

BROWARD COUNTY LAND USE PLAN 2016

TEXT AMENDMENT PCT 16-7

SECTION 2: DEFINITIONS

ACCESSORY USE - means a use naturally and customarily incidental, subservient or subordinate to the principal use.

ACCOMMODATIONS - means any apartment, condominium or cooperative unit, cabin, lodge, hotel or motel room, campground, or other private or commercial structure which is situated on real property and designed for occupancy or use by one or more individuals.

ADAPTATION ACTION AREAS - means a designation in the coastal management element of a local government's comprehensive plan which identifies one or more areas that experience coastal flooding due to extreme high tides and storm surge, and that are vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure needs and adaptation planning.

ADJACENT – means next to or adjoining. Having a common side or point.

~~ADMINISTRATION COMMISSION – means the Governor and the Cabinet of the State of Florida.~~

ADMINISTRATIVE RULES DOCUMENT - means a publication containing rules, guidelines, procedures, and methodologies reviewed, revised, adopted and amended by the Broward County Planning Council and Board of County Commissioners for the purpose of providing assistance and guidance to local governments and providing direction to Council staff in implementing the Broward County Land Use Plan.

AFFECTED PERSONS - includes the affected local government; persons owning property, residing, or owning or operating a business within the boundaries of the local government whose plan is the subject of the review; and adjoining local governments that can demonstrate that adoption of the plan as proposed would produce substantial impacts on the increased need for publicly funded infrastructure or substantial impacts on areas designated for protection or special treatment within their jurisdictions. Each person, other than an adjoining local government, in order to qualify under this definition, shall also have submitted oral or written objections during the local government review and adoption proceedings.

AFFORDABLE HOUSING – ~~See ATTAINABLE HOUSING means housing for which monthly rents or monthly mortgage payments (including taxes and insurance) do not exceed 30 percent of an amount representing the percentage (very low = 50%; low = 80%; moderate = 120%) of the median income limits adjusted for family size for the households.~~

AGRICULTURAL USES - means activities within land areas which are predominantly used for the cultivation of crops and livestock including: cropland; pastureland; orchards; vineyards; nurseries; ornamental horticulture areas; groves; confined feeding operations; specialty farms; and silviculture areas.

~~AIRPORT CLEAR ZONE— means a designated area of land which is subject to peak aircraft noise and on which there is the highest potential of danger from airport operations.~~

~~AIRPORT FACILITY— means any area of land or water improved, maintained or operated by a governmental agency for the landing and takeoff of aircraft, or privately owned paved runways of 4,000 or more feet in length, and any appurtenant area which is used for airport buildings, or other airport facilities or rights of way.~~

~~AIRPORT OBSTRUCTION— means any structure, object of natural growth, existing condition or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at an airport or which otherwise increases the risk of danger to aircraft operations.~~

~~ALLEY— means a right of way providing a secondary means of access and service to abutting property.~~

AMENDMENT - means any change to an adopted comprehensive plan except for corrections, updates and modifications of the capital improvements element concerning costs, revenue services, acceptance of facilities or facility construction dates consistent with the plan as provided in Subsection 163.3177(3)(b), Florida Statutes, and corrections, updates or modifications of current costs in other elements, as provided in Section 163.3187(2), Florida Statutes.

ANNEXATION - means the adding of real property to the boundaries of an incorporated municipality, such addition making such real property in every way a part of the municipality.

~~AQUATIC VEGETATION— means a plant characteristically growing wholly or partly submerged in water.~~

~~AREA OR AREA OF JURISDICTION— means the total area of Broward County including all of the lands lying within the limits of an incorporated municipality, and the unincorporated lands within the county.~~

~~AREAS SUBJECT TO COASTAL FLOODING— see "hurricane vulnerability zone."~~

ARTERIAL ROAD - means a roadway providing service which is relatively continuous and of relatively high traffic volume, long trip length, and high operating speed. In addition, every United States numbered highway is an arterial road.

ATTAINABLE HOUSING - means housing for which monthly rents or monthly mortgage payments (including taxes and insurance) do not exceed 30 percent of an amount representing the percentage (very low = 50%; low = 80%; moderate = 120%) of the median income limits adjusted for family size for the households.

BEACH - means the zone of unconsolidated material that extends landward from the mean low water line to the place where there is marked change in material or physiographic form, or to line of permanent vegetation, usually the affective limit of storm waves. "Beach," as used in the coastal management element requirements, is limited to oceanic and estuarine shorelines.

BICYCLE AND PEDESTRIAN WAYS - means any road, path or way which is open to bicycle travel and traffic afoot and from which motor vehicles are excluded.

BROWARD COMPLETE STREETS GUIDELINES – means a document endorsed by the Broward Metropolitan Planning Organization in July, 2012, which is based on the *Los Angeles County Design Manual for Living Streets*.

BROWARD COUNTY COASTAL AREA - means the land and water eastward of U.S. 1/Federal Highway to the Atlantic Ocean.

~~BROWARD COUNTY COASTAL HIGH HAZARD AREA – means the land and water eastward of the Atlantic Intracoastal Waterway to the Atlantic Ocean including any coastal protection structures.~~

BROWARD COUNTY LAND USE PLAN - means the future land use plan element for all of Broward County adopted by the Broward County Commission in conformance with the requirements of the Broward County Charter ~~and the Local Government Comprehensive Planning and Land Development Regulation Act.~~

BROWARD COUNTY TRAFFICWAYS PLAN - means the plan promulgated by the Broward County Planning Council pursuant to Chapter 59-1154, Laws of Florida, as amended, and the Broward County Charter, which depicts a network of Trafficways for Broward County (also known as the Broward County Planning Council Trafficways Plan).

BUILDING - means any structure having a roof and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind.

BUILDING PERMIT - means: Any permit for the erection or construction of a new building required by Section 301.1 of the South Florida Building Code, 1984, Broward Edition, as amended. Any permit for an addition to an existing building which would: create one or more additional dwelling units, or involve a change in the occupancy of a building as described in Section 104.7 of the South Florida Building Code, 1984, Broward Edition, as amended. Any permit which would be required for the nonresidential operations included in Section 301.1(a) of the South Florida Building Code, 1984, Broward Edition, as amended.

~~CAPITAL BUDGET – means the portion of each local government's budget which reflects capital improvements scheduled for a fiscal year.~~

CAPITAL IMPROVEMENT - means physical assets constructed or purchased to provide, improve or replace a public facility and which are large scale and high in cost. The cost of a capital improvement is generally nonrecurring and may require multi-year financing. For the purpose of this rule, physical assets which have been identified as existing or projected needs in the individual comprehensive plan elements shall be considered capital improvements.

