



State Statute Definitions Relevant to Land Development Regulations

The list of definitions is changed by the 2011 amendments, most significantly by the repeal of chapter 9J-5, F.A.C. Some of the rule definitions were incorporated into chapters 163 or 380, F.S. Those that were not have been left in the list, highlighted in blue, for information about what was changed, to see if, after all the amendments are integrated into the statutes, they were integrated in other statutes, and/or as formerly official definitions that may be helpful in the drafting of jurisdiction's land development regulations.

1. "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 dwelling unit. §163.31771(2)(a), F.S.
2. "Adaptation action area" or "adaptation area" 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. §163.3164(1), F.S. (2011)
3. "Adequate housing" means housing that is available for occupancy and that is not substandard. §380.06(12)(a)3., F.S.
4. "Affected person"[as used in the process for adoption of the comprehensive plan or plan amendments] 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 the plan or plan amendment will produce substantial impacts on the increased need for publicly funded infrastructure or substantial impacts on areas designated for protection or special treatment within their jurisdiction. 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 to the local government 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. §163.3184(1)(a), F.S.
5. "Affordable housing"
 - a. "Affordable housing" has the same meaning as in s. 420.0004(3). §163.3164(3), F.S., (2011).
 - b. "Affordable" means that monthly rents or monthly mortgage payments including taxes, insurance, and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for the households as indicated in [subsections 420.0004 (9), (11), (12), or (17)]. §420.0004(3), F.S., as amended by HB 639 (2011), which, as of this date, has not



- been signed into law.
- c. “Affordable workforce housing” means housing that is affordable to a person who earns less than 120 percent of the area median income, or less than 140 percent of the area median income if located in a county in which the median purchase price for a single-family existing home exceeds the statewide median purchase price of a single-family existing home. 380.06(19)(b)5., F.S.
 6. “Affordable rental” means that monthly rent and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for extremely-low-income, very-low-income, low-income, or moderate-income persons[, as defined in §420.0004, F.S]. §163.31771(2)(b), F.S.
 7. “Aggrieved or adversely affected party” [as used in a challenge of the consistency of a development order with a comprehensive plan, under §163.3215, F.S.,] means any person or local government that will suffer an adverse effect to an interest protected or furthered by the local government comprehensive plan, including interests related to health and safety, police and fire protection service systems, densities or intensities of development, transportation facilities, health care facilities, equipment or services, and environmental or natural resources. The alleged adverse interest may be shared in common with other members of the community at large but must exceed in degree the general interest in community good shared by all persons. The term includes the owner, developer, or applicant for a development order. §163.3215(2), F.S.
 8. “Agricultural enclave” means an unincorporated, undeveloped parcel that:
 - a. Is owned by a single person or entity;
 - b. Has been in continuous use for bona fide agricultural purposes, as defined by s. 193.461, for a period of 5 years prior to the date of any comprehensive plan amendment application;
 - c. Is surrounded on at least 75 percent of its perimeter by:
 - 1) Property that has existing industrial, commercial, or residential development; or
 - 2) Property that the local government has designated, in the local government’s comprehensive plan, zoning map, and future land use map, as land that is to be developed for industrial, commercial, or residential purposes, and at least 75 percent of such property is existing industrial, commercial, or residential development;
 - d. Has public services, including water, wastewater, transportation, schools, and recreation facilities, available or such public services are scheduled in the capital improvement element to be provided by the local government or can be provided by an alternative provider of local government infrastructure in order to ensure consistency with applicable concurrency provisions of s. 163.3180; and
 - e. Does not exceed 1,280 acres; however, if the property is surrounded by existing or authorized residential development that will result in a density at buildout of at least 1,000 residents per square mile, then the area shall be determined to be urban and the



parcel may not exceed 4,480 acres. §163.3164, F.S.

9. "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. §9J-5.003(2), F.A.C. (2010)
10. Airport related definitions (see Airports under Special or Specific Uses/Issues).
11. "Alley" means a right-of-way providing a secondary means of access and service to abutting property. §177.031(1), F.S.
12. "Antiquated subdivision" means a subdivision that was recorded or approved more than 20 years ago and that has substantially failed to be built and the continued buildout of the subdivision in accordance with the subdivision's zoning and land use purposes would cause an imbalance of land uses and would be detrimental to the local and regional economies and environment, hinder current planning practices, and lead to inefficient and fiscally irresponsible development patterns as 441 determined by the respective jurisdiction in which the subdivision is located. §163.3164(5), F.S. (2011).
13. "Area" or "area of jurisdiction" means the total area qualifying under [the Community Planning Act], whether this be all of the lands lying within the limits of an incorporated municipality, lands in and adjacent to incorporated municipalities, all unincorporated lands within a county, or areas comprising combinations of the lands in incorporated municipalities and unincorporated areas of counties. §163.3164, F.S.
14. "Areas subject to coastal flooding" means the areas delineated by the regional or local Hurricane Evacuation Plan as requiring evacuation. §9J-5.003(7), F.A.C.
15. "Areawide development [of regional impact] plan" means a plan of development that, at a minimum:
 - a. Encompasses a defined planning area approved pursuant to this subsection that will include at least two or more developments;
 - b. Maps and defines the land uses proposed, including the amount of development by use and development phasing;
 - c. Integrates a capital improvements program for transportation and other public facilities to ensure development staging contingent on availability of facilities and services;
 - d. Incorporates land development regulation, covenants, and other restrictions adequate to protect resources and facilities of regional and state significance; and
 - e. Specifies responsibilities and identifies the mechanisms for carrying out all commitments in the areawide development plan and for compliance with all conditions of any areawide development order. §380.06(25), F.S.
16. "Arterial road" means a roadway providing service which is relatively continuous and of relatively high traffic volume, long trip length, and high operating speed. In addition, every United States numbered highway is an arterial road. §9J-5.003(8), F.A.C.
17. "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 the line of permanent vegetation, usually the effective limit of storm waves. “Beach,” as used in the coastal management element requirements, is limited to oceanic and estuarine shorelines. §9J-5.003(9), F.A.C.

18. “Bicycle and pedestrian ways” means any road, path or way which is open to bicycle travel and traffic afoot and from which motor vehicles are excluded. §9J-5.003(10), F.A.C.
19. “Blighted area” means an area in which there are a substantial number of deteriorated, or deteriorating structures, in which conditions, as indicated by government-maintained statistics or other studies, are leading to economic distress or endanger life or property, and in which two or more of the following factors are present:
- a. Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;
 - b. Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the 5 years prior to the finding of such conditions;
 - c. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
 - d. Unsanitary or unsafe conditions;
 - e. Deterioration of site or other improvements;
 - f. Inadequate and outdated building density patterns;
 - g. Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality;
 - h. Tax or special assessment delinquency exceeding the fair value of the land;
 - i. Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality;
 - j. Incidence of crime in the area higher than in the remainder of the county or municipality;
 - k. Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality;
 - l. A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality;
 - m. Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or
 - n. Governmentally owned property with adverse environmental conditions caused by a public or private entity.

