

Article 1 Administration

Division 1 General Provisions.

Division 2 Definitions. Unless otherwise expressly stated, the following terms, shall for the purposes of this Code, have the meaning herein indicated.

ABANDONED WELL. A well whose purpose and use have been permanently discontinued or a well that is in such a state of disrepair that its purpose cannot be reasonably achieved.

ABSORPTION. The penetration of molecules or ions of one substance into the interior of a solid or liquid.

ABROGATION. To close, vacate and abandon for public use.

ACCESSORY BUILDING OR STRUCTURE (APPURTENANT STRUCTURE). A subordinate building or structure on the same lot, or parcel, or on a contiguous parcel which is occupied by, or devoted to, an accessory use. Accessory structures should constitute a minimal investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.

ACCESSORY SIGN. A permanent ground or building sign that is permitted under this Code as incidental to an existing or proposed use of land.

ACIDIZING. The process of introducing acid into a well or surrounding formations.

ADDITION. An extension or increase in floor area or height of a building or structure.

ADSORPTION. Attachment of gases, liquids, or dissolved substances on the surface of solids.

ADULT BOOKSTORE OR FILM STORE. An establishment having as a substantial portion of its stock in trade books, magazines, other periodicals, films, video tapes, video disks, or similar items which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" (as defined herein).

ADULT BOOTH. A small enclosed or partitioned area inside an adult entertainment establishment that is:

- A. Designed or used for the viewing of adult material by one or more persons; and
- B. Accessible to all persons, regardless of whether a fee is charged for access.

The term "adult booth" includes but is not limited to a "peep show" booth, or other booth used to view "adult material". The term "adult booth" does not include a foyer through which a person can enter or exit the establishment, or a rest room.

ADULT CABARET. A bar, lounge, club or other establishment which may sell alcoholic or non-alcoholic beverages or food and which features as part of the regular entertainment topless or bottomless dancers, strippers, whether male or female, or similar entertainers whose acts are characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" (as defined below). This definition shall include Adult Encounter Parlor, Adult Lounge, Adult Novelties, Adult Entertainment, and Adult Modeling Studio.

ADULT THEATER OR MINI-MOTION PICTURE THEATER OR DRIVE-IN. An enclosed building with a

capacity for fewer than 50 persons in which a substantial portion of the material presented is distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" (as defined below), for observation by patrons therein.

ADULT THEATER OR MOTION PICTURE THEATER OR DRIVE-IN. An enclosed building with a capacity of 50 or more persons in which a substantial portion of the material presented is distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" (as defined below), for observation by patrons therein.

ADVERTISING. Sign copy intended to directly or indirectly promote the sale or use of a product, service, commodity, entertainment, or real or personal property.

AGRICULTURAL USES. Those uses of land which involve the science and art of production of plants and animals useful to man including to a variable extent, the preparation of these products for man's use and their disposal by marketing or otherwise. These shall include horticulture, floriculture, viticulture, aquaculture, forestry, dairy, livestock, including the breeding and training of horses, poultry, bees, ratites, and any and all forms of farm products and farm production.

AIR LINE. A small-diameter pipe installed in the well and charged with air for the purpose of measuring the water level.

ALIGNMENT. The variation of the well centerline from true straightness.

ALTERATION. Any change in size, shape, character, or use of a building or structure.

AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO). Any reference to AASHTO standards shall be taken to mean the most recently published revision unless otherwise specified.

AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI). Any reference to ANSI standards shall be taken to mean the most recently published revision unless otherwise specified.

AMERICAN SOCIETY FOR TESTING MATERIALS (ASTM). Any reference to ASTM standards shall be taken to mean the most recently published revision unless otherwise specified.

AMERICAN SOCIETY OF MECHANICAL ENGINEERS (ASME). Any reference to ASME standards shall be taken to mean the most recently published revision unless otherwise noted.

AMERICAN WATER WORKS ASSOCIATION (AWWA). Any reference to AWWA standards shall be taken to mean the most recently published revision unless otherwise specified.

ANIMAL FEEDING OPERATION. As defined in Chapter 62-670.200, Florida Administrative Code.

ANIMAL UNIT. As defined in Chapter 62-670.200, Florida Administrative Code.

ANION. A negatively charged ion or radical.

ANNULAR SPACE. The space between the inner well casing and the outer well casing or bore hole.

ANTENNA. Any exterior apparatus designed to transmit or receive communications as authorized by the FCC. The term "antenna" shall not include satellite earth stations used to receive direct-to-home satellite services as defined in 47 U.S.C. § 303(v). An array of antennas, installed at one time and designed as a single, integrated system, shall be considered to be a single antenna.

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 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. Camouflaged antennas and/or towers must be disguised to blend in with other facilities on the property or existing vegetation, such as a 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, clock or water 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 antenna and/or tower.

ANTENNA SUPPORT STRUCTURE. Any building or other structure other than a tower, which can be used for the location of an antenna. An antenna support structure shall be referred to as a "utilized antenna support structure" if it is or has been used for the location of an antenna.

APPARENT SPECIFIC GRAVITY. The ratio of the weight of a given volume of material to an equal volume of water under standard conditions.

APPEAL. A request for a review of the Floodplain Administrator's interpretation of any provision of **Article 6.3. Floodplain Overlay Zone** or a request for a variance.

APPROVED CONSERVATION EASEMENT. An instrument that is approved by the County and recorded in the Marion County public record which restricts certain activities within a delineated area, in accordance with specific requirements of this Section, for the purposes of protecting the quality and/or quantity of recharge. Approved Conservation Easements provide the County with the right of access and inspection, as well as right but not obligation to enforce non-compliance with County regulations and to mitigate for damages.

AQUACULTURE. The commercial production of fin fish and shellfish, such as crustaceans and mollusks, within a confined space and under controlled feeding, sanitation and harvesting procedures.

AQUIFER. A geologic formation, group of formations, or part of a formation that contains water in its void or pores that may be removed economically and used as a source of water supply. Unconsolidated alluvial deposits of sand and gravel and consolidated sandstone are examples of water-bearing strata.

AQUITARD. A body of earth material of low permeability that can absorb water but cannot transmit it at a rate sufficient for economic extraction by wells. (An aquiclude is defined as a formation that will not transmit any water. An aquiclude is never found in nature)

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

AREA OF SPECIAL FLOOD HAZARD. The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. This term is synonymous with the phrase "Special Flood Hazard Area".

ARTESIAN WELL. A well in an aquifer where the groundwater is confined under pressure and the water level stands above the top of the confined aquifer it tops.

AS-BUILT/RECORD DRAWINGS. Completed construction drawings documenting the actual construction work as it exists in the field, including any changes made from the originally approved plans and certified

by Surveyor and Mapper, not necessarily the Surveyor and Mapper-of-Record. The Surveyor and Mapper shall be registered in the State of Florida and all drawings shall have the Surveyor and Mapper's seal, signature, date and the words "As-Built/Record Drawings" affixed to each sheet of the drawing.

AUTOMOBILE WRECKING YARD. A premise for the dismantling or disassembling of two or more used motor vehicles or trailers, or the business of storage, sale or dumping of dismantled, obsolete or wrecked vehicles, trailers or their parts; a junk yard.

AVAILABLE CAPACITY. An existing central water or sewer system shall be deemed to have "available capacity", if: (a) As to a central sewer system, it is capable of providing central sewer service concurrently with the proposed build-out schedule of the project without the applicant having to expand the facility providing treatment for the wastewater from the development; provided, however, if it is necessary for the Marion County Utility Department (MCUD) to so expand the treatment facility, the applicant may be required to prepay capital charges imposed for such facility; and (b) As to a central water or sewer system, its existing water or sewer lines are of sufficient size and capacity to accommodate the water or sewer requirements of the project without the applicant having to reconstruct the existing lines. This requirement concerns existing lines, only, and does not excuse an applicant from having to construct new lines from its project to the point of connection to the central water or sewer system. Further, if it is necessary to replace the existing lines, the County may require the applicant to pay to reconstruct existing lines, within the applicant's required connection distance, in an amount equal to what it would have cost the applicant to originally construct such lines of sufficient size and capacity to accommodate the applicant's project. This does not preclude the County from requiring the developer to upsize the lines in exchange for additional Equivalent Residential Connection (ERC) credits.

AVIARY. A place for keeping birds confined, including but not limited to a large enclosure where birds fly free, or a structure where birds are confined in cages, or large cages where birds are confined. A residential structure containing nine or more birds shall be considered an aviary.

BAILER. A long, narrow bucket made of pipe with a valve in the bottom used to remove cuttings from the hole.

BAILER, FLAT BOTTOM. A type of bailer (or sampler) that is fitted with a flat bottom check valve for removing earth materials from the bottom of the hole.

BAR. Any place devoted primarily to the retailing and drinking of malt, vinous, or other alcoholic beverages, or any place where alcoholic beverages are obtainable for consumption on the premises; a tavern.

BASE FLOOD ELEVATION. The water-surface elevation associated with the base flood.

BASE FLOOD. The flood having a one percent chance of being equaled or exceeded in any given year (also called the "1% annual chance flood", "100-year flood" and the "regulatory flood").

BASEMENT. That portion of a building having its floor sub-grade (below ground level) on all sides.

BED AND BREAKFAST INN. A building, or part thereof, other than a motel or hotel, where sleeping accommodations are provided for transient guests, with or without meals, and may also serve as the residence of the owner or manager.

BEEKEEPING. The keeping or raising of bees for commercial purposes.

BENTONITE. A highly plastic, highly absorptive, colloidal clay composed largely of the mineral

montmorillonite.

BERM. A mound of soil, either natural or manmade.

BIORETENTION FACILITY. An area which provides retention of stormwater through the use of vegetated depressions of four to nine inches in depth with engineered landscaping and soil matrix, designed to collect, store, and infiltrate stormwater runoff. The invert of a Bioretention Facility is the bottom of the engineered soil matrix.

BLOCK. A group of contiguous lots, tracts or parcels of land shown on a plat.

BOARD. Marion County Board of County Commissioners.

BOAT YARD. A lot, tract or parcel where facilities for the construction, reconstruction, major repair, maintenance or sale of boats, marine engines, equipment and services of all kinds are provided including marine railways, lifting or launching services and marinas.

BOTTLE CLUB. A commercial premises to which any alcoholic beverage is brought by any person for consumption on the premises.

