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1.0 INTRODUCTION

1.1 PURPOSE OF THE COMPREHENSIVE PLAN

In 1985 and 1986 the Florida Legislature amended the 1975 Growth Management Act which required that by December 1, 1988, the City of Hallandale Beach prepare, approve and submit an updated Comprehensive Plan, to the State Department of Community Affairs (now the Department of Economic Opportunity) for their review, as to minimum criteria content of the now repealed 9J-5, and consistency with both the South Florida Regional Planning Council Strategic Regional Policy Plan (SRPP) and State of Florida Comprehensive Plan. Since that time the City has undertaken two (2) Evaluation and Appraisal Report (EAR) processes resulting in EAR-Based Amendments to the City's Comprehensive Plan. There have also been a number of Future Land Use Map (FLUM) amendments, various text amendments and regular updates to the Capital Improvement Element. The City's 2006 Evaluation and Appraisal Report of the Comprehensive Plan recommended updating all data and tables; analyze changes to data and tables; evaluate concurrency; review changes to Chapter 163 F.S., the now repealed Rule 9J-5 F.A.C., the State Comprehensive Plan, the SFRPC Strategic Regional Policy Plan, and the Broward County Comprehensive Plan for consistency; and revise and update Goals, Objectives and Policies and support documents as needed. The 2018 Evaluation and Appraisal Amendments constitute minor, targeted revisions to the Comprehensive Plan consistent with changes in Chapter 163, F.S. made subsequent to the last Evaluation and Appraisal Amendments.

The purpose of the Comprehensive Plan is to ensure that the City of Hallandale Beach maintains the capability to continue to guide development and redevelopment, and provide for the maintenance of existing development so that the nature and character of the City may be preserved for future generations. In addition, the plan and its elements, spell out goals, objectives, and policies which are tied to implementation and capital budgeting programs.

1.2 HALLANDALE BEACH'S APPROACH TO PREPARING THE COMPREHENSIVE PLAN

The extensiveness of the plan is reflected in the word "COMPREHENSIVE" which implies that the Plan is all inclusive, considering, comparing, and coordinating all factors related to the Plan's implementation. The City can only plan for and direct activities concerning the City's future over which it has direct control. Some factors and activities are not under local control or are part of a wider public or private sector. Every attempt has been made to coordinate and include activities and elements which have a direct effect on the City but are outside of its sphere of control, such as social services, health services, education and mass transportation. The City's plan covers two planning periods. The first time period covers the short-term five year period of 2018 through 2023. The second long-range time period covers an overall ten year period (to 2028) or longer in some instances where indicated.

1.3 CONTENTS OF THE PLAN

The City of Hallandale Beach is a coastal community with a 2007 population as estimated by the Bureau of Economic and Business Research (BEBR) of the University of Florida to be 38,193 and is, therefore, required under the Growth Management Act to complete the following mandatory elements:

1) Future Land Use
2) Transportation Element
3) Housing
4) Sanitary Sewer, Solid Waste, Stormwater Management, Potable Water and Natural Groundwater Aquifer Recharge
5) Coastal Management
6) Conservation
7) Recreation and Open Space
8) Capital Improvements
9) Intergovernmental Coordination
10) Public School Facilities
11) Consistency with the Comprehensive Regional Policy Plan and the State Comprehensive Plan

1.4 THE CITY OF HALLANDALE BEACH: ORIGIN AND GROWTH

The City of Hallandale Beach was founded in 1897 by Swedish homesteaders, through the efforts of Luther Halland, when the Florida East Coast Railway from West Palm Beach to Miami lengthened. At that time, the settlement encompassed three square miles and was then part of Dade County. Hallandale Beach became part of Broward County when the County was created in 1915. It became a township on May 14, 1927, and was a very conservative farm community whose major crop was tomatoes and other winter crops.

The City's geographical location has been a key factor in its colorful development. While the growth of the City, agriculture industries, and tourism all followed the extensions of the Intracoastal Waterway and the railroad, real estate booms and diversity of land uses marked the frantic expansion of Hallandale Beach in the twentieth century. Until recently, the area was little more than a soggy wilderness covered with saw palmettos, cypress palms, mangroves and a latticework of waterways.