However, the term “blighted area” also means any area in which at least one of the factors identified in paragraphs (a) through (n) are present and all taxing authorities subject to s. 163.387(2)(a) agree, either by interlocal agreement or agreements with the agency or by resolution, that the area is blighted. Such agreement or resolution shall only determine that the area is blighted. For purposes of qualifying for the tax credits authorized in chapter 220, “blighted area” means an area as defined in this subsection. §163.340, F.S.

20. “Block” includes “tier” or “group” and means a group of lots existing within well-defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers



and having an assigned number, letter, or other name through which it may be identified. §177.031(2), F.S.

21. “Capital budget” means the portion of each local government’s budget which reflects capital improvements scheduled for a fiscal year. §9J-5.003(11), F.A.C.
22. “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 purposes of this part, physical assets that have been identified as existing or projected needs in the individual comprehensive plan elements shall be considered capital improvements. §163.3164(7), F.S. as added by HB 7207 (2011) from former §9J-5.003(12), F.A.C.
23. “Central Business District” means a compact urban core area of a municipality or unincorporated urbanized area which serves as the primary center for economic activity in the jurisdiction. §9J-5.003(13), F.A.C.
24. “Clustering” means the grouping together of structures and infrastructure on a portion of a development site. §9J-5.003(14), F.A.C.
25. “Coastal area” means the 35 coastal counties and all coastal municipalities within their boundaries. §163.3164(8), F.S. (2011).
26. “Coastal barriers” means barrier islands, spits, peninsulas, or similar landforms, including the Florida Keys, which front on the Atlantic Ocean, Gulf of Mexico, or Straits of Florida and which separate estuaries or harbors from the open waters of the Atlantic Ocean, Gulf of Mexico, or Straits of Florida. §9J-5.003(16), F.A.C.
27. “Coastal high hazard areas” (also “high-hazard coastal areas”) means the evacuation zone for a Category 1 hurricane as established in the regional hurricane evacuation study applicable to the local government. §9J-5.003(17), F.A.C.
28. “Coastal or shore protection structures” means shore-hardening structures, such as seawalls, bulkheads, revetments, rubblemound structures, groins, breakwaters, and aggregates of materials other than natural beach sand used for beach or shore protection and other structures which are intended to prevent erosion or protect other structures from wave and hydrodynamic forces including beach and dune restoration. §9J-5.003(19), F.A.C.
29. “Code inspector” means any authorized agent or employee of the county or municipality whose duty it is to assure code compliance. §162.04(2), F.S.
30. “Collector road” means a roadway providing service which is of relatively moderate traffic volume, moderate trip length, and moderate operating speed. Collector roads collect and distribute traffic between local roads or arterial roads. §9J-5.003(20), F.A.C.
31. “Commercial uses” means activities within land areas which are predominantly connected with the sale, rental and distribution of products, or performance of services. §9J-5.003(21), F.A.C.
32. “Community park” means a park located near major roadways, and designed to serve the needs of more than one neighborhood. §9J-5.003(22), F.A.C.



33. “Community redevelopment” or “redevelopment” means undertakings, activities, or projects of a county, municipality, or community redevelopment agency in a community redevelopment area for the elimination and prevention of the development or spread of slums and blight, or for the reduction or prevention of crime, or for the provision of affordable housing, whether for rent or for sale, to residents of low or moderate income, including the elderly, and may include slum clearance and redevelopment in a community redevelopment area or rehabilitation and revitalization of coastal resort and tourist areas that are deteriorating and economically distressed, or rehabilitation or conservation in a community redevelopment area, or any combination or part thereof, in accordance with a community redevelopment plan and may include the preparation of such a plan. §163.340, F.S.
34. “Community redevelopment area” means a slum area, a blighted area, or an area in which there is a shortage of housing that is affordable to residents of low or moderate income, including the elderly, or a coastal and tourist area that is deteriorating and economically distressed due to outdated building density patterns, inadequate transportation and parking facilities, faulty lot layout or inadequate street layout, or a combination thereof which the governing body designates as appropriate for community redevelopment. For community redevelopment agencies created after July 1, 2006, a community redevelopment area may not consist of more than 80 percent of a municipality. §163.340, F.S.
35. “Community redevelopment plan” means a plan, as it exists from time to time, for a community redevelopment area. §163.340, F.S.
36. “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. §163.3164(9), F.S. as added by HB 7207 (2011) from former §9J-5.003(23), F.A.C.
37. “Comprehensive plan”
 - a. means a plan that meets the requirements of ss. 163.3177 and 163.3178. §163.3164, F.S.
 - b. means a plan adopted pursuant to the Community Planning Act. §163.3221(2), F.S. (2011).
 - c. “Local comprehensive plan” means any or all local comprehensive plans or elements or portions thereof prepared, adopted, or amended pursuant to the Community Planning Act, as amended. §380.031(10), F.S. (2011).
38. “Compliance” or] "In compliance" [as used in the process for adoption of the comprehensive plan or plan amendments] means consistent with the requirements of ss. 163.3177, 163.3178, 163.3180, 163.3191, 163.3245, and 163.3248, with the appropriate strategic regional policy plan, and with the principles for guiding development in designated areas of critical state concern and with part III of chapter 369, where applicable. §163.3184(1)(b), F.S. (2011).
39. “Composition” means the make up of various land uses by types, extent, intensity, density, or otherwise, which are included in a development or land use category. §9J-5.003(24),



- F.A.C.
40. “Concurrency” means that the necessary public facilities and services to maintain the adopted level of service standards are available when the impacts of development occur. §9J-5.003(25), F.A.C.
 41. “Concurrency Management System” means the procedures and/or process that the local government 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. §9J-5.003(26), F.A.C.
 42. “Cone of influence” means an area around one or more major waterwells the boundary of which is determined by the government agency having specific statutory authority to make such a determination based on groundwater travel or drawdown depth. §9J-5.003(27), F.A.C.
 43. “Conservation uses” means activities or conditions within land areas designated for the purpose of conserving or protecting natural resources or environmental quality, including areas designated for such purposes as flood control, protection of quality or quantity of groundwater or surface water, floodplain management, commercially or recreationally valuable fish and shellfish, or protection of vegetative communities or wildlife habitats. §9J-5.003(28), F.A.C.
 44. “Cul-de-sac” means a street terminated at the end by a vehicular turnaround. §177.031(5), F.S.
 45. “Currently available revenue sources” means an existing source and amount of revenue presently available to the local government. It does not include a local government’s present intent to increase the future level or amount of a revenue source which is contingent on ratification by public referendum. §9J-5.003(29), F.A.C.
 46. “Deepwater ports” means the ports identified in subsection 403.021(9), F.S [i.e. the ports of Jacksonville, Tampa, Port Everglades, Miami, Port Canaveral, Ft. Pierce, Palm Beach, Port Manatee, Port St. Joe, Panama City, St. Petersburg, Pensacola, Fernandina, and Key West]. §163.3164(11), F.S. as added by HB 7207 (2011) from former §9J-5.003(30), F.A.C.
 47. “Density” means an objective measurement of the number of people or residential units allowed per unit of land, such as residents or employees per acre. §163.3164(12), F.S. as added by HB 7207 (2011) from former §9J-5.003(31), F.A.C.
 48. “Developer”
 - a. means any person, including a governmental agency, undertaking any development as defined in this act. §163.3164 and §380.031, F.S.
 - b. means the owners of record executing the dedication required by s. 177.081 and applying for approval of a plat of a subdivision pursuant to this part. §177.031(6), F.S.
 - c. [in the context of a Development Agreement, under §163.3220-163.3243, F.S.,] means any person, including a governmental agency, undertaking any development.
 49. “Development” – §163.3164, §163.3221, and §380.04, F.S.