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

BUFFER. An area within a property or site, generally adjacent to and parallel with the property line, either consisting of natural existing vegetation or created by the use of trees, shrubs, fences or berms, designed to limit continuously the view of or sound from the site to adjacent sites, properties, or water bodies.

BUILDING. Any structure designed for the habitation of persons or animals or for shelter of property.

BUILDING PERMIT. As related to vested rights, shall mean a permit to construct or reconstruct any structure, having a roof, and used or built for a sheltered enclosure of persons, animals, or property of any kind issued by Marion County. This definition does not include foundation permits.

BUILDING SIGN. A sign displayed upon or attached to any part of the exterior of a building, including walls, windows, doors, parapets, marquees and roof slopes of 45 degrees or steeper.

BUSINESS OR PROFESSIONAL OFFICE. A space within a building where commercial service activity is primarily conducted which may involve the sale of goods or commodities purely incidental to business services provided.

CAKE THICKNESS. The thickness of filter cake deposited against porous media by the drilling fluid.

CAPACITY. Supply of public facility:

- A. Available - capacity of public facility after subtracting demand.
- B. Design - capacity that public facility was designed for.
- C. Programmed - capacity to be added to public facility by improvement.
- D. Reserved - capacity that has been reserved for a specific development project.

CAPACITY RESERVATION FEE. Fee required at issuance of Certificate of Concurrency which reserves facility capacity. Fee is credited towards applicable impact fees.

CAPILLARITY. The action by which the surface of a liquid, where it contacts a solid, is elevated or

depressed because of the relative attraction of the molecules of the liquid for each other and for those of the solid.

CAPILLARY FRINGE. The zone immediately above the water table in which water is held by capillarity.

CAPITAL IMPROVEMENT. The physical assets constructed or purchased to provide, improve or replace a public facility.

CAPITAL IMPROVEMENT ELEMENT. The portion of the Comprehensive Plan dealing with provision, timing and funding of capital improvements to public facilities.

CAPITAL IMPROVEMENT PROGRAM. A five year schedule of annual improvements to public facilities contained within the Comprehensive Plan.

CARPORT. A garage not completely enclosed by walls and doors.

CASING. A tubular retaining structure that is installed in the hole to maintain the well opening (for example, steel, PVC, fiberglass).

COMMUNITY DEVELOPMENT DISTRICT (CDD). A "Community Development District" as defined in Section 190.003, Florida Statutes, created pursuant to the "Uniform Community Development District Act of 1980," Section 190.001 et. seq., Florida Statutes. For purposes of this Section, Improvement Districts shall be equivalent to a CDD.

CENTRALIZED SYSTEM. A water withdrawal, treatment and distribution system (including fire hydrants) or a Wastewater collection, treatment and dispersal system that serves the needs of one or more residential or non-residential development projects. Centralized Systems are generally owned, operated, and maintained by Marion County, a city, or a Public Service Commission-certificated entity.

CENTRALIZER. A tool used to center the casing in the hole.

CHANGE OF USE. A discontinuance of an existing use and the substitution of a use of a different kind or class.

CHURCH. A structure whose principal use is public assembly for worship and teaching of religious concepts.

CHURCHES, ESTABLISHED. Established places of meeting or worship at which non-profit religious services are regularly conducted and carried on.

CLEAN FILL. Manmade deposit of debris or waste material which is virtually inert, which is not a pollution threat to ground or surface water, is not a fire hazard, and is likely to retain its chemical and physical structure under expected conditions of disposal or use. The term includes earth, brick, glass, ceramics and uncontaminated concrete including embedded pipe or steel.

CLEAR, (CLEARING, CLEARANCE OF) OR REMOVE (REMOVING, REMOVAL OF) A TREE. To physically remove a tree, including the performance of any act by a property owner or his designated agent on a particular parcel of record which causes the death of a tree or the effective removal of a tree through damage.

CLEARING. The alteration of a site from its pre-development natural condition.

CLOSED BASIN. An internally drained watershed in which the runoff does not have a surface outfall up to and including the 100-year flood elevation.

CLUB, NIGHT. A restaurant, dining room, bar, or other similar establishment providing food,

refreshments or alcoholic beverages wherein dancing is permitted or paid entertainment is provided.

CLUB, PRIVATE. A premises used for meetings or activities of persons in which use is restricted to members and guests.

CLUSTER DEVELOPMENT. A development design technique that concentrates buildings and infrastructure in specific areas on a site to allow the remaining land to be used for permanent open space, or preservation of environmentally sensitive areas, or agriculture.

CLUSTERING. The grouping together of principal structures and infrastructure on a portion or portions of a development site.

COEFFICIENT OF VISCOSITY. The force required to maintain a unit difference in velocity between two layers of water a unit distance apart.

COLLOCATION. The process of locating two or more antennas on an existing or proposed tower or antenna support structure.

COMMERCIAL VEHICLE. Any vehicle designed and used for transportation of people, goods, or things, other than private passenger vehicles and trailers used for private nonprofit transport of goods.

COMMERCIALLY DEVELOPED PARCEL. A parcel of property on which there is at least one walled and roofed structure used, or designed to be used, for other than residential or agricultural purposes.

COMMUNITY CENTER. A facility designed and used as a meeting or recreation area to accommodate and serve significant segments of the community in which the facility is located.

COMMUNITY RESIDENTIAL HOMES. Group homes or adult foster care facilities in which no more than 14 persons excluding staff reside and where program size and content is structured to meet the individual needs of the individuals in these homes.

COMMUNITY WATER SYSTEM. See public water system.

COMPLETELY ENCLOSED BUILDING. A building having a complete, permanent roof and continuous walls on all sides, either party walls or exterior walls, including any customary windows and doors.

COMPREHENSIVE PLAN. The Marion County Comprehensive Plan.

CONCENTRATED ANIMAL FEEDING OPERATION. As defined in Chapter 62-670.200, Florida Administrative Code.

CONCEPT PLAN. An informal sketch or drawing showing proposed development and a description of use.

CONCURRENCY, CERTIFICATE OF. A statement, related to a specified development project that concurrency is satisfied and that a specified amount of facility capacity is reserved for a specified period of time.

CONCURRENCY, MEETING. The necessary public facilities and services to maintain the adopted level of service standards are available when the impacts of development occur or that the minimum requirements for concurrency in Section 11.4 have been satisfied.

CONCURRENCY DEFERRAL AFFIDAVIT. A document signed by an applicant which defers the application for a Certificate of Concurrency, and acknowledges that future rights to develop the property are subject to the deferred concurrency determination, and acknowledges that final approval to develop the property cannot be granted without such determination and certificate.

CONCURRENCY DETERMINATION. The result of a concurrency evaluation which indicates whether or not there is capacity available for a development application.

CONCURRENCY EVALUATION. The test in which a development application is applied to the available capacity of public facilities to determine if the proposed development meets concurrency requirements.

CONCURRENCY MANAGEMENT SYSTEM. The policies, procedures, standards, and criteria that Marion County will utilize to assure that development orders and permits are not issued unless the necessary facilities and services are available concurrent with the impacts of development.

CONE OF DEPRESSION (CONFINED AQUIFERS). The depression, roughly conical in shape, produced in the pressure surface (piezometric surface) by a well, or wells, pumping in a confined aquifer.

CONE OF DEPRESSION (WATER TABLE OR PHREATIC AQUIFERS). The depression, roughly conical in shape, produced in the water level by a well, or wells, pumping in an unconfined aquifer.

CONFINED GROUNDWATER. Groundwater under pressure greater than atmospheric pressure.

CONFINING UNIT. Consolidated or unconsolidated strata above or below the limestone formation having a vertical permeability of 1×10^{-7} cm/second or less. (A semi-Confining Unit has a vertical permeability of between 1×10^{-4} and 1×10^{-7} centimeters/second.)

CONSOLIDATED FORMATION. Strata of sedimentary, igneous, or metamorphic type rock, which can be porous and permeable to provide an aquifer.

CONSTRUCTION AND DEMOLITION DEBRIS (C&DD) DISPOSAL FACILITY. Construction and Demolition Debris Disposal Facility, also referred to as Construction and Demolition (C&D) Landfill.

CONSTRUCTION, EXISTING. For the purposes of floodplain management, structures for which "the start of construction" commenced before January 19, 1983. Existing construction, means for the purposes of determining rates structures for which the "start of construction" commenced before January 19, 1983. This term may also be referred to as "existing structures".

CONSTRUCTION, NEW. For the purposes of floodplain management, any structure for which the "start of construction" commenced on or after January 19, 1983. The term also includes any subsequent improvements to such structures. For flood insurance rates, New Construction means structures for which the start of construction commenced on or after January 19, 1983 and includes any subsequent improvements to such structures.

CONTIGUOUS PARCELS. Those parcels of land with at least one common property line.

CONTINUING IN GOOD FAITH. As related to vested rights, shall mean the final local development order for a project has been issued and has not expired, and no period of 180 consecutive days or a previously approved time frame as agreed to by the County has passed without the occurrence of development activity which significantly moves the proposed development toward completion, unless the developer establishes that such 180 day lapse or previously approved time frame lapse in development activity was due to factors beyond the developer's control or unless development activity authorized by a final local development order has been substantially completed on a significant portion of the development subject to said final development order and has significantly moved the entire development toward completion.

CONTRACTOR. The person, firm, or corporation with whom the contract for work has been made by the owner, the developer or the County in accordance with any applicable State laws.

COVENANTS, CONDITIONS AND RESTRICTIONS (CCR). Declaration of Covenants, Conditions and Restrictions, recorded in the public records for a development project and meeting the requirements of this Section.

CONVENIENCE STORE. Any retail establishment offering for sale food products, household and sundry items, beverages, gasoline and other similar goods, but not including sales of prescription drugs, alcoholic beverages for on-premises consumption, or any form of used merchandise sales, personal services, repair services, or any outdoor sales, service, storage, or display other than approved accessory gasoline pumps.

COPY. As related to signs, the linguistic or graphic content of a sign.

COUNTY ENGINEER. The County Engineer or duly appointed designee.

CROSS CONNECTION. Any unprotected actual or potential connection or structural arrangement between a public or a customer's potable water system and any other source or system through which it is possible to introduce into any part of the potable water system any used water, industrial fluid, gas, or substance other than the intended potable water with which the system is supplied.

DADF. Designed Average Daily Flow, in gallons.

