

EXHIBIT 1

ORDINANCE NO.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE "DEFINITIONS" SECTION OF THE BROWARD COUNTY LAND USE PLAN TEXT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

WHEREAS, Broward County adopted the Broward County Comprehensive Plan on April 25, 2017 (the Plan);

WHEREAS, the Department of Economic Opportunity has found the Plan in compliance with the Community Planning Act;

WHEREAS, Broward County now wishes to propose an amendment to the "Definitions" Section of the Broward County Land Use Plan text;

WHEREAS, the Planning Council, as the local planning agency for the Broward County Land Use Plan, held its hearings on October 28, 2021, and April 28, 2022, with due public notice;

WHEREAS, the Board of County Commissioners held its transmittal public hearing on January 25, 2022, having complied with the notice requirements specified in Section 163.3184(11), Florida Statutes;

WHEREAS, the Board of County Commissioners held an adoption public hearing on June 14, 2022, at 10:00 a.m. [also complying with the notice requirements specified in Section 163.3184(11), Florida Statutes] at which public comment was accepted and comments of the Department of Economic Opportunity, South Florida Regional Planning Council, South Florida Water Management District, Department of

1 Environmental Protection, Department of State, Department of Transportation, Fish and
2 Wildlife Conservation Commission, Department of Agriculture and Consumer Services,
3 and Department of Education, as applicable, were considered; and

4 WHEREAS, the Board of County Commissioners, after due consideration of all
5 matters, hereby finds that the following amendment to the Plan is consistent with the
6 State Plan, Regional Plan, and the Plan; complies with the requirements of the
7 Community Planning Act; and is in the best interests of the health, safety, and welfare of
8 the residents of Broward County,

9
10 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
11 BROWARD COUNTY, FLORIDA:

12
13 Section 1. The Plan is hereby amended by Amendment PCT 21-3, which is an
14 amendment to the "Definitions" Section of the Broward County Land Use Plan text, as
15 set forth in Exhibit "A," attached hereto and incorporated herein.

16
17 Section 2. Severability.

18 If any portion of this Ordinance is determined by any court to be invalid, the
19 invalid portion will be stricken, and such striking will not affect the validity of the
20 remainder of this Ordinance. If any court determines that this Ordinance, in whole or in
21 part, cannot be legally applied to any individual, group, entity, property, or circumstance,
22 such determination will not affect the applicability of this Ordinance to any other
23 individual, group, entity, property, or circumstance.

Section 3. Effective Date.

(a) The effective date of the plan amendment set forth in this Ordinance shall be the latter of:

(1) Thirty-one (31) days after the Department of Economic Opportunity notifies Broward County that the plan amendment package is complete;

(2) If the plan amendment is timely challenged, the date a final order is issued by the Administration Commission or the Department of Economic Opportunity finding the amendment to be in compliance; or

(3) If the Department of Economic Opportunity or the Administration Commission finds the amendment to be in noncompliance, pursuant to Section 163.3184(8)(b), Florida Statutes, the date the Board of County Commissioners nonetheless, elects to make the plan amendment effective notwithstanding potential statutory sanctions.

(b) This Ordinance is effective as of the date provided by law.

ENACTED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By /s/ Maite Azcoitia 04/27/2022
Maite Azcoitia (date)
Deputy County Attorney

MA/gmb
04/27/2022

PCT21-3 Definitions Section of the BC Land Use Plan Ord
#80041

EXHIBIT A

SECTION I **AMENDMENT REPORT** **BROWARD COUNTY LAND USE PLAN TEXT** **PROPOSED AMENDMENT PCT 21-3**

“Definitions”

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Transmittal Recommendation October 19, 2021

It is recommended that the proposed amendment to the BrowardNext - Broward County Land Use Plan be approved.

Further, Planning Council staff recommends a second Planning Council public hearing in order to provide additional outreach opportunities for stakeholders.

II. Planning Council Transmittal Recommendation October 28, 2021

Approval per Planning Council staff transmittal recommendation, including requiring a second Planning Council public hearing. (Vote of the board; Unanimous; 14-0: Blackwelder, Brunson, Castillo, Fernandez, Good, Grosso, Hardin, Maxey, Parness, Rich, Rosenof, Ryan, Williams and DiGiorgio)

III. County Commission Transmittal Recommendation January 25, 2022

Approval per Planning Council transmittal recommendation.

IV. Summary of State of Florida Review Agency Comments February 25, 2022

The State of Florida Review Agencies issued no comments or objections regarding the proposed amendment.

V. Planning Council Staff Final Recommendation April 19, 2022

It is recommended that the proposed amendment to the BrowardNext - Broward County Land Use Plan be approved, as modified subsequent to the transmittal to the State of Florida review agencies. **See Attachment.**

VI. Planning Council Final Recommendation April 28, 2022

Approval per Planning Council staff final recommendation. (Vote of the board; Unanimous; 14-0: Blackwelder, Breslau, Brunson, Castillo, Gomez, Good, Hardin, Horland, Levy, Parness, Rich, Rosenof, Williams and DiGiorgio)

ATTACHMENT

BrowardNext → 2017 BROWARD COUNTY LAND USE PLAN APRIL 2022

SECTION 2: DEFINITIONS

Note: Underlined words are proposed additions. ~~Struck-through~~ words are proposed deletions.

ACCESSORY DWELLING UNIT - means an ancillary or secondary living unit, that has a separate kitchen, bathroom, and sleeping area, existing either within the same structure, or on the same lot, as the primary single-family dwelling unit.

ACCESSORY USE - means a use or activity naturally and customarily incidental, subservient or subordinate to the principal use or activity on site.

ACCOMMODATIONS - means any apartment, condominium or cooperative unit, cabin, lodge, hotel or motel room, campground, cruise ship cabin, houseboat or other vessel, recreational or other motor vehicle, or any private or commercial structure which is situated on real or personal property and designed for overnight occupancy ~~or use~~ by one or more individuals.

ADAPTATION ACTION AREAS - means a designation in the coastal management element of a local government's comprehensive plan which identifies one or more areas that experience coastal flooding due to extreme high tides and storm surge, and that are vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure needs and adaptation planning.

ADJACENT - means next to or adjoining; ~~Having~~ having a common side or point; separated only by a street right-of-way or canal right-of-way, not including the Florida Intrastate Highway System.

ADMINISTRATIVE RULES DOCUMENT - means a publication containing rules, guidelines, procedures, and methodologies reviewed, revised, adopted and amended by the Broward County Planning Council and Board of County Commissioners for the purpose of providing assistance and guidance to local ~~governments~~ governmental entities and the general public and providing direction to Council staff in implementing the BrowardNext - Broward County Land Use Plan.

AFFECTED PERSONS - includes the affected local government; persons owning property, residing, or owning or operating a business within the boundaries of the local government whose plan is the subject of the review; owners of real property abutting real property that is the subject of a proposed change to a future land use map; and adjoining local governments that can demonstrate that ~~adoption of the plan~~ or plan amendment will as proposed would produce substantial impacts on the increased need for publicly funded infrastructure or substantial impacts on areas designated for protection or special treatment within their jurisdictions. Each person, other than an adjoining local government, in order to qualify under this definition, shall also have submitted oral or written comments, recommendations or objections during to the local government ~~review and adoption proceedings~~ during the period of time beginning with the

transmittal hearing for the plan or plan amendment and ending with the adoption of the plan or plan amendment.

