

1
2
3
4
5
6
7
8
9

**ORDINANCE
NUMBER 2022-13**

10
11
12
13
14
15
16
17
18
19
20
21

**AN ORDINANCE OF LEVY COUNTY, FLORIDA,
AMENDING CHAPTER 50 (THE LAND DEVELOPMENT
CODE) OF THE COUNTY CODE OF ORDINANCES; BY
REVISING AND REORGANIZING DEFINITIONS,
INCLUDING THE DEFINITION OF SUBDIVISION, AND
REVISING ROAD REQUIREMENTS FOR SUBDIVISIONS;
PROVIDING FOR INCLUSION IN THE CODE; PROVIDING
A SEVERABILITY CLAUSE; PROVIDING A REPEALING
CLAUSE; AND PROVIDING DIRECTIONS TO THE CLERK
AND AN EFFECTIVE DATE.**

22
23
24
25
26

WHEREAS, Section 1, Article VIII of the Florida Constitution and Chapter 125, Florida Statutes, vests the Board of County Commissioners of Levy County, Florida (the “Board”) with the authority to adopt county ordinances that are not inconsistent with state general or special law and provide the required procedures to adopt such ordinances;

27
28
29
30
31

WHEREAS, in 1990, the Board adopted the Levy County Comprehensive Plan pursuant to the provisions of Chapter 163, Florida Statutes, which Comprehensive Plan has been amended through adoption of subsequent ordinances (the “Comprehensive Plan”); and

32
33
34
35

WHEREAS, in 1991, the Board adopted the Levy County Land Development Regulations, now codified as Chapter 50 titled “Land Development Code” of the Code of Ordinances of Levy County; and

36
37
38
39

WHEREAS, by Ordinance Number 2022-3 adopted February 8, 2022, the County adopted a Zoning Map Atlas that placed zoning district designations on all real property within the County;

40
41
42

WHEREAS, Staff has advised and the Board finds that adoption of the Zoning Map Atlas necessitates additional revisions to the Land Development Code;

43
44
45
46

WHEREAS, this ordinance, which makes necessary revisions to definitions, reorganizes definitions to be more user friendly and updates road requirements for subdivisions, is one of several that will accomplish a comprehensive update of Land Development Code;

1 **WHEREAS**, the Board finds that this proposed ordinance serves a public purpose
2 and benefits the County; and

3
4 **WHEREAS**, as required by Part II of Chapter 163, Florida Statutes and Section
5 50-55 of the Land Development Code, this proposed ordinance has been reviewed by the
6 County Planning Commission for consistency with the Comprehensive Plan and the
7 Planning Commission recommendation has been forwarded to the Board; and

8
9 **WHEREAS**, at least ten (10) days' notice has been given once by publication in a
10 newspaper of general circulation notifying the public of this proposed ordinance and of a
11 public hearing in the Levy County Government Center in Bronson, Florida; and

12
13 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners
14 of Levy County, Florida, that:

15
16 **Section 1.** The following definitions within Section 50-1. "Definitions" of the Levy County
17 Code that relate to Airport Zoning are amended and moved to a new Section 50-85 titled
18 "Definitions" as set forth below.

19
20 **Chapter 50. Land Development Code**
21 **Article III. Airport Zoning**
22 **Division 1. Generally**

23 **Sec.50-85. Definitions**

24 The following words, terms and phrases, when used in this article, have the meanings
25 ascribed to them in this section, except where the context clearly indicates a different
26 meaning.

27 *Accident potential hazard area or accident potential area* means an area within 5,000
28 feet of the approach or departure end of a runway or in proximity to an airport which
29 aircraft may maneuver after takeoff or before landing and are subject to the greatest
30 potential to crash into a structure or the ground.

31 *Airport* means the Williston Municipal Airport.

32 *Airport obstruction* means any structure or object of natural growth or use of land
33 which would exceed the federal obstruction standards as contained in 14 CFR Part
34 77, Subpart C, or which obstructs the airspace required for flight of aircraft in landing
35 and takeoff at an airport or is otherwise hazardous to such landing or takeoff of
36 aircraft.

37 *Landing area or takeoff area* means the area of an airport used for landing, taking-off
38 or taxing of aircraft.

1 Mean sea level means the average height of the sea for all stages of the tide. It is
2 used as a reference for establishing various elevations within the floodplain. For
3 purposes of this chapter, the term is synonymous with National Geodetic Vertical
4 Datum (NGVD) of 1929, or North American Vertical Datum (NAVD) of 1988.

5 Minimum descent altitude means the lowest altitude, expressed in feet above mean
6 sea level, to which descent is authorized on final approach or during circling-to-land
7 maneuvering in execution of a standard instrument approach procedure where no
8 electronic glide slope is provided.

9 Minimum obstruction clearance altitude means the specified altitude in effect between
10 radio fixes on VOR airways, off-airway routes, or route segments which meet
11 obstruction clearance requirements for the entire route segment and which ensures
12 acceptable navigational signal coverage only within 22 miles of a VOR.

13 Nonconforming use means any preexisting structure, object of natural growth or use of
14 land which is inconsistent with the provisions of this chapter, or amendments thereto.

15 Nonprecision instrument runway means a runway having a nonprecision instrument
16 approach procedure utilizing air navigation facilities with only horizontal guidance, or
17 area type navigation equipment, for which a straight-in nonprecision instrument
18 approach procedure has been approved or planned, and for which no precision
19 approach facilities are planned or indicated on a Federal Aviation Administration
20 planning document or military service military airport planning document.

21 Runway means a defined area on an airport prepared for landing and takeoff of
22 aircraft along its length.

23 Structure means any object, constructed or installed by man, including but not limited
24 to: buildings, towers, smokestacks, utility poles and overhead transmission lines.

25 Utility runway means a runway that is constructed for and intended to be used by
26 propeller-driven aircraft of 12,500 pounds maximum gross weight or less.

27 Visual runway means a runway intended solely for the operation of aircraft using
28 visual approach procedures, with no straight-in instrument approach procedure and no
29 instrument designation indicated on a Federal Aviation Administration approved airport
30 layout plan, a military service approved military airport layout plan, or by any planning
31 document submitted to the Federal Aviation Administration by competent authority.

32 **Section 2.** The following definitions within Section 50-1. "Definitions" of the Levy County
33 Code that relate to Flood Damage Prevention are amended and moved to a new Section
34 50-228 titled "Definitions" as set forth below.

35
36 **Chapter 50. Land Development Code**
37 **Article VI. Flood Damage Prevention**

1 **Division 1. Generally**

2 **Sec.50-228. Definitions**

3 The following words, terms and phrases, when used in this article, have the meanings
4 ascribed to them in this section, except where the context clearly indicates a different
5 meaning.

6 *Accessory structure or appurtenant structure* means a structure used for parking
7 and/or storage that is located on the same parcel or lot as the principal structure.

8 *Adverse effect* means increases in flood elevations on adjacent properties attributed to
9 physical changes in the characteristics of the official 100-year flood area due to
10 development.

11 *Alteration of a watercourse* means a dam, impoundment, channel relocation, change
12 in channel alignment, channelization or change in cross-sectional area of the channel
13 or the channel capacity, or any other form of modification which may alter, impede,
14 retard, or change the direction and/or velocity of the riverine flow of water during
15 conditions of base flood.

16 *Appeal* means a request for a review of the interpretation or administrative application
17 of any provision of this article by the floodplain administrator.

18 *ASCE 24* means a standard titled Flood Resistant Design and Construction that is
19 referenced by the Florida Building Code, and developed and published by the
20 American Society of Civil Engineers, Reston, Virginia.

21 *Base flood* means a flood having a one-percent chance of being equaled or exceeded
22 in any given year. The base flood may also be referred to in this chapter and is
23 commonly referred to as the "100-year flood" or the "one-percent-annual chance
24 flood."

25 *Base flood elevation or BFE* means the elevation of the base flood, including wave
26 height, relative to the National Geodetic Vertical Datum (NGVD), North American
27 Vertical Datum (NAVD) or other datum specified on the flood insurance rate map
28 (FIRM).

29 *Basement* means any portion of a building having its floor sub-grade, i.e., below
30 ground level, on all sides.

31 *Building* means the same as the term "structure" defined in this section.

32 *Coastal construction control line* means the line established by the state pursuant to
33 Section 161.053, Florida Statutes, as the same may be amended, and recorded in the
34 official records of the county, which defines that portion of the beach-dune system

1 subject to severe fluctuations based on a 100-year storm surge, storm waves or other
2 predictable weather conditions.

3 Coastal high hazard area or high hazard area subject to high velocity wave action or
4 V-zone means the special flood hazard area extending from offshore to the inland limit
5 of a primary frontal dune along an open coast and any other area subject to high
6 velocity wave action from storms or seismic sources. The area is designated on the
7 FIRM as zone V1-V30, VE or V.

8 Design flood means the flood associated with the greater of the following two areas:

9 (1) Area with a floodplain subject to a one-percent or greater chance of flooding
10 in any year; or

11 (2) Area designated as a flood hazard area on the community's flood hazard
12 map, or otherwise legally designated.

13 Design flood elevation means the elevation of the design flood, including wave height,
14 relative to the datum specified on the community's legally designated flood hazard
15 map. In areas designated as zone AO, the design flood elevation shall be the
16 elevation of the highest existing grade of the building's perimeter plus the depth
17 number (in feet) specified on the flood hazard map. In areas designated as zone AO
18 where the depth number is not specified on the map, the depth number shall be taken
19 as being equal to two feet.

20 Development means any manmade change to improved or unimproved real estate,
21 including but not limited to, buildings or other structures, mining, dredging, filling,
22 grading, paving, excavation or drilling operations, or any other land disturbing
23 activities, or storage of materials or equipment.

24 Elevation means the height in feet above mean sea level as established by the
25 National Geodetic Vertical Datum of 1929, or the North American Vertical Datum of
26 1988.

27 Encroachment means the placement of fill, excavation, buildings, permanent
28 structures or other development into a flood hazard area, which may impede or alter
29 the flow capacity of a riverine flood hazard area.

30 Existing structure means any building or structure for which the start of construction
31 commenced before March 1, 1984.

32 Federal Emergency Management Agency or FEMA means the federal agency that, in
33 addition to carrying out other functions, administers the National Flood Insurance
34 Program.

1 Flood or flooding means a general and temporary condition of partial or complete
2 inundation of normally dry land areas from:

3 (1) The overflow of inland or tidal waters; or

4 (2) The unusual and rapid accumulation or runoff of surface waters from any
5 source.

6 Flood damage-resistant materials means any construction material capable of
7 withstanding direct and prolonged contact with floodwaters without sustaining any
8 damage that requires more than cosmetic repair.

9 Flood hazard area means the greater of the following two areas:

10 (1) The area within a floodplain subject to a one-percent or greater chance of
11 flooding in any year.

12 (2) The area designated as a flood hazard area on the community's flood
13 hazard map, or otherwise legally designated.

14 Flood elevation of record means the maximum flood elevations for which historical
15 records exist.

16 Flood insurance rate map or FIRM means the official map of the community, on which
17 the Federal Emergency Management Agency has delineated both special flood hazard
18 areas and the risk premium zones applicable to the community.

19 Flood insurance study or FIS means the official report provided by the Federal
20 Emergency Management Agency that contains the FIRM, the flood boundary and
21 floodway map (if applicable), the water surface elevations of the base flood, and
22 supporting technical data.

23 Floodplain means any land area susceptible to being inundated by water from any
24 source.

25 Floodplain administrator means the person appointed to administer and enforce the
26 provisions contained in this article.

27 Floodplain development permit or approval means an official document or certificate
28 issued by the county, or other evidence of approval or concurrence, which authorizes
29 performance of specific development activities that are located in flood hazard areas
30 and that are determined to be compliant with the provisions of this article.

31 Floodplain management means the operation of an overall program of corrective and
32 preventive measures for reducing flood damage and preserving and enhancing, where
33 possible, natural resources in the floodplain, including but not limited to emergency

1 preparedness plans, flood control works, floodplain management regulations, and
2 open space plans.

3 *Floodplain management regulations* means the provisions contained in this article and
4 other zoning regulations, subdivision regulations, building codes, health regulations,
5 special purpose regulations including but not limited to floodplain regulations, grading
6 regulations, and erosion control regulations, if any, and other applications of police
7 power which control development in flood-prone areas. This term describes federal,
8 State of Florida, or local regulations in any combination thereof, which provide
9 standards for preventing and reducing flood loss and damage.

10 *Floodway* means the channel of a river or other watercourse and the adjacent land
11 areas that must be reserved in order to discharge the base flood without cumulatively
12 increasing the water surface elevation more than one foot.

13 *Floodway encroachment analysis* means an engineering analysis of the impact that a
14 proposed encroachment into a floodway is expected to have on the floodway
15 boundaries and base flood elevations; the evaluation shall be prepared by a qualified
16 Florida licensed engineer using standard engineering methods and models.

17 *Functionally dependent use* means a use that cannot be used for its intended purpose
18 unless it is located or carried out in close proximity to water, including only docking
19 facilities, port facilities necessary for the loading and unloading of cargo or
20 passengers, or shipbuilding or ship repair facilities. The term does not include long-
21 term storage, manufacture, sales, or service facilities.

22 *Highest adjacent grade* means the highest natural elevation of the ground surface,
23 prior to construction, next to the proposed walls or foundation of a structure.

24 *Historic structure* means any structure that is determined eligible for the exception to
25 the flood hazard area requirements of the Florida Building Code, Existing Building,
26 Chapter 11 Historic Buildings.

27 *Letter of map change* or *LOMC* means an official determination issued by FEMA that
28 amends or revises an effective flood insurance rate map or flood insurance study.
29 Letters of map change include:

30 (1) *Letter of map amendment* or *LOMA*: An amendment based on technical
31 data showing that a property was incorrectly included in a designated special
32 flood hazard area. A LOMA amends the current effective flood insurance rate
33 map and establishes that a specific property, portion of a property, or structure
34 is not located in a special flood hazard area.

35 (2) *Letter of map revision* or *LOMR*: A revision based on technical data that
36 may show changes to flood zones, flood elevations, special flood hazard area
37 boundaries and floodway delineations, and other planimetric features.

1 (3) Letter of map revision based on fill or LOMR-F: A determination that a
2 structure or parcel of land has been elevated by fill above the base flood
3 elevation and is, therefore, no longer located within the special flood hazard
4 area. In order to qualify for this determination, the fill must have been permitted
5 and placed in accordance with the community's floodplain management
6 regulations.

7 (4) Conditional letter of map revision or CLOMR: A formal review and comment
8 as to whether a proposed flood protection project or other project complies with
9 the minimum National Flood Insurance Program requirements for such projects
10 with respect to delineation of special flood hazard areas. A CLOMR does not
11 revise the effective flood insurance rate map or flood insurance study; upon
12 submission and approval of certified as-built documentation, a letter of map
13 revision may be issued by FEMA to revise the effective FIRM.

14 Lowest floor means the lowest floor of the lowest enclosed area of a building or
15 structure, including basement, but excluding any unfinished or flood-resistant
16 enclosure, other than a basement, usable solely for vehicle parking, building access,
17 or limited storage, provided that such enclosure is not built so as to render the
18 structure in violation of the non-elevation requirements of the Florida Building Code or
19 ASCE 24.

20 Market value or fair market value means the price at which a property will change
21 hands between a willing buyer and a willing seller, neither party being under
22 compulsion to buy or sell and both having reasonable knowledge of relevant facts.
23 Market value or fair market value may be established by a qualified independent
24 certified appraisal (other than a limited or curbside appraisal, or one based on income
25 approach), actual cash value (replacement cost depreciated for age and quality of
26 construction of building), adjusted tax-assessed values, or other commonly accepted
27 form of appraisal. For purposes of this article, the term refers only to market value of
28 buildings and structures, excluding the land and other improvements on the property.

29 Maximum probable flood elevation line means that line established by the board of
30 county commissioners adjacent to and generally paralleling a watercourse below
31 which the land would be expected to be inundated by a flood of a 100-year frequency
32 magnitude or greater.

33 Mean sea level means the average height of the sea for all stages of the tide. It is
34 used as a reference for establishing various elevations within the floodplain. For
35 purposes of this chapter, the term is synonymous with National Geodetic Vertical
36 Datum (NGVD) of 1929, or North American Vertical Datum (NAVD) of 1988.

37 National Geodetic Vertical Datum or NGVD of 1929 means, a vertical control used as
38 a reference for establishing varying elevations within the floodplain.

1 New construction means any structure for which the start of construction commenced
2 on or after March 1, 1984, and includes any subsequent improvements to such
3 structures.

4 North American Vertical Datum or NAVD of 1988 means a vertical control used as a
5 reference for establishing varying elevations within the floodplain.

6 Official 100-year flood area means those areas that have a land elevation less than
7 the official 100-year flood elevation.

8 Official 100-year flood elevations mean the most recent and reliable flood elevations
9 established by the Federal Emergency Management Agency (FEMA), or if not
10 available, by the Suwannee River Water Management District or Southwest Florida
11 Water Management District based on the historical elevations of record which most
12 closely approximate the 100-year flood.