In 1910, Hallandale Beach had a population of 246 persons according to the 13th U.S. Census. On January 15, 1926, Hallandale Beach successfully petitioned Hollywood to annex their then three square miles of territory to the Hollywood Corporation. Hallandale Beach remained part of the Hollywood Corporation until May 14, 1927, when it was again incorporated as the Township of Hallandale and established a Mayor-Council form of government. It should be noted that it was still a farm community. In 1930, the 15th U.S. Census reported Hallandale's population as 999 persons. Hallandale's economic recovery during the lean days of the Depression was sparked by the emergence of gambling as its major industry. September 8, 1934, was the opening of the Hollywood Kennel Club, subsequently called the Hollywood Greyhound Track. Horse racing became reality in Hallandale on February 1, 1939 with the official opening of Gulfstream Park. By 1940,

Hallandale's population numbered 1,827 residents. In 1945, Hallandale boasted three service stations, one hardware store, and two grocery stores. All banking and nearly all shopping were accomplished either in Hollywood or Miami. Between the beginning of 1945 and the end of 1946, the issuance of building permits went up 500% in dollar value from $100,000 to $518,813. Then Mayor H.C. Schwartz noted that "Hallandale has grown and from all indications will continue to grow by leaps and bounds".

On May 21, 1947, the Town of Hallandale became a City. Hallandale Beach was still perceived as a small city without much future. Only a few motels had been built on the beach after the war. The City's economy was still based on farming. Most of the east side was untouched by development. The demise of the gambling casinos was sparked by the 1950-51 Kefauver probe into organized crime. In 1948, the State secured injunctions closing down gambling spots. The year 1950 saw Hallandale's population grow to 6,025. Eight new stores were built on Old Dixie Highway and Hallandale’s first self-service laundry was erected. In June of 1953, Hallandale City Council-Mayor type of government was changed to the present City Manager-City Commission form of operation.

In January, 1957, Hubert B. Layne, owner of 580 acres of tropical swampland, had crews clearing and forming canals by dredging up 3,500,00 cubic yards of sand and living coral reef to form the islands and mainland called Golden Isles.

In 1960, Hallandale's population was 10,483 according to the U.S. Census. By 1968, Golden Isles straddled the Dade and Broward County lines, and boasted 7,000 residents living in its 125 single family homes and 2,000 apartment units. The boom in construction on Hallandale's beachfront began in 1960 and continued at an accelerated pace. The same year marked the opening of the Bank of Hallandale, making it possible for the first time in decades for local residents to bank in their own community. 1961 opened a new era of shopping centers in Hallandale Beach when Publix supermarket #73 opened on East Hallandale Beach Boulevard near the entrance of Golden Isles. By 1975, Hallandale Shopping Center included 17 stores. Ro-Len Lake Gardens Apartments was the first large co-op complex in 1962. Hallandale Beach, by 1964, boasted a spate of high rise construction with fully 25% of the people living in apartments. Hallandale's chief industry, as in previous years, included tourism, building, and allied trades. The City had two weekly newspapers and nine large motels with a total of 750 rooms as well as 750 other units in small motels. In 1968, Hallandale Beach surprised the nation by recording the third largest building permit construction value in Florida. Building permits issued by Hallandale Beach in 1968 reached $69,292,344 in construction value. That year permits were issued for 11 high-rise buildings containing 4,556 dwelling units. 1969 saw a slight decline; 31 permits for additional building encompassing another 1,680 units and the Diplomat Mall Shopping Center was already in the early phases of construction.

By the close of the 1960's, the City boasted 34 high-rises with a total of 5,577 dwelling units in the beach area. With the onset of 1970, Hallandale's population was 23,849 persons and ranked as Florida's 31st most populous city. Reportedly, this figure was low because several hundred owners of residences in the City claimed their official domicile to be elsewhere. 1971 saw the start of development called Three Islands to contain 12,000

additional dwelling units. During 1975 and 1976, there was some carryover in construction started in previous years, but the building boom had ended. By 1978, single family lots and small parcels made up the remaining vacant 200 acres zoned for residential construction, thereby, demonstrating that Hallandale's days of explosive population expansion were at an end. The south side of Holiday Drive was annexed to Hallandale Beach in June of 1979. During the 1970's, as Hallandale Beach continued its transformation from a farm community to a City of high-rises, the municipality became overly dependent on tourism and construction. As a consequence, Hallandale Beach, like the rest of Broward County, experienced a period of economic flux throughout the decade.

In 1980, Hallandale Beach had a population of 36,517 persons according to the U.S. Census. That year, 18,182 persons or 49.8% of Hallandale's residents were aged 65 and over. Households averaged 1.89 persons per unit. December 1980, marked the last harvest by pioneer Hallandale farmer, Reverend Walter Jackson, on a dusty agricultural tract located at Hallandale Beach Boulevard and Federal Highway. Bulldozers demolished the carefully cultivated plantings and workers started construction of the Promenade at Hallandale Beach Shopping Center.

