

ARTICLE 3 – DEFINITIONS, ABBREVIATIONS AND ACRONYMS

CHAPTER 1 – PURPOSE AND INTENT

The purpose and intent of this article is to provide definitions, abbreviations and acronyms for commonly used terms throughout the LDR. If a definition is not specifically provided, the practice shall be to resort to the common dictionary definition.

CHAPTER 2 – DEFINITIONS

Sec. 3.2.1 – General

All terms, phrases and expressions contained in the LDR shall be construed so that the intent and meaning of the Council, as established in the Comprehensive Plan, may be fully carried out. Terms used in these regulations shall have the meanings prescribed by the Florida State Statutes for the same terms. Some technical terms which are unique to an article may be defined within the respective article. If a definition is not provided in the LDR, the term shall have the same meaning indicated by common dictionary definition.

Sec. 3.2.2 – A through Z

1. **Abutting property** means property lying immediately adjacent to and sharing a common property line with other property.
2. **Access way** means a non-dedicated area which is permitted for ingress or egress of vehicles or pedestrians. An access way is permitted to traverse a required landscape buffer.
3. **Access way zone** means the area extending from the paving edge of the entry drive (access way) for a distance equal to half the adjacent right-of-way width and is required on both sides of the entry drive. The zone also includes entry medians, if provided.
4. **Accessory building or structure** means a detached, subordinate building that is clearly incidental and related to that of the principal building or use of the land, and is located on the same lot as that of the principal building or use.
5. **Accessory dwelling** means a dwelling designed to operate as an independent living unit containing up to two (2) bedrooms and one (1) bathroom. An accessory dwelling may be detached or attached to an existing principal single-family dwelling.
6. **Accessory use** means a permitted use that is customarily associated with the principal use and clearly incidental to the principal use and is subordinate in area, extent, or purpose and serves only the principal use.
7. **Act** means the Community Planning Act, § 163.3161, Fla. Stat.
8. **Activities** means temporary functions that are less intense, smaller and less structured than events, which require less planning than events and are not organized for the general public. Activities shall not reach a size or level of intensity requiring or including traffic control, security, additional sanitary facilities, special parking arrangements, sponsors or vendors. Activities do not span more than one day and, are short in duration and do not occur on a repetitive schedule. Activities shall be customarily associated with the permitted uses at a site.
9. **Adjacent** means, for property purposes, land that directly abuts another property or is separated by no more than a street, canal or other man made feature.
10. **Administrative/Agency inquiry** means a request for Council direction on procedural or interpretative matters.

11. **Adopted Level of Service (LOS)** means, for the purposes of Article 9, generally LOS D; however, it may be another Level of Service set by the Plan or pursuant to Policies of the Transportation Element. For the Equestrian Overlay Zoning District, it is LOS E except as set forth by the Plan.
12. **Adult Entertainment Establishment** shall mean any Adult Arcade, Theater, Bookstore/Video/Novelty Store, Motel, or Dancing Establishment, as defined below, or any regulated establishment or business operated for commercial gain where any person, including an employee, independent contractor, performer, operator, owner, or patron exposes his/her Specified Anatomical Area, as defined below, for viewing by patrons. The term Adult Entertainment Establishment shall include, but not limited to: massage establishments whether or not licensed pursuant to Chapter 480, Fla. Stat., tanning salons, modeling studios, or lingerie studios but shall exclude educational institutions where the exposure of the Specified Anatomical Area is associated with the curriculum or program. An establishment that possesses an adult entertainment license is presumed to be an Adult Entertainment Establishment. The following definitions are specifically related to adult entertainment.
- a. **Adult Arcade** means any place or establishment operated for commercial gain that invites or permits the public to view Adult Material.
 - b. **Adult Bookstore/Video/Novelty Store** means an establishment offering Adult Material for sale or rent for commercial gain, unless the establishment demonstrates either:
 - i. The Adult Material is accessible only by employees and the gross income from the sale or rental of Adult Material comprises less than 40 percent (40%) of the gross sales or rentals of the establishment; or
 - ii. The individual items of Adult Material offered for sale or rental comprise less than ten percent (10%) of the individual items publicly displayed or available for purchase in the establishment and are not accessible to minors at the establishment.
 - c. **Adult Booth** means a small enclosed or partitioned area inside an Adult Entertainment Establishment which is:
 - i. Designed or used for the viewing of Adult Material by one or more persons; and
 - ii. Is accessible to any person, regardless of whether a fee is charged for access.
 - iii. The definition includes, but is not limited to, a peep show booth, or other booth used to view Adult Material. It does not include a bathroom or a foyer through which any person can enter or exit the establishment.
 - d. **Adult Dancing Establishment** means an establishment where any person displays or exposes Specified Anatomical Areas to patrons for commercial gain, regardless of whether the person is actually engaged in dancing.
 - e. **Adult Material** means any one or more of the following, regardless of whether it is new or used:
 - i. Books, magazines, periodicals or other printed matter; photographs, films, motion pictures, video cassettes, slides or other visual representations; recordings and/or other audio materials; and novelties or devices that have, as their primary or dominant theme, subject matter depicting, exhibiting, illustrating, describing or relating to Specified Sexual Activities or Specified Anatomical Areas; or

- ii. Instruments, novelties, devices or paraphernalia that are designed for use in connection with Specified Sexual Activities.
- f. **Adult Motel** means a hotel, motel or similar commercial establishment that offers accommodations to the public for any form of consideration and provides patrons with Adult Material by means of closed-circuit television transmissions.
- g. **Adult Theater** means an establishment operated for commercial gain which consists of an enclosed building, or a portion or part thereof, or an open-air area regularly used for viewing of Adult Material, which activity requires the exclusion of minors under Chapter 837, Fla. Stat. Adult Motels, Arcades, motion picture theaters, and Adult Booths, or any establishment that has an Adult Booth, shall be considered an Adult Theater.
- h. **Commercial gain** means for the purpose of the Adult Entertainment Establishment provisions of the LDR, operated for pecuniary gain, which shall be presumed for any establishment which has received an occupational license. For the purpose of the LDR, commercial or pecuniary gain shall not depend on actual profit or loss.
- i. **Employee** means for the purpose of the Adult Entertainment Establishment provisions of the LDR, any person who works, performs or exposes his/her specified anatomical areas in an establishment, irrespective of whether said person is paid a salary or wages by the owner or manager of the business, establishment, or premises. "Employee" shall include any person who pays any form of consideration to an owner or manager of an establishment, for the privilege to work performing or exposing his/her specified anatomical areas within the establishment.
- j. **Lap Dance (Straddle Dance, Face Dance or Flash Dance)** means the use by an employee, independent contractor, or performer of an Adult Entertainment Establishment, whether clothed, partially clothed, or totally nude, of any part of his/her body to touch, massage, rub, stroke, caress or fondle the genital or pubic area of a person while at the establishment, or the touching of the genital or pubic area of any employee, independent contractor, or performer by a person while at the establishment. It shall be a Lap Dance regardless of whether the touching occurs while the employee, independent contractor, or performer is displaying or exposing any Specified Anatomical Area. It shall also be a Lap Dance regardless of whether the touching is direct or through a medium.
- k. **Park** means for the purpose of the Adult Entertainment Establishment provisions of the LDR, a tract of land within a municipality or unincorporated area which is (1) kept for ornament and/or recreation, and which is open to the public, whether or not the land is publicly owned, or (2) land privately owned which is kept for ornament and/or recreation purposes and which is limited to surrounding landowners. A playground shall be considered a park.
- l. **Person** means for the purpose of the Adult Entertainment Establishment provisions of the LDR, includes an individual(s), firm(s), association(s), joint ventures(s), partnership(s), estate(s), trust(s), business trust(s), syndicate(s), fiduciary (ies), corporation(s), and all other or any other similar entity.
- m. **Private Performance** means the display or exposure of any Specified Anatomical Area by an employee, independent contractor, or performer at an Adult Entertainment Establishment to a person other than another employee, independent contractor, or performer while the person is in an area within the establishment not accessible during

such display to all other persons in the establishment, or while the person is in an area in which the person is totally or partially screened or partitioned during such display from the view of all persons within the establishment.

n. **Specified Anatomical Area** means:

- i. Less than completely and opaquely covered:
 - 1. Human genitals or pubic region;
 - 2. The opening between the human buttock/anal cleft; or
 - 3. The portion of the human female breast encompassed within an area falling below the horizontal line one would have to draw to intersect a point immediately above the top of the areola, including the entire lower portion of the female breast. This does not include any portion of the cleavage of the human female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other apparel, provided the areola is not exposed.
- ii. Human ale genitals in a discernibly turgid state, even if completely and opaquely covered.

o. **Specified Sexual Activities** means:

- i. Human genitals in a state of sexual stimulation, arousal or tumescence;
- ii. Acts of human anilingus, bestiality, buggery, cunnilingus, coprophagy, coprophilia, fellation, flagellation, masochism, masturbation, necrophilia, pederasty, pedophilia, sadism, sadomasochism, sexual intercourse or sodomy;
- iii. Fondling or other erotic touching of human genitals, pubic region, buttock, anus, or female breast; or
- iv. Excretory functions as part of or in connection with any of the activities above.

p. **Religious activities** means for the purpose of the Adult Entertainment Establishment provisions of the LDR, any daily, weekly, or periodic activity associated with or that occurs at a religious institution.

q. **Religious institution** means for the purpose of the Adult Entertainment Establishment provisions of the LDR, a premises or site which is used primarily or exclusively for religious worship and related religious ecclesiastical or denominational organization or established place of worship, retreat, site, camp or similar facilities owned or operated by a bona fide religious group for religious activities shall be considered a religious institution.

13. **Affidavit of exemption** means a document, recorded in the public record, evidencing the grant of an exemption for an unrecorded subdivision existing prior to February 5, 1973, from the provisions of the former Palm Beach County Subdivision and Platting Regulations (Ord. 73-4, as amended), granted pursuant to said regulations.

14. **Affidavit of waiver** means a document evidencing the grant of an exception to the platting requirement or the required improvement regulations.

15. **Agreement** means a development agreement, public facilities agreement, or other binding agreement entered into between the applicant and Wellington or other service provided for the

purpose of assuring compliance with the Adopted Level of Service standards. The form of the agreement may include, but not be limited to a Development Agreement pursuant to § 163.3220, Fla. Stat.

16. **Aggrieved or adversely affected person** means any person or local government which will suffer an adverse effect to an interest protected or furthered by the Comprehensive Plan, including interests related to health and safety, police and fire protection systems, densities or intensities of development, transportation facilities, health care facilities, or environmental or natural resources. The alleged adverse effect may be shared in common with other members of the community at large, but shall exceed in degree the general interest in common good shared by all persons.
17. **Agricultural affidavit of exemption** means a document submitted to the Building Department that identifies a non-residential farm building, fence or sign in accordance with Florida Statute 604.50.
18. **Agriculture** means farming to raise or produce trees, shrubs, vines, foliage and cereal plants and all other plants and plant parts including cuttings, grafts, scions, buds, fruit, vegetables, roots, bulbs, seeds, wood, lumber and all products made from them unless excluded by the rules of the Florida Department of Agriculture and Consumer Services and farming to raise or produce any animal or insect useful to humans including but not limited to any product derived therefrom. This shall include but is not limited to horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, apiculture, pisciculture for the production of tropical fish, aquaculture, algaculture, sod farming and wholesale nurseries. It may also include limited marketing on the site for farm products and by-products and attendant accessory uses including processing activities. Agriculture is inclusive of bona fide agriculture pursuant to Fla. Stat. 604.50, farm operations and production pursuant to Fla. Stat. 570.02(1), 581.011(27), 823.14(3)(b) and 823.14(3)(c) and agritourism pursuant to Fla. Stat. 570.86.
19. **Alley** means a right-of-way providing a secondary means of access to property and is not intended or used for principal traffic circulation.
20. **Alteration or materially alteration** means the result of human-caused activity which modifies, transforms or otherwise changes the environment, including but not limited to the following:
 - a. The addition, removal, displacement, or disturbance (severe pruning, hatracking, poisoning) of vegetation, but shall exclude prescribed ecological burning for the management of native Florida communities, the removal of trees, seedlings, runners, suckers, and saplings of prohibited plant species;
 - b. Demucking and grading of soil;
 - c. The removal, displacement, or disturbance of rock, minerals or water;
 - d. The grazing of cattle or other livestock;
 - e. The removal, addition, or moving of sand; or
 - f. Any construction, excavation or placement of a structure that has the potential to affect biological resources, the control of erosion and hurricane protection.
21. **Antenna** means a device for transmitting, receiving or transmitting and receiving signals.
22. **Antenna support structure** means any building or structure used or useable for one or more antennae. The term does not include towers.
23. **Antiquated subdivision** means subdivisions that were platted prior to the adoption of Wellington's Comprehensive Plan and Land Development Regulations.
24. **Applicant** means the owner of record, the agent pursuant to an agent's agreement acceptable to the Wellington Attorney or the mortgagor in the case of bankruptcy. For the purposes of

adequate public school facilities, applicant means approved agent or contract purchaser seeking a site-specific development order of any amendment thereto.

25. **Archaeological Evaluation Report** means a letter, prepared by a qualified Archaeologist, evaluating the potential significance of an archaeological site after issuance of a Suspension Order by the Department.
26. **Archaeological site** means a property or location that yielded or might yield information on Wellington, Palm Beach County, Florida or the Nation's history or prehistory. Archaeological sites are evidence of artifacts and features on or below the ground surface indicating the past use of a location at least seventy-five (75) years ago by people or the presence of non-human vertebrate fossils. Archaeological sites include aboriginal mounds, forts, earthworks, village locations, camp sites, middens, burial mounds, missions, historic or prehistoric ruins which are or may be the source of artifacts or other items of significant archaeological value.
27. **Architectural detailing** means the use of any design features on the front facade of the proposed structure such as belt banding, columns, quoins, decorative shutters, window banding or window with architectural character as defined below:
 - a. **Belt Banding** means raised stucco surface no less than six (6) inches wide and one-half (1/2) inch deep that is typically painted a contrasting color and is used as an architectural enhancement on the exterior of the structure.
 - b. **Columns** are no less than two pillars complete with decorative capital, base and shaft.
 - c. **Entry Feature** for a building or structure means a pitched roof, ten (10) feet or higher to the eaves that cover at least eight (8) square feet of the exterior area directly above the main entrance or a front porch of one hundred fifty (150) square feet or more under cover with a railing.
 - d. **Façade** means the elevation of the structure that is visible from outside the building or structure. More specifically, the front façade is that side of the structure oriented towards the street and contains the main/primary entrance.
 - e. **Front Elevation Planes** are the wall surfaces that vary with horizontal separations offset at least three (3) feet from the principal front elevation.
 - f. **Gable Roof** means a roof sloping downward in two parts at an angle from a central ridge leaving a gable at each end.
 - g. **Gambrel Roof** means a symmetrical two-sided roof with two slopes on each side.
 - h. **Hip Roof** means a roof where all sides slope downwards to the walls, usually with a gentle slope.
 - i. **Identical Façade** means any two front facades that have the same fenestration or major architectural elements such as roof line, window type and placement, entry feature and placement, exterior colors, vertical plane placement, major architectural elements or the front elevations are repeated to such extent they appear to be same building. A reserved, mirrored or flipped elevation shall be considered to be an identical façade.
 - j. **Mansard Roof** means an extension of the roof system a minimum of three (3) feet in height constructed of the same material as the principal structure and used to screen a flat roof surface.
 - k. **Parapet** means a wall that is a minimum of two (2) feet in height, constructed of the same materials and painted the same color as the principal structure and used to screen a flat roof surface or mechanical equipment.