CERTIFIED LAND USE PLAN - means a local land use plan which has been certified by the Broward County Planning Council as being in substantial conformity with the Broward County Land Use Plan and which has been adopted by a unit of local government in conformance with the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

CERTIFIED LOCAL GOVERNMENT – means municipal and county governments which have made historic preservation a public policy through the passage of a historic preservation ordinance, making them eligible for federally-funded small matching historic preservation grants to assist their historic preservation programs.

CLIMATE CHANGE – means a change in global or regional climate patterns, in particular a change apparent from the mid to late 20th century onwards and attributed largely to the increased levels of atmospheric carbon dioxide produced by the use of fossil fuels.

COASTAL CONSTRUCTION CONTROL LINE - means the line established by the Florida Department of Natural Resources after a determination, through comprehensive engineering study and topographic survey, that the establishment of such control line is necessary for the protection of upland properties and the control of beach erosion, pursuant to Section 161.053, Florida Statutes.

COASTAL STORM AREA – means all properties connected to mainland by bridges and/or low-lying properties that have restricted evacuation and emergency access.

COLLECTOR ROAD - means a roadway providing service which is of relatively moderate traffic volume, moderate trip length, and moderate operating speed. Collector roads collect and distribute traffic between local roads or arterial roads.

COMMERCIAL USES - means activities within land areas which are predominantly connected with the sale, rental and distribution of products, or performance of services.

COMMUNITY CULTURAL FACILITY - means a facility that is readily accessible to all segments of the community for cultural activities (performing, visual and literary arts). The center should include classroom and workshop space, exhibit and performance space and cultural programming by professional artists for all age groups.

COMMUNITY PARK - means acreage listed in the "Community and Regional Parks" subsection of the Plan Implementation Requirements Section of the Broward County Land Use Plan that is utilized by local governments to meet the community level parks requirement of the Broward County Land Use Plan.

~~COMMUNITY SHOPPING CENTER – means a shopping center which typically ranges from approximately 100,000 to 300,000 square feet of gross leasable area and is generally built around a junior department store or variety store and supermarket as the major tenants. Community shopping centers typically range in area from approximately 10 acres to 30 acres and serve trade areas ranging from roughly 40,000 people to 150,000 people.~~

COMPATIBILITY – means a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

COMPLETE STREET - means a street where the entire right-of-way is planned, designed, and operated for all modes of transportation and all users regardless of age or ability. Pedestrians, bicyclists, transit riders, and motorists of all ages and abilities must be able to safely move along and across a Complete Street. Complete Streets make it easy to cross the street, walk to shops, catch the bus, bike to work, and enjoy many other healthy activities.

COMPREHENSIVE PLAN - means a plan that meets the requirements of Sections ss. 163.3177 and 163.3178, Florida Statutes.

CONCURRENCY - means public facilities and services needed to support development shall be available consistent with concurrency requirements as per Section 163.3180, Florida Statutes (1993).

CONCURRENCY MANAGEMENT SYSTEM - means the provisions in the local government comprehensive plan including implementation regulations, encompassing the restrictions, methods, resources, timing and solutions intended to be compatible with and further compliance with the statutory requirement to provide public facilities and services needed to support development consistent with concurrency requirements and Section 163.3180, Florida Statutes (1993).

CONDO-HOTEL – means hotel units that function in the same manner as a conventional hotel, with the exception that units may be purchased and accessed by the owner a minority of days per year. The units must be available to hotel guests a majority of days per year.

~~CONE OF INFLUENCE (ZONE OF INFLUENCE) – means an area around one or more major water wells, the boundary of which is determined by the government agency having specific statutory authority to make such a determination based on groundwater travel or drawdown depth.~~

CONSERVATION USES - means activities within land areas designated for the purpose of conserving or protecting natural resources or environmental quality and includes areas designated for such purposes as flood control, protection of quality or quantity of groundwater or surface water, floodplain management, fisheries management, or protection of vegetative communities or wildlife habitats.

CONSISTENT - means compatible with and furthers. Compatible with - means not in conflict with. Furthers - means to take action in the direction of realizing the goals and policies. As applied to the local plan, a local plan shall be consistent with the state plan and the regional plan.

CONTEXT SENSITIVE ROADWAYS – means roadways that are planned and developed with improvements that are considerate of the character and environment of the corridor and the surrounding neighborhood, and are responsive to multiple transportation modes, maintain safety and mobility

CONTIGUOUS - means ~~in close proximity,~~ touching or adjacent.

~~CONTRACTION — means the reversion of real property within municipality boundaries to an unincorporated status.~~

COUNTY COMMISSION - means the Board of County Commissioners of Broward County.

~~COUNTY LAND PLANNING AGENCY — means the agency designated to prepare the comprehensive plan for the county or in the case of chartered counties, the agency which has the planning responsibility between the County and the municipalities as stipulated in the Charter.~~

DASHED-LINE AREA - means an area on the Future Broward County Land Use Plan Map (Series) bordered by a dashed line and designated as having a particular maximum overall density of dwelling units for all land and land uses within the area, and/or a particular total number of dwelling units permitted within the area.

~~DEEPWATER PORTS — as defined in Rule 9J-5, including Port Everglades.~~

~~DESIGNATED REDEVELOPMENT AREA — means those areas depicted within the Future Broward County Land Use Plan Map (Series) which have been determined to be redevelopment areas by the Broward County Board of County Commissioners. Criteria for designated redevelopment areas are contained within Section IV.D. of the Broward County Land Use Plan. Policies which encourage redevelopment within designated redevelopment areas are located under Objective 14.03.00 of the Broward County Land Use Plan.~~

DEVELOPER - means any person, including a governmental agency, undertaking any development.

DEVELOPMENT - The term "development" means: The carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into two or more parcels. The following activities or uses shall be taken for the purposes of this chapter to involve "development," as defined in this section:

- A reconstruction, alteration of the size, or material change in the external appearance of a structure on land. A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land.
- Alteration of a shore or bank of a seacoast, river, stream, lake, pond, or canal, including any "coastal construction" as defined in Section 161.021, Florida Statutes. Commencement of drilling, except to obtain soil samples, mining, or excavation on a parcel of land.
- Demolition of a structure.
- Clearing of land as an adjunct of construction.
- Deposit of refuse, solid or liquid waste, or fill on a parcel of land.

