FEES~~ "Impact Fees".)

Non-Standard Take-Off Minimums. (See AIRPORT.)

North American Vertical Datum of 1988 shall mean the official vertical datum of the Federal Government.

North Central Overlay District ~~NORTH CENTRAL OVERLAY DISTRICT~~

Architectural Feature shall ~~means~~ a prominent or significant part or element of a building or structure.

Awning shall ~~means~~ a roof-like cover that is temporary or portable in nature and that projects from the wall of a building for the purpose of shielding a doorway or window from the elements and is periodically retracted into the face of the building. Awnings are temporary or portable devices.

Building, Multi-tenant shall ~~means~~ a structure for the use of multiple businesses with a roof supported by columns or walls, separated by dividing walls without interior openings to the individual businesses, where each business has a separate exterior access.

Building Scale shall ~~means~~ the relative size of a structure in relationship to other nearby and adjacent structures or to the human form.

Colonnade shall ~~means~~ a series of columns set the same distance apart to support a roof.

Column shall ~~means~~ a vertical shaft or pillar that supports, or appears to support, a structure such as a roof, porch, or portico.

Cornice shall ~~means~~ a horizontal molded projection that finishes or completes a wall or building.

Court shall ~~means~~ any open space, unobstructed from the ground to the sky, bounded on two (2) or more sides by the walls of a building or buildings located on the same lot.

Commented [LD1107]: 106.[Deleted language per todd boyle email]

Commented [LD1108]: 107.[Add definition per todd boyle email]

Eaves shall mean a projecting overhangs at the lower borders of a roof.

Elevation shall mean a scaled drawing of the side, front, or rear project view of a structure without any allowance for the laws of perspective.

Facade shall mean the front or principal face of a building or any side of a building that faces a street or other open space.

Fascia shall mean a flat board with a vertical face that forms the trim along the edge of a flat roof, or along the eaves of a pitched roof. The rain gutter is often mounted to it.

Kiosk shall mean a free-standing structure upon which temporary information and/or posters, notices, and announcements are posted.

Mass shall mean the physical bulk or volume of a building. In architectural terms, a single mass building is a single geometric form such as a rectangle or square, and may include simple roof form with no variation in the roof line. Massing refers to variation in the mass and may involve multiple masses joined together.

Natural shall mean materials present in or produced by nature and not produced or changed artificially.

Outdoor Gathering Space shall mean a plaza, courtyard, or other open space designed for the assembly of people.

Parapet shall mean the extension of the main walls of a building above the roof level.

Pavers shall mean the reformed paving blocks that are installed on the ground to form patterns that articulate pathways or driveways.

Pediment shall mean a wide low-pitched gable surmounting the facade of a building in a classical style, and ~~Also~~ any similar triangular crowing elements used over doors, windows, and niches.

Pitch shall mean the angle of a roof, usually expressed as a ratio of units of vertical distance to twelve (12) units of horizontal distance. For example, 4:12 means four (4) units of vertical rise to every twelve (12) units of horizontal run.

Plaza shall mean an open space that may be improved and landscaped, usually surrounded by streets and buildings.

Primary Structure shall mean a structure designed to serve as a focal point to the site and to suggest a point of activity. On parcels with more than one (1) structure, it is the primary or anchor tenant building.

Roof shall mean the outside top covering of a building.

Roof, Flat shall mean a roof that is pitched less than 1:12 and the surface of which is generally parallel to the ground.

Roof, Gable shall mean a ridged roof forming a gable at both ends of the building.

Roof, Gambrel shall mean a roof with two (2) slopes on each side, the lower steeper than the upper.

Roof, Hip shall mean a roof with sloping ends and sides.

Roof, Mansard shall mean a roof with two (2) slopes on each of four (4) sides, the lower steeper than the upper. In current use the upper slope may be flat.

Scale of Development shall mean the relationship of a particular project or development, in terms of size, height, bulk, intensity, and aesthetics, to its surroundings.

Storefront shall mean that portion of the front of a building which is especially arranged to afford extensive show windows for a shop or store. Characteristically, it is a screen of windows, glazed with large sheets of plate or tempered glass so as to give the greatest possible space for display of goods.

Nursing Home shall mean any facility licensed under Chapter 400, Part ~~1~~ Florida Statutes, which shall include but shall not be limited to skilled nursing facilities and intermediate care facilities.

Nuisance, Exotic plants shall mean those species introduced to Florida from a natural range outside of Florida that have naturalized and have altered native plant communities by displacing native species, changing community

structures or ecological functions, or through hybridizing with natives. The list shall include those upland plant species indicated as Florida prohibited noxious weeds or Florida prohibited aquatic plants species in the document entitled Non-Native Plant Species Restricted by Federal, State, or Local Law in Florida, and compiled by the Bureau of Invasive Plant Management, Florida Department of Environmental Protection.

Nuisance Species shall mean ~~S~~species of flora whose noxious characteristics or presence in sufficient number, biomass, or areal extent may reasonably be expected to compromise the viability of desirable native species.

Nursery, Retail shall mean an establishment whose principal use is the sale of plant materials including trees, flowers, shrubs, sod and other such items, as well as accessory fertilizer, pesticides and garden equipment. This may include accessory cultivation and transplantation, however the principal use is the retail sale of plant materials. Retail Nurseries shall not include the accessory retail sales where the principal use is growing and cultivating plant materials on-site for sale in other locations.

Occupancy shall mean any structure or premises, or portion thereof which is owned, leased, rented, or otherwise occupied for a given use.

Occupied Space shall mean the total area of all buildings or structures on any lot or parcel of ground projected on a horizontal plane, excluding permitted projections allowed by this Code.

Office shall mean any room, studio, suite or building in which a person transacts business or carries on a stated occupation. An office shall not involve manufacturing, fabrication, production, processing, assembling, cleaning, testing, repair, or storage of materials, goods and products; or the sale or delivery of any materials, goods or products which are physically located on the premises. Unless specified otherwise, the term Office when used in this code shall include professional and medical offices, banking, and lawn care/landscaping and construction headquarter offices.

Office, Medical and Dental shall mean an office in which the principal use is the dispensing of health and/or dental services by licensed practitioners. The use shall include, but not be limited to, physicians and dentists offices, veterinarians, and massage therapists (masseurs/ masseuses) licensed by the State of Florida.

Office, Professional shall mean any office wherein the primary use is the conduct of a business by professionals such as engineers, architects, bankers, planners, land surveyors, artists, musicians, lawyers, accountants, real estate brokers, insurance agents, ~~dentists or physicians~~, and landscape architects.

Off Site Sign. (See "Sign, Off Site.")

Off Street Parking. (See "Parking, Off Street.")

On Site Sign. (See "Sign, On Site.")

One Hundred (100) Year Floodplain. (See "Floodplain, One Hundred (100) Year" under "Floodplain Management"-)

Open Sales Area. (See "Sales Area, Open.")

Open Space shall mean any parcel or area of land or water which is unimproved, or is landscaped using plant cover and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the protection of natural resources, that area within the boundaries of a lot or a development that is intended to provide light and air, and is designed for scenic, recreational, or ecological purposes. Open space shall, in general, be available for entry and use by the residents or occupants of the development, but may include a limited proportion of space so located and treated as to enhance the amenity of the development by providing landscaping features, screening for the benefit of the occupants or those in neighboring areas, or a general appearance of openness.

Open Space, Common shall mean any open space provided and maintained for common use of and owned by a homeowner's or other such association for the use and enjoyment of the owners, tenants and/or their guests.

Open Space, Dedicated shall mean all open space which is to be dedicated or conveyed to the County, or to an appropriate public agency, board or body, for public use as open space.

Open Space, Landscaped shall mean that open space that is designed to enhance privacy and the amenity of the development by providing landscaping features; screening for the benefit of the occupants or those in neighboring areas, or a general appearance of openness.

Open Space, Recreational shall mean that open space that is designated and improved for recreational use by

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Commented [LDI110]: I09.As requested by staff.

Commented [LDI111]: I10.upda ted to be consistent with comp plan

Commented [LDI112]: I11.The rest of the definition was moved to chapter 8.

residents of a development. Recreational open space may be located on or off the site but shall be reasonably accessible to all dwelling units therein. Land designated as recreational open space shall be suitable for active and passive recreational use, and may include without limitation, playgrounds, tot lots, golf courses, beach frontage, nature trails, horseback riding trails, bikeways, recreational clubhouses, swimming pools, tennis courts and similar facilities, provided that such open space shall be comprised of not more than:

- A. ~~4-~~Thirty (30) percent by other utility easements or rights-of-way provided they are at least twenty-five (25) feet wide, located entirely outside a street right-of-way, and signed and reserved to adequately serve as recreational open space. Utility easements or rights-of-way where all utility facilities associated therewith are below ground and completely covered may be fully credited as recreational open space; OR
- B. ~~2-~~Twenty-five (25) percent of which lies within a floodplain.

Recreational open space shall not be deemed to include required minimum yards or minimum distances between buildings, retention or detention areas, or landscaped medians or islands in parking or other vehicular use areas.

Ordinary High Water Mark shall mean the line formed by the intersection of the plane of mean high water with the shore for freshwater bodies and watercourses by reference to current USGC or other official governmental records, or in their absence by the determination of the Department Director based upon historical or empirical evidence presented.

Ordinary Repairs and Maintenance shall mean any work for the maintenance of or minor repairs of a non-structural nature.

Other Than Utility Runway. (See AIRPORT.)

Outdoor Advertising Sign. (See "Sign, Outdoor Advertising.")

Outdoor ~~Firing-Shooting Range.~~ See Shooting Range. (~~See Conditional Use Criteria, Section 704.~~)

Outdoor Gathering Space shall mean a plaza, patio, porch, gallery or promenade; green space; or focal elements such as water features, public art, and public gardens in non-residential developments that are appropriate for public gathering, outdoor dining, farm markets, seasonal events, vendor carts, kiosks, and other outdoor activities. Outdoor gathering space shall not mean parking facilities. A public garden is one that is identified with signs or other educational materials (e.g., butterfly or demonstration gardens) and open to the public.

Outdoor Sales. (See "Sales, Outdoor.")

Outdoor Lighting ~~OUTDOOR LIGHTING.~~

Fixture (Outdoor Lighting)- shall mean ~~T~~he light source, the lamp holder, the shields, and their housing in an assembly that may include other components, e.g., electrical devices. Including but not limited to: security, flood, spot, wall, fascia, back, advertising, landscape, foot path, accent, outline, swivel, directional, movable, portable, yard, seawall, or dock light.

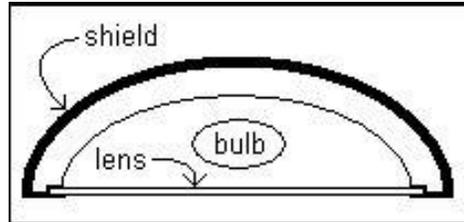
Footcandle (Outdoor Lighting)- shall mean ~~T~~he unit for measurement of illumination received by a surface located at a distance from a source of visible light. Typically calculated for a lighting plan and measured with a light meter.

Full horizontal shielding (Outdoor Lighting)- shall mean ~~A~~a design for a fixture that does not emit light above the horizontal plane running through the lowest point on the light source. Does not include a drop lens, sag lens, or convex lens if the lens extends below the shield. Sometimes called fully shielded by manufacturers of outdoor lighting. ~~The following illustrations provide examples:~~

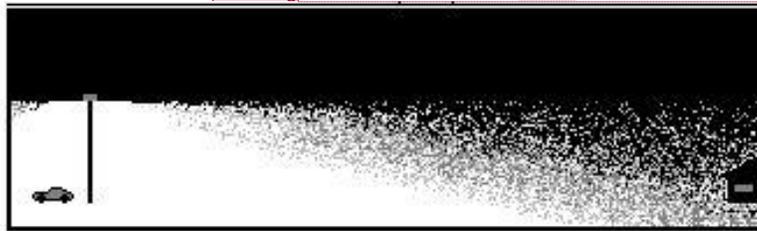
~~The bulb, reflectors, or lens do not extend below the shield:
Vertical cross section of fixture with full horizontal shielding~~

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hics moved to Chapter 8.

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ed to Chapter 8



The illumination does not project above the fixture:
Street lighting from fixture with full horizontal shielding

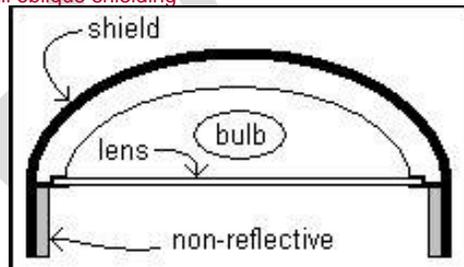


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Full oblique shielding (Outdoor Lighting)- shall mean a design for a fixture that does not emit light above the line of sight to the light source when viewed from protected property. The shield blocks direct illumination of protected property. The fixture completely conceals and recesses the light source from all viewing positions except those positions permitted to receive illumination. The following illustrations provide examples:

The interior surface of the shield below the lens has a dull and dark finish to prevent reflection of light.

Vertical cross section of fixture with full oblique shielding



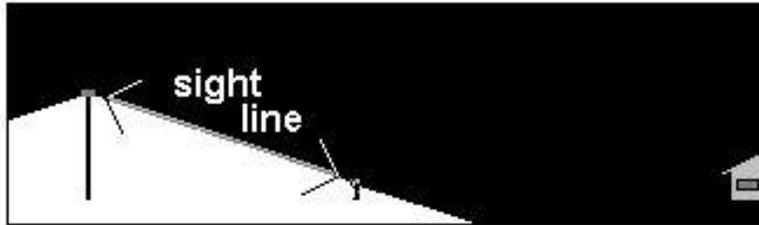
The illumination does not project into protected property:
Area lighting from fixture with full oblique shielding



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~~Observations along the sight line to an installed fixture can determine if the fixture has full oblique shielding. Sight lines exist along the oblique boundary between the illumination cone and the shielded area above it.~~

~~Sight line between observer and light source~~



An observer can establish a sight line at any location where the observer can see only a small part of the fixture's light source. By moving away from the fixture until the light source no longer appears, the observer will cross the sight line. Where the observer's eyes coincide with the sight line, the observer can project the sight line to the ground. The sight line coincides with the oblique line along the bottom of the shielding angle (see definition). If the sight line falls on protected property, then the fixture does not provide adequate full oblique shielding.

Light source (Outdoor Lighting)- shall mean ~~the~~ the medium producing the visible light or changing the direction of the light. Such media may include bulbs, lenses, refractors, reflectors, diffusers, or any emitter of visible light either directly from the material discharging the visible radiant energy or indirectly from material that redirects the illuminating light.

Lumen (Outdoor Lighting)- shall mean ~~the~~ the unit of measurement of the total visible light produced by a light source. Typically published in specifications by the manufacturer.

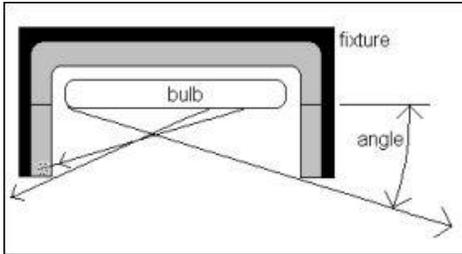
Protected area (Outdoor Lighting)- shall mean ~~A~~ an area intended for protection from outdoor lighting including any property: 1) in residential use, 2) in a residential zoning district that may develop into a residential use, 3) in a planned development zoning district that may develop into a residential use, or 4) in a public street right-of-way.

Shield (Outdoor Lighting)- shall mean ~~the~~ the opaque barrier on the fixture to block the light from illuminating certain distant surfaces. No light escapes through a shield.

