

## CHAPTER II DEFINITIONS

NOTE: Terms not otherwise defined herein Shall be interpreted first by reference to the Lake County adopted Comprehensive Plan, if specifically defined therein; secondly, by reference to generally accepted engineering, planning, or other professional terminology if technical; and otherwise according to common usage, unless the context clearly indicates otherwise.

**Abandoned or Derelict Vehicles.** A Vehicle will be considered Abandoned or Derelict if it is in a state of evident disuse, neglect or abandonment. Evidence may include, but is not limited to, factors such as: Vehicle being wrecked, inoperative as evidenced by vegetation underneath as high as the Vehicle body or frame, refuse or debris collected underneath or the Vehicle being used solely for storage purposes, if it is partially dismantled, having no engine, transmission, or other major and visible parts which are dismantled, or being in any physical state rendering it inoperable or unsightly to the neighborhood.

**Abandoned Sign.** A Sign that no longer identifies a bona fide business, lessor, service, owner, product, or activity where such business, lessor, service, owner, product or activity has been discontinued for a period of twelve (12) consecutive months, or the registration of a business tax receipt for which the expiration has exceeded one (1) year. This shall also include any sign structure which has not been used for the above stated time frame that is non-conforming regarding height or setback.

**Abutting Lots of Record.** Any Lot of Record which is immediately adjacent, contiguous, or across a nonpublicly maintained Road to another Lot of Record. Lots of Record which are separated by a publicly maintained Road or Water Body are not abutting.

**Abutting Property.** Any Property that is immediately adjacent or contiguous to property that may be subject to any hearing required to be held under these regulations or that is located immediately across any Road or public Right-of-Way from the property subject to any hearing under these regulations.

**Accessory Structure, Use or Building.** Any subordinate Structure, Use or Building customarily incidental to and located upon the same Lot occupied by the main Structure, Use or Building.

**Access.** Ingress and egress to Land bordering on a system of Roads.

**Access Management.** The Management of ingress and egress to Land bordering on a system of Roads.

**Access Road.** A Public Road, one-way or two-way, which is auxiliary to and normally located parallel to a Roadway for the purpose of maintaining Local Road continuity and controlling Access to parcels adjacent to the fronting Roadway. Abutting properties connect to the Access Road which connects with the Roadway at specified intervals.

**Access-Way.** A paved area intended to provide ingress and egress of vehicular traffic from a public

Right-of-Way to an off Street Parking Area or loading area.

Accident Potential Hazard Area. An area within five thousand (5,000) feet of the approach or departure end of a Runway or in proximity to an Airport which air craft may maneuver after takeoff or before Landing and are subject to the greatest potential to crash into a Structure or the ground.

Addition (to an Existing Building). Any walled and roofed expansion to the perimeter of a Building in which the Addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed Addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is New Construction.

ADT. Average Daily Traffic. The average number of Vehicles passing a specified point in both directions during a twenty-four (24) hour period.

Agricultural Sign. Signs related to bona fide agricultural products which are raised or grown on the property on which they are located.

Agriculture. The use of the Land and/or water for agricultural purposes, including farming, the keeping of rarties, dairying and pasturage, apiculture, aquaculture, horticulture, floriculture, viticulture, Silviculture, animal and poultry husbandry, and the necessary Accessory Uses for packing, treating, or storing the produce raised thereon. Agriculture includes normal agricultural operations such as, but not limited to, Site preparation, Clearing, fencing, contouring, soil preparation, plowing, planting, harvesting, Construction of Access Roads, placement of bridges and culverts, and extraction of stumps and submerged logs.

Agricultural Housing (Labor Camps). Cluster Housing for farm workers where the Occupants of such camps or housing perform work not on the premises where such camp is located.

Air Contaminants. A particulate matter as defined herein, gas or odor, including but not limited to, smoke, charred paper, dust, soot, grime, carbon or any other particulate matter, or irritating, malodorous or noxious acids, fumes or gases, or any combination thereof, but Shall not include uncombined water vapor.

Air Pollution. The presence in the outdoor atmosphere of one (1) or more Air Contaminants or combination thereof in such quantities and of such duration to be detrimental to the health of human, plant or animal life, or property, or which unreasonably interfere with the comfortable enjoyment of life or property, or conduct of business.

Airport. Any Runway, Landing area, airpark, seaplane base, or other facility designed, used or intended to be used either publicly or privately by any Persons for the Landing and taking off of aircraft, including all necessary taxiway, aircraft storage and tie-down areas, hangars and other necessary Buildings and Open Spaces.

Airport Elevation. The highest point of an Airport's usable Landing area measured in feet above Mean Sea Level.

Airport Obstruction. Any Structure or object of natural growth or use of Land which would exceed the federal obstruction standards as contained in 14 CFR 77.21, 77.23, 77.25 and 77.28 or which obstructs the

airspace required for flight or aircraft in Landing and take-off at an Airport or is otherwise hazardous to such Landing or take-off or aircraft.

**Airspace Height.** To determine the height limits in all zones set forth in this article, the datum Shall be Mean Sea Level elevation (AMSL) unless otherwise specified.

**Allee.** A formal landscape architectural design element in which two (2) parallel rows of trees or clipped hedges are planted, usually along a pedestrian path or border. Typically, the trees or shrubs are of one (1) size and species.

**Alley.** Any public or private Right-of-Way primarily designed to serve as secondary Access to the side or rear of any property whose principal Frontage is on a Road.

**Alteration.** Development Activity including, but not limited to, Removal of, or damage to, vegetation; by cutting, Filling, ditching, Dredging, draining, Excavation, earth moving, water containment and changes in the Natural Flow Regime, or the effects of such actions.

**Animated Sign.** A Sign that uses movement or change of lighting to depict action or create a special effect. This definition shall include wind-driven signs, banners, streamers or similar devices.

**Apartment.** A suite of rooms or room in a multifamily Building arranged and intended for a place of residence of a single-family or a group of individuals living together as a single housekeeping unit.

**Appeal.** A request for a review of the County Manager or designee's interpretation of any provision of this article or a request for a Variance.

**Applicant.** Any Person who submits an application to engage in Development or Development Activity.

**Aquaculture.** The cultivation of animal and plant life in a water environment. This Shall include, but not be limited to, the cultivation of alligator, food fish, shellfish, tropical fish and aquatic plants.

**Aquatic.** See Surface Waters.

**Aquatic Dependent Wildlife Species.** Any wildlife species whose life cycle depends in whole or in part on an Aquatic environment.

**Aquifer.** An underground formation, group of formations, or part of a formation that is permeable enough to transmit, store or yield quantities of water.

**Architect.** A qualified Person registered and currently licensed to practice Architecture in the State of Florida.

**Area of Shallow Flooding.** A designated AO, AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one (1) percent or greater chance of Flooding, in any given year, to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of Flooding is unpredictable

and where velocity flow may be evident. Such Flooding is characterized by ponding or sheet flow.

**Area of Special Flood Hazard.** Land within a community in the Floodplain which is subject to a one (1) percent or greater chance of Flooding in any given year. (Also called Special Flood Hazard Area.)

**Arterial Road.** A route providing service which is relatively continuous and of relatively high traffic volume, long average trip length, high operating speed, and of high mobility importance.

**Artisan Aquifer.** An Aquifer in which water is confined so that its surface is not free to rise.

**Artisan Water.** Ground Water that is under sufficient pressure to rise above the level at which it is encountered by a well, but which does not necessarily rise to or above the surface of the ground.

**As-Built Plans.** The final plans amended to include actual locations, dimensions, elevations, capacities, and capabilities, as constructed and installed, as applicable to the various chapters of this Land Development Regulations.

**Assessment.** That non-ad valorem Assessments to be imposed upon the Owners of all improved real property within the County during any year pursuant to a resolution, such non-ad valorem Assessment being only those Assessments which are not based upon millage and which can become a lien against a homestead as Permitted in Section 4, Article X of the Florida Constitution.

**Attachment Easement.** An Attachment Easement is an Easement granted to allow an adjacent property Owner to erect or construct a Building attached to a Building on the grantor's property line where such Building has one (1) wall at the common property line.

**Attic.** The habitable area within the pitch of a roof.

**Automobile Graveyard (also see Salvage and Junkyard).** An establishment or place of business which is maintained or operated for the use of storing, keeping, buying or selling wrecked, scrapped, ruined, or dismantled motor Vehicles or motor Vehicle parts.

**Automobile Sales Lot.** An open area for the display, sales or rental of new or used automobiles but where no remodeling, repairing, repainting or the sale of new or used parts is carried on.

**Automobile Salesroom.** A new car dealership which may include a service garage, paint and body shop and used car sales Lot where such activities are subordinate and Accessory uses to the new car dealership.

**Awning.** A shelter projecting from and supported by the exterior wall of a building extending over sidewalks.

**Awning Sign.** A Sign painted or printed on the surface of an awning.

**Background.** The condition of waters and air in the absence of the activity or Discharge under consideration, based on the best scientific information available.

**Banner Sign.** A Sign made of fabric or any non-rigid material with no enclosing framework and is intended as a temporary Sign.

**Base Density.** The maximum number of Dwelling Units Permitted by the zoning classification of property in a Receiving Area computed on the net acreage of the property without the use of transferred Development Rights.

**Base Flood.** The Flood having a one (1) percent chance of being equaled or exceeded in any given year. For purposes of the application of this article, the Base Flood (100-year Flood) and its associated elevation (Base Flood Elevation, or BFE) Shall be determined from the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMS) or the best data available from a federal, state or other source. If FEMA's information lacks a BFE or if the County is aware of more restrictive conditions or elevations than those shown on the FIRMS then the County's interpretation Shall apply.

**Base Site Area.** The gross Site area minus the Land devoted to Waters of the State and open water bodies.

**Basement.** That portion of a Building having its Floor Subgrade (below ground level) on all sides.

**Bed and Breakfast Homes.** Establishments, containing two (2) or fewer guest rooms, primarily engaged in providing accommodations or renting rooms on a temporary basis to visitors to the area in the primary residence of the host, with or without board, on a fee basis. Provisions within the primary residence of the host are intended to accommodate the needs of the guests in order to maintain a level of guest activity that does not have any appreciable effect on the day-to-day activities of the residential area.

**Bed and Breakfast Inns.** Establishments, containing five (5) or fewer guest rooms, primarily engaged in providing lodging for visitors to the area and meals for the guests, not the general public, via an interior kitchen and dining facility, on a fee basis. Host accommodations are generally located within the primary structure, which may be their primary residence, for the purpose of preparing and serving meals to the guests, as well as Personally interacting with the guests by helping them become better acquainted with the area, and providing such hospitality as would be afforded to any houseguest.

**Beneficiation.** The process whereby earthen materials are washed to separate the mineral with which it is naturally combined and specifically to separate the waste, sand and clay soils in which a natural mineral exists in a natural state.

**Best Management Practices.** Techniques utilized to minimize impacts as established by the various regulatory agencies in charge of that particular area.

**Block.** A Tract of Land bounded by Streets, or by a combination of Streets and public parks, cemeteries, Railroad Rights-of-Way, shore lines of waterways, other definite barrier or boundary of a city, town, or village.

**Board.** The Board of County Commissioners of Lake County, Florida unless otherwise specified in this Land Development Regulations.

**Boat Trailer.** A trailer used for, or designed for, carrying boats.

**Bosque.** A formal landscape architectural design element in which a group of trees are planted in a geometric grid pattern and transected by walks or pedestrian paths. Typically, the trees are of one (1) size and species.

**Breakaway Walls.** Any type of walls, whether solid or lattice, and whether constructed of concrete, masonry, wood, metal, plastic or any other suitable Building materials, which are not part of the structural support of the Building and which are so designed as to collapse under specific lateral loading forces without causing damage to the elevated portion of the Building or the supporting foundation system.

**Brightwater.** Reclaimed water from treated wastewater.

**Buffer.** The Land Area used to separate one (1) area from another or to protect the quality and habitat of an adjacent area or to maintain the benefits and functions of an adjacent area as applicable to the various chapters of the Code.

**Building.** Anything constructed or erected for the support, shelter, or enclosure of Persons, animals, chattels or moveable property of any kind, and having a fixed location on the ground, or attached to something having a fixed location on the ground.

**Building Front.** That area of the Building which faces the public or Private Road by which the Building was numbered.

**Building, Height of.** The distance from Grade to the highest finished roof surface in the case of flat roofs or to a point at the average height of the highest roof having a pitch.

**Building Line.** An imaginary line on a Building Site specifying the closest point from a Right-of-Way line or a property line where a Structure may be located.

**Building Setback Line.** A line within a Lot or other Parcel of Land so designated on the Preliminary Plat, or Site Plan between which line and the adjacent boundary of the Street or adjacent properties, designated wetlands, buffers and/or water bodies upon which the Lot abuts, the erection of a Building is prohibited without a variance.

**Building Site.** A parcel, or contiguous parcels, of Land in single or joint Ownership meeting the size, Access and zoning requirements for the Structure to be placed thereon.

**Bus.** Any motor Vehicle designed for carrying more than ten (10) passengers and used for the transportation of Persons and any motor Vehicle, other than a taxi-cab, designed and used for the transportation of Persons for compensation.

**Caliper.** Trunk caliper is measured six (6) inches from the ground on trees up to and including four (4) inches caliper and twelve (12) inches above the ground for larger trees.

**Campaign Sign.** Any Sign which is designed to influence the action of the voters for the passage or defeat of a measure appearing on the ballot at any national, state, or local election.

**Campgrounds (See also Recreational Parks).** A Parcel of Land under unified Ownership and Management which has been planned, designed and constructed for the placement of Recreational Vehicles and/or tents for short term occupancy of spaces rented from the Owner for recreational purposes.

**Canal.** An artificial waterway for transportation, irrigation, or stormwater conveyance.

**Capital Improvement.** This includes traffic Engineering studies, transportation planning, Right-of-Way acquisition, Engineering, and Construction, but Shall not include routine or periodic Maintenance as defined in F.S. Ch. 334, § 334.03(15) or (20).

**Carport.** A Private Garage not completely enclosed by walls and doors.

**Car Wash.** A Building or Structure, or portion thereof, containing facilities for washing more than two (2) automobiles.

