

LAND DEVELOPMENT CODE

County of

HILLSBOROUGH, FLORIDA

Looseleaf Supplement

The Code contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 15-15, adopted June 18, 2015, effective June 25, 2015.

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From our experience in publishing Looseleaf Supplements on a page-for-page substitution basis, it has become evident that through usage and supplementation many pages can be inserted and removed in error.

The following listing is included in this Code as a ready guide for the user to determine whether the Code volume properly reflects the latest printing of each page.

In the first column all page numbers are listed in sequence. The second column reflects the latest printing of the pages as they should appear in an up-to-date volume. The letters "OC" indicate the pages have not been reprinted in the Supplement Service and appear as published for the original Code. When a page has been reprinted or printed in the Supplement Service, this column reflects the identification number or Supplement Number printed on the bottom of the page.

In addition to assisting existing holders of the Code, this list may be used in compiling an up-to-date copy from the original Code and subsequent Supplements.

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commencing any on site land alteration or construction activity. Single family, two family detached dwellings and Community Residential Home Type A, on individual lots with their accessory uses and structures shall be exempt from the site development regulations.

- C. In instances where lots have been created and Improvement Facilities have been approved and constructed in accordance with the subdivision regulations, then a site development review shall be required for development upon those lots except as provided herein.
- D. All development reviewed under the site development regulations shall comply with the densities and intensities and other provisions established within the Future of Hillsborough Comprehensive Plan; unless otherwise excepted therein.
- E. All development shall meet or exceed the requirements of all land development regulations as established and adopted by Hillsborough County, the state of Florida and the federal government unless such requirements have been waived by those governments.
- F. The approval of a Site Development Plan and the issuance of a Natural Resources/Landscaping Permit are required by Hillsborough County before building permits may be issued for construction.
- G. Where lands have been or are subdivided or resubdivided, but ownership is described by metes and bounds without recording a plat in the manner and form required by regulations in effect at the effective date of the site development regulations, such lands may be used in accordance with the terms of the site development regulations provided:
 - 1. That all necessary public facilities, services, and utilities are available to or located on such lands, or an agreement satisfactory to the Board has been made and recorded whereby the deficiencies in necessary public facilities, services, or utilities will be remedied, and appropriate waivers, variances, or exemptions have been obtained; or
 - 2. That a plat of such land be recorded in the manner and form of and subject to, the requirements existing in regulations in effect at the time of the recording of such plat.

Sec. 5.02.03. Unified Site Development Plans

- A. Nothing in this Code or this Part shall be construed to prevent the submission of a unified plan for a site(s) comprised of multiple zoning districts, parent parcels or lots, provided the site is under unified ownership and/or control at the time of application for Preliminary Site Development Plan or site construction plan approval.
- B. In no event may this authority to approve a unified development plan be construed to grant or extend use privileges or to alter standards otherwise prescribed by this Code for a Zoning Lot, Parent Parcel or Lot (for example, commercial parking may not be extended into a portion of the site where commercial parking is not otherwise permitted).

- C. Because the unified site development plan is optional to the applicant(s), the Administrator may exercise broad discretion in the review and approval of unified site development plans, and may impose conditions upon such approval through legally enforceable instruments to assure that the intent of this Code is met, that the integrity of the unified site development plan is maintained and that the public interest is properly protected, including, but not limited to, maintaining compliance with Planned Development zoning requirements pursuant to Section 6.02.19 and Section 6.03.14 of this Code. Such approval conditions may impose additional requirements including but not limited to certifications, reciprocal easements and/or agreements, development agreements, dedications, reservations, plats and other means as may be deemed appropriate.

(Ord. No. 14-3, § 2(Exh. A), (Item IV-A), (13-0719), 1-30-14, eff. 2-6-14; Ord. No. 15-15, § 2(Exh. A), Item A.1(15-0461), 6-18-15, eff. 6-25-15)

Sec. 5.02.04. Preservation of Natural Features

Site development plans shall be designed so as to conform to and take advantage of topographic and other natural features of the land, including the preservation of existing trees, wetlands, water bodies, wetlands and environmentally sensitive areas as required by law, ordinance and rule. Preservation Areas and Conservation Areas shall be shown on the Site Development Plan. Applicable setbacks from these areas shall also be shown. No new development, nor expansion nor replacement of existing development shall be permitted in areas designated on the Future Land Use Map as Natural Preservation, unless consistent with conservation purposes, such as passive recreation.

Sec. 5.02.05. Compliance with this Code

No parcel of land shall be created or used which does not meet the minimum requirements of this Code.

Sec. 5.02.06. Compliance with Subdivision Regulations

No parcel of land shall be developed under the site development regulations which has been subdivided improperly. Upon the determination by the Administrator that the parcel is part of an improper subdivision, the applicant shall be required to do one of the following:

- A. Plat the proposed lot;
- B. Vacate the existing subdivision and replat the proposed subdivision;
- C. Determine if a variance to the subdivision regulations is appropriate.

PART 5.03.00
PLANNED DEVELOPMENT DISTRICTS*

Sec. 5.03.01. Generally

- A. These districts are used for customized purposes in cases where standard district regulations are inadequate to protect surrounding property or where design flexibility is sought. The intent of these districts is to encourage creative, innovative, and/or mixed use

***Editor's note**—Ord. No. 06-18, § 2, adopted August 1, 2006, amended Part 5.03.00, in its entirety, to read as herein set out. See also the Table of Amendments.

ARTICLE VI

DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS

Part 6.00.00 Generally

Part 6.01.00 District Performance and Dimensional Standards

- Sec. 6.01.01. Schedule of District Area, Height, Bulk, and Placement Regulations
- Sec. 6.01.02. Schedule of Residential Density and Open Space Regulations for Affordable Housing and Developments
- Sec. 6.01.03. Lots; Dimensional, Access and Related
- Sec. 6.01.04. Zero Lot Line Residential
- Sec. 6.01.05. Reserved
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Part 6.02.00 Subdivision Standards and Guidelines

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- Sec. 6.02.02. Half-Streets
- Sec. 6.02.03. Medians, Islands, and Guard Houses
- Sec. 6.02.04. Right-of-Way Improvements
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- Sec. 6.02.06. Natural Resources and Landscaping
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- Sec. 6.03.11. Crime Prevention Through Environmental Design (CPTED)
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- Sec. 6.04.03. General Access Standards
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- Sec. 6.04.06. Maintenance Responsibilities
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Part 6.05.00 Parking and Loading

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Part 6.06.00 Landscaping, Irrigation and Buffering Requirements

- Sec. 6.06.01. Purpose
- Sec. 6.06.02. Applicability and Exemptions
- Sec. 6.06.03. General Standards and Guidelines
- Sec. 6.06.04. Off-Street Vehicular Use Areas
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Part 6.08.00 Height Regulation

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- Sec. 6.09.02. Lighting
- Sec. 6.09.03. Sound
- Sec. 6.09.04. Vibration

- b. In the Urban Service Area. For residential subdivisions in the Urban Service Area created July 1, 2010 or later, easement access to public roads shall be permitted only in Platted Subdivisions with No Improvements. Only one easement shall be allowed per parent parcel. Joinder and consent of all fee owners under easements to the use of the easement by the subdivided parcel is required. In addition, no easement shall provide access to more than three lots and only one easement may be used for access per Sec. 10.01.05.B.2.c of this Code. This requirement regarding the number of easements and the maximum number of lots to use an easement for access shall not be varied.
- c. Width Requirements.
 - (1) If the easement serves one dwelling unit, a minimum width of 20 feet shall be required.
 - (2) If the easement serves two or three dwelling units, a minimum width of 30 feet shall be required.
- d. Other Standards.
 - (1) The easement shall provide for sufficient ingress and egress for fire trucks, ambulances, police cars and emergency vehicles.
 - (2) The easement shall be legally sufficient to prevent the lot or parcel from being land locked.

C., D. [Reserved.]

- E. Prohibition of Use of the Residentially Zoned Private Property for Access to Uses Not Permitted in Residential Districts; Exceptions. No land which is agriculturally or residentially zoned shall be used for vehicular or pedestrian access or land or structures in other districts used for any purpose not permitted in agricultural or residential districts, except as provided below or otherwise authorized by this Code or other lawful regulations:
 - 1. Where provision does not exist for safe access for emergency and public service vehicles, and such access is not reasonably feasible except through residentially or agriculturally zoned land, access reserved for and limited to such vehicles may be authorized by the Administrator, subject to conditions and safeguards designed to protect the tranquility and character of the residential land so traversed.
 - 2. Where convenience and safety would be promoted, walkways and bicycle paths to non-residentially zoned land shall be permitted by the Administrator across privately owned residentially zoned land, subject to conditions and safeguards to protect the tranquility and character of the residential land so traversed.
- F. Access to Beachfront or Coastal Lands. Whenever a subdivision is developed on beachfront or coastal land, such development shall be carried out so as to provide public access to said beach in accordance with Section 161.55(6), Florida Statutes (1986), if applicable.

G. Access to Existing or Proposed Adjoining Street System.

1. Arrangement of Streets. The arrangement of streets in new subdivisions shall make provisions for the continuation of existing arterial and collector streets from adjoining areas, or for their projection where adjoining land is not subdivided. Where the subdivision is adjacent to another subdivision, property owned by the Board of Education (currently, or planned as, a school site), or commercial areas, direct access shall be provided for non-motorized traffic where feasible. Residential neighborhoods shall be designed to include an efficient system of internal circulation and street stub-outs to connect into adjacent developments to link neighborhoods together.
2. Access to Arterial or Collector Roads. Direct access to arterial roads shall be restricted when access can be provided via a collector facility. Unless otherwise approved by the Administrator, residential lots in subdivisions shall not have direct access to a collector or arterial road. Residential lots in subdivisions that abut a collector or arterial road shall not front on said road and access shall be blocked by a vegetative buffer, wall, or other suitable buffer.
3. Access to Local Streets. Unless otherwise approved by the Administrator, residential lots in subdivisions shall front on and have direct access to local, interior streets only. Local streets shall be arranged and designed so as to restrict their use by through and high speed traffic.

H. Emergency Access

1. All single-family subdivisions of 10 lots or more, including those zoned Planned Development, submitted for preliminary plat review after October 1, 2007 shall be designed with alternative access ways from adjacent properties for emergency response vehicles in accordance with the requirements herein, except that:
 - a. These requirements shall not apply to single-phase subdivisions where all lots are within 1,000 feet of existing improved roads, not including interstate highways; and,
 - b. These requirements shall not apply to Planned Development-Specific districts approved on or before October 1, 2007.
2. Except where precluded by natural features or existing development on adjacent property, subdivisions with 100 lots or more shall have at least one alternative access way on each principal side of the subdivision where there is no street access or street stubout. Except where precluded by natural features or existing development on adjacent property, subdivisions with less than 100 lots shall have at least one alternative access way on at least one side of the subdivision where there is no street access or street stubout.
3. Each alternative access way shall have a minimum width of 15 feet and connect with an internal street in the subdivision. Each access way shall be kept free of vegetation, other than grass, and obstructions except as permitted below for

security, to provide a minimum horizontal clearance of 15 feet and minimum vertical clearance of 13.6 feet. Each access way shall be sufficiently stabilized to support a 32-ton vehicle. Final design and location of the access ways shall be subject to approval of Hillsborough County. The access ways shall be commonly owned and maintained by the developer, community homeowners association or similar entity, or shall be set aside through an exclusive easement under the control of Hillsborough County. In no case shall the access ways comprise any part of a single-family lot.

4. If the alternative access way is gated for security, access by emergency response vehicles shall be accommodated in a manner acceptable to the Hillsborough County Fire Marshal.
5. Joint use of the alternative access ways for other purposes, such as underground utilities or drainage easements, may be allowed subject to approval of the affected parties and Hillsborough County.
6. These requirements may be waived at the discretion of the Hillsborough County Fire Marshal, either in whole or in part, for subdivisions where substitute measures are proposed to adequately accommodate emergency response services. In such cases, the decision of the Fire Marshal may not be appealed and relief shall require application for a variance in accordance with Part 11.04.00 of this Code.
7. Notwithstanding Section 5.03.07.B.2.d of this Code, provision of alternative access ways in subdivisions zoned Planned Development shall not constitute a change in vehicular access and shall require no modification of approved general site plans.