13 Official 100-year flood map means the map that delineates the areas having ground
14 elevations that are less than the official 100-year flood elevations.

15 Official ten-year flood elevations mean the most recent and reliable flood elevations
16 based on a log person type III probability distribution procured by the United States
17 Geological Survey and based on historical data, or as established on maps prepared
18 by a water management district.

19 Regulatory floodway means the channel of a river or other watercourse and the
20 adjacent land areas that must be reserved in order to discharge the base flood without
21 cumulatively increasing the water surface elevation more than one foot.

22 Recreational vehicle means a recreational vehicle-type unit designed for temporary
23 recreational, camping or travel use, as identified in Chapter 320, Florida Statutes.
24 These units include, without limitation, a travel trailer, camping trailer, truck camper,
25 motor home, motor coach, van conversion, park trailer, and fifth-wheel trailer.

26 Remedy a violation means to bring the structure or other development into compliance
27 with state or local floodplain management regulations, or, if this is not possible, to
28 reduce the impacts of its noncompliance. Ways that impacts may be reduced include
29 protecting the structure or other affected development from flood damages,
30 implementing the enforcement provisions of this chapter or otherwise deterring future
31 similar violations, or reducing federal financial exposure with regard to the structure or
32 other development.

33 Riverbank setback line means a line running parallel to and at a distance of 50 feet
34 from the generally recognized riverbank.

1 Special flood hazard area means an area in the floodplain subject to a one percent or
2 greater chance of flooding in any given year. Special flood hazard areas are shown on
3 FIRMs as zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V.

4 Structure means a walled and roofed building, a mobile home, a manufactured home,
5 a gas or liquid storage tank, any other manmade facility or infrastructure, or any
6 structure built for support, shelter, or enclosure for any occupancy or storage, any of
7 which are principally above ground.

8 Substantial damage means damage of any origin sustained by a structure whereby
9 the cost of restoring the building or structure to its before damaged condition would
10 equal or exceed 50 percent of the market value of the structure before the damage
11 occurred.

12 Substantial improvement means any repair, reconstruction, rehabilitation, addition or
13 other improvement of a structure, the cost of which equals or exceeds 50 percent of
14 the market value of the structure before the start of construction of the improvement or
15 repair. This term includes structures that have incurred substantial damage,
16 regardless of the actual repair work performed. The term does not, however, include
17 either:

18 (1) Any project for improvement of a structure to correct existing health,
19 sanitary, or safety code violations identified by the building official and that are
20 the minimum necessary to assure safe living conditions; or

21 (2) Any alteration of a historic structure, provided that the alteration will not
22 preclude the structure's continued designation as a historic structure.

23 Variance means a grant of relief from the requirements of such flood damage
24 prevention provisions or the flood resistant construction requirements of the Florida
25 Building Code, which permits construction in a manner otherwise prohibited by this
26 article or flood resistant construction requirements of the Florida Building Code.

27 Water surface elevation means the height, in relation to the National Geodetic Vertical
28 Datum (NGVD) of 1929, or the North American Vertical Datum (NAVD) of 1988, of
29 floods of various magnitudes and frequencies in the floodplains of coastal or riverine
30 areas.

31
32 **Section 3.** Certain definitions within Section 50-1. "Definitions" of the Levy County Code
33 that relate to Noise are amended and moved to the existing Section 50-348 titled
34 "Definitions" and certain language within existing Section 50-348 is amended, all as set
35 forth below. Except as amended herein, Section 50-348 remain in full force and effect.

36
37 **Chapter 50. Land Development Code**
38 **Article VIII. Miscellaneous**

1 **Division 2. Noise**

2 **Sec. 50-348. Definitions**

3 The following words, terms and phrases, when used in this division, shall have the
4 following meanings ascribed to them in this section, except where the context clearly
5 indicates a different meaning. All technical acoustical terminology and standards used
6 in this division, which are not defined in section 50-1, or otherwise defined in this
7 section, shall be read or construed in conformance with applicable publications and
8 standards of the American National Standards Institute, (ANSI), or its successor
9 bodies.

10 *A-weighted sound level* means the sound pressure level in decibels as measured with
11 a sound level meter using the A-weighting network. The unit of measurement is the
12 decibel or dB(A).

13 *Land use and use* mean any activity, event, operation and facility which create noise.

14 *Noise* means any sound which is unwanted or which causes or tends to cause an
15 adverse psychological or physiological effect on humans because the sound is
16 produced in such quantity and for such a duration that it annoys, disturbs or may injure
17 persons of normal sensitivity. Noise also means any sound of any kind or source that
18 exceeds the levels established in this division.

19 *Noise disturbance* means any sound in excess of 50 dBA between the hours of 10:00
20 p.m. and 7:00 a.m. when measured not closer than the property line of a property ~~with~~
21 ~~a zoning district of RR, RR-2, RR-3, RR-3C, RR-3M, R or RMU or~~ that has a
22 residential designation on the comprehensive plan future land use map, or from the
23 nearest affected dwelling unit.

24 *Place of public entertainment* means any place of entertainment to which the public is
25 invited, including but not limited to a restaurant, bar, dancehall or recreational
26 facilities.

27 *Real property line* means an imaginary line along the surface of land or water and its
28 vertical plane extension, which separates the real property owned, rented, or leased
29 by one person from that owned, rented or leased by another, excluding real property
30 divisions within buildings. Where the real property owned, rented or leased by a
31 person abuts a water body, this means the mean high water line for a tidally
32 influenced water body and the ordinary high water line for a non-tidally influenced
33 water body.

34 *Reasonable time* means such length of time as may fairly, properly, and reasonably be
35 allowed or required to eliminate or abate a noise found to be in violation of this
36 division, after a warning has been issued. The duration of time shall be dependent on
37 the source of the noise and what action can be taken to reduce or eliminate the noise.

1 *Sound level* means the weighted sound pressure level as measured in dB(A) by a
2 sound level meter and as specified in ANSI specifications for sound-level meters S1.4-
3 1971 (R1976), or its successor. If the frequency weighting employed is not indicated,
4 the A-weighting shall apply.

5 ~~*Sound level meter* means an instrument, including a microphone, an amplifier, an~~
6 ~~output meter, and frequency weighting networks, for the measurement of sound levels.~~
7 an instrument which includes a microphone, amplifier, RMS detector, integrator or
8 time averager, output meter, and weighting networks used to measure sound pressure
9 levels. The output meter reads sound pressure level when properly calibrated, and the
10 instrument is of type 2 or better, as specified in the American National Standards
11 Institute Publication SI-41972, or its successor.

12 *Spectator games* means competitive sports and racing events that are open to
13 spectators.

14
15 **Section 4.** The following definitions within Section 50-1. "Definitions" of the Levy County
16 Code that relate to signs are amended and moved to a new Section 50-414 titled
17 "Definitions" as set forth below.

18
19 **Chapter 50. Land Development Code**
20 **Article X. Signs**
21 **Division 1. Generally**

22 **Sec. 50-414. Definitions.**

23 The following words, terms and phrases, when used in this article, have the meanings
24 ascribed to them in this section, except where the context clearly indicates a different
25 meaning.

26 *Abandoned sign* means any sign face which advertises a bona fide business no longer
27 conducted or product no longer sold; any previously permitted portable or temporary
28 sign of which permitted time has expired. In making the determination that a sign
29 advertises a bona fide business no longer being conducted, the zoning official shall
30 consider the existence or absence of a utility service deposit on account, use of the
31 premises and relocation of the business; or any sign structure which has not been
32 used for bona fide business purposes for over six months, that is nonconforming as to
33 existing codes regarding height, setback or maintenance.

34 *Banner* means any sign with characters, letters, illustrations or ornamentation applied
35 to cloth, paper or fabric of any kind that is not permanently attached to a solid backing
36 of wood, metal or masonry.

37 *Construction sign* means a sign announcing and identifying the construction project
38 scheduled or underway on the site where the sign is located. A construction sign must

1 be removed when the project receives a certificate of completion or certificate of
2 occupancy.

3 *Fascia sign* means a sign located on the fascia of a roof or canopy including signs that
4 extend the plane of the structural fascia such that the vertical dimension of the sign is
5 no more than one-third the distance from the ground to the bottom of the fascia, and
6 no lateral supports are used.

7 *Freestanding sign* means any sign supported by uprights or braces placed upon or in
8 or supported by the ground, a fence or nonstructural wall. This definition shall include
9 signs attached to buildings but supported in whole or in part as described in this
10 definition.

11 *Graphic means* any symbol, any syllable or a word, and illustration of a picture.

12 *Height of sign* means the distance between the top of the sign and the average ground
13 elevation below it.

14 *Identification sign* means a sign that indicates the name and type of business or
15 service, or the name of the development located on the site where the sign is located.
16 Identification signs shall be limited to the name of business or development, type of
17 business or service, street address, phone number and graphic of business logo,
18 except that theaters, concert halls and other entertainment establishments with
19 changing programs may utilize changeable copy to advertise such programs.
20 Identification signs shall not contain lists of specific products and auxiliary services.

21 *Illuminated sign* means a sign that uses artificial light, whether internal or external to
22 the sign faces, to draw attention to the sign or otherwise increase its visibility.

23 *Internally illuminated sign* means a sign that uses artificial light from behind the sign
24 face to increase its visibility.

25 *Nonconforming sign* means a sign permitted in the county before the adoption of the
26 provisions of this article that does not conform to the requirements of this article as to
27 height, size, use, spacing, setback or structural support.

28 *On-site sign* means any sign that identifies or advertises only goods, services,
29 facilities, events or attractions available on the premises where the sign is located.

30 *Parasite sign* means any sign not exempted by this article, for which no permit has
31 been issued, that is attached to another sign.

32 *Portable sign* means a sign that has no permanent attachment to a building or to the
33 ground by means of footing, including but not limited to, an A-frame sign, sign with
34 wheels, pull attachments, search light stands or hot air or gas filled balloons.

1 Projecting sign means a sign supported by a wall of a building, projecting away from
2 that wall 12 inches or more, designed with a face reading at an angle to that wall.

3 Property front foot means each foot or major portion thereof, measured along the
4 public right-of-way where the subject property abuts the right-of-way.

5 Real estate sign means a sign erected by the owner or his agent, advertising the real
6 property where the sign is located for sale, lease or rent.

7 Roof sign means a sign located on the roof of a building and primarily supported by
8 that roof structure, which extends above the top of the parapet or ridge line on the
9 area where the sign is located, except fascia signs.

10 Sign means any letters, numbers, symbols, graphics, pictures or figures, or
11 combinations thereof, which are erected, constructed, placed, attached or painted on
12 a structure or the ground which identifies, advertises or directs attention to a product,
13 business, institution, place, person or event which can be seen from the public right-
14 of-way. When not modified by the term "structure" or "face," the term "sign" shall
15 include all parts of the sign and its supporting structure.

16 Sign area means the total surface of a sign including the background and frame but
17 not structural supporting elements outside of its frame. Where a sign is composed of
18 skeleton letters, characters or symbols applied to a frame to a background which is
19 not a structural part of the sign, the area of the sign shall be the smallest triangle,
20 rectangle or circle which will include the display. Where a sign is built with two faces
21 back-to-back, the area of the sign shall be the sum of the areas of the two faces
22 computed as specified in this section.

23 Sign setback means the setbacks for signs shall be measured horizontally from the
24 vertical plane of the property line to the closest point of the sign.

25 Sign structure means the uprights, supports, braces and framework supporting a sign.

26 Street or road means any street, road, highway, alley, parkway, viaduct, circle, court,
27 terrace, place or other similar designations, or cul-de-sac, or other ways intended for
28 travel by the general public, whether improved or unimproved, but shall not include
29 those accessways such as easements and rights-of-way intended for limited utility
30 purposes such as for electric power lines, gas lines, telecommunications lines, water
31 lines, sanitary sewers or easements for ingress and egress.

32 Temporary sign means a sign used to advertise or identify transitory events of two
33 weeks or less duration unless specifically permitted for a longer period.

34 Wall sign means a sign painted on or affixed to a structural wall of a building, with a
35 sign face approximately parallel to the wall perpendicular to the ground and projecting

1 no more than 12 inches from the wall. The term "wall sign" shall also include window
2 signs and fascia signs.

3 Window sign means a sign affixed to, suspended behind or painted on either face of a
4 window or glass door that reads to the exterior of the building.

5
6 **Section 5.** The following definitions within Section 50-1. "Definitions" of the Levy County
7 Code that relate to mining are amended and moved to the beginning of Section 50-719
8 as set forth below.

9
10 **Chapter 50. Land Development Code**
11 **Article XIII. Zoning**
12 **Division 3. District Regulations**
13 **Subdivision 2. Requirements for Specific Uses**

14 **Sec. 50-719. Mining and excavation of minerals, resources, or natural resources,**
15 **and site reclamation.**

16 Definitions. The following words, terms and phrases, when used in this section, have
17 the meanings ascribed to them below, except where the context clearly indicates a
18 different meaning.

19 Active mine means any lawful mining operation where the activity of mining, extraction
20 and/or processing of minerals, resources, or natural resources is present, or a mining
21 operation that is dormant and the owner/operator has maintained a valid permit from
22 the appropriate State entity such as the Florida Department of Environmental
23 Protection or Water Management District, or any mining operation begun after January
24 22, 1975, which obtained county approval through the special exception review
25 process as required by Ordinance 75-1, and amendments thereto.

26 Borrow pit means a type of mining operation where subsurface excavation of minerals,
27 resources, or natural resources is conducted mechanically or without the use of
28 explosives, and where such minerals or resources are intended for use as fill material
29 in any type of construction activities or other uses, and where no processing of such
30 minerals or resources are conducted onsite. Processing of such minerals or resources
31 would include, by way of example but not of limitation, crushing, washing, mixing or
32 other processing techniques.

33 Commercial extraction means the extraction of minerals, resources or natural
34 resources intended for subsequent sale.

35 Excavation and fill permit means the required permit for any excavation or extraction
36 of minerals, resources, or natural resources.

1 Major mining, excavation and fill activity or operations, or major mining and fill
2 operation, or major mining operation means a mining activity or operation where more
3 than 1,000 cubic yards of earth, minerals, resources, or natural resources are
4 excavated or removed from or deposited on a tract or parcel of 20 acres or less; or
5 more than 10,000 cubic yards on a tract or parcel greater than 20 acres. In addition,
6 the term means any quarry, regardless of amount of earth, minerals or resources
7 excavated or mined and regardless of the size of the parcel.

8 Mineral, or resource, or natural resource, or any one or more of those terms used
9 singly or with any of the other terms, means all natural subsurface deposits of
10 commercial value, including but not limited to phosphate, sand, clay, limestone and
11 water; provided, however, that water shall not be included in the definition of the terms
12 mineral, resource, or natural resource.

13 Mining activity or mining operation means all aspects of a proposed or on-going
14 mining, including the plant, processing areas and total land area. It does not include
15 excavation or grading that is conducted solely in aid of on-site farming or on-site
16 construction for purposes other than mining.

17 Mining and excavation operation means any activity, other than prospecting,
18 necessary for site preparation, extraction, waste disposal, storage of minerals,
19 resources or natural resources, or back-filling for reclamation.

20 Minor excavation and fill activity or operation or minor excavation activity or
21 operation means a mining activity or operation where 1,000 cubic yards or less of
22 earth, minerals, resources, or natural resources are excavated or removed from or
23 deposited on a tract or parcel of 20 acres or less, or where between 1,000 and 10,000
24 cubic yards of earth, minerals, resources, or natural resources are excavated or
25 removed from or deposited on a tract or parcels greater than 20 acres.

26 Overburden means soil and rock removed to gain access to a targeted mineral or
27 resource in the process of excavation, mining or extraction.

28 Prospecting means the exploring, investigating or searching for resources by drilling,
29 trenching, excavation or other means approved by the applicable Water Management
30 District.

31 Quarry means a mining or excavation operation using open or surface works, usually
32 for the extraction of building stone such as limestone. For the purpose of this section,
33 mining or excavation activities that use blasting, crushing, washing or other processing
34 techniques as part of the mining or excavation operation are included in this definition.

35 Reclamation means the reasonable rehabilitation of land where mineral or resource
36 extraction has occurred.

1 Substantial deviation means any proposed change to a previously approved mining,
2 excavation or landfill operation that creates a reasonable likelihood of additional
3 individual and accumulative impacts not previously reviewed by the approving board
4 or county official or employee. This may include but is not limited to the increase of
5 mining, excavation or landfill area and/or relocation of the operation in a manner that
6 would affect the distribution of traffic.

7
8 **Section 6.** Certain definitions within Section 50-1. "Definitions" of the Levy County Code
9 are amended as set forth below.

