

CHAPTER II DEFINITIONS

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CHAPTER II DEFINITIONS

2.00.00 DEFINITIONS

When used in this Code, the following terms shall have the meanings herein ascribed to them.

ACCESSORY USE:

A structure or use that:

- (1) is subordinate to and serves an existing principal building or principal use;
- (2) is subordinate in area, extent, and purpose to the principal structure or principal use served;
- (3) contributes to the comfort, convenience, or necessity of the occupant, business, or industry in the principal structure or use; and,
- (4) is located on the same lot as the principal structure or use.

ACCESSWAY:

A paved or unpaved area intended to provide ingress or egress of vehicular or pedestrian traffic from a public or private right-of-way or easement to an offstreet parking, loading, or similar area.

ADDITION (TO AN EXISTING BUILDING):

As used in Section 6.05.00, Flood Damage Prevention, means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a load-bearing wall other than a fire wall. Any walled or roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is, for the purposes of Section 6.05.00, considered new construction.

ADULT ESTABLISHMENT:

An establishment that is one or more of the following:

- (1) **ADULT ARCADE:** any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to one or more persons per machine at any one time, and where the images so displayed have as their primary or dominant theme the depicting or describing of "specified sexual activities" or "specified anatomical areas".
- (2) **ADULT BOOKSTORE:** an establishment that sells or rents, or offers to sell or rent, for any form of consideration, adult materials and that (a) more than twenty percent (20%) of the stock on view to the public consists of adult materials or, (b) more than twenty percent (20%) of its gross revenue is derived from the sale or rental of adult materials.

Adult Materials shall mean any one or more of the following:

- a. books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representations that have as their primary or dominant theme the depicting or

describing of "specified sexual activities" or "specified anatomical areas" as defined below; or

- b. instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities" as defined below;
- (3) **ADULT DANCING ESTABLISHMENT:** an establishment that permits, suffers or allows dancers, employees or other persons to display or expose specified anatomical areas to public view.
 - (4) **ADULT MASSAGE PARLOR:** a place in which "specified anatomical areas," as defined below, of one person are touched by rubbing, stroking, kneading, or tapping by another person who is an employee, accompanied by the display or exposure of "specified anatomical areas," as defined below, but not including licensed health care facilities, licensed physicians or nurses engaged in the practice of their professions, establishments registered under Chapter 480, Florida Statutes, educational athletic facilities if the massage is a normal and usual practice in such facilities, health clubs and athletic clubs if the massage is incidental to or a normal part of the health and athletic activities, except places in which sexual intercourse takes place;
 - (5) **ADULT MOTEL/HOTEL:** any hotel, motel, boarding house, rooming house or other lodging which includes the word "adult" in any name it uses or otherwise advertises the presenting of closed circuit television transmissions, films, video, motion pictures or other visual material having as its primary or dominant theme the depicting or describing of "specified sexual activities" or "specified anatomical areas," as defined below, for observation by patrons of such establishment; or,
 - (6) **ADULT MOTION PICTURE BOOTH:** an adult motion picture booth - an enclosed area designed or used for the viewing by one or more persons of motion pictures, films, video cassettes, slides or other visual materials which have as their primary or dominant theme matters depicting, illustrating or relating to specified sexual activities or specified anatomical areas.
 - (7) **ADULT MOTION PICTURE THEATRE OR DRIVE-IN:** an enclosed building or a portion or part of an enclosed building or open-air establishment designed to permit viewing by patrons for any form of consideration films, video or other visual material in which the primary or dominant theme of the material presented is distinguished or characterized by an emphasis on matter depicting, describing, or related to "specified sexual activities" or "specified anatomical areas," as defined below,
 - (8) **ADULT THEATRE:** a theatre, concert hall, auditorium or similar establishment which features persons who appear in a state of nudity or live performances which have as their primary or dominant theme the depicting or describing of "specified anatomical areas" or by "specified sexual activities".

The determination as to whether an establishment constitutes an adult establishment, as herein defined, shall be based upon reasonable cause. Reasonable cause may be established through visual observation of the stock, review of financial records, consideration of the nature of the stock which does not constitute adult materials or such other means which establishes a reasonable likelihood that the establishment constitutes an adult establishment. Once a preliminary determination has been made that an establishment constitutes an adult establishment, the owner of such establishment shall be notified of such determination and given the opportunity to provide

financial or business records, or such other materials as would indicate whether or not the establishment constitutes an adult establishment, as herein defined. A final determination shall not be made until the owner has been given the opportunity to provide such materials.

ADVERTISING STRUCTURE:

A sign or sign structure erected or intended for advertising purposes, with or without an advertisement displayed thereon, situated upon or attached to real property.

AGGRIEVED OR ADVERSELY AFFECTED PERSON:

Any person or local government which will suffer an adverse effect to an interest protected or furthered by the St. Lucie County Comprehensive Plan, including interests related to health and safety, police and fire protection systems, densities or intensities of development, transportation facilities, health care facilities, equipment or services, or environmental or natural resources. The alleged adverse effect may be shared in common with other members of the community at large, but shall exceed in degree the general interest in common good shared by all persons.

AGRICULTURAL LAND:

Land with soil, climate, water and topography so interrelated that, if prudently managed to protect its natural qualities, is favorable for the production of adapted crops.

ALLEY:

A right-of-way privately or publicly owned, primarily for service access to the back or sides of properties.

ALTERNATIVE TOWER STRUCTURE:

A design mounting structure that camouflages or conceals the presence of a tower; for example, man made trees, clock towers, bell steeples, utility poles, and similar alternative designs. An antenna mounted on a utility pole shall be subject to all requirements as stated in this ordinance. The following shall be considered not to be an alternative tower structure: 1) a structure supporting a utility transmission line(s) only, and 2) a structure up to 150 feet in height supporting a 69KV or higher voltage utility transmission line(s), and antenna(e), when located in non-residential zoning districts, and 3) a structure supporting a amateur radio antenna only.

ANIMATED SIGN:

A sign that depicts action or motion or that changes color; an animated sign differs from a flashing sign in that it uses movement to create a special effect or scene.

ANTENNA:

A transmitting and/or receiving device mounted on a tower, building or structure and used in telecommunications personal wireless services that radiates or captures electromagnetic waves, digital signal, analog signals, and radio frequencies, directional antennas such as panel and microwave dish antennas, and omni-directional antennas such as whips but excluding radar antennas, amateur radio antennas, and satellite earth stations.

AQUATIC PRESERVE:

Includes the North Fork of the St. Lucie River and the Indian River Lagoon.

AQUIFER:

A geologic formation, group of formations, or part of a formation (stratum) that is capable of yielding potentially useable quantities of water from wells or springs.

AREA OF SHALLOW FLOODING:

A designated AO or VO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

AREA OF SPECIAL FLOOD HAZARD:

Refers to the land in the floodplain that is subject to a one percent or greater chance of flooding in any given year. The area may be designated on the Flood Hazard Boundary Map (FHBM) as Zone A, AO, AH, A1-A30, AE, A99, VO or V1-V30, VE or V.

ARTERIAL ROAD OR STREET:

A route providing service that is relatively continuous and of a relatively high traffic volume, long average trip length, and high operating speed. In addition, every United States numbered highway is an arterial road.

ARTIFICIAL LIGHT SOURCE(s):

Any source of light emanating from a manmade device including, but not limited to incandescent mercury vapor, metal halide or sodium lamps, spotlights, street lights, vehicular lights, construction or security lights.

ASSESSED VALUE:

An annual determination of the just or fair market value of property upon which St. Lucie County ad valorem taxes are levied.

ATTRACTION BOARD:

A sign upon which characters, letters, or illustrations can be changed or rearranged manually on a periodic basis, without altering the face of the sign, to advertise special sales or other special events.

ATLANTIC OCEAN:

The body of water abutting the eastern shoreline of Hutchinson Island.

AWNING:

See "Canopy"

AWNING SIGN:

See "Canopy Sign"

BACKHAUL NETWORK:

The lines that connect the towers/cell sites of a provider to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

BACK-SIPHONAGE BACKFLOW PREVENTERS:

A device or combination of devices for preventing back-siphonage in a water supply line. They shall be installed, when required, in agreement with and under the supervision of the supplier of water or his designated representative (plumbing inspector, etc.) at the consumer's meter, at the property line of the consumer when a meter is not used, or at a location designated by the supplier or his designated representative.

BANNER SIGN:

Any sign having characters, letters, illustrations, or ornamentations applied to cloth, paper, balloons, or fabric of any kind. The foundation of such signs shall consist only of cloth, paper, balloons, or fabric.

BASE FLOOD:

The flood having a one percent chance of being equaled or exceeded in any given year.

BASE BUILDING LINE:

A line established by Section 7.04.04 of this Code.

BASEMENT:

That portion of a building having its floor subgrade (below ground level) on all sides.

BEACH:

The zone of unconsolidated material that extends landward from the mean low water line to the place where there is marked change in material or physiological form, or to the line of permanent vegetation (usually the effective limit of storm waves). Unless otherwise specified, the seaward limit of a beach is the mean low water line.

BEACH OR SHORELINE ACCESS POINT OR ACCESS:

Any walkway or ramp through or over the estuarine shoreline area or beach-dune shoreline area used for the purpose of gaining access to the beach or shoreline.

BEACH-DUNE SHORELINE AREA:

Is a broader concept than that covered by the use of the words "beach" and "dune" independently and, at a minimum, consists of the whole beach-dune shoreline area.

BENCH SIGN:

A sign attached to, or part of, a bench.

BEST MANAGEMENT PRACTICE:

A practice or combination of practices that are the most effective, practical means of preventing or reducing the amount of pollution generated by the project to a level compatible with Florida water quality standards found in Chapter 17-3, Florida Administrative Code, or in the case of an Outstanding Florida Waters, those standards prescribed in Chapter 17-4 F.A.C.

BILLBOARD:

See "Off Premises Sign".

BOARD OF ADJUSTMENT:

The St. Lucie County Board of Adjustment.

BOARD OF COUNTY COMMISSIONERS:

The St. Lucie County Board of County Commissioners. Unless otherwise stated in the text of this Code, the term "Board" shall also mean the St. Lucie County Board of County Commissioners.

BOARDING HOUSE:

Any dwelling in which more than two (2) persons are lodged on a continuing basis and served meals for compensation.

BREAKAWAY WALL:

A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

BUFFER:

An area that is established in order to protect or insulate one (1) land use from another use.

BUILDING:

Any structure, including a roof supported by walls, designed or built for the support, enclosure, shelter or protection of persons, animals, chattels, or property of any kind, that is erected for permanent location on the ground. A manufactured building shall be considered a building for the purposes of this Code. A mobile home shall not be considered a building for the purposes of this Code.

BUILDING PERMIT:

Any permit for the erection, placement or construction of any building, structure, or related building system or building system component, or mobile home, or portion thereof.

BUILDING SUPPORT STRUCTURE:

Any structure which supports floor, wall or column loads, and transmits them to the foundation. The term shall include beams, grade beams, or joists, and includes the lowest horizontal structural member exclusive of piles, columns, or footings.

BULK:

The size of buildings or structures, and their relationships to each other and to open areas. The term is intended to include:

- (1) the size of buildings or other structures;
- (2) the area of the site upon which a building or structure is located, and the number of dwelling units or rooms within such building in relation to the area of the site;
- (3) the location of exterior walls of buildings or other structures; and
- (4) open areas relating to buildings or other structures and their relationship thereto.