(Ord. No. 98-43, § 2, 7-17-98; Ord. No. 07-18, § 2, 7-19-07, eff. 10-1-07; Ord. No. 09-62, Items B, C, 10-26-09, eff. 2-1-2010; Ord. No. 10-10, § 2 Item K(10-0525), 5-27-10, eff. 6-4-10; Ord. No. 15-15, § 2(Exh. A), Item A.2(15-0491), 6-18-15, eff. 6-25-15)

Sec. 6.02.02. Half-Streets

Whenever a street is planned adjacent to the proposed subdivision boundary, the entire street right-of-way shall be platted within the subdivision, unless a halfstreet will provide continuity of the existing street system. Where a half-street would provide continuity of the existing street system and there is adequate existing half-street right-of-way abutting the proposed subdivision, the Applicant shall provide half-street right-of-way in the proposed subdivision and construct the entire street. Where a half-street would provide continuity of the existing street system and there is inadequate existing half-street right-of-way abutting the proposed subdivision, the Applicant shall provide sufficient additional right-of-way in the proposed subdivision and construct the entire street.

Sec. 6.02.03. Medians, Islands, and Guard Houses

- A. Allowed. Medians and islands within the road rights-of-way are allowed when warranted by traffic conditions or are in conformance with the Entrance Median and Guardhouse Detail in the Transportation Technical Manual.

- B. Designation as Park or Recreation Area Prohibited. Medians, islands, and islands in cul-de-sacs shall not be designated as park or recreation areas.
- C. Landscaping. Landscaping of medians, islands, and islands in culs-de-sac shall be in compliance with the Manual on Landscaping within Hillsborough County Right-of-Way.
- D. Maintenance. Medians and islands shall be shown as separate parcels on the plat and annotated as follows:

"Parcel _____ is private property and is to be maintained by the lot owners. Parcel _____ is dedicated to the lot owners and each lot owner has an undivided interest in Parcel _____."

"Homeowners Association" may be substituted for "lot owner" in the above annotation.

Sec. 6.02.04. Right-of-Way Improvements

No walls, fences, gates, signs or other obstructions shall be constructed or placed within the right-of-way. Some existing trees may be allowed to remain and others planted, if approved by the Administrator and are in accordance with all Hillsborough County plans, programs, and regulations. Additionally, existing right-of-way is not subject to zoning until or unless vacated. (Ord. No. 00-21, § 2, 5-18-00)

Sec. 6.02.05. Street Names

New streets which are extensions of existing streets shall bear the name of the existing street. All others shall be named in the following manner:

<i>Direction</i>	<i>Over 1,000'</i>	<i>1,000' or Less</i>
North and South	Streets	Places
East and West	Avenues	Courts
Diagonal	Roads	Ways
Curvilinear	Drives	Lanes or Circles

In no case shall a name for a proposed street duplicate an existing street name, even if the street is further described as an avenue, place, court, etc.

Sec. 6.02.06. Natural Resources and Landscaping

The subdivision shall be designed in compliance with the applicable standards of the Natural Resources Regulations (4.01.00) and the Landscaping Regulations (6.06.00).

Sec. 6.02.07. Roadways

- A. Local Roads. Design construction of local roads shall comply with the current Transportation Technical Manual.

Sec. 6.02.18. Community Gathering Places**A. Purpose**

Community gathering places are intended to improve neighborhood design by providing conveniently accessible areas for leisure and or recreation within walking distance of all lots.

B. Applicability

Community gathering places as defined in this Code shall be provided in all subdivisions with 50 or more single-family detached, two-family attached, and/or townhouse dwellings when such lots are less than 14,520 square feet in size.

C. Exemptions

The following shall be exempt from the requirements of this Section:

1. Unexpired preliminary plats approved prior to January 30, 2014.
2. Conservation Subdivisions and Planned Villages developed in accordance with this Code.
3. Planned Development zonings approved prior to January 30, 2014. However, all PD districts for which a minor or major modification is granted to allow single-family residential development in lieu of approved non-residential entitlements shall be subject to these requirements. In such case, these requirements shall apply only to the area of the PD for which such modification or change is granted.

D. Requirements for Minimum Area

A minimum of 50 square feet of upland area for each single-family lot or a total of 5,000 square feet, whichever is greater, shall be provided for community gathering places. The required area shall not include trails, off-street vehicular use areas, Conservation and Preservation Areas protected by this Code or other ordinances, storm water retention/detention areas and golf courses and related clubhouse facilities.

E. Placement and Distribution of Minimum Area

Gathering places shall be connected to all dwelling units by a system of sidewalks and crosswalks and shall be plainly visible from subdivision streets to promote user safety. They shall be distributed throughout the subdivision so the single-family lots within the subdivision are located within 1,320 feet of a gathering place as measured in a straight line, and pedestrian access from those lots to the gathering place is not precluded by natural or man-made barriers. The total amount may be distributed into a single area or multiple areas as necessary to provide the required placement; however, at least one space shall be a minimum of 3,000 square feet.

F. Improvements

Required community gathering places shall be improved and maintained by the developer and successors in a manner which makes such areas distinguishable and suitable for recreational, social or leisure purposes. Such improvements may include, but are not limited to, sod, pavers, flower beds, shade trees, playground equipment, pergolas, gazebos, benches, fountains, and/or public art.

G. Parking

Required community gathering places shall be exempt from the parking standards found in Section 6.05.00 of the Land Development Code.

H. Maintenance

Required community gathering places shall be owned and maintained by the developer, homeowners association, community development district or similar entity. The County shall not accept ownership or maintenance of community gathering spaces.

(Ord. No. 14-3, § 2(Item IV-C), (13-0720), 1-30-14, eff. 2-6-14)

Sec. 6.02.19. Lake Access/Recreational Use

For a unified subdivision plat containing existing lakes and/or abutting existing lakes and which contain multiple zoning districts, if the subdivision plat includes parcels zoned Planned Development in which access and/or recreational use of the lake is restricted by the conditions of zoning of the Planned Development, all parcels within the subdivision plat shall be subject to the lake access/recreational use restriction(s) of the Planned Development. The design of the unified subdivision shall not include provisions that are inconsistent with the lake access/recreational use conditions of the Planned Development, as determined by the Administrator.

(Ord. No. 15-15, § 2(Exh. A), Item A.1(15-0461), 6-18-15, eff. 6-25-15)

3. Territorial Reinforcement

Physical features can be used to distinguish private areas from public spaces. Residential areas should be designed to mark territory, sending a message that the property belongs to someone. Strategies to differentiate private areas from public spaces include:

- a. landscaping, special pavement, and low fences;
- b. security system signage displayed at access points;
- c. public spaces identified by welcome, directional, marquee, or similar signs; and
- d. wrought iron, aluminum picket or similar non-opaque decorative gates used to identify entrances or direct pedestrian traffic.

4. Maintenance and Management

Maintenance and management shall be considered at the site design phase, as the selection of materials and finishes impact the types of maintenance methods that can be sustained over time. Proper maintenance prevents reduced visibility due to, for example, plant overgrowth, and obstructed or inoperative lighting. Strategies include:

- a. low-maintenance landscaping and lighting treatments;
- b. location of light fixtures at suitable heights for easy maintenance and replacement; and
- c. posting current information indicating who to call when maintenance is required, such as light bulb burnout, plant overgrowth, etc.

(Ord. No. 08-29, § 2, eff. 2-1-09; Ord. No. 09-62, Item Q, 10-26-09, eff. 2-1-2010)

Editor's note—Ord. No. 08-29, § 2, effective February 1, 2009, amended the Code by adding two separate sections both numbered 6.03.10. The second was renumbered as 6.03.11 at the discretion of the editor.

Sec. 6.03.12. Reserved

Editor's note—Ord. No. 14-3, § 2(Item IV-C), (1-0720), adopted January 30, 2014, effective February 6, 2014, repealed § 6.03.12, which pertained to community open space. See also the Table of Amendments.

Sec. 6.03.13. Private and Charter Schools Vehicle Circulation, Queuing and Parking

- A. Private and charter schools shall provide paved onsite vehicle circulation facilities in order to accommodate vehicle queuing associated with student drop-off and pick-up.
- B. The minimum required length for onsite vehicle circulation facilities shall be based on the maximum permitted student enrollment of the school and shall be calculated in accordance with the following formula:

Minimum length = maximum permitted student enrollment multiplied by 0.196 multiplied by an average vehicle length of 25 feet multiplied by 1.25.

- C. In addition to providing the parking facilities required by Part 6.05.00 of this Code, private and charter schools shall provide an extracurricular event parking plan associ-

ated with extracurricular events that may occur periodically at the school site. The parking plan shall indicate the maximum anticipated parking necessary to accommodate parking demand for extracurricular events and demonstrate how such parking demand will be accommodated.

(Ord. No. 14-7, § 2(Exh. A)(Item V-A)(14-0063), 2-20-14, eff. 2-27-14)

Sec. 6.03.14. Lake Access/Recreational Use

For a unified site development plan containing existing lakes and/or abutting existing lakes and which contain multiple zoning districts, if the site development plan includes parcels zoned Planned Development in which access to the lake and/or recreational use of the lake is restricted by the conditions of zoning of the Planned Development, all parcels within the site development plan shall be subject to the lake access/recreational use restriction(s) of the Planned Development. The design of the unified site development plan shall not include provisions that are inconsistent with the lake access/recreational use conditions of the Planned Development, as determined by the Administrator.

(Ord. No. 15-15, § 2(Exh. A), Item A.1(15-0461), 6-18-15, eff. 6-25-15)

**PART 6.04.00
ACCESS MANAGEMENT**

Sec. 6.04.01. Generally

A. Purpose

The following design and construction standards have been adopted by Hillsborough County to protect the public health, safety and welfare; maintain smooth and efficient traffic flow; maintain proper roadway drainage; and to protect the functional level of the public roadway system. The standards that apply to a particular access are based upon the "Access Classification" of the main roadway and the connection "Type".

B. General Requirement

No person shall construct or modify any connection providing vehicular or pedestrian access to or from any County roadway from or to adjacent property without a connection permit issued pursuant to this Division. Unless an unusual risk to the public health safety or welfare is identified, the portion of these access management standards dealing with number, size, and location of access points and the requirements for cross-access or joint access are not mandatory on previously approved and unexpired General Site Plans and Site Plan District Zoning where specific access points have been approved.

C. Permit Classifications

Roadway connections will be classified in accordance with the proposed land use and anticipated traffic generation. Traffic generation estimates shall be based on the Institute of Transportation Engineer's Trip Generation or other rates accepted by Hillsborough County. The standards governing design and construction of the connection will be based on the connection type and the public roadways access classification. The County shall determine the type and classification of all connections.

D. Type I—MINIMUM CONNECTION or SIDEWALK

Low volume traffic generator. Provides access to a single family dwelling, a duplex or multi family dwelling units. The term shall also apply to driveways used as access to agricultural land including field entrances and to all sidewalk and bikeway connections.

NOTES AND SPECIAL REQUIREMENTS

1. Access road systems in Access Class 2 assumes the provision of an access road system or adequate internal property circulation through existing or new public and private roads in transportation and comprehensive plans and through local land development regulations.
2. Minimum connection and directional median spacing openings specified here may not be adequate if extensive right or left-turn storage is required. Greater distances may be required to provide sufficient site-specific storage.
3. Connections and median openings on the public roadway system located up to ¼ mile from an interchange area or up to the first intersection with an arterial roadway, whichever distance is less, shall be regulated to protect the safety and operational efficiency of the limited access facility and the interchange area. The ¼ mile distance shall be measured from the end of the taper of the ramp furthest from the interchange.
 - a. The distance to the first connection shall be at least 660 feet where the posted speed limit is greater than 45 mph or 440 feet where the posted speed limit is 45 mph or less. The distance will be measured from the end of the taper for the particular quadrant of the interchange. If the above connection spacing cannot be provided, a single connection per property will be provided if no other reasonable access to the property exists and the issuing authority determines that the connection does not create a safety, operational or weaving hazard.
 - b. The minimum distance to the first median opening shall be at least 1,320 feet as measured from the end of the taper of the egress ramp.
 - c. Connections and median openings meeting the above spacing standards still may not be permitted in the location requested in the permit application, when the issuing authority determines, based on traffic engineering principles, that the safety or operation of the interchange or the limited access highway would be adversely affected.