10 **Chapter 50. Land Development Code**

11 **Article XIII. Zoning**

12 **Article I. In General**

13
14
15 **Sec. 50-1. Definitions**

16 ~~A-weighted sound level means the sound pressure level in decibels as measured on a~~
17 ~~sound level meter using the A-weighted network. The level so read is designated DbA.~~
18 ~~The A scale is weighted to match the sensitivities of the human ear which can typically~~
19 ~~distinguish pitch between 20 hertz and 20,000 hertz. On the A scale, higher tones are~~
20 ~~given more weight than lower tones.~~

21 ~~Abandoned sign means any sign face which advertises a bona fide business no longer~~
22 ~~conducted or product no longer sold; any previously permitted portable or temporary~~
23 ~~sign of which permitted time has expired. In making the determination that a sign~~
24 ~~advertises a bona fide business no longer being conducted, the building official shall~~
25 ~~consider the existence or absence of a current occupational license, utility service~~
26 ~~deposit on account, use of the premises and relocation of the business; or any sign~~
27 ~~structure which has not been used for bona fide business purposes for over six~~
28 ~~months, that is nonconforming as to existing codes regarding height, setback or~~
29 ~~maintenance.~~

30 ~~Accident potential hazard area means an area within 5,000 feet of the approach or~~
31 ~~departure end of a runway or in proximity to an airport which aircraft may maneuver~~
32 ~~after takeoff or before landing and are subject to the greatest potential to crash into a~~
33 ~~structure or the ground.~~

34 ~~Accessory dwelling unit means an additional dwelling unit, including a separate~~
35 ~~entrance and permanent provisions for living, sleeping, eating, cooking and sanitation,~~
36 ~~that is incidental and subordinate to the principal single family dwelling or principal~~
37 ~~mobile home dwelling on the lot.~~

38 ~~Accessory use, building or structure means a use, building or structure located on the~~
39 ~~same lot as the principal structure and the use of which is subordinate or customarily~~
40 ~~incidental to the principal use of the principal structure. Accessory structures include,~~

1 but are not limited to, barns, pole barns, unattached garages, swimming pools, sheds,
2 storage buildings, and other similar structures. For purposes of article VI—flood
3 damage prevention of this chapter, this term includes only accessory structures used
4 for parking and storage.

5 ~~*Active mine* means any lawful mining operation where the activity of mining, extraction~~
6 ~~and/or processing of minerals, resources, or natural resources is present, or a mining~~
7 ~~operation that is dormant and the owner/operator has maintained a valid permit from~~
8 ~~the appropriate State entity such as the Florida Department of Environmental~~
9 ~~Protection or the applicable Florida Water Management District, or any mining~~
10 ~~operation began after January 22, 1975, which obtained county approval through the~~
11 ~~special exception review process as required by Ordinance 75-1, and amendments~~
12 ~~thereto.~~

13 ~~*Administrator* means the official designated by the board of county commissioners for~~
14 ~~the administration and enforcement of this chapter. Currently, this is the zoning officer.~~

15 ~~*Adverse effect* means increases in flood elevations on adjacent properties attributed to~~
16 ~~physical changes in the characteristics of the official 100-year flood area due to~~
17 ~~development.~~

18 ~~*Airport* means, for purpose of article III, division 2 of this chapter, the Williston~~
19 ~~Municipal Airport.~~

20 ~~*Airport* means a transportation facility where aircraft takeoff and land. any area of land~~
21 ~~or water designed and set aside for the landing and taking off of aircraft and used or to~~
22 ~~be used in the interest of the public for such purpose.~~

23 ~~*Airport elevation* means the highest point of an airport's usable landing area measured~~
24 ~~in feet above mean sea level.~~

25 ~~*Airport obstruction* means any structure or object of natural growth or use of land~~
26 ~~which would exceed the federal obstruction standards as contained in 14 CFR 77.21,~~
27 ~~77.23, 77.25 and 77.28 or which obstruct the airspace required for flight of aircraft in~~
28 ~~landing and takeoff at an airport or is otherwise hazardous to such landing or takeoff~~
29 ~~of aircraft.~~

30 ~~*Airspace height* means to determine the height limits in all zones set forth in this~~
31 ~~chapter, the datum shall be mean sea level elevation (AMSL) unless otherwise~~
32 ~~specified.~~

33 ~~*Alley* means a right-of-way providing a secondary means of access and service to~~
34 ~~abutting property.~~

35 ~~*Ambient noise level* means the total outdoor sound pressure level at a location due to~~
36 ~~all normally occurring sound sources.~~

1 ~~ANSI means the American National Standards Institute.~~

2 Antiquated subdivision means, as defined in Part II of Chapter 163, Florida Statutes, a
3 subdivision that was recorded or approved more than 20 years ago and that has
4 substantially failed to be built and the continued buildout of the subdivision in
5 accordance with the subdivision's zoning and land use purposes would cause an
6 imbalance of land uses and would be detrimental to the local and regional economies
7 and environment, hinder current planning practices, and lead to inefficient and fiscally
8 irresponsible development patterns as determined by the county.

9 *Apartment* means a portion of a building equipped with housekeeping facilities and
10 used as a dwelling for which periodic compensation is paid, and is occupied by a
11 person other than the legal owner.

12 *Appeal* means a request for a review of the interpretation or administrative application
13 of any provision of this chapter by the zoning officer or other county administrative
14 staff or county official whose power or duty it is to enforce or administer the provisions
15 of this chapter, or a request for a review of the interpretation or administrative
16 application of any provision of the flood damage prevention provisions of this chapter
17 by the floodplain administrator, whichever the context indicates.

18 ~~Areas of sign means the total surface of a sign including the background and frame~~
19 ~~but not structural supporting elements outside of its frame. Where a sign is composed~~
20 ~~of skeleton letters, characters or symbols applied to a frame to a background which is~~
21 ~~not a structural part of the sign, the area of the sign shall be the smallest triangle,~~
22 ~~rectangle or circle which will include the display. Where a sign is built with two faces~~
23 ~~back to back, the area of the sign shall be the sum of the areas of the two faces~~
24 ~~computed as specified in this section.~~

25 ~~ASCE 24 means a standard titled Flood Resistant Design and Construction that is~~
26 ~~referenced by the Florida Building Code, and developed and published by the~~
27 ~~American Society of Civil Engineers, Reston, Virginia.~~

28 *Automobile service or repair* means the performance of mechanical service or repairs
29 to automobiles or motor vehicles, which may include the sale of petroleum products
30 and incidental sale of automobile or motor vehicle parts related to such service or
31 repairs. Automobile service or repair does not include automobile paint and body work
32 or storage of untitled vehicles as a junkyard.

33 *Automobile service or repair station, or service station,* means the commercial facility
34 where automobile service or repair is performed. Automobile service or repair station
35 does not include an automobile paint and body shop or storage of untitled vehicles as
36 a junkyard.

37 (1) ~~All such vehicles or parts shall be located within a fenced compound yard.~~
38 ~~As used in this subsection, the term "fence" means opaque chain link, solid~~

1 board or masonry at least six feet higher than the crown of the road, unbroken
2 except for a gate which shall be closed at all times except to take vehicles or
3 major parts thereof in or out of the compound.

4 (2) All such vehicles shall have their titles held by a party other than the owner
5 of the business seeking the exception.

6 *Banner* means any sign with characters, letters, illustrations or ornamentation applied
7 to cloth, paper or fabric of any kind that is not permanently attached to a solid backing
8 of wood, metal or masonry.

9 *Base flood* means a flood having a one-percent chance of being equaled or exceeded
10 in any given year. The base flood may also be referred to in this chapter and is
11 commonly referred to as the "100-year flood" or the "one-percent annual chance
12 flood."

13 *Base flood elevation or BFE* means the elevation of the base flood, including wave
14 height, relative to the National Geodetic Vertical Datum (NGVD), North American
15 Vertical Datum (NAVD) or other datum specified on the flood insurance rate map
16 (FIRM).

17 *Basement* means, for purposes of the flood damage prevention provisions contained
18 in article VI of this chapter, as the same may be amended, any portion of a building
19 having its floor sub-grade, i.e., below ground level, on all sides.

20 *Basement* means, for purposes of the provisions of this chapter unrelated to the flood
21 damage prevention provisions contained in article VI of this chapter, a story having a
22 part, but not more less than one-half₁ of its height below grade plane. A basement is
23 counted for the purpose of determining compliance with height regulations.

24 *Block* means a group or tier of lots existing within well-defined and fixed boundaries,
25 usually being an area surrounded by streets or other physical barriers and having an
26 assigned number, letter or other name through which it may be identified.

27 *Board of adjustment* means the board of adjustment of the county or when appropriate
28 to the context shall include any other such board appointed by the board of county
29 commissioners.

30 *Boardinghouse* means a dwelling other than a hotel, where, for compensation and by
31 prearrangement for definite periods, lodging and meals are provided for three or more
32 persons.

33 *Borrow pit* means a type of mining operation where subsurface excavation of minerals,
34 resources, or natural resources is conducted mechanically or without the use of
35 explosives, and where such minerals or resources are intended for use as fill material
36 in any type of construction activities or other uses, and where no processing of such

1 ~~minerals or resources are conducted onsite. Processing of such minerals or resources~~
2 ~~would include, by way of example but not of limitation, crushing, washing, mixing or~~
3 ~~other processing techniques.~~

4 *Building* means a structure designed or build for support, enclosure, shelter or
5 protection of persons, animals or property of any kind, ~~provided such buildings are in~~
6 ~~compliance with the Florida Building Code. "Building" or "structure" includes parts~~
7 ~~thereof and these terms may be used interchangeably.~~

8 ~~*Building, alterations of,* means any change in the supporting members of a building,~~
9 ~~such as bearing walls, beams, columns and girders, except at the discretion of the~~
10 ~~building official, shall be required for its safety; any addition to a building; and any~~
11 ~~changes in use resulting from moving a building from one location to another.~~

12 ~~*Building, coverage,* means that percentage of the plot of land area covered by the~~
13 ~~principal and accessory buildings, including covered porches, carports and~~
14 ~~breezeways, but excluding open patios.~~

15 ~~*Building front foot* means each foot, or major portion thereof, measured along the main~~
16 ~~entry of a building. Where buildings are for an "L" or "U," all main entry sides are~~
17 ~~measured.~~

18 ~~*Building height* means the vertical distance measured from grade plane to the average~~
19 ~~height of the highest roof surface. the main level of the ground surrounding the~~
20 ~~building to a point midway between the highest and lowest point of the roof, but not~~
21 ~~including chimneys, spires, towers, tanks and similar projections.~~

22 ~~*Building official* means the officer or other designated employee or authority charged~~
23 ~~by the board of county commissioners and by the provisions of F.S. ch. 553, with the~~
24 ~~administration and enforcement of the Florida Building Code, as amended by local~~
25 ~~amendments contained in this chapter, and as may be amended from time to time,~~
26 ~~within the unincorporated area of the county and within the boundaries of any~~
27 ~~municipality that may enter into an agreement with the county for such building official~~
28 ~~to act as the building official for such municipality.~~

29 ~~*Building, principal (i.e., principal building), or principal structure,* means a structure in~~
30 ~~which is conducted the principal use of the site on which it is situated. In any~~
31 ~~residential district, any dwelling shall be deemed to be a principal building or principal~~
32 ~~structure on the district lot on which the dwelling is located.~~

33 ~~*Building setback line* (refer to definition of setback) means a line across a lot,~~
34 ~~generally parallel to the street right-of-way line, or the side lot line or the rear lot line,~~
35 ~~indicating the limit beyond which buildings may not be erected.~~

36 ~~*Camp* means the location for temporary use of structures or recreational vehicles as~~
37 ~~residences for seasonal hunting or fishing characterized by permanent electric,~~

1 sanitary wastewater, and plumbing facilities provided at the location, or where the
2 camper provides self-contained electric, sanitary wastewater, and plumbing facilities
3 with the camping equipment.

4 *Camping* means the act of camping at a camp.

5 *Central sewer system* means any ~~sanitary sewer~~ domestic or industrial wastewater
6 system which is regulated by the state department of environmental protection
7 pursuant to Part I of Chapter 403, Florida Statutes, for the issuance of permits to
8 authorize construction or operation. ~~Systems regulated by the state department of~~
9 ~~health are not to be considered central sewer systems.~~

10 *Central water system* means any ~~potable~~ public water system which is regulated by
11 the state department of environmental protection pursuant to Part VI of Chapter 403,
12 Florida Statutes, for the issuance of permits to authorize construction or operation,
13 unless otherwise defined by the definition of noncentral water system.

14 *Clean fill* means, as used in section 50-850 hereof, uncontaminated rock, clay,
15 concrete, sand and topsoil.

16 *Clinic* means a building or a portion of a building where patients are not lodged
17 overnight, but are admitted for examination and treatment by a group of physicians or
18 dentists practicing together.

19 *Coastal construction control line* means the line established by the state of Florida
20 pursuant to F.S. § 161.053, as the same may be amended, and recorded in the official
21 records of the county, which defines that portion of the beach dune system subject to
22 severe fluctuations based on a 100-year storm surge, storm waves or other
23 predictable weather conditions.

24 *Coastal high hazard area or high hazard area subject to high velocity wave action or*
25 *V-zone* means the special flood hazard area extending from offshore to the inland limit
26 of a primary frontal dune along an open coast and any other area subject to high
27 velocity wave action from storms or seismic sources. The area is designated on the
28 FIRM as zone V1-V30, VE or V.

29 *Collector street* means a ~~collector~~ street that serves to connect local streets, (which
30 provides primarily low-speed, low-volume access to property,) to the arterial system,
31 which serves primarily to carry high-speed, high-volume, through traffic between
32 relatively remote origins/destinations. As used in this chapter, collector streets shall be
33 further defined as:

34 (1) *Collector I*. Any street, regardless of the number of interconnections, which
35 serves or which has the potential to serve between 30 and 60 lots, parcels,
36 tracts and multifamily dwelling units combined.

1 (2) *Collector II*. Any street, regardless of the number of interconnections, which
2 serves or which has the potential to serve more than 60 lots, parcels, tracts and
3 multifamily dwelling units combined.

4 *Commercial districts or land use* means any property within designated commercial
5 areas and shown on the future land use map or activities within land areas which are
6 predominantly connected with the sale, rental and distribution of products, or
7 performance of services. Commercially designated lands may include but are not
8 limited to property zoned C-1, C-2, C-3 and C-4 ~~by the county zoning schedule.~~

9 ~~*Commercial extraction* means, as used in section 50-850 hereof, the extraction of~~
10 ~~minerals, resources or natural resources intended for subsequent sale.~~

11 ~~*Commercial recreation enterprise or business* means any for-profit establishment,~~
12 ~~organization or corporation primarily engaged in providing retail sales and services,~~
13 ~~facility and entertainment for a fee, admission charge or other compensation.~~

14 *Community residential home* means a dwelling unit licensed to serve clients of the
15 Department of Elderly Affairs, the Agency for Persons with Disabilities, the
16 Department of Juvenile Justice, or the Department of Children and Families or
17 licensed by the Agency for Health Care Administration which provides a living
18 environment for 7 to 14 unrelated residents who operate as the functional equivalent
19 of a family, including such supervision and care by supportive staff as may be
20 necessary to meet the physical, emotional and social needs of the residents, that is
21 licensed and regulated pursuant to Chapter 419, Florida Statutes.

22 ~~*Community sewer and water systems* means municipal service district or special~~
23 ~~district owned sewer and/or water systems meeting the minimum standards set by the~~
24 ~~state.~~

25 *Comprehensive plan* means the Levy County Comprehensive Plan, adopted pursuant
26 to the Local Government Comprehensive Planning and Land Development Regulation
27 Act, F.S. ch. 163, and any other applicable law.

28 *Concentrated commercial farming* means the raising of animals on any property which
29 may by numbers of animals, noise, dust, odor, or other factors, be obnoxious to or
30 incompatible with any uses on an adjacent property, and which may include but are
31 not limited to, dairies, feed lots, pig parlors, chicken farms, and other similar uses, and
32 which is located within 1,320 feet of any residential structure. While the number of
33 animals is not the only factor that may determine a use to be considered concentrated
34 commercial farming, ~~in the event that numbers of animals is a factor in the proposed~~
35 ~~use,~~ the raising of numbers of animals that exceed the following thresholds will
36 automatically constitute concentrated commercial farming:

37

<i>Animal Category</i>	<i>Maximum Per Acre Per Category</i>
Cows, oxen, buffalo, beefalo, other ruminants	2
Swine and horses	1
Poultry and fowl	20
Rabbits	20

1

2 ~~*Conditional use permit* means a mechanism for allowing a use not specifically listed in~~
3 ~~the use regulations for a zoning district as a permitted use, accessory use, or special~~
4 ~~exception use, but which by its very nature is compatible with the applicable zoning~~
5 ~~district.~~

6 *Construction permit* means a permit authorizing installation of improvements, issued
7 following the approval of the preliminary plat and construction plans.

8 *Country club* means use of buildings and premises for social and recreational
9 activities, catering exclusively to the membership. This may include a clubhouse with
10 dining facilities, a golf course driving range, tennis/racquetball court, swimming pool,
11 health and fitness facilities and other customary uses and does not include any
12 vehicular/motorized recreational activities (i.e., dirt bikes, ATVs, mudbogging trucks,
13 go-carts, etc.) or racetracks of any kind.

14 ~~*County engineer* means road superintendent or other designated employee or agent~~
15 ~~of county.~~

16 *Cul-de-sac* means a street terminated at the end by a vehicular turnaround.

