

































































### Article 3 DEFINITIONS

*Substantial damage.* For National Flood Insurance Program (NFIP) purposes, damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. For increased cost of compliance (ICC) eligibility, damage caused by flood only must equal or exceed 50 percent of the market value of the structure. Flood damage, which exceeds 25 percent of market value twice within any ten-year period, shall be deemed a repetitive flood loss qualifying the property owner for ICC benefits. Note: Substantial damage determinations are made by the county building official.

*Substantial improvement.* For floodplain purposes, refer to article 10 of the LDC. For building code purposes, refer to F.S. § 161.54 and C.F.R. (Code of Federal Regulations) § 59.2.

*Substantial property right.* The ability to use or improve land in such a manner as would be lawful except for the special circumstance or condition applicable to the building or land; the particular land development regulation that prohibits such use or improvement; and if it involves a use or improvement of real worth and importance that is or may be enjoyed by other similarly situated landowners in the vicinity.

*Surety.* The warranty of subdivision improvements by an applicant's submittal of one of the acceptable forms specified in article 4 of the LDC.

*Taxicab/limousine company.* A service that offers transportation in passenger automobiles, limousines, and/or vans to persons, including those who are handicapped, in return for a fee. The business may include facilities for servicing, repairing, and fueling the taxicabs, limousines, or vans.

*Temporary structure.* A structure that is designed, constructed, and intended to be used for a period of time and that will be removed after the expiration of such time. The period of time must run consecutively and may not exceed nine (9) months in duration.

*Threatened and endangered species habitat.* An area that contains, or shows factual evidence of, a species that is listed by a federal or state agency as "threatened", "endangered", or "species of special concern", including all such areas that are classified as "critical habitat" by the Florida Fish and Wildlife Conservation Commission (FWC).

*Townhouse.* A building, not exceeding three stories in height, which is constructed in a series or group of attached single-family units that share common walls along the property lines separating each unit.

*Tree.* A woody perennial plant generally having one well-defined stem or trunk branching to form a crown, and normally attaining a mature height of at least 12 feet with a trunk at least three inches in diameter at breast height (DBH).

*Tree, canopy.* A living tree that is, or is anticipated to reach, a mature height of 30 feet or greater.

*Tree, champion.* A living tree measured to be the largest specimen of its species in the state, as recorded in the champion tree registry of the University of Florida and the Division of Forestry, Florida Department of Agriculture and Consumer Services.

*Tree, heritage.* A living tree of special status, 60 inches in diameter at breast height (DBH) or greater.

*Tree, preserved.* A living tree 24 inches or larger in diameter at breast height (DBH). See article 7 for exemptions.

**DISCLAIMER:**

**This is an unofficial reproduction of the Escambia County Land Development Code (LDC) and is intended to be for general information only. The official (codified) Escambia County Code of Ordinances may be viewed at [www.municode.com](http://www.municode.com).**

### Article 3 DEFINITIONS

*Tree, protected.* A living tree 12 inches or larger in diameter at breast height (DBH), unless it is otherwise classified a champion tree. See article 7 for exemptions.

*Tree, understory.* A living tree that is anticipated to reach a mature height of less than 30 feet.

*Triplex.* See "Dwelling, three-family."

*Truck, utility trailer, and recreational vehicle (RV) rental service or facility.* An establishment engaged in the renting, leasing, or sale of trucks, truck tractors, buses, utility trailers, or RVs (recreational vehicles) without drivers, for purposes other than the routine conveyance of passengers.

*Understory tree.* See "Tree, understory."

*Unified control.* Two or more tracts of land in combined ownership wherein the owners have agreed to allow their tracts to be used and developed as a single lot under the provisions of the LDC.

*Use.* The purpose for which lands and/or structures are arranged, designed, occupied or maintained.

*Use, accessory.* See "Accessory use."

*Use, conforming.* See "Conforming use."

*Use, mixed.* See "Mixed use."

*Use, permitted.* See "Permitted use."

*Use, residential.* See "Residential use."

