

1 **CHAPTER 60. - GENERAL PROVISIONS**

2 **ARTICLE IV. - DEFINITIONS**

3 *Accessory structure or use:* A structure or use that is customarily associated with and is
4 appropriately incidental and subordinate to an allowable principal use or structure and
5 located on the same lot, unless expressly permitted on a separate lot as provided elsewhere
6 in this part.

7 *Administrative service:* A service or activity typically performed by not-for-profit private or
8 public person(s), partnership, association, corporation, or other group whose activities are
9 conducted for civic, or humanitarian motives, or for the benefit of others, and not for the gain
10 of any private individual or group. Administrative service use includes but is not limited to
11 supporting office use, counseling service, employment service, vocational or trade training,
12 housing service, and supporting personal service. Administrative service use does not include
13 emergency residential or homeless shelter, food and goods distribution facility, or blood
14 bank. A counseling or training service shall not include medical examinations, dispensing of
15 drugs or medication, or other treatments normally conducted in a hospital or medical service
16 use.

17 *Adult congregate living facility (ACLF):* A home, institution, building(s), or residence(s)
18 licensed by the state, which provides housing, food service, and one or more personal
19 services for a period exceeding 24 hours to four or more adults who are not related to the
20 operator of the facility. Such facility may provide extended congregate care, limited nursing
21 services, and limited mental health services for on-site residents when licensed by the state
22 for such services.

23 *Aggrieved person:* A person who has a legally recognizable interest that is or will be
24 adversely affected by an administrative or quasi-judicial decision pursuant to this part. The
25 alleged interest may be shared in common with other members of the community at large but
26 must exceed in degree the general interest in community good shared by all persons.

27 *Alcoholic beverage services:* Any establishment licensed under The Beverage Law for the
28 State of Florida to sell or serve beer, wine, or other alcoholic beverages for on or off premise
29 consumption.

30 *Allowable use:* A permitted, conditional, or special permit use in a zoning district.

31 *Amusement game or machine* is a game or machine operated only for the bona fide
32 entertainment of the general public which a person activates by inserting or using currency
33 or a coin, card, coupon, slug, token, or similar device, and, by the application of skill, with
34 no material element of chance inherent in the game or machine, the person playing or
35 operating the game or machine controls the outcome of the game. The term does not include:

- 36 1. Any game or machine that uses mechanical slot reels, video depictions of slot machine
37 reels or symbols, or video simulations or video representations of any other casino game,
38 including, but not limited to, any banked or banking card game, poker, bingo, pull-tab,
39 lotto, roulette, or craps.
- 40 2. A game in which the player does not control the outcome of the game through skill or a
41 game where the outcome is determined by factors not visible, known, or predictable to
42 the player.

1 3. A video poker game or any other game or machine that may be construed as a gambling
2 device.

3 4. Any game or device defined as a gambling device in 15 U.S.C. § 1171, unless excluded
4 under 15 U.S.C. § 1178.

5 *Architectural embellishments*: For the purpose of measuring height of buildings, architectural
6 embellishments include, but are not limited to mansard, gable, hip, and gambrel roofs,
7 parapets and parapet walls, and mechanical equipment including, but not limited to elevator
8 shafts, air conditioning condensing units, and cooling towers.

9 *Art(s)*: All forms of original creations of creative or visual art, including, but not limited to:
10 sculpture, painting, photography, crafts, calligraphy, fine arts, music, creative writing and
11 poetry, film and the performing arts.

12 *Artist*: A person whose profession is the practice of an artistic discipline including all forms
13 of creative and imaginative expression, such as, but not limited to, the fine arts, music,
14 creative writing and poetry, film and the performing arts.

15 *Art, dance and music studio*: An establishment for the production or instruction in the various
16 arts (e.g. dance, painting, sculpting, singing).

17 *Art gallery*: An establishment engaged in the sale, loan, or display of paintings, sculpture, or
18 other works by artist to the general public. This definition does not include libraries,
19 museums, or non-commercial art galleries.

20 *Art studio*: A place designed as a workspace for an artist engaged in the application or
21 instructions of the arts, including the accessory sale of art produced on the premises.

22 *Art and cultural center*: A facility used for educational and cultural activities providing for
23 display, performance, or enjoyment of heritage, history, or the arts, open to the public or a
24 designated part of the public, usually owned and operated by a public or nonprofit group or
25 agency. This use includes but is not limited to: arts performance venues, cultural centers, or
26 interpretive sites, but does not include commercially-operated theatres.

27 *Artist live/work unit*: A place designed to be used for both a dwelling place and a place of
28 work by an artist, artisan, or craftsperson, including persons engaged in the application,
29 exhibiting, teaching, or instruction of fine arts, such as, but not limited to, drawing, vocal or
30 instrumental music, painting, sculpture, pottery, and writing.

31 *Assisted living facility*: A facility operated pursuant to F.S. Ch. 429, in which provides
32 housing, meals, and one (1) or more personal services for a period exceeding twenty-four
33 (24) hours to one (1) or more adults who do not require hospitalization or skilled or
34 intermediate nursing care, but who do require assistance or supervision in matters such as
35 dressing, bathing, diet, financial management, evacuation of a residence in the event of an
36 emergency, or medication prescribed for self-administration, and who are not relatives of the
37 owner or administrator.

38 *Banquet and meeting centers*: Commercial establishments, not open to the general public,
39 providing meeting facilities or hall available for rent by private individuals or groups, parties,
40 or private functions including, but not limited to, meetings, seminars, banquets, and weddings
41 and other similar celebrations. The facility may also include on-site kitchen/catering facilities,
42 outdoor reception facilities, and be associated with a restaurant. This term does not include

1 banquet halls, clubs, lodges, or other meeting facilities of private or nonprofit groups that are
2 primarily used by group members.

3 *Beach services area:* An area of the beach used by a commercial establishment to provide
4 recreational equipment, such as surf or paddle boards, float devices, and other similar
5 recreational equipment, or beach furniture, such as beach chairs, tables, tents, beach cabanas,
6 and other beach furniture as a service to hotel or motel patrons or as rental to visitors of a hotel,
7 motel, restaurant or recreational facility.

8 *Bed and breakfast inn:* An owner-occupied business that provides transient accommodations
9 by renting one (1) or more sleeping rooms on a daily basis to a guest(s), generally, in a
10 structure designed for and used as a single-family dwelling or in a detached guest house; and
11 may provide guests breakfast.

12 *Boardinghouse:* A dwelling unit within which more than one individual room or one suite,
13 but less than the entire dwelling unit, is used, maintained, or offered for rental.