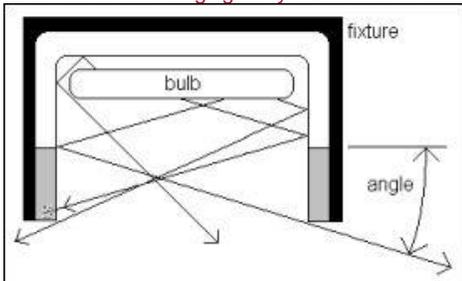
Shielding Angle (Outdoor Lighting)- shall mean ~~the~~ the opaque angle shielded below the horizontal plane that runs through the bottom of the light source in a fixture with full oblique shielding. The oblique line along the bottom of the angle coincides with the sight line (see definition of full oblique shielding) along the oblique boundary between the illumination cone and the shielded area above it. Lighting plans use the shielding angles in calculations to plot projections of the sight lines onto land areas. ~~Manufacturers of fixtures can provide specifications with shielding angles or diagrams showing vertical cross sections of the fixtures. Also, direct measurements of actual fixtures can determine shielding angles. Shielding angle and sample light ray paths in vertical cross sections of fixtures appear in the following illustrations showing examples of how to determine a shielding angle:~~

~~Simple shield blocking light rays above and around sides~~

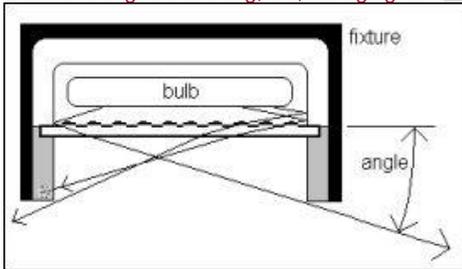
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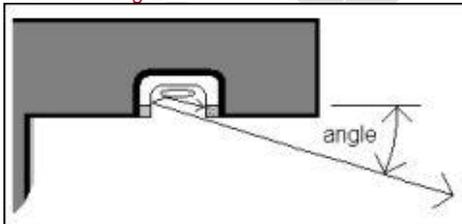
Reflectors redirecting light rays. Shield bottom does not reflect



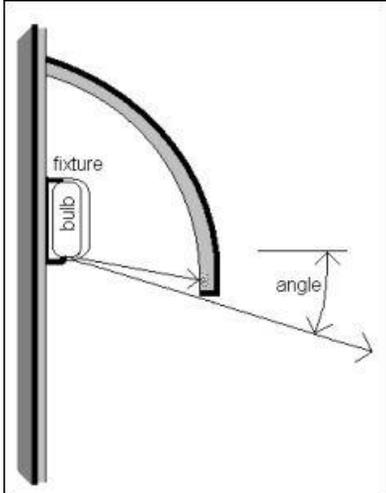
Lens diffusing or refracting, i.e., changing direction of light rays



Soffit shielding with recessed fixture



Opaque fabric canopy or fixed awning shielding a hidden fixture



Outdoor Storage. (See "Storage, Outdoor.")

~~*Outpatient Treatment Facility* shall mean any outpatient establishment, other than a clinic or professional office, providing diagnostic or therapeutic services for alcoholism, drug abuse, mental illness, emotional problems, development disabilities or similar conditions. It shall also mean any facility providing physical, occupational and speech therapy and job training for disabled persons. An outpatient treatment facility shall not be deemed to include a clinic or professional office.~~

Overburden shall mean the natural covering of any solid mineral sought to be mined, which shall include, but shall not be limited to, soils, sands, shell, rocks, gravel, limestone, clays, water, oil, or peat.

Owner shall mean any person recorded as such on official records as holding fee simple title.

Owner, Sign shall mean the owner of the property on which any sign is located. (See [Chapter 56 Section 724.](#))

Ownership, Common shall mean the ownership of common open space or common improvement which grants at least some undivided and common rights in such lands or improvements to the residents or occupants of a development or a neighborhood either directly, or indirectly, through shares or other interests in the property of a separate legal entity.

Ownership, Single shall mean the possession of land under single or unified control, whether sole, joint, common or other ownership recorded as such on official records, as holding fee simple title.

Parapet Wall shall mean that portion of any exterior wall, party wall or fire wall which extends above the roof line. ~~For safety purposes a parapet shall extend a minimum of four (4) feet above the roof deck.~~

Parcel shall mean any area of land with its appurtenances and buildings which, because of its unity of use or commonality of ownership, may be regarded as the smallest conveyable unit of real estate.

Parcel Identification Number shall mean a unique number assigned by the Manatee County Property Appraiser's office which identifies each lot(s) or parcel. The parcel identification number shall also be known as the data processing number or D.P. number.

Parking shall mean any space located outside of any street right-of-way or easement, and designed to accommodate the parking of domestic vehicles.

Parking, Commercial shall mean a principal use of land or structures designed primarily for the parking of personal vehicles, and excluding recreational vehicles, commercial vehicles, or trailered vehicles (boats, RV's etc.), and vehicles over one-ton, for a fee. ~~This term does not allow the parking of vehicles over one-ton, recreational vehicles, commercial vehicles, or trailered vehicles (boats, RV's etc.).~~

Commented [LD1118]: 117.Replaced with rehabilitation center- see that definition

Commented [LD1119]: 118.The CAO recommended moving this sentence to the standards section. The only sections that address parapets are height (parapets of up to 4' in height are exempt from height measurement) and antennas (required a parapet to screen the antennas). **Recommend deleting standard. Parapets of less than 4' are fine.**

Parking, Off Street. (See Section 1005740.)

Parking Space shall mean a designated striped [space] on an off street area, which is available and usable for the parking of one (1) motor vehicle.

~~*Pennant.* (See SIGNS.)~~

~~*Perennial Lake or Stream* shall mean any lake or stream shown as perennial on the most recent United States Geological Survey Topographical Quadrangle Maps, in the most recent Soil Survey of Manatee County published by the United States Department of Agriculture, or by a method accepted by Manatee County.~~

~~*Permanent Control Point (PCP)* shall mean a reference monument. P.C.P.'s set in impervious surfaces must:~~

- ~~• Be composed of a metal marker with a point of reference.~~
- ~~• Have a metal cap or disk bearing either the Florida registration number of the professional surveyor and mapper in responsible charge or the certificate of authorization number of the legal entity, which number shall be preceded by LS or LB as applicable and the letters P.C.P.~~

~~P.C.P.'s set in pervious surfaces must:~~

- ~~1. Consist of a metal rod having a minimum length of eighteen (18) inches and a minimum cross-section area of material of 0.2 square inches encased in concrete. The concrete shall have a minimum cross-section area of twelve and one-quarter (12.25) square inches and be a minimum of twenty-four (24) inches long.~~
- ~~2. Be identified with a durable marker or cap with the point of reference marked thereon bearing either the Florida registration number of the professional surveyor and mapper in responsible charge or the certificate of authorization number of the legal entity, which number shall be preceded by LS or LB as applicable and the letters P.C.P. P.C.P.'s must be detectable with conventional instruments for locating ferrous or magnetic objects.~~

~~*Permanent Reference Monument (PRM)* means a permanent reference monument which must:~~

- ~~A. Consist of a metal rod having a minimum length of eighteen (18) inches and a minimum cross-section area of material of 0.2 square inches encased in concrete. The concrete shall have a minimum cross-section area of twelve and one-quarter (12.25) square inches and be a minimum of twenty-four (24) inches long.~~
- ~~B. Be identified with a durable marker or cap with the point of reference marked thereon bearing either the Florida registration number of the professional surveyor and mapper in responsible charge or the certificate of authorization number of the legal entity, which number shall be preceded by LS or LB as applicable and the letters P.R.M.~~
- ~~C. Be detectable with conventional instruments for locating ferrous or magnetic objects.~~

~~If the location of the P.R.M. falls in a hard surface such as asphalt or concrete, alternate monumentation may be used that is durable and identifiable.~~

~~*Permanent Sign.* (See "Sign, Permanent.")~~

~~*Permitted Use.* (See "Use, Permitted.")~~

~~*Person* shall mean any individual, group of individuals, firms, associations, joint ventures, partnerships, estates, trustees, business trusts, syndicates, fiduciaries, corporations, and all other groups or combinations, corporation, governmental agency, business trust, estate, trust, partnership, association, or two (2) or more persons having a joint or common interest, or any other legal entity.~~

~~*Person (Impact Fees).* (See IMPACT FEES "Impact Fees".)~~

~~*Personal Pets.* (See "Pets, Personal.")~~

~~*Personal Service Establishment* shall mean any establishment that primarily provides services generally involving the care of a person or a person's apparel which shall include but shall not be limited to barber shops, beauty salons, seamstress shops, shoe repair and shining shops, coin operated laundry, optician shops, tanning salons, health clubs, diet centers, nail salons, pick-up dry cleaners and pet grooming shops.~~

~~*Personal Wireless Service Facility (PWSF)* shall mean a facility for the provision of personal wireless services as defined in Section 704 of the Telecommunications Act of 1996. A PWSF is any facility for the transmission and/or reception of personal wireless services, which may consist of an antennae array, transmission cables, equipment shelter or building, access road, telecommunication towers and a guy system.~~

~~*Pest Control.* (See "Exterminating.")~~

~~*Pet Service Establishments (Kennel)* shall mean any land or structure designed so that where dogs and other common household pets are kept, sheltered, boarded, trained, or bred for compensation, or cannot escape and~~

Commented [LDI120]: 119.Pennant term not used in the LDC.

Commented [LDI121]: 120.Added to be consistent with Comp Plan

Commented [LDI122]: 121.PCP term not used in the LDC. The subdivision details were moved to the Development Review Manual. That section already refers to the Florida Statutes for PCP and PRM standards. No need to repeat in the code.

Commented [LDI123]: 122.PRM term not used in the LDC. The subdivision details were moved to the Development Review Manual. That section already refers to the Florida Statutes for PCP and PRM standards. No need to repeat in the code.

Commented [LDI124]: 123.Updated to be consistent with Comp Plan.

~~where four (4) or more dogs or other common household pets over the age of four (4) months are kept for the purpose of sale, rental, boarding, hire as guard dogs on other property or for any commercial purposes or economic venture or where up to ten (10) dogs or other common household pets are kept primarily for conformation, obedience, tracking, or herding exhibition and breeding and where the sale of dogs or other common household pets is clearly an incidental activity to the primary purpose of either exhibition or breeding— a non-profit establishment for the rescue, rehabilitation and adoption of common household pets.~~

Pets, Common Household shall mean any animal domesticated by man so as to live and breed in a tame condition.

The term common household pet includes the keeping of domesticated animals, such as dogs, cats, birds, and the like, but does not include farm, livestock, poultry, or wild and exotic animals.

Pets, Personal shall mean animal species that are primarily for personal use and enjoyment rather than for commercial purposes.

Physical Culture Establishment. (See ~~ADULT ENTERTAINMENT~~ "[Adult Entertainment](#)".)

Planning Commission shall mean the Commission created and governed by this Code. (~~See Section 302.~~)

~~*Planning Director* shall mean the Director of the Planning Department~~ Building and Development Services Department for Manatee County.

Plat shall mean any preliminary or final subdivision plat. (~~See Chapter 9.~~)

Platform shall mean a support system that may be used to connect antennas and antenna arrays to telecommunication towers or alternative support structures.

Pole Cover. (See ~~SIGNS~~ "[Signs](#)".)

Political Sign. (See "Sign, Political.")

Pollution shall mean the presence in the outdoor atmosphere, soil or waters of the state of any substances, contaminants, noise, or manmade or man-induced alteration of the chemical, physical, biological, or radiological integrity of the air or water in quantities or at levels which are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property or which unreasonably interferes with the enjoyment of life or property, including outdoor recreation.

Pool, Cage. (See "Screen Cage.")

Pool, Public Swimming ~~shall~~ means a watertight structure of concrete, masonry, or other approved materials which is located either indoors or outdoors, used for bathing or swimming by humans, and filled with a filtered and disinfected water supply, together with buildings, appurtenances, and equipment used in connection therewith. A public swimming pool shall mean a conventional pool, spa, spa-type pool, wading pool, special purpose pool, or water recreation attraction, to which admission may be gained with or without payment of a fee and includes, but is not limited to, pools operated by or serving camps, churches, cities, counties, ~~day child~~ care centers, group homes facilities for eight (8) or more clients, health spas, institutions, parks, state agencies, schools, subdivisions, or the cooperative living-type projects, such as apartment, boardinghouses, hotels, mobile home parks, motels, recreational vehicle parks, and townhouses. However the term does not include a swimming pool located on the premises of a single-family or duplex dwelling. Any swimming pool not accessory to, and not situated on the premises of a single-family, or duplex dwelling for the purposes of this code shall be considered a public swimming pool.

Pool, Single-Family Swimming shall mean any swimming pool, spa, or spa-like structure, that are accessory to, and situated on the premises of a single-family, or duplex dwelling that is intended for swimming or recreational bathing and contains water over twenty-four (24) inches deep, including, but not limited to, in-ground, above ground, and on-ground swimming pools, hot tubs, and non-portable spas.

~~*Port Facility* shall mean a harbor or shipping improvements used predominantly for commercial purposes, including channels, turning basins, jetties, breakwaters, landings, wharves, docks, markets, structures, buildings, piers, storage facilities, plazas, anchorages, utilities, bridges, tunnels, roads, causeways and all other property or facilities necessary or useful in connection with commercial shipping.~~ (~~See "Water Dependent Uses."~~)

Portable Sign. (See "Sign, Portable.")

Portable Spa shall mean a non-permanent structure intended for recreational bathing, in which all controls and water

Commented [LD1125]: 124.Upd
ated to be consistent with comp
plan.

heating and water circulating equipment are an integral part of the project and which is cord connected and not permanently electrically wired.

~~Potable Water shall mean water which is satisfactory for drinking, culinary, and domestic purposes and which meets the appropriate requirements of the Florida Department of Health.~~

~~Potable Water System (Facilities) shall mean a system of structures designed, constructed or used to collect, treat or distribute potable water, which includes water wells, treatment plants, reservoirs and distribution mains.~~

Pot-Belly Pig or Pot-Bellied Pig shall mean a domesticated miniature Vietnamese, Chinese, or Asian pot-bellied or pot-belly pig not exceeding one hundred fifty (150) pounds in weight.

Precision Instrument Runway. (See "Airport".)

Preferred Zone Districts, ~~as used in Section 704.59 of this Code,~~ shall mean the zone districts preferred as siting preferences for PWSF as described in ~~Table 5-1 Figure 7-A.~~

Pre-FIRM Structure. (See "Structure, Pre-FIRM.")

Premises shall mean any parcel or parcels of land with its appurtenances and buildings. A premise includes any business, activity or land use which may be composed of one or more establishments and is conceived as an unified concept (this includes shopping centers).

Principal Building. (See "Building, Principal.")

Principal Use. (See "Use, Principal.")

~~Printing, Heavy shall mean those uses that do printing, publishing, book binding, magazine publishing, publishing of other documents, with use of heavy chemicals with no size limitation.~~

~~Printing, Medium shall mean those uses that do photocopying, printing and lithography on a small scale on a building no larger than 15,000 square feet, with no use or storage of noxious chemicals apparent off-site.~~

~~Printing, Small shall mean those uses that do photocopying, and printing on a small scale in a building no larger than 3,000 square feet, with no use or storage of noxious chemicals apparent off-site.~~

Privacy Yard. (See "Yard, Privacy.")

~~Private Community Use shall mean any recreational or social use, owned, organized and operated by a profitable or non-profit organization, whose membership is limited to bona fide members paying dues or to the residents of nearby residential areas. Food, meals, and beverages may be served on the premises, provided adequate dining room space and kitchen space is available.~~

Private School. (See "School, Private.")

Private Stable. (See "Stable, Private.")

Private Street. (See "Street, Private.")

Private Use Airport. (See "Airport, Private Use" under "Airport".)

Professional Engineer shall mean a duly qualified individual currently licensed to practice engineering in the State of Florida pursuant to Chapter 471, Florida Statutes, practicing in the discipline required for the particular task as indicated in ~~Section 704.59 of this Code.~~

Professional Office. (See "Office, Professional.")

Professional Staff (Wild and Exotic Animals). (See [Animal Services \(Wild and Exotic Animals\)](#).)

Project shall mean any land use or combination of more than one (1) land use, either existing or proposed, for which application for approval has either been submitted or is in the process of being reviewed, or which has been issued a development order. Cultivation or raising ~~of~~ agricultural or other farm or plant products shall not be considered a project unless either:

A. ~~(A)~~ The proposed or existing agricultural use is considered a special agricultural use, as defined herein; or

B. ~~(B)~~ The proposed or existing agricultural use is conducted along with uses other than residential dwelling

Commented [LDI126]: 125.added definition to be consistent with comp plan. updated the correct dept.

Commented [LDI127]: 126.Changed name to match term used in LDC.