AFFORDABLE HOUSING - means housing for which monthly rents or monthly mortgage payments (including taxes, utilities and insurance) do not exceed 30 percent of an amount representing the percentage (very low = 50%; low = 80%; moderate = 120%) of the median income limits adjusted for family size for the households.

AGRICULTURAL USES - means activities within land areas which are predominantly used for the cultivation of crops and livestock including: cropland; pastureland; orchards; vineyards; nurseries; ornamental horticulture areas; groves; confined feeding operations; specialty farms; ~~and~~ silviculture areas; and equestrian uses.

AMENDMENT - means any change to an adopted comprehensive plan except for corrections, updates and modifications of the capital improvements element concerning costs, revenue services, acceptance of facilities or facility construction dates consistent with the plan as provided in Subsection 163.3177(3)(b), Florida Statutes, and corrections, updates or modifications of current costs in other elements, as provided in Section 163.3187(~~24~~), Florida Statutes.

ANCILLARY - means of secondary importance; subordinate; aiding; supplementary.

ANNEXATION - means the adding of real property to the boundaries of an incorporated municipality, such addition making such real property in every way a part of the municipality.

ARTERIAL ROAD - means a roadway providing service which is relatively continuous and of relatively high traffic volume, long average trip length (i.e. more than one mile), ~~and~~ high operating speed and high mobility importance (i.e. serves not only automobiles, but other transportation modes such as bus, rapid bus, light rail and/or rail). In addition, every United States numbered highway is an arterial road.

BEACH - means the zone of unconsolidated material that extends landward from the mean low water line to the place where there is marked change in material or physiographic form, or to line of permanent vegetation, usually the affective limit of storm waves. "Beach," as used in the coastal management element requirements, is limited to oceanic and estuarine shorelines.

BICYCLE AND PEDESTRIAN ~~WAYS~~ FACILITIES - means any road, path or way which is open to bicycle travel and traffic afoot and from which motor vehicles are excluded.

BROWARD COMPLETE STREETS GUIDELINES 2.0 - means a document endorsed by the Broward Metropolitan Planning Organization in ~~July, 2012,~~ November 2019 ~~which is based on the Los Angeles County Design Manual for Living Streets.~~

~~BROWARD COUNTY COASTAL AREA - means the land and water eastward of U.S. 1/Federal Highway to the Atlantic Ocean.~~

BROWARDNEXT - BROWARD COUNTY LAND USE PLAN - means the future land use plan element for all of Broward County adopted by the Broward County Commission in conformance with the requirements of the Broward County Charter and Florida Statutes Chapter 163.

BROWARD COUNTY TRAFFICWAYS PLAN - means the plan promulgated by the Broward County Planning Council pursuant to Chapter 59-1154, Laws of Florida, as amended, and the Broward County Charter, which depicts a network of Trafficways for Broward County ~~(also known as the Broward County Planning Council Trafficways Plan)~~.

BUILDING - means any structure having a roof and used or built for the shelter or enclosure of persons, animals, ~~chattel~~, or property of any kind.

BUILDING PERMIT - means:

- (1) Any permit for the erection or construction of a new building or structure as required by the Florida Building Code and Broward County Administrative Provisions, as amended, or
- (2) Any permit for an addition or renovation to an existing building which would:
 - a. create one or more dwelling units, ~~or~~
 - b. ~~involve~~ be required for renovations necessary for a change in the occupancy of a building as described in the Florida Building Code and Broward County Administrative Provisions, as amended, or
- ~~(3) Any permit which would~~
 - c. be required for the nonresidential operations included in the Florida Building Code and Broward County Administrative Provisions, as amended.

CAPITAL IMPROVEMENT - means physical assets constructed or purchased to provide, improve or replace a public facility and which are typically large scale and high in cost. The cost of a capital improvement is generally nonrecurring and may require multi-year financing. For the purpose of this ~~rule plan~~, physical assets which have been identified as existing or projected needs in the individual comprehensive plan elements shall be considered capital improvements.

CERTIFIED LAND USE PLAN - means a local land use plan which has been certified by the Broward County Planning Council as being in substantial conformity with the Broward County Land Use Plan and which has been adopted by a unit of local government in conformance with the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

CERTIFIED LOCAL GOVERNMENT - means municipal and county governments which have made historic preservation a public policy through the passage of a historic preservation ordinance consistent with State Statutes, and the creation of a historic preservation advisory board, making them eligible for state- and federally-funded small matching historic preservation grants to assist their historic preservation programs.

CLIMATE CHANGE - means a change in global or regional climate patterns, in particular a change apparent from the mid to late 20th century onwards and attributed largely to the increased levels of atmospheric carbon dioxide produced by the use of fossil fuels.

COASTAL CONSTRUCTION CONTROL LINE - means the line established by the Florida Department of ~~Natural Resources~~ Environmental Protection after a determination, through comprehensive engineering study and topographic survey, that the establishment of such control line is necessary for the protection of upland properties and the control of beach erosion, pursuant to Section 161.053, Florida Statutes.

COASTAL HIGH HAZARD AREA - means the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model, as provided in Section 163.3178, Florida Statutes.

COASTAL ~~STORM~~ PLANNING AREA - means all ~~properties connected to mainland by bridges and/or low lying properties that have restricted evacuation and emergency access~~ land and water eastward of the westward right-of-way of Federal Highway/U.S. 1.

COLLECTOR ROAD - means a roadway providing service which is of relatively moderate traffic volume, moderate trip length, and moderate operating speed. ~~Collector roads~~ These roadways collect and distribute traffic between local roads or arterial roads and serve as a linkage between land access and mobility needs.

COMMERCIAL USES - means activities within land areas which are predominantly connected with the sale, rental and distribution of goods ~~products~~, or ~~performance~~ of services.

COMMUNITY CULTURAL FACILITY - means a facility that is readily accessible to all segments of the community for cultural activities (performing, visual and literary arts). The center should include classroom and workshop space, exhibit and performance space and cultural programming by professional artists for all age groups.

COMMUNITY PARK - means acreage ~~listed as described~~ in the “Community and Regional Parks” subsection of the ~~Plan~~ Implementation Requirements and Procedures Section of the Broward County Land Use Plan that is utilized by local governments to meet the community level parks requirement of the Broward County Land Use Plan.

COMPATIBILITY - means a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

COMPLETE STREET - means a street where the entire right-of-way is planned, designed, and operated for all modes of transportation and all users regardless of age or ability. Pedestrians, bicyclists, transit riders, and motorists of all ages and abilities must be able to safely move along and across a Complete Street. Complete Streets make it easy to cross the street, walk to shops, catch the bus, bike to work, and enjoy many other healthy activities.