(Ord. No. 00-21, § 2, 5-18-00; Ord. No. 08-15, § 2, 6-12-08, eff. 10-1-08)

Sec. 6.04.08. Table: Corner Clearance at Intersections

<i>CORNER CLEARANCE AT INTERSECTIONS</i>		
<i>For Isolated Corner Properties Only</i>		
<i>Position</i>	<i>Access Allowed</i>	<i>Minimum Clearance</i>
With Restrictive Median		
Approaching Intersection	Right In/Out	115'
Approaching Intersection	Right In Only	75'
Departing Intersection	Right In Out	230' (125)*
Departing Intersection	Right Out Only	100'
Without Restrictive Median		

<i>CORNER CLEARANCE AT INTERSECTIONS</i>		
<i>For Isolated Corner Properties Only</i>		
<i>Position</i>	<i>Access Allowed</i>	<i>Minimum Clearance</i>
Approaching Intersection	Full Access	230' (125)*
Approaching Intersection	Right In Only**	100'
Departing Intersection	Full Access	230' (125)*
Departing Intersection	Right Out Only**	100'

Isolated corner properties that, because of size or configuration cannot meet the above spacing requirements may apply for a variance as provided in 6.04.02 C.

* Access Class 7 may use the measurements in parenthesis if the posted speed limit is 35 MPH or less.

** Right In/Out Right in Only and Right Out Only connections on roadways without restrictive medians shall, by design of the connection, effectively eliminate unpermitted movements.

**PART 6.05.00
PARKING AND LOADING**

Sec. 6.05.01. Parking and Loading Review Procedures and Submission Requirements

A. Generally

1. All off-street parking and loading and related facilities shall be provided in accordance with the requirements and standards of this Part.
2. No off-street parking or off-street loading space, affected by these regulations, which meets all or part of the requirements of this Code for such space, shall be reduced or eliminated by private action, except where approved alternative off-street parking or off-street loading space, meeting such requirements, is provided, unless no longer required by this Code.

B. Parking and Loading Submission Requirements

The applicant shall submit written information and documentation as set forth in the Development Review Manual.

Sec. 6.05.02. Parking and Loading Standards

A. Off-Street Parking Required

In all districts, in connection with every industrial, commercial, institutional, residential or any other use, there shall be provided, at the time any new structure is erected, any use of a structure or land is enlarged or increased in density or intensity or any other use or change of use established, off-street parking spaces for automobiles in accordance with requirements contained in this Part. Conformance with the parking requirements herein shall be for the new use or portion of enlarged use or structures only and not the existing use or structure. If fewer parking spaces are required due to a change in use, conformance with 6.05.02.K.3 is not required.

- b. Units and facilities specializing in treatment or services for persons with mobility impairments shall provide 20 percent of the total parking spaces as accessible.
3. Such parking spaces for the disabled shall be designed, located and maintained as follows:
 - a. All spaces shall be accessible to a curb ramp or curb cut, when necessary to allow access to building, structure, or use served, and shall be so located that users are not compelled to wheel behind parked vehicles.
 - b. Diagonal or perpendicular parking spaces shall be a minimum of 12 feet wide with an adjacent five feet access aisle as prescribed in the Transportation Technical Manual.
 - c. Parallel parking spaces shall be located either at the beginning or end of a block or adjacent to an alley entrance. Curbs adjacent to such spaces shall be of a height which will not interfere with the opening and closing of motor vehicle doors.
 - d. Each such parking space shall be prominently outlined with paint and posted with a nonmovable, fixed sign of a color and design approved by the Florida Department of Transportation, bearing the internationally accepted wheel-chair symbol and the caption "PARKING BY DISABLED PERMIT ONLY."
 4. Ramps and/or curb-cuts from parking areas to walkways shall be provided for the disabled as follows:
 - a. Ramps and curb-cuts shall have a slip-resistant surface.
 - b. Ramps and curb-cuts shall be at least 44 inches wide, exclusive of flared sides.
 - c. Maximum slope of ramps and curb-cuts, including flared sides, is one inch vertically for each 12 inches horizontally.
 - d. Ramps or curb-cuts shall be placed along walkways at intervals not to exceed 100 feet and shall be located as close as practical to main entrances and exits to buildings.
 - e. When a curb-cut is located where pedestrians must walk across it, it shall have flared sides.
 - f. All curb-cuts shall have a level platform at the top of at least 36 inches by 36 inches.

K. Required Paving

1. Except for single and two family dwellings and Agricultural and Related Uses, all driveways, drive aisles, and the minimum number of required parking spaces shall be constructed with a durable and dustless surface, including but not limited to

asphalt, cement, or equivalent improvement. No slag, rock, pea gravel or other loose type of material shall be used. In making a determination as to the suitability of an equivalent improvement, the Administrator shall find that such improvement:

- a. Provides a safe and permanent surface, suitable for the quantity and quality of traffic expected to use it:
 - b. Provides a surface which will accept permanent delineation of parking spaces, aisles, accessways and maneuvering areas;
 - c. Provides a surface that will not contribute to erosion or sedimentation, either on-site or off-site; and
 - d. Provides a surface that meets the design standards of the Hillsborough County Administrator.
2. Parking for seasonal uses or uses not active on a daily basis may be exempted from the paving requirements above. Determination of the granting of said exemptions shall be made by the Administrator.
 3. Except when fewer parking spaces are required due to a change in use, parking provided in excess of the minimum spaces required by this code shall be constructed of pervious materials such as, but not limited to, porous pavement, pavers, turf block, or sod in lieu of the durable and dustless surfaces referenced in K.1. above.

L. Off-Street Parking Requirement Reduction

Where trees, as defined in Article 12, exist within a proposed parking facility, the Administrator shall allow a reduction up to five percent of the number of required parking spaces, an increase of compact parking to 25 percent of the required parking spaces, or a combination thereof to preserve existing trees. In cases where less than ten parking spaces are required, the Administrator shall allow the number of required parking spaces to be reduced by one if trees are preserved.

M. Off-Street Perimeter/Distant Parking Standards for large scale commercial centers over 100,000 square feet.

1. Notwithstanding the requirements in K. above, developers of commercial centers of 100,000 square feet or larger shall provide pervious parking spaces along the perimeter parking area or the area most distant from the entrance(s) to the building of their off-street parking.
 - a. The pervious perimeter/distant parking spaces shall include parking wheel stops and landscape barriers to protect landscaping within terminal/internal islands and landscaping within perimeter buffer areas.
 - b. The pervious perimeter/distant parking area shall be delineated on the commercial center's Preliminary Site Plan and shall meet the Stormwater Technical Manual requirements.

N. Off-Street Loading Space, Required

1. Every use requiring the receipt or distribution, by vehicles, of materials and merchandise shall have one or more loading berths or other space for standing, loading and unloading on the same or adjoining premises in accordance with the requirements of the table below. Loading space shall be sufficient to allow normal loading and unloading operations of a kind and magnitude appropriate to the property served. Loading spaces shall not be used for the storage of vehicles or materials, or to meet off-street parking requirements, or in conducting the use.
2. The requirements in the table below shall apply to new structures or additions to structures, and shall not be considered to make any existing structure non-conforming for lack of such off-street loading.
3. Fire lanes may be required pursuant to the current edition of the Florida Fire Prevention Code.
4. For any land use which is not listed in the table below, the Administrator, upon review of the proposed use, shall specify the required number of loading spaces to be provided, using generally accepted traffic engineering practices and standards.

<i>Off-Street Loading Requirements</i>	
<i>Land Use Classification</i>	<i>Space Requirements</i>
Hotel/Motel uses	One loading berth for every 100,000 square feet of floor area, up to a maximum of 5 berths.
Industrial and commercial uses as follow	Minimum number of loading berths required
Under 8,000 square feet	1 berth
8,000—25,000 square feet	2 berths
25,000—50,000 square feet	3 berths
50,000—100,000 square feet	4 berths
100,000—Over square feet	5 berths

O. Off-Street Loading Space Standards

All off-street loading spaces shall meet the following standards:

1. Off-street loading spaces shall meet, be located and arranged so that a semi-trailer truck (WB 50 class) shall be able to gain access to and use such spaces by means of one continuous parking maneuver.
2. Loading space shall observe the minimum street and interior setback established for structures.
3. All loading space and maneuvering space shall be surfaced with an all-weather material which shall be maintained in a safe, sanitary, and neat condition.

4. No loading space shall be located so that a vehicle using such space intrudes on or hinders the use of travel lanes, walkways, public or private streets, or adjacent properties.
5. Each required off-street loading space shall have a minimum width of 12 feet and a minimum vertical clearance of 16 feet above finished grade of the space. The length shall be a minimum 30 feet for local delivery and 60 feet for semitrailers. A maximum of two-thirds of the required loading spaces can be used for local delivery vehicles.

P. Bicycle Parking

1. If bicycle parking facilities are provided that meet the bike parking locational requirements and design standards as outlined below, the Administrator may approve up to five percent reduction of all required vehicle parking spaces, or one vehicle parking space, whichever is greater.
2. All bicycle parking facilities shall be located on the same building site as the use for which such facilities serve and as close to the building entrance as possible without interfering with the flow of pedestrian or motor vehicle traffic. This could be in a designated bicycle parking area removed from the motor vehicle parking area, or conforming to the following conditions:

a. Within the Parking Lot

1. Standard Vehicle Space

The minimum standard motor vehicle footprint is nine feet zero inches wide by 18 feet zero inches long. The maximum number of bicycle parking spaces allowed in a standard motor vehicle parking space shall be six. The bicycle spaces shall be in pairs of two with one foot zero inches access aisle between each pair. A four feet zero inches access aisle shall be provided parallel to the length of the vehicle space plus one foot zero inches clearance at the ends of each space to provide protection from motor vehicle intrusion.

2. Compact Vehicle Space

The minimum compact motor vehicle footprint is eight feet zero inches wide by 16 feet zero inches long. The maximum number of bicycle parking spaces allowed in a compact motor vehicle parking space shall be four. The bicycle spaces shall be in pairs of two with one foot zero inches access aisle between each pair. A four foot zero inches access aisle shall be provided parallel to the length of the vehicle space plus one foot zero inches clearance at the ends of each space to provide protection from motor vehicle intrusion.

b. On the Roadway

Any on-road motor vehicle parking space to be utilized as bicycle parking, shall be the last space prior to reaching the intersection and/or crosswalk. There shall be a minimum four feet zero inches buffer between the last space and the intersection and/or crosswalk.

1. Perpendicular

A vehicle parking lateral to the curb line with a minimum width of nine feet zero inches and a minimum length of 19 feet zero inches. A one foot zero inches access path shall be provided on each side and parallel to the space length. Where multiple vehicle spaces are adjacent to each other, a

if rear yard is not feasible, and shall not be nearer than five feet to any side or rear lot line unless a greater setback is required as in requirement k. below. For this purposes of these provisions:

- (1) "Front yard" shall refer to any area between the street right-of-way line and a line extended across the front face(s) of the house or the required front yard, whichever is more restrictive.
- (2) "Rear yard" shall refer to any area between the rear property line and a line extended across the front face(s) of the house or the required rear yard, whichever is more restrictive.
- (3) "Side yard" shall refer to any area between the side property line and the side face(s) of the house not included in the front or rear yards.

Any question of which yard a portion of a lot falls into will be resolved by the Administrator.