Commented [LDI128]: 127.added definition to be consistent with comp plan.

Commented [LDI129]: 128.combined with intensive services

Commented [LDI130]: 129.combined with business services

Commented [LDI131]: 130.combined with business services

Commented [LDI132]: 131.Changed name to Civic, Social and fraternal organizations/clubs

unit(s) for the family of the individual or individuals carrying out the agricultural activity.

A project shall also constitute a parcel or tract of land which is proposed or exists as a single development, with all portions of the parcel or tract being contiguous, except where divided by roadways, railroads, streams, rivers, lakes or utility transmission corridors.

Projecting Sign. (See "Sign, Projecting-")

Protected Species. ~~shall mean~~ Any plant or animal species listed for the purpose of special protection in Rules ~~39-27.003 and 39-27.004, 68A-27~~ F.A.C. or 50 C.F.R. 17.11 and 17.12.

Public (when used in any reference to any use, building, or structure), shall mean held, used, or controlled exclusively for public purposes by a department or branch of government, without reference to the ownership of the building or structure or of the realty upon which it is situated.

Public Community Use shall mean a non-profit community organization, which provides a service to the County as a whole or to specific residents within the County.

Public Garage. (As defined in the ~~Manatee County Building Code~~ Florida Building Code.)

Public Need shall mean for the benefit of a significant portion of the residents of the County.

Public School. (See "School, Public.")

Public Stable. (See "Stable, Public.")

Public Street. (See "Street, Public.")

Public Swimming Pool. (See "Pool, Public Swimming.")

Public Use Airport. (See "Airport, Public Use" under AIRPORT.)

Public Use Area shall mean a dedicated area possibly with an option to purchase property that may include any of the following uses in any combination: parks, schools, fire stations, police stations, and other public uses.

Public Use Facility shall mean the use of land, buildings, or structures by Manatee County or other governmental agency to provide protective, administrative, social, or recreational services directly to the general public, including police or fire stations, County buildings, post offices and any other public facility providing the above services, but shall not be deemed to include public land or buildings devoted solely to the storage and maintenance of equipment and materials and shall not include cultural facilities.

Public Way shall mean any street or navigable waterway, but shall not be deemed to include alleys, private parking areas, or private pedestrian areas.

Public Works Standards. (See "Manatee County Public Works Standards.")

Railroad Switching and Classification Yard shall mean any facility engaged in the furnishing of terminal facilities for rail traffic for linehaul service and in the movement of railroad cars between terminal yards, industrial sidings and other such facilities.

~~*Rain Garden* shall mean a planted depression or a hole that provides the opportunity for stormwater runoff to be absorbed from impervious areas, such as roofs, driveways, walkways, parking lots, and compacted lawn areas.~~

Ready for Highway Use shall mean a recreational vehicle that is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and security devices and does not have any additions.

Real Estate Sign. (See "Sign, Real Estate.")

Rear Lot Line. (See "Lot Line, Rear.")

Rear Yard. (See "Yard, Rear.")

Recovery Home, Large shall mean a group residential facility with one (1) or more supervisors residing on the premises, serving seventeen (17) persons or more, with professional staff services as needed, providing board, lodging, supervision, medication and other treatment and counseling, for persons ~~progressive~~ progressing from relatively intensive treatment for crime, delinquency, mental or emotional illness, alcoholism, drug addiction or similar conditions to full normal participation in community life or persons otherwise in need of a structured

Commented [LD1133]: 132.Term not used in LDC.

environment to deal with such conditions. A recovery home shall not be deemed to include a Residential Treatment Facility, ~~Residential Care Facility~~, Assisted Living Facility, Family Care Home, Nursing Home, Hospital or Emergency Shelter.

Recovery Home, Small shall mean a group residential facility with one (1) or more supervisors residing on the premises, serving sixteen (16) persons or less, with professional staff services as needed, providing board, lodging, supervision, medication and other treatment and counseling, for persons ~~progressing~~ progressive from relatively intensive treatment for crime, delinquency, mental or emotional illness, alcoholism, drug addiction or similar conditions to full normal participation in community life or persons otherwise in need of a structured environment to deal with such conditions. A recovery home shall not be deemed to include a Residential Treatment Facility, ~~Residential Care Facility~~, Assisted Living Facility, Family Care Home, Nursing Home, Hospital or Emergency Shelter.

Recreational Facility shall mean any land or improvements designed for scenic, recreational, or open space purposes, and includes scenic easements and all other interests in land which may be acquired or created for such purposes.

Recreational Use, High Intensity shall mean any public, quasi-public, or private premises where the principal use is one of the following: amusement park, aquarium, zoo, permanent circus exhibition, stadium, drive-in theater, or a similar facility.

Recreational Use, Low Intensity shall mean any public, quasipublic, or private premises where the principal use is one of the following: a park, playground, athletic field, tennis court, handball court, shuffleboard courts, golf course, golf driving range, paintball field (outdoor) or a similar facility.

Recreational Use, Medium Intensity shall mean any recreational facility such as billiard or pool halls, bowling alleys, or dancing establishments, skating rinks, shooting arcades, indoor firing ranges, miniature golf courses, theaters, and similar facilities.

Recreational Use, Passive Activities shall mean any public recreational pastime such as low impact camping, horseback ~~riding~~, education/nature studies, canoeing and kayaking, fishing, hiking, off-road bicycling, swimming, wildlife management, or a similar activity as well as those support facilities associated with said uses.

Recreational Use, Rural shall mean any commercial or noncommercial recreational use, which by the nature of either the customary operation of the use or the noise impacts of such uses require that the use be located on a large parcel of land and is most appropriately located outside the urban area. ~~Structures shall be limited to only minor or incidental buildings providing office and sanitary facilities. Allowed Rural recreation~~ uses shall include, but not be limited to, game preserves, outdoor shooting ~~gun and/or archery~~ ranges, rodeos, and off road vehicle facilities. This definition shall not include major attractor or intensive recreational uses.

Recreational Use, Temporary shall mean any recreational facility which will be a temporary use such as carnivals, circuses, festivals, fairs, horse shows, dog shows, steeplechases, tent meetings, music festivals, turkey shoots, and similar activities.

Recreational Vehicle shall ~~mean a vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle pursuant to have the meaning set forth in~~ Section 320.01, F.S. 513.01, ~~Florida Statutes~~. The basic types of recreational vehicles are travel trailers, motor homes, camping trailers, campers and recreational vans.

Recreational Vehicle Park shall ~~mean a place set aside and offered by a person, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking, accommodation, or rental of five or more recreational vehicles or tents; and the term also includes buildings and sites set aside for group camping and similar recreational facilities pursuant to have the meaning set forth in~~ Section 513.01, ~~Florida Statutes~~ F.S.

Recreational Vehicle Park, Pre-FIRM shall mean any recreational vehicle park or subdivision built and operating before **January 1, 1975**.

Recreational Vehicle Sales. (See "~~Manufactured~~ Mobile Home and Recreational Vehicle Sale, Rental and Leasing Establishment.")

Recreational Vehicle Site shall mean a designated area of land within a Recreational Vehicle Park, which is intended to be occupied by not more than one (1) recreational vehicle for a limited period of time.

Commented [LDI134]: 133. Restored original wording because stables are not an "activity."

Commented [LDI135]: 134. updated definition to be consistent with comp plan

Commented [LDI136]: 135. updated definition to be consistent with that statute definition. Comp plan definition was not utilized because current LDC references statute definition.

~~Redevelopment~~ shall mean the reconstruction, conversion, structural alteration or enlargement of any structure below the point where such improvement would constitute a substantial improvement. For purposes of this definition, if substantial improvement is reached, the project shall be considered as a new development (See "Substantial Improvement.")

Commented [LDI137]: 136.[Standard, not definition. Belongs in chapter 1 so deleted language]

~~Should the use of a structure cease for any reason for a period of more than one year, any subsequent reconstruction, conversion, structural alteration or enlargement shall be considered as new development and therefore subject to the applicable provisions pertaining to such; except in the case of a designated historic structure.~~

~~In all Comprehensive Plan Land Use Categories for purposes of this definition and Policy 2.3.2.2, improvements below the Maximum Floor Area Ratio Caps shall be considered to be redevelopment, subject to the above limitations.~~

Recyclable Material shall mean those components of the waste stream which can be reused after separation or processing.

Regional Park: shall mean large, resource-based areas that serve two or more counties and are usually within an hour's driving distance of the residents they serve. The park should serve a population of 500,000 and should range in size from a minimum of 250 acres to as much as several thousand acres. Because regional parks are generally designed for resource-based activities, location is dependent upon the availability of high quality natural resources capable of being developed and used for outdoor recreation. (See "Park, Regional.")

Commented [LDI138]: 137.Updated definition to be consistent with comp plan.

~~Regularly Moored~~ shall mean moored in the same general area at least eight (8) hours a day for ten (10) days in any month. General area means within a circle one quarter (1/4) mile in diameter.

Commented [LDI139]: 138.Regularly Moored term not used in the LDC.

Rehabilitation Center shall mean a facility providing professional care, nonresident only, for those requiring therapy, counseling or other rehabilitative services related to drug abuse, alcohol abuse, social disorders, physical disabilities, intellectual disabilities or similar problems.

Commented [LEA140]: 139.Replaced Outpatient Treatment Facility

Religious Symbol shall mean crosses and other religious symbols which shall be considered as monuments, not signs.

Rental Service Establishment shall mean any premises where the principal use is the rental of tools, household, or gardening equipment, small appliances, musical instruments, apparel, sports equipment, or similar items. For the purposes of this Code, a rental service establishment shall not be deemed to include motor vehicle, sales, rental, and leasing establishments.

Repair Service Establishment shall mean any premises where the principal use is the repair and general service of common home items such as musical instruments, sewing machines, jewelry, televisions and radios, bicycles, washing machines, vacuum cleaners, power tools, electric razors, refrigerators and lawnmowers, or any premises where the principal use is taxidermy, gunsmithing, or similar uses, or interior decorating to include reupholstering and the making of draperies, slipcovers and other similar articles, but not to include furniture or cabinet making establishments.

~~Re-Subdivision~~ **Replat** shall mean the further division, since **May 4, 1981**, of lots or the relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law that increases the density of any such subdivision or the alteration of any streets or the establishment of any new streets within any such subdivision, but shall not include conveyances made so as to combine existing lots by deed or other instrument.

Commented [LDI141]: 140.Changed name per S. 177.051, FS.

Required Yard. (See "Setback.")

Research and Development Activity shall mean any research, development, or prototype testing related to such fields as chemical, pharmaceutical, medical, electrical, transportation, and engineering, provided such activities are conducted within entirely enclosed buildings and produce no noise, smoke, glare, vibration, or odor detectable outside the buildings.

Research Facility, Agricultural. (See "Agricultural Research Facility.")

Residential Care Facility, Large shall mean any ~~Emergency Shelter, assisted living facility, community residential home, or recovery home~~ **Emergency Shelter Home, or Group Care Home, with seventeen (17) persons or more, as individually defined herein. A residential care facility shall not be deemed to include a general hospital, residential treatment facility, recovery home, or nursing home.**

Commented [LDI142]: 141.Residential Care Facilities is the name used to group the various types into one for the purpose of applying standards in chapter 5.

~~Residential Care Facility, Small shall mean any Emergency Shelter, Emergency Shelter Home, Group Care Home, with sixteen (16) persons or less, as defined herein. A residential care facility shall not be deemed to include a general hospital, residential treatment facility, or nursing home.~~

Commented [LEA143]: 142. See previous comment.

Residential Development shall mean any residential subdivision, ~~manufactured mobile~~ home park or ~~manufactured mobile~~ home subdivision, planned residential development, or planned commercial development involving residential dwelling units, including ~~manufactured mobile~~ home dwellings but excluding hotels.

Residential Support Use shall mean any Church or Other House of Worship, ~~Day Child~~ Care Center, ~~Accessory Day Child~~ Care Facility (~~Accessory~~), Family Day Care Home, Environmental Education Facility, or School (whether it is elementary, middle, high, or college/university; public or private; or school of special education).

Residential Treatment Facility shall mean ~~a 24-hour residential program, any residential establishment, other than a nursing home,~~ providing relatively intensive diagnostic or therapeutic services for its residents for alcoholism, drug abuse, mental illness, ~~emotional problems,~~ development disabilities, ~~emotional or social problems,~~ or similar conditions. A residential treatment facility shall not be deemed to include a nursing home, ~~general hospital (as defined in Section 395.002(4) F.S., 1992 Supplement), group care home,~~ assisted living facility, dormitory (although a dormitory facility may be included as a part of a residential treatment facility), family care home, ~~or emergency shelter or emergency shelter home.~~ Nothing in this Code shall prevent a residential treatment facility from having outpatients ~~or a recovery home component.~~ For the purpose of this code, "small" treatment facilities house up to fourteen (14) residents. A residential treatment facility with more than fourteen (14) residents is deemed "large."

Commented [LDI144]: 143.S. 394, F.S.

Resource Recovery Facility shall mean any facility ~~in-at~~ which ~~solid waste garbage, minerals, glass, tin cans, paper, rags, and other materials are reclaimed or is processed for the purpose of extracting, convertinged into energy, or otherwise separating and preparing solid waste for reuse. For the purpose of this code, resource recovery facilities are classified was Solid Waste Management Facilities.~~

Restricted Vehicle shall mean any vehicle that qualifies as one of the following:

~~(A) Type A:~~ A commercial vehicle.

~~(B) Type B:~~ Motor homes, campers and house trailers, or any other vehicle in which the interior contains the facilities for any two (2) or more of the following personal needs: sleeping, food preparation, or toilet.

~~(C) Type C:~~ Boats of any size regardless of whether the boat rests on a trailer or other supporting structure, except when docked in a navigable waterway or suspended from a davit immediately adjacent to a navigable waterway.

~~(D) Type D:~~ Trailers and other vehicles which are not self-propelled and which are designed to be moved by other vehicles which are ~~self propelled~~ self-propelled.

Retail Sales, General shall mean any premises where the principal use is the sale of merchandise in small quantities, in broken lots or parcels, not in bulk, for the use or consumption by the immediate purchaser. This shall include but shall not be limited to apparel, shoes, appliances, art supplies, automotive supplies, camera and photography supplies, furniture, guns and ammunition, hardware supplies, toys, crafts, jewelry, lawn and garden supplies, retail nurseries, musical instruments and supplies, office equipment, office supplies, paint, wallpaper, pets, stereos, televisions, florists, tobacco shops, candy, nut and confectionery shops, sporting goods, trading stamps and redemption outlets.

Retail Sales, Community shall mean establishments, or groupings thereof, that in addition to serving day-to-day commercial needs of a neighborhood, also supply the more durable and permanent needs of a community (e.g., office supplies, home improvement centers, furniture stores, junior department stores).

Retail Sales, Neighborhood Convenience shall mean any commercial establishment, or groupings thereof which generally serve the day-to-day commercial needs of a residential neighborhood which shall include but shall not be limited to food stores, convenience stores, drug stores, liquor stores, newsstands, bakeries, delicatessens, dairy product stores, meat and seafood shops, video rental and sales stores, and produce markets.

Retail Sales, Neighborhood General shall mean a commercial establishment or groupings thereof which generally serves more than the day-to-day commercial needs of a residential neighborhood, and which includes all uses listed under "Retail Sales, General" but which shall be limited to three thousand (3,000) square feet.

Retail Sales, Regional shall mean commercial establishments, or groupings thereof, which serve any or all

Commented [LEA145]: 144. Definition came from comp plan (Retail Uses - Community Serving, Definitions, page 28)

commercial needs of a broadly distributed population and work force (e.g., regional malls) in addition to including community-serving and other commercial uses. However, region serving retail uses shall not include bulk warehousing or uses for which distribution of goods to other than a residential end-user is a primary or major use.

Commented [LEA146]: 145. Definition came from comp plan (Retail Uses - Region-Serving, Definitions, page 29)

Retention shall mean storage of stormwater runoff for subsequent disposal by evapo-transpiration, percolation or filtration.

Retention Area or Facility shall mean any natural or artificially created area or facility for stormwater retention.

Reverse Frontage Lot. (See "Lot, Reverse Frontage-")

Revolving Sign (a/k/a Rotating Sign). (See "Sign, Revolving-")

Rights-of-Way shall mean the strip of land over which facilities such as roads, highways, railroads, or power lines are built.