COMPREHENSIVE PLAN - means a plan that meets the requirements of Sections 163.3177 and 163.3178, Florida Statutes, as amended.

CONCURRENCY - means public facilities and services needed to support development ~~shall be available consistent with concurrency requirements as~~ will be provided in order to achieve and maintain the adopted level of service standards, per Section 163.3180, Florida Statutes, as amended (1993).

CONCURRENCY MANAGEMENT SYSTEM - means the provisions in the local government comprehensive plan including implementation regulations, encompassing the restrictions, methods, resources, timing and solutions intended to be compatible with and further compliance with the statutory requirement to provide public facilities and services needed to support development consistent with concurrency requirements and Section 163.3180, Florida Statutes, as amended (1993).

CONDO-HOTEL - means hotel units that function in the same manner as a conventional hotel, with the exception that units may be purchased and accessed by the owner a minority of days per year. The units must be available to hotel guests a majority of days per year.

CONSERVATION USES - means activities within land areas designated for the purpose of conserving or protecting natural resources or environmental quality and includes areas designated for such purposes as flood control, protection of quality or quantity of groundwater or surface water, floodplain management, fisheries management, or protection of vegetative communities or wildlife habitats.

CONSISTENT - means compatible with and furthers. Compatible with - means not in conflict with. Furthers - means to take action in the direction of realizing the goals and policies. As applied to the local plan, a local plan shall be consistent with the state plan and the regional plan.

CONTEXT SENSITIVE ROADWAYS - means roadways that are planned and developed with improvements that are considerate of the character and built and natural environment of the corridor and the surrounding neighborhood, are responsive to multiple transportation modes, and maintain safety and mobility.

CONTIGUOUS - means touching or adjacent.

COST BURDENED – means the extent to which gross housing costs, including utility costs, exceed 30 percent but less than 50 percent of gross income, based on data available from the U.S. Census Bureau.

COUNTY COMMISSION - means the Board of County Commissioners, ~~of Broward County, Florida.~~

DASHED-LINE AREA - means an area on the Future Broward County Land Use Plan Map (Series) bordered by a dashed line and designated as having a particular maximum overall allowable density of dwelling units for all land and land uses within the area, and/or a particular total number of dwelling units permitted within the area, for which the permitted overall density appears inside the dashed line area shown on the land use plan map. That number is multiplied by the total number of acres inside the dashed line, including non-residential areas, to calculate the total number of dwelling units permitted within the same.

DEVELOPER - means any person, including a governmental agency, undertaking any development.

DEVELOPMENT - ~~The term “development” means:~~ The the carrying out of any building construction activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into ~~two~~ three or more parcels. The following activities or uses shall be taken for the purposes of this ~~chapter~~ Plan to involve “development,” as defined in this section:

- A reconstruction, alteration of the size, or material change in the external appearance of a structure on land.
- A change in the intensity of use of land, such as an increase or decrease in the number of dwelling units in a structure or on land or a material increase or decrease in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land.
- Alteration of a shore or bank of a seacoast, river, stream, lake, pond, or canal, including any “coastal construction” as defined in Section 161.021, Florida Statutes.
- Commencement of drilling, except to obtain soil samples, mining, or excavation on a parcel of land.
- Demolition of a structure.
- Clearing of land as an adjunct of construction.
- Deposit of refuse, solid or liquid waste, or fill on a parcel of land.

The following operations or uses shall not be taken for the purpose of this ~~chapter~~ Plan to involve “development” as defined herein:

- Work by a highway or road agency or railroad company for the maintenance or improvement of a road or railroad tract, if the work is carried out on land within the boundaries of the right-of-way.
- Work by any utility and other persons engaged in the distribution or transmission of gas, electricity or water, for the purpose of inspecting, repairing, renewing, or constructing on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, powerlines, towers, poles, tracks, or the like. This provision conveys no property interest and does not eliminate any applicable notice requirements to affected landowners.
- Work for the maintenance, renewal, improvement, or alteration of any structure, if the work affects only the interior or the color of the structure or the decoration of the exterior of the structure.
- The use of any structure or land devoted to dwelling uses or any purpose customarily incidental to enjoyment of the dwelling.
- The use of any land for the purpose of growing plants, crops, trees, and other agricultural or forestry products; raising livestock; or for other agricultural purposes.
- A change in use of land or structure from a use within a class specified in an ordinance or rule to another use in the same class.
- A change in the ownership or form of ownership of any parcel or structure.
- The creation or termination of rights of access, ~~aparian~~ riparian rights, easements, distribution and transmission corridors, covenants concerning development of land, or other rights in land.

- “Development,” as designated in an ordinance, rule, or development rule includes all other development customarily associated with it unless otherwise specified. When appropriate to the context, “development” refers to the act of developing or to the result of development. Reference to any specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not development. Reference to particular operations is not intended to limit the generality of ~~subsection (1)~~ the above.

DEVELOPMENT ORDER - means any order granting, denying, or granting with conditions an application for a development permit.

DEVELOPMENT PERMIT - includes any building permit, zoning permit, subdivision or plat approval, ~~or~~ rezoning, certification, special exception, variance, or any other official action having the effect of permitting the development of land.

DISASTER - means ~~a sudden event, such as an accident or a natural catastrophe, that causes great damage or loss of life~~ any natural, technological or civil emergency that causes damage of sufficient severity and magnitude to result in a declaration of a state of emergency by a county, the Governor or the President of the United States.

DRAINAGE FACILITIES - means a system of man-made structures designed to collect, convey, hold, divert or discharge storm water, and includes storm water sewers, canals, detention structures, and retention structures.

DUNE - means a mound, bluff or ridge of ~~loose~~ unconsolidated sediments, usually sand-sized sediments, lying ~~landward~~ upland of the beach and ~~extending inland to the landward toe of the dune which intercepts the 100-year storm surge~~ deposited by any natural or artificial mechanism, which may be bare or covered with vegetation and is subject to fluctuations in configuration and location.

DWELLING UNIT - means ~~a house, apartment, or condominium unit, trailer, group of rooms, or a single room~~ any building, structure or portion thereof which is designed, occupied or intended for occupancy as separate complete independent living quarter facilities for one (1) or more persons, with direct access from the outside of the building or through a common hall and with ~~complete kitchen facilities for the exclusive use of the occupants~~ permanent provisions for living, sleeping, eating, cooking and sanitation, including nontransient rental units contained in a multi-unit structure or complex ~~which are licensed by the State Department of Business Regulation, Division of Hotels and Restaurants, as “apartments,” “rental condominiums” and “retirement housing”~~ or live-aboard vessels located in multi-family “Residential” designated areas which are required to hookup to marine sanitation systems.

EASEMENT - means any strip of land created ~~by a subdivider~~ for public or private utilities, drainage, sanitation, access, or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the ~~reservation of the servitude~~ public record.

ECOLOGICAL COMMUNITY - means a distinctive combination of two or more ecologically related species, living together and interacting with each other in a characteristic natural habitat.

