

## CHAPTER VIII. DEFINITIONS

The following definitions shall apply throughout this code. Words not specifically defined or otherwise explained within this code shall be as defined in a standard dictionary or as understood by the development review coordinator.

*Abutting property:* Any property that is immediately adjacent to or contiguous with 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 buildings and uses:* A subordinate building or a portion of the main building, the use of which is incidental to that of the dominant use of the main building or land. Accessory use is one which is incidental to the main use of the premises.

*Adult living facility (ALF):* Any institution, building or buildings, residence, private home, boardinghouse, home for the aged, or other place licensed and approved by the Florida State Department having jurisdiction over these facilities.

*Aggrieved person:* A person who, by action under this code, has or will suffer direct pecuniary loss, which loss is not speculative and is not suffered by the public generally. For example, a commercial site owner who is required to install stormwater retention at the owner's expense is not an aggrieved person.

*Alley:* A public or private way which is not designed for general travel but is used primarily as a means of secondary access to a lot abutting thereon.

*Alteration:* Any change affecting the exterior appearance of an existing structure or improvement by additions, reconstruction, remodeling, maintenance or structural changes involving changes in form, texture, materials or any such changes in appearance in specially designated historic site, or historic interiors.

*Apartment sign:* A sign designating the name of a particular apartment complex which is erected at an entryway.

*Applicant:* Any person applying for or who has been granted a permit or development order to proceed with a project.

*Appropriate to surroundings or appropriate to neighborhood:* Appropriate to neighborhood does not mean uniformity in style or subordination to existing buildings, but rather to bringing new buildings into an orderly relationship with landscape and nature, other buildings and open areas. Again, scale and composition come into importance, related here to adjacent properties.

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

*Archaeological site:* Earthworks, any subsurface remains of historical, archaeological or architectural importance, or any unusual ground formations of archaeological significance.

*As-built plans:* Also referred to as “Record Drawings”; a complete set of approved site plans amended to include all locations, dimensions, elevations, capacities, capabilities, as actually constructed and installed. Must include Engineer of Record’s certification of accuracy.

*Available capacity:* Capacity which can be encumbered or reserved by, or committed to, future users of a public facility or service.

*Awning sign:* Information painted on, or imprinted on, awnings. An awning is defined as a sheltering screen, usually of canvas fabric, extending over or before any place which has windows, doors, outside walks or the like, and providing shelter or protection against the weather. Awning signs shall be calculated as a portion of the square footage allowed for on the site as outlined in this code.

*Balloon sign:* A bag of varying types of material, inflated with gas, either attached to or located on a site used for the purpose of attracting attention to the business or location.

*Bars and cocktail lounges:* Those commercial establishments selling, dispensing, serving or providing alcoholic beverages and includes, but is not limited to, bars, nightclubs and cocktail lounges. Any establishment selling, dispensing, serving or providing alcoholic beverages, for on-premise consumption, where the selling, dispensing, serving or providing of alcoholic beverages is not clearly incidental to other products offered for sale, shall be considered a bar or cocktail lounge for the purposes of this code.

*Banner sign:* Any sign intended to be hung either with or without frames, possessing characters, letters, illustrations or ornamentation's applied to paper, plastic or fabric of any kind. National flags, flags of political subdivisions, symbolic flags of any institution or business, or information painted or imprinted on awnings, as defined in this article, shall not be considered banners for the purpose of this article, such definition shall not include over-highway announcement signs erected by the city.

*Bench sign:* A sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way, except for publicly installed bench signs.

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

*Buffer:* An area of land, landscape materials, wall or combination thereof between two parcels of land intended to reduce the impacts between the two parcels.

*Buildable area:* That portion of a site within the yard area on which a structure or improvements, including driveways and parking lots, may be erected.

*Building:* Any structure built for the support, shelter or enclosure of persons, chattels or property of any kind, which has enclosing walls for 50 percent of its perimeter. The word "structure" includes the word "building."

*Building, height of:* The vertical distance from the finished grade to the highest point of a flat roof or a mansard roof, or to the mean height level between eaves and ridge for gable, hip and gambrel roofs or other pitched roofs.

*Building line:* The line, established by law, beyond which a building shall not extend, except as specifically provided by law, and determined from the extreme support for the roof of the main structure or appurtenance thereto.

*Building setback line:* The line, established by law, beyond which a building shall not extend, except as specifically provided by law.

*Campaign sign:* A sign which announces or promotes a candidate for election to public office.

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

*Capacity:* The ability or availability of a public service or facility to accommodate users, expressed in an appropriate unit of measure, such as gallons per day or peak hour traffic volumes.

*Carport:* A structure consisting of a roof system which may be supported by poles or columns, is not enclosed and is generally intended provide cover for a vehicle. Carports shall not be considered as structures meeting garage requirements of any section of this Code.

*Certificate of appropriateness:* A written document, issued under the terms and conditions of the historic preservation regulations, allowing specified alterations, demolition, construction, or other work to a designated historic site, or for a building or structure within a designated historic district.

*Certificate of capacity:* The document issued by the city indicating the quantity of public facilities that are available and reserved for the property described in the certificate, including any limits on uses, densities, and intensities of the approved development of the property, and containing an expiration date.

*Child care centers:* An establishment where five or more children under the age of six years, excluding members of the family occupying the premises, are cared for. The term includes nurseries, kindergartens and day nurseries.

*City:* Crescent City, Florida.

*City Manager and City Administrator:* Shall mean the head administrative official of the City as established by the City Charter.