**Cattery.** See Kennel.

**Channel.** A trench, the bottom and the upper edges of its sides normally below water.

**Church.** A Building used for nonprofit purposes by a recognized and legally established sect solely for the purpose of worship.

**Clean Debris.** Any Solid Waste which is virtually inert and which is not a pollution threat to Groundwater or Surface Waters and is not a fire hazard and which is likely to Retain its physical and chemical Structure under expected conditions of disposal or use. The term includes uncontaminated concrete, including embedded pipe or steel, brick, glass, ceramics, and other wastes designated by the Florida Department of Environmental Regulation (Environmental Control, Part IV, Recovery and Management, F.S. § 403.703(35)).

**Clearance.** The shortest vertical distance between the grade of the street, highway, or curb and the lowest point of any Sign.

**Clearing.** The Removal of Trees, Shrubs, Ground Cover, rocks, earth, or other vegetation by digging, plowing, disking, pushing or cutting, or the effective Removal through damage.

**Clerk.** The Clerk of the Board of County Commissioners of Lake County and the Clerk of the Circuit Court of Lake County.

**Cluster Housing.** A group of two (2) or more separate Buildings for Dwelling purposes, located on the same Lot, parcel of Tract and sharing the same Open Spaces; the Land being under one (1) Ownership or in joint Ownership, such as for a Condominium. This Shall not be interpreted as a Mobile Home park or Subdivision, or as a Travel Trailer park and campground. The Density of the proposed Cluster Housing Shall be

in conformance with the zoning district in which the property is located.

**Clustering or Clustering Development.** A Development design technique that concentrates Buildings in specific areas of a Site to allow the remaining Land to be used for recreation, common Open Space and preservation of Environmentally Sensitive natural features.

**Code.** The Lake County Code.

**Collector Road.** A route providing service which 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 and serves as a linkage between Land Access and mobility needs.

**Co-location (Wireless Communications Facility).** The placement of more than one (1) service provider's communications equipment on a single tower or on a single structure.

**Commercial Development.** C1, C2, C3 or CP zoning as defined in the Lake County Code as amended from time to time.

**Commission (See County Manager or Designee.)**

**Commission.** The Florida Environmental Regulation Commission.

**Community Facility.** Any facility that is an allowable use pursuant to Subsection 3.01.02(E).

**Compensating Storage.** Equivalent Floodplain storage provided to counterbalance Floodplain Filling.

**Compliance Tests.** As used in Chapter 6, Resource Protection Standards tests made to determine compliance with the provisions of these Rules and Regulations promulgated hereunder. For the purpose of determining Effluent quality, said tests Shall be performed with an Effluent Discharge device; and for Stream and Lake standards, said test performed outside prescribing mixing zone.

**Comprehensive Transitional Educational Facility.** A facility which contains a Comprehensive Transitional Educational Program as defined by F.S. § 393.063.

**Conditional Use.** A specific use, as listed in Chapter III, which is more intense or different than the Permitted uses on a specific piece of property, under specific circumstances, in the zoning district but which may be permissible under appropriate conditions subject to approval by the Board of County Commissioners, after review by the Planning and Zoning Board. Conditional uses would not be appropriate if Permitted throughout the zoning district, but when subject to appropriate limitations, conditions and safeguards, would promote the health, safety, welfare, convenience and comfort.

**Condominium.** A system of separate Ownership of individual units in a multiple unit Building.

**Confining Unit.** Any deposit that lies between and retards the exchange of water between Aquifers. For



the purpose of these regulations, the "Floridan Aquifer Confining Unit" Shall be defined as the contiguous retarding unit existing below the proposed Excavation area and immediately above and in contact with the top of the Floridan Aquifer.

**Conforming Building.** Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground which meets the standards and regulations of this Land Development Regulations.

**Connection.** Driveway, Road, turnout, or other means of providing for the movement of Vehicles to or from property abutting an adjacent Highway System. Two (2) one (1) way Connections to a property may constitute a single Connection.

**Conservation.** The prudent use of natural resources commensurate with environmental functions.

**Conservation Area.** Land Areas designated for the purpose of conserving or protecting natural resources or environmental quality, including, but not limited to, areas designated for such purposes as Flood control, protection of Groundwater or Surface Water Quality or quantity, Floodplain Management, fisheries Management, or protection of vegetative communities or wildlife habitat.

**Conservation Easement.** A recorded Easement deed approved in form by the County Attorney which legally describes a portion of a property that is bound to Conservation uses in perpetuity, and which prohibits or limits the activities described in F.S. § 704.06, as the same now exists or may from time to time be amended. All Conservation Easements Shall include the legal description and be recorded. When Plats are involved, the Easement Shall be recorded prior to or in conjunction with the recording of the Final Plat.

**Conservation Plan.** A formal document which outlines a system of Management practices to control soil Erosion and to improve Water Quality for a specific parcel of property, and which has been either:

- (1) Prepared by the United State Department of Agriculture Soil and Water Conservation Service (SCS) in conjunction with a local Soil and Water Conservation Board, organized pursuant to Chapter 582, F.S.;
- (2) Prepared by a private consultant to standards, specifications, and guidelines Developed by the SCS; or
- (3) Prepared by a private consultant based on SCS guidelines using guidelines for Conservation Plans using accepted Engineering principles, and which provides an equivalent level of treatment.

**Construction or Construction Activity.** The Building of, or Substantial Improvement to, any Structure or the Clearing, Filling, or Excavation of any Land. It Shall also mean any Alteration in the size or use of any existing Structure or the appearance of any Land. When appropriate to the context, Construction Activity refers to the act of Construction or the result of Construction.

**Construction Sign.** A temporary Sign identifying the contractor, architect, sub-contractor, or Sponsor

participating in the Construction or Development of the Property where the Sign is located.

**Conventionally Built Home.** A single-family Dwelling which is either constructed on-site or is a Manufactured Building. A Conventionally Built Home is not a Manufactured Home, Mobile Home, Travel Trailer, housing mounted on a motor Vehicle, tent, houseboat, or a form of temporary housing.

**Conventional Construction.** Where materials are transported to Building Site and assembled from the ground up according to the Building Codes established for the County.

**Corner Lot.** A Lot adjacent to two (2) or more Roads, Private Roads, or private Easements which intersect.

**County.** Lake County, Florida, or the governing body thereof, the Board of County Commissioners, or their representatives.

**County Attorney.** The County Attorney of Lake County.

**County Engineer.** The County Engineer or designee.

**County Manager.** The County Manager of Lake County, Florida.

**County Road System.** "County Road System" means all Collector Roads in the unincorporated areas of a County 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.

**Cover, Utilities.** As used in Section 9.08, Utilities, any device, equipment, container, close fitting tarpaulin, chain, rope, wire or line used on Vehicles to prevent any part of a Vehicle load from sifting, blowing, leaking, falling or escaping in any manner from the Vehicle.

**Creation.** A human activity which brings a wetland into existence at a Site where it did not presently exist.

**Critical Habitat.** The viable areas of habitation including feeding, breeding, and nesting areas for species of Special Concern as well as Endangered and Threatened species as confirmed by appropriate jurisdictional agency documentation, or by reports which may be submitted by an Applicant requesting a Development Order on a Site containing an area of such habitation by the above noted species. The extent of these areas Shall have a definitive boundary which may vary in extent based on the individual species.

**Cross Access Corridor.** A means of providing unified Access which provides circulation between adjacent Sites.

**Cul-de-sac.** A Road having only one (1) open end providing Access to another Road; the closed end provides a turnaround circle for Vehicles, no other Road intersects between the two (2) ends, and property fronts on both sides of the Road.

**Curb Line Distance.** Curb line distance is defined as the most direct distance possible utilizing Rights-of-Way, Easements or other dedicated routes.

**Dead End Road.** A Road similar to a Cul-De-Sac except that it provides no turnaround circle at its closed end.

**Density.** A ratio of Dwelling Units per Base Site Area.

**Density of Residential Development.** The maximum number of residential units which may be constructed on a given amount of Land under the existing zoning classification of that Land, without consideration of the provisions of this article.

**Designated Species.** The endangered or threatened species of special concern listed in F.S. Ch. 581, §§ 581.185 through 581.187, for flora, Chapter 39, Sections 39-27.003 through 39-27.005, Florida Administrative Code, for fauna, and 50 CFR 17.11-12 for both flora and fauna.

**Designated Use, or Designated Use of a Water Body.** As used in Sections 6.09, 6.10, and 13.01, the present and future most beneficial use of a body of water as designated by Lake County by means of the classifications system contained in those Sections.

**Detention or To Detain.** The collection and temporary storage of stormwater so as to provide for its treatment through physical, chemical, or biological processes and/or attenuation.

**Developer.** Any Person, firm, corporation or agency including government agencies undertaking any Development or Development Activity as defined in this ordinance.

**Development or Development Activity.**

1. The term Development means the carrying out of any Building activity or mining operation, the making of any material change in the use or appearance of any Structure or Land, or the dividing of Land into three (3) or more parcels.
2. The following activities or uses Shall be taken for the purposes of this chapter to involve Development, as defined in this Section:
  - (a) A reconstruction, Alteration of the size, or material change in the external appearance of a Structure on Land.
  - (b) A change in the intensity of use of Land, such as an increase in the number of Dwelling Units in a Structure or on Land or a material increase in the number of businesses, manufacturing establishments, offices, or Dwelling Units in a Structure or on Land.
  - (c) Alteration of a shore or bank of a seacoast, river, Stream, Lake, pond, or Canal, including any coastal Construction as defined in F.S. § 161.021.

- (d) Commencement of drilling, except to obtain soil samples, mining, or Excavation on a Parcel of Land.
  - (e) Demolition of a Structure.
  - (f) Clearing of Land as an adjunct of Construction.
  - (g) Deposit of Refuse, solid or liquid waste, or fill on a Parcel of Land.
3. The following operations or uses Shall not be taken for the purpose of this chapter to involve Development as defined in this Section:
- (a) Work by a highway or Road agency or railroad company for the Maintenance or improvement of a Road or railroad track, if the work is carried out on Land within the boundaries of the Right-of-Way.
  - (b) Work by an utility and other Persons engaged in the distribution or transmission of gas or water, for the purpose of inspecting, repairing, renewing, or constructing on established Rights-of-Way any sewers, mains, pipes, cables, utility tunnels, powerlines, towers, poles, tracks, or the like.
  - (c) Work for the Maintenance, renewal, Improvements, or Alteration of any Structure, if the work affects only the interior or the color of the Structure or the decoration of the exterior of the Structure.
  - (d) The use of any Structure or Land devoted to Dwelling uses or any purpose customarily incidental to enjoyment of the Dwelling.
  - (e) The use of any Land for the purpose of growing plants, crops, Trees, and other agricultural or forestry products; raising livestock, or for other agricultural purposes.
  - (f) A change in use of Land or Structure from a use within a class specified in an ordinance or rule to another use in the same class.
  - (g) A change in the Ownership or form of Ownership of any parcel or Structure.
  - (h) The Creation or termination or rights of Access, riparian rights, Easements, covenants concerning Development of Land, or other rights in Land.
4. Development as designated in the Land Development Regulations includes all other Development customarily associated with it unless otherwise specified. When appropriate to the context, Development refers to the act of developing or to the result of Development. Reference to any specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not Development. Reference to particular operations is not intended to limit the generality of Subsection (1).

Development Activity Continuing Without Interruption. Any work to modify Site conditions including Building, Clearing, Filling, Excavation, grading or planting of vegetation or the making of any material change in the size or use of any Structure which has taken place in the preceding six (6) months.

Development Controls. These Subdivision regulations, Building Code, electrical Code, plumbing Code, zoning regulations, etc., adopted or used by Board in implementing the Lake County Comprehensive Plan.

Development Order. An order issued by the County Manager or designee, Board of Adjustment, or Board of County Commissioners, granting, denying or granting with conditions an application for Development. Development Orders are classified as either preliminary or final.

- a. "Preliminary Development Order": means an order conferring certain rights, after specific elements of a conceptual development plan have been approved by all appropriate reviewing departments and agencies.
- b. "Final Development Order": means the last official action of the approving agency taken on a development plan that has been given preliminary approval, after all conditions and requirements of preliminary approval have been met and the required improvements have either been installed or guarantees properly posted for their installation, or approval conditioned upon the posting of such guarantees.

Development Permit. See Development Order.

Development Plan. Plans submitted in accordance with the provisions of Section 14.03.04, of these regulations.

Development Rights. The potential for the improvement of a parcel of real property, measured in Dwelling Units per Gross Acre, which exists because of the zoning classification of the parcel.

Directional Median Opening. An opening in a Restrictive Median which provides for U-turn only, or left-turn in movements. Directional Median Openings for two (2) opposing left or "U-turn" movements along one (1) segment of Road are considered one (1) Directional Median Opening.

Directional Sign. A Sign which only provides direction to entrances, exits, parking areas, restrooms or non-business related facilities.

Directory Sign. A Sign on which the names and locations of occupants or the use of a Building is given.

Discharge. The outflow of water from a Site, Aquifer, pipe, well, waterbody or Drainage Basin.

Discouraged Use. Any use which is detrimental to the existing uses, residents or Occupants of the surrounding area. A use which is not appropriate at a location or in a zoning district due to its nature, Intensity, level of traffic generation or impact upon surrounding uses.

**Disposal Area.** Any Site, location, Landfill, Tract of Land, area, Building Structure, transfer box, transfer station, or premises to be used for Refuse disposal or accumulation.

**Disturbed Lands.** The surface area of the Land that has been disturbed as a result of or incidental to Development Activity, as applicable to the various chapters of this Land Development Regulations.

**Dominance.** The presence of species or communities in greater numbers, biomass, or areal extent than competing species or communities, or a scientifically accepted tendency of species or communities to achieve such a status under existing or reasonably anticipated conditions.

**Dormitory.** A Building or part of a Building operated by an institution for living and sleeping, but not for cooking or eating purposes.

**Double Faced Sign.** A Sign with two (2) faces back to back.

**Double Frontage Lot.** A Lot adjacent to two (2) or more Roads, Private Roads, or private Easements which are parallel to each other.

**Drainage Basin.** A Drainage System consisting of water courses of impounded waterbodies together with all Tributary surface Streams.

