ARTICLE 8 - DEFINITIONS

The following words and phrases when used in these regulations shall have the following meanings, except where the context clearly indicates a different meaning.

Abandon means to renounce or disclaim all interest of the City and of the public in any non-fee interest in land, including but not limited to a right-of-way, easement, street, or alley. For the purposes of these regulations, "abandon" includes the terms "vacate" and "close."

Abuts or abutting means parcels of land which share a property line or are separated by an alley. (Ord. No. 0-2004-25)

Accessory deck is that area within the first twenty (20) feet above grade, designed for the purpose of accommodating recreational activities and/or off-street parking below its surface and/or usable open space on its upper level, none of which may be used for living purposes. (Sec. 2-2)

Accessory dwelling: see definition of Dwelling, Accessory.

Accessory use, building or structure means a use which: 1) is subordinate to and serves a principal use; 2) is subordinate in area, extent, and purpose to the principal use served; 3) contributes to the comfort, convenience or necessities of the users or occupants of the principal use; and 4) is located on the same building site as the principal use. (Ord. No. 0-2004-25)

Acre, net is the area within lot boundaries of all lands comprising the building site. A net acre shall not include any portion of the abutting dedicated streets, alleys, waterways, canals, lakes or any such dedicated right-of-way by whatever name known. (Sec. 2-3)

Addition to a~~n~~ historic building, structure, or property means a construction project located on the exterior of an historic building, structure, or property. (Art. 31)

Adjacent means across a street or waterway from a parcel of land. Where a parcel of land is adjacent to more than one parcel of land, the term adjacent is intended to require compliance with the most restrictive standard with regard to the land use designation or use of adjacent property. (Ord. No. 0-2004-25)

Adult is any person eighteen (18) years of age or older. (Sec. 2-4)

Adult book store is an establishment having as its stock in trade, books, magazines, prints, photos, movies, models and periodicals which are distinguished or characterized by their emphasis on matter depicting, describing, exhibiting or relating to specified anatomical areas or an establishment with a segment or section devoted to the sale or display of such material. (Sec. 2-5)

Adult cat or dog means a cat or dog six (6) months or older. (8-lb)

Adult theater means an enclosed building or an enclosed space within a building or an open-air area used for presenting as a preponderance of its entertainment, films, motion pictures, video cassettes or disks, slides or similar photographic reproductions, recordings or other audio matter, or live plays, dances, or other performances, either by dominant character or theme is the depiction of description of "specified sexual activities" or "specified anatomical areas" for the entertainment of patrons therein. The term includes, but is not limited to, an establishment that has one or more "adult booths" or an "adult arcad*e."*

Adult use means an adult bookstore, adult theater or a massage salon.

Aesthetics means the science and philosophy of beauty. (Sec. 2-6)

Affordable housing means housing which is affordable to a household with an adjusted gross income which does not exceed 80% of the area median income.

Aggrieved means any applicant~~,~~ or any person who received courtesy notice of ~~the~~a public hearing from the City~~,~~ or the City Manager.

Alcoholic beverages mean ~~"~~distilled spirits and all beverages containing one-half of 1 percent or more alcohol by volume~~"~~ (consistent with Section 561.01, Florida Statutes (2004)).

Alcoholic beverage sales mean a commercial activity involving the sale of alcoholic beverages for off-premises consumption, such that 25% or more of the floor area is occupied by the display of alcoholic beverages.

Alley is a narrow thoroughfare dedicated or used for public use upon which abut generally the rear of the premises, or upon which service entrances or buildings abut, which is not generally used as a thoroughfare by both pedestrians and vehicles, or which is not used for general traffic circulation, and is not otherwise officially designated as a street. (Sec. 2-8)

Alteration to an historic building or structure means any change affecting the exterior appearance of an existing improvement by additions, reconstruction, remodeling, partial demolition or maintenance involving change in color, form, texture or materials, or any such changes in appearance of specially designated interiors. (Art. 31)

Amateur radio antenna is an antenna consisting of a tower, beam array, and mast and is designed and constructed for use in the operation of an amateur radio station licensed by the Federal Communication Commission. (2537) (Sec. 2-9)

Animal grooming or boarding~~use~~ means a use where animals are kept on a temporary basis in conjunction with grooming or overnight boarding.

Antenna means a transmitting and/or receiving device mounted on a telecommunications tower, building or structure and used in wireless telecommunications services that radiates or captures electromagnetic waves, digital signals, analog signals, radio frequencies, wireless communications signals and other communications signals including directional antennas such as panel and microwave dish antennas, and omni-directional antennas such as whips, but excluding, radar antennas, amateur radio antennas, satellite earth stations, traditional residential television antennas or microwave antennas.

Apparent mass means the perceived mass of an object when it is viewed from a particular vantage point and is placed in a particular context. The apparent mass of a building or structure is affected by such factors as size, configuration, design, orientation, topography, landscaping, distance, articulation, fenestration, color, the horizon, and other nearby buildings or structures.

Applicant, under the Historic Preservation provisions of Article 3 Division 11 of these regulations, means an individual or group who provides sufficient written information to the Historical Resources Department staff to ascertain that the property meets the minimum eligibility requirements for local historic designation or, in the case of a request for a Certificate of Appropriateness, the property owner, or authorized representative of the property owner. (Art. 31)

Applicant means a person who applies to the City for development approval.

Application for development approval means any application for approval of development under the provisions of these regulations, other than an application for a building permit, certificate of use or occupancy, and occupational license.

Arcade and/or loggia means a permanent structure that is constructed, contiguous, parallel, perpendicular and attached to an adjoining building and attached to the structural components of a building that provides

cover and protection from the elements for pedestrian passageways, sidewalks, etc. generally supported by piers or columns and which are accessible to the public at all times. Arcades may include building columns, landscaping, statuary, pools, fountains or similar pedestrian amenities.

Archaeological site means a single specific location which has yielded or is likely to yield information on local history or prehistoric history. Archaeological sites may be found within historic sites or historic districts. (Art. 31)

Archaeological zone means a geographically defined area, designated pursuant to these regulations, which may reasonably be expected to yield information on local history or prehistoric history based upon broad prehistoric or historic settlement patterns and including items such as clothing, buckles, pottery and house wares. (Art. 31)

Architectural features ~~include but shall not be~~means but are not limited to the following: architectural style, scale, massing, siting, general design and general arrangement of the exterior of the building or structure, including the type, style and color of roofs, windows, doors and appurtenances. Architectural features shall also include interior spaces which have been designated historic pursuant to the provisions of Article 3 Division ~~12~~11 of these regulations. (Art. 31, Sec. 31-4.1)

Architectural relief elements mean architectural elements, ornamentation, decorative features installed, attached to, protruding from, or painted on the exterior of a building or structure for the purpose of ornamentation or expression. (from MU3)

Architecture means the art and science of designing and constructing buildings adapted to their purposes, one of which is beauty. (Sec. 2-14)

Array means a group of antennas that are either ~~(I)~~(i) mounted or side mounted on the rooftop of a building or rooftop structure(s); or (ii) directly or indirectly mounted on a telecommunications tower.

~~**Assisted living facilities (ALF)** means any facility housing people for a period of time greater than twenty-four (24) hours, and providing for basic housekeeping services (i.e., beds, meals, supervision).~~

Assisted living facilities (ALF) means any 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 twenty four (24) hours to one (1) or more adults who are not relatives of the owner or administrator. (**NOTE:** this definition and the definition of "personal services" are taken from Section 400.402, Florida Statutes (2004)).

Attached telecommunications facility means any telecommunications facility that is attached to an existing building or structure that is not itself a telecommunications tower or an antenna.

Automated parking system means a parking lift or lifts, mechanical access parking structure, robotic parking system, or any other similar structure that employs mechanical devices to store and retrieve automobiles.

Automatic irrigation system means an irrigation system with a programmable controller or timing mechanism.

Automobile service station means any building, structure, or lot used for the following: dispensing, selling or offering for retail sale gasoline, kerosene, lubricating oil, or grease for the operation and maintenance of vehicles. This may include buildings or structures that are used for the retail sale and direct delivery to motor vehicles of cigarettes, candy, soft drinks and other related items for the convenience of the motoring public, and may include facilities for lubricating, minor repairs or vehicle service. Such establishments shall not include facilities for major vehicle service.

Awning means a roof-like cover extended over a window, door or an opening of a structure, including garage or porte-cochere vehicle openings, being fastened in the manner provided for such fastenings, to the structure of which it is a part and design; and used for the purpose of shielding such window, door or opening from the rays of the sun, rain and like elements of weather, as opposed and differing from canopies~~ as the word canopy is hereinafter defined~~. (Sec. 2-17)

Bed and breakfast means a transient lodging establishment, generally in a single-family dwelling or detached guesthouse, primarily engaged in providing overnight for the general public, not including a restaurant.

Basement is that portion of a building between floors and ceiling which is so located that one-half (½) or more of the clear height from floor to ceiling is below ~~grade. The basement shall not be used~~grade and which is not used as a habitable room. (Sec. 2-18)

Billboards means a surface whereon advertising matter is set in view conspicuously and which advertising does not apply to premises or any use of premises wherein it is displayed or posted. (Sec. 2-20)

Block means that property bounded by streets or by a combination of streets and public land, railroad rights-of-way, waterways, golf course, campus, park or any other barrier to the continuity of development. (Sec. 2-21)

Boat house means an accessory structure which is enclosed or partially enclosed and is primarily designed for the use and storage of private watercraft and marine-related equipment and which is used in accordance with the provisions of the Article 5 Division 1 of these regulations.

Breezeway means a roofed, open-sided passageway connecting two structures, such as a house and a garage.

Buffer, perimeter landscape means an area of land which is set aside along the perimeter of a parcel of land in which landscaping is required to provide an aesthetic transition between different land uses and to eliminate or reduce~~the~~ adverse environmental~~impact,~~ and incompatible land use impacts.

Building means any structure used or intended for supporting or sheltering any use or occupancy. (Florida Building Code).

Building base means the portion of a building and/or structure that starts at street level and is in proportion with the building and distinguishable from the remainder of the building.

Building middle means the portion of the building and/or structure that is between the building base and building top.

Building top means the portion of the building and/or structure at the top of a building.

Building site means~~ as follows~~:

(a) A parcel of land having not less than the minimum area permitted by these regulations for a building to be erected thereon, including such open spaces as are required by these regulations and such open spaces as are arranged and designed to be used, or actually used, in connection with such building, and

(b) A parcel of land heretofore approved by the City of Coral Gables as a building site under a Unity of Title agreement as recorded in the Public Records of Miami-Dade County, Florida. (Sec. 2-23) (See Art. 5, Div. 26)

Build-to-line means a line with which at least 50% of the front exterior wall of the principal building is required to coincide. (Ord. No. 0-2004-25) ~~[under further review]~~

Business outside a building means a business not being carried on within and under cover of a building if the product or merchandise sold is conveyed or delivered or handed out on the premises through a window or other opening to a buyer outside the building; or if any side or a room or area in which the business is conducted is open to the air by reason of the lack of an enclosing wall, door or other fixtures. (Sec. 2-24)

Cabana means an accessory building or a portion of the main building used as a bathhouse or a dressing area in connection with a swimming pool or a tennis court. (Sec. 2-25)

Calculation of unused development rights means the formula used to determine the maximum amount of underdeveloped floor area that may be transferred from a designated historic property. That figure is derived by calculating the difference between the existing gross floor area in the designated structure (sending site) and the maximum gross floor area permitted in that site's zoning designation. (TDR manual)

Caliper means for trees under four (4) inches in diameter, the trunk diameter is measured at a height of six (6) inches above natural grade. For trees four (4) inches and greater in diameter, the trunk diameter is measured at twelve (12) inches above natural grade.

Camp means academic and recreational programs intended for participation by children between the ages of five and eighteen years. Such programs may be multidisciplinary and may include, but not be limited to, a combination of academic, athletic, and recreational activities, but which does not include overnight stays.

Campus Core Area means that portion of the UMC District which is not designated as Campus Perimeter Area on the map attached hereto and incorporated herein as Exhibit "A."

Campus Master Plan means a general plan depicting existing and proposed physical improvements and use of land by the University of Miami for higher educational purposes, together with necessary infrastructure.

Campus Master Plan Development Order means a major conditional use approving an application for a Campus Master Plan granted by the City Commission of the City of Coral Gables for land within the University of Miami Campus District.

Campus Perimeter Area means that area graphically depicted as "Perimeter Area" on the map attached hereto and incorporated herein as Exhibit "A."

Canopy means a roof-like cover, including an awning that projects from the wall of a building over a door, entrance or opening.

