

ARTICLE 1

GENERAL PROVISIONS

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ARTICLE 1

GENERAL PROVISIONS

CHAPTER A AUTHORITY

Section 1 General

A. Title and Citation

This Code shall be known as the “Palm Beach County Unified Land Development Code” and may be referred to herein as the “Code.”

1. Amendments

Any reference to this Code, a statute, ordinance, a resolution, or common law cited herein shall include any amendment thereto.

B. Authority

The Board of County Commissioners (BCC) has the authority to adopt this Code pursuant to Art. VIII, § 1(g), Fla. Const., the PBC Charter, F.S. § 125.01, F.S. § 163.3161, and such other authority and provisions that are established by statute, administrative rule, or common law in the State of Florida. [Ord. 2019-005]

C. Intent

1. Implementation of the Plan

It is the intent of the BCC that this Code implement and ensure that all Development Orders approved in unincorporated Palm Beach County (PBC) are consistent with the Comprehensive Plan and its managed growth systems.

2. Consistent Regulations

It is the intent of the BCC that this Code establish comprehensive and consistent standards and procedures for the review and approval of all proposed development of land in unincorporated PBC.

3. Efficient and Effective Regulations

It is the further purpose of the BCC that the development review, approval, and permitting process established by this Code be efficient, in terms of time and expense; effective, in terms of addressing the natural resource and public facility implications of proposed development; and, equitable, in terms of consistency with established regulations and procedures, respect for the rights of Property Owners, and consideration of the interests of the citizens of PBC.

4. Preserve and Enhance

This Code is adopted to encourage the most appropriate use of land, water, and natural resources; prevent the overcrowding of land and avoid undue concentration of population; facilitate the adequate and efficient provision of transportation, water, sewage, drainage, solid waste, parks, schools, fire, and police facilities; conserve, develop, utilize, and protect natural resources; protect human, environmental, social, and economic resources; and, maintain, through orderly growth and development, the community character and stability of present and future land uses and development in PBC.

D. Building Permits, Certificates of Occupancy (COs), and Use

1. Issuance

No Building Permit shall be issued for any structure on any lot created by a subdivision of land until such lot is shown on a plat of record or certified survey recorded in the manner prescribed in this Article, except as provided below.

a. Exceptions

Temporary structures, permanent structures having a Temporary Use, and ancillary structures such as fences, buffer walls, and guardhouses may receive a Building Permit prior to recordation of the Final Plat for the property only when the use and location have been approved by the DRO and shown on the approved Final Subdivision Plan. Such approval, however, shall not in any way relieve the Property Owner from the obligation to correct any and all non-conforming setbacks, separations, or encroachments due to inconsistencies between the location of said structures and lot, street, or easement boundaries as established by the applicable record plat.

b. Revocation

PZB may revoke a Building Permit or CO in those cases where an administrative determination has been duly made in which false statements or misrepresentations resulted as to material fact(s) in the application or plans upon which the permit or approval was based.

c. Suspension

PZB may suspend a Building Permit or CO or use where an administrative determination has been duly made in which an error or omission on either the part of the permit Applicant or government agency resulted in the issuance of the permit or certificate approval. A valid permit or certificate shall be issued in place of the incorrect permit or certificate after correction of the error or omission.

Section 2 Applicability

The provisions of this Code shall apply to the development of all land in unincorporated PBC, unless stated otherwise. No development shall be undertaken unless authorized by a Development Order. [Ord. 2010-022]

Section 3 Definitions

See Art. 1.H, Definitions and Acronyms.

CHAPTER B INTERPRETATION OF THE CODE

Section 1 Interpretations

A. Authority

Interpretations to this Code and the Official Zoning Map shall be made by the Executive Director of PZB or designee with the following exceptions: [Ord. 2011-016]

1. The Director of Parks and Recreation shall have the authority to interpret Art. 5.D, Parks and Recreation – Rules and Recreation Standards; [Ord. 2011-016]
2. The Executive Director of Palm Tran shall have the authority to make interpretations of Art. 5.H, Mass Transit Standards; [Ord. 2011-016]
3. The County Engineer shall have the authority to make all interpretations of Art. 4.B.10.B.7.a.10), Hauling Standards; Art. 4.B.10.B.7.b.2)c), Drainage; Art. 4.B.10.C.5.g.5), Haul Agreement; Art. 6.B.3.A.2.a.3), Driveways and Access; Art. 11, Subdivision, Platting, and Required Improvements; and, Art. 12, Traffic Performance Standards; [Ord. 2011-016] [Ord. 2017-007]
4. The Impact Fee Manager shall have the authority to make all interpretations of Art. 13, Impact Fees; [Ord. 2011-016] [Ord. 2022-026]
5. The Director of ERM shall have the authority to make all interpretations of Art. 14, Environmental Standards and to interpret the following parts of Art. 4.B.10, Excavation Uses in consultation with the Executive Director of PZB or designee as appropriate: Art. 4.B.10.B.4.b.8), WCAA Canals; Art. 4.B.10.B.4.b.9), Mitigation Projects; Art. 4.B.10.B.4.b.10), Wetlands; Art. 4.B.10.B.4.b.13), Canals of Conveyance; Art. 4.B.10.B.7.c.1)a)(2), Littoral Planting; Art. 4.B.10.B.7.c.3), Littoral Planting Reclamation Standards; Art. 4.B.10.B.7.c.5), Area of Record; Art. 4.B.10.B.7.d.5)b), Excavated Area; Art. 4.B.10.B.7.d.5)c), Littoral Zones; Art. 4.B.10.B.7.d.6)b), Excavated Area and Litoral Zones; Art. 4.B.10.B.7.d.7)a), Excavated Areas for Type 3 Excavation; Art. 4.B.10.B.7.e, Maintenance and Monitoring; Art. 4.B.10.B.8.a, Administrative Waiver from Construction Criteria for Agricultural, WCAA, Type 2, and Type 3 Excavations; Art. 4.B.10.B.8.b.1), Violations; Art. 4.B.10.B.8.f, Use of Collected Monies; Art. 4.B.10.C.1.h, Art. 4.B.10.C.1.i.6), and Art. 4.B.10.C.5.g.6), Notice of Intent to Construct; Art. 4.B.10.C.1.c, Maximum Depth; Art. 4.B.10.C.4.e.; and, Art. 4.B.10.C.5.e, Depth; [Ord. 2011-016] [Ord. 2017-007]
6. The County Health Department Director shall have the authority to make all interpretations of Art. 15, Health Regulations; [Ord. 2011-016]
7. The PBC Airport Director shall have the authority to interpret Art. 16, Airport Regulations; [Ord. 2011-016]
8. The Floodplain Administrator shall have the authority to interpret Art. 18, Flood Damage Prevention; [Ord. 2011-016] [Ord. 2024-024]
9. The County Administrator or designee shall have the authority to interpret Art. 5.I, Murals; and, [Ord. 2013-021]
10. The Executive Director of PZB or designee shall have the authority to make interpretations of the following provisions found in Art. 4.B.10, Excavation Uses in consultation with the Director of ERM and the County Engineer as appropriate: Art. 4.B.10.B.4.a, Prohibitions; Art. 4.B.10.B.4.b.12), *De Minimis* Impact; Art. 4.B.10.B.4.b.14), Excavation by Public Agencies; Art. 4.B.10.B.6.e, Written Approval; Art. 4.B.10.B.7.b.2), Slopes except for Art. 4.B.10.B.7.b.2)c), Drainage; Art. 4.B.10.B.7.d.1), General; Art. 4.B.10.B.7.d.2), Guarantees Required; Art. 4.B.10.B.7.d.4), Form of Guarantee; Art. 4.B.10.B.7.d.6),

Submittal and Approval of Guarantee; Art. 4.B.10.B.7.d.7), Duration and Release; Art. 4.B.10.B.7.d.8), PBC Use of Guarantee; and, Art. 4.B.10.B.8.c, Enforcement. [Ord. 2017-007]

B. Appeal

An appeal to contest an interpretation of this Code may be filed pursuant to Art. 2.A.14, Appeal. [Ord. 2011-016]

Section 2 Assistance by Staff

Except as specifically set forth in Art. 1.B.1, Interpretations, any assistance given or representation made by a PBC employee during consultation shall not constitute the approval of the Department, shall not bind the Staff, the Department, the Division, the Executive Director, or the BCC, and shall not relieve any person of any requirements of this Code or other applicable provisions of Federal, State law, or Local ordinances. If there exists a conflict between any Staff representation and the laws, rules, codes, or ordinances, such laws, rules, codes, or ordinances shall prevail to the extent allowed by law.

CHAPTER C RULES OF CONSTRUCTION AND MEASUREMENT

Section 1 Rules of Construction

The rules set out in this Section shall be used to enforce and apply this Code, unless such rules are inconsistent with the Plan. References to Florida Statutes (F.S.) and the Florida Administrative Code (F.A.C.) refer to citations published in 2003 as may be amended.

A. General

1. Rules and Definitions

The rules and definitions set out in this Section shall not be applied to any express provision, which are specifically excluded. This Code shall be liberally construed in order that the intent of the Plan may be fully carried out. In cases of conflict, the Plan shall prevail to the extent of the conflict. Terms used in this Code, unless otherwise stated, shall have the meanings prescribed by the Statutes of the State of Florida for the same terms.

2. Interpretation and Application

The interpretation and application of any provision in this Code shall be the minimum required to promote the public health, safety, comfort, convenience, and general welfare. Where interpretation and application of any provision in this Code imposes greater restrictions upon the subject matter than a general provision imposed by the Plan or other provision in this Code, the provision imposing the greater restriction shall control.

- a. **Affected Area** – Use of the term “affected area” shall refer to that portion of a project which is the subject of a Development Permit, Development Order, or a modification, including all aspects and peripheral areas.
- b. **And** – All cases apply.
- c. **Building or Structure** – Use of terms “building” or “structure” shall refer to the classification of the subject building or structure in the Florida Building Code.
- d. **Common Words and Punctuation** – Common words, phrases, and punctuation shall be construed and understood according to the common and approved use of the English language. Common words shall have the meaning assigned to them in the latest edition of an English dictionary unless otherwise defined in this Code.
- e. **Computation of Time** – The time within which an act is to be completed shall be computed by excluding the first day and including the last day; if the last day is a Saturday, Sunday, or legal holiday recognized by PBC, that day shall also be excluded.
- f. **Day** – A working weekday unless otherwise stated or used in reference to a violation. Violations shall be calculated on calendar days.
- g. **Delegation of Authority** – If the head of a Department, Division, or other PBC Official or employee is required to do some act or perform some duty, it shall be construed to authorize the head of the Department, Division, or other official or employee to designate, delegate, and authorize professional-level subordinates to perform the required act or duty on their behalf, unless the terms of the provision or Section specify otherwise.
- h. **Gender** – Words implying the masculine gender shall be construed to include the feminine and neuter genders.
- i. **Headings** – Headings of Articles, Chapters, Sections, and Subsections shall not be construed as the sole meaning or intent of the underlying regulation or standards.

- j. **Include/Such As** – Use of the word “include,” “includes,” or “including” or terms “such as” shall not limit a term to the specified examples, but shall extend its meaning to all other instances or circumstances of like kind or character.
- k. **May** – Permissive.
- l. **Month** – A calendar month.
- m. **Must** – Mandatory.
- n. **Number** – A word importing the singular number only may extend and be applied to several persons or things as well as to one person or thing. The use of a plural number shall be deemed to include any single person or thing.
- o. **Or** – Either or both cases apply.
- p. **Prohibited** – Shall mean not allowed and precludes Variance relief. [Ord. 2010-022] [Ord. 2014-001]
- q. **Project** – Use of the term “project” shall refer to the entire development referenced or implied in the regulation, standard, or definition.
- r. **References** – Reference to the F.S., the F.A.C., and the Code of Federal Regulations refer to citations published in 2003 as may be amended.
- s. **Rounding of Fractions** – Rounding may be permitted for itemized requirements such as minimum parking spaces, trees, shrubs, or other similar required by this Code, as well as linear or area dimensions, except that PDRs for minimum lot dimensions may only be rounded for Legal Lots of Record, and rounding shall not apply to density. Rounding shall not be permitted for any build-to-lines, maximum height limitations, or any measurement used to calculate a number. The results of calculations containing a fraction of one-half or greater, shall be rounded up to the nearest whole number; and a fraction of less than one-half shall be rounded down to the nearest whole number. [Ord. 2017-025]
- t. **Shall** – Mandatory.
- u. **Technical Words and Undefined Terms** – Technical words and undefined terms, phrases, terms of art, vernacular, and the use of words which have acquired a peculiar and appropriate meaning and which are not defined in this Code shall be construed and understood according to such meaning.
- v. **Tense** – Words used in the past or present tense shall also include the future tense and conversely.
- w. **Terms Found in the Plan** – Terms not found in this Code, but found in the Plan, shall have the meaning given in the Plan.
- x. **Text** – In case of any difference of meaning between the text of this Code and any Figure, graphic, or Table, the text shall control.
- y. **Week** – Seven-calendar days.
- z. **Weekend** – Friday, Saturday, and Sunday. [Ord. 2012-027]
- aa. **Written** – Any representation of words, letters, or figures whether by printing or other form of writing.
- bb. **Year** – A calendar year, unless otherwise indicated.

Section 2 District Boundaries

In case of uncertainty, the PZB Executive Director shall interpret the intent of the Official Zoning Map to determine the location of boundaries. Where uncertainty exists concerning the boundary of a district on the Official Zoning Map, the following rules shall apply. [Ord. 2011-016]

A. Bisecting Lines

Where boundaries approximately bisect blocks, the boundaries shall be the median line of such blocks, or the centerline of the street that forms a boundary.

B. Centerlines

Boundaries indicated as approximately following the centerlines of streets, alleys, or highways shall be construed as following such centerlines.

C. Excluded Areas

Where parcels of land or water areas have been inadvertently excluded from a district, said parcels shall be given an Agricultural Residential (AR) classification.

D. Lot, Section, and Tract Lines

Boundaries indicated as approximately following platted lot lines, section, or tract lines shall be construed as following such lines.

E. Parallel Lines

1. Lots with Frontage on Highway, Alley, or Railroad R-O-W

Where boundaries are approximately parallel to a street, highway, alley, or railroad R-O-W, the distance of such boundaries from the property line of such shall be, one existing lot depth unless otherwise shown by dimensions on the Official Zoning Map.

2. On Parallel Lots, Acreage, or Tracts

The distance of such boundaries from the property line to the nearest lot line shall be between lots to conform to adjacent district lines or approximately 150 feet.

F. Political Boundaries

Boundaries indicated as approximately following political boundaries shall be construed as following such political boundaries.

G. Railroad Lines

Boundaries indicated as following railroad lines shall be construed as following the centerline of the railroad R-O-W.

H. Shorelines

Boundaries indicated as approximately following shorelines shall be construed as following such shorelines. In the event of a change in the shoreline, boundaries shall be construed as moving with the actual shoreline. Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such centerlines.

Section 3 Special Provisions for Lots Divided by District

A lot in its existing configuration as of the effective date of this Code, located in two or more zoning districts not as a result of actions by the Property Owner, shall apply the following:

A. Use Regulations

If more than 50 percent of the lot area is located in one district, the use regulations applicable to the district containing the majority lot area shall apply to the entire lot, if consistent with the Plan.

B. Property Development Regulations (PDRs)

If more than 50 percent of the gross lot area is located in one district, the PDRs applicable to the district containing the majority lot area shall apply to the entire lot.

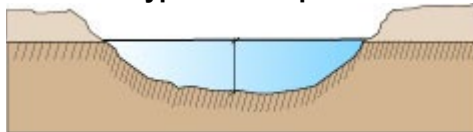
Section 4 Measurement

Distance requirements between a proposed use and another use shall require the spatial separation to be measured between the proposed and the other use within unincorporated PBC and, if applicable, other jurisdictions, including municipalities and other counties. If a conflict exists between this Section and another Section, the definition in Art. 1.H, Definitions and Acronyms, shall apply.

A. Depth

From the lowest point of an excavated area to the ordinary high-water mark.

Figure 1.C.4.A – Typical Example to Measure Depth

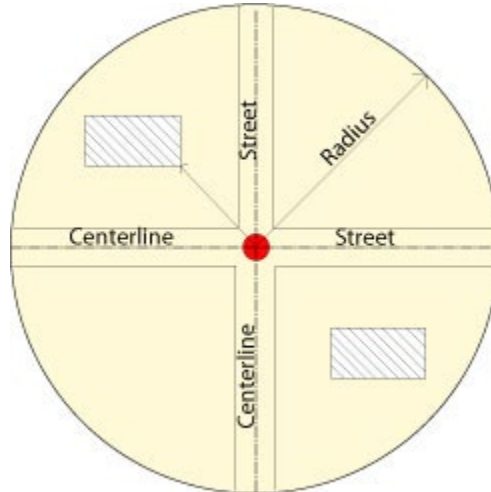


B. Distance

By drawing a straight line from a site element, use, or structure to:

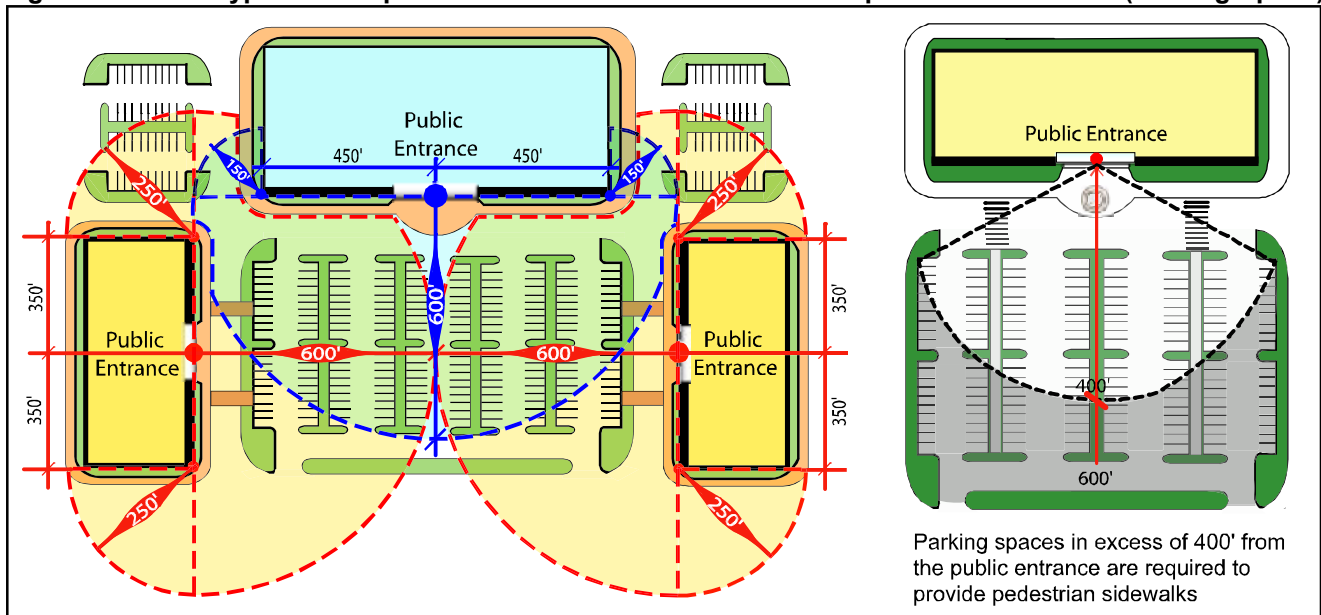
1. The intersection of two centerlines;
2. Another site element, such as parking; or,
3. A specific distance, such as 1,320 feet.

Figure 1.C.4.B – Typical Example of Measurement of Distance from Centerline to Site Element



[Ord. 2005-002]

Figure 1.C.4.B – Typical Example of Measurement of Distance to a Specific Site Element (Parking Space)



[Ord. 2005-002]

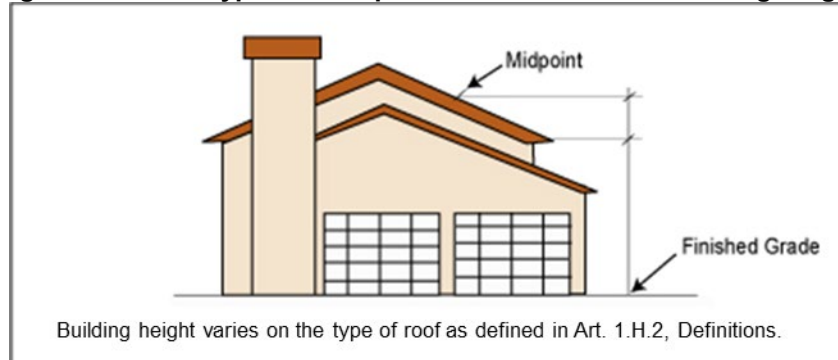
C. Height

From finished grade to highest point or peak of roof.

1. Building Height

Refer to definitions of building height in Art. 1.H, Definitions and Acronyms.

Figure 1.C.4.C – Typical Example of Measurement of Building Height



[Ord. 2005-002]

2. Fence/Wall Height

Refer to Art. 5.B.1.A.2.a, Height Measurement.

Figure 1.C.4.C – Typical Example of Measurement of Fence/Wall Height



The height of a fence shall be measured in accordance with Art. 5.B.1.A.2.a, Height Measurement.

3. Hedge Height

Refer to Art. 7.D.4.A, Hedges.

Figure 1.C.4.C – Typical Example of Measurement of Hedge Height



The height of a hedge shall be measured in accordance with Art. 7.D.4.A, Hedges.

4. Berm Height

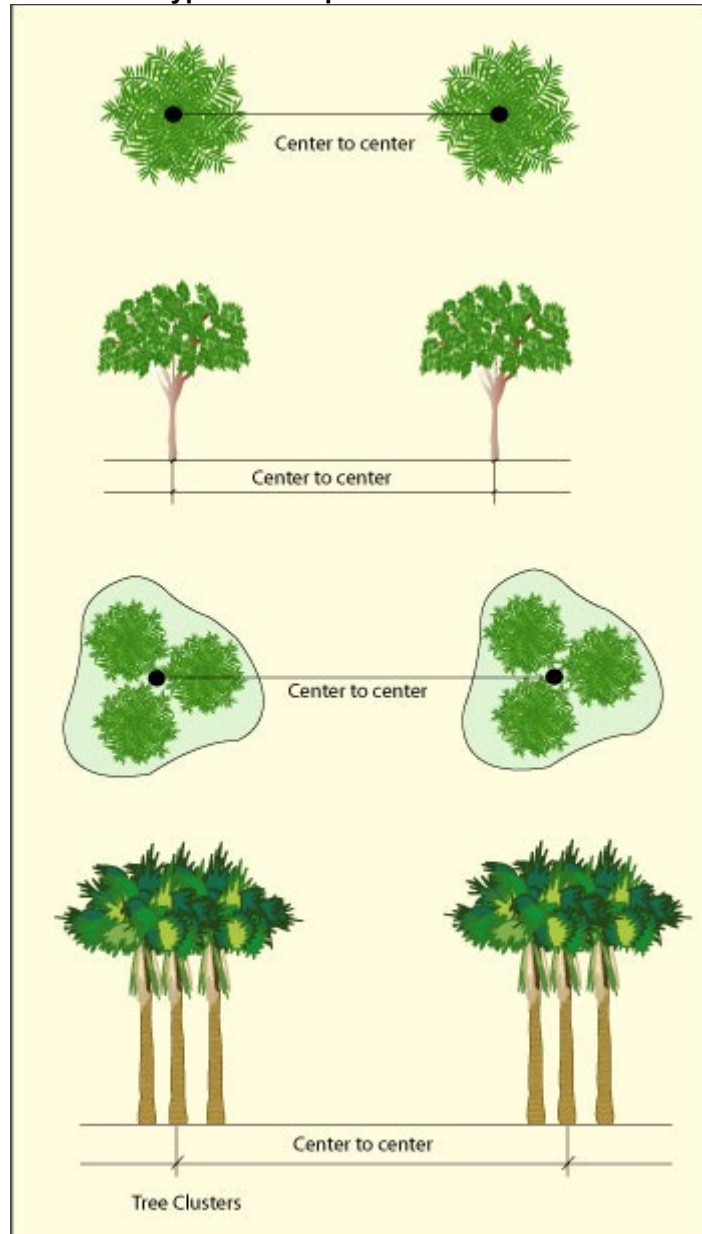
Refer to Art. 7.D.6.C, Height Measurement, and Figure 7.D.6, Berm Elevation and Drainage Requirements. [Ord. 2005-002]

D. On Center

By drawing a straight line between.

1. Individual trees or shrubs (centerline to centerline); or
2. Tree clusters, or shrub clusters (centerline to centerline).

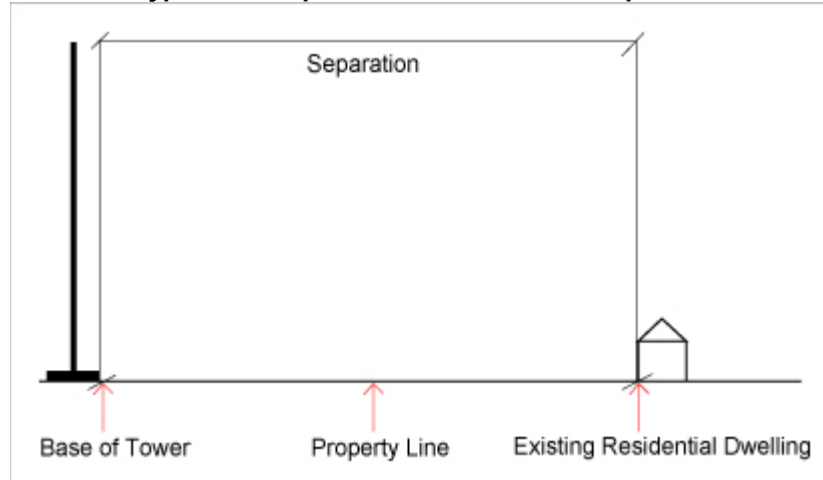
Figure 1.C.4.D – Typical Example of Measurement from Centerline



E. Separation from a Structure

By drawing a straight line from the closest point on the perimeter of the exterior wall, structure, or bay to another structure, the property line, or a well or septic.

Figure 1.C.4.E – Typical Example of Measurement of Separation from Structure

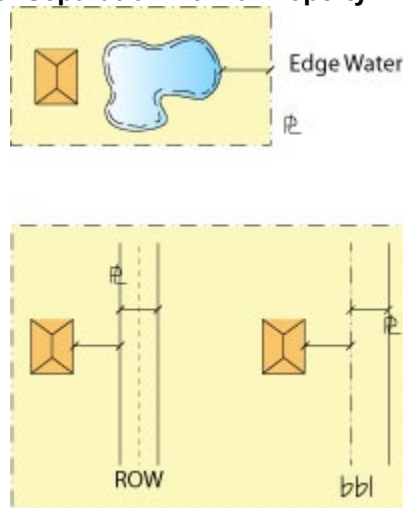


[Ord. 2005-002]

F. Separation from a Property Line

By drawing a straight line from the closest point on the perimeter of the exterior wall, structure, or bay to the base building line, the R-O-W line, the edge of the water, or the property line.

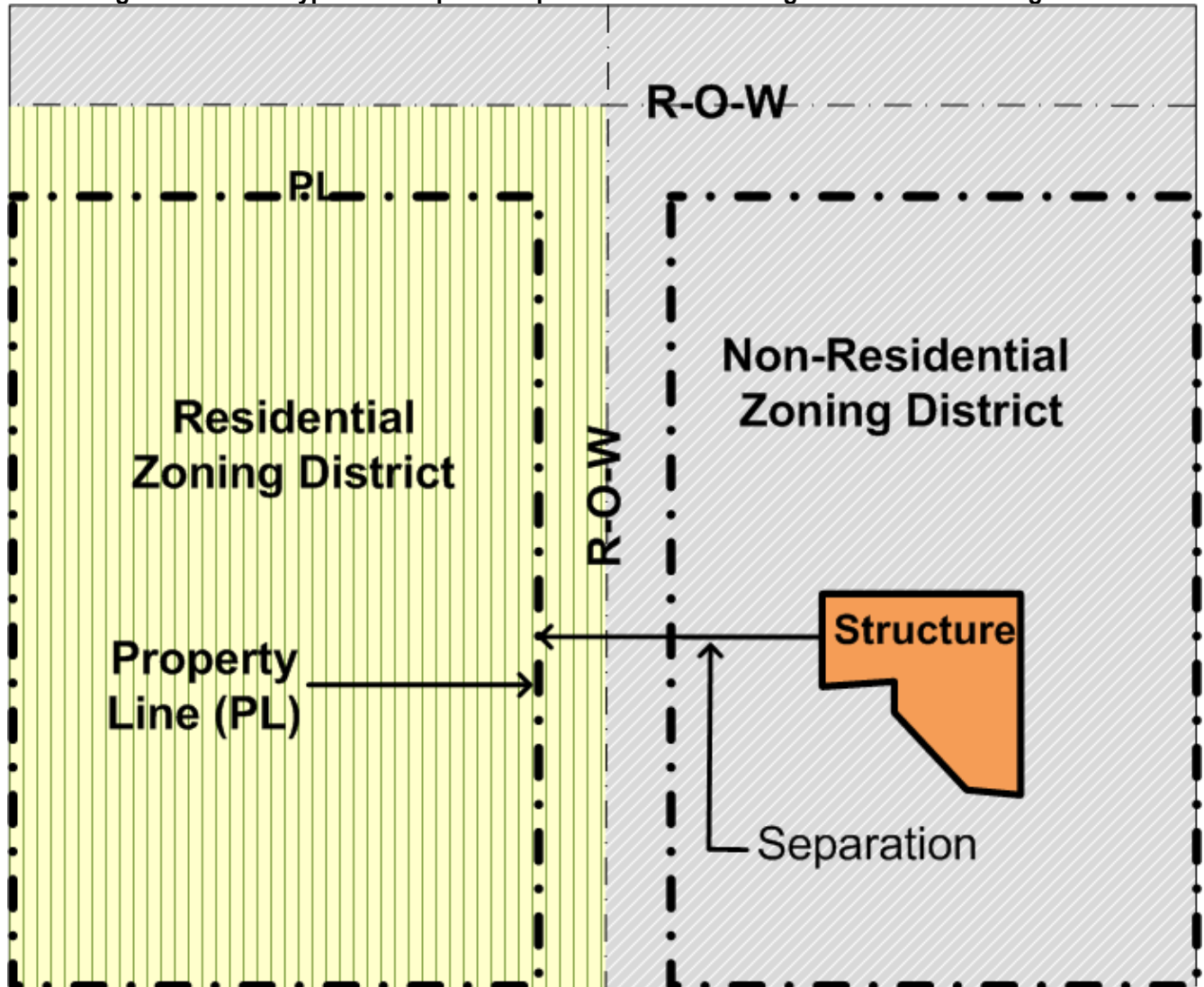
Figure 1.C.4.F – Typical Example of Measurement of Separation from a Property Line



G. Separation from a Zoning District or FLU Designation

When adjacent parcels, located in different zoning districts or FLU designations, and are separated by a R-O-W, the required separation distance shall be measured by drawing a straight line from the closest point of the applicable structure to the closest point of the adjacent property line across the R-O-W. [Ord. 2018-002]

Figure 1.C.4.G – Typical Example of Separation from a Zoning District or FLU Designation



[Ord. 2018-002]

H. Sound

In decibels as defined in the specific Article and measures for impact from the adjacent property line.

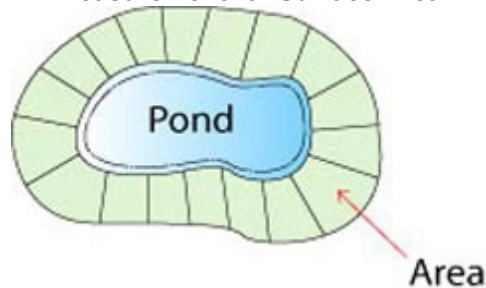
I. Gasoline Pumps

For the purposes of Art. 1.F, Non-Conformities and Art. 4.B, Use Classification, any fraction of the number of pumps shall be rounded upward to the nearest whole number for one-half or more of a whole pump, and downward if it is less than one-half of a whole pump. [Ord. 2010-005]

J. Surface Area

A polygon drawn tangent to the extremities of a vertical or horizontal plane and calculated to provide total acreage or square footage.

Figure 1.C.4.J – Typical Examples of Measurement for Surface Area



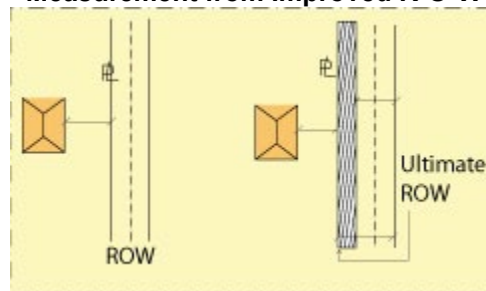
K. Building Transparency

For the purpose of determining a building's transparency requirement, the following calculation shall be utilized: the height of the first story of the building, a minimum height of 12 feet above finished grade, multiplied by the length of the façade and the applicable transparency percentage. The window or glass door openings including frames and mullions shall be allowed to be included in the calculation. [Ord. 2010-022]

L. R-O-W, Improved

By drawing a straight line between a site element, use, or structure to the ultimate R-O-W.

Figure 1.C.4.L – Typical Examples of Measurement from Improved R-O-W



M. R-O-W, Unimproved

By drawing a straight line between a site element, use, or structure to the base building line.

Section 5 Density, Intensity, and Building Coverage

That portion of a property conveyed or dedicated for public right-of-way without compensation may be subsequently included with the subject property for the purpose of density, intensity, or building coverage calculations. [Ord. 2009-040] [Ord. 2010-005]

CHAPTER D IMPLEMENTATION

Section 1 Minimum Requirements

The provisions of this Code are the minimum requirements necessary to accomplish the purposes of this Code and implement and ensure consistency with the Plan.

Section 2 Effective Date

- A. The effective date of this Code is January 1, 2004.
- B. Applications submitted after the effective date of this Code shall be reviewed in accordance with the standards and procedures in this Code.

CHAPTER E PRIOR APPROVALS

Section 1 General

A. Purpose and Intent

This Section establishes the review and approval procedures for: Development Orders or Permits approved prior to the effective date of this Code and their vested status, non-conforming site elements of a prior approval, and establish extent of vested status of the limits of affected area of modifications. [Ord. 2010-005]

B. Prior Approvals

All Development Orders, permits, enforcement orders, ongoing enforcement actions, and all other actions of the BCC, the ZC, the DRO, Enforcement Boards, all other PBC decision making and advisory boards, Special Masters, Hearing Officers, and all other PBC Officials, issued pursuant to the procedures established by prior PBC land development regulations, shall remain in full force and effect. The uses, site design, intensity, density, and tabular data shown on a Development Permit that was approved in accordance with a prior Ordinance, shall not be subject to the requirements of this Code for any information clearly shown. This information may be carried forward onto subsequent plans if necessary to implement the previously approved plan. [Ord. 2010-005] [Ord. 2010-022]

1. Prior Variances, Exemptions, or Waivers

Previously approved Variances, exemptions, or Waivers from property development regulations and standards no longer required by this Code shall remain in effect until superseded, modified, abandoned, voided, or revoked by the authority which granted the original approval. Such prior approvals may only be used in their entirety, as originally approved, and may not be amended or modified. [Ord. 2010-005]

C. Modification of Prior Approvals

A Development Order or Permit, which was approved under prior Code provisions, shall comply with the current review process for any modifications and the following: [Ord. 2010-005] [Ord. 2016-042]

1. Determination of Extent of Vested Status in the Area of Modification

The proposed modification shall comply with the current Code to the greatest extent possible in the affected area, which also includes the determination of whether the prior approval has non-conformities. A prior approval may be subject to rezoning in accordance with the requirements of Art. 3.A.3, Zoning District Consistency with the Future Land Use Atlas (FLUA). [Ord. 2010-005] [Ord. 2011-016]

2. Modification to a Prior Approval with Non-Conformities

Proposed modifications may not increase a non-conformity. The Applicant shall identify the extent of the proposed modification on the applicable plan and in the application pursuant to Art. 2.A.6.B, Plan Requirements. The application and plan shall: [Ord. 2010-005]

- list all prior Zoning Resolutions and prior ULDC amendment Ordinances to establish a record of any prior vesting claim. [Ord. 2010-005]
- delineate on the plan the boundary of the affected area and indicate all proposed modifications; if necessary, the Zoning Director shall render decision on the affected area. [Ord. 2010-005]
- identify all non-conformities with prior approved Development Orders, which include: lot, structure, use, and site elements of the subject property or affected area of the subject property to establish a record of non-conformities in the tabular data of the plan, and notate on the plan these non-conformities, where applicable. [Ord. 2010-005]
- all non-conformities outside of the affected area that are clearly shown on a prior Development Order shall be vested. [Ord. 2010-005]

3. Mobile Home Park Exception

Pursuant to F.S. § 723.041(4), the placement of any size new or used Mobile Home and appurtenances on a Mobile Home lot shall be permitted in accordance with the lot sizes, separation and setback distances, and other requirements in effect at the time of the approval of the Development Order for the Mobile Home Park, or any subsequent Development Order Amendment, if applicable. [Ord. 2016-042]

D. Invalid Approvals

Invalid Development Orders include those which have been revoked, voided, abandoned, or have expired. If a Development Order for a parcel of land is invalid, any future Development Order for that parcel shall be subject to all applicable provisions of this Code. [Ord. 2010-005]

E. Applications in Process

A Development Order application that is found sufficient for review purposes shall be required to meet the Code provisions in effect on the date the application is submitted. The application shall not be required to

meet any subsequent Code amendments that may be adopted prior to final approval of the application by the appropriate Board or PBC Official. [Ord. 2010-005]

CHAPTER F NON-CONFORMITIES

Section 1 General

A. Purpose and Intent

The purpose and intent of this Chapter is: to establish regulations to address lots, structures, uses, and site elements that were lawfully established before this Code was adopted or amended, that now do not conform to the terms and current requirements of this Code; to regulate and limit the continued existence of such non-conformities; and, where possible, bring them into conformance with this Code.

In addition, this Chapter addresses projects within the Redevelopment Areas in Art. 3.B, Overlays (IRO, URAO, and WCRAO) where new developments and redevelopments are regulated by form-based design standards. The intent is to provide incentives to encourage infill and redevelopment in these areas, improve the overall quality of the surrounding communities, to address any development restrictions unique to each overlay, and to ensure overall compliance with the general intent of non-conformity provisions. [Ord. 2010-005] [Ord. 2010-022]

B. Applicability

This Chapter applies to non-conforming lots, structures, uses, and site elements. In determining whether such non-conformities will be regulated by the provisions of this Chapter, the following shall apply: [Ord. 2010-005]

1. Non-conforming status shall not be provided for any: lot, structure, use, or site element, which was illegally created, commenced, constructed or unlawfully continued, or commenced after the restrictions, became applicable. [Ord. 2010-005]
2. Non-conforming status shall only be authorized upon demonstration by the Applicant that a lot, structure, use, or site element was created, commenced, or constructed, and not merely contemplated, unless permitted by this Code. [Ord. 2010-005]
 - a. For a non-conforming use, affidavits alone are not sufficient evidence to establish non-conforming status. The Applicant must demonstrate that the use was in continuous operation during business hours and not an occasional use of the property. The Applicant will be required to submit a Vested Use Recognition Form established by the Zoning Director to confirm the use is vested. [Ord. 2010-005]
3. An accessory non-conforming use shall not become the principal use. [Ord. 2010-005]

4. Exemption for All Designated Historic Sites/Structures by the BCC

Limitations for maintenance, renovation, and natural disaster damage repair shall not apply to conforming uses for non-conforming structures, site elements, or lots that have been granted Waivers from all applicable non-conformities by the BCC in accordance with Art. 9.B.4.B, Waiver of the Code Provisions, for historic sites. [Ord. 2010-022]

C. Improvements to Non-Conformities

There are four classifications of improvements that may be made to non-conformities. These include: Expansion, Maintenance, Renovation, and Natural Disaster Damage Repair pursuant to Art. 1.H.2, Definitions. [Ord. 2010-005]

D. Improvement Value

Improvement Value, as determined by the Palm Beach County Property Appraiser, is utilized to calculate allowable improvements for all types of non-conformities listed in this Chapter. The maximum allowable improvement is based upon the Property Appraiser's most recent Improvement Value of the structure as follows: 125 percent for non-government structures including structures in the Redevelopment Area or in the Overlays, and 185 percent for government structures. A Property Owner may apply to the Property Appraiser for a re-assessment to obtain the most recent Improvement Value of the structure. If a new value is established, it shall be forwarded directly to the Zoning Director from the Property Appraiser. [Ord. 2010-005]

E. Total Value of Improvements

The International Code Council's Building Valuation Data table, which provides the "average" construction costs per square foot, shall be used as the sole basis in determining the value of an improvement necessary to perform expansion, maintenance, renovation, or natural disaster damage repair for any type of non-conformity. The table is outlined in the most current building valuation data in the Building Safety Journal, as amended periodically by the International Code Council. As an alternative to the Building Valuation Data table, an Applicant may submit other comparable guidelines adopted by law or accepted in practice by the Building Official. [Ord. 2010-005]

F. Expansion for Non-Conformities

Expansion shall comply with Table 1.F.1.F, Non-Conformities – Percentage and Approval Process for Expansion and other applicable Sections of this Chapter. No Variance shall be permitted beyond the percentages stated in this Table. [Ord. 2010-005]

**Table 1.F.1.F – Non-Conformities
Percentage and Approval Process for Expansion**

Improvement Classification	Major Non-Conforming Use in a Conforming Structure (1)	Minor Non-Conforming Use in a Conforming Structure (1)(2)	Conforming Use in a Non-Conforming Structure	Non-Conforming Site Element (3)
Expansion				
Non-Government and Government	One time only 10% max. allowed with DRO approval. Shall not be expanded in area it occupies unless it is being expanded into an area of a structure, which was designed and approved for such use in a valid Development Order prior to becoming non-conforming.	One time only 10% max. allowed with DRO approval. Shall not exceed 10% max. of approved floor area of the structure or 10% of the Improvement Value of the structures on site, whichever is less, or other form of measures pursuant to Art. 1.F.4.D, Expansion.	Comply with Code through applicable review approval process. Shall not change or increase the non-conforming features of the structure. Shall not result in the expansion of a non-conforming use.	Comply with applicable Code to greatest extent possible through applicable review approval process.
[Ord. 2010-005] [Ord. 2010-022]				
Notes:				
1.	Non-conforming use in a non-conforming structure shall not expand.			
2.	Expansion shall be based upon intensity or density pursuant to Art. 1.F.4.D, Expansion.			
3.	Refer to Art. 1.F.5, Non-Conforming Site Element for additional information.			

G. Maximum Improvement to a Non-Conformity

The standards, limitations, and approval processes for improvements to non-conformities shall be as follows: [Ord. 2010-005]

1. Maintenance, Renovation, and Natural Disaster Damage Repair – The total combined value for improvement classifications shall not exceed the allowable maximum percentage of any single improvement classification. The percentage of each improvement classification is pursuant to Table 1.F.1.G, Non-Conformities – Percentage and Approval Process for Maintenance, Renovation, and Natural Disaster Damage Repair. [Ord. 2010-005]
2. Maintenance – May be performed in any 12-consecutive month period. [Ord. 2010-005]
3. Renovation and Natural Disaster Damage Repair – The cumulative changes in Total Value of Improvement are calculated over the previous five-year period as a non-conforming use or structure is renovated or repaired for damages. [Ord. 2010-005]
4. Public utility facilities with non-conforming structures on existing sites shall not be subject to the requirements of this Chapter. [Ord. 2010-005]
5. For additional requirements for each type of non-conformity, see applicable Sections of this Chapter. [Ord. 2010-005]
6. No Variance shall be permitted for the percentages stated in Table 1.F.1.F, Non-Conformities – Percentage and Approval Process for Expansion. [Ord. 2010-005]
7. Repair for non-natural disaster damage shall comply with percentage pursuant to Table 1.F.1.F, Non-Conformities – Percentage and Approval Process for Expansion. [Ord. 2010-005]

Table 1.F.1.G – Non-Conformities

Percentage (1) and Approval Process for Maintenance, Renovation, and Natural Disaster Damage Repair

Improvement Classifications	Major Non-Conforming Use (1)(2)	Minor Non-Conforming Use (1)(2)	Conforming Use in a Non-Conforming Structure (1)	Non-Conforming Site Elements
Non-Government				
Maintenance	≤ 20%; By Right	≤ 30%; By Right	≤ 20%; By Right	Comply with applicable Code to greatest extent possible through applicable review approval process. (5)
Renovation				
Natural Disaster Damage Repair				
Government (3)				
Maintenance	≤ 30%; By Right	≤ 45%; By Right	OR > 20% ≤ 30%; DRO	
Renovation				
Natural Disaster Damage Repair				
URAO, WCRAO, IRO (4)				
Maintenance	≤ 20%; By Right	30%; By Right	30%; By Right	
Renovation	OR > 20% ≤ 30%; DRO	OR > 30% ≤ 50%; DRO	OR > 30% ≤ 50%; DRO	
Natural Disaster Damage Repair				
[Ord. 2010-005] [Ord. 2010-022]				
Notes:				
1.	All percentages shall be based on the Improvement Value of the structure pursuant to Art. 1.F.1.D, Improvement Value, unless stated otherwise herein.			
2.	For non-conforming use in a conforming or non-conforming structure, the percentage of the non-conforming use shall apply.			
3.	A higher percentage shall be allowed for Government structures as appraisals by the Property Appraiser's Office are conducted less for Government structures due to exemptions for property tax.			
4.	A higher percentage shall be allowed for Redevelopment Areas and Overlays to encourage infill and redevelopment that requires built forms to regulate uses. All improvements must comply with applicable Sections of Art. 3.B, Overlays.			
5.	If the use or structure is non-conforming, the maximum allowable percentage for improvements for the site elements shall be included in the Total Value of Improvements.			

