

Article 2 DEFINITIONS

Accessory deck. 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)

Acre, net. For the purpose of this Code, a net acre of land shall be 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)

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

Adult book store. An establishment having as a substantial or significant portion of 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)

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

Alcoholic beverages. Beverages containing alcohol of more than (1%) one percent by weight and not more than fourteen (14%) percent by weight. (Sec. 2-7)

Alley. 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)

Amateur radio antenna. For the purpose of this ordinance an amateur radio antenna consists 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)

Apartment. A room or a suite of rooms within an apartment house, arranged, intended or designed to be used as a home or residence of one (1) family with kitchen facilities for the exclusive use of the 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. Apartments shall not be permitted to have outside doors to bedrooms. (3183) (Sec. 2-10)

Apartment building. A building which is used or intended to be used as a home or residence for three (3) or more families living in separate apartments, in which the yard area, hallways, stairways, balconies and other common areas and facilities are shared by families living in the apartment units. (Sec. 2-11)

Apartment garage. A building designed and used exclusively for the housing of automobiles belonging to the occupants of an apartment building on the same premises. (Sec. 2-12)

Apartment hotel. A building designed for or containing both apartments and individual hotel guest rooms under resident supervision and which maintains an inner lobby through which all tenants must pass to gain access to apartments and hotel rooms. (Sec. 2-13)

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

Assisted living facilities (ALF). Assisted living facilities (ALF) shall be any facility housing people of age fifty-five (55) or older for a period of time greater than twenty-four (24) hours, and providing for basic housekeeping services (i.e., beds, meals, supervision). All activities conducted within an ALF shall be in accordance with state law and provisions contained herein for the health, safety and welfare of the ALF occupants, as well as the citizenry as a whole. (3357) (Sec. 2-5-1)

Automobile service station. An establishment conducted principally for the business of fueling and lubricating motor vehicles, including the sale of tires, batteries and incidental vehicle accessories and for the performance of the following incidental services to motor vehicles and none other: (Sec. 2-15)

- (a) Service and replacement batteries.
- (b) Washing, cleaning and polishing.
- (c) Tire repair and servicing but no recapping.
- (d) Adjusting brakes.
- (e) Ignition services.
- (f) Emergency wiring repairs.
- (g) Replacement of water hose, belts, brakes and power steering fluid, light bulbs, floor mats and windshield wiper blades.
- (h) Tuning engines with the exception of grinding valves, cleaning carbon and removing the heads of engines and/or crank cases.

Auxiliary or accessory use. A use customarily incidental to and accessory to the principal use of a building or premises located on the same premises with such principal use, but not including any commercial activity. (Sec. 2-16)

Awning. 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. Awnings erected over garage openings or porte-cochere vehicles openings shall not extend out from the outside wall of the buildings more than six (6) feet maximum. (Sec. 2-17)

Basement. That portion of a building between floor and ceiling which is so located that one-half ($\frac{1}{2}$) or more of the clear height from floor to ceiling is below grade. The basement shall not be used as a habitable room. (Sec. 2-18)

Beverage distributor. Distributor and vendor, at wholesale only, of alcoholic beverages in sealed containers. (Sec. 2-19)

Billboards. 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. 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)

Building. A structure entirely separated from any other structure by space or by walls in which there are no communicating door or windows or similar openings. (Sec. 2-22)

Building site. A building site shall be as follows: (Sec. 2-23)

- (a) A parcel of land having not less than the minimum area permitted by this code for a building to be erected thereon, including such open spaces as are required by this code and such open spaces as are arranged and designed to be used, or actually used, in connection with such building, but in no case containing less than the minimum area prescribed by this code.
- (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.

Business outside a building. 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. 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)

Carnival. An exhibition or amusement enterprise consisting of various riding devices, side shows, 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)

Carport. A roofed structure not more than seventy-five (75%) percent 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 canopy. A roof-like vehicles from the rays of the sun and from rain and weather. Car-porte canopies are partially or entirely supported from the ground up. (Sec. 2-28)

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

Church. A building used for non-profit purposes by a recognized and legally established sect solely for the purpose of worship. (Sec. 2-33)

Club vendor. Chartered or incorporated club or lodges, organized for lawful purposes and not for the purpose of evading beverage laws, vending alcoholic beverages and intoxicating liquors at retail to members and their guests only, for consumption on the premises. (Sec. 2-34)

Coastal flood hazard district. For the purpose of this ordinance, the coastal flood hazard district is designated as follows: (Sec. 2-30)

- (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.

