

CHAPTER 87 LAND DEVELOPMENT CODE

SECTION 9. GENERAL DEFINITIONS

9.1 Defined Terms

~~A. **Generally.** For the purpose of this Chapter, certain terms or words used in this chapter shall be interpreted as below. Any word not specifically defined herein shall be interpreted as meaning its most commonly used definition.~~

- ~~1. The word "person" includes a firm, association, organization, partnership, trust, company or corporation, as well as an individual.~~
- ~~2. The word "shall" is mandatory; the word "may" is permissive.~~
- ~~3. The words "used or occupied" include the words "intended, designed or arranged to be used or occupied."~~
- ~~4. The word "lot" includes the words "plot," "parcel" and "tract."~~
- ~~5. The word "structure" means anything constructed or erected, exceeding six inches in height, the use of which requires more or less a permanent location on land, or an addition to something having a permanent attachment to land.~~
- ~~6. The word "land" includes the words "water," "marsh" and "swamp."~~
- ~~7. "And" indicates that all connected words or provisions apply.~~
- ~~8. "Or" indicates that the connected words or provisions may apply singly or in any combination.~~

A. **Definitions.** The following words, terms and phrases, when used in this LDR, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

B. For the purpose of this Chapter, the following definitions have been provided for (alphabetically) below:

Abutting: Having common borders or edges.

Abandonment: The cessation of a use or structure for a period of twelve (12) consecutive months;
~~provided that this term shall not include cessation of all use of a facility within a physical structure where the physical structure continues to be used.~~

Accent: ~~The use of an alternate material or color to a detail that is emphasized by contrasting with its surroundings.~~

Access Easement: An easement which grants the right to cross land.

Commented [KF1]: The Preface and Intro section includes "Meanings of Words" and Legal Section G, which are similar but different to this section. I would delete all of this A. The "and" and "or" lines could be added to the Meanings of Words portion of the Preface and Intro.

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Commented [KF2]: Not sure I understand this, and facility is not defined.

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Access Ramp: That part of a dock or pier which is connected to uplands, and leads to a terminal platform.

Accessory Use or Structure: A use or structure of a nature customarily incidental and subordinate to the principal use or structure and, unless otherwise provided, on the same premises. On the same premises, with respect to accessory uses and structures, shall be construed as meaning on the same lot or on a contiguous lot in the same ownership.

Accessway: A paved or unpaved travelway intended to serve vehicles for the purposes of obtaining ingress, egress, or circulation around a lot or site.

Active Recreational Uses or Structures: Uses or structures intended for specific active recreational uses such as play grounds, ball fields, tennis courts and other similar uses typically located in open space areas or parks.

Active Use Areas: ~~Those elements which reside or encroach into the private realm of a lot along primary streets, such as a~~ Areas along a frontage that may provide for forecourt, gallery/colonnade, arcade, courtyards, outdoor dining, merchandise display, ~~and~~ shared gardens. ~~Active Use Areas are defined as those elements which reside or encroach into the private realm along primary streets.~~

Adaptive Use or Adaptive Reuse: The process of converting a building to a use other than which it was originally designed, e.g., changing a factory into commercial, retail use or residential use. Such conversions are accomplished with varying alterations to the building.

Addition: Any construction or change in a building that increases the size of a structure in terms of site coverage, height, or gross floor area.

Adjacent: To have property lines or portions thereof in common or facing each other across a right-of-way, street or alley.

Adult: An adult is a person eighteen (18) years of age or older.

~~**Adult Entertainment Establishment:** Any business, commercial activity or other use which, in order to comply with F.S. ch. 847, must exclude persons under the age of 17 (except when accompanied by a parent or legal guardian) from all or a part of the premises including, but not limited to, adult lingerie modeling studios, relaxation salons, stress reduction salons, art studios, private clubs, and other similar uses. The determination of whether or not a given use is an adult entertainment establishment is at the discretion of the zoning administrator based on the individual characteristics of such use.~~
Adult Oriented Businesses: See Section 2.4.8.D.

Adverse Impact (upon a natural resource): ~~The~~ Direct contamination, alteration or destruction, or that ~~which~~ contributes to the contamination, alteration or destruction, of a natural resource, or portion thereof, to the degree that its present and future environmental benefits are, or will be, eliminated, reduced, or impaired.

Aeronautical Study: A Federal Aviation Administration study, conducted in accordance with the standards of 14 C.F.R. part 77, subpart C, and Federal Aviation Administration policy and guidance, on

the effect of proposed construction or alteration upon the operation of air navigation facilities and the safe and efficient use of navigable airspace.

Affordable Housing: ~~May also be identified as Attainable Housing; Housing for which monthly rents or monthly mortgage payments, including taxes, insurance, and utilities, does not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for the households or persons indicated in Sec. 420.0004, F.S.~~

After-the-Fact: A permit or other authorization issued after starting or completing ~~of work~~ without ~~prior to~~ obtaining the required authorization.

Aggregate Area: The total area allowed for all sign types.

Agriculture: ~~The cultivation and production of orchard, garden, or nursery crops on a small or large scale, or the production of field grown crops, specialty crops, flowers, fruit, market gardening, nuts, ornamental plants, sod, vegetables, and similar horticultural uses items. Agriculture~~ Uses also include agronomy, aquaculture, fisheries, apiculture, silviculture, plant nurseries, and similar uses. See Section 2.4.8.B.

Airport: Any area of land or water designed and set aside for the landing and take-off of aircraft, including all necessary facilities for the housing, fueling, and maintenance of aircraft; specifically the Venice Municipal Airport. See Section 2.4.5.V.

Airport Hazard: An obstruction to air navigation which affects the safe and efficient use of navigable airspace or the operation of planned or existing air navigation and communication facilities.

Airport Hazard Area: Any area of land or water upon which an airport hazard might be established.

Airport Height: The highest point of the airport's usable landing area measured in feet above mean sea level, which is 18 feet.

Airport Layout Plan: A set of scaled drawings approved by the FAA that provides a graphic representation of the existing and future development plan for the airport and demonstrates the preservation and continuity of safety, utility, and efficiency of the airport.

Airspace Drawings: The aerial photograph with the imaginary surfaces drawn thereon, the layout of the runways, the airport zoning reference point, the airport elevation and the topography of the area.

Alley: A right-of-way providing a secondary means of access and service to abutting property. May also consist of a vehicular-use drive located to the rear of lots providing access to service areas, parking, ancillary structures, or containing utility easements.

Alter or Alteration (waterways): ~~Any change in size, shape, occupancy, character or use of a building or structure. Shall include, but not be limited to, dredging, filling, placing, building, keeping, maintaining, erecting, extending, or making any other material change to lands or structures located within the jurisdictional area, the use of which requires a permanent or temporary location on or above the ground, bottomland, water area or water surface, or attachment to a structure having a permanent or temporary location on or above the ground, bottomland, water area or water surface. It includes permanent or temporary physical changes to elevations or slopes, or the installation of any pilings, boat~~

Commented [KF4]: Do we even use affordable housing in the Code? If not strike this entire definition. If we do, attainable and affordable aren't defined consistently right now so shouldn't be cross-referenced.

Commented [KF5]: I don't think this makes sense. Might be the use of the word percentage in particular and 420.0004 just contains a variety of definitions.

~~lifts, or other appurtenant structures, such as floating docks and lifts, whether or not such floating structures are licensed as vessels.~~

Commented [KF6]: I don't understand why this has been limited to waterways and how exactly everything after the first sentence relates to the first sentence.

Alteration: Any change affecting the exterior appearance of an existing structure by additions, reconstruction, remodeling or maintenance involving a change in color, design, form, texture or materials.

Alternative Parking Plan: A document prepared by an applicant that proposes an alternative means of compliance with the off-street parking standards.

Amateur Radio or HAM Radio: Equipment, including antennas, transmitters, and antenna support structures used by a non-professional person in the transmittal of messages and information within the radio frequency portion of the electro-magnetic spectrum.

Amenity: A building, object, area or landscape feature that makes an aesthetic contribution to the environment, rather than one that is purely utilitarian.

Americans with Disabilities Act (ADA): Public Law 101-336, [which](#) prohibits discrimination against people with disabilities. ~~The ADA focuses on removing barriers that deny individuals an equal opportunity to have access to jobs, public accommodations, government services, public transportation and telecommunications.~~

Animal Grooming: Any place or establishment, public or private, where animals are bathed, clipped, or combed for the purpose of enhancing their aesthetic value and/or health and for which a fee is charged.

Animated: Visible moving parts, flashing or oscillating lights, visible mechanical movement of any description, or other apparent visible movement achieved by any means that moves, changes, flashes, oscillates or visibly alters in appearance.

Annexation: The legal method of ~~incorporating~~[attaching](#) an area into ~~at~~[the jurisdiction of the City area controlled by another form of government.](#)

Appeal: A request for a review of a determination, decision, or the application of any provision of this [LDR Ordinance](#).

Appliance Repair: See Section 2.4.5.E.

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Applicant: Any person, or his duly authorized representative, who submits plans through any City agency for the purpose of obtaining approval therefor.

Application: The completed form or forms and all accompanying documents, exhibits, and fees required of an applicant by the appropriate City department or board as part of the development review processes.

Approach Surface: A surface longitudinally centered on the extended runway centerline extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope.

Appurtenances (roof): The visible, functional, or ornamental objects accessory to and part of a building's roof including, but not limited to, chimneys; parapets or other ornamental features; and elevator equipment and mechanical utility equipment. These objects shall be non-habitable space.

Appurtenant Structure: An accessory structure, such as a boat lift, that is attached to a primary structure, such as a dock.

Aquifer Recharge: The replenishment of groundwater in an aquifer occurring primarily as a result of infiltration of rainfall, and secondarily by the movement of water from adjacent aquifers or surface water bodies.

Arcade: A covered pedestrian way or colonnade supporting habitable space that overlaps the sidewalk, while the facade at sidewalk level remains at or behind the frontage line. May provide access to shops along one (1) or more sides.

Arch: A curved, semicircular opening in a wall.

Architectural Features: Prominent or significant parts or elements of a building or structure.

~~Architectural Guidelines Handbook: The Architectural Guidelines Handbook, including its approved colors addendum, as amended from time to time.~~

Architectural Style: The characteristic form and detail of buildings from a particular historical period or school of architecture.

Arterial Street: Streets and highways which serve moderate to large traffic volumes, the access to which is ordinarily controlled.

Articulation: The presence or projections, recesses, or other architectural features along a building façade.

Artist Studio: See Section 2.4.5.Q.

As-Built Plans: A set of engineering or site drawings that delineate the specific permitted development as actually constructed.

Assembly Areas: A space where large groups of people gather for an activity; or, designated areas that serve as a gathering point in an emergency.

~~**Assisted Living Facility (ALF):** A residential facility, whether operated for profit or not, with dedicated on-site 24-hour medical care for seniors, which provides 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, and resident rooms may or may not feature kitchen facilities. ALF's typically have the physical form of a multifamily building. ALF This use category describes buildings, 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. This includes nursing homes. See Section 2.4.3.H.~~

~~**Attainable housing:** Housing units that are affordable to households earning from 60 to 120 percent of the Area Median Income (AMI) in the North Port-Sarasota-Bradenton MSA. The size (sq. ft.) and~~

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~~appearance (fixtures and finishes) of attainable housing units shall be functionally equivalent to market rate units. The attainable housing income range shall be updated annually by the City based on U.S. Housing and Urban Development Department (HUD) data and existing mortgage financing conditions. See Section 2.4.3.G.~~

Auditorium: A building or structure designed or intended for use for spectator sports, entertainment events, expositions, conferences, seminars, product displays, recreation activities, and other public gatherings, all occurring inside a structure typically limited to a capacity of 500 or fewer seats, along with accessory functions including temporary outdoor displays, and food and beverage preparation and service for on-premise consumption.

Authorized Agent: A person with express written consent to act upon another's behalf.

Automotive Convenience Center: ~~A use whose~~ A use whose ~~The~~ primary function is the provision of convenience goods, foods and sundries, ~~dispensing of~~ fuel for motor vehicles, prepared foods for off-site consumption, and which may include an automated carwash ~~or~~ or ~~An automotive convenience center may include~~ a fast-food restaurant. An automotive convenience center may not include but not an automotive service station.

Automotive Parts and Accessory Sales: The on-site sale and/or subsequent installation of various automobile parts and accessories, including but not limited to bed liners, toolboxes, truck tops, or audio systems. Such uses do not include the sale of gasoline or other fuels.

Automotive Service Station: An establishment having at least one enclosed service bay where repair services other than body work and painting are rendered, and where motor vehicle fuels, oil, grease, batteries, tires and automobile accessories may be supplied and dispensed at retail. An automotive service station is not a repair garage, a body shop or a truck stop.

Avenue: Arterial streets that serve moderate to large traffic volumes where access is limited.

Awning: A plastic, canvas, or metal shade structure cantilevered or otherwise entirely supported from a building by a frame and often foldable that is placed over a storefront, doorway, or window.

Bar or Tavern or Cocktail Lounge: ~~An establishment having as its principal use the serving of beer, wine, or liquor for consumption on the premises, and which sets a minimum age requirement for entrance, consistent with state law. See Section 2.4.5.L.~~

Bar Boat (or Tiki Bar Boat): ~~A boat available for rent to tour waterways with the specific purpose of consuming alcohol on board.~~

Barbed or Razor Wire: Wire serving as a fence or located on top of a fence, wall, or building, that includes clusters of short spikes set at regular intervals or supplemented with strands of sharpened metal used as a security method to deter people or animals from climbing the fence, building, or wall.

Base: The horizontal structure used as a foundation on the ground to support the entire length of the bottom edge of a monument ground sign. No portion of the sign copy or sign face area shall extend beyond the interior edge of the base.

Commented [KF8]: Section 2 when discussing attainable housing uses a less than 30% of household income standard. These need to be brought into alignment.

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Base Flood Elevation (BFE): The elevation of surface water resulting from a flood that has a one percent (1%) chance of equaling or exceeding that level in any given year as determined by FEMA. The BFE is shown on the FEMA Flood Insurance Rate Map (FIRM).

Basement: Any area of a building having its floor subgrade (below ground level) on all sides.

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

Bed and Breakfast Inn: ~~A family home structure with not more than ten sleeping rooms for rent on a daily basis to vacationers and business people, where provision of meals is limited to breakfast for guests only. All outdoor activity areas shall be buffered from adjacent residential property and all rooms shall have access via indoor halls. Access to the sleeping rooms is only by internal hallways. See Section 2.4.5.S.~~

Commented [KF9]: This is more like regulatory language than a definition. I'd move it to the use description in Sec. 2.

Berm: An elongated earthen mound typically designed or constructed on a site to separate, screen, or buffer adjacent uses or site features.

Bicycle Bar, Party Bike, or Pedal Pub: A multi-passenger bicycle available to rent for the purpose of drinking alcohol on board, with a driver to control steering and braking while pedaling is powered by the passengers.

Bicycle Lane or Bike Lane: A designated lane of the road, usually on the right side, that is strictly reserved for bicyclists. Bike lanes are a minimum of four feet in width and provide pavement markings and signage in accordance with Florida Department of Transportation and City standard details requirements.

Bikeway: Any road, trail, or right-of-way which is open to bicycle travel, regardless of whether such a facility is designated for the exclusive use of bicycles or is to be shared with other transportation modes.

Bioretention: A stormwater infiltration device consisting of an excavated area that is filled with a specialized soil media and plants, grass, or sod.

Blank Wall Area: Any portion of an exterior façade of a building that does not include substantial material change, windows or doors, columns, or other articulation or architectural feature greater than 8 inches in depth. Substantial material change shall mean a change between materials and/or finishes, recesses/projections, and variations in window width/height, but not a change in paint color ~~does not constitute a substantial material change.~~

Block (Includes the term "tier" or "group"): Land or a group of lots existing within well-defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers and having an assigned address by which it may be identified.

Blood Collection: A facility where blood or related materials are either withdrawn or collected from patients or assembled after being withdrawn or collected elsewhere from patients for subsequent delivery to a clinical laboratory for examination. A collection facility is maintained at a separate physical

location not on the grounds or premises of the main licensed laboratory or institution which performs the testing.

Boat Lift: A fixed or floating device utilized for lifting, hoisting and launching vessels.

Boathouse: Any roofed structure located over the waterway for the purpose of covering or partially covering a mooring area.

Boatyard or Boat Livery: Any premises or site used as a commercial establishment for the provision of all such facilities as are customary and necessary to the [storing](#), manufacturing, construction, reconstruction, repair, maintenance or sale of boats, marine engines, or marine equipment and supplies of all kinds, including but not limited to, rental of covered or uncovered boat slips, dock space, enclosed dry storage space, marine railways, or lifting or launching services.

Bottle Club: A business establishment to which patrons bring with them alcoholic beverages to be consumed on the business premises in connection with the viewing for a consideration of entertainment or to be consumed with a mixer or other beverage furnished by the business establishment for a consideration, but which business establishment is not licensed.