Section 2 Non-Conforming Lot

A. Applicability

This Section shall only apply to non-conforming lots that do not meet the minimum lot acreage and dimensional criteria pursuant to Table 3.D.1.A, Property Development Regulations of this Code, if all of the following conditions are met: [Ord. 2008-037] [Ord. 2010-005]

1. Lot Recombination Requirements

Where applicable, the lot or lots have complied with the lot recombination requirements of Plan FLUE Policy 2.2.1-r, and Art. 11, Subdivision, Platting, and Required Improvements. [Ord. 2008-037] [Ord. 2010-005] [Ord. 2023-009]

B. Subdivision (Includes Lot Combinations)

Non-conforming lots may be combined with any other conforming or non-conforming lot without obtaining Variance relief for non-conforming lot dimensions, inclusive of frontage, width, depth, and size, if all of the following conditions are met: [Ord. 2008-037] [Ord. 2010-005]

1. The newly created lot complies with the lot dimensions of this Code, or reduces the non-conformity; and [Ord. 2008-037] [Ord. 2010-005]
2. Can comply with the requirements of Art. 11, Subdivision, Platting, and Required Improvements. [Ord. 2008-037] [Ord. 2010-005]

C. Residential Development Regulations

A non-conforming residential lot may utilize the property development regulations subject to Table 3.D.1.A, Property Development Regulations. [Ord. 2010-005] [Ord. 2016-042] [Ord. 2023-009]

Section 3 Non-Conforming Structure

A. General

A non-conforming structure may continue to exist in accordance with this Section. [Ord. 2010-005]

B. Expansion

Expansion of a non-conforming structure shall not change or increase the non-conforming features of the structure, and shall not result in the intensification of a non-conforming use through the structural expansion. Expansion shall not exceed the percentage pursuant to Table 1.F.1.F, Non-Conformities – Percentage and Approval Process for Expansion. [Ord. 2010-005]

C. Maintenance, Renovation, and Natural Disaster Damage Repair

Maintenance, renovation, and damage repair caused by acts of nature shall not exceed the percentage pursuant to Table 1.F.1.G, Non-Conformities – Percentage and Approval Process for Maintenance, Renovation, and Natural Disaster Damage Repair. [Ord. 2010-005]

D. Uses and Structures within an Airport Zone Established in Article 16

1. Applicability

Uses, structures, and other obstructions permitted prior to the effective date of the Airport regulations, November 1, 1996, that lie within Regulated Areas defined in Art. 16, Airport Regulations, which do not comply with the Airport Land Use Compatibility Schedule or FDOT, "Guidelines for the Sound Insulation of Residences Exposed to Aircraft Operations," or exceeds permitted height limitations shall be considered a non-conforming use unless the structure or use is brought into conformance with the provisions of Art. 16, Airport Regulations. [Ord. 2010-005] [Ord. 2017-025]

a. Exemptions

Land Uses within Regulated Areas for PBC Park Airport (Lantana), PBC Glades Airport (Pahokee), Belle Glade Municipal Airport, and Palm Beach North County Airport are exempt from the requirements of this Article. [Ord. 2010-005] [Ord. 2017-025]

2. Existing Uses and Occupancy

The requirements of Art. 16, Airport Regulations, shall not be construed to necessitate the removal, lowering, or other modification of a structure or building supporting an existing use non-conforming to the requirements therein, or otherwise interfere with the continuance of such use which legally existed prior to November 1, 1996, provided the continuation does not jeopardize life or health. Construction or alterations which existed or started prior to November 1, 1996, and are diligently pursued and completed in accordance with Building Permitting requirements as defined by PZB, shall not be required to comply with the provisions in Art. 16, Airport Regulations. [Ord. 2010-005] [Ord. 2017-025]

a. Change in Use and Occupancy

If a change of use is proposed for an existing structure or building which does not comply with the Airport zoning provisions for that particular use, as specified in the Airport Land Use Compatibility Schedule, the entire structure or building shall be brought into conformance with Art. 16, Airport Regulations. [Ord. 2010-005]

3. Discontinuance or Cessation

A non-conforming use or structure that is intentionally discontinued, abandoned, or changed shall lose its non-conforming status and shall not be reestablished or resumed. Any subsequent use or structure in the same location shall be consistent with this Code. A use or structure that has been discontinued, abandoned, or changed for a period of more than 180 consecutive days, or for a total of 540-calendar days during any three-year period, shall constitute a presumption of the intent to discontinue, abandon, or change the use or structure. In the event either time period has been exceeded, an Applicant shall have the burden of rebutting the presumption by presenting competent, substantial evidence of the intent to maintain the non-conforming use or structure. [Ord. 2017-025]

4. Repair, Reconstruction, Restoration, or Alteration of a Structure

a. Height Restrictions

Permits shall not be granted that would allow an existing structure to become higher or become a greater hazard to air navigation than it was as of November 1, 1996. All structures shall comply with Art. 16.B.1, Airspace Height Regulations. [Ord. 2010-005]

b. Use Regulations

Any permits to substantially modify, repair, restore, reconstruct, or rebuild a structure supporting a non-conforming use shall comply with Art. 16.C.1.E, General Land Use Regulations – Off-Airport Land Use Compatibility Schedule (Appendix 8). In such cases, the entire building or structure shall be brought into conformance with these requirements. For the purposes of this Article, substantially modify shall mean: [Ord. 2010-005] [Ord. 2017-025]

- 1) the structure is more than 80 percent torn down, destroyed, deteriorated, or decayed; or [Ord. 2010-005]
- 2) the Total Value of Improvement of repair, reconstruction, or restoration exceeds 50 percent of the Improvement Value of the existing building or structure. [Ord. 2010-005] [Ord. 2013-001] [Ord. 2017-025]

If the structure does not meet these criteria, then only the new construction, alteration, or repair shall be subject to the requirements of Art. 16, Airport Regulations. [Ord. 2010-005]

5. Relocated Buildings

Buildings or structures moved into or within Palm Beach County, into a RPZ or ALUNZ shall comply with the height and noise level reduction provisions in Art. 16, Airport Regulations. [Ord. 2010-005]

6. Obstruction and Marking Requirements

Any repair restoration, reconstruction or alteration to a non-conforming structure or establishment of a new use shall require compliance with the Obstruction Marking and Lighting provisions in Art. 16.B.1, Airspace Height Regulations. [Ord. 2010-005]

Section 4 Non-Conforming Use

A. Non-Conforming Use Classifications

There are three classes of non-conforming uses: Major, Minor, and Non-Conforming to Airport Regulations. [Ord. 2010-005]

1. Major

A major non-conforming use is a use that was legally established in a zoning district where the use is now prohibited under the terms of this Code. Major non-conforming uses are inappropriately located and create or threaten to create incompatibilities that are detrimental to the public welfare. The intent of the PBC Comprehensive Plan is to eliminate or reduce existing or previously approved land uses, and activities, which were lawful before the adoption of the Plan but are now prohibited, regulated, or restricted under the terms of the Plan. [Ord. 2010-005]

2. Minor

A minor non-conforming use is a use that was legally established in a zoning district under a prior Code and one or more of the following applies: the use has been changed to a more restrictive review or approval process under the terms of this Code; DOAs or improvements to the use would exceed the development and approval thresholds; or, the use does not meet the property development regulations of this Code. Minor non-conforming uses do not create or threaten to create incompatibilities injurious to the public welfare. An Applicant who is requesting modification or improvement to a minor non-conforming use is encouraged to apply pursuant to the review and approval process now in effect to correct the non-conforming status of the use for the benefit of future Development Order Amendments and other types of improvements. [Ord. 2010-005] [Ord. 2015-006]

3. Non-Conforming to Airport Regulations

Requirements for uses non-conforming to Airport regulations are set forth in Art. 1.F.3.D, Uses and Structures within an Airport Zone Established in Article 16. Non-conforming uses that are also non-conforming to the Airport zoning regulations shall comply with both the non-conforming provisions in this Chapter and the non-conforming provisions in Art. 16, Airport Regulations. These uses shall be regulated as follows: [Ord. 2010-005] [Ord. 2017-025]

- a. A major non-conforming use shall comply with the major non-conforming use provisions in this Chapter. [Ord. 2010-005] [Ord. 2017-025]
- b. A minor non-conforming use shall comply with both provisions of the minor non-conforming use provisions in this Chapter and the non-conforming to Airport regulations in Art. 16.C.2, Non-Conforming Uses. [Ord. 2010-005] [Ord. 2017-025]

B. Change in Use

A non-conforming use shall not be changed to any other use, unless the new use conforms to this Code. A non-conforming use physically replaced by a permitted use shall not be reestablished. [Ord. 2010-005]

C. Discontinuance or Cessation

A non-conforming use that is intentionally discontinued, abandoned, or changed to an accessory use shall lose its non-conforming status and shall not be reestablished or resumed. Any subsequent use in the same location shall be consistent with this Code. A use that has been discontinued, abandoned, or changed to an accessory use for a period of more than 180 consecutive days, or for a total of 540-calendar days during any three-year period shall constitute a presumption of the intent to discontinue, abandon, or change to an accessory use. In the event either time period has been exceeded, an Applicant shall have the burden of rebutting the presumption by presenting competent, substantial evidence of the intent to maintain the non-conforming use. [Ord. 2010-005] [Ord. 2017-025]

D. Expansion

1. Major Non-Conforming Use

Expansion shall not exceed the percentage pursuant to Table 1.F.1.F, Non-Conformities – Percentage and Approval Process for Expansion. [Ord. 2010-005]

2. Minor Non-Conforming Use

A minor non-conforming use may be expanded pursuant to Table 1.F.1.F, Non-Conformities – Percentage and Approval Process for Expansion, and the following: [Ord. 2010-005]

- a. The expansion shall not exceed ten percent of the approved floor area of the structure or ten percent of the Improvement Value of the structures on site, whichever is less; or any other form of measure of intensity/density for the specific use such as but not limited to: beds for Congregate Living Facilities; decks for Restaurants; number of children for Day Cares; number of fueling stations or gas pumps for Retail Gas and Fuel Sales; or, other traffic intensity measures. [Ord. 2010-005] [Ord. 2017-007]

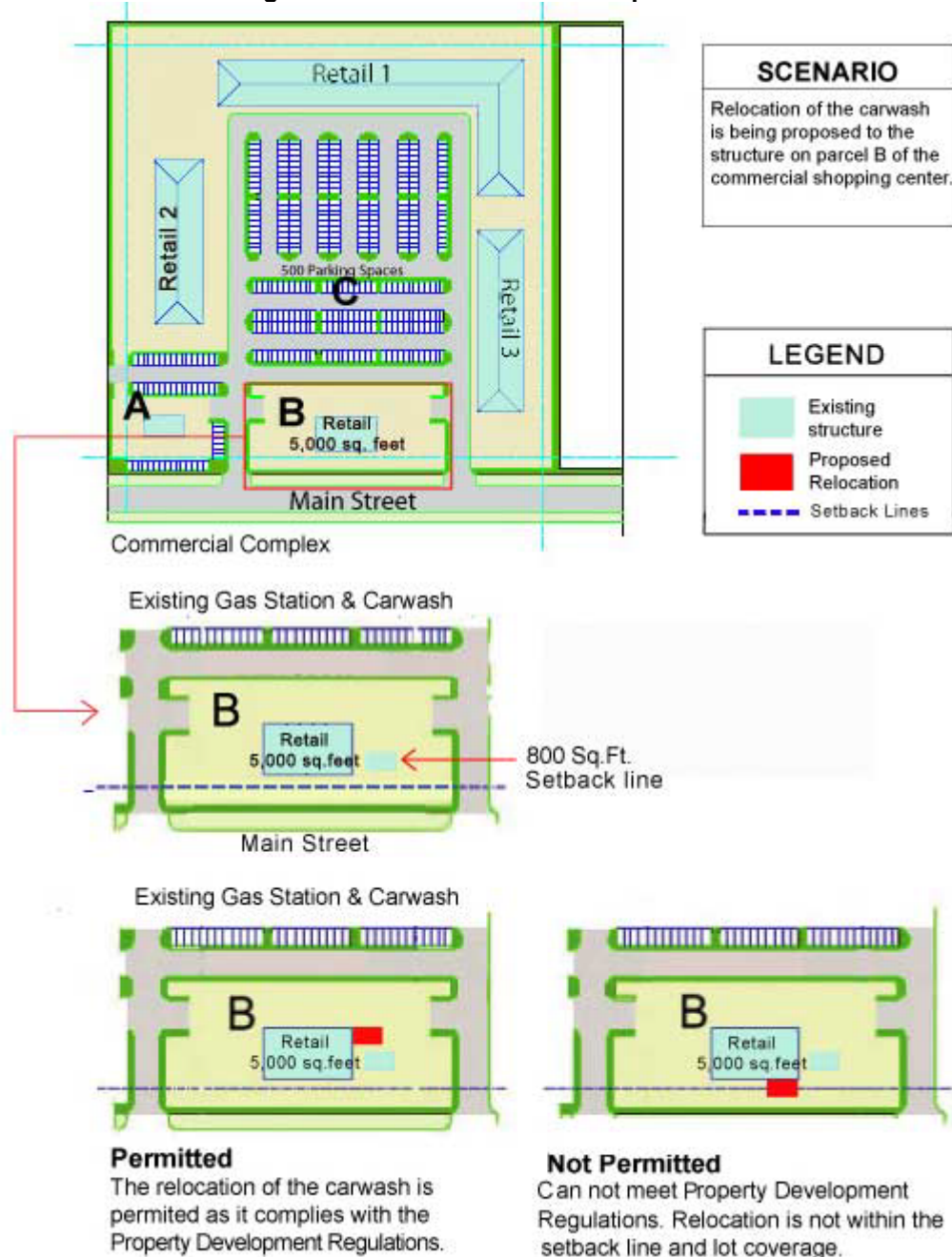
E. Maintenance, Renovation, and Natural Disaster Damage Repair

Shall not exceed the percentage pursuant to Table 1.F.1.G, Non-Conformities – Percentage and Approval Process for Maintenance, Renovation, and Natural Disaster Damage Repair. For natural disaster damage repair, Improvement Value shall be established at the time the damage occurred. [Ord. 2010-005]

F. Relocation

See Figure 1.F.4, Relocation and Expansion for permitted relocation of non-conformities. A non-conforming use shall not be relocated. [Ord. 2010-005]

Figure 1.F.4 – Relocation and Expansion



[Ord. 2010-005]

Section 5 Non-Conforming Site Element

A. Applicability

This Section establishes procedures for improvements and modifications to a prior approval with non-conforming site elements and establishes thresholds for vesting non-conformities. This Section shall apply to non-conforming site elements, including but not limited to: Art. 5.E.4.E, Outdoor Lighting, Art. 6, Parking, Loading, and Circulation, Art. 7, Landscaping, and Art. 8, Signage that may be impacted by proposed improvements or modifications to a prior approval. In addition, this Section shall also apply to projects that meet the threshold pursuant to Art. 5.B, Accessory Uses and Structures and Art. 5.C, Design Standards, and those that are subject to Art. 16, Airport Regulations. [Ord. 2010-005] [Ord. 2019-005]

B. Modification or Improvement to a Prior Approval with Non-Conforming Site Elements

Proposed modification or improvement to a project where the use or structure is conforming or has been brought into conformance with this Code through an applicable approval process, and where only the site elements are non-conforming, the following requirements shall be met: [Ord. 2010-005]

1. Projects without an Approved Plan

A project without an approved plan shall comply with this Code. [Ord. 2010-005]

2. Unbuilt Projects with an Approved Plan

An unbuilt project with an approved plan shall only comply with Art. 6, Parking, Loading, and Circulation, Art. 7, Landscaping, and Art. 8, Signage in the affected area to the greatest extent possible without the loss of density, intensity, or required parking. [Ord. 2010-005]

3. Built Projects with an Approved Plan

Projects, which have commenced development or have been constructed, shall comply with the requirements of this Code and the following: [Ord. 2010-005]

- a. Projects with 80 percent or more of the approved density or intensity (number of units, square feet, or footprint of buildings) constructed shall remain valid for any information and items clearly shown on the approved Development Order. The affected area shall meet this Code to the greatest extent possible. [Ord. 2010-005]
- b. Projects with less than 80 percent of the approved density or intensity constructed shall comply with Art. 6, Parking, Loading, and Circulation, Art. 7, Landscaping, and Art. 8, Signage in the affected area to the greatest extent possible without the loss of density, intensity, or required parking. [Ord. 2010-005]

C. Additional Improvement Threshold for Non-Conforming Site Elements

When improvements are proposed to a conforming structure with a conforming use, the associated non-conforming site elements must also be improved to comply with current Code requirements (see Zoning Division Technical Manual for examples). The required improvements shall be determined based on the Improvement Value of the structure pursuant to Table 1.F.5, Thresholds for Improvements – Non-Conforming Site Elements. These improvements are required in addition to the standards pursuant to Art. 1.F.5.B.3, Built Projects with an Approved Plan. [Ord. 2010-005]

**Table 1.F.5 – Thresholds for Improvements
Non-Conforming Site Elements**

Non-Conforming Site Elements		
Use or Structure	Percentage (1)(2)	ULDC Requirements
Non-Government	> 35%	Art. 5.E.4.E, Outdoor Lighting
		Art. 6, Parking, Loading, and Circulation
		Art. 7, Landscaping
		Art. 8, Signage
	> 75%	In addition to the above requirements: Art. 5.C, Design Standards, if applicable Art. 5.B.1.A.19, Permanent Generators, if applicable
Government (3)	> 100%	Art. 5.E.4.E, Outdoor Lighting
		Art. 6, Parking, Loading, and Circulation
		Art. 7, Landscaping
		Art. 8, Signage
		Art. 5.C, Design Standards, if applicable Art. 5.B.1.A.19, Permanent Generators, if applicable
[Ord. 2010-005]		
Notes:		
1.	The percentage is based on the Improvement Value of conforming structure(s).	
2.	The percentage applies to improvements for a conforming use or structure with non-conforming site elements. If the use or structure is non-conforming, the maximum allowable percentage shall comply with Table 1.F.1.F, Non-Conformities – Percentage and Approval Process for Expansion	
3.	Applies only to exterior renovations or additions to existing buildings and structures.	

D. Stand-Alone Improvements to Non-Conforming Site Elements

Stand-alone improvements to non-conforming site elements shall comply with Art. 1.F.5.B, Modification or Improvement to a Prior Approval with Non-Conforming Site Elements in the affected area, to the greatest extent possible, and the following, where applicable: [Ord. 2010-005]

1. Outdoor Lighting

Alterations or additions to outdoor lighting shall comply with Art. 5.E.4.E, Outdoor Lighting. [Ord. 2010-005]

2. Vehicular Use Areas

Alterations or additions to vehicular use areas shall comply with Art. 5.E.4.E, Outdoor Lighting Standards, Art. 6, Parking, Loading, and Circulation, and Art. 7, Landscaping. [Ord. 2010-005]

a. Non-Residential PDDs and TMDs Parking Calculation

Proposed modifications to a previously approved development, whether modifications are for the entire or a portion of the development, shall be in compliance with the following: [Ord. 2010-005]

- 1) the minimum parking requirements pursuant to the non-residential parking requirements of Art. 3.E.1.C.2.h, Parking; and [Ord. 2010-005]
- 2) applicable Sections of Art. 7, Landscaping. [Ord. 2010-005]

3. Sign Renovations or Additions

Approved signs as shown on plans or pursuant to conditions of an approval shall remain valid. Renovations or additions to a sign shall be in compliance with Art. 8, Signage. The maximum percentage of improvements for a non-conforming sign shall be based on the original value of the previously approved sign. [Ord. 2010-005]

4. Landscaping

Approved Landscape Plans shall remain valid unless the development is amended or modified. The affected area of the amended or modified plans shall be subject to Art. 7, Landscaping to the greatest extent possible. All plans shall also be subject to Art. 14.C, Vegetation Preservation and Protection. [Ord. 2010-005]

CHAPTER G EMINENT DOMAIN

Section 1 Properties Affected by Eminent Domain Proceedings

A. Applicability

For the purposes of this Code, an eminent domain action occurs when property is acquired through an eminent domain proceeding or where such property is voluntarily conveyed under the threat of condemnation to a condemning authority. This Section shall apply to all properties impacted by an eminent domain action. Site improvements and conditions, including non-conforming features and uses existing prior to the time of the eminent domain action shall not be affected by this Section. This Section alone shall not cause a specific use on a property impacted by an eminent domain action to cease.

B. Development Standards

Properties and site improvements impacted by eminent domain action may continue to exist and may expand as outlined below.

1. General

Where, due to an eminent domain action, a reduction in the size of a lot causes a reduction below the required lot area, setbacks, parking, landscaping, sign location, or other development regulations in this Code, the structure(s) on the property, the use(s) within the structure(s), and other site improvements may continue to exist in the configuration remaining after the condemnation, except that:

a. Access

The length of access ways shall not be less than ten feet measured from the R-O-W, unless otherwise approved by the County Engineer; and

b. Direction

Ingress and egress to and from the site shall be in a forward direction.

2. Enlargement or Change in Use

A structure or other site improvement located on property reduced by an eminent domain action may be enlarged or expanded if the enlarged or expanded portion meets the requirements of this Code.

a. Parking

Parking for the new use shall utilize the excess spaces, if any provided for the existing use.

- 1) For the purpose of determining the required parking, the Code in effect at the time of the enlargement or change in use shall be used.
- 2) There shall be no reduction in required spaces designated for physically disabled persons. Where parking is reduced, the use of off-site parking, cross-parking agreements, and shared parking agreements are encouraged.

3. Redesign of Sites

Redesign of sites, at any time, is encouraged for the purposes of achieving safer sites and enhanced landscaping along roadways. Site improvements may be relocated or replaced elsewhere on site and shall be approved if the redesign meets current Code requirements, unless otherwise stated in this Section. Redesign shall follow the permitting procedures of this Code, except for provisions specifically identified in this Section.

a. Variance Required for New Deviation from Regulations

A Variance shall be obtained for any additional deviation from required property development regulations or site design standards proposed by the redesign. Any redesign or expansion which reduces an existing deviation from required property development regulations or site design standards shall not require a Variance. When applying the Variance Standards in Art. 2.B.7.E, Type 2 Variance, and Art. 2.C.5.F, Type 1 Variance, the eminent domain action shall be presumed to be sufficient evidence to demonstrate a hardship (only applies to Type 2 Variance Standard d listed under Art. 2.B.7.E.6, Standards for Zoning or Subdivision Variance). To encourage site redesign, in cases when a DRO Site Plan approval and a Variance would both be required, only a Variance shall be required. [Ord. 2010-022] [Ord. 2014-001]

b. Modification of Zoning Commissions ZC or BCC-Approved Plans

Where a proposed redesign is located on property that is the subject of a plan approved by the ZC or BCC, redesign shall be approved by the DRO even if the redesign is in excess of the limitations in Art. 2.C.5.C, Administrative Modifications to Prior DOs. Conditions imposed by the ZC or BCC shall not be amended without ZC or BCC approval, whichever is applicable.

c. Parking Area Reduction

If site redesign involves either a lot combination, vehicular use area, or alteration required by this Section, a reduction of up to 35 percent of the required spaces shall be permitted provided:

- 1) The access standards of Art. 6.B.3.A.2.a.3), Driveways and Access are met; and
- 2) A minimum of five feet wide landscape buffer with landscaping as required in Art. 7, Landscaping, is installed along the frontage of the property.

4. Damage and Restoration of Structures

A structure subject to this Section which becomes damaged may be reconstructed in the location and manner as it legally existed before the eminent domain action except that a structure that is destroyed or damaged in excess of more than 50 percent of its value at the time of reconstruction shall be considered a vacant lot pursuant to Art. 1.G.1.B.6, Lots Reduced by Eminent Domain. In determining the value of such a structure, the standards and procedures described in Art. 1.F.3, Non-Conforming Structure, shall be used.

5. Signs

Any existing, legally established point of purchase or freestanding sign located on the property included in the eminent domain action may be relocated on site subject to the standards of this Section provided any sign(s) to be relocated shall comply with the requirements of this Code and the following criteria: [Ord. 2005-002]

a. Sign Number and Size

Any sign(s) to be relocated shall comply with the height, size (face area), and maximum number of signs allowed in accordance with the requirements of the Code. [Ord. 2005-002]

b. Sign Relocation

In no event shall the front setback be less than five feet from the ultimate R-O-W and have less than a two-foot side setback, except upon issuance of a sign relocation permit. [Ord. 2005-002]

c. Sign Relocation Permit

Signs that must be relocated which are physically precluded from compliance with the setback requirements in Art. 1.G.1.B.5.b, Sign Relocation, above may obtain, upon payment of a fee, a sign relocation certificate from the Zoning Director subject to this Subsection. The Zoning Director shall issue a sign relocation certificate provided the Applicant can meet the following standards: [Ord. 2005-002]

- 1) The sign relocation in accordance with Art. 1.G.1.B.5.b, Sign Relocation, above, would not create additional loss in the number of required parking spaces; [Ord. 2005-002]
- 2) The proposed sign location does not encroach into the R-O-W, unless it is part of negotiated settlement with the condemning authority; and, [Ord. 2005-002]
- 3) There is no other location on the subject property to place the sign consistent with safe vehicular use area design. [Ord. 2005-002]

6. Lots Reduced by Eminent Domain

A lot reduced by an eminent domain action to any size or configuration below that required by the applicable zoning district may be developed, subject to the following: [Ord. 2014-001]

- a. Uses subject to lot size requirements in Art. 4.B, Use Classification, shall comply with those standards. Type 2 Variance relief may be requested from this requirement if it cannot be met as a result of the eminent domain action; and [Ord. 2014-001]
- b. In all cases, required district setbacks shall be used.

7. Lot Combination

Lot combinations are encouraged for the purposes of creating safer, more functional and aesthetically pleasing developments, and attaining a greater degree of compliance with Code requirements. This Section may apply to the combined lots whether or not they are owned by the same person. Combined lots may be considered as a single lot for the purposes of applying property development regulations, provided either a cross-parking or cross-access agreement is executed. The agreement shall be made in the form acceptable to the County Attorney and recorded in the Official Records of PBC. Lot combination shall follow the permitting requirements and procedures of this Code, except as provided below:

a. Parking Credit

Except as provided below, required parking for combined lots may be administratively reduced by up to 20 percent upon approval by the DRO of a Site Plan which reduces the number of access points and the execution of a Unity of Control which includes a cross-parking or cross-access agreement.

b. Razed Lots

Lots which have been combined and where all principal structures have been demolished shall be considered a vacant lot pursuant to Art. 1.G.1.B.6, Lots Reduced by Eminent Domain.

c. Sites Subject to Approved Site Plans or Certificates of Conformity

For properties, which are the subject of a valid Certificate of Conformity, the Certificate may be amended, upon application by the Property Owner and approval of the DRO, to allow the combination and the configuration shown on the Certificate may be implemented. Where a proposed lot combination is located on property which is the subject of a Site Plan approved by the BCC, combination may be approved by the DRO even if the redesign proposes Site Plan changes in excess of the administrative limits contained in Art. 2.C.5.C, Administrative Modifications to Prior DOs, of this Code. Conditions imposed by the BCC shall not be amended without BCC approval.

C. Certificates of Conformity

A Certificate of Conformity issued pursuant to either Ordinance No. 73-2, as amended, or Ordinance No. 92-20, as amended through June 1993, shall be honored provided the Certificate of Conformity was issued to the Property Owner, or a notice of intent to issue a Certificate of Conformity was signed by the Property Owner before June 30, 1994 and is presently on file at the Zoning Division.

CHAPTER H DEFINITIONS AND ACRONYMS

Section 1 General

- A. Terms in this Code shall have the following definitions. Supplemental terms and definitions are defined in specific Articles and/or their Chapters. The definitions outlined in this Article apply to all Articles, unless specifically outlined in the respective Article. If a conflict exists in terms between Articles, the terms defined in the specific Article shall apply.
- B. All provisions, terms, phrases, and expressions contained in this Code shall be liberally construed in order that the true intent and meaning of the BCC as established in the Plan may be fully carried out. Terms used in these regulations, unless otherwise specifically provided, shall have the meanings prescribed by the Statutes of the State of Florida for the same terms.
- C. In the interpretation and application of any provision of this Code it shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience, and general welfare. Where any provision of this Code imposes greater restrictions upon the subject matter than a general provision imposed by the Plan or another provision of this Code, the provision imposing the greater restriction or regulation shall be deemed to be controlling.

Section 2 Definitions

- A. **Terms defined herein or referenced Article shall have the following meanings:**
 - 1. **A-Weighted Sound Pressure Level** – for the purposes of Art. 5, Supplementary Standards, the sound pressure level as measured with a sound level meter using the A-Weighting network. The standard notation is dB.
 - 2. **Abandon** – given up, unused, vacant, or not occupied for the purpose it was originally intended.
 - 3. **Abandoned Tower** – any Commercial Communication Tower whose principal use has been discontinued for a period in excess of three months.
 - 4. **Abutting Property** – lying immediately adjacent to and sharing a common property line with other property.
 - 5. **Accent Lighting** – for the purposes of Art. 5.E.4.E, Outdoor Lighting, shall mean lighting used to accent a sculpture, trellis, waterfalls, statue, footbridge, rock outcrop, fountain, or other similar feature and landscaping. [Ord. 2008-037]
 - 6. **Access, Legal** – the principal means of access from a lot to a public street or to a private street over which a perpetual ingress and egress easement or R-O-W has been granted to the owners of any lot serviced by such street.
 - 7. **Access Way** – a non-dedicated area that is permitted for ingress or egress of vehicles or pedestrians. An access way is permitted to traverse a required landscape buffer. [Ord. 2017-025]
 - 8. **Accessory Agricultural Uses** – for the purposes of Art. 4.B, Use Classification, these uses include “U-Pick-Em” operations; sale of on-site produced products; corrals; pens; training facilities; dipping vats; processing of raw material; storage sheds; repair, fabrication, body work, and welding of agricultural equipment; freestanding coolers; bulk storage of petroleum products; shipping containers used for temporary storage; washing, cutting, and packing of farm products; canning, dehydration, and basic preparation of raw food products prior to shipment; and, outdoor storage of equipment. [Ord. 2005-002]
 - 9. **Accessory Building or Structure**
 - a. A detached, subordinate structure meeting all property development regulations (PDRs), the use of which is clearly incidental and related to that of the principal building or use of the land, and which is located on the same lot as that of the principal building or use including those joined by a Unity of Title. [Ord. 2023-026] [Ord. 2024-024]
 - b. For the purposes of Art. 18, Flood Damage Prevention and National Floodplain Insurance Program enforcement only, a Structure that is located on the same parcel of property as a principal Structure, and the use of which is incidental to the use of the principal Structure. For Floodplain management purposes, the term specifically excludes Structures used for human habitation, and includes only Structures used for parking and storage. Accessory Structures shall constitute a minimal investment not to exceed 25 percent of the value of the primary Structure and shall be designed to have minimal Flood damage potential. Examples of Accessory Buildings or Structures for Flood damage prevention purposes of the Article include, but are not limited to, two-car detached garages (or smaller), carports, storage and tool sheds, and small boathouses. All Structures used for human

- occupancy shall be deemed principal Structures and shall comply with these regulations, and not be defined as an Accessory Building or Structure. [Ord. 2024-024]
10. **Accessory Overnight Accommodation (AOA)** – a limited-service overnight facility for visiting researchers, scientists, and dignitaries. [Ord. 2004-040]
 11. **Accessory Retail** – where a Retail Sales use is not the principal use, but may be permitted as an accessory use. [Ord. 2010-005]
 12. **Accessory Use** – see Use, Accessory.
 13. **Acre** – land or water consisting of 43,560 square feet.
 14. **Acreage, Gross** – the total land area, including all public and private areas, within the legal boundaries of a particular parcel of land or project.
 15. **Act** – the Local Government Comprehensive Planning and Land Development Regulation Act, F.S. § 163.3161 *et seq.*
 16. **Adaptive Use** – for the purposes of Art. 9, Archaeological and Historic Preservation, the process of converting a building to a use other than that which it was originally designed. [Ord. 2017-026]
 17. **Addition** – any walled and roofed expansion to the perimeter of an existing building. Expansion shall be connected by a roofline, foundation, and a common load-bearing wall of an existing building. Any walled and roofed expansion, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is considered as new construction, and not an addition. An expansion that is connected to an existing building by a breezeway shall be considered an accessory structure. [Ord. 2018-018]
 18. **Adequate Protection by Treatment** – for the purposes of Art. 15, Health Regulations, any one or any combination of the controlled processes of coagulation, sedimentation, absorption, filtration, or other processes in addition to disinfection which produces water consistently meeting the requirements of the Article including processes which are appropriate to the source of supply.
 19. **Adjacent Parcel of Land** – a parcel of land that has all or part of a boundary in common with another parcel, including point to point, or is separated from such parcel by a street, easement, R-O-W, waterway, park, or other minor geographical division. [Ord. 2008-037]
 20. **Administrative Inquiry** – a request by PBC Officials to the Board of County Commissioners (BCC) for direction on procedural matters or to resolve inconsistencies in a Development Order; or to provide status or an inquiry of a specific site when the monitoring provisions of Art. 2.E, Monitoring of Development Orders (DOs) and Conditions of Approval are not applicable. [Ord. 2011-016] [Ord. 2017-002]
 21. **Adopted Level of Service (LOS)** – for the purposes of Art. 12, Traffic Performance Standards, LOS D; except as specifically set forth by the Plan or pursuant to Policies of the Transportation Element. For Test 2 it is LOS E except as set forth by the Plan.
 22. **Adverse Effect** – for the purposes of Art. 9, Archaeological and Historic Preservation, any action which will significantly alter or destroy a historic resource. [Ord. 2008-037]
 23. **Adverse Impact** – for the purposes of Art. 18, Flood Damage Prevention, the increased probability of damage to Structures from Flooding or from floodwater erosion. [Ord. 2004-013]
 24. **Aerobic Treatment Unit** – for the purposes of Art. 15.A, PBC Environmental Control Rule I – Onsite Sewage Programs (OSP), as defined by Chapter 62-6, F.A.C. [Ord. 2022-019]
 25. **Aeronautical Study** – a Federal Aviation Administration study, conducted in accordance with the standards of 14 CFR 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. [Ord. 2017-025]
 26. **Affected Area** – for the purposes of Art. 1.E, Prior Approvals, the area on a plan or a development that is subject to the proposed modification, including but not limited to: lot, structures, uses, or site elements. [Ord. 2010-005]
 27. **Affidavit of Exemption** – for the purposes of Art. 2, Application Processes and Procedures, a document, recorded in the Public Record, evidencing the grant of an exemption for an unrecorded subdivision existing prior to February 5, 1973, from the provisions of the former PBC Subdivision and Platting Regulations (Ordinance No. 73-4), as amended, granted pursuant to said regulations.
 28. **Affidavit of Waiver** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, a document evidencing the grant of an exception to the platting requirement or the required improvements installation requirement.
 29. **Affordable Housing** – a dwelling unit for which a household spends no more than 30 percent of its gross income for housing costs. Rental housing costs include contract rent and utilities. Owner-occupied housing costs include mortgage principal and interest, property taxes, insurance, and, where

applicable, Homeowner's Association fees. The current median income for PBC and income categories established within the Plan are available at the Planning Division.

30. **Affordable Housing Program** – a voluntary program used by an Applicant seeking additional density for an affordable housing development. [Ord. 2009-040]
31. **Aggrieved or Adversely Affected Person** – any Person or Local Government which will suffer an adverse effect to an interest protected or furthered by the Plan, including interests related to health and safety, police and fire protection systems, densities or intensities of development, transportation facilities, health care facilities, or environmental or natural resources. The alleged adverse effect may be shared in common with other members of the community at large, but shall exceed in degree the general interest in common good shared by all Persons.
32. **AGR-PUD Gross Site Area** – the land area of the PUD less land dedicated per the Thoroughfare Identification Map. The gross site area includes land to be used for other R-O-W, streets, Preservation Areas, Development Areas, water retention, open space, commercial, recreation, and civic uses.
33. **AGR-PUD Preservation Area** – land contained in the Preservation Pod preserved in perpetuity to Bona Fide Agriculture, fallow land, water preserve areas, wetlands, or uplands.
34. **AGR-PUD 60/40 Development Area** – that portion of the PUD which contains the Residential, Recreation, Civic, and Commercial Pods with support facilities such as streets, internal open space, and stormwater retention areas.
35. **AGR-PUD 80/20 Development Area** – that portion of the PUD which contains the Residential, Recreational, Civic, and Commercial Pods.
36. **Agriculture, Food Processing** – a facility for the canning, dehydration, and basic preparation of raw food products, such as the washing and cutting prior to shipment.
37. **Agricultural Structure** – for the purposes of Art. 18, Flood Damage Prevention and National Floodplain Insurance Program only, a walled and roofed structure used exclusively for agricultural purposes or uses in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock, including aquatic organisms. Structures that house tools or equipment used in connection with these purposes or uses are also considered to have agricultural purposes or uses. All structures used for human habitation or occupancy are specifically excluded from this definition and shall comply with the requirements of these regulations and the Florida Building Code and shall not be defined as an Agricultural Structure. [Ord. 2024-024]
38. **Air Rights** – the right to use space above ground level.
39. **Air Space** – for the purposes of Art. 15.A, PBC Environmental Control Rule I – Onsite Sewage Programs (OSP), the distance from the liquid level up to the inside top of a treatment receptacle. [Ord. 2022-019]
40. **Air Stripper** – a temporary remedial system which treats contaminated groundwater.
41. **Aircraft** – any vehicle which is used or designed for navigation of or flight in the air.
42. **Airport** – for the purposes of Art. 16, Airport Regulations, any area of land or water designed and set aside for the taking off, maneuvering, and landing of aircraft and used or to be used in the interest of the public for such purpose, including Palm Beach International Airport (PBIA), Park Airport (Lantana), PBC Glades Airport (Pahokee), Belle Glade Municipal Airport, Palm Beach North County Airport, and Boca Raton Airport and any area owned or operated by PBC, or other public entity, validly licensed by the State of Florida for public use. [Ord. 2017-025]
43. **Airport Elevation** – for the purposes of Art. 16, Airport Regulations, the highest point of an airport's usable landing area measured in feet above mean sea level (AMSL).
44. **Airport Hazard** – for the purposes of Art. 16, Airport Regulations, an obstruction to air navigation which effects the safe and efficient use of navigable airspace or the operation of planned or existing air navigation and communication facilities. [Ord. 2017-025]
45. **Airport Hazard Area** – for the purposes of Art. 16, Airport Regulations, any area of land or water upon which an airport hazard might be established. [Ord. 2017-025]
46. **Airport Land Use Compatibility Zoning** – for the purposes of Art. 16, Airport Regulations, Airport Zoning regulations governing the use of land on, adjacent to, or in the immediate vicinity of airports. [Ord. 2017-025]
47. **Airport Layout Plan** – for the purposes of Art. 16, Airport Regulations, a set of scaled drawings that provide a graphic representation of the existing and future development plan for the airport and demonstrate the preservation and continuity of safety, utility, and efficiency of the airport. [Ord. 2017-025]
48. **Airport Master Plan** – a comprehensive plan for an airport which typically describes current and future plans for airport development designed to support existing and future aviation demand. [Ord. 2017-025]

49. **Airport Obstruction** – for the purposes of Art. 16, Airport Regulations, any existing or proposed permanent or temporary object, natural growth or terrain, or structure construction or alteration which would exceed the Federal obstruction standards as contained in 14 CFR 77, Subpart C (as may be amended from time to time). [Ord. 2017-025]
50. **Airport Protection Zoning Regulations** – for the purposes of Art. 16, Airport Regulations, means Airport Zoning regulations governing airport hazards. [Ord. 2019-005]
51. **Airspace Height** – for the purposes of Art. 16, Airport Regulations, the height limits as established and set forth in the Article. Above Mean Sea Level (AMSL) elevation shall be the datum unless otherwise specified.
52. **Alley**
- a R-O-W providing a secondary means of access to property that is not intended or used for principal traffic circulation. [Ord. 2010-022]
 - for the purposes of the Priority Redevelopment Areas, may provide for primary vehicular access to a building, parking, and service areas. [Ord. 2010-022]
53. **Alteration**
- For the purposes of Art. 9, Archaeological and Historic Preservation, any change affecting the exterior appearance of an existing structure or improvement by additions, reconstruction, remodeling, maintenance, or structural changes involving changes in form, texture, materials, or color or any such changes in appearance in specially designated historic sites, or historic interiors;
 - For the purposes of Art. 14.C, Vegetation Preservation and Protection, human-caused activity that modifies, transforms, or otherwise changes the vegetation, including, but not limited to:
 - Removal, displacement, mowing, or disturbance (severe pruning, hatracking or internodal cutting, or poisoning) of vegetation excluding prescribed burns for the management of native vegetation communities;
 - Removal, displacement, demucking, or disturbance of soil, rock, minerals, or water within the plant's root zone;
 - Introduction of livestock for grazing; [Ord. 2005-003]
 - Placement of vehicles, structures, debris, fill, or other material objects thereon, including introduction or injection of water and other substances; and,
 - Use of mechanical equipment within the plant's root zone.
 - For the purposes of Art. 16, Airport Regulations, modification to any permanent or temporary existing structure by a change in the structure's height, including appurtenances, lateral dimensions, and equipment or materials used in the structure. [Ord. 2019-005]
54. **Alteration, Building** – any change in the structure which will increase the number of dwelling units, the floor area, or height of the structure.
55. **Alteration of a Watercourse** – for the purposes of Art. 18, Flood Damage Prevention, a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard, or change the direction and/or velocity of the riverine flow of water during conditions of the Base Flood. [Ord. 2017-026]
56. **Alteration or Materially Alter** – for the purposes of Art. 14.A, Sea Turtle Protection and Sand Preservation, the removal of sand from the Sand Preservation Zone (SPZ).
57. **Alternative Landscape Plan (ALP)** – a plan showing the location, quantity, and species of plants to be installed at non-residential, Multifamily, or residential planned developments. This plan shall be designed to preserve and incorporate existing native vegetation in excess of minimum standards or demonstrate innovative use of plant material and improve site design.
58. **Ambulatory Surgical Center** – an establishment primarily providing elective surgical care, in which the patient is admitted to and discharged within the same working day and is not permitted to stay overnight; and which is not part of a Hospital. [Ord. 2017-007]
59. **Animal Control Facility** – a government-owned facility charged with enforcement of all Local, State, and Federal laws pertaining to animals or animal welfare, operation of an animal shelter(s), licensing of certain animals, investigations for dangerous dogs and animal-to-human bites, impoundment of stray or unwanted animals, disposition and adoption of animals, licensing and permitting of animal businesses as outlined in Palm Beach County Ordinance No. 98-22, as may be amended, administration and oversight of animal welfare and animal issues that relate to animal protection, public safety, and public health, rabies surveillance and vaccination programs, development of local standards for both public and private animal shelters and animal rescue organizations, and development and oversight of pet overpopulation programs. [Ord. 2008-037]

60. **Animal Shelter** – a not-for-profit institutional establishment regulated by ACC Ordinance No. 98-22, as amended, as a humane society, or private animal non-profit organization on two and one-half acres or more or when open to the public, that is used for the protection of unwanted or abandoned domesticated animals, the use of which may include sheltering, adoption, fostering, providing rescue or old age homes, medical or behavioral rehabilitation, or other accessory uses as may be permitted by ACC that are not regulated elsewhere by this Code. [Ord. 2008-037]
61. **ANSI** – the American National Standards Institute or its successor bodies.
62. **Antenna Height** – the overall vertical length of the antenna and antenna support structure above grade, or if such system is located on a building, then the overall vertical length includes the height of the building upon which the structure is mounted. In the event a retractable or demountable-type antenna support structure is utilized, the antenna height is to be calculated as the overall vertical length of the antenna and antenna support structure when fully extended.
63. **Antenna Support Structure** – any structure, mast, pole, tripod, or tower utilized for the purpose of supporting an antenna or antennas.
64. **Antiquated Subdivision** – as defined in the Plan. [Ord. 2011-016]
65. **Appeal** – for the purposes of Art. 18, Flood Damage Prevention, a request for a review of the Floodplain Administrator's interpretation of any provision of the Article, which is filed with the Flood Damage Prevention Board. [Ord. 2017-026]
66. **Applicant**
- a. The owner of record, the Agent pursuant to an Agent's agreement acceptable to the County Attorney, or the mortgagor in the case of bankruptcy.
 - b. For the purposes of Art. 12, Traffic Performance Standards, person seeking a Site Specific Development Order. In the Unincorporated Area, it consists of those Development Orders for which a Concurrency Certificate or Concurrency Exemption Determination is required.
67. **Approach Zone** – for the purposes of Art. 16, Airport Regulations, an area longitudinally centered on the extended runway centerline and extending outward and upward from each end of the Primary Zone. An Approach Zone is designated for each runway based upon the type of approach available or planned for that runway end.
68. **Appurtenance** – for the purposes of Art. 9, Archaeological and Historic Preservation, a part, possession, or other incidental part which is generally subordinate to, or adjoins the principal use of structure, i.e. fences, walls, steps, paving, sidewalks, signs, and light fixtures.
69. **Aquifer** – a groundwater-bearing geologic formation, or formations, that contain enough saturated permeable material to yield significant quantities of water.
70. **Arcaded Sidewalk** – a covered pedestrian walkway contiguous to a street, plaza, or square that is open to the public and includes usable floor area above the roof of the arcade. [Ord. 2006-004] [Ord. 2010-022]
71. **Archaeological Evaluation Report** – for the purposes of Art. 9, Archaeological and Historic Preservation, a letter prepared by the County Archaeologist evaluating the potential significance of an archaeological site after issuance of a suspension order by the Department.
72. **Archaeological Resources** – all evidences of past human occupations which can be used to reconstruct the life ways of past peoples and evidence of past animal life in the form of non-human vertebrate fossils. These include sites, artifacts, environmental, and all other relevant information and the contexts in which they occur. Archaeological resources are found in prehistoric and historic period sites and areas of occupation and activity.
73. **Archaeological Site** – property or location which has yielded or might yield information on PBC, the State, or Nation's history or prehistory. Archaeological sites are evidenced by the presence of artifacts and features on or below the ground surface indicating the past use of a location at least 75 years ago by people or the presence of non-human vertebrate fossils. Archaeological sites include aboriginal mounds, forts, earthworks, village locations, camp sites, middens, burial mounds, missions, historic or prehistoric ruins which are, or may be the source of artifacts or other items of significant archaeological value.
74. **Archaeologist, Qualified** – a member of, or qualified for membership in the Florida Archaeological Council (FAC), or the Society of Professional Archaeologists (SOPA), Registry of Professional Archaeologists (RPA), or a person who meets the minimum professional requirements for an archaeologist as set by the United States Secretary of the Interior. [Ord. 2008-037]
75. **Architectural Features** – for the purposes of Art. 9, Archaeological and Historic Preservation, architectural features include the architectural style, scale, massing, sitting, general design, and general arrangement of the exterior of the building or structure, including the type, style, and color of roofs, type and texture of building material, public access open courtyards, windows, doors, and appurtenances.