- j. Parking or storage of a recreational vehicle, hobby vehicle, utility trailer or private pleasure craft over 20 feet in length is permitted in the front driveway provided that:
 - (1) Enclosed parking is not possible.
 - (2) Space is not available in the side yard, or there is no reasonable access to either the side or rear yard. (A lot shall be deemed to have reasonable access to the rear yard if terrain permits and access can be had without substantial damage to existing large trees or landscaping or to existing structures. A corner lot shall normally be deemed to have reasonable access to the rear yard.)
 - (3) It shall be parked or stored 20 feet from the front property line and five feet from the side property line unless a greater setback is required as in requirement k. below.
- k. All recreational vehicles, hobby vehicles, utility trailers and private pleasure crafts greater than ten feet in height shall be setback seven and one-half feet from the side and rear property lines.
- l. To protect against fire hazards, the recreational vehicle, hobby vehicle, utility trailer or private pleasure craft should be set back at least five feet from the primary dwelling unit and any accessory structures on the residential lot wherever possible.
- m. No recreational vehicles, hobby vehicles, utility trailers or private pleasure crafts shall be parked or stored in the public rights-of-way.
- n. The recreational vehicle, hobby vehicle, utility trailer or private pleasure craft together with any accessory structures shall not occupy more than 50 percent of the rear yard.
- o. A Special Overlay Zoning District may be approved by the Board which would either more stringently restrict or allow more flexibility to the location of

recreational vehicles, hobby vehicles, utility trailers and private pleasure crafts on a residential lot for the neighborhood or subdivision that petitions for the special regulations. The petition shall be regarded as a Specific Public Interest (SPI-RVR) district. For details see 3.01.03.

2. Commercial Vehicles. The parking of commercial vehicles in any residential district is prohibited. This requirement shall not be interpreted to prohibit vehicles from loading and unloading in any residential district. However, on residentially developed parcels in the AM, A, AR, AS-0.4, AS-1 and ASC-1 zoning districts, the parking of one commercial vehicle per deeded lot shall be permitted provided the lot is at least one acre in size and legally recognized under the provisions of this Code. In such cases, the commercial vehicle shall be exclusively operated by a resident of the deeded lot. These requirements, except for minimum lot size, shall not be varied. However, these requirements do not apply to the parking of commercial vehicles on agriculturally zoned parcels when such vehicles are utilized for permitted non-residential activities on the parcel.

(Ord. No. 98-43, § 2, 7-17-98; Ord. No. 00-21, § 2, 5-18-00; Ord. No. 01-30, § 2, 11-15-01; Ord. No. 04-46, § 2, 11-4-04; Ord. No. 05-10, § 2, 6-16-05, eff. 10-1-05; Ord. No. 05-22, § 2, 11-17-05; Ord. No. 06-34, § 2(Exh. A), 11-2-06; Ord. No. 07-18, § 2, 7-19-07, eff. 10-1-07; Ord. No. 07-25, § 2, 11-1-07, eff. 2-1-08; Ord. No. 08-15, § 2, 6-12-08, eff. 10-1-08; Ord. No. 08029, § 2, eff. 2-1-09; Ord. No. 09-53, Item N, 6-11-09, eff. 10-1-09; Ord. No. 10-9, § 2, Item J(10-0177), 5-27-10, eff. 10-1-10; Ord. No. 14-34, § 2(Exh. A), Item A-2(14-0863), 10-23-14, eff. 10-29-14; Ord. No. 15-15, § 2(Exh. A), Item A.2(15-0491), Item A.3(15-0492), 6-18-15, eff. 6-25-15)

PART 6.06.00.

LANDSCAPING, IRRIGATION AND BUFFERING REQUIREMENTS*

Sec. 6.06.01. Purpose

The purpose of the landscaping, irrigation and buffering requirements is to set forth requirements regarding the installation and maintenance of landscaping in order to maintain the quality of life in Hillsborough County and protect the health, safety, welfare and general well being of the citizens of Hillsborough County.

It is intended that the implementation of this part accomplish the following objectives:

1. Promote energy conservation by maximizing the cooling and shading effects of trees.
2. Aid in water conservation and water quality protection by requiring the application of Xeriscapetm principles, requiring the use of appropriate landscaping material and requiring the retention of existing natural vegetation, thereby reducing the need for irrigation, pesticides, herbicides and fertilizers.

***Editor's note**—Ord. No. 02-13, § 2, adopted Aug. 1, 2002, amended Part 6.06.00, in its entirety, to read as herein set out. See the Table of Amendments for a detailed analysis of inclusion.

G. The minimum site area shall be five acres.
(Ord. No. 02-13, § 2, 8-1-02)

Sec. 6.11.34. Dwelling Unit, Single Family Conventional and Mobile/Manufactured Home Next to Mining Operation

The use must be removed, and not replaced, at the time the site or the area within 250 feet of the residence is utilized for an active permitted mining operation.
(Ord. No. 02-13, § 2, 8-1-02)

Sec. 6.11.35. Eating Establishment

A. M District

Within the M District, the following standards shall be met:

1. If the use is to be located within a building housing other uses, this use, plus any other use allowed in the district pursuant to 6.11.65, except Child Care Facilities, shall not occupy more than 25 percent of the building square footage. The remainder of the building shall be used for uses permitted in the district or a Child Care Facility.
2. If the use is to be freestanding or within a building with less than 75 percent of the square footage occupied by permitted uses, the following locational requirements shall be met:
 - a. The use shall be located either within a commercial node at the intersection of existing streets shown on the current MPO Long Range Transportation Cost Affordable Plan in effect at the time of the application or internally within the project.
 - b. The nodes shall be separated from other nodes of similar convenience retail activity by no less than 2,500 feet, as measured along the shortest distance between property lines without regard to route of normal travel.
 - c. The maximum gross building square footage of the eating establishment portion of each project shall be limited to 30,000 square feet.
 - d. If located internally, the uses shall have limited visibility from adjacent streets or surrounding properties and shall have limited access to adjacent streets outside of the district.

B. Drive-Through Service

Eating establishments providing drive-through service wherein a patron is served through a window or other device while remaining in a motor vehicle shall meet the following criteria:

1. No order box used in the ordering of food or beverages from a drive-through window shall be located within 200 feet of any property zoned residential.

2. A solid screening fence or wall, a minimum of six feet in height, shall be required to be placed between any property used for a drive-through facility and any abutting property zoned residential. The intent of this solid screening is to screen vehicular headlight glare from adjacent residential property.
3. Adequate automobile stacking space will be provided from the order box to ensure that any public right-of-way or common vehicular use area will not be blocked by or utilized for vehicular stacking.

C. Dog-Friendly Restaurants

Section 509.233, Florida Statutes, grants local governments the authority to establish a local exemption procedure to certain provisions of the Food and Drug Administration Food Code, as currently adopted by the Florida Division of Hotels and Restaurants of the Department of Business and Professional Regulation, in order to allow patrons' dogs within certain designated outdoor portions of public food service establishments. The procedure contained in this subsection provides permitting criteria to allow public food service establishments that meet the definitions of "Eating Establishment" in Chapter 12.01.00 of this Code to receive such an exemption. This section provides an exemption only from those portions of the currently adopted Food and Drug Administration Food Code in order to allow patrons' dogs within certain designated outdoor portions of Eating Establishments. No dog shall be in an Eating Establishment unless allowed by state law and the Eating Establishment has been issued and maintains an unexpired permit pursuant to this section allowing dogs in designated outdoor areas of the establishment. It shall be a violation of state law for Eating Establishments to allow dogs on their premises without first obtaining a permit pursuant to this section.

1. Supplemental Requirements: Applicants may request a permit for a Dog Friendly Restaurant in accordance with Section 10.01.00 of this Code. In addition to the required information for conditional uses listed in the Development Review Procedures Manual, applications shall include the following information:
 - a. Name, location, mailing address, and Division of Hotels and Restaurants-issued license number of the Eating Establishment.
 - b. Name, mailing address, and telephone contact information of the permit applicant. The name, mailing address, and telephone contact information of the owner of the Eating Establishment shall be provided if the owner is not the permit applicant.
 - c. A diagram and description of the outdoor area to be designated as available to patrons' dogs, including dimensions of the designated area; a depiction of the number and placement of tables, chairs and restaurant equipment, if any; the entryways and exits to the designated outdoor area; the boundaries of the designated area and of the other outdoor dining areas not available for patrons' dogs; any fences or other barriers; surrounding property lines and public rights-of-way, including sidewalks and common pathways; and such other information as is reasonably deemed necessary by the Administrator. The

diagram shall be accurate and to scale but need not be prepared by a licensed design professional. A copy of the approved diagram shall be attached to the permit.

- d. A description of the days of the week and hours of operation that patrons' dogs will be permitted in the designated outdoor area.
2. Eating Establishments that receive a permit for a designated outdoor area pursuant to this section shall require that:
 - a. Employees shall wash their hands promptly after touching, petting, or otherwise handling any dog, and shall wash their hands before entering other parts of the Eating Establishment from the designated outdoor area.
 - b. Employees are prohibited from touching, petting, or otherwise handling any dog while serving or carrying food or beverages or while handling or carrying tableware.
 - c. Patrons in a designated outdoor area shall be advised by appropriate signage, at conspicuous locations, that they should wash their hands before eating. Waterless hand sanitizer shall be provided at all tables in the designated outdoor area.
 - d. Patrons shall not leave their dogs unattended for any period of time. Patrons shall keep their dogs on a leash at all times and shall keep their dogs under reasonable control.
 - e. Employees and patrons shall not allow dogs to come into contact with serving dishes, utensils, tableware, linens, paper products, or any other items involved with food service operations. Patrons shall be advised of this requirement by appropriate signage at conspicuous locations.
 - f. Employees and patrons shall not allow any part of a dog to be on chairs, tables, or other furnishings.
 - g. Between the seating of patrons, employees shall clean and sanitize all table and chair surfaces with a product registered and approved by the Environmental Protection Agency for use on food-contact surfaces.
 - h. Employees shall remove all dropped food and spilled drink from the floor or ground as soon as possible, but in no event less frequently than between seating of patrons at the nearest table.
 - i. Employees and patrons shall remove all dog waste immediately and the floor or ground shall be immediately cleaned and sanitized with a product registered approved by the Environmental Protection Agency for use on food-contact surfaces. The Eating Establishment shall keep a kit with the appropriate materials for this purpose near the designated outdoor area. Dog waste shall not be carried in or through indoor portions of the Eating Establishment.

- j. Ingress and egress to the designated outdoor area shall not require entrance into or passage through any indoor area or nondesignated outdoor portions of the Eating Establishment. Employees and patrons shall not permit dogs to be in, or to travel through, indoor or nondesignated outdoor portions of the Eating Establishment.
 - k. A sign or signs notifying the public that the designated outdoor area is available for the use of patrons and patrons' dogs shall be posted in a conspicuous manner and place.
 - l. A sign or signs informing patrons and employees of these laws shall be posted on premises in a conspicuous manner and place.
 - m. The Eating Establishment and designated outdoor area shall comply with all permit conditions and the approved diagram.
 - n. Employees and patrons shall not allow any dog to be in the designated outdoor areas of the Eating Establishment if the Eating Establishment is in violation of any of the requirements of this section.
 - o. Permits shall be conspicuously displayed in the designated outdoor area.
3. Violations: It shall be unlawful to fail to comply with any of the requirements of this section. Each failure to comply with the requirements of this section shall constitute a separate violation.
4. Expiration and Revocation: A permit issued pursuant to this section shall expire automatically upon the sale of the Eating Establishment and cannot be transferred to a subsequent owner. The subsequent owner may apply for a permit pursuant to this section if the subsequent owner wishes to continue to allow patrons' dogs in a designated outdoor area of the Eating Establishment.
 - a. A permit may be revoked by the Administrator if, after notice, the Eating Establishment fails to comply with any condition of approval, fails to comply with the approved diagram, fails to maintain any required state or local license, or is found to be in violation of any provision of this section. If the reason for revocation is a failure to maintain any required state or local license, the revocation may take effect immediately upon giving notice of revocation to the permit holder.
 - b. If an Eating Establishment's permit is revoked, no new permit may be approved for the establishment until the expiration of 180 days following the date of revocation.
5. Complaints and Reporting: Complaints may be made in writing to the Administrator. The Administrator shall timely accept, document, and respond to all complaints. The Administrator shall timely report to the Division of Hotels and Restaurants all complaints and the response to such complaints. Any dog bites that occur must be reported to Florida Department of Health - Hillsborough County.

