

CONSOLIDATED LAND DEVELOPMENT CODE OUTLINE

1.3.12 V1

4.30.12 V2

5.14.12 DRAFT V3

5.18.12 DRAFT V4

Chapter 27 "Zoning and Land Development"

Readopt "Chapter 27 Zoning" as "Chapter 27 Zoning and Land Development"

Amendments shown with underline / strikethrough

ARTICLE I. ~~IN GENERAL~~ GENERAL PROVISIONS

DIVISION 1. IN GENERAL

Sec. 27-1 ~~17.5-16~~. Title.
[re-adopt 17.5-16 as 27-1 with amendments]

This Chapter and the chapters, articles, and ordinances enumerated herein shall be combined and compiled into a single code to be generally known as the "City of Tampa Land Development Code.

Sec. 27-2 ~~4~~. Intent and purpose.
[re-adopt 27-1 as 27-2]

Secs. 27-3 – 27-5. - Reserved.
[un-reserve 27-6 through 27-13]

DIVISION 2. LAND DEVELOPMENT CODE AND APPLICABILITY

Sec. 27-6 ~~17.5-17~~. Establishment of land development code.
[re-adopt 17.5-17 as 27-6 with amendments]

Pursuant to the provisions of the Local Government Comprehensive Planning and Land Development Regulation Act, F.S. Ch. 163, Part II, the City of Tampa Land Development Code shall consist of the following:

(1) Chapter 17.5, Article III, section 17.5-41 et seq., Concurrency Management System;

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- (2) Potable Water Wellfield Protection Ordinance;
- (3) Section 21-6, Alternative Materials and Methods of Construction, Section 21-7, Borrow Pits, Mines, Section 21-8, Drainage Patterns, Section 21-9, Protection of Public Drainage Systems;
- (4) Chapter 22, section 22-134, Transit Stop Facilities, and Chapter 22, section 22-314 et seq., Driveways;
- (5) Chapter 23, Subdivision;
- (6) Sections 25-68 through 25-75, Relating to Transportation Impact Fees;
- (7) Section 26-118, Required use of Sanitary Sewer;
- (8) Chapter 27, Zoning and Land Development;
- (9) Chapter 43 of the 1971 Code, Zoning."

Sec. 27-7 21. Area of coverage of chapter.

[re-adopt 27-21as 27-7)

Sec. 27-8 22. Zoning affects all lands, water, structures, uses and occupancies.

[re-adopt 27-22 as 27-8)

Sec. 27-9 23. Zoning affects height and bulk of buildings, population density, lot coverage, yards and other open spaces, off-street parking and loading and other matters.

[re-adopt 27-23 as 27-9)

Sec. 27-10 24. Certain requirements for one structure or use not to be used to meet requirements_for another.

[re-adopt 27-24 as 27-10)

Sec. 27-11 25. Creation of new lots; reduction of lot or yard dimensions below minimum_requirements.

[re-adopt 27-25 as 27-11)

Sec. 27-12 26. Action where zoning lot contains two or more district designations.

[re-adopt 27-26 as 27-12]

Sec. 27-13 27. Calculation and rounding.

[re-adopt 27-27 as 27-13]

Secs. 27-14 – 27-20. Reserved.

DIVISION 3. CONSISTENCY MATRIX AND ZONING ATLAS

Sec. 27-21 2. Consistency matrix.

[re-adopt 27-2 as 27-21 with amendments]

****CORRECT table to add SH districts****

Sec. 27-22 46. Division of city into zoning districts; identification in official zoning atlas.

[re-adopt 27-46 as 27-22)

Sec. 27-23 47. Official zoning atlas--Adoption.

[re-adopt 27-47 as 27-23]

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Sec. 27-24 48. Same--Inset maps.

[re-adopt 27-48 as 27-24]

Sec. 27-25 49. Same--Other supplements.

[re-adopt 27-49 as 27-25]

Sec. 27-26 50. District regulations extend to all portions of districts surrounded by boundaries.

[re-adopt 27-50 as 27-26]

Sec. 27-27 51. Rules where there is uncertainty as to boundaries.

[re-adopt 27-51 as 27-27]

Sec. 27-28 52. Official Zoning Atlas--Location.

[re-adopt 27-52 as 27-28 with amendments]

The official zoning atlas shall be maintained and located in the office of Land Development Coordination.

Sec. 27-29 53. Authentication; recording of nature and dates of amendments.

[re-adopt 27-53 as 27-29]

Sec. 27-30 54. Unauthorized changes prohibited.

[re-adopt 27-54 as 27-30]

Sec. 27-31 55. Final authority.

[re-adopt 27-55 as 27-31]

Sec. 27-32 56. Retention of earlier zoning maps or atlases.

[re-adopt 27-56 as 27-32]

Secs. 27-33 – 27-40. Reserved.

DIVISION 4. DEFINITIONS

Sec. 27-41 543. Interpretation of terms or words.

[re-adopt 27-543 as 27-41 with amendments]

(b) ~~Terms not defined in this article shall have the meanings customarily assigned to them.~~

Sec. 27-42 544. Definitions of groupings of various districts.

[re-adopt 27-544 as 27-42 with amendments]

(b) *Office districts.* Where the phrases "all office districts," "office districts," "zoned office," "office zoned" or phraseology of similar intent are used in this chapter, the phrases shall be construed to include the following districts: RO, RO-1, OP, OP-1, and YC-3, SH-RO, **SH-O**, SH-PD and planned development districts (PD and PD-A) approved primarily for office uses.