17 ~~*Dairy* means any agribusiness which involves the milking of animals of any species.~~
18 ~~All dairies are subject to special exception review and regulated by the concentrated~~
19 ~~commercial farming provisions of this article.~~

20 ~~*Day care center* means any place operated by a person, society, agency, corporation~~
21 ~~or institution, or any group wherein are received, for pay, children under 18 years of~~
22 ~~age for group care, without transfer of custody, for more than four hours and less than~~
23 ~~24 hours per day.~~

24 ~~*Decibel or dB* means a unit for describing the amplitude of sound, equal to 20 times~~
25 ~~the logarithm of the base 10 of the ratio of the pressure of the sound measured to the~~
26 ~~reference pressure, which is 20 micropascals per square meter.~~

27 *Departments* mean departments authorized by the board of county commissioners to
28 ~~control, within specified limits,~~ conduct the various functions performed by the county
29 ~~board of county commissioners,~~ such as the road and bridge department, the
30 development department, the planning and zoning department, the parks and
31 recreation department, etc.

1 ~~Design flood means the flood associated with the greater of the following two areas:~~

2 ~~(1) Area with a floodplain subject to a one-percent or greater chance of flooding~~
3 ~~in any year; or~~

4 ~~(2) Area designated as a flood hazard area on the community's flood hazard~~
5 ~~map, or otherwise legally designated.~~

6 ~~Design flood elevation means the elevation of the design flood, including wave height,~~
7 ~~relative to the datum specified on the community's legally designated flood hazard~~
8 ~~map. In areas designated as zone AO, the design flood elevation shall be the~~
9 ~~elevation of the highest existing grade of the building's perimeter plus the depth~~
10 ~~number (in feet) specified on the flood hazard map. In areas designated as zone AO~~
11 ~~where the depth number is not specified on the map, the depth number shall be taken~~
12 ~~as being equal to two feet.~~

13 ~~Developer means any person who engages in development, either as the owner or as~~
14 ~~the agent of an owner of the property.~~

15 ~~Developer, applicant, subdivider means the person or legal entity that applied for~~
16 ~~approval of a plat of subdivision pursuant to this chapter, or person duly authorized~~
17 ~~thereby.~~

18 ~~Development means, for purposes of the flood damage prevention provisions~~
19 ~~contained in this section and article VI of this chapter, as the same may be amended,~~
20 ~~any manmade change to improved or unimproved real estate, including but not limited~~
21 ~~to, buildings or other structures, mining, dredging, filling, grading, paving, excavation~~
22 ~~or drilling operations, or any other land disturbing activities, or storage of materials or~~
23 ~~equipment.~~

24 ~~Development means, for purposes of the provisions of this chapter unrelated to the~~
25 ~~flood damage prevention provisions contained in article VI hereof, the same as the~~
26 ~~definition of "development" contained in F.S. § 380.04, as the same may be amended,~~
27 ~~unless the context clearly indicates otherwise.~~

28 ~~Directional sign means any sign used to indicate the direction to entrances, exits,~~
29 ~~parking areas, restrooms or other nonbusiness related facilities on-site.~~

30 ~~Directory sign means a sign which gives the names of businesses or individuals~~
31 ~~located in the building or complex where it is located.~~

32 ~~District means a section of the county for which the zoning regulations govern the use~~
33 ~~of buildings and premises, the height of buildings, the size of yards and where the~~
34 ~~intensity of use is uniform.~~

1 *Domestic animals* mean all household pets normally kept for companionship and not
2 raised or kept primarily for the production of income.

3 *Domestic livestock* means cattle, horses, hogs, sheep, goats and poultry of all kinds,
4 used or raised on a farm for use or profit.

5 ~~*Double-face sign* means a sign with two faces which are no more than three feet apart
6 at their closest point, and which describe an internal angle between face planes
7 extended of no more than 60 degrees.~~

8 *Dwelling* means any building that contains one or more dwelling units., ~~vehicle or
9 portion thereof designed or used exclusively as the residence or sleeping place of one
10 or more persons including "factory built housing" as defined in F.S. ch. 553, pt. IV
11 (F.S. § 553.35 et seq.). The term "dwelling" shall not be deemed to include automobile
12 court, roominghouse, tourist home, hotel, hospital, nursing home, dormitory, fraternity
13 or sorority house, or other student residence as defined in this section.~~

14 ~~(1) *Dwelling, mobile home*, means a movable or portable dwelling over 35 feet
15 in length and containing over 500 square feet of floor area, constructed to be
16 towed on its own chassis, connected to utilities and designed for year round
17 occupancy, which can consist of one or more components that can be retracted
18 for towing purposes and subsequently expanded for additional capacity, or of
19 two or more units separately towable but designed to be joined into one integral
20 unit.~~

21 ~~(2) *Dwelling, multifamily*, means a building designed for occupancy by three
22 or more families living independently of each other, and containing three or
23 more dwelling units. Such buildings shall consist of the following types:~~

24 a. *Medium-density dwellings*. A multifamily dwelling containing up to six
25 dwelling units per structure and not exceeding two stories in height.

26 b. *High-density dwellings*. A multifamily dwelling containing seven to 12
27 dwelling units per structure and not exceeding three stories in height.

28 ~~(3) *Dwelling, single-family*, means a detached building designed for or occupied
29 exclusively by one family, except for a mobile home as defined in subsection (1)
30 of this definition.~~

31 ~~(4) *Dwelling, duplex two-family*, means a detached or semidetached building
32 where not more than two individual family or dwelling units are entirely
33 separated by vertical walls or horizontal floors, unpierced except for access to
34 the outside or to a common cellar.~~

35 *Dwelling unit* means a single unit providing complete independent living facilities for
36 one family, including permanent provisions for living, sleeping, eating, cooking and

1 ~~sanitation. one or more rooms, including a kitchen (or kitchenette) and sanitary~~
2 ~~facilities, in a dwelling structure designed as a unit for occupancy by not more than~~
3 ~~one family for living and sleeping purposes, except a mobile home or travel trailer.~~

4 ~~Easement means, for purposes of article XI of this chapter, a strip of land intended for~~
5 ~~public or private utilities, drainage, sanitation, or other specified uses having~~
6 ~~limitations, the title to which shall remain in the name of the property owner, subject to~~
7 ~~the right of use designated in the reservation of the servitude. Easements for ingress~~
8 ~~and egress that serve no more than two lots, tracts or parcels shall be at least 30 feet~~
9 ~~in width and may serve no more than two lots, tracts or parcels, subject to the~~
10 ~~variance provisions of this chapter and conformance to the requirements of article XVI~~
11 ~~of this chapter. Easements for ingress and egress that serve more than two lots, tracts~~
12 ~~or parcels shall be at least 60 feet in width, inclusive of a ten-foot utility easement.~~

13 ~~Easement means, for purposes of article XIII of this chapter, a strip of land intended~~
14 ~~for public or private utilities, drainage, sanitation or other specified use having~~
15 ~~limitations, the title to which shall remain in the name of the property owner, subject to~~
16 ~~the right of use designated in the reservation of the servitude. Easements for ingress~~
17 ~~and egress shall be at least 60 feet in width, inclusive of a ten-foot utility easement.~~

18 ~~Embellishments means extensions of the major graphic area to include integral copy~~
19 ~~of design, the area of which extension does not exceed ten percent of the sign face~~
20 ~~area. Additional panels for supplementary copy are not embellishments.~~

21 ~~Emergency work means any work performed for the purpose of preventing or~~
22 ~~alleviating the physical trauma or property damage threatened or caused by an~~
23 ~~emergency.~~

24 ~~Encroachment means, for purposes of the flood damage prevention provisions~~
25 ~~contained in article VI of this chapter, as the same may be amended, the placement of~~
26 ~~fill, excavation, buildings, permanent structures or other development into a flood~~
27 ~~hazard area, which may impede or alter the flow capacity of a riverine flood hazard~~
28 ~~area.~~

29 ~~Enforcement agent means an authorized and qualified employee of the county~~
30 ~~sheriff's office, office of code enforcement or the office of animal control charged with~~
31 ~~the responsibility of enforcing this chapter.~~

32 ~~Essential public utility services means electric transmission and distribution lines,~~
33 ~~including electric utility poles, transmission towers and electric substations, telephone~~
34 ~~telecommunications lines, telephone telecommunications facilities, utility poles and~~
35 ~~street lighting, natural gas lines, public drainage facilities, well houses, and water or~~
36 ~~sewer facilities, and other similar equipment necessary for the furnishing of adequate~~
37 ~~utility services.~~

1 ~~Excavation and fill permit means the required permit for any excavation or extraction~~
2 ~~of minerals, resources, or natural resources pursuant to section 50-850 hereof.~~

3 ~~Excavation or extraction of resources means the removal of minerals, resources, or~~
4 ~~natural resources from their location so as to make them suitable for commercial,~~
5 ~~industrial, or construction use. The term excavation shall not be interpreted to include~~
6 ~~excavation in connection with building construction or other legally permitted activities.~~
7 ~~The cumulative effects of tree farming and plant nurseries shall not be construed as~~
8 ~~excavation or fill activities, or as fill removal.~~

9 ~~Existing structure means, for the purposes of the flood damage prevention provisions~~
10 ~~contained in article VI of this chapter, as the same may be amended, any building or~~
11 ~~structure for which the start of construction commenced before March 1, 1984.~~

12 ~~Family means one or more natural persons who are living together and interrelated as~~
13 ~~spouse, domestic partner, child, stepchild, foster child, parent, stepparent, foster~~
14 ~~parent, brother, sister, grandparent, niece, nephew, father-in-law, mother-in-law, son-~~
15 ~~in-law, daughter-in-law, sister-in-law, brother-in-law, or legal guardian, as evidenced~~
16 ~~by written documentation of such relationship, plus no more than two additional~~
17 ~~unrelated natural persons. A family may also include live-in domestic servants and~~
18 ~~temporary gratuitous guests (natural persons occasionally visiting the family for a~~
19 ~~short period of time.) Pursuant to Section 419.001, family also means six or fewer~~
20 ~~residents who operate as the functional equivalent family and reside together in a~~
21 ~~dwelling unit that otherwise meets the definition of a community residential home.~~

22 ~~Farm operation means all conditions or activities by the owner, lessee, agent,~~
23 ~~independent contractor, and supplier which occur on a farm in connection with the~~
24 ~~production of farm products and includes, but is not limited to, the marketing of~~
25 ~~produce at roadside stands or farm markets, the operation of machinery and irrigation~~
26 ~~pumps and as described pursuant to F.S. § 823.14.~~

27 ~~Fascia sign means a sign located on the fascia of a roof or canopy including signs that~~
28 ~~extend the plane of the structural fascia such that the vertical dimension of the sign is~~
29 ~~no more than one-third the distance from the ground to the bottom of the fascia, and~~
30 ~~no lateral supports are used.~~

31 ~~Federal Emergency Management Agency or FEMA means the federal agency that, in~~
32 ~~addition to carrying out other functions, administers the National Flood Insurance~~
33 ~~Program.~~

34 ~~Fill means extracted mineral or natural resources deposited onto a parcel of land. The~~
35 ~~source of the material originates from another location and shall include any suitable~~
36 ~~material deposited for the purpose of raising the level of the natural land surface. The~~
37 ~~cumulative effects of tree farming and plant nurseries shall not be construed as~~
38 ~~excavation or fill activities, or as fill removal.~~

1 ~~*Flood or flooding* means a general and temporary condition of partial or complete~~
2 ~~inundation of normally dry land areas from:~~

3 ~~(1)The overflow of inland or tidal waters; or~~

4 ~~(2)The unusual and rapid accumulation or runoff of surface waters from any~~
5 ~~source.~~

6 ~~*Flood damage-resistant materials* means any construction material capable of~~
7 ~~withstanding direct and prolonged contact with floodwaters without sustaining any~~
8 ~~damage that requires more than cosmetic repair.~~

9 ~~*Flood hazard area* means the greater of the following two areas:~~

10 ~~(1)The area within a floodplain subject to a one-percent or greater chance of~~
11 ~~flooding in any year.~~

12 ~~(2)The area designated as a flood hazard area on the community's flood hazard~~
13 ~~map, or otherwise legally designated.~~

14 ~~*Flood elevation of record* means the maximum flood elevations for which historical~~
15 ~~records exist.~~

16 ~~*Flood insurance rate map or FIRM* means the official map of the community, on which~~
17 ~~the Federal Emergency Management Agency has delineated both special flood hazard~~
18 ~~areas and the risk premium zones applicable to the community.~~

19 ~~*Flood insurance study or FIS* means the official report provided by the Federal~~
20 ~~Emergency Management Agency that contains the FIRM, the flood boundary and~~
21 ~~floodway map (if applicable), the water surface elevations of the base flood, and~~
22 ~~supporting technical data.~~

23 ~~*Floodplain* means any land area susceptible to being inundated by water from any~~
24 ~~source.~~

25 ~~*Floodplain administrator* means the individual appointed to administer and enforce the~~
26 ~~flood damage prevention provisions contained in article VI of this chapter, as the same~~
27 ~~may be amended.~~

28 ~~*Floodplain development permit or approval* means an official document or certificate~~
29 ~~issued by the county, or other evidence of approval or concurrence, which authorizes~~
30 ~~performance of specific development activities that are located in flood hazard areas~~
31 ~~and that are determined to be compliant with the flood damage prevention provisions~~
32 ~~contained in article VI of this chapter, as the same may be amended.~~

1 ~~*Floodplain management* means the operation of an overall program of corrective and~~
2 ~~preventive measures for reducing flood damage and preserving and enhancing, where~~
3 ~~possible, natural resources in the floodplain, including but not limited to emergency~~
4 ~~preparedness plans, flood control works, floodplain management regulations, and~~
5 ~~open space plans.~~

6 ~~*Floodplain management regulations* means the applicable definitions contained in this~~
7 ~~section, the flood damage prevention provisions contained in article VI of this chapter,~~
8 ~~and other zoning regulations, subdivision regulations, building codes, health~~
9 ~~regulations, special purpose regulations including but not limited to floodplain~~
10 ~~regulations, grading regulations, and erosion control regulations, if any, as any of the~~
11 ~~foregoing may be amended, and other applications of police power which control~~
12 ~~development in flood-prone areas. This term describes federal, State of Florida, or~~
13 ~~local regulations in any combination thereof, which provide standards for preventing~~
14 ~~and reducing flood loss and damage.~~

15 ~~*Floodway* means the channel of a river or other watercourse and the adjacent land~~
16 ~~areas that must be reserved in order to discharge the base flood without cumulatively~~
17 ~~increasing the water surface elevation more than one foot.~~

18 ~~*Floodway encroachment analysis* means an engineering analysis of the impact that a~~
19 ~~proposed encroachment into a floodway is expected to have on the floodway~~
20 ~~boundaries and base flood elevations; the evaluation shall be prepared by a qualified~~
21 ~~Florida licensed engineer using standard engineering methods and models.~~

22 ~~*Floor* means the top surface of an enclosed area in a building, including basement, i.e.~~
23 ~~top of slab in concrete slab construction or top of wood flooring in wood frame~~
24 ~~construction. The term does not include the floor of a garage used solely for parking~~
25 ~~vehicles.~~

26 ~~*Floor area* means the gross horizontal areas of all floors, including penthouses (but~~
27 ~~excluding such areas within a building which are used for parking), measured from the~~
28 ~~exterior faces or columns of the exterior walls of a building. Basements shall be~~
29 ~~included as one-half the floor area.~~

30 ~~*Florida Building Code* or *FBC* means the family of codes adopted by the Florida~~
31 ~~Building Commission, as the same may be amended, including: Florida Building Code:~~
32 ~~Building; Florida Building Code: Residential; Florida Building Code: Existing Building;~~
33 ~~Florida Building Code: Mechanical; Florida Building Code: Plumbing; Florida Building~~
34 ~~Code: Fuel Gas; Florida Building Code: Test Protocols; Florida Building Code:~~
35 ~~Accessibility; Florida Building Code: Energy Conservation, and all other codes~~
36 ~~adopted as part of the Florida Building Code, and the National Electric Code and the~~
37 ~~Florida Fire Prevention Code.~~

38 ~~*Frontage, street* means all the property on one side of a street between two streets~~
39 ~~which intersect such street (crossing or termination), measured along the line of the~~

1 ~~street, or if the street is dead ended, then all of the property abutting on one side~~
2 ~~between a street which intersects such street and the dead end of the street.~~

3 ~~*Functionally dependent use* means, for purposes of the flood damage prevention~~
4 ~~provisions contained in article VI of this chapter, as the same may be amended, a use~~
5 ~~that cannot be used for its intended purpose unless it is located or carried out in close~~
6 ~~proximity to water, including only docking facilities, port facilities necessary for the~~
7 ~~loading and unloading of cargo or passengers, or shipbuilding or ship repair facilities.~~
8 ~~The term does not include long term storage, manufacture, sales, or service facilities.~~

9 ~~*Future land use designation* means the generalized land use category for a particular~~
10 ~~lot or parcel shown on the adopted county comprehensive plan future land use map.~~