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

DATUM. A reference surface used to ensure that all elevation records are properly related. The current national datum is the North American Vertical Datum (NAVD) of 1988.

DECENTRALIZED SYSTEM. A water withdrawal, treatment and distribution system (including fire hydrants) or Wastewater collection, treatment and dispersal system that is designed to serve the needs of a single residential or non-residential development project. Decentralized Systems are, further: (1) usually located within the boundaries of the development project; (2) not typically owned, operated, and maintained by Marion County, a city, CDD, or Public Service Commission-certificated entity; and (3) considered as temporary facilities until a Centralized System is available to serve the development project.

DEDICATION. An act transmitting an interest in or use of property for public or private use.

DEEP WELL. The term deep has no real significance relative to the actual depth of a well. Such use is eliminated from technical and legal applications in factor or specific depths.

DEMAND. Quantifiable use of a public facility.

DENSITY, GROSS. The permitted number of dwelling units per gross acre of land to be developed.

DENSITY, NET. The net density is the maximum density permitted on the buildable portion of the site.

DESIGN FLOW. The flow of water in a pipe when either half full or full and expressed in gallons per minute, gallons per day, or cubic feet per second.

DEPARTMENT OF ENVIRONMENTAL PROTECTION, STATE OF FLORIDA (FDEP).

DEVELOPABLE AREA. The portion of a project area that lies outside sovereign submerged lands. The definition of Developable Area is used solely to determine the area needed to meet the Groundwater

Recharge Preservation requirements of this Section, and is not intended to identify or classify lands that would be restricted from development.

DEVELOPER. The person, firm, or corporation engaged in developing or improving real estate for use or occupancy.

DEVELOPMENT. All structures and other modifications of the natural landscape above or below ground or water, on a particular site including, but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of materials or equipment.

DEVELOPMENT. As related to vested rights, shall mean the particular development activity authorized by unexpired final local development order issued for a specific project is continuing in good faith.

DEVELOPMENT AGREEMENT. Capital contribution front-end agreement between Marion County and developer. The developer has found deficient available capacities in public facilities that cannot handle the pending demand of the development. The developer's capital contribution would fund the capital improvement needed to create at least enough capacity to handle the development's pending demand. The agreement may express the County's obligation to grant the development approval under the conditions that the developer will meet in terms of funding amount, timing of money transfers, security, etc.

DEVELOPMENT, SUBSTANTIAL. As related to vested rights, shall mean that required permits for commencement of construction have been obtained, permitted clearing and grading has commenced on any significant portion of the development subject to a single final local development order, and the actual construction of water and sewer lines, or streets, or the stormwater management system on said portion of the development is substantially complete or is progressing in a manner that significantly moves the entire development toward completion.

DIAMETER AT BREAST HEIGHT (DBH). The diameter of a tree trunk measured at four and one-half (4.5) feet above ground level.

DOGLEG. Used to describe abrupt deflection in the straightness of the well within short distance.

DOMESTIC WASTEWATER RESIDUALS. A domestic wastewater treatment by-product resulting from the biological treatment process and which is disposed of by application for agricultural or land reclamation purposes.

DRAINAGE FACILITY. Any component of a drainage system.

DRAINAGE RETENTION AREA. A reservoir which provides temporary storage of storm water runoff and disposes of same by soil percolation.

DRAINAGE SYSTEM. The system through which water flows from the land.

DRAWDOWN. The difference in elevation between the static and pumping water levels.

DRAWINGS OR PLANS. Engineering drawings prepared by an Engineer to show the proposed construction.

DROUGHT TOLERANT VEGETATION. Plants which have the ability to survive without supplemental Irrigation through periods of drought characteristic of the North-Central Florida region. Drought Tolerant vegetation does not include exotic and/or invasive plant species, as defined in the Florida Pest Plant Council's List of Invasive Species, as amended.

DRILLING FLUID. A medium, typically composed of a mixture of bentonite clay and water, used to hydraulically remove the drill cuttings from the hole as drilling takes place.

DRIP LINE. An imaginary line on the ground defined by vertical lines extending from the outermost tips of tree to the ground or the area within a radius of one foot for each one inch DBH of the tree, whichever is greater.

DRIVE SHOE. A special steel collar, with a cutting edge, fastened onto the bottom of the casing to protect the lower edge of the casing as it is driven.

DRIVEWAY APRON. That portion of a driveway lying between the street right-of-way line and the edge of the travel lane of the street.

DRYLINE PERMIT. A construction permit for sewer lines issued with certain special conditions applied. All such permitted projects cannot be put into service until all special conditions attached to the permit have been met.

DUCTILE IRON PIPE RESEARCH ASSOCIATION (DIPRA). Any reference to DIPRA Standards shall be taken to mean the most recently published revision unless otherwise specified.

DUDE RANCH. A vacation resort offering activities typical of western ranches such as horse back riding.

DUE PUBLIC NOTICE. Shall mean publication of notice of the date, time, and place of the meeting; the title or titles of proposed ordinances, and the place within the County where such proposed ordinances may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance. Publication of notice shall be given at least ten days prior to said meeting in a newspaper of general circulation in the County. Due public notice for public hearings of the Zoning Commission and the Board of County Commissioners for rezoning of property shall include mailed written notice to all owners of property, within 300 feet of the boundaries of the property subject to rezoning, whose address is known by reference to the latest ad valorem tax records and to all parties of interest who timely request such notice in writing to the Growth Management Director or designee. The mailed notice shall include a brief explanation of the rezoning request and a location map identifying the property under consideration and shall notify the person of the time, date and location of both hearings. Notices shall also be posted in a conspicuous place or places on or around such lots, parcels, or tracts of lands requesting rezoning. Affidavit proof of the required publication, mailing and posting of the notice shall be presented at the hearing by the Growth Management Director or designee to the Clerk of the Court. For rezonings initiated by the County, and for ordinances that change the actual lists of permitted, conditional or prohibited uses within a zoning category, the provisions of Section 125.66(4), Florida Statutes, shall apply.

DWELLING UNIT. Any structure or portion thereof which is designed for or used for residential purposes as a self-sufficient or individual unit by one family or other social association of persons.

EFFECTIVE SIZE. The sieve-size opening that will pass ten percent of a representative sample of the filter material; for example, if the size distribution of the particles is such that ten percent of a sample is finer than 0.45 mm, the filter material has an effective size of 0.45 mm.

ELECTRIC SIGN. Any sign containing electric wiring.

ELECTROLYTE. A chemical that dissociates into positive and negative ions when dissolved in water, increasing the electrical conductivity of the water.

ELEVATED BUILDING. A non-basement building built to have the lowest floor elevated above the ground

level by foundation walls, posts, piers, columns, pilings, or shear walls.

ELEVATION. The vertical height or heights above a datum plane based upon the National Geodetic Vertical Datum, 1929 or North American Vertical Datum (NAVD) of 1988.

EMPHASIS. As related to the adult entertainment business, "emphasis" or "emphasis on" means that the type of matter specified is the apparent matter upon which the particular work or exhibition is based, or that the matter specified is a substantial portion of such work or exhibition.

ENCROACHMENT. As related to the floodplain overlay zone, the advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

ENGINEER. A professional licensed by the state of Florida to engage in the practice of engineering in accordance with applicable state laws and administrative codes. Radio-frequency engineers do not have to be licensed by the state.

EQUIVALENT RESIDENTIAL CONNECTION (ERC). Each sewer connection representing 300 gallons per day and each water connection representing 350 gallons per day.

ERECT A SIGN. To construct, reconstruct, build, relocate, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish a sign. It shall not include any of the foregoing activities when performed as an incident to a change of message or routine maintenance.

EXCEPTION. As related to vested rights, shall mean an exception to the densities required in the Future Land Use Element for parcels of record as of January 1, 1992 for the construction of one residential unit. Exceptions apply to density only and do not exempt parcels from any other requirement of the Comprehensive Plan.

EXISTING. Demand actually measured as affecting a public facility.

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

EXTRACTION OR RESOURCE EXTRACTION. The removal of resources from their location so as to make them suitable for commercial, industrial or construction use; but does not include excavation solely in aid of on-site farming or on-site construction, nor the process of searching, prospecting, exploring or investigating for resources by drilling. Refer to Section 5.5.18, Special Requirements.

FACILITY ANALYSIS AREA. The geographic area, as defined for each facility in the Comprehensive Plan, typically a public facility service or planning area, which identifies the area by which public facilities are analyzed for level of service standards and concurrency.

FACILITY CAPACITY MONITORING SYSTEM. The accounting type system which cumulatively applies demand impacts (development) and supply impacts (facility improvements) to the Facility Capacity Statement.

FACILITY CAPACITY STATEMENT, ANNUAL. Official document, amended and adopted at least annually, which states the available capacity for each facility analysis area.

FAILING. As pertaining to an Onsite Sewage Treatment & Disposal System (OSTDS), "Failing" is the point at which the septic tank or at least 25 percent of the drainfield must be replaced, as determined by a

Florida-licensed plumber or OSTDS contractor, the Marion County Health Department, or the Board, due to improper sizing or construction, physical deterioration, root penetration, and/or intentional or unintentional damage. Where central sewer is available, the Failing shall also include the point at which pumping is required, as determined by a Florida-licensed plumber or OSTDS contractor, the Marion County Health Department, or the Board.

FAMILY. One or more persons occupying the whole or part of a dwelling unit and living as a single, housekeeping unit; provided that a group of four or more persons who are not within the second degree of kinship shall not be deemed to constitute a family, except as set forth in Title VIII of the Civil Rights Act of 1968 and as subsequently amended by the Fair Housing Amendments Act of 1988.

FAMILY/GUEST COTTAGE/APARTMENT. A small detached dwelling unit for use by immediate family members or guests which is an accessory use to a single-family dwelling. The cottage may be a removable, modular structure, or a conventionally constructed structure, and shall be compatible with the existing dwelling. It shall be designed as an independent living unit smaller than the primary structure. Refer to [Section 5.5.29, Special Requirements](#).

FEEDLOT. A confined area or structure, pen or corral, used to fatten livestock for a period of at least 30 days prior to final shipment.

FENCE. An artificially constructed barrier of wood, masonry, stone, wire, metal or any other manufactured material or combination of materials.

FILTRATION PROPERTIES. Ability of the drilling fluid to form a controlled filter cake on the side of the hole under static conditions.