Comprehensive plan. The official document 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)

Conditional use. 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 the Zoning Code. (Sec. 2-32)

Construction and/or field office. A mobile home, travel trailer, truck trailer and/or other structure used as an office in conjunction with a construction project. Only one construction or field office shall be allowed per construction site. (3230) (Sec. 2-35)

Convalescent home. A building wherein for compensation, nursing care is provided for persons suffering from illness, other than mental or contagious, which is not of sufficient severity to require hospitalization, or persons requiring further institutional care after being discharged from a hospital other than a mental hospital. Occupancy of a convalescent home by any patient shall not exceed thirty (30) days within any calendar year. (Sec. 2-36)

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

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

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

Depth and width. The depth of a lot is the mean horizontal distance between the front and rear lot lines. The width of a lot is 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)

Dormitory. A building intended or used principally for sleeping accommodations where such building is related to an educational or

public institution including religious institutions. (Sec. 2-42)

Duplex or two-family residence. 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 room 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)

Efficiency apartment. An apartment consisting of a combination living room and bedroom with small auxiliary rooms such as kitchenette, breakfast nook, and bath arranged so as to consist of not more than one habitable room. (Sec. 2-44)

Entrance canopy. 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. Entrance canopies shall be attached to the building and may be supported from the ground up; the overall width of said entrance canopies shall be a maximum of the entrance opening and framing width, plus twelve (12) inches and said entrance canopies shall extend out perpendicular from the building. Entrance canopies are permitted on commercial buildings only. (Sec. 2-45)

Established grade. The established grade, as applied to any building site shall be 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 not sidewalks, the average elevation of the crown of the road and/or streets abutting such building site. (Sec. 2-46)

Family. One or more persons related by blood, adoption, marriage, or foster care relationship under Florida Statutes Chapter 409, occupying a single residential unit. (3183) (Sec. 2-47)

Family day-care home. 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)

Flags. A flag is 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. Flags shall not be construed as signs, except when displayed in connection with commercial promotion and providing such flags meet the following criteria: (3224) (Sec. 2-49)

- (a) No flag shall exceed fifteen (15) square feet in size.
- (b) In non-residential properties the total square footage of all flags (where more than one flag is placed on the property) shall not exceed forty-five (45) square feet.
- (c) In residential properties the total number of flags shall not exceed fifteen (15) square feet combined.
- (d) Flags flown on a ground mounted flagpole shall not exceed a lateral dimension (length) greater than twenty-five (25%) percent of the height of the flagpole.

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

Floor area ratio. The total floor area of a building or buildings on a building site divided by the area of the site. The total floor area shall include 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 not specifically excluded by other parts of this ordinance as floor area not applicable to or excluded from computing Floor Area Ratio (F.A.R.). (Sec. 2-51)

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

Garage apartment. A private garage, containing living quarters in the same building. (See Section 5-2 for permissive use of living quarters). (Sec. 2-53)

Garage sale. 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. An accessory building consisting of a detached, covered, freestanding open-air structure not exceeding 300 square feet. Such gazebo shall be of masonry construction with tile roof, and shall meet setback and ground area coverage as set forth elsewhere in this Code. (3230) (Sec. 2-55)

General. The following words and phrases when used in this ordinance shall for the purpose of this ordinance have the following meanings, except where the context clearly indicates a different meaning. Words used in the present tense include the future; the singular number includes the plural number and the plural the singular; the word building includes the word structure; the words used for include the words designed for; and the word shall is mandatory and not directory. (Sec 2-1)

Grade. The average elevation of the sidewalk abutting such building site. In the absence of sidewalks, grade shall be 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 grade shall be the average elevation of the sidewalks abutting such building site, or if there are no sidewalks, the average elevations of the crown of the road and/or street abutting such building site. (Sec. 2-56)

Grade, finished. 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. (Sec. 2-57)

Group home. 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 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)

Guest house. 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)

Habitable room. 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 South 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. 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 ($\frac{2}{3}$) 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)

Height of building. The height of a building shall be the vertical distance measured from the established grade to the level of the highest point of the building, excluding therefrom items listed under Section 14-6 herein. (Sec. 2-62)