The following operations or uses shall not be taken for the purpose of this chapter to involve "development" as defined herein:

- Work by a highway or road agency or railroad company for the maintenance or improvement of a road or railroad tract, if the work is carried out on land within the boundaries of the right-of-way.
- Work by any utility and other persons engaged in the distribution or transmission of gas or water, for the purpose of inspecting, repairing, renewing, or constructing on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, powerlines, towers, poles, tracks, or the like.
- Work for the maintenance, renewal, improvement, or alteration of any structure, if the work affects only the interior or the color of the structure or the decoration of the exterior of the structure.
- The use of any structure or land devoted to dwelling uses or any purpose customarily incidental to enjoyment of the dwelling.
- The use of any land for the purpose of growing plants, crops, trees, and other agricultural or forestry products; raising livestock; or for other agricultural purposes.
- A change in use of land or structure from a use within a class specified in an ordinance or rule to another use in the same class.
- A change in the ownership or form of ownership of any parcel or structure.
- The creation or termination of rights of access, aparian rights, easements, covenants concerning development of land, or other rights in land.
- "Development," as designated in an ordinance, rule, or development rule includes all other development customarily associated with it unless otherwise specified. When appropriate to the context, "development" refers to the act of developing to the result of development. Reference to any specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not development. Reference to particular operations is not intended to limit the generality of subsection (1).

DEVELOPMENT ORDER - means any order granting, denying, or granting with conditions an application for a development permit.

DEVELOPMENT PERMIT - includes any building permit, zoning permit, plat approval, or rezoning, certification, variance, or other action having the effect of permitting development.

DISASTER – means a sudden event, such as an accident or a natural catastrophe, that causes great damage or loss of life.

~~DOWNTOWN DEVELOPMENT AUTHORITY – means a local governmental agency established under part III of Chapter 163 or created with similar powers and responsibilities by special act for the purpose of planning, coordinating, and assisting in the implementation, revitalization, and redevelopment of a specific downtown area of a city.~~

~~DOWNTOWN REVITALIZATION – means the physical and economic renewal of a central business district of a community as designated by local government, and includes both downtown development and redevelopment.~~

~~DRAINAGE BASIN~~ means the area defined by topographic boundaries which contributes storm water to a drainage system, estuarine waters, or oceanic waters, including all areas artificially added to the basin.

DRAINAGE FACILITIES - means a system of man-made structures designed to collect, convey, hold, divert or discharge storm water, and includes storm water sewers, canals, detention structures, and retention structures.

DUNE - means a mound or ridge of loose sediments, usually sand-sized sediments, lying landward of the beach and extending inland to the landward toe of the dune which intercepts the 100-year storm surge.

DWELLING UNIT - means a house, apartment, or condominium unit, trailer, group of rooms, or a single room intended for occupancy as 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 the occupants, including rental units contained in a multi-unit structure or complex which are licensed by the State Department of Business Regulation, Division of Hotels and Restaurants, as "apartments," "rental condominiums" and "retirement housing" or live aboard vessels located in multi-family "Residential" designated areas which are required to hookup to marine sanitation systems.

EASEMENT - means any strip of land created by a sub divider for public or private utilities, drainage, sanitation, or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the reservation of the servitude.

ECOLOGICAL COMMUNITY - means a distinctive combination of two or more ecologically related species, living together and interacting with each other in a characteristic natural habitat.

EDUCATIONAL USES - means activities and facilities of public or private primary or secondary schools, vocational and technical schools, and colleges and universities licensed by the Florida Department of Education, including the areas of buildings, campus open space, dormitories, recreational facilities or parking.

EFFICIENCY HOUSING UNIT - means a one-room apartment with a private bathroom. It may or may not have a closet. The one room is usually larger than a standard apartment bedroom, since it needs to have separate areas for sleeping, eating and living, and also for a small kitchen (usually referred to as a kitchenette).

~~ELECTRICAL POWER PLANT~~ means an electrical generating facility where electricity is produced for the purpose of supplying twenty five megawatts (MW) or more to utility power systems.

~~ENHANCEMENT~~ shall mean the alteration of an existing wetland to increase the functional value.

ENVIRONMENTAL JUSTICE – means the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to development to avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including interrelated social and economic effects, on vulnerable populations.

ENVIRONMENTALLY SENSITIVE LAND - means those areas containing Natural Resources, as depicted in the Natural Resource Map Series of the Broward County Land Use Plan, which have been determined to be environmentally sensitive by the Broward County Board of County Commissioners. The criteria for designation of Environmentally Sensitive Lands are contained within the Plan Implementation Requirements section of the Broward County Land Use Plan. Policies which ensure the protection of Environmentally Sensitive Lands, ~~consistent with the requirements of Section 163.3202, Florida Statutes, are located under Objective 9.01.00 of~~ are contained within the Broward County Land Use Plan.

~~ESSENTIAL SERVICES PERSONNEL — means any person in need of affordable housing who is a permanent employee (excluding temporary and on call employees) of a company or organization located within Broward County, which falls into one of the following sectors or codes, as defined within the North American Industry Classification System (NAICS), published by the U.S. Department of Labor:~~

~~Sectors 44-45: Retail Trade~~

~~Sector 61: Education services~~

~~Sector 62: Health care and social assistance~~

~~Sector 72: Accommodation and food service~~

~~Sector 81: Other services (except Public Administration)~~

~~Code 485: Transit and ground passenger transportation~~

~~Code 922: Justice, public order, and safety activities~~

ESTUARY - means a semi-enclosed, naturally existing coastal body of water in which saltwater is naturally diluted by freshwater and which has an open connection with oceanic waters. "Estuaries" include bays, ~~embayments~~, lagoons, sounds and tidal streams.

EVACUATION ROUTES - means routes designated by county emergency management authorities or the regional evacuation plan, for the movement of persons to safety, in the event of a hurricane.

~~EXISTING URBAN SERVICE AREA — means built-up areas where public facilities and services such as sewage treatment systems, roads, schools, and recreation areas are already in place.~~

FABRICATION AND ASSEMBLY - means the manufacturing from standardized parts of a distinct object differing from the individual components involving materials with form and substance (as opposed to liquid or gas), with a physical, as opposed to chemical, mating or joining of the individual parts.

FLEXIBILITY UNITS - shall equal the difference between the number of dwelling units permitted within a flexibility zone by the Broward County Land Use Plan and the number of dwelling units permitted within the local government’s certified future land use plan map, plus additional

remaining permitted dwelling units, fixed at the adoption date of the 2016 Broward County Land Use Plan and formerly defined as “Reserve Units” which were equal to two percent (2%) of the total number of dwelling units permitted by the local government’s certified future land use plan map.