*Clearing:* The removal of trees and brush from a substantial part of the land but shall not include mowing.

*Clinic:* An establishment where patients who are not lodged overnight are admitted for examination and treatment by one person or a group of persons practicing any form of healing or health-building services to individuals, whether such persons be medical doctors, chiropractors, osteopaths, chiropractists, naturopaths, optometrists, dentists or any such profession, the practice of which is lawful in the State of Florida.

*Club:* Buildings and facilities owned and operated by a corporation or association of persons for social or recreational purposes, but not operated primarily for profit or to render a service which is customarily carried on as a business.

*Commercial recreation:* Commercial establishments operating for the sole purpose of providing recreational activities including pinball, video games, billiards, skating rinks and the like in GC-1 zones.

*Commission:* The city Commission of the City of Crescent City, Florida.

*Common open space:* An area of land, or an area of water, or combination of land and water, within the area of a planned unit development which is designated and intended for the use or enjoyment of residents of the planned unit development in common. Common open space may contain such structures and improvements as are desirable and appropriate for the common benefit and enjoyment of residents of the planned unit development.

*Community center sign:* A sign associated with and erected by a community center. For this purpose, community centers are defined as those building or structures open to the general public which are owned and operated by a governmental, public, or not-for-profit for the purpose of hosting an assemblage of persons.

*Compensating storage:* Equivalent to floodplain storage provided to counterbalance floodplain filling.

*Comprehensive plan:* A plan that meets the requirements of F.S. ch. 163, pt. II.

*Concurrency:* The presence of adequate public facilities that meet the adopted level of service standard or will be available either no later than the impact of development, or within one year of the impact of development, depending on the type of facility.

*Concurrency test:* A comparison of the development's impact on public facilities to the capacity of public facilities that are, or will be, available no later than the impacts of the

development, or within one year of the impact of the development, depending on the type of facility.

*Conditional use:* A use allowed in a zoning district only after specific requirements outlined in this code have been met and the planning and zoning commission has attached conditions of approval, if any.

*Condominium:* That form of ownership of real property created pursuant to Florida Statutes Chapter 718, which is comprised entirely of units that may be owned by one or more persons, and in which there is, appurtenant to each unit, an undivided share in common elements.

*Construction:* Building, assembling, expanding, modifying or altering the existing contours of a site, the erection of buildings or other structures, or any part thereof, or land clearing.

*Construction sign:* Any sign giving the name or names of principal contractors, architects and lending institutions responsible for construction on the site where the sign is placed, together with other information included thereon.

*Contributing building:* A building contributing to the historic significance of a district which by virtue of its location, design, setting, materials, workmanship, or association with local historic events or personalities lends to the district's sense of time and place within the context of the intent of historic preservation.

*Coverage:* That percentage of the lot area covered by the main and accessory buildings.

*Demolition:* The act or process of wrecking, destroying, or removing any building or structure, or any exterior or structural part thereof.

*Density, residential:* Refers to the number of residential dwelling units permitted per gross acre of land and is determined by dividing the number of units by the total area of land within the boundaries of a lot or parcel, preservation and undevelopable areas, or areas below the normal high water line of a lake. In the determination of the number of residential dwelling units to be permitted on a specific parcel of land, a fractional unit shall not entitle the applicant to an additional unit.

*Designated exterior:* All outside surfaces of any improvement, building, structure defined in the historic preservation survey as having significant value to the historic character of the building, district or city.

*Detention:* The collection and temporary storage of water in such manner as to provide for treatment through chemical, or biological processes or attenuation of the peak rate of storm physical, or flow.

*Developed:* That point in time when the building and site have received final inspections.

*Developer:* Any person, including a governmental agency, undertaking any development, as defined in this section.

*Development:* The alteration, construction, installation, demolition or removal of a structure, impervious surface or drainage facility; or clearing, scraping, grubbing, killing or otherwise removing the vegetation from a site; or adding, removing, exposing, excavating, leveling, grading, digging, burrowing, dumping, piling, dredging or otherwise significantly disturbing the soil, mud, sand or rock of a site.

*Development order:* Any order, permit or other official action of the city granting, or granting with conditions, an application for development.

*Development permits:* Single-family and duplex residences, new nonresidential/multifamily (greater than duplexes), all other new construction, all commercial interiors, site work/infrastructure permit, demolition/house moving, foundation, additions (commercial, multifamily and all other nonresidential), and any other permits designated by the city from time to time as development permits.

*Directional sign:* A sign of a variety that indicates ingress and egress points only. The intent of these signs is to allow for vehicular visibility to access points for nonresidential development. Directional language and logos may be incorporated into the sign design but may not exceed the sign area requirements.

*Directory sign:* A sign on which the names and locations of occupants or the use of a building is given. This shall include office building and church directories.

*Discharge, discharge point:* The outflow of water from a project, site aquifer, drainage basin or facility and the point thereof.

*District:* Any section of the certain described area of the City of Crescent City to which these regulations apply and within which the zoning regulations are uniform.

*Ditch:* Artificial waterway for irrigation or stormwater conveyance.

*Drainage facility:* Component of the stormwater management system.

*Drainage systems, natural drainage system:* All facilities used for the movement of stormwater 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, etc. Also includes all watercourses, water bodies and wetlands.