Road shall mean the area of pavement or other surface that is driven or travelled upon within a street right-of-way.

Road, Local shall mean a roadway providing service which is of relatively low traffic volume, short average trip length or minimal through traffic movements and high volume land access for abutting property. ~~route which provides linkage from local roads or low traffic generators such as residences to more continuous highly traveled roads with a higher functional classification.~~

Commented [LDI147]: 146. Updated to be consistent with the Comp Plan.

Roadway Functional Classification System shall mean the system of existing and proposed streets that comprise the Roadway Functional Classification Map as described in the Traffic ~~Circulation Sub-~~Element of the Comprehensive Plan.

Roll-off Container shall mean a container for storing solid wastes, ranging in size from ten (10) to forty (40) cubic yards and having rollers attached to the bottom.

Roof Sign. (See "Sign, Roof-")

Rotating Sign. (See "Sign, Revolving-")

Runoff Co-efficient shall mean an empirical value used in the calculation of stormwater runoff. Said value varies and is determined by the perviousness of the area being drained.

Runoff, Stormwater shall mean that portion of precipitation which is not passed into the soil by infiltration, evaporated into the atmosphere, or entrapped by small surface depressions and vegetation, and which flows over the land surface during, and for a short duration following any rainfall.

Runway shall mean a defined area on an airport prepared for the landing and takeoff of aircraft along its length.

Rural Street. (See "Street or Thoroughfare, Rural-")

Rural Thoroughfare. (See "Street or Thoroughfare, Rural-")

Rural Village shall mean an area within a planned development agricultural project set aside for neighborhood general and neighborhood convenience retail sales uses, public community uses and other similar uses to service the development.

Sales Area, Gross shall mean that area designated within the gross floor area of the structure for the display of vehicles or merchandise. (This definition shall be used only for parking calculations.)

Sales Area, Open shall mean the area designated which is not within the gross floor area of the structure(s) and used for the display or storage of vehicles or merchandise. (This definition shall be used only for parking calculations.)

Sales, Outdoor shall mean the use of any lot for the purpose of the buying, selling, or trading of any goods or commodities and including the storage of the same prior to sale or exchange.

Salvage shall mean the recovery of materials from the waste stream, particularly metals and white goods.

Sand Dunes shall mean any accumulation of sand in ridges or mounds landward of the beach.

Sandwich Sign. (See "Sign, Sandwich-")

Sanitary Sewer ~~System~~ shall mean structures or systems designed for the collection, transmission, treatment or disposal of sewage, and includes trunk mains, interceptors, treatment plants and disposal systems.

Commented [LDI148]: 147. Changed name to match term used in LDC.

~~Sewerage System shall mean pipelines or conduits, pumping stations, and force mains and all other structures, devices, appurtenances, and facilities used for collecting or conducting wastes to an ultimate point for treatment or disposal.~~

Satellite Dish Antenna shall mean all parabolic or spherical antennas whose with a diameter or width exceedsing one (1) meter in residential zoning districts, or two (2) meters in non-residential, industrial, agricultural, Conservation, Village, manufacturing, Extraction, Planned Development Waterfront, Planned Development Golf Course, or Planned Development Agricultural zoning districts.

Satellite Dish Antenna Height. (See "Height, Satellite Dish Antenna.")

School, College/University shall mean any degree granting establishment, accredited or qualified for accreditation by the Southern Association of Colleges and Schools, providing formal academic education and generally requiring for admission at least a high school diploma or equivalent academic training; and shall include but shall not be limited to colleges, community colleges, universities, technical institutes, seminaries, and professional schools (architectural, dental, engineering, law, medical, planning, etc.).

School, Elementary shall mean any public or private school that has an enrollment of students in the grades pre-school or any of the grades kindergarten through Five (5).

School, High shall mean any public or private school that has an enrollment of students in any of the grades Nine (9) through Twelve (12).

School, Middle shall mean any public or private school that has an enrollment of students in any of the grades Six (6) through Eight (8).

Schools, Private shall mean any use, building or structure, which is held, used, or controlled for private or non-profit purposes by any non-governmental entity.

Schools, Public shall mean any use, building or structure, which is held, used, or controlled exclusively for public educational purposes by the School Board of Manatee County or other government entity.

School of Special Education shall mean any public, parochial, or private school primarily devoted to giving instruction in vocational, professional, technical, industrial, musical, dancing, dramatic, artistic, linguistic, scientific, religious, athletic or other special subjects, and shall include business or secretarial schools, but shall not include a riding school or ~~day-child~~ care center unless accessory to such school, however designated.

School, Secondary School shall means any public or private school that has an enrollment of students in any of grades six (6) through twelve (12) defined as a Middle and/or High School.

School, Secondary School (Impact Fees). (See ~~IMPACT FEES~~ "Impact Fees".)

Screen Cage or Enclosure (only for the purpose of allowing setbacks per Section 511703.2-24.4) shall mean a type of screen enclosure consisting of a structural network of metal, wood or concrete columns with open mesh panels for both walls and roofs.

Security/Caretaker's Residence shall mean a dwelling unit used solely for a security guard or caretaker for an agricultural, commercial or industrial use.

Sedimentation shall mean the general settling process by which soil particles, debris, or other materials are deposited in water bodies or drainage facilities.

Septic Tank shall mean a watertight receptacle constructed to promote separation of solid and liquid components of wastewater, to provide limited digestion of organic matter, to store solids, and to allow clarified liquid to discharge for further treatment and disposal in a soil absorption system.

Service Bay shall mean a specified area and approved as such, whether enclosed or not, capable of accommodating one (1) motor vehicle, in which repair or maintenance work takes place.

Service Station shall mean any premises including not more than four (4) service bays where the principal use is the retail sale of gasoline, oil, batteries, tires, or other motor vehicle accessories, and the performance of automotive maintenance services and minor repair work not involving major motor, drive train, or suspension system adjustments or repair, other major mechanical and body work, straightening of body parts, painting, welding, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found

Commented [LDI149]: 148. Added to be consistent with comp plan.

in service stations in the County. Service station may also include the sale of cold drinks, packaged foods, tobacco products, or similar convenience goods for service station customers, but only when such sales are conducted entirely inside the principal building or accessory refreshment center buildings.

~~A service station shall not be deemed to include a facility having more than four (4) service bays.~~

Commented [LD1150]: Standard moved to chapter 5.

Setback shall mean the physical distance which serves to minimize the effects of development activity on any adjacent property, structure or natural resource; and within which it is necessary to restrict activities for the area. Also, a required horizontal distance from the subject land or water area designed to reduce the impact on any adjacent land uses or cover types located on the subject land or water area. The term setback shall include required yards.

Setback, Front shall mean the physical distance on a lot measured from the front lot line to the nearest main wall of a principal building or structure.

Setback, Rear shall mean the physical distance on a lot measured from the rear lot line to the nearest main wall of a principal building or structure.

Setback, Side shall mean the physical distance on a lot measured from the side lot line to the nearest main wall of a principal building or structure.

Setback, Street shall mean the physical distance on a lot measured from the right-of-way line to the nearest main wall of a principal building or structure.

Sewer Use Ordinance shall mean [Ordinance No. 89-02, as amended and supplemented and codified in Chapter 2-31 of the Code of Ordinances](#), ~~an ordinance~~ which provides for connection of building sewerage systems within an assessment district to available public sewerage systems. ~~(See Manatee County Ordinance 87-03.)~~

~~*Sexually Oriented Business*~~ *Adult Entertainment*

Adult Bookstore shall mean any establishment, having more than ten (10) percent of its business stock, as measured in relation to total gross floor area of the business, including books, magazines, films, newspapers, photographs, paintings, drawings, or other publications or graphic media, which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities, or specified anatomical areas, or an establishment with a segment or section devoted to the sale or display of such materials; however, a place will not be considered an adult bookstore if it is an incidental adult materials vendor.

Adult Entertainment Establishment shall mean any adult bookstore, adult photographic studio, adult theater, physical cultural establishment, or special cabaret.

Adult Photographic Studio shall mean any establishment which offers or advertises the use of its premises for the purpose of photographing or exhibiting specified sexual activities or specified anatomical areas.

Adult Theater shall mean any establishment, located in an enclosed building or an enclosed space within a building or an open air theater designed to permit viewing by patrons seated in or on vehicles, which presents either filmed or live plays, dances, or other performances, either by individuals or groups, distinguished or characterized by an emphasis on material depicting, describing, or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

Incidental Adult Materials Vendor shall mean a place where at all times, not more than ten (10) percent of the business stock, as measured in relation to total gross floor area of the business, is devoted to books, magazines, films, newspapers, photographs, paintings, drawings, or other publications or graphic media, which are distinguished or characterized by their emphasis on matters depicting, describing, or relating to specified sexual activities, or specified anatomical areas, which materials will hereinafter be referred to as "adult materials";

Physical Culture Establishment shall mean any establishment which offers or advertises massage, body rubs, or physical contact with specified anatomical areas, whether or not licensed. Establishments which routinely provide medical services by state licensed medical practitioners or technicians licensed by the State to operate electrolysis equipment shall be excluded from the definition of adult physical culture establishments.

Special Cabarets shall mean any bar, bring your own bottle club, dance hall, restaurant, or other place of business which features dancers, go-go dancers, exotic dancers, strippers, male or female impersonators, or other entertainers, or waiters or waitresses, or other employees or any other persons that either engage in specified sexual activities, or display specified anatomical areas, or any such establishment which advertises for, or a sign or signs identifying which, uses the words "topless," "nude," "bottomless," or other words of a similar import.

Specified Anatomical Areas shall mean:

a. Less than completely and opaquely covered:

1. Human genitals or pubic region;

~~(2.)~~ -The entire cleft of the male or female buttocks, also known as the natal cleft;

~~(3.)~~ -Female breasts including the nipple and the areola and outside area of such gland wherein the outside area is:

~~(i4)~~ Reasonably compact and contiguous to the areola, and

~~(ii2)~~ -~~e~~Contains at least the nipple and areola and ¼ of the outside surface area of such gland.

~~(Bb.)~~ -Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities shall mean that the following will be considered specified sexual activities:

~~(Aa.)~~ -Human genitals in a state of sexual stimulation or arousal;

~~(Bb.)~~ -Acts of human masturbation, sexual intercourse, or sodomy, whether actual or simulated;

~~(Cc.)~~ -Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breast.

Shooting Range shall mean any indoor or outdoor area designed for the use of firearms, rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, BB guns, air guns, or similar devices for recreation or training purposes. Archery falls under this definition (see, Recreation, Rural).

Shopping Center shall mean any group of two (2) or more commercial uses exceeding one thousand (1,000) square feet of gross floor area in total which:

A. ~~(A)~~ Are designed as a single commercial group, whether or not located on the same lot;

B. ~~(B)~~ Are connected by party walls, partitions, canopies or other structural members to form one continuous structure, or if located in separate buildings, are interconnected by walkways and access ways designed to facilitate customer interchange between the uses;

C. ~~(C)~~ Share a common parking area; and

D. ~~(D)~~ Otherwise present the appearance of one (1) continuous commercial area.

Shoreline shall mean the interface of land and water in oceanic and estuarine conditions which follows the general configuration of the mean high water line (tidal water) and the ordinary high water mark (fresh water). This term shall include the shorelines of lakes, streams and rivers.

Short Term Agricultural Use. (See "Agricultural Use, Short Term.")

Shrub shall mean any woody perennial plant of low height, characterized by multiple stems and branches continuous from the base. ~~Shrubs shall be minimum of twenty four (24) inches in height and have a minimum twelve (12) inch spread, or a three (3) gallon container size upon planting.~~

Side Lot Line. (See "Lot Line, Side.")

Side Yard. (See "Yard, Side.")

Sidewalk Sign. (See "Sign, Sidewalk.")

~~Signs~~ **SIGNS**

Commented [LDI151]: 149.Upd ated to be consistent with Comp Plan.

Commented [LDI152]: 150.Chapter 7 contains standards for shrubs based on what they are used for.

Commented [LDI153]: [The following definitions reflect the latest version of the sign ordinance being considered for adoption]

Abandoned shall mean any sign or sign structure which bears no sign or copy for a period of six (6) consecutive months, or for onsite signs that display for a period of six (6) consecutive months, information which incorrectly identifies the business, owner, lessor, or principal activity conducted on the site. Abandoned sign shall also mean any sign on which proper maintenance is not being done; any on site sign on a parcel that has been vacant or unoccupied for six (6) months or more; or any sign which pertains to a time, event or purpose which no longer applies, regardless of the message or lack of message.

Adjustment shall mean relief granted by either the County Administrator, designee, or Hearing Officer limited to relief from certain specifications as to height of sign, size of sign and setback of sign as described in [Chapter 6 Section 724](#) of this Code.

Allowable Sign shall mean all signs for which a sign permit is not required but which must, nonetheless, conform to all the other terms and conditions of this Code.

Alteration of a Sign shall mean but shall not be limited to the following: The addition of sign area, the changing or relocation of light source, or the relocation of an outdoor advertising display from one location to another location. "Alteration" includes any and all structural changes in the sign, but shall not include the changing of copy on a sign which is designed as a changeable copy sign.

Animated Sign shall mean any sign which changes physical position by any action, motion, or gives the optical illusion of action or motion, or color changes of all or part of the sign area, requiring electrical energy, or set in motion by movement of the atmosphere.

Awning (a/k/a Canopy) shall mean any shelter, supported partially or entirely from the exterior wall of a building, which is used for advertising. Such sign may be constructed of canvas, plastic, metal, or other similar material.

Figure 2- 1: Awning/Canopy Signs



Bench shall mean any bench whose primary purpose is collateral with providing transportation service to the public upon which a sign is indelibly drawn, painted, or printed.

Changeable Copy Sign shall mean an integral part of a sign not covering more than sixty-five (65) percent of the sign area and designed so as to readily allow the changing of its message either manually or electronically. Signs with changeable copy that utilize a computer generated message, images or is controlled or changed by some other electronic means are included in this definition.

Combination Sign shall mean a single, permanent on site non-animated sign composed of:

- a. ~~A~~-One (1) message relating to the entire premises on which it is located, and
- b. ~~B~~-One (1) or more additional messages of substantially the same size, material, and design, arranged in a compact group on the same structure, and identifying the establishments on the premises.

Figure 2- 2: Combination Signs



Construction Sign shall mean any temporary on-site identification sign erected at a building site while active construction is underway.

Directional DRI Sign shall mean a free standing sign located within a project approved as a Development of Regional Impact (DRI) which indicates the distance, direction, location and name of the facilities and services located within the boundaries of the same DRI project.

Directional Off-Site Sign shall mean a sign which indicates no more than the distance, direction, location, and name of any facility or activity located in Manatee County.

Figure 2- 3: Directional Off-Site Sign



Directional On-Site Sign shall mean a permanent on-site sign which directs traffic within a parcel, or which identifies the location of entrances, exits, restrooms, telephones, freight, etc.

Fascia Sign. (See "Wall Sign.")

Flags shall mean any fabric or similar material or bunting containing the same colors, patterns or symbols used as an ornamental flag or as a symbol of government, political subdivision, corporation or business or other entity and which is not a banner.

Flashing Sign shall mean any sign on which any electric lighting by any device is either alternated on and off or raised and lowered in brightness or intensity, or reflects lighting or gives the appearance of flashing.

Freestanding Sign shall mean a sign on or in the ground and not supported by any building. This term shall include ground sign, monument sign, pole sign and pylon sign.

Gateway Sign shall be a ground or monument sign that identifies the CDD or DRI located at major thoroughfare intersections or points along major thoroughfares near the CDD or DRI boundaries.

Government Sign shall mean any sign erected by or on the order of a public official or quasi-public entity (i.e., Community Development District, Community Redevelopment Agency, Water Management District) in the performance of his or her official office or duty including but not limited to, on and off-site signs identifying a government building or service, traffic control signs, street name signs, warning and information signs, public notices of events, or signs of a similar nature. Signs posted for the purposes of providing public notice for identifying a proposed change of land use or zoning shall be deemed to serve similar purposes as Government Signs.