~~FLEXIBILITY ZONE – means a geographic area, as delineated on the flexibility zone boundary maps in the Administrative Rules Document of the Broward County Planning Council, within which residential densities and land uses may be redistributed through the plan certification process.~~

FLOODPLAINS - means areas inundated during an identified flood event or identified by the National Flood Insurance Program as A Zone or V Zone on Flood Insurance Rate Maps or Flood Hazard Boundary Maps.

FLOOR AREA - generally means the total square footage of all floors measured to the outside surface of the building or portion of the building. This may include hallways, stairways, elevators, storage and mechanical rooms whether internal or external to the structure. Floor area may also be limited to what is considered leasable space. The specific definitions are determined by local government land use plans and local land development regulations.

FLOOR AREA RATIO (FAR) - means the square footage of the floor area of a building divided by the square footage of the lot (net site area) on which the building is located. Figure 1, illustrates how a FAR of 1.0 can be calculated. The first example is a one story building covering the entire lot; the second is a two story building covering 50% of the lot and the third, a four story building covering 25% of the lot.

FRESHWATER MARSH - means a wetland having more than 25 percent vegetative cover by terrestrial herbs, but 40 percent or less cover by woody plants, occasionally or regularly flooded by fresh water (e.g., sawgrass).

FRESHWATER SWAMP - means a wetland having more than 40 percent cover by woody plants and that is occasionally or regularly flooded by freshwater (e.g., cypress swamp).

FUTURE BROWARD COUNTY LAND USE PLAN MAP (SERIES) - means the series of maps adopted by the Broward County Board of County Commissioners as part of the Broward County Land Use Plan. These include the Broward County Land Use Plan Map, Historic District and Historically Significant Properties Map, Natural Resources Map Series-Eastern Broward County and Natural Resources Map Series-Western Broward County.

~~GOAL – means the long term end toward which programs and activities are ultimately directed.~~

~~GOVERNING BODY – means the board of county commissioners of a county, the commission or council of an incorporated municipality, or any other chief governing body of a unit of local government, however designated, or the combination of such bodies.~~

~~GOVERNMENTAL AGENCY – means:~~

~~The United States or any department, commission, agency, or other instrumentality thereof;~~

~~The State of Florida or any department, commission, agency or other instrumentality thereof;~~

~~Any local government, or any department, commission, agency, or other instrumentality thereof;~~

~~Any school board or other special district, authority, or other governmental entity.~~

GREENHOUSE GAS EMISSIONS – means any of the atmospheric gases that contribute to the greenhouse effect by absorbing infrared radiation produced by solar warming of the Earth's surface. They include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (NO₂), and water vapor.

GROSS ACRE – means the total number of acres in an area, including acreage used or proposed for streets, lakes, waterways and other proposed land uses permitted in residential areas by the Broward County Land Use Plan.

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

HAMMOCK - means a dense growth of broad-leaved trees on a slight elevation; not considered wet enough to be a swamp.

~~HARDWOOD – means a broad-leaved angiosperm (flowering plant) tree having wood characterized by the presence of specialized cells called vessels.~~

~~HAZARDOUS LIQUID PIPELINE – means a pipeline, a right of way, or a facility, used or intended to be used in transporting petroleum or petroleum products.~~

HAZARDOUS WASTE - means solid waste, or a combination of solid wastes, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated or otherwise managed.

HISTORIC RESOURCES - means all areas, districts or sites containing properties listed on the Florida Master Site File, the National Register of Historic Places, or designated by a local government as historically, architecturally, or archaeologically significant.

HISTORIC TREES – includes trees designated by the Broward County Board of County Commission pursuant to Chapter 27 of the Broward County Code which are (1) located on historically significant property and related to an historic event; (2) uniquely related to the heritage of Broward County; or (3) at least seventy-five (75) years old. Requests for designation can be made by State, County, Municipality, Historical Preservation Group, or by the Property Owner. Removal of a tree designated as “Historic” requires the approval of the County Commission. (Chapter 27-412 Broward County Code)

HURRICANE SHELTER - means a structure designated by local officials as a place of safe refuge during a storm or hurricane.

HURRICANE VULNERABILITY ZONE (also "areas subject to coastal flooding") - means the areas delineated by the regional or local hurricane evacuation plan as requiring evacuation. The hurricane vulnerability zone shall include areas requiring evacuation in the event of a 100-year storm or Category 3 storm event.

IMPROVEMENTS - may include, but are not limited to, street pavements, curbs and gutters, sidewalks, alley pavements, walkway pavements, water mains, sanitary sewers, storm sewers or drains, street names, signs, landscaping, permanent reference monuments, permanent control points, or any other improvement required by a governing body.

INDUSTRIAL USES - means the activities within land areas predominantly connected with manufacturing, assembly, processing, or storage of products.

INFRASTRUCTURE - means those man-made structures which serve the common needs of the population, such as: sewage disposal systems; potable water systems; potable water wells serving a system; solid waste disposal sites or retention areas; storm water systems; utilities; piers; docks; wharves; breakwaters; bulkheads; seawalls; bulwarks; revetments; causeways; marinas; navigation channels; bridges; and roadways.

LAKE - means a natural depression fed by one or more streams and from which a stream may flow; occurs due to widening or natural blockage of a river or stream or occurs in an isolated natural depression that is not part of a surface river or stream; usually too deep to permit the growth of rooted plants from shore to shore.

LAND - means the earth, water, and air above, below, or on the surface, and includes any improvements or structures customarily regarded as land.

LAND DEVELOPMENT CODE - means the various types of regulations for the development of land within the jurisdiction of a unit of local government when combined into a single document.

LAND DEVELOPMENT REGULATION - means ordinances enacted by governing bodies for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, or sign regulations or any other regulations controlling the development of land.

~~LAND DEVELOPMENT REGULATION COMMISSION - means a commission designated by a local government to develop and recommend, to the local governing body, land development regulations which implement the adopted comprehensive plan and to review land development regulations, or amendments thereto, for consistency with the adopted plan and report to the governing body regarding its findings. The responsibilities of the land development regulation commission may be performed by the local planning agency.~~

LAND USE - means the development that has occurred on the land, the development that is proposed by a developer on the land, or the use that is permitted or permissible on the land

under an adopted comprehensive plan or element or portion thereof, land development regulations, or a land development code, as the context may indicate.

LEVEL OF SERVICE - means an indicator of the extent or degree of service provided by, or proposed to be provided by a facility based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility.

LIGHT MANUFACTURING - means a use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

LIMITED ACCESS FACILITY - means a roadway especially designed for through traffic, and over, from, or to which owners or occupants of abutting land or other persons have no greater than a limited right or easement of access.