CAMOUFLAGE FACILITY:

Any telecommunications facility which is designed to blend into the surrounding environment. For example, architecturally screened roof mounted antennae, building-mounted antennae painted to match the existing structure, antennae integrated into architectural elements, and communication towers designed to look like light poles, power poles, or trees.

CANOPY:

Any roof or other form that shelters from sunshine, rain, snow, or other forms of precipitation, open on at least one side. A canopy may be attached to a permanent building or it may be independent structure permitted in accordance with the Standard Building Code.

CANOPY SIGN:

Any sign that is suspended from, attached to, or forming a part of any canopy or awning, whether or not that canopy or awning is part of a permanent building or structure.

CARPORT:

A canopy, rooflike structure, or shed, open on two (2) sides, three (3) sides, or four (4) sides, whose purpose is to provide shelter for one (1) or more motor vehicles.

CERTIFICATE OF CAPACITY:

A certificate approved by the Community Development Director pursuant to the terms of this Code that constitutes proof of adequate public facilities to serve the proposed development.

CERTIFICATE OF CAPACITY EXEMPTION:

A certificate approved by the Community Development Director pursuant to the terms of this Code evidencing a determination by the Director that the development is exempt from the adequate public facilities requirements of this Code.

CERTIFICATE OF CAPACITY VARIANCE:

A certificate approved by the Community Development Director pursuant to the terms of this Code evidencing that a variance from the strict adequate public facilities requirements of this Code must be granted with respect to a specific development permit so as to avoid the unconstitutional taking of property without due process of law.

C.F.R.:

Code of Federal Regulations.

CHILD CARE FACILITY:

Any child care center or child care arrangement which provides child care for more than five children unrelated to the operator and which receives a payment, fee, or grant for any of the children receiving care, wherever operated, and whether or not operated for profit. The following are not included: public schools and nonpublic schools and their integral programs; summer camps having children in fulltime residence; summer day camps; and Bible Schools normally conducted during vacation periods.

CHURCH:

See Religious Facility.

CLOSURE:

As used in Section 6.03.00, Wellfield Protection, means inactivity of business for a period of ninety (90) days or longer.

CLOSURE PERMIT:

The permit required by activities possessing operating permits in wellfield zones one or two, prior to closure of property or business.

CO-GENERATION FACILITY:

A place where there is the combined production of two (2) or more forms of energy which usually involves the capture of waste heat for use in another process.

COASTAL AREA:

Relates to the area which encompasses water and submerged lands of the Atlantic Ocean and Indian River Lagoon, shorelines adjacent to these waters, and all lands on Hutchinson Island and adjacent to such occurrences where development would impact the integrity and quality of the above.

COASTAL BARRIER ISLANDS:

Geological surface features above mean high water which are completely surrounded by marine waters, that front upon the open waters of the Atlantic Ocean and are composed of quartz sands, clays, limestone, oolites, rock, coral, coquina, sediment or other material, including spoil disposal. Mainland areas which were separated from the mainland by artificial channelization for the purpose of assisting marine commerce shall not be considered coastal barrier islands.

COASTAL BUILDING ZONE:

As used in Section 13.00.02, Coastal Construction Code, means the area five thousand (5,000) feet landward from the coastal construction control line or the entire coastal barrier island, whichever is less.

COASTAL CONSTRUCTION:

The carrying out of any activity within the area between State Road A1A and the Atlantic Ocean or between the Coastal Construction Control line and the Atlantic Ocean, whichever is greater, to modify or improve site conditions. Modification or improvement of site conditions includes, but is not limited to, building, clearing, filling, excavation, grading or planting of vegetation, or the making of any material change in the size or use of any structure or the appearance of site conditions, or the placement of equipment or material upon such sites, or any work or action which is likely to have a material physical effect on existing shoreline conditions or natural shoreline and inlet processes.

COASTAL CONSTRUCTION CONTROL LINE:

The landward extent of that portion of the beachdune system which is subject to severe fluctuations based upon a 100-year storm surge, storm waves or other predictable weather conditions as established by the Department of Environmental Protection, in accordance with Section 161.053, Florida Statutes.

COASTAL HIGH HAZARD AREA:

The area subject to high velocity waters caused by, but not limited to, hurricane wave wash. The area is designated on a FIRM as Zone V1-30, VE or V.

CODE ENFORCEMENT SUPERVISOR:

The head of the Code Enforcement Section of the Public Works Department.

CODE ENFORCEMENT OFFICER:

The authorized agent or employee of St. Lucie County whose duty is to ensure compliance with the provisions of this Code.

COLLECTOR ROAD OR STREET:

A route providing service that is of relatively moderate average traffic volume, moderately average trip length, and moderately average operating speed. Such a route also collects and distributes traffic between local roads or arterial roads.

COMMERCIAL VEHICLE:

Every vehicle designed, used or maintained primarily for the transportation of property with a gross vehicular weight of ten thousand (10,000) pounds or more. It shall also mean any bus with a gross vehicle weight in excess of ten thousand (10,000) pounds. It shall be presumed that any vehicle having a tax class of 40 to 44, both inclusive, is a "commercial vehicle" as defined herein.

COMMON AREA:

A parcel of land, together with the improvements thereon, the use and enjoyment of which are shared by the owners and occupants of the individual building sites in the development.

COMMUNITY DEVELOPMENT DIRECTOR:

The head of the Department of Community Development, who shall be appointed to serve at the pleasure of the County Administrator.

COMMUNITY RESIDENTIAL HOME:

A dwelling unit licensed to serve clients of the Department of Children and Families, which provides

a living environment for seven (7) to fourteen (14) unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of the residents. The term "community residential home" shall include congregate care facilities, foster homes, group care homes and child care facilities with seven (7) to fourteen (14) residents and that otherwise meet the definitional requirements of a community residential home.

COMPREHENSIVE PLAN, ST. LUCIE COUNTY:

The St. Lucie County Comprehensive Plan, adopted January 9, 1990.

CONCURRENCY TEST:

A comparison of a proposed development's impact on public facilities with the capacity of public facilities that are, or will be, available to serve the proposed development no later than the time the impacts of the development occur.

CONDITIONAL USE:

A use that is generally compatible with the use characteristics of a zoning district, but that requires individual review of its location, design, potential effect on nearby properties, and configuration in accordance with Section 11.07.00 to determine the appropriateness of the use on any particular site in the district.

CONGREGATE CARE FACILITY:

Any institution, building, residence, private home, or other place, licensed by the Florida Department of Children and Families, whether operated for profit or not, that undertakes through its ownership or management to provide for a period exceeding twenty-four (24) hours; nursing care, personal care, or custodial care for three (3) or more persons not related to the owner or manager by blood or marriage. A facility offering services for fewer than three (3) persons is within the meaning of this definition if it holds itself out to the public to be an establishment which regularly provides such services. The definition of congregate care facility shall not include foster homes.

CONSISTENCY, CONSISTENT WITH, OR IN COMPLIANCE:

Means the compared item is in accordance with, in agreement with, within the parameters specified by, exemplified by, compatible with, and furthers the norm to which it is compared. If the compared item deviates or departs in any direction or degree from the parameters of the norm, the compared item or action is not "consistent" with the norm. The term "consistent with" means that the compared item is not in conflict with the norm. The term "furthers" means to take action in the direction of realizing goals, policies or objectives of the norm. For purposes of determining the "consistency" of a development proposal with the Comprehensive Plan or the Land Development Regulations, each of the latter "norms" shall be construed as a whole and no specific goal, policy or objective shall be construed or applied in isolation from the other goals, policies and objectives contained therein.

CONSTRUCTION:

The building of, or substantial improvement to, any structure of the clearing, filling, or excavation of any land. It shall also mean any alterations in the size or use of any existing structure or the appearance of any land. When appropriate to the context, "construction" refers to the act of construction or the result of construction.

CONSTRUCTION AND DEMOLITION DEBRIS:

means discarded materials generally considered to be not water-soluble and nonhazardous in nature, including, but not limited to, steel, glass, brick, concrete, asphalt roofing material, pipe, gypsum wallboard, and lumber, from the construction or destruction of a structure as part of a

construction or demolition project or from the renovation of a structure, and including rocks, soils, tree remains, trees, and other vegetative matter that normally results from land clearing or land development operations for a construction project, including such debris from construction of structures at a site remote from the construction or demolition project site. Mixing of construction and demolition debris with other types of solid waste will cause it to be classified as other than construction and demolition debris. The term Construction and demolition debris also includes:

- (a) Clean cardboard, paper, plastic, wood, and metal scraps from a construction project;
- (b) Effective January 1, 1997, except as provided in ²s. 403.707(13)(j), unpainted, nontreated wood scraps from facilities manufacturing materials used for construction of structures or their components and unpainted, nontreated wood pallets provided the wood scraps and pallets are separated from other solid waste where generated and the generator of such wood scraps or pallets implements reasonable practices of the generating industry to minimize the co-mingling of wood scraps or pallets with other solid waste; and
- (c) De minimis amounts of other nonhazardous wastes that are generated at construction or destruction projects, provided such amounts are consistent with best management practices of the industry.

CONSTRUCTION OFFICE:

A building or mobile home used on a temporary basis on the site of a construction project, as an office for the contractor.

CONSTRUCTION PROJECT SIGN:

A temporary sign identifying an active construction project.

CONTIGUOUS:

Means *abutting, touching*, the sharing of a common border at one or more points of intersection.

COUNTY:

St. Lucie County.

COUNTY HEALTH DIRECTOR:

Director of the St. Lucie County Health Department or his duly authorized representative.

COUNTY PERMIT:

Any development permit or approval required by the county including, but not limited to, site plan approvals, subdivision approvals, and building permits.

COUNTY ROAD SYSTEM:

Consists of all collector roads in the unincorporated areas and all extensions of such collector roads into and through any incorporated areas, all local roads in the unincorporated areas, and all urban minor arterial roads not in the State Highway System.

DEFICIENT ROAD SEGMENT:

A road segment that is operating below the adopted level of service standard set forth in the St. Lucie County Comprehensive Plan.

DENSITY, GROSS:

The number of dwelling units located on an area of land, divided by the entire area of the

development including lots, streets, and other development associated with the dwelling units. In calculating density, only those lands that lie above the elevation of mean high water (MHW) shall be considered. In determining the elevations above or below MHW, man-made changes in the topography, subsequent to the effective date of this Code shall be ignored. If a parcel of land is divided by a public right-of-way or zoning atlas boundary, it may, at the owner's discretion, be considered to be one (1) parcel for the purpose of determining gross density. When computing allowable density, fractions greater than or equal to 0.5 shall be rounded to the next higher whole number.

DENSITY, NET:

The number of dwelling units located on an area of land, divided by the area of the lot or parcel (excluding streets and other development associated with the dwelling units). In calculating density, only those lands that lie above the elevation of mean high water (MHW) shall be considered. In determining the elevations above or below MHW, man-made changes in the topography subsequent to the effective date of this Ordinance shall be ignored. When computing allowable density, fractions greater than or equal to 0.5 shall be rounded to the next higher whole number.

DEP:

The Florida Department of Environmental Protection.

DETACHED SIGN:

See "Ground Sign".

DEVELOPED AREA:

That portion of a lot or parcel upon which a building, structure, pavement, gravel, landscaping, or other improvements have been placed.

DEVELOPER:

Any person, including a governmental agency, undertaking any development as defined in this Code.

DEVELOPMENT:

The carrying out of any work to modify site conditions including, but not limited to, building, clearing, filling, excavation, grading, or planting of vegetation; or the making of any material change in the size or use of any structure or the appearance of site conditions; or the placement of equipment or materials upon such site.