14 *Broadcast studios.* An establishment containing one (1) or more broadcasting studios for
15 over-the-air, cable, satellite, or internet delivery of radio or television programs, or studios
16 for the audio or video recording or filming with or without live audiences of musical
17 performances, radio or television programs, or motion pictures. This term does not include a
18 transmission tower or telecommunications facility.

19 *Building:* Any structure having a roof built for the support, shelter or enclosure of persons,
20 animals, chattels, or property of any kind which has enclosing walls for at least 50 percent
21 of its perimeter. The term "building" shall be as if followed by the words "or part thereof."
22 (For the purpose of this Code, each portion of a building separated from other portions by a
23 fire wall shall be considered as a separate building.) For the purpose of area and height
24 limitations, this definition shall be applicable to sheds and open sheds.

25 *Camouflaged antenna:* Any means of siting or constructing telecommunications antenna so
26 as to conceal, hide, disguise, or alter antenna appearance such that it is not visible from a
27 public right-of-way or adjacent property.

28 *Childcare services:* Facilities for the providing of child care for more than five children
29 unrelated to the operator, which operator receives a payment, fee, or grant for providing such
30 care to any of the children, wherever such use is operated, and whether or not operated for
31 profit, except for family day care homes specifically excluded from this definition by F.S. §
32 166.0445.

33 *Church or place of worship:* A facility where activities are customarily performed in a
34 building where persons regularly assemble for religious worship and which building,
35 together with its accessory buildings and uses, is maintained and controlled by a religious
36 body organized to sustain public worship.

37 *Clubs, beach:* A private club providing for recreational and social activities related to and in
38 close proximity to the beach.

39 *Clubs, health & fitness:* Facilities, operated for profit or not-for-profit, for members or
40 nonmembers designed and equipped for the conduct of passive or active exercise, such as
41 running, jogging, aerobics, and weightlifting; recreational activities, such as court sports or
42 swimming; leisure activities; and related activities for the purpose of physical fitness, improved

1 circulation or flexibility, and/or weight control. The facilities may also include, but are not
2 limited to: locker rooms, showers, whirlpools, massage rooms, and saunas. The use does not
3 include public or private recreational facilities.

4 *Clubs, non-profit:* Private club facilities for a group of people formally organized, as a non-
5 profit organization, for a common interest, usually cultural, religious, or entertainment, with
6 regular meetings and formal written membership requirements. The facilities may also include,
7 but are not limited to: dining or banquet facilities that are primarily used by organization
8 members.

9 *Clubs, private:* Buildings and facilities owned or operated by a corporation, person, or
10 association of persons catering to members and their guests, which are not available for
11 unrestricted public access or use, for a social, educational, athletic, or recreational purpose.
12 Such a club may be either a profit-making or a nonprofit enterprise.

13 *Clubs, social:* A private club with social, dining, and recreation facilities for members, their
14 families, and invited guests.

15 *Collocation:* Location of two or more communication antennas on a single communication
16 tower.

17 *Commercial amusements:* Commercial establishments within structures or outside facilities
18 providing amusements or entertainment for a fee or charge. Typical examples of these
19 activities include, but are not limited to: bowling alleys, billiard and pool establishments,
20 climbing walls, game rooms, go-kart tracks, skating rinks, trampolines, video arcades,
21 miniature golf courses, baseball batting cages, golf driving ranges, and similar activities. The
22 facilities may also include banquet rooms and restaurant accessory uses. The term "commercial
23 amusement" specifically excludes temporary commercial amusements and simulated gambling
24 establishments.

25 *Commercial docking facilities:* Fixed or floating structures, including moorings, used for the
26 commercial purpose of renting dock space or moorings, watercraft rental, or berthing
27 watercraft for charter fishing boats or sightseeing boats. A commercial dock does not include
28 a marina, boat livery, or boat yard.

29 *Commercial food service:* An establishment in which the principal use is the preparation of
30 food and meals on the premises, and where such food and meals are delivered to another
31 location for consumption, including delivery or sale of food and meals by mobile food
32 dispensing vehicles, sale of food or meals at mobile food establishments, or delivery to
33 private residences, offices, or other non-residential sites for public or private entertainment.
34 Such activity may include food or meal preparation training by non-profits. This use
35 includes, but is not limited to: catering services, commercial kitchens, ghost kitchens, or
36 shared-use kitchens.

37 *Communication antenna:* Any device used to transmit or receive data, video, radar, wireless
38 or cellular telecommunications, telemetry, or other type of wave, impulse or other
39 electromagnetic signal, including ground mounted electronic or mechanical support
40 equipment. The term excludes amateur radio operator's equipment as licensed by the Federal
41 Communications Commission (FCC).

42 *Communication tower:* A structure designed, engineered, constructed and used for the
43 purpose of supporting communication antennas used at public or private utilities. This

1 definition includes self-supporting lattice, guyed and monopole towers. The term excludes
2 amateur radio operator's equipment as licensed by the Federal Communications Commission
3 (FCC).

4 *Community-based correctional facility:* Any home, dwelling unit, building, institution, half-
5 way house, or any other facility, whether operated for profit or not, which is used to
6 rehabilitate or reintroduce into the community one or more persons who have been convicted
7 of committing a state or federal crime or who have been required or permitted by statutory
8 law or by a court of law to undergo rehabilitation or similar treatment prior to, in lieu of, or
9 in addition to a criminal conviction. Any facility which meets this definition or which is
10 substantially similar to a facility meeting this definition shall not be construed to be an adult
11 congregate living facility, nursing home, community residential home, as defined herein, or
12 any other type of use which is permitted under this Code. No facility meeting this definition
13 shall be allowed in any residential zoning district.

14 *Community centers:* Facilities or buildings used as a place for meetings, recreational, or social
15 activities and operated for a government purpose.

16 *Community garden:* An area of land managed and maintained by an individual, group,
17 community, neighborhood, subdivision, or organization to grow and harvest food crops and
18 non-food, ornamental crops, such as flowers, for personal or group use, consumption,
19 enjoyment, or donation.

20 *Community residential home:* A dwelling unit, licensed under F.S. § 419.001 as a community
21 residential home, which provides a living environment for seven to 14 unrelated residents.
22 For purposes of this Code, the term excludes dwelling units that are licensed under F.S. §
23 419.001 as community residential homes or dwelling units not subject to F.S. § 419.001 for
24 classes of individuals protected pursuant to federal or state statutes, but which provide a
25 living environment for less than seven unrelated persons. Such dwelling units shall be
26 deemed to be single-family residential structures under this Code.