EDUCATIONAL USES - means activities and facilities of public or private pre-schools, primary or secondary schools, vocational and technical schools, and colleges and universities licensed by the Florida Department of Education, including the areas of buildings, campus open space, dormitories, recreational facilities or parking.

EFFICIENCY ~~HOUSING~~ OR STUDIO DWELLING UNIT - means an ~~one-room~~ apartment in which one room typically contains the kitchen, living, and sleeping quarters, with a ~~private~~ separate bathroom. Efficiency or studio dwelling units no greater than 500 square feet in size may be counted by the local government as 0.5 dwelling units for residential density calculations. It may or may not have a closet. The one room is usually larger than a standard apartment bedroom, since it needs to have separate areas for sleeping, eating and living, and also for a small kitchen (usually referred to as a kitchenette).

ELECTRICAL POWER PLANT - means an electrical generating facility where electricity is produced for the purpose of supplying twenty-five megawatts (MW) or more to utility power distribution systems, including any associated facility, as referenced in Section 403.503(7), Florida Statutes, that directly supports the operation of the electrical power plant.

ENVIRONMENTAL JUSTICE - means the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies to avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including interrelated social and economic effects, on vulnerable populations.

ENVIRONMENTALLY SENSITIVE LAND - means those areas containing Natural Resources, as depicted in the Natural Resource Map Series of the Broward County Land Use Plan, which have been determined to be environmentally sensitive by the Broward County Board of County Commissioners. The criteria for designation of Environmentally Sensitive Lands are contained within the ~~Plan~~ Implementation Requirements and Procedures section of the Broward County Land Use Plan. Policies which ensure the protection of Environmentally Sensitive Lands are contained within the Broward County Land Use Plan.

ESTUARY - means a semi-enclosed, naturally existing coastal body of water in which saltwater is naturally measurably diluted by freshwater derived from riverine systems and which has an open connection with oceanic waters. "Estuaries" include bays, lagoons, sounds and tidal streams.

EVACUATION ROUTES - means routes designated by county emergency management authorities or the regional evacuation plan, for the movement of persons to safety, in the event of a hurricane.

EXTREMELY-LOW INCOME PERSONS - means one or more natural persons or a family, that has a total annual household income that does not exceed 30 percent of the area median income for households as defined by the most recent Housing and Urban Development data for Broward County and as adjusted for household size.

FABRICATION AND ASSEMBLY - means the manufacturing from standardized parts of a distinct object differing from the individual components involving raw materials with form and substance (as opposed to liquid or gas), with a physical, as opposed to chemical, mating or joining of the individual parts.

FLEXIBILITY UNITS - shall equal the difference between the number of dwelling units permitted within a flexibility zone by the Broward County Land Use Plan and the number of dwelling units permitted within the local government's certified future land use plan map, plus additional remaining permitted dwelling units, fixed at the adoption date of the 2017 Broward County Land Use Plan and formerly defined as "Reserve Units" which were equal to two percent (2%) of the total number of dwelling units permitted by the local government's certified future land use plan map. Flexibility units are allocated at the discretion of the local government.

FLEXIBILITY ZONE - corresponds to the municipal boundaries upon the adoption of BrowardNext and the completion of the administrative local government flexibility zone unification.

FLOODPLAINS - means areas susceptible to being inundated during an identified flood event or identified by the National Flood Insurance Program as A Zones (A, AE, AH AO), ~~or~~ V Zones (V, VE) or X Zone on Flood Insurance Rate Maps or Flood Hazard Boundary Maps.

GROSS FLOOR AREA - ~~generally~~ means the total combined square footage of ~~all~~ each floors level, measured ~~to the~~ from principal outside faces of exterior walls, including but not limited to, basements, corridors, hallways, utility areas, elevators, storage rooms, staircases and mezzanines, but not including architectural projections ~~surface of the building or portion of the building. This may include hallways, stairways, elevators, storage and mechanical rooms whether internal or external to the structure. Floor area may also be limited to what is considered leasable space. The specific definitions are determined by local government land use plans and local land development regulations.~~

FLOOR AREA RATIO (FAR) - means the square footage of the floor area of a building divided by the square footage of the lot (net site area) on which the building is located. Figure 1, illustrates how a FAR of 1.0 can be calculated. The first example is a one story building covering the entire lot; the second is a two story building covering 50% of the lot and the third, a four story building covering 25% of the lot.

Figure 1

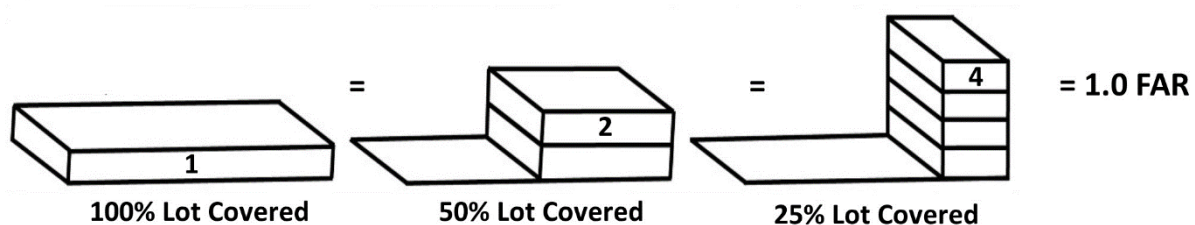
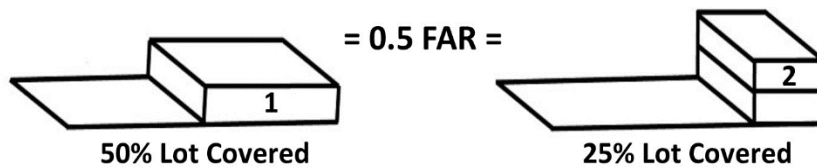


Figure 2 illustrates how a lot with FAR of 0.5 can be calculated. The building is limited to 50% of the square footage of the lot (net site area). The first example is a one story building covering 50% of the lot; the second is a two story building covering 25% of the lot.

Figure 2



The illustrations above represent a net site area of 39,204 square feet of floor area (0.9 gross acres) a FAR of 1.0 will allow a 39,204 square foot building. If the same lot has a 0.5 FAR, then it will yield a building of 19,602 square feet.

FRESHWATER MARSH - means a wetland having more than 25 percent vegetative cover by terrestrial herbs, but 40 percent or less cover by woody plants, occasionally or regularly flooded by fresh water (e.g., sawgrass).

FRESHWATER SWAMP - means a wetland having more than 40 percent cover by woody plants and that is occasionally or regularly flooded by freshwater (e.g., cypress swamp).

FUTURE BROWARD COUNTY LAND USE PLAN MAP (SERIES) - means the series of maps adopted by the Broward County Board of County Commissioners as part of the Broward County Land Use Plan. These include the Broward County Land Use Plan Map, ~~Historic District and Historically Significant Properties Map~~, Cultural Resource Map Series and Natural Resources Map Series-~~Eastern Broward County and Natural Resources Map Series~~ ~~Western Broward County~~.