(c) *Commercial districts.* Where the phrases "commercial districts," "zoned commercial or commercially," "commercially zoned" or phraseology of similar intent are used in this chapter, the phrases shall be construed to include the following districts: CN, CG, CI, YC-1, YC-5, YC-6,

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and YC-7, **SH-CN**, SH-CG, SH-CI, SH-PD and planned development districts (PD and PD-A) approved primarily for commercial uses.

Sec. 27-43 ~~544~~. Definitions.
[re-adopt 27-545 as 27-43]

Secs. 27-44 – 27-50. Reserved.

ARTICLE II. APPLICATION OF REGULATIONS ADMINISTRATION AND GENERAL PROCEDURES

DIVISION 1. ESTABLISHMENT OF ADMINISTRATIVE OFFICER, DUTIES, AND PROCEDURES

Sec. 27-51 ~~366~~. Establishment of administrative officer.
[re-adopt 27-366 as 27-51 with amendments]

The provisions of this chapter shall be administered by the Zoning Administrator, who shall be designated by the PDD Director ~~Director of Growth Management and Development Services~~.

Sec. 27-52 ~~367~~. Duties of the Zoning Administrator.
[re-adopt 27-367 as 27-52]

Sec. 27-53 ~~368~~. Written Determinations by the Zoning Administrator generally; types; processes; limitations.
[re-adopt 27-368 as 27-53]

Sec. 27-54 ~~368.1~~. Process for Applications for Written Determinations as Formal Decisions.
[re-adopt 27-368.1 as 27-54]

Sec. 27-55 ~~368.2~~. Process for Applications for Written Determinations as Certifications.
[re-adopt 27-368.2 as 27-55]

Sec. 27-56 ~~368.3~~. Process for Applications for Written Determinations as Advisory Opinions.
[re-adopt 27-368.3 as 27-56]

Sec. 27-57 ~~369~~. Exhaustion of remedies; limitation on applications for Written Determination.
[re-adopt 27-369 as 27-57]

Sec. 27-58 ~~370~~. Fees.
[re-adopt 27-370 as 27-58]

Sec. 27-59 ~~371~~. Determinations concerning uses not specified.
[re-adopt 27-371 as 27-59]

Sec. 27-60 ~~372~~. Alternative design exception.
[re-adopt 27-372 as 27-60]

Sec. 27-61 ~~373~~. Review.
[re-adopt 27-373 as 27-61]

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Secs. 27-62 – 27-65. Reserved.

DIVISION 2. DEVELOPMENT REVIEW & COMPLIANCE PROCEDURES

Sec. 27-66 156. Intent and purpose.
[re-adopt 27-156 as 27-66 with amendments]

The purpose of the development review ~~committee~~ and compliance staff review (“DRC”) is to assist prospective developers, the city council and any other decision-making body that may be established to regulate land use within the city. Further, it is the intent of the DRC to provide technical assistance and guidance to achieve compliance with development standards established by this Code and to promote the goals and objectives of the adopted comprehensive plan.

SUBDIVISION 1. DEVELOPMENT REVIEW AND COMPLIANCE PROCEDURES FOR GENERAL DEVELOPMENT

~~Sec. 27-157. Establishment. **STRIKE**~~

Sec. 27-67 158. Duties.
[re-adopt 27-158 as 27-67 with amendments]

The Development Review and Compliance (DRC) staff shall have the responsibility of reviewing applications for land development ~~proposals as required by the department of business and community services and this chapter~~ proposals decisions and any applicable development review applications that are processed administratively. Land development ~~proposals decisions~~ proposals decisions requiring DRC review shall include but not be limited to land rezoning applications, applications for approvals of special use permits, planned developments and other land development proposals requiring DRC staff review as stated in this chapter.

Sec. 27-68 159. Administration and ~~membership~~ review staff, generally.
[re-adopt 27-159 as 27-68 with amendments]

~~HDC~~ The Land Development Coordination Division shall have the responsibility of administering the DRC process through procedures established by the P&D department. The DRC review shall ~~be composed of~~ generally include input from representatives of various city departments and other agencies, including but not limited to the following: department of public works, department of sanitary sewers, water department, legal department, sanitation department, police and fire departments, department of parks, recreation and cultural services, state department of transportation, county school board, county health department, designated land planning agency, Tampa Electric Company, People's Gas, General Telephone, the Federal Housing Administration, the architectural review commission, and the Barrio Latino Commission, as necessary.

Sec. 27-69 160. Meetings.
[re-adopt 27-160 as 27-69 with amendments]

The ~~zoning administrator~~ Land Development Coordination Division, or other division of P&D Department as necessary, shall establish meeting places, dates, and times for the development review ~~committee and compliance staff~~ to carry out the intent of this chapter the City's Land

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Development Code and other applicable development regulations. All meetings of the development review committee shall be open to the public.

SUBDIVISION 2. DEVELOPMENT REVIEW AND COMPLIANCE PROCEDURES RELATED TO HISTORIC PRESERVATION

Sec. 27-70 215. Historic Preservation Development Review and Compliance staff and procedures (“HPDRC”) Committee.