27 *Conditional use:* An allowable use that may be permitted only if certain conditions and
28 criteria are satisfied as determined by the planning and zoning board.

29 *Congregate multi-family residential facilities.* Residential complexes containing multi-family
30 dwellings, attached or detached, designed for and principally occupied by adults or senior
31 citizens. Such facilities may include a congregate meals program in a common dining area,
32 common social rooms, limited nursing services, and limited personal assistance, but excludes
33 institutional care, such as medical or nursing care, and are distinguished from continuing care
34 retirement facilities.

35 *Continuing care retirement facilities.* Facilities that provides a wide range of senior citizen
36 housing types, including institutional care, such as nursing or convalescent care; assisted
37 living; or individual dwelling units for the elderly. Eighty (80) percent of the facility occupants
38 are 65 years of age or over, or individual dwelling units are occupied by at least one person
39 who is 55 years of age or over and is retired. Facilities may include a congregate meals program
40 in a common dining area and common recreation or social facilities. The facilities may also
41 include medical facilities or care. Dwelling units consists of multi-family attached dwellings
42 or detached dwelling units as part of a wholly owned and managed senior project.

1 *Convenience stores:* Retail sales and services establishment with a floor area of less than 2,500
2 square feet that offers a limited line of groceries, such as prepackaged food items; on-site
3 service of food or drink for immediate consumption; and household items intended for the
4 convenience of the neighborhood. A convenience store may also sell gasoline and packaged
5 alcoholic beverages, but shall not provide other motor vehicle services.

6 *Craft distillery:* An establishment licensed by the state to manufacture or produce two
7 hundred fifty thousand (250,000) or fewer gallons per calendar year of distilled spirits.
8 Accessory uses include retail sale of distilled spirits produced on-site for take-away or on-
9 premises consumption, as allowed by state licensing laws.

10 *Crematorium;* A facility licensed under State of Florida rules and regulations for the purpose
11 of incinerating dead human bodies to ash residue by direct flame.

12 *Designated commercial districts:* A designated commercial district is an area of the City
13 designated and identified by Comprehensive Plan in Figure 10 of the Map Series as a
14 commercial district.

15 *Dwelling, accessory:* A separate dwelling with separate living facilities and entrances located
16 on the same lot as a single-family detached dwelling in a detached structure.

17 *Dwelling, artist guest home:* A dwelling or an accessory structure to a single-family dwelling
18 that provides living and sleeping quarters for an artist that is either (1) rented or otherwise
19 provided for compensation to transients, or (2) provides individual rooms to artists in a
20 dwelling designed to be used, or used as, both a dwelling place and a place of work by an
21 artist(s). This definition does not include boardinghouses, bed and breakfast inn, guest house,
22 or hotel or motel.

23 *Dwelling, duplex:* The residential use of a building containing only two (2) dwelling units
24 attached with common wall, each of which has direct access to the outside.

25 *Dwelling, group court:* Two (2) or more detached buildings used as dwelling units located
26 on a lot that is in single ownership having yards, courts or facilities in common, but not
27 including motels.

28 *Dwelling, live/work units.* Structures with one or more dwelling units combining space used
29 for both a residential purposes and any nonresidential use permitted in the zoning district in
30 which the unit is located. Each dwelling is designed as a complete single living unit, of one or
31 more rooms includes: (1) living, sleeping, eating, cooking, and sanitation facilities; and (2)
32 adequate working space accessible from the living area, reserved for, and primarily used by,
33 one or more persons residing therein.

34 *Dwelling, multi-family or multiple-family residential structure:* A building or group of
35 buildings on one (1) lot containing three (3) or more dwelling units to be occupied by one
36 (1) family per dwelling unit with separate cooking and toilet facilities for each dwelling unit
37 and may or may not share common entrances or other spaces; includes apartments, lofts or
38 condominiums.

39 *Dwelling, single-family attached:* A building consisting of not more than four (4) dwelling
40 units which are attached by common vertical walls and each unit having separate entrances,
41 also known as townhomes or row houses.

42 *Dwelling, single-family detached or single-family residential structure:* A residential

1 structure designed to house only one (1) dwelling unit, with private outside entrance, but
2 without common walls between the dwelling units.

3 *Dwelling unit:* One (1) or more rooms in a residential building or residential portion of a
4 building that is arranged, designed, used or intended for use as a complete, independent living
5 facility with provisions for living, sleeping, eating, cooking and sanitation. Each area with
6 separate facilities for the preparation, storage and keeping of food for consumption within
7 the building that is not available and accessible to all individuals in the building shall be
8 deemed an additional dwelling unit.

9 *Dwelling, upper story:* A dwelling unit located on the second floor or higher of a building
10 with non-residential uses located on the ground or street level.

11 *Dwelling, zero lot line units.* Single family dwelling units arranged on individual lots as either
12 detached structures or portions of the structures attached on a side property line. The
13 arrangement of the residential structure on a parcel in such a manner that the required side yard
14 is reduced on one side and increased on the other side and the side wall of the dwelling building
15 or portions of structures may be located directly on a lot line.

16 *Eave:* The portion of roof that is the lowest projecting edge of a roof overhanging the wall of
17 a building.

18 *Educational institution:* A place for systematic instruction with a curriculum the same as
19 customarily provided in a public school or college.

20 *Efficiency apartment:* A dwelling unit consisting principally of one (1) room and alcoves,
21 equipped with kitchenette and bath, and having an aggregate floor area of not less than three
22 hundred thirty-six (336) square feet.

23 *Emergency services:* Buildings used for the conduct of safety and emergency services serving
24 a government purpose, such as, but not limited to, fire stations, police stations, and emergency
25 medical and ambulance service.

26 *Exhibition or conference centers:* Commercial facilities designed for assemblies, conferences,
27 seminars, or meetings of the members or representatives of groups, such as service
28 organizations or business and professional organizations, including exhibition space and
29 accommodations for conference attendees. This term does not include banquet and meetings
30 halls, private clubs, or other meeting facilities of private or nonprofit organizations that are
31 primarily used by organization members.

32 *Family:* One (1) or more individuals living together in one (1) dwelling unit with common
33 access to, and common use of all dwelling unit facilities.

34 *Facilities:* A structure or place, indoor or outdoor, which is built, installed, or established to
35 serve a particular purpose.

36 *Family day care home:* The use of an occupied residence licensed or registered with the
37 Florida Department of Children and Families in which child care is regularly provided for
38 compensation (e.g., payment, fee, or grant)—whether or not operated for profit—for children
39 that come from at least two (2) unrelated families, as defined in F.S. § 402.302. A family day
40 care home does not include use of a private residence for an informal cooperative
41 arrangement among neighbors or relatives, or the occasional care of children (with or without
42 compensation). Family daycare home is a permitted use in any residential zoning district as

1 provided in said statute.