The last 25 years marked construction of more high-rises, such as La-Mer, Hemispheres, and Malaga Towers. Sage Corporation made its home in Hallandale Beach and erected the Sage Professional Building. The beach area from North Hollywood to Golden Beach became a canyon of hotels and towering apartments.

Today, Hallandale Beach occupies approximately 4.4 square miles. Its coastal strip has been developed almost entirely with condominiums and high-rise apartments. Older housing including wood framed single family houses and cottages still stand in Hallandale Beach primarily west of Federal Highway. Residential is the predominate land use accounting for 41.5% of the available acreage, followed by commercial 9.7%, transportation 15.5%, vacant land 4.1%, water 8.6%, community facilities 5.1%, light industrial 1.7%, and recreation 11.6%. In a community where agriculture was once the backbone of the economy, retail trades, personal services, construction, manufacturing, finance, insurance, and real estate industries are among the major current employers.

At the dawn of this century, life was rugged for Hallandale Beach pioneers. Much of the acreage had to be cleared and cultivated by hand. The predominately Swedish colony had no plan of its own, so its residents adopted the U.S. Government's organizing framework known as the rectangular survey or grid. The rest was up to early settlers and the 20th Century developers to decide what could be built. Hallandale Beach is now more than 96% built out. The problems facing the City today are how to maintain what has been developed in a framework of a rapidly changing society and technology. It has been said by many planners, that it is easy to plan new development but the challenge lies in how to maintain a fully developed City.

1.5 DEFINITIONS

For the purposes of administering this plan, the following definitions shall apply.

ACCESSORY USE - means a use naturally and customarily incidental, ancillary or subordinate to the principal use.

ACCOMMODATIONS - means any apartment, condominium or cooperative unit, cabin, lodge, hotel or motel room, campground, or other private or commercial structure which is situated on real property and designed for occupancy or use by one or more individuals.

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 tide 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.

ADMINISTRATION COMMISSION - means the Governor and the Cabinet of the State of Florida.

ADJUSTED GROSS INCOME - means all wages, assets, regular cash or non cash contributions or gifts from persons outside the household, and such other resources and benefits as may be determined to be income by the United States Department of Housing and Urban Development, adjusted for family size, less deductions allowable under Statue 62 of the Internal Revenue Code.

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

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

AFFORDABLE HOUSING - means housing for which monthly rents or monthly mortgage

payments (including taxes and insurance) do not exceed 30 percent of an amount representing the percentage (very low = 50%; low = 80%; moderate = 120%) of the median income limits adjusted for family size for the households.

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.

AIRPORT OBSTRUCTION - means any structure, object of natural growth, existing condition, or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at an airport or which otherwise increases the risk of danger to aircraft operations.

ALLEY - means a right-of-way providing a secondary means of access and service to abutting property.

AMENDMENT - means any action of a local government which has the effect of amending, adding to, deleting from or changing an adopted comprehensive plan element or map or map series, including an action affecting a prior plan or plan amendment adoption ordinance, but shall not mean a legislative act which only codifies local legislation or makes corrections, updates and modifications of the capital improvements element concerning cost, revenue sources, acceptance of facilities or facility construction dates consistent with the plan as provided in subsection 163.3177(3)(b), Florida Statues, and corrections, updates, or modifications of current costs in other elements, as provided in subsection 163.3187(2), Florida Statues. Any references to a plan or comprehensive plan shall also be deemed to refer to a plan amendment.

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

AQUATIC VEGETATION - means a plant character- characteristically growing wholly or partly submerged in water.

AREAS SUBJECT TO COASTAL FLOODING - see "hurricane vulnerability zone".

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.

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

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

BROWARD COUNTY COASTAL AREA - means the land and water eastward of US 1 Highway to the Atlantic Ocean.

BROWARD COUNTY COASTAL HIGH HAZARD AREA - means the land and water eastward of the Atlantic Intracoastal Waterway to the Atlantic Ocean including any coastal protection structures.

BROWARD COUNTY LAND USE PLAN - means the future land use plan element for all of Broward County adopted by the Broward County Commission in conformance with the requirements of the Broward County Charter and the Local Government Comprehensive Planning and Land Development Regulation Act.

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

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

BUILDING PERMIT - means:

(1) Any permit for erection or construction of a new building required by the South Florida Building Code, 1994, Broward Edition, as amended.

(2) Any permit for an addition to an existing building which would:

   (a) create one or more additional dwelling units, or
   (b) involve a change in the occupancy of a building as described in the South Florida Building Code, 1994, Broward Edition, as amended.