11 ~~*Garage, private*, means an accessory building designed or used for the storage of~~
12 ~~motor driven vehicles owned and used by occupants of the building to which it is~~
13 ~~accessory, and not to be used as a place for mechanical work on motor driven~~
14 ~~vehicles except owner repairs by the occupants of the building to which it is~~
15 ~~accessory.~~

16 ~~*Gas station* means a use or a business that sells fuel for automobiles or other~~
17 ~~motorized vehicles, but does not include a use or business that performs service or~~
18 ~~repair to automobiles or other motorized vehicles. A gas station may be combined with~~
19 ~~other retail sales operations, such as a convenience store.~~

20 ~~*General farming and forestry* means the conduct of bona fide agricultural operations~~
21 ~~on land classified as agricultural land pursuant to Section 193.461, Florida Statutes.~~
22 ~~cultivation of plants or trees, or the raising of animals or insects. If any operation~~
23 ~~includes the raising of animals that meets the definition of concentrated commercial~~
24 ~~farming, the raising of those animals will not be considered general farming and~~
25 ~~forestry, and will be governed by the schedule of district uses, the requirements for~~
26 ~~specific uses, and all other provisions of this chapter applicable to concentrated~~
27 ~~commercial farming. The operation of reptile farms, zoos, or similar facilities, or the~~
28 ~~keeping of dangerous exotic animals or dangerous native animals, will not be~~
29 ~~considered general farming and forestry, and will be governed by the schedule of~~
30 ~~district uses, requirements for specific uses, and all other provisions of this chapter~~
31 ~~applicable to the operation of reptile farms, zoos, or similar facilities, or the keeping of~~
32 ~~dangerous exotic animals or dangerous native animals.~~

33 ~~*Governing body* means the board of county commissioners, or, when appropriate to~~
34 ~~the context, shall include the legal governing body of another county, municipality,~~
35 ~~town or village of the state.~~

36 ~~*Grade or grade plane* means the average level of the finished ground level adjoining~~
37 ~~surface immediately adjacent to the exterior walls of the building.~~

38 ~~*Graphic* means any symbol, any syllable or a word, and illustration of a picture.~~

1 ~~Habitable floor means any floor used or to be used for living purposes, which includes~~
2 ~~working, sleeping, eating, cooking, recreation or a combination thereof. A floor used~~
3 ~~only for storage purposes having only nonloadbearing walls, e.g., breakway~~
4 ~~latticework, wall or screen, is not a habitable floor.~~

5 ~~Height of sign means the distance between the top of the sign and the average ground~~
6 ~~elevation below it.~~

7 ~~Highest adjacent grade means the highest natural elevation of the ground surface,~~
8 ~~prior to construction, next to the proposed walls or foundation of a structure.~~

9 ~~Historic structure means, for purposes of the provisions of this chapter unrelated to the~~
10 ~~flood damage prevention provisions contained in article VI of this chapter, means any~~
11 ~~structure that is:~~

12 (1) Listed individually in the National Register of Historic Places (a listing
13 maintained by the U.S. Department of Interior) or preliminarily determined by
14 the U.S. Secretary of the Interior as meeting the requirements for individual
15 listing on the National Register of Historic Places; or

16 (2) Certified or preliminarily determined by the U.S. Secretary of the Interior as
17 contributing to the historical significance of a registered historic or a district
18 preliminarily determined by the U.S. Secretary of the Interior to qualify as a
19 registered historic district; or

20 (3) Individually listed on the Florida Master Site File of historic places, which
21 has been approved by the Florida Secretary of State; or

22 (4) Individually listed on a local inventory of historic places in communities with
23 historic preservation programs that have been certified either:

24 a. By the approved Florida program as determined by the Florida
25 Secretary of State, or

26 b. Directly by the U.S. Secretary of the Interior.

27 ~~Home occupation means an occupation for gain or support conducted only by~~
28 ~~members of a family residing on the premises and entirely within the main building.~~
29 ~~(See section 50-964 for specific regulations.)~~

30 ~~Hospital means a building having room facilities for more than one overnight patient~~
31 ~~used for providing on-the-premises medical or surgical care for sick or injured human~~
32 ~~beings, together with all related facilities.~~

33 ~~Hotel means a building in which lodging, or boarding and lodging, is provided and~~
34 ~~offered to the public for compensation, and in which ingress and egress to and from all~~

1 rooms are made through an inside lobby or office supervised by a person in charge at
2 all hours.

3 ~~*Hunt club* means the use of large tracts of land for seasonal hunting or fishing and for
4 camping or primitive camping, which uses are exclusively provided for members and
5 guests.~~

6 *Hunting and/or fishing camp or hunting and/or fishing club* means the use of land for
7 seasonal hunting and/or fishing and, it may include, seasonal camping (as an
8 accessory use in connection with the hunting or fishing) in structures or recreational
9 vehicles that are serviced by electric, water and wastewater facilities (either provided
10 at the camp or self-contained). Hunting camps or hunting clubs require minimum
11 acreage that is safe and suitable for the type of game hunted on the premises.

12 ~~*Identification sign* means a sign that indicates the name and type of business or
13 service, or the name of the development located on the site where the sign is located.
14 Identification signs shall be limited to the name of business or development, type of
15 business or service, street address, phone number and graphic of business logo,
16 except that theaters, concert halls and other entertainment establishments with
17 changing programs may utilize changeable copy to advertise such programs.
18 Identification signs shall not contain lists of specific products and auxiliary services.~~

19 ~~*Illuminated signs* means a sign that uses artificial light, whether internal or external to
20 the sign faces, to draw attention to the sign or otherwise increase its visibility.~~

21 *Improvements* means and includes, but are not limited to, street pavements, curbs and
22 gutters, sidewalks, alley pavements, walkway pavements, water mains, sanitary
23 sewers, storm sewers or drains, street names, signs, landscaping, permanent
24 reference monuments (PRMs) or any improvement required by the board of county
25 commissioners.

26 *Industrial district* means any property within areas designated as Industrial on the
27 future land use map or the zoning map atlas.

28 *Industrial land use* means utilization of property for uses which predominantly consist
29 of manufacturing, assembly, processing, storage of products, or similar uses, and
30 which may be designated as Industrial on the future land use map or zoning map
31 atlas.

32 *Institution* means the structures or land occupied by a group, cooperative, board,
33 agency or organization created for the purpose of carrying on nonprofit functions of a
34 public or semipublic nature, such as hospitals, schools, churches, fraternal orders and
35 orphanages.

1 *Institutional* means nonprofit or quasi-public uses or institutions, such as houses of
2 worship, libraries, public or private schools, hospitals, or government owned or
3 operated buildings, structures, or land used for public purposes.

4 ~~*Internally illuminated sign* means a sign that uses artificial light from behind the sign
5 face to increase its visibility.~~

6 *Junkyard* means an area of land, with or without buildings, primarily used for the
7 storage (outside of a completely enclosed building) of used and discarded materials,
8 including but not limited to waste paper, rags, metal, building materials, house
9 furnishings, machinery, vehicles or parts thereof, broken or wrecked motor vehicles or
10 parts thereof, with or without the dismantling, processing, salvage, sale or other use or
11 disposition of such materials. ~~The deposit or storage of two or more wrecked or
12 broken motor vehicles, or any parts thereof, for a period of two months or longer, shall
13 not be considered a junkyard when the removal and use of parts from such wrecked or
14 broken motor vehicles are necessary to maintain and repair motor vehicles used in
15 ongoing farm operations. The deposit or storage of two or more wrecked or broken
16 motor vehicles, or any major parts thereof, for a period of two months or longer, shall
17 not be considered a junkyard when the removal and use of parts from such motor
18 vehicles, or parts thereof, is required to maintain an ongoing automobile service or
19 repair station or automobile paint and body shop; provided, however, that such
20 automobile service or repair station or automobile paint and body shop meet all of the
21 requirements for such uses contained in this chapter.~~

22 ~~*Kennels* means any location where raising, grooming, training, caring for or boarding
23 of dogs, cats or other small animals for commercial purposes is carried on.~~

24 *Land alteration* means any change or alteration of the land's natural grade.

25 *Land surveyor* means a person who holds a current license issued pursuant to
26 Chapter 472, Florida Statutes, to engage in the practice of surveying and mapping
27 land surveyor registered under F.S. ch. 472 who is in good standing with the state
28 board of professional engineers and land surveyors.

29 ~~*Land use* and *use* mean any activity, event, operation and facility which create noise.~~

30 *Landing area* means the area of an airport used for landing, taking-off or taxing of
31 aircraft.

32 ~~*Letter of map change* or *LOMC* means an official determination issued by FEMA that
33 amends or revises an effective flood insurance rate map or flood insurance study.
34 Letters of map change include:~~

35 (1) ~~Letter of map amendment or LOMA: An amendment based on technical
36 data showing that a property was incorrectly included in a designated special
37 flood hazard area. A LOMA amends the current effective flood insurance rate~~

1 map and establishes that a specific property, portion of a property, or structure
2 is not located in a special flood hazard area.

3 (2) Letter of map revision or LOMR: A revision based on technical data that
4 may show changes to flood zones, flood elevations, special flood hazard area
5 boundaries and floodway delineations, and other planimetric features.

6 (3) Letter of map revision based on fill or LOMR-F: A determination that a
7 structure or parcel of land has been elevated by fill above the base flood
8 elevation and is, therefore, no longer located within the special flood hazard
9 area. In order to qualify for this determination, the fill must have been permitted
10 and placed in accordance with the community's floodplain management
11 regulations.

12 (4) Conditional letter of map revision or CLOMR: A formal review and comment
13 as to whether a proposed flood protection project or other project complies with
14 the minimum National Flood Insurance Program requirements for such projects
15 with respect to delineation of special flood hazard areas. A CLOMR does not
16 revise the effective flood insurance rate map or flood insurance study; upon
17 submission and approval of certified as-built documentation, a letter of map
18 revision may be issued by FEMA to revise the effective FIRM.

19 *Light-duty truck*, as defined in 40 C.F.R. 86.082-2, as the same may be amended,
20 means any motor vehicle rated at 8,500 pounds gross vehicular weight rating or less
21 which has a vehicular curb weight of 6,000 pounds or less and which has a basic
22 vehicle frontal area of 45 square feet or less, which is:

23 (1) Designed primarily for purposes of transportation of property or is a
24 derivation of such a vehicle; or

25 (2) Designed primarily for transportation of persons and has a capacity of more
26 than 12 persons; or

27 (3) Available with special features enabling off-street or off-highway operation
28 and use.

29 *Loading space* means a space within the main building, or on the same lot, providing
30 for the standing, loading or unloading of trucks and other carriers.

31 *Local street* means a local street serves primarily to provide access to property. A
32 local street generally carries relatively low volumes of low-speed traffic. As used in this
33 chapter, a local street shall further be defined as:

34 (1) *Local I*. A dead-end street, terminating in a cul-de-sac, which serves no
35 more than 20 lots, tracts, parcels and multifamily dwelling units combined.

1 (2) *Local II*. A street which is connected to other streets at no more than two
2 points, and which serves no more than 30 lots, tracts, parcels, and multifamily
3 dwelling units combined.

4 ~~Lodge means a place where members of a fraternal society meet. Also referred to as~~
5 ~~a club, enclosed clubhouse.~~

6 ~~Lot means any tract or parcel being the least fractional part of subdivided lands having~~
7 ~~limited fixed boundaries. (Also see section 50-578 for lot area requirements.~~

8 *Lot* means a tract or parcel of land intended for transfer of ownership, use or
9 improvement.

10 (1) *Corner lot* means a lot abutting two or more streets at their intersection
11 or at a street corner having an interior angle of less than 135 degrees.

12 (2) *Lot depth* means the mean horizontal distance between the front and
13 rear lot lines.

14 (3) *Lot line* means the property lines bounding the lot.

15 a. *Lot line, front*, means the property line that includes or provides
16 vehicular access to the lot whether via easement or public or
17 private road.

18 b. *Lot line, rear*, means the lot line opposite from the front lot line.

19 c. *Lot line, side*, means any lot line other than a front or rear lot line.

20 d. *Lot line, street*, means a lot line separating the lot from a street.

21 e. *Lot line, waterfront*, means a lot line that abuts or lies within a
22 waterbody (such as the Gulf of Mexico, bays, bayous, rivers,
23 streams, creeks, canals, lakes, or impounded reservoirs). A
24 waterfront lot line may be a front, rear or side lot line and for
25 purposes of measuring its setback, a waterfront lot line is
26 measured from the mean high water line (for tidally influenced
27 waterbodies) and the ordinary high water line (for non-tidally
28 influenced waterbodies.)

29 (4) *Lot width* means the distance between the two side lot lines measured at
30 the intersection of the required front yard setback line with the side lot
31 lines.

32 (5) *Lot area* means the total horizontal plane, expressed in square feet or
33 acres) within the lot lines. For the purpose of satisfying the minimum lot

1 area requirements for an existing lot (not a lot being newly created by
2 metes and bounds description or by subdivision), the lot may include a
3 portion of any adjoining public (federal, state, county or city) street right-
4 of-way in calculating the lot area. The portion of right-of-way that may be
5 included shall be calculated by multiplying the length that the lot fronts
6 the public street by the average distance from the lot line that adjoins the
7 public street to the centerline of the public street. Provided, however, no
8 lot shall have a lot area less than 85 percent of the minimum lot area
9 requirement when such public street is excluded from the computation.

10 *Lowest floor* means the lowest floor of the lowest enclosed area of a building or
11 structure, including basement (~~as that term is defined for the flood damage prevention~~
12 ~~provisions of article VI of this chapter~~), but excluding any unfinished or flood-resistant
13 enclosure, other than a basement, usable solely for vehicle parking, building access,
14 or limited storage, provided that such enclosure is not built so as to render the
15 structure in violation of the non-elevation requirements of the Florida Building Code or
16 ASCE 24.

17 ~~*Major mining, excavation and fill activity or operations, or major mining and fill*~~
18 ~~*operation, or major mining operation*~~ means a mining operation or excavation where
19 the mining or excavation of earth, minerals, resources, or natural resources exceeds
20 1,000 cubic yards on a tract or parcel of 20 acres or less; or exceeds 10,000 cubic
21 yards on a tract or parcel greater than 20 acres. In addition, the terms mean any
22 quarry, regardless of amount of earth, minerals or resources excavated or mined and
23 regardless of the size of the parcel.

24 ~~*Major recreational vehicle*~~ means a vehicular, portable structure which is built on a
25 chassis; or which is designed as a temporary dwelling for travel, recreation or
26 vacation; or which has an "RV" license, and which has a transportable body width of
27 eight feet or more and/or a length exceeding 35 feet. It is the intent of the elected
28 officials that boats and boat trailers are included within this definition.

29 *Mangroves* or *mangrove stand* means an assemblage of mangrove trees which
30 consists mostly of low trees noted for a copious development of interlacing
31 adventitious roots above ground and which contain one or more of the following
32 species: black mangrove (*Avicennia Nitida*); red mangrove (*Rhizophora mangle*);
33 white mangrove (*Languncularia Racemosa*); and buttonwood (*Conocarpus Erecta*).

34 ~~*Manufactured home*~~ means a structure, transportable in one or more sections, which
35 is 12 feet or more in width and greater than 500 square feet in area, and which is built
36 on a permanent, integral chassis and is designed for use with or without a permanent
37 foundation when connected to the required utilities. The term also includes park
38 trailers, travel trailers, and similar transportable structures placed on a site for 180
39 consecutive days or longer and intended to be improved property; however, for
40 purposes of the flood damage prevention provisions contained in article VI of this

1 ~~chapter, as the same may be amended, the term does not include a recreational~~
2 ~~vehicle or park trailer.~~

3 *Manufactured home* means a mobile home (see definition below) that was fabricated
4 on or after June 15, 1976.

5 ~~*Manufactured home park or subdivision* means a parcel (or contiguous parcels) of~~
6 ~~land divided into two or more manufactured home lots for rent or sale.~~

7 *Marina* means a place for docking pleasure boats, staying overnight in docked
8 pleasure boats or providing services to pleasure boats and the occupants thereof,
9 including minor servicing and repair to boats while in the water, sale of fuel and
10 supplies, and provision of lodging, food, beverages and entertainment as accessory
11 uses. ~~A yacht club shall be considered as a marina, but a hotel, motel or similar use,~~
12 ~~where docking of boats and provisions of services thereto is incidental to other~~
13 ~~activities, shall not be considered a marina, nor shall boat docks accessory to a~~
14 ~~multiple dwelling where no boat-related services are rendered.~~

15 ~~*Market value or fair market value* means the price at which a property will change~~
16 ~~hands between a willing buyer and a willing seller, neither party being under~~
17 ~~compulsion to buy or sell and both having reasonable knowledge of relevant facts.~~
18 ~~Market value or fair market value may be established by a qualified independent~~
19 ~~certified appraisal (other than a limited or curbside appraisal, or one based on income~~
20 ~~approach), actual cash value (replacement cost depreciated for age and quality of~~
21 ~~construction of building), adjusted tax-assessed values, or other commonly accepted~~
22 ~~form of appraisal. For purposes of the flood damage prevention provisions in article VI~~
23 ~~of this chapter, as the same may be amended, the term refers only to the market value~~
24 ~~of buildings and structures, excluding the land and other improvements on the~~
25 ~~property.~~

26 ~~*Maximum probable flood elevation line* means that line established by the board of~~
27 ~~county commissioners adjacent to and generally paralleling a watercourse below~~
28 ~~which the land would be expected to be inundated by a flood of a 100-year frequency~~
29 ~~magnitude or greater.~~

30 ~~*Maximum sound level* means the highest instantaneous sound pressure level (SPL)~~
31 ~~recorded during the measuring period.~~

32 ~~*Mean sea level* means the average height of the sea for all stages of the tide. It is~~
33 ~~used as a reference for establishing various elevations within the floodplain. For~~
34 ~~purposes of this chapter, the term is synonymous with National Geodetic Vertical~~
35 ~~Datum (NGVD) of 1929, or North American Vertical Datum (NAVD) of 1988.~~

36 ~~*Medical marijuana treatment center dispensing facilities* means any facilities used for~~
37 ~~the dispensing or sale of marijuana, products containing marijuana, related supplies,~~
38 ~~or educational materials, by an entity that acquires, cultivates, possesses, processes,~~

1 transfers, transports, sells, distributes, dispenses, or administers marijuana, products
2 containing marijuana, related supplies, or educational materials, to qualifying patients
3 or their caregivers, and that is registered and is otherwise qualified as a medical
4 marijuana treatment center by the Florida Department of Health.