- l. **Paver Fabricated Driveway** means a driveway constructed of at least sixty percent (60%) paver blocks.
 - m. **Quoins** mean raised stucco surface typically found at the building corners or when used as a keystone over entryways or other focal points of the building.
 - n. **Roof Plane** means the plane of the roof that is visible in elevations from the street, not including the clipped portion of a hip or gable roof planes.
 - o. **Roof Tiles** means tiles fabricated from clay or cement for the use on a roof.
 - p. **Side Entry Garage** means garage with vehicular access only from the side of a residential structure resulting no, or partial, visibility in elevations from the road.
 - q. **Shutters** means a window accessory that is permanently installed to a structure and may be functional and/or decorative in nature. To be considered an architectural element, they must compliment the color scheme, design, and be a key component in the theme of the structure.
 - r. **Window Banding** means raised stucco no less than six (6) inches wide and one-half (1/2) inch deep that is painted a contrasting color and encompasses windows, doors or other architectural elements on the exterior of a structure.
 - s. **Window with Architectural Character** means a window that substantially improves the architectural character of the structures, such as a bay window, arched window, block windows, etc.
28. **Arterial Road** means a major road of higher classification than a collector road used as a main traffic artery for traffic traveling considerable distance within or through an area of considerable continuity used.
29. **Artifacts** means relics, specimens or objects of historical, prehistorical, archaeological or anthropological nature, over seventy-five (75) years old, which may be found on, above, or below the surface of the earth, including land and water, which have a scientific or historic value as objects of antiquity, as aboriginal relics or as anthropological specimens, including but not limited to clothing, tools and weapons made of ceramics, worked stone, shell, bone, teeth, hide, feathers and horn, metal coins, glass, beads, building material, daub, and plant fibers. Objects over seventy-five (75) years old but not of significant archaeological value shall not be considered an artifact for purposes of the LDR. Further, objects under seventy-five (75) years old and deemed by a qualified archaeologist to be of significant archaeological value shall be subject to the provisions of the LDR.
30. **Assembly** means an institutional or membership use that has organized meetings or programs for social, educational or recreational purposes. Assembly includes such uses as museums, botanical gardens, private clubs and lodges, religious institution, places of worship, cultural and/or community centers.
31. **Assisted living facility**, means a building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator as defined by Fla. Stat. 429.02.
32. **Assured construction** means, for the purposes of Article 9 Road Construction Improvements scheduled to be made to the Wellington Roadway system by one (1) or more of the following means:
- a. Inclusion in the adopted Five-Year County Road Program for commencement of construction; provided any anticipated non-public funds are secured by Performance Security;

- b. Inclusion in the adopted Five-Year Florida Department of Transportation Work Program for commencement of construction;
 - c. Wellington Roadway or Intersection improvement for which a contract for construction which is secured by performance security has been executed and which, by its terms, requires that construction be completed within six (6) years;
 - d. Wellington Roadway or Intersection improvement which will be constructed pursuant to an agreement; and which, by its terms, requires that construction be completed within six (6) years;
 - e. Wellington Roadway or Intersection improvements which is required to be constructed pursuant to a condition of a development order which by its terms requires that it be completed within six (6) years and which has been secured by performance security;
 - f. Specific inclusion in the capital improvements element of the comprehensive plan for commencement of construction within five (5) years provided: (1) the improvements are financially feasible, based on currently available public revenue sources adequate to complete the improvement; and (2) a comprehensive plan amendment would be required to eliminate, defer, or delay construction.
33. **Attached home** means a type of multi-family residential structure, excluding a townhouse, with dwelling units located horizontally adjacent to each other sharing common wall(s). Such structures may be on one lot, may span multiple lots or may include multiple attached house structures on a lot. See also Townhouse.
34. **Background traffic** means, for the purposes of Article 9, the projected traffic generation from previously approved but incomplete projects, and other sources of traffic growth.
35. **Barn or stable** means a structure used for boarding, training or raising livestock. Typically includes stalls, tack rooms, wash stalls, and may include grooms quarters.
36. **Base flood** means the flood having a one (1) percent chance of being equaled or exceeded in any given year.
37. **Bed and breakfast** means an owner-occupied single-family dwelling that offers lodging for paying guests and which serves breakfast to these guests.
38. **Berm** means mounds or walls of earth that molded into landforms in a landscaped area. When berms are used for screening, buffering, or any other purpose, the berm shall be constructed such that soil erosion is prevented and sight triangles, are unobstructed. The surface of the berms shall be completely covered with plant material or durable mulch so that bare soil is not visible. Allowance for soil settlement shall be calculated at ten (10) percent after the berms are compacted.
39. **Blank copy** means any paraphernalia including pennants, streamers and banners that are intended solely to attract attention and which contain no letters or symbols.
40. **Boundary Plat** means a map or delineated representation for recordation of a single lot for development purposes prepared, approved, and recorded in accordance with requirements and procedures for a plat pursuant to Article 8 and Chapter 177, Fla. Stat.
41. **Building alteration** means any change in the structure that will increase the number of dwelling units, the floor area, building coverage or height of the structure.
42. **Buildable area** means the portion of a lot remaining after the setbacks have been provided.
43. **Building base** means a defined area on the lower portion of the ground story.

44. **Building/lot coverage** means the square footage of the ground floor area of a building or structure occupied by all structures that are roofed or covered and extend more than three (3) feet above ground level divided by the gross lot area (expressed as a percentage).
45. **Building frontage** means the length or proportion of the building facing the road.
46. **Building height** means the vertical distance in feet from the highest point of the adjacent right-of-way or roadway easement to the highest point of the roof for flat roofs; to the deck line for mansard roofs; to the average height between eaves and the ridge for gable, hip and gambrel roofs; or to the highest point of the roof surface for domed roofs.
47. **Building Official** means the head of the Wellington Building Department.
48. **Building permit** means an official document or certificate issued by the governmental authority having jurisdiction, authorizing the construction of any building. Building permit includes a tie-down permit for a structure or building that does not require a building permit, such as a mobile home, in order to be occupied.
49. **Building site** means a portion or parcel of land considered as a unit, devoted to a certain use or occupied by a building or group of buildings that are united by a common interest or use and the customary accessory buildings and open spaces belonging to the same.
50. **Building story** means that part of a building between the surface of a floor and the ceiling immediately above. The maximum height shall be fourteen (14) feet measured from the finished floor to the finished ceiling. Attics and raised basements shall not be included in calculations of a building story unless they are used for residential or parking purposes.
51. **Buildout period or buildout date** means, for the purposes of Article 9, the anticipated time between the issuance of the development order and December 31 of the year of completion of a proposed project as assumed in the Traffic Impact Study and approved by the Wellington Engineer.
52. **Bulk regulations** means regulations within the LDR that apply to all properties, when applicable, and are in addition to the requirements within the supplemental regulations for a specific use (i.e. setbacks, FAR, building coverage, height limitations, etc.).
53. **Bulkheads** means structures of concrete, wood or other permanent material affixed to the land adjacent to a water management tract or other water body for the purpose of establishing a vertical surface at the water's edge and stabilizing the land behind the bulkhead; provided, however, that water control structures and endwalls around outfalls and bridges shall not be considered bulkheads.
54. **Caliper** means quantity in inches of the diameter of supplemental and replacement trees measured at the diameter at breast height or four and one-half (4½) feet above the ground.
55. **Capacity** means for the purpose of impact fees, the maximum number of vehicles for a given time period which a road can safely and efficiently carry, usually expressed in terms of vehicles per day. For the purpose of impact fees the capacity of a road shall be verified with the Impact Fee Coordinator in the Building Division.
56. **Capital drainage facilities** means the planning of, engineering for, acquisition of land for or the construction of drainage facilities necessary to meet the LOS for Capital Drainage Facilities.
57. **Capital facilities and improvements** means land, infrastructure, structures, and fixtures having a cost or value of at least one thousand dollars (\$1,000.00); personal property and equipment having an aggregate cost or value of at least one thousand dollars (\$1,000.00); hard-bound books and materials having a cost or value of at least twenty-five dollars (\$25.00), which must be of a non-consumable nature and be expected to be in service for at least one (1) year; and, in the case of school sites, the land only, and not any improvements to the land.

58. **Capital facility costs** means all costs directly associated with the acquisition, design, engineering, site preparation, construction and placement of a capital facility. It excludes operation and maintenance costs, and the repair, replacement, or renovation of existing capital facilities where the capital facility improvement does not add capacity. In the case of the school site acquisition fee, it means the costs directly associated with the acquisition of fee simple absolute marketable title in land, and does not include the costs of improvement to that land.
59. **Capital Potable Water Facilities** means the planning of, engineering for, acquisition of land for, or the construction of potable water facilities necessary to meet the LOS for Capital Potable Water Facilities.
60. **Capital Recreation and Park Facilities** means the planning of, engineering for, acquisition of land for, or the construction of buildings and park equipment necessary to meet the LOS for district, community and neighborhood parks.
61. **Capital Road Facilities** means the planning of, engineering for, acquisition of land for, or the construction of roads on the Major Road Network System necessary to meet the LOS for Capital Road Facilities.
62. **Capital Sanitary Sewer Facilities** means the planning of, engineering for, acquisition of land for, or the construction of sanitary sewer facilities necessary to meet the LOS for Capital Sanitary Sewer Facilities.
63. **Capital Solid Waste Facilities** means the planning of, engineering for, acquisition of land for, or the construction of solid waste facilities necessary to meet the LOS for Capital Solid Waste Facilities.
64. **Car wash or auto detailing** means an establishment primarily engaged in the washing or detailing of motor vehicles, which may use production line methods with a conveyor, blower, or other mechanical devices, and which may employ some hand labor. Detailing includes hand washing and waxing, window tinting, stripping, and interior cleaning.
65. **Carport/Private garage** means an accessory roofed structure or a portion of a main building providing space for the parking or storage of motor vehicles of the occupants of the main building.
66. **Catchment** means a sub-area of a drainage basin which contributes stormwater runoff by overland flow to a common collection point.
67. **Central sewer system** means a regional sewerage system, owned and operated by a municipal, county, special district or other governmental entity, which provides sewer service to several developments located within its service area.
68. **Central water system** means a regional water supply system owned and operated by municipal, county, special district or other governmental entity, which provides water service to several developments located within its service area.
69. **Certificate of Occupancy/Completion** means a document issued by the Village's Building Department certifying a buildings compliance with applicable building codes and other laws, and indicating it to be in a condition suitable for occupancy.
70. **Certificate to Dig** means a certificate that is necessary prior to development occurring when there are known archaeological sites or discovered archaeological artifacts, human skeletal or fossilized remains or non-human vertebrate fossils.
71. **Chickee hut** means an open-sided wooden hut that has a thatched roof, not incorporating electricity or plumbing, and which is exempt from permitting per Fla. Sta. 553.73. Chickee huts shall comply with the applicable Accessory Uses and Structures standards of Article 6.
72. **Clearing** means the removal or material damage of landscape materials by disturbing, excavating or removing the underlying soil.

73. **Clear trunk** means for the purposes of determining palm size in Article 7 a measurement from the top of the root ball to the point where the lowest untrimmed leaf's petiole diverges from the trunk. The remaining leaf counts must meet the minimum requirements for the chosen grade per the most current edition of the Florida Grades and Standards for Nursery Plants. Reducing the leaf count to achieve more clear trunk can result in a lower grade.
74. **Co-location** means the use of a single support structure and/or site by more than one wireless communications provider.
75. **Code** means Code of Laws and Ordinances of Village of Wellington, Florida, including the Land Development Regulations (LDR).
76. **Code Compliance Officer** means any authorized agent or employees of Wellington whose duty is to assure code compliance.
77. **Collector road** means a road which carries traffic from local roads to arterial roads. Collector roads have more continuity, carry higher traffic volumes and may provide less access than local roads.
78. **Community event** means an event that is less intense than described in events. Typically, community events are one (1) day and last for less than six (6) hours. For example, community garage sale, grand opening, side walk sale, etc. may be considered a community event. A maximum of two (2) community events may occur on any property/tenant in a year.
79. **Commercial vehicle** means a vehicle that is used solely for personal business activities. The following factors will be considered when determining commercial status: (1) Outside lettering designating a business of any kind, (2) use of vehicle, (3) size of vehicle. The following types of vehicles shall be considered commercial for the purposes of this section, but shall not be the only types of vehicles considered as commercial: truck cab, semi-trailer, taxi, tow truck, stepvan, construction vehicle, bus, trailer or utility trailer, a vehicle outfitted for commercial purposes or a vehicle with three (3) or more axles.
80. **Compensatory littoral zone or area** means that underwater area within the water management tract or water body graded and planted as compensating for lost littoral zones from bulkheading or shading from structures over the water.
81. **Completely enclosed** means a building separated on all sides from the adjacent open area, or from other buildings or other structures by a permanent roof and by exterior walls or party walls pierced only by windows or entrances or exit doors normally provided for the accommodation of persons, goods, or vehicles.
82. **Complete Street** means a road designed for all users regardless of transportation mode, age or physical ability providing for vehicles, bicycles, pedestrians and if relevant to the context and location, public transit.
83. **Comprehensive Plan** means the Wellington Comprehensive Plan, as amended from time to time.
84. **Concurrency requirement** means the provisions in the Plan and the implementing land development regulations requiring that public facilities for traffic circulation, mass transit, sanitary sewer, potable water, recreation/open space, fire-rescue, solid waste and drainage are available at the minimum levels of service concurrent with the impact of the Development; and, as to the applicability of expanded or more stringent traffic performance standards pursuant to State mandates under Ch. 163, Florida Statutes such requirements as set forth in the Comprehensive Plan and LDR.
85. **Condition of Approval** means a condition imposed as part of or associated with the issuance of a valid development order.

86. **Conditional Use** means those uses that are generally compatible with the other uses permitted in a district but require individual review of their location, design, configuration, intensity and density of uses and structures, and may require the imposition of conditions to ensure the appropriateness of the use at a particular location in accordance with the LDR.
87. **Cone of depression** means an area of reduced water levels which results from the withdrawal of groundwater from a point of collective source such as a well, wellfield, dewatering site or quarry. The area extent and depth of the depression is a function of the hydraulic properties of the aquifer, the pumpage rates and recharge rates.
88. **Congregate living facility (CLF)** means assisted living facilities, extended congregate care facilities, transitional living facilities, community residential homes, community transitional residences, rehabilitative home care services, boarding home, home for the aged or any other residential structure which undertakes care, housing, food service and one or more personal services for persons not related to the owner or administrator by blood or marriage. The term shall not mean nursing home or a facility which provides medical care and support services to persons not capable of independent living. The different types of congregate living facilities are as follows:
- a. **Type 1 CLF** means a CLF that provides a residence for no more than six (6) persons.
 - b. **Type 2A CLF** means a CLF that provides a residence for more than six (6) but no more than 14 persons.
 - c. **Type 2B CLF** means a CLF that provides a residence for more than 14 but no more than 21 persons and shall only be for senior housing subject to a finding of compatibility by Council.
 - d. **Type 3 CLF** means a CLF that provides a residence for more than 14 persons.
89. **Contiguous** means, but is not limited to, lands separated only by roads, easements, pipelines, power lines, conduits, rights-of-way under ownership of the land owner of one (1) of the subject parcels, a property owners association or a governmental agency, or a public utility. For density purposes only, contiguous means lots that share a common border. (Lots that touch point-to-point, and lots which are separated by waterways, roads or major easements are not considered contiguous for density calculations.)
90. **Contractor's storage yard** means storage and accessory office for building trade, landscaping and service contractors.
91. **Control device** means the element of a discharge structure which allows release of water under controlled conditions.
92. **Control elevation** means the lowest elevation at which water can be released through a control device.
93. **Controlled plant species** means those plant species, as listed in the Wellington Landscape Manual found in the DRM which have planting limitations.
94. **Corner lot** means either a lot bounded entirely by roads, or a lot that adjoins the point of intersection of two (2) or more roads.
95. **County** means Palm Beach County, Florida.
96. **County Health Director** means the Agency Head of the Palm Beach County Public Health Unit (PBCPHU).
97. **Covenant** means a recordable instrument that runs with the land, binds the fee simple owner, heirs, successors, and assigns, and is recorded. It may include recorded Development Agreements or other agreements. Covenants may include Wellington as a party or intended

beneficiary, shall recite the benefit intended, and shall include any terms or conditions under which it may be released.