*Dredging, filling and other related activities:* Any activities which may affect the quality of the waters of the city, such as the following: draining, digging, pumping, pushing, removing or displacing, by any means, of material, or the dumping, moving, relocating or depositing of material, either directly or otherwise, and the erecting of structures, driving

of pilings, or placing of obstructions below the mean high water mark of any body of water within the city.

*Drip line:* The vertical line running through the outermost portion of the tree crown extending to the ground.

*Dry detention:* Detention provided by a pond or basin that normally has a dry bottom except during, and up to 14 days after, a rainfall event.

*Duplex:* A dwelling which has accommodations for and is intended to be used by two families living independently of each other. In order to qualify as a duplex, the dwelling must:

- (1) Have at least one common wall;
- (2) Be so designed as to allow passage from one dwelling unit to the other without the necessity of leaving the shelter of a common roof, if a connecting passage were cut through the common wall; and
- (3) Be so designed that at least 50 percent of the common wall is located between the front wall and rear wall of the heated living area. Further, the construction of any structure as a duplex shall be duly noted in the public records of Putnam County, Florida on a form provided by the city. Any duplex constructed after April 7, 1998, which is damaged shall be repaired, replaced, or demolished in order to ensure no structure remains after the damage which is nonconforming.

*Dwelling:* A building or portion thereof designed exclusively for residential occupancy, including one-family, two-family and multifamily dwellings, but not including hotels, motels, boardinghouses, rooming houses, house trailers, whether such trailers be mobile or located in a stationary fashion as on blocks or other foundations, tents, houseboats, travel trailers or other forms of temporary or portable housing.

*Dwelling, multifamily:* A building containing three or more dwelling units.

*Dwelling, single-family:* A building containing only one dwelling unit.

*Dwelling, two-family:* A building containing only two dwelling units.

*Dwelling unit:* A building or space consisting of one or more rooms which are arranged, designed or used as living quarters for one family only, containing independent sanitation and cooking facilities.

*Easement:* A right of use over the property of another.

*Encumbered capacity:* Capacity for a project which is "set aside" for a limited amount of time (while the project is under review or connected to the time-frame underlying a preliminary development order).

*Erosion:* Wearing or washing away of soil by the action of water.

*Extended dry detention:* Detention provided by a pond or basin that normally has a dry bottom that drains the runoff volume captured for water quality management over a time period exceeding 12 hours and drains completely between storms.

*Exterior:* All outside surfaces of any building or structure.

*Family:* One or more persons living as a single housekeeping unit, as distinguished from a group occupying a hotel, club, fraternity, sorority or an institutional group.

*Fence:* An unroofed barrier or unroofed enclosing structure.

*Final development order:*

- a. Development of regional impact (DRI);
- b. All development permits except those exempted permits;
- c. Site plan;
- d. Final subdivision plan and plat.

*Final master plan:* The specific plan for the development of a planned unit development.

*Final plat:* Those submittals as required by, and following the procedure of this code, showing all building lots, easements, rights-of-way and other information necessary for providing the detailed description of the subdivision of a parcel of land.

*Flood, 100-year:* The flood flow or stage of the magnitude which has a one percent chance of being equaled or exceeded during any one given year.

*Floodplain, 100-year:* An area inundated as a result of runoff from a 100-year flood.

*Floodplain or floodprone area:* An area inundated as a result of runoff from a storm with a defined probability of occurrence in any year (e.g., the one percent probability of occurrence floodplain is the 100-year floodplain).

*Floodway:* The permanent channel of a stream or other watercourse, plus any adjacent floodplain areas that must be kept free of any encroachment in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than a designated amount, not to exceed one foot except as otherwise established by the Water Management District or established by a flood insurance rate study conducted by the Federal Emergency Management Agency (FEMA).

*Note:* The one foot increase cited above is used in the determination of the floodway itself and is not meant to allow subsequent increases in the 100-year flood elevation, once the limits of the floodway have been so set. That is, in order to determine that portion of the floodplain which will be designated as the floodway, one begins at the outer limits of the floodplain and assumes full development inward, toward the river or stream channel, on both sides of the flood hazard area, until the point is reached where development will cause the 100-year flood elevation to rise by one foot. The area remaining between this

boundary and the channel is the floodway, and because any further development here would necessarily increase the 100-year flood elevation by more than one foot, no such development can be permitted.

*Freestanding sign:* Any mobile or portable sign structure, not structurally secured to the ground or to any other structure.

*Garage:* As required for residential structures, a garage shall be a structure consisting of three solid walls and one door of appropriate size to allow parking of at least one standard size automobile. Minimum garage size shall be 12 feet by 20 feet. Garages shall not extend into any setback. Garages must also be architecturally similar to the primary structure in design and materials.

*Garage apartment:* A fully functional living unit containing cooking and sanitation facilities located in or above a garage. Garage apartments shall not be allowed in single-family zoning districts and shall be considered a separate unit in multifamily residential zoning districts.

*Gas and oil service stations:* A commercial operation offering for dispense, gasoline, diesel fuel or other petroleum-based product for the use in automobiles, as opposed to automotive repair facilities which provide repair and maintenance of automobiles without dispensing fuel.

*Geotechnical engineer* shall mean a licensed professional engineer in the State of Florida whose expertise or experience is in the field of geotechnical engineering.

*Grade:* The slope of a road, street, other public way, or lot specified in percentage terms.

*Green Book:* "Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways," prepared by FDOT, Tallahassee, Florida.

*Ground sign:* A sign which is supported by structures in or upon the ground and independent of support from any building.

*Groundwater:* Water beneath the surface of the ground whether or not flowing through known and definite channels.