5 *Membership sign* means a sign identifying affiliation with a travel club, business
6 association, credit card company or professional association.

7 *Mine* means an area of land upon which mining activities or mining operations have
8 been conducted, are being conducted, or are planned to be conducted, and includes
9 meanings as the term is commonly used in the trade.

10 *Mineral, or resource, or natural resource, or any one or more of these terms used*
11 *singly or with any of the other terms, means all natural subsurface deposits of*
12 *commercial value, including but not limited to phosphate, sand, clay, limestone and*
13 *water; provided, however, that for purposes of the provisions of section 50-850 hereof,*
14 *water shall not be included in the definition of the terms mineral, resource, or natural*
15 *resource.*

16 *Minimum descent altitude* means the lowest altitude, expressed in feet above mean
17 sea level, to which descent is authorized on final approach or during circling-to-land
18 maneuvering in execution of a standard instrument approach procedure where no
19 electronic glide slope is provided.

20 *Minimum en route altitude* means the altitude in effect between radio fixes which
21 ensures acceptable navigational signal coverage and meets obstruction clearance
22 requirements between those fixes.

23 *Minimum obstruction clearance altitude* means the specified altitude in effect between
24 radio fixes on VOR airways, off-airway routes, or route segments which meet
25 obstruction clearance requirements for the entire route segment and which ensures
26 acceptable navigational signal coverage only within 22 miles of a VOR.

27 *Mining activities or mining operations* means a collective term referring to all aspects
28 of a proposed mining scheme and operations, including the plant, processing areas
29 and total land area. It shall not include excavation or grading when conducted solely in
30 aid of on-site farming or of on-site construction for purposes other than mining.

31 *Mining and excavation operation* means any activity, other than prospecting,
32 necessary for site preparation, extraction, waste disposal, storage of minerals,
33 resources or natural resources, or back-filling for reclamation.

34 *Minor excavation and fill activity or operation or minor excavation activity or operation*
35 *means a mining or excavation activity or operation where 1,000 cubic yards or less of*
36 *earth, minerals, resources, or natural resources are excavated or removed from or*
37 *deposited on a tract or parcel of 20 acres or less, or where between 1,000 and 10,000*

1 ~~cubic yards of earth, minerals, resources, or natural resources are excavated or~~
2 ~~removed from or deposited on a tract or parcels greater than 20 acres.~~

3 *Mobile home* means a residential structure constructed to meet the Manufactured
4 Home Construction and Safety Standards promulgated by the U.S. Department of
5 Housing and Urban Development that is transportable in one or more sections which
6 is 12 body feet or more in width; over 35 feet in length; with a minimum floor area of
7 500 square feet; and, which is built on an integral chassis, designed to be used as a
8 dwelling when connected to the required utilities and includes the plumbing, heating,
9 air conditioning and electrical systems contained therein. A ~~wheeled structure not~~
10 ~~meeting these any one of the referenced dimensional requirements in this definition is~~
11 ~~considered a recreational vehicle and is not a dwelling unit, a travel trailer.~~ (See the
12 definition of "Travel trailer.") ~~Mobile homes not inspected and approved by the~~
13 ~~department of housing and urban development (HUD) must meet all standard codes~~
14 ~~adopted by the county.~~

15 *Mobile home park* means a use of land in which lots or spaces are offered for rent or
16 lease for the placement of mobile homes and in which the primary use of the park is
17 residential. ~~any lot where three or more mobile homes are customarily parked for a~~
18 ~~longer period of time than 30 days for living or sleeping purposes; or where spaces~~
19 ~~are set aside and offered for rent or lease for use by mobile homes for living or~~
20 ~~sleeping purposes, including any land, building, structure or facility used by occupants~~
21 ~~of mobile homes on such premises.~~

22 *Mobile home subdivision* means a parcel of land which has been planned as a
23 subdivision for mobile homes, each mobile home lot being individually owned.

24 *Modular home* means a manufactured building pursuant to F.S. ch. 553 that is a
25 residential structure constructed to standards promulgated by the Florida Building
26 Commission, away from the installation site, and which bears a Department of
27 Business and Professional Regulation Insignia. ~~A closed structure, building assembly~~
28 ~~or system of subassemblies which may include structural, electrical, plumbing,~~
29 ~~heating, ventilating or other service systems manufactured in manufacturing facilities~~
30 ~~for installation or erection, with or without either specified components, as a finished~~
31 ~~building or as a part of a finished building for residential use. A modular home may not~~
32 ~~include:~~

33 ~~(1) Any structure not approved by the department of community affairs.~~

34 ~~(2) A mobile home which has had its integral chassis removed.~~

35 *Motel and motor hotel* mean a building or group of buildings used for the temporary
36 occupancy of transients and containing no facilities for cooking in the individual units,
37 and which has the entrances to the individual rental units opening directly to the
38 exterior.

1 *Mudbogging* means the recreational use of land for motorized off-road and trail
2 driving, and mud races.

3 *Multiple frontage property* means a plot or parcel that is contiguous to more than one
4 public right-of-way being either a corner plot or parcel.

5 *Multiuse complex* means a development of two or more business or industrial uses
6 that are under common ownership or that share common property frontage.

7 *Municipality* means any incorporated city or town.

8 ~~*National Geodetic Vertical Datum or NGVD of 1929* means, a vertical control used as
9 a reference for establishing varying elevations within the floodplain.~~

10 ~~*New construction* means, for purposes of the flood damage prevention provisions
11 contained in article VI of this chapter, and the flood resistant construction
12 requirements of the Florida Building Code, as either of the same may be amended,
13 any structure for which the start of construction commenced on or after March 1, 1984,
14 and includes any subsequent improvements to such structures.~~

15 ~~*Nightclub/bottle club* means a commercial premises, sometimes limited to members
16 only, devoted primarily to the retailing and on-site consumption of any alcoholic
17 beverage and may include paid entertainment or dancing on the premises. Other
18 private clubs such as golf and country clubs, social membership clubs, or fraternal
19 organizations, where alcohol is not the primary purpose of attendances, shall not be
20 considered nightclubs or bottle clubs.~~

21 ~~*Noise* means any sound produced in such quantity and for such a duration that it
22 annoys, disturbs or may injure persons of normal sensitivity. Noise shall be defined as
23 sound of any kind or source that exceeds the levels established by this chapter.~~

24 ~~*Noise disturbance* means any sound in quantities which are or may be potentially
25 harmful or injurious to human health or welfare, animal life, or property, or
26 unnecessarily interferes with the enjoyment of life or property and shall be defined as
27 sound in excess of sound levels and standards of this chapter.~~

28 ~~*Noncentral water system* means any water system providing service to more than one
29 nonowner occupied dwelling unit, including but not limited to industrial developments
30 and commercial developments under unified control. As used in this definition, the
31 term "commercial" includes, but is not limited to, travel trailer parks, hotels, motels and
32 retail and wholesale facilities the term "nonowner" residential dwelling unit includes,
33 but is not limited to, advanced life care, convalescent care and nursing care
34 congregate living facilities, campgrounds and trailer parks.~~

35 *Nonconforming legal lot of record* means a lot that does not meet the minimum lot
36 size, lot depth, lot width or other requirements of its zoning district, but which was in

1 compliance with all applicable regulations at the time such lot was recorded in the
2 office of the Clerk of the Court.

3 *Nonconforming lot* means any lot which does not conform with the minimum width,
4 depth and size specified for the zoning district in which such lot is located.

5 ~~*Nonconforming sign* means a sign permitted in the city before the adoption of the
6 provisions from which this chapter is derived that does not conform to the
7 requirements of this chapter as to height, size, use, spacing, setback or structural
8 support. A sign not legally permitted prior to the adoption of the ordinance from which
9 article X of this chapter derives shall not be considered a nonconforming sign.~~

10 ~~*Nonconforming use* means for purposes of article XIII of this chapter, the use of any
11 building or land which was lawful at the time of passage of the ordinance from which
12 article XIV of this chapter derives or amendment thereto, in the use regulations of the
13 district in which it is situated, and allowed at the time the use commenced, but is now
14 prohibited by its current zoning district. does not conform with the regulations of the
15 use district in which it is located.~~

16 ~~*Nonconforming use* mean for purposes of article III, division 2 of this chapter, any
17 preexisting structure, object of natural growth or use of land which is inconsistent with
18 the provisions of this chapter, or amendments thereto.~~

19 ~~*Nonprecision instrument runway* means a runway having a nonprecision instrument
20 approach procedure utilizing air navigation facilities with only horizontal guidance, or
21 area type navigation equipment, for which a straight-in nonprecision instrument
22 approach procedure has been approved or planned, and for which no precision
23 approach facilities are planned or indicated on a Federal Aviation Administration
24 planning document or military service's military airport planning document.~~

25 ~~*North American Vertical Datum or NAVD of 1988* means a vertical control used as a
26 reference for establishing varying elevations within the floodplain.~~

27 ~~*Nursery school or kindergarten* means any premises or portion thereof used for
28 educational work or parental care of over five children of less than the age required for
29 enrollment in the public school system, for compensation.~~

30 ~~*Nursing home and rest home* means a home for the aged and infirm in which three or
31 more persons not of the immediate family are received, kept or provided with food and
32 shelter or care for compensation; but not including hospitals, clinics or similar
33 establishments devoted primarily to the diagnosis and treatment of the sick or injured.~~

34 *Office* means the building, room or space where clerical or administrative activities are
35 performed.

1 ~~Official 100-year flood area~~ means those areas within the scope of article VI of this
2 chapter that have a land elevation less than the official 100-year flood elevation.

3 ~~Official 100-year flood elevations~~ mean the most recent and reliable flood elevations
4 established by the Federal Emergency Management Agency (FEMA), or if not
5 available, by the Suwannee River Water Management District or Southwest Florida
6 Water Management District based on the historical elevations of record which most
7 closely approximate the 100-year flood.

8 ~~Official 100-year flood map~~ means the map that delineates, to the nearest section, the
9 areas having ground elevations that are less than the official 100-year flood
10 elevations.

11 ~~Official ten-year flood elevations~~ mean the most recent and reliable flood elevations
12 based on a log person type III probability distribution procured by the United States
13 Geological Survey and based on historical data, or as established on maps prepared
14 by a water management district.

15 ~~On-site sign~~ means any sign that identifies or advertises only goods, services,
16 facilities, events or attractions available on the premises where the sign is located.

17 ~~Open space~~ means a yard area which is open and unobstructed and not used for or
18 occupied by a driveway, off-street parking, loading space, impervious surfaces or
19 structures, ~~drying yard or refuse storage space~~.

20 ~~Outdoor commercial recreation~~ means any commercial enterprise that provides the
21 use of land for outdoor recreational services, facilities, entertainment, exhibitions,
22 competitions, sporting events or other attractions offered to the public for a fee, entry
23 fee, or admission charge. This includes, but shall not be limited to, racetracks of any
24 kind, off-road vehicular trail facilities, mudbogging and motocross/dirt bike facilities,
25 golf driving ranges, ~~special event camping~~, sports arenas/stadiums and other similar
26 uses that have the potential to generate high volumes of traffic and/or create noise,
27 dust, odor or lighting that is detectable beyond the property line. This use does not
28 include any form of camping or overnight stays. ~~This does not include uses identified~~
29 ~~in commercial zoning districts~~.

30 ~~Outdoor passive recreational~~ means the use of land for recreational use and
31 opportunities afforded by such natural resources as springs, native vegetation, wildlife
32 and open space and the scenic appeal of natural settings, requiring minimal
33 development, except for restrooms, dressing rooms, equipment storage, maintenance
34 buildings, open air pavilions, and similar structures and services provided in
35 connection with the primary recreational use. This includes walking and hiking trails,
36 picnic areas, bridle paths, equestrian facilities, archery ranges, greenways, ~~primitive~~
37 ~~campgrounds~~, ~~game preserves~~, ~~hunt clubs~~ and other similar resource-based uses.
38 This use does not include any form of camping or overnight stays.

1 ~~Overburden means soil and rock removed to gain access to a targeted mineral or~~
2 ~~resource in the process of excavation, mining or extraction.~~

3 ~~Parasite sign means any sign nonexempted by this chapter, for which no permit has~~
4 ~~been issued, and is attached to another sign.~~

5 ~~Parent parcel or parcel of record means a lot that existed on December 31, 1989, the~~
6 ~~date of the original adoption of the Levy County Comprehensive Plan, and which lot is~~
7 ~~reflected in the parent parcel maps on file in the County Planning and Zoning Office.~~

8 ~~Park trailer means a transportable unit which has a body width not exceeding 14 feet~~
9 ~~and which is built on a single chassis and is designed to provide seasonal or~~
10 ~~temporary living quarters when connected to utilities necessary for operation of~~
11 ~~installed fixtures and appliances, and which meets the requirements of F.S. § 320.01,~~
12 ~~for a park trailer.~~

13 ~~Parking lot means an open area used exclusively for the temporary storage of motor~~
14 ~~vehicles, where fees may be charged, but no vehicles are to be equipped, repaired,~~
15 ~~rented or sold.~~

16 ~~Permanent control point (PCP) means a reference monument meeting the~~
17 ~~requirements of Part I of Chapter 177, Florida Statutes. secondary horizontal control~~
18 ~~monument and shall be a metal marker with the point of reference marked thereon or~~
19 ~~a four by four inch concrete monument a minimum of 24 inches long with the point of~~
20 ~~reference marked thereon. Permanent control points shall bear the registration~~
21 ~~number of the surveyor filing the plat of record.~~

22 ~~Permanent reference monument (PRM) means a permanent reference monument~~
23 ~~meeting the requirements of Part I of Chapter 177, Florida Statutes. metal rod a~~
24 ~~minimum of 24 inches long or a 1½-inch minimum diameter metal pipe a minimum of~~
25 ~~20 inches long, either of which shall be encased in a solid block of concrete or set in~~
26 ~~natural bedrock, a minimum of six inches in diameter, and extending a minimum of 18~~
27 ~~inches below the top of the monument, or a concrete monument four by four inches, a~~
28 ~~minimum of 24 inches long, with the point of reference marked thereon. A metal cap~~
29 ~~marker, with the point of reference marked thereon, shall bear the registration number~~
30 ~~of the surveyor certifying the plat of record, and the permanent reference monument~~
31 ~~shall be placed in the top of the monument.~~

32 ~~Pennant means any flag-like piece of cloth, plastic or paper, attached to any staff,~~
33 ~~cord, building or other structure that hangs loosely for the purpose of attracting~~
34 ~~attention to its site.~~

35 ~~Permitted signs mean all signs permitted under this chapter shall be located on a plot~~
36 ~~or parcel of the business, service or facility identified or advertised on the permitted~~
37 ~~sign.~~

1 *Person* means an individual, association, partnership, corporation, governmental
2 agency, business trust, estate, trust, co-partnership, joint venture or any entity, public
3 or private in nature.