DEVELOPMENT AGREEMENT:

An agreement entered into between a local government and a person associated with the development of land, including, but not limited to Development Agreements pursuant to Sec. 163.3220, Fla. Stat., or an agreement on a development order issued pursuant to Sec. 380.01 et.seq., Fla. Stat.

DEVELOPMENT ORDER:

Any order granting, denying authorization, or granting with conditions an application for a development permit.

DEVELOPMENT ORDER, FINAL:

- (1) Building Permit;
- (2) Class A Mobile Home Permit;
- (3) Conditional use approval;
- (4) Mining Permit;

- (5) Planned Development Final Site Plan Approval;
- (6) Major Development Site Plan Approval;
- (7) Minor Development Site Plan Approval;
- (8) Variance;
- (9) Mobile Home (Tie Down) Permit

DEVELOPMENT ORDER, PRELIMINARY:

- (1) Amendment to Any Portion the Comprehensive Plan;
- (2) Planned Development Preliminary Site Plan Approval;
- (3) Amendment to the Official Zoning Atlas;
- (4) Development of Regional Impact--Development Order.
- (5) Any other development approval other than a Final Development Order.

DEVELOPMENT PERMIT:

For the purposes of this Code, a development permit is that official St. Lucie County document that authorizes the commencement of construction or land alteration without need for further application or approval. Development permits include but are not limited to, building permits, sign permits, mining permits, tree removal permits, mangrove alteration permits, and wastewater and sewage compliance permits.

DIAMETER AT BREAST HEIGHT (DBH):

The standard measure of a single stemmed tree at four and one-half (4 1/2) feet above grade. When a tree has grown with cluster stems at breast height, DBH shall be equal to the sum or aggregate of the individual stems measured at four and one-half (4 1/2) feet above grade.

DIRECTIONAL SIGN:

A sign which is intended only to provide directions for vehicular and pedestrian traffic. Other than a business logo, such signs shall contain no wording which does not provide directions.

DIRECTIONAL SIGN, PUBLIC:

A sign erected by a governmental agency, to denote the name of any thoroughfare; to point out the route to any city, educational institution, public building, public place, historic place, hospital, or park; to direct and regulate traffic; or to denote any railroad crossing, bridge, or other transportation facility.

DISPOSAL MANIFEST:

Document used for identifying the quantity, composition, origin, routing including transporter and destination of hazardous waste and/or Regulated Substance during its transportation from the point of generation to the points of treatment, storage, and disposal.

DOCK:

A boat mooring facility which has no more than ten (10) boat slips, and which does not provide a fuel facility, sewage pump-out station, or commercial land-to-water boat hoist.

DOUBLE-FACED SIGN:

A sign with two (2) faces which are parallel, or in the case of a V-shaped sign, has an interior angle which is less than sixty degrees (60°).

DRAWDOWN:

A lowering of the water table of an unconfined aquifer caused by the pumping of groundwater by wells.

DRIPLINE:

An imaginary vertical line extending from the outermost circumference of the branches of a tree to the ground.

DRIVE-THROUGH SERVICE:

A structure in which a customer is permitted or encouraged, either by design of physical facilities or by service or packaging, to enter into the service area when seated in the motor vehicle.

DRIVEWAY:

Any ingress or egress allowing access between a public street and abutting property.

DUNE:

A mound or ridge of loose sediment usually sand-sized sediment, lying upland of the beach, and deposited by any natural or artificial mechanism, and may also include beach ridge, dune ridge, etc.

DUNE PRESERVATION ZONE:

The area between the mean high water line of the Atlantic Ocean and the western edge of the frontal dune system, as defined by vegetation and elevation. The dune preservation zone shall have the characteristics of the beach and dunelands environmental zone, as described in Chapter VIII, Natural Environmental Analysis, of the St. Lucie County Barrier Island Study: Analysis of Growth Management Policy Plan (August, 1982). Where the western edge of the frontal dune cannot be ascertained, the dune preservation zone shall be set by reference to a management and restoration plan that has been prepared based on natural coastal dynamics.

DUNE PROFILE:

The cross-sectional configuration of the dune.

DUNE VEGETATION:

Vegetation that is characteristic of a dune and generally consists of these three (3) categories:

- (1) The "vine and grass zone" located immediately landward of the beach zone, extending up the seaward face of the primary dune. Vegetation includes, but is not limited to, Sea Oats (*Uniola paniculata*), Saltmeadow Cordgrass (*Spartina patens*), Dune Panic Grass (*Panicum amarulum*), Beach Bean (*Canavalia maritima*), Railroad Vine (*Ipomoea pes-caprae*), Morning Glories (*Ipomoea* spp.), Sea Rocket (*Cakile* spp.), Inkberry (*Scaevola plumieri*), Sea Blite (*Suaeda lineareis*), Beach Elder (*Iva imbricata*), Dune Sunflower (*Helianthus debilis*), Camphorweed (*Hetrotheca subaxillaris*), Sea Purslane (*Sesuvium portulacastrum*), and Beach Croton (*Coroton punctatus*).
- (2) The "prickly zone" located landward from the vine and grass zone on the sloping back edge of the primary dune and extending onto the overwash area. Vegetation includes, but is not limited to, Spanish Bayonet (*Yucca aloifolia*), Saw Palmetto (*Serenoa repens*), Sea Grape (*Coccoloba uvifera*), Prickly-Pear Cactus (*Opuntia stricta*), Cocoplum (*Chrysobalanus icaco*), Gray Nickerbean (*Caesalpinia bonduc*), Bamboo Vine (*Smilax* spp.), and Gopher-Apple (*Licania michauxii*).
- (3) The "strand zone," a narrow intermittent zone landward of the prickly zone. Vegetation includes, but is not limited to, Saw Palmetto (*Serenoa repens*), Wax Myrtle (*Myrica cerifera*), Woody Goldenrod (*Solidago pauciflosculosa*), Myrtle Oak (*Quercus myrtifolia*), Chapman's Oak (*Quercus chapmanii*), and Sea Myrtle (*Baccharis halimifolia* var. *angustior*).

DWELLING:

Any building or structure or portion thereof, that is designed for or used for residential purposes.

DWELLING, DETACHED SINGLE-FAMILY:

An individual dwelling unit located in a building that is not physically connected to any other dwelling unit and that is designed to be occupied by no more than one (1) family, living as a separate household unit. The Board of County Commissioners shall determine that a Class A Mobile Home meets the definition of a detached single-family dwelling unit upon the demonstration by the applicant that the exterior dimensions, the exterior walls, and the roof of the Class A Mobile Home is similar to that of a detached single-family dwelling unit.

DWELLING, MULTIPLE-FAMILY:

A building containing three (3) or more dwelling units, designed to be occupied by three (3) or more families living independently of each other, each as a separate housekeeping unit.

DWELLING, TWO-FAMILY:

A building containing two (2) dwelling units, designed to be occupied by not more than two (2) families living independently of each other, each as a separate housekeeping unit.

DWELLING UNIT:

A self-sufficient dwelling that is designed for or used as a residence by a single housekeeping unit.

EASEMENT:

A right given by an owner of land to another person for specific limited use of that land.

ELEVATED BUILDING:

A nonbasement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls or breakaway walls.

ENVIRONMENTALLY SENSITIVE RESOURCES OR HABITATS:

Those resources or habitats that include, but are not limited to, wetlands, mangroves, deepwater habitats, outstanding Florida waters, class II waters, class III waters, and protected species.

EPA:

The United States Environmental Protection Agency.

EQUIPMENT SHED:

A structure erected on a construction site to shelter equipment and tools used in construction activities on that specific construction site.

ESTUARINE SHORELINE AREA:

Is the area between the mean high water line of the Indian River Lagoon and the landward extent of surface waters of the state (as defined in accordance with Section 17-4.022, Florida Administrative Code, and Sections 403.817 and 403.913, Florida Statutes).

EXCAVATION:

Any mechanical or manual removal of rock, consolidated or unconsolidated soil material, sand, or vegetation. "Excavation" includes, but is not limited to, dredging, draglining, bulldozing, scraping, digging, scooping, or hollowing out.

EXISTING CONSTRUCTION:

As used in Section 6.05.00, Flood Damage Prevention, means any structure for which start of

construction commenced before August 13, 1981.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION:

As used in Section 6.05.00, Flood Damage Prevention, a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before August 13, 1981.

EXISTING NON-RESIDENTIAL ACTIVITY:

As used in Section 6.03.00, Wellfield Protection, means:

- (1) Non-residential activities existing as of the effective date of this Code which have received site plan approval, subdivision approval or similar final development order approval, or
- (2) Non-residential activities existing as of the effective date of this Code which have received zoning compliance, occupational license, or similar forms of annual development approval, and which do not require a final development order. This term shall include renewal of annual development approvals, provided that there are no expansions, modifications or alterations that would increase the use, handling, production or storage of Regulated Substances in Wellfield Zones one and two.

EXOTIC VEGETATION:

Non-native vegetation that is considered a nuisance, invasive, or a pest. Exotic vegetation includes, but is not limited to, Brazilian pepper (*Schinus terebinthis folios*), Australian Pine (*Casuarina equisetifolia*), and Melaleuca (*Melaleuca quinquenervia*).

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION:

The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

EXTERNALLY ILLUMINATED SIGN:

A sign where the fixed source of illumination is reflected off the surface of the sign. A sign utilizing exposed neon lighting, or otherwise meeting the definition of an internally illuminated sign, shall not be considered an externally illuminated sign.

FAA:

The Federal Aviation Administration.

FACADE:

See "Wall Face".

FACILITIES FOR SERIOUS AND HABITUAL JUVENILE OFFENDERS:

Facilities for the detention of juveniles as defined under Section 39.01(46)(a), Florida Statutes.

FALL RADIUS:

The distance measured from the center of the base of a tower which defines the maximum circular area into which the tower or any part of a tower may fall in case of structural failure. The fall radius is calculated through a breakpoint analysis prepared by a licensed engineer.

FAMILY:

One (1) or more persons occupying a single housekeeping unit, provided that unless all members

are related by blood, legal adoption, or marriage, no such family shall contain over six (6) persons, and provided further that such family may include gratuitous guests and domestic servants.

FAMILY DAY CARE HOME:

An occupied residence in which child care is regularly provided for no more than five (5) preschool children from more than one unrelated family and which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit. The maximum number of five (5) preschool children includes preschool children living in the home and preschool children received for day care who are not related to the resident caregiver. Elementary school siblings of the preschool children received for day care may also be cared for outside of school hours provided the total number of children, including the caregiver's own and those related to the caregiver, does not exceed 10.

FAMILY RESIDENTIAL HOME:

A dwelling unit licensed to serve clients of the Department of Children and Families, which provides a living environment for six (6) or fewer unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of the residents. The term "family residential home" shall include congregate care facilities, foster homes, group care homes and child care facilities with six (6) or fewer residents and that otherwise meet the definitional requirements of a family day care home.

FCC:

The Federal Communications Commission.

FEMA:

Federal Emergency Management Agency.