- a. “The term “development” means the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels.
- b. The following activities or uses shall be taken for the purposes of this chapter to involve “development,” as defined in this section:
 - 1) A reconstruction, alteration of the size, or material change in the external appearance of a structure on land.
 - 2) A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land.
 - 3) Alteration of a shore or bank of a seacoast, river, stream, lake, pond, or canal, including any “coastal construction” as defined in s. 161.021.
 - 4) Commencement of drilling, except to obtain soil samples, mining, or excavation on a parcel of land.
 - 5) Demolition of a structure.
 - 6) Clearing of land as an adjunct of construction.
 - 7) Deposit of refuse, solid or liquid waste, or fill on a parcel of land.
- c. The following operations or uses shall not be taken for the purpose of this chapter to involve “development” as defined in this section:
 - 1) Work by a highway or road agency or railroad company for the maintenance or improvement of a road or railroad track, if the work is carried out on land within the boundaries of the right-of-way.
 - 2) 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, power lines, towers, poles, tracks, or the like. This provision conveys no property interest and does not eliminate any applicable notice requirements to affected land owners.
 - 3) 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.
 - 4) The use of any structure or land devoted to dwelling uses for any purpose customarily incidental to enjoyment of the dwelling.
 - 5) 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.
 - 6) 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.
 - 7) A change in the ownership or form of ownership of any parcel or structure.
 - 8) The creation or termination of rights of access, riparian rights, easements,



covenants concerning development of land, or other rights in land.

- d. “Development,” as designated in an ordinance, rule, or development permit 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).
50. “Development controls” means standards in the comprehensive plan which control the development or use of land and which are in addition to the densities, intensities, and uses assigned to land by the future conditions maps. §9J-5.003(33), F.A.C.
51. “Development of regional impact,” ... means any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county. §380.06, F.S.
52. “Development order” means any order granting, denying, or granting with conditions an application for a development permit. §163.3164 and §380.031, F.S.
53. “Development permit”
- a. includes any building permit, zoning permit, subdivision approval, rezoning, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land. §163.3164, F.S.
 - b. includes any building permit, zoning permit, plat approval, or rezoning, certification, variance, or other action having the effect of permitting development as defined in this chapter.” §380.031, F.S.
54. “Distribution” means the spatial array of land uses throughout an area. §9J-5.003(34), F.A.C.
55. “Downtown development authority” means a local governmental agency established under part III of chapter 163 or created with similar powers and responsibilities by special act for the purpose of planning, coordinating, and assisting in the implementation, revitalization, and redevelopment of a specific downtown area of a city. §380.031, F.S.
56. “Downtown revitalization” means the physical and economic renewal of a central business district of a community as designated by local government, and includes both downtown development and redevelopment. §163.3164, F.S.
57. “Drainage basin” or “stormwater basin” means the area defined by topographic boundaries which contributes stormwater to a watershed, drainage system, estuarine waters, or oceanic waters, including all areas artificially added to the basin. §9J-5.003(35), F.A.C.
58. “Drainage detention structure” means a structure which collects and temporarily stores stormwater for the purpose of treatment through physical, chemical, or biological processes with subsequent gradual release of the stormwater. §9J-5.003(36), F.A.C.
59. “Drainage facilities or stormwater management facilities” means a system of man-made structures designed to collect, convey, hold, divert or discharge stormwater, and includes stormwater sewers, canals, detention structures, and retention structures. §9J-5.003(37),



F.A.C.

60. “Drainage retention structure” means a structure designed to collect and prevent the release of a given volume of stormwater by complete on-site storage. §9J-5.003(38), F.A.C.
61. “Dune” means a mound or ridge of loose sediments, usually sand-sized sediments, lying landward of the beach and extending inland to the landward toe of the dune which intercepts the 100-year storm surge. §9J-5.003(39), F.A.C.
62. “Easement” means any strip of land created by a subdivider for public or private utilities, drainage, sanitation, or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the reservation of the servitude. §177.031(7)(a), F.S.
63. “Educational uses” means activities and facilities of public or private 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. §9J-5.003(40), F.A.C.
64. “Enforcement board” means a local government code enforcement board. §162.04(4), F.S.
65. “Environmentally sensitive lands” means areas of land or water which are determined necessary by the local government, based on locally determined criteria, to conserve or protect natural habitats and ecological systems. Nothing in this definition shall be construed to prohibit silvicultural operations which employ the Florida Department of Agriculture and Consumer Affairs Best Management Practices as revised in 1993. §9J-5.003(41), F.A.C.
66. “Estuary” means a semi-enclosed, naturally existing coastal body of water in which saltwater is naturally diluted by fresh water and which has a connection with oceanic waters, including bays, embayments, lagoons, sounds and tidal streams. §9J-5.003(42), F.A.C.
67. “Evacuation routes” means routes designated by county civil defense authorities or the regional evacuation plan for the movement of persons to safety in the event of a hurricane. §9J-5.003(43), F.A.C.
68. “Existing use” [for the purposes of the private property rights protection section] means:
 - a. An actual, present use or activity on the real property, including periods of inactivity which are normally associated with, or are incidental to, the nature or type of use; or
 - b. Activity or such reasonably foreseeable, nonspeculative land uses which are suitable for the subject real property and compatible with adjacent land uses and which have created an existing fair market value in the property greater than the fair market value of the actual, present use or activity on the real property. §70.001, F.S., as amended by HB 701(2011). As of this date, HB 701 has not been signed into law.
69. “Extent” means the amount of development, including the area or size in acres. §9J-5.003(45), F.A.C.
70. “Facility availability” means whether or not a facility is available in a manner to satisfy the concurrency management system. §9J-5.003(46), F.A.C.
71. “Flood plains” means areas inundated during a 100-year flood event or identified by the