The Administrator shall provide the Division of Hotels and Restaurants with a copy of all approved applications and permits issued.

All permits shall contain the Division of Hotels and Restaurants-issued license number for the Eating Establishment.

(Ord. No. 01-30, § 2, 11-15-01; Ord. No. 02-13, § 2, 8-1-02; Ord. No. 03-9, § 2, 6-5-03; Ord. No. 15-15, § 2(Exh. A), Item A.4(15-0497), 6-18-15, eff. 6-25-15)

Sec. 6.11.36. Family Homestead

- A. The Family Homestead provision shall only be used to create a homestead once for any individual.
- B. A Family Homestead shall be allowed in the Rural land use categories of the Comprehensive Plan; that is, the A, AM, AR, and AE Comprehensive Plan categories.
- C. A Family Homestead shall be used only for an individual who is the grandparent, parent, stepchild, adopted parent, sibling, child, stepchild, adopted child or grandchild of the person who conveyed the parcel to the individual.
- D. The minimum size of the parent parcel to be homesteaded shall be that permitted by the Comprehensive Plan land use designation.
- E. A Family Homestead parcel shall be created by subdividing the parent parcel into a maximum three lots including the parent lot notwithstanding the density or intensity of use assigned to the parcel in the Comprehensive Plan. Lots shall be a minimum one acre and be developed in accordance with the schedule of area, height, bulk, and placement regulations for the parcel's zoning district. The subdivision of land shall be subject to the Subdivision Regulations of the Land Development Code. Approval of the subdivision shall be contingent upon the property owners of the lots created from the parent parcel filing, with the Administrator, within one year from the approval of the subdivision, proof that the property has been conveyed to them by the owner of the parent parcel.

(Ord. No. 02-13, § 2, 8-1-02)

Sec. 6.11.37. Family Farm

- A. A Family Farm use as described in this section shall be allowed only in the A, A/R and A/M Comprehensive Plan categories and shall only be used for family members.
- B. The minimum lot size shall be five acres with a minimum width of 150 feet.
- C. A bona fide agricultural use shall exist on site, as defined by uses listed under "Agricultural and Related Uses".
- D. Dwelling units on site shall be the permanent residences of those persons in residence on the Family Farm.

- 4. A waste to energy facility, when adjacent to residentially zoned property, shall have yards of a minimum of 750 feet for non-office type buildings and uses.
- B. The performance standards of 6.09.00 shall be observed with the point of measurement being the boundaries of the zoning lot.
- C. Proof the ability to meet all applicable local, state and federal environmental standards shall be provided.
- D. The facility shall have direct access to a collector or arterial as shown on the Hillsborough County Functional Classification Map.
- E. The site shall be fenced by a six foot high fence.
(Ord. No. 02-13, § 2, 8-1-02; Ord. No. 03-9, § 2, 6-5-03)

Sec. 6.11.64. Neighborhood Fair

- A. All necessary state and local permits shall be met.
- B. The duration of the use shall not exceed five calendar days, except as specified in paragraph e below.
- C. There shall be a minimum of 30 feet from the parking area to the lot line and a minimum of 30 feet from the fair itself to the lot line, except as specified in paragraph e below.
- D. Parking areas shall be designed to prohibit vehicles from backing onto collector or arterial roadways.
- E. If the applicant wishes to extend the duration of the Neighborhood Fair to a total of ten calendar days, or to reduce the setbacks specified in paragraph c above, the noticed appearance before the Land Use Hearing Officer option associated with the Special Use procedure shall be mandatory and the procedures of Sec. 10.02.00 shall be followed. The Hearing Officer's decision to extend the duration of the fair or to reduce the setbacks shall be based on a finding of no significant adverse effect on adjoining properties.
- F. Outdoor lighting shall not shine directly onto adjacent properties.
- G. Permits for neighborhood fairs shall be valid for five separate fairs, provided no changes to site conditions are proposed. No less than seven days prior to each fair, notification shall be provided to the County with certification that there are no changes to site conditions.
(Ord. No. 02-13, § 2, 8-1-02; Ord. No. 03-9, § 2, 6-5-03)

Sec. 6.11.65. Non-Industrial Uses in Industrially Designated Areas

- A. Generally
Expansion or new development of a non-industrial use not already considered as permitted or permissible in industrially designated areas shall be allowed only if it is determined to be accessory and complementary to the industrial area. Such determination shall be made according to the criteria set forth below.

B. Procedure

An application for a permit under this Part shall be reviewed pursuant to the Procedure for Issuance of Development Permits at 10.01.00.

C. Criteria

1. New Buildings, Structures and Uses

All new buildings, structures and uses shall be considered to be Special Uses. In addition to the Standards and criteria for review and approval of Special Uses, such new development shall meet the following criteria:

- a. They shall provide a service or product of direct benefit to the permitted and permissible uses in the industrially designated area, and
- b. If they are located within a planned unit development, they shall be located so as to clearly and directly serve the approved and conforming uses within the planned unit development; or
- c. If they are not located within a planned unit development, they shall be located so as to clearly and directly serve the approved and conforming uses within the same block and the blocks contiguous or across the street.
- d. The intensity of such new buildings, structures and uses to existing permissible uses shall not exceed a ratio of one to twelve (1:12) within the areas described in either criterion 2 or 3 above, as applicable. For example, a maximum of 5,000 square feet of convenience commercial shall be permitted to serve 60,000 square feet of existing industrial/office development. For purposes of this criterion, "existing" shall mean that a building permit or a Certificate of Occupancy has been lawfully issued by the Building Department. The intensity of existing non-conforming uses shall not be considered.

2. Expansion of Existing Buildings, Structures and Uses

Existing buildings, structures and uses which are not permitted or permissible in industrially designated areas are, by definition, nonconformities. The expansion of such nonconformities shall be considered according to the procedures and standards contained in 11.02.00 (Vested Rights), the provisions of 11.03.00 (Nonconformities), and the criteria set forth in this Part. If there is any conflict between the provisions of 11.03.00 (Nonconformities) and any other standard or criterion, the more restrictive shall apply. Such expansions shall continue to be considered as nonconformities.

3. Exception

Permitted and permissible industrial uses may contain a limited amount of accessory retail or wholesale use without going through the Special Use designation process if the following conditions are met:

- a. The accessory retail or wholesale use clearly is accessory to the industrial use on the same zoning lot.

- b. Those products which may be offered for sale shall be limited to those produced or assembled on site; manufactured by the same company, or its subsidiary, elsewhere; or manufactured by another company but warehoused on site for distribution.
- c. The accessory use is contained in the same building as the principal use.
- d. The amount of floor area devoted to sales and display of the accessory use product does not exceed 15 percent of the floor area devoted to the principal use, or the amount permitted by C.1.d. above, whichever is greater.

(Ord. No. 02-13, § 2, 8-1-02; Ord. No. 15-15, § 2(Exh. A), Item A.7(15-0502), 6-18-15, eff. 6-25-15)

Sec. 6.11.66. Non-Residential Uses in Office-Residential District

- A. Non-residential uses may utilize all or part of the building/dwelling unit on site. Mixed uses (residential and non-residential) shall not be freestanding (the residential and non-residential uses shall be contained within the same building/dwelling unit).
- B. No residential or non-residential uses shall be conducted in any accessory building.
- C. A maximum lot size of one acre shall apply.
- D. The maximum square feet of non-residential uses permitted on site shall be linked to the existing footprint of the residence.
- E. The appearance of the building/dwelling unit shall be clearly residential in nature. No commercial display windows or storefront type of building shall be permitted. No outside displays, vending machines, storage, or use of land is permitted.
- F. An unlighted sign not more than six square feet in area shall be permitted. The provisions of Article VII shall also apply to this section.
- G. No mechanical equipment used on the premises, shall create levels of noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses outside the building/dwelling unit in excess of that normally associated with household use. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interferences in any radio or television sets off the premises, or causes fluctuations in line voltage in excess of that normally associated with household uses.
- H. Parking for a maximum of two vehicles may be provided in the front yard. All remaining parking shall be provided in the side or rear yard.

(Ord. No. 97-18, § 2, 12-18-97; Ord. No. 02-13, § 2, 8-1-02; Ord. No. 04-47, § 2, 11-9-04; Ord. No. 10-9, § 2, Item B(10-0171), 5-27-10, eff. 10-1-10)

Sec. 6.11.67. Non-Residential Uses in Residentially Zoned Areas

- A. Generally. Certain non-residential uses may be allowed in residentially zoned areas by Special Use Permit.

- B. Procedure. An application for a permit under this part shall be review pursuant to the Procedures for issuance of a Development Order at Part 10.02.00, unless otherwise noted herein.
- C. Criteria.
 - 1. Uses
The following uses may be considered within residentially zoned areas.
 - a. Churches/synagogues (Those with 300 or less seats shall be reviewed in accordance with the procedures of 10.01.00)
 - b. Child care facilities
 - c. Schools
 - d. Radiotelephone communication facilities in single-family residentially zoned areas, and AS-1 and ASC-1 zoning districts.
 - 2. Site Design Standards. The standards for design described in Article VI shall apply. (Ord. No. 97-18, § 2, 12-18-97; Ord. No. 98-43, § 2, 7-17-98)

Sec. 6.11.68. Nursing, Convalescent and Extended Care Facilities

- A. Minimum lot size shall be one acre with a minimum frontage on a public street of 150 feet.
- B. Front, rear and side setbacks shall be a minimum of 50 feet.
- C. Each nursing, convalescent, or extended care facility shall not exceed a floor area ratio of .25.
(Ord. No. 02-13, § 2, 8-1-02)

Sec. 6.11.69. Parks Security Mobile Home

- A. If the park is less than five acres in area, the mobile home shall be set back 75 feet from all property boundaries.
- B. All Parks Security Mobile Homes shall be skirted and tied down in accordance with State standards within 30 days of approval.
- C. Parks security mobile homes shall be screened or separated from public view or view from adjacent properties through use of:
 - 1. Existing natural vegetation which is completely opaque or;
 - 2. A six-foot wall or fence, with a minimum of 75 percent opacity, or a hedge, a minimum of four feet tall at planting and a minimum of six feet tall and 75 percent opacity within two years; or

- c. Residential entry signs: Not more than two ground signs are permitted to be installed or erected at each entrance to a platted subdivision, multiple family development (apartments, condominiums and mobile home parks) provided the combined Aggregate Sign Area of said signs shall not exceed 50 square feet.
- D. Flags: Each premise shall be permitted to display an unlimited number of flags, and the aggregate sign area of such flags shall not be included in the calculation of building signs for said premise; provided that any flag displayed on a premise shall only be displayed from a flagpole, as that term is defined in these regulations.
- E. Temporary Signs
1. Sign Types: A temporary sign may be a ground or building sign but may not be illuminated by electricity and must be constructed of rigid materials except as permitted in subparagraph of this Paragraph D.
 2. Maximum Size: Unless otherwise provided in subparagraphs (f) and (g) of this paragraph (D) each premise may display temporary signs whose Aggregate sign areas shall not exceed 32 square feet. However, any double faced sign allowable under subparagraph 4(e) of this section shall be permitted 64 square feet of Aggregate sign area if no single face exceeds 32 square feet of Aggregate sign area, and if no other temporary sign is displayed on the premises.
 3. Maximum Height: Unless otherwise provided in subparagraph (g) of this paragraph (D) temporary signs shall not exceed eight feet in height.
 4. Each Premises shall be permitted temporary signs as follows:
 - a. One real estate sign
 - b. One grand opening sign, which may be a banner, provided that the sign shall not be displayed for more than 14 days during any 12 consecutive calendar months.
 - c. One construction sign provided that such sign shall not be displayed more than 60 days prior to the beginning of actual construction of the project, and shall be removed no later than the date of the issuance of the certificate of occupancy for all or any portion of the construction project. In the event a construction sign is displayed but construction is not initiated within 60 days after the sign is erected, or if construction is discontinued for a period of more than 60 days, the construction sign shall be removed.
 - d. One temporary sign for a premises that has no permanent sign provided that such temporary sign may not be displayed for a period of more than 60 days or until installation of the permanent sign, whichever shall occur first.