Canopy entrance means a canopy intended and used for the purpose of sheltering persons or inanimate objects from the rays of the sun and from rain and weather. (Sec. 2-45)

Carnival means an exhibition or amusement enterprise consisting of various riding devices, sideshows, games or tests of skill and vendors of refreshments. Programs which may be directed to Brownies, Cub Scouts, Girl Scouts and Boy Scouts and church bazaars, religious programs and festivals and similar church and school functions shall not be construed as carnivals. (Sec. 2-26) (See Art. 5, Div. 28)

Carport means a roofed structure not more than seventy-five percent (75%) enclosed by walls and attached to the main building for the purpose of providing shelter for one or more motor vehicles. (Sec. 2-27)

~~**Car-porte**~~**Carport canopy** means a roof-like shield for vehicles from the rays of the sun and from rain and weather. ~~Car-porte~~Carport canopies are partially or entirely supported from the ground up. (Sec. 2-28)

Casino means any place of business established and operated for the principal purpose of supplying entertainment or music, or both, and the sale of alcoholic beverages and intoxicating liquors exceeds forty percent (40%) of the total gross receipts for said business.

Cat means a carnivorous quadruped belonging to the feline family and held as a domesticated cat. (Sec. 2-29)

Cemetery means a place used for interment of human or animal remains or cremated remains, including a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments or a combination thereof.

Central Business District means property bordered by LeJeune Road on the west, Douglas Road on the east, Navarre Avenue on the north, and Alameria Avenue on the south. (Sec. 13-5 (d) 1.)

Certificate of Appropriateness means a written document, issued pursuant to these regulations, permitting specified alterations, demolitions, additions, or other work to a designated historic landmark or contributing or non-contributing building within a designated historic landmark district. (Art. 31)

Certificate of Appropriateness, Special means those certificates involving the demolition, removal, reconstruction, alteration or new construction, alteration or new construction at an individual site or in a district, which requires determination by the Historic Preservation Board before such certificate can be issued pursuant to the provisions of Article 3, Division ~~12.~~11. (Art. 31)

Certificate of Appropriateness, Standard means those certificates issued by the Historic Preservation Officer in accordance with the provisions of Article 3, Division ~~12.~~11.

Certificate of Concurrency/Capacity means the document issued by the City indicating the quantity of public facilities that are available and reserved for the property described in the certificate, including any limits on uses, densities, and intensities of an approved development of the property, and containing an expiration date.

Certificate of Occupancy means a certificate issued by the Building Official that a building or structure conforms to the building permit, all applicable ordinances and regulations and may be occupied.

Certificate of Use means a certificate issued by the Building Official that a building, structure or use conforms to all applicable City ordinances and requirements and may be used as proposed provided that applicable permits are obtained.

Certified Local Government (CLG) means a program administered by the U.S. Department of the Interior which enables communities to have a more direct part in the federal historic preservation program. (Art. 31)

Certificate of Transfer means a document issued by the City of Coral Gables' Historic Preservation Officer that authorizes the transfer of specified undeveloped rights from an historic property to a receiving site.

City means the City of Coral Gables, Florida, an incorporated municipality of the State of Florida, in its present form or in any later reorganized, consolidated, or enlarged form.

Clear unobstructed space means the minimum unobstructed space required to accommodate pedestrian circulation and applicable American Disabilities Act ~~ADA~~ requirements. (from MU3)

Clearance pruning means pruning required to avoid damage or danger related to structures, power distribution and property, as defined in the current American National Standards Institute (ANSI) A300 Standards.

Coastal flood hazard district means the coastal flood hazard district is designated as follows:

(a) The area south of the Coral Gables Deep Waterway and east of Old Cutler Road and Red Road; and,
(b) The area bounded on the south by the Coral Gables Deep Waterway, on the west by LeJeune Road and Ingraham Highway, on the north by West Ingraham Terrace and Miami City limits and on the east by Biscayne Bay. (Sec. 2-30)

~~Co-Location~~**Collocation** means use of a common telecommunications tower or site by two or more service providers. An application is for ~~co-location~~collocation if the service provider intends to install an array on an existing telecommunications tower or at the same site as an existing attached telecommunications facility.

Colonnade means a permanent structure that is below and parallel to the face of a building and beneath the floor above that is generally supported by piers and columns that provides cover from the elements.

Commercial laundry means a commercial establishment for laundering clothes and linens on site which does not do business with individual members of the public and only does business with other businesses, typically hotels.

Commercial use means any use permitted as of right or as a conditional use in the Commercial Limited District or the Commercial District.

Common areas means land, including accessory structures and buildings, not individually owned or dedicated for public use, which is dedicated and intended for the common use or enjoyment of the owners, tenants and residents of the development or the public.

Common open space is the area required as open space under these regulations.

Community center means a building to be used as a place of meetings, recreation or social activity and not operated for profit and in which neither alcoholic beverages nor meals are normally dispensed or served.

Compatibility means the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean "the same as." Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing development.

Comprehensive Land Use Plan and Map are the official documents reviewed by the Planning and Zoning Board and adopted by the City Commission as a long-range policy guide for the orderly, economic and physical growth of the City pursuant to the provisions contained within Florida Statutes. (3518) (Sec. 2-31)

Concurrency manual is the manual prepared by the City of Coral Gables for the administration and management of the City's Concurrency Management Program.

Conditional use is a use that would not be appropriate generally, or without restriction throughout a zoning district or classification but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare. Such uses may be permitted in a zoning district or classification as conditional uses if specific provision for such conditional use is made in these regulations. (Sec. 2-32)

Congregate care means direct physical assistance with or supervision of the activities of daily living and the self-administration of medication and other similar services. Congregate care shall not include the provision of medical, nursing, dental, or mental health services.

Consistency means compatible with and furthers the general plan of the City. Consistency exists when the standards and criteria of the City's Comprehensive Land Use Plan are met or exceeded.

Consistent and compatible means a use or structure which is sufficiently in agreement with existing uses or structures to be harmonious notwithstanding the individual characteristics of the use or structure. "Consistent and compatible" also mean a use or structure which constitutes an orderly, logical, and aesthetically attractive addition to the area in which the use or structure is to be located. "Consistent and compatible" is intended to fetter the discretion of the City in the context of the Zoning District Area analysis.

Construction and/or field office is a mobile home, travel trailer, truck trailer and/or other structure used as an office in conjunction with a construction project. (3230) (Sec. 2-35)

Contextual analysis means an analysis of a proposed development to determine whether the proposed development is consistent with the neighborhood in which the proposed development will be located. (See Article 3, Division 3)

Contributing building or property means a building or property contributing to the historic significance of a district which by location, design setting, materials, workmanship, and association adds to the district's sense of time, and place, and historic development. (Art. 31)

Contiguous means parcels of land which share a property line or are separated by an alley. Where a parcel of land is contiguous to more than one parcel of land, the term contiguous is intended to require compliance with the most restrictive standard with regard to the land use designation or use of contiguous property. (Ord. No. 0-2004-25)

Controlled plant species means those plant species listed in the City's Landscape Manual which tend to become nuisances because of their ability to invade proximal native plant communities or native habitats, but which, if located and cultivated properly may be useful or functional as elements of landscape design.

Convenience retail means any retail establishment offering for sale grocery and household items, newspapers and magazines, gasoline and other auto products, food products, incidental sales of cooked food or site-prepared food ready for serving off-premises, and similar items.
~~[See definition of retail sales and services]~~

Coral Gables Register of Historic Places means a listing of the properties within the City that have been designated as local historic landmarks or local historic landmark districts. (Art. 31)

Court means an open, unoccupied, unobstructed space, other than a yard, on the same lot as a building. Trees or shrubs may be used in a court. (Sec. 2-37)

Court, inner means a court not extending to a street or alley or to a front, side or rear yard. (Sec. 2-38)

Court, outer means a court extending to a street or alley or to a front, side or rear yard. (Sec. 2-39)

Courtyard, private means an open space area that is partly or wholly defined by buildings or walls that is accessible at grade and is neither public nor civic. The use is intended solely for the utilization of a select group of individuals or persons.

Courtyard, public means an open space area that is partly or wholly defined by buildings or walls that is accessible at grade and is available for use by the public. Public courtyards may be permitted to be a component of the main entry sequence. (from MU3)

Coverage means the portion of the parcel proposed for development which is covered with the footprints of all buildings and structures, computed from the exterior face of exterior walls and the exterior face of exterior columns of the ground floor of the building or structure, including the cantilevered portions of the building above the ground floor or roof overhangs which are greater than five (5) feet.

Customer service area means the gross floor area of a restaurant used for serving patrons, excluding food and drink preparation areas, storage areas and other areas not directly utilized by the public in patronizing such establishments.

"Cut-off" fixture means a light fixture which shields light so that the light is cast downward.

Day care means a facility operated for the purpose of providing care, supervision and guidance to six (6) or more individuals during only a part of a 24-hour day.

Demolition means the act or process of wrecking, destroying, or removing any building or structure or any part thereof. (Art. 31)

Density means the number of dwelling units permitted per net acre of land. (Sec. 2-40)

Department of Community Affairs (DCA) means the Florida Department of Community Affairs or any successor department or agency by whatever name known.

Designated exterior means all outside surfaces of any improvement listed in ~~the~~a designation report as having significant value to the historic character of the building, structure or district. (Art. 31)

Designation report means a document prepared by the Historic Preservation Officer for all properties or districts which are proposed for local historic designation. The designation report includes the boundaries of the proposed historic property or district, a summary of its historic significance, and contains location maps and a review guide which describes the physical characteristics of the property or district. (Art. 31)

Development means (1) the subdivision of a parcel of land; (2) the construction, reconstruction, conversion, structural alteration, relocation, enlargement, or demolition of a structure; (3) the mining, excavation, landfill, drilling, grading, deposition of refuse, solid or liquid waste, or fill on a parcel of land; (4) the alteration of the shore or bank of a pond, lake, river, or other waterway; or (5) any use or change in the use or intensity of use of any structure or use of land and includes redevelopment.

Development approval means any approval, permit or other official action of the City granting, denying, or granting with conditions an application for development approval. (see Article 3)

Development Review Official (DRO) is responsible for the overall coordination of the administration of these LDRs. Specifically, the DRO is responsible for receiving applications for development approval, determining whether they are complete, coordinating the review of the Development Review Committee and Administrative Review Committee, and granting development minor conditional use approval. If it is determined appropriate by the City Manager, more than one (1) Development Review Official may be appointed. (Article 2, Section 2-707)

Diameter at breast height (DBH) means the diameter of a tree's trunk measured at a height four and one-half (4.5) feet above natural grade. In the case of multiple-trunk trees, the DBH shall mean the sum of each trunk's diameter measured at a height of four and one-half (4.5) feet above natural grade.

Differential operation schedule means a method of scheduling an irrigation system to apply different quantities of water, and/or apply water at different frequencies as appropriate, for different hydrozones.

Diffuse shadow means a shadow that does not have a sharp edge.

Dormer window is a window set upright in a sloping roof. (21.16)

Drip line means an imaginary vertical line extending from the outermost horizontal circumference of a tree's branches to the ground.

Drive through ~~is~~means a driveway or roadway that is designed and intended to provide access for vehicles whereby occupants of ~~the vehicle~~vehicles receive and/or obtain a product or service.

Duplex means a residence building designed for, or used as, the separate homes or residence of two (2) separate and distinct families, having the exterior appearance of a single-family dwelling house. Each individual unit in the duplex shall have all living rooms accessible to each other from within the unit and each individual unit is to be occupied exclusively by one family or by no more than three (3) individuals unrelated to any other occupant, excluding servants, who are living and cooking as a single household. (3183) (Sec. 2-43)

Dwelling, accessory means a dwelling unit accessory to and occupying the same parcel of land as a nonresidential use or principal residential use.

Dwelling, attached or multi-family means a dwelling unit that shares common walls with at least one (1) other dwelling unit. The term multi-family dwelling shall include Single Family High Density as provided in the Comprehensive Land Use Plan. (Ord. No. 0-2004-25)

Dwelling, detached means a building separated from any other principal building and containing only one (1) dwelling unit, erected on an individual lot of record.

Dwelling unit means a building or portion of a building providing independent living facilities for one family including provision for living, sleeping, and complete kitchen facilities. (Ord. No. 0-2004-25)

Easement or servitude means a strip of land reserved ~~by the subdivider~~ for public utilities, drainage and other public purposes, the title to which shall remain in the property owners, subject to the right of use designated in the reservation of the servitude. (Sec. 23-3)

Educational ~~**facilities** mean~~**facility** means an institution devoted solely to vocational or professional education or training, an institution of higher education, a community college, junior college and a four-year college or university. (see definition of school)

Electronic video entertainment ~~**centers and machines**~~**center and machine** means an establishment the principal use of which is the operation of electronic and video games. (Article 4, Division 4)

Entertainment use means a commercial accessory use where entertainment, either passive or active, is provided for the pleasure of the patrons of the principal use, including but not limited to vocal and instrumental music, dancing, comedy, and theater, but not including ~~adult theater.~~an adult use.

~~**Entrance canopy** means a roof-like covering over a door or an opening of a structure intended and used for the purpose of sheltering persons or inanimate objects from the rays of the sun and from rain and weather. (Sec. 2-45)~~

Equipment facility means a room, cabinet, shelter, pedestal, build-out of an existing structure, building, or similar structure used to house ancillary equipment for a telecommunications tower or antenna. Each such cabinet, shelter, or building shall be considered a separate equipment facility.