~~LITTORAL - means that portion of a body of water extending from shoreline toward the middle of the water to the limit of occupancy by rooted plants.~~

LIVE-ABOARD VESSEL - means any vessel which is a habitable vessel on which habitation is occurring and which is used as a person's primary legal residence or temporary or seasonal residence even though it is not used solely as a residence but is also used for other purposes. A person's primary legal residence is a vessel where a person is presently living with the present intention of making it his or her permanent abode. A temporary or seasonal residence means habitation aboard a floating home or a vessel occupied by one (1) or more persons, while the home or vessel is moored or docked. Habitable vessel means a vessel that is equipped with an on-board toilet. The term live-aboard vessel shall not include commercial fishing boats. Nothing within this definition shall be construed to prohibit or regulate the anchorage of non-live aboard vessels engaged in the exercise of rights of navigation.

LOCAL AREA OF PARTICULAR CONCERN - means an area designated on the Natural Resource Map Series of the Broward County Land Use Plan which has been declared to be environmentally sensitive. Those areas are subject to environmental impact report provisions of the Broward County Land Development Code and ~~policies under Objective 9.01.00. The~~ the criteria for Local Areas of Particular Concern are contained in this ~~the Plan Implementation Requirements section of the Broward County Land Use Plan.~~

~~LOCAL COMPREHENSIVE PLAN - means any or all local comprehensive plans or elements or portions thereof prepared, adopted, or amended pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act.~~

LOCAL GOVERNMENT - means a unit of government or any officially designated public agency or authority of a unit of government with less than statewide jurisdiction, or any officially designated public agency or authority of such a government. The term includes a county, an incorporated municipality, a consolidated city-county government, a metropolitan planning organization, an expressway or transportation authority, a turnpike project, a regional planning council, or a school board or other special district.

LOCAL PLANNING AGENCY - means the agency designated to prepare the comprehensive plan required by ch. 163, Florida Statutes.

LOCAL ROAD - means a roadway providing service which is of relatively low traffic volume, short average trip length or minimal through traffic movements, and high volume land access for abutting property.

LOT - includes tract or parcel - means the least fractional part of subdivided lands having limited fixed boundaries, and an assigned number, letter, or other name through which it may be identified.

~~LOT OR PARCEL OF RECORD - means a quantity of real property as a single unit described and identified in a deed and/or plat recorded in the public records of a county in the State of Florida.~~

LOW INCOME FAMILIES - means "lower income families" as defined under the Section 8 Assisted Housing Program, or families whose annual income does not exceed 80 percent of the median income for the area. The term "families" includes "households."

LOW-INCOME PERSON - means one or more natural persons or a family, not including students, that has a total annual anticipated income for the household that does not exceed 80 percent of the median annual income adjusted for family size for the county. While occupying a rental unit, a Low Income Person's annual anticipated gross income may increase to an amount not to exceed 140 percent of 80 percent of the applicable median income adjusted for family size.

MAJOR TRIP GENERATORS OR ATTRACTORS – means concentrated areas of intense land use or activity that produces or attracts a significant number of local trip ends.

MANUFACTURED HOUSING – means prefabricated houses that are constructed in a factory and then assembled at the building site in modular sections.

MARINE HABITAT - means areas where living marine resources naturally occur, such as mangroves, seagrass beds, algae beds, salt marshes, transitional wetlands, marine wetlands, rocky shore communities, hard bottom communities, oyster bars or flats, mud flats, coral reefs, worm reefs, artificial reefs, offshore springs, nearshore mineral deposits, and offshore sand deposits.

MARINE RESOURCES - means living oceanic or estuarine plants or animals, such as mangroves, seagrasses, algae, coral reefs, and living marine habitat; fish, shellfish, crustacea and fisheries; and sea turtles and marine mammals.

MARINE WETLANDS - means areas with a water regime determined primarily by tides and the dominant vegetation is salt tolerant plant species including those species listed in Subsection 17-4.02(17), Florida Administrative Code, "Submerged Marine Species."

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

MEAN HIGH WATER - means the average height of the high waters over a 19-year period. For shorter periods of observation, "mean high water" means the average height of the high waters after corrections are applied to eliminate known variations and to reduce the result to the equivalent of a mean 19-year value.

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

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

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

MINERALS - means all solid minerals, including clay, gravel, phosphate rock, lime, shells (excluding live shellfish), stone, sand, heavy minerals, and any rare earths, which are contained in the soils or waters of the state.

~~MINIMIZATION – shall mean to reduce the wetland impacts of development by considering all aspects of a proposed development so that wetland impacts are reduced to the smallest possible amount, extent, size or degree consistent with Article XI, Chapter 27-335 of the Broward County Code of Ordinances enacted December 18, 1990.~~

MINING - means the removal of minerals from their site solely for commercial purposes which may include crushing, batching, mixing and forming of mined materials.

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

MODERATE-INCOME PERSON - means one or more natural persons or a family, not including students, that has a total annual anticipated income for the household that does not exceed 120 percent of the median annual income adjusted for family size for households within the county. While occupying a rental unit, a Moderate Income Person's annual anticipated gross income may increase to an amount not to exceed 140 percent of 120 percent of the applicable median income adjusted for family size.

MULTI-MODAL – means a transportation network that considers all modes, including automobile, transit, bicycle, pedestrian and freight.

MUNICIPALITY - means any incorporated city, town, or village.

~~NATIVE VEGETATIVE COMMUNITIES – means those areas which contain ecological communities, such as coastal strands, oak hammocks, and cypress swamps, which are classified based on the presence of certain soils, native vegetation and animals.~~

~~NATURAL DRAINAGE FEATURES – means the naturally occurring features of an area which accommodate the flow of storm water, such as streams, rivers, lakes and wetlands.~~

NATURAL RESERVATIONS - means areas designated for conservation purposes, and operated by agreement with or managed by a federal, state, regional or local government or non-profit agency such as: national parks, state parks, lands purchased under the Save Our Coast, Conservation and Recreation Lands or Save Our Rivers programs, sanctuaries, preserves, monuments, archaeological sites, historic sites, wildlife management areas, national seashores, and Outstanding Florida Waters.

NATURAL RESOURCES - means those natural resources identified in Section 9J-5.006(4)(b) Florida Administrative Code: existing and planned water wells and cones of influence; beaches and shores, including estuarine systems; rivers, bays, lakes, floodplains, and harbors; wetlands; minerals and soils.

NEIGHBORHOOD PARK - means a park which serves the population of a neighborhood and is generally accessible by bicycle or pedestrian ways.