- e. Non-commercial signs displayed before, during or after an event or occurrence scheduled to take place at a specific time and place. All such signs shall be removed within 20 days after the end of the scheduled event or occurrence to which they relate.
 - f. One balloon sign, not to exceed 30 feet in height, may be displayed per premises in non-residential districts or within non-residential designated areas of planned development districts for not more than ten consecutive calendar days nor more than 20 calendar days in a single year. The size limitation in subparagraph (D)(2) of this section shall not apply to balloon signs permitted by this subparagraph.
 - g. Temporary pennants or banners may be displayed for a period not to exceed 90 consecutive calendar days, nor more than 180 days in a calendar year, provided (i) no such pennant or banner may be displayed at a height of more than 18 feet; (ii) the quantity of temporary pennants and banners shall not exceed one linear foot per ten square feet of outdoor display area covered; (iii) shall be displayed only in non-residential zoning districts, as well as within non-residential designated areas of planned development districts; (iv) shall be attached to poles designed expressly for that purpose and shall not be affixed to vehicles, buildings or utility poles; (v) shall be of a uniform dimension throughout the premises; (vi) shall be made of mylar material; and (vii) shall be maintained in a state of good repair, and pennants or banners that are frayed, torn or otherwise in disrepair are prohibited.
 - h. Temporary pennants may be continuously displayed for up to a one year period provided that the quantity of pennants shall not exceed one-half lineal foot per ten square feet of outdoor display area covered.
5. A Pole Banner shall have a maximum dimension of 2.5 feet horizontally and six feet vertically and may be single or double sided. Only one Pole Banner is allowed per light pole. The clearance between the bottom of the Pole Banner and ground shall be a minimum of eight feet. No portion of a Pole Banner shall project over any vehicular travel route or parking space. The Pole Banners shall be maintained in a state of good repair and shall not be frayed or torn. This subsection does not apply to Pole Banners located in public Rights-of-Way, which are regulated by separate ordinance.
- F. Window Signs: Window signs shall be permitted, provided that such signs, in Aggregate Sign Area, do not cover more than 25 percent of the total window surface area of the premises facing a public street or parking lot. Window Signs shall not be included in calculating the Aggregate Sign Area for building signs.

(Ord. No. 04-47, § 2, 11-9-04; Ord. No. 05-10, § 2, 6-16-05, eff. 10-1-05; Ord. No. 09-53, Item R, 6-11-09, eff. 10-1-09; Ord. No. 10-9, § 2, Item J(10-0177), 5-27-10, eff. 10-1-10; Ord. No. 10-26, § 2, Exh. A(10-0759), eff. 2-11-11; Ord. No. 15-15, § 2(Exh. A), Item A.5(15-0498), 6-18-15, eff. 6-25-15)

PART 7.04.00
SIGNS ON RIGHT-OF-WAY/DANGEROUS SIGNS

Sec. 7.04.01. Signs on Right-of-Way

No sign shall be erected on the public right-of-way and publicly dedicated easements except signs installed by governmental units having jurisdiction as may be required by law or to protect the public health, safety and welfare, bench signs, and signs authorized to be placed on transit shelters. Pole Banners may be installed and maintained on light poles located in certain, designated segments of public right-of-way, as permitted in accordance with the regulations established in Chapter 42, Article VII of the Hillsborough County Code of Ordinances. Any other sign located upon, within or otherwise encroaching upon the public rights-of-way of Hillsborough County shall be subject to immediate removal by the County at the expense of the owner, agent, lessee or other person determined to have beneficial use of the sign.

(Ord. No. 04-47, § 2, 11-9-04; Ord. No. 15-15, § 2(Exh. A), Item A.5(15-0498), 6-18-15, eff. 6-25-15)

Sec. 7.04.02. Dangerous Signs

Any sign determined by the Administrator to be an immediate threat to the public health safety and welfare under the provisions of this Ordinance, shall be immediately repaired or removed at the expense of the owner, agents, lessee or other person determined to have beneficial use of the sign.

(Ord. No. 04-47, § 2, 11-9-04)

PART 7.05.00
COMMUNITY SIGNS

Sec. 7.05.01. Purpose and Intent

It is the intent of this part to allow for Community Signs pursuant to adopted Hillsborough County Community-Based Planning Areas. For purposes of this Part only, a "community" shall be defined as adopted by the Board of County Commissioners Community-Based Planning Area in Unincorporated Hillsborough County.

(Ord. No. 08-29, § 2, eff. 2-1-09)

Sec. 7.05.02. Applicability

- A. Unless otherwise specified, these provisions shall apply to all community entry, gateway and special district signs as defined in this Part. However, these provisions shall not apply to previously approved signs at the time of adoption of the standards or requirements set forth in this Part.
- B. In addition to provisions provided herein, permitting for community entry, gateway and special district signs shall be required to meet all other applicable sections of the Land Development Code. Where provisions of this Part are in conflict with any other standards or regulations of the Land Development Code or any other applicable laws, the more restrictive shall apply.

- C. Non-adopted planning areas may have community entry signs within the right-of-way as set forth in this Part. The sign(s) must be located at a community entry as recognized by adjacent adopted community plans.

(Ord. No. 08-29, § 2, eff. 2-1-09)

Sec. 7.05.03. General Development Standards

Establishment of Community Sign Design Guidelines to be used in the evaluation of Community Sign Permit applications ensure that signs are well designed, compatible with their surroundings, and do not detract from the overall visual quality of the County. There are three (3) Community Sign types: Community Entry Sign; Community Gateway Sign; and, Special District Sign.

A. Standards:

- 1. Community Entry Sign:
 - a. Such signs are government owned and maintained. They shall be installed within the Right-of-Way and along roadways as approved by the Administrator.
 - b. The maximum sign area, height and placement shall be as specified in the latest Hillsborough County Transportation Technical Manual.
 - c. Material and color - aluminum, with green reflective sheeting background color and white reflective sheeting capitalized type "C" font lettering and 3/4" wide border or as specified and described in latest Hillsborough County Transportation Technical Manual Section 6 and Florida Department of Transportation Standard Specifications.
 - d. Communities may opt to design, fabricate and supply a like-size custom community entry sign for County approved installation. Maintenance of such sign shall be the responsibility of the community.
- 2. Community Gateway Sign:
 - a. Signs shall be set back a minimum of ten (10) feet from the public right-of-way line and not within the required sight distance pursuant to Florida Department of Transportation Design Standard Index No. 546. All signs shall be setback a minimum of ten feet from any side yard property line. Additionally, sight distance and roadside clear zones must be in accordance with the criteria of the Hillsborough County Transportation Technical Manual. Signs shall be exempt from Part 7.03.00.C.2.c of this Code.
 - b. Such signs shall be located on private property, along roadways of approved community-based plan boundaries.
 - c. The maximum sign area for such signs shall be fifty (50) square feet, single-sided. No other advertisement shall be displayed. Community Gateway Sign area shall be calculated separate from any other allowable sign.

C. Full Review: Platted Subdivision With Improvements

1. Preliminary Plat

- a. The purpose of the Preliminary Plat is to safeguard the subdivider from unnecessary expense involved in having final engineering drawings and specifications prepared which do not conform to the standards set forth in these regulations. The Preliminary Plat review serves only to show compliance with standards, and does not imply acceptance of final Improvements design drawings (i.e., Construction Plans), or final platting which must conform to these regulations.
- b. An application for review of a Preliminary Plat shall contain information as set forth in the Development Review Procedures Manual, Section 4.1.4.

2. Construction Plans

- a. Construction plans show the improvement facilities planned for each phase of the preliminary plat, in compliance with subdivision construction standards. Construction plans must correspond to the preliminary plat. Construction plans are submitted after approval of the preliminary plat.
- b. Construction plans shall contain information as set forth in the Development Review Procedures Manual, Section 4.1.4.

3. Final Plat

- a. The purpose of the final plat is to indicate the final, recorded lot and street layout of the subdivision. The final plat is reviewed administratively and approved by the Board of County Commissioners, and thereafter recorded in the public records of Hillsborough County. It cannot be altered without subsequent Board action. Securities are generally posted at the time of a request for final plat recording.
- b. A Final Plat shall contain information as set forth in the Development Review Procedures Manual, Section 4.1.4.

4. Building Permit Application

- a. No building permit applications shall be accepted by the County (other than permits for Model Homes) until such time as (1) all of the public Improvement Facilities are accepted for maintenance, and all of the private Improvement Facilities are completed and inspected, as required herein; or (2) construction plans for all Improvement Facilities have been approved by the County, and a Financial Guarantee in the amount of 125 percent of the cost to construct the remaining Improvement Facilities is in proper order.
- b. No certificate of occupancy shall be issued, unless: (1) all of the Improvement Facilities are acceptable for maintenance, as required herein or, (2) construc-

tion of the Improvement Facilities has been completed with not more than minor construction correction required and provided that 100 percent of the required performance bonds are in proper order.

5. Issuance of Building Permits and Certificates of Occupancy

- a. Building permits (other than permits for Model Homes) shall not be issued until after Final Plat recording.
- b. No certificate of occupancy shall be issued, unless: (1) all of the on-site Improvement Facilities are acceptable for maintenance or completed and inspected, as required herein or, (2) construction of the on-site Improvement Facilities has been completed with not more than minor construction correction required and a Financial Guarantee provided as set forth in Section 10.01.05.C.4.a.(2).

6. Compliance Requirements

Construction inspections shall be conducted by the County in accordance with the requirements of the Development Review [Procedures] Manual, and as-built drawings shall be provided as required by the Development Review [Procedures] Manual.

7. Financial Guarantees

The applicant shall provide financial guarantees to the Administrator to insure the construction and warranty of the Improvement Facilities. A Financial Guarantee shall be in the form of a surety bond, letter of credit, escrow agreement, or cashier's check, and shall remain in full force and effect for a period of 25 months from the date said Financial Guarantee is received and approved by the Board. Financial Guarantees shall be administered in accordance with the requirements of the Development Review [Procedures] Manual. The amount of a Financial Guarantee shall be determined based upon the approved plans and an engineer's certified estimate of the applicant's probable costs. The Financial Guarantee shall not limit the County from recovering the County's actual costs to construct, replace or repair the Improvement Facilities, as necessary, up to the full amount of the Financial Guarantee.

8. Model Homes

In any one (1) subdivision phase, up to ten (10) percent of the platted lots or a total of five (5) model homes, whichever is more, may be permitted per subdivision, upon approval of the subdivision construction plans and final plat by the Administrator and the issuance of a Single-Family Natural Resources Permit per 4.01.00 for each unit. In addition to the information required in 4.01.00, the application submittal for the Natural Resources Permit shall include the information listed in Section 6.11.00, Model Dwelling Units and Preconstruction Sales Offices. Certificates of Occupancy shall not be released until the Improvement Facilities for public use are completed and accepted by the Board or until Improvement Facilities for private ownership and maintenance are substantially completed as determined by the Administrator.

D. Notification of Street Connectivity

1. An applicant shall provide public notification in accordance with the requirements listed below for any proposed development that, because of cross-connectivity requirements, must provide for either direct or secondary vehicular access on an existing local street that is primarily residential in character.
 - a. By proof of mailing of the proposed development to owners of any residential property, as reflected on the current year's tax roll, that abuts the local street being accessed up to a distance of 500 feet from the exterior boundary of the development. The notice shall be mailed no later than five (5) days after the development has been submitted for processing.
 - b. Simultaneously with the notice referenced above, notice shall be provided by proof of mailing to all duly registered neighborhood organizations located within one (1) mile of the boundary of the proposed development.
 - c. By posting of a sign on the property being developed at the approximate proposed location of the connection with the existing street no later than five (5) days after the development has been submitted for processing. The size and information shown on the sign must be consistent with a template to be provided by the Department of Planning and Growth Management.
2. Developments that meet the above cross-connectivity notification criteria that have already been subject to a zoning or zoning modification public hearing whereby the issue of access either was or could have been addressed, shall not be subject to the above additional notification requirement.