Essential services shall mean those services provided by the City and other governmental entities that directly relate to the health and safety of its residents including fire, police and rescue.

Established grade means the average elevation of the sidewalk abutting such building site or, if there is no sidewalk, the average elevation of the crown of the road or street abutting such building site. Where a building site abuts more than one road and/or street, the established grade shall be the average elevation of the sidewalks abutting upon such building sites, or if there are no sidewalks, the average elevation of the crown of the road and/or streets abutting such building site. (Sec. 2-46)

Excavation means the removal or shifting of earth from its original position. (Art. 31)

Exterior means all outside surfaces of any building or structure. (Art. 31)

FCC means the Federal Communications Commission.

Facultative means plants with a similar likelihood of occurring in both wetlands and uplands, which are not recognized indicators of either wetland or upland conditions.

Family means one or more persons related by blood, adoption, marriage, or foster care relationship under Florida Statutes Chapter 409, occupying a single residential unit. (3183)

Family day-care home means an occupied dwelling unit in which child care is regularly provided for children from more than one unrelated family, and which received a payment, fee, or grant for any of the children receiving care, whether or not operated for profit. (2703) (Sec. 2-48)

Final plat is the final map or drawing on which the subdivider's plan of subdivision is presented to the City Commission for approval, and which, if approved, will be submitted to the ~~county commission~~County Commission and subsequently to the Clerk of the Circuit Court in Miami-Dade County for recording. (Sec. 23-3)

Flag means any fabric or bunting containing distinctive colors, patterns, symbols, including though not limited to flags used as a symbol of government or an institution, and not including a commercial message.

Flat roof means a roof having a pitch of not more than one and one-half (1½) inches in twelve (12) inches. (Sec. 2-50)

Floor area is the total floor area including the gross horizontal area of the several stories of any building or buildings on the site, as measured from the exterior facing of exterior walls, and shall include any building area except for:

1. ~~Balconies~~balconies and similar extensions from the exterior wall;
2. off-street parking areas within the building. (Sec. 2-51, Sec. 11-3)

In the single family zoning districts, screen porches shall be computed at one-half (½) of the square foot floor area contained therein; provided, a covenant is submitted stating that such screen porch will never be enclosed. Floor space in roofed terraces, breezeways, and open porches shall not be computed into the gross floor area of a building in the single-family zoning district.

Floor area ratio is the total floor area of a building or buildings on a building site divided by the area of the site~~, including structured parking~~.

Forbs means herbaceous plants other than grasses.

Fortuneteller means a business primarily engaged in providing advice, predictions, or interpretations of planetary effects on or about future events or human affairs in exchange for financial or other valuable consideration.

Frontage, lot or frontage street means the distance for which the front lot line and the front street line are coincident. (Sec. 2-52)

Funeral home means an establishment engaged in undertaking services such as preparing the dead for burial and arranging and managing funerals, including a funeral chapel.

Garage sale means the sale of personal property from a residence, duplex or apartment. The sale of personal property not in excess of five (5) items in number, provided that such items are specifically named or identified in the advertisement thereof, or the sale of personal property pursuant to an order or process of a court of competent jurisdiction, shall not be construed as a garage sale. (Sec. 2-54)

Gazebo means an accessory building consisting of a detached, covered, freestanding open-air structure not exceeding 300 square feet. (3230) (Sec. 2-55)

Geologic feature means a natural rock or mineral formation.

Golf or tennis grounds mean a tract of land laid out with at least nine holes for playing a game of golf, or facilities for the playing of tennis, including a clubhouse and shelters as accessory uses.

Governmental use means a building, use or structure owned or occupied by a federal, state, regional or local government agency and police station, fire station, library, post office, or similar facility, but not including a vehicle storage yard, jail, sanitary landfill, solid waste transfer or disposal facility, wastewater treatment facility, hazardous waste treatment or storage facility, food irradiation facility, educational or health institution, university, military facility, residential care home, housing for persons who are participating in work release programs or who have previously served and completed terms of imprisonment for violations of criminal laws, or other type of public facility. ~~(**NOTE:** This definition distinguishes between types of government use based on anticipated impacts on neighborhoods.)~~

Grade means the average elevation of the sidewalk abutting ~~such~~a building site. In the absence of sidewalks, grade shall be the average elevation of the crown of the road or street abutting ~~such~~the building site. Where a building site abuts more than one road and/or street, the grade shall be the average elevation of the sidewalks abutting ~~such~~the building site, or if there are no sidewalks, the average elevations of the crown of the road and/or street abutting ~~such~~the building site. (Sec. 2-56)

Grade, finished means the elevation of the surface of the ground adjoining the building. Where the finished grade is below the level of the established grade, the established grade shall be used for all purposes of ~~this ordinance.~~these regulations. (Sec. 2-57)

Gray water means that portion of domestic sewage emanating from residential showers, residential bathroom washbasins, or residential clothes washing machines.

Ground cover means a dense, extensive growth of low-growing plants, other than turfgrass, normally reaching an average maximum height of not more than twenty-four (24) inches at maturity.

Ground floor uses means those uses permitted on the ground floor in the MX District.

Group home means any building or part thereof whether operated for profit or not, which undertaken through its ownership or management to provide, for a period exceeding twenty-four (24) hours, services to individuals who require such services. Residents of ~~Group Homes~~group homes shall include individuals who are elderly, developmentally disabled, physically disabled, or dependent children, but shall not include individuals who are violent, criminal or dangerously mentally ill. (Sec. 2-58)

Guesthouse means a building located on the same premises with the principal building of a Residential Estate which building is not occupied year round, but which is used by temporary guests only. (Sec. 2-59)

Guyed tower means a telecommunications tower that is supported, in whole or in part, by guy wires and ground anchors.

Habitable room means an undivided enclosed space, so day-lighted and ventilated, so protected against the elements, so located with reference to the ground surface, and of such ceiling height, as to comply with the Florida Building Code. Habitable rooms include rooms used for living or sleeping, and rooms in dwelling units used for the preparation or eating of meals, but do not include closets, corridors, hallways, laundries, serving or storage pantries, bathrooms or similar places. (Sec. 2-60)

Half-story means a space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level and in which space not more than two-thirds (⅔)

of the floor area is finished for use. A half-story containing independent apartments or living quarters shall be counted as full story. (Sec. 2-61)

Hat rack means to flat-cut the top of a tree, severing the leader or leaders, or the removal of any branch three (3) inches or greater in diameter at any point other than the branch collar.

Hazard pruning means the removal of dead, diseased, decayed, or obviously weak branches two (2) inches in diameter or greater.

Heat island means an unnaturally high temperature microclimate resulting from radiation from unshaded impervious surfaces.

Hedge means a landscape barrier consisting of a continuous, dense planting of shrubs, not necessarily of the same species.

Height~~of a nonresidential or multi-family structure~~ means the vertical distance measured from the established grade at the center of the front of the building to the level of the highest point of the building ~~if a flat roof, and to the mean heights between eaves and ridges for~~for flat, gable, hip and gambrel roofs, excluding parapets ~~that~~of at least one and one half (1 1/2) feet and may extend no more than four (4) feet above the height of the building, and excluding air-~~air-~~conditioning equipment rooms, elevator shafts and mechanical equipment rooms, and ornamental roof structures not exceeding a combined area of twenty-five percent (25%) of the total area of the roof~~ and not exceeding the lesser of twenty five (25) feet~~and does not extend more than 20% of the permitted height. ~~(Ord. No. 0-2004-25)~~Chimneys may not extend more than three (3) feet beyond the top of the roof on any structure.

~~**Height of a single-family dwelling** means the vertical distance measured from the established grade to the level of the highest point of the building. (Section 2-62)~~

Height of a telecommunications tower means the distance measured from the ground level to the highest point of a telecommunications tower or other structure. For the purposes of measuring height, the base pad and all antennas or other attachments mounted on a structure shall be included in the measurements to determine overall height.

Heliport means an area designated to accommodate all phases of operation of helicopters with suitable space and facilities for a terminal, loading, unloading, service and storage of such aircraft, to include facilities for such accessory uses as are commonly associated with an airport terminal. (6-5(a))

Helistop means an area designed to accommodate touch-down and lift-off of helicopters, for the purpose of picking up and discharging passengers or cargo. Such an area shall contain no operation facilities other than one (1) tie-down space and such additional facilities as are required by law, ordinance or regulation. (6-5(b))

Herbaceous plant means a plant having little or no woody tissue.

Historic landmark means any site, building, structure, landscape feature, improvement, or archaeological site, which property has been designated as an historic landmark pursuant to procedures described in Article 3 Division 11. (Art. 31)

Historic landmark district means a geographically defined area possessing a significant concentration, linkage, or continuity of landmarks, improvements, or landscape features united by historic events or aesthetically by plan or physical development, and which area has been designated as an Historic Landmark pursuant to procedures described in Article 3 Division 11, of these regulations; said district may have within its boundaries non-contributing buildings or other structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual character of the district. (Art. 31)

Historic preservation officer means the historic preservation officer as provided in Article 2 Division 5 of these regulations. (Art. 31)

Historic survey means the results of a systematic process of identifying significant buildings, sites and structures through visual reconnaissance and research for compilation in the Florida Master Site File maintained by the Bureau of Historical Resources, Tallahassee, Florida. (Art.31)

Hospital means an establishment primarily engaged in providing diagnostic services, medical treatment including surgical services, and other services, as well as continuous nursing services. The establishment has an organized medical staff on duty 24 hours a day, inpatient beds, and equipment and facilities to provide complete health care; may also provide complete health care emergency room care and include less intensive medical uses such as convalescent and ambulatory care facilities.

Houseboat means a watercraft that is not self-propelled with a dwelling place on it for habitation by human beings and attached either by land, floating free in the water or tied by some means to a fixed structure.

Hydromulch means a sprayed application of seed, mulch and water.

Hydrozone means a zone in which plant material with similar water **needs** are grouped together.

Hotel, extended-stay and suites is a building in which lodging and/or boarding and lodging is designed and utilized for weekly or monthly occupancy and offered to the public for compensation. Ingress and egress to and from all rooms shall be made through an inside public lobby or reception area which is supervised by hotel staff at all hours. Extended-stay and suite hotels may provide individual guest rooms with kitchenette facilities for both storage and preparation of food.

Improvement means a physical betterment of real property, or any part of such betterment including any building, structure, fence, gate, wall, walkway, parking facility, light fixture, bench, fountain, sign, work of art, earthworks, or other manmade objects. ((Art. 31)

In Lieu of means payment made to the City as an alternative to the on-site construction of workforce housing units.

Included bark means bark that is pushed inside a developing crotch, causing a weakened structure.

Indoor recreation/entertainment means a business which is open to the public where customers pay the proprietor for the use or enjoyment of recreational facilities or equipment within an enclosed building. This category of use includes: auditoria, stadiums, bowling alleys, theaters, racquetball facilities, martial arts instruction, gym facilities, dance studios, billiard~~s~~ facilities, health studios and similar uses.

Interference means the impairment of transmission or reception of any desired communications or radio frequencies within the City. This term embraces electrical Interference in all of its forms, including, without limitation, co-channel interference, interference from intermodulation products, and blanketing interference.

Irrigation detail means a graphic representation depicting the materials to be used and dimensions to be met in the installation of the irrigation system.

Irrigation plan means a plan drawn at the same scale as the landscape plan, indicating location and specification of irrigation system components and other relevant information as required by these regulations.

Irrigation system means a system of pipes or other conduits designed to transport and distribute water to keep plants in a healthy and vigorous condition.

Kitchen means a portion of a building devoted to the storage, preparation or assembly of food that includes two or more appliances for cooking and/or heating of food. (Sec. 2-67)

Landscape feature means any site improvement or vegetation including, but not limited to, outbuildings, walls, courtyards, fences, shrubbery, trees, sidewalks, planters, plantings, gates, street furniture, signs, and exterior lighting, paving, trellis, arbor, fountain, pond, garden sculpture, garden lighting, decking, patio, decorative paving, gazebo and other similar elements. (Art. 31, Sec. 31-4.1)

Landscape manual means a manuscript prepared by the City which contains instructions and other information regarding landscaping in the City.

Landscape material means plants such as grass, ground cover, forbs, shrubs, vines, hedges, trees and non-living material such as rocks, pebbles, sand, mulch, or pervious decorative paving materials.

Landscape plan means a plan indicating all landscape areas, stormwater retention/detention areas, areas which qualify to be excluded from maximum permitted lawn area, existing vegetation to be retained, proposed plant material, landscape legend, landscape features, planting specifications, and details, and all other relevant information in compliance with these regulations.

Landscaped open space means a ground-level outdoor area, which is open and unobstructed from its lowest level to the sky, except for a roof and building overhang not in excess of five (5) feet. Arcades, corridors, parking and other service areas shall not be used in computing the landscaped open space. (Sec. 2-68)

Landscaping means ~~landscaping shall consist of~~ any of the following or combination thereof, but shall not be limited to, grass, ground covers, shrubs, vines, hedges, trees or palms; and non-living durable material commonly used in landscaping, such as rocks, pebbles, sand, walls or fences but excluding paving. (Sec. 2-69)

Landscaping, hardscape means a nonliving, durable material commonly used in landscaping, such as rocks, pebbles, sand, tree grates, walls or fences and including nonpervious paving materials. (from MU3)

Landscaping, offsite means landscaping provided pursuant to applicable requirements not located on public property or public rights-of-way.