[re-adopt 27-215 as 27-70 with amendments]

- (a) ~~Establishment.~~ There is hereby established a committee to be known as the historic preservation development review committee (HPDRC).
- (a**b**) *Intent and purpose.* The purpose of the HPDRC process is to provide technical assistance and guidance to ~~petitioners~~ applicants whose project requires ARC approval, to achieve compliance with development standards established by this Code, and to promote the goals and objectives of the adopted comprehensive plan.
- (b**e**) *Administration and ~~membership~~ review staff, generally.* The Historic Preservation Division ARC administrator shall have the responsibility of administering the HPDRC process through procedures established by the P&D department. The HPDRC review shall ~~be composed of~~ generally include input from representatives of various city departments and other agencies, including but not limited to: historic preservation, zoning, public works, parks and recreation, building department, solid waste, stormwater, fire, and transportation, as necessary.
- (c**d**) *Meetings.* The ARC administrator Historic Preservation Division, or other division of P&D Department as necessary, shall establish meeting places, dates, and times for the HPDRC staff to carry out the intent of ~~this chapter~~ the City’s Land Development Code and other applicable development regulations. All meetings with the HPDRC shall be open to the public.
- (d**e**) *Process.* All applications requiring approval by the ARC shall be submitted to the ARC staff, must be submitted by the application deadline date, and must include the items listed in subsection (2)(i)—(vi).
- (1) An application must be determined to be complete by the ARC administrator prior to being scheduled for a public hearing date. Completeness is based on compliance with items identified in subsection (2)(i)—(vi) below. After determination that an application is complete, drawings will be submitted to reviewing departments including, but not limited to, transportation, landscape and tree, and sanitation. Written comments from the reviewing departments are due to the ARC staff within fourteen (14) calendar days from the date of receipt of the complete application and will be read at the HPDRC meeting.
 - (2) The HPDRC staff meeting shall be scheduled by ~~ARC staff~~ the Historic Preservation Division pursuant to the ARC schedule. The meeting shall be coordinated by the ARC administrator and any representatives from the reviewing agencies may participate at the meeting. The following items shall be reviewed at the HPDRC staff meeting, subject to exemption by the ARC staff when it is determined that the item is not required for complete review:

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- a. Thirteen (13) copies of a site plan including identification of existing and proposed construction, height of structure, setback dimensions, mechanical equipment (heating, ventilation and air conditioning equipment, water heater, etc.), sidewalks, curbs, street, structures on adjacent sites and across the street at 1" = 10'0".
- b. Material selection(s).
- c. All elevations and floor plans applicable to the request at one-quarter (¼) inch equals one (1) foot zero (0) inches, or a scale approved by the ARC administrator as more appropriate.
- d. Complete demolition plan, when the project includes new construction or an addition to an existing structure.
- e. Information about the building materials to be used, including samples when required by the ARC administrator.
- f. Architectural wall section at three-quarters (¾) inch equals one (1) foot zero (0) inches.

~~*Electronic submission.* The zoning administrator shall establish criteria for the electronic submittal of various documents requiring approval from the processes specified in this section. The petitioner may, at their option, submit an application electronically for approval; however, said submittal shall adhere to the requirements defined in the application instructions, as set by the zoning administrator.~~

Secs. 27-71 – 27-75. Reserved.

DIVISION 3. VARIANCE REVIEW BOARD PROCEDURES (NON-HISTORIC DISTRICT)

Sec. 27-76 ~~341.~~ Authority to grant variances.
[re-adopt 27-341 as 27-76]

Sec. 27-77 ~~17.5-71.~~ Establishment; composition and terms; officers; administrator.
[re-adopt 17.5-71 as 27-77]

Sec. 27-78 ~~17.5-72.~~ Meetings, conduct of meetings and voting.
[re-adopt 17.5-72 as 27-72]

Sec. 27-79 ~~17.5-73.~~ Powers and duties.
[re-adopt 17.5-73 as 27-79]

Sec. 27-80 ~~17.5-74.~~ Application of the variance power.
[re-adopt 17.5-74 as 27-80]

Sec. 27-81 ~~17.5-75.~~ Administration; notice; public hearing; decision.
[re-adopt 17.5-75 as 27-81]

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Sec. 27-82 ~~17.5-76~~. Stays from further enforcement proceedings; exceptions.
[re-adopt 17.5-76 as 27-82]

Sec. 27-83 ~~17.5-77~~. Effect of denial.
[re-adopt 17.5-77 as 27-83]

Sec. 27-84 ~~17.5-78~~. Appeals.
[re-adopt 17.5-78 as 27-84]

Secs. 27-85 – 27-90. Reserved.