2 *Financial institutions:* An establishment that provides financial and banking services to
3 consumers or clients. Walk-in and drive-in services to consumers are generally provided on
4 site. Typical uses include, full service banking, drive-in banking, remote banking, credit
5 unions, loan companies, savings and loan associations.

6 *Funeral homes:* Undertaking and funeral services involving the care and preparation of
7 human deceased prior to burial, excluding cremators, crematory operations and columbaries.

8 *Government purpose:* Any administrative offices, service facilities, parking, utility facilities,
9 recreational, or accessory structures developed by or for a public agency, such as the United
10 States or any department, commission, agency, or other instrumentality thereof; State of
11 Florida or any department, commission, agency, or other instrumentality thereof; any local
12 government (Indian River County or City of Vero Beach), or any department or commission,
13 agency, or other instrumentality thereof, any school board or other special district, authority,
14 or governmental entity, meant to enhance the ability of the public agency to provide efficient
15 public service to the community.

16 *Grade:* The average level of the finished surface of the ground adjacent to the exterior wall
17 of the building.

18 *Group home:* A dwelling unit, licensed under F.S. § 419.001 as a community residential
19 home, which provides a family living environment for less than seven (7) unrelated persons,
20 including the supervision and care necessary to meet physical, emotional, and social life
21 needs of clients. For purposes of this Code, the term is for dwelling units that are licensed
22 under F.S. § 419.001 as community residential homes or dwelling units and for classes of
23 individuals protected pursuant to federal or state statutes. Such dwelling units shall be
24 deemed to be single-family residential structures under this Code.

25 *Guest:* Any patron, customer, tenant, lodger, boarder, or occupant of a guest house, transient
26 quarters, hotel, motel, or similar establishment or accommodation.

27 *Guest cottage:* An attached or detached accessory structure that provides living and sleeping
28 quarters for guests of the occupants of the principal structure and (a) contains no kitchen or
29 cooking facility; (b) is clearly subordinate and incidental to the principal residence on the
30 same parcel; and (c) is not rented or leased, whether compensation be direct or indirect.

31 *Guest house and transient quarters:* Any structure, including converted dwellings in which
32 less than ten (10) bedrooms, with or without meals, is rented or otherwise provided for
33 compensation to transients for their temporary care and lodging.

34 *Guest lodge:* A structure for the temporary housing for members of a private club and/or their
35 guests.

36 *Home occupation:* A small, unobtrusive, legally permitted business conducted wholly from
37 within a residential dwelling that is clearly subordinate and secondary to the principal
38 residential use of the property.

39 *Hospice residential care facilities.* Licensed hospice facilities or designated inpatient units
40 which provide palliative and supportive medical and other health services to meet the physical,
41 psychological, social, spiritual, and special needs of terminally ill patients and their families in
42 an inpatient residential setting.

1 *Hospitals and extensive care:* Institutions providing health services, primarily for inpatients,
2 and medical or surgical care; including, as a integral part of the institution, related facilities,
3 central service facilities, and staff offices.

4 *Hotel or motel:* A building or group of buildings used, maintained, or advertised as a place
5 where ten (10) or more bedrooms or suites are offered on a short-term or transient basis for
6 sleeping or living accommodations.

7 *Kitchen:* Any room principally used, intended, or designed to be used for cooking or the
8 preparation of food. The presence of a range or oven, or utility connections suitable for
9 servicing a range oven, shall normally be considered as establishing a kitchen.

10 *Kitchen facilities:* A room, or portion thereof, that is arranged, designed, used or intended
11 for use for the preparation, cooking, storage and keeping of food for consumption within the
12 premises.

13 *Library:* A public, nonprofit facility in which literary, musical, artistic, or reference materials
14 such as, but not limited to, books, manuscripts, computers, recordings, or films are kept for
15 use by or loaning to patrons of the facility, but are not normally offered for sale.

16 *Lot:* Includes "tract" or "parcel" and means the least fractional part of subdivided lands
17 having limited fixed boundaries and an assigned number, letter, or other name through which
18 it may be identified.

19 *Lot (width):* The distance between the side lot lines, measured along the front building
20 setback line when a front yard is required in these regulations; otherwise, the lot width shall
21 be the mean horizontal distance of the lot measured at right angles to the depth.

22 *Manufactured home:* A structure, transportable in one (1) or more sections, which is eight
23 (8) feet or more in width and greater than four hundred (400) square feet, and which is built
24 on a permanent, integral chassis and is designed for use with or without a permanent
25 foundation when attached to required utilities. The term "manufactured home" does not
26 include a "recreational vehicle" or "park trailer," but does include "mobile home."

27 *Manufactured home park or subdivision:* A parcel (or contiguous parcels) of land divided
28 into two (2) or more manufactured home lots for rent or sale.

29 *Marina:* A facility located adjacent to a public navigable waterway that provides docks, slips
30 and moorings used for docking, securing, servicing or repairing of watercraft, the provision
31 of indoor and outdoor dry storage of watercraft and trailers, or the docking of commercial
32 sightseeing vessels, but excluding industrial and commercial fishing craft.

33 *Medical services:* The provision of therapeutic, preventive or corrective personal treatment
34 services by physicians, dentists, and other licensed medical practitioners, as well as the
35 provision of medical testing and analysis services. These services are provided to patients
36 who are admitted for examination and treatment by a physician and with no overnight
37 lodging.

38 *Microbrewery:* A facility for the brewing and packaging of beer or other malt liquors for
39 distribution, retail or wholesale, on or off premises, that produces less than fifteen thousand
40 (15,000) barrels per year. The facility also includes a tasting room and retail space to sell
41 malt beverages on the premises along with retail items. The facility may include other uses
42 such as a restaurant, bar, or commercial amusement as otherwise permitted in the zoning

1 district.

2 *Motor vehicles:* For purposes of Part III, Land Development Regulations, a motor vehicle
3 means a motorized vehicle including, but not limited to, autocycle, automobiles, electric
4 vehicles, motorcycles, trailers less than 15 feet in length, and light trucks, but the term does
5 not include heavy motor vehicles, light recreation vehicles, lawn equipment, personal
6 delivery devices, watercraft, watercraft trailers, airplanes or aircraft, and vehicles that run
7 only upon a track.

8 *Motor vehicle, general repair and service establishment:* A facility used for the repair and
9 maintenance of motor vehicles including, but not limited to, automobile bodywork, collision
10 repair, upholstery work, automobile painting, general automobile maintenance, wheel and
11 brake repair, engine repair or overhauls, tire service and sales, or installation of car alarms
12 or radio equipment.