(3) Any permit which would be required for the nonresidential operations included in the South Florida Building Code, 1994, Broward Edition, as amended.

CAPITAL BUDGET - means the portion of each local government's budget which reflects capital improvements scheduled for the current or upcoming fiscal year.

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

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

CLUSTERING - means the grouping together of structures and infrastructure on a portion of a development site.

COASTAL CONSTRUCTION CONTROL LINE - means the line established by the Florida Department of Natural Resources after a determination, through comprehensive engineering study and topographic survey, that the establishment of such control line is necessary for the protection of upland properties and the control of beach erosion, pursuant to Chapter 161 Florida Statutes.

COASTAL HIGH HAZARD AREA - means the area below the elevation of the category 1 storm surge line as established by Sea, Lake, and overland Surges from Hurricanes (SLOSH) computerized storm surge model.

COASTAL PLANNING AREA - means the area lying east of NE 14 Avenue and a line extended south there from. The Hurricane Vulnerability Zone is used for purposes of hurricane evacuation and hazard mitigation planning.

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.

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

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

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.

COMPOSITION - means the make up of various land uses by type, extend, intensity, density, or otherwise, which are included in a development or land use category.

COMPREHENSIVE PLAN - means a plan that meets the requirements of Chapter 163, Florida Statutes.

COMMUNITY PARK - means acreage listed in the "Community and Regional Parks" subsection of the Plan Implementation Requirements Section of the Broward County Land Use Plan that is utilized by local government entities to meet the community level parks requirement of the Broward County Land Use Plan.

COMMUNITY REDEVELOPMENT AGENCY - 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.

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 combination thereof which the governing body designates as appropriate for community redevelopment.

COMMUNITY SHOPPING CENTER - means a shopping center which typically ranges from approximately 100,000 to 300,000 square feet of gross leasable area and is generally built around a junior department store or variety store and supermarket as the major tenants. Community shopping centers typically range in area from approximately 10 acres to 30 acres and serve trade areas ranging from roughly 40,000 people to 150,000 people.

CONCURRENCY - means public facilities and services needed to support development shall be available when the impacts of development occur.

CONCURRENCY MANAGEMENT SYSTEM (CMS) - means the provisions in the local government comprehensive plan including implementation regulations, encompassing the restrictions, methods, resources, timing and solutions intended to be compatible with and further compliance with the statutory requirement to provide public facilities and services needed to support development concurrent with the impacts of such development.

CONE OF INFLUENCE (ZONE OF INFLUENCE) - means an area around one or more major water wells the boundary of which is determined by the government agency having specific statutory authority to make such a determination based on groundwater travel or drawn down depth.

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

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

CONTIGUOUS - means next to, abutting, touching or adjacent.

CONTRACTION - means the reversion of real property within municipal boundaries to an unincorporated status.

COUNTY COMMISSION - means the Board of County Commissioners of Broward County.

COUNTY LAND PLANNING AGENCY - means the agency designated to prepare the comprehensive plan for the county or in the case of chartered counties, the agency which has the planning responsibility between the County and the municipalities as stipulated in the Charter.

COUNTY LAND USE PLAN - means the Broward County Land Use Plan adopted by the County Commission on March 1, 1989.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED) - means a proactive approach, using the following four (4) principles in the design and care of the built environment, to reduce the incidence and fear of crime:

1. Natural Surveillance: the placement of physical features, activities and people in such a way as to maximize visibility;

2. Natural Access Control: the physical guidance of people coming and going from a space by the judicial placement of entrances, exists, fencing, landscaping and lighting;

3. Territorial Reinforcement: the use of physical attributes that express ownership; and,

4. Maintenance: allows for the continued use of a space for its intended purpose; serves as an additional expression of ownership; prevents reduction of visibility from landscaping overgrowth, and obstructed or inoperative lighting.

DASHED-LINE AREA - means an area on the Future Broward County Land Use Plan Map (Series) bordered by a dashed line and designated as having a particular maximum overall density of dwelling units for all land and land uses within the area, and/or a particular total number of dwelling units permitted within the area.

DEEPWATER PORTS - means the ports of Jacksonville, Tampa, Port Everglades, Miami, Port Canaveral, Ft. Pierce, Palm Beach, Port Manatee, Port St. Joe, Panama City, St. Petersburg and Pensacola.