DIVISION 4. HISTORIC DISTRICT DESIGN REVIEW; CERTIFICATE OF APPROPRIATENESS; VARIANCE PROCEDURES

SUBDIVISION 1. BARRIO LATINO COMMISSION (YBOR CITY HISTORIC DISTRICT)

Sec. 27-91 ~~176~~. Intent.
[re-adopt 27-176 as 27-91]

Sec. 27-92 ~~177~~. Historic district established. (not to include Use Table)
[re-adopt 27-177 as 27-92]

Sec. 27-93 ~~178~~. Authority of city council and Barrio Latino Commission.
[re-adopt 27-178 as 27-93]

Sec. 27-94 ~~181~~. Barrio Latino Commission recommendations.
[re-adopt 27-181 as 27-94]

Sec. 27-95 ~~182~~. Barrio Latino Commission.
[re-adopt 27-182 as 27-95]

Sec. 27-96 ~~183~~. Variance administration; public notice; decision; stay; denial; review.
[re-adopt 27-183 as 27-96]

Sec. 27-97 ~~184~~. Certificate of appropriateness.
[re-adopt 27-184 as 27-97]

Sec. 27-98 ~~185~~. Review criteria.
[re-adopt 27-185 as 27-98]

Sec. 27-99 ~~186~~. Interior arrangement not considered.
[re-adopt 27-186 as 27-99]

Sec. 27-100 ~~187~~. Review of application by commission.
[re-adopt 27-187 as 27-100]

Sec. 27-101 ~~188~~. Certain changes not prohibited.
[re-adopt 27-188 as 27-101]

Sec. 27-102 ~~189~~. Review of decision.
[re-adopt 27-189 as 27-102]

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Sec. 27-103 ~~190~~. Applications for certificates involving proposed demolition of structures within district.

[re-adopt 27-190 as 27-103]

Sec. 27-104 ~~191~~. Termination of certain uses.

[re-adopt 27-191 as 27-104]

Sec. 27-105 ~~192~~. Compliance.

[re-adopt 27-192 as 27-105]

Sec. 27-106 ~~193~~. Signs and other encroachments in the Ybor City Historic District.

[re-adopt 27-193 as 27-106]

Sec. 27-107 ~~194~~. Maintenance and repair of landmarks, landmark sites and property in historic districts, multiple property designation or conservation overlay district.

[re-adopt 27-194 as 27-107]

Secs. 27-108 – 110. Reserved.

SUBDIVISION 2. ARCHITECTURAL REVIEW COMMISSION (OTHER LOCALLY DESIGNATED HISTORIC DISTRICTS)

Sec. 27-111 ~~211~~. Intent and declaration of public policy.

[re-adopt 27-211 as 27-111]

Sec. 27-112 ~~212~~. Architectural Review Commission—Generally.

[re-adopt 27-212 as 27-112]

Sec. 27-113 ~~213~~. Powers and duties of the ARC and ARC staff.

[re-adopt 27-213 as 27-113]

Sec. 27-114 ~~214~~. Variance; authority; application; public notice; criteria; decision; stay; denial; review; expiration of variance.

[re-adopt 27-214 as 27-114]

Sec. 27-115 ~~215~~. Certificate of appropriateness; review of work on locally designated landmarks, landmark sites and property in multiple property designations, historic conservation overlay districts and historic districts.

[re-adopt 27-216 as 27-115]

Sec. 27-116 ~~217~~. Applications for certificate of appropriateness to demolish or relocate; pre-application determinations of historic status; administration; notice; decision; stay; denial; review of decision; review criteria; demolition by neglect; pre-demolition requirements.

[re-adopt 27-217 as 27-116]

Sec. 27-117 ~~218~~. Compliance with certificates of appropriateness.

[re-adopt 27-218 as 27-117]

Sec. 27-118 ~~219~~. Approvals by the ARC administrator.

[re-adopt 27-219 as 27-118]

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Sec. 27-119 ~~220~~. Maintenance and repair of landmarks, landmark sites and property in historic districts, multiple property designation or conservation overlay district.
[re-adopt 27-220 as 27-119]

Secs. 27-120 – 27-125. Reserved.

DIVISION 5. SPECIAL USE PERMIT PROCEDURES

Sec. 27-126 ~~266~~. Intent.
[re-adopt 27-266 as 27-126]

Sec. 27-127 ~~267~~. Classes of special use permits; agent or body responsible for each general procedure.
[re-adopt 27-267 as 27-127]

Sec. 27-128 ~~268~~. Minor changes to be approved by zoning administrator; substantial deviations require action by city council.
[re-adopt 27-268 as 27-128]

Sec. 27-129 ~~269~~. General standards.
[re-adopt 27-269 as 27-129]

Sec. 27-130 ~~270~~. Conditions and safeguards.
[re-adopt 27-270 as 27-130]

Sec. 27-131 ~~271~~. Expiration of special uses.
[re-adopt 27-271 as 27-131]

Sec. 27-132 ~~272~~. Regulations governing individual special uses.
[re-adopt 27-272 as 27-132 with amendments]

Alcoholic beverage sales (all types): All applications shall comply with parking requirements, in effect at the time of the application, and contained in the applicable section of this chapter.

- (a) *Applications processing as an S-1.* When processed as an S-1 permit, the zoning administrator shall only approve the application if it is consistent with the applicable specified use standards contained below:
- (6) *Temporary.* Applications that meet the following minimum criteria shall be processed as an S-1; no waivers shall be granted by the city for temporary permits.
- a. Applicant shall be a bona fide non-profit or governmental organization;
 - b. Approvals shall be limited to on premises consumption only, and only on land(s) that meet the following criteria:
 - ~~a~~ 1. Land(s) that are public right-of-way, subject to (g) and (h) below,
 - ~~b~~ 2. Land(s) that maintain a non-residential zoning district; or
 - ~~c~~ 3. Land(s) on which a legal conforming or legal nonconforming, non-residential use exists within a residential zoning district;
 - c. Approvals shall not be granted for a period longer than three (3) consecutive days;