(Ord. No. 97-18, § 2, 12-18-97; Ord. No. 01-26, § 2, 9-12-01; Ord. No. 06-18, § 2, 8-1-06; Ord. No. 09-53, Item U, 6-11-09, eff. 10-1-09; Ord. No. 09-62, Item C, 10-26-09, eff. 2-1-2010; Ord. No. 10-10, § 2, Item K(10-0525), 5-27-10, eff. 6-4-10; Ord. No. 15-15, § 2(Exh. A), Item A.6(15-0499), 6-18-15, eff. 6-25-15)

Sec. 10.01.06. Site Development Plan Review Procedures

- A. Overview. There are three basic steps to the Site Development Plan Review process. They are:
 1. Review of Preliminary Site Development Plan (Optional).
 2. Review of Site Development Construction Plans.
 3. Issuance of Site Development Plan and Natural Resources Permit.
- B. Review of Preliminary Site Development Plan. Unless the applicant chooses to waive this phase of the development process, the applicant shall make application for Preliminary Site Development Plan review on forms provided by the Administrator and shall provide such information as set forth in the Development Review Procedures Manual, Section 4.1.5.
 1. Any applicant who chooses to waive the preliminary site review and approval process shall be required to provide a statement, with notarized signatures of all property owners, on a form provided by the department, acknowledging they understand effect of bypassing this phase of the development process.

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2. Any applicant who chooses to waive the preliminary plat site and approval process is required to attend a pre-submittal meeting facilitated by Hillsborough County staff.
- C. Minor Site Development Review. The Applicant shall submit a completed application, transmittal letter and applicable fees, in addition to the appropriate number of signed, sealed and folded copies of the Minor Site Development Construction Plan containing the information as set forth in the Development Review Procedures Manual, Section 4.1.5.
- D. Review of Site Development Construction Plans.
1. The Applicant shall make application for review of Site Development Construction Plans on forms provided by the Administrator and shall provide such information as set forth in the Development Review Procedures Manual, Section 4.1.5.
- E. Building Permit Application.
1. No building permits shall be issued by the County until such time as (1) all of the public Improvement Facilities are accepted for maintenance, and all of the private Improvement Facilities are completed and inspected, as required herein; or (2) construction plans for all Improvement Facilities have been approved by the County, and a Financial Guarantee in the amount of 125 percent of the cost to construct the remaining Improvement Facilities is in proper order.
 2. Building permit applications may be submitted to Hillsborough County as set forth in the Development Review Procedures Manual Section 4.1.5.
- F. Financial Guarantees. The applicant shall provide financial guarantees to the Administrator to insure the construction and warranty of the Improvement Facilities. A Financial Guarantee shall be in the form of a surety bond, letter of credit, escrow agreement, or cashier's check, and shall remain in full force and effect for a period of 25 months from the date said guarantee is received and approved by the Board. Financial Guarantees shall be administered in accordance with the requirements of the Development Review [Procedures] Manual. The amount of a Financial Guarantee shall be determined based upon the approved plans and an engineer's certified estimate of the applicant's probable costs. The Financial Guarantee shall not limit the County from recovering the County's actual costs to construct, replace or repair the Improvement Facilities, as necessary, up to the full amount of the Financial Guarantee.

(Ord. No. 97-18, § 2, 12-18-97; Ord. No. 01-26, § 2, 9-12-01; Ord. No. 09-53, Item U, 6-11-09, eff. 10-1-09; Ord. No. 14-3, § 2(Exh. A), Item IV-A(13-0719), 1-30-14, eff. 2-6-14; Ord. No. 14-34, § 2(Exh. A), Item B-1a(14-0862), 10-23-14, eff. 10-29-14)

Direct Egress: An exit by which a pedestrian, motorist, or cyclist leaves a development and immediately accesses a public roadway.

Directional Sign: A sign located at the exit or entrance of a premises that has two or more driveways.

Disaster Declaration: A declaration made by the Hillsborough County Emergency Policy Group (Policy Group) that the community has sustained impacts from a natural catastrophe, which in the determination of the Policy Group that damages are of a sufficient severity and magnitude to warrant major disaster assistance to supplement efforts and available resources of Hillsborough County in saving lives and to protect property and public health and safety, and in alleviating the damage, loss, and hardship, or suffering caused thereby.

Discharge: Any spilling, leaking, pumping, pouring emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment.

Discharge Into Groundwater: Treated or untreated wastewater, stormwater leachate, leachate from a solid waste facility, or leaked product generated by the construction or operation of an installation and discharging directly or indirectly to groundwater.

Distribution Main: A Reclaimed Water Main installed within individual streets, developments, or subdivisions which deliver Reclaimed Water from the transmission main to the Customer's Service Connection.

District: Areas of land or water, whose boundaries are indicated on the Official Zoning Atlas, within which all properties are regulated by the general regulations of this Code and the specific regulations of the individual district and the provisions of this Code.

District (Agricultural): Where the phrases "all agricultural districts", "agriculturally", "agriculturally zoned", or phraseology of similar intent are used in this Code, the phrases shall be construed to include the following districts: AM, A, AR, AS-0.4, AS-1, ASC-1, AI, and PD-A.

District (Residential): Where the phrases "all residential districts," "residential districts," "zoned residence or residentially," "residentially zoned," or phraseology of similar intent are used in this Code, the phrases shall be construed to include the following districts: RSC-2, RSC-3, RSC-4, RSC-6, RSC-9, SB, MH, RDC-6, RDC-12, RMC-6, RMC-9, RMC-12, RMC-16, RMC-20, and PD-H.

District (Office): Where the phrases "all office districts," "office districts," "zoned office" or phraseology of similar intent are used in this Code, the phrases shall be constructed to include the following districts: BPO, O-R, and PD-O.

District (Commercial): Where the phrases "commercial districts," "zoned commercial or commercially," "commercially zoned," or phraseology of similar intent are used in this Code, the phrases shall be construed to include the following districts: C-N,C-G, C-I, and PD-C.

District (Industrial): Where the phrases "industrial districts," "industrially zoned," "zoned industrial," "zoned industrial," "industrial zoning," or phrases of similar intent are used in this Code, the phrases shall be construed to include the following districts: PD, M, PD-RP, and PD-I.

District (Other): District which is not included in the listings of agricultural, residential, office, commercial, and industrial districts above, shall not be construed to fall within any of the five classifications. Where regulations apply to properties zoned in one of the five classifications and it is desired to include an unlisted district for regulatory purposes, such district shall be specifically stated in the regulation applicable thereto.

Disturbed Land: As this term is used in Section 8.02.00, the surface area of the land that is mined and all other land area in which the natural land surface has been disturbed as a result of or incidental to phosphate mining or phosphate processing.

Documented Onsite: The providing of a creditable occurrence record for a species at a location within a development project's boundaries, based upon the provision of such evidence from the developer, local, regional, state or federal agencies, or other reliable sources, including, but not limited to, scientific publications and surveys.

Domestic Septage: Liquid and solid material pumped from a septic tank, holding tank, or similar domestic wastewater treatment or holding system when the system is cleaned and maintained.

Domestic Vehicle: Any vehicle, other than commercial vehicles, recreational vehicles and utility trailers as defined by this Code, licensed by any state of the United States or Mexico or Province or Territory of Canada, as a private vehicle for operation on streets and may include but not be limited to automobiles, private pickup trucks, and vans.

Domestic Wastewater Residuals (Sludge): Solid, semi-solid, and/or liquid residues removed during the domestic wastewater treatment process. Not included is the treated effluent or reclaimed water from a domestic wastewater treatment plant.

Domestic Wastewater Residuals Disposal: The disposal of domestic sludge in accordance with disposal criteria presented in Part IV, Chapter 17-7, Florida Administrative Code.

Dormitory: A building used as group living quarters for a student body, religious order or other group as an associated use to a college, university, boarding school, orphanage, convent, monastery, farm labor camp, or other similar use. Dormitories also include accessory quarters for the temporary sequestering of human study subjects by pharmaceutical research facilities and other similar operations. Dormitories do not include kitchen or dining facilities except that a group kitchen, common dining facility or food service to serve all residents may be provided.

Double-Faced Sign: A sign having two display surfaces which are parallel and back-to-back and not more than 48 inches apart. "Double-Faced Signs" include "v-shaped" signs which are not more than 180 inches apart when measured at the widest point.

Drainage: Surface water runoff; the removal of surface water or groundwater from land by drains, grading or other means which include runoff controls.

DRI Application: Application for Development Approval of a Development of Regional Impact submitted pursuant to chapter 380, Florida Statutes.

Hospital: An establishment that offers medical care more intensive than personal care services and offers facilities and beds for use beyond 24 hours for individuals requiring diagnosis, treatment or cure for mental and physical illness, injury, deformity, infirmity, abnormality, disease, or pregnancy and which regularly makes available at least clinical laboratory services, diagnostic x-ray services, and treatment facilities for surgery or obstetrical care, or other definitive medical treatment of similar extent. The term hospital shall include the buildings themselves and any accessory uses such as hospital maintenance and storage facilities, helistops for hospital emergency services, parking and emergency facilities, related teaching and training activities, accessory indoor auditoriums/conference rooms, accessory indoor minor retail, miscellaneous service, and personal service uses, and incidental publishing and printing of hospital related information. Hospitals do not include Congregate Living Facilities; Nursing, Convalescent, and Extended Care Facilities; or Professional Residential Facilities.

Hotel/Motel: A building or group of buildings containing lodging units intended primarily for rental or lease to transients by the day or week, and providing additional services such as restaurants, meeting rooms and recreation facilities.

Housing for Older Persons: Housing provided under any State or Federal program that is determined by the Zoning Administrator to be specifically designed and operated to assist elderly persons (as defined in the State or Federal program); or is intended for, and solely occupied by, persons 62 years of age or older; or is intended and operated for occupancy by at least one person 55 years of age or older per unit.

Hurricane Evacuation Clearance: The amount of time specified in the Hillsborough County Hurricane Evacuation Plan Implementation Guide produced by the Tampa Bay Regional Planning Council for the safe evacuation of hurricane vulnerable areas.

Hurricane Shelter Space: At a minimum, an area of 20 square feet per person located within a hurricane shelter.

Illegal Sign: A sign not lawfully erected in violation of Hillsborough County ordinances or regulations.

Impervious Surface: A surface which has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.

Improvement Facilities: The on and off-site construction to be completed per:

1. The Road/Transportation, Bridge and Drainage Plans
2. The Water and Wastewater Plans and Specifications
3. The Parks and Recreation Plans and Specifications

Independent Certified Audit: A formal analysis of the financial records of a business establishment by an individual such as an accountant who is not directly associated with the business establishment.

Individual Private Well: See Water Facility.

Individual Sewage Disposal: The treatment of sewage in septic tanks and the disposal of the effluent by absorption fields.

Individual Water Supply: A potable water supply which is furnished by a well on an individual lot.

Industrial District: An industrial district is any parcel zoned PD-RP, M, M-L, M-H, PD-A(I), PD-I, SPI-AP, or any portion of a PD, PD-MU, IPD-1, IPD-2, IPD-3 districts zoned for industrial land uses pursuant to this Code or any parcel zoned C-3A, C-3, M-1A, M-1, M-AP or any portion of a C-U district zoned for industrial uses by the County.

Industrial, Heavy: Heavy industrial uses shall be defined as any facility which emits at least one of the following: 1) 600 pounds or more per year of lead or lead compounds, or; 2) 100 tons or more per year of any other air pollutant subject to regulation under Chapter 403 F.S. as amended, or; 3) 10 tons or more per year of any one hazardous air pollutant as defined by the Hillsborough County Environmental Protection Commission, or; 4) 25 tons or more per year of any combination of hazardous air pollutants emitted by uses on the Hillsborough County Environmental Protection Commission Industrial uses listing that may be considered Heavy Industrial based upon the above criteria. Uses that may be considered Heavy Industrial include, but are not limited to, air curtain incinerators, asphalt plants, concrete batch plants, fabrication facilities (involving open air grit blasting or open air painting), phosphate/nitrate fertilizer manufacturing (except phosphogypsum stack systems); fiberglass products manufacturing facility, explosive storage and or manufacturing facility, biohazardous waste incinerator, pesticide formulation facility, scrap yard/shredding facility, soil remediation facility, bulk solvent chemical storage and or processing facility, major coating facility (over 50,000 gallons of coating in a year on any substrate), paint/ink manufacturing facility, secondary metals recovery or manufacturing facility, chrome plating facility asbestos products fabricators or manufacturer, livestock importing/exporting facilities.