98. **Craftsman** means a use that involves the small scale production or assembly and sale of goods resulting in little to no by-products. It includes space to show or sell the goods produced on-site.
99. **CRALLS** means, for the purposes of Article 9, a Constrained Roadway at a Lower Level of Service - a Major Thoroughfare on which a lower Level of Service is set as designated by Palm Beach County.
100. **Cul-de-sac** means a dead-end road terminating in a circular vehicular turn-around.
101. **Day care center** means an establishment that provides care protection and supervision for children when licensed by the Palm Beach County Health Department or for adults when licensed by the Agency for Health Care Administration (AHCA).
102. **Decision/order** means an administrative act of any Board, unless otherwise noted, constituting final agency action consistent with their powers as described herein.
103. **Dead-end road** means a road with only one (1) outlet.
104. **Density** means the number of dwelling units per acre of land allowed by the Comprehensive Plan.
 - Maximum density level means the amount of density allowed by the Wellington Comprehensive Plan.
 - Minimum density level means the amount of minimum density that must be attained when land is developed pursuant to the Wellington Comprehensive Plan, as amended from time to time.
105. **Department** means the departments and divisions of Wellington which are assigned the responsibility of administering and enforcing the LDR.
106. **Detention** means the collection and temporary storage of stormwater runoff for the purpose of treatment and/or discharge rate control with subsequent gradual release directly to surface waters.
107. **Detention/Retention area** means an area, typically basin-shaped, that is designed to capture substantial quantities of stormwater and to gradually release the same at a sufficiently slow rate to avert flooding.
108. **Developer** means any person, including a governmental agency, undertaking any development.
109. **Developer's agreement** means an agreement entered into among Wellington a service provider(s) and a person associated with the development of land pursuant to the terms of the LDR.
110. **Development** means any proposed material change in the use or character of the land including, but not limited to land clearing or the placement of any structure or site improvement of land.
111. **Development** means:
 - a. for the purpose of impact fees, as the context indicates, either the carrying on of construction or any physical alteration of a building or structure; the result of such activity; a legally divisible parcel of land developed under a common plan; or the change in any use of a structure or land that increases the impact on capital facilities for which the particular impact fee is assessed. It includes the placement of a mobile home for dwelling purposes.

- b. for the purpose of archaeological preservation, the definition in § 380.04, Fla. Stat. as well as site preparation work consisting of excavation, earth moving, and the like. This definition shall not include: the dividing of land into two (2) or more parcels.
 - c. for the purpose of Article 2 Concurrency Management the definition in § 380.04, Fla. Stat., except that it shall not include the following items listed therein:
 - i. Demolition of a structure;
 - ii. Deposit of refuse, solid or liquid waste, or fill on the Parcel unless the valid Local Government Development Order is exclusively and specifically for such;
 - iii. Site preparation work consisting of excavation, earth moving, and the like unless tied to a contract for required improvements or backed by surety, or as part of a local development order; and
 - iv. Lot clearing.
112. **Development of Regional Impact** means a specific type of development as defined in § 380.06, Fla. Stat.
113. **Development order** means any order granting, denying, or granting with conditions an application for development permit as defined in § 163.3164(7), Florida Statutes. A preliminary development order is a development order for an amendment to the Future Land Use Map, a planned development, a conditional use, a special use, a variance, a flood prevention permit, an environmentally sensitive lands permit, a wetlands permit, a wellfield protection permit, or a rezoning.
114. **Development permit** means any amendment to the text of the LDR or rezoning, conditional use, planned development, Site Plan/Final Subdivision Plan, subdivision, building permit, variance, certificate of conformity or any other official action of Wellington having the effect of permitting the development of land or the specific use of land.
115. **Development Review Coordinator** is the Planning and Zoning Manager responsible for the Development Review Manager and who oversees the completion, scheduling and processing of development applications and planning activities.
116. **Development Review Manager (DM)** is the staff person who processes development applications as indicated in Article 5.
117. **Development Review Manual (DRM)** means a manual adopted by Wellington's Council that provides types of development applications, required documentation, graphic depictions and other information for development processes.
118. **Diameter at breast height (DBH)** means the diameter of a tree trunk measured at a point four and one half (4.5) feet above the ground.
119. **Director of Parks and Recreation** means the head of the Wellington Parks and Recreation Department.
120. **Director of Planning, Zoning & Building** means the PZB Director that oversees Planning, Zoning and Building and Code Compliance departments.
121. **Director of Utilities** means the head of the Wellington Water and Wastewater Utilities Department and facilities.
122. **Discharge structure** means a structural device, constructed or fabricated from durable material such as concrete, metal, or decay-resistant timber, through which water is released to surface water from detention.
123. **Disturbed excavated area** means the total area altered by excavation activities.

124. **Dock** means a structure built on or over the water which is designed or used to provide no more than ten (10) boat slips, and anchorage for and access to one (1) or more boats belonging to the property owner. Necessary services such as water, and other utilities are considered a part of a dock; which does not provide a fuel facility, however, no cooking, sleeping or business activity shall be permitted.
125. **Double frontage lot (through)** means any lot having frontage on two (2) nonintersecting roads.
126. **Drainage basin** means a sub-area of a watershed that contributes stormwater runoff to a watercourse tributary to the main receiving water.
127. **Drainage easement** means an easement establishing rights to collect, drain or convey surface water by means of natural or man-made facilities, including, but not limited to water bodies, water courses, canals, ditches, swales, storm sewers and overland flow. It also includes any fee interest of a governmental entity in land to collect, drain, or convey water.
128. **Dressage wall** means a structure utilized in dressage training consisting of a permanent wall with a mirror located on one (1) side of the wall and facing a dressage training or practice ring.
129. **Drip line** means a vertical line extending from the outermost branches of a tree to the ground, provided, however, that the same shall not be less than a ten-foot diameter circle which is drawn through the center of the trunk of a tree.
130. **Drought-tolerant tree** means a tree, excluding prohibited or controlled species, classified as drought tolerant in "Waterwise Landscaping to Promote Water Conservation Using the Principles of Xeriscape from the South Florida Water Management District".
131. **Dry detention/retention** means detention or retention of water in a storage facility which is designed, constructed, and operated to limit the duration of ponding within the facility so as to maintain a normally dry bottom between rainfall events.
132. **Dwelling unit or residence** means one (1) or more rooms designed, occupied or intended for occupancy as separate living quarters, with only one (1) kitchen plus sleeping and sanitary facilities provided within the unit, for the exclusive use of a single family maintaining a household. Specialized residences, such as accessory dwellings, congregate living facilities or groom's quarters, shall not be considered "dwelling units" for the purpose of applying restrictions on density contained in the Wellington Comprehensive Plan or the LDR.
133. **Easement** means any strip of land dedicated and recorded in the public records, for public or private access utilities, drainage, sanitation or other specified uses having limitations, the title to which shall remain in the name of the land owner, subject to the right of use designated in the reservation of the servitude.
134. **Easement holder or beneficiary** means the grantee of an easement or persons directly benefiting from the existence of the easement.
135. **Educational Institution** means a premises or site within a municipality or within the unincorporated area of the Village upon which there is a governmentally licensed child care facility for six (6) or more children or elementary or secondary (K—12) school, attended in whole or in part by persons under eighteen (18) years of age.
136. **Electric transmission facility** means equipment associated with electric transmission networks excluding electrical substations.
137. **Emergency** means any unusual incident that results in immediate danger to the health, safety, welfare or resources of the residents of Wellington including damages to or erosion of any shoreline resulting from a hurricane, storm or other such violent disturbance.
138. **Emergency work** means work made necessary to restore land to a safe condition following a calamity, or work required to protect persons or land from imminent exposure to danger.

139. **Eminent domain** means a right of a government to take private property for public use by virtue of the superior dominion of the sovereign power over all lands within its jurisdiction.
140. **Eminent domain proceedings** means either (1) those formal court initiated civil actions to acquire fee simple, easement, or right-of-way interest in land for governmental purposes, or (2) a voluntary conveyance of such in lieu of formal court initiated action.
141. **Encumber** means to reserve or earmark funds for a specific expenditure or an identified development.
142. **Engineer of record** means a single engineering firm or a professional engineer registered in Florida, and engaged by the developer to coordinate the design and monitor the construction of the work required under Article 8, Subdivision, Platting and Required Improvements.
143. **Entertainment** means:
- a. **Indoor entertainment** means an establishment offering entertainment, recreation or games of skill to the general public for a charge and is entirely enclosed in a building excluding other uses listed in the Use Regulations Schedule of Article 6. Typical uses include indoor sports arenas, indoor skating rinks, bowling alleys, movie theaters, billiard parlors and arcades. Typical uses include bowling alleys, bingo parlors, movie theaters, pool halls, billiard parlors and video game arcades.
 - b. **Outdoor entertainment** means an establishment offering entertainment, recreation or games of skill to the general public for a charge where any portion of the activity takes place in the open excluding other uses listed in the Use Regulations Schedule of Article 6. Typical uses include archery ranges, athletic fields, skating rinks, batting cages, golf driving ranges, tennis, swimming, go-cart tracks and miniature golf.
 - c. **Temporary outdoor entertainment** means an establishment offering entertainment or games of skill for a charge serving the general public at a temporary location which may utilize tents, temporary structures and/or the temporary utilization of vehicles.
144. **Equipment cabinet or shelter** means a structure located near a wireless communications facility that contains electronics, back-up power generators or other on-site supporting equipment.
145. **Environmental Site Assessment (ESA)** means a comprehensive written report prepared by a qualified ecologist or biologist that identifies and discusses the quality of any natural features and wildlife existing on a site.
146. **Equestrian amenities** means low-impact amenities that serve the purposes of equestrian use and training activities including structural improvements such as fences and dressage walls but not lighting standards or seating and non-structural improvements such as banks, ditches, jumps, paddocks, polo fields, riding arenas and riding rings. Equestrian amenities do not include livestock waste storage areas or similar facilities.
147. **Equestrian arena** means:
- a. **Commercial equestrian arena** means a commercial establishment with an enclosed area primarily used for equestrian spectator events excluding a stadium.
 - b. **Private equestrian arena** means an area on residential property utilized for equestrian purposes including practice sessions, shows, etc.
- Equestrian arena may be covered by a roof or an uncovered open area.
148. **Equestrian instruction** means instruction limited to individual students or small groups of students related to such equestrian private training activities such as polo, riding, dressage and jumping.

149. **Equestrian retail or service** means an establishment providing equestrian retail sales, rental or services including equestrian goods, equine feed, tack, agricultural produce, farriers, equine services which may also have the incidental sale of convenience goods or equestrian contracting.
150. **Equestrian stadium** means a commercial establishment with an open structure or enclosed area including three hundred (300) seats or more primarily used for equestrian events.
151. **Establishment** means the site or premises on which a business is located, including the interior of the business, or portion thereof, upon which activities or operations are being conducted for commercial gain.
152. **Events** means temporary functions organized to occur at a certain place and time, which are characterized by a need for a greater level of planning and greater intensity than smaller, less structured activities. Functions which are organized to be open to the general public, are advertised to attract the general public, or which include or have a need for sponsors, vendors, traffic control, security, additional sanitary facilities, special parking arrangements or which span more than one day may be deemed to be events. For example, field sports and/or equestrian sports that are organized and occur on a repetitive schedule, celebrations, markets, etc. which have the preceding characteristics would be deemed to be events. Events shall be customarily associated with the permitted uses at a site, or shall require special approvals per Article 5 of the LDRs.
153. **Excavate or excavation** means any act by which material is cut into, dug, quarried, uncovered, removed, displaced, related or otherwise deliberately disturbed, including the conditions resulting therefrom. Excavation excludes agricultural plowing and site grading, demucking and canal dredging in preparation for construction.
154. **Exfiltration system** means any gallery, perforated or "leaky" pipe or similarly designed structure that is used to dispose of untreated stormwater by allowing the routed water to percolate by subsurface discharge directly or indirectly into the groundwater.
155. **Expenditure** means the irrevocable contractual obligation which requires the remittance of money by the applicant for services, goods, facilities, or fixtures, for the project; the post remittance of money for such.
156. **Family** means either a single person occupying a dwelling unit and maintaining a household, including not more than one (1) boarder, roomer, or lodger as herein described; or two (2) or more persons related by blood, marriage, or adoption occupying a dwelling, living together and maintaining a common household, including not more than one (1) such boarder, roomer, or lodger; or not more than four (4) unrelated persons occupying a dwelling, living together and maintaining a non-profit housekeeping unit as distinguished from a group occupying a boarding or lodging house, hotel, club or similar dwelling for group use. A common household shall be deemed to exist if all members thereof have access to all parts of the dwelling.
157. **Family day care home** means a type of home occupation in an occupied residence in which child care is regularly provided for children from at least two unrelated families and which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit.
158. **Fence** shall mean an artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.
159. **Fill** means the placement of any material in, on, or over land.
160. **Field wire fence** means woven wire fencing meeting the standards of ASTM (American Society for Testing and Materials Standards) A116-05, entitled "Standard Specification for Metallic-Coated, Steel Woven Wire Fence Fabric."