**Drainage Facilities.** Any Canal, ditch, culvert, dike or other facility which lowers the surface or ground water table, acts as a conduit, diverts or directs the flow of water or otherwise affects the Natural Flow Regime.

**Drainage System.** All facilities used for the movement of water through and from a drainage area including, but not limited to, any and all of the following conduits and appurtenant features: Canals, channels, ditches, flumes, culverts, Streets, as well as all Watercourses, water bodies and Wetlands.

**Dredging.** An Excavation of soil or other substrate, including organic matter by any means in water bodies or Wetlands. It also means the Excavation or Creation of a Water Body which is, or is proposed to be, connected to waters, directly or via excavated water bodies or a series of excavated water bodies.

**DRI (Development of Regional Impact).** The term "Development of Regional Impact" as defined in F.S. § 380.06, means any Development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one (1) County. The standards for DRI's are found in the Florida Administrative Code, Chapter 9J-2, Rules of Procedure and Practice Pertaining to Developments of Regional Impact as amended March 24, 1994.

**Drip Line.** An imaginary line on the ground defined by vertical lines which extend from the outermost tips of the tree branches to the ground.

**Driveway.** An Access constructed within the public Right-of-Way, connecting the Public Roadway with adjacent property and intended to be used in such a way that the Access into the adjacent property will be complete.

Dwelling or Dwelling Unit. A single unit providing complete, independent living facilities for one (1) or more Persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

Two-family or Duplex Dwelling Unit. A two-family or duplex Dwelling is one (1) Building containing only two (2) Dwelling Units.

Easement. Any strip or Parcel of Land created by a subdivider for public or private utilities, Access, drainage, sanitation or other specified uses having limitations, the title to which Shall remain in the name of the property Owner subject to the right of use designated in the reservation of the servitude.

ECFRPC. East Central Florida Regional Planning Council

Effective Precipitation. That part of the precipitation (rainfall) which contributes to direct surface runoff.

Effluent. The liquid waste of Sewage and industrial processing.

Effluent Limitation. Any restriction established by Lake County on quantities, Rates or concentrations of chemical, physical, biological or other constituents which are Discharged from sources into Waters of the State.

Elevated Building. A Non-Basement Building built to have the lowest Floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, or columns (posts and piers).

Embellishments. An extension of the perimeter of the Sign face, irregular in shape and added for the purpose of artistic design.

Encroachment. Any Structure or object occupying, projecting into or obstructing any portion of a designated public Right-of-Way, yard, Floodplain or Floodway, bufferyard, landscaped area or any other designated area in which the structure or object is not Permitted by these regulations, including but not limited to Buildings or other materials, all or portions of permanent or temporary Buildings or other structures, fences and ornamental structures, and where appropriate to the context, vehicles; but excluding federally approved mailboxes where Permitted and approved driveways.

Engineer. A qualified Person registered and currently licensed to practice Engineering in the State of Florida.

Enhancement. The improvement of the ecological value of an existing wetland.

Entrance Sign. An identification structure located at the main entrance to a County approved development.

Environmentally Sensitive. Ecological systems which are sensitive to Development impacts and provide important natural functions for the Maintenance of environmental quality and wildlife habitat.

Erosion. The wearing or washing away of soil.

Excavation. The Removal, stripping or disturbance of soil, earth, sand, clay, peat, rock, gravel or other similar material from the ground.

Existing Building. A Building erected prior to the adoption of the ordinance or one for which a legal Building Permit has been issued and activated in the time period specified thereon.

Existing Development. A Plat which was recorded prior to July 16, 1991; A Plat which has been granted vested rights pursuant to a Vested Rights Certificate; An unrecorded Plat which Lake County has recognized; An Agricultural Lot Split, a Large Lot Split or Minor Lot Split approved by Lake County prior to July 16, 1991.

Existing Stormwater and Surface Drainage Facilities. Those stationary installations which Discharge, or will Discharge their storm-generated Effluent into Waters of the State, whose final design plans were approved by the County Manager or designee before the effective date of these rules.

Exotic Animals. Those animals classified as either Class I or Class II captive wildlife as set forth in Rule 68A-6.002, Florida Administrative Code.

Expansion of Existing Mobile Home Parks or Manufactured Home Park or Subdivision. The Construction of facilities, including concrete pads, if any, or if no such pads are to be provided, then the installation of utilities and final Site grading, in a Mobile Home park, Manufactured Home Park or Subdivision.

Expansion of the Capacity of a Road. Any widening, intersection improvement, signalization, or other Capital Improvement designed to increase the Road's capacity.

Facade. The wall of a Building which corresponds to a Lot Frontage.

Family. A collective body of Persons, living together in one (1) home, in a permanent and domestic character, under one (1) head or Management.

Farm Building Except Chapter 15 (Road and School Impact Fees). A Structure which stores agricultural equipment, products, and supplies, but no animals.

FDNR. Florida Department of Natural Resources.

FDOT. Florida Department of Transportation.

Fee-Payer. A Person commencing Land Development Activity that requires payment of fees covered by this Land Development Regulations.

Feeder/Distributor Road. A Road which functions as a link between Developments or small communities and higher volume Roadways, as well as provides a relatively high degree of Access to Abutting Property. A Feeder/Distributor provides a Connection from a local area onto collectors and arterials and conversely provides a route to distribute traffic from collectors and arterials into the local area. Feeder/Distributors should be generally designed to carry between 1,500 to 4,000 Vehicles per day.



FGFWFC. Florida Game and Freshwater Fish Commission

Fill. Man-made deposits of earth or waste materials used to fill excavations, to increase the vertical or horizontal extent of Land or solid waste disposal units, or to build embankments.

Filling. Deposition of materials by any means in water bodies or Wetlands.

Final Treated Effluent. That Discharge from any source which has passed through all components of the designated treatment facility designed to attain required Removal of pollutants. Sampling for treatment efficiency Shall be specified in the current Operating Permit, or as designated by the County if a sampling point is not specified in the Permit.

Finished Grade. The settled level of the ground, asphalt or pavement on which a sign is erected which surrounds all or the majority of the parcel.

Flag Lot. A Lot with Access provided to the bulk of the Lot by means of a narrow corridor. (A narrow corridor is less than 50 feet in width.)

Flood or Flooding. A 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 or runoff of Surface Waters from any source; and
- (3) The collapse or subsidence of Land along the shore of a Lake or other body of water as a result of Erosion or undermining caused by an unusually high water level in a natural body of water, accompanied by a severe storm or force of nature, such as a flash Flood, a seiche, or an abnormal tidal surge, or by some similarly unusual event which results in Flooding as defined in paragraph (1) above.

Flood Control Works. Any manmade Construction such as a dam levee, groin or jetty designed to alter the Flood potential of the body of water on or adjacent to which it is built.

Flood Hazard Boundary Map. The official map of a community issued by the Federal Emergency Management Agency where the boundaries of the areas of Special Flood Hazard have been designated as Zone A.

Flood Insurance Rate Map. The 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 the 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 for a given area. A Flood Study can be done for an area by entities or agencies other

than FEMA which could not be considered "official" until endorsed by FEMA.

**Floodplain.** Any Land Area that is susceptible to being inundated by waters from any source.

**Flood-Prone Area.** Any area which lies at or below the water surface elevation of the Base Flood.

**Flood-Proofing.** A combination of structural and/or nonstructural Additions, changes, or adjustments to properties or Structures subject to Flooding which will reduce or eliminate Flood damages to properties, water and sewer facilities, Structures, or contents of Buildings.

**Flood Fringe Area.** That area of the Floodplain between the Floodway and the boundary of the 100-Year Floodplain.

**Floodway.** The channel of a river or other Watercourses and the adjacent Land Areas that must be reserved in order to Discharge the Base Flood without cumulatively increasing the Flood heights.

**Floor.** 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.

**Florida Department of Transportation or (FDOT).** The State of Florida Department of Transportation.

**Floridan Aquifer.** The thick sequence of limestone formations of the Eocene, Oligocene and Miocene ages which act more or less as a single hydrologic unit, including the permeable parts of the Hawthorne formation, which are in direct hydrologic contact with the rest of the Aquifer.

**Florida Quality Development (FQD).** Developments that may be designated as Florida Quality Developments are those Developments located in jurisdictions in which the Development-of-Regional-Impact program has not been terminated pursuant to Florida Statute which are above eighty (80) percent of any numerical thresholds in the guidelines and standards for Development-of-Regional-Impact review pursuant to Chapter 380, Florida Statutes.

**FLUCFCS.** Florida Land Use, Cover and Forms Classification System Developed by Florida Department of Transportation, September 1985.

**FNAI.** The Florida Natural Areas Inventory.

**FNAI (S2) Ranked Natural Communities.** Natural communities occurring within Lake County, which have been ranked by FNAI as imperiled with extinction (S2). These natural communities include the following upland communities: scrub; xeric hammock; sinkhole.

**Forest Crops.** Any group of Trees that are of proper species and sufficient Density, size, and number to make them marketable for sale as wood products (e.g., furniture, lumber, paper, chips, pallets, boxes and lighter wood).

Forested Ecosystem. A wetland community characterized by a preDominance of woody plant species.

Freestanding Sign. A Sign independent of any building for support.

Frontage. The length of the Property line of any one (1) premise along a public right-of-way on which it borders.

Full Median Opening. An opening in a Restrictive Median designed to allow all turning movements to take place from both the divided highway and the adjacent Connection.

Functions, Wetland. The beneficial roles Wetlands serve, including storage, conveyance, and attenuation of Floodwater and stormwater; Groundwater Recharge and Discharge; protection of Water Quality and reduction of Sediment and Erosion; production of waterfowl, game and nongame birds, mammals, and other living resources; protection of habitat for rare, threatened, and endangered species; food chain support for a broad range of wildlife and fisheries; educational, historical, and archaeological value protection; and scenic, aesthetic, and recreational amenities.

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, repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales or service facilities.

Garage, Mechanical or Public. A Building or premises which is operated for commercial purposes and used for the storage, care or repair of motor Vehicles, but Shall not be used for the storage of dismantled or wrecked motor Vehicles, parts thereof, or junk.

Garage, Private. An Accessory Building or an Accessory portion of the Principal Building, including a Carport which is used and/or intended for storage of the private passenger Vehicles of the family or families resident upon the premises.

General Development Plan or Comprehensive Plan. The official guide for the physical, social and economic growth of the (County, city, town) of Lake County, or its constituent parts, properly enacted or adopted according to statute, which is now or may hereinafter be in effect.

Global Positioning System (GPS). A system by which positions on the Earth's surface are determined by relative measurements of distance from orbiting satellites, the positions of which in space are known.

Government Sign. Any Sign erected and maintained by the County, state, or federal government for traffic direction or for designation.

Governmental or Public Agency.

- (a) The United States or any department, Commission, agency, or other instrumentality thereof;
- (b) This state or any department, Commission, agency, or, other instrumentality thereof;

- (c) Any local government as defined in this chapter, or any department, Commission, agency, instrumentality thereof;
- (d) Any school Board or other special district, authority, or other governmental entity.

**Grade.** The inclination, with the horizontal, of a Road, unimproved Land, etc., which is generally expressed by stating the vertical rise or fall as a percentage of the horizontal distance.

**Green Swamp Area of Critical State Concern.** An area defined by the boundaries described in Chapter 28-26.002, Florida Administrative Code, and the Lake County Comprehensive Plan, Future Land Use Element, 1-18.10.

**Gross Acre.** Includes the entire area of a Parcel of Land, excluding natural open water bodies.

**Gross Density.** The total number of Dwelling Units divided by the Base Site Area.

**Ground Cover.** Plants other than turf grass normally reaching an average maximum height of not more than twenty-four (24) inches at maturity.

**Ground/Monument Sign.** A sign that is anchored near or at ground level, which has the vertical structure supports concealed in an enclosed base.

**Ground Surface Area.** Any paved, surface treated, or unpaved area (excepting public Rights-of-Way) used for the purpose of driving, parking, storing, or display of Vehicles, boats, trailers and Mobile Homes, including new and used car Lots and other open Lot uses. Parking Structures, covered drive-in Parking Areas to the overhang of the covering or garages, Shall not be considered Ground Surface Areas. Surface treated materials Shall include but not be limited to gravel and mulch.

**Groundwater.** Water beneath the surface of the ground within a zone of saturation, whether or not flowing through known and definite channels.

**Hazardous Substance or Material.** Any substance which is defined as a Hazardous Substance in 42 USC § 960 (14) and which is designated a Hazardous Substance in 40 CFR § 302.4 (1987).

**Hazardous Waste.** Solid Waste, or a combination or Solid Wastes, which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present of potential hazard to human health or the environment when improperly transported, disposed of, stored, traded or otherwise managed.

**Height of Sign.** The distance between the top of the Sign and finished grade or the roadway, whichever is greater.

**Heliport.** (See Airport.)

**Herbaceous Ecosystem.** A wetland community characterized by a predominance of non-woody plant species.

**Highest Adjacent Grade.** The highest natural elevation of the ground surface, prior to Construction, next to the proposed walls of a Structure.

**High Recharge Areas.** Those areas identified by the appropriate water Management district as recharging ten (10) or more inches of rain to the Aquifer annually.

**Highway System.** Those Roads identified for Access Management in Section 9.05.02, Highway Systems.

**Hobby.** A pursuit outside one's regular occupation engaged in especially for relaxation. For the purposes of these LDR's, a person's primary income is not derived from hobby activities.

**Home Occupation.** An Accessory use in a residential area consisting of an occupation performed entirely within a Dwelling as explained in Chapter XI.

**Home Occupation Sign.** A Sign identifying a use conducted within the dwelling or accessory building.

**Horizontal Control Station.** A point on the Earth's surface at which a reference monument has been placed and the positional values are known and documented. For the purposes of this Section, only those points located within Lake County are considered.

**Hospital.** An institution providing health services, primarily for in-patients, any medical or surgical care of the sick or injured, including as an integral part of the institution such related facilities as laboratories, out-patient department, training facilities, central service facilities and staff offices.

**Hospital, Animal.** (See Veterinary Clinics and Hospitals.)

**Hotel (including Motels).** A Building, or part thereof, in which sleeping accommodations are offered to the public, which may or may not offer cooking facilities for use by the Occupants, and in which there may be a public dining room for the convenience of the guests. This term may also include Boardinghouses, lodging houses, Rooming House, bed and breakfasts, Apartment Hotels, Tourist Home, Guest Homes, or Courts.