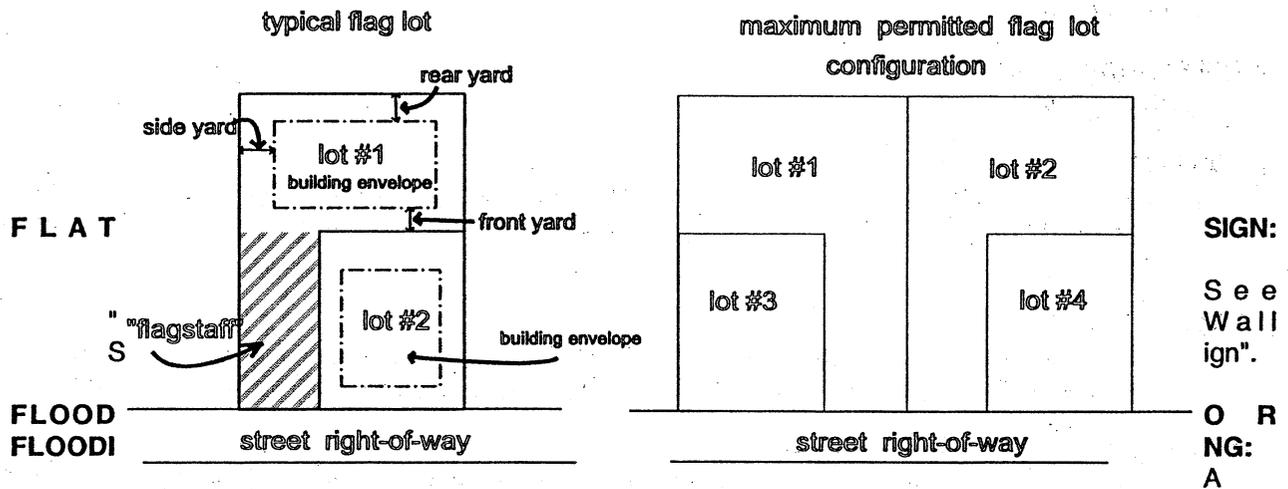
FLASHING SIGN:

Any sign utilizing a continually intermittent or sequential flashing light source.

FLAG LOT:

A Flag Lot is any residential or commercial division of property that is shaped in the general configuration depicted in Figure 2.8 No more than two Flag Lots shall be contiguous to each other and the depth of the staff shall not exceed five (5) times the minimum road frontage requirement for the zoning district in which the flag lot is located, except that a one time division of a residential or agriculturally zoned parcel or lot of record as of the effective date of this Code, that exceeds the maximum flag staff depth restriction shall be approved provided that the lot split criteria of Section 11.03.04 and all other applicable provisions of this Code are met.

FIGURE 2.8
FLAG LOTS



general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters;
- (2) The unusual and rapid accumulation of runoff of surface waters from any source.

FLOOD HAZARD BOUNDARY MAP (FHBM):

An official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined.

FLOOD INSURANCE RATE MAP (FIRM):

An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY:

The official report provided by Federal Emergency Management Agency. The report contains flood profiles, as well as the flood boundary-floodway map and the water surface elevation of the base flood.

FLOODWAY:

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

FLOOR:

As used in Section 6.05.00, Flood Damage Prevention, means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

FOSTER HOME:

A facility licensed by the Florida Department of Health and Rehabilitative Services, whether operated for profit or not, providing housing and collective care and sustenance for no more than three (3) adults or children on a twenty-four (24) hour basis who are unrelated by blood, adoption, or marriage.

FREESTANDING SIGN:

See "Ground Sign".

FRONTAGE:

The length of a lot that fronts on a public street or that fronts on a private street having been constructed in conformance with the St. Lucie County Standard Specifications for Public Works Construction.

FRONTAL DUNE:

Is the first natural or manmade mound or bluff of sand which is located landward of the beach and which has sufficient vegetation, height, continuity, and configuration to offer protective value.

FUNCTIONALLY DEPENDENT FACILITY:

A facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair or seafood processing facilities. The term does not include long-term storage, manufacture, sales or service facilities.

FUTURE WELLFIELD:

Public water supply well(s) that are designated as future wellfields upon the issuance of a South Florida Water Management District Individual Water Use Permit and upon notification to the Department of specific locations.

GARAGE SALE:

The offering for sale of ten (10) or more items of used personal property from any residential real property.

GOVERNMENTAL AGENCY:

- (1) The United States or any department, commission, agency, or other instrumentality thereof;
- (2) The State of Florida or any department, commission, agency, or instrumentality thereof;
- (3) Any county or municipality; or
- (4) Any school board or other special district.

GRADE, NATURAL:

The elevation of the ground surface, in its natural conditions, prior to any man made alteration resulting in an increase or decrease in elevation relative to Mean Sea Level (MSL).

GRADE, FINISHED:

The elevation of the finished surface of the ground adjacent to the exterior wall(s) of a building or structure.

GROUND COVER:

Low growing plants planted in such a manner as to form a continuous cover over the ground.

GROUND-LEVEL BARRIER:

Any natural or artificial structure rising above the ground which prevents beachfront lighting from shining directly onto the beach-dune system.

GROUND SIGN:

Any sign that is permanently affixed to the ground, either flush or on poles, and not attached to an adjoining building. Ground signs include "pole signs," "monument signs," "freestanding signs," and "detached signs."

GROUNDWATER:

Water beneath the surface of the ground, whether or not it is flowing through known and definite channels.

GROUP CARE HOME:

A facility or dwelling unit licensed by the Florida Department of Children and Families housing persons unrelated by blood, adoption, or marriage, and operating as a single housekeeping unit under a common housekeeping management plan based on an internally structured relationship providing organization.

GRUBBING:

The removal of vegetation from land by means of digging, raking, dragging or otherwise disturbing the roots of vegetation and the soil in which such roots are located.

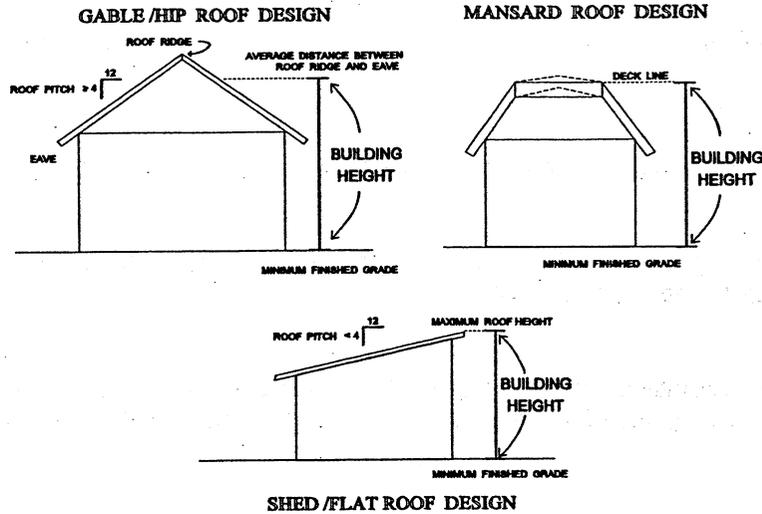
GUYED TOWER:

A telecommunications tower that is supported in whole or in part by guy wires and ground anchors.

HEIGHT:

The vertical distance between the minimum finished grade and the highest finished main roof surface in the case of flat roofs or shed roofs, the deck line of a mansard roof and the average distance between the eaves and the ridge of sloped roof with a pitch greater than a 4:12 ratio. For the purpose of this code, minimum finished grade shall be that elevation, for both residential and nonresidential uses, required to meet minimum flood protection regulations.

FIGURE 2-11
BUILDING HEIGHT EXAMPLES



HIGHEST ADJACENT GRADE:

The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

HISTORIC TREE:

A tree which has been determined to be of notable historic interest and value to St. Lucie County because of its location or historic association with the community and which has been so designated by the Board of County Commissioners in the official record books of the county following a public hearing with due notice provided in advance by certified mail to the owner.

HISTORIC STRUCTURE OR SITE:

Any structure or site that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on the Florida State Master File maintained by the Florida Department of State.

HOME OCCUPATION:

A business, profession, occupation, or trade conducted within a residential building for gain or support by a resident of the dwelling that is incidental and secondary to the residential use of the building and does not change the essential residential character of the use.

HOSPITAL:

Any building housing a medical institution designed, equipped, and staffed to receive two (2) or more persons for diagnosis, treatment, and other health services under the supervision of a medical doctor for periods continuing twenty-four (24) hours of a day.

HOTEL/MOTEL:

A building in which lodging is provided or offered to the public for compensation, generally with occupancies of less than four (4) weeks.

HRS:

The Florida Department of Health and Rehabilitative Services.

ILLUMINATED SIGN:

Any sign designed to emit artificial light or designed to reflect light from one or more sources of artificial light.

IMPERMEABLE SURFACE:

Any material applied to the surface of land that inhibits the natural infiltration or passage of water into the ground.

IN KIND:

The creation or enhancement of a wetland with vegetation and functions as those of an identified wetland.

INDIAN RIVER LAGOON:

The estuarine body of water including creeks, embayments, coves and other water designations abutting the western shoreline of Hutchinson Island.

INDUSTRIAL EQUIPMENT:

Farm tractors, backhoes, bulldozers, draglines, cranes, derricks, heavy earthmoving equipment normally used in farming, excavation and/or heavy construction activities.

INDUSTRIAL WASTEWATER:

Wastewater not otherwise defined as domestic wastewater (F.A.C. Chapter 17-6.030), including the runoff and leachate from areas that receive pollutants associated with industrial or commercial storage, handling, or processing.

INSPECT OR INSPECTION:

Field surveys that are conducted by qualified personnel.

INSTITUTIONAL RESIDENTIAL HOME:

A dwelling unit licensed to serve clients of the Department of Children and Families, which provides a living environment for more than fourteen (14) unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of the residents. The term "institutional residential home" shall include congregate care facilities, foster homes, group care homes and child care facilities with more than fourteen (14) residents and that otherwise meet the definitional requirements of institutional residential home.

INTERNALLY ILLUMINATED SIGN:

A sign where the source of illumination is located inside the sign face and light emanates through

the message of the sign. A sign utilizing exposed neon lighting shall be considered an internally illuminated sign.

INTERTIDAL AREAS:

Those areas between mean low water and mean high water.

JURISDICTIONAL WETLAND:

Any wetland within County jurisdiction as set forth in Section 6.02.03(B).

KENNEL:

An establishment for the breeding, boarding, or shelter of dogs and/or cats.

LAND:

The earth, water, and air above or on the surface, including any improvement or structure customarily regarded as land.

LAND CLEARING DEBRIS:

Means uprooted or cleared vegetation resulting from a land clearing operation.

LAND CLEARING OPERATION:

Means the uprooting or clearing of vegetation in connection with construction for buildings and rights-of-way, residential or industrial development, mineral operations, or the clearing of vegetation to enhance property value and aesthetics. The removal and destruction of shade trees due to storm or insect damage is included as a land clearing operation.

LAND CLEARING AND YARD TRASH RECYCLING OPERATION:

Means those businesses that are engaged in the recycling and processing of land clearing and yard trash debris only and as may be authorized as a specific Conditional Use under Section 7.10.12(C) of this Code, Land Clearing and Yard Trash Recycling Operations shall not include, or apply to, the on-site disposal of land clearing and yard trash debris generated from land clearing activities on that property, provided that any such on-site disposal is not in conflict with any applicable federal, state or local regulations.

LAND USE:

The development, activity, or use that has occurred on the land, or the development that is proposed by a developer on the land.

LATERAL LIMBS OR OTHER LATERAL BRANCHES:

Limbs or other branches situated on or coming from the side of the main trunk(s) of a tree.

LATTICE TOWER:

A communications tower that is constructed to be self-supporting by lattice type supports and without the use of guy wires or other supports.

LEVEL OF SERVICE:

An indicator of the extent or degree of service provided by a public facility and related to the operational characteristics of the public facility.

LOCAL ROAD OR STREET:

A route providing service which is of relatively low average traffic volume, short average trip length or minimal through-traffic involvements and high land access for abutting property.