GREENHOUSE GAS EMISSIONS - means any of the atmospheric gases that contribute to the greenhouse effect by absorbing infrared radiation produced by solar warming of the Earth's surface. They include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (NO₂), and water vapor.

GROSS ACREAGE - means the total number of acres in an area, including acreage used or proposed for streets, lakes, and/or waterways, not including the rivers and canals of the primary drainage system as identified within this Plan.

GROSS DENSITY – means the total number of dwelling units divided by the gross acreage of the area.

GROUNDWATER – means water within the earth supplied by wells and springs.

GROUP HOME - means a facility which provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents. Adult Congregate Living Facilities comparable in size to group homes are included in this definition. It shall not include rooming or boarding homes, clubs, fraternities, sororities, monasteries or convents, hotels, residential treatment facilities, nursing homes, or emergency shelters.

HAMMOCK - means a dense growth of broad-leaved trees on a slight elevation; not considered wet enough to be a swamp.

HAZARDOUS WASTE - means solid waste, or a combination of solid wastes, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated or otherwise managed.

HISTORIC RESOURCES - means all ~~areas, districts, or sites~~, buildings, structures or objects significant in the history, architecture, engineering, archaeology or culture of the state, its communities, or the nation and containing properties listed on the Florida Master Site File, the National Register of Historic Places, or designated by a local government as historically, architecturally, or archaeologically significant.

HISTORICAL TREES – includes a tree or group of trees designated by the Broward County Board of County Commissioners pursuant to Chapter 27 of the Broward County Code of Ordinances which are (1) located on historically significant property and related to an historic event; (2) uniquely related to the heritage of Broward County; or (3) at least seventy-five (75) years old. Requests for designation can be made by State, County, Municipality, Historical Preservation Group, or by the Property Owner. Removal of a tree designated as “Historical” requires the approval of the County Commission. ~~(Chapter 27-412 Broward County Code)~~

HURRICANE SHELTER - means a structure designated by local officials as a place of safe refuge during a storm or hurricane or an interior room, space within a building, or an entirely separate building, designated and constructed to protect its occupants from hurricanes or tornados. Shelters are intended to provide protection against both wind forces and impact of windborne debris.

HURRICANE VULNERABILITY ZONE (also “areas subject to coastal flooding”) - means the areas delineated by the regional or local hurricane evacuation plan as requiring evacuation. ~~The hurricane vulnerability zone shall include areas requiring evacuation in the event of a 100-year storm or Category 3 storm event.~~

IMPROVEMENTS - may include, but are not limited to, street pavements, curbs and gutters, sidewalks, alley pavements, walkway pavements, water mains, sanitary sewers, storm sewers or drains, ~~street names~~, signs, landscaping, permanent reference monuments, permanent control points, or any other improvement required by a governing body.

INDUSTRIAL USES - means the activities within land areas predominantly connected with manufacturing, assembly, processing, or storage of products.

INFRASTRUCTURE - means those man-made structures which serve the common needs of the population, such as: sewage disposal systems; potable water systems; potable water wells serving a system; solid waste disposal sites or retention areas; storm water systems; utilities;

piers; docks; wharves; breakwaters; bulkheads; seawalls; bulwarks; revetments; causeways; marinas; navigation channels; bridges; ~~and~~ roadways; railroads; sidewalks; and bikeways.

~~LAKE - means a natural depression fed by one or more streams and from which a stream may flow; occurs due to widening or natural blockage of a river or stream or occurs in an isolated natural depression that is not part of a surface river or stream; usually~~ large body of water surrounded by land and too deep to permit the growth of rooted plants from shore to shore.

LAND - means the earth, water, and air above, below, or on the surface, and includes any improvements or structures customarily regarded as land.

LAND DEVELOPMENT CODE - means the various types of regulations for the development of land within the jurisdiction of a unit of local government when combined into a single document.

LAND DEVELOPMENT REGULATION - means ordinances enacted by governing bodies for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, or sign regulations or any other regulations controlling the development of land.

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

LEVEL OF SERVICE - means 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 shall indicate the capacity per unit of demand for each public facility.

LIGHT MANUFACTURING - means a use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

LIMITED ACCESS FACILITY - means a roadway especially designed for through traffic, and over, from, or to which owners or occupants of abutting land or other persons have no greater than a limited right or easement of access.

LIVE-ABOARD VESSEL - means any vessel which is a habitable vessel on which habitation is occurring and which is used as a person's primary legal residence or temporary or seasonal residence even though it is not used solely as a residence but is also used for other purposes. A person's primary legal residence is a vessel where a person is presently living with the present intention of making it his or her permanent abode. A temporary or seasonal residence means habitation aboard a floating home or a vessel occupied by one (1) or more persons, while the home or vessel is moored or docked. Habitable vessel means a vessel that is equipped with an on-board toilet. The term live-aboard vessel shall not include commercial fishing boats. Nothing within this definition shall be construed to prohibit or regulate the anchorage of non-live aboard vessels engaged in the exercise of rights of navigation.

LOCAL AREA OF PARTICULAR CONCERN - means an area designated on the Natural Resource Map Series of the Broward County Land Use Plan which has been declared to be culturally or environmentally sensitive. Those areas are subject to environmental impact report provisions of the Broward County Land Development Code and/or the criteria for Local Areas of Particular Concern ~~are~~ contained in the Implementation Requirements and Procedures Section of this Plan.

LOCAL GOVERNMENT - means a unit of government or any officially designated public agency or authority of a unit of government with less than statewide jurisdiction, or any officially designated public agency or authority of such a government. The term includes a county, an incorporated municipality, a consolidated city-county government, a metropolitan planning organization, an expressway or transportation authority, a turnpike project, a regional planning council, or a school board or other special district.

LOCAL PLANNING AGENCY - means the agency designated to prepare the comprehensive plan required by Chapter 163, Florida Statutes.

LOCAL ROAD - means a roadway providing service which is of relatively low traffic volume, short average trip length or minimal through traffic movements, and high volume land access for abutting property.

LOT - ~~includes~~ means a tract or parcel of land designated and identified as a single unit of area in a subdivision plat recorded in the Official Records of Broward County, Florida ~~—means the least fractional part of subdivided lands having limited fixed boundaries, and an assigned number, letter, or other name through which it may be identified.~~

LOW INCOME FAMILIES - means “lower income families” as defined under the Section 8 Assisted Housing Program, or families whose annual income does not exceed 80 percent of the median income for the area. The term “families” includes “households.”

LOW-INCOME PERSON - means one or more natural persons or a family, that has a total annual household income ~~that does not exceed~~ between 50 and 80 percent of the area median income for households as defined by the most recent Housing and Urban Development data for Broward County and as adjusted for household size.

MAJOR TRIP GENERATORS OR ATTRACTORS - means concentrated areas of intense land use or activity that produces or attracts a significant number of local trip ends.

MANUFACTURED HOUSING HOME - means ~~prefabricated houses that are constructed in a factory and then assembled at the building site in modular sections~~ a home built in the controlled environment of a manufacturing plant and transported in one (1) or more sections on a permanent chassis. Each section bears a red U.S. Department of Housing and Urban Development label certifying that it is built in compliance with the Federal Manufactured Home Construction and Safety Standards.