Brewpub: ~~An establishment where food, beer, and malt beverages are duly licensed to be made on the premises where the beer produced on site is sold and/or consumed on site.~~ [See Section 2.4.5.M.](#)

Buffer: An area of land, including landscaping (natural or planted), berms, walls, fences, and building setbacks, which is located between land uses of different characters and is intended to mitigate negative impacts from an intense use on a residential or vacant parcel.

Buffer, Perimeter: Vegetative material and structures (i.e., walls, fences) that are used to separate uses from each other as required by this [LDR Ordinance](#).

Building: Any structure having a solid roof intended for shelter or enclosing of persons, animals, chattels, property, equipment or a process of any kind or nature, excluding freestanding tents, freestanding awnings, and cabanas and screened enclosures, unless a solid roof is present.

Building Code: The State of Florida Building Code.

Building Façade: The entire exterior wall of a building facing a lot line measured from the grade to the eave or highest point of a flat or mansard roof. Facades may be on the front, side, or rear elevation of the building.

Building Footprint: The area occupied by the perimeter of a principal building. Accessory structures and non-building facilities are not included in the building footprint.

Building Frontage: For purposes of computation of number and area of signs permitted on buildings in cases where linear feet of building frontage is a determinant, the frontage of a building shall be computed as nearly at ground level as computation of horizontal distance permits. In cases where this test is indeterminate or cannot be applied, as for instance where there is a diagonal corner entrance or where two sides of a building have entrances of equal importance and carry approximately equal

volumes of pedestrian traffic, the zoning administrator shall select building frontage on the basis of interior layout of the building, traffic on adjacent streets, or other indicators available.

Building Height: A specific height expressed in feet. Height shall be defined as the vertical distance measured from the greater of the following; FEMA first habitable floor requirement, 18 inches above the Florida Department of Environmental Protection requirement for the first habitable floor structural support, 18 inches above the elevation of the average crown of the adjacent roads, or the average natural grade unaltered by human intervention, and shall be measured to the highest point of a flat roof; the deck of a Bermuda or mansard roof; or the midline of a gable, hip, or gambrel roof.

Building Line: The rear edge of any required front yard or the rear edge of any required setback line. Except as specifically provided by this [LDRchapter](#), no building or structure may be extended to occupy any portion of a lot streetward or otherwise beyond the building line.

Building Permit: Authorization granted by the City for an applicant to begin construction of a building or structure.

~~**Building Site:** The lot or lots or portion of a lot or lots used for a structure, the total area of which lots is ascribed to the building or structure for compliance with this [LDRchapter](#).~~

Commented [KF10]: Does this make sense?

Build-to Line: A line with which the exterior wall of a building in a development is required to coincide. Minor deviations from the build-to line for such architectural features as weather protection, recesses, niches, ornamental projections, entrances, or other articulations of the facade are permitted, unless otherwise prohibited by this [LDRCode](#).

Build-To Zone: The area between the minimum and maximum setbacks within which the principal building's front façade (building façade line) is to be located.

Built-Up Area: That portion of a development project that is covered by impervious or partially impervious surface including, but not limited to, buildings; pavement and gravel areas such as roads, parking lots, and paths; and recreation facilities such as tennis courts. "Built-upon area" does not include a wooden slatted deck, the water area of a swimming pool, or pervious or partially pervious paving material to the extent that the paving material absorbs water or allows water to infiltrate through the paving material.

Bulkhead: A vertical structure separating land and water areas primarily designed to resist earth pressure.

Business Day: Any day in which normal business is conducted. A business day does not include a holiday or a weekend day.

By Right: A use allowed pursuant to zoning review and approval of a [bBuilding Pp](#)ermit or issuance of a Certificate of Use.

~~**Calendar Day:** Any day of the week.~~

Camper: A portable dwelling (as a special equipped trailer or automobile vehicle) for use during casual travel and camping.

Cap: A molded projection that crowns the top of a wall, monument ground sign, or other structure. No portion of the sign copy or sign face area shall extend beyond the interior edge of the cap.

Capital Budget: The portion of each local government's budget which reflects capital improvements scheduled for a fiscal year.

Capital Improvement: 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.

Car, Boat, Other, Vehicle Sales and Rentals: ~~An establishment involved with the sale or lease of motor vehicles (including but not limited to cars and boats), renting of motor vehicles, and display of these motor vehicles for sale or lease. These establishments may feature accessory service facilities open to the public.~~ See Section 2.4.5.H.

Car Wash (or Auto Detailing): ~~Any building or premises or portions thereof used for washing cars, trucks or other similar vehicles.~~ See Section 2.4.5.D.

Carport: An accessory structure or portion of a principal structure, consisting of a roof and supporting members such as columns or beams, unenclosed from the ground to the roof on at least two sides, and designed or used for the storage of motor-driven vehicles owned and used by the occupants of the building to which it is accessory.

Cemetery, Columbarium, Mausoleum: Uses intended for the burial of the dead and dedicated for cemetery purposes. This use type may include a funeral home or mortuary or a mausoleum or columbarium (a structure or vault lined with recesses for cinerary urns), but does not include a crematory. See Section 2.4.4.L.

Certificate of Appropriateness: A document evidencing approval for work proposed in a historic district or to a historic property by an applicant.

Certificate of Concurrence: Certificate issued by the City upon finding that approval of an application for a development permit will not result in the reduction of level of service standards below the minimums set forth in the City Comprehensive Plan for public facilities and services.

Certificate of Occupancy: Authorization granted by the City for the occupancy of a building reviewed and approved under this Ordinance.

Certified Local Government (CLG): ~~A Municipal and/or county governments that which have~~ made historic preservation a public policy through the passage of a historic preservation ordinance and that has been certified by the National Park Service following State of Florida approval of an application.

Change of Occupancy: A discontinuance of an existing use and the substitution therefor of a use of a different kind or class. Change of occupancy is not intended to include a change of tenants or proprietors unless accompanied by a change ~~in the type~~ of use.

Change of Use: The change in the use of a building, structure, or land. "Change of use" includes a change from one use type to another use type.

Changeable Copy: Text or other depictions on the face of a sign that are capable of being revised on a regular or infrequent basis— without altering the face or surface of a sign.

Chapter: The Land Development CodeRegulations, Chapter 87 of the City of Venice Code of Ordinances.

Character: An attribute, quality, or property of a place, space or object; it's distinguishing features.

~~**Charging:** When Aan electric vehicle is parked at an electric vehicle charging station and is connected to the battery charging station equipment and is actively charging.~~

Charter: The Charter of the City of Venice, Florida, located in part 1, subpart A.

Chimney: A vertical, incombustible structure containing a flue through which the smoke and gases of a fire or furnace are carried off to the outside and by means of which a draft is created, especially the part of such a structure that rises above a roof.

Citation: A formal notice to a person that he or she is charged with a violation of the e Code ofis Ordinances, and that a penalty is due.

City: The City of Venice, Florida, a municipal corporation organized and existing under the laws of the State of Florida.

City Code: The Code of Ordinances of the City of Venice.

City Council: The City Council of the City of Venice, Florida.

City Standard Details: The latest version of the City standard details issued by the City Engineer. The City Engineer may approve additional updates to the City standard details during the calendar year as necessary.

City Utility Pole: A utility pole owned by the City in the right-of-way.

Civic: Uses held in private or public ownership but functioning for community purposes such as religious, cultural, environmental, or educational uses.

Clean Energy Production: See Section 2.4.8.G.

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Clinic, Medical or Dental: An establishment where patients, who are not lodged overnight, are admitted for examination and treatment by one person or a group of persons practicing any form of the healing arts, whether such persons are medical doctors, chiropractors, osteopaths, chiropodists, naturopaths, optometrists, dentists or any such profession, the practice of which is regulated by the state. A public clinic is one operated by any governmental organization for the benefit of the general public. All other clinics are private clinics.

Club, Private or Lounge: For the purpose of this chapter, private clubs shall pertain to and include those associations and organizations of a civic, fraternal or social character not operated or maintained for profit, and to which there is no unrestricted public access or use. The term "private club" shall not include casinos, nightclubs, or other establishments operated or maintained for profit.

Coastal Construction Control Line: For the purposes of this LDRchapter, means the coastal construction control line as approved on July 18, 1978, by the head of the state department of natural resources

(governor and cabinet) under the provisions of F.S. § 161.053, ~~not including~~ any subsequent revisions to such statute affecting the location of the line.

Commented [KF11]: Is that correct?

Coastal High Hazard Area (CHHA): The area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.

Coastal Protection Structures or Shore Protection Structures: Shore hardening structures, such as seawalls, bulkheads, revetments, rubblemound structures, groins, breakwaters, and aggregates of materials other than natural beach sand used for beach or shore protection and other structures which are intended to prevent erosion or protect other structures from wave and hydrodynamic forces including beach and dune restoration.

Coastal Planning Area (CPA): The area covering the 5 evacuation zones, which fall under the 5-hurricane categories (include ~~of~~ all off shore and non-land areas such too, so all of the water, wetlands, and marine resources are included).

~~**Coffee Shop:** A commercial establishment engaged in the retail sale of coffee, tea, and related beverages for on-site and off-site consumption. Coffee shops may also offer a limited range of food available for on-site or off-site consumption as well as merchandise associated with home consumption of coffee or tea. A coffee shop may also include, as an accessory use, equipment and facilities to prepare coffee beans for consumption. Uses engaged solely in coffee bean processing for off-site consumption are manufacturing uses. Uses that derive the majority of their income from sales of food are restaurant uses.~~

Collector Streets: Streets that carry traffic from local streets to the major system of arterial streets and highways, including the principal entrance streets of a residential development and streets for circulation within such a development. These facilities are characterized by relatively short trip lengths and moderate speeds and volumes.

College or University: A public or private, non-profit institution for post-secondary education offering courses in general or technical education which operates within buildings or premises on land owned or leased by the institution for administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, libraries, student and faculty centers, athletic facilities, dormitories, fraternities and sororities, and other facilities which further the educational mission of the institution. In no event shall this definition prohibit a college or university from engaging in an activity historically conducted by such institutions.

Collocate or Collocation: To install, mount, maintain, modify, operate, or replace one or more wireless facilities on, under, within, or adjacent to a wireless support structure or utility pole. The term does not include the installation of a new utility pole or wireless support structure in the public rights-of-way, nor does it include interconnection of communications systems Facilities or the sale or purchase of capacity (whether bundled or unbundled).

Column: A vertical structure or any similar structure used to strengthen or decorate a monument ground sign. No portion of the sign copy or sign face area shall extend beyond the interior edge of the column.

Commercial Message: Any text, logo, or other graphic representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service or other commercial activity.

Commercial Parking Lot: See Section 2.4.5.X.

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Commercial Use: An activity involving the sale of goods, merchandise or services carried out for profit, including retail sales, business services, professional services, personal services, recreational services, entertainment services, resort services and related accessory uses.

Commercial Vehicle: Any vehicle designed, intended or used for transportation of people, goods, or things, not including private passenger vehicles and trailers for private nonprofit transport of goods or boats.

~~**Commercial Wireless Telecommunication Antenna:** Any structure or device used for the purpose of collecting and/or transmitting, for commercial wireless telecommunication service purposes, electromagnetic waves. For the purpose of this Code, a commercial wireless telecommunication antenna shall include the tower or other structure to which it is mounted and ancillary support facilities.~~

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~~**Commercial Wireless Telecommunication Facility:** A cellular telecommunication facility consisting of the equipment and structures involved in receiving telecommunication or radio signals from mobile radio communication sources and transmitting those signals to a central switching computer which connects the mobile unit with the land-based telephone lines.~~

Communications Services Provider: Any person, municipality or county providing ~~C~~ommunications ~~S~~ervices through the use and operation of a ~~C~~ommunications ~~S~~ystem or ~~teleC~~ommunications ~~F~~acility~~ies~~ installed, placed or maintained in or outside the ~~p~~ublic ~~R~~ights-of-~~W~~ay, regardless of whether such ~~S~~ystem or ~~F~~acility~~ies are~~ is owned or leased by such ~~P~~erson, municipality, or county and regardless of whether such ~~P~~erson, municipality or county has registered with the Florida Department of Revenue as a provider of ~~C~~ommunications ~~S~~ervices in Florida pursuant to Chapter 202, Florida Statutes. Communication services provider also includes Aany Pperson, municipality or county who constructs, installs, places, maintains or operates teleCcommunications Ffacilities in the Ppublic Rrights-of-Wway but who does not provide Ccommunications Sservices, including for example a company that places "dark fiber" or conduit in the Ppublic Rrights-of-Wway and leases or otherwise provides those facilities to another company that does provide Ccommunications Sservices.

Communications Services: The definition ascribed thereto in Section 202.11(1), Florida Statutes, as may be amended, and also including but not limited to Wireless Telecommunication Services as defined herein.

Communications System: Any permanent or temporary plant, equipment and property placed or maintained outside or in the ~~p~~ublic ~~R~~ights-of-~~W~~ay that is occupied or used, or is capable of being occupied or used, by a ~~C~~ommunications ~~S~~ervices ~~P~~rovider for the purpose of producing, conveying, routing, transmitting, receiving, amplifying, distributing, providing, or offering ~~C~~ommunications

Services including, but not limited to cables, wires, lines, conduits, fiber optics, antennae, radios and any associated poles, converters, splice boxes, cabinets, hand holes, manholes, vaults, drains, surface location markers, and other plant, equipment, and pathway.

Community Care Facility: See Section 2.4.3.J.

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Community Center: A public building to be used as a place of meeting, recreation, or social activity and not operated for profit.

Community Character: The sum or combined effect of the attributes and assets that make the City unique and that establish the City's "sense of place." Attributes include the resident population, local institutions, visual characteristics, natural features, and shared history.

Community Garden: A private or public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person.

Compatibility: The characteristics of different uses or activities or design which allow them to be located near or adjacent to each other. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean "the same as." Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

Complete Application: Shall constitute the original application and any additional information requested by staff or submitted by the applicant for correction of errors or omissions.

Completely Enclosed Building: A building separated on all sides from adjacent open space or from other buildings or other structures, by a permanent roof and by exterior walls or party walls, with the only openings being windows and normal entrance or exit doors.

Comprehensive Plan: The City of Venice Comprehensive Plan, an official document ~~in ordinance form~~ adopted by the ~~City local government~~ setting forth its goals, objectives, and policies regarding the long-term development of the area within its jurisdiction pursuant to Chapter 163, ~~Part II-3161, et seq~~, Florida Statutes, as amended.

Comprehensive Plan Amendment: An amendment to the adopted ~~City e~~Comprehensive ~~p~~Plan, including the future land use map.

Concurrency: The legal requirement that specified public facilities (recreation and open space, potable water, sanitary sewer, solid waste, stormwater management) ~~to be provided for, by an entity~~ to an adopted level of service concurrent with the impacts of development.

Conditional Use: A use that would not be appropriate generally or without restriction within a zoning district but which, if controlled as to area, location or relation to the neighborhood is acceptable and meets the intent of this LDR.

Conservation (in relation to historic preservation): The protection or preservation of material remains of a historic property using scientific techniques; or, the continued use of a site or building with treatment based primarily on its present value; or, in archaeology, limiting excavations to a minimum

consistent with research objectives and with preserving archaeological sites for future scientific endeavor.

Conservation Areas: An area of land protected from development or other impacts to the natural conditions.

Conservation Open Space: ~~includes: p~~Protected open spaces (wetland, wetland buffers, coastal and riverine habitats), preserves, native habitats including those of endangered or threatened species or species of special concern, wildlife corridors, natural lands owned and managed by the City, Sarasota County, State (i.e. FDEP, SWFWMD) or a Federal Agency that do not qualify as Functional Open Space, ~~rivers, lakes, and other surface waters, and aquifer recharge areas. There may be open spaces that provide both functional and conservation activities~~ such as e.g. walking trails around water retention facilities.

Consistency: The regulatory requirement that development permits not conflict with the City~~local Comprehensive Plan, this LDR, or applicable provisions of state laws not conflict with State or regional plans, and that the local plan furthers the goals and policies of the State and regional plans.~~

Construction: The placing, building, erection, extension or material alteration of any structure, the use of which requires a permanent or temporary location on the ground or attachment to a structure having a permanent or temporary location on the ground. The term construction shall include the installation of parking lots, tennis courts, swimming pools, patios, docks, piers, pilings, shoreline protection devices or any similar hard-surfaced structures. The term construction shall also apply to dredging and dredging activities.

Construction, Actual: The commencement and continuous uninterrupted prosecution of construction pursuant to a permit which includes the permanent placement and fastening of materials to the land or structure for which the permit has been issued. Where demolition, excavation or removal of an existing structure has been substantially begun preparatory to new construction, such excavation, demolition or removal shall be deemed to be actual construction, provided that work shall be continuously carried on until the completion of the new construction involved. Fill and the installation of the drainage facilities shall be considered a part of construction. Actual construction shall include only work begun under a valid building permit.

Construction, Coastal: Includes any work or activity which is likely to have a material physical effect on existing coastal conditions or natural shore processes.

Construction Drawings: Technical diagrams, drawn to scale, depicting the placement and configuration of buildings, structures, site features, and infrastructure.

Consultant: A person who is hired to provide professional advice to another person.