Landscaping, softscape means materials consisting of any of the following or combination of, but shall not be limited to: grass, ground cover, shrubs, vines, hedges, and/or trees. (from MU3)

Lawful Lot means

Lawn area means an area planted with lawn grasses.

Live/work means a residential dwelling unit that includes flex space which may be used for ~~commercial, retail, office, and/or services. (from MU3) (See Article 4, Divisions 2 & 3)~~retail, sales and services or office. (from MU3)

Loggia means a permanent structure that is parallel or perpendicular to a building that is generally supported by piers and columns that provides cover from the elements.

Lot, corner means a lot located at the intersection of two (2) or more streets, or street and canal or waterway. (Sec. 2-73)

Lot, depth means the horizontal distance between the front and rear lot lines. (Sec. 2-41)

Lot, interior means a lot which is not a corner lot or a through lot.

Lot, through means an interior lot having frontage on two parallel or approximately parallel streets.

Lot, width means the distance between the side lines thereof if such side lines are parallel to each other, if side lines are not parallel, width shall be construed as mean width. (Sec. 2-41)

Luminance ratio means the ratio of the maximum level of illumination of an area to the maximum level of illumination of the area.

Major Modification to an Approved Campus Master Plan Development Order means a change with regard to the character, location or magnitude of land use which creates a reasonable likelihood of adverse impacts on land which is not located within a university campus district or on the City of Coral Gables as a whole.

Manual irrigation system means an irrigation system in which control valves and switches are manually operated rather than operated by automatic controls.

Manufacturing means the transformation of materials or substances into new products, including the assembly ~~or~~of component parts, and the production or refining of goods, materials, or substances into new products, including the assembly ~~or~~of component parts, and the production or refining of goods, materials, or foodstuffs, but not including research and technology production uses.

Marina means any structure constructed on pilings over open water or supported by flotation on the water which provides three or more boat slips for the purpose of sale or lease.

Marina ~~**facilities** mean~~**facility** means a use of land involved in the operation of a marina including structures and activities normally integral to the operation of a marina, such as servicing, fueling, pumping-out, chartering, launching, and dry-storage of boats and boating equipment.

Massage means the performance of manipulative exercises upon the human body of another by rubbing, kneading, or tapping with the hand or hands. (Sec. 2-74)

Massage establishment means a site or premises, or portion thereof, where a licensed massage therapist practices massage.

Massage salon means any place or establishment where a massage is made available, but not including a massage establishment (Sec. 2-75)

Medical clinic means a health care facility, or clinic, licensed by the State of Florida or operated by two or more physicians or medical practitioners licensed by the State of Florida, that is not part of a hospital and that provides elective care for patients who remain less than twenty-four (24) hours ~~in 1500 square feet of gross floor area~~. Medical clinics shall not include sanitariums, public or private, convalescent homes, or nursing homes but may include, but is not limited to out patient surgical clinics and sleep disorder centers.

Mediterranean Architecture, Coral Gables means an architectural style that exhibits George Merrick's vision described in the Coral Gables Mediterranean Design Guidelines, attached hereto as Appendix B.

MF-2/Special Area means the area bounded by Biltmore Way to the North, Bird Road to the South, Granada Boulevard to the West and LeJeune Road to the East.

Microwave antenna~~s~~ means a dish-shaped device used to transmit and/or receive microwave signals in a straight line to and from similar, earth bound, point sources. (2821) (Sec. 2-78)

Minor Modification to an Approved Campus Master Plan Development Order means a change with regard to the character, location or magnitude of land use which does not creates a reasonable likelihood of adverse impacts on land which is not located within a university campus district or on the City of Coral Gables as a whole.

Mitigation Program means an enumeration of proposed on-site or off-site improvements that are proposed to mitigate impacts as a result of new development in the UMC District, including but not limited to water and sewer infrastructure, roadway and signal improvements, and similar improvements. A mitigation program may include provisions for governing additional mitigation which is required as a result of circumstances and impacts which were not specifically addressed in the Mitigation Program.

Mixed use is a zoning mechanism which allows a land area of a minimum contiguous size to be planned, developed, operated and maintained as a single entity according to a site plan which, as a result, permits variations based upon review criteria in many of the traditional controls related to floor area ratios, densities, land uses, setbacks, landscaped open spaces and other design elements, with the express purpose of improving the public realm with public improvements for the benefit of the public. (from MU3)

Moisture and rain sensor switches mean~~s~~ devices which have the ability to switch off an automatic irrigation controller after receiving a predetermined amount of rainfall or moisture content in the soil.

Mulch means non-living organic materials customarily used in landscape design to retard erosion, weed infestation, and retain moisture and for use in planting areas.

Multi-family dwelling unit means a dwelling unit that shares common walls, floors, or ceilings with at least one (1) other unit.

Multi-family High Density means land designated Residential Multi-family High Density by the City's Comprehensive Land Use Plan. (Ord. No. 0-2004-25)

Multi-family Low Density means land designated Residential Multi-family Low Density by the City's Comprehensive Land Use Plan. (Ord. No. 0-2004-25)

Multi-family Medium Density means land designated Residential Multi-family Medium Density by the City's Comprehensive Land Use Plan. (Ord. No. 0-2004-25)

Multiple property nomination means a group of related significant properties which share common themes, and are organized by historic contexts and property types. (Art. 31)

Municipal facility means a park, recreation or civic center, services or facility provided to local residents.

National Register of Historic Places means a federal listing maintained by the U.S. Department of the Interior of buildings, sites, structures, and districts that have attained a quality of significance as determined by the Historic Preservation Act of 1966, as amended. (Art. 31)

Native habitat means an area enhanced or landscaped with an appropriate mix of native tree, shrub and groundcover species that resembles a native plant community or natural forest community in structure and composition or is naturally occurring.

Native plant community means a natural association of plants dominated by one (1) or more prominent native plant species, or a characteristic physical attribute.

Native plant species means ~~a~~one or more plant species with a geographic distribution indigenous to all or part of Miami-Dade County. Plants which are described as being native to Miami-Dade County in botanical manuals such as, but not limited to, "A Flora of Tropical Florida" by Long and Lakela and "The Biology of Trees Native to Tropical Florida" by P. B. Tomlinson, are native plant species within the meaning of this definition. Plant species which have been introduced into Miami-Dade County by man are not native plant species.

Necessary hardship means arduous restrictions upon the uses of a particular property which promote the objectives of these regulations, providing that such regulations apply to all land within the same district. (Sec. 2-80)

Neighborhood means an area of a community with characteristics which distinguish the area from other areas by housing types and which may be defined by physical barriers such as railroads, major streets, canals or other natural features.

New Sections of the City mean those portions of the City of Coral Gables to the south and east of LeJeune Road and Old Cutler.

Newsrack means any type of unmanned device for the vending or free distribution of news periodicals. (2718) (Sec. 2-81)

Nightclubs, taverns and bars mean a commercial establishment dispensing alcoholic beverages for consumption on the premises, where no food is served and in which dancing and musical entertainment are permitted. (See Article 4 Division 4.)

Nighttime commercial use means business activities and operations which take place between the hours of 8:00 PM and 6:00 AM, not including ordinary janitorial activities.

Nonconforming sign means any sign lawfully established that does not conform to the requirements of these regulations.

Nonconforming structure means a building or structure lawfully established which does not conform to the requirements for location or other dimensional requirement for such building or structure in the zoning district assigned to the property, that is, the minimum setback, required parking, maximum height or maximum building coverage.

Nonconforming use means a use lawfully established which, on the effective date of these regulations, or any amendment thereto, does not conform to the uses or the densities and intensities of the zoning district in which it is located.

Nonconformity means any lot, structure, use or other feature of the property regulated under the provisions of these regulations which was lawfully established but which on the effective date of these regulations, or any amendment thereto, does not comply with the requirements of these regulations.

Noncontributing building or property means a building or property which does not add to ~~the~~a historic district's sense of time and place and historical development; or one where the location, design, setting, materials, workmanship, and association have been so altered or have so deteriorated that the overall integrity of the building has been irretrievably lost. (Art. 31)

Nonresidential means any use which is not a residential use or which is accessory to a nonresidential use.

North Ponce Area means the area bordered by Navarre Avenue, 8th Street, Douglas and LeJeune.

Nursing home means any institution, building, residence, private home, or other place, whether operated for profit or not, including a place operated by the county or city, which undertakes through its ownership or management to provide licensed nursing services as set forth in Part I of Chapter 464, Florida Statutes, for a period exceeding twenty four (24) hours for three or more persons not related to the owner or manager by blood or marriage, who by reason of illness, physical infirmity, or advanced age require such services, but does not include any place providing care and treatment primarily for the acutely ill. A facility offering services for fewer than three (3) persons is within the meaning of this definition if it holds itself out to the public to be an establishment which regularly provides such services.

Office means a use where a business, profession, service or government activity is conducted which does not involve retail activities on site and not including veterinary offices and problematic uses.

Open plaza area means that area within the first twenty (20) feet above grade which is unenclosed, except by clear glass or similar transparent material or supporting columns and maintained either as terrace and/or corridor area for the purpose of providing access to stairways, elevators or other uses serving the principal activities confined within the building. Sec. 2-85

Open space area means an area which is open from the land to the sky predominantly designed for and paved with bricks, pavers or other similar material for pedestrian use or an area where no structures or buildings other than landscape features, fountains, benches, arcades and objects of art are located.

Open space, public means any land or area for the use of the public, which is designed and intended for common use or enjoyment of the public which includes plazas, squares, arcades/loggias, pedestrian pass-throughs, courtyards, etc. Atriums and fully enclosed spaces are not considered public open space. (from MU3)

Ordinary maintenance or repair means any work for which a building permit is not required by law, where the purpose and effect of such work is to correct any physical deterioration or damage of an improvement, or any part thereof by restoring it, as nearly as practical, to its appearance prior to the occurrence of such deterioration or damage. (Art. 31)

Outdoor recreation/ entertainment means a business which is open to the public where customers pay the proprietor for the use or enjoyment of recreational facilities or equipment in a location other than within an enclosed building. Bicycle and skate rentals, by themselves, are not included in this use category.

Outdoor retail sales, displays and/or storage means any use of property which involves the sale, leasing, display or storage of commodities, goods, materials or equipment in a location other than in an enclosed building, excluding vehicle sales.

Overhead doors mean~~s~~ larger roll up type doors utilized to enclose building support service areas and/or sanitation areas for the use of the delivery of goods and services, typically provided by vehicles. (from MU3)

Overhead irrigation system means a high pressure, high volume irrigation system.

Overnight accommodations means a building or portion thereof designed and used primarily to provide sleeping accommodations for transient guests for a daily or weekly rental charge and including interval ownership and such office, meeting, restaurant facilities as are integral to the primary function of the use.

Overnight stay mean~~s~~ staying for the night as a visitor or guest.

Overlay zoning district means a zoning designation that prescribes special regulations and additional requirements upon an underlying zoning district without changing the requirements of the underlying district in exchange for increases, changes or modifications to intensity and density.

Owner means any individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity having sufficient proprietary interest in the land sought to be developed or subdivided to commence and maintain proceedings to develop or subdivide the same under these regulations. (Sec. 23-3)

Parapet means that portion of a wall which extends above the roofline. (Sec. 2-86)

Parcel of land means one or more lots which are designated by the owner or developer as land to be used or developed as a unit, or which has been developed as a unit.

Parcel proposed for development means any parcel of land which is the subject of an application for development approval.

Park means a noncommercial facility designed to serve the recreation needs of the residents of the community.

Parking lot means an unenclosed area reserved for and improved for the temporary storage of motor vehicles.

Parking lot commercial means a parking lot for which fees or charges are required but not including parking spaces for which fees or charges are included as a part of the rental fees of the building to which the parking lot is accessory.

Parking garage means an above ground or below ground multi-level parking structure.

Parking garage or lots means off-street parking for commercial or non-commercial purposes as a principal use of a parcel of land.

Parking space means a surfaced area or area provided by a mechanical lift, exclusive of driveways, reserved for the temporary storage of one motor vehicle and connected with a street or alley either directly or by a driveway.

~~**Parkway zone** means an area which is immediately adjacent to parallel parking which serves as a safety zone between the area of pavement and a Pedestrian Zone and is the location for street trees and annual and perennial plantings. (Ord. No. 0-2004-25)~~

Parkway zone means an area which is immediately adjacent to parallel parking which serves as a safety zone between the area of pavement and a Pedestrian Zone. The Parkway Zone is the location for street trees and annual and perennial plantings. (Ord. No. 0-2004-25)

Pedestrian amenities means improvements including but not limited to the following: benches; refuse containers; lighting; ~~Information~~information kiosks; bike racks; planter boxes; statuaries; wall mounted fountains; pavers; street furniture; freestanding fountains; other water features; art; and other similar improvements provided and utilized by the public. (from MU3)

Pedestrian pass-through means a public area, sidewalk, paseos and/or passageway that is commonly shared or used for pedestrian circulation that connects or serves two or more properties between rights of way.