- National Flood Insurance Program as an A Zone or V Zone on Flood Insurance Rate Maps or Flood Hazard Boundary Maps. §9J-5.003(47), F.A.C.
72. “Floodprone areas” means areas inundated during a 100-year flood event or areas identified by the National Flood Insurance Program as an A Zone on Flood Insurance Rate Maps or flood hazard boundary maps. §163.3164(18), F.S. as added by HB 7207 (2011) from former §9J-5.003(48), F.A.C.
73. “Foster care facility” means a facility which houses foster residents and provides a family living environment for the residents, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents and serving either children or adult foster residents. §9J-5.003(49), F.A.C.
74. “Functional relationship” means a complementary and interactive relationship among land uses or development, including at a minimum a substantial and positive exchange of human interaction, goods, resources, institutions, services, jobs or workers between land uses or developments. §9J-5.003(50), F.A.C.
75. “General Lanes” means intrastate roadway lanes not exclusively designated by the Florida Department of Transportation for long distance, high speed travel. In urbanized areas, general lanes include high occupancy vehicle lanes not physically separated from other travel lanes. §9J-5.003(51), F.A.C.
76. “Goal” means the long-term end toward which programs or activities are ultimately directed. §163.3164(19), F.S. as added by HB 7207 (2011) from former §9J-5.003(52), F.A.C.
77. “Governing body”
- a. means the board of county commissioners of a county, the commission or council of an incorporated municipality, or any other chief governing body of a unit of local government, however designated, or the combination of such bodies where joint utilization of [the Community Planning Act] is accomplished as provided herein. §163.3164, F.S. (2011).
 - b. means the board of county commissioners or the legal governing body of a county, municipality, town, or village of this state. §177.031(4), F.S.
78. “Governmental agency” means:
- a. The United States or any department, commission, agency, or other instrumentality thereof.
 - b. This state or any department, commission, agency, or other instrumentality thereof.
 - c. Any local government, as defined in this section, or any department, commission, agency, or other instrumentality thereof.
 - d. Any school board or other special district, authority, or governmental entity. §163.3164 and §380.031, F.S.
79. “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. §9J-5.003(53), F.A.C.
80. “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. §9J-5.003(54), F.A.C.
81. “Historic resources” means all areas, districts or sites 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. §9J-5.003(55), F.A.C.
82. “Hurricane shelter” means a structure designated by local officials as a place of safe refuge during a storm or hurricane. §9J-5.003(56), F.A.C.
83. “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. §9J-5.003(57), F.A.C.
84. “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 (P.R.M.s), permanent control points (P.C.P.s), monuments, or any other improvement required by a governing body. §177.031(9), F.S.
85. “Industrial uses” means the activities within land areas predominantly connected with manufacturing, assembly, processing, or storage of products. §9J-5.003(58), F.A.C.
86. “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; stormwater systems; utilities; piers; docks; wharves; breakwaters; bulkheads; seawalls; bulwarks; revetments; causeways; marinas; navigation channels; bridges; and roadways. §9J-5.003(59), F.A.C.
87. “Intensity” means an objective measurement of the extent to which land may be developed or used, including the consumption or use of the space above, on, or below ground; the measurement of the use of or demand on natural resources; and the measurement of the use of or demand on facilities and services. §163.3164(22), F.S. as added by HB 7207 (2011) from former §9J-5.003(60), F.A.C.
88. “Interagency hazard mitigation report” means the recommendations of a team of federal, state, regional, or local officials which address measures to reduce the potential for future flood losses and which is prepared in response to a Presidential Disaster Declaration. §9J-5.003(61), F.A.C.
89. "Internal trip capture" means trips generated by a mixed-use project that travel from one on-



- site land use to another on-site land use without using the external road network. §163.3164(23), F.S. (2011).
90. “Land” means the earth, water, and air, above, below, or on the surface, and includes any improvements or structures customarily regarded as land. §163.3164, §163.3221, and §380.031, F.S.
 91. “Land development regulation commission” means a commission designated by a local government to develop and recommend, to the local governing body, land development regulations which implement the adopted comprehensive plan and to review land development regulations, or amendments thereto, for consistency with the adopted plan and report to the governing body regarding its findings. The responsibilities of the land development regulation commission may be performed by the local planning agency. §163.3164, F.S.
 92. “Land development regulations”
 - a. 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, except that this definition does not apply in s. 163.3213. §163.3164 and §163.3221, F.S.
 - b. include local zoning, subdivision, building, and other regulations controlling the development of land. §380.031, F.S.
 - c. “means an ordinance enacted by a local governing body for the regulation of any aspect of development, including a subdivision, building construction, landscaping, tree protection, or sign regulation or any other regulation concerning the development of land. This term shall include a general zoning code, but shall not include a zoning map, an action which results in zoning or rezoning of land, or any building construction standard adopted pursuant to and in compliance with the provisions of chapter 553.” §163.3213(2)(b), F.S.
 - d. “means any ordinance enacted by a local government for the regulation of any aspect of development, including an ordinance governing zoning, subdivisions, landscaping, tree protection, or signs, the local government’s comprehensive plan, or any other ordinance concerning any aspect of the development of land. The term does not include any building construction standard adopted under and in compliance with chapter 553.” §365.172(3)(n), F.S.
 93. “Land use”
 - a. 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. §163.3164, F.S.
 - b. means the development that has occurred on land. §380.031, F.S.
 94. “Legal entity” means an entity that holds a certificate of authorization issued under chapter