Hotel. A building in which lodging or boarding and lodging are provided and offered to the public for compensation in which ingress and egress to and from all rooms is made through an inside lobby or office which is supervised normally by a person at all hours. As such it is open to the public in contradistinction to a boarding, lodging house or an apartment building and no kitchen facilities are offered. (Sec. 2-65)

Hotel, extended-stay and suites. 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, provided all provisions required in Section 3-6(ff), "Extended-stay and suite hotels" of this code have been met. (3459) (Sec. 2-65-1)

Intoxicating liquors. Beverages containing alcohol of more than fourteen (14%) percent by weight or its equivalent seventeen and twenty-six one-hundredths (17.26%) percent by volume at sixty (60) degrees Fahrenheit which are recognized as the same for the purpose of this code. (Sec. 2-66)

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

Landscaped open space. 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. 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)

Lease department. A department or part of any store or unit which is under separate lease, ownership, and/or management from the remainder of the store or unit. The operator of a lease department operates such department as a separate complete business, owns the stock and retains the profit. A lease department shall also include subleases and/or concessionaires. The number of such lease departments in any one store or unit may be one up to two-thousand five-hundred (2,500) square feet of gross floor area and shall not exceed one for each additional two-thousand five-hundred (2,500) square feet of gross floor area thereafter. Each lease department, sublease and/or concessionaire shall obtain an occupational

license, as provided for under Chapter 17 of the City Code. (Sec. 2-70)

Liquor distributor. A distributor and vendor at wholesale only, of alcoholic beverages and intoxicating liquors in sealed containers. (Sec. 2-71)

Lot. Any tract, area or parcel of land platted as a lot upon a recorded plat intended for occupancy by a Use permitted in this Ordinance. (Sec. 2-72)

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

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

Massage salon. Any place or establishment where a massage is made available. Health studio and/or health club shall be included herein where any portion of the floor space is used for the above stated purpose. (Sec. 2-75)

Merchant and/or department store. Any retail establishment offering a wide variety of merchandise and services under one ownership and management and one occupational license, except for a lease department as defined and limited under lease department (Sec. 2-70) herein, and organized into departments according to the kinds of goods sold. (Sec. 2-76)

Mezzanine. An intermediate floor placed in any story or room. When the total area of any such mezzanine floor exceeds thirty-three and one-third (33⅓%) percent of the total floor area in the room or story in which the mezzanine floor occurs, it shall be considered as constituting an additional story. The clear height above or below a mezzanine floor construction shall be not less than seven (7) feet. (Sec. 2-77)

Microwave antennas. 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)

Motel or motor court. A series of attached or semi-attached dwelling units where each unit

has convenient access to parking space for the use of the unit's occupants. The units, with the exception of the apartment of the manager or caretaker, are designed to provide sleeping accommodations for automobile transients or overnight guests and no kitchen facilities are offered. (Sec. 2-79)

Necessary hardship. 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)

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

Non-conforming use. A use or activity which lawfully existed prior to the adoption, revision or amendment of this ordinance, but which fails, by reason of such adoption, revision or amendment, to conform to the Use District in which it is located. (Sec. 2-82)

Nursing home. A building for the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care but who require skilled nursing care and related medical services. (Sec. 2-83)

One bedroom apartment. An apartment consisting of two (2) habitable rooms excluding the kitchen. (Sec. 2-84)

Open plaza area. 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)

Parapet. That portion of a wall which extends above the roof line. (Sec. 2-86)

Penthouse. 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 (25%) percent of the area of the floor immediately below. A

penthouse shall not be construed as a story. Penthouses shall not be permitted in "R" or "D" zoned districts. (3230) (Sec. 2-87)

Porch. 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. A roofed structure attached to a building and erected over a driveway for a building entrance not exceeding one story in height and open on three (3) sides. (Sec. 2-89)

Private club. 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. 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 auxiliary-use, with the residence or business of the owner of such automobiles so stored. A maximum of four (4) garage parking spaces shall be permitted on a single-family or duplex residential property. (3241) (Sec. 2-91)

Private yacht basin. 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. Docking facilities provided as an auxiliary or accessory use for residences, duplexes and apartments for use of residents living in such buildings shall be excluded from this definition. (Sec. 2-92)

Public garage. 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 not come within the

definition of a private or apartment garage as herein set forth. (Sec. 2-93)

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

Residential estate. 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 this Code a residential estate shall abide by all rules and regulations applicable to an R-Use District. (Sec. 2-95)

Restrictive covenant. 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 beverage store. Vendor of alcoholic beverages at retail for consumption on the premises. (Sec. 2-98)