13 *Motor vehicles, heavy:* Motor vehicles which have gross vehicle weights greater than 10,000
14 pounds including, but not limited to, commercial motor vehicles, construction vehicles,
15 buses, farm tractors, recreational vehicles, heavy trucks, truck tractor, semi-trailers, special
16 mobile equipment as defined in F.S. § 316.003, wreckers, heavy equipment, and similar size
17 vehicles.

18 *Motor vehicle, heavy repair and servicing:* A facility used for the repair and maintenance of
19 heavy motor vehicles including, but not limited to, collision repair, wheel and brake repair,
20 engine repair or overhauls, and tire service.

21 *Motor vehicle, heavy sales and service:* A business establishment with retail, wholesale, or
22 rental of new or used heavy motor vehicles. The establishment may maintain an inventory of
23 heavy motor vehicles for sale or rent on-site and may provide on-site facilities for the repair
24 and service of the heavy motor vehicles sold or rented by the business.

25 *Motor vehicle rental establishment:* A facility used for the rental of motor vehicles, including
26 trucks and vans up to 26,000 pound gross vehicle weights, including incidental parking and
27 servicing of vehicles for rent or lease. Typical uses include auto rental agencies and moving
28 truck rental.

29 *Motor vehicle sales and service:* A business establishment, such as an automobile dealership,
30 with retail or wholesale sale or rental of new or used motor vehicles or light recreational
31 vehicles. The establishment may maintain an inventory of the motor vehicles for sale or rent
32 on-site and may provide on-site facilities for the repair and service of the motor vehicles sold
33 or rented by the business.

34 *Motor vehicle servicing, car wash:* An establishment with facilities primarily for the exterior
35 washing of motor vehicles using a chain conveyor or other method of moving automobiles
36 along, including manually driven, through a system of rollers, brushes, and automatic
37 application of cleaner, rinse water, heat for drying, and wax. Interior cleaning and/or drying
38 may be conducted manually by vehicle operator or on-site attendants. This use includes, but
39 is not limited to, automobile detailing, but does not include self-service car wash.

40 *Motor vehicle servicing, gasoline station:* Establishments for the dispensing of motor vehicle
41 fuels or oils at retail, whether self-service or not, and having pumps, underground storage
42 tanks and other facilities for such activity. A gasoline station may include the retail sale of
43 minor automobile parts and accessories such as batteries, spark plugs, fan belts, shock

1 absorbers, mirrors, floor mats, cleaning and polishing materials and similar items to motor
2 vehicles incidental to selling and dispensing of motor vehicle fuels and oils. Incidental light
3 vehicle maintenance activities such as engine tune-ups, oil change and lubrication, muffler
4 installation and minor vehicle repairs may also be provided. The use does not include
5 premises where general motor vehicle repair activities, such as engine overhauls, automobile
6 painting, tire service and sales, and bodywork, are conducted. Also known as a gas station
7 or gasoline service station.

8 *Motor vehicle servicing, self-service car wash:* An establishment where facilities primarily
9 for the exterior washing, drying, polishing, or vacuuming of motor vehicles are done by the
10 driver or the occupant and where no self-propelled chain conveyor or other method of
11 moving automobiles along are provided.

12 *Movie theaters:* A specialized theater or complex with multiple movie theaters for showing
13 movies or motion pictures in which each theater is capable of showing movies independent of
14 the others in the complex. The facilities may be designed that the theaters in a cineplex are
15 grouped in a manner that allows them to share box or ticket offices, parking facilities, lobby
16 areas, restrooms, concession stands, signs and marquee displays, and other services and
17 maintenance facilities.

18 *Museum:* A building having public significance by reason of its architecture or former use or
19 a building serving as a repository for a collection of natural, scientific, or literary curiosities
20 or objects of interest, or works of art, and arranged, intended, and designed to be used by
21 members of the public for viewing, with or without an admission charge, and which may
22 include as an accessory use the sale of goods to the public as gifts or for their own use or
23 specialty eating establishment.

24 *Museum, aviation:* A museum serving as a repository for a collection of aviation-related
25 objects of interest.

26 *Museum, commercial:* A commercial establishment for preserving and exhibiting artistic,
27 historical, scientific, natural, or man-made objects of interest. Such activity may include the
28 sale of the objects collected, memorabilia, and related retail, and the holding of meetings and
29 social events.

30 *Natural vegetation line:* That point on the beach above the mean high water where rooted
31 terrestrial vegetation exists.

32 *Nonconforming use:* A use of land or buildings which lawfully existed prior to the enactment
33 of zoning ordinance which is maintained after the effective date of the ordinance although it
34 does not comply with the use restrictions applicable to the area in which it is situated and
35 which has continued to exist without legal abandonment since the effective date of the
36 ordinance. This term includes not only conduct which is prescribed by applicable zoning
37 restrictions, but also a building or structure which violates the zoning regulations.

38 *Nursing facilities:* A facility or institution licensed under F.S. Ch. 408 which is primarily
39 engaged in providing, to inpatients, skilled nursing care and related services, including meals
40 and shelter, for patients who require medical or nursing care, or rehabilitation services for the
41 rehabilitation of injured, disabled, chronically or incurably ill, or sick persons, but not
42 including assisted living facilities, community residential homes, congregate multi-family
43 housing, hospitals, medical service offices, medical treatment centers or transient shelters.

1 *Offices:* A room, suite of rooms, or building(s) in which a person transacts the affairs of a
2 business, profession, service, industry, or government.

3 *Offices, business services:* Commercial office establishments providing direct services to
4 consumers, but generally do not provide retail or wholesale sales to a consumer or storage of
5 goods, except that is incidental or accessory to the principle establishment. Typical examples
6 of these activities include, but are not limited to: commercial art studios, insurance agencies,
7 instructional or tutoring services, title insurance companies, real estate brokerage offices, stock
8 brokerage services, photographic studio services, travel agencies, and interior decorators or
9 designers without showrooms, retail sales or inventory for sale. The use does not include
10 medical service offices, professional service offices, veterinary service offices, government
11 offices, personal service establishments, or offices that are incidental and accessory to another
12 nonresidential activity that is the principal use.

13 *Offices, government:* Any administrative office held, used, or controlled exclusively for
14 government purpose without reference to the ownership of the building and used for providing
15 public services.