Context: Surroundings made up of the particular combination of elements that create specific character in the area.

Contiguous: To share a common lot line, property line, or zone boundary without being separated by a right-of-way.

Contributing Structure: A ~~contributing~~ building, site structure or object ~~which~~ adds to the historic architectural qualities, historic associations, or archaeological values for which a ~~historic district~~ property is significant because a) it was present during the period of significance, and possesses historic integrity reflecting its character at that time or is capable of yielding important information about the period, or b) it independently meets the National Register criteria. (National Register Bulletin 14).

Controlled Substance: A substance ~~listed~~ in Schedule II, Schedule III, or Schedule IV, in F.S. § 893.03, recognized as effective for pain relief, including, but not limited to the following: Buprenorphine, butorphenol, carisoprodol, codeine, fentanyl, hydrocodone, hydromorphone, levorphanol, methadone, morphine, oxycodone, and propoxyphene. Additionally, the term includes benzodiazepines, such as alprazolam, when prescribed in addition to or directly preceding or following another prescription for a controlled substance for pain relief. However, the term does not include suboxone, which contains a mixture of buprenorphine and naloxone.

Convenience Store: ~~A retail establishment which offers for sale, primarily, the following types of articles: bread, milk, cheese, canned and bottled foods and drinks, tobacco products, beer, wine, candy, papers and magazines, and general hardware articles. Gasoline and/or fast food may also be offered for sale but only as a secondary activity of a convenience store and subject to the standards of this LDR Ordinance. If vehicular maintenance and service are provided, the establishment is not classified as a convenience store. See Section 2.4.5.C.~~

Cooking Facilities: Any device or appliance capable of achieving a temperature of 180 degrees Fahrenheit and used for the preparation of food. A microwave oven is not considered cooking facilities.

Corner Lot: A lot located at the intersection of two or more streets. A lot abutting on a curved street shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.

Corporate Limits: The ~~legal name that refers to the~~ legal boundaries of ~~the City of Venice a municipal corporation.~~

Corridor: A lineal geographic system incorporating transportation or greenways.

Court or Cul-De-Sac: A street terminated at the end by a vehicular turnaround.

Courtyard: An open, unoccupied space, other than a required yard, on the same lot as a building and bounded on two or more sides by walls or buildings on the same lot.

Covenant: A binding written agreement between two or more private parties regarding the use, occupancy, or configuration of development that runs with the land.

CPTED: Crime Prevention Through Environmental Design.

Cultural Facility: Establishments such as zoological gardens, conservatories, planetariums, or other similar uses of ~~a~~ an historic, educational, or cultural interest, which are not operated for profit. See Section 2.4.4.F.

Cupola: A light structure on a dome or roof, serving as a belfry, lantern, or belvedere which shall be non-habitable space.

Curb: A constructed element used to stabilize paving, gutter, planting areas, or sidewalks.

Davit: A cantilevered lifting device mounted directly to a dock, wood piling, or concrete piling or pad.

Day: Shall mean calendar days unless otherwise specified.

Day Care, 6 or fewer persons: ~~Uses providing care, protection, and supervision for more than six children or adults on a regular basis away from their primary residence. Care is typically provided to a given individual for fewer than 18 hours each day, although the facility may be open 24 hours each day. See Section 2.4.3.K.~~

Day Care, more than 6 persons: See Section 2.4.5.T.

Dealer: Any ~~p~~Person, municipality, or county providing ~~C~~ommunications ~~S~~ervices to an end user in the City ~~of Venice~~ through the use and operation of ~~C~~ommunications ~~systems~~Facilities installed, placed, and maintained outside or in the ~~P~~ublic ~~R~~ights-of-~~W~~ay, whether owned or leased, and who has registered with the Florida Department of Revenue as a provider of ~~C~~ommunications ~~S~~ervices pursuant to Chapter 202, Florida Statutes. This definition of "Dealer" is intended to include any "Reseller."

Deed Restriction: A ~~written~~ private agreement recorded in the public records, often by the developer, that restricts the use, occupancy, or configuration ~~placed upon the title~~ of real estate ~~often by the developer.~~

Deep Foundations: ~~A~~ type of foundation that transfers building loads to the earth farther down from the surface than a shallow foundation does to a subsurface layer or a range of depths using a pile or pilings.

Demolition: Complete or constructive removal of a structure or portion of a structure on any site.

Demolition by Neglect: The destruction of a building, property, or landmark through abandonment or lack of maintenance, or the gradual deterioration of a building when routine or major maintenance is not performed.

Density: The number of residential dwelling units permitted per gross acre (43,560 square feet) of land ~~and is~~ determined by dividing the number of units by the total area of land within the boundaries of a lot or parcel, not including dedicated rights-of-way, and except as otherwise provided for in this LDRchapter. In the determination of the number of residential dwelling units to be permitted on a specific parcel of land, a fractional unit shall be rounded up or down to the nearest whole number (for example: 4.5 to 5.0 and 4.49 to 4.0).

Density Bonus (for ~~Affordable or Attainable Housing~~): An incentive to increase the allowed number of dwelling units per acre over the maximum in exchange for the provision of a tainableffordable housing.

Designated Parking: A parking space or area reserved for a specific purpose, such as handicapped or electric vehicle parking, clearly marked by signage or other identifier.

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Designee: A person selected or designated to carry out a duty or role.

Deterioration: The process by which structures and their components wear, age and decay in the absence of regular repairs and/or replacement or components which are worn or obsolete.

Developer: Any person, individual, partnership, association, syndicate, firm, corporation, trust or legal entity engaged in developing or subdividing land; ~~means the subdivider, owner or legal entity that applies for approval of a plat of a subdivision.~~

Developer's Bond: A surety or cash bond conditioned upon the performance by the ~~developer~~ subdivider of the requirements of minimum improvement under this ~~division~~ LDR.

Development: Any construction, reconstruction or use of land which requires the issuance of a development permit.

Development Agreement: A written agreement between the City and a developer or applicant that ~~memorializes~~ ~~sets down~~ the rights and responsibilities of each party as pertaining to a single development.

Development Order: Any action granting, denying or granting with conditions an application for a development permit.

Development Permit: Any building permit, zoning permit, subdivision approval, rezoning, certification, special exception, variance, or any other official action of ~~the City or other local~~ government ~~entity~~ having jurisdiction having the effect of permitting the development of land.

Development Phasing: The process by which a large scale project is built in stages over a period of time, concurrent with the provision of public facilities.

Direct Current Fast Charging (DCFC): Accelerated charging, available at some ~~e~~Electric ~~v~~Vehicle ~~c~~Charging ~~s~~Stations.

Director: Unless otherwise specified, the term "Director" shall mean the Director of the Planning and Zoning Department for the City.

Disability: With respect to an individual: ~~Aa)~~ a physical or mental impairment that substantially limits one or more major life activities of such individual; ~~Bb)~~ having a record of such an impairment; or ~~Cc)~~ being regarded as having such an impairment. Examples of "Major Life Activities" include: caring for oneself, performing manual tasks, seeing, hearing, learning, and working.

Dock: A fixed or floating structure consisting of pilings, structural supports, decking, and all appurtenances, extending from the shore over water, used for the purpose of securing and providing access to buoyant vessels.

Drainage Basin: Any land area from which the runoff collects at a common point or receiving water.

Dredge and Fill: The process of excavation or deposition of ground materials by any means, in local, state or regional jurisdictional waters (including wetlands), or the excavation or deposition of ground

materials to create an artificial waterway that is to be connected to jurisdictional waters or wetlands (excluding stormwater treatment facilities).

Dredging: Excavating, by any means, in jurisdictional areas. It also means excavating, or creating, a waterbody which is, or is to be, connected to any jurisdictional areas directly or via an excavated waterbody or series of waterbodies.

Drive Aisle: A designated travel lane within a parking lot, parking structure, or vehicle use area used to provide vehicular ingress and egress between parking spaces and a driveway/entrance.

Drive-Through: A facility designed to enable a person to transact business while remaining in a motor vehicle.

Dwelling: A building that contains one or more dwelling units used, intended, or designed to be used, rented, leased, let, or hired out to be occupied for living purposes.

Dwelling Unit: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Easement: The land or right-of-way required for the natural or artificial drainage of land, public or private utilities, drainage, sanitation, ingress and egress, or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the [recorded easement/servitude of the servitude](#).

Eave: The projecting lower edges of a roof that overhangs the wall of a building.

Electric Vehicle or EV: Any motor vehicle registered to operate on public roadways that operates either partially or exclusively on electric energy.

Electric Vehicle Charging: [The act of Refilling the battery of an EV](#) electric vehicle with electricity.

Electric Vehicle Charging Level: The standardized indicator of electrical force, or voltage, at which the battery of an electric vehicle is recharged, [as follows:](#) Level-1 is slow charging, usually performed at the home, [and involves -Vvoltage including the rangeing](#) from 0 through 120 volts. Level-2 is medium charging [and involves -Vvoltage is](#) greater than 120 volts, up to 240 volts. Level-3 is fast or rapid charging, [is also referred to as](#) DCFC or DC Fast Charging, [and involves -Vvoltage is](#) greater than 240 volts.

Electric Vehicle Charging Station: Battery charging equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

Electric Vehicle Parking Space: Designated parking spaces for the charging of [electric vehiclesEVs](#) exclusively [that are included in the calculation of required parking spaces](#). Also known as Electric Vehicle Reserved Spaces. [Included in the calculation of required parking spaces](#).

Electric Vehicle Supply Equipment (EVSE): Infrastructure that supplies electric energy for the recharging of electric vehicles.

Electronic Variable Message: Copy on a sign that changes or is intermittently displayed using electronic means such as by turning on or off various lighting elements, including but not limited to, any copy that is not kept stationary or constant in intensity and color at all times when displayed on a sign. The term includes the use of display technology such as light-emitting diodes (LED) or digital displays which can vary in color or intensity, or any system which is functionally equivalent.

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Emergency Medical Clinic: An establishment where patients, who are not lodged overnight, are admitted for examination and treatment by one or more physicians. An emergency medical clinic is not a doctor's office or a professional office.

Emergency Services: Any building or premises used for police, fire, rescue or ambulance (but not funeral home) services whether operated by a government agency or by a quasi-public agency performing a public service.

Enclave: Any unincorporated improved or developed area that is enclosed within and bounded on all sides by a single municipality; or any unincorporated, improved, or developed area that is enclosed within and bounded by a single municipality and a natural or manmade obstacle that allows the passage of vehicular traffic to that unincorporated area only through the municipality.

Encroachments (as related to mixed use areas): Attached building elements permitted to exist within a setback. These may include architectural elements intended to bring the public realm closer to the building, such as awnings, canopies, and projecting signs.

Endangered and Threatened (Listed) Species: Flora and fauna as identified by the U. S. Fish and Wildlife Service's "List of Endangered and Threatened Wildlife and Plants" in 50 CFR 17.11-12. Fauna identified by the Florida Fish and Wildlife Conservation Commission (FWC) in Ch. 68A-27 ~~Section 9-27.03-05~~, FAC, and flora identified by the Florida Department of Agriculture and Consumer Services "Preservation of Native Flora Act," Sections 581.185-187, Florida Statutes. ~~Endangered species are so designated due to man-made or natural factors which have placed them in imminent danger of extinction while threatened species are so designated due to a rapid decline in number and/or habitat such that they may likely become endangered without corrective action.~~

Enhancement: An improvement to ~~improving~~ the ecological value of wetlands, other surface waters, or uplands that have been degraded when compared to their historic condition.

Environmentally Sensitive Areas: Lands that, by virtue of some qualifying environmental characteristic (e.g., wildlife habitat), are regulated by either the Florida Department of Environmental Protection, the Southwest Florida Water Management District, or any other governmental agency empowered by law for such regulation.

Erected: includes the terms "built", "constructed", "reconstructed" and "moved upon", or any physical operation on the premises required for building. Excavation, fill, drainage, demolition of an existing structure and the like shall be considered part of erection. (See Construction, actual.)

Erosion: The wearing away of land surfaces by the action of wind, water, gravity, or any combination thereof.

Erosion Control Measure: A device which controls the soil material within the land area under responsible control of the person conducting a land-disturbing activity.

Essential Services: ~~Limited to certain utility installations of water, sewer, gas, stormwater systems, telephone and electrical systems such as substations, lift stations and similar installations. Electric or gas generation plants are not essential services under this definition. See Section 2.4.4.A. and 2.4.4.B.~~

Estuarine: Of, relating to, or formed in an estuary, water formed where freshwater from rivers and streams flow into the ocean, mixing with seawater. Estuaries and the lands surrounding them are places of transition from land to sea, and from freshwater to saltwater.

Excavation: The cutting, trenching or other disturbance intended to change the grade or level of land.

Exempt building appurtenance(s): Limited structural elements excluded from building height standards including spires, belfries, cupolas, antennas in all districts except RSF, water tanks, ventilators, chimneys, elevator shaft enclosures or other appurtenances not intended for human occupancy that are placed above the roof level as necessary for function or safety; however, such limited structural elements shall not exceed height standards prescribed by the Federal Aviation Administration or airport zones regulated by this [Codechapter](#), whichever provides for a lower height.

Exemption: A use, site feature, or development condition that is authorized to deviate from otherwise applicable requirements.

Existing legal nonconforming resort dwelling. ~~means a~~ any one-, two-, three- or four-family dwelling unit located in the RE and RSF zoning district which is rented to guests more than three times in a calendar year for periods of less than 30 days or one calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests for periods of less than 30 days or one calendar month, whichever is less, that possesses all of the applicable state and local registrations, licenses and/or permits, including, but not limited to all necessary tax registration and occupational licenses necessary for operation of such rentals.

Expansion: An increase in the floor area of an existing structure or building, or the increase of area of a use.

Exterior Lighting: Illumination of a building, parking lot, or site feature.

External Illumination: ~~Light sources directed onto a sign to provide illumination.~~

Façade: The exterior wall of a building or structure.

Family: One or more persons occupying a single dwelling unit. The term "family" shall not be construed to mean a fraternity, sorority, club, commune, monastery or convent or institutional group.

Farmer's Market: ~~See Section 2.4.8.J.~~

Fascia: A fascia is a board or other exterior material provided at the edge of a building where the roof meets the exterior wall. When gutters are provided, they are typically mounted to the fascia.

Fee: An amount charged in accordance with ~~athe~~ regularly adopted fee schedule of the City.

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Fence: Any artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

Filling: Depositing of materials in jurisdictional areas, by any means.

Final Plat: The final map or delineated representation of all or a portion of a subdivision which is presented for final approval in accordance with this [LDCode](#) and applicable state statutes.

Financial Institution: An organization or corporation which functions as a depository of funds, including commercial banks, savings and loan associations, trust companies, credit unions and other similar services governed by state or federal regulations. [Financial institutions also includes those establishments engaged in the on-site circulation of cash money and check-cashing facilities, but shall not include bail bond brokers. For the purpose of this chapter, loan agencies, pawnshops and the like shall not be considered financial institutions. Financial institutions may include drive-through facilities and automated teller machines \(ATM\) located within a fully enclosed space or building, or along an exterior building wall intended to serve walk-up customers only.](#)

Financial Services: ~~An establishment that provides retail banking services, mortgage lending, or similar financial services to individuals and businesses generally provided by a financial institution. Financial institutions include those establishments engaged in the on-site circulation of cash money and check-cashing facilities, but shall not include bail bond brokers. Financial services may also provide automated teller machines (ATM) services, located within a fully enclosed space or building, or along an exterior building wall intended to serve walk-up customers only. Financial services may include drive through facilities.~~

Finger Extension or Finger Pier: Walkway structures that extend perpendicular to a main dock structure and provide access to mooring areas.

Finished Side of Fence: The side of a fence configured for the best possible appearance that does not include structural supports or exterior materials with imperfections.

Fire Hydrant: A connection point to a public water supply system used by firefighters to access water as a part of fire suppression.

Fire Lane: A lane or designated area in a parking lot or on a street that is reserved for firefighting equipment or staging of people during a fire and is not intended for the parking of vehicles or storage.

Fitness, Athletic, Health Club: [See Section 2.4.5.U.](#)

Flag: Any fabric or similar material containing patterns, drawings, or symbols used for decorative purposes or to represent any government. ~~Flags with a commercial message or used as a commercial message are considered "wind signs" and are generally prohibited.~~

Flagpole: A freestanding structure or structure attached to the wall or roof of a building that is used to display flags.

Flex Space: ~~Buildings designed to accommodate a combination of offices (e.g., service establishments and contractor's offices), wholesale establishments, warehousing/distribution, industrial services, and light manufacturing, with the exact proportions of each use being subject to user needs over time. Such~~

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~~uses are treated as principal uses and subject to the standards and limitations applicable to such uses — e.g., parking, and are included in the total gross floor area if located on the same lot. See Section 2.4.7.H.~~

Floating Structure: A floating barge-like structure, with or without accommodations built thereon, which is not primarily used as a means of transportation on water, but serves purposes or provides services typically associated with a structure or other improvement to real property. The term ~~“floating structure”~~ includes, but is not limited to, a restaurant or lounge, dredge, or similar facility. Floating ~~s~~Structures, as defined herein, are expressly excluded from the definition of the term “vessel” provided in ~~F.S. s~~Section 327.02(247), Florida Statutes (1989), and are also excluded from the definition of ~~“private pleasure craft.”~~ Incidental movement upon water shall not, in and of itself, preclude an entity from classification as a ~~F~~floating ~~S~~structure. ~~A Floating Structure is expressly included as a type of tangible personal property (from section 192.001 (17), Florida Statutes (1989)).~~

Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters or the unusual and rapid accumulation of runoff of surface waters from any source.