Retail liquor store. Vendor of alcoholic beverages and intoxicating liquors at retail for consumption on the premises. (Sec. 2-99)

Retail package beverage store. Vendor of alcoholic beverages at retail in sealed containers for consumption off the premises only. (Sec. 2-97)

Retail package liquor. Vendor of alcoholic beverages and intoxicating liquors at retail in sealed containers for consumption off the premises only. (Sec. 2-100)

Sales office, land development. 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 as may be approved by the Board of Architects, Structural Engineer and the Building and Zoning Department. (Sec. 2-101)

Satellite earth station. 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)

Screened enclosure. 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 (50%) percent 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. A roofed structure not more than seventy-five (75%) percent 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 (50%) percent 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)

Self-service gasoline station. That property where flammable and combustible liquids used as motor fuels are stored and subsequently dispensed from fixed approved dispensing equipment into the fuel tanks of motor vehicles by persons other than the service-station attendant. (Sec. 2-105)

Senior citizen services. Senior citizen services shall be considered services offered in accordance with state law and provisions contained herein for the health, safety and

welfare of people age fifty-five (55) or older. (3357) (Sec. 2-104-1)

Service station. Automobile service stations, self-service gasoline stations and split-island service stations as defined herein under automobile service station (Sec. 2-15), self-service gasoline station (Sec. 2-105), and split-island service station (Sec. 2-115). (Sec. 2-106)

Setback. The minimum horizontal distance between the lot or property line and the nearest front, side or rear line of the building (as the case may be), including terraces or any covered projection thereof, excluding steps. (Sec. 2-107)

Shelter canopy. 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. A woody plant that usually remains low and produces shoots or trunks from the base; it is not usually tree like nor single stemmed. (Sec. 2-109)

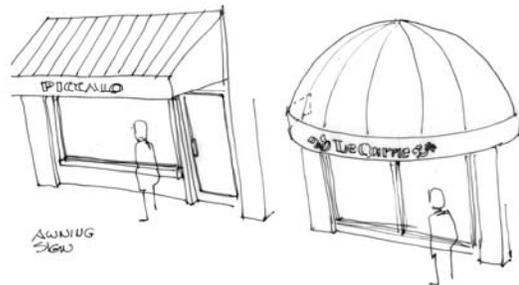
Sign. An identification, description, illustration or device structure, or fixture (including, but not limited to, letters, words, graphics, symbols, pictorial presentation, numerals, trademarks, figures, logos, crests, emblems, pictures, or any part or combination) used for visual communication intended to attract the attention of the public and is visible to the public right-of-way or other properties. 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. (2003-16) (Sec. 2-110)

Sign area. The area of a sign is the sum of the areas 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. 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. 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. 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, cantilever. A sign which is mounted upon a cantilever and which does not extend beyond the cantilever. [Sec. 2-110(e)]

Sign, decal. A sign affixed to a window or transparent surface that is visible from the exterior portions of a building. This includes the following signs: entrance; exit; credit card advertising or other information subject to approval by the Building and Zoning Department. [Sec. 2-110(f)]

Sign design. 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.

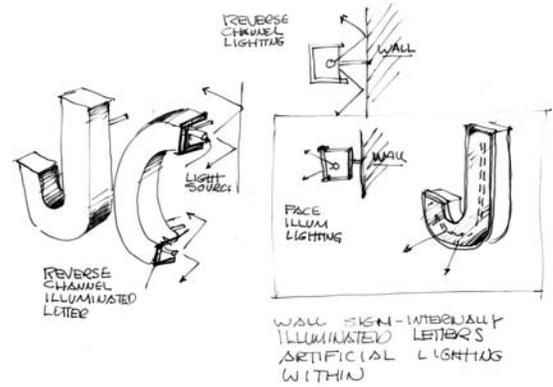
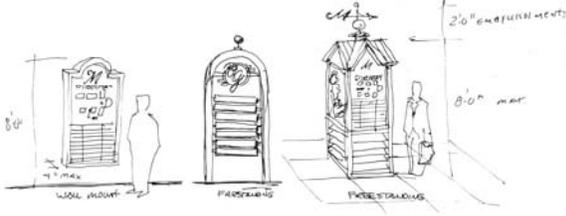
Box and cabinet signs shall be prohibited. (See photographs for examples) [Sec. 2-110(g)]