These features will include interior spaces where the interior has been given historic designation under the procedures listed in Art. 9.B.3.A, Application for Historic Site or District Designation.

76. **Architectural Terms** – for the purposes of Art. 5.C, Design Standards.
- a. **Architect** – a person licensed to engage in the practice of architecture under F.S. ch. 481, pt. I, and includes the term “Registered Architect.” [Ord. 2009-040]
 - b. **Architectural Compatibility** – similar architectural composition that is agreeable, consistent, complimentary, and provides a degree of architectural integration with the structures in the surrounding area. Particular attention should be given to scale, proportion, unity, harmony, and context. [Ord. 2009-040]
 - c. **Architectural Composition** – the scale, height, mass, proportion, color, form, style, detail, treatment, texture, construction material, and roof design of a project or building. [Ord. 2009-040]
 - d. **Architectural Style Sheets** – examples of various architectural elements and components that define a particular character, style, or classification of architecture. [Ord. 2009-040]
 - e. **Balance** – the pleasing or harmonious arrangement or proportion of parts or elements in a design or composition. [Ord. 2009-040]
 - f. **Green Architecture** – a building designed to limit its environmental impact through environmentally conscious methods of design and construction. The focus shall pertain to the exterior of the building, i.e. façade, roofline, exterior treatment, and fenestration. [Ord. 2009-040]
 - g. **Harmony** – the orderly or congruent arrangement of elements or parts of a whole. [Ord. 2009-040]
 - h. **Order** – the condition of logical, harmonious, or comprehensible arrangement in which each element of a group is properly disposed with reference to other elements and to its purpose. [Ord. 2009-040]
 - i. **Proportion** – the comparative, proper, or harmonious relation of one part to another or to the whole with respect to magnitude, quantity, or degree. [Ord. 2009-040]
 - j. **Rhythm** – movement characterized by a patterned repetition or alternative of formal elements or not if it is in the same or a modified form. [Ord. 2009-040]
 - k. **Scale** – certain proportion to size, extent, or degree usually judged in relation to some standard or point of reference. [Ord. 2009-040]
 - l. **Style** – key elements associated with the style of a building. [Ord. 2009-040]
 - m. **Unique Structure** – a structure that is unusual, unequal, rare, or has distinct characteristics in relation to the architectural compatibility of a defined area. Scale, proportion, unity, and harmony shall be considered for Unique Structure classification. [Ord. 2009-040]
 - n. **Unity** – the state or quality of being combined into one that promotes a singleness effect. [Ord. 2009-040]
77. **Area of Potential Effect (APE)** – for the purposes of Art. 9, Archaeological and Historic Preservation, is the geographic area or areas within which a project’s undertaking may directly or indirectly cause changes in the character or use of historic properties, if such properties exist. The area of potential effect is influenced by the scale and nature of the undertaking and may be different for different kinds of effects caused by the undertaking. [Ord. 2008-037] [Ord. 2017-026]
78. **Arterial Street** – see Street, Arterial.
79. **Articulated Parapet** – for the purposes of Art. 5, Supplementary Standards, a parapet with a height variation proportional to the building height.
80. **Artifacts** – for the purposes of Art. 9, Archaeological and Historic Preservation, relics, specimens, or objects of historical, prehistorical, archaeological, or anthropological nature, over 75 years old, which may be found on, above, or below the surface of the earth, including land and water, which have a scientific or historic value as objects of antiquity, as aboriginal relics, or as anthropological specimens, including but not limited to clothing, tools, and weapons made of ceramics, worked stone, shell, bone, teeth, hide, feathers, and horn, metal coins, glass, beads, building material, daub, and plant fibers. Objects over 75 years old but not of significant archaeological value shall not be considered an artifact for purposes of this Code. Further, objects under 75 years old and deemed by a qualified archaeologist to be of significant archaeological value shall be subject to the provisions of this Code.
81. **Artificial Light Source(s)** – for the purposes of Art. 14, Environmental Standards, any exterior source of light emanating from a man-made device, including but not limited to, incandescent, fluorescent, mercury vapor, low-voltage, metal halide, or sodium lamps, spotlights, flood lights, landscaping lights, street lights, vehicular lights, construction, or security lights.
82. **Artisanal Use** – a land use involving the manufacture and sale of goods using only hand labor or table-mounted electrical tools.

83. **ASCE 24** – for the purposes of Art. 18, Flood Damage Prevention, a standard titled Flood Resistant Design and Construction that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA. [Ord. 2017-026]
84. **Association, Master Property Owners'** – a Property Owners' Association (POA) of which membership is mandatory with the ownership of property subject to the master POA and which has the authority to represent the members and bind the members by such representation.
85. **Association, Property Owners'** – an organization recognized under the laws of the State of Florida, operated under recorded maintenance and ownership agreements through which each owner of a portion of a subdivision, be it a lot, home, property, or any other interest, is automatically a voting member, and each such member is automatically subject to a charge for a prorated share of expenses, either direct or indirect, for maintaining common properties within the subdivision, such as roads, parks, recreational areas, common areas, and other similar properties. Within the text of this Code, a POA is considered to be a single entity for property ownership. As used in this Code, the term "Property Owners' Association" shall also be deemed to include a Homeowner's Association (HOA), condominium association, or cooperative (apartment) association, as defined in the F.S., as amended, having a life tenure of not less than 20 years, as well as a third party having an agreement with a condominium or cooperative association as permitted by the F.S., as amended.
86. **Assured Construction**
- a. For the purposes of Art. 12, Traffic Performance Standards, road construction improvements scheduled to be made to the Major Thoroughfare system by one or more of the following means:
 - 1) Inclusion in the adopted Five-Year County Road Program for commencement of construction; provided any anticipated non-public funds are secured by Performance Security;
 - 2) Inclusion in the adopted Five-Year State Department of Transportation Work Program for commencement of construction;
 - 3) Major Intersection or Link improvement for which a contract for construction which is secured by Performance Security has been executed and which, by its terms, requires that construction be completed within six years;
 - 4) Major Intersection or Link improvement which will be constructed pursuant to a Development Agreement; and which, by its terms, requires that construction be completed within six years;
 - 5) Major Intersection or Link improvement which is required to be constructed pursuant to a condition of a Development Order which by its terms requires that it be completed within six years and which has been secured by Performance Security;
 - 6) Specific inclusion in the capital improvements element of a Municipal comprehensive plan for commencement of construction within five years provided:
 - a) The improvements are financially feasible, based on currently available public revenue sources adequate to complete the improvement; and
 - b) A comprehensive plan amendment would be required to eliminate, defer, or delay construction; or
 - b. For purposes of a Concurrency Certificate for a Site Specific Development Order only, a Major Intersection or Link that the Applicant agrees to construct and guarantee through a Condition of Approval, or Development Agreement, said construction to be completed prior to issuance of the Certificate(s) of Occupancy which are phased to the improvement(s) and to be secured by Performance Security within six months of issuance of the Site Specific Development Order. No further Development Orders for the Project shall be issued if Performance Security is not timely posted.
87. **Attic** – the non-habitable storage area immediately beneath the pitch of a roof.
88. **Automated Teller Machines (ATMs)** – computerized, self-service machines used by Financial Institution customers permitting a full range of financial transactions, including (but not limited to) deposits, withdrawals, and fund transfers, or the technological evolution thereof, without contact with Financial Institution personnel. [Ord. 2013-021]
89. **Average Daily Traffic** – for the purposes of Art. 12, Traffic Performance Standards, the average of two 24-hour weekday traffic counts taken at one location, with one count being taken in the Peak Season and the other in the Off-Peak Season. The Traffic Volume Map of the MPO shall normally be used to determine existing ADT for the West Palm Beach Urban Study Area. However, in all cases, where newer data are available from the FDOT or PBC, such newer data shall be used. Any person may provide a traffic count or counts which may be used, subject to the prior approval of the County Engineer for count location and adjustment factors based upon accepted traffic engineering principles, instead of the counts used in creating the Traffic Volume Map(s) where such counts are not available. The Average Daily Traffic established by the counts of PBC shall not include Friday counts after 8:00 a.m.

90. **Aviation Easement** – for the purposes of Art. 16, Airport Regulations, the assignment of a right to an airport proprietor to a portion of the total benefits of the ownership of real property. The selected rights may be granted or may be purchased.
91. **Awning** – a temporary hood or cover that projects from the wall of a building and that may include a type, which can be retracted, folded, or collapsed against the face of a supporting building.

B. Terms defined herein or referenced Article shall have the following meanings:

1. **Background Traffic** – for the purposes of Art. 12, Traffic Performance Standards, the projected traffic generation from previously approved but incomplete Projects, and other sources of traffic growth, as described in Art. 12.C.1.C.2.e, Pass-By-Trips and Art. 12.C.1.C.4, Background Traffic. [Ord. 2005-002]
2. **Balloon** – an airtight bag that rises above the earth when force filled with hot air.
3. **Banner** – see Flag.
4. **Banquet/Reception Hall Facility** – a facility rented or used for temporary gathering of people for food, entertainment, and celebration of an event.
5. **Base Building Line** – a line horizontally offset from and running parallel to the centerline of a street from which property development regulations, including landscaping, parking, and setbacks for front yard and corner side yard, are measured as set forth in this Code.
6. **Base Flood** – a Flood having a one percent chance of being equaled or exceeded in any given year. The Base Flood is commonly referred to as the “100-year flood” or the “1-percent-annual chance flood.” [Ord. 2004-013] [Ord. 2017-026]
7. **Base Flood Elevation (BFE)** – for the purposes of Art. 18, Flood Damage Prevention, the elevation of the Base Flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD), or other datum specified on the Flood Insurance Rate Map (FIRM). [Ord. 2004-013] [Ord. 2017-026]
8. **Basement** – for the purposes of Art. 18, Flood Damage Prevention, the portion of a Building having its floor subgrade (below ground level) on all sides. [Ord. 2017-026]
9. **Beach** – the zone of unconsolidated material that extends landward from the mean high-water line of the Atlantic Ocean and inlets to the place where there is a marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves. Beach is alternately termed shore.
10. **Beach Access Point** – for the purposes of Art. 5, Supplementary Standards, any path through or over the dune used by the general public or, with respect to private property, by the owners or with the owner's permission, for the purpose of gaining access to the beach.
11. **Beach Compatible Sand** – for the purposes of Art. 14.A, Sea Turtle Protection and Sand Preservation, any sand that is similar to the native beach and dune material in terms of grain, size, distribution, and color. The fill material shall consist of sand that falls within the same size classification of sand within the Unified Soil Classification System [i.e., fine sand (0.074 to 0.42 millimeters), medium sand (0.42 to 2.0 millimeters), and coarse sand (2.0 to 4.76 millimeters)] as that of the native beach material. The acceptable silt/clay fraction (less than 0.074 millimeters) and gravel/cobble fraction (greater than 4.76 millimeters) shall be based upon existing site conditions. Sand grain size analyses shall be consistent with the grain size methodologies described in ASTM standard D422 and D1140. The fill material color shall match the color of the existing beach and dune coloration. [Ord. 2011-001]
12. **Beach Fill** – for the purposes of Art. 5, Supplementary Standards, sand placed on the beach.
13. **Beachfront Lighting** – for the purposes of Art. 14, Environmental Standards, all lighting within or causing illumination within the jurisdictional boundaries of Art. 14.A, Sea Turtle Protection and Sand Preservation or which is directly or indirectly visible from the beach. For the purposes of the Chapter, coastal lighting is synonymous with beachfront lighting. [Ord. 2011-001]
14. **Beach Obstruction** – any natural or artificially constructed structure(s) that: (1) does not constitute fixed structure(s); (2) does not require a Building Permit; (3) is not required for public safety; (4) upon review by the County Administrator or his/her designee does not present an actual or potential threat to the beach and the dune system and adjacent properties. All temporary man-made structures including but not limited to beach umbrellas, beach furniture, recreational equipment, boats, or any other man-made items that interfere with the use of the beach as a nesting habitat. [Ord. 2006-036] [Ord. 2011-001]
15. **Benefit Zones** – for the purposes of Art. 13, Impact Fees, the geographic area as set forth in individual Chapters of the Article within which impact fees are collected and spent.
16. **Berm** – man-made or natural change in grade not exceeding a three-to-one slope measured from the highest curb or parking area. A berm shall be constructed of clean fill as defined by DEP, excluding block, brick, tile, and glass.

17. **Best Management Practices (BMPs)** – technologically and economically feasible means of preventing or reducing amounts of pollution generated by point and non-point sources to a level compatible with the water quality and quantity objectives of PBC. BMPs include schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters. [Ord. 2013-021]
18. **Billboard** – a sign or structure, other than temporary signs as defined in Art. 8, Signage, portraying information or directing attention to a business, activity, commodity, service, entertainment, or communication which is not conducted, sold, or offered at the parcel on which the sign or structure is located, or which does not pertain to the parcel upon which the sign or structure is located.
19. **Billboard, Changeable Copy Sign Face** – a sign face containing one or more advertisements or promotions that are changed automatically or mechanically.
20. **Billboard Company** – any firm, organization, or individual which owns one or more billboards.
21. **Billboard Demolition Permit** – the permit issued by the Building Division which allows demolition of an existing billboard.
22. **Billboard Height** – measured from finished grade to the highest point of a billboard face, excluding temporary embellishments.
23. **Billboard Inventory** – the official inventory, as updated by the signatories to the billboard stipulated settlement agreement, of billboards existing in unincorporated PBC.
24. **Billboard, Lawfully Erected** – any billboard erected in PBC consistent with applicable Zoning Code and Building Permit procedures and described on the official inventory prepared by the PZB in 1988, and as updated pursuant to the billboard stipulated settlement agreement.
25. **Billboard Location** – an area within a radius of not more than 100 feet from the location of an existing billboard structure.
26. **Billboard Registration Permit** – the annual permit issued by the Zoning Division for existing billboards that can be replaced or relocated.
27. **Billboard Relocation** – the removal of an existing billboard structure from a billboard location included in the updated billboard inventory to a different location consistent with the terms of this Code and the billboard stipulated settlement agreement.
28. **Billboard Relocation Permit** – the permit issued by the Zoning Division which allows relocation of an existing billboard to another location.
29. **Billboard Replacement** – the removal of an existing billboard structure and construction of a new billboard within the permitted billboard location.
30. **Billboard Setback** – the required minimum horizontal distance between a billboard structure and all property lines.
31. **Billboard Sign Face** – the fixed or changeable portion of the billboard structure upon which one or more advertising messages are displayed.
32. **Billboard Stipulated Settlement Agreement** – the agreement between PBC, Ackerley Communications, 3M National Advertising, and any other affected parties who may agree to the stipulations therein, approved on February 6, 1996 by the BCC to terminate legal proceedings initiated by Case No. 92-8752, Case No. CL92-1187-AO, Case No. 92-1187-AO, and Case No. CL93-7958AH.
33. **Billboard Structure** – all structural elements of a billboard, including but not limited to structural framework and supports, and lighting.
34. **Billboard Temporary Embellishment** – additional billboard area attached to and extending beyond the side and top of a billboard.
35. **Biohazardous Waste** – any solid waste or liquid waste, which may present a threat of infection to humans. The term includes, but not limited to, non-liquid human tissue and body parts; hospital, laboratory, or veterinary waste which contains human disease-causing agents; discarded sharps; and, human blood, human blood products, and body fluids.
36. **Biomass** – for the purposes of Art. 4, Use Regulations, plant material, vegetation, or agricultural waste used as a fuel or energy source. [Ord. 2008-037]
37. **Blank Copy** – any paraphernalia including pennants, streamers, and banners that are intended solely to attract attention and which contain no letters or symbols.
38. **Block**
 - a. A parcel of land entirely surrounded by streets, railroad R-O-W, parks or other public space, or a combination thereof.
 - b. For the purposes of Art. 3, Overlays and Zoning Districts, an area of land entirely bounded by streets.
39. **Boarding House** – a dwelling, or part thereof, in which lodging is provided by the owner or operation to three or more boarders.

40. **Boat Trailer** – any non-powered car coupled to, and drawn by, a motorcar in front of it for the carrying of boats.
41. **Boatyard** – a facility intended to provide complete construction or repair services for marine crafts in addition to such dry storage as may be found complimentary to the primary use, but not including docking of pleasure craft for residential purposes.
42. **Boca Taxing District** – the Greater Boca Raton Beach and Park Taxing District, including the municipal limits of Boca Raton.
43. **Bottled Water** – for the purposes of Art. 15.B, PBC Environmental Control Rule II – Drinking Water Supply Systems, water that is sealed in a container or package and is offered for sale for human consumption or other uses.
44. **Bottled Water Plant** – for the purposes of Art. 15.B, PBC Environmental Control Rule II – Drinking Water Supply Systems, any place or establishment in which bottled water is prepared for sale.
45. **Boundary Plat** – see Plat, Boundary.
46. **Branch** – for the purposes of Art. 7, Landscaping, a secondary shoot or stem arising from one of the main axes (i.e., trunk or leader) of a tree.
47. **Breakaway Walls** – any type of walls, whether solid or lattice, and whether constructed of concrete, masonry, wood, metal, plastic, or other suitable Building material, that is not part of the structural support of the Building and is intended through its design and construction to collapse under specific later loading forces without causing damage to the elevated portion of the Building or the supporting foundation system. [Ord. 2017-026]
48. **Buffer Area** – for the purposes of Art. 14.D, Prohibited Invasive Non-Native Vegetation Removal Ordinance, an area outside the perimeter of a designated natural area drawn by geographical information system reference which determines what is to be protected from unwanted seed source, prohibited invasive non-native vegetation removed, incentives provided and canopy replaced.
49. **Buffer, Landscape** – see Landscape Buffer.
50. **Build-to-Line** – an alignment establishing a certain location for a building from either the R-O-W for a public street or the curb line along internal streets for a TMD, TND Neighborhood Center, WCRAO, IRO, or PRA project. [Ord. 2010-005] [Ord. 2010-022] [Ord. 2017-025]
51. **Buildable Area** – the portion of a lot remaining after the setbacks have been provided.
52. **Building**
 - a. Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind or nature. For purposes of this Code, tanks (including but not limited to water, gas, and other types of storage tanks) and water towers will not be considered buildings. [Ord. 2007-013]
 - b. For the purposes of Art. 18, Flood Damage Prevention, a Structure that encloses an area for any use and shall not include structures such as walls, playground equipment, or gas tanks. The terms Structure and Building are interchangeable in the National Flood Insurance Program. [Ord. 2004-013] [Ord. 2017-026]
53. **Building Construction** – the erection of a structure intended for human habitation in the case of residential land use, or occupancy or use of such in the case of non-residential land use.
54. **Building Coverage** – that portion of the area of a lot, expressed as a percentage, occupied by the square footage of the ground floor area of a building or structure.
55. **Building, Elevated** – a non-Basement Building that has its Lowest Floor elevated above ground level by fill, solid foundation perimeter walls, pilings, columns, posts or piers, shear walls, or breakaway walls. [Ord. 2004-013]
56. **Building Frontage** – the linear dimensions of a building which faces upon a public street, projected along the street property line. Where a building faces two or more streets, the frontage containing the principal street address shall be designated as the building frontage.
57. **Building Height** – the vertical distance measured in feet from finished grade to the highest point of the roof for flat roofs; to the deck line for mansard roofs; and, to the average height between eaves and the ridge for gable, hip, and gambrel roofs.
58. **Building Mezzanine** – a low-ceilinged story between two main stories of a building. A mezzanine shall be counted as one story if it covers more than one-third of the area of the floor below.

59. **Building Permit**
- a. An official document or certificate issued by the governmental authority having jurisdiction, authorizing the construction of any building. Building Permit includes a tie-down permit for a structure or building that does not require a Building Permit, such as a Mobile Home, in order to be occupied.
 - b. For the purposes of Art. 12, Traffic Performance Standards, a Development Order under F.S. § 163.3164, issued under the Standard Building Code by the Building Division of PZB in the Unincorporated Area or similar department in a Municipality authorizing the construction of a structure.
60. **Building Site** – a portion or parcel of land considered as a unit, devoted to a certain use or occupied by a building or group of buildings that are united by a common interest or use and customary accessory buildings and open spaces.
61. **Building Square Footage** – the gross constructed area of all buildings and structures covered by a solid or screened roof and totally or partially enclosed by walls or other material. Non-residential outdoor areas covered or uncovered which functionally extend the primary use, such as open seating and open retail are included, except that uses which generally completely occur outdoors, such as vehicle or monument sales, nurseries, gasoline sales, salvage yards, and outdoor storage, are not included. Non-residential canopies and screened enclosures, which functionally extend the primary use, are included. Decorative canopies or canopies designed to protect from weather are not included. For Art. 13, Impact Fees, purposes of residential development, the square footage is the conditioned area of the building as measured to the outside of the exterior wall. If the residential structure or addition has no conditioned area, square footage shall be the living area of the building as measured to the outside of the exterior wall.
62. **Building Story** – the Florida Building Code says for purposes of determining construction type (material requirements, etc.), that a basement is not counted as a story when the upper surface of the first floor above it complies with all of the following:
- a. Is less than seven feet above grade;
 - b. Is less than seven feet above finish ground level for more than 50 percent of the perimeter of a building; and,
 - c. Is less than 12 feet above finish ground level around the entire building perimeter.
63. **Building, Modular** – constructed in accordance with the PBC Building Code, composed of components substantially manufactured and assembled off site and shipped for final assembly on the building site on a permanent foundation.
64. **Building, Principal** – a building in which is conducted the primary use of the lot on which it is located.
65. **Buildout Period** – for the purposes of Art. 12, Traffic Performance Standards, the anticipated time between the issuance of the Site Specific Development Order and December 31 of the year of completion of a proposed Project as assumed in the Traffic Impact Study and approved by the County Engineer in accordance with the standards set forth in Art. 12.C.1.B.3, Projected Buildout Period. Completion of a Project shall mean the issuance of the final Certificates of Occupancy (COs) for buildings in a Project. [Ord. 2005-002] [Ord. 2007-013] [Ord. 2010-022]
66. **Bulkheads** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, structures of concrete, wood, or other permanent material affixed to the land adjacent to a water management tract or other water body for the purpose of establishing a vertical surface at the water's edge and stabilizing the land behind the bulkhead; provided, however, that water control structures and endwalls around outfalls and bridges shall not be considered bulkheads.
67. **Bus Bays (Turnouts or Pullouts)** – for the purposes of Art. 5.H, Mass Transit Standards, a specifically constructed area off the normal roadway section for bus loading and unloading. Typically, they are used in areas of high bus and rider volumes with adequate right-of-way where the roadway speed limit is 40 miles per hour or greater. Located outside of the sight triangle, crosswalk area, and adjacent to the sidewalk, they require a minimum 12-foot travel lane adjacent to the curbside lane measured parallel to the adjacent roadway with adequate provisions for appropriate curbside bus stop infrastructure. Minimum length is dependent on distance to the adjacent curb/shoulder. [Ord. 2008-003]
- a. Urban (Curb and Gutter): A minimum 240-foot length is required (80-foot entrance taper, 100-foot stopping area for two buses, 60-foot exit taper). Increase the stopping area by 50 feet for each additional bus expected to stop simultaneously. [Ord. 2008-003]
 - b. Rural (Shoulder): A minimum 190-foot length is required (80-foot entrance taper, 50-foot stopping area for one bus, 60-foot exit taper). Increase the stopping area by 50 feet for each additional bus expected to stop simultaneously. [Ord. 2008-003]

68. **Bus Bulb Outs (Nubs or Curb Extensions)** – for the purposes of Art. 5.H, Mass Transit Standards, a bus stop wherein the sidewalk is extended into the parking lane, thereby allowing the bus to pick up passengers without leaving the travel lane. Typically, they are used in areas of high pedestrian and vehicular activity with limited sidewalk space and where the roadway speed limit is less than 40 miles per hour. Located outside of the sight triangle, crosswalk area, and adjacent to the sidewalk, they require a minimum width of 30 feet measured parallel to the roadway. Adequate length measured perpendicular to the curb and transition to the curb are required. [Ord. 2008-003]
69. **Bus Rapid Transit (BRT)** – for the purposes of Art. 5.H, Mass Transit Standards, flexible, rubber-tired rapid transit mode integrating facilities, services, and infrastructure that collectively improves the speed, reliability, and identity of bus transit by combining stations, vehicles, services, running ways, and Intelligent Transportation System (ITS) elements into an integrated system. [Ord. 2008-003]
- a. **Stations:** Bus Stop Boarding and Alighting Areas widened to 50 feet typically spaced 2,000 to 7,000 feet apart enabling buses to operate at high speeds and located curbside or on the outside of bus-only roads or arterial median busways. [Ord. 2008-003]
 - b. **Vehicles:** Conventional standard and articulated diesel buses but may include innovative and distinctive designs for dedicated BRT vehicles. [Ord. 2008-003]
 - c. **Services:** Service patterns may include express, limited-stop, or all-stop operation in addition to feeder bus services at selected stations and extending beyond the limits of busways and bus lanes. [Ord. 2008-003]
 - d. **Running Ways:** Dedicated guideways and high-occupancy vehicle lanes that can include mixed traffic lanes, curb bus lanes contra-flow freeway bus lanes, separated rights-of-way (busways), and median busways on urban streets; reserved lanes on freeways; and, bus-only roads, tunnels, and bridges. [Ord. 2008-003]
 - e. **Intelligent Transportation System (ITS):** Automated Vehicle Locator (AVL) systems; passenger information systems; and, transit preferential systems at signalized intersections, controlled tunnel or bridge approaches, toll plazas, and freeway ramps. [Ord. 2008-003]
70. **Bus Stop Boarding and Alighting Area** – for the purposes of Art. 5.H, Mass Transit Standards, the Bus Stop Boarding and Alighting Area is the area at a bus stop consistent with the above bus stop standards with a minimum 30-foot length inside, parallel to, and along the property line; and a minimum ten-foot depth inside and perpendicular to the development site property line. It can be as much as 200 feet from any sight triangle. It must agree with applicable portions of the Palm Tran Design Manual as well as other ADA, FDOT, and PBC requirements. [Ord. 2008-003]
71. **Bus Stop Zone** – for the purposes of Art. 5.H, Mass Transit Standards, the length of roadway designated, marked, or signed as available for use by a bus loading or unloading passengers including ingress and egress from a bus stop. [Ord. 2008-003]
- C. **Terms defined herein or referenced Article shall have the following meanings:**
1. **Canopy** – a permanently roofed shelter whether fabric or hand constructed, projecting over a sidewalk, driveway, entry, window, or similar area, which shelter may be wholly supported by a building or may be wholly or partially supported by columns, poles, or braces extending from the ground, free of enclosed walls.
 2. **Canopy Tree** – see Tree, Canopy or Shade.
 3. **Capacity** – for the purposes of Art. 13, Impact Fees, the maximum number of vehicles for a given time period which a road can safely and efficiently carry, usually expressed in terms of vehicles per day.
 4. **Capital Drainage Facility** – the planning of, engineering for, acquisition of land for, or the construction of drainage facilities necessary to meet the LOS for Capital Drainage Facilities.
 5. **Capital Facilities** – for the purposes of Art. 13, Impact Fees, land, infrastructure, structures, and fixtures having a cost or value of at least 1,000 dollars; personal property and equipment having an aggregate cost or value of at least 1,000 dollars; hard-bound books and materials having a cost or value of at least 25 dollars, which must be of a non-consumable nature and be expected to be in service for at least one year.
 6. **Capital Facility Costs** – all costs directly associated with the acquisition, design, engineering, site preparation, construction, and placement of a capital facility. It excludes operation and maintenance costs, and the repair, replacement, or renovation of existing capital facilities where the capital facility improvement does not add capacity.
 7. **Capital Fire-Rescue Facilities** – for the purposes of Art. 13, Impact Fees, the planning of, engineering for, acquisition of land for, or the construction of fire-rescue facilities and the purchase of equipment necessary to meet the LOS for Capital Fire-Rescue Facilities.
 8. **Capital Improvement Element** – the Capital Improvement Element of the Plan.

9. **Capital Mass Transit Facilities** – the planning of, engineering for, acquisition of land for, or the construction of or purchase of mass transit facilities and equipment necessary to meet the LOS for Capital Mass Transit Facilities.
10. **Capital Potable Water Facilities** – the planning of, engineering for, acquisition of land for, or the construction of potable water facilities necessary to meet the LOS for Capital Potable Water Facilities.
11. **Capital Recreation and Park Facilities** – the planning of, engineering for, acquisition of land for, or the construction of buildings and park equipment necessary to meet the LOS for Urban Capital Park and Recreation Facilities and Rural Capital Park and Recreation Facilities.
12. **Capital Road Facilities** – the planning of, engineering for, acquisition of land for, or the construction of roads on the Major Road Network System necessary to meet the LOS for Capital Road Facilities.
13. **Capital Sanitary Sewer Facilities** – the planning of, engineering for, acquisition of land for, or the construction of sanitary sewer facilities necessary to meet the LOS for Capital Sanitary Sewer Facilities.
14. **Capital Solid Waste Facilities** – the planning of, engineering for, acquisition of land for, or the construction of solid waste facilities necessary to meet the LOS for Capital Solid Waste Facilities.
15. **Carport/Private Garage** – a roofed accessory structure or a portion of a main building providing space for the parking or storage of motor vehicles of the occupants of the main building.
16. **Catchment** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, a sub-area of a drainage basin which contributes stormwater runoff by overland flow to a common collection point.
17. **Certificate of Appropriateness** – for the purposes of Art. 9, Archaeological and Historic Preservation, a written document, issued under the terms and conditions of the Article, allowing specified alterations, demolition, construction, or other work to a designated historic site, or for a building or structure within a designated historic district.
18. **Certificate of Completion** – see Chapter 1 of the Florida Building Code with PBC Amendments.
19. **Certificate of Occupancy (CO)** – see Chapter 1 of the Florida Building Code with PBC Amendments.
20. **Certificate to Dig** – for the purposes of Art. 9, Archaeological and Historic Preservation, a written document, issued under terms and conditions of the Article and is necessary prior to:
 - a. Issuance of a Development Order for parcels identified on the Map of Known Archaeological Sites;
 - b. Removal of a suspension order on a site where artifacts or fossilized human remains or non-human vertebrate fossils are found during the development process; or,
 - c. Issuance of a Development Order for a Type 3 Excavation.
21. **Certification** – all applicable Code regulations and standards have been addressed.
22. **Champion Tree** – the largest tree of a species which has been designated by the Florida Department of Agriculture and Consumer Services.
23. **Chapel** – for the purposes of Art. 4, Use Regulations, means a use other than a Place of Worship, for religious fellowship, prayer, or worship as an accessory use to a non-religious institution or use, such as a College or University, Hospital, Prison, Funeral Home, Airport, and Cemetery. [Ord. 2017-007]
24. **Chipping and Mulching** – an establishment using equipment designed to cut tree limbs, brush, or wood construction debris into small pieces for use as mulch.
25. **Circumference** – for the purposes of Art. 14.C, Vegetation Preservation and Protection, a measurement of the circular distance around a tree trunk measured at a point four and one-half feet above the ground.
26. **Clean Vegetative Matter** – for the purposes of Art. 4.B, Use Classification, clean vegetative matter shall mean free of contamination with any excluded materials in feed stock. [Ord. 2008-037]
27. **Clean Wood** – for the purposes of Art. 4.B, Use Classification, clean wood shall mean untreated wood. [Ord. 2008-037]
28. **Climb Gradient** – for the purposes of Art. 16, Airport Regulations, an aircraft instrument departure procedure requiring adherence to minimum climb stops or grade expressed in feet per nautical mile.
29. **Closure Permit** – for the purposes of Art. 14.B, Wellfield Protection, that permit required by activities which must cease operation pursuant to the provisions of Art. 14.B.7, Wellfield Protection (Operating and Closure Permits).
30. **Clustered Lots** – residential parking lots grouped on a common street or parking tract where access is either a dead-end street, loop, or otherwise designed so as to preclude its extension for access to additional lots.
31. **Coastal A Zone** – for the purposes of Art. 18, Flood Damage Prevention, Special Flood Hazard Areas that have been delineated as subject to wave heights between one and one-half feet (457 millimeters) and three feet (914 millimeters). Such areas are landward of a V Zone and seaward of the Limit of Moderate Wave Action (LiMWA) shown on the Flood Insurance Rate Map (FIRM). [Ord. 2024-024]

32. **Coastal Construction** – the carrying out of any activity within jurisdictional boundaries specified in Art. 14.A, Sea Turtle Protection and Sand Preservation, to modify or improve site conditions including, but not limited to, building, clearing, filling, excavation, grading, removal or planting of vegetation, or the making of any material change in the size or use of any structure or the appearance of site conditions, or the placement of equipment or material upon such sites. [Ord. 2011-016]
33. **Coastal Construction Control Line** – for the purposes of Art. 18, Flood Damage Prevention, the line established by the State of Florida, pursuant to F.S. § 161.053, which defines that portion of the beach-dune system subject to severe fluctuations based on a 100-year storm surge, storm waves, or other predictable weather conditions. [Ord. 2017-026]
34. **Coastal High Hazard Area** – for the purposes of Art. 18, Flood Damage Prevention, a Special Flood Hazard Area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal High Hazard Areas are also referred to as “high hazard areas subject to high velocity wave action” or “V Zones” and are designated on a Flood Insurance Rate Map as Zone V1-V30, VE, or V. [Ord. 2017-026]
35. **Coastal Protection Zone** – an area of jurisdiction established by this section. This zone extends from the mean high-water line of the Atlantic Ocean to a line 25 feet landward of the crest of the dune or the State of Florida Coastal Construction Control Line, whichever is more landward.
36. **Code** – Code of Laws and Ordinances of PBC, including the Unified Land Development Code (ULDC).
37. **Code Inspector** – any authorized agent or employee of PBC whose duty is to assure Code compliance.
38. **Collocated Use** – development in a Standard Zoning District with two or more uses classified with the definition of a use listed in Art. 4, Use Regulations. [Ord. 2006-013]
39. **Collocation** – the placement of more than one service providers’ antenna on an existing Commercial Communication Tower or structure. The term “collocation” also includes the ground-mounted, structure-mounted, or roof-mounted installation of the accessory equipment and structures needed for the functioning of the wireless facility. [Ord. 2006-004]
40. **Colonnade** – a covered pedestrian structure over a sidewalk that is open to the street except for supporting columns. Awnings are not considered colonnades.
41. **Combined Transmission/Communication Structure** – any combination of communication tower and Electrical Transmission Line constructed within an Electrical Transmission Line street created pursuant to the “Transmission Line Siting Act” in F.S. § 403.52.
42. **Commercial Agricultural Development** – agriculture conducted for commercial purposes within the Agricultural Production Plan Category North of the L-8 Canal and East of the North Tieback Canal, the Agricultural Reserve (AGR) Plan Category, and those activities classified as special agriculture.
43. **Commercial Corridor** – for the purposes of the IRO, linear Arterial or Collector Streets located in the Urban/Suburban Tier that are predominantly lined with properties having a commercial FLU designation or zoning district. [Ord. 2010-005]
44. **Commercial Sewage Waste** – as defined by Chapter 62-6, F.A.C. [Ord. 2022-019]
45. **Commercial Vehicle** – means any Motor Vehicle principally used in commerce or trade. The term Commercial Vehicle does not apply to recreational vehicles that are not used in commerce or trade, and does not apply to Motor Vehicles that are not used in commerce or trade, and does not apply to Motor Vehicles that are registered and operated for personal use that are not used in commerce or trade. A Commercial Vehicle is categorized by gross vehicle weight rating (GVWR) as follows: [Ord. 2008-003] [Ord. 2024-004]
 - o Class 1 (< 6,000 lbs.) [Ord. 2024-004]
 - o Class 2 (6,001-10,000 lbs.) [Ord. 2024-004]
 - o Class 3 (10,001-14,000 lbs.) [Ord. 2024-004]
 - o Class 4 (14,001-16,000 lbs.) [Ord. 2024-004]
 - o Class 5 (16,001-19,500 lbs.) [Ord. 2024-004]
 - o Class 6 (19,501-26,000 lbs.) [Ord. 2024-004]
 - o Class 7 and up (26,001+ lbs.), including any vehicle meeting the definition of “commercial motor vehicle” per F.S. § 320.01 which is principally used in commerce or trade. [Ord. 2024-004]
46. **Communication Tower Users List** – an official list of Commercial Communication Tower service providers, maintained by the Development Review Officer, to assist new users to locate existing sites to encourage collocation, pursuant to Art. 4.B.9.E, Eligible Facilities Request for Modification. [Ord. 2009-040] [Ord. 2017-007]
47. **Community Development District** – refer to F.S. ch. 190 for applicability. [Ord. 2020-001]

48. **Community Residence** – Except as required by State law, a Community Residence is a residential living arrangement for five to ten unrelated individuals with disabilities living as a single functional family in a single dwelling unit who need the mutual support furnished by other residents of the dwelling unit as well as the support services, if any, provided by any staff of the Community Residence. Residents may be self-governing or supervised by a sponsoring entity or its staff, which provides habilitative or rehabilitative services related to the residents' disabilities. A Community Residence emulates a biological family to foster normalization of its residents and integrate them into the surrounding community. Its primary purpose is to provide shelter; foster and facilitate life skills; and, meet the physical, emotional, and social needs of the residents in a mutually supportive family-like environment. Medical treatment is incidental as in any home. Supportive inter-relationships between residents are an essential component. A Community Residence can be a Family Community Residence or Transitional Community Residence. [Ord. 2021-022]

A Community Residence shall be considered a residential use of property for purposes of the ULDC. The term does not include any other group living arrangement for unrelated individuals who are not disabled nor any Recovery Community, Congregate Living Facility, institutional or medical use, shelter, lodging or boarding house, extended-stay hotel, nursing home, vacation rental, or other use as defined in this Code. Upon termination, revocation, or suspension of its license or certification, a Community Residence must be closed within 60-calendar days, and the operator of the Community Residence must return residents to their families or relocate them to a safe and secure living environment. [Ord. 2021-022]

Community Residences include, but are not limited to those residences that comport with this definition that are licensed by the Florida Agency for Persons with Disabilities, the Florida Department of Elder Affairs, the Florida Agency for Health Care Administration, and the Florida Department of Children and Families, pursuant to F.S. ch. 419, Community Residential Homes; and Recovery Residences certified by the State's designated credentialing entity established under F.S. § 397.487, Substance Abuse Services. [Ord. 2021-022]

49. **Community Water System** – for the purposes of Art. 15.B, PBC Environmental Control Rule II – Drinking Water Supply Systems, a public water system which serves at least 15 service connections used by year-round residents or which serves at least 25 year-round residents.
50. **Community Well** – for the purposes of Art. 15.A, PBC Environmental Control Rule I – Onsite Sewage Programs (OSP), a water well that is a source of potable water and functions as part of a community water system. [Ord. 2022-019]
51. **Commuter Bus** – for the purposes of Art. 12, Traffic Performance Standards, Transit service connecting communities to employment centers. [Ord. 2006-036]
52. **Compatible/Compatibility** – land uses that are congruous, similar, and in harmony with one another because they do not create or foster undesirable health, safety, or aesthetic effects arising from direct association of dissimilar, contradictory, incongruous, or discordant activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise, vibration, smoke, hazardous odors, radiation, function, and other land use conditions. [Ord. 2023-023]
53. **Compatible Sites** – residential uses or pods adjacent to residential uses or pods; or adjacent to residential uses or pods with a density difference less than or equal to two units per acre.
54. **Complaining Land** – for the purposes of Art. 5, Supplementary Standards, that land which is included in a residential district receiving sound levels above those permitted by Art. 5.E, Performance Standards.
55. **Complement/Complementary** – for the purposes of Art. 4, Use Regulations and Art. 5, Supplementary Standards, having similar architectural composition, including design, which utilizes accepted site planning (e.g., building placement, orientation, and siting) and the elements of architectural composition within the context of the surrounding area. Similar adjacent land uses or square footage shall not necessarily constitute complementary architecture. [Ord. 2023-023]
56. **Complete Application**
- For the purposes of Art. 12, Traffic Performance Standards, an application filed with the Local Government which satisfied all application requirements of State law; and the relevant land development regulations, the general rules and policies adopted, and the customary general practices of the Local Government.
 - For the purposes of Art. 14, Environmental Standards, an application which includes all materials and documents which are necessary to support the application and which has been accepted as complete by ERM.