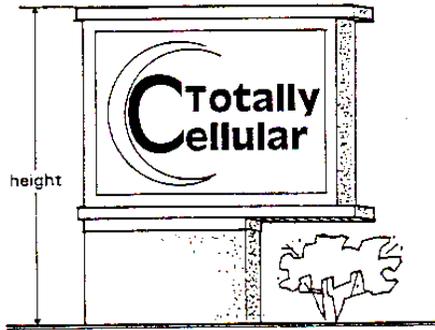
Ground (a/k/a Monument sign) shall mean a freestanding sign whose structural system is that other than a pole(s), column(s) or post(s) or other similar type structural system.

Figure 2- 4: Ground Sign



Height of a freestanding sign shall be measured from the base of the sign or supportive structure at its point of attachment to the ground, to the highest point of the sign. A freestanding sign on a man-made base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb.

Commented [LDI154]: 151.Moved to Chapter 6.

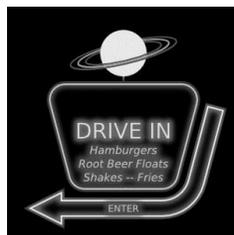


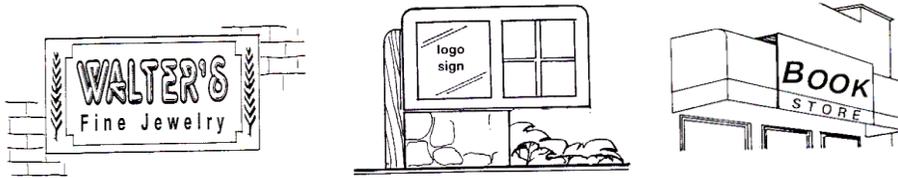
Illegal Sign shall mean any sign erected unlawfully.

Illuminated Sign shall mean any sign which either:

- a. ~~A~~- Provides artificial light through exposed bulbs, lamps, or luminous tubes on the sign surface; or
- b. ~~B~~- Emits light through transparent or translucent material from a source within the sign; or
- c. ~~C~~- Reflects light from a source intentionally directed upon it.

Figure 2- 5: Illuminated Signs





Mansard Sign shall mean any sign which is attached to a mansard style roof with the face parallel to the structure to which it is attached and which does not project more than twenty-four (24) inches from such structure. Since such sign is to be mounted parallel to and within the limitations of the building wall or mansard roof on which it is to be mounted, a mansard sign shall be considered a wall sign and not a roof sign.

For the purposes of this definition, the term mansard roof shall mean a single slope roof, usually found along the front of a building, with a maximum angle of forty-five (45) degrees measured from the roofing surface upward to the vertical.

Figure 2- 6: Mansard Sign



Monument Sign. (See "Ground Sign.")

Moving Sign shall mean any sign or part of a sign which changes physical position by any movement or rotation, or which gives the visual impression of such movement or rotation.

Mural Sign shall mean a wall sign painted on the exterior wall of a roofed building with its face in a parallel plane to the plane of the building façade.

Multiprism Sign shall mean any sign made with a series of triangular vertical sections that turn and stop to show two (2) or more pictures or messages in the copy area.

Nonconforming Sign shall mean a sign which does not conform ~~with~~ to this Code but was in conformance with all sign, permitting and other regulations applicable at the time it was permitted or erected. The term legal nonconforming sign shall mean the same as nonconforming sign. This term does not include signs that were erected without a permit when one was required.

Off-site Sign shall mean any sign not located on the same lot as the business, commodity, service or entertainment to which it relates. This shall include any structure designed primarily for the display of offsite signs. (See "Outdoor Advertising.")

On site Sign shall mean any sign located on the same lot or parcel as, and is accessory to, the business, commodity, service or entertainment to which it relates.

Outdoor Advertising Sign shall mean any sign structure advertising an establishment, merchandise, service, or entertainment which is not sold, produced, manufactured, or furnished at the property on which the sign is located. This shall include but shall not be limited to billboards, off-premises signs or off site signs.

(See "Off site.")

Permanent Sign shall mean any sign which is affixed to a building or the ground in accordance with the requirements of the Florida Building Code and any other applicable federal, state, or local laws, and in such a manner as to be immobile without the use of extraordinary means such as disassembly.

Pole Sign shall mean a freestanding sign whose structural system consists of a pole(s), column(s), post(s) or other similar type structural system. Pole signs may also be referred to as pylon signs.

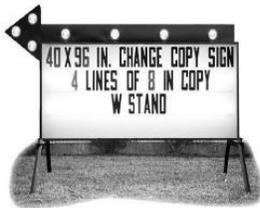
Pole Cover shall mean covers that enclose or decorate the poles or other structural supports of a sign.

Political Sign shall mean a type of temporary off-site sign which constitutes a political advertisement, the primary purpose of which is related to the candidacy of any person for public office or any issue which has been submitted for referendum approval.

Portable Sign shall mean any sign which is manifestly designed to be transportable, including transportation by trailer or on its own wheels, even though the wheels of such sign may be removed and the remaining chassis or support, constructed without wheels, is converted to an A or T frame sign, or attached temporarily or permanently to the ground, since this characteristic is based on the design of such a sign. It is characteristic of such a portable sign that the space provided for advertising matter consists of a changeable copy sign. ~~These signs are prohibited in the County.~~

Commented [LD1155]: 152.Chapter 6.

Figure 2- 7: Portable Sign



Projecting Sign shall mean any sign which is attached to and which projects more than twenty-four (24) inches from the outside wall of any building or structure.

Figure 2- 8: Projecting Sign



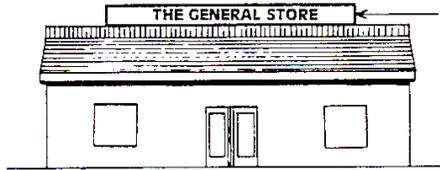
Real Estate Sign shall mean a temporary non-illuminated on-site ground sign offering for sale, lease or rent a structure or parcel.

Restricted Temporary Sign shall mean animated signs, banners, flashing or moving signs, multi-prism signs, portable signs, roof signs, snipe signs, twirling signs and other similar signs.

Revolving Sign (a/k/a Rotating) shall mean any sign so erected or constructed as to periodically or continuously change the direction toward which any plane containing the display surface area is oriented.

Roof Sign shall mean a sign erected upon or above the roof surface of any building. This term shall not include a mansard sign or a sign erected on the vertical wall portion of a cupola.

Figure 2-20: Roof Sign



Sandwich Board shall mean a portable, free-standing, movable and double-faced sign and shall be displayed as a temporary sign.

Sidewalk Sign shall mean any sign placed on a public or private sidewalk.

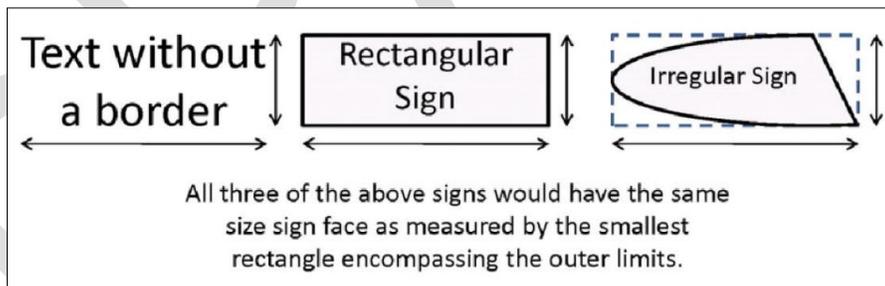
Sign shall mean any combination of sign structures (poles, fences, walls) and writing, pictorial presentation, illustration decoration, symbol, any material, color, lighting or other device which:

- a. **A**-Is used to announce, direct attention to, identify, advertise or otherwise make anything known; and
- b. **B**-Is visible from any public way or adjoining property.

The term "sign" shall not be deemed to include the terms "building," "landscaping," any architectural embellishment of a building not designed to communicate information, religious symbols, memorials or tablets.

~~*Sign Area* shall mean the entire area within the outer periphery of the smallest single or combination of regular simple geometric shapes within which the message is contained. This shall enclose the extreme limits of writing, representation, emblems, and all material, color, or lighting forming an integral part of the display or used to differentiate it from the background against which it is placed. The sign area is calculated in units of square feet based on one (1) side. However, the maximum total area allowed for all sides shall not exceed twice the allowable specified in this Code.~~

Commented [LDI156]: 153.Moved to sign chapter.



~~*Sign Contractor* shall mean any individual who is qualified to install, repair, add to, or change signs. The sign contractor shall be licensed through registration or certification with the County in accordance with the County licensing regulations or as may be exempted by those regulations.~~

Sign Face shall mean the area, display surface, or part of a sign on which the copy or message is placed.

~~*Sign Permit* shall mean a permit issued by the Director that authorizes the holder to erect, move, enlarge or substantially alter a sign. A sign permit may constitute a permit separate from a building permit or in some instances a building permit may serve as a sign permit as specified in this Code.~~

Snipe Sign shall mean an off-site temporary sign made of any material in the public right-of-way or utility easement which is tacked, nailed, posted, glued, or otherwise attached to any utility pole, tree, fence, fence post supports, stakes, or other signs or other similar objects.

Commented [LDI157]: 154.Unnecessary. The term Sign Contractors is only mentioned once in the LDC (c. 613, Violations) and does not need to be defined in such detail.

Commented [LDI158]: 155.Unnecessary. Chapter 3 addresses permit requirements.

Figure 2- 9: Snipe Sign



Structure Sign shall mean any structure which is designed specifically for the purpose of supporting a sign, has supported, or is capable of supporting a sign, including any decorative covers, braces, wires, supports, or components attached to or placed around the sign structure.

Subdivision Sign shall mean an identification sign which is designed to identify a major subdivision (defined generally as 11 or more residential lots and more specifically in [Section 204 Chapter 2 of this Code](#)).

Figure 2- 10: Subdivision Sign



Tag Sign shall mean a sign for scannable information without readable text.

Figure 2- 11: Tag Sign

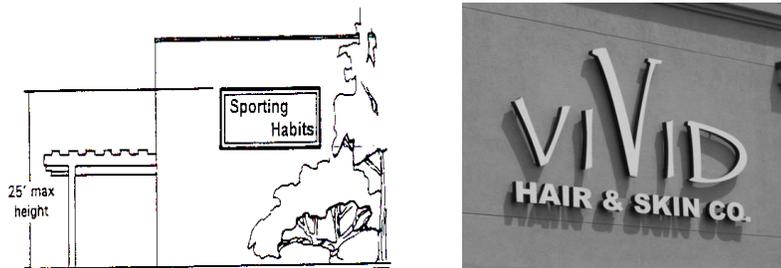


Temporary Sign shall mean any sign erected on-site for a specific purpose (e.g., construction sign) intended to be displayed for 3 months or less at the end of which the temporary sign is expected to be removed along with the pole, mast, frame or other structure to which it is attached if it is a free standing sign.

Temporary Off-Site Sign shall mean any temporary sign not located on the same lot as the business commodity, service or entertainment to which it relates. This shall include any structure designed primarily for the display of off-site signs.

Wall Sign- shall mean any sign which is painted on, fastened to, or erected against an exterior wall of a roofed building with its face in a parallel plane to the plane of the building facade or wall and which shall not project more than twelve (12) inches from such wall.

Figure 2- 12: Wall Sign



Warning Sign shall mean any sign which is designed to provide public notice of a clear and present danger to public health, safety, or welfare and shall not exceed six (6) square feet of sign area.

Window Sign shall mean any sign which is painted on the inside of, or attached to, the inside of, or visible through a window, excluding the display of merchandise.

Silviculture shall mean the branch of forestry dealing with the development and care of forests and forest products. (See "Agriculture.")

Single Boat Docking Facility shall mean any structure for the storage of watercraft which serves a single residential building containing only one (1) dwelling unit on a single building lot. (See also "Waterfront Structures" and "Dock.")

Single Family Attached Dwelling. (See "Dwelling, Single Family Attached.")

Single Family Semi Detached Dwelling. (See "Dwelling, Single Family Semi Detached.")

Single Family Swimming Pool. (See "Pool, Swimming Single-Family.")

Single Occupancy Parcel shall mean any parcel which is occupied by a single establishment.

Single Ownership. (See "Ownership, Single.")

SIS shall mean the strategic intermodal system of state highways established pursuant to general law.

Site shall mean that portion of a subject property where a PWSF is to be placed and which contains all associated telecommunication towers, equipment buildings, and shelters, security fencing, landscaping, access and utility easements and any guy wires and anchors. An acceptable property may have several potential sites within it.

~~*Site Development Plan* shall mean a required development plan application illustrating site improvements to be completed by a developer on real property.~~

Site-Related Capital Transportation Facilities (Impact Fees). (See ~~IMPACT FEES~~ "Impact Fees".)

Site-Related Improvements (Impact Fees). (See ~~IMPACT FEES~~ "Impact Fees".)

Site-Related Improvements shall means all Capital Local Park Facilities, Capital Countywide Parks/Open Space Facilities, Capital Law Enforcement Facilities, Capital Roads Facilities, or Capital Public Safety Facilities, located inside or outside the boundaries of the proposed development and designed and intended to serve only the needs of that development.

Slaughterhouse shall mean an establishment where animals are killed, butchered and prepared for further processing.

~~*Slow Speed Zone* shall mean a designated area within which it has been established that manatees are known to congregate. In a slow speed zone, motorboat operators shall not proceed at a speed greater than is reasonable and prudent to avoid, either intentionally or negligently, annoying, molesting, harassing, disturbing, colliding with, injuring, or harming manatees. Within any such zone motorboats shall be operated in accordance with legal requirements.~~

Small Animal Specialty Farm shall mean any premises where the principal use is the commercial production of rabbits, birds, fish, mink, bees, worms, or similar small animals or their products. Small animal specialty farms

Commented [LDI159]: I56.Term not used in the LDC. However, rejected recommended deletion to be consistent with the comp plan

Commented [LDI160]: I57.Not relevant to LDC.

shall not be deemed to include kennels or animal shelters. ~~(See For the purpose of this code, small animal specialty farms are deemed to be "Agricultural Uses.")~~

Snipe Sign. (See "Sign, Snipe.")

Solid Waste shall mean, ~~for the purposes of this code, garbage, rubbish, refuse, special waste, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations, all waste commonly characterized by the terms "garbage," "garden trash," "rubbish," and "industrial waste,"~~ but shall not include recyclable materials (which are separated, at the point of generation, by the generator or his agent, and donated or sold by the generator for recycling purposes, nor shall it include hazardous wastes (including fecal wastes, carcasses and pathological wastes).

Solid Waste Management Facility shall mean any solid waste disposal area, volume reduction plant, transfer station or ~~other similar facility, the purpose of which is resource recovery of the disposal, recycling, processing, or storage of solid waste.~~ The term shall not include facilities which use or ship recovered materials unless such facilities are managing solid waste.

Source Separation shall mean the segregation of recyclable materials from the waste stream at the point of generation.

Special Cabarets. (See ~~ADULT ENTERTAINMENT~~ "Adult Entertainment".)

Special District shall mean a local unit of special purpose, as opposed to general purpose, government within a limited boundary, created by general law, special act, local ordinance, or by rule of the Governor and Cabinet. ~~The special purpose or purposes of special districts are implemented by specialized functions and related prescribed powers.~~

Special Exception shall mean a type of approval given in accordance with ~~previous versions of the comprehensive plan and land development code. A use with an active Special Exception approval shall be deemed to have obtained a "Conditional Use Permit"~~

Special Needs Population shall mean those persons who have incomes not exceeding moderate income and, because of particular social, economic, or health related circumstances have greater difficulty acquiring or maintaining affordable housing. Such persons may include, but not be limited to, persons with developmental disabilities; persons with mental illnesses or chemical dependency; persons with Acquired Immune Deficiency Syndrome (AIDS) and Human Immunodeficiency Virus (HIV) disease; runaway and abandoned youth; public assistance recipients; migrant and seasonal farm workers; refugees and entrants; the elderly; and disabled adults.

Special Permit Use. ~~(See "Use, Special Permit.") shall mean uses that are deemed to be generally compatible with the other land uses permitted in a zoning district. However, because of their unique characteristics or potential impacts on the surrounding neighborhood and the County as a whole, such uses are subject to individual review of its location, design, configuration, operation and the public need for the particular use at the particular location proposed to assure consistency with this Code and the Comprehensive Plan. Each Special Permit may require the imposition of individualized conditions to achieve such consistency and to ensure that the proposed use is appropriate at its particular location.~~

Special Waters shall mean any water body or area so designated in accordance with Section 17-302.700, Florida Administrative Code.