- 472, whether the entity is a corporation, partnership, association, or person practicing under a fictitious name. §177.031(21), F.S.
95. “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. §163.3164(28), F.S. as added by HB 7207 (2011) from former §9J-5.003(62), F.A.C.
 96. “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. §9J-5.003(63), F.A.C.
 97. “Living marine resources” means 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. §9J-5.003(64), F.A.C.
 98. “Local government”
 - a. means any county or municipality. §163.3164, F.S.
 - b. means any county or municipality and, where relevant, any joint airport zoning board.” §380.031, F.S.
 - c. means any county or municipality or any special district or local governmental entity established pursuant to law which exercises regulatory authority over, and grants development permits for, land development. §163.3221, F.S.
 99. “Local governing body” means the governing body of the county or municipality, however designated. §162.04(1), F.S.
 100. “Local governing body attorney” means the legal counselor for the county or municipality. §162.04(3), F.S.
 101. “Local peacetime emergency plan” means the plans prepared by the county civil defense or county emergency management agency addressing weather-related natural hazards and man-made disasters except nuclear power plant accidents and war. The plan covers hazard mitigation, emergency preparedness, emergency response, emergency recovery and in coastal counties, hurricane evacuation. §9J-5.003(65), F.A.C.
 102. “Local planning agency”
 - a. means the agency designated to prepare the comprehensive plan or plan amendments required by [the Community Planning Act]. §163.3164, F.S.
 - b. means the agency designated to prepare a comprehensive plan or plan amendments pursuant to the Community Planning Act. §163.3211, F.S.(2011)
 103. “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. §9J-5.003(66), F.A.C.
 104. “Lot” includes tract or parcel and 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. §177.031(11), F.S.
 105. “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. §9J-5.003(68), F.A.C.
106. “Manufactured home” means a residential manufactured home meeting the definition in Section 320.01, F.S. §9J-5.003(69), F.A.C.
107. “Marine habitat” means areas where living marine resources naturally occur, such as mangroves, seagrass beds, algal 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. §9J-5.003(70), F.A.C.
108. “Marine wetlands” means areas with a water regime determined primarily by tides and the dominant vegetation is salt tolerant plant species including those species listed in subsection 62-301.200(3), F.A.C., “Submerged Marine Species.” §9J-5.003(71), F.A.C.
109. “Minerals” means all solid minerals, including clay, gravel, phosphate rock, lime, shells (excluding live shellfish), stone, sand, heavy minerals, and any rare earths, which are contained in the soils or waters of the state. §9J-5.003(72), F.A.C.
110. “Mobile home” means a structure meeting the definition in Section 320.01, F.S. §9J-5.003(73), F.A.C.
111. “Moderate income household” has the meaning provided in Section 420.0004, F.S. §9J-5.003(74), F.A.C.
112. “Monument” means a survey marker which must: §177.031(22), F.S.
- a. Be composed of a durable material.
 - b. Have a minimum length of 18 inches.
 - c. Have a minimum cross-section area of material of 0.2 square inches.
 - d. Be identified with a durable marker or cap bearing either the Florida registration number of the professional surveyor and mapper in responsible charge or the certificate of authorization number of the legal entity, which number shall be preceded by LS or LB as applicable.
 - e. Be detectable with conventional instruments for locating ferrous or magnetic objects. If the location of the monument falls in a hard surface such as asphalt or concrete, alternate monumentation may be used that is durable and identifiable.
113. “Municipality” means any incorporated city, town, or village. §177.031(12), F.S.
114. “Natural drainage features” means the naturally occurring features of an area which accommodate the flow of significant amounts of stormwater, such as streams, rivers, lakes, sloughs, floodplains and wetlands. §9J-5.003(75), F.A.C.
115. “Natural drainage flow” means the pattern of surface and storm water drainage through or from a particular site before the construction or installation of improvements or prior to regrading. §9J-5.003(76), F.A.C.
116. “Natural groundwater aquifer recharge areas” or “natural groundwater recharge areas” or “groundwater recharge areas” means areas contributing to or providing volumes of water which make a contribution to the storage or regional flow of an aquifer. §9J-5.003(77), F.A.C.



117. “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. §9J-5.003(78), F.A.C.
118. “Neighborhood park” means a park which serves the population of a neighborhood and is generally accessible by bicycle or pedestrian ways. §9J-5.003(79), F.A.C.
119. “[N]ewspaper of general circulation” means a newspaper published at least on a weekly basis and printed in the language most commonly spoken in the area within which it circulates, but does not include a newspaper intended primarily for members of a particular professional or occupational group, a newspaper whose primary function is to carry legal notices, or a newspaper that is given away primarily to distribute advertising. §163.3164, F.S.
120. “New town” means a new urban activity center and community designated on the future land use map of sufficient size, population and land use composition to support a variety of economic and social activities consistent with an urban area designation. New towns shall include basic economic activities; all major land use categories, with the possible exception of agricultural and industrial; and a centrally provided full range of public facilities and services that demonstrate internal trip capture. A new town shall be based on a master development plan. §163.3164(32), F.S. as added by HB 7207 (2011) based on former §9J-5.003(80), F.A.C.
121. “Nonpoint source pollution” means any source of water pollution that is not a point source. §9J-5.003(81), F.A.C.
122. “Objective” means a specific, measurable, intermediate end that is achievable and marks progress toward a goal. §163.3164(33), F.S. as added by HB 7207 (2011) from former §9J-5.003(82), F.A.C.
123. “Oceanic waters” means waters of the Atlantic Ocean, Gulf of Mexico, or Straits of Florida, excluding estuaries. §9J-5.003(83), F.A.C.
124. “Open spaces” means undeveloped lands suitable for passive recreation or conservation uses. §9J-5.003(84), F.A.C.
125. “Parcel of land” means any quantity of land capable of being described with such definiteness that its locations 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. §163.3164 and §380.031, F.S.
126. “Park” means a neighborhood, community, or regional park. §9J-5.003(85), F.A.C.
127. “Partial evaluation and appraisal report” means an evaluation and appraisal report which focuses on selected issues or elements that may only be submitted by a municipality with fewer than 5,000 residents or a county with fewer than 50,000 residents pursuant to a



- written agreement with the Department and in accordance with the requirements of Section 163.3191(12), F.S. §9J-5.003(86), F.A.C.
128. “Pattern” means the form of the physical dispersal of development or land use. §9J-5.003(87), F.A.C.
129. “P.C.P.” means permanent control point and shall be considered a reference monument. §177.031(13), F.S.
- a. “P.C.P.s” set in impervious surfaces must:
- 1) Be composed of a metal marker with a point of reference.
 - 2) Have a metal cap or disk bearing either the Florida registration number of the professional surveyor and mapper in responsible charge or the certificate of authorization number of the legal entity, which number shall be preceded by LS or LB as applicable and the letters “P.C.P.”
- b. “P.C.P.s” set in pervious surfaces must:
- 1) Consist of a metal rod having a minimum length of 18 inches and a minimum cross-section area of material of 0.2 square inches. In certain materials, encasement in concrete is optional for stability of the rod. When used, the concrete shall have a minimum cross-section area of 12.25 square inches and be a minimum of 24 inches long.
 - 2) Be identified with a durable marker or cap with the point of reference marked thereon bearing either the Florida registration number of the professional surveyor and mapper in responsible charge or the certificate of authorization number of the legal entity, which number shall be preceded by LS or LB as applicable and the letters “P.C.P.”
- c. “P.C.P.s” must be detectable with conventional instruments for locating ferrous or magnetic objects.
130. “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. §163.3164 and §380.031, F.S.
131. “Plat or replat” 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 requirement of all applicable sections of this part and of any local ordinances. §177.031(14), F.S.
132. “Playground” means a recreation area with play apparatus. §9J-5.003(88), F.A.C.
133. “Point source pollution” means any source of water pollution that constitutes a discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture. §9J-5.003(89), F.A.C.
134. “Policy” means the way in which programs and activities are conducted to achieve an identified goal. §163.3164(22), F.S. as added by HB 7207 (2011) from former §9J-5.003(90), F.A.C.