Flood Insurance: The insurance coverage provided under the National Flood Insurance Program.

Flood Insurance Rate Map: An official map of the City, issued by the Federal Emergency Management Agency, on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated.

Flood Zone: A geographical area on the Flood Hazard Boundary Map or Flood Insurance Rate Map that reflects the severity or type of flooding in the area.

Floodplain: ~~The A~~area inundated during a 100-year, or other specified, flood event or identified by the National Flood Insurance Program (NFIP) as an AE Zone or V Zone on the Flood Insurance Rate Maps (FIRM) or other map adopted by the City for regulation of development within the floodplain.

Floodplain Administrator: The individual appointed to administer and enforce the floodplain management regulations.

Floodplain Development Permit: A permit that is required, in conformance with the provisions of this ~~LDR Ordinance~~, prior to the commencement of any development activity in a floodplain.

Floodproofing: Any combination of structural and nonstructural additions, changes, or adjustments to structures, which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures, and their contents.

Floodway: The channel 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 foot.

Floor Area: Except as may be otherwise indicated in relation to particular districts and uses, floor area shall be construed as the sum of the gross horizontal areas of all floors of a building measured from the faces of the exterior walls or from the centerline of walls separating two buildings, excluding public corridors, common restrooms, attic areas with a headroom of less than seven feet, unenclosed stairs

or fire escapes, elevator structures, cooling towers, areas devoted to air conditioning, ventilating or heating or other building machinery and equipment, parking structures, and basement space where the ceiling is not more than an average of 48 inches above the general finished and graded level of the adjacent portion of the lot.

Floor Area Ratio (FAR): ~~Measurement of non-residential development including~~The ratio of the total floor area of -all non-residential buildings or, structures or similar on a site to as compared the total area of the property or parcel on which they are it is located. ~~A ratio measured in square feet to the area of a parcel of land,~~ excluding any bonus or transferred floor area. ~~Expressed as FAR.~~

Footcandle: A unit of measure of the intensity of light falling on a surface. It is often defined as the amount of illumination the inside surface of a one-foot-radius sphere would be receiving if there were a uniform point source of one candela in the exact center of the sphere. One footcandle is equal to one lumen per square foot.

Forecourt: A portion of the facade close to the frontage line with the central portion set back. Forecourts may be used in commercial and mixed-use buildings to provide areas for outdoor dining, display of merchandise, entries to individual tenants, or vehicular drop-off areas.

Form-Based Code: ~~A land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code.~~

Fracking: ~~Also known referred to as but not limited to, fraccing, frac'ing, hydraulic fracking, hydrofracturing or hydrofracking; is a~~A well stimulation technique in which rock is fractured by a pressurized liquid in order to extract. The process involves the high pressure injection of 'fracking fluid' (primarily water, containing sand or other possible pollutants suspended with the aid of thickening agents) into a wellbore to create cracks in the deep rock formations through which natural gas, petroleum, and brine will flow more freely. When the hydraulic pressure is removed from the well, small grains of hydraulic fracturing proppants (either sand or aluminum oxide) hold the fractures open. Also known as or referred to as, but not limited to, fraccing, frac'ing, hydraulic fracking, hydrofracturing or hydrofracking.

Franchise: An initial authorization or renewal of an authorization, regardless of whether the authorization is designated as a franchise, permit, license, resolution, contract, certificate, agreement, or otherwise, to construct and operate a cable system or video service provider network facilities outside or in the public right-of-way.

Frontage Line: Line separating public space and private yard. All lots share a frontage line with a street space.

Funeral Home: ~~A building or portion thereof used for the preparation of the deceased and ceremonies connected therewith before burial or cremation. The operation of a crematory is an accessory activity to this use. See Section 2.4.6.C.~~

Future Land Use Map: The graphic aid part of the City's Comprehensive Plan that is intended to depict the spatial distribution of various uses of the land in the City by future land use category, ~~subject to the~~

~~Goal, Objectives, and Policies and the exceptions and provisions of the Future Land Use Element text and applicable development regulations.~~

Gable: A triangular area of an exterior wall formed by two sloping roofs.

Gallery or Colonnade: Where the facade is aligned close to the frontage line with an attached cantilevered overhang or a lightweight colonnade overlapping the sidewalk.

Garage Apartment: An accessory or subordinate building, not a part of or attached to the main building, where a portion thereof contains a dwelling unit for one family only, and the enclosed space for at least one automobile is attached to such dwelling unit.

Garage, Parking. A building or portion thereof, consisting of more than one level designed or used for temporary parking of motor vehicles.

Garage, Private: An accessory structure designed or used for inside parking of private passenger vehicles, recreational vehicles or boats, by the occupants of the main building. A private garage attached to or a part of the main structure is to be considered part of the main building. An unattached private garage is considered an accessory building.

Garage Sale: The sale of personal belongings or household effects (e.g., furniture, tools, clothing, etc.) at the seller's premises, typically held in a garage and/or yard. The term garage sale shall be considered equivalent with the terms yard sale, estate sale and other terms that convey the same meaning. A garage sale may include used goods from more than one family.

Gateway: An architectural feature, hardscape, or landscaping that signifies a transition between one space and another.

Glazing: The portion of an exterior building surface occupied by glass or windows. Also referred to as transparency.

Golf Course/Par 3/Driving Range: See Section 2.4.8.F.

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Government Office: An office of a governmental agency that provides administrative and/or direct services to the public, such as, but not limited to, employment offices, public assistance offices, or motor vehicle licensing and registration services.

Grade: Ground level, or the elevation at any given point.

Grade, Established: The ground elevation at a specific point on a site after completion of development activity or prior to development activity on a vacant site.

Grade, Unaltered: The existing, natural state of land unchanged by human interventions such as grading, filling, or other manmade modifications.

Grading: Excavating, filling (including hydraulic fill) or stockpiling of earth material, or any combination thereof, including the land in its excavated or filled condition.

Green Roof: The roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems.

Greenway: A strip or corridor of open space set aside for recreational use or environmental protection that can include an improved trail or walking/bicycle facility that often connects natural, recreational or other resources.

Ground Cover: Low growing plants such as creeping bushes and similar decorative, dense plantings used to cover the ground within required landscaping areas. This does not include turfgrass.

Group Home: ~~A facility which provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional, and social needs of the residents. Adult Congregate Living Facilities comparable in size to group homes are included in this definition. It shall not include rooming or boarding homes, clubs, fraternities, sororities, monasteries or convents, hotels, residential treatment facilities, nursing homes, or emergency shelters. See Section 2.4.3.L.~~

Guesthouse, Guest Cottage: A dwelling unit in a building separate from and in addition to the main residential building on a lot, intended for temporary occupancy by a nonpaying guest. Such quarters shall not be rented, and shall not have separate utility meters.

Gulf Front Setback Line: A line congruent to the 1978 Coastal Construction Control Line as depicted on the official zoning atlas, or a distance of 150 feet from the mean high-water line, whichever is greater.

Habitable Rooms: Rooms designed and used for living, sleeping, eating, cooking, or working or combinations thereof. Bathrooms, closets, halls, storage rooms, laundry and utility spaces, and similar areas are not considered habitable rooms.

Habitable Space: A space in a building for living, sleeping, eating, or cooking, or used ~~for~~ as a home occupation.

Halfway House: A licensed home for juveniles or adult persons on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling is provided to assist residents back into society, enabling them to live independently.

Hand Car Wash or Auto Detailing: An establishment providing the exterior washing of vehicles where vehicles are manually driven or pulled by a conveyor through a system of rollers and/or brushes. Interior cleaning and/or drying may be conducted manually by vehicle operator or on-site attendants. Incidental sales of automobile-related accessories may take place.

Hardscape: The nonliving elements in landscaping, such as patios, fountains, walls, and sidewalks.

Hardship: Special or specified circumstances that place an unreasonable or disproportionate burden on one applicant or landowner over another.

Hazardous Waste: A material identified by the Florida Department of Environmental Protection as a hazardous waste. This may include but is not limited to a substance defined by the Environmental

Protection Agency based on the 1976 Resource Conservation and Recovery Act, as amended, as: ~~B~~being ignitable, corrosive, toxic, or reactive; ~~f~~fatal to humans in low doses or dangerous to animals based on studies in the absence of human data; ~~or~~ ~~H~~listed in Appendix 8 of the Resource Conservation and Recovery Act as being toxic and potentially hazardous to the environment.

Heavy Industrial: See Section 2.4.7.B.

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Hedge: A landscape barrier consisting of a continuous, dense planting of shrubs, not necessarily of the same species.

Highest Adjacent Grade: The highest natural elevation of the ground surface, prior to construction, immediately next to the proposed walls of the structure.

Historic District: An area designated by the City or other governmental agency that contains structures or places that have a special character and ambiance based on their historic and/or architectural nature.

Historic Preservation: The act of conservation or recreating the remnants of past cultural systems and activities that is consistent with original or historical character. Such treatment may range from a pure “restoration” to adaptive use of the site but its historic significance is preserved. It may include initial stabilization work, where necessary, as well as ongoing maintenance of the historic building materials.

Historic Property: Any site, building, structure, area, or artifact that is so designated by the City or other governmental agency.

Historic Resources: A structure, district, area, site, or object that is of significance in national, state, or local history, architecture, archaeology, or culture, and is listed or eligible for listing on the Florida Master Site File, the National Register of Historic Places or designated by local ordinance.

Home Occupation: A business, profession, occupation or trade conducted for gain or support within a ~~residential~~ dwelling unit.

Commented [KF17]: uThis is not defined so instead could use residence or residential unit.

Homeowners' Association: An organization of homeowners or property owners of lots or land in a particular subdivision, ~~condominium~~, or planned development, responsible for maintaining and enhancing the shared private infrastructure and common elements such as recreation areas.

Hospital: ~~An institution having an appropriate license or certificate of need issued by the State of Florida and providing primary health, medical, or surgical care to persons suffering from illness, disease, injury, or abnormal mental conditions; and may include related accessory facilities such as laboratories, outpatient, central services, or training facilities. See Section 2.4.6.F.~~

Hotel or Motel: ~~A building or group of buildings in which sleeping accommodations are offered for rental for temporary occupancy by persons on an overnight basis for a period of less than 30 days or one calendar month, whichever is less. These may include an associated eating establishment, conference facilities, and on-site recreational amenities. Hotels or motels regularly offering extended duration stay facilities to patrons are extended stay facilities. See Section 2.4.5.R.~~

Commented [KF18]: Was there an intent to define this?

House of Worship: A structure or structures utilized by a religious organization for worship and religious training or education. For purposes of this Code, a house of worship may include accessory structures and/or dwelling units for religious personnel.

Houseboat: A floating structure used as a residence. A ~~houseboat private pleasure vessel~~ consisting of a hull and superstructure supported in the water by integral flotation devices, not suitable for rough water, and designed and manufactured to be self-propelled.

Household: A household includes all the persons who occupy a group of rooms or a single room which constitutes a ~~housing dwelling~~ unit.

Housing Stock: The aggregate of individual ~~housing dwelling~~ units within the City. ~~Also referred to as This term is used interchangeably with~~ housing inventory ~~in the study.~~

Hurricane Shelter Space: At a minimum, an area of twenty square feet per person located within a hurricane shelter.

In the Public Rights-of-Way: In, along, on, over, under, across or through the ~~public Rights-of-Way~~.

Inactive District: A zoning district that is no longer active, or being used, but which continues to apply to properties zoned in those classifications.

Independent Living Facility: See Section 2.4.3.I.

Indoor Entertainment and Recreation: See Section 2.4.8.C.

Industrial Uses: The activities predominantly connected with manufacturing, assembly, processing, or storage of products.

Infill: Construction of buildings or other facilities on previously unused or underutilized land located within a developed area, making use of existing utility and transportation infrastructure.

Infrastructure: Those man-made structures which serve the common needs of the population, such as: sewage disposal systems; potable water systems; stormwater systems; utilities; piers; docks; bulkheads; seawalls; navigation channels; bridges; and, roadways.

Intensity: A measure of land use activity based on ~~density~~, use, mass, size, and impact. May be used synonymously with or measured by FAR.

Intent: A specific, measurable, intermediate end that is achievable and marks progress toward a Vision ~~in the Comprehensive Plan.~~

Interchange: A system of interconnecting roadways in conjunction with one or more grade separations, providing for the interchange of traffic between two or more roadways on different levels.

Interior Lot: A lot other than a corner lot with only one frontage on a street.

~~**Interstate:** Those streets used or to be used primarily to carry traffic and having few points of access and no intersections at grade and designated or to be designated as interstates or expressways on the City's Transportation Plan.~~

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Internal Illumination: A light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface.

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Interval Occupancy Accommodation: A dwelling unit or other accommodation used as a dwelling unit owned or leased or otherwise held under timeshare estate for a period of 30 days or less per timeshare estate. Includes the conversion of existing structures as well as construction of new structures for this accommodation. Shall be considered a residential use.

Invasive Species: A species not native to the area and whose introduction causes or is likely to cause harm to the economy, the environment, or to animal or human health. Invasive species affect both aquatic and terrestrial habitats, and they can be plants, insects, animals and microorganisms.

Irrigation Plan: A plan drawn at the same scale as the landscape plan, indicating location and specification of irrigation system components and other relevant information.

Irrigation System: A system of pipes or other conduits designed to transport and distribute water to keep plants in a healthy and vigorous condition.

JPA/ILSBA: The Joint Planning and Interlocal Service Boundary Agreement between the City of Venice and Sarasota County.

Junkyard, Salvage Yard, or Wrecking Yard: ~~An establishment where junk, waste, discarded, salvaged, or similar materials such as old metals, wood, slush, lumber, glass, paper, rags, cloth, bagging, cordage, barrels, containers, and the like, are brought, sold, exchanged, baled, packed, disassembled, stored, or handled, including used lumber and building material yards, housewrecking yards, heavy equipment wrecking yards, and yards or places where salvaged house wrecking or structural steel materials are stored, handled, and sold. This includes used building material yards, and places for the storage, sale or handling of salvaged materials. Shall not include automobile wrecking yards, pawnshops, and establishments for the sale or storage of used cars, clothing or household goods and appliances; nor shall it apply to the processing of used or salvaged materials incident to manufacturing activity on the same site where such processing occurs. See Section 2.4.7.K.~~

Jurisdiction: ~~The official power to make legal decisions and judgements. The term can also be used to describe the geographic boundaries of a municipal corporation or the extent over which a particular agency has control.~~

Commented [KF24]: I don't think we need to define this.

Jurisdictional Areas: All waterbodies, watercourses or waterways in the coastal areas of the City, including all rivers, streams, inlets, bays, bayous, canals, sandbars, submerged or sovereignty lands, and any contiguous shoreline to the mean high-water line, or other hydrologically connected areas such as riparian or littoral wetlands to the top of bank. The coastal area shall encompass all coastal areas less than or equal to five-foot NGVD contour line, including gulf, bay, barrier island and mainland waterbodies, watercourses or waterways hydrologically connected to the coast, but shall not include isolated inland waters such as lakes or ponds with no hydrologic connection to the coast.

~~**Just Cause:** Legitimate cause; legal or lawful ground for action.~~

Kitchen: An area within a structure used for preparation or cooking of food which contains a sink and a significant cooking appliance (electric/gas range with or without oven). In all districts, significant

cooking appliances also shall include, but not be limited to: stoves or other ovens, hot plates or cook tops. Significant cooking appliances shall not include grills for exterior use or any cooking appliances in an assisted living facility. Multiple appliances within a space occupied as a single household unit by the same family and not rented separately shall constitute one kitchen.

Land: Includes the words water, marsh, and swamp.

~~**Land Development Regulations:** Ordinances enacted by governing bodies for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction or sign regulations or any other regulations controlling the development of land. May also be referred to and or include Land Development Code, Zoning Code, Zoning Regulations, or similar.~~

Land Disturbing: Any use of the land by any person, including highway and road construction and maintenance, that results in a change to the natural cover or topography and that may cause or contribute to sedimentation.

~~**Land Use Map:** The graphic aid intended to depict the spatial distribution of various uses of the land in the City by land use category, subject to the Vision, Intent and Strategies and the exceptions and provisions of the Land Use Element text and applicable development regulations.~~

Landscape Feature: A trellis, arbor, fountain, pond, garden sculpture, gazebo and other similar elements.

Landscape Island: The portion of a parking lot intended for landscaping material and pervious surfaces.

Landscape Plan: A plan indicating all landscape areas, features, stormwater areas, grass, existing vegetation to be retained, proposed plant material, legend, planting specifications and details, and all other relevant information in compliance with this [LDR article](#).