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- d. Approvals shall not be granted more than three (3) times in any one (1) calendar year to any one (1) organization;
- e. Sales shall cease at 12:00 a.m.;
- f. All net profits from sales of alcoholic beverages collected during the approval period must be retained by the nonprofit or governmental organization;
- g. No applications for temporary sales on property owned or held in the public trust by the City of Tampa shall be accepted unless there is a letter consenting to such application issued by the Office of the Mayor of the City of Tampa;
- h. If any portion of the event is on property owned by the City of Tampa or within any right(s)-of-way owned and/or maintained by the city, an original certificate of insurance naming the City of Tampa as an additional insured (or a copy of the insurance certificate if the original is on the file with the department of public works for a special event) showing a commercial general liability insurance policy with a limit of no less than one million dollars (\$1,000,000.00), a liquor liability insurance policy with a limit of no less than one million dollars (\$1,000,000.00), and an aggregate limit of two million dollars (\$2,000,000.00) must be provided to the city. The insurance coverage and limits required must be evidenced by properly executed certificates of insurance forms that are to be furnished by the city. All insurance policies must be signed by the authorized representative of the insurance company. Cancellation or modification of the insurance policy requires a thirty-day written notification to the city. During the term of the permit, the applicant shall provide, pay for, and maintain insurance with companies authorized to do business in Florida, with a AM Best rating of B+ (or better) Class IV (or higher), or otherwise be acceptable to the city if not rated by AM Best. The permit holders, participants and volunteers waive all rights against the city, its agents, officers, directors, and employees for recovery damages to the extent such damage is covered under the commercial general liability or liquor liability insurance policies.
- i. Security services: Security Services shall be secured and documented prior to approval of a temporary AB permit consistent with the security services requirements set forth in Chapter 28, sec. 28-26 (7)a. Exhibit I. There shall be no waivers to this provision granted by the City.

Secs. 27-133 – 27-135. Reserved.

DIVISION 6. SITE PLAN ZONING DISTRICT PROCEDURES

Sec. 27-136 ~~321~~. Purpose.
[re-adopt 27-321 as 27-136]

Sec. 27-137 ~~322~~. Conflict.
[re-adopt 27-322 as 27-137]

Sec. 27-138 ~~323~~. Review procedure.
[re-adopt 27-323 as 27-138]

Sec. 27-139 ~~324~~. General requirements.
[re-adopt 27-324 as 27-139]

Sec. 27-140 ~~328~~. Bonus provisions.
[re-adopt 27-328 as 27-140]

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Sec. 27-141 ~~329~~. Central Business District (CBD) Periphery Bonus; methodology and calculation; list of bonus amenities.
[re-adopt 27-329 as 27-141]

Secs. 27-142 – 27-145. Reserved.

DIVISION 7. AMENDMENTS

Sec. 27-146 ~~391~~. Statement of intent.
[re-adopt 27-391 as 27-146]

Sec. 27-147 ~~392~~. Amendment initiation.
[re-adopt 27-392 as 27-147]

Sec. 27-148 ~~393~~. Procedure for amendment application.
[re-adopt 27-393 as 27-148]

Sec. 27-149 ~~394~~. Public Notice Requirements for Land Development Decisions and Text Amendments to the Land Development Code.
[re-adopt 27-394 as 27-149]

Sec. 27-150 ~~395~~. Final decision by city council and withdrawal of application.
[re-adopt 27-395 as 27-150]

Sec. 27-151 ~~396~~. Comprehensive review of chapter.
[re-adopt 27-396 as 27-151]

Sec. 27-152 ~~397~~. Review of city council action.
[re-adopt 27-397 as 27-152]

Secs. 27-153 – 27-155. Reserved.

ARTICLE III. ESTABLISHMENT OF ZONING DISTRICTS AND DISTRICT REGULATIONS

DIVISION 1. GENERAL ZONING DISTRICTS

Sec. 27-156 ~~77~~. Official schedule of district regulations.
[re-adopt 27-77 as 27-156 with amendments]

****Table 4-1: Insert Footnote 26 referring RO, RO-1, and CN districts to Sec. 27-164****

****Table 4-2: Insert Footnote 27 referring to RM-side setbacks to allow reduction to 5' side yard when adjacent to any use other than single-family residential****

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Sec. 27-15796. Regulations encumbering land required to satisfy regulations.
[re-adopt 27-96 as 27-157]

Sec. 27-15897. Height regulation generally.
[re-adopt 27-97 as 27-158]

Sec. 27-15998. Permitted projections into required yards.
[re-adopt 27-98 as 27-159]

Sec. 27-160 99. Special street setbacks.
[re-adopt 27-99 as 27-160]

Sec. 27-161 400. Lots, yards, and measurements.
[re-adopt 27-100 as 27-161]

Sec. 27-162 402. Yards between residential buildings.
[re-adopt 27-102 as 27-162]

Sec. 27-163 404. Setback requirements for construction within flood-prone areas.
[re-adopt 27-104 as 27-163]

Sec. 27-164 325. RO, RO-1 and CN Districts Urban Design Criteria.
[re-adopt 27-325 as 27-164 with amendments]

(a) *Purpose.* To provide districts which balance the need for nonresidential uses in infill areas while protecting the surrounding neighborhood and adjacent residences; and to recognize urban conditions and encourage rehabilitation of existing structures and redevelopment. ~~In addition, all requests for rezoning to RO, RO-1, or CN Zoning Districts must be found consistent with the overall purpose and intent of a site plan controlled rezoning request, as referenced in section 27-321.~~