57. **Completely Enclosed** – a building separated on all sides from the adjacent open area, or from other buildings or other structures, by a permanent roof and by exterior walls or party walls, pierced only by windows or entrances or exit doors normally provided for the accommodation of persons, goods, or vehicles.
58. **Composting** – the process by which biological decomposition of organic solid waste is carried out under controlled conditions, and which stabilizes the organic fraction into a material which can easily and safely be stored, handled, and used in an environmentally acceptable manner. [Ord. 2013-021]
59. **Comprehensive Plan** – see Plan.
60. **Concurrency, Affidavit of Waiver** – a document evidencing the grant of an exception to the platting requirement or the required improvements installation requirement.
61. **Concurrency Certificate** – for the purposes of Art. 12, Traffic Performance Standards, in the Unincorporated Area, Concurrency Reservation, or Adequate Public Facilities Determination, as defined in Art. 2.F, Concurrency (Adequate Public Facility Standards), and this Chapter; or similar confirmation in a Municipality.
62. **Concurrency, 80 Percent Built Out** – 80 percent built out means the evaluation of the entire project.
63. **Concurrency Exemption Certificate** – a properly issued order of the Hearing Officer pursuant to the Code of Laws and Ordinances of PBC, Florida, as amended, by which a parcel or lot is exempt from the Concurrency Requirements of the Plan.
64. **Concurrency Exemption Determination**
- a. For the purposes of Art. 2, Application Processes and Procedures, a determination that the land in the Unincorporated Area is exempt from the concurrency standards of the Plan and this Code;
 - b. For the purposes of Art. 12, Traffic Performance Standards, a determination that the property in the Unincorporated Area is exempt from the Concurrency Requirements of the Plan pursuant to Ordinance No. 89-35, as amended.
65. **Concurrency Exemption (Exemption)** – an order approved by the Zoning Director that the development is exempt from the concurrency standards of the Plan pursuant to meeting the requirements of Art. 2.E, Monitoring of Development Orders (DOs) and Conditions of Approval.
66. **Concurrency Exemption Extension** – an order issued by the Zoning Director extending a Concurrency Exemption for a two-year period.
67. **Concurrency, Equivalency Determination** – a determination approved by the Zoning Director that the proposed development or uses would require equal or lesser public facility capacity than the valid Concurrency Reservation or existing use(s) require(s). Approval of an equivalency determination results in either (1) amending an existing reservation or exemption; or (2) the issuance of a new reservation.
68. **Concurrency, Level of Service (LOS)** – an indicator of the extent or degree of service provided by, or proposed to be provided by a public facility or service based on and related to the operational characteristics of the public facility or service.
69. **Concurrency, Public Facilities** – capital facilities including, but not limited to, roads, parks and recreation, fire-rescue, library, law enforcement, and public buildings. [Ord. 2018-002]
70. **Concurrency, Public Facilities Agreement** – an agreement entered into by PBC or a Service Provider and a developer or landowner for the purpose of ensuring public facility capacity is reserved for a proposed development.
71. **Concurrency Requirements of the Plan** – the provisions in the Plan and the implementing land development regulations requiring that public facilities for traffic circulation, mass transit, sanitary sewer, potable water, recreation/open space, fire-rescue, solid waste, and drainage are available at the minimum LOS concurrent with the impact of the development; and as to the applicability of expanded or more stringent traffic performance standards pursuant to State of Florida mandates under F.S. ch. 163 such requirements as set forth in the future Traffic Performance Standards Ordinance(s). [Ord. 2019-005]
72. **Concurrency Reservation** – a certificate approved by the Zoning Director with or without conditions, which may be considered in conjunction with a Development Agreement, public facilities agreement, or other binding agreement and pursuant to the terms of Art. 2.F.1, General. Adequate Public Facility Standards, that constitutes proof of adequate public facilities to serve the proposed development.
73. **Concurrency, Service Provider** – any agency that is responsible for the provision of public facilities to development in PBC.
74. **Condition of Approval** – imposed as part of, or associated with, the issuance of a Development Order. [Ord. 2010-022]

75. **Conditional Use** – those uses that are generally compatible with the other uses permitted in a district, but that require individual review of their location, design, configuration, intensity and density of use, structures, and may require the imposition of conditions pertinent thereto in order to ensure the appropriateness of the use at a particular location.
76. **Cone of Depression** – for the purposes of Art. 14.B, Wellfield Protection, an area of reduced water levels which results from the withdrawal of groundwater from a point of collective source such as a well, wellfield, dewatering site, or quarry. The aerial extent and depth of the depression is a function of the hydraulic properties of the aquifer, the pumping rates, and recharge rates. [Ord. 2006-036]
77. **Confluent Growth** – for the purposes of Art. 15.B, PBC Environmental Control Rule II – Drinking Water Supply Systems, a continuous bacterial growth covering the entire filtration area of a membrane filter used for coliform detection, or a portion thereof, in which bacterial colonies are not discrete.
78. **Conforming** – complies with the current regulations.
79. **Congregate Living Personal Services** – direct physical assistance with or supervision of essential activities of daily living such as eating, bathing, grooming, dressing, and ambulating; supervision of self-administered medication; and, such other similar services as may be defined by the applicable State of Florida regulatory agencies and Assisted Care Communities as described in F.S. § 429.02(12), (14), and (18). [Ord. 2021-022]
80. **Conical Zone** – for the purposes of Art. 16, Airport Regulations, the area extending outward from the periphery of the Horizontal Zone for a distance of 4,000 feet.
81. **Consecutive Water System** – a water supply system which serves at least 15 service connections used by year-round residents or which serves at least 25 year-round residents which receives its water from a community water system. [Ord. 2005-003] [Ord. 2006-004]
82. **Consistency** – determined to satisfy the specific requirement(s) of this Code or F.S. § 163.3194.
83. **Constrained Facility** – for the purposes of Art. 12, Traffic Performance Standards, a Link which is widened (or assumed to be widened under Test 2) to its adopted width as determined by the BCC as part of the Thoroughfare R-O-W Identification Map.
84. **Construction** – the placement, assembly, erection, substantial repair, alteration, or demolition of a building or structure on land, the placement of concrete, asphalt, or similar materials on land, or grading or earthwork of land.
85. **Construction and Demolition Debris** – for the purposes of Art. 4.B.5.C.12, Recycling Plant, Construction and Demolition Debris means discarded solid materials that are not water soluble and not hazardous, including, but not limited to: steel, glass, brick, concrete, asphalt roofing material, pipe, gypsum wallboard, or lumber. It also includes rocks and soils from construction, renovation, or demolition of a structure or a site; and trees or vegetative material from land clearing. [Ord. 2017-007]
86. **Construction Equipment** – a mechanical implement principally used in construction activity. Such equipment shall include but is not limited to bobcats, front-end loaders, overhead cranes, graders, dump trucks, compactors, forklifts, steam rollers, earth movers, bulldozers, backhoes, concrete mixers, trenchers, cable/pipe layers, or any such equipment that is not a street-worthy vehicle.
87. **Construction Work**
- a. Any site preparation, assembly, erection, substantial repair, alteration, demolition, or similar action to buildings or land.
 - b. For the purposes of Art. 5, Supplementary Standards, the use of mechanical or manual equipment to build or improve a lot or structure such as but not limited to: shovels, saws, drills, or hammers that creates noise.
88. **Contaminant** – for the purposes of Art. 15.B, PBC Environmental Control Rule II – Drinking Water Supply Systems, any physical, chemical, biological, or radiological substance or matter in water.
89. **Continuing Care Facility** – a facility that provides a continuum of congregate living arrangements ranging from less restrictive to more restrictive. It may include one building or a complex of buildings that provides a range of continuum of living arrangements for unrelated individuals, and shall include a minimum of two different living arrangements: independent living, assisted living, congregate living, memory care, nursing care, or hospice care. [Ord. 2021-022]
90. **Contiguous**
- a. Lots that share a common border, or lands separated only by streets, easements, pipelines, power lines, conduits, R-O-W under ownership of the landowner of one of the subject parcels, a POA or a governmental agency, or a public utility. [Ord. 2006-004]
 - 1) For density purposes, lots that touch point to point, or lots which are separated by waterways, streets, or major easements are not considered contiguous. [Ord. 2006-004]
 - 2) For the purpose of AGR preservation parcels, the following shall not be considered contiguous: lots that touch point to point or are separated by Collector or Arterial Streets. [Ord. 2006-004]

91. **Contributing Resource** – for the purposes of Art. 9, Archaeological and Historic Preservation, building, site, structure, or object adding to the historic significance of a property or district.
92. **Control Device** – the element of a discharge structure which allows release of water under controlled conditions.
93. **Control Elevation** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, the lowest elevation at which water can be released through a control device.
94. **Corner Clip** – an area at each side of a street intersection, or driveway connection to a street, which is subject to restrictions on the construction, installation, placement, or maintenance of visual obstructions. The location and dimensions of said area, whether located within or adjacent to the legally established street boundaries, shall be as shown in Figure 3.D.1.D, Corner Clip Setback.
95. **Corner Store** – a small store located in a multi-story mixed-use building devoted to the retail sale of a limited line of food and household items with a corner entrance.
96. **County** – Palm Beach County, Florida. Also referred to as PBC in this Code.
97. **County Archaeologist** – for the purposes of Art. 9, Archaeological and Historic Preservation, Staff member of or contracted to PZB who shall be a qualified archaeologist.
98. **County Standards** – the minimum standards, specifications, and details for design and construction of streets and other infrastructure improvements, as promulgated by the County Engineer pursuant to Resolution No. R-90-740 of the BCC as may be amended. Said standards include, but are not limited to those compiled in the most current edition of the Palm Beach County Land Development Design Standards Manual.
99. **Covenant** – a recordable instrument that runs with the land, binds the fee simple owner, heirs, successors, and assigns, and is recorded. It may include recorded Development Agreements or other agreements. Covenants may include PBC as a party or intended beneficiary, shall recite the benefit intended, and shall include any terms or conditions under which it may be released.
100. **Covered Walkway** – a pedestrian walkway that is covered by a roofed structure that may be wholly supported by a building or may be wholly or partially supported by columns, poles, or braces extending from the ground.
101. **CRALLS** – constrained roadway at a lower LOS—a Major Thoroughfare on which a lower LOS is set pursuant to Art. 12.G, Constrained Facilities, therein. [Ord. 2011-016]
102. **Credit** – for the purposes of Art. 13, Impact Fees, a reduction in the particular impact fee based on: (1) previous payments for which no benefit was received and future payments of the development toward the capital facilities for which the impact fee is assessed; (2) a reduction of impact due to: redevelopment of existing square footage; other assessments for the same capital facilities; in-kind contributions; or, in the case of Park Impact Fees, alternative municipal provision of like capital facilities, or proximity to the beach.
103. **Credit Factor** – for the purposes of Art. 12, Traffic Performance Standards, a multiplier used in calculating points available as a result of a Project's use of congestion mitigation strategies. [Ord. 2006-036]
104. **Crest of Dune** – for the purposes of Art. 14.A, Sea Turtle Protection and Sand Preservation, the highest point in elevation of the dune.
105. **Crime Prevention Through Environmental Design (CPTED)** – design philosophy which promotes proper design and effective use of the built environment with the goal of reducing the fear and incidence of crime, and improving quality of life.
106. **Critical Facility** – for the purposes of Art. 18, Flood Damage Prevention, a facility for which any Flooding would adversely affect essential public services. Critical Facilities include, but are not limited to, nursing homes, hospitals, police, fire, and emergency response installation, public utilities, or installations which produce, use, or store hazardous materials or hazardous waste. [Ord. 2004-013] [Ord. 2024-024]
107. **Critical Volumes** – for the purposes of Art. 12, Traffic Performance Standards, the sum of all movements in an intersection which conflict with one or more other movements as established pursuant to the Transportation Research Board, Special Report 209, Highway Capacity Manual (1985), "Planning Analysis," pages 9-21 and 9-22, as amended by the PBC Intersection Analysis by Critical Sum Method (see LOS D and E definitions).

108. **Cross-Connection** – for the purposes of Art. 15, Health Regulations, any physical arrangement whereby any drinking water supply is connected, directly or indirectly, with any other supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains or may contain contaminated water, sewage, or other waste or liquid of unknown or unsafe quality which may be capable of imparting contamination to the drinking water supply as the result of backflow. Bypass arrangements, jumper connections, removable sections, swivel or changeable devices, and other temporary or permanent devices through which or because of which backflow could occur are considered to be cross-connections.
109. **Crown** – for the purposes of Art. 7, Landscaping, the main point of branching or foliage of a tree or plant, or the upper portion of a plant or tree.
110. **Cul-de-Sac** – see Street, Cul-de-Sac.
111. **Cultural Resources** – for the purposes of Art. 9, Archaeological and Historic Preservation, are material culture remains including artifacts, pits, trash dumps, middens, architectural features, standing structures, remains of structures, and the physical alteration of the natural landscape such as ponds, roads, landscaping, canals, and fences. [Ord. 2008-037]
112. **Curb Side Mass Transit Factors** – for the purposes of Art. 5.H, Mass Transit Standards, Mass Transit Infrastructure located off the roadway that affects rider comfort, convenience, and safety. [Ord. 2008-003]

D. Terms defined herein or referenced Article shall have the following meanings:

1. **D Factor** – for the purposes of Art. 12, Traffic Performance Standards, the ratio of peak hour directional traffic to peak hour two-way traffic, as provided in the FDOT Quality/Level of Service Handbook. Example: peak hour two-way = 1,000, peak hour direction volume = 600, and D factor = 0.60.
2. **Damage** – loss in structural integrity due to an act of calamity. Also see Natural Disaster Damage. [Ord. 2010-005]
3. **Day-Night Average Sound Level (L_{dn})** – a 24-hour average noise level in weighted decibels, for a period from midnight to midnight, adding a ten-decibel penalty for each noise event during the hours between midnight and 7:00 a.m. and 10:00 p.m. and midnight.
4. **dBA** – the total sound level of all noise as measured with a sound level meter using A-Weighting network. The unit is decibel based on a reference sound pressure of 0.0002 microbars.
5. **Decibel** – a unit of sound pressure level abbreviated as dB.
6. **Decision Height** – for the purposes of Art. 16, Airport Regulations, the height at which a pilot must decide, during an Instrument Landing System (ILS) approach, to either continue the approach or to execute a missed approach.
7. **Defined Search Area** – the geographic area in which an antenna is proposed to be located to provide the carrier's designed service. [Ord. 2006-004]
8. **Demolition** – the act or process of wrecking, destroying, or removing any building or any exterior or structural part thereof.
9. **Density** – the ratio of the number of dwelling units per acre of land.
10. **Density Bonus** – an increase in the residential density above the maximum or PDD density permitted by the Plan for the applicable residential future land use category.
11. **Density, Entitlement** – granted by PBC which permits use of land until concurrency provisions can be satisfied as shown in Figure 2 of the FLUE of the Plan, as amended.
12. **Density, Maximum Level** – allowed by the Plan, as amended, with a Planned Development, as shown in the FLUE.
13. **Density, Minimum Level** – must be attained when land is developed pursuant to the 1989 Plan, as amended in the FLUE.
14. **Density, Standard** – allowed by the Plan, as amended, without a Planned Development as shown in FLUE Table 2.2.1-g.1.
15. **Department**
 - a. For the purposes of Art. 14, Environmental Standards, PBC Department of Environmental Resources Management or the PBC PZB Departments, or an entity of any municipality in PBC which has been assigned the responsibility of administering and enforcing this Code;
 - b. For the purposes of Art. 15, Health Regulations, PBC Health Department.
16. **Design Flood** – for the purposes of Art. 18, Flood Damage Prevention, the Flood associated with the greater of the following two areas: [Ord. 2017-026]
 - a. Area with a Floodplain subject to a one percent or greater chance of Flooding in any year; or [Ord. 2017-026]
 - b. Area designated as a Special Flood Hazard Area on the community's Flood hazard map, or otherwise legally designated. [Ord. 2017-026]

17. **Design Flood Elevation** – for the purposes of Art. 18, Flood Damage Prevention, the elevation of the Design Flood, including wave height, relative to the datum specified on the community's legally-designated Flood hazard map plus any freeboard specified by the community. In areas designated as Zone AO, the Design Flood Elevation shall be the elevation of the highest natural grade, prior to site Development at the Building's perimeter, plus the depth number (in feet) specified on the Flood hazard map. In areas designated as Zone AO, where the depth number is not specified on the map, the depth number shall be taken as being equal to two feet plus any freeboard specified by the community. [Ord. 2017-026]
18. **Design Professional** – an Architect, Landscape Architect, or Engineer licensed in the State of Florida with good standing.
19. **Designated Disposal Facility** – for the purposes of Art. 5.J, Best Management Practices for Livestock Waste Received from Off-Site Sources, a solid waste management facility operated, permitted, or designated by the Solid Waste Authority to receive solid waste generated within Palm Beach County, or such alternate facility as may be designated by the Solid Waste Authority in writing. [Ord. 2013-021]
20. **Designated Exterior** – for the purposes of Art. 9, Archaeological and Historic Preservation, all outside surfaces of any improvement, building, or structure as defined in the historic preservation survey and pursuant to Art. 9.B, Historic Preservation Procedures, or an exterior designated under Art. 9.B, Historic Preservation Procedures, as having significant value to the historic character of the building, district, or PBC.
21. **Designated Public Utility** – for the purposes of Art. 14.B, Wellfield Protection, that public utility which operates a well or wells for which the Zones of Influence include part or all of the property on which the non-residential activity is located.
22. **Designation** – for the purposes of Art. 9, Archaeological and Historic Preservation, the act of designating specific historic sites or districts pursuant to the provisions of this Code.
23. **Detention** – the collection and temporary storage of stormwater runoff for the purpose of treatment and/or discharge rate control with subsequent gradual release directly to surface waters. See also Dry Detention/Retention.
24. **Determination** – for the purposes of Art. 16, Airport Regulations, the term used by FAA to denote the outcome of an aeronautical study under F.A.R. (Part 77) (see Airport Hazard or No Hazard).
25. **Developed Area** – that portion of a site upon which any building structure, pavement, landscape material, stormwater facility, excavated lake, or other improvement has been or will be placed or on which a development activity occurs or has occurred.
26. **Developer** – any person, including a governmental agency, undertaking any development.
27. **Developer's Engineer** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, a single engineering firm or a Professional Engineer registered in the State of Florida, and engaged by the developer to coordinate the design and monitor the construction of the work required under Art. 11, Subdivision, Platting, and Required Improvements.
28. **Development**
 - a. The carrying out of any building activity or mining operation, the making of any material change in the use or appearance of land, or the dividing of land into two or more parcels;
 - b. For the purposes of Art. 9, Archaeological and Historic Preservation, archaeological preservation, the definition in F.S. § 380.04, as well as site preparation work consisting of excavation, earth moving, and the like. This definition shall not include the dividing of land into two or more parcels;
 - c. For the purposes of Art. 12, Traffic Performance Standards, as defined in F.S. § 380.04, except that it shall not include the following items listed therein the: (1) demolition of a structure except as an adjunct of construction; (2) clearing of land except as an adjunct of construction; and, (3) deposit of refuse, solid or liquid waste, or fill on a lot unless the Site Specific Development Order is specifically for such as the end use and not as an adjunct to the end use;
 - d. For the purposes of Art. 13, Impact Fees, as the context indicates, either the carrying on of construction or any physical alteration of a building or structure; the result of such activity; a legally divisible parcel of land developed under a common plan; or, the change in any use of a structure or land that increases the impact on capital facilities for which the particular impact fee is assessed. It includes the placement of a Mobile Home for dwelling purposes;
 - e. For the purposes of Art. 18, Flood Damage Prevention, any man-made change to improved or unimproved real estate, including, but not limited to, Buildings or other Structures, tanks, temporary Structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations, or any other land-disturbing activities. [Ord. 2017-026]

29. **Development Agreement** – a public facilities agreement or other binding agreement entered into between the Applicant and PBC or other Service Provider for the purpose of assuring compliance with the adopted LOS standards. The form of the agreement may include, but not be limited to a development agreement pursuant to F.S. § 163.3220.
30. **Development Order**
- Any order granting, granting with conditions, or denying an application for a Development Permit through procedures required by the Code which establishes the specific use or uses of land, sets the density, and involves an active and specific consideration by PBC of particular detailed development concept. A Development Order typically involves the submission and review of a plan, but may not necessarily involve such. It shall not include land use designations or amendments established by the Comprehensive Plan and Rezoning initiated by PZB pursuant to direction of the BCC. [Ord. 2010-022]
 - For the purposes of Art. 2.F, Concurrency (Adequate Public Facility Standards), any Concurrency Reservation that applies to lands that are owned by a unit of Local, State, or Federal Government and utilized for buildings or facilities that are owned by a government entity and support government services or delivery of public services. [Ord. 2007-013]
31. **Development Permit** – includes any Building Permits, Zoning Permits such as Rezoning, Conditional Uses, Development Order Amendments, DRO/Administrative Approvals, Special Permits, deviations, Waivers, Variances, subdivisions, or any other official action of PBC having the effect of permitting the development of land or the specific use of land. [Ord. 2010-022] [Ord. 2017-007]
32. **Development Plan, Preliminary** – a generalized depiction of use categories presented to the appropriate review body for Planned Development Districts, Previously Approved Planned Developments (Master Plans and Site Plans), and Class A Conditional Use and Class B Conditional Use approvals.
33. **Development of Regional Impact** – as defined in F.S. § 380.06.
34. **Deviation(s) Subject to BCC Approval** – an abatement of the requirements of Art. 5, Supplementary Standards, Art. 6, Parking, Loading, and Circulation, and Art. 7, Landscaping of the ULDC for development supporting Government Facilities within the PO Zoning District, subject to approval by the BCC. [Ord. 2007-013]
35. **Deviation(s) Subject to County Engineer Approval** – an abatement of the requirements of Art. 11, Subdivision, Platting, and Required Improvements of the ULDC for development supporting Government Facilities within the PO Zoning District, subject to approval by the County Engineer. [Ord. 2007-013]
36. **Dewatered Domestic Wastewater Residuals** – the solid, semisolid, or liquid residue removed during the treatment of wastewater which is more than 12 percent or greater dry solids by weight. Not included is the treated effluent or reclaimed water from a domestic Wastewater Treatment Plant.
37. **Diameter at Breast Height (DBH)** – the diameter of a tree trunk measured at a point four and one-half feet above the ground.
38. **Direct Illumination** – illuminated as a result of glowing element(s), lamp(s), globe(s), or reflector(s) of an artificial light source which is visible to an observer on the beach. [Ord. 2011-001]
39. **Disabled Person or Individual** – someone who qualifies as disabled or handicapped under the Fair Housing Amendments Act or Americans with Disabilities Act. [Ord. 2011-016] [Ord. 2021-022]
40. **Discharge Structure** – a structural device, constructed or fabricated from durable material such as concrete, metal, or decay-resistant timber, through which water is released to surface water from detention.
41. **Disposition, Off-Site** – the off-premises transportation of excavated material.
42. **Disposition, On-Site** – the on-premise use of extractive or excavated material.
43. **District** – any certain described zoning district of PBC to which these regulations apply and within which the zoning regulations are uniform.
44. **Disturbed Excavated Area** – the total area altered by excavation activities.
45. **Ditch** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, a swale that is three feet or greater in depth from the top of bank to the invert and with the capacity of temporarily containing or conveying stormwater runoff. [Ord. 2014-025]
46. **Dock, Private** – a structure built on or over the water which is designed or used to provide no more than ten boat slips, and anchorage for, and access to, one or more boats belonging to the Property Owner. Necessary services such as water, and other utilities are considered a part of a dock; which does not provide a fuel facility, however, no cooking, sleeping, or business activity shall be permitted.

47. **Domestic Sewage Waste** – as defined by F.S. § 381.0065(2). Domestic sewage is further categorized as:
- a. Blackwater by F.S. § 381.0065(2).
 - b. Graywater by F.S. § 381.0065(2).
 - c. Domestic Sewage Characteristics.
 - 1) Carbonaceous Biochemical Oxygen Demand, maximum 300 milligrams per liter.
 - 2) Total Suspended Solids, maximum 200 milligrams per liter.
 - 3) pH, six to eight; or within one pH unit of the water supply pH.
 - 4) Nitrogen (TKN) maximum 100 milligrams per liter.
48. **Domestic Sludge** – a solid waste resulting from sewage, seepage, or food service operations, or any other such waste having similar characteristics. Domestic sludge includes sludge resulting from the treatment of domestic wastewater.
49. **Domestic Wastewater** – wastewater derived principally from dwellings, business buildings, institutions, and the like; sanitary wastewater; sewage.
50. **Domesticated Livestock** – for the purposes of Art. 5, Supplementary Standards, shall include, but not be limited to, all animals of the equine (excluding horses), bovine (cattle), porcine (swine), caprine (goats), ovine (sheep), and camelid (llamas, alpacas) families as well as poultry (chickens and ducks). For the purposes of Art. 5.J, Best Management Practices for Livestock Waste Received from Off-Site Sources, livestock shall include all domesticated livestock and horses. [Ord. 2012-027] [Ord. 2013-021]
51. **Downtown Revitalization** – the physical and economic renewal of a central business district of a community as designated by the Local Government in its comprehensive plan, and including both downtown development and redevelopment.
52. **Drainage Basin** – a sub-area of a watershed which contributes stormwater runoff to a watercourse tributary to the main receiving water.
53. **Drainage Easement** – see Easement, Stormwater Management.
54. **Drainfield** – for the purposes of Art. 15, Health Regulations, as defined by Chapter 62-6, F.A.C. [Ord. 2022-019]
55. **Dripline** – an imaginary vertical line extending from the outermost circumference of the branches of a tree to the ground.
56. **Drive-Through** – any place of business which serves, sells, or otherwise makes available its services or products to patrons in automobiles for their off-premise use or consumption.
57. **Driveway, Shared** – a driveway that serves more than one dwelling unit.
58. **Drop Lens Fixture** – any luminaire that is not a full-cutoff luminaire. [Ord. 2005-041]
59. **Drought-Tolerant Tree** – see Tree, Drought-Tolerant.
60. **Dry Detention/Retention** – detention or retention of water in a storage facility which is designed, constructed, and operated to limit the duration of ponding within the facility so as to maintain a normally dry bottom between rainfall events.
61. **Dune** – a hill or ridge of windblown sand and marine deposits lying landward of, and adjacent to, the beach which is formed by natural or artificial processes.
62. **Dune Profile** – the cross-sectional configuration of the dune.
63. **Dwelling Unit** – a house, apartment, condominium unit, mobile home, group of rooms, or a single room intended for occupancy as a separate living quarter with direct access from the outside of the building or through a common hall and with complete kitchen facilities for the exclusive use of a family maintaining a household, including rental units contained in a multi-unit structure or complex which are licensed by the State Department of Business and Professional Regulation, Division of Hotels and Restaurants, as apartments, rental condominiums, and Retirement Housing. Specialized accessory living quarters, such as Accessory Quarters, Caretaker Quarters, quarters that make up a Congregate Living Facility, Groom's Quarters, Employee Housing, Farm Workers Quarters, or Migrant Labor Quarters shall not be considered “dwelling units” for the purpose of applying any restriction on density contained in the Plan or this Code unless otherwise stated in the Plan or the Code. [Ord. 2021-022] [Ord. 2023-023]

E. **Terms defined herein or referenced Article shall have the following meanings:**

1. **Easement** – any strip of land created by subdivision or granted by the owner, for public or private access utilities, drainage, sanitation, or other specified uses having limitations, the title to which shall remain in the name of the landowner, subject to the right of use designated in the reservation of the servitude.
2. **Easement Holder or Beneficiary** – the grantee or persons directly benefiting from the existence of the easement.
3. **Easement, Lake Maintenance** – created by plat dedication or other instrument of record, establishing access and use rights on or to the periphery of a water management tract for purposes of construction, maintenance, and repair of wet detention/retention facilities and appurtenant structures therein.
4. **Easement, Limited Access** – established adjacent to a street for the purpose of prohibiting vehicular access to the street from abutting property except at those locations specifically authorized by the BCC.
5. **Easement, Public** – granted to a governmental entity, public agency, a utility, or the public.
6. **Easement, Quasi-Public** – granted to a POA in which PBC or the public have some beneficial interest.
7. **Easement, Stormwater Management** – establishing rights to collect, drain, or convey surface water by way of natural or man-made facilities, including, but not limited to water bodies, watercourses, canals, ditches, swales, storm sewers, and overland flow. It also includes any fee interest of a governmental entity in land to collect, drain, or convey water.
8. **Easement, Utility** – established for the purpose of the installation, operation, repair, or maintenance of facilities and equipment used to provide utility services.
9. **Ecosystem** – an assemblage of living organisms (plants, animals, microorganisms, etc.) and non-living components (soil, water, air, etc.) that functions as a dynamic whole through which organized energy flows.
10. **Elderly Person** – as defined in the Plan.
11. **Electric Vehicle (EV) Charging Level** – the level of voltage of electrical output by an electric vehicle charging station (EVCS) at which the battery of an EV is recharged. The standardized levels are generally as follows: [Ord. 2023-012]
 - a. **AC Level 1** – 120 volts (1.4 to 1.9 kilowatts) of electrical output to an EV. [Ord. 2023-012]
 - b. **AC Level 2** – 240 volts (19.2 kilowatts or less) of electrical output to an EV. [Ord. 2023-012]
 - c. **DC Fast Level 3** – 480 volts (50 kilowatts or more) of electrical output to an EV. [Ord. 2023-012]
12. **Electric Vehicle Charging Station (EVCS)** – infrastructure that supplies electric energy for the charging of EVs. EVs shall include, but not be limited to: battery-powered electric vehicles, plug-in hybrid electric vehicles, and electric motorcycles. The service is provided to the public and the facility can be manned or unmanned. [Ord. 2018-018] [Ord. 2019-034] [Ord. 2023-012]
13. **Electrical Transmission Line Street** – the area necessary for construction and maintenance of a 230-kilovolt or greater Electrical Transmission Line, as provided in F.S. § 403.52.
14. **Elevated Building** – see Building, Elevated.
15. **Emergency** – an incident or natural disaster which results in immediate danger to the health, safety, welfare, or resources of the residents of PBC. [Ord. 2011-001]
16. **Emergency Hazardous Situation** – for the purposes of Art. 14.B, Wellfield Protection, occurs whenever there is an immediate and substantial danger to human health, safety, or welfare or to the environment. [Ord. 2011-001]
17. **Eminent Domain Proceeding** – for the purposes of this Article, a formal court-initiated civil action to acquire fee simple, easement, or R-O-W interest in land for governmental purposes, or a voluntary conveyance of such in lieu of formal court-initiated action.
18. **Encroachment** – for the purposes of Art. 18, Flood Damage Prevention, the advance or infringement of uses, plant growth, fill, excavation, Buildings, permanent Structures, or Development into a SFHA, which may impede or alter the flow capacity of floodwaters. [Ord. 2004-013]
19. **Encroachment, Vehicular** – for the purposes of Art. 7, Landscaping, any protrusion of a motor vehicle outside of the boundaries of a vehicular use area into a landscape or other area.
20. **Encumber** – to reserve or earmark funds for a specific expenditure or an identified development.
21. **Engineer** – a person registered to engage in the practice of engineering under F.S. § 471.001-471.037, and includes the terms “Professional Engineer” and “Registered Engineer.”

22. **Endangered, Threatened, Rare, and Species of Special Concern** – any species listed as endangered, threatened, rare, or of special concern by one or more of the following agencies:
 - a. U.S. Fish and Wildlife Service;
 - b. Florida Fish and Wildlife Conservation Commission; [Ord. 2013-021]
 - c. Florida Committee on Rare and Endangered Plants and Animals;
 - d. Florida Department of Agriculture and Consumer Services; or,
 - e. Treasure Coast Regional Planning Council.
23. **Enlargement or to Enlarge** – an addition to the floor area of an existing building, an increase in the size of any other structure, an addition of a use, or an increase in that portion of a tract of land occupied by an approved use.
24. **Entrance Area** – 66 feet (see IES definition). [Ord. 2005-041]
25. **Environmental Appeals Board (EAB)** – for the purposes of Art. 15, Health Regulations, is the five-member board appointed by the Environmental Control Board (ECB) to hear appeals under the Article. [Ord. 2006-004]
26. **Environmental Control Board (ECB)** – for the purposes of Art. 15, Health Regulations, is the board consisting of the seven members of the BCC, which adopts, reviews, and amends Ordinances and rules under Chapter 77-616, Special Acts, Laws of Florida, as amended.
27. **Environmental Control Hearing Board (ECHB)** – for the purposes of Art. 15, Health Regulations, is the five-member board appointed by the ECB, pursuant to Chapter 77-616, Special Acts, Laws of Florida, as amended, to conduct hearings on alleged violations of the Article.
28. **Environmental Control Officer (ECO)** – is the person appointed by the ECB under Chapter 77-616, Special Acts, Laws of Florida, as amended.
29. **Environmental Professional** – for the purposes of Art. 14.C, Vegetation Preservation and Protection, a person who has extensive knowledge of South Florida's native vegetation (i.e., has the ability to identify species of native vegetation, and evaluate the health and condition of native vegetation), and who holds one or more of the following professional credentials: Certified Arborist, certified by the International Society of Arboriculture; Certified Environmental Professional, certified by the Academy of Board Certified Environmental Professionals; Certified Ecologist, certified by the Ecological Society of America; Registered Consulting Arborist with the American Society of Consulting Arborists; Registered Landscape Architect. [Ord. 2021-023]
30. **Environmentally Sensitive Lands** – ecological sites (ecosites), other than wetlands, that are designated in the Inventory of Native Ecosystems in Palm Beach County and on its accompanying aerial photographs as "A" quality, representing high-quality native Florida upland ecosystems. These sites are indicated on the aerial photographs (received on May 30, 1989) that are on file at ERM and are incorporated herein by reference. Inventory of Native Ecosystems in Palm Beach County is a report and annotated aeriels produced during the study with this title, which was conducted by consultants under contract to PBC.
31. **Equestrian Use** – use of land for boarding, breeding, training, riding, showing, or raising horses, ponies, mules, or donkeys.
32. **Equestrian Waste** – for the purposes of Equestrian Waste Management Facility, waste composed of the excreta of horses and residual organic materials that have been used for bedding, sanitary, or feeding purposes for horses. [Ord. 2017-007]
33. **Equivalency Determination** – a determination approved by the Zoning Director that the proposed development or uses will require equal or lesser public facility capacity than the valid Concurrency Reservation or existing use(s) require(s). Approval of an Equivalency Determination results in either (1) amending an existing Reservation or Exemption; or (2) the issuance of a new Reservation.
34. **Establishment**
 - a. Single structure or a group of structures other than a Single Family residence on one or more parcels of land with common access, parking, drainage facilities, and/or water supply. It may also include the premise on which the business is located, including the interior of the business, or portion thereof, upon which activities or operations are being conducted for commercial gain. [Ord. 2005-041]
 - b. For the purposes of Art. 15, Health Regulations, single structure or a group of structures other than a Single Family residence on one or more parcels of land with common access, parking, drainage facilities, and/or water supply.
35. **Ethanol** – type of alcohol used as a biofuel alternative to gasoline, that is made from biomass. [Ord. 2008-037]

36. **Excavate or Excavation** – for the purposes of Art. 4.B.10, Excavation Uses, the extraction of minerals from the earth necessary to (1) construct a Single Family dwelling; or (2) support Bona Fide Agriculture production operations; or (3) to implement a final site development plan; or (4) any act wherein the earth is cut into, dug, quarried, uncovered, removed, displaced, or deliberately disturbed to create a temporary or permanent body of water, including the conditions resulting therefrom. Excavation excludes agricultural plowing, site grading, dry retention/detention, demucking, and canal dredging in preparation for construction. [Ord. 2017-007]
37. **Excavation** – for the purposes of Art. 14.A, Sea Turtle Protection and Sand Preservation, displacement of soil or sand by the processes not limited to digging, dredging, scooping, or hollowing out. [Ord. 2017-007]
38. **Exceptional Hardship** – for the purposes of Art. 18, Flood Damage Prevention (as applied to Variance criteria), a condition of a parcel of property which is unusual or exhibits peculiar physical characteristics. These characteristic(s) must be unique only to that property and not to be shared by adjacent parcels. These unique characteristics must pertain to the land itself, not to the Structure, its inhabitants, or the Property Owners. Mere economic or financial hardship alone is not “exceptional.” Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one’s neighbors cannot, as a rule, qualify as Exceptional Hardships. A hardship shall not necessarily exist even if the alternative is more expensive, or requires the Property Owner to build elsewhere or put the parcel to a different use than originally intended. [Ord. 2004-013]
39. **Excessive Noise** – noise that disturbs a reasonable person of normal sensitivity.
40. **Exfiltration System** – for the purposes of Art. 14, Environmental Standards, any gallery, perforated or “leaky” pipe, or similarly designed structure which is used to dispose of untreated stormwater by allowing the routed water to percolate by subsurface discharge directly or indirectly into the groundwater.
41. **Existing** – for the purposes of Art. 18, Flood Damage Prevention (as applied to Building, Development, or Structure), any man-made improvement on which the Start of Construction commenced before the enactment of the first Flood Damage Prevention Regulations adopted by the County, Ordinance No. 79-1, on January 31, 1979. [Ord. 2004-013] [Ord. 2024-024]
42. **Existing Residential Use** – any residential structure on a parcel of land or property possessing either residential designation by the FLUA of the Plan or a residential zoning designation consistent with the underlying FLU designation.
43. **Exotic Plant Species** – a plant species not indigenous to State of Florida including those plants listed as prohibited and invasive non-native plant species. A list of exotic plant species shall be maintained by ERM.
44. **Expansion** – the increase in the floor area of a structure, including covered attached decks and porches, outdoor seating, coolers, and interior mezzanines or the increase in the height of a structure. [Ord. 2024-024]
45. **Expenditure** – the irrevocable contractual obligation which requires the remittance of money by the Applicant for services, goods, facilities, or fixtures, for the project; the post remittance of money for such.
46. **Exterior** – for the purposes of Art. 9, Archaeological and Historic Preservation, the outside surfaces of a building.

F. **Terms defined herein or referenced Article shall have the following meanings:**

1. **Facility** – for the purposes of Art. 14, Environmental Standards, main structures, accessory structures, and activities which store, handle, use, or produce Regulated Substances. Where contiguous facilities exist and such facilities are separate in the nature of the businesses, they shall remain separate under Art. 14.B, Wellfield Protection.
2. **Family** – either a single person occupying a dwelling unit and maintaining a household, including not more than one boarder, roomer, or lodger as herein described; or two or more persons related by blood, marriage, or adoption occupying a dwelling, living together, and maintaining a common household, including not more than one such boarder, roomer, or lodger; or not more than four unrelated persons occupying a dwelling, living together, and maintaining a non-profit housekeeping unit as distinguished from a group occupying a boarding or lodging house, hotel, club, or similar dwelling for group use. A common household shall be deemed to exist if all members thereof have access to all parts of the dwelling.
3. **Farm Structure** – any building or structure used for agricultural purposes excluding those used for residences.
4. **F.A.R. (Part 77)** – for the purposes of Art. 16, Airport Regulations, Federal Aviation Regulation. The “Part numbers” identify specific subject areas. All F.A.R.s are contained in Title 14, CFR (Part 77 – Title: Objects Affecting Navigable Airspace).
5. **Federal Emergency Management Agency (FEMA)** – for the purposes of Art. 18, Flood Damage Prevention, the Federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program. [Ord. 2017-026]
6. **Feeder Transit Services** – for the purposes of Art. 12, Traffic Performance Standards, Transit service connecting communities and/or employment centers directly to rail stations or bus terminals. [Ord. 2006-036]
7. **Feed Stock** – for the purposes of Art. 4, Use Regulations, biomass consisting of: authorized wood material (clean wood recovered from construction and demolition wood debris, land clearing debris, and yard waste consisting of tree and shrub trimmings, grass clippings, palm fronds, trees, tree stumps, and other clean vegetative matter); agricultural residue (waste resulting from the production of sugar, rice, vegetable crops, or fruit). This definition specifically excludes hazardous substances and waste, biomedical waste, trash, garbage, sludge, or special waste. [Ord. 2008-037]
8. **Feepayer** – for the purposes of Art. 13, Impact Fees, the person paying the impact fee associated with a Building Permit or change in use, or the feepayer’s agent.
9. **Fence** – an artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.
10. **Fenestration** – windows, doors, and openings in a building façade or wall allowing light and views between interior and exterior. [Ord. 2010-022]
11. **Filling** – the placement of any material in, on, or over a jurisdictional wetland.
12. **Final Plan** – the most recent Site or Subdivision Plan approved by the DRO.
13. **Finished Floor Elevation** – the highest finished ground floor surface elevation to which no additional permanent finished material would be applied. [Ord. 2005-002]
14. **Fire-Rescue Facilities** – the planning, engineering for, preparation of acquisition documents for, acquisition of land for, or the construction of fire-rescue facilities and the purchase of equipment necessary to meet the LOS for fire-rescue facilities.
15. **Firewall** – a wall of incombustible construction which subdivides a building or separates buildings to restrict the spread of fire and which starts at the foundation and extends continuously through all stories to and above the roof, except where the roof is of fireproof or fire resistive construction and the wall is carried up tightly against the underside of the roof slab, pursuant to the PBC Building Code.
16. **First Directly Accessed Link** – for the purposes of Art. 12, Traffic Performance Standards, roadway(s) providing a main entrance to a Project. [Ord. 2006-036]
17. **Five-Year Analysis Period** – for the purposes of Art. 12, Traffic Performance Standards, the period of time between the submittal of a Traffic Impact Study and the end of the fifth year of the Florida Department of Transportation five-year Transportation Improvement Program in effect at the time of Traffic Impact Study submittal. [Ord. 2007-013]
18. **Fixed Mechanical Equipment** – mechanical equipment, such as an air-conditioning unit, water-cooling tower, swimming pool pump, irrigation pump, well water pump, fan, power generator, or other similar power source equipment, permanently affixed to land or structure, as distinguished from temporary, portable, non-fixed mechanical equipment.

19. **Fixture** – the assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens. [Ord. 2005-041]
20. **Flag** – a fabric or plastic sheet of square, rectangular, or triangular shape which is mounted on a pole, cable, or rope at one end.
21. **Flag, Official** – a flag which represents a political/public region or jurisdiction and is not used for advertising purposes.
22. **Flag Poles** – a pole used to display a fabric or plastic sheet of square, rectangular, or triangular shape.
23. **Flex Space** – a type of use that allows a flexible amount of retail, office, and industrial space in one structure located on parcels with an Industrial (IND), Economic Development Center (EDC), or Commercial High (CH) Future Land Use (FLU) designation, that are directly related to the principal use. [Ord. 2010-005]
24. **Flood or Flooding**
 - a. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; or the unusual and rapid accumulation or runoff of surface waters from any source. Terms associated with flooding include: frequent, flooding which occurs more than once every two years on the average; and ten-year flood elevation, which has a ten in 100 probability of being equaled or exceeded in any calendar year.
 - b. For the purposes of Art. 18, Flood Damage Prevention, a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; or the unusual and rapid accumulation or runoff of surface waters from any source. [Ord. 2004-013] [Ord. 2017-026]
25. **Flood Damage Prevention Board** – for the purposes of Art. 18, Flood Damage Prevention, a group of citizens appointed to the Construction Board of Adjustments and Appeals, who shall hear and decide Variance requests and Appeals made under the Article. [Ord. 2004-013]
26. **Flood Damage-Resistant Materials** – for the purposes of Art. 18, Flood Damage Prevention, any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Ord. 2017-026]
27. **Flood Hazard Area** – for the purposes of Art. 18, Flood Damage Prevention, the greatest of the following three areas: [Ord. 2017-026]
 - a. The area within a Floodplain subject to a one percent or greater chance of Flooding in any year. [Ord. 2017-026]
 - b. The area designated as a Flood Hazard Area on the community's Flood hazard map, or otherwise legally designated. [Ord. 2017-026]
 - c. The area developed into Building sites without a master-engineered stormwater management system or other approved drainage system. [Ord. 2017-026] [Ord. 2024-024]
28. **Flood Insurance Rate Map (FIRM)** – for the purposes of Art. 18, Flood Damage Prevention, the official map of the community on which the Federal Emergency Management Agency has delineated both Special Flood Hazard Areas and the risk premium zones applicable to the community. [Ord. 2004-013] [Ord. 2017-026] [Ord. 2024-024]
29. **Flood Insurance Study (FIS)** – for the purposes of Art. 18, Flood Damage Prevention, the official report provided by the Federal Emergency Management Agency that contains the Flood Insurance Rate Map, the Flood Boundary and Floodway Map (if applicable), the Water Surface Elevations of the Base Flood, and supporting technical data. [Ord. 2004-013] [Ord. 2017-026]
30. **Floodplain**
 - a. The land area adjacent to the normal limits of a watercourse or water body which is inundated during a flood event of specified magnitude or return period.
 - b. For the purposes of Art. 18, Flood Damage Prevention, any land area susceptible to Flooding, as defined in FIRM and any area without a Master Stormwater Drainage System. [Ord. 2004-013] [Ord. 2024-024]
31. **Floodplain Administrator** – for the purposes of Art. 18, Flood Damage Prevention, the County Building Official hereby appointed to administer and enforce these flood damage prevention regulations, including, but not limited to, all Variance and Appeal hearings before the Flood Damage Prevention Board or a designee of the Building Official's holding a Certified Floodplain Manager Designation. [Ord. 2004-013] [Ord. 2017-026]
32. **Floodplain Development Permit or Approval** – for the purposes of Art. 18, Flood Damage Prevention, an official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific Development activities that are located in Special Flood Hazard Areas and that are determined to be compliant with the Article. [Ord. 2017-026]

33. **Floodproofing** – any combination of structural or non-structural adjustments, changes, or actions that reduce or eliminate Flood damage to a structure, content, and attendant utilities and equipment. [Ord. 2017-026]
34. **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. [Ord. 2017-026]
35. **Floodway Encroachment Analysis** – for the purposes of Art. 18, Flood Damage Prevention, an engineering analysis of the impact that a proposed Encroachment into a Floodway is expected to have on the Floodway boundaries and Base Flood Elevations; the evaluation shall be prepared by a qualified Florida-licensed Engineer using standard engineering methods and models. [Ord. 2017-026]
36. **Floor** – the top surface of an enclosed area in a building (including basement), i.e. top of slab in concrete construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.
37. **Floor Area, Gross (GFA)** – horizontal square footage of all floors of a building measured from the exterior face of exterior walls or other type of enclosure, or from the centerline of a wall separating two buildings.
38. **Floor Area, Gross Leasable** – the GFA minus the floor area of: elevator shafts and stairways; public restrooms; public lobbies, common mall areas, atriums and courtyards provided solely for pedestrian access to the building from the exterior, and/or aesthetic enhancement or natural lighting purposes; and, permanently designated corridors.
39. **Floor Area Ratio (FAR)** – the ratio of the GFA of all structures on a lot to the lot area, excluding vertical core circulation areas for multi-story structures.
40. **Floor Area, Total Leasable** – see Floor Area, Gross Leasable.
41. **Floor, Ground** – a level of building, the floor of which is located not more than two feet below nor more than six feet above finished grade.
42. **Florida Building Code** – for the purposes of Art. 18, Flood Damage Prevention, the codes adopted by the Florida Building Commission, including, but not limited to: Accessibility Volume; Building Volume; Energy Conservation Volume; Residential Volume; Existing Building Volume; Mechanical Volume; Plumbing Volume; Fuel Gas Volume; and, the National Electrical Code. [Ord. 2017-026]
43. **Florida's Turnpike** – a.k.a. Ronald Reagan Turnpike.
44. **Focal Point** – non-commercial design element, either landscape, water feature, or accessory structure, intended to create a visual point of interest.
45. **Food Processing** – For the purposes of Art. 4.B.5.C.4, Equestrian Waste Management Facility, shall mean any facility or use involved in food processing, including but not limited to Agricultural Packing Plant, Sugar Mill or Refinery, or Manufacturing and Processing. [Ord. 2017-007]
46. **Food Service** – at least one full meal being provided to each resident, every day, in a central dining area.
47. **Foot-Candle** – for the purposes of Art. 5, Supplementary Standards, unit of light quantity or density when the foot is the unit of measure. One foot-candle (fc) equals one lumen per square foot of area. When metric units are used, lux is the unit of light quantity. One lux equals one lumen per square meter of area. One foot-candle equals ten and seventy-six hundredths lux. [Ord. 2005-041]
48. **Form-Based Code** – a method of regulating the physical form of the built environment to achieve a predictable urban form, public realm, and sense of place. [Ord. 2010-005]
49. **Fossil** – for the purposes of Art. 9, Archaeological and Historic Preservation, a remnant or trace of an organism of a past geological age.
50. **Frontage** – see Lot Frontage.
51. **Front Façade**
 - a. For the purposes of Art. 3, Overlays and Zoning Districts, the wall of a building parallel with and facing a frontage line.
 - b. For the purposes of Art. 5.C, Design Standards and Art. 7.C.3.B, Foundation Planting, the main pedestrian entrance of a building or structure shall be designated as the front façade. [Ord. 2018-002]
52. **Full-Cutoff Luminaire** – a luminaire light distribution where zero candela intensity occurs at an angle of 90 degrees above nadir, and at all greater angles from nadir. [Ord. 2005-041]
53. **Functionally-Dependent Use** – for the purposes of Art. 18, Flood Damage Prevention, a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities and port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities. [Ord. 2017-026]

54. **Functions** – the roles wetlands serve, including but not limited to flood storage, flood conveyance, groundwater recharge and discharge, erosion control, wave attenuation, water quality enhancement and protection, nutrient removal, food chain support, wildlife habitat, breeding and habitat grounds for fishery species, and recreational values.
55. **Future Land Use** – as defined in the Plan, FLU Map.