DEMINIMIS IMPACTS - are impacts to transportation facilities within an existing urban area that would not affect more than 0.1% of the maximum volume at the adopted level of service standard of the affected transportation facility as determined by the local government, and that is caused by an increase in density or intensity that is less than, or equal to, twice the density or intensity of the existing land use or, in the case of vacant land, is a density of

less than 1 dwelling unit per quarter acre or a floor area ratio of 0.1 for non-residential uses.

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.

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

DEVELOPMENT - The term "development" means:

(1) 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 two more parcels.

(2) The following activities or uses shall be taken for the purposes of this chapter to include "development," as defined in this section:

(a) A reconstruction, alteration of the size, or material change in the external appearance of a structure on land.

(b) 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.

(c) 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.

(d) Commencement of drilling, except to obtain soil samples, mining, or excavation on a parcel of land.

(e) Demolition of a structure.

(f) Clearing or fill of land as an adjunct of construction.

(3) The following operations or uses shall not be taken for the purpose of this chapter to include "development" as defined herein:

(a) 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.

(b) Work by any utility and other persons engaged in the distribution or transmission of gas or water, for the purpose of inspecting, repairing, renewing, or constructing on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, powerlines, towers, poles, tracks or the like.

(c) 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.

(d) 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.

(e) A change in the use of land or structure from a use within a class specified in an ordinance or rule to another use in the same class.

(f) A change in the ownership or form of ownership of any parcel or structure.

(g) The creation or termination of rights of access, riparian rights, easements, covenants concerning development of land, or other rights in land.

"Development," as designated in an ordinance, rule, or development rule includes all other development customarily associated with it unless otherwise specified. When appropriate to the context, "development" refers to the act of developing 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).

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 map.

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

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

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.

DRAINAGE BASIN - means the area defined by topographic boundaries which contributes stormwater to a drainage system, estuarine waters, or oceanic waters, including all areas artificially added to the basin.

DRAINAGE 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.

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.

DWELLING UNIT - means a house, apartment, or condominium unit, trailer, group of rooms, or a single room intended for occupancy as separate living quarters with direct access from the outside of the building or through a common hall and with complete kitchen facilities for the exclusive use of the occupants, including the rental units contained in a multi-unit structure or complex which are licensed by the State Department of Business Regulation, Division of Hotels and Restaurants, as "apartments", "rental condominiums" and "retirement housing" or live-aboard vessels located in multi-family “Residential” designated areas which are required to hookup to marine sanitation systems.

EASEMENT - means any strip of land created by a subdivider for public or private utilities, drainage, sanitation, 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.

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

EDUCATIONAL USES - means activities and facilities of public or private 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.

ENVIRONMENTALLY SENSITIVE LAND - means those areas containing Natural Resources, as depicted in the Natural Resource Map Series of the Broward County Land Use plan, which have been determined to be environmentally sensitive by the Broward County Board of County Commissioners. The criteria for designation of Environmentally Sensitive Land are contained within the Plan Implementation section of the Broward County Land Use Plan. Policies which ensure the protection of Environmentally Sensitive Lands, consistent with the requirements of Section 163.3202 Florida Statutes, are located under Objective 9.01.00 of the Broward County Land Use Plan.

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

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.

EXISTING URBAN SERVICE AREA - means built-up areas where public facilities and services such as sewage treatment systems, roads, schools and recreation areas are already in place.

EXTENT - means the amount of development, including the area or size in acres.

EXTREMELY-LOW-INCOME PERSONS - means one or more natural persons or a family whose total annual household income does not exceed 30 percent of the median annual adjusted gross income for households within the state. The Florida Housing Finance Corporation may adjust this amount annually by rule to provide that in lower income counties, extremely low income may be less than 30 percent of area median income.

FACILITY AVAILABILITY - means whether or not a facility is available in a manner to satisfy the concurrency management system.

FINANCIAL FEASIBILITY - means that sufficient revenues are currently available or will be available from committed funding sources for the first 3 years, or will be available from committed or planned funding sources for the years 4 and5, of a 5-year capital improvement schedule for financing capital improvements, such as ad valorem taxes, bonds, state and federal funds, tax revenues, impact fees, and developer contributions, which are adequate to fund the projected costs of the capital improvements identified in the comprehensive plan necessary to ensure that adopted level-of-service standards are achieved and maintained within the period covered by the 5-year schedule of capital improvements. A comprehensive plan shall be deemed financially feasible for transportation and school facilities throughout the planning period addressed by the capital improvements schedule if it can be demonstrated that the level-of-service standards will be achieved and maintained by the end of the planning period even if in a particular year such improvements are not concurrent as required by 163.3180, Florida State Statues.