**House Trailer.** (See Mobile Home.)

**Husbandry.** The care and management of domestic animals, including birds and livestock.

**Hydroperiod.** The time, usually in days per year, that water is at, near, or above the soil surface under normal hydrologic conditions.

**Illegal Sign.** A Sign which does not meet the requirements of chapter XI of the Land Development Regulations and which is not a permitted non-conforming Sign.

**Impact Area.** That portion of the Lake County Roadway network within which traffic produced by and attracted to a Development constitutes ten (10) percent or more of the total traffic stream.

**Impervious Surface.** A surface which has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes semi-pervious surfaces such as compacted clay, as well as most conventionally surfaced Street, roofs, sidewalks, parking Lots, and other similar surfaces.

**Improvement Plan.** The material which comprises the second, "official" submission to the Lake County Manager or designee, and which consists of an application, the final restrictive covenants, the Plat for recording, the Subdivision design plan, the certified Construction drawings of the "as-built" physical Improvements or Developers' performance or cash bond, and Maintenance bond.

**Improvements.** Physical changes made to raw Land, and Structures placed on or under the Land surface, in order to make the Land more usable. Typical Improvements in these regulations would be grading, Street, pavement, curbs, gutters, drainage ditches, storm and sanitary sewers, utility lines of all types, Street name Signs, etc.

**Incidental Signs.** An Informational Sign with no commercial message, such as "entrance and "telephone."

**Identification Sign.** A sign that indicates the name and type of business or service, institution, or person, or the name of the development located on the site where the sign is located.

**Industrial Equipment.** Equipment normally used in farming and/or heavy Construction activities, such as but not limited to bulldozers, cranes, drag lines, derricks, Tractors and implements, heavy earth moving equipment, tar pots and boilers, and Road grading equipment.

**Industrial Use.** A use devoted to the manufacture, warehousing, assembly, packaging, processing, fabrication, storage or distribution of goods and materials whether new or used or the substantial refinishing, repair and/or rebuilding of vehicles or boats.

**Industrial Use, Light.** An Industrial Use engaged in the processing, manufacturing, compounding, assembly, packaging, treatment, or fabrication of materials and products, from processed or previously manufactured materials, generally within an enclosed Building.

**Industrial Use, Heavy.** An Industrial Use that has significant potential impacts on the environment or adjacent uses including but not limited to noise, vibrations, emissions, hazards and odors, where more than twenty (20) percent of the use takes place outside of an enclosed building or where exterior storage equals or exceeds Building floor area.

**Industrial Waste.** The wastewater discharging from Dwellings, commercial Structures, industrial plants and institutions which has been used in some process and has been classified as such by the Department of Environmental Regulation.

**Instructional Sign.** A sign conveying non advertising message related to the use of the premises or the

movement of pedestrians and vehicles. including but not limited to "no parking," "enter" "order here."

**Integral Sign.** A Sign identifying the name of a building constructed of permanent material mounted on the face of the building or cut into the masonry surface.

**Intensity.** The nature of the use to which property is allocated which can be quantitatively measured by square footage and the number of trips generated by the use.

**Internal Landscape.** Landscape Development located within and surrounded by Parking Area on at least three (3) sides.

**Joint Parking Design.** Mutually coordinated parking Access and circulation system between abutting properties including design features necessary to create a unified parking system.

**Joint Use Connections.** A single Connection point that serves as a Connection to more than one (1) property or Development.

**Junkyards.** An establishment or place or business which is maintained or operated for the use of storing, keeping, buying or selling junk, or the Maintenance or operation of an Automobile Graveyard, and Shall be construed to include garbage dumps and sanitary Landfills.

**Kennel.** Kennel or Cattery means:

- (a) any premises, operation, or business used for the boarding, breeding, training, buying, selling, grooming, or rearing of dogs or cats, or any other activity, for remuneration, regardless of number of dogs or cats;
- (b) any premises where research is conducted involving dogs or cats;
- (c) the keeping, harboring, or maintaining of five (5) or more dogs over the age of six (6) months on parcels of land five (5) acres or less; or the keeping, harboring, or maintaining ten (10) or more dogs over the age of six (6) months on parcels of land greater than five (5) acres but less than twenty (20) acres; or the keeping, harboring, or maintaining of twenty (20) or more dogs over the age of six (6) months on parcels of land twenty (20) acres or greater; or
- (d) the keeping, harboring, or maintaining of five (5) or more cats over the age of six (6) months on parcels of land five (5) acres or less; or the keeping, harboring, or maintaining ten (10) or more cats over the age of six (6) months on parcels of land greater than five (5) acres but less than twenty (20) acres; or the keeping, harboring, or maintaining of twenty (20) or more cats over the age of six (6) months on parcels of land twenty (20) acres or greater.

**Kindergartens.** (See Nursery Schools.)

**Labor Camps.** (See Agricultural Housing.)

Lake. (See Waterbody)

Lake County. A political Subdivision of the State of Florida, the governing body of which is the Board of County Commissioners and includes only Unincorporated Areas within the County, unless otherwise specified in this Land Development Regulations.

Lake County Comprehensive Plan. The Comprehensive Plan for Lake County adopted pursuant to Chapter 163, Local Government Comprehensive Planning Act of 1975, F.S. § 163.3161 et seq., and as updated and adopted pursuant to F.S. Ch. 163, Local Government Comprehensive Plan and Land Development Regulation Act of 1985, Florida Statutes.

Lake County Geodetic Control Network. A network of horizontal control stations established throughout Lake County as an aid to surveying in which the Latitude and Longitude and the Florida State Plane Coordinates of each station are made available to the general public.

Lake County Stormwater Design Standards. The document adopted by resolution of the Board entitled "Stormwater Management Design Standards, Lake County, Florida."

Lake County Tree Protection Standards. The standards set out in Chapter IX which sets forth the detailed information, criteria and specifications for protecting and pruning Trees.

Lake Creation. Creation of a body of standing water from an upland or wetland Area, other than a pond required for agricultural stock watering.

Land. The earth, water, and air, above, below, or on the surface, and includes any Improvements or Structures customarily regarded as Land.

Land Application. The reuse of reclaimed water or the utilization or disposal of Effluents or wastewater residuals on, above, or into the surface of the ground through spray irrigation, Land spreading, or other methods.

Land Area. Any contiguous quantity of Land capable of being described with such definiteness that its location and boundaries may be established, which is designated by its Owner as property to be used or Developed.

Land Development Regulations. Include local zoning, Subdivision, Building, and other regulations controlling the Development of Land.

Land-Locked Area. An area which does not Discharge runoff from the ten (10) year, twenty-four (24) hour Storm Event.

Landscape Architect. A qualified Person registered and currently licensed to practice Landscape Architecture in the State of Florida.

Landscape Buffer Strips. Landscape Development used to partition Parking Areas, or between adjacent Developments.



**Landscape Development.** Any combination of living plants such as grass, Ground Cover, Shrubs, Vines, hedges or Trees, and nonliving Landscape materials such as rocks, pebbles, sand, mulch, walls, fences or decorative paving materials.

**Land Surveyor.** A qualified Person duly registered in the State of Florida, pursuant to F.S. Ch.4.

**Land Use.** The Development that has occurred on Land.

**Laundromats.** A self-service laundry business, which provides wash and fold services, home type washing, drying and/or ironing machines for hire to be used by customers on the premises. Similar type machines for dry cleaning may be included as Accessories to the operation.

**Lawful Mine.** A mining operation that has been authorized by Lake County through issuance of an approved Mine Site Plan (6.06.02), a conditional use Permit, zoning approval and/or vested under the provisions of the Lake County Mining Ordinance, Section F, "Vesting Rights for Existing Mines".

**Legally Created Lot.** A Lot created pursuant to the Lake County Code, as amended.

**Legally Permitted Sign.** A sign of which was placed and constructed in compliance with a permit issued by the Lake County Department of Growth Management.

**Limited Service Permit.** A Permit granted by the Board of County Commissioners for a period of three (3) years, subject to a fee as established by resolutions of the Board which is payable annually, to Mobile Home park Owners or others in a similar instance whereby the Limited Service Permit provides service to tenants on the Owner's private property.

**Livestock.** "Livestock" shall include, but not be limited to, all animals of the equine, ratite, bovine or swine class, including goats, sheep, mules, horses, hogs, cattle, ostriches and other grazing animals. The term livestock shall specifically exclude exotic animals.

**Livestock Building.** A Structure used for milking, feeding, or sheltering of farm animals.

**Living Area.** That portion of a residential Structure equipped for year-round living by a full enclosure of a substantial nature, exclusive of Carports, garages, and swimming pools.

**Loading Space.** An off Street space or berth on the same Lot with a Building or contiguous to a group of Building, for the temporary parking of commercial Vehicles while loading or unloading merchandise or materials.

**Local Road.** A Road providing service which is of relatively low traffic volume, short average trip length or minimal through traffic movements, and numerous Connections with relative ease of Access for Abutting Property.

**Local Street.** A Road which functions to serve the adjacent property for Access with minimal through

traffic. Local Streets provide a Connection between abutting properties and higher volume Roads. Local Streets should be generally designed to carry between 100 to 500 Vehicles per day.

Loft(s). A large enclosure specially built to hold live birds in confinement. A loft may also be known as an aviary.

Longleaf Pine-Xeric Oak Community. Upland with deep fine sand substrate; xeric; temperate; frequent fire (2-5 years); typified by longleaf pine and/or turkey oak with wiregrass understory. (FLUCFCS Code 412) also referred to as Sandhill by FNAI.

Lot. A portion of a surface Land or a portion of a Building, Structure or other entity contained within property lines of a specific area, including Land within Easements and Building Setbacks, but excluding any Land within Rights-of-Way. The word "Lot" includes the words "plot", "parcel", "Condominium or cooperative unit" or "Tract."

Flag Lot. A Lot with Access provided to the bulk of the Lot by means of a narrow corridor.

Corner Lot. A Lot abutting upon two (2) or more Streets at a Street intersection, or abutting upon two (2) adjoining and deflected lines of the same Street and thereby forming an interior angle of less than one hundred thirty-five (135) degrees.

Double Frontage Lot. A Lot having two (2) or more of its non adjoining property lines abutting upon a Street or Streets.

Lot Area. The total area within the Lot Lines of a Lot, including Easements, but excluding Rights-of-Way.

Lot Depth. The average horizontal distance between the front and rear property lines of a Lot.

Lot Grading. The movement, extraction, and/or placement of soils within the limits of an individual residential Lot or parcel boundary.

Lot Line. The legal boundary line of a Lot.

Lot of Record. A Lot in a Plat recorded in Plat Books 1--22, Public Records of Lake County. A Lot created by a deed which was recorded in the Public Records of Lake County prior to May 20, 1981 and legally describes a Parcel of Land by metes and bounds; A Lot created by a Contract for Deed which was recorded in the Public Records of Lake County prior to May 20, 1981 and legally describes a Parcel of Land by metes and bounds; or a Lot in an unrecorded Plat, recognized by Lake County and identified on the official Zoning Map of Lake County.

Lot Width. The average horizontal distance, between the two (2) side-property lines of a Lot.

Maintenance. The action taken to restore or preserve the as-built functional design of any facility or system. However, for purposes of Chapter XI, Signs, maintenance includes painting, changing advertising or

information on display surfaces, routine repair or replacement of parts that does not alter the design, height or structure of the sign.

**Major Collector Road.** A Road classified as major collector, based upon criteria established by the Florida Department of Transportation utilizing their most recent adopted functional classification system using the Road.

**Major Public Facility.** Any publicly owned facility of more than local significance.

**Management.** A series of techniques applied to maintain the viability of species in a location. These techniques include, but are not limited to: controlled burning, planting or Removal of vegetation, exotic species control, maintaining hydrologic regimes, and monitoring.

**Management Plan.** A plan prepared to address continuing Conservation and Management of Designated Species and their habitat, which is approved by the County Manager or designee, following recommendations from the Florida Game and Freshwater Fish Commission.

**Manufactured Building.** "Manufactured Building" means a closed structure, Building assembly, or system of sub-assemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service systems manufactured in manufacturing facilities for installation or erection with or without other specified components, as a finished Building or as part of a finished Building, which Shall include, but not be limited to, residential, commercial, institutional, storage and industrial structures. This part does not apply to Mobile Homes. Manufactured Building may also mean, at the option of the manufacturer, any Building of open construction made or assembled in manufacturing facilities away from the Building Site for installation, or assembly and installation, on the Building Site. This includes DCA approved modular structures.

**Manufactured Home.** (See also Mobile Home) A Dwelling Unit fabricated on or after June 15, 1976, in an Off-Site manufacturing facility for installation or assembly at the Building Site, with each Section bearing a seal certifying that it is built in compliance with the federal Manufactured Housing Construction and Safety Standards. The terms "Mobile Home" and "Manufactured Home" Shall be utilized interchangeably in these Regulations.

**Marina.** A facility located on a public navigable waterway which is Accessible and adjacent to the shore, and which is provided with slips and moorings for securing, servicing, or repairing of yachts, cruisers, motor and outboard motorboats, sailboats, and charter fishing boats, but specifically excluding industrial and commercial fishing craft.

**Marquee.** A permanent roof like structure or canopy extending beyond the building line covering a sidewalk or entrance.

**Massage Parlor Nonadult Uses.** Any place where for any form of consideration or gratuity, massage, alcohol rub, the administration of fomentations, electric or magnetic treatments, or any other treatment or manipulation of the human body occurs not in part of and not in Connection with specified sexual conduct or for any Person providing such treatment, manipulation or service related thereto does not expose Specified Anatomical Areas.

Master Park Plans. Plans submitted in accordance with the provisions of Section 14.10.00, of these regulations.

Maximum Service Volume. The maximum number of Vehicles which can reasonably be expected to pass over a fixed point or Section of Roadway during a given time period under prevailing Roadway, traffic and control conditions while maintaining a designated level of service, expressed in passenger car equivalents (PCE).

Mean High Water. The average height of the high waters over the period of record.

Mean High Water Line. The intersection of the plane of mean high water with the shore.