16 *Offices, medical services:* Offices providing therapeutic, preventive or corrective personal
17 treatment services by physicians, dentists, and other licensed medical practitioners, as well as
18 the provision of medical testing and analysis services. These services are provided to patients
19 who are admitted for examination and treatment by a physician and with no overnight lodging
20 or institutional care. The use does not include business service offices, professional service
21 offices, veterinary service offices, government offices, personal service establishments, or
22 offices that are incidental and accessory to another nonresidential activity that is the principal
23 use.

24 *Offices, professional services:* Establishments, characterized by low traffic and pedestrian
25 volumes, providing persons with a vocation, calling, occupation, or employment requiring
26 advanced study or training in a specialized field; requiring licensing by the State or
27 professional organization; and maintenance of professional standards applicable to the field.
28 Typical examples of these activities include, but are not limited to: accounting, auditing and
29 bookkeeping services; advertising agencies (but not sign shops); architectural, engineering,
30 planning, and surveying services; attorneys; counseling services; court reporting services; data
31 processing and computer services; detective agencies and similar services; educational,
32 scientific, and research organizations; employment, stenographic, secretarial, and word
33 processing services; and management, public relations, and consulting services. The use does
34 not include medical service offices, business service offices, veterinary service offices,
35 government offices, personal service establishments, or offices that are incidental and
36 accessory to another nonresidential activity that is the principal use.

37 *Offices, veterinary medical services:* Establishments for the care, observation, and medical or
38 surgical treatment of domestic animals, including household pets, provided by a Florida-
39 licensed veterinarian. Use as a kennel shall be limited to short-time boarding or overnight care
40 and shall be only incidental to such medical treatment. The use does not include kennels.

41 *Open space:* Pervious landscaped area unencumbered by structures, buildings, paved or grass
42 parking lots, driveways, walkways or sidewalks, patios, pools, decks, artificial lawns, or any
43 impervious surface. Fifty (50) percent of water bodies completely surrounded by uplands on a
44 development site shall be considered open space. Bodies of water adjacent to a development

1 site including submerged land owned by the same owner as the adjacent uplands shall be
2 excluded from open space calculations.

3 *Outdoor seating (as accessory to a restaurant):* Outdoor seating as accessory to a restaurant
4 is the provision of on-site outdoor seating areas by a restaurant where food or beverages are
5 served for consumption. The accessory use also may include outdoor seating areas on public
6 sidewalks in front of the establishment.

7 *Parking lot:* An area or plot of ground used for the storage or parking of motor vehicles either
8 for compensation or to provide an accessory service to a business, industrial or residential
9 use.

10 *Parking lots and garages:* A parcel of land or portion thereof or structure used for the primary
11 purpose of parking motor vehicles, which is not accessory or does not provide required parking
12 spaces to any other use on the same or any other parcel, and which contains parking space
13 rented to the general public or reserved for individuals by the hour, day, week, or month. May
14 be a commercial enterprise for which any fee is charged independently of any other use of the
15 premises or a parking lot or garage operated for a government purpose.

16 *Parks, active recreation:* Public recreational areas operated for a governmental purpose where
17 the primary goal is the provision of facilities for active recreational uses for a broad range of
18 community members, such as, but not limited to, court games (such as tennis and basketball
19 courts), athletic fields, space for passive activities (such as picnic areas and walking trails),
20 bicycle or bridle trails, playgrounds, and similar activities.

21 *Parks, passive recreation:* Public recreational areas operated for a governmental purpose
22 where the primary goal is the preservation of land in its natural state for public enjoyment.
23 Accessory uses and structures, such as parking lots, restrooms, picnic areas, walking and hiking
24 trails, and public viewing areas may be provided to facilitate passive recreational use of the
25 preserved land, but this use specifically excludes active recreational uses and facilities or other
26 uses which are incompatible with the preservation of native lands.

27 *Parks, square or plaza:* An open space that may be improved, landscaped, or paved, usually
28 surrounded by buildings or streets.

29 *Performance theater:* An outdoor or indoor area, structure, or defined area utilized primarily
30 for dramatic, dance, musical, operatic, or other live performances or rehearsals, for admission
31 to which entrance money is received and no audience participation. Such establishments may
32 include related services such as food and beverage sales and other concessions.

33 *Personal service establishments:* Establishments engaged in the provision of frequent or
34 recurrent needed services of a personal needs that are non-medically related services. Typical
35 examples of these activities include, but are not limited to: animal or pet grooming, beauty and
36 barber shops, dry cleaning, garment repair and tailoring, laundromats (self-service laundries),
37 massage facilities, psychic readers, shoe repair shops, tanning salons, tattoo parlors and other
38 similar establishments. These uses may also include accessory retail sales of products related
39 to the services provided.

40 *Plant nurseries and landscape services:* Cultivation and sale of flowers, shrubs, trees and
41 plants at wholesale, retail or both, as well as provision of related consultative services.

42 *Premises:* Any land together with any structures occupying it.

1 *Primary dune*: The highest, most developed dune west of the vegetation line.

2 *Public agricultural and environmental education uses*. Public educational activities and uses
3 principally conducted in the outdoors as part of a public agricultural and environmental
4 studies program that involves the keeping and maintenance of plants and/or animals.

5 *Recreation facilities, athletic fields or courts*: Public recreational facilities operated for a
6 government purpose that is typically characterized by the participation in sports or athletic
7 programs. Examples include but are not limited to: outdoor swimming pools, lighted tennis
8 courts, and lighted baseball/softball and football/soccer complexes.

9 *Recreation facilities, water dependent*: Public recreational facilities operated for a government
10 purpose that provide public access to the Indian River Lagoon or Atlantic Ocean as a primary
11 characteristic of the use or a use that provides for recreational use or aesthetic enjoyment of
12 the Indian River Lagoon or Atlantic Ocean as a general characteristic of the use, which through
13 the location, design, and operation, ensures the public's ability to enjoy the physical aesthetic
14 qualities of the Indian River Lagoon or Atlantic Ocean. Examples include, but are not limited
15 to: public beaches, boardwalks, piers, boat ramps, docks, and other improvements facilitating
16 public access to the Indian River Lagoon or Atlantic Ocean. The use does not include
17 commercial uses, such as restaurants or marinas, as a primary or accessory use.

18 *Recreation vehicles, light*: For purposes of Part III, Land Development Regulations, a light
19 recreation vehicle means a self-propelled vehicle propelled by power other than muscular
20 power designed to provide recreational enjoyment and passenger transportation including,
21 but not limited to, golf carts, mopeds, and swamp buggies, but the term does not include
22 bicycles, micro-mobility devices, motorized scooters, or electric bicycles.