FINAL LOCAL DEVELOPMENT ORDER. The following unexpired development orders may be considered to be final local development orders for purposes of a determination of vested rights, consistent with the provisions of this chapter:

- A. Approved Improvement Plan, or
- B. Approved Planned Unit Development (PUD) preliminary development plan and improvement plan, or
- C. Approved PUD final development plan and improvement plan; or
- D. Building permit; or
- E. Approved and Recorded Final Plat; or
- F. Any other development order which approved the development of land for a particular use or uses at a specified intensity of use and which allowed development activity on the land for which the development order was issued.

FIRE LINE. Piping from the water main to point of delivery for exclusively providing fire protection.

FISH HATCHERY. Establishments primarily engaged in hatching fish, not including fish or farm ponds.

FLOOD OR FLOODING.

- A. 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.
 - (3) Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in

paragraph a.(2) of this definition and are akin to a river of liquid and flowing mud on the surface of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

- B. The collapse or subsidence of land along a shore of a lake or other body of water as the result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph A(1) of this definition.

FLOOD INSURANCE RATE MAP (FIRM). An official map of the community, issued by FEMA, which delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS). The official hydraulic & hydrologic report provided by FEMA. The study contains an examination, evaluation, and determination of flood hazards, and, if appropriate, corresponding water surface elevations, or an examination, evaluation, and determination of mudslide (i.e., mudflow) and other flood-related erosion hazards. The study may also contain flood profiles, as well as the FIRM, FHBM (where applicable), and other related data and information.

FLOODPLAIN ADMINISTRATOR. The individual appointed to administer and enforce the floodplain management regulations of the community.

FLOODPLAIN ELEVATIONS. The elevations established along waterbodies and in closed drainage basins which represent the hydraulic gradients for the predicted 25 Year and 100 Year Flood Plains. The 100 Year Flood Plain is shown on the adopted Marion County Flood Insurance Rate Maps. The elevations may be established by the Floodplain Administrator or his designee; by a Florida Registered Land Surveyor and approved by the Floodplain Administrator or along the Rainbow River established by Southwest Florida Water Management District Profiles dated July 13, 1973.

FLOODPLAIN MANAGEMENT. The operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

FLOODPLAIN MANAGEMENT REGULATIONS. . This term describes Federal, State of Florida, or local regulations in any combination thereof and other applications of police power which control development in flood-prone areas, which provide standards for preventing and reducing flood loss and damage.

FLOODPROOFING. Any combination of structural and non-structural additions, changes, or adjustments to structures, which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

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

FLOODWAY FRINGE. That area of the floodplain on either side of the regulatory floodway where encroachment may be permitted without additional hydraulic and/or hydrologic analysis.

FLOOR AREA. Area of all floors of buildings or structures, measured to the inside of the exterior walls.

FLOOR AREA RATIO (FAR). The gross floor area of all buildings or structures on a lot divided by the total lot area.

FOOD SERVICE FACILITIES. Any commercial facility that generates Wastewater through the processing and preparation of food, including restaurants and other commercial facility where food is processed or prepared. It does not include facilities that only sell pre-processed or pre-packaged foods.

FREEBOARD. The additional height, usually expressed as a factor of safety in feet, above a flood level for purposes of floodplain management. Freeboard tends to compensate for many unknown factors, such as wave action, bridge openings and hydrological effect of urbanization of the watershed that could contribute to flood heights greater than the height calculated for a selected frequency flood and floodway conditions.

FRONT BUILDING LINE. A line measured between side lot lines no closer than the front setback and equal to the minimum lot width.

FRONTAGE OF A BUILDING. Shall mean the side or wall of a building approximately parallel and nearest to a street. (When on a corner, the remaining street frontage shall become a side yard.)

FUNCTIONALLY DEPENDENT USE. As related to the floodplain overlay zone, a use that 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 or ship repair. The term does not include long-term storage, manufacture, sales, or service facilities.

GEOTECHNICAL/SOILS ENGINEER. A Registered Florida Engineer who provides services related to terrain evaluation and site selection, subsurface exploration and sampling, determination of soil and rock properties, foundation engineering, settlement and seepage analysis, design of earth and earth retaining structures, the design of subsurface drainage systems and the improvement of soil properties and foundation conditions, and testing and evaluation of construction materials.

GEOTECHNICAL STUDY. A detailed analysis and report of the geologic and hydrologic conditions of a project area and which provides site-specific design and engineering recommendations that address both structural safety and groundwater protection issues. Geotechnical studies must be signed and sealed by a Professional Engineer or Professional Geologist licensed in the State of Florida.

GRAVEL-PACKED WELL. A well in which gravel filter material is placed in the annular space of the well (also known as filter pack).

GREATEST EXTENT PRACTICABLE. A level of incorporating best management practices into new development or redevelopment in order to achieve compliance with the provisions of this Code, taking into account the best available technology, cost effectiveness and other competing issues such as human safety and welfare, endangered and threatened resources, and geographic features. Greatest Extent Practicable allows flexibility in the way to meet the intent and applicable requirements, and may vary based on the site conditions.

GREEN SPACE. A parcel or area of land which is developed, planted, and maintained with trees, shrubs, ground covers or grass or a combination thereof, and is reserved for a yard area, landscape area, public or private park or recreation area, drainage retention areas and other similar areas.

GROUND SIGN. A sign that is supported by one or more columns, upright poles, or braces extended

from the ground or from an object on the ground, or that is erected on the ground, where no part of the sign is attached to any part of a building.

GROUNDWATER. Water that occupies all the voids within a geologic stratum. Commonly referred to as the zone of saturation.

GROUNDWATER DIVIDE. A line on a potentiometric surface on each side of which the groundwater flow is downward in a direction away from the line.

GROUNDWATER IMPACT AREA. That portion of a new or expanded development other than the Marion-Friendly Landscaping Area (MFLA). Groundwater Recharge Preservation Area (GRPA). The area within a development that is in public or common ownership and permanently protected under an Approved Conservation Easement, and where the quantity and quality of groundwater recharge is preserved. Generally, the use of Drought Tolerant and/or natural landscaping is required and the use of lawn chemicals (i.e. fertilizers and pesticides), High Volume Irrigation, and impervious surfaces are prohibited.

GROUT. A fluid mixture of Portland cement and water (neat cement) of a consistency that can be forced through a pipe and placed as required. Various additives, such as sand, bentonite, and hydrated lime, are included in the mixture to meet certain requirements.

GROWTH MANAGEMENT DIRECTOR OR DESIGNEE. Growth Management Director or designee or duly appointed designee.

HARDSHIP. For the purposes of floodplain management and variances, the exceptional hardship associated with the land that would result from a failure to grant the requested variance. The community requires that the variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

HEAVY MACHINERY OR EQUIPMENT. Machinery used primarily by the construction, mining, well drilling, oil and gas industries and including overhead traveling cranes, hoists and monorail systems for installation in factories, warehouses, marinas and other industrial and commercial establishments.

HEIGHT OF BUILDING. The vertical distance from the established grade at the center of the front of the building to the highest point of the roof surface for a flat roof, to the deck line for a mansard roof and the height of the ridge for gable, hip and gambrel roofs.

HETEROGENEOUS. Pertaining to a substance having different characteristics at different locations. A synonym is nonuniform.

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

HIGH VOLUME IRRIGATION. Irrigation by any zone within an irrigation system which utilizes heads that irrigate at rates higher than one-half gallons per minute (0.5 gpm) per outlet.

HISTORIC STRUCTURE. Any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the

Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register:

- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on the Florida Inventory of Historic Places, which has been approved by the Secretary of the Interior; or
- D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By the approved Florida program as determined by the Secretary of the Interior, or
 - (2) Directly by the Secretary of the Interior.

HOME OCCUPATION. Any business or commercial activity that is:

- A. Conducted within a single family dwelling unit in a residential zoning classification and is incidental to the principal residential use of the premises, or
- B. Conducted on the same tract with the principal structure in an agricultural zoning classification, and
- C. Which is a permitted use within the agricultural zoning classification and conducted without significantly adverse impact on the surrounding area.

HOMOGENEOUS. Pertaining to a substance having the same characteristics at different locations. A synonym is uniform.

HYDRAULIC GRADIENT. The change in static head per unit of distance in a given direction.

HYDROLOGIC PROPERTIES. The properties of a geologic stratum that control the movement and storage of groundwater or surface water.

ILLUMINATED SIGN. A sign which contains a source of light or which is designed or arranged to reflect light from an artificial source including indirect lighting, neon, incandescent lights and backlighting.

IMPACT MULTIPLIER. The per unit impact of a land use type on a public facility.

IMPERVIOUS SURFACES. Those surfaces which do not absorb water including but not limited to, buildings, paved parking areas, driveways, roads, sidewalks, patios and any areas covered by brick, concrete, concrete pavers or asphalt paving materials.

IMPROVEMENT PLAN. A plan showing the location and construction details for all required subdivision improvements, including but not limited to, road construction, grading, drainage facilities, signs, grassing, and miscellaneous construction work proposed for construction as required by this Code.

IMPROVEMENT, SUBSTANTIAL. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "substantial damage" regardless of the actual repair work performed. This term does not, however, include any repair or improvement of a structure to correct existing violations of State of Florida or local health, sanitary, or safety code specifications, which have been identified by the local code enforcement official prior to the application for permit for improvement, and which are the minimum necessary to assure safe living conditions.

INDUSTRIAL/COMMERCIAL PARK. A tract of land that is planned, developed and operated as an integrated facility for a number of individual industrial or commercial or mixed uses.

INFRASTRUCTURE. Facilities and services needed to sustain residential, commercial and industrial activities. Infrastructure includes, but is not limited to, water and sewer, streets, street signage, drainage, parks and open space and other public facilities.

INSTITUTIONAL USE. A nonprofit, religious, or public use, such as a church, library, public or private school, hospital, community home, convalescent home, adult congregate living facility, or government owned or operated building, structure, or land used for public purpose or benefit.

IRRIGATION. The outside watering of plants in a landscape such as shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens and other such flora that are situated in such diverse locations as residential areas, cemeteries, public, commercial, and industrial establishments, and public medians and rights-of-way. "Landscape Irrigation" does not include golf course play areas, and vegetation associated with intensive recreational areas, such as playgrounds and soccer, baseball and football fields.

ISLAND. A raised area, usually curbed, placed to guide traffic and separate lanes, and used for landscaping, signing, or lighting.