MARINE HABITAT - means areas where living marine resources naturally occur, such as mangroves, seagrass beds, algae beds, salt marshes, transitional wetlands, marine wetlands, rocky shore communities, hard bottom communities, oyster bars or flats, mud flats, coral reefs,

worm reefs, artificial reefs, offshore springs, nearshore mineral deposits, and offshore sand deposits.

MARINE RESOURCES - means living oceanic or estuarine plants or animals, such as mangroves, seagrasses, algae, coral reefs, and living marine habitat; fish, shellfish, crustacea and fisheries; and sea turtles and marine mammals.

MARINE WETLANDS - means areas with a water regime determined primarily by tides and the dominant vegetation is ~~salt tolerant plant species that have adapted to survive and reproduce in the marine environment including those species listed in Subsection 17-4.02(17), Florida Administrative Code, "Submerged Marine Species."~~

MASS TRANSIT - means passenger services provided by public, private or non-profit entities such as the following surface transit modes: commuter rail, rail rapid transit, light rail transit, light guideway transit, express bus, and local fixed route bus.

MEAN HIGH WATER - means the average height of the high waters over a 19-year period. For shorter periods of observation, "mean high water" means the average height of the high waters after corrections are applied to eliminate known variations and to reduce the result to the equivalent of a mean 19-year value.

MEAN HIGH WATER LINE - means the intersection of the tidal plane of mean high water with the shore.

MEAN LOW WATER - means the average height of the low waters over a 19-year period. For shorter periods of observation, "mean low water" means the average height of low waters after corrections are applied to eliminate known variations and to reduce the result to the equivalent of mean 19-year value.

MEAN LOW WATER LINE - means the intersection of the tidal plane of mean low water with the shore.

MINERALS - means all solid minerals, including, but not limited to, clay, gravel, phosphate rock, lime, shells (excluding live shellfish), stone, sand, heavy minerals, and any rare earths which have heretofore been discovered or may be discovered in the future, which are contained in the soils or waters of the state.

MINING - means the ~~removal~~ extraction of minerals ~~from their site solely for commercial purposes which may include crushing, batching, mixing and forming of mined materials found in natural deposits on or in the earth from their location so as to make them suitable for commercial, industrial, or construction use.~~

MIXED-USE - means a development pattern on a single unified site that allows a mix of residential uses with compatible non-residential uses, such as but not limited to, office, service, retail, entertainment, and food/beverage, designed in a pedestrian-oriented environment. The development pattern may be vertical, accommodating multiple principle uses within a single building, or horizontal, with single use buildings adjacent to each other.

MOBILE HOME - means a structure, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width, and which is built on ~~a metal frame~~ an integral chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained herein. ~~If fabricated after June 15, 1976, each section bears a U.S. Department of Housing and Urban Development label certifying that it is built in compliance with the federal Manufactured Home Construction and Safety Standards.~~

MODERATE-INCOME PERSON - means one or more natural persons or a family, that has a total annual household income ~~that does not exceed~~ between 80 and 120 percent of the area median income for households as defined by the most recent Housing and Urban Development data for Broward County and as adjusted for household size.

MODULAR HOME – means a home built in the controlled environment of a manufacturing plant, transported to a building site and professionally assembled on a permanent foundation. Modular homes meet or exceed local building code standards.

MUNICIPALITY - means any incorporated city, town, or village.

NATURAL RESERVATIONS - means areas designated for conservation purposes, and operated by contractual agreement with or managed by a federal, state, regional or local government or non-profit agency such as: national parks, state parks, lands purchased under the Save Our Coast, Conservation and Recreation Lands or Save Our Rivers programs, sanctuaries, preserves, monuments, archaeological sites, historic sites, wildlife management areas, national seashores, and Outstanding Florida Waters. This definition does not include privately owned land managed by a state agency on either a voluntary or a short-term contractual basis.

NATURAL RESOURCES - means ~~those natural resources identified in Section 9J 5.006(4)(b) Florida Administrative Code:~~ water, existing and planned water wells and cones of influence; water recharge areas; beaches and shores, including estuarine systems; rivers, bays, lakes, floodplains, springs, groundwaters and harbors; wetlands; minerals and soils; forests; wildlife; fisheries; marine habitat; and air.

NEIGHBORHOOD PARK - means a park which serves the population of a neighborhood and is generally accessible by bicycle or pedestrian ways.

NET SITE AREA - means the entire acreage of the site located inside the parcel boundary.

OCEAN WATERS - means waters of the Atlantic Ocean, ~~Gulf of Mexico, or Straits of Florida, but does not include~~ excluding estuaries, bays, lagoons, or harbors.

OPEN SPACES - means undeveloped lands suitable for passive recreation or conservation uses.

PARCEL OF LAND - means any quantity of land capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit or which has been used or developed as a unit.

PARK - means a ~~community or regional park~~ public or private area of land, with or without buildings, primarily used for active or passive recreational purposes.

PERSON - means an individual, corporation, governmental agency, business trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other legal entity.

PHASE 1 ENVIRONMENTAL ASSESSMENT - means a thorough evaluation of the present and past uses and environmental condition of a property. It includes a database search, review of property history, site inspection, interviews and comprehensive report (no collection of physical samples).

PHASE 2 ENVIRONMENTAL ASSESSMENT – means a thorough evaluation and report of the present environmental condition of a property based on physical samples used for various evaluations. This may include evaluation of soil, ground water, underground tanks, and material samples that can be used to check for asbestos, lead, hazardous chemicals and biological agents, such as bird droppings, mold and bacteria.

PLANNING COUNCIL - means the Broward County Planning Council per Article VIII of the Charter of Broward County, Florida.

PLAT - means a map or delineated representation of the subdivision of lands, being a complete exact representation of the subdivision and other information in compliance with the requirements of ~~all applicable sections of this chapter~~ the Broward County Land Development Code and of any local ordinances, and may include the terms “replat,” “amended Plat,” or “revised Plat.”

POLICY - means the way in which programs and activities are conducted to achieve an identified goal.

POLLUTION - ~~is~~ means the presence in the outdoor atmosphere, ground or water of any substances, contaminants, noise, or man-made or man-induced alteration of the chemical, physical, biological, or radiological integrity of air or water, in quantities or at levels which are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property, or unreasonably interfere with the enjoyment of life or property.

POND - means a small, quiet body of standing water, usually sufficiently shallow to permit the potential growth of rooted plants from shore to shore.

PORT FACILITY - means harbor or shipping improvements used predominantly for commercial purposes including channels, turning basins, jetties, breakwaters, landings, wharves, docks, markets, structures, buildings, piers, storage facilities, plazas, anchorages, utilities, bridges, tunnels, roads, causeways, and all other property or facilities necessary or useful in connection with commercial shipping.

POTABLE WATER FACILITIES - means a system of structures designed to collect, treat, or distribute potable water, and includes water wells, treatment plants, reservoirs, and distribution mains.