Mean Sea Level. The term is synonymous with the North American Vertical Datum of 1988 (NAVD 88).

Median. The portion of a divided highway or divided Driveway separating the Traveled Ways from traffic in opposite directions.

Mine. An area of Land on which Mining Activities have been conducted, are being conducted or are planned to be conducted as consistent with Chapter 6.06.

Minimum Connection Spacing. The minimum allowable spacing between Connections; specifically, the minimum allowable distance between Connections measured from the closest edge of pavement of the first Connection to the closest edge of the second Connection along the Right-of-Way line. Where the Right-of-Way or Connection is skewed or offset, this distance can be measured along the Traveled Way.

Minimum Decent Altitude. The lowest altitude, expressed in feet above Mean Sea Level, to which descent is authorized on final approach or during circling-to-Land maneuvering in execution of a standard instrument approach procedure where no electronic glide slope is provided.

Minimum Obstruction Clearing Altitude. The specified altitude in effect between radio fixed on VOR airways, off-airway routes, or route segments which meets obstruction clearance requirements for the entire route segment and which assures acceptable navigational Signal coverage only within twenty-two (22) miles of a VOR.

Minimum Specifications. The Minimum Specifications for all plant material which will be used in complying with the general Landscaping requirements of these regulations.

Mining Site Plan. The general plan describing the overall scope of the Mining Activities for the life of the Mine, including but not limited to the general nature of the operations, geographic characteristics, impacts, monitoring and Reclamation.

Mining Activities. The extraction of minerals, Ore or other naturally occurring materials from the earth by whatever method, including the Removal of Overburden for the purpose of extracting and removing from the

Site such underlying deposits and all associated Clearing, grading, Construction, processing, transportation and Reclamation on the Mine property, and includes the term premining activities and Lake Creation but Shall not be deemed to include activities associated with Site surveying, environmental monitoring, mineral exploration or the sinking or operation of test wells and similar activities.

Minor Arterial Road. A Road classified as a minor arterial based upon criteria established by the Florida Department of Transportation utilizing their most recent, adopted functional classification system.

Minor Collector Road. A Road classified as a minor collector based upon criteria established by the Florida Department of Transportation utilizing their most recent, adopted functional classification system.

Mitigation. Any activity that compensates for impacts to the physical and functional characteristics of Wetlands or natural upland amenities which will be or has been lost as a result of a specific activity.

Mobile Homes. (See also Manufactured Home) A Structure transportable in one (1) or more Sections, which Structure is 8 body feet (2.4 meters) or more in width and over 35 feet in length, and which Structure is built on an integral chassis and designed to be used as a permanent Dwelling when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. A Mobile Home was built prior to the enactment of the federal Manufactured Housing Construction and Safety Standards, which became effective for all Manufactured Home Construction on June 15, 1976. Recreational Vehicles Shall not be considered Mobile Homes. The terms "Mobile Home" and "Manufactured Home" Shall be utilized interchangeably in these Regulations.

Mobile Home Park. Any Tract, Lot or Parcel of Land which has been planned and improved for the renting or leasing or spaces for the placement of Mobile Homes of non transient use.

Mobile Home Sales Lot. An open or closed area for the display, sales, or rental of new or used Mobile Homes, Travel Trailers, or campers. Remodeling, repairing or repainting, the sale of new or used parts, and the normal Accessories thereto would be Permitted in closed areas only.

Mobile Home Space. A plot of ground within a Mobile Home park designed for the accommodation of one (1) Mobile Home.

Mobile Home Subdivision. A Subdivision designed and intended for the sale of Lots for residential use, where such residence is a Mobile Home.

Model Studio. Any place where, for any form of consideration or gratuity, figure models, who display Specified Anatomical Areas, are provided to be observed, sketched, drawn painted, sculptured, photographed, or similarly depicted by Persons paying such consideration or gratuity.

Monument Sign. See Ground Sign.

Motel. (See Hotel.)

Mount Plymouth-Sorrento Urban Compact Node Shall mean the following area: Sections 24, 25 and 36,

Township 19 South, Range 27 East; the southwest 1/4 of the southwest 1/4 of Section 17, Township 19 South, Range 28 East; the south 1/2 of Section 18, Township 19 South, Range 28 East; all of Sections 19, 28, 29, 30, 31, 32 and 33, Township 19 South, Range 28 East.

**Muck Farming.** Agricultural activity on Lands that were formerly submerged or seasonal submerged and drained to allow for agricultural activity and which have muck soils as identified in the U.S.D.A., Soil Conservation Service, Soil Survey of Lake County Area, Florida, 1976.

**Native Vegetation.** Plants that are indigenous to the State of Florida.

**Natural Background.** The condition of the waters in the absence of man-induced Alteration based on the best scientific information available to the County. The establishment of Natural Background for an altered waterbody may be based upon a similar unaltered waterbody or on historical pre-Alteration data.

**Natural Flow Regime.** The velocity, volume and direction of the surface or ground water flow occurring at any given point in the current hydro-period for any given portion of the area.

**Natural Reservations.** Areas designated for Conservation purposes, and operated by contractual agreement with or managed by a federal, state, regional or non-profit agency such as: national parks forests, reserves or preserves; state parks, forests, Lands purchased under Conservation and Recreational Lands or Save Our Rivers programs; sanctuaries; monuments; archaeological Sites; historic Sites; wildlife or fish Management areas; and Outstanding Florida waters.

**Natural Upland Communities.** Those natural upland habitat communities identified in the Conservation Element and by FLUCFCS Code as follows: Palmetto Prairie (321); temperate hardwood(425); pine, oak and hickory (423); pine flatwood (411); sand pine scrub (413); longleaf pine/xeric oak (412); and xeric hammock (427).

**Neighborhood Collector Road.** A Road which functions as a collector of traffic within a neighborhood, Development or small community and provides an Access point onto higher volume Roadways. It also provides a high degree of Access to Abutting Property. Neighborhood collectors within Subdivisions collect and distribute the traffic from within the Development to the Access points connecting to the County or state Road system. Neighborhood collectors should be generally designed to carry between 500 to 1,500 Vehicles per day.

**Net Acres.** For Chapter 7 only, the total number of acres within the perimeter boundaries of a Development, excluding Right-of-Way Easements, utility Easements, Conservation Easements, Lakes and areas defined as Wetlands and Floodprone areas.

**Net Density.** For Chapter 7 only, the number of Dwelling Units per net acre.

**New Construction.** Structures the Construction of Substantial Improvement of which is begun on or after February 1, 1992, as applicable to the various chapters of these Regulations.

**New Development.** All Development which is not Existing Development.

New Mine. Any Mine that is not an existing approved Mine.

New Stormwater Facilities. Those stationary facilities which Discharge their storm-generated Effluent into Waters of the State, and whose final design plans were approved by the County Manager or designee on or after February 1, 1992, the effective date of these rules.

Non-Ad Valorem Assessment Roll. The list of parcels of improved real property and the Assessment applicable to each as prepared by the County and certified to the Tax Collector for collection, as defined in F.S. § 197.3632, as amended.

Non-commercial Sign. A non-commercial sign expresses an idea, an aim, an aspiration, a purpose, or a viewpoint.

Nonconforming Connection. A Connection not meeting current locations spacing or design criteria as required in these Regulations.

Non-Conforming Development. The prior lawful Development of Land which is prohibited by current Regulations.

Nonconforming Lot. A Lot which does not meet the minimum Lot size of the Zoning District OR a Lot with a width of one hundred fifty (150) feet or less in the "A" Agriculture, "RA" Ranchette, "AR" Agricultural Residential, or "R-1" Rural Residential Zoning Districts.

Non-Conforming Signs. A sign legally permitted prior to the adoption of sign restrictions and regulations that do not comply with current code requirements.

Non-Precision Instrument Runway. A Runway having a nonprecision approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight in nonprecision instrument approach procedure has been approved or planned, and for which no precision approach facilities are planned or indicated on an FAA planning document or military service's military Airport planning document.

Non Restrictive Median. A Median or painted centerline which does not provide a physical barrier between center traffic turning lanes or traffic lanes traveling in opposite directions. This includes Roads with continuous center turn lanes and undivided highways.

Nonsite-Related Improvement. Capital Improvements not necessary to provide safe and adequate Access and services to a proposed Development or Site and not made necessary by the specific traffic to be generated by the proposed Development.

Normal Range of Water Level Fluctuation. The fluctuating water surface changes between the normal low water and the normal highwater of the wetland system so as to prevent the desiccation or over-impoundment.

North American Vertical Datum of 1988 (NAVD 88). The NAVD 88 is the vertical control datum

established for vertical control surveying in the United States of America, and is based upon the General Adjustment of the North American Datum of 1988. The NAVD 88 replaced the National Geodetic Vertical Datum of 1929 (NGVD 29), which was formerly called the Sea Level Datum of 1929.

**Nuisance Species.** Species of flora and fauna whose noxious characteristics or presence in sufficient number, biomass, or areal extent may reasonably be expected to prevent, or unreasonably interfere with, a Designated Use of Land.

**Nursery Area of Indigenous Aquatic Life.** Any bed of the following Aquatic plants, either in monoculture or mixed: *Halodule* spp., *Halophila Engelmannii* *Potamogeton* spp. (pondweed), *Ruppia maritima* (widgeon-grass), *Sagittaria* spp. (arrowhead), *Syringodium filiform* (manatee-grass), *Thalassia testudinum* (turtle grass), or *Vallisneria* spp. (eel-grass), or any area used by the early-life stages, larvae or post-larvae, of Aquatic life during the period of rapid growth and Development into the juvenile stages.

**Nursery School.** A Nursery School is a place, home, Building or location where six (6) or more children under the age of six (6) years, not related to the Operator, are cared for within a twenty-four-hour period or less, for either a direct money consideration or for indirect benefit to the Owner in Connection with a related business. Such term specifically includes nurseries, Kindergartens or any other facility caring for children during either the day or night; but Shall not include such facilities operated by the State of Florida or any agency or unit of the state government or the Lake County School Board.

**Obnoxious Use.** (See Discouraged Use).

**Occupant.** As used in Section 9.05, Uniform Street Transportation Systems, any Person, association, partnership, trust, organization or corporation, other than the Owner, who is occupying or leasing the property for a period exceeding thirty (30) days.

**Off-Premises Sign.** A Sign identifying, advertising or directing the public to a business, merchandise, service, institution, residential area, entertainment or activity which is located somewhere other than on the Premises on which the sign is located.

**Off-Site.** A project Site or parcel which is different than that of the subject project Site or parcel.

**One-Hundred-Year Flood.** (See Base Flood.)

**One-Hundred-Year Floodplain.** (See Floodplain.)

**On-Site Sign.** A Sign relating in subject matter to the premises on which located or to products, accommodations, services or activities on the premises.

**Open Air Vendor.** A stall or Structure for the sale of food, merchandise or amusements for temporary use located out-of-doors. This Shall include, but not be limited to, carnivals, circuses or hot dog vendors.

**Open Channel.** A Canal, ditch, or Swale used to safely convey stormwater runoff.



**Open Space.** Any Parcel of Land set aside, dedicated, designated or reserved for public or private use or enjoyment or for the use and enjoyment of Owners and Occupants of Land adjoining or neighboring such Open Space. Open Space includes golf courses, parks, passive recreation areas, Landscaped areas, natural Floodways, Wetlands, Conservation and preservation areas, non-fenced in stormwater Retention areas, and non-activity-based, non-manmade Lakes wholly within the property. Open Space does not include Rights-of-Way, above-ground utilities, Parking Areas, side or rear Lots, Street surfaces, activity-based recreation facilities (except golf courses), and fenced in stormwater Retention areas.

**Open Water Body.** Natural or artificial watercourses, lakes, or ponds. Open water bodies do not include Wetlands.

**Operating Permit.** A Permit to operate in accordance with general conditions established in the various chapters of this Land Development Regulations, and specific conditions established by the County Manager or designee and the Board of County Commissioners.

**Operator.** A Person who engages in authorized Development activities in accordance with the requirements of the various chapters of this Land Development Regulations, which activities include sinking or operation of test wells and similar activities.

**Ordinary High Water; Ordinary Low Water; Ordinary Low Waterline.** A water mark on the banks of a Surface Water Body where the presence and action are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed a character distinct from that of the banks, in respect to vegetation, as well as respects of the nature of the soil itself.

**Ore.** Sand, clay, Topsoil, peat, phosphate Minerals and other natural resources that may be extracted from the earth.

**Original Parcel.** An Original Parcel Shall be a Lot legally created, on or before June 1, 1992, pursuant to the Lake County Code.

**Outdoor Advertising or Sign.** Any writing, printing, picture, painting, display, emblem, drawing, Sign or device intended to invite or to draw the attention of the public to any goods, merchandise, real property, Personal property, business, business services, entertainment, amusement, attraction, Person, group, organization institution, movement, activity, promotion, event, object, place, Appeal, solicitation, announcement, utterance, or notice, manufactured, produced, bought, sold, conducted, furnished, dealt in, published, controlled, owned or leased, by any Person which is posted, painted, tacked, nailed, or otherwise displayed outdoors on real property and includes any part of an advertisement recognizable as such. Includes all political advertising.

**Overburden.** All earth and other materials overlying an Ore deposit. This does not include tailings or screening generated by the processing of the resource.

**Owner.** Any and all Persons, partnerships, trusts, organizations or corporations which own the fee title to the property in question or has an undivided interest herein.

**Owner-Motor Vehicle.** Owner when used in relation to a motor Vehicle Shall mean the individual or firm to which a Vehicle is registered and whose name appears on the certificate of title. This Shall include, if under lease, rental agreement, or on loan under any type of arrangement, gratuities or otherwise, the individual or firm having possession or control of the Vehicle.

**Palmetto Prairie.** Flatland with sand substrate; mesic-xeric; subtropical or temperate; annual or frequent fire; wiregrass, saw palmetto and mixed grasses and herbs. (FLUCFCS Code 321) This community is referred to as dry prairie by FNAI.

**Parcel Depth.** (See Lot Depth)

**Parcel of Land.** (See Lot)

**Parcel Width.** (See Lot Width)

**Parking Area.** A Ground Surface Area used for the parking of Vehicles.

**Parking Bay.** Parking Areas that are subdivided into uninterrupted rows of Parking Spaces which are generally separated by only single or double painted lines.