161. **Final plat** means a finished plat including all signatures required for recordation except those signifying approval by the Village.
162. **Finger lake** means that portion of a dead-end water body which is less than fifty (50) feet in width and longer than one and one-half (1½) times its width, as measured from the point at which the dead-end water body is less than fifty (50) feet wide.
163. **Firewall** means a wall of incombustible construction which subdivides a building or separates buildings to restrict the spread of fire and which starts at the foundation and extends continuously through all stories to and above the roof, except where the roof is of fireproof or fire-resistive construction and the wall is carried up tightly against the underside of the roof slab, pursuant to the Wellington Building Code.
164. **Fitness center** means an enclosed building or structure generally containing multi-use facilities for conducting recreational activities such as aerobic exercises, weight lifting, running, swimming, racquetball, handball, and squash. A fitness center may also include the following customary accessory activities as long as they are intended for the use of the members of the center and not for the general public: babysitting service, bathhouse, food service, and the serving of alcoholic beverages consumed on the premises.
165. **Fixed mechanical equipment** means mechanical equipment, such as an air conditioning unit, water-cooling tower, swimming pool pump, irrigation pump, well water pump, fan, power generator or other similar power source equipment, permanently affixed to land, as distinguished from temporary, portable, non-fixed mechanical equipment.
166. **Flex space and/or flexible use** means a light production, contractor, instructional services, office, warehousing, wholesaling or other use which allows designated uses accessory to the principal use.
167. **Flood or flooding** means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; or the unusual and rapid accumulation or runoff of surface waters from any source. Terms associated with flooding include:
- Frequent, which means flooding which occurs more than once every two (2) years on the average;
 - Ten (10) year flood elevation, which means that flood elevation which has a ten (10) in one hundred (100) probability of being equaled or exceeded in any calendar year.
168. **Flood Hazard Boundary Map (FHBM)** means the official map of the Village of Wellington, produced by the Federal Emergency Management Agency or by Palm Beach County, where the boundaries of the areas of special flood hazard have been designated as Zone A.
169. **Flood Insurance Study** means the official report provided by the Federal Emergency Management Agency that contains flood profiles, as well as the Flood Hazard Boundary Map and the water surface elevation of the base flood.
170. **Floodplain** means the land area adjacent to the normal limits of a watercourse or water body which is inundated during a flood event of specified magnitude or return period.
171. **Floodway** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.
172. **Floor** means the top surface of an enclosed area in a building (including basement) i.e., top of slab in concrete construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

173. **Floor area** means the gross horizontal square footage of all floors of a building measured from the exterior face of exterior walls or other type of enclosure, or from the centerline of a wall separating two (2) buildings.
174. **Floor area ratio (FAR)** means the ratio of the gross floor area of all structures on a lot to the lot area, excluding vertical core circulation and structured parking areas for multi-story structures. FAR is expressed as decimal.
175. **Floor area, gross leasable (total leasable)** means that portion of the total floor area designed and used for tenant occupancy and exclusive use, including any basements, mezzanines or upper floors but excluding stairwells, elevator shafts, equipment and utility rooms. The area shall be expressed in square feet and measured from the centerline of joint partitions and from outside wall faces.
176. **Food service** means at least one (1) full meal being provided to each resident every day in a central dining area.
177. **Footcandle** means a unit of illumination that is equal to one (1) lumen distributed evenly over a one (1) square foot area.
178. **FPL corridor** means a dedicated Florida Power & Light Co. power transmission line easement or right-of-way no less than two hundred (200) feet wide.
179. **Front lot line** means the lot line adjacent to a road.
180. **Future Land Use designation** means a generalized view of how land in the District is intended to be used. It is a community's visual guide to future planning. The future land use map, found in the Comprehensive Plan, identifies the adopted future land use designation for each parcel in the Village. Development of each parcel is governed by the densities and/or intensities according to the Comprehensive Plan.
181. **Gasoline sales** means an establishment engaged in the retail sale of gasoline or motor fuels which may include accessory activities such as the sale of accessories or supplies, the lubrication of motor vehicles, the minor adjustment or minor repair of motor vehicles or the sale of convenience food items.
182. **Glare** means a discomforting condition which occurs when the brightness of a light contrasts with a low brightness background and makes it difficult for the human eye to adjust.
183. **Golf cart** means a vehicle as defined in Fla. Sta. 320.01 and operated in compliance with Fla. Sta. 316.212.
184. **Golf course** means a facility providing a private or public golf recreation area designed for executive or regulation play along with accessory golf support facilities, but excluding miniature golf.
185. **Government services** means buildings or facilities owned or operated by a government entity providing services for the public and open to the public such as administrative offices and community centers.
186. **Grade, finished** (for the purpose of determining height) means:
- a. For parcels whose lot line adjoins one (1) road only, finished grade is the average of the natural grade measured from the center of the front property line to the center of the rear lot line.
187. For parcels whose lot line adjoins more than (1) road, finished grade is the average natural grade of all measurement lines, measured from the property line(s) adjoining the road(s) to the opposite property line(s). **Grassed parking** means that portion of a development's required off-street parking requirement that meets the standards of Section 7.2 (Parking and Loading Regulations).

188. **Greenhouse** means an accessory structure consisting of a glass or hard plastic enclosure used to protect plants from insects, heat, cold and exposure to the sun.
189. **Greenway** means multi-purpose open space corridors of private and public lands, which may be located within a public right-of-way, an edge area, a landscape buffer, or an easement, and may contain pedestrian paths, bicycle facilities, jogging paths, equestrian paths and fitness trails. Greenways are employed to provide usable open space close to residential areas, and provide alternative access ways connecting a variety of uses, such as residential areas, parks, school, cultural facilities and employment centers. Greenways also provide aquifer recharge, preserve unique features or historic or archaeological sites, and can link urban rural areas.
190. **Grey wood** means the portion of the palm trunk that is mature hardwood and measured from the top of the root ball to the base of the green crown shaft or the base of the branching fronds.
191. **Groom's quarter** means on-site living quarters for persons responsible for grooming and caring for horses boarded at the stable.
192. **Gross land area** means the total area, including all public and private areas within the legal boundaries of a particular parcel of land or project.
193. **Ground cover** means low growing plants, other than turf grass, normally reaching an average maximum height of not more than twenty-four (24) inches at maturity.
194. **Ground floor** means a level of building, the floor of which is located not more than two (2) feet below or more than six (6) feet above finished grade.
195. **Ground water** means water beneath the surface of the ground within a zone of saturation where such water is at or above atmospheric pressure, whether within the voids between soil particles or within solution channels or fractures in rock.
196. **Grubbing** means removal of vegetation from land by means of digging, raking, dragging or otherwise disturbing the roots of the vegetation and the soil in which roots are located.
197. **Guaranty** means sufficient funds over which Wellington has control irrevocably committed by written instrument to secure complete performance of a contract for required improvements, condition of a Development Order or Road Agreement.
198. **FPL corridor** means a dedicated Florida Power & Light Co. power transmission line easement or right-of-way no less than two hundred (200) feet wide.
199. **Guyed tower** means a wireless communications tower that is supported, in whole or in part, by guy wires and ground anchors
200. **Habitable room** means a room occupied by one (1) or more persons for living, eating, sleeping, or working purposes. It does not include toilets, laundries, serving and storage pantries, corridors, cellars, and spaces that are not used frequently or during extended periods.
201. **Handicapped person** has the meaning given in § 393.063(6) and § 760.22(5)(a)(6) Fla. Stat.
202. **Handicapped spaces** means parking spaces designed, marked and reserved for exclusive use by persons properly registered as handicapped.
203. **Hatracking/topping** means the severe cutting back of branches, making intermodal cuts to lateral limbs leaving branch stubs with little regard to the natural shape of the tree.
204. **Heavy Vehicle** means vehicles larger than a pick-up truck or vehicles with more than four wheels or the Federal Highway Administration (FHWA) Class Group 4 or greater as defined in the FDOT Quality/Level of Service Handbook.
205. **Hedge** means shrubs planted in a continuous line that will block at least eighty (80) percent of a view in a maximum of two (2) growing seasons after installation.

206. **Highest adjacent grade** means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.
207. **Historical Growth Rate Table** means, for the purposes of Article 9, a table prepared by the County Traffic Division and /or the Wellington Engineer showing the preceding three (3) year's increase or decrease in average annual daily traffic on various links, based upon traffic counts and which provide the information to be used in projecting the background traffic during the buildout period of the proposed project.
208. **Home occupation** means a business, profession, occupation or trade conducted within a dwelling unit for gain or support by a resident of the dwelling unit pursuant to the limits of the LDR.
209. **Hospital** means a medical facility as provided in § 395.002(12), Florida Statutes, as amended.
210. **Hotel** means a commercial establishment used, maintained or advertised as a place where sleeping accommodations are supplied for short term rent to guests, in which rooms are furnished for the accommodation of such guests and may have accessory uses such as dining rooms, meeting rooms and recreation facilities.
211. **Impact Fees** means certain fees necessitated by growth and development as provided in the Code of Ordinances, Chapter 33.
212. **Impact Fee Coordinator** means the person appointed by the Village Manager to perform such functions as designated under this Ordinance or the designee of such person.
213. **Impervious surface** means any area of land consisting of or covered by material that prevents absorption of water into the ground.
214. **Incompatibility of land use** means issues arising from the proximity or direct association of contradictory, incongruous or discordant land uses or activities, including the impacts of noise, vibration, smoke, odors, toxic matter, radiation and similar environmental conditions.
215. **Individual sewer system** means a privately owned sewerage system, which provides sewer service to a single development, because of unavailability of a central sewer system.
216. **Industrial waste** means waste generated from commercial and industrial operations other than agricultural including but not limited to the processing, manufacturing, packaging, repair, maintenance or production of marketable goods. Construction and demolition debris shall be considered industrial waste.
217. **Industrial wastewater** means wastewater generated by commercial or industrial establishments as a result of manufacturing, preparation, processing, or handling of materials, chemicals and/or food products and from cleaning or washing operations. Laundromats, food service establishments, bakeries and car wash facilities are specifically included in this definition.
218. **Infill development** means a new development that is constructed on vacant or undeveloped land within an older existing neighborhood.
219. **Ingress** means entry.
220. **In-kind contribution** means the conveyance, dedication, construction, placement, delivery or remittance of land, buildings, improvements, fixtures, personal property or money to Wellington for capital facilities for which impact fees are levied.
221. **Intensity** means the number of square feet per acre and specific land use for non-residential uses.
222. **Interested Party** means a property owner, contract purchaser, authorized agent of the owner/purchaser or those property owners within 500 feet of the subject property or as otherwise provided by Florida Statutes.

223. **Internal trips** means, for the purpose of Article 9, trips from a Proposed Project that do not exit the Project or enter the Wellington Roadway system.
224. **Inundation** means the presence of water, in motion or standing, of sufficient depth to damage property due to the mere presence of water or the deposition of silt or which may be a nuisance, hazard or health problem.
225. **Instructional services** means an establishment offering scheduled instructional classes or training. Typical uses include barber or beauty schools, test-taking or training centers, karate, dance and gymnastics studios.
226. **Interior lot** means any lot neither a corner lot nor a through lot.
227. **Interior lot line** means any lot line not adjacent to a road.
228. **Invasive non-native plant species or invasive non-native vegetation** refers to those species defined as Category 1 invasive plant species by the Florida Exotic Pest Plant Council.
229. **Irrigated, irrigation or irrigation system** means an operational, permanent, and artificial watering system designed to transport and deliver water to vegetation, landscaping, and landscaped areas.
230. **Kennel** means a commercial establishment, including any building or land used, for the raising, boarding, breeding, or sale of such domesticated animals as dogs and cats, not necessarily owned by the occupants of the premises, for profit.
231. **Kitchen** means that portion of a structure used or designed to be used for the preparation of food, and including or designed to include a stove, refrigerator and sink.
232. **Laboratory** means a designated area or areas used for testing, research, experimentation, quality control, or prototype construction, but not used for repair or maintenance activities (excluding laboratory equipment), the manufacturing of products for sale, or pilot plant testing.
233. **Lake maintenance easement** means an expressed easement, created by plat dedication or other instrument of record, establishing access and use rights on or to the periphery of a water management tract for purposes of construction, maintenance, and repair of wet detention/retention facilities and appurtenant structures therein.
234. **Land** means the earth, water, and air, above, below, or on the surface, and includes any improvements or structures customarily regarded as land.
235. **Land application** means the application or disposal of effluent or sludge on, above or into the surface of the ground through spray irrigation, land spreading, of other methods.
236. **Land Development Permit** means, for the purposes of Article 8, the development permit issued by Wellington authorizing construction of required improvements for a subdivision.
237. **Land Development Regulations** means ordinances enacted by Wellington for the regulation of any aspect of development and includes any zoning, rezoning, subdivision, health, environmental, or sign regulations controlling the development of land.
238. **Land use activity generating traffic** means the carrying out of any building activity or the making of any material change in the use or appearance of any structure or land that attracts or produces vehicular trips over and above that produced by the existing use of the land.
239. **Land use designation means** as adopted on Wellington's Future Land Use Map.
240. **Landscape barrier** means a landscape design feature constructed within a landscape buffer that is intended to channel pedestrian movement and impede vehicular access and to provide an abrupt transition between otherwise incompatible uses. A landscape barrier may consist of living plants (such as a hedge), structures (such as a wall or fence), or changes in grade (such as a berm).

241. **Landscape buffer** means a continuous area of land which is required by Article 7, Landscape and Buffering, to be set aside along the perimeter of a lot or parcel in which existing native vegetation, relocated native vegetation, and landscaping is used to provide a transition between and to reduce the negative environmental, aesthetic, compatibility and other impacts of one (1) use upon another. Buffers may contain both signage and pedestrian paths.
242. **Landscape maintenance service** means an establishment engaged in the provision of landscape installation or maintenance services, but excluding retail or wholesale sale of plants or lawn and garden supplies from the premises.
243. **Landscaping** means any combination of living plants (such as grass, ground cover, shrubs, vines, hedges, or trees) or nonliving landscape material (such as rocks, pebbles, sand, mulch, walls, fences, or decorative paving materials). Landscaping may include the preservation and incorporation of existing trees, vegetation, or ecosystems into site development.
244. **Legal access** means the principal means of access from a lot to a public or private road over which a perpetual ingress and egress easement or right-of-way has been granted to the owners of any lot serviced by such road.
245. **Legal positive outfall** means the permanently established connection of a stormwater discharge conveyance facility serving a development site to a watercourse or water body under the control and jurisdiction of one (1) or more public agencies, said connection being subject to all applicable agency permitting and approval requirements.
246. **Legally or lawfully permitted or established** shall mean a structure, fence, wall or hedge that complied with all applicable governmental regulations when it was built, installed or planted, and received permits from the county or Village if a permit was required at the time of construction, installation or planting.
247. **Level of Service (LOS)** means an indicator of the extent or degree of service provided by, or proposed to be provided by a public facility or service based on and related to the operational characteristics of the public facility or service. For the purposes of Article 9, the measure of the functional and operational characteristics of a roadway or intersection based upon traffic volume in relation to road capacity or the amount of vehicle delay or average speed.
248. **Light cutoff** means a luminaire with elements such as shields, reflectors or refractor panels which direct light and eliminate light spillover and glare.
249. **Limited access easement** means an easement established adjacent to a road for the purpose of prohibiting vehicular access to the road from abutting property except at those locations specifically authorized by the Village Council.
250. **Limited access road** means a road to which access from abutting property is under the control and jurisdiction of the Wellington or the County pursuant to a limited access easement or other regulatory access restriction.
251. **Link** means, for the purposes of Article 9, the portion of a Wellington Roadway between two (2) Wellington Intersections.
252. **Listed species** means those plant and animal species indicated as endangered, threatened, rare, commercially exploited, or species of special concern by the Florida Fish and Wildlife Conservation Commission, the Florida Department of Agriculture and Consumer Services or the United States Fish and Wildlife Service.
253. **Littoral Zone** means that region of the shoreline beginning at the OHW and extending waterward to a maximum depth of minus three (-3) feet OHW.
254. **Live-work unit** means a unit that includes a residential dwelling and flex space which may be used for commercial, retail, office, and/or services with any of these commercial activities being performed only by the resident owner or an employee. The residential and commercial

components shall have interior access between them and may or may not have independent entrances from the outside.

255. **Livestock** means breeding, raising and caring for animals pursuant the Fla. Stat. 585.01(13) and 588.13(1). Livestock raising includes keeping and/or stabling horses.
256. **Loading space** means the off-street area designated for loading and unloading of trucks, in the form which may include one (1) or more truck berths located either within a building or in an open area on the same lot.
257. **Local government development order** means a Development Order properly issued by Wellington through procedures established by LDR that establishes the specific use or uses of land, sets the density, and involves an active and specific consideration by Wellington of particular detailed development concept. It shall include Affidavits of Exemption and Subdivision approval. It typically involves the submission and review of a master plan, site plan, or building plans, but may not necessarily involve such. It shall not include land use designations established by a Local Government's Comprehensive Plan. It does not include comprehensive general rezoning/district boundary changes initiated by Wellington. It typically involves a petition of the land owner for his property alone and not adjoining properties. It does not include vegetative removal, clearing, grading or demolition permits.
258. **Local Planning Agency** means the Planning, Zoning and Adjustment Board which is designated by Wellington to prepare the Comprehensive Plan pursuant to § 163.3161, et seq., Fla. Stat.
259. **Local road** means a road designed and maintained primarily to provide legal and vehicular access to abutting land. A local road is of limited continuity, is not for through traffic, and is the middle order road of minor roads, being of a higher classification than a residential access road.
260. **Lot** means the smallest division of land identified as a single unit of ownership for conveyance and legal development purposes, and delineated by a closed boundary which is either:
- a. Depicted on a record plat;
 - b. Depicted on a survey, map, or drawing for which an affidavit or waiver or affidavit of exemption has been recorded; or
 - c. Described on a recorded deed or agreement for deed.