PRINCIPAL BUILDING - means a building which is occupied by, or devoted to, a principal use or an addition to an existing principal building which is larger than the original existing building. In determining whether a building is of primary importance, the use of the entire parcel shall be considered. There may be more than one principal building on a parcel.

PRINCIPAL USE - means the primary or main use of a parcel of land as distinguished from an ancillary or accessory use. There may be more than one principal or main use on a parcel of land.

PUBLIC ACCESS - means the ability of the public to physically reach, enter or use recreation sites including beaches and shores.

PUBLIC FACILITIES - means major capital improvements, including, but not limited to, transportation, sanitary sewer, solid waste, drainage, potable water, educational, parks and recreational, and health systems and facilities.

PUBLIC NOTICE OR DUE PUBLIC NOTICE as used in connection with the phrase “public hearing” or “hearing to be held after due public notice” - means publication of notice of the time, place, and purpose of such hearing in a newspaper of general circulation in the area not less than 7 days prior to the date of the hearing.

PUBLIC RECREATION SITES - means sites owned or leased on a long-term basis by a federal, state, regional or local government agency for purposes of recreational use.

PUBLIC UTILITY - includes any public or private utility, such as, but not limited to, storm drainage, sanitary sewers, electric power, water service, gas service, or telephone line, whether underground or overhead.

RECERTIFICATION - means a local land use plan which has previously been certified by the Broward County Planning Council, but because of amendments, decertification, or amendments to the Broward County Land Use Plan, is no longer in conformity, and must be recertified by the Broward County Planning Council as being in substantial conformity with the Broward County Land Use Plan.

RECREATION - means the pursuit of leisure time activities occurring in an indoor or outdoor setting.

RECREATION FACILITY - means a component of a recreation site used by the public such as a trail, court, athletic field or swimming pool.

RECREATIONAL USES - means activities within areas where recreation occurs.

RECREATIONAL VEHICLE PARK - means a place set aside and offered by a person or public body, for either direct or indirect remuneration of the owners, lessor or operator of such place, for the parking and accommodation of six or more recreational vehicles (as defined in Section 320.01(1)(b), Florida Statutes) or tents utilized for sleeping or eating; and the term also includes buildings and sites set aside for group camping and similar recreational facilities.

REDEVELOPMENT UNITS - means additional permitted dwelling units equal to three percent (3%) of the total number of dwelling units as established by the adoption of the 2017 BrowardNext - Broward County Land Use Plan.

REGIONAL PARK - means acreage ~~listed~~ as described in the “Community and Regional Parks” subsection of the ~~Plan~~ Implementation Requirements and Procedures Section of the Broward County Land Use Plan that is utilized by the Broward County Board of County Commissioners to meet the regional level parks requirement of the Broward County Land Use Plan.

REGIONAL TRANSPORTATION NETWORK - means the facilities contained within the Broward Metropolitan Planning Organization’s adopted long range ~~Highway Network~~ plan and roadway capacity tables, except for those roads functionally classified as city collector roads, but not excluding other modes and networks such as corridors, transit, greenways and freight.

~~REGIONAL SHOPPING CENTER - means a shopping center which typically ranges from approximately 300,000 square feet to 1,000,000 square feet or more of gross leasable area and provides a full range of shopping goods, general merchandise, apparel, furniture and home furnishings. Such center is usually built around a full line department store as the major drawing power. Regional shopping centers are approximately 30 acres in size or larger and generally require a minimum market support population in excess of 150,000 people and a trade area extending 10 to 15 miles or more modified by such factors as competitive facilities and travel time over access highways.~~

REMNANT NATURAL RIVER - means a naturally occurring watercourse or riverine system, or a portion or segment thereof, whose channel has remained unaltered over time as evidenced by historical surveys or other appropriate documentation. Examples of remnant natural rivers in Broward County include portions of the following: South Fork of the Middle River, North Fork of the New River, New River, Tarpon Creek, South Fork of the New River and Whiskey Creek.

REPETITIVE LOSS PROPERTY - means any insurable property for which two or more claims of more than \$1,000 were paid by the National Flood Insurance Program (NFIP) within any rolling ten-year period, since 1978.

RESIDENT POPULATION - means inhabitants counted in the same manner utilized by the United States Bureau of the Census, in the category of total population. Resident population does not include seasonal population.

RESIDENTIAL USES - means activities within ~~land~~ areas used predominantly for housing.

RESEARCH LABORATORY - means an establishment or other facility for carrying on investigation in the natural, physical, or social sciences, which may include engineering and product development.

RIGHT-OF-WAY - means land ~~dedicated, deeded, used, or to be used for a street, alley, walkway, boulevard, drainage facility, access or ingress and egress, or other purpose by the public, certain designated individuals, or governing bodies in which the state of Florida, the Florida Department of Transportation, Broward County, or a municipality owns the fee or has an easement devoted~~

to or required for use as a transportation facility, including but not limited to streets, sidewalks, bike paths, alleys and public utility infrastructure.

ROADWAY CAPACITY - means the maximum ~~volume of traffic which can be accommodated on a roadway at a given level of service~~ sustainable flow rate at which persons or vehicles can reasonably be expected to traverse a point or a uniform section of roadway during a given time period under prevailing conditions.

ROADWAY FUNCTIONAL CLASSIFICATION - means the assignment of roads into ~~categories~~ systems according to the character of service they provide in relation to the total road network using procedures developed by the Federal Highway Administration. Basic functional categories in both urban and rural forms include ~~limited access facilities,~~ principal arterial roads, minor arterial roads, ~~and~~ collector roads and local roads. Principal arterial roads include three (3) subcategories: Interstate, Other Freeways & Expressways (OF&E) and Other Principal Arterial (OPA). Collector roads are subcategorized into major and minor levels. ~~which may be subcategorized into principal, major or minor levels. These levels may be further grouped into urban and rural categories.~~

RURAL CHARACTER - means an area that is characterized by natural, agricultural, equestrian, pastoral or rustic uses.

RURAL PURPOSES - means ~~that the use of a sparsely developed area of land is primarily used as a resource~~ for agricultural, horticultural, equestrian, managed forests or mining uses purposes, or maintained in a natural state as wetlands, fields or forests.

SALTWATER MARSH - means a wetland having saline (including brackish) soils with 40 percent or less cover by woody plants and 25 percent or more cover by terrestrial herbs that is occasionally or regularly flooded by brackish or saline water (e.g., smooth cordgrass marshes).

SALTWATER SWAMP - means a wetland having saline (including brackish) soils with 40 percent or more cover by woody plants and occasionally or regularly flooded by brackish or saline water (e.g., mangrove swamps).

SANITARY SEWER FACILITIES - means structures or systems designed for the collection, transmission, treatment, or disposal of sewage and includes trunk mains, interceptors, treatment plants and disposal systems.

SEASONAL POPULATION - means part-time inhabitants who utilize, or may be expected to utilize, public facilities or services, but are not residents. Seasonal population shall include tourists, migrant farmworkers, and other short-term and long-term visitors.