G. **Terms defined herein or referenced Article shall have the following meanings:**

1. **Gallery** – a covered promenade over a pedestrian walkway, contiguous to a street, plaza, or square that is open to the public, with no usable floor area above. [Ord. 2006-004]
2. **Gasoline Pump** – for the purposes of Art. 4.B, Use Classification, a mechanism that draws gasoline from underground storage tanks. A gasoline pump may have multiple dispensers and may be installed within a fueling island adjacent to queuing spaces. [Ord. 2010-005]
3. **Gathering** – the bringing together of a group of people for social, civic, or other casual, public assembly.
4. **Gazebo** – accessory building consisting of detached, freestanding open on all sides of the structure with a solid roof.
5. **Generic Substance List** – for the purposes of Art. 14, Environmental Standards, those general categories of substances set forth in Appendix 1, Generic Substance List attached thereto and incorporated therein.
6. **Glare** – a discomforting condition that occurs when the brightness of a light contrasts with a low brightness background and makes it difficult for the human eye to adjust. [Ord. 2005-041]
7. **Government Facilities** – lands that are owned by a unit of Local, State, or Federal Government, that support government services, customary government operations, or delivery of public services. [Ord. 2007-013]
8. **Grade, Finished** – see Florida Building Code, Building Section 202 for definition of Grade and all applicable PBC Amendments.
9. **Grain Milling or Processing** – facilities for processing and storing grain or other non-perishable crops. Typical uses include cotton gins and grain mills.
10. **Grass Parking** – for the purposes of Art. 6, Parking, Loading, and Circulation, on-site turf parking spaces on an improved subbase.
11. **Grave Good/Funerary Object** – for the purposes of Art. 9, Archaeological and Historic Preservation, any material culture object that is associated with a human burial. [Ord. 2008-037]
12. **Grease Trap** – for the purposes of Art. 15, Health Regulations, a watertight receptacle or reservoir receiving wastewater from a kitchen or other source containing grease.
13. **Greater Weight of Evidence** – the more persuasive and convincing force and effect of the entire evidence in the case. [Ord. 2021-022]
14. **Greenhouse** – an accessory structure consisting of a glass or hard plastic enclosure used to protect plants from insects, heat, cold, and exposure to the sun.
15. **Greenway** – see Introduction and Administration Element, Comprehensive Plan Definitions. [Ord. 2011-001]
16. **Groom's Quarters** – on-site living quarters for persons responsible for grooming and caring for horses boarded at a Stable. Occupancy shall be limited to on-site employees and members of the employees' family only.
17. **Gross Acreage** – see Gross Land Area.
18. **Gross Land Area** – the total area, including all public and private areas within the legal boundaries of a particular parcel of land or project.
19. **Gross Leasable Area (GLA)** – see Floor Area, Gross Leasable.
20. **Gross Trips** – for the purposes of Art. 12, Traffic Performance Standards, Project Trips plus internal trips.
21. **Gross Vehicle Weight Rating (GVWR)** – means the value specified by the manufacturer as the loaded weight of a single Motor Vehicle. This figure consists of the summation of the axle weight, the curb vehicle weight, and the weight of all accessories, passengers, and cargo. [Ord. 2024-004]
22. **Ground Cover** – for the purposes of Art. 7, Landscaping, plants, other than turf grass, normally reaching an average maximum height of not more than 24 inches at maturity.
23. **Ground Floor** – a level of building, the floor of which is located not more than two feet below nor more than six feet above finished grade.
24. **Ground-Level Barrier** – for the purposes of Art. 14, Environmental Standards, any natural or artificial structure rising above the ground which prevents beachfront lighting from shining directly onto the beach-dune system.

25. **Groundwater**

- a. Water beneath the surface of the ground within a zone of saturation where such water is at or above atmospheric pressure, whether within the voids between soil particles or within solution channels or fractures in rock.
- b. For the purposes of Art. 14.B, Wellfield Protection, water that fills all the unblocked voids of underlying material below the ground surface, which is the upper limit of saturation, or water which is held in the unsaturated zone by capillarity.
- c. For the purposes of Art. 15, Health Regulations, a source of water existing below the surface of the ground and not exposed to the atmosphere.

26. **Groundwater and Natural Resources Protection Board (GNRPB)** – for the purposes of Art. 14, Environmental Standards, that board designated by the BCC, to hear alleged violations of Art. 14.B, Wellfield Protection and other State and Local laws protecting the groundwater and natural resources of PBC. [Ord. 2011-001]

27. **Groves/Row Crops** – the cultivation of fruits and vegetables for Bona Fide Agriculture purposes.

28. **Grubbing** – removal of vegetation from land by digging, raking, dragging, or otherwise disturbing the roots of the vegetation and the soil in which roots are located.

29. **Guarantee** – sufficient funds over which PBC has control irrevocably committed by written instrument to secure complete performance of a contract for required improvements, condition of a Development Order, or Road Agreement.

H. **Terms defined herein or referenced Article shall have the following meanings:**

1. **Habitable Room** – a room occupied by one or more persons for living, eating, sleeping, or working purposes. It does not include toilets, laundries, serving and storage pantries, corridors, cellars, and spaces that are not used frequently or during extended periods.
2. **Handicap Space** – for the purposes of Art. 6, Parking, Loading, and Circulation, a parking space designed, marked, and reserved for exclusive use by persons registered as handicapped.
3. **Handicapped Person** – has the meaning given in F.S. § 760.22(7).
4. **Hardship** – for the purposes of Art. 18, Flood Damage Prevention, see Exceptional Hardship. [Ord. 2004-013]
5. **Hatchling** – for the purposes of Art. 14, Environmental Standards, any specimen of sea turtle, within or outside of a nest, which has recently hatched from an egg.
6. **Hatracking** – see Pruning, Hatracking.
7. **Hazard** – for the purposes of Art. 16, Airport Regulations, an advisory determination rendered by the FAA at the conclusion of an Aeronautical Study made under F.A.R. (Part 77) indicating the proposed structure is not a safe and/or efficient use of airspace.
8. **Health Hazard** – any condition, device, or practice in a water supply system or its operation, which creates or may create an imminent or substantial danger to the health and well-being of the water consumer.
9. **Health Threat** – for the purposes of Art. 15, Health Regulations, any condition, device, or practice in a water supply system or its operation which creates or may create an imminent or substantial danger to the health and well-being of the water consumer.
10. **Hedge** – for the purposes of Art. 7, Landscaping, a landscape barrier consisting of a continuous, dense planting of shrubs. A series of shrubs planted in a manner so as to form a continuous visual screen.
11. **Heliport or Vertiport** – for the purposes of Art. 16, Airport Regulations, an identifiable ground-level or elevated area which is validly licensed by the State of Florida for public use and is intended to be used for the take-off and landing of helicopters, tilt rotors, or any other vertical take-off and landing rotorcraft.
12. **High Probability Area/Zone/Section/Portion/Tract** – for the purposes of Art. 9, Archaeological and Historic Preservation, terms used to describe a geographical area in real space that has an increased potential of containing previously undocumented archaeological or historic resources. These areas have dissimilar landforms compared to the surrounding landscape (an example would be an increase in elevation), have or had diverse ecological environments (examples include tree islands, low hammocks, coastal hammocks, costal dunes, and strands), all are located within a reasonable proximity to a freshwater source, and a close proximity to any known archaeological sites. [Ord. 2008-037]
13. **Highway Capacity Manual (HCM)** – unless otherwise specified, the most recent edition of the Highway Capacity Manual as published by the Transportation Research Board. [Ord. 2010-022]

14. **Highest Adjacent Grade**
- a. **Natural** – the highest natural elevation of the ground surface, prior to start of any past or proposed construction or Development, immediately next to the proposed exterior walls or foundation of a Building. [Ord. 2017-026]
 - b. **Finished** – the highest elevation of the ground surface, next to the walls or foundation of a Structure. [Ord. 2017-026]
15. **Historic Building or Structure** – for the purposes of Art. 18, Flood Damage Prevention, any Building or Structure that is determined eligible for the exception to the Special Flood Hazard Area requirements of the Florida Building Code, Existing Building Chapter 12, Historic Buildings, being listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register or certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district or individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or individually listed on the Historic Palm Beach County Preservation Board's inventory of historic places. [Ord. 2004-013] [Ord. 2017-026]
16. **Historic District** – for the purposes of Art. 9, Archaeological and Historic Preservation, a geographically defined area with a significant concentration, linkage, or continuity of sites, improvements, or landscape features united by historic events or by plan or physical development, and which area has been designated as a historic district, pursuant to Art. 9.B, Historic Preservation Procedures. Any historic district may have within its area contributing and non-contributing buildings or other structures that contribute to the overall visual character of the district.
17. **Historic Resources** – for the purposes of Art. 9, Archaeological and Historic Preservation, all evidences of human occupations that date from historic (i.e., recorded history) periods. These resources include documentary data (i.e., written records, archival material, photographs, maps, etc.), sites, artifacts, buildings, structures, and all other cultural resources and relevant information pertaining to them. Historic resources are cultural resources and may be considered archaeological resources when archaeological work is involved in their identification.
18. **Historical Traffic Growth Table** – for the purposes of Art. 12, Traffic Performance Standards, a table prepared by the County Engineer showing the preceding three year's increase or decrease in Average Daily Traffic or two-way Peak Hour Traffic on various Links, based upon traffic counts and which provide the information to be used in projecting the Background Traffic.
19. **Home Instruction, Inside** – teaching which takes place inside the dwelling unit of the instructor. Typical instruction includes music lessons and academic tutoring.
20. **Home Instruction, Outside** – teaching which takes place outside the dwelling unit, on the property of the instructor. This type of instruction is limited to subject matter which necessitates outside instruction. Typical instruction includes tennis, swimming lessons, dog training, and equestrian lessons.
21. **Home(s)** – for the purposes of Art. 7, Landscaping, Single Family houses, Zero Lot Line houses, Townhouses, duplexes, Multifamily dwellings, or other structures intended or used for residential housing. [Ord. 2005-002]
22. **Horizontal Plane** – an imaginary line drawn across the bottom of a light fixture above which no light shall be emitted. [Ord. 2005-041]
23. **Horizontal Zone** – for the purposes of Art. 16, Airport Regulations, the area around each airport with an outer boundary constructed by swinging arcs of specified radii from the center of each end of the Primary Zone of each airport's runways and connecting adjacent area by lines tangent to those arcs. The radius of the arc specified for each end of a value will be the highest composite value determined for either end of the runway. When a 5,000-foot arc is encompassed by tangents connecting two adjacent 10,000-foot arcs, the 5,000-foot arc shall be disregarded on the construction of the perimeter of the Horizontal Zone.

I. **Terms defined herein or referenced Article shall have the following meanings:**

1. **Illuminance** – the quantity of light arriving at a surface divided by the area of the lighted surface, measured in foot-candles. Horizontal illuminance applies to a horizontal surface; vertical illuminance applies to a vertical surface. Average illuminance is the level of illuminance over an entire illuminated target area. Maximum illuminance is the highest level of illuminance on any point within the entire area; minimum illuminance is the lowest level of illuminance on any point within the target area. [Ord. 2005-041]
2. **Illuminance Levels** – for the purposes of Art. 5.E.4.E, Outdoor Lighting, all illuminance levels and foot-candles means the maintained illuminance levels utilizing lamp manufacturer mean lumen values. The average illuminance level applies to an entire illuminated target area. Unless otherwise noted, illuminance levels refer to horizontal illuminance levels. [Ord. 2005-041]
3. **Illumination** – for the purposes of Art. 14, Environmental Standards, light produced from any artificial light source directly or indirectly cast within the jurisdictional boundaries of Art. 14.A, Sea Turtle Protection and Sand Preservation and visible from the beach. [Ord. 2011-001]
4. **Impact Fee Manager** – the person responsible for the administration of PBC's impact fee program. [Ord. 2022-026]
5. **Improvement** – for the purposes of Art. 9, Archaeological and Historic Preservation, any building, structure, fence, gate, wall, walkway, parking facility, light fixture, bench, foundation, sign, work of art, earthworks, sidewalk, or other man-made objects constituting a physical change or betterment of real property, or any part thereof.
6. **Improved Parcel** – for the purposes of Art. 14, Environmental Standards, real property which has undergone an alteration from its natural state, initiated by the parcel owner or predecessor in interest, but not those alterations initiated on private property by a governmental agency. For the purposes of Art. 14.C, Vegetation Preservation and Protection alterations are at least the following: land clearing and relocation of native vegetation; excavation and mining; agriculture; installation or construction of paved or unpaved roads and paths, canals, and structures for human or agricultural use.
7. **Improvement Value** – for the purposes of this Article and Art. 5, Supplementary Standards, means the most recent value placed on a structure by the PBC Property Appraiser. [Ord. 2010-005] [Ord. 2013-001]
8. **Incinerator** – a permanent facility operated alone or in conjunction with a resource recovery facility or landfill for the purpose of burning biohazardous waste, solid waste, or trash to ash as regulated by the ERM under Ordinance No. 92-22 and Ordinance No. 92-23, as amended.
9. **Income, WHP** – the following household income ranges shall apply to the WHP. These income ranges are based on the Area Median Income (AMI) for Palm Beach County, as published annually by the U.S. Department of Housing and Urban Development. [Ord. 2006-055]
 - a. **Income, Low** – A household income between 60 and 80 percent of the County's median income. [Ord. 2006-055] [Ord. 2019-033]
 - b. **Income 1, Moderate** – A household income between 80 and 100 percent of the County's median income. [Ord. 2006-055] [Ord. 2019-033]
 - c. **Income 2, Moderate** – A household income between 100 and 120 percent of the County's median income. [Ord. 2006-055] [Ord. 2019-033]
 - d. **Income, Middle** – A household income between 120 and 140 percent of the County's median income. [Ord. 2006-055] [Ord. 2019-033]
10. **Incompatibility of Land Uses** – the undesirable health and safety effects arising from the proximity or direct association of contradictory, incongruous, or discordant land uses or activities, including aesthetics, noise, vibration, smoke, hazardous odors, radiation, and other land use and environmental conditions such as the intensity, character, impact, or amount of traffic.
11. **Incompatible Sites**
 - a. Residential uses or pods adjacent to non-residential uses or pods.
 - b. Residential uses or pods adjacent to residential uses or pods with a density difference greater than three units per acre.
12. **Inconsistent Use** – any and all construction not related to the purpose of the easement, and any and all landscaping other than turf grass (seed/sod).

13. **Incorporated Vegetation Plan** – for the purposes of Art. 14, Environmental Standards, a comprehensive document or Site Plan that provides parcel-specific information for native trees, excluding trees within native upland preserves or tree preservation areas, to be incorporated on the parcel. Documented trees are to be three inches or greater DBH, and palm trees with a minimum overall clear trunk height of eight feet. The Incorporated Vegetation Plan may be performed by a State of Florida-licensed Surveyor and Mapper, using contemporary surveying techniques, or other professional using Global Positioning System (GPS) equipment with sub-meter accuracy.
14. **Independent Calculation/Independent Analysis** – for the purposes of Art. 13, Impact Fees, the data, analysis, and report prepared by a fee payer for the purpose of establishing a different impact fee amount than the one set forth in the impact fee schedule.
15. **Indirect Illumination** – illuminated as a result of the glowing element(s), lamp(s), globe(s), or reflector(s) of an artificial light source which is not visible to an observer on the beach. [Ord. 2011-001]
16. **Industrial Equipment/Heavy Machinery** – farm tractors and implements, bulldozers, drag lines, cranes, derricks, heavy earth moving equipment normally used in farming, excavation, or heavy construction activities. For the purposes of this definition, all machinery that uses steel tracks for traction shall also be considered heavy machinery.
17. **Industrial, Hazardous, or Toxic Waste** – for the purposes of Art. 15, Health Regulations, as defined by Chapter 62-6, F.A.C. [Ord. 2022-019]
18. **Infill Project** – a development project located on a parcel located in a predominantly developed area and adjacent to existing residential, commercial, or civic land uses on at least two sides.
19. **Ingress** – entry to lot or structure.
20. **In-Kind Contribution** – for the purposes of Art. 13, Impact Fees, the conveyance, dedication, construction, placement, delivery, or remittance of land, buildings, improvements, fixtures, personal property, or money to PBC or the PBC School Board for capital facilities for which impact fees are levied in the Article.
21. **Inhabited Residential** – for the purposes of Art. 5, Supplementary Standards, regularly occupied by the complainant and occupied at the time of the complaint.
22. **Instrument Approach Procedure** – for the purposes of Art. 16, Airport Regulations, a specified, published set of operating procedures issued by the FAA and used by a pilot to land an aircraft at an airport without visual reference to the ground.
23. **Instrument Landing System (ILS)** – for the purposes of Art. 16, Airport Regulations, a landing approach system that establishes a course and a descent path to align aircraft with a runway for final approach.
24. **Integration** – for the purposes of Art. 3.B, Overlays and determining consistency the vertical integration provision of FLUE Policy 4.4-b of the Plan, functional or vertical integration shall mean the horizontal or vertical combination of residential and non-residential uses that forms a single project providing for pedestrian and built form connectivity between uses, parking areas, and public spaces. [Ord. 2006-004] [Ord. 2006-036] [Ord. 2009-040]
25. **Intensity** – the number of square feet per acre and specific land use for non-residential uses.
26. **Intensity, Entitlement** – for the purposes of Art. 2, Application Processes and Procedures, the amount of intensity granted by PBC if a parcel cannot satisfy concurrency as stated in the FLUE of the Plan, as amended.
27. **Interior Area** – for the purposes of Art. 7, Landscaping, the entire parcel to be developed exclusive of the required front, rear, or side perimeter landscape areas.
28. **Intermodal Transfer Center** – for the purposes of Art. 5.H, Mass Transit Standards, a station area adjacent to or within six to eight miles of Mass Transit serving two or more Palm Tran bus routes at a time with a covered waiting area providing any or all of the above Infrastructure/Facilities including commuter parking is considered an Intermodal Transfer Center/Terminal. [Ord. 2008-003]
29. **Internal Trips** – for the purposes of Art. 12, Traffic Performance Standards, trips from a proposed Project that do not exit the Project or enter the Major Thoroughfare system.
30. **Inundation** – the presence of water, in motion or standing, of sufficient depth to damage property due to the mere presence of water or the deposition of silt or which may be a nuisance, hazard, or health problem.
31. **Invasive Non-Native Plant Species** – any plant not indigenous to the State of Florida, which exhibits, or has the potential to exhibit, uncontrolled growth and invasion or alteration of the natural qualities of any native habitat. A list of invasive, non-native plant species shall be maintained by the ERM.

32. Irreparable or Irreversible Harm

- a. A substantial injury that is beyond the possibility of repair; the injury suffered cannot be undone; damage or destruction of a natural resource that is so substantial and permanent that it is beyond the possibility of being repaired or restored to its previous condition. A natural resource shall be deemed irreparably harmed when an activity taken or caused by a person or persons alters the natural resource to such a degree that it cannot reasonably be restored or returned to the condition existing immediately prior to such alteration. A non-renewable natural resource shall be deemed irreparably harmed when the resource has been permanently removed or consumed. There shall be a rebuttable presumption that a natural resource has been irreparably harmed when the nature or extent of the alteration makes it impossible to ascertain the pre-alteration condition of the natural resource. A natural resource shall not be deemed irreparably harmed when the alteration of the natural resource is authorized by County law. [Ord. 2006-036]
- b. For the purposes of Art. 7, Landscaping, irreparable or irreversible harm to existing vegetation shall include the improper pruning or hatracking that has caused significant damage to vegetation to an extent that precludes the regrowth of a natural canopy, or reduced the size of vegetation down to a stump. Repairable harm to existing vegetation shall include the improper pruning or hatracking that has caused damage to vegetation to an extent that can be corrected or repaired through standards of additional pruning and care. [Ord. 2020-001]

33. Irrigation System – a system of pipes or other conduits designed to transport and distribute water to plants.

J. Terms defined herein or referenced Article shall have the following meanings:

1. **Jersey Barrier** – a device installed around the base of towers, guy anchors, or supports to protect structural integrity from vehicular impact.
2. **Jurisdictional Boundaries** – the area between the mean high-water line of the Atlantic Ocean as well as the Jupiter, Lake Worth, South Lake Worth, and Boca Raton Inlets and a line 500 feet inland for structures greater than two stories tall or a line 300 feet inland for all other structures.

K. Terms defined herein or referenced Article shall have the following meanings:

1. **K Factor** – for the purposes of Art. 12, Traffic Performance Standards, the ratio of Peak Hour Traffic to Average Daily Traffic, as provided in the FDOT Quality/Level of Service Handbook. Example: ADT = 10,000, Peak Hour Traffic = 1,000, and K factor = 0.10.
2. **Kitchen** – that portion of a structure used or designed to be used for the preparation of food, and including or designed to include a stove with a 220-volt line, refrigerator, sink, and cupboards.

L. Terms defined herein or referenced Article shall have the following meanings:

1. **Laboratory** – for the purposes of Art. 14, Environmental Standards, a designated area or areas used for testing, research, experimentation, quality control, or prototype construction, but not used for repair or maintenance activities (excluding laboratory equipment), the manufacturing of products for sale, or pilot plant testing.
2. **Lake, Excavated** – a body of water, excluding canals of conveyance, greater than one acre in size or greater than six feet in depth from OWL and which will remain open for longer than 180 days. Multiple (more than one) bodies of water constructed on a parcel or parcels of property under common ownership or control shall be considered a lake when such water bodies have a combined surface area greater than one acre.
3. **Lake, Excavated—Existing** – body of water constructed, under construction, or to be constructed under permit of a jurisdictional agency prior to June 16, 1992.
4. **Lake, Finger** – that portion of a dead-end water body, which is less than 50 feet in width, and longer than one and one-half times its width, as measured from the point at which the dead-end water body is less than 50 feet wide.
5. **Lake Maintenance Easement** – see Easement, Lake Maintenance.
6. **Lake, Mined** – a lake created by the extraction of minerals from the earth for commercial purposes.
7. **Land** – the earth, water, and air, above, below, or on the surface, and includes any improvements or structures customarily regarded as land.
8. **Land Application** – for the purposes of Art. 14, Environmental Standards, the application or disposal of effluent or sludge on, above, or into the surface of the ground through spray irrigation, land spreading, or other methods.
9. **Land Development Permit** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, the Development Permit issued by PBC authorizing construction of required improvements for a subdivision.

10. **Land Development Regulations** – Ordinances enacted by PBC for the regulation of any aspect of development and includes any zoning, rezoning, subdivision, health, environmental, or sign regulations controlling the development of land.
11. **Landscape** – for the purposes of Art. 7, Landscaping, any combination of living plants (such as grass, ground cover, shrubs, vines, hedges, or trees) and non-living landscape material (such as rocks, pebbles, sand, mulch, walls, fences, or decorative paving materials).
12. **Landscape Architect** – a person licensed to practice landscape architecture under F.S. ch. 481, pt. II, Landscape Architecture and includes the term “Registered Landscape Architect.”
13. **Landscape Barrier** – for the purposes of Art. 7, Landscaping, a landscape design feature constructed within a landscape buffer that is intended to channel pedestrian movement and impede vehicular access and to provide an abrupt transition between otherwise incompatible uses. A landscape barrier may consist of living plants (such as a hedge), structures (such as a wall or fence), or changes in grade (such as a berm).
14. **Landscape Buffer** – a continuous area of land which is required by Art. 7, Landscaping, to be set aside along the perimeter of a lot or parcel in which existing native vegetation, relocated native vegetation, and landscaping is used to provide a transition between and to reduce the negative environmental, aesthetic, compatibility, and other impacts of one use upon another.
15. **Landscaping** – any combination of living plants (such as grass, ground cover, shrubs, vines, hedges, or trees) or non-living landscape material (such as rocks, pebbles, sand, mulch, walls, fences, or decorative paving materials). Landscaping may include the preservation and incorporation of existing trees, vegetation, or ecosystems into site development.
16. **Landscape Feature** – for the purposes of Art. 9, Archaeological and Historic Preservation, any improvement or vegetation including, but not limited to: outbuildings, walls, courtyards, fences, shrubbery, trees, sidewalks, planters, plantings, gates, street furniture, or exterior lighting.
17. **Landscape Hierarchy** – for the purposes of Art. 7, Landscaping, planting creating a ranking of plants from small to large.
18. **Landscape Plan** – a plan showing the location, quantity, and variety of plants to be installed on a non-residential, Multifamily, or residential planned development. This plan may also show the location of hardscape elements, buffers, or other landscape-related items.
19. **Large Scale Development** – any large single-tenant retail use, with or without accessory tenants, in a single building, occupying 65,000 gross square feet or more. [Ord. 2007-013]
20. **Legal Access** – see Access, Legal.
21. **Legal Positive Outfall** – the permanently established connection of a stormwater discharge conveyance facility serving a development site to a watercourse or water body under the control and jurisdiction of one or more public agencies, said connection being subject to all applicable agency permitting and approval requirements.
22. **Letter of Map Change (LOMC)** – for the purposes of Art. 18, Flood Damage Prevention, an official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include: [Ord. 2017-026]
 - a. **Letter of Map Revision (LOMR)** – for the purposes of Art. 18, Flood Damage Prevention, a revision based on technical data that may show changes to Flood zones, Flood elevations, Special Flood Hazard Area boundaries and Floodway delineations, and other planimetric features. [Ord. 2017-026]
 - b. **Letter of Map Amendment (LOMA)** – an amendment based on technical data showing that a property was incorrectly included in a designated Special Flood Hazard Area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a Special Flood Hazard Area. [Ord. 2017-026]
 - c. **Letter of Map Revision Based on Fill (LOMR-F)** – a determination that a structure or parcel of land has been elevated by fill above the Base Flood Elevation and is, therefore, no longer located within the Special Flood Hazard Area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community’s Floodplain management regulations. [Ord. 2017-026]
 - d. **Conditional Letter of Map Revision (CLOMR)** – for the purposes of Art. 18, Flood Damage Prevention, a formal review and comment as to whether a proposed Flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of Special Flood Hazard Areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM. [Ord. 2017-026]

23. **Level of Service (LOS)** – for the purposes of Art. 12, Traffic Performance Standards, the measure of the functional and operational characteristics of a roadway based upon traffic volume in relation to road capacity or the amount of vehicle delay or average speed. [Ord. 2018-002]
24. **Level of Service (LOS) D** – for the purposes of Art. 12, Traffic Performance Standards, as to Average Daily Traffic, Peak Hour Traffic two-way and Peak Direction on a Link, the numbers set forth in Table 12.B.2.C, LOS D Link Service Volumes; as to Peak Hour Traffic at an intersection, a Critical Volume of 1,400 or average delay of greater than 35 and less than or equal to 55 seconds based on the HCM 2000 operational analysis; as to speed thresholds, the numbers set forth in Table 12.B.2.C, LOS D Speed Thresholds. [Ord. 2005-002]
25. **Level of Service (LOS) E** – for the purposes of Art. 12, Traffic Performance Standards, as to Average Daily Traffic, Peak Hour Traffic two-way and Peak Direction on a Link, the numbers set forth in Table 12.B.2.C, LOS E Link Service Volumes; as to Peak Hour Traffic at an intersection, a Critical Volume of 1,500 or average delay of greater than 55 and less than or equal to 80 seconds based on the HCM 2000 operational analysis; as to speed thresholds, the numbers set forth in Table 12.B.2.C, LOS E Speed Thresholds.
26. **Level of Service (LOS) for Rural Service Area** – the LOS established for the areas identified as the Rural Service Area on the FLUA of the Plan.
27. **Level of Service (LOS) for Urban Service Area** – the LOS established for those areas identified as the Urban Service Area on the FLUA of the Plan.
28. **Library Services** – those services provided by the PBC Library Taxing District.
29. **Light Cutoff** – for the purposes of Art. 5, Supplementary Standards, a luminaire with elements such as shields, reflectors, or refractor panels which direct light and eliminate light spillover and glare.
30. **Light-Duty Truck** – for the purposes of Art. 18, Flood Damage Prevention, and as defined in 40 CFR § 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:
 - a. Designed primarily for purposes of transportation of property or is a derivation of such a vehicle; or [Ord. 2017-026]
 - b. Designed primarily for transportation of persons and has a capacity of more than 12 persons; or [Ord. 2017-026]
 - c. Available with special features enabling off-street or off-highway operation and use. [Ord. 2017-026]
31. **Light Fixture** – any device that holds, protects, and provides the optical system and power connections for a lamp or emits illumination. [Ord. 2006-036]
32. **Lighting, Animated** – for the purposes of Art. 5.E.4.E, Outdoor Lighting, flashing or moving lights that otherwise change at intervals more frequently than once every six seconds. [Ord. 2005-041]
33. **Light Loss Factor** – for the purposes of Art. 5.E.4.E, Outdoor Lighting, a percentage amount applied to the actual anticipated foot-candle levels of a fixture, which reduces the calculated light level output on the photometric plan to account for lower light level output from a fixture due to the age of the bulb, debris or dust on the fixture, and other factors that degrade the output capacity of the fixture. [Ord. 2005-041]
34. **Light Trespass** – the illumination of light produced by a luminaire, which is beyond the boundaries of the property on which the luminaire is located. [Ord. 2005-041]
35. **Limb** – see Branch.
36. **Limit of Moderate Wave Action (LiMWA)** – for the purposes of Art. 18, Flood Damage Prevention, line shown on FIRMs to indicate the inland limit of the one and one-half feet (457 millimeters) breaking wave height during the Base Flood. [Ord. 2024-024]
37. **Limitation Ratings** – for the purposes of Art. 15, Health Regulations, as defined by Chapter 62-6, F.A.C. [Ord. 2022-019]
38. **Limited Use Water Systems** – for the purposes of Art. 15, Health Regulations, a water system not covered or included in the State of Florida Safe Drinking Water Act, which is further defined as either:
 - a. Limited use commercial water system serves one or more non-residential establishments; or
 - b. Limited use community water system serves five or more residences or two or more rental residences.
39. **Limited Use Well** – for the purposes of Art. 15, Health Regulations, a water well that is a source of potable water and is part of a limited use water system.
40. **Line of Sight of Beach** – for the purposes of Art. 14, Environmental Standards, any position that is visible from any portion of the nesting beach at sand level and is not limited to a shore perpendicular direction.

41. **Link** – for the purposes of Art. 12, Traffic Performance Standards, the portion of a Major Thoroughfare between two Major Intersections.
42. **Lion Country Safari** – for the purposes of Art. 3.E.2.G, RR-PUD, shall mean the Lion Country Safari Overlay, as established by FLUE Objective 1.10 of the Plan. [Ord. 2011-016]
43. **Listed Species** – for the purposes of Art. 14, Environmental Standards, any animal or plant species listed as endangered, threatened, rare, or of special concern by one or more of the following agencies:
- U.S. Fish and Wildlife Service;
 - Florida Fish and Wildlife Conservation Commission;
 - Florida Committee on Rare and Endangered Plants and Animals;
 - Florida Department of Agriculture and Consumer Services; and,
 - Treasure Coast Regional Planning Council.
44. **Litter** – any garbage, rubbish, trash, refuse, can, bottle, box, container, paper, tobacco product, tire, appliance, mechanical equipment or part, building or construction material, tool, machinery, wood, motor vehicle or motor vehicle part, vessel, aircraft, farm machinery or equipment, sludge from a waste treatment facility or air pollution control facility, or substance in any form resulting from domestic, industrial, commercial, mining, or government operations.
45. **Littoral Zone** – that region of the shoreline beginning at the OHW and extending waterward to a maximum depth of minus three feet OHW.
46. **Live/Work** – a mixed use supporting one residential dwelling unit collocated with any non-residential use permitted pursuant to the applicable zoning district, where permitted by the Florida Building Code. [Ord. 2010-005]
47. **Livestock Waste** – for the purposes of Art. 5.J, Best Management Practices for Livestock Waste Received from Off-Site Sources, waste composed of excreta of animals and residual materials that have been used for bedding, sanitary, or feeding purposes for such animals. [Ord. 2013-021]
48. **Loading Area** – for the purposes of Art. 6, Parking, Loading, and Circulation, an area consisting of two or more loading spaces. [Ord. 2008-037]
49. **Loading Bay** – for the purposes of Art. 6, Parking, Loading, and Circulation, a portion of a structure where deliveries are loaded and unloaded. [Ord. 2008-037]
50. **Loading Dock** – for the purposes of Art. 6, Parking, Loading, and Circulation, a platform where trucks can be loaded or unloaded. [Ord. 2008-037]
51. **Loading Space** – for the purposes of Art. 6, Parking, Loading, and Circulation, the space within which vehicles are temporarily parked during loading and unloading operations.
52. **Local Bus** – for the purposes of Art. 12, Traffic Performance Standards, Transit service interconnecting communities with employment centers and/or other attractions. [Ord. 2006-036]
53. **Local Government** – PBC, or a municipality in PBC.
54. **Local Government Plan** – for the purposes of Art. 12, Traffic Performance Standards, the comprehensive plan of the Local Government adopted pursuant to F.S. ch. 163, pt. II.
55. **Local Planning Agency** – the local planning agency designated by the BCC to prepare the Comprehensive Plan pursuant to F.S. § 163.3161.
56. **Local Shuttle** – for the purposes of Art. 12, Traffic Performance Standards, Transit service connecting two Developments: (1) residential to interrelated services; or (2) residential to employment centers. [Ord. 2006-036]
57. **Lot**
- The smallest division of land identified as a single unit of ownership for conveyance and legal development purposes, and delineated by a closed boundary, which is either:
 - Depicted on a recorded plat;
 - Depicted on a survey, map, or drawing for which an affidavit or waiver or affidavit of exemption has been recorded; or,
 - Described on a recorded deed or agreement for deed.
 - The total area of abutting lands joined pursuant to a recorded Unity of Title shall be deemed a single lot for the purposes of this Code. As used herein, the term shall be synonymous with the terms “plot,” “parcel,” or “tract” when referring to lands within a closed boundary not further divided by one or more interior property lines.
 - For the purposes of Art. 15.A, PBC Environmental Control Rule I – Onsite Sewage Programs (OSP), as defined by F.S. § 381.0065(2). [Ord. 2022-019]
58. **Lot Area** – the total horizontal area included within lot lines.
59. **Lot, Corner** – either a lot bounded entirely by streets, or a lot which adjoins the point of intersection of two or more streets.

60. **Lot Depth** – the horizontal length of a straight line drawn from the midpoint of the front property line of a lot to the midpoint of the rear property line.
61. **Lot, Double-Frontage** – any lot having frontage on two non-intersecting streets.
62. **Lot Frontage**
 - a. That side of the property line abutting a legally accessible street. On a corner lot, the frontage may be designated by the owner, subject to the approval by the Zoning Division who will determine whether it is consistent with the orientation of the other lots and improvements on the same side of the accessible street. [Ord. 2006-004]
 - b. For the purposes of TDD, WCRAO, IRO, or PRA projects where a build-to-line is required, and vehicular access may be from the side or rear of the property, the property line used to meet the build-to-line requirements shall be the lot frontage. [Ord. 2006-004] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2017-025]
63. **Lot, Flag** – a lot not meeting the minimum frontage requirement and where access to a public street is established by a narrow private street or easement.
64. **Lot, Interior** – any lot neither a corner lot nor a through lot.
65. **Lot Line, Front** – the lot line adjacent to a street.
66. **Lot Line, Interior** – any lot line not adjacent to a street.
67. **Lot Line, Rear** – that lot line which is opposite, generally parallel to, and most distant from the front lot line.
68. **Lot Width** – the horizontal distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear property lines.
69. **Lots, Clustered** – residential parking lots grouped on a common street or parking tract where access is either a dead-end street, loop, or otherwise designed so as to preclude its extension for access to additional lots.
70. **Lowest Adjacent Roadway Crown (LARC)** – for the purposes of Art. 18, Flood Damage Prevention, the lowest elevation of any point in the crown of a street or road immediately next to the site of a new Structure. [Ord. 2004-013]
71. **Lowest Floor** – for the purposes of Art. 18, Flood Damage Prevention, the lowest floor of the lowest enclosed area (including Basement) of a Building. Any unfinished or Flood-resistant enclosure, used solely for parking of vehicles, Building access, or storage, in an area other than a Basement, is not considered a Building's Lowest Floor, provided that such enclosure is not built so as to render the Structure in Violation of the non-elevation design standards of the Florida Building Code or ASCE 24. [Ord. 2004-013] [Ord. 2017-026]
72. **Lumen** – a unit of luminous flux. One foot-candle is one lumen per square foot. [Ord. 2005-041]
73. **Luminaire** – a complete lighting system, which includes a fixture and any associated freestanding pole or other similar structure. [Ord. 2005-041]
74. **Luminaire Height** – the measurement from a paved or landscaped surface at ground level directly under the fixture to the top of the luminaire. [Ord. 2005-041]
- M. **Terms defined herein or referenced Article shall have the following meanings:**
 1. **Machinery, Heavy** – see Industrial Equipment/Heavy Machinery.
 2. **Maintenance** – repair or fix existing walls, fixtures, wiring, air conditioning, and plumbing necessary to permit structures to remain in a state of good repair without creating additional improvements. See Repair for additional allowed improvement. [Ord. 2010-005]
 3. **Major Intersection** – for the purposes of Art. 12, Traffic Performance Standards, the juncture of two or more Major Thoroughfares.
 4. **Major Road Network System** – all Arterial and major Collector Roads in PBC (excluding Local Roads and minor Collectors), and all roads on the Thoroughfare R-O-W Identification Map of the Plan. The distinction between major and minor Collectors shall be made by the County Engineer, based upon accepted traffic engineering principles. Consideration shall be given to such factors as traffic volumes, trip length continuity, and access.

5. **Major Thoroughfares** – for the purposes of Art. 12, Traffic Performance Standards, Major Thoroughfares are:
 - a. All streets as defined on the Thoroughfare R-O-W Identification Map, Map TE 14.1 of the Plan as it may be amended.
 - b. All existing, proposed, or approved roadways that function or would function as Major Thoroughfares as determined by the County Engineer based on consideration of the following criteria:
 - 1) Provides continuity of an existing roadway;
 - 2) Provides connectivity to other Links of the thoroughfare network;
 - 3) Carries or is projected to carry a volume of at least 1,310 two-way peak hour trips;
 - 4) Provides an opportunity for decreasing vehicle miles traveled;
 - 5) Provides an alternative to a parallel thoroughfare network roadway such that the demand on the parallel roadway is decreased.
 - c. All proposed and approved roads that would, if built, function as Arterials and major Collectors during the Buildout Period of the proposed Project as determined by the County Engineer in accordance with accepted traffic engineering principles.
 - d. As to restricting the issuance of Site Specific Development Orders, it shall not include roads, which are the responsibility of any Municipality pursuant to functional classification under F.S. ch. 335.
6. **Maneuvering Area** – for the purposes of Art. 6, Parking, Loading, and Circulation, an area of sufficient size to allow adequate turning motions for a vehicle to ingress/egress a loading area or loading bay. [Ord. 2008-037]
7. **Mangrove** – any specimen of the species *Avicennia germinans* (black mangrove), *Laguncularia racemosa* (white mangrove), *Rhizophora mangle* (red mangrove), or *Conocarpus erecta* (buttonwood).
8. **Mangrove Fringe** – those shoreline mangrove areas whose width does not exceed 30 feet as measured from the landward edge of the mangrove trunk most landward of MHW (or MHW itself in the absence of any landward tree), waterward along a line perpendicular to MHW, to the waterward edge of the mangrove trunk most waterward of MHW.
9. **Mangrove Stand** – an assemblage of mangrove trees that is mostly low trees noted for a copious development of interfacing adventitious roots above the ground and that contain one or more of the following species: black mangrove (*Avicennia germinans*); red mangrove (*Rhizophora mangle*); white mangrove (*Languncularia racemosa*); and, buttonwood (*Conocarpus erecta*).
10. **Manufactured Building**
 - a. A closed structure, building assembly, or system of subassemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service systems manufactured with or without other specified components, as a finished building or as part of a finished building, constructed in conformance with and certified pursuant to the requirements of F.S. ch. 553, as may be amended, which shall include, but not be limited to, Residential Manufactured Buildings (a.k.a. Modular Homes), commercial, institutional, storage, and industrial structures. This definition does not apply to Mobile Homes. [Ord. 2017-007]
 - b. For the purposes of Art. 3, Overlays and Zoning Districts and Art. 4, Use Regulations, a Residential Manufactured Building (a.k.a. Modular Home) may also be considered a Mobile Home, where required by F.S. § 553.382, Placement of Certain Housing. [Ord. 2012-027]
11. **Manufactured Home** – for the purposes of Art. 18, Flood Damage Prevention, a Single Family dwelling constructed entirely in a controlled factory environment built to HUD standards; defined in 24 CFR § 3280.2, Subpart A – Definitions as amended or replaced, as a Structure transportable in one or more sections, which in the traveling mode, is eight feet or more in width and 40 feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be a dwelling with or without a permanent foundation when connected to the required utilities which includes the plumbing, heating, air-conditioning, and electrical systems contained therein. “Mobile Home” is considered to be synonymous with Manufactured Home. The term includes, but is not limited to, Park Trailers, travel trailers, and commercial trailers placed on site for 180 consecutive days or longer and intended to be improvements to real property. Those Manufactured Buildings for residential, commercial, institutional, or other use, constructed under DBPR codes and standards for compliance with the Florida Building Code are excluded from this definition. [Ord. 2004-013] [Ord. 2017-026]

12. **Manufactured Home Park or Manufactured Home Subdivision** – a parcel (or contiguous parcels) of land divided into two or more Manufactured Home lots for rent or sale for which the construction of facilities for servicing the lot on which the Manufactured Home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, or the construction of streets) is completed on or after the effective date of this Code. See also Manufactured Building. [Ord. 2017-026]
13. **Map of Known Archaeological Sites** – for the purposes of Art. 9, Archaeological and Historic Preservation, a map adopted as part of the Article and updated as needed identifying known archaeological sites in the unincorporated areas of PBC.
14. **Marginal Access Street** – see Street, Marginal Access.
15. **Marina** – see Marine Facility.
16. **Market Value** – for the purposes of Art. 18, Flood Damage Prevention, the value of Buildings and Structures, excluding the land and other improvements on the parcel. Market Value is the Actual Cash Value (in-kind replacement cost depreciated for age, wear and tear, neglect, and quality of construction) determined by a qualified independent appraiser, or tax assessment value adjusted to approximate Market Value by a factor provided by the Palm Beach County Property. [Ord. 2004-013] [Ord. 2017-026] [Ord. 2024-024]
17. **Mass Transit Facilities** – the planning of, engineering for, preparation of acquisition documents for, acquisition of land for, or the construction of or purchase of mass transit facilities and equipment necessary to meet the LOS for mass transit facilities.
18. **Master Plan or Site Plan**
 - a. For the purposes of Art. 2, Application Processes and Procedures and Art. 3, Overlays and Zoning Districts, a Master Plan or a Site Plan means a graphic and informational representation of a specific design solution for a development phase or entirety, meeting the requirements and conditions of this Code. The Master Plan or a Site Plan shows an overall development concept including present property uses as well as proposed land development uses, and layout of design and infrastructure components. Various stages of refinement and government approval qualify the Master Plan or the Site Plan to be certified as the proposed Master Plan or Site Plan. [Ord. 2009-040]
 - b. For the purposes of Art. 11, Subdivision, Platting, and Required Improvements and Art. 12, Traffic Performance Standards, a Master Plan or Site Plan shows how parcels and uses in a mixed-use development will integrate with one another. The Master or Site Plan dictates access, mitigation strategies, the build-out timeframe, and shall be the controlling document for a mixed-use development. Approval of a Master Plan or Site Plan shall be binding upon the landowners subject to the Development Order, their successors and assigns, and shall constitute development regulations for the land. Development of the land shall be limited to the uses, intensities, access, configuration, mitigation strategies, and all other elements and conditions set forth in the Master Plan or Site Plan. Requirements for the submittal of a Preliminary Master or Site Plan and a Final Master or Site Plan to the Zoning Division are indicated in Art. 2, Application Processes and Procedures pursuant to the type of Zoning application being submitted. [Ord. 2006-036] [Ord. 2009-040] [Ord. 2014-025]
19. **Master Stormwater Drainage System** – for the purposes of Art. 18, Flood Damage Prevention, an engineered system, which may include culverts, retention areas, water control gates, control devices, earth grading, and/or minimum floor elevations in Development of Building sites, designed to ensure less than one percent annual chance of Flooding of the Building sites. [Ord. 2004-013] [Ord. 2024-024]
20. **Material Culture** – for the purposes of Art. 9, Archaeological and Historic Preservation, is any object that has been modified by a human being. [Ord. 2008-037]
21. **Material, Excess** – excavated material not required for backfill or grading of the premises as determined by a Final Site Plan.
22. **Material, Extractive or Excavated** – earth, sand, gravel, rock, shell rock, muck, or other mineral or organic substance, other than vegetation, which naturally occurs upon a lot.
23. **Maximum Contaminant Level** – for the purposes of Art. 15, Health Regulations, the maximum permissible level of a contaminant in water which is delivered to any user of a water supply system.
24. **Maximum Day** – for the purposes of Art. 15, Health Regulations, the highest day of water consumption within any 24-hour period from midnight to midnight excluding fire flow.
25. **Mean High Water** – for the purposes of Art. 15, Health Regulations, the average height of tidal high water over a 19-year period.
26. **Mean Sea Level** – the average height of the sea for all stages of the tide based on the NGVD. [Ord. 2017-026]