Pedestrian zone is the portion of the streetscape which is designed for pedestrian movements. (Ord. No. 0-2004-25)

Penthouse is an enclosed roofed structure extending not more than twelve (12) feet above the roof of a building and having an area not exceeding more than twenty-five percent (25%) of the area of the floor immediately below. A penthouse shall not be construed as a story. Penthouses shall not be permitted in a single family or MF-1 district. (3230) (Sec. 2-87)

Permitted use means a use which is specifically authorized in a particular zoning district.

Person means any one or more natural persons (regardless of age, mental competency, physical capacity, or legitimacy of birth), corporation (for profit or otherwise), mutual companies, joint-stock companies, partnerships, associations, firms, joint ventures, labor organizations, unincorporated organizations, syndicates, estates, trusts, trustees, trustees in bankruptcy, receivers, fiduciaries, legal representatives, personal representatives, heirs, devisees, spouses, creditors, debtors, beneficiaries, attorneys-in-fact, property owners, landlords, tenants, contract purchasers, contract sellers, public agencies (whether federal, state, or local), public officers, public employees, resident aliens, foreign governments, and any other group or combination of natural or artificial persons or entities.

Personal wireless services mean commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services, as defined under federal law, 47 U.S.C. §332(c)(7)(C), and includes but is not limited to, cellular, personal communication services, specialized mobile radio, enhanced specialized mobile radio, and paging service. Personal wireless services shall not be considered as essential services, public safety telecommunications, public utilities or private utilities.

Planting detail means a graphic representation of the plant installation depicting the materials to be used and dimensions to be met in the placement of plants and other landscape materials.

Planned area development (PAD) means a development which allows a land area of a minimum contiguous size to be planned, developed, operated and maintained as a single entity according to a master plan which permits variations in many of the traditional controls related to floor area ratio, density, land use, setbacks, landscaped open space and other design elements with the purpose of improving the public realm. (9-2).

Playhouse means a freestanding accessory structure designed exclusively for the use of children. (See Article 5, Division 1)

Plaza or square means a public open space area for the gathering of the public for recreational purposes, limited public assembly and social interaction which is designed and intended for common use or enjoyment of the public which includes pedestrian amenities. (from MU3)

Porch means a roofed structure not more than seventy-five (75%) percent enclosed by walls and attached to the main building for the purpose of sheltering from the rays of the sun and from rain and weather, exclusive of vehicles, either persons or inanimate objects. (2934) (Sec. 2-88)

Porte-cochere means a porch roof projecting over a driveway at the entrance to a building and sheltering those getting in or out of vehicles.

Pre-existing tower~~s~~ and pre-existing ~~antennas~~ ~~mean~~**antenna** means a telecommunications tower or antenna for which a building permit has been properly issued prior to the effective date of these regulations, including permitted telecommunications towers or antennas that have not yet been constructed so long as such approval has not expired.

Principle structure means a main or primary structure that contains a use that is permitted pursuant to all applicable regulations including all the support services for a development. (from MU3)

Private means a feature, use, land area, improvement, building, facility, structure, service and public realm or ~~pedestrial~~pedestrian amenity that is neither public nor civic. The use is intended solely for the utilization of a select group of individuals or persons. (from MU3)

Private club means associations and organizations of a fraternal or social character, or which are maintained in connection with a golf course; and shall not include casinos, nightclubs or other institutions operated as a business. Such organizations and associations must be organized under the laws of the State of Florida as a non-profit corporation. (Sec. 2-90)

Private garage means a building designed and used exclusively for storage on the ground floor of not more than four (4) motor vehicles devoted to the private use of the owner, when such garage is located on the same premises, as an accessory use, with the residence or business of the owner of such automobiles so stored. (3241) (Sec. 2-91)

~~**Private yacht basin** means a facility providing docks, slips, piers, pilings, bollards, anchorage and moorings for yachts and pleasure boats for the residents of the City of Coral Gables either by ownership, lease or rent and such off-street parking and buildings and structures as are required for the operation of such yacht basin, not including docking facilities provided as an accessory use to residential uses. (Sec. 2-92)~~

Private yacht basin means a facility providing docks, slips, piers, pilings, bollards, anchorage and moorings for yachts and pleasure boats for the residents of the City of Coral Gables either by ownership, lease or rent and such off-street parking and buildings and structures as are required for the operation of such yacht basin, not including docking facilities provided as an accessory use to residential uses for use of residents living in such buildings. (Sec. 2-92)

Problematic uses means commercial retail and service uses which are typically characterized by poorly maintained facilities, loitering and other indices of neighborhood deterioration or urban blight, including but not limited to, day labor agencies, tattoo parlors, body piercing, pawn shops, check cashing centers and blood plasma centers.

Prohibited plant species mean those plant species listed in the Landscape Manual which is demonstrably detrimental to native plants, native wildlife, ecosystems, or human health, safety, and welfare.

Prohibited uses mean uses which are not permitted under these regulations. (from MU3)

Property lines mean the lines which bound a property.

Property line, front means a property line which runs generally parallel to and along a road right-of-way or street exclusive of alleyways.

Property line, side means a property line which runs generally perpendicular or radial to the front property line.

Property line, rear means a property line which runs generally parallel to the property line from which a property is addressed.

Property owners association (POA) means the organization of owners of parcels of lands, and/or buildings with the responsibility to safeguard the rights of tenants, owners, etc., through the implementation of covenants and restrictions, including, but not limited to: maintenance responsibilities of all common areas, open spaces and other public areas, standards for building location, construction, etc. (from MU3)

Public means a use which is not for private use or function. (from MU3)

Public benefit means a feature, use, land area, improvement, building, facility, structure and/or service that provides a benefit and whose expressed purpose is to benefit the public. (from MU3)

Public buildings and grounds mean land designated Public Buildings and Grounds by the City's Comprehensive Land Use Plan.

Public facility means a building, use or structure owned or occupied by a federal, state, regional or local government agency, such as a jail, housing for persons who are participating in work release programs or who have previously served and completed terms of imprisonment for violations for criminal laws, sanitary landfill, solid waste transfer or disposal facility, wastewater treatment facility, or hazardous waste treatment or storage facility, but not including a governmental use, military facility, residential-care home, rehabilitation center, or education or health institution. **Compare** with definition of governmental use.

Public garage means a building or premises arranged, designed and intended to be used for the storage or service of motor vehicles for hire or reward, or which ~~does~~is not~~come within the definition of~~ a private~~or apartment~~ garage. (Sec. 2-93)

Public improvement means any improvement, facility or service that is planned and designed for public use located on public land, site, or rights-of-way ~~with~~for the purpose of providing public access and use 24 hours a day/7 days a week.

Public property means any city owned, leased, controlled, dedicated or platted real property, including but not limited to parks, marinas, alleys, streets, rights-of-way or other real property.

Public realm means the land area, common area, use or facility either on public or private property that is available to the public including but not limited to sidewalks, rights-of-way, alleys, plazas, open space, atriums, arcades, loggias, parks, paseos, playgrounds, water concourses or any other places commonly open to the public including areas on private property commonly open to view by the public. Public realm is also defined as all improvements required pursuant to these provisions including but not limited to the following: benches; information kiosks; lighting; bike racks; refuse containers; sidewalk pavement treatments; statuary; street crosswalk paver treatments; wall mounted fountains; water fountains and other similar water features and under grounding of utilities. (from MU3)

Public Realm Design Manual means a manual that specifies those improvements and/or amenities that are located in the public realm.

Public recreation area means a tract of land which is used for a public park or public beach. The term includes, but it is not limited to, publicly owned property used for active or passive recreational uses.

Public transportation facilities mean passenger terminals, stations, shelters and related facilities primarily intended for transportation.

Publicly accessible means an area that is accessible by the public for use 24 hours a day/7 days a week. (from MU3)

Receiving site means the site which will receive unused development rights.

Reconstruction means the process of reproducing by new construction the exact form and detail of a demolished building, structure or object as it appeared at a certain point in time. (Art. 31 and TDR manual)

Record owner of real property means the owner of property as indicated on the most current tax assessment roll of the City of Coral Gables.

Recreational equipment means play apparatus such as swing sets and slides, sandboxes, poles for nets, picnic tables, lawn chairs, barbeque stands and similar equipment or structures.

Recreational vehicle means a motor vehicle primarily designed as temporary living quarters for recreational, camping or travel use which either has its own motive power or is mounted on or drawn by another vehicle. See F.S. 320.

Rehabilitation means the process of repairing or altering an historic building or structure so that an efficient contemporary use is achieved, while preserving those significant, historical architectural or cultural features which establish the character of the property. (Art. 31)

Religious institution means a church, synagogue, temple, mosque or other place of religious worship, including any accessory use or structure, such as administrative facilities, a school, day care center or dwelling located on the same building site. (3-11)

Relocation means the act of preserving an historic structure which cannot remain on its existing site by physically moving it to a new location. (Art. 31)

Replat means the re-dividing of lots within a platted subdivision for the purpose of recording in the public records of Miami-Dade County, Florida. (Sec. 2-94)

Research and technology use means a use such as medical, optical and scientific research facilities, laboratories, pharmaceutical compounding and photographic processing facilities and facilities for the assembly of electronic components, optical equipment, and precision instruments or laboratories or

buildings the primary use of which is the research, testing and development of goods, materials, foodstuffs or products.

Residential district (or residentially zoned) means any parcel of property located in one of the following zoning districts: Single-family 1 and Single-family 2, Multi-family 1, Multi-family 2, and [Mixed Use District].

Residential ~~estate~~Estate means a single-family residential site comprising an area of not less than one and one half (1½) acres and having a minimum lot width of two hundred (200) feet and a minimum lot depth of two-hundred-fifty (250) feet. No single-family residence having a minimum square foot floor area of less than four thousand two hundred and seventy-three (4,273) square feet shall be designated as a Residential Estate. Except as provided for in these regulations a Residential Estate shall abide by all rules and regulations applicable to a single-family district. (Sec. 2-95)

Residential floor area includes yard areas which are completely surrounded by a building such as an internal courtyard, which contribute to the apparent mass of a dwelling.

Residential use means a permanent place of residence for a family.

Restaurant means a use providing for the preparation or sale of prepared food for consumption by customers primarily on the premises, including the subordinate sale of alcoholic beverages for consumption on premises as permitted by applicable state law, but excluding facilities with prepared food service within grocery stores and delicatessens.

Restaurant, fast food means a use involving the sale of food and/or beverages ordered at either a counter or drive-through facility for either consumption on the premises using dishes and utensils which are disposable, or for consumption off the premises.

Restoration means the act of accurately recovering the form and details of a property as it appeared at a particular period of time, which may involve the removal of later additions or alterations, or the replacement of missing features. (Art. 31)

Restrictive covenant means a written agreement executed by and between one or more property owners and the City of Coral Gables, whereby the property owner(s) for a specified consideration by the City agrees to certain conditions, restrictions and/or limitations on the use, maintenance or sale of property. Such restrictive covenant shall be recorded in the Public Records of Miami Dade County, Florida and shall run with the land and shall be binding upon the property owner, his successors and assigns. (3518) (Sec. 2-96)

Retail sales and services mean a ~~building, property, or activity~~use, the principle use or purpose of which is the sale of goods, products, materials, or services directly to the consumer, including financial institutions, grocery stores, personal services, art galleries, farmer markets and including the sale of alcoholic beverages for off-premises consumption provided that the sale of alcoholic beverages is subordinate to the principal use and the display of alcoholic beverages occupies less than twenty-five percent (25%) of the floor area of the use, not including street vendors or the on-premise consumption of alcoholic beverages.

Review guide means the component of the designation report prepared by the historic preservation officer, which lists some of the more prominent features which contribute to the overall character of a structure and/or district. The review guide may be used to address the impact of new construction, additions, modifications, alterations, and/or renovations which may become the subject of some future Certificate of Appropriateness or to address the existing physical characteristics, and may be used to determine whether or not elements which create the character of the structure and/or district are present, or whether subsequent changes to the property have rendered it ineligible for listing. (Art. 31)

Right-of-way means a strip of land dedicated by a subdivider, or deeded by the owner(s), for public use. (Sec. 23-3)

Rooftop means the exterior surface on the top of a building or structure.

Sales and/or leasing offices mean the use of space as sales or rental offices for units or other permitted uses on the same site.

Sales office, land development means an office located within a newly platted subdivision and used by the land developer for the sale of the lots within the platted subdivision. Such sales office may consist of an existing building located within the subdivision, a mobile home, a travel trailer or a temporary building. (Sec. 2-101)

Satellite earth station means a dish-shaped antenna designed to receive television broadcasts relayed by microwave signals from earth-orbiting communication satellites, including a low-noise amplifier (LNA) and a coaxial cable for the purpose of carrying signals to the interior of a building. (2556) (Sec. 2-102)

School means an elementary, middle, or high school, and exceptional learning center.