135. “Pollution” is the presence in the outdoor atmosphere, ground or water of any substances, contaminants, noise, or manmade 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. §9J-5.003(91), F.A.C.
136. “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. §9J-5.003(92), F.A.C.
137. “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. §9J-5.003(93), F.A.C.
138. “Potable water wellfield” means the site of one or more water wells which supply potable water for human consumption to a water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents. §9J-5.003(94), F.A.C.
139. “Private recreation sites” means sites owned by private, commercial or non-profit entities available to the public for purposes of recreational use. §9J-5.003(95), F.A.C.
140. “P.R.M.” means a permanent reference monument which must: §177.031(15), F.S.
- Consist of a metal rod having a minimum length of 18 inches and a minimum cross-section area of material of 0.2 square inches. In certain materials, encasement in concrete is optional for stability of the rod. When used, the concrete shall have a minimum cross-section area of 12.25 square inches and be a minimum of 24 inches long.
 - Be identified with a durable marker or cap with the point of reference marked thereon bearing either the Florida registration number of the professional surveyor and mapper in responsible charge or the certificate of authorization number of the legal entity, which number shall be preceded by LS or LB as applicable and the letters “P.R.M.”
 - Be detectable with conventional instruments for locating ferrous or magnetic objects. If the location of the “P.R.M.” falls in a hard surface such as asphalt or concrete, alternate monumentation may be used that is durable and identifiable.
141. “Professional surveyor and mapper” means a surveyor and mapper registered under chapter 472 who is in good standing with the Board of Professional Surveyors and Mappers. §177.031(10), F.S.
142. “Projects that promote public transportation” means projects that directly affect the provisions of public transit, including transit terminals, transit lines and routes, separate lanes for the exclusive use of public transit services, transit stops (shelters and stations), office buildings or projects that include fixed-rail or transit terminals as part of the



- building, and projects which are transit oriented and designed to complement reasonably proximate planned or existing public facilities. §163.3164, F.S.
143. “Public access” means the ability of the public to physically reach, enter or use recreation sites including beaches and shores. §9J-5.003(97), F.A.C.
 144. “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. §9J-5.003(98), F.A.C.
 145. “Public buildings and grounds” means structures or lands that are owned, leased, or operated by a government entity, such as civic and community centers, hospitals, libraries, police stations, fire stations, and government administration buildings. §9J-5.003(99), F.A.C.
 146. “Public facilities” means major capital improvements, including transportation, sanitary sewer, solid waste, drainage, potable water, educational, parks and recreational facilities. §163.3164(38), F.S. (2011). Section 163.3221, F.S. adds “health systems and facilities.”
 - a. “Major public facility” means any publicly owned facility of more than local significance. §380.031, F.S.
 147. “Public notice” means notice as required by s. 125.66(2) for a county or by s. 166.041(3)(a) for a municipality. The public notice procedures required in this part are established as minimum public notice procedures. §163.3164, F.S.
 148. “Public 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. §9J-5.003(100), F.A.C.
 149. “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. §177.031(7)(b), F.S.
 150. “Purchase of development rights” means the acquisition of a governmentally recognized right to develop land which is severed from the realty and held or further conveyed by the purchaser. §9J-5.003(101), F.A.C.
 151. “Real property” means all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto or used in connection therewith and every estate, interest, right, and use, legal or equitable, therein, including but not limited to terms for years and liens by way of judgment, mortgage, or otherwise. §163.340, F.S.
 152. “Recreation” means the pursuit of leisure time activities occurring in an indoor or outdoor setting. §9J-5.003(102), F.A.C.
 153. “Recreation facility” means a component of a recreation site used by the public such as a trail, court, athletic field or swimming pool. §9J-5.003(103), F.A.C.
 154. “Recreational uses” means activities within areas where recreation occurs. §9J-5.003(104), F.A.C.
 155. “Regional park” means a park which is designed to serve two or more communities. §9J-5.003(105), F.A.C.



156. “Regional planning agency”
- a. means the council created pursuant to chapter 186. §163.3164(40) (2011) and §380.031, F.S.
 - b. means the regional planning council created pursuant to ss. 186.501-186.515 to exercise responsibilities under ss. 186.001-186.031 and 186.801-186.901 in a particular region of the state. §186.003(5), F.S.
157. “Relocation housing” means those dwellings which are made available to families displaced by public programs, provided that such dwellings are decent, safe and sanitary and within the financial means of the families or individuals displaced. §9J-5.003(106), F.A.C.
158. “Repeat violation” means a violation of a provision of a code or ordinance by a person who has been previously found through a code enforcement board or any other quasi-judicial or judicial process, to have violated or who has admitted violating the same provision within 5 years prior to the violation, notwithstanding the violations occur at different locations. §162.04(5), F.S.
159. “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. §9J-5.003(107), F.A.C.
160. “Residential uses” means activities within land areas used predominantly for housing. §9J-5.003(108), F.A.C.
161. “Resource planning and management committee” or “committee” means a committee appointed pursuant to s. 380.045. §380.031, F.S.
162. "Reviewing agencies" [as used in the process for adoption of the comprehensive plan or plan amendments] means:
- a. The state land planning agency;
 - b. The appropriate regional planning council;
 - c. The appropriate water management district;
 - d. The Department of Environmental Protection;
 - e. The Department of State;
 - f. The Department of Transportation;
 - g. In the case of plan amendments relating to public schools, the Department of Education;
 - h. In the case of plans or plan amendments that affect a military installation listed in s. 163.3175, the commanding officer of the affected military installation;
 - i. In the case of county plans and plan amendments, the Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services; and
 - j. In the case of municipal plans and plan amendments, the county in which the municipality is located. §163.3184(1)(c), F.S. (2011).
163. “Right-of-way”
- a. means land in which the state, a county, or a municipality owns the fee simple title or



- has an easement dedicated or required for a transportation or utility use. §9J-5.003(109), F.A.C.
- b. means land dedicated, deeded, used, or to be used for a street, alley, walkway, boulevard, drainage facility, access for ingress and egress, or other purpose by the public, certain designated individuals, or governing bodies. §177.031(16), F.S.
164. “Roadway functional classification” means the assignment of roads into categories according to the character of service they provide in relation to the total road network. Basic functional categories include limited access facilities, arterial roads, and collector roads, which may be subcategorized into principal, major or minor levels. Those levels may be further grouped into urban and rural categories. §9J-5.003(110), F.A.C.
165. “Rule” means a rule adopted under chapter 120. §380.031, F.S.
166. “Rural areas” means low density areas characterized by social, economic and institutional activities which may be largely based on agricultural uses or the extraction of natural resources in unprocessed form, or areas containing large proportions of undeveloped, unimproved, or low density property. §9J-5.003(111), F.A.C.
167. “Rural village” or “rural activity center” means a small, compact node of development within a rural area containing development, uses and activities which are supportive of and have a functional relationship with the social, economic and institutional needs of the surrounding rural areas. §9J-5.003(112), F.A.C.
168. “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. §9J-5.003(113), F.A.C.
169. “Sanitary sewer interceptor” means a sewerage conduit which connects directly to, and transmits sewage to, a treatment plant. §9J-5.003(114), F.A.C.
170. “Sanitary sewer trunk main” means a sewerage conduit which connects directly to, and transmits sewage to, an interceptor. §9J-5.003(115), F.A.C.
171. “Seasonal population” means part-time inhabitants who use, or may be expected to use, public facilities or services, but are not residents and include tourists, migrant farmworkers, and other short-term and long-term visitors. §163.3164, as amended by HB 7207 (2011) based on former §9J-5.003(116), F.A.C.
172. “Sector plan” means the process authorized by s. 163.3245 in which one or more local governments engage in long-term planning for a large area and address regional issues through adoption of detailed specific area plans within the planning area as a means of fostering innovative planning and development strategies furthering the purposes of this part and part I of chapter 380, reducing overlapping data and analysis requirements, protecting regionally significant resources and facilities, and addressing extrajurisdictional impacts. The term includes an optional sector plan that was adopted before the effective date of this act. §163.3164(42) (2011).
173. “Services” means the programs and employees determined necessary by local government to provide adequate operation and maintenance of public facilities and infrastructure as well as those educational, health care, social and other programs necessary to support the