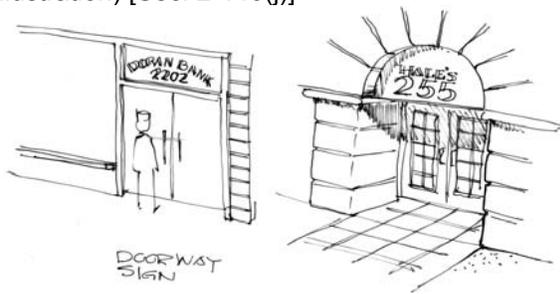
Sign, detached. A sign not attached to or painted on a building, but which is affixed to the ground. A sign attached to a surface such as a fence or wall shall be considered a detached sign. [Sec. 2-110(h)]

Sign, directory. 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. This sign intent is to direct persons within the

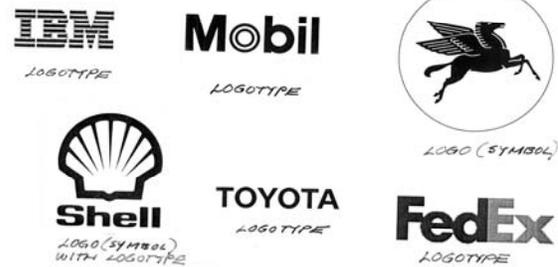
property. This sign shall contain no advertising. (See illustration) [Sec. 2-110(i)]



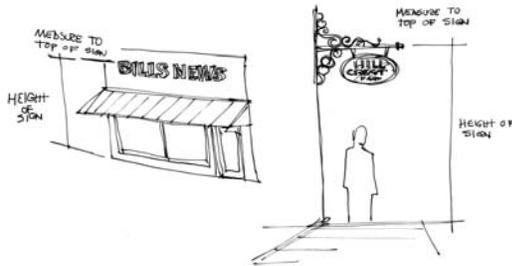
Sign, doorway. A sign attached, affixed to or mounted above an entrance doorway with the intent of identifying the pedestrian entrances/exits to buildings and structures. (See illustration) [Sec. 2-110(j)]



Sign, logo or logotype. Shall mean a trademark, company name, and or symbol identifying the business or service provided and which may be all or part of a sign. The size of logo and/or logotype shall be included as a part of the allowable overall sign area. (See illustration) [Sec. 2-110(m)]



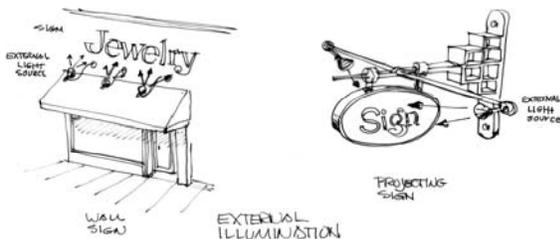
Sign, height. The vertical distance measured from the lowest adjacent grade to the highest and/or upper most point of the sign, sign structure or element. (See illustration) [Sec. 2-110(k)]



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

Sign, nonconforming. 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 this Article does not conform to the requirements of this Article. [Sec. 2-110(o)]

Sign, illuminated. 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)]

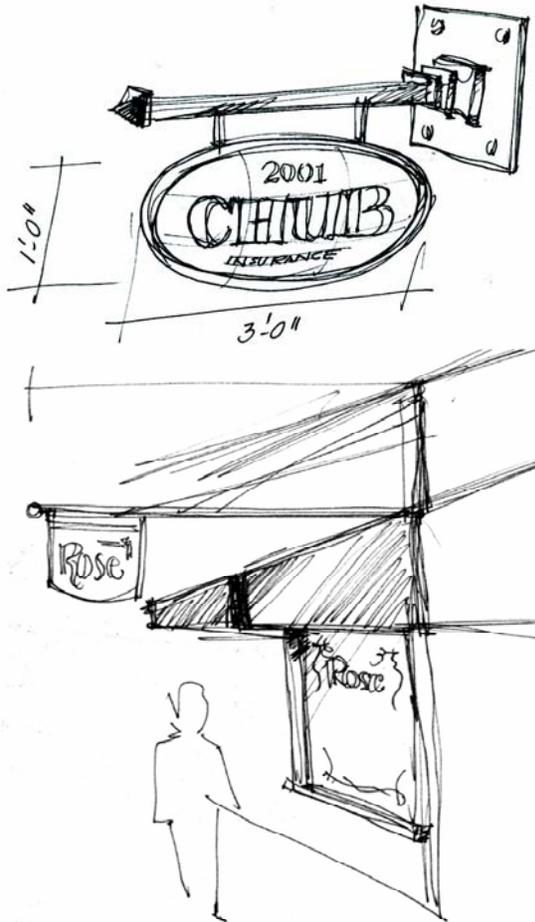


Sign, plaque. A sign that identifies, communicates the receipt of an award, local government actions or related history of the site, parcel or building. The intent of the sign is not to advertise a service, business, etc. [Sec. 2-110(p)]