LOT: A parcel of land occupied or intended for occupancy by a use that includes or will include at least one (1) structure together with any accessory structure, yard, open space, buffer area, or parking spaces required by this Code.

LOT, CORNER:
A lot situated at the junction of two (2) or more public rights-of-way.

LOT COVERAGE:
The total horizontal ground area of a lot covered by all buildings or structures on the lot not open to the sky.

LOT, DEPTH OF:
The average horizontal distance between the front lot line and the rear lot line.

LOT LINE:
The boundary of a lot.

LOT OF RECORD:
As used in this code, a lot of record shall mean:

- (1) Any contiguous quantity of land that is part of an approved subdivision recorded in the Office of the Clerk of the Circuit Court; or
- (2) Any contiguous quantity of land which is capable of being described with such definitiveness that its location and boundaries are established, and which has been so recorded in the public records in the Office of the Clerk of the Circuit Court prior to January 9, 1990, unless otherwise considered to be a nonconforming lot of record as described in Section 10.00.04 of this Code; or
- (3) Any contiguous quantity of land which is the subject of an agreement for deed or other instrument of conveyance properly executed prior to January 9, 1990, and which describes the parcel with such definitiveness that its location and boundaries are established and recognized by Florida Law, unless otherwise considered to be a nonconforming lot of record as described in Section 10.00.04 of this Code.

LOT SPLIT:
The division of land into two contiguous lots or parcels without involving the establishment of a new street.

LOT, PLATTED:
A lot platted in accordance with St. Lucie County after the effective date of this Code.

LOT, WIDTH OF:
The distance between side lot lines. If the side lot lines are parallel, this distance is measured along a perpendicular to the side lot lines. If the side lot lines are not parallel, this distance is measured along a line drawn such that its intersections with the side lot lines form equal angles.

MACHINERY, HEAVY:
Trucks, mechanical land clearing, earth moving, or earth working equipment with a gross weight in excess of five thousand (5,000) pounds. For the purposes of this Code, all machinery that utilizes steel tracks for traction shall be considered heavy machinery.

MAINTENANCE:

The action taken to restore or preserve the functional intent of any facility or system; normal custodial work needed to sustain original plans or permits.

MAJOR ARTERIAL ROAD:

A roadway primarily focusing on carrying through traffic. Major arterials provide service that is relatively continuous, high in volume, of long trip length, and high operating speed.

MAJOR COLLECTOR STREET OR ROAD:

A roadway emphasizing traffic distribution between arterial roadways and roadways of a lower hierarchy. A major collector provides for services that are moderate in length, volume and speed.

MAJOR STRUCTURE:

As used in Section 13.00.02, Coastal Construction Code, includes, but is not limited to, residential buildings including mobile homes, commercial, institutional, industrial and other construction having the potential for substantial impact on coastal zones.

MANGROVE:

Any specimen of the species *Avicennia germinans* (black mangrove), *Laguncularia racemosa* (white mangrove), *Rhizophora mangle* (red mangrove) and *Conocarpus erectus* (buttonwood mangrove).

MANGROVE ALTERATION:

To cut, remove, damage, or destroy by any means. Mangrove Alteration is distinct from the "trimming" or "pruning" of mangroves.

MANUFACTURED BUILDING:

A structure, building assembly, or system of subassemblies, approved by and bearing the insignia of approval of the Florida Department of Community Affairs, or its successor agency, pursuant to the provisions of Part IV of Chapter 553, Florida Statutes. No mobile home, whether complying or not complying with mobile home construction standards promulgated by the United States Department of Housing and Urban Development or required by the State of Florida shall be considered a manufactured building for the purpose of this Code.

MANUFACTURED HOME:

As used in Section 6.05.00, Flood Damage Prevention, means a building, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers and similar transportable structures placed on a site for one hundred eighty (180) consecutive days or longer and intended to be improved property.

MARQUEE:

A hood, canopy, or awning of permanent construction that projects from the wall face of a building.

MARQUEE SIGN:

See "Canopy Sign."

MARSH AND SALT TOLERANT VEGETATION:

Native salt tolerant forbes, herbs, grasses, sedges, rushes, and nurse plants (for recruitment) which are listed in Chapters 17-4.02(17) or 17-4.022, Florida Administrative Code, in addition to: *Halodule wrightii* (cuban shoal grass), *Ruppia maritima*, *Syringodium filiformis* (manatee grass), and *Thalassia testudinum* (turtle grass).

MEAN HIGH WATER (MHW):

The average height of the high tides over a nineteen (19) year period.

MEAN HIGH WATER LINE (MHWL):

The intersection of the plane of mean high water, with the estuarine or beach-dune shoreline areas.

MEAN LOW WATER (MLW):

The average height of the low tides over a nineteen (19) year period.

MEAN LOW WATER LINE (MLWL):

The intersection of the plane of mean low water with the estuarine or beach-dune shoreline areas.

MEAN SEA LEVEL (MSL):

The average height of the sea for all stages of the tide. For purposes of this Code, the term is synonymous with National Geodetic Vertical Datum (NGVD).

MESSAGE SIGN:

An electronically changeable sign upon which graphic displays, symbols, or words can be varied upon the face or faces of the sign to display time, temperature, public service, or other general information.

MICROWAVE ANTENNA:

A dish-shaped device used to transmit and/or receive microwave signals in a straight line to and from similarly earth bound point sources.

MINING:

Any activity that entails the excavation or removal of earth in excess of one hundred (100) cubic yards from one parcel of property to another parcel of property, or from one area of a parcel of property to another area on the same parcel if a public road is used.

MINOR ARTERIAL ROAD:

A roadway emphasizing through traffic movement similar to a major arterial, but provides greater land access and distributed traffic to smaller geographical areas than the major arterials. Minor arterials offer lower traffic mobility.

MINOR COLLECTOR STREET OR ROAD:

A roadway emphasizing traffic collection and distribution between roadways of a greater hierarchy (arterials and major collectors) and local streets or roads. A minor collector provides service for moderate volumes, trip length and speed.

MINOR REPLAT:

A replat for the purpose of lot line adjustment, without an increase in the number of lots or units otherwise allowed.

MINOR STRUCTURE:

As used in Section 13.00.02, Coastal Construction Code, includes, but is not limited to, pile-supported, elevated dune and beach walkover structures; beach access ramps and walkways; stairways; pile-supported elevated viewing platforms gazebos, and boardwalks; lifeguard support stands; public and private bathhouses; sidewalks, driveways, parking areas, shuffleboard courts, tennis courts, handball courts, racquetball courts, and other uncovered paved areas; earth-retaining walls; sand fences, privacy fences, ornamental walls, ornamental garden structures, aviaries, and

other ornamental construction. It shall be a characteristic of minor structures that they are considered to be expendable under design wind, wave, and storm forces.

MOBILE FOOD DISPENSING VEHICLE:

Any food service establishment that is self-propelled or otherwise movable from place to place, that is self-contained and does not use electrical or other utility connections of any kind, in which food is prepared and/or dispensed, and that complies with all applicable requirements set forth by the Florida Department of Business Regulation, Division of Hotels and Restaurants, or its successor agency, including but not limited to those regulations set forth in Rule 7C-4.03, Florida Administrative Code.

MOBILE HOME:

A structure transportable in one (1) or more sections, which structure is eight (8) body feet (2.4 meters) or more in width and over thirty-five (35) feet in length, and which structure is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.

MOBILE HOME, CLASS A:

A mobile home certified to be in conformity with the Mobile Home Construction and Safety Standards of the United States Department of Housing and Urban Development, or its successor agency, and the standards of Section 320.823, Florida Statutes.

MOBILE HOME PARK:

A place set aside and offered by a person or public body, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking or accommodation of six (6) or more mobile homes utilized for sleeping or eating.

MONOPOLE TOWER:

A communications tower consisting of a single pole or spire self-supported on a permanent foundation, constructed without guy wires, ground anchors, or other supports.

MONUMENT SIGN:

See "Ground Sign."

MOTOR VEHICLE:

An automobile, motorcycle, truck, trailer, semi-trailer, truck-tractor, and semi-trailer combination, or any other vehicle operated on the roads of this county, used to transport persons or property, and propelled by power other than muscular power.

MULCH:

Non-living small aggregate materials such as gravel, rock, pebbles, bark, or pine needles, used as ground cover.

MULTIPLE-MESSAGE SIGN:

A sign on which information content can be changed automatically by means of rotating panels which constitute or are a part of the sign face.

NAMEPLATE:

A sign indicating the name or address of the occupant or resident of the dwelling unit to which it is attached.

NATIONAL GEODETIC VERTICAL DATUM (NGVD):

As corrected in 1929, is a vertical control used as a reference for establishing varying elevations within the floodplain.

NATIVE/DROUGHT-TOLERANT TREES:

Indigenous trees which tolerate periods of low rainfall. See Section 7.09.06 (Standards for Native and Drought-Tolerant Vegetation).

NATIVE VEGETATION:

Any indigenous tree, plant or shrub adapted to soil and climatic conditions occurring onsite.

NEW CONSTRUCTION:

As used in Section 6.05.00, Flood Damage Prevention, any structure for which the start of construction commenced on or after August 13, 1981. The term also includes any subsequent improvements to such structure.

NEW MANUFACTURED HOME PARK OR SUBDIVISION:

As used in Section 6.05.00, Flood Damage Prevention, a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after August 13, 1981.

NEWSPAPER OF GENERAL CIRCULATION:

A newspaper published at least on a weekly basis; it does not include a newspaper intended primarily for members of a particular professional or occupational group, a newspaper whose primary function is to carry legal notices, or a newspaper that is given away primarily to distribute advertising.

News racks - see ord. 05-001

NONCONCURRENCY AFFIDAVIT:

A document signed by an applicant which defers the application for a Certificate of Capacity and the Concurrency Test until receipt of a Final Development Order for the proposed development.

NONCONFORMING LOT OF RECORD:

A lot of record that does not meet minimum area, width or frontage requirements of this Code and as further described in Section 10.00.04 of the Code.

NONCONFORMING STRUCTURE:

Any lawfully existing structure or building on the effective date of this Code that does not comply with all of the provisions of this Code.

NONCONFORMING USE:

Any use lawfully being made of any land, building, or structure on the effective date of this Code that does not comply with the provisions of this Code.

NONHABITABLE MAJOR STRUCTURE:

As used in Section 13.00.02, Coastal Construction Code, includes, but is not limited to, swimming pools; parking garages; pipelines; piers; canals, lakes, ditches, drainage structures, and other water-retention structures; water and sewage treatment plants; electrical power plants, transmission and distribution lines, transformer pads, vaults, and substations; roads, bridges, streets, and highways; underground storage tanks.

NON-NATIVE VEGETATION:

Any tree, plant or shrub established from outside sources where local climatic and geologic conditions are similar to the source of origin and therefore favorable to growth.

NONRESIDENTIAL ACTIVITY:

As used in Section 6.03.00, Wellfield Protection, means any activity occurring on any described parcel of land, whether or not within a structure, with the exception of residential activity as defined herein. Those nonresidential activities which do not meet the definition criteria of existing nonresidential activity as defined herein, shall be defined as new nonresidential activities.

NON-RIGID OR FLEXIBLE STRUCTURES:

As used in Section 6.02.01, Coastal Area Protection, include, but are not limited to, beach and dune restoration, sand fencing, and stabilization with beach and dune vegetation to reduce or control vegetation.

NURSING HOME:

An institution, public or private, that provides twenty-four (24) hours of nursing care for three (3) or more unrelated individuals and is presently licensed pursuant to Section 400.062, Florida Statutes.