Landscaping: Landscaping shall consist of, but not be limited to, grass, groundcovers, shrubs, vines, hedges, trees, berms and complementary structural landscape architectural features such as rock, fountains, sculpture, decorative walls and tree wells.

Land Development Code (LDC): The Land Development Code as set forth in this Chapter.

~~**Laundromat:** See Section 2.4.5.F.~~

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~~**Level of Service (LOS):** The level of service standards adopted in the City's Comprehensive Plan for the city as amended from time to time for public facilities and services.~~

~~**Light Industrial & Advanced Manufacturing:** See Section 2.4.7.C.~~

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Lighting Plan: A graphic depiction of proposed exterior lighting fixture locations, height, anticipated luminance, and cones of illumination.

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

Liner Building: A building or portion of a building constructed in front of a parking garage, cinema, supermarket ~~or the like etc.~~, to conceal large expanses of blank wall area and to face the street space with a facade that has ample doors and windows opening onto the sidewalk.

Listed Species: ~~See Endangered and Threatened (Listed) Species. Any animal afforded protection pursuant to the Florida Administrative Code, including but not limited to species categorized as endangered, threatened, and species of special concern; or any plant or animal categorized as endangered or threatened pursuant to the U.S. Endangered Species Act.~~

Live Aboard Vessel: ~~See the definition of a live-aboard vessel in F.S. Sec. 327.02(23). A vessel that is occupied or used by one or more persons as a place of habitation, residence, as living quarters or for dwelling purposes, temporarily or permanently, regardless of whether such person has established another domicile or place of residence. Live aboard vessels are not allowed within the city, unless expressly permitted by the city.~~

Live-Work: ~~A structure or portion of a structure combining a dwelling unit with an integrated non-residential work space typically used by one or more of the residents. The non-residential work space is found on the building's ground floor. See Section 2.4.8.H.~~

Loading Space: Space logically and conveniently located for pickups and/or deliveries or for loading and/or unloading, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled.

Local Street or Local Road: Primarily for access to the abutting properties, characterized by short trip lengths, low speeds and small traffic volumes.

Lodge or Private Club or Fraternal Organization: ~~An establishment serving an organization, which often has bylaws or charters and collects fees, to be used exclusively by a membership organization. The general public is generally excluded from the premises and the organization holds property for the common benefit of its members, however community rooms/spaces may be rented out for private events. See Section 2.4.4.G.~~

Lodging: Bed and Breakfast: ~~See Section 2.4.5.S.~~

Lodging: Hotel: ~~See Section 2.4.5.R.~~

Lot: ~~A tract or parcel of land which is the least fractional part of subdivided lands, having limited fixed boundaries and an assigned number through which it may be identified. Parcel of land, either vacant or occupied intended as a unit for the purpose, whether immediate or for the future, of transfer of ownership or possession or for development. The word "lot" includes the words "plot," "parcel" and "tract." ; a tract or parcel of land which is the least fractional part of subdivided lands, having limited fixed boundaries and an assigned number through which it may be identified.~~

Lot Area: The area included within the boundaries of a lot, ~~excluding. It shall not include~~ existing or proposed right-of-way, whether public or private.

Lot Coverage: The maximum area of a lot that is permitted to be covered by roofed structures that are or may be made to be impervious to the weather (measured as a percentage of the lot). Lot coverage

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does not include paved areas such as parking lots, pools, driveways or pedestrian walkways. Lot coverage shall be calculated by dividing building footprint(s) by the area of the lot.

Lot Length: The distance between the front and rear property lines measured along a line midway between the side property lines.

Lot Line: The boundary that legally and geometrically demarcates a lot.

Lot of Record: A lot which is part of a subdivision recorded in the office of the clerk of the circuit court of the county; or a lot or parcel described by metes and bounds, the description of which has been so recorded on or before the effective date of the ordinance from which this [Codechapter](#) was derived.

Lot Width: The distance between the side lot lines measured at the street property line along a straight line or along the chord of the property line.

Lumen: A quantitative unit measuring the amount of light emitted by a light source.

Maintenance Bond: A surety or cash bond conditioned upon the correction by the subdivider of defects in the minimum improvements required by this [LDRCode](#) and City standard details.

Maintenance Excavation: The performance of any dredging of an existing, functional channel for the purpose of restoring the channel to its previous design configuration, so as not to exceed dimensions of original construction.

Major Vehicle Service: Facility dealing in more than minor vehicle service as defined. Major vehicle service includes an auto body shop featuring collision repair and/or painting.

Manatee Protection Plan: The Sarasota County Manatee Protection Plan as amended.

Manufactured Home: A structure built on an integral chassis and designed to be used as a dwelling unit when connected to the required utilities, fabricated in an offsite manufacturing facility after June 15, 1976, in one or more sections, with each section bearing the HUD Code Seal certifying compliance with the Federal Manufactured Home Construction and Safety Standards Act, designed to be transported for installation or assembly at the building site. Also known as a "HUD-Code Home." This definition does not include recreational vehicle, mobile home or modular home. [See Section 2.4.3.E.](#)

~~**Manufactured Home Park:** The premises where manufactured homes are parked for nontransient living or sleeping purposes and where sites or lots are set aside or offered for lease or rent for use by manufactured homes for living or sleeping purposes, including any land, building, structure or facility used by occupants of manufactured homes on such premises. This term shall also apply to condominium sale and ownership of manufactured home units in compliance with all applicable state statutes.~~

~~**Manufactured Home Subdivision:** The premises where manufactured homes are parked for nontransient living or sleeping purposes and where lots are set aside for sale and offered for use by manufactured homes, developed in accordance with the city subdivision regulations, including any land, building, structure or facility used by occupants of manufactured homes on such premises. This~~

Commented [KF26]: I don't understand this.

~~term shall also apply to condominium sale and ownership of manufactured home units in compliance with all applicable state statutes.~~

Commented [KF27]: Same comment as previous one.

Marginal Dock: A fixed or floating structure placed immediately contiguous and parallel to a functional vertical bulkhead, or a structure no more than five feet from the waterward edge of a revetment.

~~**Marina:** An establishment with a waterfront location for the dockage of watercraft with more than two wet slips, and/or for the refueling of watercraft used primarily for recreation, and providing minor repair services for such craft. A marina may include onshore accessory service uses, including food service establishment, laundry or sanitary facilities, sundries store and other customary accessory facilities such as boat livery. See Section 2.4.5.W.~~

Marine Habitat: Areas where living marine resources naturally occur, such as mangroves, seagrass beds, algal beds, salt marshes, transitional wetlands, marine wetlands, rocky shore communities, hard bottom communities, oyster beds or flats, mud flats, coral reefs, worm reefs, artificial reefs, offshore flats, offshore springs, near shore mineral deposits and offshore sand deposits.

Market Value: The value of the land, building, and any accessory structures or other improvements on the lot. Market value may be established by independent certified appraisal, replacement cost depreciated for age of building and quality of construction (actual cash value), or adjusted tax assessed values.

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

Mean High-Water Line (MHWL): The intersection of the tidal plane of mean high-water with the shore. Mean high-water is the average elevation of tidal high waters recorded at a particular point or station over a considerable period of time, typically 19 years.

Mechanical Equipment: Examples include equipment for pools and HVAC, and generators. These items may be permitted to encroach into setbacks ~~and are, or those items~~ exempt from building height on a roof.

Commented [KF28]: Is this stated correctly as revised?

~~**Mediation:** A process whereby a neutral third party acts to encourage and facilitate the resolution of a dispute without prescribing what it should be. It is an, informal and non-adversarial process with the objective of helping the disputing parties reach a mutually acceptable agreement.~~

~~**Medical/Dental Office:** See Section 2.4.6.D.~~

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Medical Marijuana Treatment Center Dispensing Facility: Any facility where medical marijuana or any product derived therefrom is dispensed at retail.

~~**Microbrewery:** An establishment engaged in the production and packaging of malt beverages, wine or spirits for distribution, retail, or wholesale both on and off premise. A microbrewery is a facility that produces less than 15,000 barrels of beer per year and sells the majority of the beer it produces for off-site resale and consumption. The establishment shall include retail sales, a tasting room, and/or a restaurant where alcohol manufactured onsite is served. See Section 2.4.5.N.~~

Microdistillery: A duly-licensed establishment primarily engaged in on-site distillation of spirits in quantities not to exceed 75,000 gallons per year. The distillery operation processes the ingredients to make spirits by mashing, cooking, and fermenting. The micro-distillery operation does not include the production of any other alcoholic beverage.

Mining/Resource Extraction: See Section 2.4.8.A.

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Minor Alteration: An alteration which costs less than \$7,500.00 to construct (not including design and permit fees).

Minor Maintenance and Repair Work: Any work for which a building permit is not required by law where the purpose and effect of such work is to correct any physical deterioration or damage to a structure by restoring it, as nearly as practical, to its appearance prior to the occurrence of such deterioration or damage.

Minor Vehicle Service: ~~Establishments involved with body detailing and mechanical repairs. These repairs should be minor in nature and any services rendered on site should be minor in nature as well. See Section 2.4.5.I.~~

Mitigate: To offset or avoid negative impacts through avoiding the impact altogether; minimizing the impact by limiting the degree or magnitude of the action or its implementation; rectifying the impact by repairing, rehabilitating, or restoring the affected environment; reducing the impact over time by preservation or maintenance over the life of the action; or compensating for the impact by replacing or providing substitute resources.

Mitigation: An action or series of actions taken to offset the adverse impacts that would otherwise cause a regulated activity to fail to meet permitting criteria. Mitigation usually consists of restoration, enhancement, creation, preservation, or a combination thereof.

Mixed-Use Development: A type of development that combines a mix of uses that may include residential, commercial and/or office uses within one building or multiple buildings with direct pedestrian access between uses.

Mobile Home: Mobile home means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width, and which is built on a metal frame and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. If fabricated after June 15, 1976, each section bears a U. S. Department of Housing and Urban Development label certifying that is built in compliance with the federal Manufactured Home Construction and Safety Standards.

Commented [KF29]: So it a mobile home a manufactured home after 1976?

Mode: The specific method chosen to make a trip, such as walk or rail transit. Typical modes are, walk, bicycle, motorcycle, automobile, van, taxi, bus, and a variety of rail transit technologies.

Model Home: A residential structure used for demonstration and sales purposes, not currently occupied as a dwelling unit, open to the public for inspection, is part of a platted subdivision originally

under unified control and ownership which is currently being marketed, and in which there are at least ten percent of the total lots held in the name of the developer. A model home is not a spec home.

Modular Home: A structure designed to be used as a dwelling unit when connected to the required utilities that is in whole or in part manufactured at an offsite facility, built in accordance with F.S. Ch. 553, and regulated by Florida's Department of Economic Opportunity or its successor state agency, and assembled on-site. This definition does not include recreational vehicle, manufactured home or mobile home.

~~**Mooring Area:** A specific area, on or over the waterway, assigned to a dock for the purpose of vessel storage. For the purpose of calculating the preempted area, a mooring area shall be defined by the maximum length and width of the rectangular area on or over the waterway within which a vessel shall be stored, or the rectangular area adjacent to the entire terminal platform created by the placement of pilings, whichever is greater.~~

Commented [KF30]: What does this mean?

~~**Multifamily Dwelling Units:** Three or more attached dwelling units either stacked vertically above one another and/or attached by both side and rear walls, which may be. Dwelling units constructed as part of a mixed use building including but not limited to units located above the ground floor. May also include single family attached residential structures. See Section 2.4.3.D.~~

Multimodal: A network of transportation infrastructure that supports multiple modes of travel, including vehicles, transit, walking, and biking.

Multi-Use Recreational Trail (MURT): A paved trail that is designed for the use of pedestrians, bicycles, and other non-motorized users.

Mural: A painting or other work of art executed directly on a wall.

Museum: A building serving as a repository for a collection of natural, scientific, historical, or literary curiosities or works of art, and arranged, intended, and designed to be used by members of the public for viewing, with or without an admission charge, and which may include as an accessory use the limited retail sale of goods, services, or products such as prepared food to the public.

National Flood Insurance Program: A program operated by the Federal Emergency Management Agency that provides flood insurance for development within areas within a community that are susceptible to flooding and establishes a set of standards for development as a condition of participation in the program.

National Register of Historic Places (NRHP): The United States federal government's official list of districts, sites, buildings, structures, and objects for preservation due to their historic significance. ~~A property listed in the National Register, or located within a National Register Historic District, may qualify for tax incentives related to expenses incurred in preserving the property.~~

Native Habitat: An area enhanced or landscaped with an appropriate mix of native tree, shrub and groundcover species that resembles a native plant community in structure and composition or is naturally occurring.

Native Species: Flora and fauna that naturally occur in the City of Venice, but not to mean naturalized or indigenous species that originated from outside Sarasota County.

Natural Features: Physical characteristics of a property that are not man made.

Natural Watercourse: Any stream, river, brook, swamp, sound, bay, creek, run, branch, canal, waterway, estuary, and any reservoir, or pond, natural or impounded, in which sediment may be moved or carried in suspension, and which could be damaged by accumulation of sediment.

Navigable Waterway: The navigable part of a waterway, centrally located with respect to the theoretical axis of the waterway which provides a throughway or access aisle for manned vessels.

Navigational Hazard: An obstruction determined to have a substantial adverse effect on the safety and efficient utilization of the navigable waterway.

~~**Neighborhood:** An integrated area related to the City of Venice and used to identify portions of the community and it may consist of residential districts, a school or schools, shopping facilities, religious buildings, and open spaces.~~

Neighborhood Workshop: A meeting conducted by the applicant of a proposed development with those in the area around the proposed development.

National Geodetic Vertical Datum (NGVD): A vertical control datum representing a determination of the mean sea level datum that has been used as a standard for surveying heights and elevations.

Nightclub: Any establishment, whether public or a private club, serving a predominantly adult clientele, and whose primary business is the sale of alcoholic beverages, including beer and wine, for consumption on the premises in conjunction with dancing or live performances, and which sets a minimum age requirement for entrance.

Nonconforming Lot: A lot of record that was lawful ~~on~~at the date on which it was established, but does not conform to the current dimensional requirements of the zoning district in which it is located.

Nonconforming Structure: A structure that was lawful on the date on which it was established, but does not conform to current dimensional, elevation, location, or other requirements of this [LDR Ordinance](#).

Nonconforming Use (specific to [Section 6.3](#)the airport): Any obstruction which ~~was lawfully on the date on which it was established, but does not conform to the current requirements of~~ existed at the time of the adoption of this [Section 86.3: Airport Regulations](#), and which existence or height is inconsistent with the provisions of this division or an amendment thereto.

Nonconforming Use: A use which was lawful ~~on the date on which it was established, prior to the adoption of this chapter or amendment hereto,~~ but which ~~is~~would be prohibited, regulated or restricted under the terms of this [LDR chapter or amendments hereto](#).

~~**Non-illuminated:** Having no source of illumination, either direct or indirect.~~

Notice of Public Hearing: The formal legal notification of a public hearing. A "published notice" is one required to be printed in a newspaper of general circulation. A "mailed notice" is one delivered to

Commented [KF31]: Does this really need to be defined?

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specified individuals by US Mail. A “posted notice” is a sign posted on or near the property subject to the application.

National Pollutant Discharge Elimination System (NPDES) Permit: ~~A permit issued by the State under delegation from the federal government under the auspices of the Clean Water Act. Permits are issued to entities which may be expected to cause water pollution including the wastewater treatment facility, the Municipal Separate Storm Sewer System (MS4), certain Community Development Districts (CDDs) and construction firms. This permit~~ requires the holder to operate their systems to either specific pollutant limitations or, in certain cases, to the maximum extent practicable.

Nursery (plant): Any lot, structure or premises used as a commercial enterprise for the purpose of growing or keeping of plants for sale or resale.

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

Obstruction (airport): Any existing or proposed object, terrain, or structure construction or alteration that exceeds the federal obstruction standards contained in 14 C.F.R. part 77, subpart C.

Occupied: Includes arranged, designed, built, altered, converted to, or intended to be used or occupied.

Office: A structure for conducting business, professional, or governmental activities in which the showing or delivery from the premises of retail or wholesale goods to a customer is not the typical or principal activity. The display of representative samples and the placing of orders for wholesale purposes shall be permitted; however, no merchandise shall be shown, distributed nor delivered on, or from, the premises. No retail sales shall be permitted.

Office, Business: An office for such activities as real estate agencies, advertising agencies (but not sign shops), insurance agencies, travel agencies and ticket sales, chambers of commerce, credit bureaus (but not finance companies). Retail or wholesale goods are not shown to or delivered from the premises to a customer. A barbershop or beauty shop is not a business office.

Office, Medical: A room or group of rooms used for the purpose of providing medical care or treatment, including therapeutic services and counselling. Examples of medical offices include physicians, dentists, ophthalmologists, psychologists, and similar medical specialists. Medical offices may or may not include laboratories, medication sales, and physical therapy facilities as an accessory use.

Office, Professional: A room or group of rooms used for conducting the affairs of a professional business. Examples of professional offices include offices for lawyers, accountants, engineers, architects, and similar professions. Professional offices may include a shared kitchen, lobby area, meeting rooms, and document production areas.