*Guest house or cottage:* A detached accessory building located on the same premises of the main residential building, intended for intermittent or temporary occupancy by a nonpaying guest, and which has no cooking facilities.

*Historic district:* A geographically defined area with a significant concentration, linkage, or continuity of landmarks, improvements, or landscape features united by historic events or aesthetically by plan or physical development, and which area has been designated as a historic district under the procedures described in this ordinance. Any historic district

may have within its area non-historic buildings or other structures that contribute to the overall visual character of the district.

*Historic site:* Any site, building, structure, feature or improvement which has been designated as a "historic site" under the terms, conditions and procedures of this ordinance.

*Historic site survey:* A comprehensive survey compiled by the historic preservation board designed to identify, research and document buildings, sites and structures of any historic, cultural, architectural or landmark importance in Crescent City, Florida. The board may compile said survey in cooperation with state and local public and nonprofit historic preservation organizations to prevent a duplication in effort.

*Home occupation:* Any use conducted entirely within a dwelling and carried on by an occupant thereof, which use is clearly incidental and secondary to the use of the dwelling thereof. Home occupations shall not be construed to include barbershops, beauty salons, tearooms, food processing restaurants, sale of antiques or commercial kennels. In addition, any use which requires employees and/or customers to enter the premise shall not be construed as a home occupation.

*Honest design construction:* Honest design construction concerns proper design of all work in its details, the uses of weather-resistant material, etc., and applies to advertising.

*Hotel:* Any building containing principally sleeping rooms in which transient guests are lodged, with or without meals, with no provisions made for cooking in any individual rooms or suites.

*Hydrograph:* A graph of discharge versus time for a selected outfall point.

*Illuminated sign:* Any sign illuminated in any manner by an artificial light source.

*Impact of development:* For purposes of concurrency, the impact of development shall be determined to occur at the time the certificate of occupancy is issued.

*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 semipervious surfaces such as compacted clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar surfaces.

*Improvement:* Any building, structure, fence, gate, wall, walkway, parking facility, light fixture, bench, foundation, sign, work of art, earthworks, sidewalks, or other manmade objects constituting a physical change or betterment of real property, or any part or portion of said change or betterment. Additionally, street pavements, curbs and gutters, sidewalks, alley pavements, walkway pavements, water mains, sanitary sewers, storm sewers or drains, street names, signs, landscaping, permanent reference monuments

(P.R.M.s), permanent control points (P.C.P.s), or any other improvements required by the city.

*Independent contractor:* One who, exercising an independent employment, contracts to do a piece of work according to his own methods and without being subject to the control of his employer as the result of the work.

*Inland wetlands:* A publicly or privately owned marsh or swamp bordering on the fresh waters of the city or any marsh or swamp subject to flooding by fresh water.

*Integral sign:* Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials mounted on the face of a building. This definition shall include memorial plaques placed on city-placed benches for public seating.

*Intensity:* As related to stormwater, the depth of accumulated rainfall per unit of time.

*Kennel:* A place where dogs and other small animals and house pets are kept, sheltered, boarded, bred or groomed for compensation.

*Land-locked area:* An area which does not discharge runoff from the ten-year, 24-hour storm event.

*Land owner:* The legal or beneficial owner or owners of all of the land proposed to be included in a development; the holder of an option or a contract to purchase; or a person having possessory rights or equal dignity will be deemed to be a land owner for the purpose of this regulation, so long as the written consent to the development of the owners of all other interest in the land concerned is obtained.

*Land surveyor:* A land surveyor registered under Chapter 472 who is in good standing with the Florida State Board of Professional Engineers and Land Surveyors.

*Land use:* The development that has occurred on the land, or the development that is proposed by a developer on the land, or the use that is permitted or permissible on the land under an adopted comprehensive plan, or element or portion thereof, or under land development regulations or a land development code, as the context may indicate.

*Landscape architect:* A qualified person registered and currently licensed to practice landscape architecture in the State of Florida pursuant to F.S. ch. 481, whose expertise and experience allows for the preparation of stormwater design, calculations, and drawings as set out in the applicable sections of this code.

*Landscape feature:* Any improvement or vegetation including, but not limited to: outbuildings, walls, courtyards, fences, shrubbery, trees, sidewalks, planters, planting, gates, street furniture and exterior lighting.

*Level of service standard:* The number of units of capacity per unit of demand adopted by the city.

*Livestock:* Includes all animals of the equine, bovine or swine class, including, but not limited to, goats, sheep, mules, horses, hogs, cattle and other grazing animals.

*Local Register of Historic Places:* A listing and a means by which to identify, classify and recognize various archaeological sites, buildings, structures, improvements, districts and appurtenances as historically and/or architecturally significant.

*Local roads:* Roadways which do not provide the sole ingress or egress from a dwelling, building, or work.

*Lot:* The least fractional part of subdivided lands having limited fixed boundaries, and an assigned number, letter or other name through which it may be identified.

*Lot, corner:* A lot situated at the intersection of two streets, the interior angle of such intersection not exceeding 135 degrees. Corner lots shall have two front yard setbacks along the adjacent rights-of-way and two side yard setbacks on the remaining sides.

*Lot, depth:* The distance measured from the midpoint of the front line to the midpoint of the opposite rear line of the lot.

*Lot, double-frontage:* A lot having two or more of its nonadjoining property lines abutting upon a street or streets, not including alleys.