~~NEIGHBORHOOD SHOPPING CENTER – means a shopping center typically ranging from 30,000 to 100,000 square feet of gross leasable area for the sale of convenience goods (food, drugs and sundries) and personal services which meet the daily needs of an immediate neighborhood. Neighborhood shopping centers range in area from approximately 3 acres to 10 acres and generally require a minimum market support population ranging from 2,500 to 40,000 people.~~

NET SITE AREA – means the entire acreage of the site located inside the parcel boundary.

~~NEWSPAPER OF GENERAL CIRCULATION – means a newspaper published at least on a weekly basis and printed in the language most commonly spoken in the area within which it circulates, but does not include a newspaper intended primarily for members of a particular professional or occupational group, a newspaper whose primary function is to carry legal notices, or a newspaper that is given away primarily to distribute advertising.~~

~~NONPOINT SOURCE POLLUTION – means any source of water pollution that is not a point source.~~

~~OBJECTIVE – means a specific, measurable, intermediate end that is achievable and marks progress toward a goal.~~

OCEAN WATERS - means waters of the Atlantic Ocean, Gulf of Mexico, or Straits of Florida, but does not include bays, lagoons, or harbors.

OPEN SPACES - means undeveloped lands suitable for passive recreation or conservation uses.

PARCEL OF LAND - means any quantity of land capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit or which has been used or developed as a unit.

PARK - means a community or regional park.

~~PARTIES AFFECTED — means any persons or firms owning property in, or residing in, either a municipality proposing annexation or contraction or owning property that is proposed for annexation to a municipality or any governmental unit with jurisdiction over such area.~~

~~PEAT — means a dark brown or black substrate produced by the partial decomposition and disintegration of mosses, sedges, trees and other plants growing in areas of its deposition; peat characteristically is deposited in certain wetland types.~~

PERSON - means an individual, corporation, governmental agency, business trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other legal entity.

PHASE 1 ENVIRONMENTAL ASSESSMENT – means a thorough evaluation of the present and past uses and environmental condition of a property. It includes a database search, review of property history, site inspection and comprehensive report (no collection of physical samples).

PHASE 2 ENVIRONMENTAL ASSESSMENT – a thorough evaluation and report of the present environmental condition of a property based on physical samples used for various evaluations. This may include evaluation of soil, ground water, underground tanks, and material samples that can be used to check for asbestos, lead, hazardous chemicals and biological agents, such as bird droppings, mold and bacteria.

~~PLANNING ACT — means the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 et seq., Florida Statutes.~~

PLANNING COUNCIL - means the Broward County Planning Council.

PLAT - means 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 requirement of all applicable sections of this chapter and of any local ordinances, and may include the terms "replat," "amended Plat," or "revised Plat."

~~PLAYGROUND — means a recreation area with play apparatus.~~

~~POINT SOURCE POLLUTION — means any source of water pollution that constitutes a discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.~~

POLICY - means the way in which programs and activities are conducted to achieve an identified goal.

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

POND - means a small, quiet body of standing water, usually sufficiently shallow to permit the potential growth of rooted plants from shore to shore.

PORT FACILITY - means harbor or shipping improvements used predominantly for commercial purposes including channels, turning basins, jetties, breakwaters, landings, wharves, docks, markets, structures, buildings, piers, storage facilities, plazas, anchorages, utilities, bridges, tunnels, roads, causeways, and all other property or facilities necessary or useful in connection with commercial shipping.

POTABLE WATER FACILITIES - means a system of structures designed to collect, treat, or distribute potable water, and includes water wells, treatment plants, reservoirs, and distribution mains.

PRINCIPAL BUILDING - means a building which is occupied by, or devoted to, a principal use or an addition to an existing principal building which is larger than the original existing building. In determining whether a building is of primary importance, the use of the entire parcel shall be considered. There may be more than one principal building on a parcel.

PRINCIPAL USE - means the primary or main use of a parcel of land as distinguished from an accessory use. There may be more than one principal or main use on a parcel of land.

~~**PRIVATE RECREATION SITES** - means sites owned by private, commercial or non profit entities available to the public for purposes of recreational use.~~

~~**PROTECTED POTABLE WATER SYSTEM** - means a community water supply which has been given a consumptive use permit by the South Florida Water Management District and which is protected by the Broward County wellfield protection program.~~

PUBLIC ACCESS - means the ability of the public to physically enter or use recreation sites including beaches and shores.

~~**PUBLIC BUILDINGS AND GROUNDS** - means structures or lands that are owned, leased, or operated by a government, such as civic and community centers, hospitals, libraries, police stations, fire stations, and government administration buildings.~~

PUBLIC FACILITIES - means major capital improvements, including, but not limited to, transportation, sanitary sewer, solid waste, drainage, potable water, educational, parks and recreational, and health systems and facilities.

PUBLIC NOTICE OR DUE PUBLIC NOTICE as used in connection with the phrase "public hearing" or "hearing to be held after due public notice" - means publication of notice of the time, place, and purpose of such hearing in a newspaper of general circulation in the area not less than 7 days prior to the date of the hearing.

PUBLIC RECREATION SITES - means sites owned or leased on a long-term basis by a federal, state, regional or local government agency for purposes of recreational use.

PUBLIC UTILITY - includes any public or private utility, such as, but not limited to, storm drainage, sanitary sewers, electric power, water service, gas service, or telephone line, whether underground or overhead.

RECERTIFICATION - means a local land use plan which has previously been certified by the Broward County Planning Council, but because of amendments, decertification, or amendment to the Broward County Land Use Plan, is no longer in conformity, and must be recertified by the Broward County Planning Council as being in substantial conformity with the Broward County Land Use Plan.

RECREATION - means the pursuit of leisure time activities occurring in an indoor or outdoor setting.

RECREATION FACILITY - means a component of a recreation site used by the public such as a trail, court, athletic field or swimming pool.

RECREATIONAL USES - means activities within areas where recreation occurs.

RECREATIONAL VEHICLE PARK - means a place set aside and offered by a person or public body, for either direct or indirect remuneration of the owners, lessor or operator of such place, for the parking and accommodation of six or more recreational vehicles (as defined in Section 320.01(1)(b), Florida Statutes) or tents utilized for sleeping or eating; and the term also includes buildings and sites set aside for group camping and similar recreational facilities.

REDEVELOPMENT UNITS - means additional permitted dwelling units equal to three percent (3%) of the total number of dwelling units as established by the adoption of the 2016 BrowardNext Broward County Land Use Plan.