27. **Mechanical Equipment** – for the purposes of Art. 5, Supplementary Standards, equipment and accessories, that relate to water supply, drainage, heating, ventilating, electrical, air conditioning, and similar purposes. [Ord. 2008-037]
28. **Medical Marijuana Treatment Center** – an entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their professional caregivers, and is registered by the Florida Department of Health. [Ord. 2017-009]
29. **Membrane Bioreactor Systems** – facilities that treat raw sewage to tertiary levels for reuse water (irrigation quality water) or for discharge (ground or surface water recharge). These systems are enclosed within buildings and utilize hollow fiber or flat plate membranes and combine clarification, aeration, and filtration to produce consistent, high-quality effluent suitable for any discharge or reuse application. On-site storage tanks, distribution pumps, and electrical equipment may also be associated with these facilities. [Ord. 2007-013]
30. **Meteorological Tower** – a tower erected to measure atmospheric weather conditions. [Ord. 2011-016]
31. **Mezzanine** – see Building Mezzanine.
32. **Midden** – is a deposit of material culture refuse. Midden soils contain a high abundance of cultural resources and occasionally human remains. Midden soils tend to differ in color and composition from the surrounding soil matrix. [Ord. 2008-037]
33. **Military Installation** – a facility designed for use by a branch of the United States Armed Forces.
34. **Minimum Descent Altitude (MDA)** – for the purposes of Art. 16, Airport Regulations, the lowest altitude expressed in feet above mean sea level (AMSL), to which descent is authorized on final approach or during circling-to-land maneuvering in execution of a standard instrument approach procedure (SIAP) where electronic glide slope is not provided.
35. **Minimum Obstruction Clearance Altitude (MOCA)** – for the purposes of Art. 16, Airport Regulations, the lowest published altitude in effect between radio fixes on Federal VOR airways, off-airway routes, or route segments that meets obstruction clearance requirements for the entire route segment and assures acceptable navigational signal coverage only within 22 miles to a VOR.
36. **Minimum Vectoring Altitude (MVA)** – for the purposes of Art. 16, Airport Regulations, the lowest altitude AMSL at which aircraft operating under IFR conditions will be vectored by a radar controller, except when otherwise authorized for radar approaches, departures, or missed approaches.
37. **Mitigation** – for the purposes of Art. 9, Archaeological and Historic Preservation, a process designed to ameliorate adverse impact of an activity on a cultural resource by the systematic removal of the prehistoric, historic, or architectural data in order to acquire the fundamental information necessary for understanding the property within its proper historic context.
38. **Mixed Housing Projects** – for the purposes of Art. 5.G, Density Bonus Programs, projects that include both market rate and affordable units, and promote a balance of housing opportunities. [Ord. 2005-002]
39. **Mixed Use**
- a. The combination of residential and one or more non-residential uses that are functionally integrated. [Ord. 2006-004] [Ord. 2010-022]
 - b. For the purposes of Art. 13, Impact Fees, a group of different uses of land within a tract of land or a building for which applications for Development Permits are sought.
40. **Mixed-Use Strategy** – for the purposes of Art. 12, Traffic Performance Standards, the Development of a neighborhood, tract of land, building, or structure combining residential Development with a variety of complementary and integrated uses, such as, but not limited to, office, manufacturing, retail, public, and recreation, in a compact urban form. The purpose of a mixed-use Development strategy for the Okeechobee Boulevard corridor is to internalize as much site-generated traffic as possible so as to reduce impact on the external streets. However, not all mixed-use Developments will necessarily maximize internalization and limit the amount of additional external traffic impact. Studies (such as the ITE Trip Generation Handbook) which show interactions between various land use combinations should be used as a guide in determining the optimal mix and quantities of land uses for a particular site. [Ord. 2006-036]
41. **Mobile Home**
- a. **Structure** – a detached, transportable structure, manufactured upon a chassis or undercarriage as an integral part thereof, without independent motive power, designed for long-term occupancy and containing all conveniences and facilities, with plumbing and electrical connections provided for attachment to approved utility systems. [Ord. 2017-007]
 - b. **Dwelling** – the use of a residential lot or unit for one Mobile Home. [Ord. 2012-027] [Ord. 2017-007]

42. **Mobile Home Subdivision** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, a subdivision of land for the sale of lots intended for the placement of Mobile Homes and which meets the requirements of the Article.
43. **Module** – for the purposes of Art. 6, Parking, Loading, and Circulation, a portion of a parking facility containing a central drive aisle with parking spaces on each side of the aisle. [Ord. 2012-027]
44. **Motor Vehicle** – shall have the meaning ascribed by F.S. § 320.01. [Ord. 2024-004]
45. **Mound System** – for the purposes of Art. 15, Health Regulations, a drainfield system in which the distribution pipe is installed in fill material above natural grade.
46. **Mulch** – for the purposes of Art. 7, Landscaping, non-living organic material customarily used in landscape design to retard erosion and retain moisture.
47. **Multifamily Water System** – for the purposes of Art. 15, Health Regulations, a water system that provides potable water for three to four residences, one of which may be a rental residence.
48. **Multifamily Well** – for the purposes of Art. 15, Health Regulations, a water well that is a source of potable water and is part of a Multifamily water system.
49. **Municipal Engineer** – for the purposes of Art. 12, Traffic Performance Standards, a Professional Engineer practicing traffic engineering employed or retained by the Municipality.
50. **Municipal Official** – for the purposes of Art. 12, Traffic Performance Standards, the public official responsible for coordinating the application of the Article in the Municipality; it may be the Municipal Engineer.
51. **Mural** – an original production of art of any size, shape, color, material, medium, or combination thereof that is designed by an artist, directly affixed or applied to the exterior surface of a building or structure (mural surface), and that neither contains nor consists of any commercial message, including any logo, icon, trademark, or brand name. For the purposes of this definition, a commercial message is any message that advertises a business conducted, services rendered, or goods produced or sold. [Ord. 2013-021]

N. Terms defined herein or referenced Article shall have the following meanings:

1. **Nadir** – for the purposes of Art. 5.E.4.E, Outdoor Lighting, nadir shall mean the lowest point on its sphere when measuring a foot-candle. [Ord. 2008-037]
2. **National Geodetic Vertical Datum (NGVD)** – for the purposes of Art. 18, Flood Damage Prevention, as corrected in the year of 1929, is a vertical control used as a reference for establishing varying elevations within the Floodplain. This datum is referenced on prior FIRMs or by FEMA. [Ord. 2004-013] [Ord. 2017-026]
3. **National Register of Historic Places** – for the purposes of Art. 9, Archaeological and Historic Preservation, official Federal list of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, engineering, and culture.
4. **Native Tree(s) or Native Vegetation** – for the purposes of Art. 14, Environmental Standards, vegetation with a natural geographic distribution indigenous to the State of Florida and not introduced by humans.
5. **Native Upland Vegetation** – the plant component of a native State of Florida upland community (a characteristic assemblage of native plant and animal species which are interrelated and occupy predominantly upland terrain), which includes intact upland vegetation including, but are not limited to, Florida scrub, pine flatwoods, scrubby flatwoods, coastal dune and strand, hammocks (natural, tropical, mesic, and hydric), dry prairies, and drained cypress heads.
6. **Native Vegetation Community** – for the purposes of Art. 14, Environmental Standards, a characteristic assemblage of native vegetation including scrub, pine flatwoods, scrubby flatwoods, hammocks, dry prairies, wetlands, dunes, maritime forests, freshwater and saltwater marshes, swamps, and mangroves.
7. **Natural Area** – for the purposes of Art. 14, Environmental Standards, all public or private parcels as approved under Art. 14.D, Prohibited Invasive Non-Native Vegetation Removal Ordinance containing high-quality native ecosystems that are under or assigned to a public entity for management, maintenance, and operation; or private parcels for which the parcel owner applies to ERM for designation as a natural area, is operating under a management plan approved or accepted by ERM, and is legally described in an applicable deed restriction, plat, restricted covenant, conservation easement, or a separate instrument recorded pursuant to F.S. § 704.06.
8. **Natural Disaster** – natural disaster is the consequence or effect of a hazardous event, occurring when human activities and a natural phenomenon (a physical event, such as a hurricane, landslide, etc.) become enmeshed. The resulting fatalities, or property damages depend on the capacity of the population to support or resist the disaster. [Ord. 2006-036]

9. **Natural Disaster Damage** – loss in structural integrity due to an act of nature such as hurricane, tornado, wildfire, or flood. This does not include fire, termites, and other damages not related to those listed herein. [Ord. 2010-005]
10. **Naturalized Vegetation** – native plant species of an undetermined origin that are established on site. [Ord. 2021-023]
11. **Nautical Mile** – for the purposes of Art. 16, Airport Regulations, a unit of length used in air navigation, based on the length of one minute of arc of a great circle, and equivalent to U.S. unit equal to 1,852 meters, or 6,076 feet.
12. **Neighborhood** – a defined and compact geographic area consisting of residences which may include non-residential uses to serve the daily needs of the residents, such as shops, workplaces, recreational areas, and civic uses (schools, places of worship), that are accessible by interconnecting streets. [Ord. 2010-022]
13. **Neighborhood Center** – as defined in the Plan.
14. **Nest** – for the purposes of Art. 14, Environmental Standards, the area in which sea turtle eggs are naturally deposited or relocated beneath the sediments of the beach/dune system.
15. **Nesting Season** – for the purposes of Art. 14, Environmental Standards, the period from March 1 through October 31 of each year.
16. **Net Acreage** – for the purposes of Art. 12, Traffic Performance Standards, a measure of the net area of the site that is available for Development, excluding non-site related areas donated to and accepted by a governmental agency, by deed or easement, in perpetuity, for utility, drainage, roadway, and preservation purposes. [Ord. 2006-036]
17. **Net Trips** – for the purposes of Art. 12, Traffic Performance Standards, Project Trips minus Pass-By-Trips and the Previous-Approval Traffic or traffic from the Existing Use established in accordance with Art. 12.A.3.B, Credits Against Project Traffic.
18. **Net Usable Land** – for the purposes of Art. 15, Health Regulations, the total area of a parcel less all street, wet areas, canals, R-O-Ws, drainage easements, and other impairments to the owner's unrestricted use thereof as a building site. [Ord. 2017-026]
19. **New Capital Facilities** – for the purposes of Art. 13, Impact Fees, newly constructed, expanded, or added capital facilities which provide additional capacity. New capital facilities shall not include that portion of reconstruction or remodeling of existing facilities that does not create additional capacity.
20. **New Construction**
 - a. For the purposes of Art. 13, Impact Fees, structures for which the start of construction commenced on or after the effective date of this Code.
 - b. For the purposes of Art. 18, Flood Damage Prevention and the Flood-resistant construction requirements of the Florida Building Code, Structures for which the “Start of Construction” commenced on or after January 31, 1979, and includes any subsequent improvements to such Structures. [Ord. 2004-013] [Ord. 2017-026]
21. **New Manufactured Home Park or Manufactured Home Subdivision** – see Manufactured Home Park or Manufactured Home Subdivision. [Ord. 2024-024]
22. **No Hazard** – for the purposes of Art. 16, Airport Regulations, an advisory determination rendered by the FAA at the conclusion of an Aeronautical Study made under F.A.R. (Part 77) indicating the proposed structure may be safely and/or efficiently accommodated in navigable airspace.
23. **Noise Level Reduction** – for the purposes of Art. 16, Airport Regulations, a comparison of outdoor to indoor noise levels, expressed in dB, i.e. a structure requiring a 30 dB NLR is one to which modifications must be made to achieve a 30 dB reduction in interior noise levels as compared to exterior noise levels.
24. **Non-Combustible Refuse** – wastes that are unburnable at ordinary incinerator temperature (800 to 1,800 degrees Fahrenheit) such as metals, mineral matter, appliances, metal furniture, auto bodies or parts, and other similar material or refuse not usual to housekeeping or to operation of stores or offices.
25. **Non-Commencement** – the failure to begin, or the discontinuation of, construction activity that would make a material change in a structure as evidenced by the cancellation, lapsing, or revocation of a Building Permit; or the failure to begin, or the discontinuation of, any other land use activity that would make a material change in the use of land.
26. **Non-Community Water System** – for the purposes of Art. 15, Health Regulations, a public water system that is not a community water system. A non-community system is either a non-transient non-community water system or a transient non-community water system, which are further defined as:
27. **Non-Transient Non-Community Water System** – a non-community water system that regularly serves at least 25 of the same persons for more than six months per year.
28. **Non-Community Well** – for the purposes of Art. 15, Health Regulations, a water well that is a source of potable water and is part of a non-community water system.

29. **Non-Conforming Lot** – for the purposes of this Article, a single lot, tract, or parcel of land of record that was conforming at the time of its creation, but which fails to meet the requirements for area, width, or depth under the current district regulations of this Code or the Plan.
30. **Non-Conforming Structure** – for the purposes of this Article, a structure that was lawfully established before this Code was adopted or amended, and that does not conform to the property development regulations of area, height, lot coverage, yard setbacks, lot location, parking, or other dimensional requirements for the zoning district in which it is located.
31. **Non-Conforming Use** – a use that was lawfully established prior to the adopted Code or amendment that creates the non-conformity and now does not conform to the use regulations of the zoning district in which it is located.
32. **Non-Conforming Use, Major** – a major non-conforming use is a use that was legally established in a zoning district where the use is now prohibited under the terms of this Code. Major non-conforming uses are inappropriately located so as to create or threaten to create incompatibilities detrimental to the public welfare.
33. **Non-Conforming Use, Minor** – a minor non-conforming use is a use that was legally established in a zoning district under a prior Code and one or more of the following applies: the use has been changed to a more restrictive review or approval process under the terms of this Code; DOAs or improvements to the use would exceed the development and approval thresholds; or, the use does not meet the property development regulations of this Code. Minor non-conforming uses do not create or threaten to create incompatibilities injurious to the public welfare. [Ord. 2010-005] [Ord. 2015-006]
34. **Non-Conformities** – for the purposes of this Article, uses of land, structures, lots, site elements, and property development regulations and site development standards that were lawfully established before this Code was adopted or amended, that are not in conformity with the terms and requirements of this Code. [Ord. 2010-005]
35. **Non-Contributing Resource** – for the purposes of Art. 9, Archaeological and Historic Preservation, building, site, structure, or object that does not add to the historic significance of a property or district.
36. **Non-Native Vegetation** – for the purposes of Art. 14.C, Vegetation Preservation and Protection, a plant not indigenous to the State of Florida, including those listed as prohibited and invasive non-native vegetation in the Chapter.
37. **Non-Plan Collector Street** – see Street, Collector, Non-Plan.
38. **Non-Potable Water Well** – for the purposes of Art. 15, Health Regulations, as defined by Chapter 62-6, F.A.C. [Ord. 2022-019]
39. **Non-Precision Instrument Runway** – for the purposes of Art. 16, Airport Regulations, a runway having a non-precision instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type of navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned, and for which no precision instrument approach facilities are planned or indicated on an appropriate FAA civil or military service airport planning documents.
40. **Non-Residential** – for the purposes of Art. 2, Application Processes and Procedures. [Ord. 2017-026]
41. **Non-Residential Activity** – for the purposes of Art. 14, Environmental Standards, any activity which occurs in any building, structure, or open area which is not used primarily as a private residence or dwelling.
42. **Non-Transient Non-Community Water Supply** – for the purposes of Art. 15, Health Regulations, a water system for provision of piped water under pressure for human consumption, culinary, sanitary, or domestic purposes that regularly serves at least 25 of the same persons over six months per year but is not a community water system.
43. **North American Vertical Datum (NAVD)** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements and Art. 18, Flood Damage Prevention, the vertical control datum of orthometric height established for vertical control surveying in the United States of America based upon the General Adjustment of the North American Datum of 1988. [Ord. 2004-013] [Ord. 2010-022] [Ord. 2017-026]
44. **Nuisance** – for the purposes of Art. 5, Supplementary Standards, interference with the enjoyment and use of property.

O. **Terms defined herein or referenced Article shall have the following meanings:**

1. **“O” Horizon** – for the purposes of Art. 15, Health Regulations, the layer of organic matter on the surface of a mineral soil. This soil layer consists of decaying plant residues.
2. **Objectionable Odor** – an objectionable odor is defined as any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance, in accordance with Chapter 62-210, F.A.C. [Ord. 2006-004] [Ord. 2017-025]
3. **Obstruction to Air Navigation** – for the purposes of Art. 16, Airport Regulations, any existing or proposed man-made object or object of natural growth or terrain that exceeds the standards contained in the Article, and contained in 14 CFR § 77.21, § 77.23, § 77.25, § 77.28, and § 77.29.
4. **Off-Peak Season** – for the purposes of Art. 12, Traffic Performance Standards, the time from June 1 through August 15, inclusive.
5. **Off-Site Improvements** – improvements constructed outside of the boundaries of the project which are required as a part of a development approval.
6. **Office** – for the purposes of Art. 13, Impact Fees, a building used primarily for conducting the affairs of or the administration of a business, organization, profession, service, industry, or similar activity.
7. **Office of Industrial Nature** – an establishment providing executive, management, or administrative support, but not involving medical or dental services, the sale of merchandise, or professional services (business or professional offices). Typical uses involve corporate headquarters or other similar offices whose function does not include frequent visits by the public or the provision of services.
8. **Official Zoning Map** – the official map upon which the boundaries of each district are designated and established as approved and adopted by the governing body, made a part of the Official Public Records of PBC, and shall be the final authority as to the zoning status of land and water areas, buildings, and other structures in the unincorporated area of PBC and incorporated into this Code by reference.
9. **On Site** – within the boundaries of a facility location, property, or site including sites separated by public or private R-O-W.
10. **Onsite Sewage Treatment and Disposal System (OSTDS)** – for the purposes of Art. 15, Health Regulations, as defined by Chapter 62-6, F.A.C. [Ord. 2022-019]
11. **One-Foot Drawdown Contour** – for the purposes of Art. 14, Environmental Standards, the locus of points around a well or wellfield where the free water elevation is lowered by one foot due to a specified pumping rate of the well or wellfield.
12. **Open Space** – land reserved or shown on an approved plan, such as but not limited to: easements, preservation, conservation, wetlands, well site dedicated to PBCWUD, recreation, greenway, landscaping, landscape buffer, and water management tracts. [Ord. 2011-001]
13. **Open Space, Usable** – an area such as a park, square, plaza, or courtyard accessible to the public and used for passive or active recreation or gatherings. Credit shall not be given for any indoor spaces, road R-O-Ws, building setback areas, lakes and other water bodies, drainage or retention areas, impervious surface courts (tennis, basketball, handball, etc.), swimming pools, sidewalks, parking lots, and other impervious surfaces or any pervious green area not intended for passive or active recreation or gatherings. [Ord. 2011-001]
14. **Open to the Public** – see Park, Open to the Public.
15. **Operating Permit** – for the purposes of Art. 14, Environmental Standards, the permit required of certain activities under Art. 14.B.7, Wellfield Protection (Operating and Closure Permits).
16. **Ordinary High Water (OHW)** – for areas with an established control elevation, the control elevation will be the OHW. For areas without an established control elevation, the wet season water table prior to the excavation activity will be OHW.
17. **Ordinary Maintenance or Repair** – for the purposes of Art. 9, Archaeological and Historic Preservation, 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 of an improvement, or any part thereof by restoring it, as nearly as practical, to its appearance prior to the occurrence of such deterioration or damage.
18. **Ordinary Water Level (OWL)** – the average level of water as determined by an engineer or by the Applicant's appointee. The established Water Surface Elevation shall consider seasonal fluctuations in the groundwater table and other factors that may cause fluctuations of the water level.
19. **Original Final DRO** – for the purposes of Art. 2, Application Processes and Procedures, the first approved plan by the DRO following the BCC or ZC hearing. [Ord. 2020-020]
20. **Original Value of the Structure** – the value of the structure at the time it was issued a CO, based upon an appraisal by a Member of the Appraiser's Institute (MAI).

21. **Other Than Utility Runway** – for the purposes of Art. 16, Airport Regulations, a runway designed for and intended to be used by all types of aircraft including those having gross weights greater than 12,500 pounds.
 22. **Outdoor Activity** – for the purposes of Art. 5, Supplementary Standards, any functional operation associated with a use listed in Art. 4, Use Regulations, that takes place outside of an enclosed building. The term excludes Outdoor Storage and the loading or unloading of trucks at loading bays or docks. [Ord. 2017-007]
 23. **Outdoor Display of Merchandise, Temporary** – a temporary display for the introduction, promotion, or announcement of a new product.
 24. **Overlay Zoning District** – for the purposes of Art. 3, Overlays and Zoning Districts, a set of zoning regulations for a defined area which are required either in addition to the Standard Zoning District's regulations or in lieu of those regulations. Overlay zoning is used to protect the character of an area of special concern or to encourage new development subject to additional controls.
 25. **Owner** – the owner of the freehold estates, as appears by deed of record. It shall not include lessees, reversioners, remainderman, or mortgagees.
 26. **Owner, Motor Vehicle** – the person to which the motor vehicle is registered on the motor vehicle certificate of title and shall include, if under lease, rental agreement, or loan under any other type of arrangement, gratuitous or otherwise, the person having possession or control of the vehicle.
 27. **Oxford House** – A self-governed Family Community Residence for people in recovery from substance use disorder that has been issued a "Conditional Charter" or "Permanent Charter" by Oxford House World Services, or any successor organization providing oversight; where there is no limit on length of residency, where the use of alcohol or any illegal drug is prohibited; where any misuse of legal drugs is prohibited, where any resident who violates this prohibition is expelled from the dwelling; where the residents pay the costs of the dwelling, including rent and utilities; and, where through a majority vote, the residents establish policies governing living in the Oxford House, including the manner in which applications for residence are approved. Upon termination, revocation, or suspension of its Charter, an Oxford House must be closed within 60-calendar days and residents must be returned to their families or relocated to another safe and secure living environment. [Ord. 2021-022]
- P. **Terms defined herein or referenced Article shall have the following meanings:**
1. **Packaged or Canned Foods** – for the purposes of Art. 4, Use Regulations, containerized food products that can be eaten as sold. [Ord. 2012-003]
 2. **Parcel** – for the purposes of Art. 14, Environmental Standards, see Land; a unit of land with a legally established property line.
 3. **Park, Beach** – for the purposes of Art. 5, Supplementary Standards, facilities that front the Atlantic Ocean or its inlets and provide public beach access. Recreational facilities include those necessary to support beach access, swimming, surfing, fishing, and snorkeling as well as play areas, picnic areas, and adequate parking areas to serve those utilizing the facility.
 4. **Park, Beach/Park, District/Park, Regional** – for the purposes of Art. 13, Impact Fees, refer to Art. 5.D, Parks and Recreation – Rules and Recreation Standards.
 5. **Park, Community** – for the purposes of Art. 5, Supplementary Standards, facilities generally more than five but less than 40 acres in size that provide active, and to a lesser degree passive, recreational facilities to population areas within three miles or less of the facility. Recreational facilities include play areas, small groups of lighted fields or courts suitable for programmed youth activities, community centers, and adequate bicycle and automobile parking areas and pedestrian paths to serve the facility.
 6. **Park, Countywide Level** – for the purposes of Art. 5, Supplementary Standards, those large-scale recreational facilities for which Countywide Park Impact Fees are assessed on new residential development and that include a system of public parks generally classified as Regional, District, or Beach, and that are designed to meet the general active and passive recreational needs of the Countywide populace.
 7. **Park, District** – for the purposes of Art. 5, Supplementary Standards, facilities generally greater than 40 acres in size that primarily provide active recreational facilities, and to a lesser degree some passive recreational facilities, to population areas within five miles or less of the facility if within the USA, or within ten miles or less of the facility if outside the USA. Recreational facilities typically include groups of lighted fields or courts suitable for scheduled athletic league activities, exercise trails, and support facilities such as restrooms and concessions with bicycle and automobile parking areas and pedestrian path systems to accommodate park users. Special facilities such as recreation centers, aquatic centers, golf courses, and boat ramps and docks may also be included.

8. **Park, Local Level** – for the purposes of Art. 5, Supplementary Standards, those relatively small-scale recreational facilities that include both public parks generally classified as community, neighborhood, or infill neighborhood, and required private recreation areas that are designed to meet the recreational needs for specific population areas or for planned developments.
9. **Park, Neighborhood** – for the purposes of Art. 5, Supplementary Standards, facilities generally less than five acres in size. Neighborhood parks include passive and active recreational facilities, are generally few in number due to size constraints, and are developed according to the demands and character of the specific neighborhoods that they serve. In addition to the above-mentioned characteristics, for the purposes of Art. 3.E.3, Multiple Use Planned Development (MUPD), and Art. 3.F.3, Traditional Neighborhood Development (TND), neighborhood parks shall consist of usable open space within walking distance of housing. [Ord. 2021-023]
10. **Park, Open to the Public** – for the purposes of Art. 5, Supplementary Standards, those park acres developed according to the Parks and Recreation Department's adopted Park Master Plan and made available to the general public for specific recreational purposes whether for a fee or free of charge.
11. **Park, Private** – for the purposes of Art. 5, Supplementary Standards, a privately-owned or operated park or beach providing opportunities for active or passive recreational activities to the general public.
12. **Park, Regional** – for the purposes of Art. 5, Supplementary Standards, facilities generally more than 200 acres in size that also provides access to a substantial natural or man-made resource base. Regional parks primarily provide passive recreational facilities, and to a lesser degree, active recreational facilities where no adverse impact on the resource base results. Recreational facilities in regional parks are primarily passive or resource based with picnicking, camping, hiking, fishing, and boating as the main activities. Special facilities such as museums, nature centers, special event areas, golf courses, or water skiing facilities may also be included, as well as some of those active facilities often found in district parks.
13. **Park Recreation and Park Facilities** – for the purposes of Art. 5, Supplementary Standards, the planning of, engineering for, preparation of acquisition documents for, acquisition of land for, or construction of buildings and park equipment necessary to meet the LOS for Urban Park and Recreation Facilities and Rural Park and Recreation Facilities.
14. **Park Trailer** – for the purposes of Art. 18, Flood Damage Prevention, a transportable unit which has a body width not exceeding 14 feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances (see F.S. § 320.01, as amended or replaced). [Ord. 2017-026]
15. **Parking Garage/Structure** – a building or structure that provides parking for motor vehicles as an accessory use to a principal use. [Ord. 2010-022] [Ord. 2017-007]
16. **Parking Lot** – for the purposes of Art. 6, Parking, Loading, and Circulation, an on-site, area constructed at grade that is used for the temporary parking of automobiles, motorcycles, and trucks. Parking lots include access aisles, ramps, maneuvering, and all related vehicle use areas.
17. **Parking Lot, Shared or Common** – for the purposes of Art. 6, Parking, Loading, and Circulation, an on-site parking lot that serves more than one lot, building, use, or dwelling.
18. **Parking, On-Site** – for the purposes of Art. 6, Parking, Loading, and Circulation, the minimum number of parking spaces on the same lot or parcel of the facility that it serves. [Ord. 2020-020]
19. **Parking, On-Street** – a row of parking spaces along a street that may be designed in a parallel or angled layout. [Ord. 2010-005]
20. **Parking, Shared** – for the purposes of Art. 6, Parking, Loading, and Circulation, the development and use of parking areas for joint use by separate businesses in one or more properties. Typically, sharing of parking space during off-peak hours and confirmed by a traffic analysis allows for a shared parking agreement.
21. **Parking Space** – for the purposes of Art. 6, Parking, Loading, and Circulation, a paved enclosed or unenclosed grass area, meeting the dimensional and access requirements of the Article, and approved to temporarily park or store one motor vehicle.
22. **Parking Tract** – for the purposes of Art. 6, Parking, Loading, and Circulation, a parking lot delineated on a plat or otherwise created by an instrument of record for the purpose of providing common on-site parking and legal access for owners of adjacent lots.
23. **Pass-By-Trips** – for the purposes of Art. 12, Traffic Performance Standards, trips generated by a proposed Project which are trips already on the road Link on which the proposed Project is located.
24. **Patio** – an open unoccupied space which may be partially enclosed by a wall, fence, or building and not considered part of the residential living structure.
25. **Patio Home** – see Zero Lot Line Home.

26. **PBC Register of Historic Places** – for the purposes of Art. 9, Archaeological and Historic Preservation, official PBC list of archeological sites identified on the Map of Known Archeological Sites, and historic sites and districts designated by the BCC.
27. **PBC Standards** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, the minimum standards, specifications, and details for design and construction of streets and other infrastructure improvements, as promulgated by the County Engineer pursuant to Resolution No. R-90-740 of the BCC as may be amended. Said standards include, but are not limited to those compiled in the most current edition of the PBC Land Development Design Standards Manual.
28. **Peak Hour Traffic** – for the purposes of Art. 12, Traffic Performance Standards, the one hour of traffic representative of the peak period, as defined in Art. 12.C.1.B.5, Peak Hours and includes two-way and peak direction volumes. Peak Hour Traffic shall be determined from actual traffic counts conducted by PBC. The Project may provide actual counts, at the approval of the County Engineer, or at the approval of the County Engineer, the Peak Hour Traffic may be determined by factoring the Average Daily Traffic by an approved “K” factor. [Ord. 2005-002]
29. **Peak Season** – for the purposes of Art. 12, Traffic Performance Standards, the time from January 1 through March 31, inclusive.
30. **Pedestrian Circulation Zone** – for the purposes of the Priority Redevelopment Areas, a continuous unobstructed space reserved for pedestrian movement. [Ord. 2010-022]
31. **Pennant** – see Flag.
32. **Percolation Pond** – for the purposes of Art. 14, Environmental Standards, an artificial impoundment similar to a holding pond for which the design and operation provides for fluid losses through percolation or seepage.
33. **Performance Security**
- To secure the complete performance of a contract or condition of a Development Order, Development Agreement, or covenant. Performance securities shall be denominated in United States dollars. The form of the security shall be approved by the County Attorney, and may include:
 - 1) Irrevocable letter of credit;
 - 2) Escrow agreement;
 - 3) Surety bond; or,
 - 4) Cash bond.
 - For the purposes of Art. 12, Traffic Performance Standards, sufficient funds over which PBC has control irrevocably committed by written instrument to secure complete performance of a contract or condition of a Development Order, or other agreement in the form set forth by PBC policy of a:
 - 1) Letter of credit;
 - 2) Escrow agreement;
 - 3) Surety bond; or,
 - 4) Cash bond.
34. **Perimeter Street** – for the purposes of the IRO, a private or public street R-O-W abutting the perimeter boundary of an eligible IRO parcel. [Ord. 2010-005]
35. **Permit Holder, Marine Turtle** – for the purposes of Art. 14, Environmental Standards, any individual, group, or organization possessing a permit from the Florida Fish and Wildlife Conservation Commission (FFWCC) to conduct activities related to sea turtle protection and conservation. [Ord. 2011-001]
36. **Person**
- For the purposes of Art. 14, Environmental Standards, any individual, public or private corporation, firm, association, joint venture, partnership, municipality, governmental agency, political subdivision, public officer, owner, lessee, tenant, or any other entity whatsoever or any combination of such jointly or severally.
 - For the purposes of Art. 15, Health Regulations, any individual, corporation, company, association, partnership, State, subdivision of the State, municipality, or Federal agency.
 - For the purposes of Art. 16, Airport Regulations, any individual, firm, copartnership, corporation, company, association, joint-stock association, or body politic, and includes any trustee, receiver, assignee, or other similar representative thereof. [Ord. 2019-005]
37. **Pervious Surface**
- Ground cover through which water can penetrate at a rate comparable to that of water through undisturbed soils.
 - For the purposes of Art. 7, Landscaping, pervious surface is the area that can be utilized for planting that is covered by permeable material. [Ord. 2018-002]
38. **Pharmacy** – shall mean an establishment offering on-site dispensing of prescription drugs, non-prescription drugs, or both. [Ord. 2011-016]

39. **Phased Development** – development which is designed, permitted, or platted in distinct, sequential stages to be developed over a specified period of time.
40. **Plan** – the 1989 Comprehensive Plan of PBC, Florida, as amended.
41. **Planned Development** – a Planned Development District or a Previously Approved Planned Development. A regulation containing the term “Planned Development” that the regulation applies to a Planned Development District and a Previously Approved Planned Development.
42. **Planned Development District (PDD)** – a zoning district which is approved pursuant to the policies and procedures of Art. 3.E, Planned Development Districts (PDDs) of this Code including: PUD, Residential Planned Unit Development District; MUPD, Multiple Use Planned Development District; PIPD, Planned Industrial Park Development District; MHPD, Mobile Home Park Planned Development District; and, RVPD, Recreational Vehicle Park Planned Development District. [Ord. 2010-005] [Ord. 2017-025] [Ord. 2021-023]
43. **Planned Development, Previously Approved** – for the purposes of Art. 3, Overlays and Zoning Districts, a Planned Development approved by Rezoning, Special Exception, or Conditional Use prior to the effective date of this Code. Previously Approved Planned Developments include: Planned Unit Developments (PUDs); Traditional Neighborhood Districts Developments (TNDs); Mixed-Use Developments; Planned Neighborhood Commercial Developments (PNCDs); Planned General Commercial Developments (PGCDs); Large Scale Community and Regional Shopping Center Developments, 30,000 square feet and 50,000 square feet; Planned Office Business Park Developments (POBPDs); Planned Industrial Park Developments (PIPDs); Mobile Home Rental Park, Condominium, and Conditional Use Developments; Recreational Vehicle Park Developments (RVPDs); Sanitary Landfill, Resource Recovery Facility, Volume Reduction Plant, and Incinerator Developments; and, other Special Exceptions, or Conditional Uses approved prior to the effective date of this Code which support land uses regulated by Art. 3.E, Planned Development Districts (PDDs).
44. **Planting/Amenity Zone** – for the purposes of the Priority Redevelopment Areas, accommodating streets, and landscaping or hardscaped areas, providing a transition between vehicular travel lanes and pedestrian circulation zones. [Ord. 2010-022]
45. **Planting Plan** – for the purposes of Art. 7, Landscaping, a plan that is not required to be done by a Landscape Architect, showing the location, quantity, and variety of plants to be installed on a Single Family, two-unit Townhouse, or two-unit Multifamily lot or other use as authorized by this Code. [Ord. 2016-042]
46. **Plant Species, Controlled** – those plant species, that are demonstrably detrimental to native plants, native wildlife, ecosystems, or human health, safety, and welfare.
47. **Plant Species, Native** – any plant species with a geographic distribution indigenous to all or part of South Florida. Plant species which have been introduced by man are not native vegetation.
48. **Plant Species, Prohibited** – those species as defined in the landscape section of this Code, as being demonstrably detrimental to native plants, wildlife, the ecosystem, or public health, safety, or welfare.
49. **Plat** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, 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 provisions of the Article and F.S. ch. 177, and may include the terms “replat,” “amended plat,” or “revised plat.”
50. **Plat, Boundary** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, a map or delineated representation for recordation of a single lot for development purposes prepared, approved, and recorded in accordance with requirements and procedures for a plat pursuant to the Article and F.S. ch. 177.
51. **Plat, Final** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, a finished plat including all signatures required for recordation except those signifying approval by PBC.
52. **Plat, Preliminary** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, a copy of the plat in sufficient form to readily compare the plat with the Subdivision Plan and construction plans.
53. **Plat of Record** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, a plat which conforms to the requirements of the applicable State laws and the Article, which has received all required PBC approvals for recordation, and which has been placed in the Official Records of PBC.
54. **Plaza** – outdoor space accessible to the public, dedicated to active or passive activities where pedestrians gather, designed to include streetscape, and accented with landscape or focal points. [Ord. 2010-005]
55. **Pole Barn** – a permanent structure constructed for storage or shelter purposes with no horizontal structural components or walls, excluding beams which support a roof system.

56. **Pole Trailer** – shall have the meaning ascribed by the F.S. providing for the regulation, registration, licensing, and recordation of ownership of motor vehicles in the State of Florida.
57. **Pollutant** – any substance which is harmful or threatening to plant, animal, or human life.
58. **Pond** – a permanent body of water less than one acre in size and less than six feet in depth.
59. **Positive Drainage** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, the provision of a stormwater management system which conveys stormwater runoff to a point of legal positive outfall.
60. **Pot Bellied Pig** – for the purposes of Art. 5.B.1.A, Accessory Uses and Structures, means a domesticated miniature or pot-bellied or pot belly pig kept as a household pet for the sole purpose of providing human companionship and not kept or raised for human consumption or other similar use attributed to the raising of livestock. [Ord. 2013-001]
61. **Potable Water** – for the purposes of Art. 14, Environmental Standards, water that is intended for drinking, culinary, or domestic purposes, subject to compliance with PBC, State of Florida, or Federal drinking water standards.
62. **Potable Water Facilities** – the planning of, engineering for, preparation of acquisition documents for, acquisition of land for, or construction of potable water facilities necessary to meet the LOS for potable water facilities.
63. **Precision Instrument Runway** – for the purposes of Art. 16, Airport Regulations, a runway having an instrument approach procedure utilizing horizontal and vertical guidance through an Instrument Landing System (ILS), Microwave Landing System (MLS), or a Precision Approach Radar (PAR) including a runway for which such a system is planned and is so indicated on an approved civil or military airport layout plan, other FAA planning documents, or comparable military service planning documents.
64. **Preliminary Assessment Letter (PAL)** – for the purposes of Art. 4.B.10, Excavation Uses, a letter from Department of Environmental Protection, Bureau of Mining and Minerals Regulations in response to a pre-application meeting conducted in accordance with Art. 4.B.10.C.5, Type 3 Excavation. [Ord. 2008-037]
65. **Preliminary Development Plan** – for the purposes of Art. 3, Overlays and Zoning Districts, a generalized depiction of use designations presented to the appropriate review body for Planned Development Districts, Previously Approved Planned Developments (Master Plans and Site Plans), and Class A and B Conditional Use approvals.
66. **Premises** – any lot, area, or tract of land whether used in connection with a building or not.
67. **Preservation** – for the purposes of Art. 9, Archaeological and Historic Preservation, the identification, evaluation, recordation, documentation, analysis, recovery, interpretation, curation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance, or reconstruction of historic properties.
68. **Preserve or Preserve Area** – that portion of native vegetation which is required to be set aside from development to be retained in its natural state in perpetuity.
69. **Pre-Application Conference** – a meeting to review preliminary application and Conceptual Site Plan for review by the Zoning Division.
70. **Previous Approval, Previously Issued DO, Previously Approved DO** – for the purposes of Art. 12, Traffic Performance Standards, a Site Specific Development Order which:
- a. In the Unincorporated Area, received a Concurrency Exemption Determination based on a Development Order for which completed application was made prior to or on May 21, 1987. It does not include an amendment or amendments to a Previous Approval applied for after May 21, 1987; and
 - b. In the Incorporated Area is a Valid Site Specific Development Order formally approved by a Municipality: (1) for which a complete application was made to, and accepted by, a Municipality, prior to February 1, 1990; or (2) in the case of a Development of Regional Impact, a Development of Regional Impact which received a report and recommendation by the Treasure Coast Regional Planning Council prior to February 1, 1990, all pursuant to formally established procedures pursuant to the Municipality's land development regulations. It does not include applications for Site Specific Development Orders on a lot subject to an interlocal agreement entered into by the Municipality and PBC, after May 21, 1987, as a result of an annexation where the agreement requires compliance with Traffic Performance Standards. A determination of a Previous Approval in Incorporated Areas shall be in accordance with Art. 12.A.3.E, Municipal Concurrency Management System. It does not include an amendment or amendments to a Previous Approval applied for on or after February 1, 1990.

71. **Previous-Approval Traffic** – for the purposes of Art. 12, Traffic Performance Standards, Project Traffic resulting from units or square footage of a Previous Approval established pursuant to Art. 12.A.3.B, Credits Against Project Traffic.
72. **Previously Captured Project** – for the purposes of Art. 12, Traffic Performance Standards, a Project approved after May 21, 1987 in the Unincorporated Area or after February 1, 1990 in the Incorporated Area. [Ord. 2007-013]
73. **Primary Zone** – for the purposes of Art. 16, Airport Regulations, an area longitudinally centered on a runway, extending 200 feet beyond each end of that runway with the width so specified for each runway for the most precise approach existing or planned for either end of the runway.
74. **Principal Entrance** – the main point of pedestrian access into a building or storefront. [Ord. 2010-022]
75. **Principal Use** – see Use, Principal.
76. **Prior Ordinances** – prior Ordinances include Zoning Resolution No. 3-57; Ordinance No. 73-2; Ordinance No. 73-4; and, Ordinance No. 92-20; as amended.
77. **Privacy Fence or Wall** – a structural barrier of an opaque quality, constructed such that the privacy of the area to be enclosed is maintained.
78. **Private Street** – see Street, Private.
79. **Private Water System** – for the purposes of Art. 15, Health Regulations, a water system that provides piped water for one or two residences, one of which may be a rental residence.
80. **Private Well** – for the purposes of Art. 15, Health Regulations, a water well that is a source of potable water and is part of a private water system.
81. **Project**
- a. Land use or group of land uses involving the development of a particular parcel of land at a particular intensity or density which was granted a Development Order, or which substantially complies with applicable provisions of the PBC Subdivision Code as determined by the Director of the Land Development Division of the PBC Engineering Department. [Ord. 2010-022] [Ord. 2019-005]
 - b. For the purposes of Art. 12, Traffic Performance Standards, a land use or group of land uses, or land development activity or activities, or amendment thereto, which require the issuance of a Development Order(s). All public civic sites dedicated as part of a PUD or otherwise obtained by a governmental agency for public use shall be considered a Project separate from the PUD for the purposes of reviewing the traffic impacts of the civic sites under the Article. [Ord. 2019-005]
82. **Project Accessed Link** – for the purposes of Art. 12, Traffic Performance Standards, the paved Link(s) that serve as the Project's immediate and direct access or means of ingress and egress. If not directly accessed, the first Link reached. Each access point of a Project shall be considered to have access to at least one Link provided that the access points of a Project may be considered to share a common Link.
83. **Project Boundary** – for the purposes of Art. 4.B.7.C.9, Renewable Energy Wind Facility, shall mean the limits of the approval for an Energy Wind Facility located on multiple parcels, whether owned by the Wind Energy Facility operator or by leases with individual Property Owners, where the limits of the approval may be used for purposes of determining setbacks in lieu of internal property lines. [Ord. 2011-016] [Ord. 2017-007]
84. **Project Traffic/Project Trips** – for the purposes of Art. 12, Traffic Performance Standards, the number of trips generated by the proposed Project (this includes reductions for internal trips). In the event no specific use, size, or density is proposed, the maximum trips possible under the Site Specific Development Order shall be Project Traffic. Average Daily Project Traffic shall be generated using the "Official Daily Trip Generation Rate" Table 13.H.4, Fair Share Road Impact Fee Schedule of Art. 13, Impact Fees. If the appropriate rate is not provided in this Table, then latest edition of Trip Generation published by the Institute of Transportation Engineers (ITE) shall be used to determine the Trip Generation rate. Peak hour Project Traffic volumes shall be generated using the latest edition of the ITE Trip Generation Handbook or as approved by the County Engineer pursuant to Art. 12.C, Traffic Impact Studies.
85. **Prop Root** – the structures originating below the lowest limbs of the red mangrove that are also known as stilt roots.
86. **Propagation Study** – for the purposes of Art. 4, Use Regulations, a method utilized by radio frequency (RF) engineers for site placement. The study indicates signal strength as it relates to adjacent sites, including the potential for towers or tall structures within the study area to be utilized for collocation and the avoidance of additional towers. [Ord. 2006-004]
87. **Property Control Number** – 17-digit PBC identification number assigned for each parcel of land.

88. **Proposed New Residential Development** – for the purposes of Art. 2, Application Processes and Procedures, any application for residential development or amendment to a previously approved residential development that increases the number of housing units. This shall include any request for any approval of the type that establishes a density of development and which approves a Site Specific Development Order on a specific parcel of property.
89. **Protection** – for the purposes of Art. 9, Archaeological and Historic Preservation, the act or process of applying measures designed to affect the physical condition of a property by defending or guarding it from deterioration, loss, or attack, or to cover or shield the property from danger or injury. In the case of buildings and structures, such treatment is generally of a temporary nature and anticipates future historic preservation treatment; in the case of archaeological sites, the protective measure may be temporary or permanent.
90. **Pruning** – for the purposes of Art. 7, Landscaping, the removal of plant parts, dead or alive, in a careful and systematic manner so as to not damage other parts of the plant.
91. **Pruning, Hatracking** – for the purposes of Art. 7, Landscaping, or tree topping means the cutting back of limbs to a point between branch collars/buds larger than one inch in diameter within the tree's crown.
92. **Pruning, Hatracking, Type 1** – for the purposes of Art. 7, Landscaping, trees that are damaged to the extent they will never regrow a natural canopy and must be replaced.
93. **Pruning, Hatracking, Type 2** – for the purposes of Art. 7, Landscaping, trees that are damaged to the extent they will not regrow a natural canopy without proper pruning.
94. **Pruning, Topping** – for the purposes of Art. 7, Landscaping, undesirable pruning practices resulting in internodal cutting back of branches with little regard to the natural shape of the tree.
95. **Pruning, Tree Shaping** – for the purposes of Art. 7, Landscaping, the pruning of a tree beyond its natural growth habit to create a distinct shape or form.
96. **Public Agency** – any government or governmental agency, board, commission, authority, or public body of PBC, the State of Florida, or of the United States government, or any legally constituted governmental subdivision or special district.
97. **Public Civic Sites** – for the purposes of Art. 4, Use Regulations, any property in any zoning district which accommodates a use under the ownership of or leased by a public agency as defined in this Article, of the Code.
98. **Public Easement** – see Easement, Public.
99. **Public Facilities** – capital facilities including but not limited to roads, parks and recreation, fire-rescue, library, law enforcement, public buildings, and school sites.
100. **Public Facilities Agreement** – an agreement entered into by PBC or a Service Provider and a developer or landowner for the purpose of ensuring public facility capacity is reserved for a proposed development.
101. **Public Health, Safety, and General Welfare** – for the purposes of Art. 18, Flood Damage Prevention, conditions concerning the safety or health of an entire community or neighborhood, or any considerable number of people. [Ord. 2004-013]
102. **Public Street** – see Street.
103. **Public Utility**
- a. An entity owning, operating, managing, or controlling a system or proposing construction of a system that is providing or proposing to provide water or sewer service, electricity, natural or manufactured gas, or any similar gaseous substance, telephone, telegraph, or other communication service to the public for compensation.
 - b. For the purposes of Art. 14, Environmental Standards, any privately-owned, municipally-owned, PBC-owned, special district-owned, or State of Florida-owned system providing water or wastewater service to the public which has at least 15 service connections or regularly serves at least 25 individuals daily for at least 60 days of the year.
104. **Public Water System** – for the purposes of Art. 15, Health Regulations, a system for the provision to the public of water for human consumption through pipes or other constructed conveyances if such system has at least 15 service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. A public water system is either a community water system or a non-community water system. The term “public water system” includes:
- a. Any collection, treatment, storage, and distribution facility or facilities under the control of the operator of such system and used primarily in connection with such system; and
 - b. Any collection or pretreatment storage facility or facilities not under the control of the operator of such system but used primarily in connection with such system.