Screened enclosure means a frame erected of metal which framing and overhead supports are only covered with insect screening of metal, fiberglass or other approved insect screening. The insect screening shall have at least fifty percent (50%) open areas per square inch. The framing and overhead supports of such screened enclosure shall be solely for the purpose of supporting such screening. (Sec. 2-103)

Screened porch means a roofed structure not more than seventy-five percent (75%) enclosed by walls and attached to the main building provided, however, the remainder of the screened porch may be enclosed with insect screening or metal, fiberglass or other approved insect screening. The insect screening shall have at least fifty percent (50%) of open area per inch enclosed by walls and attached to the building for the purpose of sheltering from the rays of the sun, exclusive of vehicles, either persons or inanimate objects. (2934) (Sec. 2-104)

Secretary of the Interior's Standards for Rehabilitation (Revised March, 1990) means measures which provide guidance on the sensitive rehabilitation of an historic property. The ten (10) standards generally address design issues which include: character defining elements; changes which have occurred over the course of the property's history; desirable approaches to the repair of damaged features; appropriate cleaning methods; archaeological resources; and new construction in connection with an historic property. (Art. 31)

Self-storage warehouse means a building or group of buildings consisting of individual, self-contained units leased to individuals, or organizations or businesses for self-service storage of personal property.

Sending site means a designated historic landmark or contributing property within a local historical district which has excess development rights that can be sent to a receiving site as ~~TDRs.~~Transfer of Development Rights (TDRs).

Service provider means any person or business entity wishing to locate a telecommunications tower or antenna within the City limits to provide personal wireless services.

Set-aside means the total number of units made available for households earning 120% or less of the area median income, adjusted for household size as defined by the U.S. Department of Housing and Urban Development (HUD).

Setback means the minimum horizontal distance between a property line and a structure or in the event a right-of-way line is interior to the property line, the setback is the horizontal distance between the right-of-way line and a structure, including terraces or any covered projection thereof, but excluding steps.

Setback, front means the setback between the front property line and a structure.

Setback, rear means the setback between the rear property line and a structure.

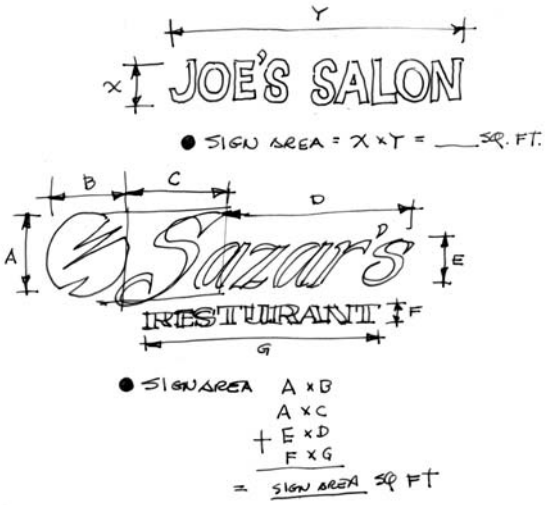
Setback, side means the setback between the side property line and a structure.

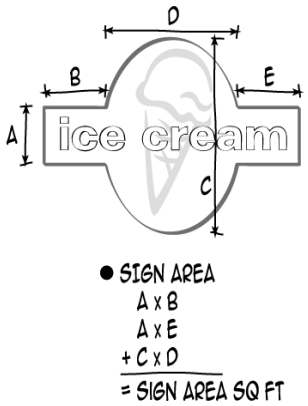
Shelter canopy means a roof-like covering, intended and used for the purpose of sheltering from the rays of the sun and from rain and weather exclusive of vehicles, either persons or inanimate objects. Shelter canopies are partially or entirely supported from the ground up. (Sec. 2-108)

Shrub means a self-supporting woody perennial plant normally growing to a height of twenty-four (24) inches or greater, characterized by multiple stems and branches continuous from the base.

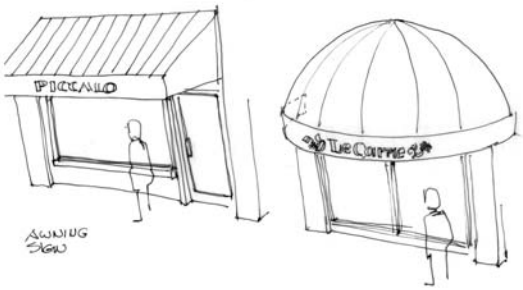
Sign means an identification, description, illustration or device which is affixed to or represented directly or indirectly upon a building, structure or land and which directs attention to a product, place, activity, persons, institution or business. The national flag of the United States of America, state flag and flags of political subdivisions within the State of Florida shall not be construed as signs, provided, however that in no case shall more than three (3) flags be flown. A flag of another officially recognized government shall not be construed as a sign, provided said flag(s) are only flown at the consular residence or consular office and otherwise comply with the size restrictions of the code.

Sign area means the sum of the areas of the sign enclosed within a projected rectangle or within a single continuous perimeter composed of squares or rectangles which enclose the extreme limits of the words, letters, announcement, logo, pictorial element, etc., together with any frame, background area of sign, structural trim or other material, color or condition which forms an integral part of the display excluding the necessary supports or uprights on which such sign is placed. (See illustration) (Sec. 2-110(a))





Sign, awning means a sign incorporated into, attached, affixed to, stamped, perforated, stitched or otherwise applied or painted on a structure made of cloth, canvas, metal or similar material that is affixed to a building and projects. Such signs may or may not be fixed or equipped with a mechanism for raising and holding an awning in a retracted position against the building, an awning or canopy. The sign shall only be permitted on the valence of the awning. (See illustration) (Sec. 2-110(b))



Sign, building means an on-site sign-identifying name of a building or institution, of the lawful use/business located on the same property as the business. (See illustration) (Sec. 2-110(c))

Sign, campaign means a sign erected to advocate the candidacy of a party or individual(s) for elective office, an issue, cause or referendum. (Sec. 2-110(d))

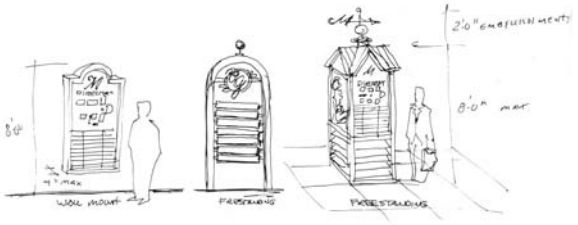
Sign, design means a sign that contains unique design characteristics that include all of the following:

A. Utilizes artistic form, sculptured and/or three-dimensional attributes in the creation of the sign, lettering, background, decorative elements, and/or structural elements;
B. Utilizes materials and methods of construction that exceed typical sign industry standards;
C. Is appropriately sized and consistent with the architecture and material composition of the building; and
D. Is compatible with the accompanying building with the intent of enhancing the building.

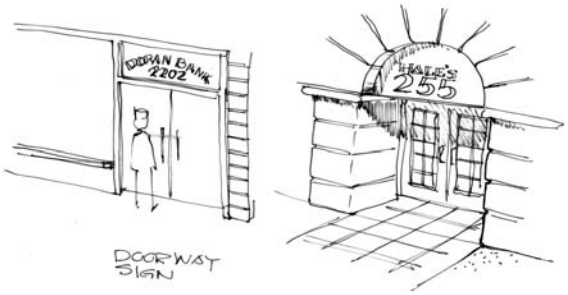
(See photographs for examples) Sec. 2-110(g))

Sign, detached means a sign not attached to or painted on a building, but which is affixed to the ground. Sign, detached also includes signs attached to surfaces such as fences and walls that are not part of a building. (Sec. 2-110(h))

Sign, directory means a sign, other than an identification sign, listing the names, uses, or locations of the various businesses or activities conducted within a building or group of buildings that is attached to a building or freestanding and is centrally located to provide on-site directions. A directory sign is intended to direct people to destinations on the building site and does not contain advertising copy. (See illustration) (Sec. 2-110(i))

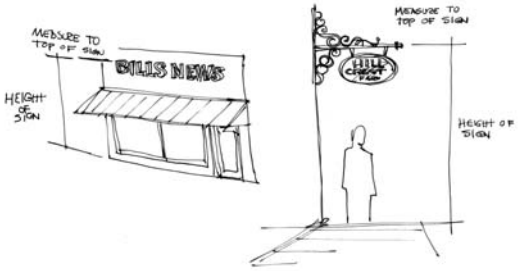


Sign, doorway means a sign attached, affixed to or mounted above an entrance doorway with the intent of identifying the pedestrian entrances/exits to buildings and structures. (See illustration) (Sec. 2-110(j))

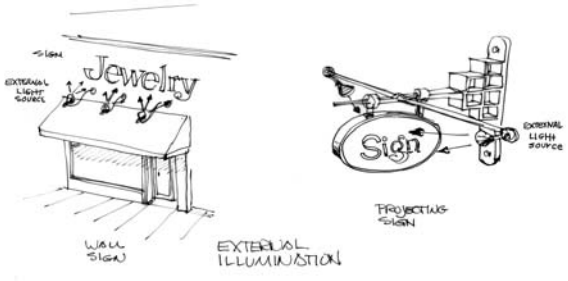


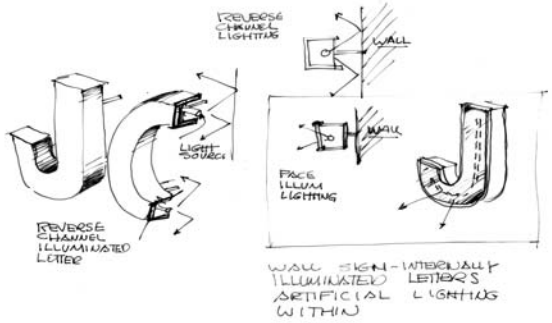
Sign, elevation means the vertical distance measured from the lowest adjacent grade to the lowest point of the sign.

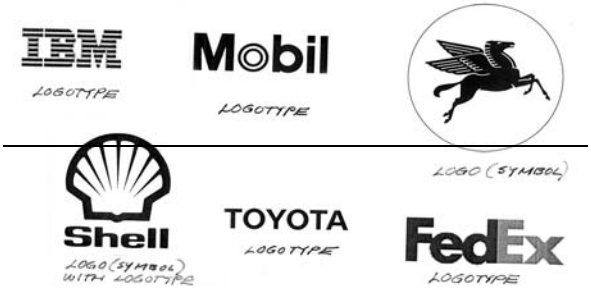
Sign, height means the vertical distance measured from the lowest adjacent grade to the highest and/or upper most point of the sign, sign structure or element. (See illustration) (Sec. 2-110(k))



Sign, illuminated means a sign designed and lighted by or exposed to artificial lighting either by lights on or within the sign or directed toward the sign. (See illustrations) (Sec. 2-110(l))







Sign, marquee means a sign attached to or constructed upon a marquee. (Sec. 2-110(n))

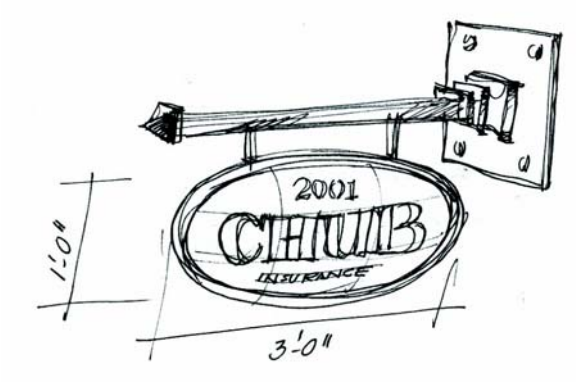
Sign, nonconforming means a sign and/or sign structure existing, which by its height, type, content, square footage area, locations, use, or structural support and all other provisions contained within these regulations does not conform to the requirements of these regulations. (Sec. 2-110(o))

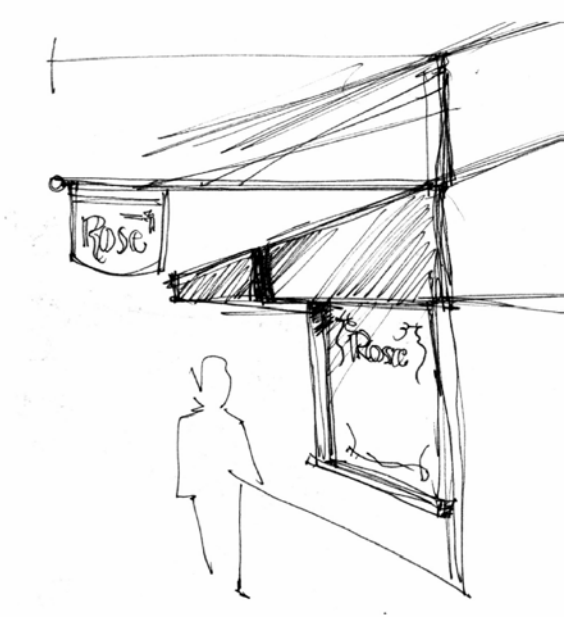
Sign, off-premises means a sign that directs attention to a business, commodity, service, or entertainment that is not located, sold, or manufactured on the same premises where the sign is located. For the purposes of this definition, the first floor and the upper floors of a multi-story building are separate "premises."