Special Yard. (See "Yard, Special.")

Species. (See "Nuisance Species or Protected Species.")

Specified Sexual Activities. (See ~~ADULT ENTERTAINMENT~~ "Adult Entertainment".)

Stable, Private shall mean any boarding facility for horses or livestock in which use is limited to the property owner or occupants of the property only. ~~Rental of one (1) stall space is allowed.~~

Stable, Public shall mean any boarding facility for horses or other livestock with stall space available for rental to the public.

Stadium shall mean a large outdoor facility designed for the performance of athletic activities with seating for the viewers of such activities. (See "Recreational Use, High Intensity.")

Commented [LDI161]: *COMP PLAN:* Sludge from a waste treatment works, water supply treatment plant or air pollution control facility; or garbage, rubbish, refuse or other discarded material, including solid, liquid semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural or governmental operations.

158. *STATUTES:* s ludge unregulated under the federal Clean Water Act or Clean Air Act, sludge from a waste treatment works, water supply treatment plant, or air pollution control facility, or garbage, rubbish, refuse, special waste, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations.

Commented [LDI162]: 159. Deleted per CAO's comments.

Commented [LEA163]: 160. This language came from the review procedures Chapter (old Sec. 505.1). Last sentence already in that chapter; not needed here.

Commented [LDI164]: 161. Standard moved to chapter 5.

Start of Construction (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348)) shall mean the first placement of permanent construction of a structure (other than a ~~manufactured mobile~~ home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, filling, nor does it include excavation for a basement, footings, piers, foundations or the erection of temporary forms or temporary fences; nor does it include the installation on the property of temporary construction offices. For a structure (other than a ~~manufactured mobile~~ home) without a basement or poured footings, the "start of construction" includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For ~~manufactured mobile~~ homes the "start of construction" means the affixing of the ~~manufactured mobile~~ home to its site. ~~The removal of trees requires a Tree Removal Permit, (see Section 714).~~

Storage, Outdoor (Principal Use) shall mean the use of any lot for either the primary ~~or accessory~~ outdoor storage of domestic vehicles, restricted vehicles, and recreational vehicles, goods, commodities or equipment. ~~(See Sections 703.2.20 and Section 704.69).~~ This definition shall not include residential outdoor storage.

Storage, Residential Outdoor shall mean outdoor storage, including compost piles, associated with a residential dwelling unit or units.

Stormwater shall mean surface water resulting from rainfall.

Stormwater Discharge. (See "Discharge, Stormwater.")

Stormwater Management System shall mean all natural and artificial drainage facilities which convey, store, or control the flow of stormwater runoff from one (1) or more drainage basins.

Stormwater Runoff. (See "Runoff, Stormwater.")

Story shall mean a portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

Street shall mean any public or private way intended for vehicular and pedestrian traffic; and providing the principal means of access to the property.

Street, Cul-de-Sac. See "Cul-de-Sac."

Street Frontage shall mean the length of the property line for a single parcel which runs parallel to, contiguous, and along each public right-of-way or private street (exclusive of alleys) that it borders.

~~*Street, Half* shall mean any street improved to a width of less than twenty-four feet (24') or with concrete curb and sidewalk on only one side of said street.~~

Commented [LDI165]: I62. [Please confirm this Definition fits Manatee's idea of a Half Street]

Street Line shall mean the dividing line between a street and a lot. For public streets, the street line shall be the existing right-of-way line. For private streets, the street line shall be the street parcel boundary of the legally described street. For existing private streets, the street line shall be the street parcel boundary or the easement boundary of the legally described street. However, for any street exhibited on the Roadway Functional Classification Map, the street line shall be the proposed right-of-way line on such map, or the existing street curb line, whichever is the greater distance from the center line established on the map.

Street, Local shall mean any street, not classified as an expressway, arterial, major collector, or minor collector, which primarily provides direct access to residential, commercial, industrial, or other abutting property. A local street is designed to carry light volumes of traffic, usually fewer than three thousand (3,000) vehicles per day, on rights-of-way that are ~~a maximum of typically~~ fifty (50) feet wide. Overall operating speeds are low in order to permit frequent stops or turning movements to be made with maximum safety. ~~Service to through traffic movement shall be deliberately discouraged.~~

Commented [LDI166]: I63. Already stated in chapter 10. Didn't move other characteristics as those are not standards but description of a typical local street.

~~*Street, Major Local* shall mean any street not illustrated on the Manatee County Future Thoroughfare Maps. Major Local Streets provide direct access to properties located between two or more functionally classified roads, and serve as neighborhood level collectors facilitating through traffic. A major local street is designed to carry light volumes of traffic, usually fewer than three thousand (3,000) vehicles per day, on rights-of-way that are a maximum of fifty (50) feet wide. Overall operating speeds are low in order to maximize neighborhood safety.~~

Commented [LEA167]: I64. Will discuss as part of phase 2.

Street, Private shall mean any street, which is not a component of the state system or county thoroughfare system, that is privately owned and affords access in perpetuity to all adjoining property.

~~Street, (Private, New) shall mean a specific entity which existed for the first time on or before May 4, 1981.~~

Commented [LDI168]: 165.Conf using definition. Deleted as recommended by staff.

Street, Public shall mean any street, road, thoroughfare or highway that is dedicated to and owned by any city or county, state, or federal government.

Street Stub or Stub-out shall mean a portion of a road that terminates at the edge of a site but is aligned to eventually extend to a new road or adjacent development.

Street or Thoroughfare, Rural shall mean any street which connects and provides accessibility to urban centers. While traffic volumes on rural thoroughfares may be low, such streets provide the necessary accessibility that ensures personal mobility to urban services and movement of goods between cities. The term rural street shall be limited to all streets so designated on the Roadway Functional Classification Map.

Structure shall mean any combination of materials used to form a construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water.

Structure, Accessory shall mean a structure, the use of which is incidental to that of the main structure and which structure is located on the same lot as the main building.

Structure, Habitable [shall mean] a structure that is used for living, sleeping, eating, cooking, working, entertainment or otherwise occupied by people for their use.

Structure, Historic shall mean any structure that is:

- A. ~~(A)~~-Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register, or eligible for listing on the National Register; ~~or~~
- B. ~~(B)~~-Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as registered historic district, or eligible for listing on the National Register; or
- C. ~~(C)~~-Certified or preliminarily determined by ~~the~~ Manatee County ~~Historic Preservation Board~~ as historically or archaeologically significant to Manatee County. ~~or~~

~~(D) Sign. (See "Sign, Historical.")~~

Commented [LDI169]: 166.[No such definition (sign, historical) in the code]

Structure, Nonconforming shall mean any structure lawfully established prior to and existing on the effective date of this Code, or any amendment hereto, which does not conform to the requirements of this Code for the zoning district in which it is located and all applicable floodplain regulations.

Structure, Pre-FIRM shall mean a structure that was built and occupied before **January 1, 1975**.

Structure, Waterfront shall mean any dock, wharf, pier, boathouse, boat hoist, mooring pile, or similar structure.

Structure, Waterfront Multi-family shall mean any waterfront structure associated with a multi-family or multi-family condominium development.

Structure, Waterfront Other shall mean any waterfront structures that are associated with non-residential development.

Structure, Waterfront Residential shall mean any waterfront structure associated with individual single-family or duplex lots.

Subdivision shall mean the division of a parcel of land or lot of record that results in the creation of a third parcel of land since **May 4, 1981**, under five (5) acres in size for the purpose, whether immediate or future, of transfer of ownership, or, if the establishment of a new street is involved, any division of such parcel. The term subdivision shall also include any ~~resubdivision~~ replat.

Subdivision shall not be deemed to include, if the division of land results in parcels:

- A. ~~4~~-Each greater than five (5) acres in area except in conjunction with the creation of a new street, or
- B. ~~2~~-Any change in street lines or easements.

The combining or reconfiguration of platted lots or portions thereof, does not constitute a subdivision when the lot

area, required access and width of the resulting lots is not less than the original lots or than allowed by this Code, whichever is less provided the number of lots is not increased.

The division of property for the conveyance of land to a federal, state, county or municipal governmental agency, entity, political subdivision, or public utility does not constitute a subdivision, if such property is accepted by the ~~governmental body-~~ (See Chapter ~~93, Part V-~~).

Subdivision, Major shall mean any subdivision of eleven (11) or more residential lots or parcels of land; or any non-residential subdivision; or any time the division of land results in the establishment of a new street; or the creation of six (6) or more lots on an existing unpaved, county street- (See Chapter ~~3, Part IV-~~).

Subdivision, ~~Manufactured-Mobile Home~~ shall mean any subdivision where lots are sold or offered for sale for the placement of ~~manufactured-mobile~~ home dwellings which are occupied on a non-transient residential basis.

Subdivision, Minor shall mean a subdivision ~~creating three (3) to ten (10)~~ ~~less than eleven (11)~~ residential lots or parcels of land; and never involves the establishment of a new street and does not include any type of non-residential subdivision- (See Chapter ~~39, Part IV-~~).

Commented [LD1170]: 167.Per
Ord. 14-24.

Subdivision, ~~Resubdivision~~ Replat. (See "~~Resubdivision~~ Replat-")

Subdivision Sign. (See "Sign, Subdivision-")

Substandard Dwelling Unit. (See "Dwelling Unit, Substandard-")

Substantial Damage shall mean damage of any origin sustained by a structure whereby the cost of restoring the structure to its condition before damage would equal or exceed fifty (50) percent of the "fair market value" of the structure before the damage occurred. The fair market value in the substantial damage provision is the market value of the ~~manufactured-mobile~~ home or park trailer itself and its foundation and shall not include the fair market value of the land or of other improvements made to the land.

Substantial Improvement shall mean any combination of repairs, reconstruction, addition, alteration, or improvement to a structure, taking place during the life of the structure, which the cumulative cost equals or exceeds fifty (50) percent of the fair market value of the structure either,

A. ~~(A)~~ Before the improvements or repair is started, or

B. ~~(B)~~ If the structure has been damaged, and is being restored, before the damage occurred. For the purpose of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term shall not, however, include:

1. ~~(1)~~ The cost of the minimum improvements necessary to correct existing violations of a health, sanitary, handicap accessibility or safety code which is solely necessary to assure safe conditions only when such improvement is initiated, as a result of the issuance of an order, citation, unsafe notice or other directive from an appropriate governmental agency or official prior to the repair or improvement.

2. ~~(2)~~ Any alteration of a historic structure, provided the alteration will not preclude the structure's continued designation as a historic structure.

Suburban Development shall mean a pattern of built up land areas exhibiting moderate intensity, primarily residential uses, functionally connected to adjacent urban areas by transportation and public utility links and providing for a gradual transition from these urban areas to neighboring rural, primarily open, land areas.

Successor-in-Interest (Impact Fees). (See ~~IMPACT FEES~~ "Impact Fees".)

Swimming Pool. (See "Pool, Swimming.")

Tall Tower shall mean any telecommunication tower with an overall height of five hundred (500) feet or more above grade, which contains one (1) or more antennas for telecommunication services.

Tall Tower Cluster shall mean a grouping of two (2) or more tall towers in a specified geographical location with established dimensions of area and height, where tall towers with a common impact on aviation may be grouped.

Taxi-Cab and Limousine Service shall mean any establishment engaged in providing passenger transportation by automobile, taxi-cab, truck, limousine, or other similar vehicle, not operating on regular schedules or between

fixed terminals, and containing space for vehicle fleets and related office facilities. [For the purpose of this code, this use is classified as Intensive Services.](#)

Telecommunication Equipment Building shall mean the telecommunication support facility structure located on a tower site, which houses the electronic receiving and relay equipment.

Telecommunications Facility shall mean a facility, site, or location that contains one (1) or more antennas, telecommunication towers, alternative support structures, satellite dish antennas, other similar communication devices, and support equipment which is used for transmitting, receiving, or relaying telecommunications signals.

Telecommunication Support Facility shall mean the telecommunication support equipment and cabinets associated with a telecommunication facility.

Telecommunication Tower shall mean any structure that is designed and constructed primarily for the purpose of supporting one (1) or more wireless provider's antennae, including camouflaged towers, lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, and common-carrier towers. The term shall exclude alternative support structures.

Telephone Answering Service shall mean any business whose only function is that of answering telephone calls for others and recording messages. This occupation shall not generate any vehicular traffic.

Temporary Recreational Use. (See "Recreational Use, Temporary.")

Temporary Sign. (See "Sign, Temporary.")

Temporary Use. (See "Use, Temporary.")

Temporary Wireless Telecommunication Facility shall mean any Carrier or Cellular on Wheels (COW) or antenna designed for use while a permanent wireless facility is under construction or reconstruction, for a large-scale special event or conference or during a declared emergency by the County.

Thoroughfare shall mean any major street or roadway that is designated as collector, arterial or limited access facility within the Comprehensive Plan for the purposes of this Code.

Thoroughfare, Rural. (See "Street, Rural.")

Through Lot. (See "Lot, Through.")

Towing Service and Storage Establishment shall mean any establishment where the principal use is the towing of disabled or otherwise non-operative motor vehicles and the subsequent storage of such vehicles. ~~The repair, dismantling or demolition of such vehicles shall not be allowed.~~ This definition shall not be deemed to include a junkyard or motor vehicle repair. [For the purpose of this code, this use is classified as Intensive Services.](#)

Traffic Generation shall mean both the production and attraction of traffic.

Transit Oriented Design (TOD) shall mean mixed use higher density development that occurs within a walkable distance (generally ½ mile) of a transit station.

Transportation CLOS shall mean a certificate of level of service compliance for transportation concurrency to be issued pursuant to ~~Section 540, hereof~~ [this Code.](#)

Transportation CMS shall mean the concurrency management system established for transportation concurrency pursuant to ~~F.S. § Section~~ 163.3180, [F.S.](#), and the Comprehensive Plan, and implemented pursuant to ~~Sections 540 and 541, hereof~~ [this Code.](#)

Travel Way. (See "Street.")

Tree shall mean any self-supporting woody plant which usually produces one (1) main trunk, has a more or less distinct and elevated head with many branches, normally grows to an overall height of at least fifteen (15) feet in the environs of the County, and provides shade or is capable of providing shade at maturity. For the purpose of this Code, a mangrove shall be considered a tree.

Tree, Canopy shall mean a tree species which produces one (1) main trunk and normally reaches a height of thirty (30) feet or more upon maturity. ~~All canopy trees shall be a minimum of one and one-half to two (1.5 to 2) inches in diameter breast height at the time of planting, unless otherwise indicated.~~

Commented [LD1171]: 168. Already stated in chapter 5

Commented [LD1172]: 168. Standards already in chapter 7.

Tree, Understory shall mean any tree species which produces single trunk or multiple trunks and normally reaches a height of less than thirty (30) feet upon maturity. ~~All understory trees shall be a minimum of six (6) feet in height and one (1) inch diameter breast height at the time of planting.~~

Commented [LDI173]: 170. Standards already in chapter 7.

Trip Length/Rate Study (a/k/a TLS) shall mean an analysis of the trip length, trip rate, capture and diversion rate or any combination thereof.

Truck Terminal shall mean the use of land, buildings or structures for the parking of trucks, and the storage and transfer of cargo to and from trucks on a regular basis. This term shall not be deemed to mean intermodal terminal.

Turnaround shall mean the closed end of a minor local street, one (1) end of which is closed and consists of a symmetrically shaped circular space for turning around vehicles. ~~(See also "Cul-de-Sac-")~~

Understory Tree. (See "Tree, Understory.")

Use shall mean the purpose for which a structure is arranged, designed, or intended to be used, occupied, or maintained.

Use, Accessory shall mean a use or structure which meets all of the following:

- A. ~~(A)~~-Is clearly incidental to, customarily found in association with, and serves a principal use;
- B. ~~(B)~~-Is subordinate in purpose, area, or extent, to the principal use served;
- C. ~~(C)~~-Is located on the same lot as the principal use, or on an adjoining lot in the same ownership and district as that of the principal use; and
- D. ~~(D)~~-Is not the principal use.