105. **Public Works Projects** – projects that may be conducted by government agencies or are linear projects, such as pipelines, transmission lines, telephone lines, etc., that are constructed for no single property.

Q. Terms defined herein or referenced Article shall have the following meanings:

1. **Qualified Parcel** – for the purposes of Art. 14, Environmental Standards, for the unincorporated County, a parcel improved prior to April 28, 1986. For incorporated areas, a qualified parcel is a parcel improved prior to the effective date of a municipal ordinance requiring removal of prohibited invasive non-native vegetation.
2. **Quasi-Public Easement** – see Easement, Quasi-Public.
3. **Quasi-Public Use** – a use or group of uses open for general public use, such as stadiums, amphitheaters, civic centers, and colleges. It does not include shopping centers or other retail uses, or hotels.
4. **Queuing** – for the purposes of Art. 6, Parking, Loading, and Circulation, a one-way aisle that provides a waiting area for a specified number of cars.

R. Terms defined herein or referenced Article shall have the following meanings:

1. **Radius of Development Influence** – for the purposes of Art. 12, Traffic Performance Standards, the area surrounding a proposed Project as set forth in Table 12.B.2.D, Radius of Development Influence therein. The distance shall be measured in road miles from the point at which the proposed Project's traffic enters the first Link, or Links, not as a geometric radius. If a Project's traffic is only Significant in one direction from the point at which it enters the first Link, then the Radius of Development Influence shall only include that portion of the first Link. [Ord. 2006-043]
2. **Raised Basement** – for the purposes of Art. 3, Overlays and Zoning Districts, a semi-underground story of a building.
3. **Real Estate Sales Model** – a Single Family residential unit used for real estate marketing, real estate sales, builder's office, and other services directly associated with the sale of a residential unit.
4. **Real Estate Sales Office, Planned Development** – for the purposes of Art. 3, Overlays and Zoning Districts, an office for the sale and resale of new and existing residential units in a planned development.
5. **Rebuild or Reconstruct** – replacement or rehabilitation of a structure due to damage or proposed modification in excess of 30 percent of its original Improvement Value. [Ord. 2013-001]
6. **Reclamation** – reestablishments of the soil and earth to a usable condition.
7. **Reclamation, Water** – water treated to tertiary standards considered suitable for storage, distribution, and application as irrigation water under FDEP guidelines. [Ord. 2007-013]
8. **Recreation Facility, Neighborhood** – a non-profit facility designed and intended for recreational use by occupants of a residential development or subdivision owned and operated by a Property Owners' Association or equivalent. Typical uses include clubhouses, golf courses, swimming pools and tennis courts, and other recreational areas. [Ord. 2011-001] [Ord. 2013-001]
9. **Recreation and Park Facilities** – the planning of, engineering for, preparation of acquisition documents for, acquisition of land for, or construction of buildings and park equipment necessary to meet the LOS for Urban Park and Recreation Facilities and Rural Park and Recreation Facilities.
10. **Recreation, Required Areas** – recreational tracts of land with facilities required within a residential development, dedicated or reserved to a Property Owners' Association for the perpetual use by all residents of the development for recreation.
11. **Recreational Vehicle**
 - a. For the purposes of Art. 6, Parking, Loading, and Circulation, a truck, bus, trailer, pick-up camper, pop-up camper, fifth wheel, or other vehicle with or without motor power which has been converted or equipped with living or sleeping quarters and is designed and constructed to travel on public thoroughfares without a special permit in accordance with the provisions of F.S. § 316.550 of the Vehicle Code of the State of Florida. [Ord. 2019-005]
 - b. For the purposes of Art. 18, Flood Damage Prevention, a vehicle which is: [Ord. 2004-013] [Ord. 2017-026]
 - 1) Built on a single chassis; [Ord. 2017-026]
 - 2) 400 square feet or less when measured at the largest horizontal projection; [Ord. 2017-026]
 - 3) Designed to be self-propelled or permanently towable by a Light-Duty Truck; [Ord. 2017-026]
 - 4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use (see F.S. § 320.01, as amended or replaced) and, [Ord. 2017-026]
 - 5) Not occupied for more than six months. [Ord. 2017-026]

12. **Regional Water Management Areas** – areas which are managed consistent with the multiple objectives and purposes of F.S. ch. 373, including but not limited to water supply development, environmental restoration, water quality improvement, flood protection, water storage, seepage management, and wetland enhancement and mitigation. [Ord. 2022-029]
13. **Regulated Substances**
- a. For the purposes of Art. 14, Environmental Standards:
 - 1) Those deleterious substances or contaminants, including degradation and interaction products which, because of quality, concentration, or physical, chemical (including ignitability, corrosivity, reactivity, and toxicity), or infectious characteristics, radioactivity, mutagenicity, carcinogenicity, teratogenicity, bioaccumulative effect, persistence (non-degradability) in nature, or any other characteristic, may cause significant harm to human health and environment (including surface and groundwater, plants, and animals).
 - 2) Those substances set forth in, but not limited to, the lists, as amended from time to time, entitled Lists of Hazardous Wastes (40 CFR 261, Subpart D), 40 CFR 261, Appendix VIII – Hazardous Constituents, and EPA Designation Reportable Quantities and Notification Requirements for Hazardous Substances Under CERCLA (40 CFR 302, effective July 3, 1986); provided, however, that Art. 14.B, Wellfield Protection shall only apply whenever the aggregate sum of all quantities of any one Regulated Substance at a given facility/building at any one time exceeds five gallons where said substance is a liquid, or 25 pounds where said substance is a solid.
 - b. Art. 14.B, Wellfield Protection shall also apply if no single substance exceeds the above reference limits but the aggregate sum of all Regulated Substances present at one facility/building at any one time exceeds 100 gallons if said substances are liquids, or 500 pounds if said substances are solids.
 - 1) Where Regulated Substances are dissolved in or mixed with other non-Regulated Substances, only the actual quantity of the Regulated Substance present shall be used to determine compliance with the provisions of the Article.
 - 2) Where a Regulated Substance is a liquid, the total volume of the Regulated Substances present in a solution or mixture of said substance with other substances shall be determined by volume percent composition of the Regulated Substance, provided that the solution or mixture containing the Regulated Substances does not itself have any of the characteristics described in Art. 1.H.2.R.13.a.1) above.
14. **Regulating Plan** – see TND, Regulating Plan.
15. **Regulatory Floodway** – for the purposes of Art. 18, Flood Damage Prevention, 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 12 inches. [Ord. 2004-013]
16. **Rehabilitation** – for the purposes of Art. 9, Archaeological and Historic Preservation, the act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historic, architectural, and cultural value.
17. **Renovation** – improvements to modify the interior or exterior physical characteristics of an existing structure. Renovation may include: conversion, rehabilitation, remodeling, or modernization of floor area, air conditioning, wiring, or plumbing.
18. **Repair**
- a. For the purposes of Art. 1.F, Non-Conformities, improvements to restore to a structural sound condition and shall include walls and other improvements included under Maintenance. [Ord. 2010-005] [Ord. 2022-019]
 - b. For the purposes of Art. 15, Health Regulations, as defined by Chapter 62-6, F.A.C. [Ord. 2017-026] [Ord. 2022-019]
19. **Required Recreation Areas** – recreational tracts of land with facilities required within a residential development, dedicated or reserved to a POA for the perpetual use by all residents of the development for recreation.
20. **Residence** – see Dwelling Unit.
21. **Residential** – for the purposes of Art. 4, Use Regulations, property possessing either a residential designation by the FLUA of the Plan or a residential zoning designation consistent with the underlying FLU designation.
22. **Residential Access Street** – see Street, Residential Access. [Ord. 2017-026]

23. **Residential Development**
- a. For the purposes of Art. 2, Application Processes and Procedures, any development that is comprised in whole, or part, of dwelling units; for permanent human habitation.
 - b. For the purposes of Art. 13, Impact Fees, a building, or many buildings or dwelling units, or portion of a building or land used primarily for human habitation.
24. **Residential District** – any area that has a district classification of AR, RE, RT, RM, and RS, as well as Residential Pods of any PDD or TND. Any creation of an additional residential district by amendment to the Official Zoning Map which occurs shall automatically be included in the definition of residential district for the purposes of this Code.
25. **Respondent/Alleged Violator** – those persons including both landowners and tenants who have been issued a notice of violation.
26. **Restoration**
- a. For the purposes of this Article, return to a former, normal, or unimpaired condition. A reconstruction of the original form or structure.
 - b. For the purposes of Art. 9, Archaeological and Historic Preservation, the act or process 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 by replacement of earlier work.
27. **Retention** – the collection and storage of a specific portion of stormwater runoff without subsequent direct release to surface waters of said portion or any part thereof.
28. **Retention or Detention Pond** – for the purposes of Art. 14, Environmental Standards, any pit, pond, or excavation excluding canals of conveyance which creates a body of water by virtue of its connection to groundwater, and which is intended to receive stormwater.
29. **Ridesharing** – for the purposes of Art. 12, Traffic Performance Standards, shall mean the use of one motor vehicle by two or more employees to commute to and from the Project site for at least of 60 percent of the total number of days the ridesharing employees travel to and from the Project site. [Ord. 2006-036]
30. **Right-of-Way (R-O-W)** – a strip of land dedicated or deeded for the perpetual use of the public. See also Street.
31. **Road Facilities** – the planning of, engineering for, preparation of acquisition documents for, acquisition of land for, or construction of roads on the major road network system necessary to meet the LOS for road facilities.
32. **Ronald Reagan Turnpike** – a.k.a. Florida's Turnpike.
33. **Rooming House** – see Boarding House.
34. **Rubbish** – waste consisting of any accumulation of paper, excelsior, rags, wooden or paper boxes or containers, sweeping, and all other accumulations of a nature other than garbage, which are usual to housekeeping and to the operation of stores, offices, and other business places, and also any bottles, cans, containers, or any other products which due to their ability to retain water may serve as breeding places for mosquitoes or other water-breeding insects; rubbish shall not include non-combustible refuse.
35. **Runway** – for the purposes of Art. 16, Airport Regulations, a defined area on an airport prepared, used, or intended to be used for the taking off and landing of aircraft along its length.
36. **Runway Protection Zone (RPZ)** – for the purposes of Art. 16, Airport Regulations, an area at ground level beyond the runway end to enhance the safety and protection of people and property on the ground. [Ord. 2017-025] [Ord. 2019-005]
37. **Rural Service Area (RSA)** – that area as designated by the Plan.
38. **Rural Subdivision** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, a division of land within an Agricultural Reserve (AGR), Agricultural Residential (AR), or Agricultural Production (AP) district.

S. **Terms defined herein or referenced Article shall have the following meanings:**

1. **Sand** – for the purposes of Art. 14, Environmental Standards, sediments having a distribution of particle diameters between 0.074 and 4.76 millimeters, as defined in the Unified Soil Classification System. Sand grain analyses shall follow the methodology described in ASTM standard D422 and D1140 to determine grain size distribution. [Ord. 2011-001]
2. **Sand Dunes** – for the purposes of Art. 18, Flood Damage Prevention, naturally-occurring accumulations of sand in ridges or mounds landward of the beach. [Ord. 2017-026]
3. **Sand Preservation Zone (SPZ)** – for the purposes of Art. 14, Environmental Standards, an area of jurisdiction, established by Art. 14.A, Sea Turtle Protection and Sand Preservation, for the purpose of maintaining the volume of beach sand within the beach/dune system. This zone extends from the mean high-water line of the Atlantic Ocean to a line 600 feet landward.
4. **Sanitary Hazard** – any percolation pond for domestic wastewater effluent disposal, the land application of domestic wastewater sludge or domestic wastewater effluents that have not received high-level disinfection as defined in Chapter 62-610, F.A.C., and any on-site sewage disposal system (septic tank).
5. **Sanitary Nuisance** – any act, or the keeping, maintaining, propagation, existence, or permission of anything, by an individual, municipality, organization, or corporation, by which the health or life of an individual may be threatened or impaired or by which or through which, directly or indirectly, disease may be caused.
6. **Sanitary Sewer Facilities** – the planning of, engineering for, preparation of acquisition documents for, acquisition of land for, or construction of sanitary sewer facilities necessary to meet the LOS for sanitary sewer facilities.
7. **Sanitary Survey** – for the purposes of Art. 15, Health Regulations, on-site review of the water source, facilities, equipment, operation, and maintenance of a public water system to evaluate the adequacy of such source, facilities, equipment, operation, and maintenance for producing and distributing safe drinking water.
8. **School Board** – the PBC School Board.
9. **School District** – for the purposes of Art. 2, Application Processes and Procedures, the School District for PBC created and existing pursuant to Art. IX, § 4, Fla. Const.
10. **Screen Enclosure** – a structure, which may or may not be roofed, used to completely enclose an outdoor living space with screening.
11. **Sea Turtle(s)** – for the purposes of Art. 14, Environmental Standards, any animal belonging to the species *Caretta caretta* (loggerhead turtle), *Chelonia mydas* (green turtle), *Dermochelys coriacea* (leatherback turtle), *Eretmochelys imbricata* (hawksbill), or *Lepidochelys kempii* (Kemp's ridley) using PBC beaches as a nesting habitat or natal beach. [Ord. 2011-001]
12. **Sea Turtle Lighting Plan (STLP)** – for the purposes of Art. 14, Environmental Standards, a plan showing elevations and locations of structures, vegetation, and proposed lighting fixtures and meets the requirements of Art. 14.A.8.F, Sea Turtle Protection Lighting Plan, for the purpose of ensuring no adverse impacts to sea turtles, their nests, or habitat.
13. **Sea Turtle Protection Zone (STPZ)** – for the purposes of Art. 14, Environmental Standards, an area of jurisdiction, established by Art. 14.A, Sea Turtle Protection and Sand Preservation, for the purpose of regulating coastal lighting. This zone extends from three miles offshore of the Atlantic Ocean and along inlet shorelines to a line 600 feet landward of the mean high-water line.
14. **Seagrasses** – those submerged beds of the genera *Halophila*, *Syringodium*, *Halodule*, *Thalassia*, and/or the green algae *Caulerpa spp.*
15. **Seedling, Sapling, Runner, or Sucker** – any young plant or tree in early stages of growth.
16. **Segment** – for the purposes of Art. 12, Traffic Performance Standards, a section of roadway containing thoroughfare and non-thoroughfare Links and intersections which comprise a unit of roadway, of sufficient length and characteristics to be defined by the County Engineer, for the HCM operational analysis allowed under Test 1 – Optional Analysis iii or Test 2 – Optional Analysis iii. [Ord. 2006-043]
17. **Self-Service Storage** – for the purposes of Art. 4, Use Regulations, a facility consisting of individual, self-contained units that are leased for the storage of business or personal goods.
18. **Semi-Public Water System** – for the purposes of Art. 15, Health Regulations, a water system for provisions of piped water under pressure for human consumption, culinary, sanitary, or domestic purposes to:
 - a. Less than 25 individuals daily at least 60 days out of the year; or
 - b. At least 25 individuals daily less than 60 days out of the year.
19. **Semitrailer** – shall have the meaning ascribed by F.S. § 320.01. [Ord. 2024-004]

20. **Septage** – for the purposes of Art. 15, Health Regulations, a mixture of sludge, fatty materials, human feces, and wastewater removed during pumping of an OSTDS. Excluded from this definition are contents of portable toilets, holding tanks, and grease interceptors.
21. **Septic Tank** – for the purposes of Art. 15, Health Regulations, as defined by Chapter 62-6, F.A.C.
22. **Septic Tank System** – for the purposes of Art. 15, Health Regulations, septic tank, distribution box, and drainfield. When pump equipment is utilized, it is also considered part of the septic tank system.
23. **Service Provider** – for the purposes of Art. 2, Application Processes and Procedures, any agency that is responsible for the provision of public facilities to development in PBC.
24. **Service Truck** – for the purposes of Art. 15, Health Regulations, a vehicle used to pump out the contents of OSTDS, grease traps, laundry interceptors, and/or portable toilets.
25. **Setback** – the required minimum horizontal distance between any structure and the related front, side, or rear property lot line or base building line.
26. **Setback, Front** – the setback extending along the full length of the front lot line or base building line.
27. **Setback, Interior Side** – the setback extending along an interior side lot line between the front and rear setbacks.
28. **Setback, Rear** – the setback extending along the full length of the rear lot line.
29. **Setback, Street Side** – the setback extending along a street side lot line or base building line between the front and rear setbacks.
30. **Sewer System, Central** – for the purposes of Art. 15, Health Regulations, a regional sewage system, owned and operated by a municipal, county, special district, or other governmental entity, which provides sewer service to several developments located within its service area.
31. **Sewer System, Individual** – for the purposes of Art. 15, Health Regulations, a privately-owned sewage system, which provides sewer service to a single development, because of unavailability of a central sewer system.
32. **Shade Tree** – see Tree, Canopy or Shade.
33. **Shipping Container** – a unit designed and built for the shipment of material or goods.
34. **Shopping Center** – a group of commercial establishments planned, developed, managed, and operated as a unit, with on-site parking provided on the property, and related in its location, size, and type of shops to the trade area which the unit serves.
35. **Shrub** – for the purposes of Art. 7, Landscaping, a self-supporting woody perennial plant more than 30 inches in height at maturity, characterized by multiple stems and branches continuous from the base.
36. **Sight Distance** – see Corner Clip. [Ord. 2022-029]
37. **Significances Determination** – for the purposes of Art. 9, Archaeological and Historic Preservation, is a judgment made by Local, State, or Federal official(s) tasked with enforcing historic preservation regulations that deem an area, site, and structure important to the understanding or to the potential understanding of the history of Palm Beach County, the State of Florida, and the Nation. An area, site, and structure will be deemed to be significant if it is associated with distinctive elements of the cultural, social, political, economic, scientific, religious, prehistoric, paleontological, and architectural history that have contributed to the pattern of history in the community of the South Florida region, the State, or the Nation; or it is associated with the lives of persons significant in our past; or embody the distinctive characteristics of a type, period, style, or method of construction or work of a master; or that possess high artistic value; or that represent a distinguishable entity whose components may lack individual distinction; or have yielded or are likely to yield information in history or prehistory; or is listed on the National Register of Historic Places (NRHP). [Ord. 2008-037]
38. **Significant** – for the purposes of Art. 12, Traffic Performance Standards, Significant or Significance shall refer to the amount of traffic that has been deemed to be of a level that requires the analysis of roadway Links and/or intersections. For purposes of Test 1, Significance is calculated as the amount of peak hour peak direction Project Traffic assigned to a Link taken as a percent of the LOS D service volume for that Link, as shown for the applicable classification in Table 12.B.2.D, Test 1 Levels of Significance. For Test 2, Significance shall be calculated as the amount of peak hour peak direction Project Traffic assigned to a Link divided by the LOS E service volume for that Link, as shown for the applicable classification in Table 12.B.2.D, Test 2 Levels of Significance. The applicable classification shall be determined on the basis of the number of traffic signals per mile anticipated to be in place by the build-out timeframe of the proposed Project. [Ord. 2005-002] [Ord. 2010-022]
39. **Significant Archeological Value** – for the purposes of Art. 9, Archaeological and Historic Preservation, an archaeological site, fossil, or artifact which could yield or has yielded information deemed by a qualified archaeologist to be of significant scientific, historical, ethnic, or public significance to the history or prehistory of PBC, the State, or Nation.

40. **Significant Degradation** – for the purposes of Art. 7, Landscaping, means any of the following: [Ord. 2005-002]
- Where 20 percent or more of the homes on one side of a street within the same address block have been demolished and the remaining lots are left vacant; or [Ord. 2005-002]
 - Where homes on two or more contiguous lots are demolished and the remaining lots are left vacant; or [Ord. 2005-002]
 - Where a home(s) on a contiguous lot(s) is demolished and the remaining lot(s) is left vacant, creating a gap in the combined lot frontage measuring 100 linear feet or greater in length. [Ord. 2005-002]
41. **Single Family** – for the purposes of Art. 5.B.1.A.22, Pot Bellied Pigs, Single Family shall include Mobile Home Dwellings. [Ord. 2013-021] [Ord. 2017-007] [Ord. 2022-029]
42. **Single Family Cluster** – a dwelling unit which is part of a cluster of similar dwelling units within a planned development but which is separated from other similar units by common areas dedicated to a POA.
43. **Single Family District** – the AR, RE, RT, RM, and RS districts, as well as Single Family Pods of PDDs.
44. **Single Room Occupancy** – a residential property that includes multiple single room dwelling units. Each unit is for occupancy by a single individual. The unit need not, but may, contain food preparation or sanitary facilities, or both. [Ord. 2007-013]
45. **Single Tenant** – for the purposes of Art. 6.E, Loading Standards, single tenant shall mean a structure or tenant space less than 10,000 square feet. [Ord. 2008-037]
46. **Site** – the total area within the property boundaries of a principal parcel to be developed, or contiguous parcels intended for development under a common scheme or plan.
47. **Site Elements** – for the purposes of Art. 1.E, Prior Approvals and Art. 1.F, Non-Conformities, site elements shall include existing or proposed items for the site, which include but not limited to: parking, loading, outdoor lighting, landscaping, or signage. [Ord. 2010-005]
48. **Site, Historic Preservation** – for the purposes of Art. 9, Archaeological and Historic Preservation, any area or location occupied as a residence or utilized by humans for a sufficient length of time to leave physical remains or traces of occupancy. Such localities vary in size, settlements and activity areas, and the transportation networks linking them. A site may consist of secondarily deposited archaeological remains.
49. **Site-Related Improvements** – road construction or road improvements at or near the development site which are necessary to interface the development's external trips with the major road network system, or which are necessary to interface the development's internal trips with the major road network system where a portion of the major road network system is included within the development.
50. **Site Specific Development Order** – for the purposes of Art. 12, Traffic Performance Standards, a Development Order issued by a Local Government which establishes the density or intensity, or maximum density or intensity, or use, group of uses, or permitted uses and which approves a specific plan of Development on a lot or lots pursuant to an application by or on behalf of an owner or contract purchaser, including applications initiated by a Local Government. It may apply to a lot or lots under single ownership or a group of lots under separate ownership. It shall not include general rezoning/district boundary changes initiated by the Local Government which do not involve a particular development concept, except “downzonings” under Art. 12, Traffic Performance Standards of the Code. It includes those Development Orders referenced in Policies 2-g and 2-h of the Plan in the Capital Improvement Element, including amendments thereto. It includes site-specific Rezoning, Special Exceptions, Conditional Uses, Special Permits, Master Plan approvals, Site Plan approvals, plat approvals, and Building Permits. It may or may not authorize the actual commencement of development. Two or more Development Orders which individually do not constitute a Site Specific Development Order shall be considered a Site Specific Development Order if when taken together they meet the definition of Site Specific Development Order. [Ord. 2010-022]
51. **Solar Energy System** – any device or combination of devices which rely upon direct sunlight as an energy source to convert solar energy to a usable form of energy, primarily to meet all or part of the energy needs of the on-site user. [Ord. 2014-001] [Ord. 2021-006]
52. **Solid Waste** – garbage, rubbish, refuse, sludge, septage, dewatered domestic wastewater residuals, grit and screenings from a domestic wastewater treatment facility, or other discarded solid or liquid material resulting from domestic, commercial, industrial, agricultural activities, or governmental operations but does not include stormwater discharges or other significant pollutants in water resources such as silt, dissolved or suspended solids in industrial wastewater effluent, dissolved materials in irrigation return flows, or other common water pollutants.

53. **Solid Waste Facilities** – the planning of, engineering for, preparation of acquisition documents for, acquisition of land for, or construction of solid waste facilities necessary to meet the LOS for solid waste facilities.
54. **Sound Level** – for the purposes of Art. 5, Supplementary Standards, the weighted sound pressure obtained by use of a metering characteristic with an A-Weighting as specified in the ANSI specifications for sound level meters.
55. **Sound Level Meter** – for the purposes of Art. 5, Supplementary Standards, an instrument that includes a microphone, amplifier, an output meter, and frequency weighting networks for the measurement of noise and sound levels in a manner to meet ANSI standards.
56. **Source Property** – for the purposes of Art. 5, Supplementary Standards, the land from which the subject sound is originating including public or private streets, sidewalks, or other public or open space areas.
57. **Special Allocation** – for the purposes of Art. 13, Impact Fees, the assignment by the BCC of impact fee credits for in-kind contributions to a feepayer, or a portion of a development. It may involve the prorating of impact fee credits for in-kind contributions.
58. **Special Flood Hazard Area (SFHA)** – for the purposes of Art. 18, Flood Damage Prevention, the land area subject to Flood hazards and shown on a Flood Insurance Rate Map or other Flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE, or V1-30. [Ord. 2004-013] [Ord. 2017-026]
59. **Specimen Tree** – for the purposes of Art. 14, Environmental Standards, a tree that has attained an age where its size, stature, health, and appearance contributes to the aesthetics of an area. Trunk sizes designating specimen stature of the most commonly found native trees are listed in Appendix 7, Specimen Tree List. Other trees are specimen trees, if the trunk has attained a diameter size of at least 33 percent of that of the State of Florida Division of Forestry's listed State of Florida champion for the applicable tree.
60. **Speculative Clearing** – the clear cutting of a site when no Final Site Plan or approved vegetation management plan has been prepared for the site.
61. **Spent** – the commitment of funds to a particular capital facility acquisition by the awarding of a contract.
62. **Spill** – for the purposes of Art. 14, Environmental Standards, the unpermitted release or escape of a Regulated Substance, irrespective of the quantity thresholds identified in the definition of "Regulated Substance" above directly or indirectly to soil, surface waters, or groundwaters.
63. **Spillover Light** – for the purposes of Art. 5, Supplementary Standards, light that is distributed into areas where the illumination is not needed or intended. [Ord. 2005-041]
64. **Sports Vehicle** – for the purposes of Art. 6, Parking, Loading, and Circulation, any wheeled or tracked motorized vehicle designed or adapted to travel on public thoroughfares, public waterways, on unpaved thoroughfares, etc. without a special permit in accordance with the provisions of F.S. § 316.550 of the Vehicle Code of the State of Florida. [Ord. 2019-005]
65. **Spot Light** – any light fixture or luminaire that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction. [Ord. 2005-041]
66. **Square** – an outdoor civic tract located within a neighborhood to provide community services and usable open space.
67. **Square Footage** – see Building Square Footage.
68. **Start of Construction** – for the purposes of Art. 18, Flood Damage Prevention, for all construction, includes Substantial Improvement, and means the date the Building Permit was issued, provided the actual Start of Construction, repair, reconstruction, rehabilitation, addition, or improvement was within six months of the permit date. The actual start means the first placement of permanent construction of a Building, including a Manufactured Home, on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a Manufactured Home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include installation of streets and/or walkways; nor does it include excavation for a Basement, footings, piers or foundations, or the erection of temporary forms; nor does it include installation or alteration on the property of Accessory Buildings, such as garages or sheds not occupied as dwelling units or not part of the main Building. For Substantial Improvement, the actual Start of Construction means the first installation of any foundation, wall, ceiling, floor, or other structural part of a Building, whether or not that alteration affects the external dimensions of the Building. [Ord. 2004-013] [Ord. 2017-026]

69. **State Standards** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, the various design and construction guidelines, policies, and standards promulgated, and amended, by the departments and agencies of the State of Florida, including but not limited to the Policy and Guidelines for Vehicular Connections to Roads on the State Highway System, Manual of Uniform Traffic Control Devices for Streets and Highways (as adopted by the DOT), Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (a.k.a. the “Florida Greenbook”), Standard Specifications for Road and Bridge Construction, Roadway and Traffic Design Standards, and Handbook for Drainage Connection Permits.
70. **Standards of this Section** – for the purposes of Art. 12, Traffic Performance Standards, the requirements that Site Specific Development Orders satisfy the LOS provisions of the Article.
71. **Stoop** – a small porch or platform.
72. **Storage Container** – a shipping container that has been permanently located on a recognized Bona Fide Agriculture use site that is tied down to meet Building Code requirements.
73. **Storefront** – for the purposes of Art. 3, Overlays and Zoning Districts, the front of a retail establishment facing a street, plaza, square, or other public-use area, where the primary entrance is located. [Ord. 2010-022]
74. **Stormwater** – the flow of water that results from and occurs immediately following a rainfall event.
75. **Stormwater Management Easement** – see Easement, Stormwater Management.
76. **Stormwater Management Plan** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, an engineering drawing and written report outlining the proposed secondary and tertiary stormwater management system needed for the proper development of a specific increment of the unincorporated area of PBC, including details of drainage-related conditions and characteristics of the existing development site and surrounding lands.
77. **Stormwater Management System** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, a comprehensive system designed and constructed or implemented to collect, convey, store, absorb, inhibit, treat, use, or reuse stormwater in order to prevent or reduce inundation, flooding, overdrainage, environmental degradation, and water pollution, or otherwise affect the quantity and quality of stormwater runoff.
78. **Stormwater Runoff** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, that portion of stormwater which occurs either as overland surface flow or subsurface lateral flow through normally unsaturated soils, and which is neither intercepted by vegetation, evaporated, nor recharged to groundwater.
79. **Stormwater System, Primary** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, classified surface waters of the State of Florida which convey stormwater runoff toward the ocean or a major inland water body.
80. **Stormwater System, Secondary** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, that component of a stormwater management system which consists of facilities and features designed to provide for treatment and control of stormwater runoff generated by specifically delineated lands, in order to meet regulatory requirements governing the quality and quantity of stormwater discharged to the primary stormwater system.
81. **Stormwater System, Tertiary** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, that component of a stormwater management system which consists of facilities and features designed to provide for rapid removal of stormwater from structures, building sites, streets, and other areas of development or uses sensitive to damage or disruption by inundation.
82. **Stormwater Treatment** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, removal of pollutants, debris, and other undesirable materials from stormwater runoff by of natural chemical, biological, or physical processes, including, but not necessarily limited to, detention, retention, filtration, percolation, sedimentation, floatation, and skimming. This definition does not normally include active treatment processes, requiring the consumption of electrical or mechanical energy.
83. **Stream** – for the purposes of Art. 15, Health Regulations, any river, creek, slough, or other natural watercourse whether or not the bed shall have been dredged or otherwise improved in whole or in part.
84. **Street** – a strip of land, owned privately or publicly, which affords legal access to abutting land and is designated for vehicular traffic. “Street” includes road, thoroughfare, parkway, avenue, boulevard, expressway, lane, throughway, place, and square, or however otherwise designated. Streets are further classified according to the function they perform.
85. **Street, Arterial** – a Major Street of higher classification than a Plan Collector Street, used primarily for traffic traveling considerable distance within or through an area not served by an Expressway, of considerable continuity, and used primarily as a main traffic artery. [Ord. 2021-006]

86. **Street, Collector** – a street which carries traffic from Local Streets to Arterial Streets. Collector Streets have more continuity, carry higher traffic volumes, and may provide less access than Local Streets. [Ord. 2021-006]
87. **Street, Collector, Non-Plan** – a Collector Street which is not included on the Thoroughfare Plan and which is the highest classification of Minor Street. [Ord. 2021-006]
88. **Street, Collector, Plan** – a Collector Street which is part of the Thoroughfare Plan, and which is the lowest classification of Major Street. [Ord. 2021-006]
89. **Street, Cul-de-Sac** – a dead-end street terminating in a circular vehicular turnaround. [Ord. 2021-006]
90. **Street, Dead-End** – a street with only one outlet. [Ord. 2021-006]
91. **Street Frontage** – see Lot Frontage.
92. **Street Layout Plan** – for the purposes of Art. 3.E.2, Planned Unit Development (PUD), this plan shall provide a method to calculate cul-de-sacs in a PUD. The plan shall show the general layout of all streets and clearly identify the streets that are to be included when calculating the cul-de-sacs. [Ord. 2008-037]
93. **Street, Limited Access** – a street to which access from abutting property is under the control and jurisdiction of the County pursuant to a limited access easement or other regulatory access restriction. [Ord. 2021-006]
94. **Street, Local Commercial** – a street designed and maintained primarily to provide legal and vehicular access to abutting commercial or industrial lots. A Local Commercial Street is of limited continuity, is not for through traffic, and is the middle order street of Minor Streets. [Ord. 2021-006]
95. **Street, Local Residential** – a street designed and maintained primarily to provide legal and vehicular access to abutting residential lots. A Local Residential Street is of limited continuity, is not for through traffic, and is the middle order street of Minor Streets, being of a higher classification than a Residential Access Street. [Ord. 2021-006]
96. **Street, Major** – a street depicted on the adopted Thoroughfare Plan; a Thoroughfare Plan road. Major Streets are further classified as Collector Street, Arterial Street, and Expressway. [Ord. 2021-006] [Ord. 2017-025]
97. **Street, Marginal Access** – a special purpose Local Street which is parallel and adjacent to a Plan Collector Street, Expressway, Arterial Street, or other limited access street and which has its principal purpose of relieving such streets from local service of abutting property by providing access to abutting property and separation from through traffic. A marginal access street may also be called a “frontage street.” [Ord. 2021-006]
98. **Street, Minor** – not classified as a Major Street, and includes streets providing traffic circulation within the development. [Ord. 2021-006]
99. **Street, Private**
 - a. Has not been dedicated for public use; [Ord. 2021-006]
 - b. Is reserved to a Property Owners' Association pursuant to recorded restrictions and covenants or a plat of record; or,
 - c. Is dedicated for public use but has not been accepted for maintenance by PBC, another Local Governmental entity, the State of Florida, or a special district.
100. **Street, Residential Access** – the lowest order of Minor Street which is intended to carry the least amount of traffic at the lowest speed. [Ord. 2021-006]
101. **Streetscape** – for the purposes of the IRO, WCRAO, PRAs, and TDDs, the visual elements of a street, adjoining buildings, street furniture, trees, pedestrian areas, and open spaces, that combine to form the street's character. [Ord. 2010-005] [Ord. 2010-022] [Ord. 2017-025]
102. **Street Side Mass Transit Factors** – for the purposes of Art. 5.H, Mass Transit Standards, Mass Transit Infrastructure associated with the roadway that influences bus operations. [Ord. 2008-003]
103. **Street Structure** – that which is three feet or more in height, built or constructed or erected or tied down having a fixed location on the ground, or attached to something having a permanent location on the ground, such as buildings, homes, mobile homes, towers, walls, fences, billboards, shore protection devices, and poster panels.
104. **Street Wall** – a characteristic of a streetscape resulting from the placement of continuous and harmonious building façades. May also include walls of proportional or sufficient height used to separate the streetscape from parking lots or other similar use areas, so as to maintain visual continuity with emphasis on establishing livable pedestrian use areas. [Ord. 2010-005]

105. Structure

- a. Unless specified otherwise, means that which is three feet or more in height which is built or constructed or erected or tied down having a fixed location on the ground or attached to something having a permanent location on the ground, such as buildings, homes, mobile homes, towers, walls, fences, billboards, shore protection devices, and poster panels. [Ord. 2007-001]
- b. For the purposes of Art. 16, Airport Regulations, any object, temporarily or permanently constructed erected, altered, or installed by man, including but not limited to: buildings, towers, smoke stacks, utility poles, power generation equipment, antennas, construction cranes, and overhead transmission lines. [Ord. 2017-025]
- c. For the purposes of Art. 18, Flood Damage Prevention, a walled and roofed Building, including a gas or liquid storage tank, that is principally above ground, as well as a Manufactured Home. The terms Structure and Building are interchangeable in the National Flood Insurance Program. [Ord. 2004-013] [Ord. 2017-026]

106. Structure, Principal – see Building, Principal.

107. Subdivision

- a. For the purposes of Art. 11, Subdivision, Platting, and Required Improvements, the division of land, whether improved or unimproved, whether previously platted or not, into two or more contiguous lots for the purpose, whether immediate or future, of transfer of ownership. The term shall include any modification of legal boundaries for the purpose of redividing or combining any lot(s) depicted on a record plat, or on a certified survey or other map recorded pursuant to an affidavit of exemption or affidavit of waiver. When appropriate to the text, the term refers to the process of subdividing or the land proposed to be or which has been subdivided.
- b. For the purposes of Art. 12, Traffic Performance Standards, as defined in Art. 11, Subdivision, Platting, and Required Improvements of the Code of PBC, Florida as to the Unincorporated Area, and as defined in the Municipal land development regulations in the Municipality.
- c. For the purposes of Art. 15.A, PBC Environmental Control Rule I – Onsite Sewage Programs (OSP), any tract of land divided into three or more lots or parcels, regardless of the method by which the lots or parcels are described. [Ord. 2022-019]

108. Substantial Change in Land Use

- a. Change in land use or site design that increases the intensity of land use;
- b. Change in land use or site design that increases the intensity of land use; or,
- c. An increase in the total floor area of Multifamily dwellings or non-residential buildings which results in increased traffic.

109. Substantial Damage – for the purposes of Art. 18, Flood Damage Prevention, 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 45 percent of the Market Value of the Building or Structure before the damage occurred. This term also includes Flood-related damage sustained by a Building or Structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such Flood event, on average, equals or exceeds 25 percent of the Market Value of the Structure before the damage occurred. [Ord. 2004-013] [Ord. 2017-026] [Ord. 2024-024]

110. Substantial Improvement

- a. For the purposes of Art. 9, Archaeological and Historic Preservation, any combination of repairs, reconstruction, or improvement of a structure, where the improvement creates additional enclosed space that contains equipment or utilities relative to the primary structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either any development for improvement of a structure to comply with existing State or Local health, sanitary, or safety Code specifications that are solely necessary to assure safe living conditions, or any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.
- b. For the purposes of Art. 18, Flood Damage Prevention, any combination of repairs, reconstruction, rehabilitation, addition, or improvement of a Building or Structure taking place during a five-year period, the cumulative cost of which equals or exceeds 45 percent of the Market Value of the Structure before the improvement or repair is started. For each Building or Structure, the five-year period begins on the date of the first permit is issued for improvement or repair of that Building or Structure in the preceding five years. 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 any 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. For the purposes of two-to-four unit residential and non-residential condominiums, Market Value shall be determined to be a prorated share of the total Market Value of the Building. [Ord. 2004-013] [Ord. 2017-026] [Ord. 2024-024]

111. Substantial Renovation – for the purposes of Art. 5, Supplementary Standards, any expansion, alteration, renovation, addition, redevelopment, or similar improvement to an existing building that exceeds 75 percent of the Improvement Value of the building, as indicated in the latest official PBC Property Appraiser's records. [Ord. 2013-001]

112. Superintendent – the Superintendent of the PBC School Board.

113. Supplier of Water – for the purposes of Art. 15, Health Regulations, any person, company, or corporation that owns or operates a community, non-transient non-community, transient non-community, limited use, Multifamily, or private water system; also applies to consecutive water systems. [Ord. 2005-003]

114. Surface Water – water upon the surface of the earth whether contained within natural or artificial boundaries or diffused.

- a. For the purposes of Art. 15.A, PBC Environmental Control Rule I – Onsite Sewage Programs (OSP), a recognizable body of water, including swamp or marsh areas, bayheads, cypress ponds, sloughs, and natural or constructed ponds contained within a recognizable boundary. This does not include stormwater retention or detention areas designed to contain standing or flowing water for less than 72 hours after a rainfall. [Ord. 2022-019]
- b. For the purposes of Art. 15.B, PBC Environmental Control Rule II – Drinking Water Supply Systems, a source of water existing above the surface of the ground and exposed to the atmosphere. [Ord. 2005-003] [Ord. 2006-004]

115. Surveyor and Mapper – a person registered to engage in the practice of surveying and mapping under F.S. § 472.001-472.037, and includes the terms “Surveyor,” and “Professional Surveyor and Mapper.”

116. Suspension Order – for the purposes of Art. 9, Archaeological and Historic Preservation, suspension of construction work directly over the potential archaeological find. During the initial site visit, a qualified archaeologist may extend the boundary of the suspension order based on the potential significance and geographic coverage of the find.

117. Sustainability – the integration of social, economic, and ecological needs of the community with policies advocating management of resources for future generations. [Ord. 2010-005]

118. Swale – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements and Art. 15, Health Regulations, a stabilized and graded depression designed to convey stormwater runoff and retain water for only a brief period following a rainfall event. [Ord. 2014-025]

119. Swimming Pool – any confined body of water, located either above or below the existing finished grade of the site, exceeding 150 square feet in surface area, and two feet in depth, designed, used, or intended to be used for swimming or bathing purposes.

T. **Terms defined herein or referenced Article shall have the following meanings:**

1. **Tabular Tree List** – for the purposes of Art. 14, Environmental Standards, a complete listing of all native trees three inches or greater DBH in a tabular form.
2. **TDR Agricultural Conservation Easement** – for the purposes of Art. 5, Supplementary Standards, an interest in land, which interest represents the right to retain land in Bona Fide Agriculture, fallow land, and uses permitted in the Conservation WRA Future Land Use category, created pursuant to F.S. § 704.06.
3. **TDR, Bank** – for the purposes of Art. 5, Supplementary Standards, accounting and monitoring system authorized by this Code empowering PBC to purchase and sell development rights. The TDR Bank offers an alternative to TDRs being transferred via the private market. The bank consists of development rights from lands designated for preservation as provided for in Art. 5.G, Density Bonus Programs and purchased by PBC. These rights may then be sold to developers for use in qualified receiving areas or held in reserve for future release.
4. **TDR, Community Commercial Facility** – for the purposes of Art. 5, Supplementary Standards, a commercial facility constructed on ten or more acres supporting at least 100,000 square feet of GFA. The community commercial facility shall not be construed to mean the Community Commercial Zoning District described in this Code.
5. **TDR, Conservation Easement** – for the purposes of Art. 5, Supplementary Standards, an interest in land which represents the right to restrict or prevent the development or improvement of the land for purposes other than water preserve areas, wetlands, or uplands, created pursuant to F.S. § 704.06.
6. **TDR, Contract for Sale and Purchase of Development Rights** – for the purposes of Art. 5, Supplementary Standards, a valid contract which must be in writing pursuant to the State of Florida law, for the sale of development rights for the purpose of increasing density on a receiving area parcel.
7. **TDR, Deed of Transfer of Development Rights** – for the purposes of Art. 5, Supplementary Standards, a legal document which transfers the ownership of specified development rights from one parcel of land to another, and which is recorded in the Public Records of PBC.
8. **TDR, Development Right** – for the purposes of Art. 5, Supplementary Standards, the ability to develop a residential dwelling unit on a parcel of land. The landowner may sell, donate, or transfer the development rights and retain title to the land and the right to use the surface of the land on a limited basis. For the purposes of Art. 5.G, Density Bonus Programs, one development right shall equal one residential dwelling unit.
9. **TDR, Development Rights Certificate** – for the purposes of Art. 5, Supplementary Standards, a legal document presented to a Property Owner who deeds to PBC, without compensation, environmentally sensitive, Rural Residential 20 (RR-20) land or land designated CON on the FLUA within a sending area, or records an agricultural conservation easement for a sending area designated AGR on the FLUA. The certificate shall specify the number of development rights the Property Owner is entitled to sell or trade, and the certificate shall remain valid until the development rights are permanently transferred to a property within a receiving area.
10. **TDR, Escrow Agreement** – for the purposes of Art. 5, Supplementary Standards, a legal document which holds money or an approved surety in trust by a third party to be turned over to PBC upon the fulfillment of a condition. [Ord. 2007-001]
11. **TDR, Major Department Store** – for the purposes of Art. 5, Supplementary Standards, a nationally or regionally recognized retail store which anchors a regional commercial facility and contains at least 100,000 square feet of GFA.
12. **TDR, Major Industrial Facility** – for the purposes of Art. 5, Supplementary Standards, an industrial facility constructed on more than 35 acres supporting at least 700,000 square feet of GFA.
13. **TDR, Priority Acquisition Site** – for the purposes of Art. 5, Supplementary Standards, a parcel of land designated by the ESLASC or CLASC as such and approved for acquisition by the BCC.
14. **TDR, Receiving Area** – for the purposes of Art. 5, Supplementary Standards, parcel of land within the USA, which are permitted to increased density, as specified herein, and receive development rights purchased from the owners of land in a sending area. The transfer capacity of these development rights is based on the number of transferable development rights which a specified area can accommodate, subject to Art. 5.G.3.H, TDR Receiving Areas, and Art. 5.G.3.K, TDR – Receiving Area Procedure.
15. **TDR, Regional Commercial Facility** – for the purposes of Art. 5, Supplementary Standards, a commercial facility constructed on 40 or more acres supporting at least one major department store and 350,000 square feet of GFA.
16. **TDR, Sending Area** – for the purposes of Art. 5, Supplementary Standards, an area which the TDR Program is designed to protect, as specified herein, and from which development rights are transferred pursuant to the provisions of Art. 5.G, Density Bonus Programs.