- programs, public facilities, and infrastructure set out in the local plan or required by local, state, or federal law. §9J-5.003(117), F.A.C.
174. “Shoreline” or “shore” means the interface of land and water and, as used in the coastal management element requirements, is limited to oceanic and estuarine interfaces. §9J-5.003(118), F.A.C.
175. “Slum area” means an area having physical or economic conditions conducive to disease, infant mortality, juvenile delinquency, poverty, or crime because there is a predominance of buildings or improvements, whether residential or nonresidential, which are impaired by reason of dilapidation, deterioration, age, or obsolescence, and exhibiting one or more of the following factors:
- a. Inadequate provision for ventilation, light, air, sanitation, or open spaces;
 - b. High density of population, compared to the population density of adjacent areas within the county or municipality; and overcrowding, as indicated by government-maintained statistics or other studies and the requirements of the Florida Building Code; or
 - c. The existence of conditions that endanger life or property by fire or other causes. §163.340, F.S.
176. “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. §9J-5.003(119), F.A.C.
177. “Solid waste facilities” means structures or systems designed for the collection, processing or disposal of solid wastes, including hazardous wastes, and includes transfer stations, processing plants, recycling plants, and disposal systems. §9J-5.003(120), F.A.C.
178. “Solid waste processing plant” means a facility for incineration, resource recovery, or recycling of solid waste prior to its final disposal. §9J-5.003(121), F.A.C.
179. “Solid waste transfer station” means a facility for temporary collection of solid waste prior to transport to a processing plant or to final disposal. §9J-5.003(122), F.A.C.
180. “State land development plan” means a comprehensive statewide plan or any portion thereof setting forth state land development policies. Such plan shall not have any legal effect until enacted by general law or the Legislature confers express rulemaking authority on the state land planning agency to adopt such plan by rule for specific application. §380.031, F.S.
181. “State land planning agency”
- a. means the Department of Economic Opportunity[, §163.3164, F.S., as amended by SB 2156 (2011)] and may be referred to in this part as the “department.” §380.031, F.S., as amended by SB 2156 (2011). As of this date SB 2156 has not been signed into law.
 - b. [in construing §§ 161.52-161.58, F.S.] means the Department of Economic Opportunity. §161.54(10) as amended by SB 2156 (2011).



182. “State plane coordinates” means the system of plane coordinates which has been established by the National Ocean Service for defining and stating the positions or locations of points on the surface of the earth within the state and shall hereinafter be known and designated as the “Florida State Plane Coordinate System.” For the purpose of the use of this system, the zones established by the National Ocean Service in NOAA Manual NOS NGS 5, State Plane Coordinate System of 1983, shall be used, and the appropriate projection and zone designation shall be indicated and included in any description using the Florida State Plane Coordinate System. §177.031(19), F.S.
183. “Stormwater” means the flow of water which results from a rainfall event. §9J-5.003(123), F.A.C.
184. “Stormwater facilities” means manmade structures that are part of a stormwater management system designed to collect, convey, hold, divert, or discharge stormwater, and may include stormwater sewers, canals, detention facilities and retention facilities. §9J-5.003(124), F.A.C.
185. “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. §177.031(17), F.S.
186. “Structure” means anything constructed, installed, or portable, the use of which requires a location on a parcel of land. It includes a movable structure while it is located on land which can be used for housing, business, commercial, agricultural, or office purposes either temporarily or permanently. “Structure” also includes fences, billboards, swimming pools, poles, pipelines, transmission lines, tracks, and advertising signs.” §163.3164 and §380.031, F.S.
187. “Subdivision” means the division of land into three 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. §177.031(18), F.S.
188. “Substantially affected person” [in the context of an administrative review of land development regulations under §163.3213, F.S.,] means a substantially affected person as provided pursuant to chapter 120. §163.3213, F.S.
189. "Suitability" means the degree to which the existing characteristics and limitations of land and water are compatible with a proposed use or development. §163.3164(45), as added by HB 7207 (2011) from former §9J-5.003(128), F.A.C.
190. “Support documents” means any surveys, studies, inventory maps, data, inventories, listings or analyses used as bases for or in developing the local comprehensive plan. §9J-5.003(127), F.A.C.
191. “Survey data” means all information shown on the face of a plat that would delineate the



- physical boundaries of the subdivision and any parts thereof. §177.031(8), F.S.
192. Surveying data: §177.031(20), F.S.
- a. “Point of curvature,” written “P.C.,” means the point where a tangent circular curve begins.
 - b. “Point of tangency,” written “P.T.,” means the point where a tangent circular curve ends and becomes tangent.
 - c. “Point of compound curvature,” written “P.C.C.,” means the point where two circular curves have a common point of tangency, the curves lying on the same side of the common tangent.
 - d. “Point of reverse curvature,” written “P.R.C.,” means the point where two circular curves have a common point of tangency, the curves lying on opposite sides of the common tangent.
193. “Transfer of development rights” means a governmentally recognized right to use or develop land at a certain density, or intensity, or for a particular purpose, which is severed from the realty and placed on some other property. §9J-5.003(129), F.A.C.
194. "Transit-oriented development" means a project or projects, in areas identified in a local government comprehensive plan, that is or will be served by existing or planned transit service. These designated areas shall be compact, moderate to high density developments, of mixed-use character, interconnected with other land uses, bicycle and pedestrian friendly, and designed to support frequent transit service operating through, collectively or separately, rail, fixed guideway, streetcar, or bus systems on dedicated facilities or available roadway connections. §163.3164(46) (2011).
195. “Transportation corridor management” means the coordination of the planning of designated future transportation corridors with land use planning within and adjacent to the corridor to promote orderly growth, to meet the concurrency requirements of this chapter, and to maintain the integrity of the corridor for transportation purposes. §163.3164, F.S.
196. Transportation deficiency definitions – (as amended in §163.3182(1) Transportation concurrency backlogs – Definitions by HB 7207 (2011).
- a. “Authority” or “transportation development authority” means the governing body of a county or municipality within which an authority is created. §163.3182(1)(b), F.S., (2011).
 - b. “Debt service millage” means any millage levied pursuant to s. 12, Art. VII of the State Constitution. §163.3182(1)(g), F.S. (2011).
 - c. “Governing body” means the council, commission, or other legislative body charged with governing the county or municipality within which an authority is created pursuant to this section. §163.3182(1)(c), F.S. (2011).
 - d. “Increment revenue” means the amount calculated pursuant to subsection (5). §163.3182(1)(h), F.S.(2011).
 - e. “Taxing authority” means a public body that levies or is authorized to levy an ad valorem tax on real property located within a transportation deficiency area, except a school district. §163.3182(1)(i), F.S. (2011).