The total area of abutting lands joined pursuant to a recorded unity of title shall be deemed a single lot for the purposes of the LDR. As used herein, the term shall be synonymous with the terms "plot," "parcel," or "tract" when referring to lands within a closed boundary not further divided by one (1) or more interior property lines.

261. **Lot area** means the total horizontal area included within lot lines.
262. **Lot depth** means the horizontal length, in feet, of a straight line drawn from the midpoint of the front property line of a lot to the midpoint of the rear property line.
263. **Lot frontage** means the length of the front property line abutting a legally accessible road right-of-way.
264. **Lot width** means the horizontal distance, in feet, between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear property lines.
265. **Lot size** means the total horizontal area included within the lot lines, expressed in acres or square feet.
266. **Lounge** means a use engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises, including taverns, bars, lounges, and similar uses other than restaurants or alcohol sales for off-premises consumption. A lounge is distinct from a restaurant

that sells alcohol when the establishment cannot qualify for a "Consumption on Premises, Special Restaurant Exemption" pursuant to the State Beverage Law.

- 267. **Luminaire** means a complete lighting unit, consisting of a light source and all necessary mechanical, electrical and decorative parts.
- 268. **Maintenance and Preserve Management Plan** means a plan that will provide for the perpetual viability of a designated preserve area including the ongoing control of invasive non-native plant species and periodic maintenance.
- 269. **Major equestrian venue** means a site within the Equestrian Preserve Area to accommodate equestrian events, drawing 300 or more spectators, which due to the intensity of uses may have significant impacts on adjacent properties. Typical uses include equestrian stadiums and arenas, non-equestrian outdoor entertainment, equestrian instruction, barns, stables, accessory groom's quarters, equestrian retail and services and restaurants.
- 270. **Mechanical equipment** means air cooling and heating equipment, fuel tanks, irrigation pumps, pool pumps, water softeners and similar equipment.
- 271. **Major road** means collector roads, arterial roads, and expressways.
- 272. **Major thoroughfare** shall mean any road within the Village which is designated as a major thoroughfare by this Code.
- 273. **Manufactured home** means a structure, transportable in one or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer."
- 274. **Marginal access road** means a minor street
- 275. **Mass transit facilities** means the planning of, engineering for, preparation of acquisition documents for, acquisition of land for, or the construction of or purchase of mass transit facilities and equipment necessary to meet the LOS for mass transit facilities.
- 276. **Master Property Owner's Association** means a property owner's association of which membership is mandatory with the ownership of property subject to the master property owner's association and which has the authority to represent the members and bind the members by such representation.
- 277. **Medical or dental laboratory** means a facility for the construction or repair of prosthetic devices or medical testing exclusively on the written work order of a licensed member of the dental or medical profession and not for the public.
- 278. **Medical or dental office** means an establishment where patients, who are not lodged overnight are admitted for examination and treatment by one (1) person or group of persons practicing any form of healing or health-building services to individuals, whether such persons be medical doctors, chiropractors, osteopaths, chiropodists, naturopaths, optometrists, dentists, or any such profession, the practice of which is lawful in the State of Florida.
- 279. **Medical marijuana dispensing** means an operation approved by the Florida Department of Health to cultivate, process and dispense low-THC cannabis or medical cannabis pursuant to the provisions of Chapter 2017-232, Laws of Florida and Chapter 64-4 "compassionate use" of the Florida Administrative Code.
- 280. **Medical marijuana treatment center** means an entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers sells, distributes, dispenses or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their professional caregivers, and is registered by the Florida Department of Health.

281. **Mezzanine** means a low-ceilinged story between two (2) main stories of a building. A mezzanine shall be counted as one (1) story if it covers more than one-third (1/3) of the area of the floor below.
282. **Microbrewery** means an establishment that produces limited quantities of beers or malt beverages for consumption on the premises or for sale in packages for later consumption off the premises via carry-outs or distribution. In conjunction with the sale of beer for consumption on the premises a microbrewery may sell wine by the glass or carafe for consumption on the premises.
283. **Microwave dish antenna** means a disk-like antenna used to send or receive wireless communications signals between terminal locations.
284. **Mined lake** means a body of water, excluding canals of conveyance, greater than one (1) acre in size or greater than six (6) feet in depth from OHW and which will remain open for longer than one hundred eighty (180) days. Multiple (more than one (1)) bodies of water constructed on a parcel or parcels of property under common ownership or control shall be considered a mined lake when such water bodies have a combined surface area greater than one (1) acre. A lake constructed, under construction or to be constructed under a permit of a jurisdictional agency prior to the effective date of Article 7 (Excavation) is considered an existing mined lake.
285. **Mining operation** means the extraction of subsurface materials for use at a location other than the immediate construction site.
286. **Minor equestrian venue** means a use that is compatible with residential properties in the Equestrian Preserve Area and provides a limited number of equestrian events that may draw a limited number of students, participants and spectators. The location, design, configuration and intensity of the venue's activity shall not create significant traffic or noise impacts to adjacent residential areas.
287. **Minor road** means roads which constitute the internal circulation network of a development and which are not classified as a major road.
288. **Mixed use** means a building or development of more than one building containing multiple land uses including a minimum mix of eligible land uses pursuant to the objectives of Article 6 where land uses are in close proximity, planned and integrated as a unified complementary whole.
289. **Mobile home** means a detached, transportable single family dwelling unit, manufactured upon a chassis or undercarriage as an integral part thereof, without independent motive power, designed for long term occupancy as a complete dwelling unit and containing all conveniences and facilities, with plumbing and electrical connections provided for attachment to approved utility systems.
290. **Mobile vendor** means a business that does not have a permanent location, stays at one location for more than two (2) hours and is removed from the temporary location every night.
291. **Monopole tower** means a wireless communications tower consisting of a single pole or spire supported by a permanent foundation constructed without guy wires and ground anchors.
292. **Motor vehicle** shall have the meaning ascribed by the statutes of the State of Florida providing for the regulation, registration, licensing and recordation of ownership of motor vehicles in the State of Florida.
293. **Multi-family** means the use of a structure designed for two (2) or more dwelling units that are attached, or the use of a lot for two (2) or more dwelling units.
294. **Multi-family complex** means an apartment or condominium complex which contains more than one (1) townhome structure or which contains attached house structures comprising more than four (4) dwelling units on a lot.

295. **Multi-family lot area** means the total lot area(s) of a multi-family complex which may be on one lot or on up to several contiguous lots containing an entire apartment or condominium complex.
296. **Municipality** means a general purpose local governmental entity created by the State Legislature and governed by § 166.01, et seq., Florida Statutes. For the purposes of adequate public school facilities, municipalities means all municipalities in Palm Beach County, except those that are exempt from participating in the school concurrency program, pursuant to § 163.3180, Florida Statutes.
297. **Native plant materials or species** means any plant species with a geographic distribution indigenous to all or part of South Florida and recognized as such by the Florida Department of Agriculture. Plant species which have been introduced by man are not native vegetation.
298. **Native upland vegetation** means the plant component of a native Florida upland community consisting of predominantly upland terrain which includes but is not limited to, Florida scrub, pine flatwoods, scrubby flatwoods, hammocks, dry prairies and drained cypress heads.
299. **Natural area** means waterways, wetlands, nature preserves, and other lands designated on the preliminary development plan to be preserved in perpetuity.
300. **Natural disaster** means a major adverse event resulting from natural processes of the earth including floods, hurricanes, tornados, brush fires, lightning or similar events. The damage must be a result of an emergency which activates Emergency Operations Level 1 - Full Scale Activation of the Emergency Response Team by the Governor or Village Manager.”
301. **Neighborhood** means the area of a neighborhood, including its blocks, roads, alleys, squares, and parks but excluding adjacent edge areas and through roads.
302. **Net trips** means, for the purposes of Article 9, Project Trips minus Pass-by Trips and the Previous-Approval Traffic or traffic from the Existing Use.
303. **New capital facilities** means newly constructed, expanded or added capital facilities which provide additional capacity. New capital facilities shall not include that portion of reconstruction or remodeling of existing facilities that does not create additional capacity.
304. **Nonconforming lot** means a single lot, tract or parcel of land of record that was conforming at the time of its creation, but which fails to meet the requirements for area, width or depth under the current district regulations of the LDR or the Comprehensive Plan.
305. **Nonconforming structure** means a structure that was lawfully established before the LDR was adopted or amended, that does not conform to the property development regulations of area, height, lot coverage, yard setbacks, lot location, parking or other dimensional requirements for the zoning district in which it is located.
306. **Nonconforming use** means a use that was lawfully established before the LDR was adopted or amended which does not conform to the use regulations of the zoning district in which it is located.
307. **Nonconformities** means uses of land, structures, lots and landscaping that were lawfully established before the LDR was adopted or amended, that are not in conformity with the terms and requirements of the LDR.
308. **Non-equestrian outdoor entertainment** means temporary entertainment, recreation or events offered to the general public where any portion of the activity takes place in the open excluding other uses listed in the Use Regulations. Typical uses include recreational uses on athletic fields, concerts and charitable events.
309. **Nonresidential activity** means any activity which occurs in any building, structure or open area which is not used primarily as a private residence or dwelling.

310. **Non-residential farm structure** means any building or structure used for agricultural purposes excluding those used for residences.
311. **Nursery** means the cultivation for retail sale of horticultural specialties such as flowers, shrubs, sod and trees intended for ornamental or landscaping purposes.
312. **Nursing or convalescent facility** means an establishment where, for compensation pursuant to a previous arrangement, care is offered or provided for three (3) or more persons suffering from illness, other than a contagious disease, or sociopathic or psychopathic behavior, which is not of sufficient severity to require hospital attention, or for three (3) or more persons requiring further institutional care after being discharged from a hospital, other than a mental hospital. Patients usually require domiciliary care in addition to nursing care.
313. **Office** means an establishment providing executive, management, administrative or professional services excluding other principal uses listed in the Use Regulations. An office use does not rely on frequent visits by the public.
314. **Official Zoning Map** means the official map upon which the boundaries of each district are designated and established as approved and adopted by the governing body, made a part of the official public records of Wellington, and shall be the final authority as to amend zoning status of land and water areas, buildings, and other structures in Wellington and incorporated into the LDR by reference.
315. **Off-site improvements** means improvements constructed outside of the boundaries of the project that are required as a part of a development approval.
316. **Off-street loading space** means the stall and berth along with the apron or maneuvering area incidental thereto
317. **Off-street parking**, means the minimum number of parking spaces per land use as required by this section.
318. **Open pavilion** means a type of open accessory structure such as a chickee hut, tiki hut, gazebo, outdoor kitchen or cabana.
319. **Open Space** means an open area which is set aside and restricted to open space use including a park, preserve, recreation space, square, plaza courtyard, etc. Unless these LDRs expressly provide open space credit for required green spaces such as those in rights-of-way, required retention or detention areas, landscape buffers and yards, they are not considered open space.
320. **Open weave fencing** means chain link, aluminum rail, picket, or similar types of non-opaque fences approved by the Architectural Review Board (ARB).
321. **Ordinary High Water (OHW)** means, for areas with an established control elevation, the control elevation will be the OHW. For areas without an established control elevation, the wet season water table prior to the excavation activity will be OHW.
322. **Original value of the structure** means the value of the structure at the time it was issued a Certificate of Occupancy, based upon an appraisal by a Member of the Appraiser's Institute (MAI).
323. **Owner** means the owner of the freehold estates, as appears by deed of record, or agreement for deed. It shall not include short-term lessees, reversioners, remainderman, or mortgagees. It shall include lessees with a lease of more than twenty-five (25) years.
324. **Package wastewater treatment facility** means a facility consisting of a prefabricated wastewater treatment unit and on-site disposal system, intended to provide sewer service to a single development which does not have central sewer service available.

325. **Package water treatment facility** means a facility consisting of a prefabricated water treatment unit, intended to provide water service to a single development which does not have central water service available.
326. **Panel antenna** means an array of antennas designed to direct, transmit or receive radio signals from a particular direction.
327. **Parcel** means a unit of land legally established property lines.
328. **Parcel Control Number** means a Palm Beach County identification number assigned for each parcel of land.
329. **Park** means a developed or planned site owned by a governmental entity that offers the general public an opportunity to partake in a variety of recreational activities that may be active, passive, or special in nature in a safe and convenient manner that is compatible with its environs. The different types of parks include:
- a. **Community park** means those facilities Wellington provides active recreational facilities to population bases under twenty-five thousand (25,000) persons. Recreational facilities include play areas, small groups of fields or courts suitable for programmed activities, community centers, and adequate bicycle, automobile parking areas and pedestrian paths to serve the facility.
 - b. **District park** means those Wellington facilities generally between sixty (60) and two hundred and fifty (250) acres in size that primarily provide active recreational facilities and to a lesser degree some passive recreational facilities, where possible. Recreational facilities include special facilities such as competition pools, golf courses, or boat ramps and marinas, large groups of lighted fields or courts suitable for scheduled league activities, and adequate support facilities with bicycle and automobile parking areas and pedestrian paths to accommodate those using the park.
 - c. **Neighborhood park** means the smallest class park that is less than ten (10) acres in size and usually less than five (5) acres. Recreational facilities are generally few in number due to size restraints and developed according to the demands and character of the neighborhood that they serve. Neighborhood parks are open space area providing passive and active recreation and usable open green space within walking distance of housing.
 - d. **Regional park** means the largest class park in Wellington. It generally exceeds two hundred fifty (250) acres in size and also provides access to a substantial resource base. Regional parks primarily provide passive recreational facilities and to a lesser degree active recreational facilities where no adverse impact on the resource base results. Recreational facilities in regional parks are primarily passive or resource based in nature with picnicking, camping, hiking, fishing, and boating as the main activities. Special facilities such as museums, golf courses, or water skiing facilities may also be included, as well as some of those active facilities often found in district parks.
330. **Parking lot** means an off-street, private or public area constructed at grade which is used for the temporary parking of automobiles, motorcycles and trucks. Parking lots include access aisles, ramps, maneuvering and all vehicle use areas. Parking lot types include:
- a. **Commercial parking lot** means a paved area intended or used for the off-street parking or storage of operable motor vehicles on a temporary basis, other than accessory to a principal use.
 - b. **Shared or common parking lot** means a parking lot or area that serves more than one (1) lot, use or residential dwelling.
331. **Parking space** means a surfaced or grassed area, enclosed or unenclosed, sufficient in size and approved to store one (1) motor vehicle.