FLEXIBILITY ZONE - means a geographic area, as delineated on the flexibility zone boundary maps in the Administrative Rules Document of Broward County Planning Council, within which residential densities and land uses may be redistributed through the plan certification process.

FLOODPLAINS - means areas inundated during an identified 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.

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.

FUNCTIONAL RELATIONSHIPS - 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

FUTURE BROWARD COUNTY LAND USE PLAN MAP (SERIES) - means the series of maps adopted by the Broward County Board of County Commissioners as part of the

Broward County Land Use Plan. These include the Broward County Land Use Plan Map, Historic District and Historically Significant Properties Map, Natural Resources Map Series-Eastern Broward County and Natural Resources Map Series-Western Broward County.

GOAL - means the long-term end toward which programs and activities are ultimately directed.

GOVERNING BODY - 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.

GOVERNMENTAL AGENCY - means:

(1) The United States or any department, commission, agency, or other instrumentality thereof;

(2) The State of Florida or any department, commission, agency, or other instrumentality thereof;

(3) Any local government, or any department, commission, agency, or other instrumentality thereof;

(4) Any school board or other special district, authority, or other governmental entity.

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.

HARDWOOD - means a broad-leaved angiosperm (flowering plant) tree having wood characterized by the presence of specialized cells called vessels.

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

HISTORIC RESOURCES - means all areas, districts or sites 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.

HURRICANE SHELTER - means a structure designated by local officials as a place of safe refuge during a storm or hurricane.

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 the area requiring evacuation in the event of a 100-year storm or Category 3 storm event.

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

IN COMPLIANCE - means consistent with the requirements of Florida State Statue 163.3177, when a local government adopts an educational facilities element, 163.3178, 163.3180, 163.3191, and 163.3245, with the state comprehensive plan, with the appropriate strategic regional policy plan, and with Chapter 9J-5, Florida Administrative Code, where such rule is not inconsistent with this part and with the principles for guiding development in designated areas of critical state concern and with part III of chapter 369, where applicable.

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

INFRASTRUCTURE - means those man-made structures which serve the common needs of the population, such as: sewage disposal systems; potable water systems; potable water wells serving a system; solid waste disposal sites or retention areas; stormwater systems; utilities, piers; docks; wharves; breakwaters; bulkheads; seawalls; bulwarks; revetments; causeways; marinas; navigation channels; bridges; and roadways.

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.

INTERNAL TRIP CAPTURE - means trips generated by a mixed-use project that travel from one onsite land use to another onsite land use without using the external road network.

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

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

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

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

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

LAND USE PLAN - means the Land Use Plan for the City of Hallandale Beach, Florida, adopted as the Future Land Use Plan Element of the Local Government Comprehensive Planning Act of 1975, Sections 163.3161 - 163.3211, Florida Statutes, and certified by the Broward County Planning Council is being in substantial conformity with the Broward County Land Use Plan pursuant to Article VI of the Broward County Charter.

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.

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.

LITTORAL - means that portion of a body of water extending from the shoreline toward the middle of the water to the limit of occupancy by rooted plants.

LOCAL AREA OF PARTICULAR CONCERN - means an area designated on the Natural Resource Map Series of the Broward County Land Use Plan which has been declared to be environmentally sensitive.

LOCAL COMPREHENSIVE PLAN - means any or all local comprehensive plans or elements or portions thereof prepared, adopted, or amended pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act.

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

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

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

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

LOT OR PARCEL OF RECORD - means a quantity of real property as a single unit described and identified in a deed and/or plat recorded in the public records of a county in the State of Florida.

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

LOW IMPACT DEVELOPMENT (LID) – means an ecologically-based stormwater management approach favoring soft engineering to manage rainfall on site through a vegetated treatment network (University of Arkansas Community Design Center, 2010).

LOW-INCOME PERSONS - means one or more natural persons or a family, the total annual adjusted gross household income of which does not exceed 80 percent of the median annual adjusted gross income for households within the state, or 80 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.

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

MARINE HABITAT - means areas where living marine resources naturally occur, such as mangroves, seagrass beds, algae beds, salt marshes, transitional wetlands, marine wetlands, rocky shore communities, hard bottom communities, oyster bars or flats, mud flats, coral reefs, worm reefs, artificial reefs, offshore springs, nearshore mineral deposits, and offshore sand deposits.

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

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

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

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

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

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

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

MODERATE-INCOME PERSONS - means one or more natural persons or a family, the total annual adjusted gross household income of which is less than 120 percent of the median annual adjusted gross income for households within the state, or 120 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.