4 ~~*Place of public entertainment* means any place of entertainment to which the public is~~
5 ~~invited, including but not limited to a restaurant, bar, dancehall or recreational~~
6 ~~facilities.~~

7 ~~*Planned unit development* means a permitted use in all districts, subject to county~~
8 ~~commission final approval, pursuant to schedule 1 of this chapter. A project~~
9 ~~comprising of (i) two or more buildings or land uses designed to be maintained or~~
10 ~~operated as single unit in a corporation or cooperative group which has certain~~
11 ~~facilities in common, such as yards, open spaces, recreation areas, garages and~~
12 ~~parking areas; (ii) cluster housing, zero lot line, small lot or other innovative~~
13 ~~techniques to more effectively utilize land in the county; (iii) various types of housing~~
14 ~~with accessory commercial and other uses; and (iv) a site design which ensures that a~~
15 ~~maximum amount of the planned unit development continues in agricultural use or~~
16 ~~with the potential therefore by virtue of being undivided and unoccupied by structures~~
17 ~~or roads. All planned unit development proposals shall be submitted according to the~~
18 ~~guidelines the overlay zoning district established in article XIII, division 2 and division~~
19 ~~6 of this chapter.~~

20 ~~*Planning commission* means a the board whose members are appointed by the board~~
21 ~~of county commissioners, with various responsibilities that serves as the local planning~~
22 ~~agency pursuant to F.S. § 163.3174, and has such other responsibilities as provided~~
23 ~~by this chapter and as may be provided by local ordinance or state law.~~

24 ~~*Plat or replat* means a map or delineated representation of the subdivision of land,~~
25 ~~being a complete exact representation of the subdivision and the other information in~~
26 ~~compliance with the requirements of all applicable sections of this code. ordinance~~
27 ~~and of any other ordinance of the county, and may include the terms "replat,"~~
28 ~~"amended plat," or "revised plat."~~

29 ~~*Portable sign* means a sign that has no permanent attachment to a building or to the~~
30 ~~ground by means of footing, including but not limited to, an A-frame sign, sign with~~
31 ~~wheels, pull attachments, search light stands or hot air or gas filled balloons.~~

32 ~~*Premises* means the lot or lots, plots, portions or parcels of land considered as a unit~~
33 ~~for single development or activity.~~

34 ~~*Primitive camping* means the location for overnight stays by temporary guests using~~
35 ~~equipment, such as tents or self-contained campers, that are removed at the end of~~
36 ~~the guests stay temporary use of makeshift shelters, including but not limited to tents,~~
37 ~~for recreational purposes, and characterized by lack of permanent electrical, sanitary~~
38 ~~wastewater, plumbing and cooking facilities.~~

1 ~~*Primitive camping* means the act of camping at a primitive camp.~~

2 *Principal building or principal structure* means a structure in which is conducted the
3 principal use of the lot on which it is situated. In any residential district, the primary
4 dwelling is deemed the principal building or principal structure.

5 *Principal use* means the primary use for which land or a building is used.

6 ~~*Private club, enclosed clubhouse*, means the use, entirely confined within a building,~~
7 ~~for meeting and activities conducted by nonprofit organizations and fraternal lodges in~~
8 ~~which the use is restricted exclusively to their members and guests; providing that the~~
9 ~~organization does not operate as a commercial business, and the facilities are not~~
10 ~~available for use by the general public. Nightclubs/bottle clubs, health and fitness~~
11 ~~clubs and other establishments operated as for profit/commercial businesses shall not~~
12 ~~be defined as are not classified as private clubs.~~

13 ~~*Private club, outdoor activities*, means the use of land, for the purpose of meeting and~~
14 ~~passive outdoor recreation activities conducted by nonprofit organizations and~~
15 ~~fraternal lodges in which the use is restricted exclusively to their members and guests;~~
16 ~~providing that the organization does not operate as a for profit/commercial business~~
17 ~~and the facilities are not available for use by the general public. This includes golf~~
18 ~~courses, ~~hunt clubs~~, bridle trails, nonvehicular trail facilities and other similar uses.~~
19 ~~Uses that have the potential to create a nuisance through the general noise, dust,~~
20 ~~odor, lighting and traffic shall require a special exception permit. Nightclubs/bottle~~
21 ~~clubs, health and fitness clubs or other establishments operated as businesses shall~~
22 ~~not be defined as private clubs.~~

23 ~~*Projecting sign* means a sign supported by a wall of a building, projecting away from~~
24 ~~that wall 12 inches or more, designed with a face reading at an angle to that wall.~~

25 ~~*Property front foot* means each foot or major portion thereof, measured along the~~
26 ~~public right-of-way where the subject property abuts the right-of-way.~~

27 ~~*Prospecting* means the exploring, investigating or searching for resources by drilling,~~
28 ~~trenching, excavation or other means approved by the applicable Water Management~~
29 ~~District of the State of Florida.~~

30 ~~*Public recreational uses* mean recreational facilities, structures and land that are~~
31 ~~owned and/or operated by a governmental agency and open to the public, including~~
32 ~~parks and picnic areas, noncommercial playgrounds, boat ramps, fishing piers, tennis~~
33 ~~courts, walking/hiking trails, bridle trails and facilities, greenways, trail heads and other~~
34 ~~similar recreational uses.~~

35 ~~*Public way* means any piece of land over which the general public has a right of~~
36 ~~usage, whether acquired through prescription, by adverse use of the public, or~~
37 ~~otherwise.~~

1 ~~Quarry means a mining or excavation operation using open or surface works, usually~~
2 ~~for the extraction of building stone such as limestone. For the purpose of this section,~~
3 ~~mining or excavation activities that use blasting, crushing, washing or other processing~~
4 ~~techniques as part of the mining or excavation operation are included in this definition.~~

5 ~~Racetrack/racecourse means the paved or unpaved ground, track, path or area on~~
6 ~~which a race or contest of speed is conducted.~~

7 ~~Real estate sign means a sign erected by the owner or his agent, advertising the real~~
8 ~~property where the sign is located for sale, lease or rent.~~

9 ~~Real property line means an imaginary line along the surface of land or water and its~~
10 ~~vertical plane extension, which separates the real property owned, rented, or leased~~
11 ~~by one person from that owned, rented or leased by another, excluding real property~~
12 ~~divisions within buildings. Where the real property owned, rented or leased by a~~
13 ~~person abuts a water body, the term "property line" shall mean the established normal~~
14 ~~high water elevation of the water body.~~

15 ~~Reasonable time means such length of time as may fairly, properly, and reasonably be~~
16 ~~allowed or required to eliminate or abate a noise found to be in violation of this~~
17 ~~chapter, after a warning has been issued. The duration of time shall be dependent on~~
18 ~~the source of the noise and what action can be taken to eliminate the noise causing~~
19 ~~such violation.~~

20 ~~Receiving land use means the property receiving the sound.~~

21 ~~Reclamation means the reasonable rehabilitation of land where mineral or resource~~
22 ~~extraction has occurred.~~

23 ~~Recreational vehicle means a recreational vehicle-type unit designed for temporary~~
24 ~~recreational, camping or travel use, as identified in Chapter 320, Florida Statutes.~~
25 ~~These units include, without limitation, a travel trailer, camping trailer, truck camper,~~
26 ~~motor home, motor coach, van conversion, park trailer, and fifth-wheel trailer. a~~
27 ~~vehicle that is designed as temporary living quarters for recreational camping, or travel~~
28 ~~use, which either has its own motive power or is mounted on or drawn by another~~
29 ~~vehicle, the basic types of such vehicles being the travel trailer, the camping trailer,~~
30 ~~the truck camper, the motor home, the private motor coach, the van conversion, the~~
31 ~~park trailer, and the fifth-wheel trailer, all as defined and limited as provided in F.S. §~~
32 ~~320.01.~~

33 ~~Reclamation means the reasonable rehabilitation of land where mineral resource~~
34 ~~extraction has occurred.~~

35 ~~Regulatory floodway means the channel of a river or other watercourse and the~~
36 ~~adjacent land areas that must be reserved in order to discharge the base flood without~~
37 ~~cumulatively increasing the water surface elevation more than one foot.~~

1 ~~Remedy a violation means to bring the structure or other development into compliance~~
2 ~~with state or local floodplain management regulations, or, if this is not possible, to~~
3 ~~reduce the impacts of its noncompliance. Ways that impacts may be reduced include~~
4 ~~protecting the structure or other affected development from flood damages,~~
5 ~~implementing the enforcement provisions of this chapter or otherwise deterring future~~
6 ~~similar violations, or reducing federal financial exposure with regard to the structure or~~
7 ~~other development.~~

8 ~~Residential area means an area that is predominately used for housing and customary~~
9 ~~accessory uses, and specifically includes the following: (a) recorded and unrecorded~~
10 ~~subdivisions in all zoning districts or future land use map designations, except an~~
11 ~~industrial district or designation; and (b) areas in which there are (i) a concentration of~~
12 ~~residential dwelling units on lots or tracts five acres or less, (ii) hospitals, (iii) adult~~
13 ~~congregate living facilities, (iv) group homes, (v) public or private schools, or (vi)~~
14 ~~institutional uses other than prisons, jails or other remotely located correctional~~
15 ~~facilities.~~

16 ~~Residential design manufactured home means a nonsite built home having a minimum~~
17 ~~width of 20 feet, a minimum roof pitch of one foot rise for each four feet of horizontal~~
18 ~~run, a minimum roof overhang of one foot, shingle roofing material, a foundation~~
19 ~~similar and compatible in appearance to foundations of nearby site built residences, a~~
20 ~~lot placement similar in orientation to nearby site built housing. It will have an attached~~
21 ~~garage or an attached carport when such uses are prevalent in the neighborhood.~~

22 ~~Residential district or residential zoning district means the F/RR, A/RR, RR, R-1, R-2,~~
23 ~~RR-3C, R-3 and RMU zoning districts set forth in sec. 50-661 of this code. any zoning~~
24 ~~district or future land use map designation that has a maximum residential density of~~
25 ~~one dwelling unit per three acres or a higher concentration of residential density, or~~
26 ~~property located within such zoning district or future land use map designation where~~
27 ~~the context indicates and whichever is most inclusive.~~

28 ~~Residential land use means the F/RR, A/RR, RR, ULDR, UMDR and UHDR land use~~
29 ~~categories set forth in the future land use element of the comprehensive plan.~~
30 ~~utilization of any property for residential purposes, or any property that is being utilized~~
31 ~~for such residential purposes, whichever the context indicates and whichever is the~~
32 ~~most inclusive. The definition of the term "residential land use" does not exclude the~~
33 ~~use of other terms to describe the same or similar meanings within this code. The term~~
34 ~~"residential land use" is not intended to describe a land use designation from the~~
35 ~~future land use map of the comprehensive plan, unless the context specifically~~
36 ~~indicates otherwise.~~

37 ~~Right-of-way means land dedicated, deeded, used or to be used, for a street, alley,~~
38 ~~walkway, boulevard, drainage facility, access for ingress and egress, or other~~
39 ~~purposes by the public, certain designated individuals or others.~~

1 ~~Riverbank setback line~~ means a line running parallel to and at a distance of 50 feet
2 from the generally recognized riverbank.

3 *Riverine* means relating to, formed by, or resembling a river (including tributaries),
4 stream, brook, or other similar water bodies.

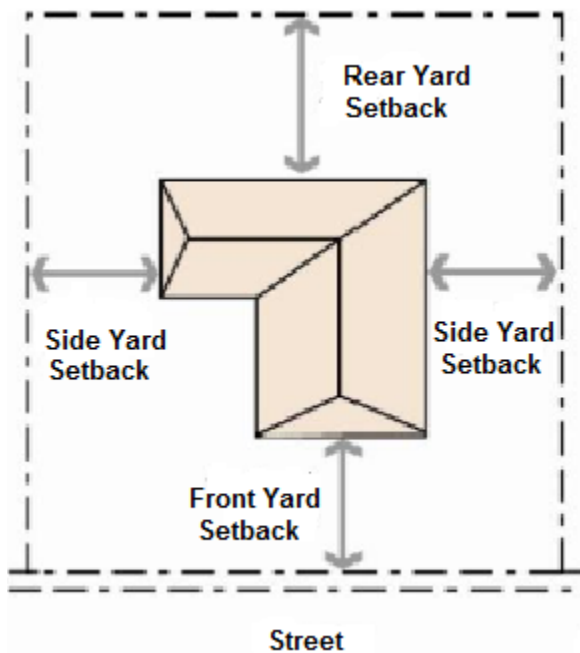
5 ~~Roof sign~~ means a sign located on the roof of a building and primarily supported by
6 that roof structure, which extends above the top of the parapet or ridge line on the
7 area where the sign is located, except fascia signs.

8 *Runway* means a defined area on an airport prepared for landing and takeoff of
9 aircraft along its length.

10 ~~Rural agricultural districts~~ means any unsubdivided property designated A/RR, F/M
11 RR, or NR shown on the county future land use map.

12 *Sand dunes* means naturally occurring accumulations of sand in ridges or mounds
13 landward of the beach.

14 *Setback* means the required distance that the foundation of a building or structure is
15 required to be separated from the lot line. A soffit or any other part of the roof or
16 structure may extend up to two feet into a required setback area. The diagram below
17 illustrates the concept of setback.



18

19 ~~Setback sign~~ means the setbacks for signs specified in this chapter shall be measured
20 horizontally from the vertical plane of the property line to the closest point of the sign.

1 ~~Sign means for purposes of article X of this chapter any letters, numbers, symbols,~~
2 ~~graphics, pictures or figures, or combinations thereof, which are erected, constructed,~~
3 ~~placed, attached or painted on a structure or the ground which identifies, advertises or~~
4 ~~directs attention to a product, business, institution, place, person or event which can~~
5 ~~be seen from the public right-of-way. When not modified by the term "structure" or~~
6 ~~"face," the term "sign" shall include all parts of the sign and its supporting structure.~~

7 ~~Sign means a name, identification, description, display or illustration or any other~~
8 ~~visual display which is affixed to, painted or represented directly or indirectly upon a~~
9 ~~building, object, product, place, activity, person, institution, organization or business.~~
10 ~~However, a sign shall not include any display of official court or public office notices~~
11 ~~nor any official traffic control device nor shall it include the flag, emblem or insignia of~~
12 ~~the nation, state, county, municipality, school or religious group.~~

13 ~~Sign, advertising, means a sign which directs attention to a business commodity,~~
14 ~~service or entertainment conducted, sold or offered elsewhere than on the premises~~
15 ~~where the sign is located.~~

16 ~~Sign face means the plane area which is defined as sign area; sign face shall not~~
17 ~~include trim, embellishments or the owner's nameplate.~~

18 ~~Sign structure means the uprights, supports, braces and framework supporting a sign.~~

19 ~~Site plan means the drawings which put forth the pattern of development to take place~~
20 ~~on a particular piece of land.~~

21 ~~Slope means the ratio of a horizontal distance to one corresponding unit of the vertical~~
22 ~~distance.~~

23 ~~Sound level means the weighted sound pressure level obtained by the use of a~~
24 ~~metering characteristic and weighting A, B, or C as specified in the American National~~
25 ~~Standards Institute specifications for Sound Level Meters, ANSI, 4-1971, or successor~~
26 ~~publications. If the weighting employed is not indicated, the A-weighting shall apply.~~

27 ~~Sound level meter means an instrument which includes a microphone, amplifier, RMS~~
28 ~~detector, integrator or time averager, output meter, and weighting networks used to~~
29 ~~measure sound pressure levels. The output meter reads sound pressure level when~~
30 ~~properly calibrated, and the instrument is of type 2 or better, as specified in the~~
31 ~~American National Standards Institute Publication SI-41972, or its successor~~
32 ~~publication.~~

33 ~~Special event camping means any on-site camping associated with special events,~~
34 ~~including but limited to festivals, equestrian events, and other competitive events or~~
35 ~~exhibition. Such camping shall be allowed by special event permit and shall be limited~~
36 ~~to ten days, excluding site preparation and cleanup time.~~

1 ~~Special exception use means a use which, because of its unique characteristics,~~
2 ~~requires individual consideration in each case by the board of county commissioners~~
3 ~~and the planning commission before it may be permitted in a district enumerated in~~
4 ~~this chapter.~~

5 ~~Special flood hazard area means an area in the floodplain subject to a one percent or~~
6 ~~greater chance of flooding in any given year. Special flood hazard areas are shown on~~
7 ~~FIRMs as zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V.~~

8 ~~Spectator games means competitive sports and racing events involving spectators.~~

9 ~~Standard design manufactured home means a nonsite built home having any of the~~
10 ~~following characteristics: a width less than 20 feet, a roof pitch less than one foot rise~~
11 ~~for each four feet of horizontal run, a roof overhang of less than one foot, roof~~
12 ~~materials other than shingles, no foundation and/or no garage or carport.~~

13 ~~Start of construction means the date of issuance of permits for new construction and~~
14 ~~substantial improvements, provided the actual start of construction, repair,~~
15 ~~reconstruction, rehabilitation, addition, placement, or other improvement is within 180~~
16 ~~days of the permit issuance date. The actual start of construction means either the first~~
17 ~~placement of permanent construction of a structure (including a manufactured home)~~
18 ~~on a site, such as the pouring of slab or footings, the installation of piles, the~~
19 ~~construction of columns, or any work beyond the stage of excavation, or the~~
20 ~~placement of a manufactured home on a foundation. Permanent construction does not~~
21 ~~include land preparation such as clearing, grading or filling, the installation of streets~~
22 ~~or walkways, excavation for a basement, footings, piers, or foundations, the erection~~
23 ~~of temporary forms or the installation of accessory buildings such as garages or sheds~~
24 ~~not occupied as dwelling units or not part of the main structure. For a substantial~~
25 ~~improvement, the actual start of construction means the first alteration of any wall,~~
26 ~~ceiling, floor, or other structural part of a building, whether or not that alteration affects~~
27 ~~the external dimensions of the building.~~

28 ~~State plane coordinates means the system of plane coordinates as defined in F.S. §~~
29 ~~177.031(19). State plan coordinates may be used to define or designate the position~~
30 ~~of points of the surface of the earth in accordance with F.S. § 177.151.~~

31 ~~Story means that portion of a building included between the surface of any floor and~~
32 ~~the surface of the floor next above it, then the space between the floor and the ceiling~~
33 ~~above.~~

34 ~~Street means a public or private thoroughfare which affords the principal means of~~
35 ~~access to abutting property.~~

36 ~~Street or road means for purposes of article X of this chapter and shall be construed to~~
37 ~~include any access way such as a street, road, highway, alley, parkway, viaduct,~~
38 ~~circle, court, terrace, place or other similar designations, or cul-de-sac, or other ways~~

1 intended for travel by the general public, whether improved or unimproved, but shall
2 not include easements of any type or those accessways such as easements and
3 rights-of-way intended for limited utility purposes such as for electric power lines, gas
4 lines, telephone lines, water lines, sanitary sewers or other such uses, and shall not
5 include easements for ingress and egress as provided in this chapter.