- f. “Transportation deficiency”
 - 1) means an identified need where the existing and projected extent of traffic volume exceeds the level of service standard adopted in a local government comprehensive plan for a transportation facility. §163.3182(1)(d), F.S., (2011).
 - 2) [as used in concurrency under §163.3180,] means a facility or facilities on which the adopted level-of-service standard is exceeded by the existing, committed, and vested trips, plus additional projected background trips from any source other than the development project under review, and trips that are forecast by established traffic standards, including traffic modeling, consistent with the University of Florida's Bureau of Economic and Business Research medium population projections. §163.3180(5)(h)3. e., F.S. (2011).
 - g. “Transportation deficiency area” means the geographic area within the unincorporated portion of a county or within the municipal boundary of a municipality designated in a local government comprehensive plan for which a transportation development authority is created pursuant to this section. A transportation deficiency area created within the corporate boundary of a municipality shall be made pursuant to an interlocal agreement between a county, a municipality or municipalities, and any affected taxing authority or authorities. §163.3182(1)(a), F.S. (2011).
 - h. “Transportation project” means any designated transportation project identified for construction within the jurisdiction of a transportation development authority. §163.3182(1)(f), F.S. (2011).
 - i. “Transportation sufficiency plan” means the plan adopted as part of a local government comprehensive plan by the governing body of a county or municipality acting as a transportation development authority. §163.3182(1)(e), F.S. (2011).
197. “Transportation demand management” means strategies and techniques that can be used to increase the efficiency of the transportation system. Demand management focuses on ways of influencing the amount and demand for transportation by encouraging alternatives to the single-occupant automobile and by altering local peak hour travel demand. These strategies and techniques may, among others, include: ridesharing programs, flexible work hours, telecommuting, shuttle services, and parking management. §9J-5.003(130), F.A.C.
198. “Transportation disadvantaged” means those individuals who because of physical or mental disability, income status, or age are unable to transport themselves or purchase transportation and are therefore dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life-sustaining activities. §9J-5.003(131), F.A.C.
199. “Transportation system management” means improving roads, intersections, and other related facilities to make the existing transportation system operate more efficiently. Transportation system management techniques include demand management strategies, incident management strategies, and other actions that increase the operating efficiency of the existing system. §9J-5.003(132), F.A.C.



200. “Urban area” means an area of or for development characterized by social, economic and institutional activities which are predominantly based on the manufacture, production, distribution, or provision of goods and services in a setting which typically includes residential and nonresidential development uses other than those which are characteristic of rural areas. §9J-5.003(133), F.A.C.
201. “Urban infill” means the development of vacant parcels in otherwise built-up areas where public facilities such as sewer systems, roads, schools, and recreation areas are already in place and the average residential density is at least five dwelling units per acre, the average nonresidential intensity is at least a floor area ratio of 1.0 and vacant, developable land does not constitute more than 10 percent of the area. §163.3164, F.S.
202. “Urban infill and redevelopment area” means an area or areas designated by a local government where:
- Public services such as water and wastewater, transportation, schools, and recreation are already available or are scheduled to be provided in an adopted 5-year schedule of capital improvements;
 - The area, or one or more neighborhoods within the area, suffers from pervasive poverty, unemployment, and general distress as defined by s. 290.0058;
 - The area exhibits a proportion of properties that are substandard, overcrowded, dilapidated, vacant or abandoned, or functionally obsolete which is higher than the average for the local government;
 - More than 50 percent of the area is within 1/4 mile of a transit stop, or a sufficient number of transit stops will be made available concurrent with the designation; and
 - The area includes or is adjacent to community redevelopment areas, brownfields, enterprise zones, or Main Street programs, or has been designated by the state or Federal Government as an urban redevelopment, revitalization, or infill area under empowerment zone, enterprise community, or brownfield showcase community programs or similar programs. §163.2514(2), F.S.
203. “Urban redevelopment” means demolition and reconstruction or substantial renovation of existing buildings or infrastructure within urban infill areas, existing urban service areas, or community redevelopment areas created pursuant to part III. §163.3164, F.S.
204. “Urban service area” means areas identified in the comprehensive plan where public facilities and services, including, but not limited to, central water and sewer capacity and roads, are already in place or are identified in the capital improvements element. The term includes any areas identified in the comprehensive plan as urban service areas, regardless of local government limitation. §163.3164(50), F.S. (2011).
205. “Urban sprawl”
- means urban development or uses which are located in predominantly rural areas, or rural areas interspersed with generally low-intensity or low-density urban uses, and which are characterized by one or more of the following conditions: (a) The premature or poorly planned conversion of rural land to other uses; (b) The creation of areas of urban development or uses which are not functionally related to land uses



which predominate the adjacent area; or (c) The creation of areas of urban development or uses which fail to maximize the use of existing public facilities or the use of areas within which public services are currently provided. Urban sprawl is typically manifested in one or more of the following land use or development patterns: Leapfrog or scattered development; ribbon or strip commercial or other development; or large expanses of predominantly low-intensity, low-density, or single-use development. §9J-5.003(134), F.A.C.

- b. means a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses. §163.3164(50), F.S. (2011).
- 206. “Vegetative communities” means ecological communities, such as coastal strands, oak hammocks, and cypress swamps, which are classified based on the presence of certain soils, vegetation and animals. §9J-5.003(135), F.A.C.
- 207. “Water-dependent uses” means activities which can be carried out only on, in or adjacent to water areas because the use requires access to the water body for: waterborne transportation including ports or marinas; recreation; electrical generating facilities; or water supply. §9J-5.003(137), F.A.C.
- 208. “Water recharge areas” means land or water areas through which groundwater is replenished. §9J-5.003(138), F.A.C.
- 209. “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. §9J-5.003(139), F.A.C.
- 210. “Water wells” means wells excavated, drilled, dug, or driven for the supply of industrial, agricultural or potable water for general public consumption. §9J-5.003(140), F.A.C.
- 211. “Wellhead protection area” means an area designated by local government to provide land use protection for the groundwater source for a potable water wellfield, as defined in this rule chapter, including the surface and subsurface area surrounding the wellfield. Differing levels of protection may be established within the wellhead protection area commensurate with the capacity of the well and an evaluation of the risk to human health and the environment. Wellhead protection areas shall be delineated using professionally accepted methodologies based on the best available data and taking into account any zone of contribution described in existing data. §9J-5.003(141), F.A.C.
- 212. “Wetlands” as used in this rule chapter has the meaning as defined in subsection 373.019(22), F.S., and as further described by the delineation methodology in Section 373.4211, F.S. §9J-5.003(142), F.A.C.