332. **Parking tract** means a parking lot delineated on a plat or otherwise created by instrument of record for the purpose of providing common vehicular parking and legal access for owners of abutting lots.
333. **Pass-by trips** means, for the purposes of Article 9, trips generated by a proposed project which are passing trips already on the road LINK on which the proposed project is located.
334. **Passive recreation and observation uses** means activities, such as walking, hiking, and bird watching, which rely on the natural qualities of the area for enjoyment and have a low impact on the land.
335. **Patio** means an open unoccupied space that may be partially enclosed by wall, fence, or building and not considered part of the residential living structure.
336. **Paver fabricated driveway** means a driveway constructed of at least sixty (60) percent paver block or high quality stamped concrete.
337. **Peak hours** means the period as established pursuant to Article 9, related to those hours with the highest traffic level for evaluation purposes.
338. **Peak season** means, for the purposes of Article 9, the time from January 1 through March 31.
339. **Percolation pond** means an artificial impoundment similar to a holding pond for which the design and operation provides for fluid losses through percolation of seepage.
340. **Performance security** means funds irrevocably committed by written instrument that are sufficient to secure the complete performance of a contract or condition of a development order, Development Agreement, or covenant. Performance securities shall be denominated in United States dollars. The form of the security shall be approved by the Village Attorney, and may include: an irrevocable letter of credit; an Escrow Agreement; a Surety Bond; a cash bond; or any other form of comparable security.
341. **Perimeter landscape buffer** means a continuous area of land which is required to be set aside along the perimeter of a lot in which landscaping is used to provide a transition between and to reduce the environmental, aesthetic and other impacts of one (1) type of land use upon another.
342. **Perimeter lot/property line** means the boundary or a line determining the limit of an area.
343. **Permitted use** means a use allowed by right in such district. Permitted uses may be subject to site plan review if specifically required by this code.
344. **Person** means any individual, public or private corporation, governmental agency, business trust, estate, trust, partnership, association, property owners' association two (2) or more persons having a joint or common interest, governmental agency, or any other legal entity.
345. **Personal services** means an establishment engaged in the provision of commercial services which may also involve the limited sale of retail products.
346. **Pervious surface area** means all that area of land that can be landscaped or planted, allows natural passage through by water, and is not covered by nonpervious manmade materials or structures, such as buildings or paving.
347. **Pharmacy** means a retail establishment offering on-site dispensing of prescription drugs, nonprescription drugs or both, and which may offer retail sales of other goods, but which differs from a retail sales, general use as defined in this section. Pharmacies shall be staffed by a state licensed pharmacist.
348. **Phased development** means development which is designed, permitted or platted in distinct, sequential stages to be developed over a specified period of time.
349. **Place of worship** means a premises or site used primarily or exclusively for religious worship and related religious services or established place of worship, retreat site, camp, convent,

seminary or similar facilities owned or operated by a tax exempt religious group for religious activities. A place of worship may also be referred to as a religious institutions or an assembly use.

- 350. **Planned Development** means a project that was approved within a planned development district or a previously approved planned development and is governed by the regulations within the LDR and/or those as set forth in a valid development order. A regulation containing the term "planned development" means that the regulation applies to a planned development district and a previously approved planned development.
- 351. **Planned Development District** means a zoning district which is approved pursuant to the policies and procedures of Article 6, Planned Development Districts of the LDR.
- 352. **Plan of Operation** means a detailed plan which provides layouts, descriptions and controls as to how events and activities will be defined, designed, limited, managed and secured. It shall include a graphical plan of the site and all related activities. The plan shall identify for each event: the type of event, location, frequency, duration, typical personnel needed, shipping and receiving areas, number of participants, spectators, parking accommodations and standards and whether amplified sound, temporary sanitary facilities or lighting would be used. Necessary mitigation measures for the impact of the proposed activities shall be included in the plan. Potential growth of the events should be identified in the Plan of Operation to determine during review and decision making whether the standards for a conditional use have been met pursuant to Article 5.
- 353. **Plat** means a map or delineated representation of the subdivision of lands, being a complete, exact representation of the subdivision and other information in compliance with the requirements of all applicable provisions of Article 8 and Chapter 177, Fla. Stat., and may include the terms "replat," "amended plat," or "revised plat."
- 354. **Plat of record** means a plat that conforms to the requirements of the applicable state laws and Article 8, Subdivision, which has received all required Wellington approvals for recordation, and which has been placed in the official records of Wellington and Palm Beach County Clerk of the Courts.
- 355. **Plaza** means a formal open space adjacent to buildings or roads to serve as a gathering place for civic, social or passive activities.
- 356. **Pod** means areas in a planned development that are designated for specific uses.
- 357. **Positive drainage** means the provision of a stormwater management system which conveys stormwater runoff to a point of legal positive outfall.
- 358. **Potable water facilities** means the planning of, engineering for, preparation of acquisition documents for, acquisition of land for, or construction of potable water facilities necessary to meet the LOS for potable water facilities.
- 359. **Preliminary development plan** means a generalized depiction of use categories presented to the appropriate review body for planned development districts, previously approved planned developments (master plans and site plans), and conditional use approvals.
- 360. **Preliminary plat** means a copy of the plat in sufficient form to readily compare the plat with the subdivision plan and construction plans.
- 361. **Premises** means any lot, area, or tract of land whether used in connection with a building or not.
- 362. **Preserve or preserve area** means that portion of native vegetation which is required to be set aside from development or other alteration activities, protected from the removal of any native plant species, managed to maintain viability for wildlife habitat, and maintained free of non-native plant species.

363. **Previous Approval** means, for the purposes of Article 9, a development order which:
Is a valid development order formally approved which either:
- a. For which a complete application was made to and accepted prior to February 1, 1990; or
 - b. In the case of a Development of Regional Impact, a Development of Regional Impact which received a report and recommendation by the Treasure Coast Regional Planning Council prior to February 1, 1990, all pursuant to formally established procedures pursuant to the land development regulations. It does not include applications for Site Specific Development Orders on a lot subject to an Interlocal Agreement entered by the municipality and the County, after May 21, 1987, as a result of an annexation where the agreement requires compliance with traffic performance standards. It does not include an amendment or amendments to a Previous Approval applied for on or after February 1, 1990.
364. **Previous Approval Traffic** means, for purposes of Article 9, Project Traffic resulting from units or square footage of a Previous Approval.
365. **Previously Approved Planned Development** means a Planned Development approved by rezoning, special exception or conditional use prior to the effective date of the LDR.
366. **Previously Captured Project** means, for purposes of Article 9, a Project approved after February 1, 1990.
367. **Principal building or structure**, means a building in which is conducted the primary use of the lot on which it is located.
368. **Principal use** means the primary and major purpose for which land or building is used as allowed by the applicable zoning district.
369. **Privacy fence or wall** means a structural barrier of an opaque quality, constructed such that the privacy of the area to be enclosed is maintained.
370. **Private road** means any road that has not been dedicated for public use; is reserved to a property owners' association pursuant to recorded restrictions and covenants or a plat of record; or is dedicated for public use but has not been accepted for maintenance by Wellington, the State or a special district.
371. **Prohibited use** means a use not permitted in such district.
372. **Prohibited plant species** means those species as defined in the landscape section of the LDR, as being demonstrably detrimental to native plants, wildlife, the ecosystem or public health, safety, or welfare.
373. **Project** means a land use or group of land uses involving the development of a particular parcel of land at a particular density that was granted a valid development order, or which substantially complies with applicable provisions of the Wellington LDRs as determined by the PZB Director.
374. **Project Standards Manual** means the governing documents, in addition to the master plan and site plan, for a planned development that provided all regulations as required and in accordance with Article 6 of the LDR.
375. **Project Traffic/Project Trips** means, for the purposes of Article 9, the number of trips generated by the proposed project (this includes reductions for internal trips). In the event no specific use, size, or density is proposed, the maximum Trips possible under the development order shall be Project Traffic. Project traffic shall be generated using the latest edition of Trip Generation handbook published by the Institute of Transportation Engineers unless local trip generation rates are documented.
376. **Property line** means the boundary line between two pieces of property.

377. **Property owners' association** means an organization recognized under the laws of the State, operated under recorded maintenance and ownership agreements through which each owner of a portion of a subdivision, be it a lot, home, property or any other interest, is automatically a voting member, and each such member is automatically subject to a charge for a prorated share of expenses, either direct or indirect, for maintaining common properties within the subdivision, such as roads, parks, recreational areas, common areas and other similar properties. Within the text of the LDR, a property owners' association is considered to be a single entity for property ownership. As used in the LDR, the term "property owners association" shall also be deemed to include a homeowners' association, condominium association or cooperative (apartment) association, as defined in Chapter 711, Fla. Stat., as amended, having a life tenure of not less than twenty (20) years, as well as a third party having an agreement with a condominium or cooperative association as permitted by Chapter 711, Fla. Stat., as amended.
378. **Proportionate Share Program** means, for the purposes of Article 9, the established method whereby the impacts of development on transportation facilities can be mitigated by the cooperative efforts of the public and private sectors as required by and in a manner consistent with § 163.3180, F.S. and as detailed in Article 9.
379. **Proposed New Residential Development** means any application for residential development or amendment to a previously approved residential development that increases the number of housing units. This shall include any request for any approval of the type that establishes a density of development and which approves a site-specific development order on a specific parcel of property.
380. **Protected vegetation** means all vegetation other than prohibited plant species, invasive non-native plant species or invasive non-native vegetation.
381. **Pruning** means the removal of plant parts, dead or alive, in a careful and systematic manner so as to not damage other parts of the plant.
382. **Public agency** means any government or governmental agency, board, commission, authority or public body of Wellington, Palm Beach County, the State of Florida, or of the United States government, or any legally constituted governmental subdivision or special district.
383. **Public easement** means an easement granted to a governmental entity, public agency, a utility, or the public.
384. **Public facilities** means capital facilities including but not limited to roads, parks and recreation, fire-rescue, library, law enforcement, public buildings, and school sites.
385. **Public Facilities Agreement** means an agreement entered into by Wellington or a Service Provider and a developer or landowner for the purpose of ensuring public facility capacity is reserved for a proposed development.
386. **Public Health Unit** means the HRS/Palm Beach County Public Health Unit.
387. **Public road** means a road owned by a governmental agency.
388. **Public utility** means an entity owning, operating, managing or controlling a system or proposing construction of a system that is providing or proposing to provide water or sewer service, electricity, natural or manufactured gas, or any similar gaseous substance, telephone, or other communication service to the public for compensation.
389. **Public works projects** means projects that may be conducted by government agencies or are linear projects, such as pipelines, transmission lines, telephone lines, etc., that are constructed for no single property.
390. **PZB Director** means the department head of the divisions including, but not limited to, planning and zoning, code compliance, and building, as directed by the Village Manager, or their designee.

391. **Quasi-public easement** means an easement granted to a property owners association in which the Village or public have some beneficial interest.
392. **Quasi-public use** means a use or group of uses open for general public use, such as stadiums, amphitheaters, civic centers, and colleges. It does not include shopping centers or other retail uses, and hotels.
393. **Queuing area** means a one-way aisle that provides a waiting area for a specified number of cars.
394. **Rear lot line** means that lot line which is opposite, generally parallel to, and most distant from the front lot line.
395. **Reclamation** means increasing land use capability to be made suitable for development, by changing the land's character or environment through drainage, fill or revegetation.
396. **Recreation and park facilities** means the planning of, engineering for, preparation of acquisition documents for, acquisition of land for, or construction of buildings and park equipment necessary to meet the LOS for Park and Recreation Facilities.
397. **Recreation facility** means a facility designed and intended for use by occupants of a residential development. Typical uses include golf courses, swimming pools and tennis courts and required recreational areas.
398. **Recreational vehicle** means any vehicle designed as a temporary living quarters for recreational, camping or travel use, which is self-powered or is mounted on or drawn by another vehicle.
399. **Recycling drop-off bin** means a totally enclosed structure, containing no more than five hundred (500) square feet of gross floor area, within which pre-sorted, non-biodegradable recyclable materials are collected for redistribution or sale for the purpose of reuse.
400. **Redevelopment** means the action or process of developing something again or differently.
401. **Regulated Substances** means:
- a. Those deleterious substances and contaminants, including degradation and interaction products which, because of quality, concentration, or physical, chemical (including ignitability, corrosivity, reactivity and toxicity), or infectious characteristics, radioactivity, mutagenicity, carcinogenicity, teratogenicity, bioaccumulative effect, persistence (non-degradability) in nature, or any other characteristic, may cause significant harm to human health and environment (including surface and groundwater, plants, and animals).
 - b. Those substances set forth in, but not limited to, the Lists of Hazardous Wastes (40 CFR Part 261, Subpart D), 40 CFR, Part 261, Appendix VIII-Hazardous Constituents, and EPA Designation Reportable Quantities and Notification Requirements for Hazardous Substances Under CERCLA (40 CFR 302, effective July 3, 1986); as amended from time to time provided, however, that this section shall only apply whenever the aggregate sum of all quantities of any one (1) Regulated Substance at a given facility/building, at any one time, exceeds five (5) gallons where said substance is a liquid, or twenty-five (25) pounds where said substance is a solid. The section shall also apply if no single substance exceeds the above reference limits but the aggregate sum of all Regulated Substances present at one facility/building, at any one time, exceeds one hundred (100) gallons if said substances are liquids, or five hundred (500) pounds if said substances are solids.
 - c. Where Regulated Substances are dissolved in or mixed with other non-Regulated Substances, only the actual quantity of the Regulated Substance present shall be used to determine compliance with the provisions of this section. Where a Regulated Substance is a liquid, the total volume of the Regulated Substance present in a solution or mixture of

said substance with other substances shall be determined by volume percent composition of the Regulated Substance, provided that the solution or mixture containing the Regulated Substance does not itself have any of the characteristics identified in paragraph one of this definition.

- 402. **Repair and maintenance (Large)** means an establishment engaged in the repair and maintenance of motor vehicles or other heavy equipment or machinery, including automobiles, boats, golf carts, mopeds, motorcycles and trucks, excluding paint and body work. Typical uses include automobile repair garages, automobile tune-up stations, automotive glass shops, quick-lubes and muffler shops.
- 403. **Repair and maintenance (Small)** means an establishment engaged in the repair and maintenance of personal apparel and household appliances, furniture, and similar items, excluding repair of motor vehicles. Typical uses include apparel repair and alterations, small appliance repair, small motor repair (including golf carts, mopeds and lawn mowers), bicycle repair, clock and watch repair, and shoe repair shops.
- 404. **Required recreation areas** means recreational tracts of land with facilities required within a residential development, dedicated or reserved to a property owners association for the perpetual use by all residents of the development for recreation.
- 405. **Residential access road** means the lowest order of a minor road that is intended to carry the least amount of traffic at the lowest speed.
- 406. **Residential** means single-family detached and patio home dwellings, attached house dwellings, multi-family dwellings, assisted living facilities and congregate living facilities.
- 407. **Residential district** means any area that has a residential zoning district or future land use map classification.
- 408. **Respondent/Alleged violator** means those persons including both landowners and tenants who have been issued a Notice of Violation.
- 409. **Restaurant** means an establishment engaged in the sale of food and beverages normally consumed while seated in the restaurant but may include take-out service.
- 410. **Retail sales general** means an establishment providing general retail sales or rental of goods, but excluding uses classified as another use type. Retail sales includes but is not limited to clothing stores, auto parts stores, book stores, business machine sales, food stores (excluding convenience stores), marine supply sales (excluding boat sales), pharmacies, medical marijuana dispensing organizations/facilities, medical marijuana treatment center dispensaries, the sale of bulky goods such as household goods, lawn mowers, mopeds, motorcycles and golf carts. Retail establishments may rent and perform incidental repair to their products.
- 411. **Retail sales temporary** means an operation at a temporary location in a commercial or planned development district which may utilize tents, temporary structures and/or vehicles to provide goods and services. Typical uses include food trucks, lunch wagons, mobile clinics and the seasonal sales of merchandise such as Christmas trees, sparklers or produce.
- 412. **Retention** means the collection and storage of a specific portion of stormwater runoff without subsequent direct release to surface waters of said portion or any part thereof.
- 413. **Retention or detention pond** means any pit, pond, or excavation excluding canals of conveyance which creates a body of water by virtue of its connection to groundwater, and which is intended to receive stormwater.
- 414. **Right-of-way** means a strip of land dedicated or deeded to the perpetual use of the public.
- 415. **Road** means a strip of land, owned privately or publicly, which affords legal access to abutting land and is designated for vehicular traffic. "Road" includes street, thoroughfare, parkway,

avenue, boulevard, expressway, lane, throughway, place, and square, or however otherwise designated. Roads are further classified according to the function they perform.