17. **Technical Manual** – a manual maintained by the Zoning Division that outlines the minimum technical requirements for preparing applications for Zoning review. The Manual shall be posted on the Zoning webpage. [Ord. 2009-040]
18. **Telecommuting** – for the purposes of Art. 12, Traffic Performance Standards, a system whereby employees are allowed to work from home or another location (such as a neighborhood office) an average of at least two weekdays per week in order to reduce commute travel. [Ord. 2006-036]
19. **Temporary** – for the purposes of Art. 15.A, PBC Environmental Control Rule I – Onsite Sewage Programs (OSP), as defined by Chapter 62-6, F.A.C. [Ord. 2019-005] [Ord. 2022-019]
20. **Terminal Navigational Aid** – for the purposes of Art. 16, Airport Regulations, any visual or electronic device on the surface which provides point-to-point guidance information or position data to aircraft in flight and is located on a public-use airport in PBC.
21. **Test 2 Radius of Development Influence** – for the purposes of Art. 12, Traffic Performance Standards, the Radius of Development influence used in Test 2 as set forth in Table 12.B.2.D, Radius of Development Influence. The distance shall be measured in road miles from the point at which the proposed Project's traffic enters the first Link, not as a geometric radius. [Ord. 2006-043] [Ord. 2007-013]
22. **Test 2 Road Network** – for the purposes of Art. 12, Traffic Performance Standards, the Thoroughfare Plan roadway network that will be in place or is anticipated to have construction commenced by the end of the Five-Year Analysis Period for Test 2. This includes any roadway projects for which construction funds are budgeted within the Palm Beach County Five-Year Road Program and FDOT five-year Transportation Improvement Program in effect at the time of the traffic analysis submittal. [Ord. 2006-043]
23. **Third Party** – party not affiliated with the Architect or Landscape Architect who prepared the original drawings to satisfy the regulations in Art. 5, Supplementary Standards, and Art. 7, Landscaping.
24. **Thoroughfare Plan, Thoroughfare R-O-W Identification Map or Plan**
 - a. That which is described in the Transportation Element of the Plan, Support Document, II, Existing Transportation System.
 - b. For the purposes of Art. 12, Traffic Performance Standards, as described in the Transportation Element of the Plan, Support Document II, Existing Transportation System.
25. **Through-Intersection Continuity** – for the purposes of Art. 12, Traffic Performance Standards, at least one left-turn lane at the intersection and the same number of through lanes as on the Link for at least 3,120 feet beyond the Major Intersection, including transition in accordance with FDOT Standards.
26. **Tinted Glass** – for the purposes of Art. 14, Environmental Standards, any window or door glass which has: (1) a visible light transmittance value of 45 percent or less; and (2) a minimum of five-year warranty; and (3) performance claims which are supported by approved testing procedures and documentation. For the purposes of Art. 14.A, Sea Turtle Protection and Sand Preservation, window tint shall be synonymous with tinted glass.
27. **TMD, Frontage, Primary** – for the purposes of Art. 3, Overlays and Zoning Districts, a type of building frontage that is primarily located along Main Streets and is characterized by zero front setbacks and limitations on the physical separation between buildings.
28. **TMD, Frontage, Secondary** – for the purposes of Art. 3, Overlays and Zoning Districts, a type of building frontage that allows for variable front setbacks and more frequent physical separation between buildings than allowed on Primary Frontages.
29. **TMD, Street, Main** – for the purposes of Art. 3.F, Traditional Development Districts (TDDs), a street connecting adjacent land uses and Local Streets with parks, plazas, and squares in a TMD.
30. **TMD, Street Wall** – for the purposes of Art. 3, Overlays and Zoning Districts, a wall, fence, or hedge installed along the frontage line to fill in building frontage.
31. **TND, Accessory Structure** – for the purposes of Art. 3, Overlays and Zoning Districts, a detached accessory building constructed on a residential lot housing a garage, accessory apartment, or handicapped or elderly apartment.
32. **TND, Colonnade** – for the purposes of Art. 3, Overlays and Zoning Districts, a covered pedestrian structure over a sidewalk that is open to the street except for supporting columns. Awnings are not considered colonnades.
33. **TND, Enfront** – for the purposes of Art. 3, Overlays and Zoning Districts, to face across a street.
34. **TND, Meeting Hall** – for the purposes of Art. 3, Overlays and Zoning Districts, a building designed for public assembly.

35. **TND, Neighborhood Center** – for the purposes of Art. 3, Overlays and Zoning Districts, Neighborhood Center is intended to accommodate neighborhood-oriented retail and commercial services. It may include professional offices, community facilities, and civic uses to serve the population of the TND and adjacent neighborhoods.
36. **TND, Porch** – for the purposes of Art. 3, Overlays and Zoning Districts, a roofed platform attached to the front of a dwelling unit. The structure is un-air conditioned, and may not be more than 75 percent enclosed by walls.
37. **TND, Raised Basement** – for the purposes of Art. 3, Overlays and Zoning Districts, a semi-underground story of a building.
38. **TND, Regulating Plan** – for the purposes of Art. 3, Overlays and Zoning Districts, a graphic and written representation of the detailed land use and development regulations applicable to a particular TND.
39. **Too Numerous to Count (TNTC)** – for the purposes of Art. 15.B, PBC Environmental Control Rule II – Drinking Water Supply Systems, equal to or greater than 200 non-coliform bacteria per 100 milliliters of sample.
40. **Total Traffic** – for the purposes of Art. 12, Traffic Performance Standards, the sum of:
 - a. Existing Traffic;
 - b. Net Trips; and,
 - c. Background Traffic.
41. **TPS Database** – for the purposes of Art. 12, Traffic Performance Standards, a database which was initially approved by the Board of County Commissioners on October 26, 2006. On an ongoing basis, the Database compiles traffic from Existing Traffic counts as well as approved but unbuilt Developments for each Link and Major Intersection on the County's Major Thoroughfare network in order to provide Background Traffic volumes for use in traffic studies addressing compliance with Test 1 and Test 2. The Database shall also identify the double counting adjustment and historic growth rate, derived from the Historical Traffic Growth Table, that is appropriate for each Link and Major Intersection. The Background Traffic data shall be maintained by the County and updated to reflect all new Project concurrency approvals as well as the build-out status of previously approved Projects. [Ord. 2006-043]
42. **Traffic Impact Study** – for the purposes of Art. 12, Traffic Performance Standards, a traffic study of Links and intersections within the Test 1 Radius of Development Influence and Test 2 Radius of Development Influence of a proposed Project; and including the information, and prepared in accordance with the requirements, set forth in Art. 12.C.1.C.2, Traffic Generation. For the Transportation Element of the Plan, it is the "LOS Impact Statement" referred to in the Capital Improvement Element of the Plan. [Ord. 2006-043]
43. **Traffic Performance Standards Appeals Board** – for the purposes of Art. 12, Traffic Performance Standards, the administrative appeals board with the authority and responsibility to hear appeals from the decision of the County Engineer or Municipal Engineer as to traffic engineering issues.
44. **Traffic Volume Maps** – for the purposes of Art. 12, Traffic Performance Standards, the maps of the Major Thoroughfares produced and maintained jointly by the Office of the MPO and County Engineer showing Average Daily Traffic, Peak Hour Traffic; two-way and peak directional.
45. **Trailer** – shall have the meaning ascribed by F.S. § 320.01. [Ord. 2024-004]
46. **Trailer Coach** – shall have the meaning ascribed by the Statutes of the State of Florida providing for the regulation, registration, licensing, and recordation of ownership of motor vehicles in the State of Florida. The term shall also include all types of mobile homes and those types of self-propelled trucks or buses that have been converted or equipped with living or sleeping quarters, such as pick-up trucks with sleeping quarters installed, and converted buses. This definition shall exclude suburban, passenger vans and other types of automobiles for private use that have been equipped with camping equipment.
47. **Transect** – a distinct category of physical form ranging from the most urban to the least urban. Generally, the classifications range from highest to lowest density or intensity and are: urban core, urban center, general urban, suburban, rural, and natural. [Ord. 2010-005] [Ord. 2010-022]
48. **Transect Zones** – for the purposes of the IRO, a distinct category of physical form ranging from the most urban to the least urban. The IRO requires the application of one or more of four transect zones: Core, General, Edge, and Open Space. [Ord. 2010-005]
49. **Transfer of Development Rights (TDR) Bank** – see TDR, Bank.
50. **Transient Non-Community Water System** – a non-community water system that has at least 15 service connections or regularly serves 25 persons daily at least 60 days out of the year but that does not regularly serve 25 or more of the same persons for more than six months per year.
51. **Transient Occupancy** – residential occupancy when it is the intention of the parties that the occupancy will be for less than one month.

52. **Transit** – for the purposes of Art. 12, Traffic Performance Standards, a bus, train, or other public conveyance system. [Ord. 2006-036]
53. **Transit Center** – for the purposes of Art. 12, Traffic Performance Standards, a rail station or a transfer location for fixed-route service routes. [Ord. 2006-036]
54. **Transit Corridor** – for the purposes of Art. 12, Traffic Performance Standards, a roadway segment which (1) is located on a bus line with at least 30-minute peak headways and that connects directly to at least two Transit Centers; and (2) contains a transfer point to at least one other bus route. [Ord. 2006-036]
55. **Transitional Zone** – for the purposes of Art. 16, Airport Regulations, the area extending outward from the sides of the Primary Zones and Approach Zones connecting them to the Horizontal Zone.
56. **Transmission Pole** – for the purposes of Art. 4.B.9, Commercial Communication Towers, means electrical transmission poles supporting 69-kilovolt conductors or greater. This does not include distribution. [Ord. 2017-016]
57. **Transportation Transfer Facility (Distribution)** – for the purposes of Art. 4, Use Regulations, an establishment providing for the transfer of transportation or other motorized vehicles, but not involving vehicle sales or rental (retail or wholesale). Typical uses include the transfer of automobiles, trucks, heavy equipment, or other motorized vehicles prior to distribution to retail dealers.
58. **Tree**
- For the purposes of Art. 7, Landscaping, woody perennial plant commonly with a single stem and having a minimum diameter at breast height (DBH) of three inches, having a more or less defined crown, that usually grows to at least four meters or 13 feet in height at maturity.
 - For the purposes of Art. 14, Environmental Standards, a woody or fibrous perennial plant commonly with a single stem and having a minimum trunk DBH of three inches and having a more or less defined crown, that usually grows to at least four meters or 13 feet in height at maturity.
59. **Tree, Canopy or Shade** – for the purposes of Art. 7, Landscaping, a tree that reaches a minimum height of 15 feet at maturity, provides relief from direct sunlight for at least six months each year, and is indicated as a shade tree on the Preferred Species List.
60. **Tree, Champion** – for the purposes of Art. 7, Landscaping, the largest tree of a species which has been designated by the Florida Department of Agriculture and Consumer Services.
61. **Tree Credits** – for the purposes of Art. 7, Landscaping, a numerical representation of the value of a two-inch DBH ten-foot-high tree, used to assign values to trees of various sizes to calculate either credit against reforestation requirements, as in the case of trees protected during the development process, or to determine the extent of replanting required as in the case of removal of protected trees.
62. **Tree, Drought-Tolerant** – for the purposes of Art. 7, Landscaping, a tree, excluding prohibited or controlled species, classified as very or moderately drought tolerant in the SFWMD Xeriscape Plant Guide.
63. **Tree Preservation Area** – for the purposes of Art. 14, Environmental Standards, an area of significant native vegetation that may be too small to be included as a preserve but has been determined to be worth designating for protection on the site plan and that the parcel owner is encouraged to manage with periodic maintenance activities, including the removal of prohibited and invasive non-native vegetation and protection of native vegetation from alteration.
64. **Tree, Specimen** – for the purposes of Art. 7, Landscaping, a tree that substantially contributes to the aesthetics of an area and which is protected through the permitting process, or which attains 33 percent or greater of the champion tree DBH. A specimen tree may be native or non-native and must be in good health.

65. **Tree Survey**

- a. For the purposes of Art. 7, Landscaping, a comprehensive survey document or Site Plan that provides the following information for trees greater than four inches diameter at breast height (DBH), or palm trees with an overall height of eight feet, that delineates the location and identifies the species of trees and vegetation upon a lot, and that meets the tree survey requirements of the Article. The Department shall determine the applicability and the extent of each survey. The survey shall provide the following information:
 - 1) The surveyed location, by a Florida-licensed land Surveyor, in relation to all proposed development, of all existing trees that are proposed to be destroyed, relocated, or preserved.
 - 2) The common and scientific name of each tree.
 - 3) The DBH of each tree, or, if a multiple trunk tree, the sum of the DBH of all trunks.
- b. For the purposes of Art. 14, Environmental Standards, a comprehensive survey document or Site Plan that provides site-specific information for trees three inches or greater DBH or for palm trees with an overall clear trunk height of eight feet that are on the site. The survey shall be performed by a Florida-licensed land Surveyor, and ERM shall determine the applicability and the extent of each survey.

66. **Trip** – a one-way movement of vehicular travel from an origin (one trip end) to a destination (the other trip end).

67. **Trip Generation** – for the purposes of Art. 12, Traffic Performance Standards and Art. 13, Impact Fees, the attraction or production of trips caused by a given type of land development. The daily generation rates shall be as presented in Table 13.H.4, Fair Share Road Impact Fee Schedule. For daily rates not included in the Table and all peak hour rates the latest edition of Trip Generation Manual published by the ITE or other Trip Generation approved by the County Engineer pursuant to Art. 12.C.1.C.2, Traffic Generation, shall be used to determine the Trip Generation rate.

68. **Truck** – for the purposes of Art. 6, Parking, Loading, and Circulation, shall have the meaning ascribed by the Statutes of the State of Florida providing for the regulation, registration, licensing, and recordation or ownership of motor vehicles in the State of Florida.

69. **Truck Tractor** – shall have the meaning ascribed by F.S. § 320.01. [Ord. 2024-004]

70. **Turbine, Wind** – A rotary engine assembly with attached blades or other similar systems, typically affixed to an elevated structure, utilized in the process to convert wind into energy. [Ord. 2010-005] [Ord. 2011-016]

U. **Terms defined herein or referenced Article shall have the following meanings:**

1. **Ultimate R-O-W** – an area set aside for future road widening or used as means of ingress, egress, or approach as determined by the FDOT, the Office of the County Engineer, the BCC, or by this Code, whichever provides the widest R-O-W.
2. **Understory** – for the purposes of Art. 14.C, Vegetation Preservation and Protection, the shrub and ground cover component of a vegetation community.
3. **Undue Economic Hardship** – for the purposes of Art. 9, Archaeological and Historic Preservation, an exceptional financial burden that might otherwise result in a taking of property without compensation or otherwise denies use of the property in an economically viable manner.
4. **Unincorporated Area** – for the purposes of Art. 13, Impact Fees, all of the area within the boundaries of PBC not within the boundaries of any municipality. For the purposes of Park Impact Fees it excludes the Boca Taxing District.
5. **Unincorporated Area (Law Enforcement)** – for the purposes of Art. 13, Impact Fees, the unincorporated area of PBC and the municipalities of Cloud Lake, Haverhill, Glen Ridge, and Village of Golf.
6. **Unit** – building or portion of a building, or a Mobile Home used primarily for human habitation purposes with separate bathing, cooking, and/or dining facilities. In the case of a Hotel or Motel, or a Congregate Living Facility, it shall mean the room and bathrooms.
7. **Unity of Control** – covenant recorded in the Office of the Clerk of the Circuit Court of PBC stipulating that a lot, lots, or project with different owners shall be developed according to a common Site or Master Plan providing Unified Control and the combined lots shall meet land development requirements as if they are one lot.
8. **Unity of Title** – a written instrument executed and recorded with the PBC Clerk of Court, by a Property Owner, whereby the Property Owner promises and agrees that a lot, lots, or parcel of land included in the Unity of Title will be held under single ownership as one unified lot or parcel, and that no portion shall be transferred, conveyed, sold, devised, or assigned separately except in its entirety as one plot or parcel of land. [Ord. 2023-026]

9. **Unmarked Human Burial** – for the purposes of Art. 9, Archaeological and Historic Preservation, any human skeletal or fossilized remains discovered during any land development activity or archaeological excavation.
 10. **Unobstructed Land** – for the purposes of Art. 15.A, PBC Environmental Control Rule I – Onsite Sewage Programs (OSP), that area on a lot or property which does not contain structures or other hindrances which would affect the installation, operation, and/or maintenance of an OSTDS. This includes, but is not limited to, pools, playgrounds, concrete slabs, trees, buildings, driveways, parking areas, and tennis courts. [Ord. 2022-019]
 11. **Upland Reclamation Area** – land area preserved or reestablished around the perimeter of an excavated area created to ensure usable end use of the land.
 12. **Upland Reclamation Planting** – installation of vegetation to reestablish plant and animal habitats.
 13. **Urban Infill** – for the purposes of Art. 12, Traffic Performance Standards, the Development of vacant parcels in otherwise built-up areas where public facilities such as sewer systems, roads, schools, and recreation areas are already in place and the average residential density is at least five dwelling units per acre, the average non-residential intensity is at least a floor area ratio of 1.0, and vacant developable land does not constitute more than ten percent of the area.
 14. **Urban Redevelopment** – for the purposes of Art. 12, Traffic Performance Standards, demolition and reconstruction or substantial improvement of existing buildings or infrastructure within Urban Infill areas or Existing Urban Service Areas.
 15. **Urban Service Area (USA)** – that portion of PBC as designated by the Plan.
 16. **Urban Service Area, Existing** – for the purposes of Art. 12, Traffic Performance Standards, an area defined and mapped in a Local Government comprehensive plan that is a built-up area where public facilities and services such as sewage treatment systems, roads, schools, and recreation areas are already in place.
 17. **Urgent Care Center** – a walk-in, extended-hour establishment that provides immediate, but not emergent, medical care to patients. Patients shall be served solely on an outpatient basis and such services shall not include overnight stays. [Ord. 2017-007]
 18. **Use** – any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained, or occupied; or any activity, occupation, business, or operation carried on, or intended to be carried on, in a building or other structure or on a tract of land.
 19. **Use, Accessory** – a permitted use that is customarily associated with the principal use and clearly incidental to the principal use and is subordinate in area, extent, or purpose to and serves only the principal use.
 20. **Use, Principal** – the primary and major purpose for which land or building is used as allowed by the applicable zoning district.
 21. **Utility**
 - a. Government or franchised provider of water, sewer, electric, gas, phone, cable television, or similar service.
 - b. For the purposes of Art. 14, Environmental Standards, a public utility, power company, or telephone company which serves the general public.
 22. **Utility Easement** – see Easement.
 23. **Utility Runway** – for the purposes of Art. 16, Airport Regulations, a runway that is constructed for and intended to be used by propeller-driven aircraft of 12,500 pounds maximum gross weight and less.
- V. **Terms defined herein or referenced Article shall have the following meanings:**
1. **Vacant Lot** – for the purposes of Art. 7, Landscaping, any tract or parcel of land upon which a home has been demolished and which has not been redeveloped. For the purposes of this definition only, redevelopment means the construction of a home. [Ord. 2005-002]
 2. **Vacant Residential Parcel** – any undeveloped parcel of land or property, including any parcel or property with an approved Development Order, possessing either a residential designation by the FLUA of the Plan or a residential zoning designation consistent with the underlying future land use designation.
 3. **Valid Site Specific Development Order** – for the purposes of Art. 12, Traffic Performance Standards, a Site Specific Development Order which was issued by a Local Government: (1) in accordance with proper procedure and in compliance with State law, and the land development regulations and codes, administrative rules and procedures, and general policies of Local Governments, and the requirements of all other agencies; (2) not by mistake; and, (3) which has not expired, lapsed, or been abandoned, revoked, or canceled by operation of law, or by the Local Government or pursuant to the Local Government land development regulations or codes, rules, or policies.

4. **Value** – for the purposes of Art. 13, Impact Fees, in the case of land, the appraised value as determined by an appraiser from a list of approved appraisers of Palm Beach County. In the case of improvements to real property or chattel, it means the actual cost to the feepayer or developer of such improvements or chattel. In all cases, the values shall be established in or as if in an arm's length, *bona fide* transaction in a competitive market between a willing seller and a willing buyer, neither of whom are under any special circumstances, as approved by the Impact Fee Manager based upon the standards in Art. 13, Impact Fees. If the Impact Fee Manager rejects an appraised value, the Impact Fee Manager may obtain another appraisal using an appraiser from the approved list, in which case that appraisal shall prevail. [Ord. 2022-026]
5. **Vanpool** – for the purposes of Art. 12, Traffic Performance Standards, a vehicle carrying six or more persons to and from work and on a regular basis. [Ord. 2006-036]
6. **Variance**
 - a. An abatement of certain regulations in the ULDC, where such Variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the Applicant, a literal enforcement of this Code would result in unnecessary and undue hardship. [Ord. 2014-001]
 - b. For the purposes of Art. 18, Flood Damage Prevention, a grant of relief from the requirements of the Article or the Flood-resistant construction requirements of the Florida Building Code, as granted by the Flood Damage Prevention Board, which permits construction in a manner that would not otherwise be permitted by the Article or the Florida Building Code. [Ord. 2017-026]
7. **Vegetation** – for the purposes of Art. 14.C, Vegetation Preservation and Protection, plant life including ground cover, grasses, herbs, vines, shrubs and trees.
8. **Vegetation, Native** – any plant species with a geographic distribution indigenous to all or part of the State of Florida. Plant species, which have been introduced by man, are not native vegetation.
9. **Vegetation Required to Be Preserved by Law** – for the purposes of Art. 7, Landscaping, areas of vegetation which are clearly delineated on a Site Plan/Plat, or in some other legally binding manner based upon which the lot area is being preserved.
10. **Vehicle Rental Facility, Neighborhood** – a rental facility that is limited to a maximum of six vehicles stored on site. [Ord. 2009-040]
11. **Vehicular Use Area**
 - a. An area designed or used for on-site parking; or
 - b. An area used for loading, circulation, access, storage, or display of motor vehicles. Designated parking areas on public or private streets shall not be considered a vehicular use area.
12. **Vehicular Use Area, Specialized** – an area designed for storage of vehicles in operative condition, or for warehousing, transportation, or trucking operations, and which is not open to the general public.
13. **Vessel** – synonymous with boat as referenced in Art. VII, § 1(b), Fla. Const. and includes every description of watercraft, barge, and airboat, other than a seaplane on the water, used or capable of being used as a means of transportation on water. The term “floating structure” is expressly excluded from the definition of a vessel. [Ord. 2007-013]
14. **Vested** – pursuant to the application of the State of Florida law.
15. **Violation** – for the purposes of Art. 18, Flood Damage Prevention, the failure of a Structure or other Development to be fully compliant with the Article. In addition, a Structure or other Development without a required FEMA Elevation Certificate, other acceptable elevation certifications, or other evidence of compliance required in the Article is presumed to be in Violation until such time as that documentation is provided. [Ord. 2004-013] [Ord. 2017-026]
16. **Visual Impact Analysis** – for the purposes of Art. 5, Supplementary Standards, a written and graphic assessment which determines the appropriate contextual relationship of a proposed building with respect to architectural composition and compatibility.
17. **Visual Hazard** – for the purposes of Art. 16, Airport Regulations, any source which emits occasional or permanent smoke, glare, dust, or any other perceptible emission that could be a risk to safe aircraft operations.
18. **Visual Runway** – for the purposes of Art. 16, Airport Regulations, a runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation planned or indicated on the FAA-approved civil or military airport layout plan, or by any other planning document submitted to the FAA by competent authority.
19. **Volume-to-Capacity (V/C) Ratio** – for the purposes of Art. 12, Traffic Performance Standards, the ratio of the volume of traffic on a Major Thoroughfare Link to the capacity of that Link as set forth in Table 12.B.2.C, LOS D Link Service Volumes.

W. **Terms defined herein or referenced Article shall have the following meanings:**

1. **Waiver**
 - a. A request to alter a specific ULDC provision where alternative solutions to Code requirements are provided, subject to standards, performance criteria, or limitations. Waivers are not intended to demonstrate financial viability, except for Community Residences, nor circumvent the intent of this Code. [Ord. 2012-027] [Ord. 2021-022]
 - b. For the purposes of Art. 4.B.1.C.9.c.2)a), Use Approval, Transitional Community Residence, a Waiver shall also mean a request to allow a Transitional Community Residence use in certain zoning districts as described in that Section. [Ord. 2021-022]
2. **Waste** – discarded material including but not limited to garbage, rubbish, yard trash, litter, non-combustible refuse, and industrial wastes.
3. **Wastewater Residuals** – the solid, semisolid, or liquid residue removed during the treatment of municipal wastewater. Not included is the treated effluent or reclaimed water from a domestic Wastewater Treatment Plant.
4. **Watercourse**
 - a. Any stream, canal, ditch, or other natural or artificial channel in which water normally flows within a defined bed, banks, or other discernible boundaries, either continuously or seasonally, whether or not such flow is uniform or uninterrupted.
 - b. For the purposes of Art. 18, Flood Damage Prevention, a lake, river, creek, stream, wash, channel, 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. [Ord. 2004-013]
5. **Wastewater Residuals (Dry)** – domestic wastewater residuals that contain 65 percent solids or greater, by weight.
6. **Water Management Tract** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, a parcel of land under single ownership, identified and created as a single unit on a plat or other instrument of record, established for the purpose of delineating a complete facility or unified area to be utilized for detention, retention, or groundwater recharge of stormwater runoff prior to discharge from a development site.
7. **Water Reclamation Production Facility** – these facilities can either treat raw wastewater to irrigation quality water or treat secondary effluent to tertiary standards for use as irrigation water. These facilities can be accessory to a Wastewater Treatment Plant or can be stand-alone facilities. They are comprised of pump and filtration systems, storage tanks, electrical sheds, and other facilities as necessary to process, store, and distribute irrigation quality water to an identified and reasonably proximate service area. [Ord. 2007-013]
8. **Water or Wastewater Treatment Plant**
 - a. **Water or Wastewater Treatment Plant, Open Process** – these are also known as “conventional” Water or Wastewater Treatment Plants and use a series of unenclosed tanks without roof structures to treat raw water to drinking water standards. [Ord. 2007-013] [Ord. 2017-007]
 - b. **Water or Wastewater Treatment Plant, Closed Treatment** – these plants treat raw water to drinking water standards within the confines of one or more relatively small, fully enclosed buildings. [Ord. 2007-013] [Ord. 2017-007]
9. **Water Supply System or Water Supply Facility or Water System or Water Facility** – for the purposes of Art. 15.B, PBC Environmental Control Rule II – Drinking Water Supply Systems, any or all works and auxiliaries for collection, treatment, storage, and distribution of water from the source or sources of supply to the consumer or processing plants including ice making vending machines, water vending machines, and bottled water plants.
10. **Water System, Central** – for the purposes of Art. 15, Health Regulations, a regional water supply system owned and operated by a municipality, county, special district, or other governmental entity, which provides water service to several developments located within its service area.
11. **Water System, Individual** – for the purposes of Art. 15, Health Regulations, a privately-owned water supply system which provides water service to a single development because of unavailability of a central water system.
12. **Water Surface Elevation** – for the purposes of Art. 18, Flood Damage Prevention, the height, in relation to the datum on the current Flood Insurance Rate Map of Floods of various magnitudes and frequencies in the Floodplains of coastal or riverine areas. [Ord. 2004-013] [Ord. 2017-026]
13. **Water Table Elevation** – for the purposes of Art. 15, Health Regulations, as defined by Chapter 62-6, F.A.C.

14. **Water Treatment Facility** – a facility designed for treatment of ground or surface water for potable and sanitary purposes, with a design capacity of more than 10,000 gallons per day.
15. **Water Well**
 - a. Source of water used for drinking, culinary, sanitary, and other domestic purposes.
 - b. For the purposes of Art. 15, Health Regulations, any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed when the intended use of such excavation is to conduct groundwater from a source bed to the surface by pumping or natural flow.
16. **Waters of the State** – waters, as defined in F.S. § 403.031(12), subject to compliance with State Water Quality Standards adopted pursuant to F.S. ch. 403 and set forth in Chapter 62-3, F.A.C.
17. **Watershed** – the land area, which contributes to the total flow of water entering a receiving stream or water body.
18. **WCRA Plan** – The Westgate/Belvedere Homes Community Redevelopment Plan adopted by the BCC on January 11, 2005, as may be periodically amended. [Ord. 2006-004]
19. **Well** – for the purposes of Art. 14, Environmental Standards, any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed when the intended use of such excavation is to conduct groundwater from a source bed to the surface by pumping, natural flow, or other method.
20. **Wellfield**
 - a. For the purposes of Art. 14, Environmental Standards, an area of land which contains one or more than one well for obtaining water.
 - b. For the purposes of Art. 15, Health Regulations, an area of land which contains more than one potable well that is designed for a pumping rate of at least 100,000 gallons per day.
21. **Wellfield Zones 1, 2, 3, and 4** – for the purposes of Art. 14, Environmental Standards, Zones of Influence delineated by iso-travel time contours around public water supply wellheads. Zone 1 is identified as the land area situated between the well(s) and the 30-day travel time, Zone 2 is the land area situated between the 30-day travel time and the 210-day travel time, and Zone 3 is the land area situated between 210-day and the 500-day travel time contours. Zone 4 is determined by the area situated beyond the 500-day travel time contour and within the one-foot drawdown contour. Zones of Influence Maps are maintained by ERM. [Ord. 2013-001]
22. **West County Agricultural Area (WCAA)** – the WCAA area is bounded roughly by Lake Okeechobee, Palm Beach-Hendry County Line, and the SFWMD Levees L-4, L-5, L-6, L-7, and L-8.
23. **Wet Detention/Retention** – detention or retention in a storage facility not designed, constructed, and operated so as to provide dry detention/retention.
24. **Wetland** – any persistent or intermittent water body or area characterized by the dominance of those submerged or transitional wetland species listed in Chapter 62-301, F.A.C. or located within or up to three miles directly offshore of PBC. Dominance shall be defined in accordance with Chapter 62-301, F.A.C. and shall be determined in the appropriate plant stratum (canopy, sub-canopy, or ground cover) as outlined in Chapter 62-301, F.A.C.
25. **Wettest Season** – for the purposes of Art. 15, Health Regulations, as defined by Chapter 62-6, F.A.C.
26. **Wildlife Corridor** – a continuous corridor of habitat, with a width of at least one mile, that is established by linking conservation areas, wildlife preserves, sanctuaries, refuges, parks, open space areas, and agricultural areas to provide a pathway for wildlife movement.
27. **Whip Antenna** – for the purposes of Art. 4.B.9, Commercial Communication Towers, a cylindrical or similarly shaped omnidirectional antenna utilized for transmission or receiving of electronic communications.
28. **Woodworking or Cabinetmaking** – an establishment engaged in the production of finished products from wood.
29. **Work** – for the purposes of Art. 11, Subdivision, Platting, and Required Improvements, all required construction as shown on approved construction plans and specifications for all facilities and features of any kind which are required, related to the process of subdivision of land under the Article.
- X. **Terms defined herein or referenced Article shall have the following meanings:**
- Y. **Terms defined herein or referenced Article shall have the following meanings:**
 1. **Yard** – any area that lies between the principal building or buildings and the nearest lot line. [Ord. 2011-001]
 2. **Yard Waste** – Vegetative matter resulting from landscaping maintenance and may include materials such as tree and shrub trimmings, grass clippings, palm fronds, and stumps. [Ord. 2011-001]

Z. **Terms defined herein or referenced Article shall have the following meanings:**

1. **Zones of Influence** – for the purposes of Art. 14, Environmental Standards, zones delineated by iso-travel time contours and the one-foot contour within cones of depression of wells which obtain water from the unconfined or surficial aquifer system. These zones are calculated, based on the rate of movement of groundwaters in the vicinity of wells at a specific pumping rate.
2. **Zones of Influence Maps** – for the purposes of Art. 14, Environmental Standards, Zones of Influence contour lines that overlay the latest digital ortho-photography prior to BCC adoption at scales determined by ERM showing the location on the ground of the outer limits of Zones of Influence for present and future public potable water supply wells and wellfields permitted for 100,000 gallons per day or more. [Ord. 2006-036]

Section 3 **Abbreviations and Acronyms**

AAAB	Airports and Aviation Advisory Board [Ord. 2006-036]
AASHTO	American Association of State Highway and Transportation Officials
ABN	Development Order Abandonment [Ord. 2010-005]
ACOE	Army Corps of Engineers [Ord. 2008-037]
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
AEE	Adult Entertainment Establishment
AGE	Agricultural Enclave [Ord. 2010-022]
AGEO	Agricultural Enclave Overlay [Ord. 2010-022]
AGR	Agricultural Reserve
AHCA	Agency for Health Care Administration [Ord. 2013-021]
AHP	Affordable Housing Program [Ord. 2009-040]
AI	Administrative Inquiry [Ord. 2011-016]
ALP	Alternative Landscape Plan
ALUNZ	Airport Land Use Noise Zone
AMI	Area Median Income [Ord. 2006-055]
AMSL	Above Mean Sea Level
ANSI	American National Standards Institute
AP	Agricultural Production [Ord. 2005-002]
APE	Area of Potential Effect [Ord. 2008-037]
APF	Adequate Public Facilities Determination
AR	Agricultural Residential [Ord. 2005-002]
Art.	Article
ASP	Alternate Site Plan
ASR	Airport Surveillance Radar
ASTM	American Society for Testing and Materials [Ord. 2011-001]
ATM	Automated Teller Machine
AUR	Annual Public Facilities Update Report
AZO	Airport Zoning Overlay
BCC	Board of County Commissioners
BOR	Basis of Review
BRPO	Biotechnology Research Protection Overlay [Ord. 2016-042]
CAH	Commission on Affordable Housing
CC	Community Commercial [Ord. 2005-002]
CCRT	Countywide Community Revitalization Team
CDD	Community Development District [Ord. 2020-001]
CES	Cooperative Extension Service [Ord. 2013-021]
CFR	Code of Federal Regulations
CG	General Commercial [Ord. 2005-002]
CH	Commercial High Intensity [Ord. 2005-002]
CHO	Commercial High Office [Ord. 2005-002]
CH-O	Commercial High Intensity-Office Only [Ord. 2005-002]
CIE	Capital Improvement Element
CLASC	Conservation Land Acquisition Selection Committee
CLF	Congregate Living Facility
CL	Commercial Low Intensity [Ord. 2005-002]
CLO	Commercial Low Office [Ord. 2005-002]
CL-O	Commercial Low Intensity-Office Only [Ord. 2005-002]
CLR	Congregate Living Residential [Ord. 2019-005]
CN	Neighborhood Commercial [Ord. 2005-002]
CO	Certificate of Occupancy
COA	Certificate of Appropriateness [Ord. 2008-037]
CON	Conservation [Ord. 2005-002]
COZ	Conditional Overlay Zone
CPTED	Crime Prevention Through Environmental Design
CR	Commercial Recreation [Ord. 2005-002]
CRA	Community Redevelopment Association

CRALLS	Constrained Roadway at a Lower Level of Service
CRE	Commercial Recreation [Ord. 2005-002]
CSA	Concurrency Service Area
CTD	Certificate to Dig [Ord. 2008-037]
dB	Decibel
DBH	Diameter at Breast Height
DCA	State of Florida Department of Community Affairs [Ord. 2004-013]
DEP	Department of Environmental Protection [Ord. 2008-037]
DEPW	Department of Engineering and Public Works
DO	Development Order [Ord. 2016-042]
DOA	Development Order Amendment
DOA	Department of Airports (for the purposes of Art. 16, Airport Regulations)
DOT	State of Florida Department of Transportation
DRAB	Development Review Appeals Board
DRI	Development of Regional Impact
DRO	Development Review Officer
EAA	Everglades Agricultural Area
EAB	Environmental Appeals Board [Ord. 2011-016]
EAC	Expedited Application Consideration
ECB	Environmental Control Board [Ord. 2011-016]
ECR I	PBC Environmental Control Rule I (Onsite Sewage Disposal Systems)
ECR II	PBC Environmental Control Rule II (Water Supply Systems)
EDC	Economic Development Center [Ord. 2004-040]
EPA	United States Environmental Protection Agency
ERM	Environmental Resources Management Department
ERP	Environmental Resource Permit
ESL	Environmentally Sensitive Lands
ESLASC	Environmentally Sensitive Lands Acquisition Selection Committee
ESLO	Environmentally Sensitive Lands Ordinance
EV	Electric Vehicle [Ord. 2018-018]
EVCS	Electric Vehicle Charging Station [Ord. 2018-018]
EvPA	Everglades Protection Area [Ord. 2014-025]
FAA	Federal Aviation Administration
FAC	Florida Archaeological Council [Ord. 2008-037]
F.A.C.	Florida Administrative Code
FAR	Floor Area Ratio
F.A.R.	Federal Aviation Regulation (for the purposes of Art. 16, Airport Regulations)
FBC	Florida Building Code or Florida Building Commission [Ord. 2010-005]
FBSDC	Form-Based Code [Ord. 2010-005]
FDEP	Florida Department of Environmental Protection
FDO	PBC Facilities Development and Operations Department
FDOT	Florida Department of Transportation
FDPR	Florida Department of Professional Regulation
FEMA	Federal Emergency Management Agency [Ord. 2004-013]
FHA	Federal Fair Housing Amendments Act [Ord. 2011-016] [Ord. 2024-024]
FIRM	Flood Insurance Rate Map
FIS	Flood Insurance Study
FLUA	Future Land Use Atlas
FLUE	Future Land Use Element
FMP	Final Master Plan [Ord. 2009-040]
FMSF	Florida Master Site File
FMSP	Final Master Sign Plan [Ord. 2009-040]
FRA	Florida Realtors Association [Ord. 2011-001]
FRP	Final Regulating Plan [Ord. 2009-040]
FSBP	Final Subdivision Plan [Ord. 2009-040]
FSP	Final Site Plan [Ord. 2009-040]
F.S.	Florida Statutes
GAO	Glades Area Overlay
GFA	Gross Floor Area

GLA	Gross Leasable Area
GMRPB	Groundwater and Natural Resources Protection Board [Ord. 2006-004]
GOPs	Goals, Objectives, and Policies of the Comprehensive Plan
GPS	Global Positioning System
GRMP	Glades Region Master Plan [Ord. 2016-016]
GVWR	Gross Vehicle Weight Rating [Ord. 2008-003]
HANG	Highest Adjacent Natural Grade
HE	Housing Element of the Plan [Ord. 2005-002]
HOA	Homeowner's Association
HR-8	High Residential 8 [Ord. 2005-002]
HR-12	High Residential 12 [Ord. 2005-002]
HR-18	High Residential 18 [Ord. 2005-002]
HRRB	Historic Resources Review Board
HUD	U.S. Department of Housing and Urban Development
IESNA	Illuminating Engineering Society of North America [Ord. 2005-041]
IFR	Instrument Flight Rules
IG	General Industrial [Ord. 2005-002]
IL	Light Industrial [Ord. 2005-002]
ILS	Instrument Landing System
IND	Industrial
INST	Institutional and Public Facilities [Ord. 2005-002]
IOZ	Indiantown Road Overlay [Ord. 2010-022]
IPARC	Intergovernmental Plan Amendment Review Clearinghouse
IPF	Institutional and Public Facilities [Ord. 2005-002]
IRO	Infill Redevelopment Overlay [Ord. 2010-022]
LCC	Lifestyle Commercial Center Development [Ord. 2013-021]
LCS	Lion Country Safari [Ord. 2011-016]
LCSO	Lion Country Safari Overlay [Ord. 2016-042]
LDM	Land Development Design Standards Manual [Ord. 2009-040]
L_{dn}	Day-Night Average Sound Level
LFCCH	Large Family Child Care Home [Ord. 2011-016]
LLF	Light Loss Factor [Ord. 2005-041]
LME	Lake Maintenance Easement
LOS	Level of Service
LOSTO	Lake Okeechobee Scenic Trail Overlay
LPA	Local Planning Agency
LR-1	Low Residential 1 [Ord. 2005-002]
LR-2	Low Residential 2 [Ord. 2005-002]
LR-3	Low Residential 3 [Ord. 2005-002]
MAI	Member of the Appraiser's Institute
MDA	Minimum Descent Altitude
MET	Meteorological Tower [Ord. 2011-016]
MF	Multifamily Dwelling [Ord. 2006-004]
MH	Mobile Home or Manufactured Home [Ord. 2017-007]
MLS	Microwave Landing System
MOCA	Minimum Obstruction Clearance Altitude
MPCP	Master Pedestrian Circulation Plan
MPO	Metropolitan Planning Organization
MR-5	Medium Residential 5 [Ord. 2005-002]
MSP	Master Sign Plan [Ord. 2009-040]
MVA	Minimum Vectoring Altitude
NAICS	North American Industrial Classification System
NAVD88	North American Vertical Datum of 1988 [Ord. 2010-022]
NBCTF	Northlake Boulevard Corridor Task Force
NBOZ	Northlake Boulevard Overlay Zone
NCD	Neighborhood Commercial Development
NEO	Native Ecosystem Overlay District
NGVD	National Geodetic Vertical Datum
NLR	Noise Level Reduction

NPDES	National Pollution Discharge Elimination System
NRHP	National Register of Historic Places [Ord. 2008-037]
OFMB	Office of Management and Budget
OHV	Off-Highway Vehicle [Ord. 2017-007]
OHW	Ordinary High Water
OLW	Ordinary Low Water
OR	Optional Residential
OSP	Onsite Sewage Programs(s) [Ord. 2022-019]
OSTDS	Onsite Sewage Treatment and Disposal System(s) [Ord. 2022-019]
OWL	Ordinary Water Level
PAC	Pre-Application Conference [Ord. 2010-005]
PAL	Preliminary Assessment Letter [Ord. 2008-037]
PAR	Precision Approach Radar
PBC	Palm Beach County
PBCACC	PBC Division of Animal Care and Control [Ord. 2006-036]
PBCHD	PBC Health Department
PBCWUD	PBC Water Utilities Department
PBIA	Palm Beach International Airport
PBIAO	Palm Beach International Airport Overlay
PC	Preservation/Conservation [Ord. 2005-002]
PCN	Property Control Number
P.C.P.	Permanent Control Point
PDD	Planned Development District
PDP	Preliminary Development Plan [Ord. 2009-040]
PDR	Property Development Regulation
PIA	Privately Initiated Amendment [Ord. 2018-002]
PLC	Planning Commission [Ord. 2008-003]
PMP	Preliminary Master Plan [Ord. 2009-040]
PMSP	Preliminary Master Sign Plan [Ord. 2009-040]
PNV	Protection of Native Vegetation [Ord. 2021-023]
PO	Public Ownership [Ord. 2005-002]
POA	Property Owners' Association
PRA	Priority Redevelopment Area [Ord. 2010-022]
PRCF	Peer Review Certification Form
P.R.M.	Permanent Reference Monument
PRP	Preliminary Regulating Plan [Ord. 2009-040]
PSBP	Preliminary Subdivision Plan [Ord. 2009-040]
PSP	Preliminary Site Plan [Ord. 2009-040]
PUD	Planned Unit Development
PZB	Planning, Zoning and Building Department
RCRA	Resource Conservation and Recovery Act
RE	Residential Estate [Ord. 2005-002]
RFI	Request for Interpretation
RM	Multifamily Residential [Ord. 2005-002]
R-O-W	Right-of-Way
RPA	Registry of Professional Archaeologists [Ord. 2008-037]
RPZ	Runway Protection Zone
RR-2.5	Rural Residential 2.5 [Ord. 2005-002]
RR-5	Rural Residential 5 [Ord. 2005-002]
RR-10	Rural Residential 10 [Ord. 2005-002]
RR-20	Rural Residential 20 [Ord. 2005-002]
RS	Single Family Residential [Ord. 2005-002]
RSA	Rural Service Area
RT	Residential Transitional [Ord. 2005-002]
RTO	Research and Technology Overlay [Ord. 2023-026]
RV	Recreational Vehicle [Ord. 2017-007]
RVPD	Recreational Vehicle Planned Development [Ord. 2017-007]
SCGCFO	Sugar Cane Growers Cooperative of Florida Protection Area Overlay [Ord. 2004-040]
SD	Specialized Development [Ord. 2010-022]

SF	Single Family
SFD	Single Family Dwelling [Ord. 2006-004]
SFHCTD	Single Family Homeowner Certificate to Dig [Ord. 2008-037]
SFWMD	South Florida Water Management District
SHPO	State Historic Preservation Officer [Ord. 2008-037]
SIAP	Standard Instrument Approach Procedure
SIC	Standard Industrial Code
SIS	Florida's Strategic Intermodal System [Ord. 2006-055]
SOPA	Society of Professional Archaeologists [Ord. 2008-037]
SPZ	Sand Preservation Zone
SRO	Single Room Occupancy [Ord. 2007-013]
SSRP	Site Specific Regulating Plan [Ord. 2010-005]
STLP	Sea Turtle Lighting Plan
STPO	Sea Turtle Protection Ordinance
STPZ	Sea Turtle Protection Zone
SUV	Sport Utility Vehicle [Ord. 2017-007]
TAPO	Turnpike Aquifer Protection Overlay
TCMA	Transportation Concurrency Management Area
TCRPC	Treasure Coast Regional Planning Council
TDD	Traditional Development District [Ord. 2007-013]
TDR	Transfer of Development Rights
TDS	Total Dissolved Solids [Ord. 2008-037]
TH	Townhouse Dwelling [Ord. 2006-004]
THPO	Tribal Historic Preservation Officer [Ord. 2008-037]
TIITF	Board of Trustees of the Internal Improvement Trust Fund of the State of Florida [Ord. 2014-025]
TMD	Traditional Marketplace Development
TND	Traditional Neighborhood Development
TNTC	Too Numerous to Count
TPS	Traffic Performance Standards
TPSAB	Traffic Performance Standards Appeals Board
TTD	Traditional Town Development
TZ	Transect Zone (IRO) [Ord. 2010-005]
UC	Urban Center [Ord. 2010-022]
UI	Urban Infill [Ord. 2010-022]
URA	Urban Redevelopment Area [Ord. 2008-037]
URAO	Urban Redevelopment Area Overlay [Ord. 2010-022]
U/S	Urban/Suburban Tier
USA	Urban Service Area
USACE	United States Army Corps of Engineers [Ord. 2006-004]
USDA	United States Department of Agriculture
U/T	Transportation and Utilities Facilities [Ord. 2005-002]
V/C	Volume to Capacity
VFR	Visual Flying Rules
VOR	Very-High Frequency Omni-Range
VPPO	Vegetation Preservation and Protection Ordinance
VRN	Vegetation Removal Notice
WCAA	West County Agricultural Area
WCR	Western Communities Residential [Ord. 2017-011]
WCRAO	Westgate/Belvedere Homes Overlay
WCRO	Western Communities Residential Overlay [Ord. 2017-011]
WHP	Workforce Housing Program [Ord. 2005-002]
WPZ	Wellfield Protection Zone
WRA	Water Resources Area
ZC	Zoning Commission
ZI	Zones of Influence
ZLL	Zero Lot Line

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