*Lot, front:* The portion of a lot that abuts the street or road right-of-way. In the case of a corner lot, this is both.

*Lot of record:* A lot which is part of a subdivision, the plat of which has been recorded in the office of the clerk of the Circuit Court of Putnam County, Florida, or was shown as an individual lot on the Putnam County Assessment Maps, as of May 8, 1975.

*Lot width at the building line:* The distance between the side lot lines, measured at the front building line and parallel to the front lot line.

*Maintenance:* The action taken to restore or preserve the functional design of the as-built plans of any facility or system.

*Marquee sign:* Any sign attached to and made a part of a marquee. A marquee is defined as a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather.

*Menu board:* A sign which carries only the name of a restaurant and the current list and prices of food or food preparations available in that restaurant.

*Minimal impact:* A change in a use or development of up to 1,000 square foot building expansion and that generates fewer than 20 additional trips per day. A minimal designation runs with the land for each parcel for which it is granted.

*Monument sign:* A sign which has the vertical structure supports concealed in an enclosed base. The width of such enclosed base shall be equal to at least two-thirds the horizontal width of the sign surface. A planter structure shall enclose the foot of the base. The planter shall be between two and three feet in height above the ground, with a minimum length equal to the width of the sign and a minimum width of three feet. The base and planter shall be of brick.

*Motor home:* A portable temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.

*National Register of Historic Places:* A federal listing maintained by the U.S. Department of the Interior of buildings, structures and districts that have attained a quality of significance as determined by the Historic Preservation Act of 1966, as amended.

*Natural flow pattern:* The rate, volume and direction of the surface or groundwater flow occurring under natural conditions.

*Nonconcurrency affidavit:* A document signed by an applicant which defers the application for a certificate of capacity, and the concurrency test, acknowledges that future rights to develop the property are subject to the deferred concurrency test, and acknowledges that no vested rights have been granted by the city or acquired by the applicant without such a test.

*Nonconforming sign:* Any sign which does not conform to the regulations of this code.

*Noncontributing building:* A building within a historic district which does not add to a historic district's sense of time and place and historical development; or a building where the location, design, setting, materials, workmanship, and association have been so changed, or have so deteriorated that the overall integrity of the building has been irretrievably lost.

*Nonresidential subdivision:* A subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivision shall comply with the applicable provisions of these regulations.

*Occupant identification sign:* Any sign which carries only the name of the firm, major enterprise or products offered for sale on the premises, lot or parcel of land.

*Off-street parking facility:* A lot or parcel of land or structure designed, constructed or utilized for the temporary storage or parking of motor vehicles.

*Open channel:* A canal, ditch, or swale used to safely convey stormwater runoff.

*Ordinary maintenance or repair:* Any work for which a building permit is not required by law, where the purpose and effect of such work is to correct any physical deterioration or damage to an improvement, or any part thereof by restoring it, as nearly as practical, to its appearance prior to the occurrence of such deterioration or damage.

*Outdoor advertising sign:* Sign which advertises a business, organization, event, person, place or thing not on the premises of said business, organization, event, person, place or thing.

*Owner:* The person in whom is vested the fee, ownership, dominion, or title of property. This term may also include a tenant, if chargeable under his lease for the maintenance of the property, and any agent of the owner or tenant including a developer.

*Parcel or parcel of land:* A contiguous quantity of land in possession of, owned by, or recorded as property of the same claimant person in the Public Records of Putnam County, Florida, as of the effective date of this code or as may be subsequently recorded pursuant to the City of Crescent City Land Development Regulations.

*P.C.P. (permanent control point):* A secondary, horizontal-control monument, according to F.S. § 71.339.

*Peak rate of flow:* The maximum rate of discharge resulting from a given storm event.

*Permitted uses:* Those land uses that are permitted within a zoning district.

*Person:* Any and all persons, natural or artificial, and includes any individual, firm, corporation, governmental agency, business trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other legal entity.

*Planned unit development:* An area of land devoted by its owner to development as a single entity for a number of dwelling units and/or other uses in accordance with a plan which does not necessarily comply with the provisions of other zoning districts with respect to lot size, lot coverage, setbacks, off-street parking, bulk or type of dwelling, density and other restrictions.

*Planning and zoning commission:* The planning and zoning commission of the City of Crescent City.

*Plat:* A map or delineated representation of the subdivision of lands, being a complete, exact representation of the subdivision and other information in compliance with the requirement of all applicable statutes and of local ordinances, and may include the terms "replat," "amended plat," or "revised plat."

*Pole sign:* A sign placed on or affixed to a pole which is not concealed from public view.

*Positive outlet:* A gravity discharge from a basin via overland flow, artificial waterway, natural waterway, or pipe.

*Post-development:* The average conditions as of the completion of the development for which a permit has been applied.

*Potable water:* Water which is satisfactory for drinking, culinary and domestic purposes, and which meets the quality standards of the Florida Department of Environmental Regulation, Chapter 17-22, Florida Administrative Code.

*Predevelopment:* The hydrologic condition of the project site immediately before development or construction begins.

*Preliminary master plan:* The proposal for development of a planned unit development.

*Private club:* An incorporated or unincorporated association for civil, social, cultural, religious, literary, political, recreational or like activities, operated for the benefit of its members and not open to the general public.

*P.R.M. (permanent reference monument):* A monument according to F.S. § 71.339.

*Professional engineer:* A State of Florida Registered Professional Engineer.