~~(b) *Permitted uses.* When identified and approved on a site development plan, the respective uses listed under section 27-77(b), Table 4-1, Schedule of Permitted Uses By District, for the RO, RO-1 and CN districts shall be permitted individually or in combination.~~

(b) Specific requirements:

~~(1) Area, height, bulk and placement regulations shall be in accordance with section 27-77(c).~~

~~(2) *Urban design criteria.* In keeping with the intent of this district which is, in part, to maintain neighborhood characteristics and scale, the zoning administrator shall review by and determine compliance with following urban design guidelines for the proposed development shall be followed:~~

a. *Facade:* The building facade shall be consistent with the scale and architectural style of the surrounding neighborhood in terms of materials, texture and details, roof shape, orientation and proportion and rhythm of openings.

b. *Signage:* Freestanding signs shall be limited to ground signs not exceeding four (4) feet in height. Signage incorporated into the architectural design of the building shall not exceed the apex of the roof pitch.

c. *Parking*: Parking areas shall be designed to minimize negative affects on adjacent residences and surrounding neighborhood. Access shall be designed to discourage travel through the neighborhood. Parking spaces shall be located to maximize privacy and to minimize noise and lights upon adjacent residences.

~~(3) *Site development plan*. In addition to the requirements of section 27-323(b)(1), the following information shall be included on the site development plan for an RO, RO-1 or CN-District:~~

- ~~a. Location, size, height and use of all proposed structures.~~
- ~~b. Exterior elevations of all sides of project. In cases where the facade of an existing structure is to be maintained, a photograph(s) of the structure may meet this requirement. Commitment to maintain the building front shall be so noted on the site development plan.~~
- ~~c. Proposed or existing location of fire hydrants and distance to structures.~~
- ~~d. Location and method of buffering from adjacent residential zoning districts.~~
- ~~e. Location and method of screening of refuse stations, storage areas and off street loading areas.~~
- ~~f. Location and method of stormwater retention.~~
- ~~g. Location, size and total amount of open space, if applicable.~~
- ~~h. Location and dimensions of proposed parking and service areas, including typical parking space dimensions.~~
- ~~i. Proposed parking area landscaping.~~
- ~~j. Southern Building Code definitions for types of construction proposed or existing.~~
- ~~k. Proposed means of vehicular and pedestrian access from the site(s) within the development to adjacent streets and/or alleys, showing all proposed or existing curb cuts and sidewalks.~~

~~(d) *Existing districts*. Any RO, RO-1 or CN zoned property existing prior to the effective date of this ordinance, which at the time of application for commercial site plan or building plan approval does not comply with the procedures and regulations of this article, except section 27-325(c)(2), Urban design criteria, shall be required to comply with this article at such time by submittal and approval of a rezoning site plan in accordance herewith.~~

~~(c) Previously approved RO, RO-1, and CN site plan zoning districts shall remain valid subject to section 27-323(6) and (7), and any substantial changes thereto require compliance with this article.~~

Secs. 27-165 – 27-170. Reserved.

DIVISION 2. SPECIAL DISTRICTS

SUBDIVISION 1. MUNICIPAL AIRPORT (M-AP) DISTRICTS

Sec. 27-171 ~~78~~. District regulations for M-AP airport compatibility districts.
[re-adopt 27-78 as 27-171]

Secs. 27-172 – 27-175. Reserved.

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Changes since
5.14.12 v3

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SUBDIVISION 2. YBOR CITY (YC) DISTRICTS

Sec. 27-176. Intent. – (*unchanged section #*)

Sec. 27-177. Historic district established. – (*unchanged section #*)

Sec. 27-178 ~~180~~. Alternative parking requirements.

[re-adopt 27-180 as 27-178]

Secs. 27-179 – 27-180. Reserved.

SUBDIVISION 3. CENTRAL BUSINESS DISTRICT (CBD) DISTRICTS

Sec. 27-181 ~~436~~. Purpose and intent.

[re-adopt 27-436 as 27-181]

Sec. 27-182 ~~437~~. District and subdistricts established; procedures for rezoning.

[re-adopt 27-437 as 27-182]

Sec. 27-183 ~~438~~. Official schedule of permitted principal, accessory and special uses.

[re-adopt 27-438 as 27-183]

Sec. 27-184 ~~439~~. Official schedule of dimensional regulations.

[re-adopt 27-439 as 27-184]

Sec. 27-185 ~~440~~. Development design approval and procedures.

[re-adopt 27-440 as 27-185]

Sec. 27-186 ~~441~~. Development design regulations.

[re-adopt 27-441 as 27-186]

Sec. 27-187 ~~442~~. Parking requirements.

[re-adopt 27-442 as 27-187]

Sec. 27-188 ~~443~~. Surface parking regulations.

[re-adopt 27-443 as 27-189]

Sec. 27-189 ~~444~~. Amortization schedule for adult uses; blood donor centers and temporary help agencies; waterfront principal use surface parking lots.

[re-adopt 27-444 as 27-189]

Sec. 27-190 ~~445~~. Supplemental regulations.

[re-adopt 27-445 as 27-190]

Secs. 27-191 – 27-195. Reserved.