Sign, primary street. 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, professional affiliations. A sign indicating any applicable design services that are presently being completed on the property pursuant to the issuance of a permit. [Sec. 2-110(r)]

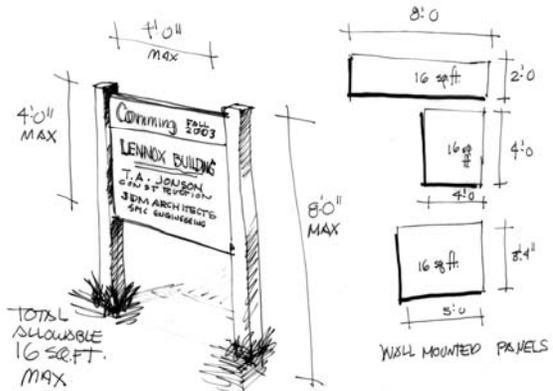
Sign, projection sign. A sign, which projects from and is supported by a wall or parapet of a building with the sign face perpendicular or approximately perpendicular to the wall or parapet. The use of logos raised lettering and three-dimensional features or three-dimensional signs is encouraged and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



Sign, side street. 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 construction sign (non-residential zoning districts). A sign indicating a construction and/or renovation of a building and/or structure identifying architects, engineers,

contractors, tradesman and/or others engaged in work completed on the premises. Such signage shall satisfy all applicable building and life safety code requirements. (See illustration) [Sec. 2-110(u)]



TEMPORARY CONSTRUCTION SIGNS

Sign, temporary sign (residential zoning districts only). A sign installed on a residential zoned property for a temporary period. This sign may indicate one of the following:

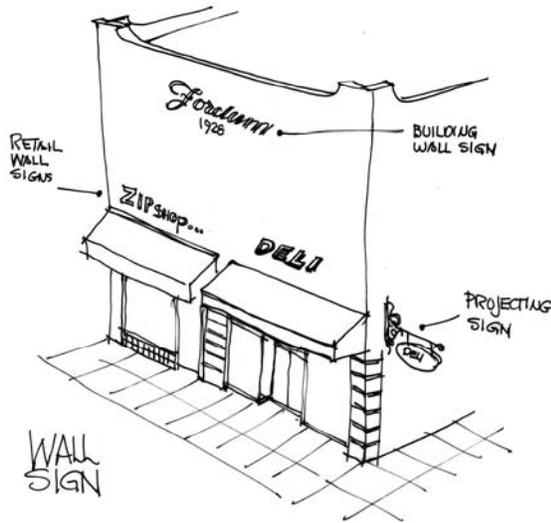
- (a) Construction and/or renovation of a building and/or structure or other associated improvements requiring a building permit identifying architects, engineers, contractors, tradesman and/or others engaged in work completed on the premises.
- (b) Real estate signage indicating the sale and/or rental 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.

Such signage shall satisfy all applicable building and life safety code requirements. [Sec. 2-100(v)]

Sign, visible. The ability to see a sign, message, copy area, display (legible or not) without visual aid by a person of normal vision acuity or simply stated, can be seen. [Sec. 2-110(w)]

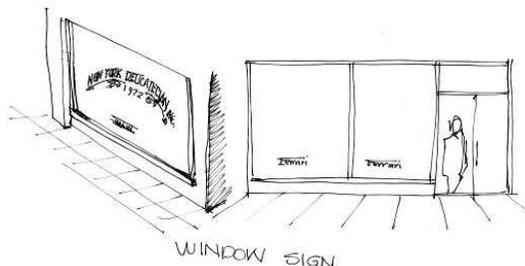
Sign, wall. A sign painted or attached on the outside of a building/structure, or attached to, and erected parallel to the face of a building and supported throughout its length by such

building/structure. (See illustration) [Sec. 2-110(z)]



Sign, window area. 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 sign. 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)]