*Professional geologist:* A State of Florida Registered Professional Geologist whose expertise and experience allows for the performance of the tests and preparation of evaluations and reports as set out in the applicable sections of this ordinance.

*Prohibited uses:* Those land uses that are specifically forbidden in a particular zoning district.

*Project:* The particular structures and improvements proposed by the applicant on a particular land area which are part of a common plan of development.

*Project engineer:* A professional engineer of record for the project under consideration.

*Projecting sign:* Any sign other than a wall sign affixed to any building or wall whose leading edge extends beyond such building or wall.

*Proper design concepts:* Proper design concepts refers to architectural planning and to the analysis of the whole structure in terms of form and composition, color, materials and surface decoration. It includes scale in relationship to scale of adjacent buildings and landscape. It applies to inner character of the individual project. It applies in the same manner to alterations and advertising on the project (building). That the area contains other unsightly buildings is not a criteria to allow new unsightly buildings.

*Public facilities:* Roads, potable water supplies, sanitary sewer treatment, solid waste, drainage, public parks.

*Public sign:* Governmental information or direction signs, historical markers, signs relating to national defense and security and other emergency signs, and ornamental signs of a permanent character displaying only the name of a commonly known and accepted name of a section of the city, deemed by the city Commission to be of general public interest, may be located in any zoning district.

Public signs shall also include street banner signs at city designated locations which meet the following criteria:

1. The applicant is a public body or is a fraternal, benevolent, charitable, eleemosynary, philanthropic, altruistic, civic, community, veteran, educational organization or other organization of like or similar nature;
2. The sign solely advertises an event, function or thing of general public interest;
3. The location of the sign will not interfere with the traffic or public safety;
4. The copy of the sign does not violate any provision of this article;
5. Signs shall be permitted for a maximum of 14 days.

*Public utility:* Any publicly or privately operated utility, such as, but not limited to, storm drainage, sanitary sewers, electric power, water service, gas service or telephone lines, whether underground or overhead which serves the public.

*Rate:* Volume per unit of time.

*Real estate sign:* Any sign which is used to offer for sale, lease or rent the property upon which the sign is placed.

*Receiving waters or receiving water bodies:* Any water bodies, watercourses, and wetlands into which surface waters flow.

*Recharge:* The inflow of water into an aquifer which meets state aquifer and water quality requirements contained in Chapters 17-3 and 17-4, Florida Administrative Code.

*Recreation (use):* Public or private parks which include, but are not limited to playgrounds, swimming pools (open to the public), ball fields, etc. Additionally, cultural facilities supported by the city through direct monetary support, sponsorship in name, or through donations of public property shall be considered recreation uses. Private recreation uses, such as pool halls, video or pinball arcades, shall not be considered as recreation uses.

*Reserved capacity:* Capacity which is removed from the "available capacity" list and is allocated to a particular project or parcel of land.

*Reservoir area:* An area not on the public right-of-way which is provided for the temporary use of vehicles waiting to enter to leave a vehicle-oriented service or an off-street parking facility.

*Resubdivision:* A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use, or

any lot line, or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.

*Retention or to retain:* The prevention of, or preventing, the discharge, directly or indirectly, of a given volume of stormwater runoff into surface waters by complete on-site storage.

*Right-of-way (ROW):* Land dedicated, deeded, used or to be used for a street, alley, walkway, boulevard, public facility, drainage facility, access for ingress and egress, or other purpose by the public, certain designated individuals or governing bodies.

*Riverine flood hazard area:* A floodplain area associated with stormwater, rather than tidal, flooding.

*Roadway:* The paved portion of a street available for vehicular traffic.

*Roof sign:* Any sign erected or constructed wholly upon and over the roof of any building and supported solely on the roof structure.

*Rural section:* A paved street having an open drainage system, i.e., utilizing swales rather than curbs and gutters for drainage.

*Sandwich board:* A two-sided, self-supporting sign with the base of the sign being the supporting structure and the connecting point located at the top of the sign.

*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.

*Sedimentation control device:* Any structure or area which is designed to hold runoff water until suspended sediments have settled.

*Service drive:* A public street, generally paralleling and contiguous to a main-traveled way, primarily designed to promote safety by eliminating excessive ingress and egress to the right-of-way, and providing safe and orderly points of access at fairly uniformly spaced intervals.

*Service stations:* Any building, structure or use of land used for the dispensing, sale or offering for sale at retail any automobile fuels, oils or accessories and, in connection with which, may be performed general automotive servicing, as distinguished from automotive repairs which are established whose side use is to repair mechanical problems with vehicles.

*Sewage disposal system, individual:* A septic tank, seepage tile sewage disposal system or any other sewage treatment device approved by the county health department in accordance with the regulations of the State of Florida and servicing only one lot.

*Shopping center:* A group of retail stores, planned and developed for the site upon which they are built, with off-street parking provided on the property.

*Shrubs:* A woody plant of relatively low height distinguished from a tree by having several stems rather than a single trunk; a bush.

*Sidewalk:* That concrete portion of a right-of-way intended for pedestrian use.

*Sidewalk sign:* See: Sandwich sign.

*Sight distance triangle:* The triangular clip required on any intersection corner to permit a vehicle operator an unobstructed view of the crossing roadway for a minimum sight distance in either direction along the crossing roadway.

*Signs:* Any letter, figure, character, mark, plane, point, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter, inflatable device, or illuminated surface, which shall be so constructed, placed, attached, painted, erected, fastened, or manufactured in any manner whatsoever, so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise, whatsoever, which is displayed in any manner whatsoever.