**Parking Space.** A Ground Surface Area (excepting public Rights-of-Way) used for the storage of a single Vehicle to serve as primary use. Groups of spaces and abutting Accessways are called Parking Bays.

**Peak Rate of Flow.** The maximum Rate of Discharge resulting from a given Storm Event.

**Permit.** Permit Shall mean written authority to allow Construction, reconstruction, or reclassification of a Connection in accordance with the jurisdictional agency's policy as referenced in Access Management of Section 9.05.

**Permittee.** Any Person who has been granted a Permit to proceed with a project.

**Permitted.** Any Development for which all Permits required by these regulations have been issued.

**Person.** Person Shall mean an individual, corporation, Governmental Agency, partnership, business trust, estate, trust, association, two (2) or more Persons having a joint or common interest, or any other legal entity.

**Pigeon.** Any of a widely distributed family of birds classified in the *Columbidae* family (order *Columbiformes*) with a stout body, rather short legs, and smooth, compact or fancy plumage.

**Pine Flatwood Community.** Mesic Flatwoods: flatland with sand substrate; mesic; subtropical or temperate; frequent fire; slash pine and/or longleaf pine with saw palmetto, gallberry, and/or wiregrass or cutthroat grass understory. Scrubby flatwoods: flatland with sand substrate; xeric-mesic; subtropical or temperate; occasional fire; longleaf pine or slash pine with scrub oaks and wiregrass understory. Wet flatwoods: flatland with sand substrate; seasonally inundated; subtropical or temperate; frequent fire; vegetation characterized by slash pine or pond pine and/or cabbage palm with mixed grasses and herbs.

Planned Unit Development (PUD). A Tract of Land which is Developed as a unit, and which is planned and Developed in a single operation or within a proposed period of time by a series of scheduled Development phases according to an officially approved final PUD Development Plan, which does not necessarily correspond to the property Development and use regulations of the conventional zoning districts, but which Permits flexibility in Building siting, mixtures of housing types and Land Uses, and encourages the utilization of usable Open Space and the Maintenance of significant natural features.

Planting Area. Any area designed for Landscape planting or other vegetation.

Plat. A map or drawing depicting the division or Subdivision of Lands into Lots, Blocks, parcels, Tracts, Sites, or other portions thereof, however the same may be designated, and into Roads, avenues, boulevards, and Streets, or other means of Access.

Pole Signs - (Pylon Sign). A sign supported by at least one (1) pole, pylon, or brace permanently secured to the ground which are not concealed.

Pole Trailer. Any Vehicle without motive power designed to be drawn by another Vehicle and attached to the towing Vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing Vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves between the supporting connections.

Portable Loft. A small enclosure, smaller than thirty-two (32) square feet in size, specifically built to hold less than twelve (12) live birds in confinement. It is not permanently affixed to the ground or any other Structure.

Portable Sign. Any Sign which is manifestly designed to be transported, including by trailer or on its own wheels, even though the wheels of such Sign may be removed and the remaining chassis or support constructed without wheels is converted to an A or T frame Sign or attached temporarily or permanently to the ground since this characteristic is based on the design of such a Sign.

Positive Outlet. A Discharge from a basin via overland flow, artificial waterway, natural waterway, or pipe.

Post-Development. The average condition of stormwater Retention, as of the completion of the Development for which a Permit has been applied.

Potentiometric Surface. The imaginary surface coinciding with levels of artisan pressure.

Predevelopment Activity. Any action taken prior to the modification of Site conditions. Pre Development Activity Shall not include Building, Clearing, Filling, Excavation, grading or planting of vegetation or the material change in the size or use of any Structure not requiring the issuance of a Development Order or Permit.

Predevelopment Conditions. The average condition of stormwater Retention prior to the commencement

of Development.

**Preliminary Plat.** The material which comprises the first "official" submission of a Subdivision scheme to the Commission, and which consists of an application, a draft copy of any restrictive covenants, and the Subdivision design drawings.

**Premining Activity.** Construction of all Structures equipment and facilities required for the extraction, processing and transportation of Ore Mineral, including Construction of Access Roads, pipelines, recirculating water systems, beneficiation facilities, power lines, dredges, drag lines, tailing storage areas and Site preparation, such as Clearing of vegetation and grading.

**Principal Arterial Road.** A Road classified as a principal arterial based upon criteria established by the Florida Department of Transportation utilizing their most recent, adopted functional classification system.

**Principal Use or Structure.** The primary or predominant use or Structure on any Lot, as distinguished from Accessory Uses and Structures. In the case of a residential zoning district, the Principal Structure Shall be considered to be the Dwelling Unit. In the case of a conforming Agricultural, Ranchette, or Agricultural Residential zoning district, the Principal Structure Shall be considered to be either a Dwelling Unit or Structure designed for agricultural uses.

**Private Clubs.** An association of Persons for the promotion of some common objective other than financial profit, jointly supported and meeting periodically.

**Private Road.** Any thoroughfare which is used for vehicular traffic which is not a Public Road; to include, but not be limited to, Roadways in private Subdivisions, Apartment, Condominium or office complexes.

**Processing, Mining.** The washing, sizing, flotation, storage, drying and grinding of Ore Minerals and all activities reasonably related thereto except chemical processing or manufacturing of materials from the Ore.

**Professional Engineer.** A qualified Person registered and currently licensed to practice Engineering in the State of Florida.

**Projecting Sign.** A sign, other than a wall sign, which is attached to and projects from a building wall or other structure.

**Propagation.** Reproduction sufficient to maintain the species role in its respective ecological community.

**Property Appraisers.** The property appraiser of the County or the officer succeeding to his functions.

**Protected Wellhead.** Those wellheads that supply water for a Public Water System.

**Public Agency.** (See Governmental Agency.)

**Public Facility.** The Capital Improvements and systems of each of the following dedicated to the public:

arterial, collector and Local Roads, mass transit, stormwater Management, potable water, sanitary sewer, Solid Waste, parks and recreation, library, corrections, emergency medical service, fire service, bikeway, sidewalk, other County Buildings, public education and public health facilities.

**Public Facility Types.** Public facilities Shall be classified as one (1) of the following three (3) types for applicability:

- a. **Category A. (Concurrency)** Public facilities for which a level of service must be established for concurrency determination. These facilities include Roadways, mass transit, sanitary sewer, drainage, potable water, Solid Waste, and recreational facilities within Lake County's unincorporated jurisdictional area, and in municipal areas served by certain facilities operated and maintained by Lake County. F.S. Ch. 163, mandates that local governments establish minimum level of service standards for these facilities and services.
- b. **Category B. (Non-Concurrency)** Public facilities and services exempt from concurrency determination but which are incorporated into the Comprehensive Plan under a mandatory or non-mandatory element. These facilities include Conservation, housing, economic Development, and aviation and rails.
- c. **Category C. (Non-Mandatory)** Public facilities and services not required by F.S. Ch. 163, or Chapter 9J-5, Florida Administrative Code, to be inventoried and analyzed within an element of the Comprehensive Plan, but whose cost of implementation may affect the financial feasibility of a Category A or B facility. All other County governmental facilities and services not included under Category A or B are classified as a Category C facility and service. These facilities include, but are not limited to, fire protection, law enforcement, education, public Buildings, library services, emergency medical service, mosquito control, and criminal justice.

**Public Hearing.** A meeting held in conformance with all applicable due Public Notice requirements at which time a decision by the body holding the hearing is usually rendered.

**Public Meeting.** A meeting held in conformance with all applicable due Public Notice requirements at which time the proposed material is generally discussed and a decision by the body holding the meeting is not usually rendered.

**Public Road.** The area of the public Right-of-Way either paved or unpaved, which is intended for vehicular traffic, excluding service entrances or Driveways, and constructed to County Standards.

**Public Utilities.** Private or public facilities engaged in providing a public service such as water, wastewater, electricity, telephones, etc.

**Public Water System.** See Rule 62-550.200 (58), Florida Administrative Code.

**Qualified Ecologist.** A practitioner with sufficient experience and academic Background in the field of environmental sciences.

Rainfall Intensity. The depth of accumulated rainfall per unit of time.

Rate. As used for the purposes of stormwater Management, volume per unit of time.

Ratites. The term "Ratites" includes emus, rheas and ostriches etc. See also Livestock.

Real Estate Sign. A Sign advertising real property on the parcel where the Sign is located.

Receiving Area. The areas designed on Exhibit A, attached hereto and incorporated herein on the Wekiva River Protection Area Transferable Development Rights Sending and Receiving Area Map, on file in the Lake County Planning Department and Building Department, described in Policy 4, F, in the Land Use Element of the Lake County Comprehensive Plan, and Section 699.32, Lake County Code, as appropriate for Development beyond its Base Density through the Transfer of Development Rights or the Development Point Rating System set forth in Section 698 or both, as appropriate. The Mount Plymouth-Sorrento Urban Compact Node Receiving Area is limited to a maximum Density of five and one-half (5.5) Dwelling Units per net acre.

Receiving Waters or Waterbodies. Any waterbodies, Watercourses, and Wetlands into which Surface Waters flow.

Recharge. The downward percolation of Surface Water into any underground formation.

Reclamation. The restructuring, reshaping and revegetation of Disturbed Lands to a form in which the Lands may be beneficially used.

Recovered Materials. "Recovered Materials" means metal, paper, glass, plastic, textile, or rubber materials that have known recycling potential, can be feasibly recycled, and have been diverted and source separated or have been removed from the solid waste stream for sale, use or reuse as raw materials, whether or not the materials require subsequent processing or separation from each other, but does not include materials destined for any use that constitutes disposal. Recovered materials as described above are not solid waste.

Recreational Vehicle (or RV). Any travel trailer or motor home, camping trailer, or other similar Vehicle which is occupied or intended for occupancy on a temporary, transient basis for travel, recreation or vacation purposes, including any "park model" travel trailer.

Recreational Vehicles Shall include:

- A. Travel trailer: Including a "fifth-wheel travel trailer," which is a vehicular, portable unit mounted on wheels, of such a size or weight as not to require special highway movement Permits when drawn by a motorized Vehicle. It is primarily designed and constructed to provide temporary living quarters for recreational camping, or travel use. It has a body width of no more eight and one-half (8 1/2) feet and an overall body length of no more than forty (40) feet when factory-equipped for the Road.
- B. Camping trailer: A vehicular portable unit mounted on wheels and constructed with collapsible partial sidewalls which fold for towing by another Vehicle and unfold at the campsite to provide

temporary living quarters for recreational, camping, or travel use.

- C. Truck camper: A truck equipped with a portable unit designed to be loaded onto, or affixed to, the bed or chassis of the truck and constructed to provide temporary living quarters for recreational, camping, or travel use.
- D. Motor home: A vehicular unit which does not exceed forty (40) feet in length and the height and the width limitations provided in F.S. § 316.515, is designed to provide temporary living quarters for recreational, camping, or travel use.
- E. Private motor coach: A vehicular unit which does not exceed the length, width, and height limitations provided in F.S. § 316.515(9), is built on a self-propelled bus type chassis having no fewer than three load-bearing axles, and is primarily designed to provide temporary living quarters for recreational, camping, or travel use.
- F. Van conversion: A vehicular unit which does not exceed the length and width limitations provided in F.S. § 316.515, is built on a self-propelled motor Vehicle chassis, and is designed for recreation, camping, and travel use.
- G. Park trailer: A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. The total area of the unit in a setup mode, when measured from the exterior surface of the exterior stud walls at the level of maximum dimensions not including any bay window, does not exceed four hundred (400) square feet when constructed to ANSI A-119.5 standards, and five hundred (500) square feet when constructed to United States Department of Housing and Urban Development Standards. The length of a park trailer means the distance from the exterior of the front of the body (nearest to the drawbar and coupling mechanism) to the exterior of the rear of the body (at the opposite end of the body) including any protrusions.

Recreational Vehicle Park (or RV Park). A Development designed for Recreational Vehicle usage, including a parcel of Land under single Ownership, where Sites are offered for rent for the temporary placement of Recreational Vehicles being used for travel, recreational or vacation purposes.

Recreational Vehicle Space. A designated area of Land within a Recreational Vehicle Park which is intended to be occupied by not more than one (1) Recreational Vehicle.

Recyclable Material. Those materials which are capable of being recycled and which would otherwise be processed or disposed of as Solid Waste.

Recycling. Any process by which Solid Waste, or materials, which would otherwise become Solid Waste, are collected, separated, or processed and reused or returned to use in the form of raw materials or products.

Refuse. All putrescible or nonputrescible wastes consisting of both combustible and noncombustible

wastes such as paper, cardboard, garbage, grass clippings, tree shrub trimmings, wood, bedding, crockery, rubber tires, Construction waste, and similar waste materials, including Sewage and Industrial Wastes. This definition is presented for the purpose of clarification rather than regulation.

**Regional Planning Agency.** The agency designated by the State Land Planning Agency to exercise responsibilities under this chapter in a particular region of the state.

**Regional/Subregional Potable Water System.** A potable water system that is designated by the Board of County Commissioners as a regional/subregional system.

**Regional/Subregional Wastewater System.** A wastewater system that is designated by the Board of County Commissioners as a regional/subregional system.

**Regulatory Flood.** (See Base Flood.)

**Remove or Removal.** As used in Section 9.01 of these regulations, the cutting down, destruction, or damaging of a tree or Trees, or to cause the cutting down, destruction, or damaging of a tree or Trees.

**Residential Area.** Land designated in the applicable Comprehensive Plan or zoning map, or currently used, for residential purposes at a density of greater than one (1) dwelling unit per Acre of land.

**Restaurants.** An establishment which prepares and serves food and/or beverages, whether or not paid Floor shows or other forms of paid entertainment are provided for customers as part of the commercial enterprise and whether or not drive-in facilities are provided.

**Restoration Wetland.** A human activity that returns a wetland or former wetland from a presently disturbed or altered condition with lesser acreage or functions to a previous condition with greater wetland acreage or functions.

**Restrictive Median.** The portion of a divided highway or divided Driveway physically separating vehicular traffic traveling in opposite directions. Restrictive Median include physical barriers that prohibit movements of traffic across the Median such as a concrete barrier, a raised concrete curb, a raised concrete island, or a grassed or a Swaled Median.