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

NATIVE VEGETATIVE COMMUNITIES - means those areas which contain ecological communities, such as coastal strands, oak hammocks, and cypress swamps, which are classified based on the presence of certain soils, native vegetation and animals.

NATURAL DRAINAGE FEATURES - means the naturally occurring features of an area which accommodate the flow of stormwater, such as streams, rivers, lakes and wetlands.

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 regarding.

NATURAL GROUNDWATER AQUIFER RECHARGE AREAS - means areas

contributing to or providing volumes of water which make a contribution to the storage or regional flow of an aquifer.

NATURAL RESOURCES - means those natural resources identified in Section 9J-5 Florida Administrative Code: existing and planned water wells and cones of influence, beaches and shores, including estuarine systems, rivers, bays, lakes, floodplains, and harbors; wetlands; minerals and soils.

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

NEIGHBORHOOD SHOPPING CENTER - means a shopping center typically ranging from 30,000 to 100,000 square feet of gross leasable area for the sale of convenience goods (food, drugs and sundries) and personal services which meet the daily needs of any immediate neighborhood. Neighborhood shopping centers range in area from approximately 3 acres to 10 acres and generally require a minimum market support population ranging from 2,500 to 40,000 people.

NEWSPAPER 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.

NONPOINT SOURCE POLLUTION - means any source of water pollution that is not a point source.

OBJECTIVE - means a specific, measurable, intermediate end that is achievable and marks progress toward a goal.

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

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

PARK - means a tract of land, designated and used by the public for active and passive recreation.

PARTIES AFFECTED - means any persons or firms owning property in, or residing in, either a municipality proposing annexation or contraction or owning property that is proposed for annexation to a municipality or any governmental unit with jurisdiction over such area.

PATTERN - means the form of the physical dispersal of development or land use.

PERSON - means an individual, corporation, governmental agency, business trust,

estate, trust, partnership, or association.

PLANNING ACT - means the Local Government Comprehensive Planning and Land Development Regulation Act.

PLANNING COUNCIL - means the Broward County Planning Council.

PLAT - means a map or delineated representation of the subdivision of lands, being a complete exact representation of the subdivision and other information in compliance with the requirement of all applicable sections of this chapter and of any local ordinances, and may include the terms "replat," "amended Plat," or "revised Plat."

PLAYGROUND - means a recreation area with play apparatus.

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.

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

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

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

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

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

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.

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

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

PRIVATE RECREATION SITES - means sites owned by private, commercial or nonprofit entities available to the public for purposes of recreational use.

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 (shelter and stations) and office buildings or projects that include fixed rail or transit terminals as part of the building.

PROTECTED POTABLE WATER SYSTEM - means a community water supply which has been given a consumptive use permit by the South Florida Water Management District and which is protected by the Broward County wellfield protection program.

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

PUBLIC BUILDING 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.

PUBLIC FACILITIES - means major capital improvements, including transportation, sanitary sewer, solid waste, drainage, potable water, educational, parks and recreational facilities.

PUBLIC NOTICE OR DUE PUBLIC NOTICE as used in connection with the phrase "public hearing" or "hearing to be held after due public notice" - means publication of notice of the time, place, and purpose of such hearing at least twice in a newspaper of general circulation in the area, with the first publication not less than 14 days prior to the date of the hearing and the second to be at least 5 days prior to the hearing.

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

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.

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.

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.

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

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

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

RECREATIONAL USES - means activities within areas where recreation occurs.

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

REGIONAL PLAN FOR SOUTH FLORIDA - means the plan prepared and adopted by the South Florida Regional Planning Council, pursuant to the provisions of Section 186 Florida Statutes governing comprehensive regional policy plans.

REGIONAL PLANNING AGENCY - means the council created pursuant to Chapter 186.

REGIONAL ROADWAY NETWORK - means the roads contained within the Broward County Metropolitan Planning Organization's adopted Year 2010 Highway Network, except for those roads functionally classified as city collector roads.

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

REGULATED PLANT INDEX - means the total number of species native to the State of

Florida that are listed as commercially exploited plants, endangered plants, and threatened plants.

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

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

RETAIL SHOPPING AREA - means a miscellaneous collection of individual stores which stand on separate lot parcels along streets and highways or which are clustered as a concentrated business district, with or without incidental off-street parking (as distinguished from a shopping center).

RIGHT-OF-WAY - means land dedicated, deeded, used, or to be used for a street, alley, walkway, boulevard, drainage facility, access or ingress and egress, or other purpose by the public, certain designated individuals, or governing bodies.