- 416. **Road Design Element** means a feature of a road that may include but is not limited to right-of-way, travel lanes, medians, on-street parking, sidewalks, bicycle lanes, pavement, curbs, streetscape, lighting, furnishings and related design parameters.
- 417. **Road facilities** means the planning of, engineering for, preparation of acquisition documents for, acquisition of land for, or construction of roads on the major road network system necessary to meet the LOS for road facilities.
- 418. **Road mile** means the distance of one mile measured on a legal roadway easement or right-of-way.
- 419. **Rubbish** means waste consisting of any accumulation of paper, excelsior, rags, wooden or paper boxes or containers, sweeping, and all other accumulations of a nature other than garbage, which are usual to housekeeping and to the operation of stores, offices and other business places, and also any bottles, cans, container, or any other products which due to their ability to retain water may serve as breeding places for mosquitoes or other water-breeding insects; rubbish shall not include noncombustible refuse.
- 420. **Rural subdivision** means a division of land within the Equestrian Preserve Area.
- 421. **Sand** means sediments having a distribution of particle diameters between 0.074 and 4.76 millimeters, as defined in the Unified Soils Classification System. Sand grain analyses shall follow the methodology described in Folk, Robert L. 1980, Petrology of Sedimentary Rocks to determine grain size distribution.
- 422. **Sanitary hazard** means any percolation pond for domestic wastewater effluent disposal, the land application of domestic wastewater sludge or domestic wastewater effluents that have not received high-level disinfection and any on-site sewage disposal system (septic tank).
- 423. **Sanitary landfill** means a permitted disposal facility employing an engineered method of disposing of solid waste on land in a manner that minimizes environmental hazards by spreading the solid wastes in thin layers, providing a sand fill or approved substitute cover.
- 424. **Sanitary nuisance** means any act, or the keeping, maintaining, propagation, existence or permission of anything, by an individual, municipality, organization or corporation, by which the health or life of an individual may be threatened or impaired or by which or through which, directly or indirectly, disease may be caused.
- 425. **Sanitary sewer facilities** means the planning of, engineering for, preparation of documents for, acquisition of land for, or construction of facilities necessary to meet the LOS for sanitary sewer facilities.
- 426. **School Board** means the Palm Beach County School Board.
- 427. **School (primary or secondary)** means a premises or site upon which there is an institution of learning, whether public or private, which conducts regular classes and courses of study required for accreditation as an elementary or middle school by the State Department of Education of Florida.
- 428. **Screen enclosure** means a structure, which may or may not be roofed, used to completely enclose an outdoor living space with screening.
- 429. **Screening** means landscaping, berms, fences, walls or any combination thereof used to block or significantly obscure, in a continuous manner, the view from one (1) area to another.
- 430. **Seedling, sapling, runner, or sucker** means any young plant or tree in early stages of growth.
- 431. **Self-service storage (indoor)** means a self-service storage facility with a limited number of access points from the exterior of the building to the building's interior halls from which individual

enclosed storage bays are accessed or with multiple access points from the exterior of the building accessing individual enclosed storage bays.

- 432. **Self-support/lattice tower** means a structure requiring no guy wires for support.
- 433. **Senior housing** means housing reserved for adults age fifty-five (55) and older, in selected locations, utilizing meeting applicable requirements provided in Article 6.
- 434. **Septic tank system** means a building sewer, septic tank, distribution box and drainfield. When pump equipment is utilized, it is also considered part of the septic tank system.
- 435. **Service provider** means any agency that is responsible for the provision of public facilities to development in the Village of Wellington.
- 436. **Setback** means the required minimum horizontal distance between any structure and the related front, side, side corner or rear property lot line.
- 437. **Shade house** means an accessory agricultural structure consisting of a screened enclosure with a screened or roll plastic roof used to protect plants from insects, heat and exposure to the sun.
- 438. **Shade tree** means a tree that reaches a minimum height of fifteen (15) feet at maturity, provides relief from direct sunlight for at least six (6) months each year, and is indicated as a shade tree on the Recommended Tree List.
- 439. **Shared driveway** means a driveway that serves more than one (1) dwelling unit.
- 440. **Shared parking** means the approved use of the same off-street parking spaces for two (2) or more distinguishable uses where peak parking demand of the different uses occurs at different times of the day, or where various uses are visited without moving the automobile, and where the provision of parking spaces is a net decrease from the combined total of each use's individual off-street parking requirements if provided separately.
- 441. **Shopping center** means a group of commercial establishments planned, developed, managed and operated as a unit, with off-street parking provided on the property, and related in its location, size and type of shops to the trade area which the unit serves.
- 442. **Shrub** means a self-supporting woody perennial plant more than thirty (30) inches in height at maturity, characterized by multiple stems and branches continuous from the base.
- 443. **Sidewalk, curb or vehicular sign** means signs placed on or affixed to vehicles or trailers which are parked on a public right-of-way, public land, or private land so as to be visible from a public right-of-way where the apparent purpose is to advertise a product, service or activity, or direct people to a business or activity located on the same or nearby land.
- 444. **Safe Sight Distance** means the extent of unobstructed vision in a horizontal and vertical plane.
- 445. **Safe Sight Triangle** means a point of measurement whereby an individual in a vehicle has the ability to sight a prescribed distance without pulling onto a vehicular thoroughfare.
- 446. **Side of fence or wall** means the lineal portion of a wall, fence or hedge located along or parallel to a front, side, side interior, or rear property line.
- 447. **Single-family home** means the use of a lot or a structure that permits one (1) detached dwelling unit.
- 448. **Single-family cluster** means a dwelling unit which is part of a cluster of similar dwelling units within a planned development but that is separated from other similar units by common areas dedicated to a property owners' association.
- 449. **Single-family district** means any area that has a residential Zoning district or Future Land Use Map designation which permits single-family detached or detached patio home principal uses.

450. **Site plan** means the most recent site plan approved by the Development Review Manager. A site plan shows the proposed and existing improvement (building footprint, drive aisles, parking, drainage facilities, water lines, lighting landscaping, etc.) to a given lot or project.
451. **Site-related improvements** means road construction or road improvements at or near the development site which are necessary to interface the development's external trips with the major road network system, or which are necessary to interface the development's internal trips with the major road network system where a portion of the major road network system is included within the development.
452. **Site-specific development order** means a development order issued by Wellington which establishes the density or maximum density, and which approves a specific plan of development on a lot or lots pursuant to an application by or on behalf of an owner or contract purchaser, including applications initiated by Wellington. It may apply to a lot or lots under single ownership or a group of lots under separate ownership. It shall apply to all parcels or lots in their entirety taken together of any subdivision. It includes site specific rezonings, special exceptions, conditional uses, special permits, master plan approvals, site plan approvals, plat approvals, building permits and any "Development of Regional Impact" development order as defined in § 380.06, Florida Statutes. It may or may not authorize the actual commencement of development. Two (2) or more development orders which individually do not constitute a site-specific development order shall be considered a site-specific development order if when taken together, they meet the definition of a site-specific development order.
453. **Solid waste** means garbage, rubbish, refuse, sludge, septage, dewatered domestic wastewater residuals, grit and screenings from a domestic wastewater treatment facility or other discarded solid or liquid material resulting from domestic, commercial, industrial, agricultural activities or governmental operations but does not include storm water discharges or other significant pollutants in water resources such as silt, dissolved or suspended solids in industrial waste water effluent, dissolved materials in irrigation return flows or other common water pollutants.
454. **Solid waste facilities** means the planning of, engineering for, preparation of documents for, acquisition of land for or construction of facilities necessary to meet the LOS for solid waste facilities.
455. **Source property** means the land from which the subject nuisance is originating including public or private roads, sidewalks or other public or open space areas.
456. **Special allocation** means the assignment by the Council of impact fee credits for in-kind contributions to a fee payer, or a portion of a development. It may involve the prorating of impact fee credits for in-kind contributions.
457. **Special Flood Hazard Area** means a designated AE Zone on the Flood Insurance Rate Map (FIRM) where the base flood elevations are provided.
458. **Special magistrate** means the special magistrate appointed as provided in the Code of Ordinances Chapter 2, "Administration", Article 4, "Code Enforcement", Section 2-293, "Special Magistrate".
459. **Special use** means a use that is temporary in nature and shall be permitted by issuance of a Special Use Permit only in such district if they meet the supplementary use standards, procedures and standards set forth in Article 5 and all other standards in the code.
460. **Specialized vehicular use area** means an area designed for storage of vehicles in operative condition, or for warehousing, transportation or trucking operations, and which is not open to the general public.
461. **Specimen trees** are trees that substantially contribute to the aesthetics of a site or development that have reached the diameter at breast height (DBH) measurement indicated in Article 7.

462. **Speculative clearing** means the clearing of property for which no final development order has been issued.
463. **Spent** means the commitment of funds to a particular capital facility acquisition by the awarding of a contract.
464. **Spill** means the unpermitted release or escape of a Regulated Substance, irrespective of the quantity thresholds identified in the definition of "Regulated Substance," directly or indirectly to soil, surface water or groundwater.
465. **Spillover light** means light that is distributed into areas where the illumination is not needed or intended.
466. **Square footage** means the gross constructed area of all buildings and structures covered by a solid or screened roof and totally or partially enclosed by walls or other material. Nonresidential outdoor areas covered or uncovered which functionally extend the primary use, such as open seating and open retail are included, except that uses which generally completely occur outdoors, such as vehicle or monument sales, nurseries, gasoline sales, salvage yards, and outdoor storage, are not included. Nonresidential canopies and screened enclosures which functionally extend the primary use are included. Decorative canopies or canopies designed to protect from weather are not included. For impact fee purposes of residential development, the square footage means the conditioned area of the building as measured to the outside of the exterior wall. If the residential structure or addition has no conditioned area, square footage shall be the living area of the building as measured to the outside of the exterior wall.
467. **Stall or berth** means the space within which vehicles are placed during actual loading or unloading operations.
468. **Stall**, for the purposes of the Equestrian Preserve Area, means a compartment for a domestic animal in a stable or barn.
469. **Standards Manuals** means the Wellington Engineering Standards Manual (Engineering Manual) and the Wellington Utility Water and Wastewater System Construction Specifications and Standard Details Manual (Utility Manual), (Collectively, Standards Manuals).
470. **State standards** for the purpose of Article 8, Subdivision, Platting and Required Improvements, means the various design and construction guidelines, policies and standards promulgated, and amended, by the departments and agencies of the State, including but not limited to the Policy and Guidelines for Vehicular Connections to Roads on the State Highway Systems, Manual of Uniform Traffic Control Devices for Streets and Highways (as adopted by the Department of Transportation), Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (a/k/a "The Greenbook"), Standard Specifications for Road and Bridge Construction, Roadway and Traffic Design Standards, and Handbook for Drainage Connection Permits.
471. **Stealth facility** means any wireless communications facility that is designed to incorporate into and be compatible with uses of the site such as by means of using camouflage techniques. Examples include architecturally screened roof-mounted antennas, antennas integrated into architectural elements and towers designed to look like or incorporated into light poles, power poles, trees, flag poles, clocks, building towers, steeples or carillons and of similar height.
472. **Stormwater** means the flow of water that results from and occurs immediately following a rainfall event.
473. **Stormwater** management plan means an engineering drawing and written report outlining the proposed secondary and tertiary stormwater management system needed for the proper development of a specific increment of the Village of Wellington, including details of drainage-related conditions and characteristics of the existing development site and surrounding lands.

474. **Stormwater management system** means a comprehensive system designed and constructed or implemented to collect, convey, store, absorb, inhibit, treat, use or reuse stormwater in order to prevent or reduce inundation, flooding, over-drainage, environmental degradation, and water pollution, or otherwise affect the quantity and quality of stormwater runoff.
475. **Stormwater runoff** means that portion of stormwater which occurs either as overland surface flow or subsurface lateral flow through normally unsaturated soils, and which is neither intercepted by vegetation, evaporated, nor recharged to groundwater.
476. **Stormwater system, primary** means classified surface waters of the State which convey stormwater runoff toward the ocean or a major inland water body.
477. **Stormwater system, secondary** means that component of a stormwater management system which consists of facilities and features designed to provide for treatment and control of stormwater runoff generated by specifically delineated lands, in order to meet regulatory requirements governing the quality and quantity of stormwater discharged to the primary stormwater system.
478. **Stormwater system, tertiary** means that component of a stormwater management system which consists of facilities and features designed to provide for rapid removal of stormwater from structures, building sites, roads, and other areas of development or uses sensitive to damage or disruption by inundation.
479. **Stormwater treatment** means removal of pollutants, debris, and other undesirable materials from stormwater runoff by means of natural chemical, biological or physical processes, including, but not necessarily limited to, detention, retention, filtration, percolation, sedimentation, floatation, and skimming. This definition does not normally include active treatment processes, requiring the consumption of electrical or mechanical energy.
480. **Structure** means that which is three (3) feet or more in height, built, constructed, erected, or tied down having a fixed location on the ground or attached to something having a permanent location on the ground, such as buildings, homes, mobile homes, towers, walls, fences, billboards, shore protection devices, and poster panels.
481. **Structured parking** means the provision of parking spaces and drive isles in an enclosed building, to serve nonresidential or multi-family development, provided that an individual dwelling's garage is not considered structured parking.
482. **Subdivision** means the division of land, whether improved or unimproved, whether previously platted or not, into two (2) or more contiguous lots for the purpose, whether immediate or future, of transfer of ownership. The term shall include any modification of legal boundaries for the purpose of redividing or combining any lot(s) depicted on a record plat, or on a certified survey or other map recorded pursuant to an affidavit of exemption or affidavit of waiver. When appropriate to the text, the term refers to the process of subdividing or the land proposed to be or which has been subdivided.
483. **Subdivision plan** means the most recent subdivision plan approved by the Development Review Manager.
484. **Substantial change in land use** means either (1) a change in land use or site design that increases the intensity of land use, (2) a change in land use or site design that creates or increases incompatibility of adjacent land uses, or (3) an increase in the total floor area of multiple-family dwellings or nonresidential buildings which results in increased traffic.
485. **Substantial improvement** means any combination of repairs, reconstruction or improvement of a structure, where the improvement creates additional enclosed space that contains equipment or utilities relative to the primary structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage

occurred. For the purpose of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either any development for improvement of a structure to comply with existing State or local health, sanitary, or safety code specifications that are solely necessary to assure safe living conditions, or any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Place.

- 486. **Surface water** means water upon the surface of the earth whether contained within natural or artificial boundaries or diffused.
- 487. **Surveyor** means a land surveyor registered in the State of Florida.
- 488. **Suspension Order** means suspension of construction work directly over the potential archaeological find. During the initial site visit, a qualified archaeologist may extend the boundary of the suspension order based on the potential significance and geographic coverage of the find.
- 489. **Swale** means a stabilized and graded depression designed to convey stormwater runoff and retain water for only a brief period following a rainfall event.
- 490. **Swimming pool** means any confined body of water, located either above or below the existing finished grade of the site, exceeding one hundred fifty (150) square feet in surface area, and two (2) feet in depth, designed, used, or intended to be used for swimming or bathing purposes.
- 491. **Temporary** means a single period or an accumulation of periods not exceeding ninety (90) days in any 365-day period unless further restricted.
- 492. **Temporary sign** means any sign erected and maintained for a specified length of time.
- 493. **Tiki Hut** means an open-sided wooden hut that has a thatched roof, which incorporates electricity and/or plumbing.
- 494. **Total trips** means, for the purposes of Article 9, the sum of Existing Traffic, Net Trips and Background Traffic.
- 495. **Towing service and storage** means the use of a lot for the temporary storage of operable or inoperable vehicles in conjunction with a commercial towing service, with no sales or repair or salvage activity occurring on the lot.
- 496. **Townhouse** means a dwelling unit in a structure comprising of three (3) to eight (8) units in a row configuration. Each unit shall be located on an individual lot and attached by at least one (1) but no more than two (2) party wall(s) along fifty (50) percent of the maximum depth of the unit, to one (1) or more other dwelling units; has a continuous foundation; each on its own lot, with said party wall(s) being centered on the common property line(s) between adjacent lots.
- 497. **TPS Database** means, for the purposes of Article 9, a database which was initially approved by the Palm Beach County Board of County Commissioners. On an ongoing basis, the Database compiles traffic from existing traffic counts as well as approved but unbuilt developments for each Wellington Roadway Link and Intersection on the roadway network in order to provide Background Traffic volumes for use in traffic studies addressing compliance with the Project Buildout Test. The Background Traffic data shall be maintained by the County and updated to reflect all new project concurrency approvals as well as the buildout status of previously approved projects.
- 498. **Transient vendor** means a business who does not have a permanent location and travels to several locations in one (1) day and does not stay in any one location for more than two (2) hours per day.
- 499. **Tree** means a woody perennial plant commonly with a single four (4) foot clear stem having a more or less defined crown that usually grows to at least fifteen (15) feet in height at maturity.