REGIONAL PARK - means acreage listed in the "Community and Regional Parks" subsection of the Plan Implementation Requirements Section of the Broward County Land Use Plan that is utilized by the Broward County Board of County Commissioners to meet the regional level parks requirement of the Broward County Land Use Plan.

~~REGIONAL PLAN FOR SOUTH FLORIDA~~ means the plan prepared and adopted by the South Florida Regional Planning Council, pursuant to the provisions of Section 185.507 Florida Statutes governing comprehensive regional policy plans.

~~REGIONAL PLANNING AGENCY~~ means the regional planning council created pursuant to ss.186.501-186.515 to exercise responsibilities under ss. 186.001-186.031 and 186.801-186.911 in a particular region of the state.

REGIONAL TRANSPORTATION ROADWAY NETWORK - means the facilities ~~roads~~ contained within the Broward County Metropolitan Planning Organization's adopted Year ~~2040~~ 2025 Highway Network, except for those roads functionally classified as city collector roads.

REGIONAL SHOPPING CENTER - means a shopping center which typically ranges from approximately 300,000 square feet to 1,000,000 square feet or more of gross leasable area and provides a full range of shopping goods, general merchandise, apparel, furniture and home furnishings. Such center is usually built around a full-line department store as the major drawing power. Regional shopping centers are approximately 30 acres in size or larger and generally require a minimum market support population in excess of 150,000 people and a trade area extending 10 to 15 miles or more modified by such factors as competitive facilities and travel time over access highways.

~~REGULATED PLANT INDEX~~ means the total number of species native to the State of Florida that are listed as commercially exploited plants, endangered plants, and threatened plants.

REMNANT NATURAL RIVER - means a naturally occurring watercourse or riverine system, or a portion or segment thereof, whose channel has remained unaltered over time as evidenced by historical surveys or other appropriate documentation. Examples of remnant natural rivers in Broward County include portions of the following: South Fork of the Middle River, North Fork of the New River, New River, Tarpon Creek, South Fork of the New River and Whiskey Creek.

REPETITIVE LOSS PROPERTY - means any insurable property for which two or more claims of more than \$1,000 were paid by the National Flood Insurance Program (NFIP) within any rolling ten-year period, since 1978.

RESIDENT POPULATION - means inhabitants counted in the same manner utilized by the United States Bureau of the Census, in the category of total population. Resident population does not include seasonal population.

RESIDENTIAL USES - means activities within land areas used predominantly for housing.

~~RESOURCE PLANNING AND MANAGEMENT COMMITTEE~~ means a committee appointed pursuant to Section 380.045, Florida Statutes.

~~RETAIL SHOPPING AREA~~ means a miscellaneous collection of individual stores which stand on separate lot parcels along streets and highways or which are clustered as a concentrated business district, with or without incidental off street parking (as distinguished from a shopping center).

RESEARCH LABORATORY - means an establishment or other facility for carrying on investigation in the natural, physical, or social sciences, which may include engineering and product development.

~~REVETMENT - means a facing of resistant material such as stone or concrete that is built to protect a scarp, embankment, or other shoreline feature against erosion.~~

RIGHT-OF-WAY - means land dedicated, deeded, used, or to be used for a street, alley, walkway, boulevard, drainage facility, access or ingress and egress, or other purpose by the public, certain designated individuals, or governing bodies.

ROADWAY CAPACITY - means the maximum volume of traffic which can be accommodated on a roadway at a given level of service.

ROADWAY FUNCTIONAL CLASSIFICATION - means the assignment of roads into categories according to the character of service they provide in relation to the total road network. Basic functional categories include limited access facilities, arterial roads, and collector roads, which may be subcategorized into principal, major or minor levels. Those levels may be further grouped into urban and rural categories.

RURAL CHARACTER - means an area that is characterized by natural, agricultural, equestrian, pastoral or rustic uses.

RURAL PURPOSES - means that land is used as a resource for agricultural, equestrian, managed forests or mining uses, or maintained in a natural state as wetlands, fields or forests.

SALTWATER MARSH - means a wetland having saline (including brackish) soils with 40 percent or less cover by woody plants and 25 percent or more cover by terrestrial herbs that is occasionally or regularly flooded by brackish or saline water (e.g., smooth cordgrass marshes).

SALTWATER SWAMP - means a wetland having saline (including brackish) soils with 40 percent or more cover by woody plants and occasionally or regularly flooded by brackish or saline water (e.g., mangrove swamps).

SANITARY SEWER FACILITIES - means structures or systems designed for the collection, transmission, treatment, or disposal of sewage and includes trunk mains, interceptors, treatment plants and disposal systems.

SEASONAL POPULATION - means part-time inhabitants who utilize, or may be expected to utilize, public facilities or services, but are not residents. Seasonal population shall include tourists, migrant farmworkers, and other short-term and long-term visitors.

SEPTIC TANK - means an on-site sewage disposal system, consisting of a watertight receptacle constructed to promote separation of solid and liquid components of wastewater, to provide limited digestion of organic matter, to store solids, and to allow clarified liquid to discharge for further treatment and disposal in a soil absorption system.

~~SERVICES~~— means the program and employees determined necessary by local government to provide adequate operation and maintenance of public facilities and infrastructure as well as those educational, health care, social and other programs necessary to support the programs, public facilities, and infrastructure set out in the local plan or required by local, state, or federal law.

~~SHOPPING CENTER~~— means a group of architecturally unified commercial establishments built on a site which is planned, developed, owned, and managed as an operating unit related in its location, size, and type of shops to the trade area that the unit serves. The unit provides onsite parking in definite relationship to the types and total size of the stores.

SHORELINE OR SHORE - means the interface of land and water and, as used in the coastal management element requirements, is limited to oceanic and estuarine interfaces.

SOLID WASTE - means sludge from a waste treatment works, water supply treatment plant, or air pollution control facility or garbage, rubbish, refuse, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations.

SOLID WASTE FACILITIES - means structures or systems designed for the collection, processing or disposal of solid wastes, including hazardous wastes, and includes transfer stations, processing plants, recycling plants, and disposal systems.

SOLID WASTE PROCESSING PLANT - means a facility for incineration, resource recovery, or recycling of solid waste prior to its final disposal.

STATE COMPREHENSIVE PLAN - means the goals and policies contained within the state comprehensive plan, Section 187.201, Florida Statutes.

~~STATE LAND PLANNING AGENCY~~— means the Department of Community Affairs; may be referred to in this part as "DCA."

STORMWATER - means the flow of water which results from a rainfall event.

~~STREAM~~— means any mass of water with a unidirectional flow.