~~*Use, Conditional* shall mean any use which may be conditionally allowed in a particular zoning district. (See Chapter 6.) A land use that would not be appropriate if permitted throughout the zoning district, but when subject to appropriate limitations, conditions and safeguards, would promote the public health, safety, welfare, convenience and comfort.~~

Use, Nonconforming shall mean any use lawfully existing at the time of adoption of this Code, or any subsequent amendment thereto, which does not conform to one (1) or more provisions of this Code, including an existing use permissible as a conditional special permit use but which has not been so specifically authorized.

Use, Permitted shall mean any land use permitted by right in a zoning district. ~~(See Chapter 63.)~~

Use, Principal shall mean the main or primary purpose for which a structure, building, or lot is designed, arranged, constructed, or intended, or for which it may be used, occupied or maintained under this Code.

Use, Special Permit. (See "Special Permit Use, Conditional.")

~~*Use, Temporary.* (See Section 705.) shall mean a use permitted for a fixed period of time with the intent to discontinue such use at the expiration of the time period.~~

Urban Development shall mean a pattern of built up land areas exhibiting relatively intense residential, commercial, industrial, institutional, governmental or recreational uses, generally in combination, and functionally connected by a system of transportation and public utility networks. These built up areas are characterized by concentrations of population and activities.

Utility Pole Mounted Antenna shall mean an antenna attached to or upon an existing or replacement electric transmission or distribution pole, street light, traffic signal, athletic field light, or other approved similar structure.

Utility Runway. (See "Airport.")

Utility Use shall mean any of the following uses:

- A. ~~(A)~~-Electric substations or distribution centers including transformer stations.
- B. ~~(B)~~-Natural gas, oil or other petroleum product metering, regulating, compressor, control or distribution stations, and local office space incidental thereto and necessary for the operation of such station, but shall not include any storage facilities.

Commented [LEA174]: 171. The LDC uses the term "conditional use" for uses that have additional standards in Section 704. The term makes it confusing as most communities refer to conditional use means uses that require public hearing. Those are called "Special Use Permit Uses in Manatee County. For phase I, we are keeping the term Spec Use Permit and getting rid of the CU term. In Ph. II, we would recommend using the term CU and getting rid of the term SP.

C. ~~(C)~~ Major sewage pumping facilities.

D. ~~(D)~~ Telecommunication facilities, including but not limited to exchanges, dial centers, or repeater stations. Telecommunication towers and antennas are not included in the definition of "Utility Use."

E. ~~(E)~~ Major potable water storage, control, or pumping facilities.

F. ~~(F)~~ Service or supply yards for any of the above uses, where such yards are less than one (1) acre in area.

G. ~~(G)~~ Wastewater Treatment Plants.

Utility Use, Heavy shall include, but ~~is~~ not limited to, power generating facilities and multiple transmission line facilities.

Variance shall mean a grant of relief upon appeal in specific cases by a governmental entity empowered to authorize relief from the requirements of this Code.

Vehicle, Commercial. (See "Commercial Vehicle.")

Vehicle, Domestic shall mean any vehicle used in operation on streets or waterways and shall include but shall not be limited to automobiles, private pickup trucks, and vans, and private pleasure crafts. (See "Motor Vehicle Repair" definition).

Vehicle, Junk shall mean any motor vehicle, trailer, or semi-trailer which is inoperable or would not be allowed to operate legally upon the public roads under the laws of the State of Florida in its present condition. This definition does not include vehicles used for legal competition which are in an operable condition.

Vehicle, Recreational. (See "Recreational Vehicle.")

Vehicle, Restricted. (See "Restricted Vehicle.")

Vehicle or Trailer Sign. (See "Sign, Vehicle or Trailer.")

Vehicle Use Area shall mean the area of a site devoted to driveways, drive aisles, parking stalls and loading zones.

Vertical Clearance shall mean the lateral vision that shall be maintained between a height of two-and-one-half (2½) feet and eight (8) feet above the average elevation of the existing surface of both streets, measured along the center lines, and adjacent to the visibility triangle.

Very Low Income Household shall mean one (1) or more natural persons or a family, with a total annual gross household income that does not exceed fifty (50) percent of the median annual income adjusted for family size for households within the metropolitan statistical area, the County, or the non-metropolitan median for the state, whichever is greatest. With respect to rental units, the low income household's annual income at the time of initial occupancy may not exceed fifty (50) percent of the area's median income adjusted for family size. While occupying the rental unit, a very low income household's annual income may increase to an amount not to exceed one hundred forty (140) percent of fifty (50) percent of the area's median income adjusted for family size.

Veterinary Clinic shall mean any facility rendering surgical or medical treatment to small animals, primarily on an outpatient basis, but having overnight accommodations for no more than ten (10) such animals. Small animals shall be deemed to be ordinary household pets.

Veterinary Hospital shall mean any facility rendering surgical or medical treatment to animals, and may provide other related services such as grooming, boarding and animal disposal, which may include cremation, and shall allow boarding without limitation to number of animals, provided that those animals were treated at the facility.

Visibility Triangle shall mean an area of a lot or parcel where development is restricted adjacent to the intersection of streets with other streets or driveways, to allow for vehicular visibility.

Visual Runway. (See "Airport".)

Volume Reduction Facility ~~shall mean~~ a facility which removes materials from the overall solid waste process entering a landfill for further recycling.

Walking Mile shall mean a distance measured in miles of the shortest pedestrian route along public or private roadways. Such distance shall be measured from the closest pedestrian entry point of the school to the closest pedestrian entry point of the development. The pedestrian entry point shall be where private property meets the

public right-of-way.

Wall, Decorative, Opaque, shall mean any solid fence constructed of concrete aggregate, stucco finish, brick, stone, concrete masonry split face design or other such substantial material, as determined by the ~~Planning Director~~ [Department Director](#).

Wall, Retaining shall mean any wall, fence or other structure erected to hold back or support a bank of earth. This term shall not include erosion control structures (seawalls).

Wall Sign. (See "Sign, Wall.")

Warehouse shall mean any premises where the principal use is the storage of merchandise, products, or materials in bulk, for a fee or charge or for distribution to other establishments operated by the same business enterprise or establishment. A warehouse may include accessory wholesale sales, but shall not be deemed to include retail sales establishments, motor freight terminals, mini-warehouses or the bulk storage of flammable, explosive, toxic, or noxious materials as a principal use.

Warehouse (Impact Fees). (See ~~IMPACT FEES~~ ["Impact Fees"](#).)

Warehouse, Mini shall mean any building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual, compartmentalized and controlled access stalls or lockers for the storage of goods belonging to the individual lessees of the stalls and accessible to the lessees through individual doors.

Warning Sign. (See "Sign, Warning.")

Waste Minimization shall mean the reduction of the amount of wastes generated through:

- A. ~~(A)~~ The use of nondisposable products and durable materials;
- B. ~~(B)~~ The purchase of only the exact amounts of a material or product needed;
- C. ~~(C)~~ Modifications to systems and operations to reduce the amounts of material needed;
- D. ~~(D)~~ The use of closed rather than open ended systems;
- E. ~~(E)~~ Reuse of byproducts; and
- F. ~~(F)~~ Any other procedure by which the creation of wastes is avoided or reduced.

Wastes shall mean sewage, industrial wastes, and all other liquid, gaseous, solid, radioactive, or other substances which may pollute or tend to pollute any waters of the state.

Water Animal. (See [Animal Services](#) ~~(WILD AND EXOTIC ANIMALS)~~ ["Wild and Exotic Animals"](#).)

Water Body shall mean any natural or artificial pond, lake, reservoir or other area which ordinarily or intermittently contains water or which has a discernible shoreline.

Water Dependent Use shall mean [activities which can be carried out only on, in or adjacent to water areas because the use requires access to the water body for: waterborne transportation including ports or marinas; recreation; electric generating facilities; or water supply](#) ~~any facility which cannot be used for its intended purposes unless it is located or carried out in close proximity to water. The term shall include only docking facilities and port facilities that are necessary for the loading and unloading of cargo or passengers, or ship building, or repair facilities, or seafood processing facilities, but shall not include long term storage or related manufacturing facilities.~~ This term includes structures meeting Title 44, Code of Federal Regulations (C.F.R.) definition of functionally-dependent use.

Watercourse shall mean any natural or artificial channel, ditch, canal, stream, river, creek, waterway or wetland through which water flows in a definite direction, either continuously or intermittently, and which has a definite channel, bed, banks or other discernible boundary. Watercourse shall not include irrigation and drainage ditches constructed in the uplands which are not more than thirty-five (35) square feet in total cross section area and which normally has a water depth of no more than three (3) feet, provided they are not in and do not directly connect to Outstanding Florida Waters, Class I Waters and Class II Waters.

Waterfront Property shall mean any property abutting any gulf, bay, bayou, navigable stream, canal, lake, or impounded reservoir.

Commented [LD1175]: 172. Updated definition to be consistent with comp plan.

Waterfront Structure. (See "Structure, Waterfront.")

Waterfront Yard. (See "Yard, Waterfront.")

Water Management System shall mean a system of natural or artificial waterbodies or watercourses which stores or conveys water; a stormwater management system.

Waters shall mean, but shall not be limited to, rivers, lakes, streams, springs, impoundments, and all other waters or bodies of water, including fresh, brackish, saline, tidal, surface, or underground waters. Waters owned entirely by one (1) person other than the state are included only in regard to possible discharge on other property or water. Underground waters include, but shall not be limited to, all underground waters passing through pores of rocks or soils or flowing through in channels, whether manmade or natural.

Waters of the State shall mean the same as defined in Chapter 403, Florida Statutes.

Watershed; Discharge Basin shall mean a geographic land area which because of its geography, collects all precipitation falling within its boundaries and stores or discharges all resulting stormwater runoff through a single drainage outfall.

Water Shortage Emergency shall mean a condition when the Southwest Florida Water Management District declares that a water shortage exists and pursuant to the provision of Chapter 120, Florida Statutes issues an Emergency Order.

Water Shortage Plan shall mean Chapter 40D-21, Florida Administrative Code, the codification of the Water Shortage Rule adopted and published by the Southwest Florida Water Management District and any amendments thereof. The enforcement of this shall not apply to any persons using treated effluent or saltwater.

Wetland, as defined by SWFWMD Rule Chapter 40D-4.021(4021), shall mean those areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce, or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps, and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto. ~~The non-existence of wetland vegetation alone shall not exempt a project from complying with Wetland Protection Policies of the Comprehensive Plan and Land Development Code.~~

Wetland, Disturbed shall mean any wetland that has been substantially affected by the actions of man, but which continues to be dominated by wetland or transitional vegetation, and retains some degree of wetland function.

Wetland, Isolated shall mean any wetland that does not have hydrological or vegetative connections with "Waters of the State" as defined in Section 403.032031(3), Florida Statutes.

Wetland Mitigation shall mean actions including, but not limited to, restoration, enhancement, creation of wetlands, upland preservation, or a combination of the above required to be taken to offset environmental impacts of permitted activities.

Wetland Vegetation shall mean as defined in Rule ~~17-3.02262-340.400~~, Florida Administrative Code.

Wholesale Trade Establishment shall mean any premises where the principal use is the conduct of Wholesale Sales, or the sale of merchandise to institutional, commercial, or industrial customers. Wholesale trade establishment shall not be deemed to include warehouse or any retail sales.

Wild and exotic animals. (See "Animal Services".)

Window Sign. (See "Sign, Window.")

Workforce Housing shall mean attainable, safe, decent housing purchased by an individual or family with income at or below the income equivalent no higher than twenty (20) percent above the moderate income level for a family of three (3) and where the sales price of the home is no higher than twenty (20) percent above the moderate income

Commented [LD1176]: 173.moved this sentence to Section 706

home sales price established by the Manatee County Local Housing Assistance Plan, ~~as such may be amended from time to time.~~

Yard shall mean any area on the same lot with a building or building group lying between the building or building group and the nearest lot line, or streetline, whichever is closer, unobstructed to the sky and unoccupied except by specific uses and structures allowed pursuant to this Code.

Yard, Front shall mean a yard extending across the full width of a lot, measured from and perpendicular to the front lot line, or streetline, whichever is closer, and extending to the principal building or structure.

Yard, Privacy shall mean a small area adjoining a building and enclosed on at least two (2) sides with a fence of at least six (6) feet in height.

Yard, Rear shall mean a yard extending across the full width of the lot and lying between the rear lot line of the lot, or street line, whichever is closer, and the principal building group, and measured perpendicular from and along a line parallel with the rear lot line.

Yard, Required. (See "Setback.")

~~*Yards, Required.* (See Section 702.6.)~~

Yard, Side shall mean a yard between the side lot line of the lot and the principal building, and extending from the front yard to the rear yard, or, in the absence of either of such yards, to the front or rear lot lines, as may be. The side yard shall be measured perpendicular from and along a line parallel with the side lot line.

~~*Yard, Special* shall mean a yard behind any required yard adjacent to a public street, required to perform the same function as a side or rear yard, but adjacent to a lot line and so placed or oriented that neither the term "side yard" nor the term "rear yard" clearly applies. In such cases, the Planning Director shall require a yard with minimum dimensions as generally required for a side yard or a rear yard in the district, determining which shall apply by the relation of the portion of the lot on which the yard is to be located to the adjoining lot or lots, with due regard to the orientation and location of structures and buildable areas thereon.~~

Yard, Waterfront shall mean a yard required on waterfront property with depth measured from shore line.

Zonal Landscaping shall mean a landscaping method which groups plant materials with similar water requirements together, i.e. planting drought resistant plants together, etc.

Zoo shall mean any permanent facility where exotic and wild animals are housed or maintained under the supervision of professional staff, and exhibited to the public on a regularly scheduled basis, in a variety of natural or habitat like settings, for the purposes of education, conservation, scientific studies, or recreation and whether operated for profit or not. Zoo shall also be deemed to include "Zoological Parks" and "Zoological Gardens." [For the purpose of this code, Zoos are classified as Recreation Use, High Intensity.](#)

Zoological Parks and Zoological Gardens. (See "Zoo.")

~~(Ord. No. 01-20, § 3, 11-20-01; Ord. No. 02-60, § 3, 12-14-02; Ord. No. 03-27, § 2, 0-1-03; Ord. No. 04-09, § 3(1), 6-16-04; Ord. No. 05-19, § 2, 6-21-05; Ord. No. 06-50, § 2, 6-10-07; Ord. No. 07-31, 12-16-07; Ord. No. 08-01, § 3, 2-10-08; Ord. No. 08-18, § 3, 0-1-08; Ord. No. 08-19, § 3, 12-15-08; Ord. No. 00-22, § 2, 1-25-00; Ord. No. 00-29, § 3, 5-23-00; Ord. No. 00-50, § 2, 11-16-00; Ord. No. 01-24, § 3, 5-15-01; Ord. No. 01-31, § 3, 6-5-01; Ord. No. 02-20, § 2, 3-26-02; Ord. No. 02-22, § 3, 6-18-02; Ord. No. 02-25, 4-23-02; Ord. No. 04-19, §§ 3, 4, 2-24-04; Ord. No. 05-14, § 1, 2-8-05; Ord. No. 05-15, § 2, 4-5-05; Ord. No. 05-37, § 2, 0-20-05; Ord. No. 05-51, §§ 2, 3, 10-25-05; Ord. No. 05-53, § 2, 8-23-05; Ord. No. 05-58, §§ 2, 3, 0-27-05; Ord. No. 05-66, § 3, 10-25-05; Ord. No. 06-51, § 2, 11-7-06; Ord. No. 06-75, § 4, 11-7-06; Ord. No. 07-27, § 2A, 1-23-07; Ord. No. 07-41, § 2A, 5-24-07; Ord. No. 08-67, § 3, 10-2-08; Ord. No. 09-13, § 3, 1-8-09; Ord. No. 09-28, § 3, 5-7-09; Ord. No. 10-25, § 3, 3-30-10; Ord. No. 10-26, § 3(Exh. A), 2-23-10)~~

Commented [LD1177]: 174.Term only used once in the LDC. Definition not necessary.

Section 201 Abbreviations & Acronyms.