OFF-PREMISES SIGN:

A sign that advertises a use, establishment, product or service sold, produced, manufactured, or furnished at a place other than on the real property on which said sign is located.

OFFSTREET PARKING:

Any area except a public right-of-way, used for the purpose of parking, storing, or display of vehicles, boats, trailers, and mobile homes, including used car lots and other open lot uses.

ONE FOOT DRAWDOWN CONTOUR:

The locus of points around a wellhead or wellfield where the free water elevation is lowered by one (1') due to a specified pumping rate of the well or wellfield.

ONE-HUNDRED-YEAR STORM OR 100-YEAR STORM:

A shore incident hurricane or any other storm with accompanying wind, wave and storm surge intensity having a one (1) percent chance of being equaled or exceeded in any given year, during any 100-year interval.

ON-PREMISES SIGN:

A sign that advertises or directs attention to a use, establishment, product, or service located or available on the same premises.

OPEN SPACE:

Any parcel or area of land or water that is set aside, open and unobstructed to the sky, and designated or reserved for public or private use or enjoyment.

OPEN SPACE, COMMON:

A parcel or area of land or water in or related to a development site that is set aside and designated or reserved for the use or enjoyment of the public or the residents, occupants, and/or owners of the development or project site. Common open space areas shall not be individually owned except by a recognized unit of local or state government or an entity or organization acceptable to St. Lucie County.

OPEN WATER AREAS:

Those waters defined as state jurisdictional waters herein.

OPERATIONAL ENTITY:

An acceptable, legally bound, responsible entity which agrees to operate and maintain a facility or system.

OWNER:

For the purposes of Section 11.14.00, the term "owner" shall mean a person with a legal or equitable interest in real property who filed an application for a development permit for any parcel land at the state, regional, or local level and who received a final development order (including the rezoning of a specific parcel), or who holds legal title to real property that is subject to an enforcement action of a governmental entity.

PARAPET:

A wall extension above the roof line.

PARCEL OF LAND:

Any contiguous quantity of land capable of being described with such definiteness that its location and boundaries may be established, that is designated by its owner(s) or developer(s) as land to be used or developed as a unit, or that has been or developed as a unit. If such a parcel of land is divided by a right-of-way or zoning boundary it may be considered to be one (1) parcel by the owner.

PARKING SPACE:

An area designated for temporary storage of a motor vehicle.

PARTICIPANT:

For the purposes of Section 11.14.00, the term "participant" shall mean:

- a. A person holding title to land contiguous to the owner's property, who has been accepted by the Special Master as a participant in the proceeding; or
- b. A substantially affected person who submitted oral or written testimony, sworn or unsworn, of a substantive nature which stated with particularity support for or objections to the development order or enforcement action in a prior proceeding, including a public hearing, and who has been accepted by the Special Master as a participant in the proceeding.

PEDESTRIAN SIGN:

A sign that is attached to the underside of a cantilevered roof, portico, or overhang, that extends from the wall face of an establishment or use, and that covers a pedestrian passageway.

PENNANT:

Any animated, rotating and/or fluttering devices made of cloth, paper, balloons, or fabric of any kind, with or without lettering or design, which are joined together in a series, and are manufactured and placed for the purpose of attracting attention.

PERMANENTLY ATTACHED:

Affixed by foundations, poles, braces, or other immovable structural means to the ground or to a building or structure. Signs manufactured or intended for portable use and affixed to the ground by ropes, chains, cables, weights, or other means deemed non-structural by the Community Development Director shall not be deemed to be permanently attached.

PERMITTED AGENT OF THE STATE:

As it relates to Section 6.04.02, Sea Turtle Protection, any qualified individual, group or organization possessing a permit from DNR to conduct activities related to sea turtle protection and conservation.

PERSON:

Any individual, firm, association, joint venture, partnership, estate, trust, corporation, group, state officer, or unit of federal, state, county, or municipal government, and all other associations and combinations, whether public or private.

PERSONAL WATERCRAFT:

A small class A-1 or A-2 vessel as defined by state law which uses an outboard motor, or an inboard motor powering a water jet pump, as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the vessel, rather than in the conventional manner of sitting or standing inside the vessel.

PLANTING AREA:

Any area designated for landscape.

POLE SIGN:

See "Ground Sign."

POLITICAL SIGN:

A temporary sign advertising a candidate for public office, a political party, or a measure or issue scheduled for an election or referendum.

PORTABLE SIGN:

A movable sign not permanently attached to the ground. It may include "trailer," "sidewalk," or "sandwich" signs.

POTABLE WATER:

Water that is satisfactory for drinking, culinary and domestic purposes. Meeting current state and federal drinking water standards.

PRE-EXISTING TOWERS AND PRE-EXISTING ANTENNAS:

Any permitted existing tower or antenna constructed or existing prior to September 2, 1997.

PRIMARY DUNE:

That portion of the dune system containing the highest point of elevation (crest).

PROJECT MARKETING SIGN:

A temporary sign indicating that real property which is located within the common development site on which such sign is placed is available for sale, rent, or lease.

PROJECTING SIGN:

Any sign that is not defined as a wall, marquee, pedestrian, canopy, or awning sign that extends from the face of any primary supporting exterior wall of the structure to which it is attached.

PROP ROOTS:

The structures generally originating below the lowest limbs of red mangroves which are also known as stilt roots.

PROTECTED SPECIES:

Plant and animal species that are considered endangered, threatened, rare, or of special concern by the Florida Committee on Rare and Endangered Plants and Animals, the Florida Game and Fresh Water Fish Commission, the Florida Department of Agriculture and Consumer Services, and the U.S. Fish and Wildlife Service.

PRUNE OR TRIM:

To cut away parts from a plant, top or lateral limbs, so as not to cause death or to shorten its natural life span.

PUBLIC FACILITIES:

As used in Chapter V, Adequate Public Facilities, public facilities means drainage facilities, park and recreation facilities, potable water facilities, road facilities, sanitary sewer facilities, solid waste facilities, and mass transit facilities.

PUBLIC UTILITY:

Any system providing water service to the public which has at least fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily for at least sixty (60) days of the year, with a permitted average withdrawal capacity of 100,000 gallons per day.

PUBLIC WATER SUPPLY WELL:

Wells withdrawing water from the surficial aquifer (localized relatively shallow aquifer sources) for use as potable water that are operated by public utilities.

PUBLIC WORKS DIRECTOR:

The head of the Department of Public Works, who shall be appointed to serve at the pleasure of the County Administrator.

PUBLIC WELLFIELD:

An area within the Zone of Protection surrounding each Public Water Supply Well.

QUALIFIED APPLICANT:

As used in Section 11.08.00, Development Agreements, means a person who has legal or equitable interest in the real property which is the subject of a proposed Development Agreement. If there is a question as to whether a person is a Qualified Applicant, the applicant shall provide the County with an opinion of title from an attorney licensed to practice in the State of Florida or a commitment of title insurance demonstrating the person which has a legal or equitable interest in the property subject to the proposed Development Agreement.

REAL ESTATE SIGN:

A temporary sign indicating that the lot on which the sign is located, or any building or structure located thereon, is for sale, rent, or lease. This definition shall not include Rooming House signs.

RECORD DRAWINGS:

Amended site plans and/or construction drawings specifying the locations, dimensions, elevations, capacities and capabilities of structures or facilities as they have actually been constructed. Record drawings must be signed, sealed and dated by a registered professional engineer.

RECREATIONAL EQUIPMENT:

Means boats, personal watercraft, trailers and items on trailers, utility trailers, recreational vehicles, and similar vehicles or items.

RECREATIONAL VEHICLE:

Any vehicle-type unit primarily designed as temporary living quarters for recreational, camping, or travel use and that either has its own mode of power or is mounted on or propelled by another vehicle as defined in Section 320.01, Florida Statutes.

RECREATIONAL VEHICLE PARK:

A place set aside and offered by a person or public body for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking and accommodation of six (6) or more recreational vehicles or tents utilized for sleeping or eating; and the term also includes buildings and sites set aside for group camping and similar recreational facilities. For the purposes of this chapter, the terms "campground," "camping resort," "R.V. resort," "travel resort," and "travel park," or any variations of these terms, shall be considered synonymous with the term "recreational vehicle park."

RECRUITMENT:

The trapping of tidally supplied mangrove seeds and seedlings and other appropriate wetland species by nurse plants.

REGULATED AREA:

That area within the Zone of Protection surrounding each Public Water Supply Well, as defined by the Zone of Protection Maps.

REGULATED SUBSTANCES:

- (1) Substances which are:
 - a. Known to have hazardous and toxic properties including but not limited to those listed by the EPA in part 40 CFR 302; or
 - b. Listed as a priority toxic pollutant by the EPA in part 40 CFR 122.21; or
 - c. A toxic degradation product, which includes petroleum-based products; or
 - d. On the Restrictive Use Pesticide List promulgated pursuant to Chapter 487, Florida Statutes, set forth in Chapters 5E-2 and 5E-9, Florida Administrative Code.
- (2) Regulated substances by generic designation shall include, but are not limited to, those set forth in the list entitled "Public Wellfield Protection Generic Substance List," which is maintained by the Wellfield Protection Officer.
- (3) Regulated Substances do not include those that are used in the quantities exempt as set out in Section 6.03.05.

RELIGIOUS FACILITY:

A building in which persons regularly assemble for religious worship, and that is maintained and controlled by a religious body organized to sustain public worship.

REMOVE OR REMOVAL OF VEGETATION:

- (1) The actual removal of vegetation; or
- (2) Direct or indirect actions resulting in the effect removal of vegetation through damaging or poisoning; or
- (3) Similar actions directly or indirectly resulting in the death of vegetation.

RESIDENT:

As used in "family residential home", "community residential home" and "institutional residential home" resident means any of the following: an aged person as defined in Section 400.618(3), Florida Statutes; a physically disabled or handicapped person as defined in Section 760.22 5 a, Florida Statutes; a nondangerous mentally ill person as defined in Section 394.455(3), Florida Statutes; or a child as defined in Section 39.01(8) and (10), Florida Statutes.

RESIDENTIAL ACTIVITY:

As used in Section 6.03.00, Wellfield Protection, means any building or structure or portion thereof that is designated for or used for residential purposes and any activity involving the use or occupancy of a described parcel of land for residential purposes. Residential activity shall not include any activity or business requiring an occupational license or other form of authorization to conduct a business.

RESTAURANT:

Any establishment that serves prepared food and beverage for consumption on the premises. Such establishment may include entertainment which is incidental to the food service character of the use.

RESTORATION:

See "Shoreline or Beach Restoration".

RETAIL TRADE:

The sale of consumer goods, commodities, and services to ultimate consumers.

RETROFITTING:

As used in Section 7.07.00, refers to improving the quality of urban stormwater runoff to whatever degree is achievable. The improvement can include the modification of existing, or the addition of new, structures or stormwater management practices, or changes in activities or land uses.

RIGHT-OF-WAY:

Land dedicated or deeded on which facilities such as roads, railroads, canals, utilities, and other similar uses exist or may be constructed.

RIGID STRUCTURE:

As used in Section 6.02.01, Coastal Area Protection, means a man-made or man-placed inflexible installation within the Dune Preservation Zone or Indian River Lagoon Shoreline including, but not limited to, wooden, metal, or plastic structures such as jetties, seawalls, bulkheads, mound structures, rip-rap, revetments, groins, breakwaters, and sandbags.

RIPENESS DECISION:

For the purposes of Section 11.14.00, the term "ripeness decision" shall mean an available use decision which describes as specifically as possible the use or uses available to the subject real property.