**Retail, Retail Stores.** Any Building or Structure in which one (1) or more articles of merchandise or commerce are sold to the ultimate consumer.

**Retention or to Retain.** The prevention of, or to prevent, the Discharge, directly or indirectly, of a given volume of stormwater runoff for a given design storm.

**Riding Academy.** (See Stable, Public.)

**Right-of-Way.** A dedication of Land to be used generally for Roads, Alleys, stormwater Management, or other public uses, wherein the Owner gives up his rights to the property as long as it is being used for the dedicated purpose. Right-of-Way also is a Land measurement term, meaning not only the Road pavement, but



also the sidewalks, grass area, and underground and sometimes aboveground utilities.

Riverine Flood Hazard Area. (See Floodway.)

Road. A general term used to describe a Right-of-Way which provides for vehicular and pedestrian movement between certain points in the Subdivision or surrounding area, which may provide for vehicular and pedestrian Access to properties adjacent to it, and which may also provide space for the location of underground utilities or drainage. A Road is an arterial, collector, local, Private Road, or non-exclusive Easement dedicated to the public for Road, utility, and drainage purposes, with Lake County as the Grantee. A Road is not an exclusive or private Easement or a non-exclusive Easement with a party other than Lake County as the Grantee.

Roadway. The portion of the Right-of-Way which contains the Road pavement, and is used primarily for vehicular movement.

Roof sign. Any Sign erected over or on the Roof of a building.

Rooming House. (See Hotel.)

Runway. A defined area on an Airport prepared for Landing and takeoff of aircraft along its length.

Sandpine Community. Old dune with deep fine sand substrate; xeric; temperate or subtropical; occasional or rare fire (20--80 years); sand pine and/or scrub oaks and/or rosemary and cladonia. (FLUCFCS Code 413) This community is referred to as Scrub by FNAI.

Sanitary Waste. That wastewater discharging from the sanitary conveniences of Dwellings, commercial Structures, industrial plants and institutions which contains fecal material.

Screening Landscape. Landscape Development located between paved Parking Areas and sidewalks, Streets, other public Rights-of-Way and/or adjacent properties.

Section. Any major portion of this Land Development Regulations which ends with a number of .00. For example, 9.02.00, entitled "Landscaping Standards."

Sediment. Solid material, whether mineral or organic, that is in suspension, is being transported, or has been moved from its Site of origin by water.

Semitrailer. Any Vehicle with or without motive power, other than a pole trailer, designed for carrying Persons or property and for being drawn by a motor Vehicle and so constructed that some part or [of] its weight and that of its load rests upon, or is carried by, another Vehicle and/or any Vehicle without motive power designed to be coupled to or drawn by a motor Vehicle and constructed so that some part of its weight and that of its load rests upon or is carried by another Vehicle.

Sending Area. The area designated A-1-40 and A-1-20 Wekiva River Protection Area Overlay Districts on exhibit A and described in Policy 4, F, the Land Use Element of the Comprehensive Plan, Section 699.31, Lake County Code, and designated on the Wekiva River

Protection Area Transferable Development Rights Sending and Receiving Map on file in the Lake County Planning Department and Building Department.

Septage. Any solid or semisolid or liquid generated from any septic tank, grease trap, portable toilets and related operations or any other such waste having similar characteristics.

Septage Haulers. A transporter of Septage.

Setback. An imaginary line on a Building Site specifying the closest point from a Right-of-Way line, a property line or water bodies where a Structure may be located.

Service Stations. A Retail place of business engaged primarily in the sale of motor fuels and supplying only those incidental goods and services which are required in the day to day operation of automotive Vehicles and the fulfilling of motorist needs.

Sewage. Any substance that contains any of the waste products, excrement or other Discharge from the bodies of human beings or animals.

Sewer System. Any plant, system, facility or property used or useful or having the present capacity for future use in Connection with the collection, treatment, purification or disposal of Sewage and Sewage Effluent and residue for the public; and without limiting the generality of the foregoing definition, Shall include treatment plants, pumping stations, intercepting sewers, pressure lines, mains, laterals, and all necessary appurtenances and equipment and Shall include all property, rights, Easements and franchises relating to any such system and deemed necessary or convenient for the operation thereof, except systems where the collection, treatment, purification or disposal of Industrial Wastes from manufacturing plants is owned or operated by such manufacturing plants.

Shall. A mandatory condition. Where the word "Shall" is used, it is considered to be mandatory.

Shrubs. Self-supporting woody species of plants characterized by persistent stems and branches springing from the base.

Sign. Any object or device or part thereof situated outdoors or indoors visible from the exterior of the Structure which is used to advertise, identify, display, direct, or attract attention to an object, Person, institution, organization, business, product, service, event, or location, by any means, including, words, letters, figures, designs, symbols, fixtures, colors, motion, illumination, or projected images.

Sign Area. The area enclosed by a rectilinear line of not more than eight (8) sides drawn around the perimeter of the Sign, including trim, embellishments and background which includes the copy.

Sign Plaza. A Structure erected and maintained by or for the Department of Public Works or the Tourist Development Council, adjacent or in close proximity to the highway for the display of motorist information.

Sign Width. The copy and background area of a Sign measured horizontally.

**Significant Change.** A change in the use of the property, including Land, Structures or facilities, or an expansion of the size of the Structures or facilities, or an expansion of the size of the Structures or facilities causing an increase in the trip generation of the property based on the latest edition of the Institute of Transportation Engineers "Trip Generation Manual" exceeding twenty-five (25) percent more trips generation (either peak hour or daily) and exceeding one hundred (100) Vehicles per day more than the existing use.

**Silviculture.** A process, following accepted forest Management principles, whereby forests constituting crops are tended, harvested, and reforested (either by natural and/or artificial reforestation, or both).

**Sinkhole Community.** Karst feature with steep limestone walls; mesic-hydric; subtropical or temperate; no fire; ferns, herbs, Shrubs and hardwoods. This community has no FLUCFCS Code.

**Site.** Any Tract, Lot, or Parcel of Land or combination of Tracts, Lots, or parcels of Land which is in one (1) Ownership, or contiguous and in diverse Ownership where Development is to be performed as part of a unit, Subdivision, or project, and which includes Land within Easements and Building Setbacks but excludes any Land within Streets or nonexclusive Easements dedicated to the public for Road, utility, and drainage purposes with Lake County as the grantee.

**Site Plan.** A plan for one (1) or more Lots or Parcels showing the existing and proposed conditions of the Lot(s) or Parcel(s), including all of the requirements set forth in these regulations.

**Site Plan Approval.** A process for the review and approval of a Development Plan prior to the issuance of a Development Permit.

**Site-Related Improvements.** Capital Improvements to Roads necessary to provide safe and adequate Access within and adjacent to the proposed Development and made necessary by the specific traffic to be generated by the proposed Development.

**Site Triangle.** A triangular area formed by the intersecting of street right-of-way lines or intersection driveway and right-of-way lines and straight line joining said intersections at points twenty-five (25) feet from the point of the intersection.

**Snipe Sign.** A temporary sign or poster affixed to a tree, fence, telephone pole, etc.

**Solid Waste.** "Solid Waste" means garbage, rubbish, refuse, special waste, or other discarded material, including solid, liquid, semiliquid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations and sludge unregulated under the Federal Clean Water Act or Clean Air Act, sludge from a waste treatment works, water supply treatment plant, or Air Pollution control facility. Recovered materials as defined elsewhere in this document and by Florida Statute are not solid waste.

**Solid Waste Disposal Facility.** Any Solid Waste Management facility which is the final resting place for Solid Waste, including Landfills and incineration facilities that produce ash from the process of incinerating municipal Solid Waste.

**Special Event.** Any public or private not-for-profit event of limited duration, in which the general public is invited to participate, that is otherwise unrelated to the primary use of the property.

**Special Flood Hazard Area.** Land within a community in the Floodplain which is subject to a one (1) percent or greater chance of Flooding in any given year. (Also call area of special Flood hazard.)

**Stable, Public.** A stable, other than a private stable, used for the care of horses, ponies or other livestock to be used for instruction, recreation, renting or hiring or for Boarding such animals.

**Staff (County Staff).** Those representatives of County departments and agencies responsible for reviewing Land Development proposals.

**Standard Container.** A container made of nonabsorbent materials provided with a close fitting cover, side handles, and of thirty (30) gallons or less capacity, a thirty-gallon or less capacity waterproof bag of strength and material approved by the health department; or other waterproof containers approved by the health department.

**Start of Construction.** The commencement of Construction activities such as Land Clearing, earth moving, or the erection of Structures.

**State Highway System Chapter 11 (Signs).** See F.S. § 479.01.

**State Highway System Except Chapter 11 (Signs).** See F.S. § 334.03.

**State Land Development Plan.** A comprehensive statewide plan or any portion thereof setting forth state Land Development policies.

**State Land Planning Agency.** The agency designated by law to undertake statewide Comprehensive Planning.

**State of Florida Highway Construction Index.** The index produced by the State of Florida Department of Transportation Estimate Office, based upon the quarterly publication, Price Trends for Florida Highway Construction.

**State Plane Coordinates.** The system of plane coordinates which has been established by the National Ocean Service for defining and stating the positions or locations of points on the surface of the earth within the state and shall hereinafter be known and designated as the "Florida State Plane Coordinate System." For the purposes of the use of this system, the zones established by the National Ocean Service in NOAA Manual NOS NGS 5, State Plane Coordinate System of 1983, shall be used, and the appropriate projection and zone designation shall be indicated and included in any description using the Florida State Plane Coordinate System.

**Statutes.** The Florida Statutes Annotated, as amended from time to time.

**Storm Event.** The storm of a specific duration, intensity, and frequency.

**Storm Water or Runoff.** The flow of water which results from, and which occurs during and immediately following, a rainfall event.

**Storm Water Management Permit.** The approved detailed analysis, design, and drawings of the stormwater Management system required for all Construction.

**Storm Water Management System/Facilities.** The system or combination of systems designed to treat stormwater, or collect, hold, inhibit or divert the movement of stormwater, on through and from a Site.

**Story.** That portion of a Building included between the upper surface of any Floor and the upper surface of the next Floor above it, or if there be no Floor above it, then the space between such Floor and the ceiling above it exclusive of mezzanines.

**Street.** (See Road.)

**Street Line.** That line limiting the Right-of-Way of the Street and being identical with the property line of Persons owning property fronting on the Street.

**Structure.** "Structure" means anything constructed, installed, or portable, the use of which requires a location on a parcel of Land. It includes a movable structure while it is located on Land which can be used for housing, business, commercial, agricultural, or office purposes either temporarily or permanently. "Structure" also includes fences, billboards, swimming pools, poles, pipelines, transmission lines, tracks, and advertising Signs.

**Structural Work or Alteration.** The installation or assembly of any new structural components, or any change to existing structural components, in a system, Building, or Structure.

**Subdivision.** The division or re-division of a Parcel of Land, whether improved or unimproved, into three (3) or more Lots or parcels of land, including any division of a Parcel of Land by the construction of a new public street, by a change in an existing public street or by the construction of other public improvements or facilities.

**Subdivision Development Sign.** A Sign advertising a Subdivision Development of Property which denotes the owner, developer, architect, construction contractors and or lot layout.

**Subdivision Identification Sign.** A ground or wall Sign identifying a recognized Subdivision, condominium complex, or residential development. Subdivision Signs may be placed on entry walls or be constructed as a separate monument Sign.

**Subdivision, Platted.** A division of Lands into Lots, Blocks, parcels, Tracts, Sites, or other divisions, however the same may be designated, a map or drawing depiction thereof having been approved by the Board of County Commissioners and duly recorded in the records of the Clerk of the court of the County, under the provisions of the adopted Subdivision regulations of that time.

Subsection. Any Section of this Land Development Regulations which is a part of a Section, and ends with a number such as .10. For example, 9.02.10, entitled "Plan Approval".

Substantial Improvement. Any repair, reconstruction, improvement or Alteration of a Structure, the cost of which equals or exceeds fifty (50) percent of the fair market value of the Structure. Substantial Improvements Shall also mean any combination of repairs, Improvements, reconstruction or alternation taking place within a period of five (5) years any of which alone has a cost less than but which together have a cost equal to or exceeding fifty (50) percent of the fair market value of the Structure. Substantial Improvement is considered to have occurred when the first alternation in any wall, ceiling, Floor or other structural part of the Building commences whether or not that Alteration affects the external dimensions of the Structure. The term does not include any repair, reconstruction, improvement or Alteration of a Structure listed on the National Register of Historic Places or a state inventory of historic places. The term does not, however, include any project for improvement of a Structure required to comply with existing health, sanitary or safety Code specifications which are necessary solely to assure safe living conditions or as otherwise required by law.

Surface Water. Water upon the surface of the earth, whether contained in bounds created naturally or artificially or diffused. Water from natural springs or wells Shall be classified as Surface Water when it exits from the spring or well onto the earth's surface.

Surficial Aquifer. An Aquifer unit contiguous with Land surface that is comprised principally of unconsolidated to poorly indurated clastic deposits. Also known as the water table (Aquifer).

Swale. An artificial waterway which has all of the following:

- (a) A width-to-depth ratio equal to or greater than 6:1, or side slopes at least equal to 3 feet horizontal to 1 foot vertical;
- (b) Contiguous areas of standing or flowing water only after a rainfall;
- (c) Has natural or introduces vegetation suitable for soil stabilization, stormwater treatment, and nutrient uptake; and
- (d) Is designed to prevent Erosion and reduce the pollutant concentration of any Discharge.

For purpose of Road design and Construction, Swales may be considered as stormwater collection, conveyance, storage and treatment systems located adjacent to the Road shoulder and not necessarily complying with the criteria outlined above.

Tailings, Mining. Waste products of beneficiation operations that consist of solid particles, including clay and sand fines, including colloidal or waste clays.

Tax Collector. The Tax Collector of the County

Temperate Hardwood and Oak-Pine-Hickory Communities. Upland with sand/clay and /or calcareous substrate; mexist; temperate; rare or no fire; spruce pine, magnolia, beech, pignut hickory, white oak, and mixed

hardwoods. (FLUCFCS Code 425 and 423)

Temporary Sign. Any Sign to be erected for a short period of time.