AGeneral Agriculture	AD Administrative Determination
A-1Suburban Agriculture	ADA Americans with Disabilities Act (1990)
AASHTOAmerican Association of State Highway and Transportation Officials	ADT Average Daily Traffic (or Average Daily Trips)
ACSCAreas of Critical State Concern	ADU Accessory Dwelling Unit
	AG/R Agriculture/Rural

<u>AHCA</u>Agency for Healthcare Administration	<u>CURRENT</u> Current Planning
<u>AI</u>Airport Impact	<u>CUTR</u> Center for Urban Transportation Research (USF)
<u>AI</u>Airport Impact Overlay	
<u>AIA</u>American Institute of Architects	<u>DA</u> Duplex Access Overlay
<u>AICP</u>American Institute of Certified Planners	<u>DBH</u> Diameter Breast Height
<u>ALF</u>Assisted Living Facilities	<u>DCA</u> Florida Department of Community Affairs
<u>ANSI</u>American National Standards Institute	<u>DDA</u> Downtown Development Authority
<u>AO-D</u>Airport Overlay District	<u>DEM</u> Florida Department of Emergency Management
<u>AP</u>Administrative Permit	<u>DEP</u> Florida Department of Environmental Protection
<u>APA</u>American Planning Association	<u>District 8</u> ... Tampa Bay LEPC area (Hillsborough, Manatee, Pasco & Pinellas Counties)
<u>APTA</u>American Public Transit Association	<u>(F)DNR</u> ... (Florida) Department of Natural Resources
<u>APWA</u>American Public Works Association	<u>DO</u> Development Order
<u>AQI</u>Air Quality Index	<u>DOE</u> Department of Energy (US)
<u>ASAP</u>As Soon As Possible	<u>DOT</u> Department of Transportation (US)
<u>ASCE</u>American Society of Civil Engineers	<u>DP</u> Property Identification Number
<u>AT</u>Major Attractors	<u>DRC</u> Development Review Committee
	<u>DRI</u> Development of Regional Impact
<u>BEBR</u> Bureau of Economic & Business Research	<u>DU</u> Dwelling Unit
<u>BFE</u>Base Flood Elevation	
<u>BLM</u>Bureau of Land Management (US)	<u>EAR</u> Evaluation & Appraisal Report
<u>BMPs</u>Best Management Practices	<u>ELMAC</u> ... Environment Lands Management & Acquisition Committee
<u>BOCC</u> Board of County Commissioners	<u>EMD</u> Environmental Management Department
<u>BPA</u> Bayshore Planning Area	<u>EMS</u> Emergency medical services
<u>BPAB</u>Bicycle Pedestrian Advisory Board	<u>EOC</u> Emergency Operations Centers
<u>BZA</u>Board of Zoning Appeals	<u>EPA</u> (Federal) Environmental Protection Agency
	<u>EPCRA</u> ... Emergency Planning & Community Right-To-Know Act
<u>CA</u>Coastal Area	<u>ER</u> Estate Rural
<u>CAA</u>Clean Air Act (see also FCAA)	<u>ESCP</u> Erosion and Sediment Control Plan
<u>CAC</u>Citizen Action Center	<u>EX</u> Extraction
<u>CAC</u>Citizen Advisory Committee	<u>EZ</u> Enterprise Zone
<u>CARL</u> Conservation & Recreational Lands Committee	
<u>CBD</u>Central Business District	<u>F.S.</u> Florida Statutes
<u>CCCL</u>Coastal Construction Control Lines	<u>FAA</u> Federal Aviation Administration
<u>CDBG</u>Community Development Block Grant	<u>FAC</u> Florida Administrative Code
<u>CEA</u>Coastal Evacuation Area	<u>FAR</u> Floor Area Ratio
<u>CEM</u>Comprehensive Emergency Management	<u>FBC</u> Florida Building Code
<u>CERCLA</u> ..Comprehensive Environmental Response, Compensation, and Liability Act	<u>FCC</u> Federal Communications Commission
<u>CFASPP</u> ..Continuing Florida Aviation System Planning Process	<u>FDAB</u> Future Development Area Boundary
<u>CFR</u>Code of Federal Regulations	<u>FDEO</u> Florida Department of Economic Opportunity
<u>CH</u>Coastal High Hazard Area Overlay	<u>FDER</u> Florida Department of Environmental Regulation
<u>CHHA</u>Coastal High Hazard Area	<u>FDL</u> Florida Department of Forestry
<u>CHHA</u>Coastal High Hazard Area	<u>FDOH</u> Florida Department of Health
<u>CIE</u>Capital Improvements Element	<u>FDOEA</u> ... Florida Department of Elder Affairs
<u>CIP</u>Capital Improvements Plan	<u>FDOT</u> Florida Department of Transportation
<u>CLOS</u>Certificate of Level of Service	<u>FEMA</u> Federal Emergency Management Agency
<u>CMAQ</u>Congestion Mitigation and Air Quality Improvement Program	<u>FFWCC</u> ... Florida Fish & Wildlife Conservation Commission
<u>CMAQ</u>Congestion Mitigation and Air Quality Program	<u>FHA</u> Farmers Housing Administration
<u>CO</u>Certificate of Occupancy	<u>FHP</u> Florida Highway Patrol
<u>COD</u>Corridor Overlay District	<u>FHWA</u> Federal Highway Administration
<u>COG</u>Council of Governments	<u>FIA</u> Federal Insurance Administration
<u>COMP</u>Comprehensive Planning	<u>FIF</u> Facility Investment Fee
<u>CON</u>Conservation	<u>FIRE</u> Finance, Insurance, and Real Estate
<u>CON</u>Conservation Lands	<u>FIRM</u> Flood Insurance Rate Map
<u>CPTED</u>Crime Prevention Thru Environmental Design	<u>FISH</u> Florida Institute of Saltwater Heritage
<u>CRA</u>Community Redevelopment Area	<u>FLUC</u> Future Land Use Category
<u>CRV</u>Commercial Recreational Vehicle	<u>FLUM</u> Future Land Use Map
<u>CS</u>Community Services	<u>FMSF</u> Florida Master Site File (Historical)
<u>CTC</u>Citizen Trail Committee	<u>FPE</u> Flood Protection Elevation
<u>CUP</u>Conditional Use Permit	<u>FPL</u> Florida Power & Light

<u>FPZA</u> <u>Florida Planning and Zoning Association</u>	<u>NC-S</u> <u>Neighborhood Commercial - Small</u>
<u>FQD</u> <u>Florida Quality Development</u>	<u>NEP</u> <u>National Estuary Program</u>
<u>FSP</u> <u>Final Site Plan</u>	<u>NFIP</u> <u>National Flood Insurance Program</u>
<u>FSUTMS</u> <u>Florida Standard Urban Transportation Modeling Structure</u>	<u>NFPA</u> <u>National Fire Protection Association</u>
<u>FTA</u> <u>Federal Transit Administration</u>	<u>NGVD</u> <u>National Geodetic Vertical Datum</u>
<u>FTC</u> <u>Florida Communities Trust</u>	<u>NHPA</u> <u>National Historic Preservation Act</u>
<u>FTCM</u> <u>Future Traffic Circulation Map</u>	<u>NIABY</u> <u>Not in Anyone's Back Yard</u>
<u>GC</u> <u>General Commercial</u>	<u>NIMBY</u> <u>Not in My Back Yard</u>
<u>GDP</u> <u>General Development Plan</u>	<u>NIMTO</u> <u>Not in My Term of Office</u>
<u>GFA</u> <u>Gross Floor Area</u>	<u>NOAA</u> <u>National Oceanic and Atmospheric Administration</u>
<u>GIS</u> <u>Geographic Information Systems</u>	<u>NOI</u> <u>Notice of Intent</u>
<u>GLA</u> <u>Gross Leasable Area</u>	<u>NOPC</u> <u>Notice of Proposed Change</u>
<u>GOPs</u> <u>Goals, Policies & Objectives</u>	<u>NTHP</u> <u>National Trust for Historic Preservation</u>
<u>GPM</u> <u>Gallons Per Minute</u>	<u>NWS</u> <u>National Weather Service</u>
<u>GPS</u> <u>Global Positioning System</u>	<u>OFW</u> <u>Outstanding Florida Waters</u>
<u>HA</u> <u>Historical and Archaeological Overlay</u>	<u>OGT</u> <u>Office of Greenways and Trails (FDEP)</u>
<u>HBA</u> <u>Home Builders Association</u>	<u>OHW</u> <u>Ordinary High Water Mark</u>
<u>HC</u> <u>Heavy Commercial</u>	<u>OL</u> <u>Low Intensity Office</u>
<u>HC</u> <u>Manatee County Historical Commission</u>	<u>OM</u> <u>Medium Intensity Office</u>
<u>HM</u> <u>Heavy Manufacturing</u>	<u>OMB</u> <u>Office of Management and Budget</u>
<u>HMGP</u> <u>Hazard Mitigation Grant Program</u>	<u>OPP</u> <u>Off-Street Parking Plan</u>
<u>HOV</u> <u>High Occupancy Vehicle</u>	<u>ORD</u> <u>Ordinance</u>
<u>HPB</u> <u>Historic Preservation Board</u>	<u>ORV</u> <u>Off-Road Vehicle</u>
<u>HR</u> <u>Historic Resources</u>	<u>OSHA</u> <u>Occupational Safety and Health Administration</u>
<u>HUD</u> <u>US Department of Housing and Urban Development</u>	<u>P/SP(1)</u> ... <u>Public/Semi-Public(1)</u>
<u>ICMA</u> <u>International City/County Managers Association</u>	<u>P/SP(2)</u> ... <u>Major Public/ Semi-Public (2)</u>
<u>IH</u> <u>Industrial-Heavy</u>	<u>P-2000</u> <u>Preservation 2000 Program</u>
<u>IL</u> <u>Industrial-Light</u>	<u>PC</u> <u>Planning Commission</u>
<u>I/STE</u> <u>Intermodal Surface Transportation Efficiency Act</u>	<u>PCS</u> <u>Personal Communication Services</u>
<u>ITE</u> <u>Institute of Transportation Engineers</u>	<u>PCV</u> <u>Parrish Commercial Village Overlay</u>
<u>ITS</u> <u>Intelligent Transportation System</u>	<u>PHT</u> <u>Peak Hour Traffic (or Peak Hour Trips)</u>
<u>IU</u> <u>Urban Industrial</u>	<u>PHU</u> <u>Manatee County Parks & Recreation Department</u>
<u>LDC</u> <u>Land Development Code</u>	<u>PPB</u> <u>Parts Per Billion</u>
<u>LEPC</u> <u>Local Emergency Preparedness Committee</u>	<u>PPM</u> <u>Parts per Million</u>
<u>LIS</u> <u>Land Information System</u>	<u>PR-M</u> <u>Professional -Medium</u>
<u>LM</u> <u>Light Manufacturing</u>	<u>PR-S</u> <u>Professional - Small</u>
<u>LOS</u> <u>Level of Service</u>	<u>PSM</u> <u>Professional Surveyor an Mapper</u>
<u>LULU</u> <u>Locally Unwanted Land Use</u>	<u>QCT</u> <u>Quality Communities Team</u>
<u>MF</u> <u>Multi-Family</u>	<u>R/OS</u> <u>Major Recreation/Open Space</u>
<u>MGD</u> <u>Million Gallons Per Day</u>	<u>RAC</u> <u>Regional Activity Center</u>
<u>MPO</u> <u>Metropolitan Planning Organization</u>	<u>RCRA</u> <u>Resource Conservation and Recovery Act</u>
<u>MPO TAC</u> <u>Metropolitan Planning Organization Technical Advisory Committee</u>	<u>RDD (3,4,5,6)</u> <u>Residential Duplex</u>
<u>MRSWCD</u> <u>Manatee River Soil and Water Conservation District</u>	<u>RES-1</u> <u>Residential-1 DU/GA</u>
<u>MSL</u> <u>Mean Sea Level</u>	<u>RES-12</u> ... <u>Residential-12 DU/GA</u>
<u>MSO</u> <u>Manatee County Sheriff's Office</u>	<u>RES-16</u> ... <u>Residential-16 DU/GA**</u>
<u>MU</u> <u>Mixed Use</u>	<u>RES-3</u> <u>Residential-3.0 DU/GA</u>
<u>MU-C</u> <u>Mixed Use Community</u>	<u>RES-6</u> <u>Residential-6 DU/GA</u>
<u>MUTCD</u> ... <u>Manual for Uniform Traffic Control Devices</u>	<u>RES-9</u> <u>Residential-9 DU/GA</u>
<u>NAAQS</u> <u>National Ambient Air Quality Standards</u>	<u>RFCM</u> <u>Roadway Functional Classification Map</u>
<u>NACo</u> <u>National Association of Counties</u>	<u>RFP</u> <u>Requests for Proposals</u>
<u>NAHB</u> <u>National Association of Home Builders</u>	<u>RFQ</u> <u>Requests for Qualifications</u>
<u>NCG</u> <u>North County Gateway Overlay</u>	<u>RMF (6,9)</u> <u>Residential Multi-Family</u>
<u>NC-M</u> <u>Neighborhood Commercial - Medium</u>	<u>ROR</u> <u>Retail/Office/ Residential</u>
<u>NCO</u> <u>North Central Overlay</u>	<u>ROW</u> <u>Right-of-Way</u>
	<u>RPC</u> <u>Regional Planning Council</u>
	<u>RSF (1,2,3,4,5,6)</u> <u>Residential Single-Family</u>
	<u>RSMH (4,5,6)</u> <u>Residential Single-Family Mobile Home</u>
	<u>RV</u> <u>Recreational Vehicle</u>

- [RVRestricted Vehicle Overlay](#)
- [SAILState Apartment Incentive Loan Program](#)
- [SARATitle III of the Superfund Amendments and Reauthorization Act of 1986, often referred to as "SARA Title III."](#)
- [SBNEPSarasota Bay National Estuary Program](#)
- [SCSU.S. Dept. of Agriculture, Soil Conservation Service](#)
- [SERCState Emergency Planning Commission for Hazardous Materials](#)
- [SFSingle Family](#)
- [SLOSHSea, Lake and Overland Surges from Hurricanes](#)
- [SMAASarasota-Manatee Airport Authority](#)
- [SMATSSarasota Manatee Area Transportation Study](#)
- [SOVSingle Occupancy Vehicle](#)
- [SPSpecial Permit](#)
- [SQGSmall Quantity Generator](#)
- [STSpecial Treatment Overlay](#)
- [STPSewage Treatment Plant](#)
- [SWFWMD Southwest Florida Water Management District](#)
- [TBNEPTampa Bay National Estuary Program](#)
- [TBRPCTampa Bay Regional Planning Council](#)
- [TCOTemporary Certificate of Occupancy](#)
- [TDMTransportation Demand Management](#)
- [TDRTransfer of Development Rights](#)
- [TIFTax Increment Financing](#)
- [TIPTransportation Improvement Program](#)
- [TODTransit Oriented Design](#)
- [TSDTechnical Support Document](#)
- [UF-3Urban Fringe-3.0 DU/GA](#)
- [UIRAUrban Infill and Redevelopment Area](#)
- [ULIUrban Land Institute](#)
- [UMTAUrban Mass Transit Administration](#)
- [URPLUrban and Regional Planning](#)
- [USCGUS Coast Guard](#)
- [USDAUS Department of Agriculture](#)
- [USDIUS Department of the Interior](#)
- [USFSUS Forest Service](#)
- [USFWS ...US Fish and Wildlife Service](#)
- [USGSUS Geological Survey](#)
- [USPLSUS Public Land Survey](#)
- [UTMUniversal Transverse Mercator Grid](#)
- [VFPVehicle Fueling Positions](#)
- [VILVillages—Myakka, Parrish, Rubonia](#)
- [VMTVehicle Miles Traveled](#)
- [VOADVolunteer Organizations Active in Disasters](#)
- [WMDWater Management District](#)
- [WOPotable Water Reservoir Watersheds](#)
- [WO-EEvers Reservoir Watershed Overlay District](#)
- [WO-MLake Manatee Reservoir Watershed Overlay District](#)
- [WPEEvers Reservoir Watershed Protection Overlay](#)
- [WPMLake Manatee Reservoir Watershed Protection Overlay](#)
- [WRWhitfield Residential Overlay](#)
- [WRAPWaste Reduction Assistance Program \(FDEP\)](#)