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SUBDIVISION 4. CHANNEL DISTRICT (CD) DISTRICTS

- Sec. 27-196~~450~~. Purpose and intent.
[re-adopt 27-450 as 27-196]
 - Sec. 27-197~~451~~. District and subdistricts established: procedures for rezoning.
[re-adopt 27-451 as 27-197]
 - Sec. 27-198~~452~~. Official schedule of permitted principal, accessory and special uses.
[re-adopt 27-452 as 27-198]
 - Sec. 27-199~~453~~. Official schedule of dimensional regulations.
[re-adopt 27-453 as 27-199]
 - Sec. 27-200~~454~~. Parking requirements.
[re-adopt 27-454 as 27-200]
 - Sec. 27-201~~455~~. Public art requirements.
[re-adopt 27-455 as 27-201]
 - Sec. 27-202~~456~~. Development design approval and procedures.
[re-adopt 27-456 as 27-202]
 - Sec. 27-203~~456.1~~. Designation of Corridors.
[re-adopt 27-456.1 as 27-203]
 - Sec. 27-204~~457~~. Development site and building design standards.
[re-adopt 27-457 as 27-204]
 - Sec. 27-205~~457.1~~. Public open space design concepts; community-scale, neighborhood-scale, pocket-scale.
[re-adopt 27-457.1 as 27-205]
 - Sec. 27-206~~457.2~~. Channel District bonus methodology and calculation; list of bonus amenities.
[re-adopt 27-457.2 as 27-206]
- Secs. 27-207 – 27-210. Reserved.**

SUBDIVISION 5. GREATER SEMINOLE HEIGHTS (SH) DISTRICTS

- Sec. 27-211~~546~~. The Greater Seminole Heights Vision; establishment of district boundaries.
[re-adopt 27-546 as 27-211]
- Sec. 27-211.1~~547~~. General administrative procedures.
[re-adopt 27-547 as 27-211.1]
- Sec. 27-211.2~~548~~. Establishment of the Regulating Map; establishment of subdistricts and associated general land development regulations by sub-district and development form.
[re-adopt 27-548 as 27-211.2 --- INSERT RES BUILDING FORM MAP & FRONTAGE TYPE MAP]

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Sec. 27-211.2.1 ~~548.1~~. General District Development Standards for Seminole Heights – Residential Single-family detached (SH-RS) district.

[re-adopt 27-548.1 as 27-211.2.1]

Sec. 27-211.2.2 ~~548.2~~. General District Development Standards for Seminole Heights – Residential Single-family attached (SH-RS-A) development district.

[re-adopt 27-548.2 as 27-211.2.2 with amendments]

Sec. 27-211.2.3 ~~548.3~~. General District Development Standards for Seminole Heights – Residential Multi-family detached (SH-RM) development district.

[re-adopt 27-548.3 as 27-211.2.3 with amendments]

Sec. 27-211.2.4 ~~548.4~~. General District Development Standards for Seminole Heights – Residential Office (SH-RO) development district.

[re-adopt 27-548.4 as 27-211.2.4 with amendments]

Sec. 27-211.2.5 ~~548.5~~. General District Development Standards for Seminole Heights – Office Commercial Neighborhood (SH-OCN) development district.

[re-adopt 27-548.5 as 27-211.2.5 with amendments]

--KEY (SH-OCN): Table ~~548.5a~~ 211.2.5a

[re-adopt Table 548.5a as 27-211.2.5a with amendments]

Sec. 27-211.6 ~~548.6~~. Development Standards for Commercial, Mixed-Use, or other Non-Residential (SH-CG and SH-CI) development.

[re-adopt 27-548.6 as 27-211.6 with amendments]

Sec. 27-211.7 ~~549~~. Residential Building Forms.

[re-adopt 27-549 as 27-211.7]

Form Description and Graphics ~~549.1~~ 211.7.1: (CT) Craftsman (Arts & Crafts)

Form Description and Graphics ~~549.2~~ 211.7.2: (NF) National Folk (Southern Vernacular)

Form Description and Graphics ~~549.3~~ 211.7.3: (AFS) American Four Square

Form Description and Graphics ~~549.4~~ 211.7.4: (FV) Folk Victorian

Form Description and Graphics ~~549.5~~ 211.7.5: (QA) Queen Anne

Form Description and Graphics ~~549.6~~ 211.7.6: (P) Prairie

Form Description and Graphics ~~549.7~~ 211.7.7: (RH) Ranch

Form Description and Graphics ~~549.8~~ 211.7.8: (MT) Minimal Traditional

Form Description and Graphics ~~549.9~~ 211.7.9: (CM) Contemporary Modern

Form Description and Graphics ~~549.10~~ 211.7.10: (SR) Split Ranch

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Form Description and Graphics ~~549-11~~ 211.7.11: (SE) Spanish Eclectic (Mediterranean Revival, Mission, Pueblo)

[re-adopt 27-549.1 – 27-549.11 as 27-211.7.1 – 27-211.7.11]

Sec. 27-211.8 ~~550~~. Schedule of permitted uses by district.
[re-adopt 27-550 as 27-211.8]

Sec. 27-211.9 ~~551~~. Historic Preservation.
[re-adopt 27-551 as 27-211.9]

Sec. 27-211.10 ~~552~~. Frontage types and other supplemental regulations.
[re-adopt 27-552 as 27-211.10]

Sec. 27-211.11 ~~553~~. Signs.
[re-adopt 27-553 as 27-211.11]

Sec. 27-211.12 ~~554~~. Parking design and access management.
[re-adopt 27-554 as 27-211.12]

Sec. 27-211.13 ~~555~~. Landscaping.
[re-adopt 27-555 as 27-211.13]

Sec. 27-211.14 ~~556~~. Public Realm.
[re-adopt 27-556 as 27-211.14]

Sec. 27-211.15 ~~557~~. Greater Seminole Heights Bonus; methodology and calculation; list of amenities.
[re-adopt 27-557 as 27-211.15]

~~Sec. 27-558 – 27-600. Reserved.~~

Secs. 27-212 – 27-225. Reserved.