Timber. Any wood for which any useful articles may be made or which may be used to the advantage in any class of manufacture or Construction.

Topsoil. The organic and/or inorganic matter, naturally present on the surface of the earth, which has been subject to and influenced by environmental factors of parent materials, climate, microorganisms, microorganisms and topography and that is sometimes necessary for the growth and regeneration of vegetation on the surface.

Total Site. Land which is under common Ownership or is part of a common plan of Development, rental, advertising or sale.

Tourist Home, Guest Homes, or Courts. (See Hotels.)

Tract. (See Lot.)

Trailer. Any Vehicle with or without motive power, other than a pole trailer designed for carrying Persons or property and for being drawn by a motor Vehicle and/or any Vehicle without motive power designed to be coupled to or drawn by a motor Vehicle and constructed so that no part of its weight or that of its load rests upon the towing Vehicle.

Trailer Coach. Includes all types of Mobile Homes, self-propelled trucks, or buses, which have been converted or equipped with living and/or sleeping quarters, pick-up trucks sometimes referred to as pick-up campers, converted buses sometimes referred to as caravans, and similar type Vehicles. Excluded are suburbans and similar types of automobiles for private use which have been equipped with camping equipment and relocated materials.

Transfer of Development Rights. The conveyance of Development Rights to an individual or legal entity from a Sending Area by deed, Easement or other legal instrument as approved by the County Attorney for Lake County, assignment to another Parcel of Land in a Receiving Area and recordation of the conveyance in the public records of Lake County, Florida.

Traveled Way. The portion of Roadway for the movement of Vehicles, exclusive of shoulders and auxiliary lanes.

Travel Trailer. (See Recreational Vehicle.)

Tree Protection Zone. A circular zone around each protected tree defined as follows:

- (1) If the Drip Line is less than six (6) feet from the trunk of the tree, the zone Shall be that area within a radius six (6) feet around the tree.

- (2) If the Drip Line is more than six (6) feet from the trunk of the tree, but less than twenty (20) feet, the zone Shall be that area within a radius of the full Drip Line around the tree.
- (3) If the Drip Line is twenty (20) feet or more from the trunk of the tree, the zone Shall be that area within a radius of twenty (20) feet around the tree.

Tributary. Moving body of water entering a Stream, creek, or river.

Truck. Any motor Vehicle designed, used, or maintained primarily for the transportation of property and/or any motor Vehicle with a net Vehicle weight of five thousand (5,000) pounds or less and which is designed or used principally for the carriage of goods and includes a motor Vehicle to which has been added a cabinet box, a Platform, a rack, or other equipment for the purpose of carrying goods other than the Personal effects of the passengers.

Truck Tractor. Any motor Vehicle designed and used primarily for drawing other Vehicles and not so constructed as to carry a load other than a part of the weight of the Vehicle and load so drawn and/or a Motor Vehicle which has four (4) or more wheels and is designed and equipped with a fifth wheel for the primary purpose of drawing a semi-trailer that is attached or coupled thereto by means of such fifth wheel and which has no provision for carrying loads independently.

Undeveloped. A Plat for which no Building Permit for a principal Structure has been issued.

Uniform Method. The Uniform Method for the levy, roll preparation, collection, and enforcement of non-ad valorem Assessments set out in Section 68 of Chapter 88-130 and Section 7 of Chapter 88-216 of the Laws of Florida.

Unincorporated Areas. Any Land in the County not lying within the boundaries of a duly incorporated village, town, municipality or other governmental unit.

Unsafe Sign. A Sign that becomes a hazard to the public's safety, health or welfare and is deemed Unsafe by the Building Official or his designee.

Uplands. Those non-wetland, non-Aquatic areas not subject to regular Flooding, including but not limited to the following Natural Upland Communities: Palmetto Prairie, sand pine, longleaf pine/xeric oak, live oak, temperate hardwood, pine flatwood.

Use Variance. A grant of relief which Permits a use in a zoning district otherwise prohibited. The granting of Use Variances is prohibited.

USFWS. United States Fish and Wildlife Service

Utility Runway. A Runway that is constructed for and intended to be used by propeller driven aircraft of twelve thousand five hundred (12,500) pounds maximum gross weight and less.

Utility Company. Any private or public companies engaged in providing a public service, such as



electricity, Sewage and garbage disposal, telephone service, etc. these regulations are not intended to, nor Shall they, require that a consumer purchase utility service from any specific company as a condition to receiving any other types of utility service.

Variance. A grant of relief from the requirements of these Regulations which Permits Development in a manner otherwise prohibited where specific enforcement would result in unnecessary hardship.

Vehicle. A form of transportation, including motorized and nonmotorized Vehicles designed and required to be licensed for use upon a highway in the state.

Veterinary Clinics or Hospitals. A place where animals or pets are given medical or surgical treatment. Use as a Kennel Shall be limited to short-term Boarding and Shall only be incidental to such Hospital use.

Viable Population. Any species population that is of sufficient quantity to selfpropagate and continue in existence without outside intervention.

Vines. Any of a group of woody or herbaceous plants which can climb by twining by means of aerial rootless or by means of tendrils or which can simply sprawl over the ground or other plants.

Visual Runway. One intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on an FAA approved Airport layout plan, a military services approved military Airport layout plan, or by any planning document submitted to the FAA by competent authority.

Visual Screen. A Landscaped screen planted in accordance with height and center requirements at the time of planting and height requirements after one (1) and two (2) years time after planting, as specified in this Land Development Regulations. A Visual Screen may incorporate structural materials, such as, fences or walls.

Wall/Decorative Entry. A wall constructed in lieu of a Sign intended to identify the entrance to a Development.

Wall Sign. A Sign attached parallel to, but within eight (8) inches of a wall, painted on a wall surface, or erected and confined within the limits of an outside wall of any Building or Structure displaying only one (1) Sign surface.

Waste Discharge. Any outfall, ditch, pipe, soakage pit, drainage well, drainfield, or any other method or device by which treated or untreated Sewage, Industrial Wastes, or other wastes can enter the Surface Waters or ground waters, so as to cause Water Pollution as herein defined.

Waste Disposal Cost. For any period, the amount of the County's capital and operating costs with respect to the facility and the County's other Solid Waste disposal facilities during such period, including, without limitation, the amount of the service fee and other amounts to be paid by the County under the service agreement.

Water Body. Any natural or artificial pond, Lake, reservoir, wetland or other area which ordinarily or

intermittently contains water and which has a discernible shoreline.

**Watercourse.** Any natural or artificial Stream, creek, channel, ditch, Canal, waterway, gully, ravine, or wash in which water flows either continuously or intermittently, and which has a definite channel, bed, or banks.

**Waterfront.** Any Lot or parcel bordering on a Water Body.

**Waters of the County.** Ground and surface waters within the political boundaries of Lake County.

**Waters of the State.** Those waters identified in F.S. § 403.031(12). Such waters include but are not limited to rivers, Lakes, Streams, springs, impoundments and all other waters or bodies of water, including fresh, brackish, saline, tidal, surface or underground waters. Waters owned entirely by one (1) Person other than the state are included only in regard to possible Discharge on other property or water. Underground waters include but are not limited to all underground waters passing through pores of rock or soils or flowing through in channels whether manmade or natural.

**Water Pollution.** The introduction into any surface or ground water, or any matter or deleterious substance in such quantities, proportions or accumulations which reduces the Water Quality within the surface or ground waters below standards set forth in this Code, and to the extent the water might be injurious to human, plant, animal, fish and other Aquatic life, or property, or which unreasonably interfere with the comfortable enjoyment of life or property, or conduct of business.

**Water Quality.** The chemical and biological composition of water.

**Water Recirculation Facilities.** Those Structures used for storing, routing and treating of Mine and process waters, including but not limited to reservoirs, clay settling areas, Canals, ditches and their associated dams and dikes.

**Wekiva River Protection Area.** The Lands within: Township 18 South, Range 28 East; Township 18 South, Range 29 East; Township 19 South, Range 28 East, less those Lands lying west of a line formed by County Road 437, State Road 46, and County Road 435; Township 19 South, Range 29 East, Township 20 South, Range 28 East, less all those Lands west of County Road 435; and Township 20 South, Range 29 East, less those Lands east of Markham Woods Road.

**Wekiva River System.** The Wekiva River, the Little Wekiva River, Black Water Creek, Rock Springs Run, Lake Norris, Sulphur Run and Seminole Creek.

**Wetland Dependent Wildlife Species.** Any wildlife species whose life cycle depends in whole or in part on a wetland environment.

**Wetland Functions.** The beneficial roles Wetlands serve, including storage, conveyance, and attenuation of Floodwater and Stormwater; groundwater recharge and discharge; protection of water quality and reduction of sediment and Erosion; production of waterfowl, game and nongame birds, mammals, and other living resources; protection of habitat for rare, threatened, and endangered species; food chain support for a broad

range of wildlife and fisheries; educational, historical, and archaeological value protection; and scenic, aesthetic, and recreational amenities.

**Wetlands.** Areas which are identified by being inundated or saturated by surface or Groundwater with a frequency or duration sufficient to support, and that under normal conditions do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include: swamps, marshes, bogs and similar areas. The extent and jurisdiction Shall be determined by the jurisdictional limits defined by Chapter 17-4, F.A.C. implemented by the Florida Department of Environmental Regulation, and as defined within Chapter 40D-4 and 40C-4, implemented by the Southwest Florida Water Management District and St. John's River Water Management District, respectively.

**Wholesale (Store, Business, Establishment).** A business establishment primarily engaged in selling to Retailers or jobbers rather than customers, including Wholesale storage.

**Wild Flowers.** Plants bearing flowers of a wild plant commonly used in Landscaping.

**Window Sign.** A permanent or temporary Sign suspended behind a window or glass and visible from the exterior of the building.

**Wireless Communication Antenna.** A wireless communications antenna designed to transmit or receive communications as authorized by the Federal Communications Commission. This includes AM structures and any tower that in an emergency can be tuned shunt loaded as a single side band (SSB) radio.

**Wireless Communication Tower.** A wireless communications tower whose height, including wireless communication antenna, is greater than that permitted in the zoning district which supports communication, transmission or receiving equipment. Design examples of wireless communications towers include self-supporting lattice, guyed, and monopole.

**Wireless Communication Antenna and/or Tower, Camouflaged.** A wireless communications antenna and/or tower designed to unobtrusively blend into the existing surroundings and be disguised to not have the appearance of a wireless communications antenna and/or tower. Camouflaged wireless communications antennas and/or towers on buildings must be disguised to appear as an accessory structure that is normally associated with the principal use occupying the property. Other camouflaged wireless communications antennas and/or towers must be disguised to blend in with other facilities on the property or existing vegetation. Examples of camouflaged wireless communication antennas and/or towers would be a wireless communications antenna and/or tower constructed in the form and shape of a tree to be part of a forested area, or an antenna and/or tower constructed to be a component of a bell or clock tower on sites with compatible buildings or a component of a church steeple on sites with churches. Surface finish, paint and/or markings alone are insufficient to qualify for a determination as a camouflaged wireless communications antenna and/or tower.

**Wireless Communications.** The term wireless communication includes but it not limited to radio and television, microwave, common-carrier, cellular telephone, personal communication services, personal communications networks, specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, citizen band, amateur radio, and similar services that currently exist or that may in the future be developed, and licensed by the Federal Communications Commission (FCC).

**Wireless Equipment Facility.** An equipment facility is any structure used to contain ancillary equipment for wireless communications which includes cabinets, shelters, pedestals, and other similar structures.

**Wooden Fence.** A Structure of appropriate height, consisting of individual, evenly spaced posts, to which are attached opaque Sections of vertical wood slats, woven wood or other such arrangement which together constitute an opaque, visual barrier between two (2) adjacent parcels of Land.

**Works.** All artificial Structures, including, but not limited to, Canals, ditches, Swales, conduits, channels, culverts, pipes, and other Construction that connects to, draws water from, drains water into, or is placed in or across the waters in the state (Section 373.403(5), F.S.).

**Workshop.** A meeting which usually involves staff level review of the subject material and may not necessarily involve general public involvement. Workshops are used to revise proposed material pursuant to, or in preparation for, Public Hearings/meetings.

**Written Notice.** The mailed Written Notice of a Public Hearing to interested parties, stating the time and place of the hearings and the matters to be discussed.

**Xeric Hammock Community.** Upland with deep sand substrate; xeric-mesic; temperate or subtropical; rare or no fire; live oak and/or sand live oak and/or laurel oak and/or other oaks. (FLUCFCS Code 427)

**Zone of Exclusion.** The Land Area surrounding a wellhead on which a present or future Land Use has the potential to negatively impact Water Quality or quantity of an Aquifer as a result of the induced Recharge from that wellhead's cone of depression, which is an approximation to the physical drawdown in the water elevation resulting from a pumping well.

(Ord. No. 1994-12, § 2, 8-16-94; Ord. No. 1993-19, § 1, 11-16-93; Ord. No. 1995-9, § 1, 5-3-95; Ord. No. 1995-46, § 1, 11-7-95; Ord. No. 1996-63, § 1, 8-6-96; Ord. No. 1996-77, §§ 1, 2, 9-17-96; Ord. No. 1996-88, § 2, 11-26-96; Ord. No. 1997-44, § 1, 6-17-97; Ord. No. 1997-65, § 3, 9-23-97; Ord. No. 1999-27, § 6, 3-9-99; Ord. No. 1999-65, § 2, 6-1-99; Ord. No. 1999-66, § 1, 6-1-99; Ord. No. 1999-67, § 6, 6-15-99; Ord. No. 1999-68, § 3, 6-15-99; Ord. No. 1999-91, § 1, 9-7-99; Ord. No. 1999-108, § 1, 11-16-99; Ord. No. 2000-107, § 4, 11-7-00; Ord. No. 2001-112, § 2, 8-7-01; Ord. No. 2002-28, § 2, 4-16-02; Ord. No. 2004-1, § 2, 1-6-04; Ord. No. 2004-57, § 2, 8-17-04; Ord. No. 2005-66, § 2, 8-16-05; Ord. No. 2007-27, § 12, 6-5-07; Ord. No. 2008-16, § 2, 4-15-08; Ord. No. 2008-45, § 2, 7-1-08; Ord. No. 2009-1, § 2, 1-6-09)