JUNK YARD. A parcel of land on which junk is collected, stored, salvaged or sold, including automobile wrecking yards.

JUNK. Used and discarded machinery, scrap, iron, steel, other ferrous and non-ferrous metals, inoperative vehicles, tools, implements or portions thereof, glass, plastic, cordage, building materials or other waste.

KARST FEATURE. A landform that has been modified by dissolution of soluble rock, including limestone or dolostone. These include springs, spring runs, sinkholes, solution pipes, swallets and swallow Holes. A directly or indirectly connected karst feature is one where no confining layer of sediment exists to prevent runoff from directly or indirectly entering the Floridan Aquifer system.

KENNEL. Any place or premises where four or more dogs or cats, over four months of age are groomed, bred, raised, boarded or trained primarily for the production of income.

LAMINAR FLOW. Movement of fluid particles in essentially parallel paths.

LANDWARD. On land away from the shoreline.

LANDSCAPABLE AREA. The entire parcel less the building footprint, natural water features, surfaced and un-surfaced driveways and parking areas, road rights-of way, hardscapes such as decks and patios, and other non-planted areas. Landscapable area excludes golf course play areas, other intensive recreation areas (e.g. soccer fields, ball diamonds, etc.) and any part of a constructed stormwater management system that has a design flow or storage depth three feet or greater.

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

LEVEL OF SERVICE STANDARD. The minimum unit level of service at which a facility can operate. These standards are specified in each public facilities element or sub-element. Level of service standards may be set for each individual facility service area or on a system wide basis. Level of service standards are required to be monitored and evaluated annually.

LINER. A casing, screen, or other device inserted into a larger casing, screen, or open hole as a means of sealing off undesirable material or maintaining the structural integrity of the well.

LIVESTOCK. Cattle, hogs, sheep, goats and poultry of all kinds, used or raised on a farm for use or profit.

LOT AREA. The size of a lot measured within the lot lines and expressed in terms of acres or square feet.

LOT DEPTH. The dimension from the center of the front of the lot to the center of the rear of the lot.

LOT LINE. The boundary line of a lot.

- A. LOT LINE, FRONT. The line abutting the street right-of-way or point of access which for corner lots shall be determined by the property owner.
- B. LOT LINE, REAR. The lot line opposite to and most closely paralleling the front lot line.
- C. LOT LINE, SIDE. Any lot line other than a front or rear lot line.

LOT WIDTH. The horizontal distance between the side lot lines measured at the front property line. For lots located on a curve, it shall be the chord distance of the curve at the front property line.

LOT. A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed, or built upon as a unit.

LOWEST ADJACENT GRADE. The lowest elevation, after the completion of construction, of the ground, sidewalk, patio, deck support, or basement entryway immediately next to the structure.

LOWEST FLOOR. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than basement area, is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the non-elevation design requirements of **Article 6.3. Floodplain Overlay Zone.**

LOW PRESSURE DOSING SYSTEM (LPDS). An Onsite Sewage Treatment & Disposal System (OSTDS) consisting of a time dosed shallow soil absorption system with a network consisting of two inch or smaller diameter schedule 40 PVC or equal pipe with ½ inch or smaller diameter drilled holes in narrow trenches. An LPDS shall consist of at least the following components: (1) septic tank; (2) pumping (dosing) chamber consisting of a submersible effluent pump, level controls, high water alarm and supply manifold; and (3) small diameter distribution laterals with small perforations. Low pressure systems shall be sized with a soil loading rate of no more than 0.72 gallons per square foot per day for trenches or 0.56 gallons per square foot per day for beds.

LOW VOLUME IRRIGATION. Irrigation by a system which utilizes Micro-irrigation equipment and devices that irrigate at rates of one-half gallons per minute (0.5 gpm) or less, allowing water to be placed with a high degree of efficiency in the root of each plant.

MAJOR DEVELOPMENT. A development that satisfies one or more of the following criteria:

- A. The development is a residential project of nine or more lots, parcels or tracts; or
- B. The development is a commercial, industrial, or institutional project required to submit a drainage plan which is reviewed by the Development Review Committee; or
- C. Any development that the Development Review Committee designates as a major development project because:

- (1) The proposed development is part of a larger parcel for which additional development is anticipated that when aggregated with the project in question exceeds the limits of a or b above; or
- (2) The proposed development should be more thoroughly and publicly reviewed because of its complexity, manufacturing process, or location relative to environmentally sensitive lands or area, or to a wellhead protection area.

MAJOR SITE PLAN. A plan which requires review and approval of the Development Review Committee. Plan requirements include but are not limited to access management, parking, stormwater management and landscaping. **[See Article 8.2.9 and Article 9 for required document submittal.]**

MANUFACTURED BUILDING. A structure bearing a seal issued by the Florida Department of Community Affairs certifying that it is built in compliance with the requirements of the Florida Manufactured Building **Act of 1979**.

MANUFACTURED HOME. A structure bearing a label certifying that it is built in compliance with the Federal Manufactured Housing Construction and Safety Standards (**24 CFR 3280**) HUD Code.

MANUFACTURED HOME SUBDIVISION (MOBILE HOME SUBDIVISION). A tract of land platted into lots with required improvements and utilities for the placement of manufactured or mobile homes and accessory uses or structures. **Refer to Sections 5.3, Zoning Classifications, MH. Manufactured Housing, 5.5.11 and 5.5.14.**

MANUFACTURING. A commercial or industrial activity involved in the research, development, assembly, production, testing, processing or repair of goods, materials, components, devices, equipment or systems.

MARINA. A premises located adjacent to water bodies, canals, or water ways providing wet or dry storage and all accessory facilities.

MARION-FRIENDLY LANDSCAPING. The use of plants (and non-plant materials such as mulch) and landscape designs and practices that are compatible with the natural environment and climate of Marion County. Marion-Friendly Landscaping minimizes the use of Turfgrass that is irrigated and fertilized, and maximizes the use of plants that tolerate sandy soils and drought conditions characteristic of North-central Florida.

MARION-FRIENDLY LANDSCAPING AREA (MFLA). That portion of a new or expanded development where the use of High Volume Irrigation, non Drought Tolerant plants, and lawn chemicals (fertilizers and pesticides) on Turfgrass, is prohibited in the approved development plans, documents, and deed restrictions, as applicable.

MARKET VALUE. The building value, which is the property value excluding the land value and that of the detached accessory structures and other improvements on site (as agreed to between a willing buyer and seller) as established by what the local real estate market will bear. Market value can be established by an independent certified appraisal (other than a limited or curbside appraisal, or one based on income approach), Actual Cash Value (replacement cost depreciated for age and quality of construction of building), or adjusted tax-assessed values.

MANUFACTURED HOME. A building, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable

structures placed on a site for 180 consecutive days or longer and intended to be improved property.

MANUFACTURED HOME PARK OR SUBDIVISION. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MANUFACTURED HOME PARK OR SUBDIVISION, EXISTING. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before **January 19, 1983**.

MARQUEE. A structure projecting from and supported by a building which extends beyond the building line or property line and fully or partially covers a sidewalk, public entrance or other pedestrian way.

MASTER PLAN. A plan, prepared to scale, which portrays the boundaries of a site, the location of all lots or buildings, structures, uses and principal site development features for a multi-phase project.

MCUD Director. Marion County Utilities Department Director, or duly appointed designee.

MEAN SEA LEVEL. The datum based on the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of **Article 6.3. Floodplain Overlay Zone**, the term is synonymous with North American Vertical Datum (NAVD) of 1988.

METAMORPHIC TYPE ROCK, which includes sand, gravel, and mixtures of sand and gravel.

MICRO-IRRIGATION. An Irrigation method that involves the application of small quantities of water directly on or below the soil surface, usually as discrete drops, tiny streams, or miniature sprays through emitters placed along the water delivery lines (typically half inch or less flexible tubing). Micro-irrigation encompasses a number of methods or concepts including drip, subsurface, micro-bubbler, and micro-spray Irrigation, previously referred to as trickle Irrigation, low volume, or low flow Irrigation, and has flow volumes measured in gallons per hour.

MINE. A parcel or contiguous parcels of land upon which mining operations have been conducted, are being conducted, or are planned to be conducted, as the term is commonly used in the trade. Parcels of land that are divided by public or private roads are considered contiguous if such areas are under one ownership or control. The term "mining operation" as used in this Code and in the definition of an existing mine shall mean any activity related to mining, other than prospecting, necessary for site preparation, extraction, waste disposal, storage or reclamation.

MINE, EXISTING. Any area upon which a mining operation is being conducted, or has been actively pursued within the three-year period prior to June 11, 1992.

MINI-WAREHOUSE (SELF-SERVICE STORAGE FACILITY). A building or group of buildings consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods or contractors supplies.

MINOR DEVELOPMENT. A development which does not meet the criteria of a major development as defined herein.

MINOR PRELIMINARY PLAT. A plat of a project having less than nine lots, parcels or tracts.

MITIGATION. An action or series of actions aimed at offsetting adverse impacts that new development may have on groundwater quality and quantity within the Springs Protection Zone (SPZ), particularly as related to the use of fertilizers, pesticides and Irrigation on new lawns and landscaping.

MOBILE HOME. A transportable structure designed to be:

- A. used as a year-round residential dwelling, built prior to enactment of the Federal Manufactured Housing Construction and Safety Standards, which became effective for all manufactured home construction on **June 15, 1976**, and
- B. any vehicle without independent motive power which is designed for housing accommodations and transportation over the highways on a chassis under carriage, which is an integral part thereof, but does not include travel trailers or recreational units as defined by Section 320.01, Florida Statutes. This definition shall include any unit which meets the criteria above and is certified by the Department of Safety and Motor Vehicles as meeting requirements of **(USAS) A-119.2 as prescribed in Chapter 320**, Florida Statutes.

MOBILE HOME PARK. A parcel of land under one ownership or management that has been planned and improved for the placement of mobile homes and manufactured homes for non-transient use and consisting of two or more rental spaces.

MODEL HOME SALES LOT or MODEL HOME COMPLEX. Model homes designed in a cluster to create a sales facility on a R-O, B-2 or B-4 zoned parcel of land. This facility shall meet the special requirements of **Section 5.5.21 of this Code**.

MODEL HOME. A single-family dwelling unit or units used by a home builder to illustrate the features available to a potential purchaser of a dwelling unit when constructed on a different lot, parcel or tract.