*Variance.* Deviation from the requirements and provisions of the LDC as may be allowed by article 2, the application for which is reviewed, and a final determination is made, by the board of adjustment at a quasi-judicial public hearing. Note: Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be used to expand or enlarge upon a nonconforming use, lot or structure if such variance would result in an increase in the level of nonconformity.

*Variance, administrative.* See "Administrative variance."

*Vegetation line.* The semi-continuous line of perennial vegetation that marks the normal landward limit of high tide/storm waves.

*Vested rights for land use.* The right to use and/or develop land, subject to the vested rights for land use review process established in article 2.

*Veterinary clinic.* A business designed or used for the care, observation, or treatment of domestic animals, which may include medical or surgical treatment and care during the time of such treatment and grooming. The term includes animal hospitals. Use as a kennel shall be limited to short-term care incidental to the clinic use.

*Walkway.* A covered or uncovered passage for pedestrians.

#### **DISCLAIMER:**

**This is an unofficial reproduction of the Escambia County Land Development Code (LDC) and is intended to be for general information only. The official (codified) Escambia County Code of Ordinances may be viewed at [www.municode.com](http://www.municode.com).**

### Article 3 DEFINITIONS

*Warehouse.* A building providing long-term or short-term storage only of goods and materials and where no retail sales, manufacturing, assembly, or product processing occurs.

*Warehouse, distribution.* A facility warehouse providing short-term storage for commercial establishments, where goods are received, stored, and/or repackaged for distribution to customers at off-site locations.

*Warehouse, mini.* See "Mini-warehouse."

*Warehouse, wholesale.* A facility providing storage of goods for sale only to other businesses, including retailers, industrial, commercial, institutional, or professional business users, or other wholesalers.

*Warranty deed.* A legal form or conveyance in which the grantor warrants good, clear title.

*Waste-tire processing facility.* A site, permitted by state and local agencies having jurisdiction, where equipment is used to recapture reusable byproducts from waste tires or to cut, burn, or otherwise alter waste tires so that they are no longer whole.

*Water body.* Any bay, bayou, lagoon, inlet, pond, lake, reservoir or other area with a discernable shoreline that ordinarily or intermittently contains water, or a river, stream, or creek with permanent flow. The term does not include stormwater detention or retention facilities.

*Waterfront lot.* See "Lot, waterfront."

*Wellhead protection area (WHPA).* Land within an established boundary around a public potable water well. The level of protection is based upon the capacity of the well and an evaluation of the risk to human health and the environment. Additional terms specific to wellhead protection are defined in article 7 of the LDC.

*Wetlands.* Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do or would support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include, but are not limited to, swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps, and other similar areas. Also, F.S. § 373.019(22) reads: Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto. The term includes those lands meeting the definition of wetlands as promulgated by the Florida Department of Environmental Protection in Rule 62-340.200(19). State of Florida delineation methods are set forth in F.S. § 373.042 and F.A.C. § 62-340.300.

*Wharf.* See "Dock."

*Working day/workday.* Any day not including Saturdays, Sundays, or legal holidays observed by the county, on which the offices of the county are open for regular business.

#### **DISCLAIMER:**

**This is an unofficial reproduction of the Escambia County Land Development Code (LDC) and is intended to be for general information only. The official (codified) Escambia County Code of Ordinances may be viewed at [www.municode.com](http://www.municode.com).**

### Article 3 DEFINITIONS

*Xeriscape.* A set of design and landscape maintenance principles that promote good horticultural practices and efficient use of water with drought-tolerant, water-conserving landscaping.

*Yard.* An open space on a lot, between a structure and the adjoining lot lines, unoccupied and unobstructed from its lowest point to the sky, except as may be occupied by landscaping, the ordinary and permitted placement of nonstructural unroofed surfaces, and/or encroachments otherwise allowed by the LDC.

*Yard, front.* A yard with full width and length of the lot extending from the nearest point of a principal building or structure, excluding permitted encroachments, to any front line of the lot.