ROADWAY CAPACITY - means the maximum volume of traffic which can be accommodated on a roadway at a given level of service.

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 level. Those levels may be further grouped into urban and rural categories.

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

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

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

SERVICES - means the program and employees determined necessary by local government to provide operation and maintenance of public facilities and infrastructure, as well as those education, health care, social and other programs necessary to support the programs, 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.

SHOPPING CENTER - means a group of architecturally unified commercial establishments built on a site which is planned, developed, owned, and managed as an operating unit related in its location, size, and type of shops to the trade area that the unit serves. The unit provides on-site parking in definite relationship to the types and total size of the stores.

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.

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

SOLID WASTE FACILITIES - means 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.

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

SPECIAL PART-TIME DEMANDS - is one that does not have more than 200 scheduled events during any calendar year, and does not affect the 100 highest traffic volume hours.

STATE COMPREHENSIVE PLAN - means the goals and policies contained within the state comprehensive plan.

STATE LAND PLANNING AGENCY - means the Department of Community Affairs may be referred to in this part as "DCA".

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

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.

STORMWATER MANAGEMENT SYSTEMS - means a system which is designed and constructed or implemented to control stormwater, incorporating methods to collect, convey, store, absorb, inhibit, treat, use, or reuse stormwater to prevent or reduce flooding, over-drainage, environmental degradation and water pollution or otherwise affect the quantity and quality of discharges from the system.

STREAM - means any mass of water with a unidirectional flow.

STREET - includes any access way such as a street, road, lane, highway, avenue, boulevard, alley, parkway, viaduct, circle, a court, terrace, place, or cul-de-sac, and also

includes all of the land lying between the right-of-way lines as delineated on a plat showing such streets, whether improved or unimproved, but shall not include those access ways such as easements and rights-of-way intended solely for limited utility purposes, such as for electric power lines, gas lines, telephone lines, water lines, drainage and sanitary sewers, and easements of ingress and egress.

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

SUBDIVISION - means the platting of real property into two or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land; and includes establishment of new streets and alleys, additions, and resubdivisions; and, when appropriate to the context, related to the process of subdividing or the lands or area subdivided.

SUBSTANTIAL CONFORMITY - refers to the Broward County charter requirement that local governmental future land use plans shall be materially and pertinently compatible with and further the Broward County Land Use plan in order to be certified or recertified.

SUITABILITY - means the degree to which the existing characteristics and limitations of land and water are compatible with a proposed use or development.

SUPPORT DOCUMENTS - means any surveys, studies, inventory maps, data, inventories, listings or analysis used as bases for or in developing the local comprehensive plan.

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

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

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

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

TIME SHARE PLAN - means any arrangement, plan, or similar device, other than an exchange program, whether by membership, agreement, tenancy in common, sale, lease,

deed, rental agreement, license, or right-to-use agreement or by any other means, whereby a purchaser, in exchange for a consideration, receives ownership rights in or a right to use accommodations or facilities, or both, for a period of time less than a full year during any given year, but not necessarily for consecutive years, and which extends for a period of more than 3 years.

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

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

TOURIST UNIT - a house, an apartment, a group of rooms, or a single room occupied or intended for occupancy as a separate living quarter which is licensed or intended for license as a "hotel" or "motel" by the State Department of Business Regulation, Division of Hotels and Restaurants.

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.

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.

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 plan, and to maintain the integrity of the corridor for transportation purposes.

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.

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

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.

URBAN PURPOSES - means that land is used intensively for residential, commercial, industrial, institutional, and governmental purposes, including any parcels of land retained in their natural state or kept free of development as dedicated government areas.

URBAN REDEVELOPMENT AREA - means demolition and reconstruction or substantial renovation of existing building or infrastructure within urban infill areas or existing urban service areas, or community redevelopment areas created pursuant to Chapter 163, Part III.

URBAN SERVICES - means services offered by a municipality, either directly or by contract, to any of its present residents.

URBAN SPRAWL - 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."

VERY-LOW-INCOME PERSONS- means one or more natural persons or a family, not including students, the total annual adjusted gross household income of which does not exceed 50 percent of the median annual adjusted gross income for households within the state, or 50 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.

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

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.

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

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

WATER WELLS - means wells excavated, drilled, dug, or driven for the supply of industrial, agricultural or potable water for general public consumption.

WELLHEAD PROTECTION AREA - means an area designated by local government to provide land use protection for groundwater source for a potable water wellfield, as defined in this section, 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 base on the best available data and taking into account any zone of contribution described in existing data.

WETLANDS - means those areas that are inundated or saturated by ground or surface water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.