23 *Restaurants*: Establishments where the principal business is the preparation, serving, and sale
24 of food, desserts or beverages for consumption on the premises to the customer by seated table
25 service within an enclosed building or elsewhere on the premises in a ready-to-consume state.
26 the design or principal method of operation includes one of the following:

27 (1) Customers, normally provided with an individual menu, are served generally in
28 nondisposable containers by a restaurant employee at the same table or counter at which
29 said items are consumed; or

30 (2) A cafeteria or cafeteria-type operation where foods, desserts or beverages generally are
31 served in nondisposable containers and consumed within the restaurant building;

32 The restaurant use excludes bars or drinking places, carry-out, drive-in, fast-food or specialty
33 eating services as a primary use. The use may include limited carry-out services and bars as
34 accessory uses.

35 *Restaurants, bars or drinking places*. Establishments or part of a facility, such as a hotel, used
36 primarily for the sale, dispensing, serving, and consumption of alcoholic beverages on the
37 premises and in which the service of food is only incidental to the consumption of such
38 beverages. Also includes taverns, night clubs, and similar facilities serving alcoholic
39 beverages.

40 *Restaurant, carry-out*: An establishment or service that primarily operates or provides food,
41 beverage, or desserts prepared on the premises and served in disposable containers or
42 wrappers from a serving counter for consumption off the premises, with limited seating or
43 other area provided on the premises for consumption. An establishment that has more than

1 seventy-five (75) square feet of customer service area on the premises for seating shall be
2 deemed to be a restaurant.

3 *Restaurants, drive-ins:* Establishments where the principal business is the sale of foods,
4 desserts, or beverages generally contained in a ready-to-consume state and whose design,
5 method of operation or any portion of whose business includes one or both of the following:

6 (1) Foods, desserts or beverages are served directly to the customer in a motor vehicle;

7 (2) The consumption of foods, desserts or beverages within a motor vehicle parked upon the
8 premises, outside the restaurant building, is allowed, encouraged and designed for.

9 *Restaurants, fastfood:* Establishments engaged primarily in the business of preparing food and
10 purveying it on a self-serve or semi self-serve basis, where most customers order and are served
11 their food at a counter or at a window designed to accommodate motor vehicles in packages
12 prepared to leave the premises or able to be taken to a table or counter to be consumed.

13 *Restaurant, specialty:* An establishment whose primary business is the sale of a specialty
14 type of food or beverage that normally do not constitute a complete meal, including, but not
15 limited to, ice cream parlors, dessert cafés, snack shops, sandwich cafés, tea rooms, juice and
16 coffee houses, and retail bakeries or small restaurants. The sale of other food, beverages, or
17 merchandise is incidental to the sale of the specialty food or beverage on-site.

18 *Retail sales and services:* Commercial establishments devoted primarily to the sale, rental, or
19 servicing of goods or commodities directly to the consumer by delivery or on the premises to
20 a consumer for immediate purchase or rental.

21 *Retail sales and services, general:* Retail sales and services establishments that carry an
22 assortment of merchandise from several retail categories and conducted from shopping centers
23 or stores greater than 4,000 square feet and less than 75,000 square feet. Typical examples of
24 these activities include, but are not limited to: antique stores; appliance stores; carpet and tile
25 stores; large-scale clothing stores, convenience stores; small department stores, discount
26 stores; drug stores and pharmacies; electronic stores; furniture stores (without major
27 warehousing); hardware stores (without lumberyards or major storage areas); motor vehicle
28 parts and accessories; office equipment and supplies; paint supply shops; parcel mail services
29 (but not bulk mailing distribution centers), printing and copy services, pet supply stores;
30 supermarkets or grocery stores; thrift shops; and other similar goods and services. These
31 activities exclude the following: restaurants; sale or rental of motor vehicles; lumberyards and
32 sale of construction materials; motor vehicular service and maintenance activities, including
33 gas stations.

34 *Retail sales and services, large-scale:* Retail sales and services establishments with a floor area
35 greater than 75,000 square feet selling food, drugs, household merchandise, clothing, and a
36 variety of other retail or wholesale goods and has a regional sales market. Typical examples of
37 these activities include, but are not limited to: large department stores; regional discount stores;
38 home improvement centers, including lawn and garden supplies (without lumberyards or major
39 storage areas); membership warehouse clubs and other similar goods and services. Also known
40 as big-box retail establishments.

41 *Retail sales and services, restricted:* Retail sales and services establishments with a floor area
42 of no greater than 4,000 square feet that specialize in one type or line of merchandise and are
43 intended to primarily serve markets for specialty goods and services or tourist-oriented and

1 neighborhood markets in the immediate vicinity. Typical examples of these activities include,
2 but are not limited to: apparel shops, bookstores, boutiques, clothing repair or tailoring
3 services, flower shops, gift shops, interior decorators or designers with showrooms and retail
4 sales, jewelry shops, laundry drop-off, shoe stores, stationary stores, and similar
5 establishments. Such uses shall expressly exclude the following: stores with warehousing;
6 stores with drive-in, drive-up or drive-through facilities; laundry or dry cleaning stores with
7 on-site cleaning; health and fitness clubs; stores that sell motor vehicle parts; and convenience
8 stores.

9 *Right-of-way:* An easement dedicated, deeded, used, or to be used for a street, alley,
10 walkway, boulevard, or for ingress and egress by the public, certain designated individuals,
11 or governing bodies. The right-of-way line shall be considered the property line.

12 *Room or room unit.* For purposes of calculating density based on room units for such uses
13 including, but not limited to, hotels or congregate living facilities, a "room unit" is one (1)
14 or more rooms in a residential building or transient visitor accommodation building or
15 portion thereof that is arranged, designed, used or intended for use as a single unit for living,
16 sleeping, and sanitation. A "room unit" should not contain complete cooking facilities or
17 kitchen, but may have limited cooking facilities, such as a kitchenette, mini-bar, or wet bar.
18 For purpose of measurement, where a room suite with a single exterior door contains two (2)
19 or more rooms, each two (2) sleeping rooms shall be counted as a single room unit.

20 *Rooming house:* See definition of boardinghouse.

21 *Schools:* Public or private schools that offer an institution or place for instruction or
22 education, but not including business, secretarial or vocational schools.

23 *Screened enclosure:* A metal framed structure with a screened roof and screened walls.

24 *Self-service storage facility:* Any real property designed and used for the purpose of renting
25 or leasing individual storage spaces to tenants for the purpose of storing and removing
26 property.

27 *Setback:* The minimum distance by which any building or structure must be separated from a
28 right-of-way or lot or parcel line, as required by the applicable zoning district dimensional
29 standards. When two or more lots under one ownership are used, the exterior property line
30 shall be used in determining setbacks.