Industrial Reuse Water: Process water which has made contact with an industrial or manufacturing process, not to include closed loop, non-contact cooling water.

Industrial Septic Tank Disposal System: An on-site wastewater disposal system for industrial and non-domestic wastewater.

Industrial Stormwater: Discharge of rainfall runoff and wash down run off from on-site surface/subsurface drainage system which is directly related to manufacturing, handling, processing, or raw material storage facilities.

Industrial User: Any user of a publicly owned treatment works identified in the Standard Industrial Classification Manual of the U.S. Office of Management and Budget, as amended and supplemented, including, but not limited to the following divisions: (a) Division A—Agriculture, Forestry, and Fishing; (b) Division B—Mining; (c) Division D—Manufacturing; (d) Division E—Transportation, Communications, Electric, Gas and Sanitary Service; (e) Division I—Services. A user in the divisions listed may be excluded if it is determined that it will introduce primarily segregated domestic waste or wastes from sanitary conveniences or discharges less than the equivalent of 25,000 gallons per day of wastewater.

improvements as will be for common use by some or all of the occupants of the planned development district, but which will not be provided, operated, or maintained at general public expense.

Plant Nursery: See Farm, Plant.

Plant Unit: A standardized landscaping unit used to determine the intensity of plant material in buffers. The following three alternative plant units are available to provide the landscape designer with flexibility:

Plant Unit	Trees:			
	Trees	(A) Large	Large	
Alternatives		(B) Pyramidal	Understory	Shrubs
1	1	-	2	3
2	1	-	-	11
3	-	3	-	10

Plat, Final: A map or delineated representation of the subdivision of lands, being a complete and exact representation of the subdivision and other conformation in compliance with the requirement of all applicable sections of Chapter 177 and the requirements of this ordinance, and may include the terms "Replat," "Amended Plat," or "Revised Plat" as well as "Final Plat."

Plat, Preliminary: A map or delineated representation of the subdivision of land, being a complete, but conceptual representation of the subdivision and containing certain other data as required by the ordinance.

Plaza: Within a Traditional Neighborhood Development and Brandon Main Street (BMS) zoning districts, a Plaza is a public space that conforms with the requirements of Table 5.08-8 of this Code.

Point of Connection: A point of entry given by the County to a customer/ developer for the customer's/developer's point of utility connection into the County's transmission system, the point from which the customer/developer receives service.

Pole Banner: A non-rigid sign made of plastic, fabric, or other flexible material commonly used in the industry, which is located adjacent to the travel lanes of a roadway and which is attached by brackets at the top and bottom to a light pole.

Pole Sign: A ground sign, that is mounted on free- standing poles or other supports so that the bottom edge of the sign face is eight feet or more above grade. If the diameter or horizontal dimension of the poles or supports, that are located between four and eight feet above grade, is individually or collectively greater than 24 inches, then no more than 50 percent of the horizontal dimension that is located between four and eight feet above grade shall be rendered opaque by the use of such poles or supports.

Porch: A roofed, open area that is permanently affixed to the principal structure with direct access to and from said structure.

Portable Sign: Any sign which is not permanently affixed to a building, structure or the ground in accordance with the requirements of the Hillsborough County Building Code and which may be moved readily from place to place; except that this definitions shall not apply to signs painted directly on vehicles or signs displayed through, but not on, windows.

Portable Temporary Storage Units (PTSU): Storage units which are delivered to a site for temporary use of limited duration, then returned to a central keeping/facility.

Portico: An open sided structure attached to a building sheltering an entrance or serving as a semi-enclosed space.

Post I-75 Corridor Residential Development: Any residential development in the I-75 Corridor which was platted or divided after January 7, 1988.

Potable Water Well: Any water well which supplies water for human consumption to a community water system or to a non-transient non-community water.

Potable Water Wellfield: The site of one or more potable water wells.

Potable Water Wellfield Protection Area: An area designated by the State consisting of a 500 foot radial setback distance around a potable water wellfield where ground water is provided the most stringent protection measures to protect the ground water source for a potable water wellfield and includes the surface and subsurface area surrounding the wellfield. Abbreviation, PWWPA.

Potable Water Supply System: A system that withdraws water from either a surface water source or from an aquifer that is intended for drinking, culinary or domestic purposes, subject to compliance with county, state or federal drinking water standards.

Potentially Deficient Road Segment: A road that is operating at or above 95 percent of the maximum service volume flow rate at the applicable level of service standard set forth in the Hillsborough Comprehensive Plan.

Poultry or Egg Production Farm: See Animal Production Unit.

Power Generation Facility: A facility that generates electricity by means of geothermal power, burning of coal, oil, or gas, or by hydropower. Accessory generators for hospitals, schools, and other similar uses shall not be considered a power generation facility, nor does the use include Solar Energy Production Facilities as defined by this Code.

Pre-I-75 Corridor Residential Development: A grouping of not less than ten lots, whether platted or divided by metes and bounds descriptions, which are located in the I-75 Corridor, were platted or, if not platted, divided prior to the adoption of the I-75 Corridor portion of the Comprehensive Plan (January 7, 1988), are residentially zoned, are 80 percent developed residentially and form a subdivision or neighborhood, and are occupied without significant intrusion of non-residential uses or zoning.

Preliminary Development Order: A zoning approval, Development of Regional Impact approval, subdivision approval, commercial site plan approval, land use hearing officer approval, borrow pit approval, lake creation approval, land alteration approval, landscaping approval, mining permit, and any Development Order other than a Final Development Order.

Premises: The lot or lots, plots, portions or parcels of land considered as a single development or activity.

- (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activity: means any of the following:

- (1) Sexual intercourse, oral copulation, masturbation, or sodomy; or
- (2) Excretory functions as a part of or in connection with any of the activities described in (1) above.

Square: Within a Traditional Neighborhood Development and Brandon Main Street (BMS) zoning districts, a Square is a public space that conforms with the requirements of Table 5.08-8 of this Code.

Stable/Private: A building, structure or area for the housing of farm animals including accessory facilities, but not including rental or commercial boarding.

Stable/Public: A building, structure or area for the housing of farm animals including accessory facilities, other than a private stable, including riding academies and private riding clubs.

Stadium: A large outdoor facility designed for the performance of athletic activities with seating for the viewers of such activities.

Start of Construction: (For other than new construction or substantial improvements under the Coastal Barrier Resources Act.) Includes substantial improvement, and means the date that the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufacture home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include excavation for a basement, footings, piers, or foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

State: State of Florida.

State Highway System: Those roadways under jurisdiction of the State as per FDOT Functional Classification Maps.

Stockpile Removal: Land excavation of stockpiled sand, clay and similar materials which does not lower the pre-existing natural grade of the site.

Storage and Maintenance of Show Business Vehicle: The use of land for the storage and repair of vehicles used for show business activities. Such vehicles may include but are not limited to concession wagons, trailers, trucks, cages and recreational vehicles not being used as dwelling units.

Stormwater: Flow of surface runoff water which results from and which occurs during and immediately after a rainfall event.

Stormwater Management Plan: That part of a Site Development Plan that shows existing and proposed low water and high water elevations, together with adequate justification that the proposed low water elevations will be attained, locations of proposed channels and ponds

and delineation of offsite areas draining to the proposed development along with the drainage calculations and other information as specified in the Stormwater Management Technical Manual.

Stormwater Detention: Generally refers to the provision of surge volume to attenuate the run-off peak prior to discharge to some off-site point.

Stormwater Retention: Generally refers to the collection of stormwater, with no discharge point. Water is collected and then is allowed to percolate into the ground or evaporate.

Story: The portion of a building including between the upper surface of a floor and the upper surface of the floor or roof next above.

Straddle Dance: For Adult Use purposes means the use by an employee of a Sexually Oriented Business of any part of his or her body to touch the genital or pubic area of a person while at the establishment, and while the employee is exposing a specified anatomical area, or the touching of the genital or pubic area of any such employee by a person while at the establishment. It shall be a "Straddle Dance" regardless of whether the "touch" or "touching" is direct or through a medium.

Street: Any access way such as a street, road, lane, highway, avenue, boulevard, parkway, viaduct, circle, court, terrace, place or cul-de-sac and also includes all of the land lying between the right-of-way lines as delineated on a plat showing such street, whether improved or unimproved, but shall not include those access ways such as easements and rights-of-way intended solely for limited utility purposes, such as for electric power lines, gas lines, telephone lines, water lines, drainage and sanitary sewers, and easements or rights-of-way of ingress and egress.

Street/Arterial: See Arterial.

Street/Collector: See Collector.

Street Frontage: The length of the property line for a single parcel which runs parallel to and along each public right-of-way (exclusive of alleys) it borders.

Street/Local: See Local.

Street/Marginal Access: A street that is parallel and adjacent to an arterial or expressway and which provides access to abutting property.

Zoning District: Areas of land or water, whose boundaries are indicated on the Official Zoning Atlas, within which all properties are regulated by the general regulations of this Code and the specific regulations of the individual district.

Zoning Lot: A lot or combination of lots shown on an application for a Zoning Compliance Permit.

Zoo: A park or institution in which animals are enclosed and exhibited to the public. See Recreation Services.

(Ord. No. 97-18, § 2, 12-18-97; Ord. No. 98-43, § 2, 7-17-98; Ord. No. 99-25, § 2, 11-18-99; Ord. No. 00-21, § 2, 5-18-00; Ord. No. 00-38, § 2, 11-2-00; Ord. No. 01-30, § 2, 11-15-01; Ord. No. 02-13, § 2, 8-1-02; Ord. No. 03-9, § 2, 6-5-03; Ord. No. 03-36, § 2, 11-12-03; Ord. No. 04-27, § 2, 6-10-04; Ord. No. 04-30, § 2, 6-10-04; Ord. No. 04-46, § 2, 11-4-04; Ord. No. 04-47, § 2, 11-9-04; Ord. No. 05-10, § 2, 6-16-05, eff. 10-1-05; Ord. No. 05-22, § 2, 11-17-05; Ord. No. 06-18, § 2, 8-1-06; Ord. No. 06-24, § 2, 6-24-06; Ord. No. 06-34, § 2(Exh. A), 11-2-06; Ord. No. 07-18, § 2, 7-19-07, eff. 10-1-07; Ord. No. 07-24, § 2, 11-1-07; Ord. No. 07-25, § 2, 11-1-07, eff. 2-1-08; Ord. No. 08-15, § 2, 6-12-08, eff. 10-1-08; Ord. No. 08-29, § 2, eff. 2-1-09; Ord. No. 09-53, Items C, D, I, K—O, R, U, V, 6-11-09, eff. 10-1-09; Ord. No. 09-62, Items C—G, I, L, N, 10-26-09, eff. 2-1-2010; Ord. No. 10-02, § 2(Exh. A), 2-12-10; Ord. No. 10-9, § 2, Item B(10-0171), Item C(10-0172), Item G(10-0176), Item J(10-0177), 5-27-10, eff. 10-1-10; Ord. No. 10-26, § 2, Exh. A(10-0725), (10-0743), eff. 2-11-11; Ord. No. 12-9, § 2(Exh. A), 5-24-12, eff. 10-1-12; Ord. No. 12-24, § 2(Exh. A), Item IV.C(12-0681), 10-25-12, eff. 11-1-12; Ord. No. 12-25, § 2(Exh. A), Item IV.B(12-0680), 10-25-12, eff. 2-1-13; Ord. No. 14-3, § 2(Exh. A), Item IV-B(13-0720), 1-30-14, eff. 2-6-14; Ord. No. 14-7, § 2(Exh. A), (14-0062), 2-20-14, eff. 2-27-14; Ord. No. 14-34, § 2(Exh. A), Item A-1(14-0856), 10-23-14, eff. 10-29-14; Ord. No. 15-15, § 2(Exh. A), Item A.5(15-0498), Item A.7(15-0502), 6-18-15, eff. 6-25-15)

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