*Yard, rear.* A yard extending across the rear of the lot measured between lot lines and being the minimum horizontal distance between the rear lot line and the rear of the principal building or any projections other than permitted encroachments. For lots with four sides, the rear yard shall be the area of the parcel opposite the front. For all other lots, the rear yard shall be determined by the director or designee.

*Yard, required.* The open space between a lot line and the setback line within which no structure shall be located except as provided in the LDC.

*Yard, side.* A yard that is not a front or rear yard.

*Yard trash.* Vegetative matter resulting from landscaping maintenance, such as tree and shrub trimmings, grass clippings, and palm fronds.

*Zero lot line.* A development technique in which a detached dwelling unit is sited adjacent to one or more lot lines, according to the requirements listed in article 7 of the LDC.

*Zone lot.* A parcel of land in single ownership, or parcel of contiguous properties, existing as a unified or coordinated project, that is of sufficient size to meet minimum zoning requirements for area, coverage, and uses, and that can provide such yards and other open spaces as required by the LDC.

(Ord. No. 97-51, § 1, 10-2-1997; Ord. No. 98-53, § 1, 12-3-1998; Ord. No. 99-44, § 2, 9-16-1999; Ord. No. 2000-4, § 1, 2-10-2000; Ord. No. 2000-28, § 2, 7-6-2000; Ord. No. 2000-30, § 1, 7-6-2000; Ord. No. 2000-46, § 1, 10-19-2000; Ord. No. 2000-50, § 1, 11-2-2000; Ord. No. 2000-52, § 1, 11-2-2000; Ord. No. 2001-11, § 1, 3-1-2001; Ord. No. 2001-12, § 1, 3-1-2001; Ord. No. 2001-20, § 1, 4-5-2001; Ord. No. 2001-40, § 1, 8-2-2001; Ord. No. 2001-52, § 1, 9-20-2001; Ord. No. 2002-23, § 1, 6-6-2002; Ord. No. 2002-30, § 1, 7-2-2002; Ord. No. 2002-36, § 1, 8-1-2002; Ord. No. 2002-46, § 3, 10-17-2002; Ord. No. 2002-54, § 1, 12-12-2002; Ord. No. 2003-4, § 1, 2-6-2003; Ord. No. 2003-9, § 1, 3-20-2003; Ord. No. 2003-38, § 1, 8-7-2003; Ord. No. 2003-39, § 1, 8-7-2003; Ord. No. 2003-53, § 1, 11-6-2003; Ord. No. 2004-21, § 3, 5-6-2004; Ord. No. 2004-32, § 1, 6-3-2004; Ord. No. 2004-68, § 1, 11-4-2004; Ord. No. 2005-12, § 1, 5-5-2005; Ord. No. 2005-23, § 1, 7-7-2005; Ord. No. 2005-45, § 2, 10-6-2005; Ord. No. 2006-4, § 1, 1-5-2006; Ord. No. 2006-64, § 1, 8-3-2006; Ord. No. 2006-70, § 1, 9-7-2006; Ord. No. 2006-72, § 1, 9-7-2006; Ord. No. 2007-3, § 1, 1-4-2007; Ord. No. 2007-25, § 1, 5-1-2007; Ord. No. 2007-36, § 1, 7-19-2007; Ord. No. 2007-38, § 1, 7-19-2007; Ord. No. 2007-44, § 2, 8-16-2007; Ord. No. 2007-60, § 2, 10-4-2007; Ord. No. 2007-68, § 1, 11-1-2007; Ord. No. 2008-38, § 1, 6-5-2008; Ord. No. 2008-39, § 1(3.00.01), 6-5-2008; Ord. No. 2009-34, § 1, 10-1-2009; Ord. No. 2009-35, § 2, 10-1-2009; Ord. No. 2009-45, § 1, 12-10-2009; Ord. No. 2010-3, § 2, 2-4-2010))

#### **DISCLAIMER:**

**This is an unofficial reproduction of the Escambia County Land Development Code (LDC) and is intended to be for general information only. The official (codified) Escambia County Code of Ordinances may be viewed at [www.municode.com](http://www.municode.com).**