Official Zoning Map: The ~~Official Zoning Map of the City~~ upon which the ~~boundaries of various zoning district for each property is shown~~ and which is an integral part of this ~~LDR Ordinance~~.

Opaque: A building, structure, building material, vegetation, or other site feature that forms a solid visual barrier.

Open Space: Property which is unoccupied or predominantly unoccupied by buildings or other impervious surfaces and which is used for parks, recreation, conservation, preservation of native habitat and other natural resources, or historic or scenic purposes. It is intended that this space be park-like in use.

Open Space Preserves: See Section 2.4.4.C.

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Outdoor Dining and Seating: Any accessory use that allows outdoor dining and/or seating in the public right-of-way.

Outdoor Entertainment: See Section 2.4.8.E.

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Outdoor Sales and Display: See Section 2.4.8.K.

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Outdoor Storage: The keeping, in an unroofed area, of any goods or materials, particularly goods and materials that have a large size, mass, or volume and are either not easily moved or carried or require a mechanical lifting device (e.g., non-bagged mulch and lumber). This use does not include a junkyard or recycling facility, vehicle fleet storage, or the display and storage of vehicles as part of an automobile sales or rental use.

Outfall: Location where stormwater flows out of a given system. The ultimate outfall of a system is usually receiving water.

Owner: The legal or beneficial owner of land, including but not limited to a mortgagee in possession, receiver, executor, trustee, or long-term or commercial lessee, or any other person or entity holding proprietary rights in the property or having legal power of management and control of the property.

Pain Management Clinic: ~~See the definition of a pain management clinic in F.S. Sec. 458.3265(1)(a)1.c. Includes A~~ privately owned clinic, facility, or office, whatever its title, including but not limited to, a "wellness center," "urgent care facility," or "detox center," which engages in pain management. ~~See Section 2.4.6.G. This definition includes the following:~~

~~(1) A pain management clinic must have at least one of the following characteristics:~~

- ~~— a. It employs one or more persons who in a single day issue more than 20 prescriptions of a controlled substance for the treatment of pain, whether acute pain or chronic pain;~~
- ~~— b. It holds itself out through advertising as being in business to prescribe or dispense a controlled substance for the treatment of pain, whether acute pain or chronic pain;~~
- ~~— c. It holds itself out through advertising as being in business to provide services for the treatment of pain wherein the services are accompanied with prescription of or dispensing of a controlled substance for the treatment of pain, whether acute pain or chronic pain; or~~

—d. It meets the definition of pain management clinic in F.S. § 458.3265, as may be amended from time to time.

(2) A pain management clinic does not include any privately owned clinic, medical facility or office which has at least one of the following characteristics:

—a. The majority of the physicians who provide services in the clinic, facility, or office primarily provide surgical services (excluding interventional pain management procedures that are invoiced or coded as surgical procedures);

—b. It is licensed as a facility pursuant to F.S. ch. 395, (hospitals, etc.);

—c. It is owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceed \$50,000,000.00;

—d. It is affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;

—e. It does not prescribe or dispense controlled substances for the treatment of pain, whether acute pain or chronic pain; or

—f. It is owned by a corporate entity exempt from federal taxation under 26 U.S.C. section 501(c)(3).

Palmist and Fortune Teller: See Section 2.4.5.AA.

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Park: ~~May be included as Functional Open Space;~~ Dedicated land which is open to the public, and publicly accessible via boardwalk or roadway, and contiguous usable upland property. May be included as Functional Open Space. See Section 2.4.4.D.

Parking Garage, Deck, or Structure: A ~~st~~structure containing temporary vehicular parking, including mechanical parking systems.

Parking Lot or Parking Area: ~~Parking-A land~~ area used for ~~common-parkinguse~~ including the associated access drives. Such definition includes, but is not limited to, parking areas adjacent to apartment, condominium, office, retail, commercial, and industrial complexes.

Parking, Off-street: Any off-street land area designed and used for parking motor vehicles including parking lots and garages, driveways and garages serving residential uses.

Parking Plan: A plan or diagram prepared by an applicant for development that depicts the required and provided number of parking spaces. The plan also shows points of vehicular ingress and egress, drive aisles, the locations of parking lot landscaping islands, pedestrian circulation features, and off-street loading facilities.

Parking Space: A location where an automobile or passenger truck is temporarily stored, whether on-street or off-street.

Parking Structure: A structure designed to accommodate vehicular parking spaces that are fully or partially enclosed or located on the deck surface of a building. This definition includes parking garages and deck parking. See Section 2.4.5.Y.

Parking Study: An analysis of the minimum number of off-street parking spaces necessary to serve a proposed use type.

Parking, Tandem: The placement of vehicles one behind the other as opposed to side by side.

Pawn Shop: ~~Establishments which provide loans upon delivery of personal goods or other chattel as security and sell those same items as a secondhand retail service.~~ See Section 2.4.5.G.

Pedestrian: An individual traveling on foot.

Pedestrian Orientation: The characteristics of an area where the location and access to buildings, types of uses permitted on the street level, and storefront design relate to the needs of persons traveling on foot.

Pedestrian Scale: Features of a building or built environment that are sized and configured in accordance with the typical human height. Pedestrian scale is most often configured for observation and recognition by people who are walking.

Pedestrian Walkway: An on-site pedestrian access way connecting building entrances, parking areas, and the larger sidewalk network around the site.

Pennant: A lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

Performance Guarantee: Cash or other guarantee provided by an applicant in-lieu of completion of public infrastructure or required private site feature prior to issuance of a building permit, final plat, or other development approval.

Perimeter Buffer Area: Open spaces, landscaped areas, walls, berms, or any combination thereof at the perimeter of a property used to physically separate or screen one use or property from another so as to create open space or visually shield or block noise, lights, or other nuisances. Perimeter buffer area is determined exclusive of any required yard, however perimeter buffers may be located in required yards. Perimeter buffers are located and measured from the property line.

Person: Any individual, firm, co-partnership, corporation, company, association, joint-stock association, or body politic, and includes any trustee, receiver, assignee, or other similar representative thereof. ~~The word "person" includes a firm, association, organization, partnership, trust, as well as an individual.~~

Personal & Financial Services Drive-Through: See Section 2.4.6.B.

Personal Watercraft (PWC): A vessel less than 16 feet in length which uses an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than in the conventional manner of sitting or standing inside the vessel.

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Pervious: Land surfaces which allow the penetration of water. ~~A decrease in pervious area will increase the rate and volume of runoff from a given drainage basin.~~

Pervious Pavement: A porous surface with a stabilized base that allows water from precipitation and other sources to pass directly through, thereby reducing the runoff from a site, allowing groundwater recharge, and naturally cooling the surface through evaporation of water from pavement voids or from beneath.

Pharmacy: A commercial establishment engaged in the storage, preparation, and sale of drugs and other medications to customers at retail. Pharmacy uses may also offer a wide variety of food, household goods, or other personal products for sale. A pharmacy may also incorporate a medical technician who provides on-site medical assistance and counselling to patrons.

Pier: A structure in, on, or over water or sovereignty lands, which is used primarily for fishing, swimming, or launching vessels such as boats, canoes or kayaks.

Pilaster: A rectangular column with a capital and base that is attached or affixed to a wall as an ornamental design feature.

~~**Placement or Maintenance (Telecommunications, Section 8.2):** The named actions interpreted broadly to encompass, among other things, erection, construction, reconstruction, installation, inspection, maintenance, placement, replacement, extension, expansion, repair, removal, operation, occupation, location, relocation, grading, undergrounding, trenching or excavation. Any Communications Services Provider that owns, leases or otherwise controls the use of a Communications System or Facility outside or in the Public Rights of Way, including the physical control to maintain and repair, is "placing or maintaining" a Communications System or Facility. A Person providing service only through buying wholesale and then reselling is not "placing or maintaining" the Communications Facilities through which such service is provided. The transmission and receipt of radio frequency signals through the airspace of the Public Rights of Way does not constitute "placing or maintaining" Facilities in the Public Rights of Way.~~

Places of Assembly: A building, or part thereof, in which facilities are provided for such purposes as meetings for civic, theatrical, musical, political, religious, cultural or social purposes, and shall include an auditorium, banquet hall, concert hall, gymnasium, club, playhouse, house of worship, or other similar uses. See Section 2.4.4.E.

Planned ~~District~~development: Land that is under unified control and planned and developed as a whole in a single development operation or a programmed series of development operations. A planned ~~district~~development includes principal and accessory structures and uses substantially related to the character and purposes of the planned development. A planned ~~district~~development is constructed according to comprehensive and detailed plans which include not only streets, lots or building sites and similar, but also plans for all buildings. A Planned District includes a program for full provision of maintenance and operation of such areas, improvements, facilities and services as will be for common use by some or all of the occupants of the planned district, but will not be provided, operated or maintained at public expense.

Planned Industrial Development (PID): Land under unified control, planned and developed as a whole in a single development operation or approved programmed series of development operations, primarily for industrial and warehousing activity and necessary supporting accessory and related uses and facilities; designed with a park like atmosphere including extensive landscaping, low ground coverage by buildings and structures, buildings of moderate height, and careful attention to such aesthetic considerations as locations and sizes of signs, lighting, off-street parking and off-street loading areas, etc.; developed according to plans which include streets, utilities, various types of transportation access, etc.; includes approved provisions and restrictions on the lessees or owners of land within the PID as to how the individual lots may be used and the responsibilities for the upkeep therefor; and includes a program of full provision, maintenance and operation of any common facilities or open spaces.

Planned Unit Development: Land under unified control, planned and developed as a whole in a single development operation or approved programmed series of development operations for dwelling units and related uses and facilities; includes principal and accessory uses and structures substantially related to the character of the development itself and the surrounding area of which it is a part; is developed according to comprehensive and detailed plans which include not only streets, utilities, lots or building sites and the like, but also site plans, floor plans and elevations for all buildings as intended to be located, constructed, used and related to each other, and detailed plans for other uses and improvements on the land as related to the buildings; and includes a program for full provision of maintenance and operation of such areas, improvements, facilities and services as will be for common use by some or all of the occupants of the planned unit development, but will not be provided, operated or maintained at public expense.

Plat: A map or delineated representation of the subdivision of lands, being a complete exact representation of the subdivision and other information in compliance with the requirements of all applicable subsections of this LDR and of any other local ordinances, and may include the term "replat", "amended plat" or "revised plat".

Plaza: ~~The Spanish name for a~~ An open square in an urban area, used as a market place, park, or for public assembly.

Plot Plan: A simple drawing or sketch depicting compliance with one or more requirements of this LDR Ordinance.

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

Porch: A covered projection (can be glazed or screened) from the main wall of a building, with a separate roof, that is not used for habitable space.

Porte Cochere: A roofed porch or portico-like structure extending from the side entrance of a building over an adjacent driveway to shelter those getting in or out of vehicles. A porte cochere has no front or rear wall and differs from a carport in that it is not used to store parked vehicles.

Post Office/Mail and Package Service: See Section 2.4.4.H.

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Pre-Application Conference: A meeting conducted by a potential applicant with City staff for the purposes of discussing a potential application or City rules regarding development.

~~**Preempted Area:** That part of submerged bottomlands occupied or covered by a docking facility or pier, including any associated mooring areas. This area is considered to be excluded from traditional public uses as a result of structure placement.~~

Preliminary Plat: The preliminary map or delineated representation indicating the proposed layout of a subdivision which is submitted for the Planning Commission's consideration and tentative approval and meeting the requirements of [this LDR section 86-231 relating to preliminary plats](#).

Primary Use (principal use): The purpose for which land, water, or a structure thereon is designated, arranged, or intended to be occupied or utilized or for which it is occupied or maintained. The primary use of land or water in the various zoning districts is established by [this LDC Code](#).

Private Street or Roadway: A thoroughfare used commonly for vehicular traffic which is not included in the definition of street in this [LDC Code](#) and which is not subject to maintenance by the City. Includes, but is not limited to, roadways and accessways in subdivisions, multifamily, office, retail, commercial and industrial developments.

Professional Office: See Section 2.4.6.A.

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Program Capacity: The school district derived capacity of a public school facility taking into account class size reduction, actual usage of classrooms, scheduling and the district composition of special students. Program capacity is recomputed each year and reported annually to reflect facility, student and curriculum changes.

Public Access: The ability of the public to physically reach, enter or use recreation sites including beaches and shores.

Public Buildings: Structures or lands that are owned, leased, or operated by a government entity, such as civic and community centers, hospitals, libraries, police stations, fire stations, and government administration buildings.

Public Facilities: Major capital improvements, including, transportation, public schools, sanitary sewer, solid waste, drainage, potable water, parks and recreational facilities and services.

Public Infrastructure: Infrastructure or facilities (such as water lines, sewer lines, streets, storm drainage, sidewalks, trails, etc.) owned by the public and intended for use by the public.

Public Realm: Land, buildings, and structures such as sidewalks, travel lanes, street trees, and street furniture, owned by the government or a governmental entity that is made available for use by all persons.

Public Storage Facilities or Self Storage Facilities: An establishment containing separate, secured self-storage areas or lockers used for the temporary storage of household items and seasonal or recreational vehicles, small boats, trailers, and the like etc. These facilities cater primarily to the needs of nearby residents.

Public Utilities, Major: Infrastructure services providing regional or community-wide service that normally entail the construction of new buildings or structures such as water towers, waste treatment plants, potable water treatment plants, and solid waste facilities.

Public Utilities, Minor: Infrastructure services that need to be located in or near the neighborhood or use type where the service is provided. Examples of minor utilities include water and sewage pump stations, storm water retention and detention facilities, telephone exchanges, and electrical substations.

Public Utility: Persons, corporations or governments supplying gas, electric, transportation, water, sewer or land line telephone service to the general public. For the purpose of this Codechapter, commercial-wireless telecommunication service facilities shall not be considered a public utility and are defined separately.

Radii: Curves or bends in a street, sidewalk, greenway, or other travel route.

Readily Visible: A structurestructure visually conspicuous to public view. A commercial-wireless telecommunication facility which is camouflaged, screened or obstructed from view from a public street, public place or a residential property such that its presence is not conspicuous, as determined by the planning commission, shall not be deemed readily visible.

Real Property: All land, all buildings, all structures, and other fixtures firmly attached thereto.

Record Drawings: A final and complete drawing accurately depicting the improvements as constructed. Record drawings are not required to be signed and sealed by a professional surveyor and mapper.

Recreation: The pursuit of leisure time activities occurring in an indoor or outdoor setting.

Recreational Uses: Activities within areas where recreation occurs.

Redevelopment: The reuse, demolition and reconstruction or substantial renovation of existing buildings or infrastructure.

Registered Neighborhood Association: A neighborhood association that registers with the City for the purpose of receiving notice of land use changes and development applications.

Rehabilitation: The act or process of returning a property to a state of utility through repair or alteration which make possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, and cultural values. (Secretary of the Interior's Standards).

Religious Institution: A structure or place in which worship, ceremonies, rituals, and education are held, together with its accessory buildings and uses (including buildings used for educational and recreational activities), operated, maintained, and controlled under the direction of a religious group.

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Renovation: Modernization of an old or historic building that may produce inappropriate alterations or elimination of important features and details. When proposed renovation activities fall within the definition of “rehabilitation” for historic structures, they are considered to be appropriate treatments.

Required Yard: The land area between a lot line and the boundary of a required setback ~~is considered as a required yard.~~

Research and Development: ~~Any activity involved with the research or development in such fields as (but not limited to) chemical, pharmaceutical, medical, electrical, or engineering, provided the activities occur within a completely enclosed building and produce no detectable nuisance outside the building. See Section 2.4.7.D.~~

Residence: Single-family dwellings, duplexes, triplexes, ~~and~~ garage apartments, and all other ~~living~~ dwelling units. Each living unit of a duplex or triplex and each garage apartment shall be deemed a separate residence.

Residential Development: Any development ~~order~~ that is comprised of ~~residential dwelling~~ units, in whole or in part, for non-transient human habitation, ~~and includes~~ single-family and multifamily housing, ~~regardless of whether the approval procedure for such development is considered commercial or residential.~~

Residential Unit: ~~Any occupied structure or part thereof, which is designated exclusively for human habitation and meets all applicable government requirements for residential use on a continuous basis; i.e. having hot and cold running water and adequate facilities for heating, cooking, sleeping and the sanitary elimination of wastes. Hotels, motels, and temporary lodging facilities are specifically excluded.~~

Resort Dwelling: ~~means a~~ Any one, two, three or four-family dwelling unit located in the RE or RSF zoning district which is rented to guests more than three times in a calendar year for periods of less than 30 days or one calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests for periods of less than 30 days or one calendar month, whichever is less.