Single family residence. A private residence building used or designated to be used as a home or residence in which all living rooms are accessible to each other from within the building, and in which the use and management of all sleeping quarters, all appliances for cooking, ventilating, heating or lighting are under one control, and 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. Doors or other openings constituting more than one front entrance shall be presented to the Board of Adjustment without charge for approval, provided, however, that such doors or other openings are not exits or entrances to a sleeping room, give the residence the appearance of a duplex, or encourage the creation of a secondary living unit within the residence. (3028, 3183) (Sec. 2-112)

Specified anatomical areas. The phrase specified anatomical areas shall have the meaning as set forth hereinafter: (Sec. 2-113)

- (a) Less than completely and opaquely covered:
- (1) Human genital, pubic region.
 - (2) Buttock.
 - (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.

Specified sexual activities. Specified sexual activities shall mean: (Sec. 2-114)

- (a) Human genitals in a state of sexual stimulation or arousal.
- (b) Acts of human masturbation, sexual intercourse or sodomy.
- (c) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Split island service station. An automobile service station providing full service with one or more pump islands devoted to self-service. (Sec. 2-115)

Spot zoning. Spot zoning involves change in district boundaries, variances, and other amendments to the Zoning Code and Use and Area Maps which violate sound principles of

zoning and are characterized by the following: (Sec. 2-116)

- (a) Individuals seek to have property rezoned for their private use.
- (b) Usually the amount of land involved is small and limited to one or two (2) ownerships.
- (c) The proposed rezoning would give privileges not generally extended to property similarly located in the area.
- (d) Applications usually show little or no evidence of, or interest in, consideration of the general welfare of the public, the effect on surrounding property (including adequate buffers), whether all uses permitted in the classification sought are appropriate in the locations proposed, or conformity to the Comprehensive Plan or to comprehensive planning principles (including alterations to the population density patterns and increase of load on utilities, schools and traffic).

Story. (Sec. 2-117)

- (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 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 (33 $\frac{1}{3}$ %) percent of the total floor area in that room or story in which the mezzanine floor occurs shall be considered as a story. (See mezzanine; Sec. 2-77).
- (c) That portion of a building between floor and ceiling which is so located that more than one-half ($\frac{1}{2}$) of the clear height from floor to ceiling is above grade. (See basement; Sec. 2-18)

Street. A thoroughfare used for public foot and vehicular traffic other than an alley as herein defined. (Sec. 2-118)

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

Subdivision. 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; provided that a division of land which may be ordered by a

Court of competent jurisdiction or a division of land into lots or parcels of four (4) acres or more and not involving a new street shall not be termed a subdivision. The term includes re-subdivision, and when appropriate to the context, it relates to the process of subdividing or to the land subdivided. (Sec. 2-120)

Survey, certified. A survey, sketch, plan, map or other exhibit is said to be certified when a written statement regarding its accuracy or conformity to specified standards is signed by a registered surveyor, and shall show 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. 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)

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

Theater, adult motion picture. 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 observations by patrons therein. (Sec. 2-124)

Three-bedroom apartment. An apartment consisting of four (4) or more habitable rooms excluding the kitchen. (Sec. 2-126)

Trailer. 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)

Tree. 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)

Truck. 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)

Two-bedroom apartment. An apartment consisting of three (3) habitable rooms excluding the kitchen. (Sec. 2-129)

Unity of title. 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)

Unnecessary hardship. 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)

Usable open space. Outdoor area, except parking and other service areas, which is 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)

Variance. 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 the Zoning Code. (Sec. 2-133)

Vehicle. 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. 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 this ordinance, 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. Every vehicle which is self-propelled. (Sec. 2-136)

Vehicle, recreational. 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)

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

Wild animal. The phrase wild animal is used as a term to indicate 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)

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

Yard. An open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except as otherwise provided herein. (Sec. 2-141)

Yard, front. An unoccupied area between the front property line and the main building, and extending across the full width of the lot. (Sec. 2-142)

Yard, rear. An unoccupied area extending across the full width of the lot between the main building and the rear line of the lot, except in the case of a side street. (2992, 3230) (Sec. 2-143)

Yard, interior side. An unoccupied area between the main building and the side line of the lot and extending from the required front yard to the required rear yard. (2992) (Sec. 2-144)

Yard, side street. An unoccupied area behind the front yard and between the main building and abutting street extending to the rear property line. (2992, 3230) (Sec. 2-145)