Sign, plaque means a flat plate, slab, or disk that is ornamented or engraved for mounting on a wall or a monument to provide noncommercial information.
(Sec. 2-110(p))

Sign, primary street means the street right-of-way, towards which the building front or facing is oriented, based upon the existing platted lot configuration. (Sec. 2-110(q))

Sign, projection means a sign, which projects from and is supported by a wall or parapet of a building with the sign face perpendicular or approximately perpendicular to the wall or parapet. The use of logos raised lettering and three-dimensional features or three-dimensional signs is encouraged and permitted. (See illustrations) (Sec. 2-110(s))





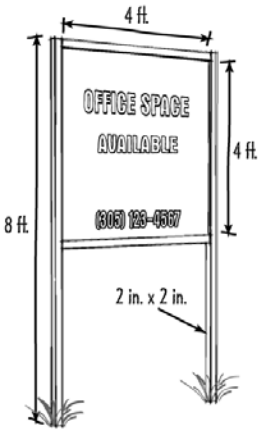
Sign, side street means the adjoining street right of way, which is secondary to the front or front face of a building, based upon existing platted lot configuration. (Sec. 2-110(t))

Sign, temporary means a sign installed for a temporary period. Examples of temporary signs include, but are not limited to:

A. Construction and/or renovation of a building and/or structure or other associated improvements requiring a building permit identifying architects, engineers, contractors, tradesman and/or others engaged in work completed on the premises.

B. Real estate signage indicating the sale and/or rental of the property that the sign is located.

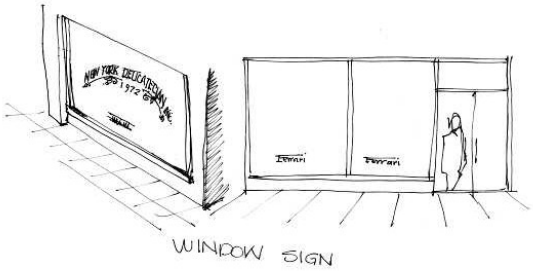
C. Professional affiliations sign indicating any applicable design services that are being completed on the property pursuant to the issuance of a building permit.



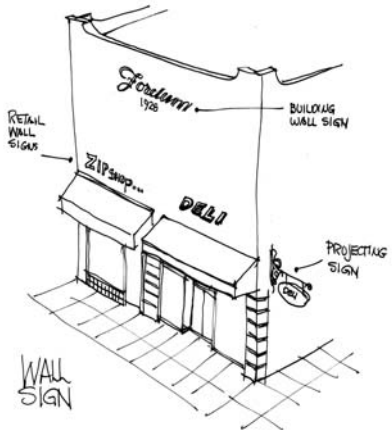
Temporary Sign, 120 day

Sign, window area means the total area of the glass either transparent or non-transparent that occupies a building face. This includes all areas of glass including but not limited to windows, doors, sidelights, transoms (fixed or operable), etc. (Sec. 2-110(x))

Sign, window means any display of lettering, text, words, graphics, symbols, pictorial presentation, numerals, trademarks, numbers, logos, crests, emblems, or any part or combination or other devices used to attract attention, or to identify, or as an announcement that is posted, painted, placed, or attached to or projected upon a window exposed to public view or is visible to persons outside the building. This shall include signs visible or located within 10 feet of the interior of a glass area with the intent of being visible from the exterior portions of the building. This does not include merchandise displays or similar fixtures. (See illustration) (Sec. 2-110(y))



Sign, wall means a sign painted or attached on the outside of a building/structure, or attached to, and erected parallel to the face of a building and supported throughout its length by such building/structure. (See illustration) (Sec. 2-110 (z))



Single-family district means a zoning district primarily intended for the use of single-family residences and other compatible ~~areas~~uses. (See SF-1 and SF-2 in Article 4.)

Single-family residence means a ~~private~~ residence designed for use by one family.

Single-housing project means not more than three multiple family units constructed on a lot or on contiguous lots so as to be an architectural entity. Section 15-5 (Existing) (Art. 5, (Sec. 5-804)

Site plan means a plan drawn to scale, showing uses and structures proposed for a parcel of land as may be required by the Development Review Official in conjunction with an application for development approval.

Small-scale amendment means an amendment to the Future Land Use Map of the Comprehensive Land Use Plan that affects a contiguous land area of ten (10) acres or less.

Specified anatomical areas means those areas of the body that are:

A. Less than completely and opaquely covered:
   1. Human genital, pubic region,
   2. Buttock; and
   3. Female breast below a point immediately above the top of the areola.
B. Human male genitals in a discernibly turgid state, even if completely and opaquely covered. (Sec. 2-113)

Specified sexual activities means:

A. Human genitals in a state of sexual stimulation or arousal;
B. Acts of human masturbation, sexual intercourse or sodomy; and
C. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast. (Sec. 2-114)

Specimen tree means a tree with any individual trunk which has a DBH of eighteen (18) inches or greater, but not including the following: (1) ~~All~~all trees listed in Section 24-60(4)(f); (2) ~~Non-native~~non-native fruit trees that are cultivated or grown for the specific purpose of producing edible fruit, including, but not limited to, mangos, avocados, or species of citrus; (3) ~~Non-~~non-native species of the genus Ficus, and (4) ~~All~~all multitrunk trees in the palm family, except accelorrhaphe wrightii which have a minimum overall height of fifteen (15) feet.

Spray head means an irrigation device which applies water to the soil or plant surface by fixed spray or mist nozzles.

Stabilization/maintenance plan means a document prepared by a professionally licensed architect or engineer which a) sets forth a complete assessment of the existing building conditions and, b) sets forth either an immediate corrective plan (stabilization plan) and/or sets up a schedule for a five-year re-evaluation of major building components (maintenance plan).

Stabilized lawn area means an area of ground underlain with structural support in the form of grass pavers or stabilized soil prepared to withstand the load of intended vehicular use, such as automobiles, fire trucks and garbage trucks.

Stealth~~facility or tower~~ means any antenna telecommunications facility or tower that is designed to blend into the surrounding environment. Examples of such facilities would include, but are not limited to, architecturally screened roof mounted antenna, building-mounted antenna painted to match the existing structure, antenna integrated into architectural elements, telecommunications towers designed to look like light poles, power poles, utility poles, flag poles, man made trees, clock towers, bell steeples, and similar alternative designs.

~~**Stealth technology** means designed to blend into surrounding environment, such as telecommunication towers designed to look like trees.~~

Stormwater retention/detention area means an area designed, built and used for temporary storage of stormwater.

Stepbacks means changes in the surface, façade or facing of a structure or building that are beyond the required setbacks with the intent of providing depth and/or variations to the building façade. (from MU3)

Story means:

A. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above or if there ~~be~~is no floor above it, then the space between such floor and the ceiling next above it.
B. A mezzanine which exceeds thirty-three and one-third percent (33-1/3%) of the total floor area in that room or story in which the mezzanine floor occurs shall be considered as a story. (~~See Section~~ 2-75).
C. That portion of a building between floor and ceiling which is so located that more than one-half (½) of the clear height from floor to ceiling is above grade. (~~See Section~~ 2-18)

Street means a thoroughfare used for public foot and vehicular traffic other than an alley. (Sec. 2-118)

Street, arterial means a fast or heavily traveled street of considerable continuity and used primarily as a traffic artery for interconnection among large areas. (Sec. 23-3)

Street, collector means a street which carries traffic from minor streets to arterial streets, including the principal entrance streets of a residential development and streets for circulation within such a development. (Sec. 23-3)

Street, cul-de-sac or dead-end means a minor street with only one (1) outlet terminating at one (1) end with a circular turn-around. (Sec. 23-3)

Street lamp means a light standard equipped with an incandescent, metal halide, high-pressure sodium or equivalent lighting for the purpose of illuminating the surrounding properties. (from MU3)

Street line means the dividing line between a street and a lot. (Sec. 2-119)

Street, local residential means a street intended to provide direct access to abutting residential properties and discourage through traffic movements not related to the neighborhood in which the local street is located.

Street, marginal access means a minor street which is parallel and adjacent to arterial streets, and which provides access to abutting properties and protection from through traffic. (Sec. 23-3)

Street, minor means a street used primarily for access to~~the~~ abutting properties. (Sec. 23-3)

Street width means the shortest distance between the lines delineating the right-of-way of a street. (Sec. 23-3)

Streetscape means the area along the public street between the street and buildings which defines the character of the street at the pedestrian level. (Ord. No. 0-2004-25)

Structure means any object anchored to the ground, constructed or installed by humankind, including signs, buildings, parking lots, garages, carports, flagpoles, stoops and utility buildings (Note: All buildings are structures, but, not all structures are buildings).

Substantially similar application means an application where:

A. Development density and intensity have not materially changed from the former application, in that:
   1 The number of buildings is within ten percent (10%) of the previous number of buildings;
   2. The number of stories is the same;
   3. The height of the building(s) is within ten percent (10%) of the previous number of buildings;
   4. The number of units is within ten percent (10%) of the previous number of units;
   5. The lot coverage and floor area ratio are within ten percent (10%) of the previous lot coverage or floor area ratio; and

B. Design has not materially changed, in that:
   1. The roadway patterns, including ingress-egress points, are in the same general location as shown on the former application;
   2. Parking areas are in the same general location and configuration;
   3. The building setbacks are the same as the former application or different by a distance that is less than fifteen percent (15%) of the applicable setback requirement;
   4. Elevations and renderings of buildings have substantially similar architectural expressions as those shown on the approved plans;

C. Proposed sign(s) are no greater in size and are placed in the same general location on the site as set out in the former application.

Subdivider means any individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity commencing proceedings under these regulations to effect a subdivision of land for himself or for another. (Sec. 23-3)

Subdivision means the division of a parcel of land into two (2) or more lots or parcels of land for the purpose of transfer of ownership or building development or if a new street is involved, any division of a parcel of land. The term includes re-subdivision, and when appropriate to the context, it relates to the process of subdividing or to the land subdivided. (Sec. 23-3)

Survey, certified means a survey, sketch, plan, map or other exhibit when a written statement regarding its accuracy or conformity to specified standards is signed by a registered surveyor, and which shows property corner stakes; property line dimensions; interior property line angles; existing structure, their dimensions and relation to property lines; general elevation of property; all existing utilities and related data; existing rights-of-way; easements of record; existing sidewalks; general block plan and other pertinent survey data. (Sec. 2-121)

Swimming pool means a structure of masonry or concrete construction containing a body of water intended for recreational purposes, including a wading pool having a depth of more than eighteen (18) inches and a water surface area of more than two-hundred-fifty (250) square feet, but not including an ornamental reflecting pool or fish pond located and designed so as not to create a hazard or be used for swimming or wading. (Sec. 2-122)

Tandem parking spaces means two (2) parking spaces arranged one behind the other. (Ord. No. 0-2004-25)

Technical ~~Deviation from an Approved Campus Master Plan Development Order~~deviation from an approved campus master plan development order means a change with regard to the character, location or magnitude of land use which does not result in a material increase in adverse impacts on lands not located within the UMC District or on the City of Coral Gables as a whole.

Technically competent means materials prepared by professionals who have recognized credentials (including, where available in the particular field, certification or licensure), in the field to which the materials relate, and are prepared either:

1. according to standards and methodologies which are generally accepted in the field of study which was involved in their production; or

2. according to standards and methodologies which are proven to be either as reliable or more reliable than those which are generally accepted, give the special circumstances of a particular application.

Telecommunications Act means the Telecommunications Act of 1996, Pub. L No. 104-104, codified at 47 U.S.C.

Telecommunications facility means personal wireless services facilities, as defined under federal law, 47 U.S.C. §332(c)(7)(C), and includes, but is not limited to, antennas and radio-transmitting telecommunications towers, and associated facilities used to transmit telecommunications signals. Light, electric and utility poles are only support structures and are not a telecommunications facility. An open video system is not a telecommunications facility to the extent that it provides only video services; a cable system is not a telecommunications facility to the extent that it provides only cable service.

Telecommunications tower or tower means any structure, and support thereto, designed and constructed primarily for the purpose of supporting one or more antennas intended for transmitting or receiving personal wireless services, telephone, radio and similar communication purposes, including lattice, stealth, monopole, and guyed towers. The term includes microwave telecommunications towers, common-carrier telecommunications towers, and cellular telephone telecommunications towers, among others. Light, electric and utility poles are only a support structure and are not a telecommunications tower.

Television/radio studio means a station for the production and transmission of radio or television broadcasts.

Temporary irrigation systems mean a system including surface distribution elements (hose, pipe, etc.) which may be easily removed when the landscape is established.

Temporary ~~University Use~~university use means particular uses of land which have a defined period of activity not exceeding ninety (90) days, including special events.