ROAD:

The term "road" includes streets, sidewalks, alleys, highways and other ways open to travel by the public including the roadbed, right-of-way and all culverts, drains, sluices, ditches, water storage areas, waterways, embankments, slopes, retaining walls, bridges, tunnels and viaducts necessary for the maintenance of travel and all ferries used in connection therewith.

ROOF SIGN:

Any sign erected over or on the roof of a building.

ROOMING HOUSE:

Any dwelling in which more than two (2) persons are lodged on a continuing basis, without meals, for compensation.

RURAL ARTERIAL ROAD:

Routes which generally interconnect with and augment urban minor arterial roads and provide service to trips of longer length and a higher level of traffic mobility.

SALT MARSH IMPOUNDMENTS:

Those wetlands upon which mosquito control activities are or have been undertaken as part of a St. Lucie County Mosquito Control District program.

SAND DUNES:

See Dune.

SCRUB HABITAT:

A well drained, fire adapted, plant community occurring primarily on ridges (elevated areas), characterized by white or light colored, acidic sand. Generally, the habitat has a sparse sand pine canopy, with dense clumps or vast thickets of scrub oaks and other shrubs dominating the understory. The ground cover is generally very sparse, being dominated by lichens and herbs, with open patches of barren, exposed sand.

SEAGRASSES:

Those submerged beds of the genera *Halophila*, *Syringodium*, *Halodule*, *Thalassia*, and/or the green algae *Caulerpa* spp.

SEA TURTLE(s):

Any specimen belonging to the species *Caretta caretta* (loggerhead turtle), *Chelonia mydas* (green turtle), *Dermochelys coriacea* (leatherback turtle) or any other marine turtle using St. Lucie County beaches as a nesting habitat.

SEA TURTLE HATCHLING:

Any specimen of sea turtle, within or outside of a nest, which has recently hatched from an egg.

SEA TURTLE NEST:

Any place in which sea turtle eggs are naturally deposited or relocated beneath the sediments of the beach-dune system.

SEARCH AREA:

The geographic area, in which a telecommunications facility must be located in order to provide FCC required coverage, as certified through an affidavit by an Radio Frequency (RF) engineer as to radio frequency waves, or other such appropriate technical expert.

SEASONAL HIGH WATER LINE:

The line formed by the intersection of the rising shore and the elevation of one hundred fifty (150) percent of the local tidal range above mean high water.

SEMITRAILER:

A semitrailer which is used or designed primarily for carrying commercial loads. It shall be presumed that any semitrailer having a tax class of 56 is a "semitrailer" as defined herein.

SERVICE STATION:

Any building, structure or land used primarily for the sale of motor fuels or oil at retail direct to the customer, including the supplying of accessories, parts, and services essential to the normal operation of automobiles.

SFWMD:

The South Florida Water Management District.

SHORELINE:

A generic term which means the interface or full extent of the Indian River Lagoon and Atlantic Ocean with the estuarine and beach-dune shoreline areas, respectively.

SHORELINE ACCESS POINT OR ACCESS:

See Beach or Shoreline Access Point or Access.

SHORELINE OR BEACH RESTORATION:

Any work to enhance the value and function of the estuarine or beach-dune shoreline areas or to reconstruct or replace beaches or dunes. Restoration includes, but is not limited to, the replanting of vegetation to stabilize the estuarine or beach-dune shoreline areas.

SHRUB:

Any living, self-supporting woody evergreen plant, other than a tree, normally grown in St. Lucie County.

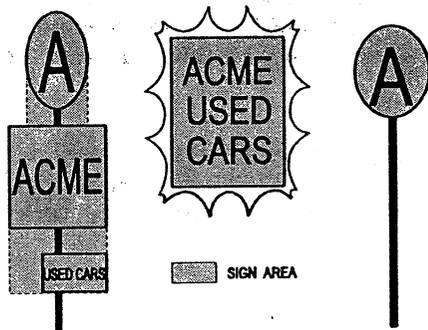
SIDE LOT LINES:

Straight lines connecting the end points of the front and rear lot lines.

SIDEWALK SIGN:

Signs on sidewalks

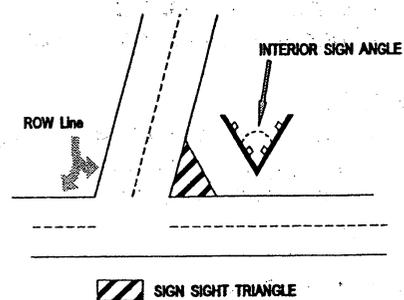
FIGURE 2-20



LEFT OR RIGHT SIGN:

Signs for left or right turn

FIGURE 2-21



any identification, description, or notice that is intended to advertise, promote, place, activity, person, establishment, institution or business, or any emblem, painting, banner, pennant, placard, or temporary sign designed to advertise.

Signs -> see also Ord. 05-004

SIGN AREA:

The entire area within a perimeter line not exceeding eight straight lines, or a circle or ellipse, which encloses the extreme outer limits of all written copy, logos, or symbols. If a sign is composed of one or more sign cabinets or modules, the area enclosing the entire perimeter of all cabinets and/or modules within a single, continuous geometric figure shall be the area of the sign.

The perimeter of measurable area shall not include embellishments such as poles, pole covers, framing, decorative roofing, support structures, etc., providing that there is no written advertising copy on such embellishments.

Where the sign faces of ground or projecting signs are parallel, or are V-shaped and have an interior angle of less than sixty (60) degrees, the area of such signs shall equal the area of the larger of the two sign faces.

Where the sign faces of ground or projecting signs are V-shaped and have an interior angle of sixty (60) degrees or greater, the area of such sign shall equal the sum of the area of both sign faces.

SIGN FACE:

The part of a sign that is or may be used for advertising purposes.

SITE-RELATED RIGHT-OF-WAY DEDICATIONS:

Right-of-way dedications necessary to provide safe and adequate access to a development, which are made necessary by the traffic to be generated by or attracted to the development. Dedications of right-of-way to bring a road up to local (minor) road standards are presumed to be site related.

SNIPE SIGN:

A small sign of any material, including but not limited to paper, cardboard, wood, or metal, that is tacked, nailed, pasted, glued, or otherwise attached to trees, poles, fences, or other objects, and whose advertising matter appearing thereon is not applicable to the premises upon which said sign is located.

SPECIAL EVENT SIGN:

A sign that calls attention to a civic event or meeting, or other similar activity of a temporary nature.

SPECIAL MASTER PROCEEDING:

Means any combination of facilitation sessions, formal or informal hearings, of a public nature authorized under Section 11.14.00 of this Code.

SPECIFIED ANATOMICAL AREAS:

Less than opaquely covered:

- (1) human genitals;
- (2) human pubic region;
- (3) human female breasts at or directly below the areola. This prohibition shall include the entire lower portion of the female breast but shall not be interpreted to include any portion of the cleavage of the breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areola is not so exposed.
- (4) human male genitals in discernible turgid state, even if completely and opaquely covered; and
- (5) human buttocks.

SPECIFIED SEXUAL ACTIVITIES:

Human genitals in the state of sexual stimulation or arousal; acts of human adamitism, anilinctus,

bestiality, coprophilia, cunnilingus, fellatio, flagellation, frottage, hyphephilia, masochism, masturbation, sadism, sadomasochism, sexual intercourse, sodomy, or urolagnia; and fondling or other erotic touching of human genitals, human pubic region, or female breasts.

SPECIMEN TREE:

A tree which has been determined by the Board of County Commissioners, following input from the Community Development Department, to be of high value because of its type, size, age, or other relevant criteria, and has been so designated by the Board in the official record books of the county following a public hearing with due notice provided in advance by certified mail to the owner.

SPONSORING AGENCY:

As used in the context of "community residential home" sponsoring agency means an agency or unit of government, a profit or nonprofit agency, or any other person or organization which intends to establish or operate a community residential home.

ST. LUCIE COUNTY PORT AND AIRPORT AUTHORITY:

That authority created under Chapter 88-515, §2, Laws of Florida responsible for the administration of the St. Lucie County International Airport and Port of Fort Pierce.

START OF CONSTRUCTION:

(For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P. L. 97-348)), As used in Section 6.05.00, Flood Damage Prevention, includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction or improvement was within one hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not a part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimension of the building.

STATE:

The State of Florida.

STATE HIGHWAY SYSTEM:

Consists of:

- (1) Interstate system;
- (2) All rural arterial routes and their extensions into and through urban areas;
- (3) All urban principal arterial routes; and
- (4) Certain urban minor arterial routes designated by the Florida Department of Transportation.

STATE JURISDICTIONAL WATERS:

Those waters and wetlands within the State dredge and fill jurisdiction pursuant to Sections 17-4.02 (17) and 17-4.022, Florida Administrative Code, and rules on Sovereignty Lands, Chapter 16Q-21, Florida Administrative Code, and Florida Aquatic Preserves, Chapter 16Q-20, Florida Administrative

Code.

STATE MINIMUM BUILDING CODE:

The building code adopted by a municipality or county pursuant to the requirements of Section 553.73, Florida Statutes.

STATE ROADS:

All streets, roads, highways, and other public ways open to travel by the public generally, and dedicated to the public use according to law or by prescription, and designated by the Florida Department of Transportation as provided by law, as parts of the State Highway System.

STORMWATER MANAGEMENT PLAN:

The detailed analysis which describes the proposed stormwater management system for the development.

STREET:

Public or private ways that have been set aside through dedication, deed, or condemnation for public or private use or that have become a public way by prescriptive use, without regard to maintenance responsibility, but not including easements. This definition does not include any private street or way, that is not constructed in conformance with the provisions of Chapter XIII of this Code.

STRUCTURE:

Anything constructed or installed, the use of which requires location on a parcel of land. It does not include a movable structure, even when it is located on land that can be used for housing, business, commercial, agricultural, or office purposes. "Structure" also includes fences, billboards, swimming pools, and signs. Structures should meet Standard Building Code requirements and be permanently affixed.

SUBDIVISION:

The platting of real property into three or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land.

SUBDIVISION COLLECTOR ROADS:

Routes collecting and distributing traffic between local roads within a subdivision.

SUBSTANTIAL DAMAGE:

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT:

Any combination of repairs, reconstruction, alteration, or improvements to a building, taking place during the life of a building, in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the building. The market value of the building should be (1) the appraised value of the building prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the building prior to the damage occurring. This term includes structures which have incurred substantial damage regardless of the actual repair work performed. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include any project for improvement of a building required to comply with existing health, sanitary or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places.

SUBSTANTIALLY IMPROVED EXISTING MANUFACTURED HOME PARKS OR SUBDIVISIONS:

Where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty (50) percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

TELECOMMUNICATIONS FACILITY:

A facility that is used to provide one or more telecommunications services, including, without limitation, radio transmitting towers, other supporting structures, and associated facilities used to transmit telecommunications signals. An open video system is not a telecommunications facility to the extent that it only provides video services; a cable system is not a telecommunications facility to the extent that it only provides cable service.

TELECOMMUNICATIONS FACILITY OPERATOR:

A provider of telecommunications services.