6 Street frontage means all the property on one side of a street that lies between two
7 streets which intersect such street (crossing or termination), measured along the line
8 of the street. If the street is a dead end street, then all of the property that lies on one
9 side between a street which intersects such street and the dead end of the street.

10 ~~Street line means a dividing line between a lot, tract or parcel of land and a contiguous~~
11 ~~street.~~

12 *Structure* means anything constructed, installed, or portable, and which is over thirty
13 (30) inches in height or requires a building permit, located on land or water. It includes a
14 movable structure while it is located on land for use either temporarily or permanently.
15 "Structure" also includes fences, billboards, swimming pools, towers, smokestacks, and
16 signs. "Building" or "structure" includes parts thereof and these terms may be used
17 interchangeably. ~~For purposes of article VI— flood damage prevention of this chapter,~~
18 ~~structure means a walled and roofed building, a mobile home, a manufactured home, a~~
19 ~~gas or liquid storage tank, any other manmade facility or infrastructure, or any structure~~
20 ~~built for support, shelter, or enclosure for any occupancy or storage, any of which are~~
21 ~~principally above ground.~~

22 *Subdivision* means the division of land into three or more lots, parcels, tracts, tiers,
23 blocks, sites, units, or any other division of land; and includes establishment of new
24 streets and alleys, additions, and resubdivisions; and, when appropriate to the context,
25 relates to the process of subdividing or to the lands or area subdivided. ~~the division of~~
26 ~~a parcel of land, whether improved or unimproved, into three or more contiguous lots~~
27 ~~or parcels of land, any one of which is less than 20 acres in size or designated by~~
28 ~~reference to the number or symbol of the lot or parcel contained in the plat of such~~
29 ~~subdivision, the purpose, whether immediate or future, of transfer of ownership; or, if~~
30 ~~the establishment of a new street is involved, any division of such parcel. Any division~~
31 ~~of an existing lot of record shall constitute a subdivision pursuant to and governed by~~
32 ~~this chapter, provided additionally that the division conforms to the zoning ordinance~~
33 ~~and the lots created must front on a paved street. For the purpose of this chapter, the~~
34 ~~term "lot size" means acres as determined by boundary survey plat. No portion of any~~
35 ~~existing public right-of-way may be included within the lot acreage; however, private~~
36 ~~easements and utility rights-of-way may be included, as may be the acreage covered~~
37 ~~by proposed interior rights-of-way.~~

38 ~~Substantial damage means damage of any origin sustained by a structure (as that~~
39 ~~term is defined herein for the flood damage prevention provisions of article VI of this~~
40 ~~chapter) whereby the cost of restoring the building or structure to its before damaged~~

1 ~~condition would equal or exceed 50 percent of the market value of the structure before~~
2 ~~the damage occurred.~~

3 ~~*Substantial deviation* means any proposed change to a previously approved mining,~~
4 ~~excavation or landfill operation that creates a reasonable likelihood of additional~~
5 ~~individual and accumulative impacts not previously reviewed by the approving board~~
6 ~~or county official or employee. This may include but is not limited to the increase of~~
7 ~~mining, excavation or landfill area and/or relocation of the operation in a manner that~~
8 ~~would affect the distribution of traffic.~~

9 ~~*Substantial improvement* means any repair, reconstruction, rehabilitation, addition or~~
10 ~~other improvement of a structure (as that term is defined herein for the flood damage~~
11 ~~prevention provisions of article VI of this chapter), the cost of which equals or exceeds~~
12 ~~50 percent of the market value of the structure before the start of construction of the~~
13 ~~improvement or repair. This term includes structures that have incurred substantial~~
14 ~~damage, regardless of the actual repair work performed. The term does not, however,~~
15 ~~include either:~~

16 ~~(1) Any project for improvement of a structure to correct existing health,~~
17 ~~sanitary, or safety code violations identified by the building official and that are~~
18 ~~the minimum necessary to assure safe living conditions; or~~

19 ~~(2) Any alteration of a historic structure, provided that the alteration will not~~
20 ~~preclude the structure's continued designation as a historic structure.~~

21 *Survey data* means all information shown on the face of a plat that would delineate the
22 physical boundaries of the subdivision and any parts thereof.

23 *Surveying data* means:

24 (1) *P.C.—Point of curvature*: The point where a tangent circular curve begins.

25 (2) *P.T.—Point of tangency*: The point where a circular curve ends and
26 becomes tangent.

27 (3) *P.C.C.—Point of compound curvature*: The point where two circular curves
28 have a common point of tangency, the curves laying on the same side of the
29 common tangent.

30 (4) *P.R.C.—Point of reverse curvature*: The point where two circular curves
31 have a common point of tangency, the curves lying on opposite sides of the
32 common tangent.

33 *Temporary* means for less than six months, unless otherwise specified. As applicable
34 to a temporary circus, carnival or amusements, the term "temporary" shall mean no
35 more than seven days.

1 ~~Temporary sign~~ means a sign used to advertise or identify transitory events of two
2 weeks or less duration unless specifically permitted for a longer period by this chapter.

3 ~~Travel trailer (also recreation vehicle, RV)~~ means a vehicle 35 feet or less in length
4 and used for temporary living or sleeping purposes, and standing on wheels. Travel
5 trailers receive a waiver of the National Electrical Code pertaining to minimum service
6 capacity.

7 ~~Unenclosed use~~ means a use which is not enclosed by a roof and at least three walls.

8 ~~Unnecessary, excessive and offensive loud noise~~ mean sound that exceed the noise
9 level which exceed the noise levels prescribed in table 1 contained in [section 50-349](#).
10 The measurement of which is based upon decibels, i.e., 0.0002 microbar. All such
11 measurements as well as the method employed shall be consistent with the
12 regulations of the American National Standards Institute, Inc., and shall represent the
13 A-weighted sound pressure level.

14 ~~Utility~~ means any public or private utility, such as but not limited to storm drainage,
15 sanitary sewers, electric power, water service, gas service or telephone
16 telecommunication lines, whether underground or overhead.

17 ~~Utility runway~~ means a runway that is constructed for and intended to be used by
18 propeller-driven aircraft of 12,500 pounds maximum gross weight or less.

19 ~~Variance~~ means, for purposes of the flood damage prevention provisions contained in
20 article VI of this chapter, as the same may be amended, a grant of relief from the
21 requirements of such flood damage prevention provisions contained in this chapter, or
22 the flood resistant construction requirements of the Florida Building Code, which
23 permits construction in a manner otherwise prohibited by such article VI or flood
24 resistant construction requirements of the Florida Building Code.

25 ~~Variance~~ means for purposes of article XI of this chapter a waiver of the provisions of
26 this chapter, granted by the board of county commissioners pursuant to section 50-
27 497.

28 ~~Variance~~ means for the purposes of article XIII of this chapter the board of
29 adjustment's or the board of county commissioners' authorized departure from the
30 application of the provisions of such of article in accordance with the procedures set
31 forth in this chapter.

32 ~~Vision clearance~~ means an unobstructed clear zone at an intersection.

33 ~~Visual runway~~ means a runway intended solely for the operation of aircraft using
34 visual approach procedures with no straight-in instrument approach procedure and no
35 instrument designation indicated on a Federal Aviation Administration approved airport

1 ~~layout plan, a military services approved military airport layout plan, or by any planning~~
2 ~~document submitted to the Federal Aviation Administration by competent authority.~~

3 ~~V-zone means coastal high hazard area.~~

4 ~~Wall sign means a sign painted on or affixed to a structural wall of a building, with a~~
5 ~~sign face approximately parallel to the wall perpendicular to the ground and projecting~~
6 ~~no more than 12 inches from the wall. The term "wall sign" shall also include window~~
7 ~~signs and fascia signs.~~

8 ~~Watercourse means a river, channel, creek, stream, or other topographic feature in,~~
9 ~~on or over which waters flow at least periodically.~~

10 ~~Water surface elevation means the height, in relation to the National Geodetic Vertical~~
11 ~~Datum (NGVD) of 1929, or the North American Vertical Datum (NAVD) of 1988, of~~
12 ~~floods of various magnitudes and frequencies in the floodplains of coastal or riverine~~
13 ~~areas.~~

14 ~~Water surface elevation means the height, in relation to the National Geodetic Vertical~~
15 ~~Datum of 1929 (or other datum, where specified), of floods of various magnitudes and~~
16 ~~frequencies in the floodplains of coastal or riverine areas.~~

17 ~~Window sign means a sign affixed to, suspended behind or painted on either face of a~~
18 ~~window or glass door that reads to the exterior of the building.~~

19 ~~Yard means an open space which lies between the foundation of the principal building~~
20 ~~or group of buildings and the nearest lot line, and is unoccupied and unobstructed~~
21 ~~from the ground upward except as permitted in this chapter.~~

22 (1) ~~Yard, front, Front yard means an open space which lies between the~~
23 ~~principal building or group of buildings and the front lot lines, unoccupied and~~
24 ~~unobstructed from the ground upward exclusive of shrubs or fences.~~

25 (2) ~~Yard, rear, Rear yard means an open space extending the full width of the~~
26 ~~lot between a principal building and the rear lot line, unoccupied and~~
27 ~~unobstructed from the ground upward.~~

28 (3) ~~Yard, side, Side yard means an open space extending from the front yard to~~
29 ~~the rear yard between a principal building and the nearest side lot line,~~
30 ~~unoccupied and unobstructed from the ground upward.~~

31 ~~Yard sales means the sale of personal household items on a temporary basis not to~~
32 ~~exceed three consecutive days and no more than three times a year.~~

33 ~~Zoning administrator means the administrative office or agency responsible for~~
34 ~~administering zoning within each of the political subdivisions that adopt this chapter.~~

1 *Zoning officer or zoning official* means the administrative officer charged with the duty
2 of enforcing and administering the provisions of this chapter.

3
4 **Section 7.** Section 50-578 is amended as follows:

5
6 **Chapter 50. Land Development Code**

7 **Article XI. Subdivisions**

8 **Division 3. Design Standards**

9
10 **Sec. 50-578. - Road requirements for specific kinds of subdivisions.**

11
12 (a) *Lot sizes less than ten acres.* In any subdivision where one or more lots are less
13 than ten acres in size, ~~and which is located in a residential district, or, in a~~
14 ~~commercial development,~~ all roads streets within or providing access to the
15 subdivision shall be paved and shall be constructed to the county road department
16 standards, ~~as provided in this section.~~

17
18 (b) *Lot sizes ten to 20 acres or more.* In any subdivision where all lots are ten acres
19 or more, ~~and which is located within a residential district, some roads~~ the streets
20 within and providing access to the subdivision shall meet the standards set forth
21 below. ~~may be unpaved (no surface course), but shall be limerocked and~~
22 ~~constructed to the county road department's specifications according to the~~
23 ~~following requirements~~

24
25 (1) All local streets ~~I and local II roads~~ may be unpaved; but shall be limerocked
26 and constructed to the county road department's specifications standards,
27 ~~depending upon topography, and other special circumstances as~~
28 ~~determined by the board of county commissioners after review and~~
29 ~~recommendations have been made by the county road department or~~
30 ~~county engineer or the planning commission.~~

31
32 (2) All collector ~~I and collector II~~ streets shall be paved.

33
34 (3) All section line streets may be required to be paved regardless of
35 classification based on review and recommendations made by the county
36 road department and/or the county engineer.

37
38 ~~(c) *Subdivisions in an agriculture/rural residential district* In any subdivision where all~~
39 ~~lots are ten acres or more, and which is located within an agriculture district, roads~~
40 ~~may be generally unpaved (no surface course), but shall be limerocked and~~

1 ~~constructed to the county road department's specifications according to the~~
2 ~~following requirements:~~

3
4 ~~(1) All collector streets shall be paved.~~

5 ~~(2) All section line streets may be required to be paved after review and~~
6 ~~recommendations have been made by the county road department or the~~
7 ~~county engineer or the planning commission.~~

8
9 ~~(d) Subdivisions in a forestry/rural residential district where all tracts are 20 acres or~~
10 ~~larger. In the event an applicant desires to plat divisions of property where all the~~
11 ~~tracts of land are 20 acres or larger, roads may be generally unpaved (no surface~~
12 ~~course) subject to the following requirements:~~

13
14 ~~(1) All collector roads shall be paved.~~

15
16 ~~(e) Unpaved streets. Those subdivision streets which are unpaved shall conform to all~~
17 ~~other requirements of this article.~~

18
19 ~~(f) Lot area measurement. For the purpose of this article, a given development may~~
20 ~~include a portion of the right-of-way of an adjoining federal, state, county or city-~~
21 ~~maintained road or easement to obtain the necessary area to satisfy the minimum~~
22 ~~lot area requirements. Such federal, state, county or city maintained right-of-way~~
23 ~~or easement not greater than the fronting length of the tract being subdivided, and~~
24 ~~for a distance into such right-of-way or easement not greater than 50 feet or~~
25 ~~beyond, the centerline of such right-of-way or easement, whichever is lesser.~~
26 ~~Provided, however, no lot, tract or parcel area within such development shall have~~
27 ~~a net area less than 85 percent of the specified minimum lot area requirement~~
28 ~~when such right-of-way or easement is excluded from the computation. Provided~~
29 ~~further that in subdivisions containing lots, tracts or parcels five acres in size or~~
30 ~~greater, interior road right-of-way or easements may also be utilized to obtain the~~
31 ~~necessary area to satisfy the minimum lot area requirement, but such interior road~~
32 ~~rights-of-way or easements may not be so utilized for subdivisions containing lots,~~
33 ~~tracts or parcels less than five acres in size.~~

34
35 ~~(g) Tie-ins to existing roads.~~

36
37 (1) Any new ~~rock road~~ unpaved street connecting to an existing paved road
38 must be paved from the point of curvature of the radius of the new road to
39 the edge of the pavement of the existing paved road.

1 (2) Any new ~~rock road~~ unpaved street connecting to a state-maintained road,
2 arterial road, major collector road or any other road deemed necessary by
3 the county road department ~~must have~~ may require paved acceleration and
4 deceleration lanes based on review and recommendations made by the
5 county road department and/or the county engineer and/or the state
6 department of transportation. ~~along the road being accessed to.~~ These
7 lanes shall be built according to the specifications required by the county
8 road department or the state department of transportation.

9 a. Thresholds and design standards will be dependent upon the
10 functional classifications of the new road and the existing road, and
11 upon projections of trip generation from or through the subdivision
12 being served.

13 b. Storage Turn lanes may also be required, ~~also~~ depending upon
14 functional classifications and trip generation.

15
16
17 **Section 8.** The provisions of Sections 1 through 7 of this ordinance shall become and be
18 made a part of the Levy County Code, and the sections of this ordinance may be
19 renumbered or relettered and the word “ordinance” may be changed to “section,” “article,”
20 “regulation,” or other appropriate word or phrase in order to accomplish the codification.

21
22
23 **Section 9.** It is declared to be the intent of the Board that if any section, subsection,
24 sentence, clause, phrase, portion or provision of this Ordinance is for any reason declared
25 or held invalid or unconstitutional by any court of competent jurisdiction, such section,
26 subsection, sentence, clause, phrase, portion or provision shall be deemed a separate,
27 distinct and independent provision, and the remainder of this Ordinance shall be not
28 affected by such declaration or holding.

29
30
31 **Section 10.** All ordinances or parts of ordinances and all resolutions or parts of
32 resolutions of Levy County in conflict herewith are hereby repealed to the extent of such
33 conflict

34
35
36 **Section 11.** In accordance with Section 125.66, Florida Statutes, the Clerk to the Board
37 of County Commissioners is directed to file this ordinance with the Florida Department of
38 State within 10 days after adoption and upon such filing, this ordinance shall become
39 effective.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

PASSED AND DULY ADOPTED this _____ day of _____, 2022.

BOARD OF COUNTY COMMISSIONERS
OF LEVY COUNTY, FLORIDA

Russell Meeks Jr., Chairman

ATTEST: Danny J. Shipp, Clerk of
the Circuit Court and Ex-Officio Clerk
to the Board of County Commissioners

Danny J. Shipp

Approved as to form and legal sufficiency

Nicolle M. Shalley, County Attorney