Temporary use means a non-permanent use permitted for a period of time by these regulations. See Article 5, Division 23.

Tent means any portable or removable shelter made of canvas and/or some other similar fabric, either natural or synthetic, as contrasted with an awning or canopy. (Sec. 2-123)

Tentative plat means the tentative map, drawing or chart indicating the proposed layout of the subdivision. (Sec. 23-3)

Theater, adult motion picture means an enclosed building used for presenting motion picture films distinguished or characterized by an emphasis on matter depicting, describing or related to specified sexual activities or specified anatomical areas ~~as defined herein~~, for observation by patrons therein. (Sec. 2-124)

Tower, decorative means a nonhabitable or habitable portion of a building or structure that is generally higher than the remainder of the building and is of smaller size and dimension than the principal building. (from MU3)

~~**Townhouse** means a dwelling unit with a primary access on a first floor at grade level facing or perpendicular to a street. (Ord. No. 0-2004-25)~~

Townhouse means a dwelling unit with a primary access on a first floor at grade level. (Ord. No. 0-2004-25)

Trailer means every vehicle without motor power, designed for carrying persons or property on its own structure and for being drawn by a motor vehicle. (Sec. 2-125)

Transfer of development rights (TDR) means the removal of all or a portion of the right to develop or build from land and moving those rights to other land.

Tree means a self-supporting woody plant which usually produces one main trunk and a more or less distinct and elevated head with many branches which normally grows to an overall height of a minimum of fifteen (15) feet in Miami-Dade County. (Sec. 2-127)

Tree abuse includes: (1) Damage inflicted upon any part of a tree, including the root system, by machinery, construction equipment, cambium layer penetration, storage of materials, soil compaction, excavation, chemical application or spillage, or change to the natural grade. (2) Hatracking. (3) Girdling or bark removal of more than one-third (1/3) of the tree diameter. (4) Tears and splitting of limb ends or peeling and stripping of bark resulting from improper pruning techniques not in accordance with the current ANSI A300 Standards.

Tree canopy cover means the aerial extent of the branches and foliage of a tree.

Triangle of visibility means a triangular area of land occurring at the intersection of two streets or a driveway and street which is maintained free of visual obstructions so as to provide adequate visibility of oncoming pedestrians and vehicles.

Truck means any motor vehicle designed, used or maintained for transporting or delivering property or material used in trade or commerce in general. Trucks shall include any motor vehicle having space designed for and capable of carrying property, cargo, or bulk material and which space is not occupied by passenger seating. (2536) (Sec. 2-128)

UMC~~AD~~ Approval means the accumulated approvals granted by the City of Coral Gables for the University of Miami Campus Area Development.

Under story means the complex of woody, fibrous, and herbaceous plant species that are typically associated with a natural forest community, native plant community, or native habitat.

Undue economic hardship means an exceptional financial burden that would amount to the taking of property without just compensation, or failure to achieve a feasible economic return in the case of income producing properties. [See Art. 3, Div 12] (Art. 31)

Unity of title means a written agreement executed by and between one or more property owners and the City of Coral Gables, whereby the property owner(s) for a specified consideration by the City agrees that the lots and/or parcels of land constituting the building site shall not be conveyed, mortgaged, etc. apart from each other and that they shall be held together as one (1) tract. Such Unity of Title shall be recorded in the Public Records of Miami-Dade County, Florida and shall run with the land and shall be binding upon the property owner(s), his successors and assigns. (2347, 3518) (Sec. 2-130)

University Campus means those lands that are used for higher educational purposes and is zoned UMC District.

University of Miami Campus means the land located within the inner boundaries of the rights of way of the Metro Rail line on the south, Granada Boulevard and Pisano Avenue on the east, Campo Sano Avenue and Miller Road on the north and Red Road, Levante Avenue and Hurricane Drive on the west and south.

University Village means an area within a university campus which is primarily used for upper class student housing and academic administration.

Unnecessary hardship means arduous restrictions upon the uses of a particular property which are unique and distinct from that of adjoining property owners in the same zoning district. (Sec. 2-131)

Urban open space means an area which is open from the land to the sky predominantly improved with and paved with bricks, pavers or other similar material (not including concrete or asphalt) for pedestrian use or an area where no structures or buildings other than landscape features, fountains, benches, arcades and objects of art are located. (Ord. No. 0-2004-25)

Usable open space means outdoor areas, except parking and other service areas, which ~~is~~are usable for outdoor living, recreation or landscaping, and which is open and unobstructed from the lowest level to the sky except for roof overhangs not in excess of two and one-half (2½) feet, pedestrian walks and ingress and egress drives. All open space shall be accessible to, and usable by, all residents residing in the building. (Sec. 2-132)

Utilities/infrastructure facility means electric, gas, or stormwater management facilities, water or wastewater pumping station, telephone repeater station or similar structure used as an intermediary switching, boosting, distribution or transfer station or lines for electricity, cable television, or telephone services between the point of generation and the end user, but not including satellite dish antennas, facilities for the handling of solid waste, or radio, television, or relay towers.

Utility lines or service facilities means the distribution system for utilities and includes, but is not limited to cables, conduits, pipes, wires, and conductors.

Utility substation means a part of a utility distribution system where electrical current is converted for use by structures through the use of transformers.

Variance means a dispensation permitted on individual parcels of property as a method of alleviating unnecessary hardship (see also necessary hardship) by allowing a reasonable use of the building, structure or property which, because of unusual or unique circumstances, is denied by the terms of these regulations. (Sec. 2-133)

Vegetation required to be preserved by law means portions of a site, including but not limited to specimen trees, natural forest communities and native vegetation which are clearly delineated on site plans, plats, or recorded restrictions, or in some other legally binding manner that are to be protected from any tree or under story removal or effective destruction and maintained without any development.

Vegetation survey means a drawing provided at the same scale as the landscape plan which includes relevant information as required by these regulations.

Vehicle means every device, in, upon, or by which any person or property is or may be transported or drawn upon a highway or street, except devices moved by human power. (Sec. 2-134)

Vehicle, commercial means any vehicle designed, used or maintained, as a means of transportation on land of people, goods or things used in trade, services, or commerce in general. For the purposes of these

regulations, buses, vans and other vehicles seating more than nine (9) persons used for transportation of people shall be considered commercial vehicles. (2536) (Sec. 2-135)

Vehicle, motor means every vehicle which is self-propelled. (Sec. 2-135)

Vehicle, recreational means any vehicle self-propelled or capable of being towed and primarily designed, constructed or converted to provide recreational uses, or to provide temporary living quarters for camping, or recreational travel. The following shall be included as recreational vehicles, but not to the exclusion of any other types not mentioned; trailers; trailer coaches; camping trailers; and full-tent trailers; motor homes; pickup (slide-in) camper and mini-motor homes. Any van designed for and containing seating for the transportation of not more than nine (9) persons and containing rear and side windows shall not be considered a recreational vehicle. (2536) (Sec. 2-137)

Vehicle sales/displays mean a business or commercial activity involving the display and/or sale or rental of automobiles, small trucks and vans and other small vehicular or transport mechanisms and including vehicle service.

Vehicle sales/displays, major means a business or commercial activity involving the display and/or sale or rental of boat and marine vessels, recreational vehicles, heavy equipment, mobile homes, and other vehicular or transport mechanisms and including vehicle service.

Vehicle service means an activity conducted entirely within an enclosed structure primarily involved in servicing or repairing of automobiles, motorcycles, trucks, boats, recreational vehicles and other similarly sized vehicular or transport mechanisms or heavy machinery. Vehicle services include washing, waxing, changing oil, tuning, installing mufflers or detailing, window tinting, shock absorbers, and painting. ~~[See definition of automobile service station.]~~

Vehicle service, major means vehicle repairs which include engine repairs where the cylinder head, pan or exhaust manifold is removed; steam cleaning of engines; undercoating; vehicle spray painting; auto glass repair and replacement; repair and replacement of transmission, differential, transaxles, shaft and universal joints, wheel and steering linkages and assemblies; rebuilding and upholstering the interior of vehicles; customizing, restoration or rebuilding of vehicles; chassis, frame, body, fender and bumper molding, straightening, replacement and finishing; and repairs involving extensive welding, racing of engines or lengthy or overnight idling of engines. [Excluded from definition of automobile service station.]

Vehicular use area means a hard surface area designed or used for off-street parking and/or an area used for loading, circulation, access, storage, including fire trucks, garbage trucks, or display of motor vehicles.

Veterinary office means a facility used by veterinarians to treat and examine animals, including accessory indoor boarding of animals, not including outdoor kennels or animal runs.

Vines mean plants which normally require support to reach mature form. (Sec. 2-138)

Wetlands mean lands which are periodically covered or saturated with water during normal rainfall years as indicated by soils, topography and vegetation, not including artificial drainage ditches checked solely for the purpose of channeling stormwater.

Wholesale / distribution / warehouse facility means a use where goods are received and/or stored for delivery to the ultimate consumer at remote locations.

Wild animal means animals and reptiles of a species not usually domesticated in the United States and such phrase does not refer to the comparative docility or familiarity with man of a particular animal. Nor does such phrase refer to pets customarily found in and about homes, such as baby turtles, small non-poisonous lizards and the like. (Sec. 2-139)

Wire fence means a fence whose principal material is wire, including but not limited to chain link fences.

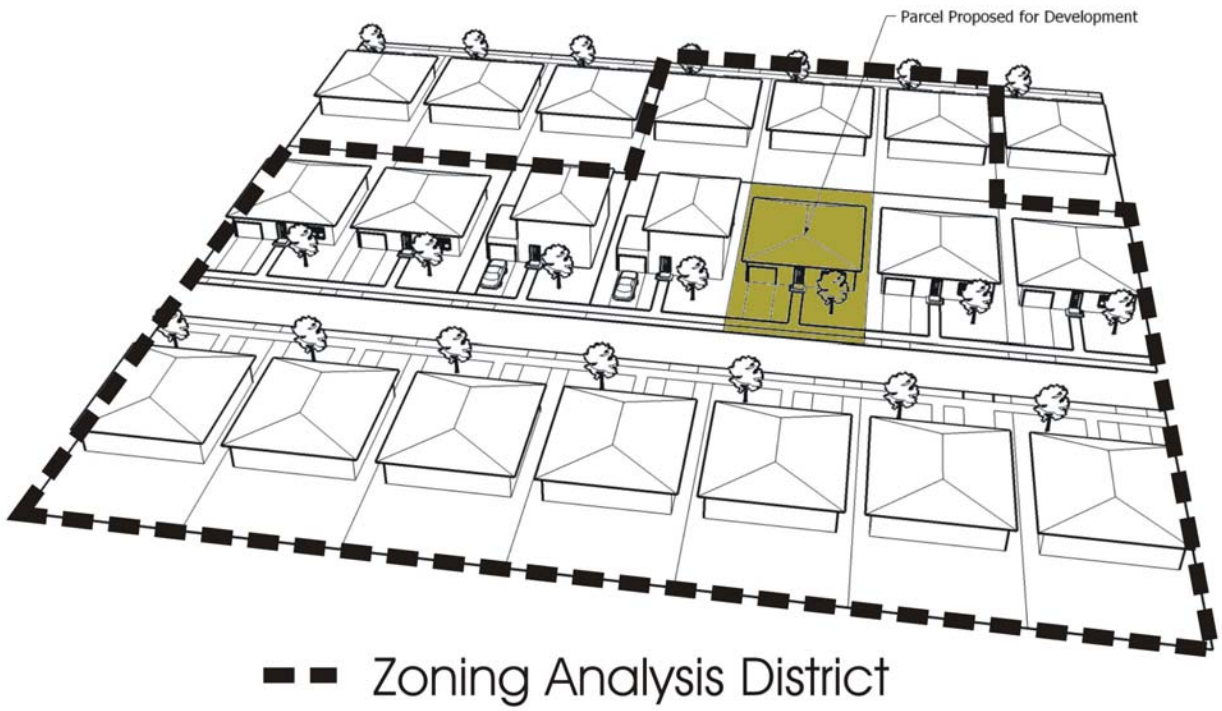
Wood trellis means a permanent wood frame supporting open latticework, used for training vines and other creeping plants. (2521) (Sec. 2-140)

Workforce Housing means housing which is affordable to a Workforce Household with an adjusted gross income which does not exceed 120% of the area median income.

Workforce Housing Unit shall mean Workforce Housing having a floor area of at least seven hundred fifty (750) square feet and not more than one thousand two hundred (1,200) square feet and where the household pays no more than thirty (30) percent of adjusted gross income for housing costs.

Yard area means that portion of a parcel of land between the property line and a required setback area.

Zoning Analysis District means the area on both sides of the street in either direction to the next cross street in each direction to be considered in reviewing an application for development approval in the SF 1 Residential District. The Zoning Analysis District includes all lots on both sides of the street on which the parcel fronts to the nearest crossing street in either direction, together with lots which touch the lot along the rear or side lot lines.



Zoning Code means the regulations adopted pursuant to the Local Government Comprehensive Planning and Land Development Regulations Act, Chapter 163.3161, et seq., F.S.