MODIFY. Modify shall include all structural changes to a tower other than routine maintenance, including, without limitation, structural modifications, rebuilding, or relocating on the same parcel. Modify does not include adding additional or different antennas, or deleting or removing antennas.

- A. The structural changes shall be subject to the requirements of **section 5.9.8** concerning "modified towers" or "modification to towers" if:
 - (1) They are made to accommodate collocation; and
 - (2) After the changes, the tower will not exceed 40 feet over the tower's originally approved height and
- B. If the structural changes do not meet the requirements of the preceding subparagraph, they shall be subject to the requirements of this section concerning "new towers" or the "construction of towers."

MONOPOLE TOWER. A tower consisting of a single pole or spine self supported by a permanent foundation, and constructed without guy wires and ground anchors.

MULTI-FAMILY. Any residential development project that consists of more than two dwelling units per building, or eight dwelling units or more per gross acre.

MULTIPLE DWELLING. A structure which contains three or more dwelling units.

MULTIPLE OCCUPANCY COMPLEX. A commercial occupancy, i.e. any occupancy other than residential or agricultural, consisting of a parcel of property, or parcel of contiguous properties, existing as a unified or coordinated project, with a building or buildings housing more than one occupant, or more than one business under one ownership.

NATIVE TREE. A self-supporting woody plant which normally grows to a height of ten feet or more and

which is considered to grow within Marion County as part of the natural range of species, including but not limited to, those species of trees listed on Table 8-7. The use of native tree species for landscape purposes is recommended and highly encouraged.

NEMA. National Electrical Manufacturers Association. Any reference to NEMA Standards shall be taken to mean the most recently published revision unless otherwise specified.

NEW MANUFACTURED HOME PARK OR SUBDIVISION. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after **January 19, 1983**.

NONCONFORMING LOT. A lot of record which does not conform to the minimum requirements for a lot in the zoning classification in which it is located.

NONCONFORMING STRUCTURE. A building or structure which does not conform to the minimum requirements for such structure in the zoning classification in which it is located.

NONCONFORMING USE. A use which is not a permitted use, or special use, in a zoning classification which does not allow such use.

NON-CONTIGUOUS PARCELS. Those parcels that do not have any common property lines, or which are separated by platted or unplatted roads, streets or alleys which have been dedicated for public use, or prescriptive easements for road right-of-way purposes.

NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988. Vertical datum used as a reference for establishing varying elevations within the floodplain.

NATIONAL SANITATION TEST LABORATORY FOUNDATION (NSF). Any reference to NSF Standards shall be taken to mean the most recently published revision unless otherwise specified.

OCCUPANT (OCCUPANCY). One who has certain legal rights to or control over the premises he occupies; the state of being an occupant.

OFF-SITE SIGN. A sign that identifies or communicates a commercial or non-commercial message related to an activity conducted, or service rendered, or a commodity sold at a location or on a parcel other than where the sign is located, usually supported on metallic poles or a group of wooden poles.

ON-SITE SIGN. A sign that identifies or communicates a commercial or non-commercial message related to an activity conducted, service rendered or a commodity sold at the location where the sign is to be installed.

OPEN BASIN. All watersheds not meeting the definition for "closed basin".

OPEN SPACE RATIO. The open space ratio is a measure of the intensity of land use. It is arrived at by dividing total amount of open space area within the site by the base site area.

OPEN SPACE. Any parcel or area of undeveloped land or water, publicly or privately owned and set aside, dedicated, designated or reserved for passive recreation, agriculture, resource protection, conservation uses, or buffers. Open space does not include land occupied by non-recreational buildings, roads, or road rights-of-way; nor does it include the yards or lots of single- or multi-family dwelling units or parking areas as required by the provisions of this Code.

ORDINARY HIGH WATER LINE. The line on both sides of a river or along the shoreline of a lake that is

established by connecting points of the same elevation along lake shorelines and of varying elevations along the sides of rivers. For the Rainbow River this elevation is shown on the set of plans prepared by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and certified to by Herbert Shown, Registered Surveyor No. 551. These plans are hereby made a part of this section by reference.

ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEM (OSTDS). Also referred to as a septic system.

OUTSIDE STORAGE. The storage or display, outside of a completely enclosed building, of merchandise offered for sale or rent as a permitted use or of equipment, machinery, and materials used in the ordinary course of a permitted use.

OWNER. The person, firm, corporation, or governmental unit holding right of possession of the real estate upon which construction is to take place.

PACKAGE STORE. A premises in which alcoholic beverages are sold for off-premises consumption.

PARCEL. A continuous quantity of land in the possession of or owned by, or recorded as the property of the same person or persons. A parcel may consist of contiguous platted lots.

PARCELS OR TRACTS OF RECORD:

- A. Recorded or registered parcels or tracts and those parcels or tracts shown on all other unrecorded subdivisions, plats or surveys existing as of August 14, 1970; or
- B. Lots, parcels or tracts which were created and recorded in the public records of Marion County on or before January 1, 1992; or
- C. Parcels in subdivisions approved by the Board of County Commissioners and recorded in the public records of Marion County prior to January 1, 1992; or
- D. Parcels located in unrecorded subdivisions or registered divisions of land into "flag lots", as that term is commonly known in Marion County, which were filed and accepted by Marion County and existed as of January 1, 1992.

PARCELS OF RECORD. As related to vested rights, shall mean a designated parcel, tract or area of land established by plat, metes and bounds description, or otherwise permitted by law, to be used, developed or built upon as a unit, which complies with the applicable building codes and zoning regulations, and which existed on or before January 1, 1992, and under one ownership as of August 11, 1993.

PACKER. A device placed in a well that plugs or seals the well at a specific point.

PARK MODEL. A transportable unit which has a body width not exceeding 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 or appliances or; a park trailer constructed to ANSI A-119.5 standards which does not exceed 400 square feet gross floor area or; a park trailer constructed to U.S. Department of Housing and Urban Development Standards which does not exceed 500 square feet gross floor area.

PARK. Land which is used for active or passive recreational purposes.

PARKING AREA. An open area, other than a street or other public way, used for the parking of motor vehicles.

PARKING LANE. A lane located on the sides of streets, designed to provide on-street parking of a motor vehicle.

PARKING SPACE. An area provided for the parking of a motor vehicle.

PASSIVE RECREATION. Those recreational opportunities afforded by such natural resources as the native flora, fauna, and aesthetic appeal of a natural setting and requiring minimum development to utilize and enjoy such resources.

PENDING. Demand temporarily encumbered for a period not to exceed 180 calendar days after the preparation of a concurrency determination for a certificate of concurrency application while the application is being reviewed and processed for approval.

PERCHED GROUNDWATER. Groundwater in a saturated zone that is separated from the main body of groundwater by semipermeable material.

PERCOLATION. The seepage of water through the soil under gravity.

PERFORATIONS. A series of openings in a well casing.

PERMANENT. Designed, constructed and intended for more than short term use.

PERMEABILITY. The capacity of a porous medium for transmitting water.

PERMIT FOR CONSTRUCTION. The construction permit issued by the Marion County Engineering Department for construction of all required subdivision improvements including construction in platted private and public rights-of-way.

PERMITTED. Demand reclassified from pending impacts upon approval of the application for final development order and issuance of the certificate of concurrency.

PET, HOUSEHOLD. All animals which are normally considered as household pets and which can be maintained and cared for within the living space of a residence or outside the residence. Such animals may include but are not limited to dogs, cats, small reptiles, small rodents, fish, small birds such as parrots and parakeets and other similar animals.

PLANNED UNIT DEVELOPMENT (PUD). A designated contiguous area of property for the comprehensive development of a single use or of mixed uses.

PLAT. A map or delineated representation of the subdivision of lands, being a complete exact representation of the subdivision and complying with this Code and [Chapter 177, Florida Statutes](#).

PLAYGROUND OR PARK, PUBLIC AND PRIVATE. Properties and facilities owned and operated by any governmental agency, or owned and operated by any private agency, including day care centers, which are open to the general public for recreational or child care purposes.

PLUMBNESS. The drift, inclination, or horizontal deviation of the well centerline from vertical.

POINT OF CONNECTION. The outlet side of the meter designated to serve the customer.

PORTABLE SIGN. Any sign which is designed to be transported by trailer or on its own wheels, including such signs whose wheels have been removed and the remaining chassis or support structure converted to an A or T frame sign and anchored temporarily to the ground.

POTABLE WATER SUPPLY. Water suited for drinking or cooking purposes.

POTENTIOMETRIC SURFACE (POTENTIOMETRIC HEAD). The level to which water would rise in a tightly cased well penetrating an aquifer. The water table and artesian pressure surfaces are particular potentiometric surfaces.

PRELIMINARY SUBDIVISION PLAT. A map indicating the proposed layout of a development and related information that is submitted for preliminary approval.

SPRINGS PROTECTION ZONE (SPZ), PRIMARY. As set forth in Map Exhibit B1, adopted under **Ordinance #7-20.**

PRINCIPAL STRUCTURE. A structure on a lot or parcel which is used, arranged, adapted or designed for the predominant or primary use for which the lot or parcel is or may be used.

PRINCIPAL USE. The primary or predominant use of a lot, parcel, structure, or structure and land in combination.

PRIVATE PERFORMANCE. As related to the adult entertainment business, modeling, posing or the display or exposure of any specified anatomical area by an employee or independent contractor using the premises under a contract or lease, of an adult entertainment establishment to a person other than an employee while the person is in an area within the establishment not accessible during such display to all other persons in the establishment, or while the person is in an area in which the person is totally or partially screened or partitioned during such display from the view of all persons within the establishment.

PRIVATE ROAD SUBDIVISION. Any subdivision in which the roads and drainage facilities are not dedicated to the public, but rather, are held by the owners of all the lots within the subdivision by virtue of an undivided interest, or other entity as specified in **Section 8.2.5 of this Code.**

PROGRAM DEFICIENCY. As related to the floodplain overlay zone, a defect in the community's floodplain management regulations or administrative procedures that impairs effective implementation of those floodplain management regulations or of the standards required by the National Flood Insurance Program.

PROGRAMMED CAPACITY. Only considers the first year of the County's Capital Improvements Program or the first three years of the County's Capital Improvements if the program meets the requirements specified in Rule 9J-5, F.A.C., and the first three years of FDOT's adopted Transportation Improvements Program.

PROJECT AREA. Land holdings under common ownership or control which are contiguous and will be served by a common surface water management system.