*Site:* Any tract, lot, or parcel of land or combination of tracts, lots, or parcels of land which is in one ownership, or contiguous and in diverse ownership where development is to be performed as part of a unit, subdivision, or project.

*Site plan:* An illustration of the details of development of areas, such as, but not limited to, commercial, recreational, and multiple-family residential uses not being platted.

*Snipe sign:* Any sign of any material whatsoever that is attached in any way to a utility pole, tree, fence post or any other similar object, or placed within public property or within a public right-of-way without city approval.

*Soil, potential, low potential:* Serious soil limitations exist that are difficult to overcome and the practices necessary to overcome the limitations are relatively costly compared to those required for soils with high potential; necessary practices may involve environmental values and considerations; performance for the intended use is poor and unreliable.

*Soil potential, very low potential:* Very serious soil limitations exist that are most difficult to overcome; initial cost of the practices and maintenance costs are very high compared to those for soils with high potential; environmental values are usually depreciated; performance for the intended use is inadequate or below acceptable standards.

*Special restriction:* Those restrictions placed on any permitted or conditional land use within a particular zoning classification.

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

*Stormwater or runoff:* The flow of water which results from, and which occurs during and immediately following, a rainfall event.

*Stormwater management:* The approved detailed analysis, design, and drawings of the stormwater management system required for all construction.

*Stormwater management system/facilities:* To the designed/constructed features of the property which collect, convey, channel, store, inhibit, or divert the movement of stormwater.

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

*Street alley:* A public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.

*Street, arterial:* A street which provides a direct route for long, local trips and also provides access to interstates, expressways and freeways. The main function of an arterial is to move large volumes of vehicles; on-street parking should be prohibited and access should be carefully controlled. Average daily traffic is normally greater than 6,000 vehicles. Interstates, expressways and freeways can also be classified as arterial roads with greater capacities, greater right-of-way and more limited access than other arterials.

*Street, collector:* A street which conducts traffic between local streets and arterials and also provides access to abutting property. Access should be controlled and on-street parking should be allowed only in cases where extra right-of-way exists and a safety problem will not be caused.

*Street, cul-de-sac:* A local street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

*Street, local:* A street which provides access to property, serving as the first level of roadway for a neighborhood. It serves as a feeder to collector streets.

*Street right-of-way line:* The dividing line between a lot, tract or parcel of land and a contiguous street.

*Structure:* 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 billboards, swimming pools, poles, pipelines, transmission lines, tracks and advertising signs.

*Structure, temporary:* Any structure to serve a use temporarily, such as a field or sales office, contractor's office or trailer sign.

*Subdivision:* The division of a parcel of land, whether improved or unimproved, into two or more lots or parcels of land for the purpose, whether immediate or future, of transfer of ownership, or if the establishment of a new street is involved, any division of such parcel.

*Subdivision development sign:* A sign advertising a subdivision development of property which donates the owner, developer, architect, construction contractor(s) and or lot layout.

*Subdivision sign:* A sign donating the name of a subdivision for means of identifying the development. Subdivision signs may be placed on entry walls or be constructed as a separate monument sign. In nonresidential subdivisions, these signs shall not be calculated toward the allowable sign over area for any particular site. These signs must be located at the entrance to the subdivision.

*Survey data:* All information shown on the face of a plat that would delineate the physical boundaries of the subdivision and any parts thereof.

*Swale:* An artificial waterway which:

- (a) Has a top width-to-depth ratio of the cross-section equal to or greater than 6:1, or side slopes equal to or greater than three feet horizontal to one foot vertical;
- (b) Contains contiguous areas of standing or flowing water only following a rainfall event;
- (c) Is planted with or has stabilized vegetation suitable for soil stabilization, stormwater treatment, and nutrient uptake; and
- (d) Is designed to take into account the soil erodibility, soil percolation, slope, slope length, and contributing area so as to prevent erosion and reduce the pollutant concentration of any discharge.

*Swing sign:* Any sign projecting from an angle or the outside wall or walls of any building, or from an awning, which has a horizontal dimension equal to or exceeding its vertical dimension, and which is suspended from a projecting structure in such a manner that the sign itself, or any part thereof, is not attached to the building or wall.

*Tail water:* The water into which a spillway or outfall discharges.

*Telecommunications tower:* A structure, such as a self-supporting lattice tower, guy tower, monopole tower, or building on which transmitting or receiving antennae are located, including accessory facilities for equipment storage and operations. The term includes radio and television transmission towers, microwave towers, common carrier

towers, cellular telephone towers, and the like, but excludes accessory structures to a permitted use such as ham radio towers, receive-only antennae, radio dispatch systems, transportable telecommunications devices and the like.

*To plat:* In whatever tense used, "to plat" shall mean to divide or subdivide land into lots, blocks, tracts, sites, streets, rights-of-way, easements or other divisions, however designated, and the recording of the plat in the office of the clerk of the circuit court of Putnam County in the manner authorized by Chapter 65.2274, Laws of Florida, and other laws regulating the platting of land in Putnam County, Florida.

*Trailer sign:* Any sign on a vehicle normally licensed by the State of Florida as a trailer and used for advertising or promotional purposes.

*Tree, mature:* Any living, self-supporting, perennial plant which has a trunk diameter of at least six inches measured four feet above grade (at the base of the tree) and normally grows a minimum overall height of 15 feet.