TELECOMMUNICATIONS SERVICES:

The offering of telecommunications (or the transmission between or among points, specified by the user of information of the user's choosing without change in the form or content of the information as sent and received) for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

TELECOMMUNICATIONS TOWER OR TOWER:

Any structure, and support thereto, designed and constructed primarily for the purpose of supporting one or more antennae intended to provide telecommunication services including lattice, monopole and guyed towers. The term includes personal wireless service, facilities used for the provision of commercial mobile services, unlicensed wireless services (telecommunication services using duly authorized devices which do not require individual licences) and common carrier wireless exchange access services. For purposes of this Code the term include radio and television transmission towers. The following shall be considered not to be a telecommunications tower:

- 1) a structure supporting a utility transmission line(s) only, and
- 2) a structure up to 150 feet in height supporting a 69KV or higher voltage utility transmission line(s), and antenna(e), when located in non-residential zoning districts, and
- 3) a structure supporting a amateur radio antenna only, and
- 4.) a structure supporting a radio, television or satellite receiving antenna for residential uses only.

TELECOMMUNICATIONS TOWER HEIGHT:

When referring to a communications tower or other structure, the distance measured from the finished grade of a parcel to the highest point on the tower or other structure, including the base pad and any antenna, but excluding lights and lightening rods.

TEMPORARY BUILDING OR STRUCTURE:

A temporary building or Structure is a building or structure that is intended to be located on a parcel of land for a limited period of time or duration. All temporary buildings or structures shall be adequately secured or anchored to the ground in accord with the requirements of the Standard Building Code or in the case of State Certified manufactured buildings or mobile homes, said modular buildings or mobile homes shall be properly anchored to applicable laws or regulations.

TEMPORARY SIGN:

A sign, that advertises for a limited period of time political candidates, parties, or issues; a building under construction; real estate for sale, rent, or lease; business grand openings; or other special events.

TEMPORARY USE:

A use, other than an accessory use, that does not involve the construction or alteration of any permanent structure and that is established for a fixed period of time with the intent to discontinue such use upon the expiration of the established time period. See Section 8.02.00.

TINTED GLASS:

Any window which has:

- (1) A shading coefficient (the percent of incident radiation passing through a window) of .45 or less; and
- (2) A minimum five year warranty; and
- (3) Performance claims which are supported by approval testing procedures and documentation.

TRAILER SIGN:

A licensed or unlicensed advertising structure mounted on skids, wheel, or wheels and constructed for the sole purpose of advertising.

TRANSIENT LODGING FACILITIES:

Structures with units or rooms generally used for occupancies of less than four (4) weeks including without limitations hotels/motels, time share facilities and tourist courts.

TRANSPORTATION CORRIDOR:

Any land area, designated by the state or the county which is between two geographic points and which area is used or is suitable for the movement of people and goods by one or more modes of transportation and may include areas necessary for management of access and securing applicable approvals and permits. Transportation corridors shall contain, but are not limited to, the following:

- (1) Existing publicly owned rights-of-way;
- (2) All property or property interests necessary for future transportation facilities, including rights of access, air, view, and light, whether public or private, for the purpose of securing and utilizing future transportation rights-of-way, including, but not limited to, any lands reasonably necessary now or in the future for securing applicable approvals and permits, borrow pits, drainage ditches, water retention areas, rest areas, replacement access for landowners whose access could be impaired due to the construction of a future facility, and replacement rights-of-way for relocation of rail and utility facilities.

TRANSPORTATION FACILITY:

Any public way provided for the passage of people and property from place to place that is constructed, operated, or maintained in whole or in part from public funds. The term includes the property or property rights, both real and personal, which have been or may be established by public bodies for the passage of people and property from place to place.

TRAVEL TRAILER:

A vehicular portable structure not exceeding thirty-six (36) feet in length designed for travel, recreational, and vacation uses.

TREE:

A woody plant having a well defined stem, a more or less well defined crown, and which is capable of attaining a height of at least fifteen (15) feet with a trunk diameter of not less than two (2) inches, or a cluster of main stems having an aggregate diameter of not less than two (2) inches, DBH.

TREE CANOPY:

The leafy portion of a tree.

TROPICAL HARDWOOD HAMMOCK TREES:

Trees of Caribbean and South Florida origins, commonly found on Hutchinson Island and between the Florida East Coast railroad and western shore of the Indian River Lagoon including, but not limited to:

COMMON NAME	SCIENTIFIC NAME	COMMON NAME	SCIENTIFIC NAME
Bay Cedar	Suriana maritima	Paradise Tree	Simarouba glauca
Black Ironwood	Krugiodendron ferreum	Pigeon Plum	Coccoloba diversifolia
Black Mangrove	Avicenna germinans	Poisonwood	Metopium toxiferum
Bolly	Guapira discolor	Pond-Apple	Annona glabra
Buttonwood	Conocarpus erectus	Potato Tree	Solanum erianthum
Cocoplum	Chrysobalanus icaco	Red Mangrove	Rhizophora mangle
Graytwig	Schoepfia chrysophylloides	Saffron Plum	Bumelia celastrina
Guiana Plum	Drypetes lateriflora	Satinleaf	Chrysophyllum oliviforme
Gumbo-Limbo	Bursera simarouba	Seagrape	Coccoloba uvifera
Inkwood	Exothea paniculata	Spanish Stopper	Eugenia foetida
Jamaica Capter	Capparis cynophallophora	Strangler Fig	Ficus aurea
Lancewood	Nectandra coriacea	Tallowood, Hog Plum	Ximenia americana
Limber Caper	Capparis flexuosa	Torchwood	Amyris elemifera
Malberry	Ardisia escallonoides	Varnish Leaf	Dodonea viscosa
Mastic	Mastichodendron foetidissimum	White Mangrove	Laguncularia racemosa
Myrsine	Rapanea punctata	White Stopper	Eugenia axillaris
Nakedwood, Twinberry	Myrcianthes fragrans	Wild Lime	Zanthoxylum fagara

UNDERDRAIN:

A perforated conduit, installed beneath the ground surface, which collects and conveys water by gravity to an outfall.

URBAN MINOR ARTERIAL ROAD:

Routes which generally interconnect with and augment urban principal arterial roads and provide service to trips of shorter length and a lower level of travel mobility. Such routes include all arterials not classified as principal and contain facilities that place more emphasis on land access than the highway system.

URBAN PRINCIPAL ARTERIAL ROAD:

Routes which generally serve the major centers of activity of an urban area, the higher traffic volume corridors and the longest trip purpose and carry a high proportion of the total urban area travel on a minimum of mileage.

USE:

The purpose for which land, structures, buildings, or signs are designed, arranged, and erected.

VARIANCE:

A grant of relief from the requirements of this chapter which permits construction in a manner otherwise prohibited by this Code where specific enforcement would result in unnecessary hardship. See Section 10.01.00.

VEGETATED BUFFER STRIP:

Areas retained in their natural state or replanted along the banks of watercourses, water bodies, or wetlands. The width of the buffer should be sufficient to prevent erosion, trap the sediment in overland runoff, provide access to the water body, and allow for periodic flooding without damage to structures.

VEGETATION:

Any living plant tissue including trees, shrubs, herbs, sedges, grasses, fungi, and algae.

VEGETATION, NONPROTECTED:

The following species are defined as nonprotected plant species for the purpose of this Ordinance:

- (1) All species of *Casuarina*, including Australian pine;
- (2) *Enterolobium cyclocarpum*: ear pod tree;
- (3) *Melia azedarach*: Chinaberry;
- (4) *Schinus terebinthifolius*: Brazilian pepper tree;
- (5) *Melaleuca quinquenervia*: Melaleuca, punk or paper tree;
- (6) *Albizia lebbek*: Mother's tongue;
- (7) *Grevilla robusta*: Silk oak;
- (8) *Jacaranda acutifolia*: jacaranda;
- (9) *Eucalyptus*: all species;
- (10) *Sapium sebiferum*: Chinese tallow tree;
- (11) *Albizzia julibrissin*: Mimosa.

VEGETATION, PROTECTED:

All vegetation other than:

- (1) Prohibited plant species; or
- (2) Non-native fruit trees that are cultivated or grown for the specific purpose of producing edible fruit including, but not limited to, mangoes, avocados, or species of citrus; or
- (3) Trees that are less than five (5) inches in diameter at a point four and one-half (4 1/2) feet aboveground or less than fifteen (15) feet in height.
- (4) Grasses.

VEGETATION INVENTORY:

A drawing or sketch prepared to scale which provides the approximate location, extent, and common names of the trees or major groups of vegetation on site. The vegetation inventory shall include the proposed locations of buildings, structures, driveways, and other improvements drawn to scale and the individual location of all protected trees of approximately twelve (12) inches DBH or greater within all improvement areas and within ten (10) feet of all improvement areas.

VEHICULAR SIGN:

A sign affixed to a vehicle or trailer for the purpose of advertising. For the purposes of this Code, such signs shall only be applicable when said vehicle or trailer is temporarily or permanently located on a parcel for the primary purpose of conveying a business message.

WALL FACE:

The entire building front including the parapet.

WALL MURAL:

A wall mural shall mean any picture or graphic design painted on or otherwise applied to the exterior of a building or structure or to the surface of window. A wall mural may include advertising or other commercial slogans or statements to the extent that the advertising or commercial slogan does not violate the wall sign requirements of the zoning district in which the mural is located.

WALL SIGN:

A sign erected parallel and attached to the outside wall facade of any building or fence, including flat, painted, individual letter, or cabinet signs.

WATER DEPENDENT ACTIVITY:

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

WATER OR SEWER UTILITY:

As used by this Code, a water or sewer utility shall mean a water or sewer utility which is providing service to one hundred (100) or more persons for compensation.

WELL:

Any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed when the intended use of such excavation is to conduct groundwater from a source bed to the surface, by pumping or natural flow, when groundwater from such excavation is used or is to be used for a public water supply well.

WELLFIELD PROTECTION OFFICER:

The St. Lucie County Hydrologist or designee.

WETLAND:

An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

WETLAND ALTERATION:

Any dredging, filling, cutting, drainage, or flooding of a jurisdictional wetland.

WETLAND DREDGING:

Any disruption or displacement of wetland substrate or bottom sediments or contours. It also means the excavation or creation of a water body which is or will be connected to jurisdictional wetlands as defined in Section 6.02.03 (B).

WETLAND FILLING:

The placement of any material in, on, or over a jurisdictional wetland.

WETLAND FUNCTIONS:

The roles wetlands serve, including but not limited to flood storage, flood conveyance, ground water recharge and discharge, erosion control, wave attenuation, water quality enhancement and protection, nutrient removal, food chain support, wildlife habitat, breeding and habitat grounds for fishery species, and recreational values.

WETLAND MITIGATION:

The compensation for the loss of wetland acreage, value and functions by the creation of new wetlands or the enhancement of existing wetlands.

WHIP ANTENNA:

A cylindrical antenna that transmits signals in 360 degrees.

WHOLESALE TRADE:

The sale of goods for resale by a retail establishment to the ultimate consumer.

YARD:

An open space at grade between a building and the property lines of the lot on which the building is located, unoccupied and unobstructed from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the depth of a side yard, the depth of a front yard, or the depth of a rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

YARD, FRONT:

A yard extending across the front of a lot, bounded by the side lot lines, front property line and the front of the main building or any projections thereof. In all cases, the main building and any projections thereof must be behind the line of minimum lot width.

YARD, REAR:

A yard extending across the rear of a lot between the side lot lines and the rear property line, and being the required minimum horizontal distance between the rear property line and the rear of the main building or any projections thereof. On all lots the rear yard shall be at the opposite end of the lot from the front yard.

YARD, SIDE:

A yard between the main building and the side line of the lot, extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side property line and the side of the main building or any projections thereof.

YARD TRASH:

Means vegetative matter resulting from landscaping maintenance and land clearing operations.

ZONE OF PROTECTION:

Those areas around public water supply wellfields meeting the criteria in Section 6.03.02.