Restaurant, Sit Down (Casual, Fine Dining): ~~An establishment where food is ordered from a menu, prepared and served for pay primarily for consumption on the premises in a completely enclosed room, under roof of the main structure, or in an outdoor seating area. A drive-in restaurant is not a restaurant. A cafeteria shall be deemed a restaurant for purposes of this chapter. See Section 2.4.5.J.~~

Restaurant with Drive-Through: ~~An establishment where meals or prepared food, including beverages and confections, are prepared and made available to customers for on-site or off-site consumption. Seating for on-site consumption of products may be located either indoors or outdoors. The use also includes a window intended to serve patrons who do not leave their vehicles to order, receive, and consume ordered products.~~

Restaurant, Quick Service or Restaurant, Fast-Food: ~~An establishment where food is prepared and served to the customer in a ready-to-consume state for consumption either within the restaurant building, outside the building but on the same premises, or off the premises, and having any combination of two or more of the following characteristics: A limited menu, usually posted on a sign~~

Commented [KF35]: Should this be dwelling unit (which is defined) instead?

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Commented [KF36]: I don't understand this.

Commented [KF37]: How is this different from a dwelling unit? Should we have both?

Commented [NT38R37]: Cross-reference with dwelling unit or strike if not used

Commented [KF39]: Define?

~~rather than printed on individual sheets or booklets; self-service rather than table service by restaurant employees; disposable containers and utensils; or a kitchen area in excess of 50 percent of the total floor area. A cafeteria shall not be deemed a fast food restaurant for the purposes of this Code chapter. Drive-in facilities are permissible at quick-service and fast-food restaurants. See Section 2.4.5.K.~~

Commented [KF40]: Drive-thru??

Restoration: The act of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or the replacement of missing earlier work. ~~(Secretary of the Interior's Standards).~~

Retaining Wall: A structure, either masonry, metal, or treated wood, designed to prevent the lateral displacement of soil, rock, fill, or other similar material.

Retail Sales and Service (Single User less than 65,000 square feet): See Section 2.4.5.A.

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Retail Sales and Service (Single User 65,000 square feet or larger): See Section 2.4.5.B.

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Reuse: A use for an existing building or parcel of land other than that for which it was originally intended.

Revetment: Any protective armoring material laid on a slope or at the toe of an embankment or bulkhead to reduce erosion, scour or sloughing of the soil. The term shall include placement as described of rip-rap such as loose rock or boulders consisting of clean, local, quarry rock, and also includes the use of any pre-formed structural elements such as concrete mats, grout-filled mattresses and bags, or soil-filled geotextile containers. The planting of native vegetation by itself and/or placement of a single layer/thickness of filter cloth without any armoring layer will not be considered a revetment.

Right-of-Way (ROW): Public or private land dedicated, deeded, used, or to be used for street, alley, walkway, boulevard, drainage facility, access for ingress and egress (except for residential ingress/egress easements for a single-family lot), or other purpose by the public, certain designated individuals, or governing bodies.

Right-of-Way Use Permit: The right-of-way utilization permit required under this ~~Land Development~~ Code prior to commencement of any placement or maintenance of ~~F~~ facilities in the ~~P~~ublic ~~R~~ights-of-~~W~~ay.

Riparian Rights Lines: The boundaries which identify the limits of rights of the owners of lands on the banks of jurisdictional areas who may be entitled to benefits incident to the use of the water. Riparian rights lines may be determined by established surveying practices and techniques, through mutual agreement of adjacent riparian owners, or through a judicial determination by an appropriate court of law.

Riverine: ~~Terms relating to,~~ formed by, or resembling a river (including tributaries), stream, ~~or the like.~~

Roadway: The paved portion of right-of-way over which vehicular traffic travels.

Roadway Segment: A portion of a road usually defined at its ends by an intersection, a change in lane or facility type, or a natural boundary.

Roof Pitch: The amount of rise or the vertical increase in elevation over the run or the horizontal distance of a roof.

Rooftop Dining: See Section 2.4.5.O.

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Rooftop Uses (other than dining): See Section 2.4.8.I.

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Routine Maintenance: Simple, small-scale activities (usually requiring only minimal skills or training) associated with regular (daily, weekly, monthly, etc.), recurring, and preventative upkeep of a building, equipment, or machine against normal wear and tear.

Runway: A defined area on the airport prepared for landing and takeoff of aircraft along its length.

Runway Protection Zone: An area at ground level beyond the runway end to enhance the safety and protection of people and property on the ground, as depicted on the airspace drawings.

Scenic View Corridor: A three dimensional area extending out from a viewpoint, which is a natural or historical feature.

School: ~~Any public, parochial, private, charitable or non-profit school, college or university, other than trade or business schools, which may include instructional and recreational uses, living quarters, dining rooms, restaurants, heating plants and other incidental facilities for students, teachers and employees, including the educational uses of pre-school, elementary school, middle school, high school, college and university.~~ See Section 2.4.4.I.

School Impact Analysis: The document prepared and submitted to the School Board of Sarasota County, Florida, Planning Department, for review of a development order application.

School Type: The category of public school based on instruction level or type of instruction, whether elementary school grades, middle school grades, high school grades or special purpose schools.

Screening: Visually shielding or obscuring one structure or use from another by a liner building, fencing, wall, or densely planted vegetation.

Sediment: Solid particulate matter, both mineral and organic, that has been or is being transported by water, air, gravity, or ice from its site of origin.

Sedimentation: The process by which sediment resulting from accelerated erosion is transported off-site by land-disturbing activity.

Self-Storage – Indoor and Outdoor: See Section 2.4.7.G.

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Self-Storage – Indoor Only: See Section 2.4.7.F.

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Setback: The distance between a structure and an adjacent property or lot line.

Setback, Waterfront: The distance between a structure and the mean high water line of an adjacent body of water.

~~Shall: Mandatory.~~

Shared Parking: ~~Use of p~~Parking spaces that are available ~~for~~ more than one function ~~or use~~.

Sharrow: A road marking in the form of two inverted v-shapes above a bicycle ~~designating in which~~ bicyclists can use a part of the road, sharing ~~it the road~~ with motor vehicles.

Shielded or Shielding: A light fixture constructed and installed in such a manner that all light emitted by it, either directly from the lamp (bulb) or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below the horizontal plane of the fixture.

Shoreline: 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).

Sidewalk: A paved area running parallel to the street for the purposes of pedestrian travel and to facilitate pedestrian access to adjacent streets and land.

Sign: Any words, lettering, numerals, parts of letters or numerals, figures, phrases, sentences, emblems, devices, designs, trade names or trademarks by which any message is made known, including any surface, fabric or other material or structure designed to carry such devices that are used to designate or attract attention to an individual, a firm, an event, an association, a corporation, a profession, a business or a commodity or product that are exposed to public view. The definition of a sign does not include ~~flags, badges, or insignias of any governmental unit.~~

Sign, Awning: ~~A sign attached to A~~ ~~an on-premise attached~~ awning extending from the building ~~with attached signage.~~

Sign, Banner: A sign of lightweight fabric or similar material which is rigidly mounted to a pole or a building by a rigid frame at two or more opposite sides. Flags are ~~not a banner sign mounted along one side and shall not be considered banners.~~

Sign, Building: A sign that is attached to any building. Includes the terms awning sign, canopy sign, hanging sign, window sign, projecting sign, and wall sign.

Sign Cabinet: A metal enclosure housing sign face displays and methods of internal illumination, when provided.

~~Sign, Canopy: A sign painted on or attached to a canopy or awning.~~

~~Sign, Changeable Copy: A sign designed so that the cCharacters or letters can be changed or rearranged without altering the face or surface of a the sign. An electronic variable message sign is included in this term.~~

~~Sign, Electronic Variable Message: Copy on a sign that Achanges or is intermittently displayed sign that using electronic means to display changeable or intermittent messages such as by turning on or off various lighting elements, including but not limited to, any copy that illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when displayed on a the~~

Commented [KF41]: Flags likely should be signs. I know I saw it, but now I can't find where flags are addressed in the Code.

Commented [NT42R41]: No flag regulations in code

Commented [KF43]: I don't think the new Code uses this and it can be deleted.

Commented [KF44]: It doesn't appear that "changeable copy sign" appears in the Code.

Commented [NT45R44]: Move it up to C

Commented [KF46]: Hereto this term is not used with sign at the end.

Commented [NT47R46]: Move it up to E

sign is in use. The term includes the use of display technology such as light emitting diodes (LED) or digital displays which can vary in color or intensity, or any system which is functionally equivalent.

~~Sign, External Illumination: Only stationary and shielded light sources directed solely onto the sign to provide illumination are permitted. The source of the illumination shall be shielded to prevent glare or nuisance beyond the property line.~~

Sign Face Area: The portion of sign that contains the message being conveyed.

Sign, Government: Any municipal, county, state or federal signs, whether temporary or permanent, which may include, but are not limited to, traffic control, legal notices, facility identification, or other sign that provides information to the general public.

Sign, Ground: A sign supported by uprights, braces or a base placed upon or in the ground and not attached to any building. Such signs are required to have a base, cap, and columns.

Sign, Hanging: A projecting sign suspended vertically from and supported by the underside of a canopy, marquee, awning or from a bracket or other device extending from a structure.

Sign Height: The height vertical distance measured from the highest adjacent unaltered grade to the highest point of the sign structure to the tallest point of a sign structure.

Sign, Identification: A sign depicting the name and/or address of a building or establishment on the premises where the sign is located as a means of identifying the building or establishment.

~~Sign, Internal Illumination: A light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. Internally illuminated signs shall be backlit or internally illuminated individual letters, characters, or logos. The standards in this subsection shall not apply to the changeable portion of a changeable copy sign.~~

Sign, Monument: A freestanding ground sign that shall include three separate and distinct design features including a base, columns and cap consistent with the architectural style of primary building structures.

Sign, Nonconforming: Any sign that was lawfully established, but does not meet the standards of this Code Ordinance.

~~Sign, Non-illuminated: A sign which has having no source of illumination, either direct or indirect.~~

~~Sign, Number: For the purpose of determining number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. In the case of double faced signs, where both faces advertise the same facilities, products or services, the total sign shall constitute a single sign. Where both faces do not advertise the same facilities, products or services, each sign face shall constitute a single sign. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.~~

Sign, Off-Site: A sign used for promoting a business, individual, products or services available somewhere other than the premises where the sign is located.

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Commented [KF54]: This is less of a definition and more of a regulation that should be moved to Section 3 if not already there.

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~~**Sign, Opaque:** Areas of a sign that are not transparent or translucent; impenetrable to light; not allowing light to pass through.~~

Sign, Pole or Sign, Pylon: A freestanding cabinet-style sign or array of cabinet-style signs mounted atop or attached to a support pole, pylon, post or other upright structure anchored in the ground so that the sign is elevated but has no base.

Sign, Portable: A sign which has no permanent attachment to a building or the ground, such as an A-frame sign.

Sign, Projecting: A sign attached to a building or other structure and extending beyond the line of the building or structure or beyond the surface of that portion of the building or structure to which it is attached.

Sign, Real Estate: A sign which advertises the sale, rental or development of the premises upon which it is located.

~~**Sign, Roof:** A sign erected, constructed and maintained upon or over the roof of any building. A sign erected, constructed and maintained on a mansard roof shall not be deemed a prohibited roof sign and shall be allowed as building signage.~~

~~**Sign, Surface Area:** The surface area of a sign shall be computed as including the entire area within the periphery of a regular geometric form, or combinations of regular geometric forms, comprising all of the display area of the sign and including all of the elements of the matter displayed, but not including blank masking, frames or structural elements of the sign bearing no advertising matter.~~

~~**Sign, Vehicle or Sign, Trailer Mounted:** A sign permanently or semi permanently affixed to the outside of a vehicle or the inside or outside of windows by paint, adhesive, magnet or to mount or place a portable sign on or inside a vehicle for the purpose of identifying or advertising a business. Vehicles include automobiles, trucks, motorcycles, boats, campers, trailers, and the like.~~

Sign, Wall: A sign mounted flat against or erected parallel to the face of any exterior wall of a structure or building.

~~**Sign, Window:** A sign which is affixed to, hanging inside on, or applied to the interior or exterior of upon a door or window, wholly or in part visible from the public right-of-way, which has a commercial message advertises a business, product or service. Window signs include posters, bulletins, or non-flashing illuminated signs, which may be displayed inside windows or doors and exterior surface of a window or door. Window exhibits, floor displays or interior views of at the showroom are not window signs.~~

~~**Single-Family Attached Dwelling:** A structure containing a single family unit occupying the building from ground to roof. See Section 2.4.3.B.~~

~~**Single-Family Detached Dwelling:** See section 2.4.3.A.~~

Single-Family Dock: A fixed or floating structure, including moorings, used for berthing buoyant vessels, accessory to a single-family residence, with no more than two slips. A shared single-family dock may contain up to four boat slips.

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

Site Features: Structures or elements (not including principal or accessory structures) required or authorized to accompany a development, such as off-street parking, landscaping, exterior lighting, or signage.

Site Plan: A plan drawn to scale indicating appropriate site elevations, roadways, and location of all relevant site improvements including structures, parking, other paved areas, ingress and egress drives, landscaped open space and signage.

Slip: An area of the water column above submerged lands set aside for the storage of a single vessel associated with a docking facility.

Small Wireless Facility: A wireless facility that meets the following qualifications: (a) each antenna associated with the facility is located inside an enclosure of no more than 6 cubic feet in volume or, in the case of antennas that have exposed elements, each antenna and all of its exposed elements could fit within an enclosure of no more than 6 cubic feet in volume; and (b) all other wireless equipment associated with the facility is cumulatively no more than 28 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, ground-based enclosures, grounding equipment, power transfer switches, cutoff switches, vertical cable runs for the connection of power and other services, and utility poles or other support structures.

Socio-Economic Data: Information about people and economies, such as demographics (age, race, sex, birth rates, etc.) and economics (incomes and expenditures of a community or government).

~~**Solid Waste:** Garbage, refuse, yard trash, construction and demolition debris, white goods, special waste, ashes, sludge, or other discarded material including solid, liquid, semi-solid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations. The term does not include nuclear source or by-product materials regulated under Chapter 404, Florida Statutes, or under the Federal Atomic Energy Act of 1954, as amended; suspended or dissolved materials in domestic sewage effluent or irrigation return flows, or other regulated point source discharges; regulated air emissions; and fluids or wastes associated with natural gas or crude oil exploration or production. The term includes the specific terms garbage, garden trash, rubbish, and industrial wastes, but excludes hazardous waste as herein defined.~~

Sovereignty Lands: Those lands including, but not limited to, tidal lands, islands, sandbars, shallow banks, and lands waterward of the ordinary or mean high-water line, beneath navigable fresh water or beneath tidally-influenced waters, to which the State of Florida acquired title on March 3, 1845, by virtue of statehood, and which have not been heretofore conveyed or alienated.

Special Event: Temporary activities or events conducted by civic, philanthropic, educational, or religious organizations, or activities of a business or organization that is not part of its daily activities and are open to the public. Such activities include, but are not limited to, closeout sales, grand openings, fundraising or membership drives, carnivals, fairs, circuses, and tent revivals.

Special Exception: A use that would not be appropriate generally or without restriction throughout a zoning division or district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or the general welfare. Such uses may be permissible in a zoning [classification](#) ~~or~~ district as a special exception if specific provision for such a special exception is made in this [Codechapter](#).

Special Flood Hazard Area (SFHA): Land area covered by the floodwaters of the base flood and represented on the National Flood Insurance Program (NFIP) maps. The SFHA is the area where the NFIP floodplain management regulations must be enforced and the area where the mandatory purchase of flood insurance applies.

Sprinkler Head: A device that provides above ground or overhead irrigation.

Spire: A tall, acutely tapering pyramidal structure surmounting a steeple or tower which is non-habitable space.

Stacking Space: A portion of the vehicular use area on a site that is dedicated to the temporary storage or “standing” of vehicles engaged in drive-through use of the site or development.

Stealth Facility: Any [wireless tele](#)communications facility which is designed to blend into the surrounding environment. Examples of stealth facilities may include architecturally screened roof-mounted antennas, building-mounted antennas painted to match the existing structure, antennas integrated into architectural elements, and antenna structures designed to look like light poles.

Steeple: A tall ornamental structure usually ending in a spire and surmounting the tower of a church or other public building, which is non-habitable space.

Step-back: ~~A building setback is an~~ architectural design element applied to the upper story of a development. It is a step-like recession in a wall or façade which allows for more daylight to reach the street level and create a more open, inviting pedestrian environment.

Stop Work Order: An order issued by the City to a landowner or developer to cease and desist all land-disturbing or development activity on a site pending resolution of a problem or conflict.

Storm Sewer: A stormwater conveyance system that is integral to a street or sidewalk.

Stormwater: Flow of water which results from and which occurs immediately after a rainfall event.

Stormwater Retention: To store stormwater to provide treatment before discharge into receiving waters or to provide a storage facility for stormwater where no outfall is available.

Stormwater Runoff: That portion of precipitation that flows off the land surface during, and for a short duration^s following, a rainfall event.

Story: The complete horizontal division of a building, having a continuous or nearly continuous floor and comprising the space between two adjacent levels or roof.

Strategy: The way in which programs and activities are conducted to achieve an identified Intent [in the City's Comprehensive Plan](#). ~~Previously referred to as a "Policy".~~

Streamer: A long, narrow strip of material used as a decoration or symbol.