*Undue economic hardship:* An exceptional financial burden that might otherwise amount to the taking of property without just compensation, or failure to achieve a reasonable economic return in the case of income-producing properties. Where the cost of the renovation exceeds by 1.5 times, the cost of demolition and new construction, undue economic hardship shall be presumed to exist.

*Variance:* As used in connection with the provisions of this act dealing with zoning, a variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this act, a variance is authorized only for height, area and size of structure or size of yards and open spaces. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or classification or adjoining zoning districts or classifications.

*Vested:* Having the right to develop or continue development notwithstanding the comprehensive plan.

*Volume:* Occupied space measured in cubic units.

*Wall sign:* Any sign painted on or attached to an erected structure parallel to the face of, or erected and confined within the limits of, the outside wall of any building and supported by such wall or building and which displays only one advertising surface.

*Waterbody:* Any natural or artificial pond, lake, reservoir, 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.

*Water management district:* The St. Johns River Water Management District.

*Water quality:* The characteristics of water as set forth in Chapter 17-3, Florida Administrative Code, together with physical, chemical and biological characteristics of water that affect the propagation of fish, wildlife, aquatic plants and animals.

*Water retention structure:* A facility which provides for storage of stormwater runoff.

*Water supply, individual:* A water source, distribution system and other appurtenances supplying only one lot.

*Water system:* Any plant, wells, pipes, tanks, reservoirs, system, facility or property used or useful or having the present capacity for future use in connection with the obtaining and supplying of water for human consumption, fire protection, irrigation, consumption by business or consumption by industry, and, without limiting the generality of the foregoing definition, shall embrace 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.

*Waters:* This item shall include, but not be limited to, rivers, lakes, streams, springs, impoundments and all other water or bodies of water, whether surface or subsurface, and whether navigable or nonnavigable. The term shall encompass all bottom lands lying below the mean high water mark, whether said bottom lands be submerged or not.

*Wet detention:* A detention basin that contains a permanent pool of water that will retain runoff for a minimum period of 14 days for an average rainfall summer, and which has a littoral zone over a substantial portion of the pond surface area.

*Wetlands:* Swamps and wet woodlands characterized by specific vegetational types, plant communities and soils, whether:

- (1) Flooded at all times;
- (2) Flooded only seasonably; or
- (3) Having a water table within six inches of the ground surface for at least three months of the year. As determined by the appropriate regulatory authority.

*Window sign:* Any sign placed inside or upon a window facing the outside and which is intended to be seen from the exterior. Permanently attached signs (i.e. illuminated, painted, affixed by mechanical means, etc.) shall be calculated in the total allowable sign area. Temporary and signs integrally related to business operation (i.e. open/closed signs, hours of operation, etc.) shall be allowed but not be included in the allowable copy area. Signs attached to supporting structures inside the business but oriented to customer or vehicular traffic shall be considered permanent window signs.

*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 (F.S. § 373.403(5)).

*Yard area:* A vegetated or stabilized open space on the same lot with a building, said space being unoccupied and unobstructed from the ground upward, with the exception of trees and other natural vegetation.

*Yard, front:*

(a) A front yard is a yard extended between side lot lines across the front of a lot adjoining a street. In cases of double-frontage lots: Unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages. Where one of the front yards that would normally be required on a through lot is not in keeping with the prevailing yard pattern, the development review coordinator may waive the requirement for the normal front yard and substitute therefor a special yard requirement which shall not exceed the average of the yards provided on adjacent lots.

(b) In case of corner lots, full-depth front yards are required on both frontages.

(c) Depth of a required front yard shall be measured at right angles to a straight line joining the foremost points of the side lot lines. The foremost point of the side lot line, in the case of rounded property corners at street intersections, shall be assumed to be the point at which the side and front lot lines would have met without such rounding.

*Yard, generally:* A yard, generally, is required open space with grass or ground cover, other than a court, unoccupied and unobstructed by a structure, or portion of a structure, from 30 inches above the general ground level of the upgraded lot upward; provided, however, that fences, walls, hedges, poles, posts, children's play equipment and other customary yard accessories, ornaments, statuary and furniture may be permitted in any yard subject to height limitations and requirements limiting obstructions to visibility.

*Yard, rear:*

(a) A yard extending across the rear of the lot between inner side yard lines. In the case of double-frontage lots, there will be no rear yards, but only front and side yards.

(b) Depth of a required rear yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the rear lot line.

*Yard, side:*

(a) A side yard extending from the interior (rear) line of the required front yard to the rear lot line, or, in the absence of any clearly defined rear lot line, to the point on the lot farthest from the intersection of the lot line involved with the public street. In the case of double-frontage lots, side yards shall extend from the rear lines of front yards required. In the case of corner lots, yards remaining after front yards have been established on both frontages shall be considered side yards.

(b) Width of a required side yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the side lot line.

*Yard, special:* A special yard is a yard behind any required yard adjacent to a public street to perform the same functions as a side or rear yard, but adjacent to a lot line and so placed or oriented that neither the term "side yard" nor the term "rear yard" clearly applies. In such cases, the development review coordinator shall require a yard with minimum dimensions, as generally required for a side yard or a rear yard in the district, determining which shall apply by the relation of the portion of the lot on which the yard is to be located to the adjoining lot or lots with due regard to the orientation and location of structures and buildable areas thereon.

*Yard, waterfront:* A waterfront yard is a yard required on waterfront property with depth measured from mean high water line.

*Zoning coordinator/ Official:* The planning and Zoning Director or his designee.