500. **Tree canopy** means the upper portions of trees consisting of limbs, branches and leaves, which constitute the upper layer of a forested community.
501. **Tree survey** means a comprehensive survey document or site plan that provides the following information for trees greater than four (4) inches diameter at breast height (DBH), or palm trees with an overall height of eight (8) feet, that delineates the location and identifies the species of trees and vegetation upon a lot, and that meets the tree survey requirements of Article 7 (Landscaping and Buffering). The Department shall determine the applicability and the extent of each survey. The survey shall provide the following information:
- a. The surveyed location, by a Florida licensed land surveyor, in relation to all proposed development, of all existing trees that are proposed to be destroyed, relocated or preserved.
 - b. The common and scientific name of each tree.
 - c. The diameter at breast height (DBH) of each tree, or, if a multiple trunk tree, the sum of the DBH of all trunks.
502. **Trip** means a one-way movement of vehicular travel from an origin (one (1) trip end) to a destination (the other trip end).
503. **Trip generation** means the attraction or production of trips caused by a given type of land development.
504. **Ultimate right-of-way** means an area set aside for future road widening or used as means of ingress, egress as determined by the Department of Transportation, the Wellington Engineer, the Council, or by the LDR.
505. **Under air living area** means the fully enclosed portion of a structure that is air conditioned or sufficiently weather tight to make air conditioning practical, not including garages or storage areas.
506. **Understory** means the structural, component of a forest community below the canopy and above the ground layer composed of a complex of woody, fibrous or herbaceous plant species.
507. **Unit** means a building or portion of a building, or a mobile home used primarily for human habitation purposes with separate bathing, cooking and/or dining facilities. In the case of a hotel or motel, or a congregate living facility, it means the room and bathrooms.
508. **Unity of control** means a covenant stipulating that a lot, lots, or project with different owners shall be developed according to a common site or master plan providing unified control and the combined lots shall meet land development requirements as if they are one (1) lot.
509. **Unity of title** means a document recorded in the public records of Palm Beach County stipulating that a lot, lots or parcel of land shall be held under single ownership, shall not be eligible for further subdivision and shall not be transferred, conveyed, sold or divided in any unit other than in its entirety.
510. **Urban services area** means that portion of Wellington designated as the "Urban Services Area" by the Wellington Comprehensive Plan, as such area may change from time to time, pursuant to the procedures set forth within said plan.
511. **Use** means any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained, or occupied; or any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a tract of land.
512. **Use regulations table** shall refer to the Use Regulations Schedule in Article 6.
513. **Utility** means a government or franchised provider of water, sewer, electric, gas, phone, cable television or similar service.

514. **Utility easement** means an easement established for the purpose of the installation, operation, repair, or maintenance of facilities and equipment used to provide utility services.
515. **Utility minor** means mechanical equipment associated with utility distribution, collection, or transmission networks, required by their nature to be relatively dispersed throughout their service area other than electric generation and transmission facilities. Typical uses include gas and water regulators, electrical distribution substations, chlorine injection and potable water booster pump stations; water reclamation treatment, storage and distribution facilities, sewage lift stations, telephone exchange buildings, communication substations and stormwater system facilities.
516. **Utility pole-mounted facility** means an antenna facility attached to or upon an electric transmission or distribution pole, street light, traffic signal or similar facility located within a public right-of-way or easement. The facility shall include any associated equipment shelters.
517. **Valid** means, for the purposes of impact fees, a development order or other authorization which was legally issued, and that has not expired, lapsed, or been abandoned, revoked, or canceled; or is not subject to such by the passage of time or the conduct of the owner or developer, and on which or for which all conditions of approval are satisfied that must be satisfied by the terms or conditions of approval.
518. **Value** means, in the case of land, the appraised value as determined by an appraiser from a list of appraisers approved by Wellington. In the case of improvements to real property or chattel, it means the actual cost to the fee payer or developer of such improvements or chattel. In all cases, the values shall be established in or as if in an arm's length, bona fide transaction in a competitive market between a willing seller and a willing buyer, neither of whom are under any special circumstances. If the Impact Fee Coordinator rejects an appraised value, the Impact Fee Coordinator may obtain another appraisal using an appraiser from the approved list, in which case that appraisal shall prevail.
519. **Variance** means an abatement of the terms of the Land Development Regulations for a use, where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the LDR would result in unnecessary and undue hardship.
520. **Vegetation** means all plants, palms and trees, groundcover, turf, or grass collectively, typically those in a specific region.
521. **Vegetation removal** means the extraction of vegetation, direct or indirect actions resulting in the effective removal of vegetation through damaging or poisoning or similar actions resulting in the death of vegetation.
522. **Vehicular encroachment** means any protrusion of a motor vehicle outside of the boundaries of a vehicular use area into landscape or other area.
523. **Vehicular use area** means either: (1) an area designed or used for off-street parking; or (2) an area used for loading, circulation, access, storage, or display of motor vehicles. Designated parking areas on public or private roads shall not be considered a vehicular use area.
524. **Vested** means vested pursuant to the application of Florida law.
525. **Village** shall mean the Village of Wellington, Florida.
526. **Village Attorney** means the Village Attorney of the Village of Wellington, Florida.
527. **Village Council** means the Village Council of the Village of Wellington, Florida.
528. **Village Engineer** means the Village Engineer of the Village of Wellington, Florida.
529. **Village Manager** shall mean the Chief Administrative Officer of the Village, appointed by the Council or the designee of such Person.

530. **Violator** means a person who has been ordered by Code Enforcement to correct a violation.
531. **Walls** means, for the purposes of Article 6, only those walls serving as a barrier and shall not include walls associated with a habitable structure.
532. **Warehousing** means an establishment engaged in the storage of materials, equipment, or products within a building for manufacturing use or for distribution to wholesalers or retailers, as well as activities involving significant movement, breaking of bulk and storage of products or equipment. Typical uses include motor freight transportation, moving and storage facilities, cold storage, warehousing and dead storage facilities, but exclude self-service storage facilities and office-warehouse combinations.
533. **Waste** means discarded material including but not limited to garbage, rubbish, yard trash, litter, noncombustible refuse and industrial wastes.
534. **Wastewater residuals** means the solid, semisolid, or liquid residue removed during the treatment of municipal wastewater. Not included is the treated effluent or reclaimed water from domestic wastewater treatment plant.
535. **Wastewater residuals (dry)** means domestic wastewater residuals that contain sixty-five (65) percent solids or greater, by weight.
536. **Water or treatment plant** means a facility designed for treatment and disposal of more than 5,000 gallons per day of water or wastewater.
537. **Water management tract** means a parcel of land under single ownership, identified and created as a single unit on a plat or other instrument of record, established for the purpose of delineating a complete facility or unified area to be utilized for detention, retention, or groundwater recharge of stormwater runoff prior to discharge from a development site.
538. **Water system, individual** means a privately owned water supply system which provides water service to a single development because of unavailability of a central water system.
539. **Water well** means a source of water used for drinking, culinary, sanitary and other domestic purposes. The following are classifications of wells:
- a. Private well means a well used to provide water only for residential purposes and serving no more than four (4) dwelling units;
 - b. Semi-public well means a well used to provide water for:
 - c. Less than twenty-five (25) individuals daily at least sixty (60) days out of the year, or
 - d. At least twenty-five (25) individuals daily less than sixty (60) days out of the year;
 - e. Non-community well means a well used to provide water to at least twenty-five (25) individuals daily at least sixty (60) days out of the year but is not a community water system;
 - f. Community water well means a well used to provide water to at least fifteen (15) service connections used by year-round residents or which regularly serves at least twenty-five (25) year-round residents;
 - g. Non-potable well means a well intended exclusively for irrigation purposes, or for supplying water to a heat pump system or a well for receiving discharge water from a heat pump system;
540. **Watercourse** means any stream, canal, ditch, or other natural or artificial channel in which water normally flows within a defined bed, banks, or other discernible boundaries, either continuously or seasonally, whether or not such flow is uniform or uninterrupted.

541. **Waters of the state** means waters, as defined in § 403.031(12), Fla. Stat., subject to compliance with State Water Quality Standards adopted pursuant to Chapter 403, Fla. Stat., and set forth in Chapter 17-3, F.A.C.
542. **Watershed** means the land area which contributes to the total flow of water entering a receiving stream or water body.
543. **Well** means any opening in the ground designed to conduct water from a ground water supply to the surface by pumping or natural flow when water from such opening is used or is to be used for a drinking water supply system or irrigation purposes.
544. **Wellfield** means an area of land which contains more than one (1) potable well that is designed for a pumping rate of at least one hundred thousand (100,000) gallons per day.
545. **Wellfield Zones 1 and 2** means zones of influence delineated by iso-travel time contours around public water supply wellheads. Zones of influence maps, are on file and maintained by the County ERM Department.
546. **Wellington** shall mean the Village of Wellington, Florida.
547. **Wellington Engineer** means the Village Engineer of the Village of Wellington, Florida.
548. **Wellington Intersection** means, for the purposes of Article 9, the intersection of two (2) or more Wellington Roadways or the intersection of a Wellington Roadway with a County or State Major Thoroughfares.
549. **Wellington Roadways** means, for the purposes of Article 9, either:
- a. All roads as defined in the Wellington Roadway Analysis Map as it may be amended from time to time;
 - b. All roadways that function as Wellington Roadways as determined by the Wellington Engineer based on the following criteria:
 - i. Provides continuity of an existing roadway;
 - ii. Provides connectivity to other Links of the roadway network;
 - iii. Carries or is projected to carry a volume of at least eight hundred (800) peak hour directional trips.
- All proposed and approved roads that would, if built, function as arterials and major collectors during the buildout period of the proposed project as determined by the Wellington Engineer in accordance with accepted traffic engineering principles.
550. **Wellington Tree Fund** means a fund which shall be used for the installation and may be used for maintenance of native canopy trees on publicly owned lands in Wellington and may include landscape design services, irrigation, tree grates, porous surfacing and materials necessary for the proper installation and maintenance of tree plantings and relocation of trees for the purpose of increasing and maintaining native tree canopy coverage in Wellington.
551. **Wet detention/retention** means detention or retention in a storage facility not designed, constructed, and operated so as to provide dry detention/retention.
552. **Wetland** means those areas defined in § 373.019(22), Florida Statutes, and those areas that are inundated or saturated by surface water or groundwater at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to

grow, reproduce, or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps, and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto.

553. **Whip antenna** means an omnidirectional antenna used to transmit or receive radio signals.
554. **Wholesaling** means an establishment engaged in the display, maintaining inventories of goods, storage, distribution and sale of goods to other firms for resale, or the supplying of goods to various trades such as landscapers, construction contractors, institutions, industries, or professional businesses. In addition to selling, wholesale establishments sort and grade goods in large lots, break bulk and redistribute in smaller lots, delivery and refrigeration storage, but excluding vehicle sales, wholesale greenhouses or nurseries, wholesale of gas and fuel, and wholesale building supplies.
555. **Wireless communications facility** means a facility that is used to provide wireless communications services including towers, arrays, antennas and associated facilities. This term does not include over-the-air reception devices that deliver or receive broadcast signals, devices that provide direct-to-home broadcast satellite services ("DBS") or devices that provide multichannel multipoint distribution services ("MMDS") as defined and regulated by 47 Code of Federal Regulations (CFR) § 1.4000, as amended.
556. **Wireless communications services** means the transmission of information by electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), or other communications signals whether or not the transmission medium is owned by the provider itself. This term includes but is not limited to wireless services, common carrier wireless exchange access services and commercial mobile services as defined by 47 United States (U.S. Code) 332 (d), as amended.
557. **Wireless communications tower** means a guyed, monopole or self-support/lattice tower or extension constructed as a freestanding structure supporting one or more antennas used in the provision of wireless communications services.
558. **Wireless Provider** means an entity that provides service over a wireless communications facility whether or not the provider owns the facility. A person that leases a portion of a wireless communications facility shall be treated as a provider.
559. **Work** means all required construction as shown on approved construction plans and specifications for all facilities and features of any kind which are required, related to the process of subdivision of land under Article 8, Subdivision, Platting and Required Improvements.
560. **Zero lot line home** means the use of a lot for one (1) detached dwelling unit with at least one (1) wall, but not more than two (2) walls or a portion thereof, located directly adjacent to a side lot line, excluding a mobile home but including a manufactured building.
561. **Zoning District** means any certain described Zoning district of Wellington to which these regulations apply and within which the zoning regulations are uniform.

CHAPTER 3. - ABBREVIATIONS AND ACRONYMS

AADT	Average annual daily traffic
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AASHTO	American Association of State Highway and Transportation Officials
ACOE	Army Corps of Engineers
ADT	Average daily trips
AER	Archaeological Evaluation Report
ANSI	American National Standards Institute
ARB	Architectural Review Board
ASTM	American Society of Testing and Materials Standards
BP	Building Permit
CD	Certificate to Dig
CIE	Capital Improvement Element
CO	Certificate of Occupancy
CRALLS	Constrained Road At A Lower Level of Service
Db	Decibel
DBH	Diameter at breast height
DEPW	Department of Engineering and Public Works
DO	Development Order
DRI	Development of Regional Impact
DM	Development Review Manager
DRM	Development Review Manual
EPC	Equestrian Preserve Committee
ESL	Environmentally Sensitive Land
ESA	Environmental Site Assessment
FAA	Federal Aviation Administration
F.A.C.	Florida Administrative Code
FAR	Floor Area Ratio
FIRM	Flood Insurance Rate Map
FDEP	Florida Department of Environmental Protection
FDOT	Florida Department of Transportation
FHBM	Flood Hazard Boundary Map
Fla. Stat.	Florida Statutes
GOPs	Goals, Objectives and Policies of the Comprehensive Plan
HCM	Highway Capacity Manual

LDP	Land Development Permit
LDR	Land Development Regulations (Wellington)
LOS	Level of Service
MAI	Member of the Appraiser's Institute
MF	Multi-family
MPO	Metropolitan Planning Organization
NGVD	National Geodetic Vertical Datum
NPDES	National Pollutant Discharge Eliminate System
OHW	Ordinary High Water
OLW	Ordinary Low Water
PBC	Palm Beach County
PBCPHU	Palm Beach County Public Health Unit
PUD	Planned Unit Development
PUP	Public Utility Permit
PZAB	Planning, Zoning and Adjustment Board
PZB	Planning, Zoning & Building Department
SF	Single Family
SFWMD	South Florida Water Management District
TCRPC	Treasure Coast Regional Planning Council
TIS	Traffic Impact Study (or Statement)
TPS	Traffic Performance Standards
USA	Urban Services Area
USB	Urban Services Boundary
WPZ	Wellfield Protection Zones
ZLL	Zero lot line