Street: Any accessway such as a street, road, lane, highway, avenue, boulevard, alley, parkway, viaduct, circle, court, terrace, place or cul-de-sac, or other means of ingress or egress regardless of the descriptive term used, and also includes all of the land lying between the right-of-way lines as delineated on a plat showing such streets, whether improved or unimproved, but shall not include those accessways such as easements and rights-of-way intended solely for limited utility purposes, such as for electric power lines, gas lines, telephone lines, drainage, water and wastewater collection systems and easements of ingress and egress.

Street, Dead-End: A street that terminates with a street stub or vehicular turn around.

Street, Residential: ~~Residential~~ Streets providing access to abutting residential property and discouraging through-traffic movements by design as short loops, curvilinear streets or cul-de-sacs. ~~These Residential~~ streets have two traffic lanes and may have on-street parking.

Street Stub: A nonpermanent dead end street intended to be extended in conjunction with development on adjacent lots or sites.

Streetscape: ~~The term streetscape refers to t~~hat general aggregation of all street-side elements of the urban environment perceived by the pedestrian or motorist. This street-side environment includes such things as streets, alleys, parks, sidewalks, and parking lots. Streetscape elements include lighting, paving, traffic safety and control, signage, shelters, recreation and play equipment, street furniture, and other miscellaneous items.

Structural Soil: A planting medium that can be compacted to pavement design and installation requirements while permitting root growth.

Structure: Anything constructed or erected, exceeding six inches in height, the use of which requires more or less a permanent location on land, or an addition to something having a permanent attachment to land; ~~Any object constructed, erected, altered, or installed~~, including, but not limited to: buildings, towers, smoke stacks, utility poles, earth formations, power generation equipment, and overhead transmission lines.

Subdivider: A person, firm, or corporation having a proprietary interest in land and acting to subdivide that land under the applicable provisions of this [Code Ordinance](#).

~~**Subdivision:** The division of real property into more than two lots, parcels, tracts, tiers, blocks, sites, units or any other division of land, and/or the establishment of new streets and alleys, additions and re-subdivisions, and, when appropriate to the context, relates to the process of subdividing or to the lands or area subdivided; provided, however, that the sale or exchange of small parcels of land to or between adjoining property owners, where such sale or exchange does not create additional lots, shall~~

~~not be considered as a subdivision of land. Subdivision includes the division of land whether by deed, metes and bounds description, devise, intestacy, lease, map, plat or other instrument.~~

Commented [KF56]: This seems adequately described in Section 1 so I suggest deleting

Substantial Damage: Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. [Also defined in Florida Building Code, Building B, Section 1612, Subsection 1612.2.]

Substantial Improvement: Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during a one-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. For each building or structure, the one-year period begins on the date of the first improvement or repair of that building or structure subsequent to July 11, 1972. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: aAny project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; or any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

Substantial Modification (specific to Subsection 6.3): Any repair, reconstruction, rehabilitation, or improvement of a structure when the actual cost of the repair, reconstruction, rehabilitation, or improvement of the structure equals or exceeds 50 percent of the market value of the structure.

Swale: A depression in the land that collects stormwater runoff and conveys it to another location.

~~**SWFWMD:** Southwest Florida Water Management District.~~

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Taproom: A room that is ancillary to the production of beer at a brewery, microbrewery, and brewpub where the public can purchase and/or consume alcoholic beverages as licensed and regulated by the State of Florida Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco.

~~**Tattoo and Piercing Parlor:** An establishment whose principle business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following: (a)1. Placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin; or (b)2. Performance of body modification including puncturing or cutting a part of the human body so as to create an opening in which jewelry may be worn. See Section 2.4.5.Z.~~

~~**Taxidermist:** See Section 2.4.5.BB.~~

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Technical Review Committee (TRC): A group of City staff members and others associated with development review in the City.

Telecommunications Antenna: Communications equipment that transmits and/or receives electromagnetic radio signals used in the provision of all types of wireless telecommunications services.

Telecommunications Antenna Support Structures: The frame, bracket, or other mechanical device, including mounting hardware such as bolts, screws, or other fasteners used to affix an antenna to a telecommunications tower, building, utility pole, or other vertical projection.

Telecommunications Facility: Any portion of a ~~c~~ommunications ~~s~~ystem located outside or in the ~~p~~ublic ~~r~~ights-of-~~w~~ay.

~~**Telecommunications Facility, Wireless:** A facility dedicated to the broadcast and/or receiving of wireless telecommunications signals for the purpose of communication, public safety, or data transfer. Wireless telecommunication facilities consist of one or more antenna, cabling or other means to send to telecommunications signals to associated equipment, a support structure, and a dedicated power source. Wireless telecommunications facilities include the following: telecommunications towers (stealth, major, minor), collocations (major and minor), and small wireless facilities.~~

~~**Telecommunications Tower:** A vertical projection, typically comprised of steel, designed to support antenna and associated wireless telecommunications equipment for the purpose of sending and receiving wireless telecommunications signals. Utility poles or other vertical projections intended for a purpose other than provision of wireless telecommunications services are not considered to be telecommunications towers.~~

Temporary Use Permit: A permit authorizing the operation of a temporary use or special event, typically on private property.

Terminal Platform: That part of a dock or pier that is connected to the access ramp, is located at the terminus of the facility, and is designed to secure and load or unload a vessel or conduct other water-dependent activities, unless otherwise prohibited by regulatory agencies.

~~**Text Amendment:** An amendment to the language of this Ordinance.~~

~~**Theater:** A building, or part thereof, which contains an assembly hall with or without stage which may be equipped with curtains and permanent stage scenery or mechanical equipment adaptable to the showing of plays, operas, motion pictures, performances and similar forms of entertainment. See Section 2.4.5.P.~~

Thoroughfare: A right-of-way (usually publicly owned) providing vehicular and pedestrian travel, providing access to abutting properties.

Through Lot: A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double-frontage lots.

~~**Tiki Bar Bicycle or Tiki Bar Bike:** A bicycle decorated in a simulated Polynesian theme that usually serves exotic cocktails.~~

~~**Tiki Bar Boat:** A boat decorated in a simulated Polynesian theme that usually serves exotic cocktails, where passengers are picked up and returned to a common point.~~

Commented [KF58]: I'd put wireless first and reorder it in the definitions.

Commented [KF59]: Needs to be reordered in definitions.

Commented [KF60]: What if its not tiki style?

Commented [KF61]: Same comment as above.

Tiny Home: A manufactured dwelling unit, ~~built on a chassis~~, also commonly referred to as a tiny home on wheels.

Commented [KF62]: What if not on wheels or a chassis?

Toe of Berm: ~~Toe of the berm shall be defined as the~~ base or bottom of a berm slope at the point where the ground surface abruptly changes to a significantly flatter grade.

Commented [NT63R62]: Usually not on a chassis

Top of Bank: The crest elevation of the shoreline or of shoreline protection devices, whichever point is more landward.

Tower: A vertical projection, typically comprised of steel, designed to support antenna and associated wireless telecommunications equipment for the purpose of sending and receiving wireless telecommunications signals. Utility poles or other vertical projections intended for a purpose other than provision of wireless telecommunications services are not considered to be towers.

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Townhouses: Two or more single-family dwelling units within a structure having common side walls, front and rear yards, and individual entry ways, but with no unit located above another unit.

Trailer, Boat: means a conveyance drawn by other motive power for transporting a boat.

Trailer, Camping or Trailer, Travel: A vehicular portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation purposes, which is not more than eight feet in body width and is of a body length not exceeding 35 feet.

Transparency: The openings in a structure, including windows and doors.

Transportation Demand Management: Strategies and techniques that can be used to increase the efficiency of the transportation system. Demand management focuses on ways of influencing the amount and demand for transportation by encouraging alternatives to the single-occupant automobile and by altering local peak hour travel demand. These strategies and techniques may, among others, include: ridesharing programs, flexible work hours, telecommuting, shuttle services, and parking management.

Transportation Impact Analysis (TIA): A study conducted to evaluate the capacity and safety impacts on the transportation system from a proposed development and identify necessary improvements or management strategies to mitigate negative impacts. Such studies shall be performed by a licensed professional engineer in accordance with the Procedures Manual and this [Code Ordinance](#).

Trellis: A framework of light wooden or metal bars, chiefly used as a support for fruit trees or climbing plants.

Trip Demand: The magnitude of travel occurring between two locations or across a corridor.

Trip Generator: Types of land use which either generate or attract vehicular traffic.

Truck Stop: An establishment typically engaged in fuel sales that serve commercial truck drivers. The use may provide food, maintenance services, overnight parking, showering rooms, laundry facilities, basic convenience retail items and other services related to the use.

Turbidity Curtain: A floating screen that is utilized to contain fine sediments that are suspended into the water during marine construction and dredging activities.

Two-Family Dwelling/Paired Villas: See Section 2.4.3.C.

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University, College, and Vocational School: See Section 2.4.4.J.

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Upper-Story Residential: ~~Multi-family residential dwelling units located on the second or higher floors of a building with some form of non-residential use on the first or ground floor. Dwelling units may be configured as apartments or condominiums.~~ See Section 2.4.3.F.

Urban: Generally refers to an area having the characteristics of a city, with intense development and a full or extensive range of public facilities and services.

Urgent Care: A walk-in clinic or medical facility focused on the delivery of ambulatory care for injuries or illnesses requiring immediate care, but not serious enough to require a hospital emergency department.

Use: The purpose for which land or water or a structure thereon is designated, arranged or intended to be occupied or utilized, or for which it is occupied or maintained. The use of land or water in the various zoning districts is governed by this [Codechapter](#).

Utility Pole: A pole or similar structure used in whole or in part to provide communications services or for electric distribution, lighting, traffic control, signage, or a similar function. The term includes the vertical support structure for traffic lights, but does not include any horizontal structures ~~upon~~ which are attached.

Variance: A relaxation of the terms of this [Codechapter](#) with regard to the height, area, and size of structures and signs; size of yards and open spaces; driveways and curb cuts; off-street parking and loading or landscaping and other standards and provisions as established in this Code.

Vegetative Cover: The presence of vegetation (whether tree, shrubs, or ground cover) in a particular location.

Vehicle Service, Major: ~~Vehicle service to include alignment shops, auto body shops, auto upholstery shops, repair of cars, truck, RVs and boats, and towing services.~~ See Section 2.4.7.I.

Vehicle Service, Minor: Vehicle service provided while the customer waits, [as](#) same day pick-up of the vehicle, or [as](#) customers leaving a vehicle on-site for less than 24 consecutive hours. Such uses must occur within a completely enclosed building and include quick lubrication facilities, battery sales and installation, auto detailing, minor scratch and dent repair, bedliner installation ~~(provided such repair is within a completely enclosed building)~~, and tire sales and mounting. See also Car, Boat, Other Vehicle Sales and Rentals.

Commented [KF65]: Does this just modify bedliner installation?

Vehicular Use Area: An off-street parking space or parking lot along with associated drive aisles and means on ingress or egress.

Verge: ~~A verge is the~~ The area of land located between a street curb and boundary of an adjacent property. A verge allows access from the street to private or public properties.

Vessel: ~~Any watercraft, power-driven or not, mobile or stationary, surface, subsurface or hydrofoil, including but not limited to ships, boats, houseboats, and air boats, and sea planes, but excluding seaplanes and floating structures.~~

Vessel Draft: ~~The vertical distance measured from the highest point to which a waterbody rises on the vessel's exterior hull to the bottom portion of the keel or fixed drive unit, whichever is lower. Adjustable outboard or inboard/outboard engines shall not be included in the vessel draft calculation.~~

Veterinarian or Animal Hospital or Animal Boarding: ~~A facility where animals are provided medical care or are boarded for medical care. See Section 2.4.6.E.~~

Wall, Building: The entire surface area, including windows and doors, of an exterior wall of a building.

Wall Offset: A projection or recess located in or along a building wall.

Wall, Parapet: A building façade that rises above the roof level, typically obscuring a gable or flat roof as well as any roof-mounted equipment and providing for the safety of maintenance workers.

Wall Plane: The exterior surface of a building wall relative to the lot line it abuts.

Warehouse, Distribution or Logistics: ~~An industrial use engaged in distribution of manufactured products, supplies, and equipment. See Section 2.4.7.A.~~

Warehouse Storage: ~~A use engaged in storage of manufactured products, supplies, and equipment excluding bulk storage of materials that are flammable or explosive or that present hazards or conditions commonly recognized as offensive. Indoor Only: See Section 2.4.7.E.~~

Wastewater: ~~The spent water of the community comprising the liquid and water-carried wastes from residences, commercial buildings, industries, and institutions, together with minor quantities of ground and surface waters that are not admitted intentionally.~~

Wastewater Treatment Plant: A plant designed to treat and dispose wastewater for the purpose of re-use or safe discharge into the environment.

Water Dependent Activity: An activity that can only be conducted on, in, over, or adjacent to water areas because the activity requires direct access to the waterbody or sovereignty lands for transportation, recreation, energy production or transmission, or source of water, and where the use of the water or sovereignty lands is an integral part of the activity.

Water Dependent Structure: Any structure for which the use requires access to or proximity to or setting within surface waters to fulfill its basic purpose, such as boat ramps, boat houses, docks, bulkheads, and similar structures. Ancillary facilities such as restaurants, outlets for boat supplies, parking lots and commercial boat storage areas are not water-dependent structures.

Watercourse: A river, creek, stream or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

Commented [KF66]: Where is this term used?

Wetlands or Surface Waters or Shorelines: ~~These areas, as defined in F.A.C. 62-340, that are inundated or saturated by surface water or groundwater at a frequency and a duration sufficient to support, and that 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, sloughs, marshes, wet prairies, bayheads, bogs, cypress domes and strands, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps, and other similar areas. The extent of wetlands is delineated according to the methodology in F.A.C. 62-340.300.~~

Commented [KF67]: Shorelines is already defined and surface waters should be defined separately if needed. For wetlands definition I went back to definition in existing Code. Is there a problem with it?

Lands that are transitional between terrestrial (upland) and aquatic (open water) systems where the water table is usually at or near the surface, or where the land is covered by shallow water, such lands being predominantly characterized by hydrophytic vegetation. The presence of hydric soils as determined by the U. S. Soil Conservation Service, and other indicators of regular or periodic inundation, shall be used as presumptive evidence of the presence of a wetland area. The existence and extent of these shall be determined by the jurisdictional limits defined by Chapter 62-340, F.A.C. and implemented by the Florida Department of Environmental Protection, ~~or as defined within Chapter 40D-4 FAC and implemented by the Southwest Florida Water Management District, or as defined within the EPC Wetlands Rule, Ch. 1-11.~~

Wholesale Sales: ~~Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users; or to other wholesalers. Wholesale sales establishment does not include contractor's materials or office or retail sales uses. See Section 2.4.7.J.~~

Wildlife: Any member of the plant and animal kingdoms, with the exception of man, including but not limited to any mammal, fish, bird, amphibian, reptile, mollusk, crustacean, arthropod, or other invertebrate and excluding domestic animals.

Commented [KF68]: Or re-include plants but include examples along with the animals.

Wildlife Corridors: Contiguous stands of wildlife habitat that facilitate the natural migratory patterns, as well as other habitat requirements (e.g., breeding, feeding), of wildlife.

Wireless Telecommunications Facility: A facility dedicated to the broadcast and/or receiving of wireless telecommunications signals for the purpose of communication, public safety, or data transfer. Wireless telecommunication facilities consist of one or more antenna, cables or other means to send telecommunications signals to associated equipment, a support structure, and a dedicated power source. Wireless telecommunications facilities include the following: towers (stealth, major, minor), collocations (major and minor), and small wireless facilities.

Commented [KF69]: I'd put wireless first and reorder it in the definitions.

Wireless Telecommunication Services. —Cellular, personal communication services, specialized mobilized radio, enhanced specialized mobilized radio, paging, and similar services that are licensed by the Federal Communications Commission (FCC) and marketed to the general public.

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Yard: An unoccupied area that is open and unobstructed from the ground on the same lot as a principal building.

Yard, Front: A yard extended between side lot lines across the front of a lot adjoining a street.

Yard, Waterfront: A yard required on waterfront property, with depth measured from the mean high-water line. For purposes of this definition, waterfront property is defined as property abutting on the Gulf of Mexico, bays, bayous, navigable streams and man-created canals, including ~~the~~ inland waterways, lakes or impounded reservoirs; ~~however, provided that~~ such canals, lakes or reservoirs totally within the boundaries of a parcel shall not require waterfront yards.

Zoning: In general the demarcation of an area by ordinance (text and map) into zones and the establishment of regulations to govern the uses within those zones (commercial, industrial, residential, type of residential) and the location, bulk, height, shape, and coverage of structures within each zone.

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9.2 Abbreviations

FAA:

Federal Aviation Administration.

FCC:

~~The~~ Federal Communications Commission.

FDEP:

Florida Department of Environmental Protection, or successor agency.

FDOT:

Florida Department of Transportation ~~as created under F.S. 5-20.23.~~

NENA:

National Emergency Numbers Association.

SWFWMD:

Southwest Florida Water Management District.

Commented [KF70]: Move to abbreviations.