31 *Setback, front.* A setback extending across the full width of a parcel or lot, the depth of which
32 is the minimum horizontal distance between the right-of-way line and a line parallel thereto on
33 the site, as required by the applicable zoning district dimensional standards.

34 *Setback, rear:* A setback extending across the full width of a parcel or lot, the depth of which
35 is the minimum horizontal distance between the rear lot or parcel line and a line parallel thereto
36 on the site, as required by the applicable zoning district dimensional standards. On lots or
37 parcels with one front lot line, the lot or parcel line opposite the front lot line shall be the rear
38 lot line. On lots which abut more than one right-of-way (corner lots), the remaining lot lines
39 shall be considered side yards.

40 *Setback, side:* A setback extending from the required front setback to the required rear setback
41 or to the lot or parcel lines opposite the right-of-way lines on corner lot, the depth of which is

1 the minimum horizontal distance between the lot or parcel line and a line parallel thereto on
2 the site, as required by the applicable zoning district dimensional standards.

3 *Shared living residence (SLR)*: A single-family residential structure or duplex occupied by
4 up to five unrelated adults who are at least 55 years of age. The definition of a shared living
5 residence does not include use a care facility.

6 *Simulated gambling establishment* means a building, edifice, structure or location, along with
7 its grounds, in which simulated gambling devices are used, operated or stored, including, but
8 not limited to, game rooms, arcades, internet cafes, internet centers or sweepstakes
9 redemption centers. This definition does not include any establishment that is a video arcade
10 as defined in this Code.

11 *Simulated gambling device* means any mechanical or electrical contrivance, computer,
12 terminal, video or other equipment that may enable a user, upon the payment of consideration
13 either directly or indirectly in connection with the sale of a consumer product or service, to
14 play or operate a simulation of gambling or any game that, by either the use of skill or an
15 element of chance with an outcome unpredictable to the user, may reveal, deliver or entitle
16 the user to receive anything of value. This definition does not include any devices expressly
17 permitted by state law, and does not include an individual's personal, recreational, and non-
18 commercial ownership, possession, play, operation or use of a device that could be construed
19 to be a simulated gambling device.

20 *Sponsoring agency*: An agency or unit of government, a profit or nonprofit agency, or any
21 other person or organization which intends to establish or operate a community residential
22 home.

23 *State agency*: A State of Florida agency, such as Department of Elderly Affairs, the Agency
24 for Persons with Disabilities, the Department of Juvenile Justice, the Department of Children
25 and Families, or Agency for Health Care Administration of the State of Florida, that license
26 community residential homes for service-dependent persons requiring special protection or
27 custodial care in order to meet their emotional and/or physical needs.

28 *Story*: That portion of a building included between the upper surface of a floor and upper
29 surface of the floor or roof next above.

30 *Structure*: That which is built or constructed.

31 *Structural alterations*: Any change in the supporting members of a building, such as bearing
32 walls, bearing partitions, columns, beams or girders, or any complete rebuilding of the roof
33 of any exterior wall.

34 *Temporary commercial amusements*: A shortterm activity such as a circus, carnival, festival,
35 fair, or exhibition.

36 *Trade services*: Establishments, facilities, or offices for a general contractor, builder, or
37 specialized trades engaged in the construction or remodeling of buildings, either residences or
38 commercial structures, including, plumbing, air conditioning or heating, fencing, roofing,
39 home repair, interior remodeling, painting, and other related construction activities. The
40 facilities may have enclosed indoor space used for operating machinery to fabricate building-
41 related products; services to repair, maintain, or store contractor's vehicles or equipment; and
42 material storage. Such uses shall expressly exclude heavy construction contractors engaged in

1 activities such as paving, highway construction, and utility construction. All such services shall
2 not involve outside storage, except where otherwise provided in this title.

3 *Transient*: A guest in transient occupancy.

4 *Transient occupancy*: Any occupancy for which it is the intention of the parties that the
5 guests' occupancy will be temporary. There is a rebuttable presumption that the occupancy
6 is transient when the structure, building, dwelling, accommodation, or portion thereof, is
7 rented to guests for periods of less than 30 days or one calendar month, whichever is less, or
8 which is advertised or held out to the public as a place regularly rented to guests for periods
9 of less than 30 days or one calendar month, whichever is less.

10 *Utilities, major*: Facilities or structures that is a major component of an utility infrastructure
11 system and normally entail the construction of new buildings or large-scale facilities such as
12 generating plants and sources, community waste water or potable water treatment plants, water
13 storage tanks and reservoirs, and similar facilities.

14 *Utilities, minor*: A facility or structure that is a minor component of an infrastructure system
15 and normally found in a public right-of-way to serve adjacent properties or development
16 within the immediate vicinity and that involve only minor structures, including, but not
17 limited to: electrical switching facilities, and stations or substations, utility poles,
18 transformers, communication relay and booster devices, water and sewer pump stations,
19 storm drainage facilities, and hydrants.

20 *Vending machine* is an unattended self-service device that, upon insertion of a currency or a
21 coin, card, or token, or by similar means, dispenses product including food, beverage, goods,
22 wares, or merchandise, such as laundry soaps, other related laundry items, toiletries, or
23 newspapers.

24 *Video arcades* are a place of business having two or more amusement games or machines on
25 premises which is operated for the entertainment of the general public as a bona fide
26 amusement facility.

27 *Wholesale trades and services*: The display, limited storage and sale of goods to other firms
28 for resale, excluding outside storage, except as otherwise provided in this title.

29 *Yard*: An open space on the same lot with a building between the building and the adjoining
30 lot lines, unoccupied and unobstructed from the ground upward, except by trees or shrubbery
31 or as otherwise provided herein.

32 *Yard (front)*: A yard the full width and/or length of the lot extending from the nearest point
33 of a building or structure, excluding permitted encroachments, to any front line of the lot.
34 That part of any lot line abutting any established or proposed street right-of-way line other
35 than an alley shall be a front lot line.

36 *Yard (rear)*: A yard extending across the rear of a lot measured between lot lines and being
37 the minimum horizontal distance between the rear lot line and the rear of the main building
38 or any projections other than permitted encroachments. On lots with one front lot line, the
39 lot line opposite the front lot line shall be the rear lot line. On lots which abut more than one
40 street, the remaining lot lines shall be considered side yards.

41

Proposed Article IV - Definitions

1 Yard (side): A yard which is not a front or rear yard.

2 *Yard, required:* A required yard is the area of the yard within the required front, side or rear
3 yard setback by the applicable zoning district dimensional standards for which the parcel or
4 lot is located.