STREET - includes any access way such as a street, road, lane, highway, avenue, boulevard, alley, parkway, viaduct, circle, court, terrace, place, or cul-de-sac, and also includes all of the land lying between the right-of-way lines as delineated on a plat showing such streets, whether improved or unimproved, but shall not include those access ways such as easements and rights of-way intended solely for limited utility purposes, such as for electric power lines, gas lines, telephone lines, water lines, drainage and sanitary sewers, and easements of ingress and egress.

STRUCTURE - means anything constructed, installed or portable, the use of which requires a location on a parcel of land. It includes a movable structure while it is located on land which can be used for housing, business, commercial, agricultural, or office purposes either temporarily or

permanently. "Structure" also includes fences, billboards, swimming pools, poles, pipelines, transmission lines, tracks, and advertising signs.

STUDIO HOUSING UNIT - also known as a studio flat, means a self-contained apartment, or efficiency apartment, a studio housing unit is a small apartment which combines living room, bedroom, and kitchenette into a single room.

SUBDIVISION - means the platting of real property into two or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land; and includes establishment of new streets and alleys, additions, and resubdivisions; and, when appropriate to the context, relates to the process of subdividing or to the lands or area subdivided.

SUBSTANTIAL CONFORMITY - refers to the Broward County Charter requirement contained in Article VIII ~~VI~~, Section 8.05 ~~6.05~~ D & E that local governmental future land use plans shall be materially and pertinently compatible with and further the Broward County Land Use Plan in order to be certified or recertified.

~~SUPPORT DOCUMENTS - means any surveys, studies, inventory maps, data, inventories, listings or analyses used as bases for or in developing the local comprehensive plan.~~

SURFACE WATERS - means lakes or ponds excavated to generate fill material for a development and/or to provide recreational and aesthetic amenities. Other water upon the surface of the earth, contained in bounds created naturally or diffused, including water from natural springs, is defined as "lake," "pond" or "stream."

THREATENED SPECIES - means any species of fish and wildlife naturally occurring in Florida which may not be in immediate danger of extinction, but which exists in such small populations as to become endangered if it is subjected to increased stress as a result of further modification to its environment.

TIDE - means the periodic rising and falling of the waters of the earth that result from the gravitational attraction of the moon and the sun acting upon the rotating earth.

TIME-SHARE PERIOD - means that period of time when a purchaser of a time-share plan is entitled to the possession and use of the accommodations or facilities, or both, of a time-share plan.

TIME-SHARE PLAN - means any arrangement, plan, scheme, or similar device, other than an exchange program, whether by membership, agreement, tenancy in common, sale, lease, deed, rental agreement, license, or right-to-use agreement or by any other means, whereby a purchaser, in exchange for a consideration, receives ownership rights in or a right to use accommodations or facilities, or both, for a period of time less than a full year during any given year, but not necessarily for consecutive years and which extends for a period of more than 3 years.

TIME-SHARE PROPERTY - means one or more time-share units subject to the same time-share instrument, together with any other property or rights to property appurtenant to those units.

TIME-SHARE UNIT - means an accommodation of a time-share plan which is divided into time-share periods.

TOURIST UNIT - a house, an apartment, a group of rooms or a single room occupied or intended for occupancy as a separate living quarter which is licensed, or intended for license as a "hotel" or "motel" by the State Department of Business Regulation, Division of Hotels and Restaurants.

TRANSFER OF DEVELOPMENT RIGHTS - means a voluntary market based technique which seeks to preserve landowners' asset value by moving the right to build from a location where development is discouraged (e.g., for environmental reasons) to a location where development is encouraged.

URBAN AGRICULTURE - means urban agriculture or urban farming is the practice of cultivating, processing, and distributing food in or around a village, town, or city. Urban agriculture can also involve animal husbandry, aquaculture, agroforestry, urban beekeeping, and horticulture.

URBAN CHARACTER - means an area used intensively for residential, urban recreational, commercial, industrial, institutional, or governmental purposes or an area undergoing development for any of these purposes.

~~URBAN INFILL - means 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 (5) dwelling units per acre, the average nonresidential intensity is at least a floor area ratio of 1.0 and vacant, developable land does not constitute more than 10 percent of the area.~~

~~URBAN PURPOSES - means that land is used intensively for residential, commercial, industrial, institutional, and governmental purposes, including any parcels of land retained in their natural state or kept free of development as dedicated greenbelt areas.~~

~~URBAN REDEVELOPMENT - means the demolition and reconstruction or substantial renovation of existing buildings or infrastructure within urban infill or existing urban service areas.~~

~~URBAN SERVICES - means services offered by a municipality, either directly or by contract, to any of its present residents.~~

VERY LOW-INCOME PERSON - means one or more natural persons or a family, not including students, that has a total annual anticipated income for the household that does not exceed 50 percent of the median annual income adjusted for family size for households within the county. While occupying a rental unit, a Very Low-Income Person's annual anticipated gross income may increase to an amount not to exceed 140 percent of 50 percent of the applicable median income adjusted for family size.

VESTED RIGHTS - means rights which have so completely and definitely accrued to or settled in a person, which it is right and equitable that government should recognize and protect, as being lawful in themselves, and settled according to then current law.

WATER CONSERVATION AREA - means designated Conservation areas on the Future Broward County Land Use Plan Map (Series) including reserve water supply areas such as the 790 square miles of Broward County west of Levees 33, 35A, 36, L-37 and L-35 and includes the natural reservations.

WATER-DEPENDENT USES - means activities which can be carried out only on, in or adjacent to water areas because the use requires access to the water body for: waterborne transportation including ports or marinas; recreation; electrical generating facilities; or water supply.

WATER RECHARGE AREAS - means land or water areas through which groundwater is replenished.

WATER-RELATED USES - means activities which are not directly dependent upon access to a water body, but which provide goods and services that are directly associated with water dependent or waterway uses.

WATER-WELLS - means wells excavated, drilled, dug, or driven for the supply of industrial, agricultural or potable water for general public consumption.

WETLANDS - shall mean those areas which are inundated by water, with sufficient frequency to support, and normally do support an assemblage of organisms that is adapted to saturated or seasonally saturated soil conditions for growth and reproduction including, but not necessarily limited to, swamps, marshes, bogs, sloughs, potholes, wet meadows, river flood plains, mud flats and wet prairies.

WORKFORCE-INCOME PERSON – means one or more natural persons or a family, not including students, that has a total annual anticipated income for the household that does not exceed 140 percent of the median annual income adjusted for family size for households within the county. While occupying a rental unit, a Workforce-Income Person’s annual anticipated gross income may increase to an amount not to exceed 140 percent of 140 percent of the applicable median income adjusted for family size.