PROJECT ENGINEER. The professional licensed by the state of Florida engaged in the technical practice to design and permit a subject project in accordance with local, state, and federal rules and regulations.

PROJECT SURVEYOR. The professional registered in the State of Florida, or a corporation authorized to practice land surveying in the State of Florida, designated by the Developer to act in his behalf insofar as duties of the project surveyor are prescribed in this Code.

PUBLIC ACCESS REUSE. The application of reclaimed water to an area that is intended to be accessible to the general public; such as golf courses, cemeteries, parks, landscape areas, hotels, motels, and highway medians. Public access areas include private property that is not open to the public at large, but is intended for frequent use by many persons. Public access areas also include residential dwellings. Presence of authorized farm personnel or other authorized treatment plant, utilities system, or reuse

system personnel does not constitute public access. Irrigation of exercise areas and other landscape areas accessible to prisoners at penal institutions shall be considered as irrigation of public access areas.

PUBLIC AREAS. An area such as parks, playgrounds, trails, paths and other recreation areas and open spaces; scenic and historic sites; schools and other properties, buildings and structures which have been or will be conveyed or dedicated to the County or other public body.

PUBLIC FACILITIES. Transportation systems or facilities, sewer systems or facilities, solid waste systems or facilities, drainage systems or facilities, potable water systems or facilities, and parks and recreation systems or facilities. This includes privately operated sewer and water systems that are classified as public systems.

PUBLIC POTABLE WATER SUPPLY SYSTEMS. Wells, treatment systems, disinfection systems, reservoirs or other storage and high service pumping, pipes, lines, valves, meters, water mains laterals or reservoirs and services, used or having the present capacity for future use in connection with the obtaining and supplying of potable water for domestic consumption, fire protection, irrigation, consumption by business, or consumption by industry. Without limiting the generality of the foregoing definition, the system shall embrace all necessary appurtenances and equipment and shall include all property, rights, easements and franchises relative to any such system and deemed necessary or convenient for the operation thereof.

PUBLIC SAFETY AND NUISANCE. As related to the floodplain overlay zone, anything which is injurious to safety or health of the entire community or a neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

PUBLIC WATER SYSTEM. A potable water system which provides piped water to the public for human consumption, serving at least 15 service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. Such systems may be owned and operated by a governmental agency, or by a private party, or by a corporation.

PUMPING LEVEL. The water level in the well when pumping is in progress.

RAPID-RATE LAND APPLICATION SYSTEM (RRLA). Rapid-Rate land application system means the use of percolation ponds or rapid infiltration basins (RIBs) or subsurface absorption fields, as described in [Chapter 62](#), Florida Administrative Code (FAC).

RECLAIMED WATER. Water that has received at least advanced secondary treatment, high level disinfection and is reused after flowing out of the wastewater treatment facility. Water receiving additional treatment may be used in public access areas, when in compliance with the FDEP requirements pursuant to [Chapter 62-610](#), FAC.

RECORDED SUBDIVISION. A platted subdivision of lands, approved by the Board of County Commissioners, which has a final plat recorded in the public records of Marion County.

RECOVERY LEVEL. The water level in the well at a measured point in time after the pump has been stopped.

RECREATIONAL FACILITY. Any public or private structure or facility used for active recreational pursuits, including such facilities as golf courses, tennis courts, racquetball courts, handball courts, baseball fields, soccer fields, football fields, basketball courts, swimming pools, jogging or exercise trails, and similar facilities.

RECREATION VEHICLE PARK. A tract of ground upon which three or more single-family camp cottages, tents or recreational vehicles are located and maintained for accommodation of transients whether or not a charge is made.

RECREATIONAL VEHICLE. Any vehicle-type unit, primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. Said vehicles shall include travel trailer and fifth wheel travel trailer, camping trailer, truck camper, motor home van conversion and the park trailer as defined by DOT.

REGISTERED DIVISIONS OF LAND. A map or survey of divisions of land three acres or larger in size, including "flag lots" as that term is commonly known in Marion County, and which was filed with the Growth Management Director or designee and accepted for filing by Marion County prior to **January 1, 1992**.

REGULATED USES OR ADULT AND SEXUALLY-ORIENTED BUSINESS: Those uses specified and defined in subsections (a), (b), (c), and (d) of this subsection.

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

REMEDY A DEFICIENCY OR VIOLATION. As related to the floodplain overlay zone, to bring the regulation, procedure, structure or other development into compliance with State of Florida, Federal or local floodplain management regulations; or if this is not possible, to reduce the impacts of its noncompliance. Ways the impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of Article 6.3. Floodplain Overlay Zone or otherwise deterring future similar violations, or reducing Federal financial exposure with regard to the structure or other development.

REMODELING. Any change, removal, replacement or addition to buildings.

RESIDENTIAL USES. One-family dwellings, two-family dwellings, and multi-family dwellings.

RESIDUALS. Biosolids from a permitted Wastewater treatment or water Reuse facility and septage from an OSTDS.

RESOURCE. Means soil, clay, peat, stone, gravel, sand, limerock, metallic ore, or any other solid substance of commercial value found in natural deposits on or in the earth, except phosphate.

RETAIL SALES. Any business activity, and related services, customarily selling goods and commodities for profit.

RETAINING WALL. A structure erected between lands of different elevation to protect structures or to prevent the loss of earth from the upper slope level.

REUSE. The deliberate application of reclaimed water in compliance with FDEP and County requirements for a beneficial purpose.

RIGHT-OF-WAY UTILIZATION PERMIT. The Marion County Right-of-Way Utilization Permit issued by Office of the County Engineer.

RIVERINE. Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

ROOF LINE. A horizontal line intersecting the highest point or points of a roof.

ROOF SIGN. A sign placed above the roof line of a building or on or against a roof slope of less than 45 degrees as measured from the vertical plane.

RUNOFF. The surface flow of storm water.

SAFE YIELD. The average annual amount of groundwater that could be extracted from a groundwater basin (or reservoir) over a long period of time without causing a long term reduction of groundwater quantity, quality, or other undesirable impacts.

SCHOOL. A public or private educational institution offering students a conventional academic curriculum, including kindergartens, elementary schools, middle schools, high schools, colleges and universities. Such term shall also include all adjacent properties owned and used by such schools for education research or recreational purposes.

SCREEN. A structure or planting consisting of fencing, berms, trees, or shrubs which provides sight obstruction within or to a site or property.

SEMICONFINED AQUIFER. An aquifer that receives recharge in the form of leakage through underlying or overlying semipermeable formations (aquitards).

SERVICE STATION. A premises primarily used for the retail selling of gasoline and lubricating oils, tires, batteries or automotive accessories directly to ultimate consumers and not for resale, the performing of minor automotive repair work, and the renting of small non-motorized hauling trailers or trucks without drivers, providing all of such activities are incidental and accessory to the principal retail selling of gasoline and lubricating oil.

SETBACK (OR SETBACK LINE). An area defined by a lot line, street centerline, ordinary high water line of an open body of water, or right-of-way line and a line on a lot parallel to, and a specified distance from, such lot line, street centerline, ordinary high water line, or right-of-way line, in which area no structure may be located and into which no part of any structure shall project, unless specifically permitted in this Land Development Code. Setbacks shall be measured from lot lines unless specifically stated otherwise or unless the context in which the term is used implies another intended meaning.

- A. **FRONT SETBACK.** That area defined by the front lot line and a parallel line on the lot a specified distance from such front lot line.
- B. **SIDE SETBACK.** An area located between a front yard setback and a rear yard setback, defined by a side lot line and a parallel line on the lot a specified distance from such side lot line.
- C. **REAR SETBACK.** That area defined by the rear lot line and a parallel line on the lot a specified distance from such rear lot line.

SHALLOW FLOODING. The same as Area of Shallow Flooding.

SIGHT TRIANGLE. A triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

SIGN. Any structure, or part thereof, or any device attached to a structure or applied to any surface or object, for visual communication, embodying letters, numerals, symbols, figures, flag, banner, pendant or designs in the nature of an announcement, direction, or advertisement, directing attention to an object, products, place, activity, service, person, institution, organization, or business and which is visible from any public street, alley, waterway, or public place. This definition of a sign shall not include

any flag, notice badge, or ensign of any government or governmental agency, or any legal notice posted by and under governmental authority.

SIGN FACE. The part of a sign that is or may be used for copy.

SIGN FACE AREA OR SIGN AREA. The area of any regular geometric shape which contains the entire surface area of a sign upon which copy may be placed.

SIGN STRUCTURE. Any construction used or designed to exclusively support a sign.

SINKHOLE. A landform created by subsidence of soil, sediment or rock as underlying strata are dissolved by ground water. Sinkholes may be directly or indirectly connected to the aquifer or disconnected by the presence of a confining layer of soil (clay) or rock that no longer allows water to permeate below this layer. The later may be expressed as a relic Sinkhole or lake, depression in the land surface, or loose soils in the subsurface.

SITE AREA, BASE. The base site area is the total area of the site minus:

- A. Land within the ultimate rights-of-way of existing roads, or utility rights-of-way or easements;
- B. Land which is not contiguous or is cut off by a major barrier;
- C. Land which is part of a previously approved subdivision or land development;
- D. Land which is zoned for another use.

SITE AREA, NET BUILDABLE. The net buildable site area is that part of the base site area remaining for development after the open space has been subtracted.

SITE PLAN. An accurately scaled development plan that illustrates the existing conditions on a land parcel as well as depicting details of a proposed single phase development.

SLOW-RATE LAND APPLICATION SYSTEM (SRLA). Slow rate land application system means the application of reclaimed water to a vegetated land surface using an overhead or spray, or subsurface drip, Irrigation system, as defined in [Chapter 62-610.400 and 62-610.450](#), F.A.C.

SOLUTION PIPE. A naturally occurring vertical cylindrical hole attributable to dissolution, often without surface expression and much narrower circumference than a sinkhole.

SPECIAL FLOOD HAZARD AREA. The same as Area of Special Flood Hazard.

SPECIAL USE. A use that would not be appropriate generally or without restriction throughout the particular zoning classification but which, if controlled as to number, area, location, or compatibility with the surrounding area, would not adversely affect the public health, safety, and general welfare.