SEPTIC TANK - means an on-site sewage disposal system, consisting of a watertight receptacle constructed to promote separation of solid and liquid components of wastewater, to provide limited digestion of organic matter, to store solids, and to allow clarified liquid to discharge for further treatment and disposal in a soil absorption system.

SEVERLY COST BURDENED – means the extent to which housing costs, including utility costs, exceed 50 percent of income, based on data available from the U.S. Census Bureau.

~~SHORELINE OR SHORE - means the interface of land and water~~ intersection of a specified plane of water with the beach and, as used in the coastal management element requirements, is limited to oceanic and estuarine interfaces.

SOLID WASTE - means sludge from a waste treatment works, water supply treatment plant, or air pollution control facility or garbage, rubbish, refuse, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations.

SOLID WASTE FACILITIES - means lands, structures or systems designed for the treatment, storage, collection, processing or disposal of solid wastes, including hazardous wastes, and includes transfer stations, processing plants, recycling plants, and disposal systems.

SOLID WASTE PROCESSING PLANT - means a facility for incineration, resource recovery, or recycling of solid waste prior to its final disposal.

STATE COMPREHENSIVE PLAN - means the goals and policies contained within the state comprehensive plan, Section 187.201, Florida Statutes.

STORMWATER - means the flow of water which results from a rainfall event.

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

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

~~STUDIO HOUSING UNIT – also known as a studio flat, means a self-contained apartment, or efficiency apartment, a studio housing unit is a small apartment which combines living room, bedroom, and kitchenette into a single room.~~

SUBDIVISION - means the platting of real property into two or more lots, parcels, tracts, ~~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.

SUBSTANTIAL CONFORMITY - refers to the Broward County Charter requirement contained in Article VIII, Section 8.05 D & E that local governmental future land use plans shall be materially and pertinently compatible with and further the Broward County Land Use Plan in order to be certified or recertified.

SURFACE WATERS - means lakes or ponds excavated to generate fill material for a development and/or to provide recreational and aesthetic amenities. ~~Other~~ Publicly owned waters upon the surface of the earth, whether contained in bounds created naturally or artificially or diffused, ~~including water from natural springs, is defined as "lake," "pond" or "stream."~~

THREATENED SPECIES - means any species of fish and wildlife naturally occurring in Florida which may not be in immediate danger of extinction, but which exists in such small populations as to become endangered if it is subjected to increased stress as a result of further modification to its environment.

TIDALLY-INFLUENCED AREAS – means a waterway with water level changes in response to the daily tide.

TIDE - means the periodic rising and falling of the waters of the earth that result from the gravitational attraction of the moon and the sun acting upon the rotating earth.

TIME-SHARE PERIOD - means that period of time when a purchaser of a time-share plan is entitled to the possession and use of the accommodations or facilities, or both, of a time-share plan.

TIME-SHARE PLAN - means any arrangement, plan, scheme, or similar device, other than an exchange program, whether by membership, agreement, tenancy in common, sale, lease, deed, rental agreement, license, or right-to-use agreement or by any other means, whereby a purchaser, in exchange for a consideration, receives ownership rights in or a right to use accommodations or facilities, or both, for a period of time less than a full year during any given year, but not necessarily for consecutive years and which extends for a period of more than 3 years.

TIME-SHARE PROPERTY - means one or more time-share units subject to the same time-share instrument, together with any other property or rights to property appurtenant to those units.

TIME-SHARE UNIT - means an accommodation of a time-share plan which is divided into time-share periods.

TOURIST UNIT – means a house, an apartment, a group of rooms or a single room occupied or intended for occupancy as a separate living quarter which is licensed, or intended for license as a "hotel," ~~or~~ "motel," "bed and breakfast," "timeshare" or "vacation rental" by the State Department of Business and Professional Regulation, ~~Division of Hotels and Restaurants.~~

TRANSFER OF DEVELOPMENT RIGHTS - means a ~~voluntary market based technique which seeks to preserve landowners' asset value by moving the right to build from a location where development is discouraged (e.g., for environmental reasons) to a location where development is encouraged~~ program that can relocate potential development from areas where proposed land

use or environmental impacts are considered undesirable (the “donor” site) to another (“receiver”) site chosen on the basis of its ability to accommodate additional units of development beyond that for which it was zoned, with minimal environmental, social, and aesthetic impacts.

URBAN AGRICULTURE - ~~means urban agriculture or urban farming is the practice of cultivating, processing, and distributing food in or around a village, town, or city~~ means the production of fruits and vegetables, raising of animals, and cultivation of fish for local sale and consumption. Urban agriculture can also involve home vegetable gardens, community gardens, hydroponics, community supported agriculture, fish farming, farm to school, farmer’s markets, animal husbandry, aquaculture, agroforestry, and urban beekeeping, and horticulture. It does not include marijuana cultivation.

URBAN CHARACTER - means an area used intensively for residential, urban recreational or conservation parklands, commercial, industrial, institutional, or governmental purposes or an area undergoing development for any of these purposes.

VERY LOW-INCOME PERSON - means one or more natural persons or a family, that has a total annual household income that does not exceed 50 percent of the area median income for households as defined by the most recent Housing and Urban Development data for Broward County and as adjusted for household size.

VESTED RIGHTS - means rights to undertake and complete the development and use of property which have so completely and definitely accrued to or settled in a person, which it is right and equitable that government should recognize and protect, as being lawful in themselves, and settled according to then current law.

WATER CONSERVATION AREA - means designated Conservation areas on the Future Broward County Land Use Plan Map (Series) including reserve water supply areas such as the 790 square miles of Broward County west of Levees 33, 35A, 36, L-37 and L-35 and includes the natural reservations.

WATER-DEPENDENT ~~USES~~ ACTIVITIES - means activities which can be conducted or carried out only on, in, over or adjacent to water areas because the ~~use~~ activity requires direct access to the water body or sovereign submerged lands for: waterborne transportation including ports or marinas; recreation; electrical generating facilities; or water supply, and where the use of the water body or sovereign submerged lands is an integral part of the activity.

WATER RECHARGE AREAS - means land or water areas through which groundwater is replenished.

WATER-RELATED USES - means activities which are not directly dependent upon access to a water body, but which provide goods and services that are directly associated with water dependent or waterway uses.

WATER-WELLS - means any excavation that is ~~wells excavated~~, drilled, cored, bored, washed, jetted, dug, or driven or otherwise constructed when the intended use of such excavation is for the location, acquisition, development, or artificial recharge of ground water or for the supply of industrial, agricultural or potable water for general public consumption.

WETLANDS - ~~shall~~ means those areas which are inundated or saturated by water, with sufficient frequency and duration to support, and normally do support an assemblage of organisms that is adapted to saturated or seasonally saturated soil conditions for growth and reproduction including, but not necessarily limited to, swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, potholes, wet meadows, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps, flood plains, mud flats and wet prairies, and other similar areas.

WORKFORCE-INCOME PERSON - means one or more natural persons or a family, that has a total annual household income that does not exceed 140 percent of the area median income for households as defined by the most recent Housing and Urban Development data for Broward County and as adjusted for household size.