SPECIALTY ANIMALS. All animals including native and imported animals which have been, removed from the wild or, animals being bred, raised or kept for research, food, fur, skins, or for the production of income and/or, animals requiring a permit or license from the State Fish and Wildlife Conservation Commission or the U.S. Fish and Wildlife Service shall be regulated by Special Use Permit. Large reptiles are included in this category. Where nine or more animals are being kept as household pets, and do not meet the above listed requirements or the below listed exclusions, they shall be treated as specialty animals and regulated by Special Use Permit. Specialty animals shall not include livestock, dogs, cats or homing/racing pigeons meeting the requirements of [Section 5.5.31. Homing Pigeons](#).

SPECIFIC CAPACITY. The ratio of well discharge to the drawdown produced, measured inside the well (gpm/ft of drawdown).

SPECIFIED ANATOMICAL AREAS. As related to the adult entertainment business:

- A. Less than completely and opaquely covered:
 - (1) Human genitals;
 - (2) Pubic region;
 - (3) Buttock; or
 - (4) Female breast below a point immediately above the top of the areola; or
- B. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES. As related to the adult entertainment business:

- A. Human genitals in a state of sexual stimulation or arousal;
- B. Acts of human masturbation, sexual intercourse or sodomy; and
- C. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

SPRINGS PROTECTION ZONE (SPZ). The combined extent of the primary and secondary springs protection zones, as set forth in Map Exhibit B1, adopted under **Ordinance #7-20**.

STAFF COMMITTEE. Shall consist of the following persons or their designated representatives: the Director of Planning, the Director of Zoning, and the Building Director. The Committee shall adopt its rules of procedure and designate a Secretary.

STANDARD DRAWINGS. The detailed drawings in the **Appendix B (Engineering) and Appendix D (Utility)** of this Code.

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

STATIC LEVEL. The stabilized water level in a nonpumped well.

STOCKPILE. As related to the springs protection zone, animal manure, including droppings, urine, and soiled bedding material, that is piled, spread, or otherwise allowed to accumulate to such depth and/or volume in excess of three cubic yards that it: a) prevents or substantially hinders the growth of grass or

other vegetation, and/or b) generates leachate that can potentially contaminate ground or surface water. Manure that is spread on pasture or cropland areas in accordance with normal agronomic practices following UF/IFAS recommendations and this Section is not considered stockpiling.

STORAGE COEFFICIENT. The volume of water that an aquifer releases from or takes into storage per unit surface area of aquifer per unit change in the component of head normal to that surface. In a water table aquifer the storage coefficient is essentially the same as its porosity.

STORM CELLAR. A place below grade used to accommodate occupants of the structure and emergency supplies as a means of temporary shelter against severe tornadoes or similar windstorm activity.

STORM FREQUENCY. The time interval in years in which a storm of given magnitude is expected to recur.

STREET FRONTAGE. The distance along the property line at the right-of-way or easement of the street providing primary access and exposure to the existing or proposed development.

STREET. A public or private thoroughfare used or intended to be used, for passage or travel by vehicles.

STRUCTURE. Anything constructed or built which is located on or under land. For floodplain management purposes, a walled and roofed building, including gas or liquid storage tank that is principally above ground, as well as a manufactured home.

STRUCTURE, PRINCIPAL. The building or structure in which the principal use of property is conducted.

STUB STREET. A portion of a street for which an extension has been proposed and approved. May be permitted when development is phased over a period of time, but only if the street in its entirety has been approved in the preliminary plan.

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

SUBSTANTIALLY IMPROVED EXISTING MANUFACTURED HOME PARKS OR SUBDIVISIONS. Where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

SUP. Special Use Permit.

SWALLET OR SWALLOW HOLE. A place where water disappears underground in a limestone fissure or opening at or near the surface. A swallow hole generally implies water loss in a closed depression or sinkhole, whereas a swallet may refer to water loss from a disappearing stream or streambed, even though there may be no depression.

TELESCOPING. A method of fitting or placing one casing inside another or introducing a screen through a casing diameter larger than the diameter of the screen.

TEST HOLE. Hole used only to obtain information on groundwater quality and/or geologic or hydrologic conditions.

TEST WELL. Completed well for pumping used to obtain information on capacity, groundwater quality, geologic and hydrologic conditions, and related information.

TOWER. A lattice, guyed or monopole structure constructed from grade which supports antennas. The term "tower" shall not include the singular use as a amateur radio operator's equipment, as licensed by the FCC, or antenna support structures and/or towers which are less than 50 feet in height and are used only to support antennas which receive, but do not transmit television signals.

TOWER CLUSTERING. The location of two or more towers on a parcel of property.

TOTAL NITROGEN (TN). As a measurement of wastewater effluent quality, Total Nitrogen is the total content of the nitrogen species of organic nitrogen, ammonia, nitrate and nitrite expressed as elemental nitrogen, N, as determined using approved methods.

TRACT. Land occupied or to be occupied by a building or use, and their accessory building and accessory uses, together with such yards and open spaces as are required by this Code.

TRANSMISSIVITY. The rate at which water is transmitted through a unit width of an aquifer under G unit hydraulic gradient.

TRANSMITTER TOWER. A structure designed, constructed or used for the sole purpose of broadcasting or retransmitting any form of radio, television, radar, microwave, or other type of electronic wave, or impulse.

TREE. Any native self-supporting woody plant which has at least one main trunk, and is normally grown to an overall height of a minimum of ten feet.

TREE REMOVAL AND PRESERVATION PLAN. A drawn-to-scale plan showing all existing trees on a site and the designation of those trees to be removed and/or retained. This plan is submitted with a tree removal permit application and/or a site improvement landscaping plan.

TREMIE PIPE. A device that carries materials to a designated depth in the hole.

TURF OR TURFGRASS. A mat layer of monocotyledonous plants, including but not limited to Bahia, Bermuda, Centipede, Paspalum, St. Augustine, and Zoysia grasses.

TWO-FAMILY DWELLING. A structure containing two dwelling units.

UNCONSOLIDATED FORMATION. Loose, soft rock-material strata of sedimentary, igneous, or metamorphic type rock, which includes sand, gravel, and mixtures of sand and gravel.

UNIFORMITY COEFFICIENT. A ratio of the sieve-size opening that will just pass 60 percent of a representative sample of the filter material divided by that sieve-size opening that will just pass ten percent of the material.

UNIT. That part of a multiple occupancy complex housing one occupant or use.

UNRECORDED SUBDIVISION. A platted subdivision of lands which has been accepted by the Board of County Commissioners for filing only by the Clerk of the Court in the public records of Marion County. Said plats were prepared and filed prior to August 14, 1970, in the public records of Marion County in record books entitled "Unrecorded Subdivisions".

UPLANDS. Land extending from the ordinary high water line in a landward direction to the overlay zone boundary line.

USDA-NRSC. United States Department of Agriculture - Natural Resources Conservation Service.

VARIANCE. A grant of relief from compliance with a specific provision of this code granted to a particular

property owner because of the practical difficulties or unnecessary hardship (see definition) that would be imposed by the strict application of that provision of the Code.

VEHICLE SIGN. Any sign affixed to a vehicle.

VESTED. Demand reserved for vested developments as defined in **11.5.2.a. Demand** (capacity reservation) determination will be done on an annual basis and is estimated for the same time frame or number of years as the phase or sub-phase of the development under consideration. The analysis will be based on the development's historic rate of utilization or projected utilization as specified in its development order.

VIOLATION. The failure of a structure or other development to be fully compliant with the requirements of **Article 6.3. Floodplain Overlay Zone**. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Article 6.3. Floodplain Overlay Zone is presumed to be in violation until such time as that documentation is provided.

WASTEWATER. Any substance that contains any of the waste products, excrement or other discharge from the bodies of human beings or animals as well as such other wastes as normally emanate from dwelling houses.

WASTEWATER MAINS. Wastewater gravity sewers, manholes, force mains, pump stations, fittings, valves, service laterals, and miscellaneous related appurtenances.

WASTEWATER SERVICE LATERAL. Those service laterals or force mains from the customer's property line to the wastewater main and all appurtenances.

WASTEWATER SYSTEM. A centralized or Decentralized System for the collection and treatment of domestic wastewater and disposal or reclaimed effluent. A wastewater system includes without limitation the collection lines, Wastewater Treatment Facility (WWTF), pumping stations, intercepting sewers, force mains, 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.

WASTEWATER TREATMENT FACILITY (WWTF). The facility at which the raw wastewater is collected and treated, and is one component of a centralized or decentralized wastewater system.

WATERCOURSE. A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

WATER DETENTION BASIN. A manmade or natural water collection facility which collects surface or subsurface water and which impedes its flow and releases the same gradually at a rate not greater than that prior to the development of the property, into natural or manmade outlets.

WATER FRONTAGE OR WATER FRONT. That side of a lot, parcel or tract abutting on a water body and which may be considered as the front for setback requirements. This definition shall apply to all waterbodies within this overlay zone.

WATER MAINS. Water transmission mains, distribution mains, pipes, fittings, valves, hydrants, services, meters and miscellaneous related appurtenances.

WATER METER. That device which registers water flow to a customer with all appurtenances.

WATER RESOURCES OFFICIAL. Water Resources Manager or duly appointed designee.

WATER SERVICE LINE. The pipe from the water main to the point of connection.

WATER SURFACE ELEVATION The height, in relation to the North American Vertical Datum (NAVD) of 1988, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

WATER SYSTEM. A water supply distribution system consisting of all water mains, valves, service laterals, fire hydrants, meter boxes, etc. used to deliver water from the WTP to the consumer.

WATER TABLE. The upper surface of the zone of saturation in an unconfined formation at which the pressure is atmospheric.

WATER TREATMENT PLANT (WTP).Includes all wells, pumps, tanks, valves, piping, treatment and disinfection facilities required to withdraw, treat, and disinfect water suitable for public consumption.

WATERFRONT. Any land adjacent to a natural or manmade water body such as a lake, pond, river, or canal.

WELL EFFICIENCY (E). The formation loss (head loss required to produce flow) divided by the total drawdown observed in the well. This quotient is expressed as the percentage (from Jacob's method).

WELL SCREEN. A special form of slotted or perforated well casing that admits water from an aquifer consisting of unconsolidated granular material while preventing the granular material from entering the well.

ZONE OF AERATION. The zone above the water table in which the interstices are partly filled with air. The term is replaced by unsaturated zone. It includes the capillary fringe.

ZONE OF SATURATION. The zone below the water table in which all interstices are filled with groundwater.