DIVISION 3. SITE PLAN ZONING DISTRICTS

Sec. 27-226 ~~324~~. Purpose.
[re-adopt 27-321 as 27-226]

Sec. 27-227 ~~326~~. PD Planned Development District.
[re-adopt 27-326 as 27-227]

Sec. 27-228 ~~327~~. PD(A) planned development alternative.
[re-adopt 27-327 as 27-228]

Secs. 27-229 – 27-230. Reserved.

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ARTICLE IV. OVERLAY DISTRICTS

DIVISION 1. INTENT AND DISTRICT TYPES

Sec. 27-231 ~~458~~. Intent and declaration of public policy.
[re-adopt 27-458 as 27-231]

Sec. 27-232 ~~459~~. Residential overlay districts.
[re-adopt 27-459 as 27-232]

Sec. 27-233 ~~460~~. Commercial overlay districts.
[re-adopt 27-460 as 27-233]

Secs. 27-234 – 27-235. Reserved.

DIVISION 2. SPECIFIC OVERLAY DISTRICTS

Sec. 27-236 ~~461~~. South Howard Commercial Overlay District Development Design Standards.
[re-adopt 27-461 as 27-236]

Sec. 27-237 ~~462~~. New Tampa Commercial Overlay District Development Standards.
[re-adopt 27-462 as 27-237]

Sec. 27-238 ~~463~~. Westshore Commercial Overlay District Development Standards.
[re-adopt 27-463 as 27-238]

Sec. 27-239 ~~464~~. Seminole Heights Residential Overlay District Development Design Standards.
[re-adopt 27-464 as 27-239]

Sec. 27-240 ~~465~~. East Tampa Overlay District Design Standards.
[re-adopt 27-465 as 27-240]

Sec. 27-241 ~~466~~. West Tampa Overlay District Development Design Standards.
[re-adopt 27-466 as 27-241]

Sec. 27-242 ~~467~~. Parkland Estates Overlay District.
[re-adopt 27-467 as 27-242]

Sec. 27-243 ~~468~~. Kennedy Boulevard Corridor District Development Design Standards.
[re-adopt 27-468 as 27-243]

Secs. 27-244 – 27-245. Reserved.

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ARTICLE V. HISTORIC PRESERVATION

DIVISION 1. GENERALLY

Sec. 27-246. Intent and declaration of public policy. – *[new reference]*
Refer to intent and declaration of public policy as set forth in section 27-111.

Sec. 27-247. Architectural Review Commission—Generally. – *[new reference]*
Refer to provisions as set forth in section 27-112.

Sec. 27-248. Barrio Latino Commission. – *[new reference]*
Refer to provisions as set forth in section 27-112.

Secs. 27-249 – 27-250. Reserved.

DIVISION 2. CITIZENS ADVISORY COMMITTEE FOR EL CENTRO ESPANOL DE YBOR

Sec. 27-251 ~~226~~. Citizens Advisory Committee for El Centro Espanol de Ybor generally.
[re-adopt 27-226 as 27-251]

Sec. 27-252 ~~227~~. Powers and duties of the El Centro CAC.
[re-adopt 27-227 as 27-252]

DIVISION 3. CITY OF TAMPA PRESERVATION BOARD

Sec. 27-253 ~~230~~. Historic preservation commission—Generally.
[re-adopt 27-230 as 27-253]

Sec. 27-254 ~~231.1~~. Powers and duties of the HPC and HPC staff.
[re-adopt 27-231.1 as 27-254]

Sec. 27-255 ~~231.2~~. Proposed additions to the National Register of Historic Places.
[re-adopt 27-231.2 as 27-255]

Sec. 27-256 ~~231.3~~. Local designation of landmarks, landmark sites, multiple property designations, historic conservation overlay districts, and historic districts.
[re-adopt 27-231.3 as 27-256]

Sec. 27-257 ~~231.4~~. Criteria to qualify as a landmark, landmark site, multiple property designation, historic conservation overlay district, or historic district.
[re-adopt 27-231.4 as 27-257]

Sec. 27-258 ~~231.5~~. Landmark site.
[re-adopt 27-231.5 as 27-258]

Sec. 27-~~259~~ ~~231.6~~. Economic hardship.
[re-adopt 27-231.6 as 27-259]

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Sec. 27-260 ~~231.7~~. Emergency actions to protect buildings, sites, structures or objects meeting the criteria for designation.

[re-adopt 27-231.7 as 27-260]

Sec. 27-261 ~~231.8~~. Applications to review initial designation of contributing status, redesignation of buildings, structures, or objects relocated into or within historic districts or historic conservation overlay districts and change in designation status of building, structure, or object as contributing or noncontributing.

[re-adopt 27-231.8 as 27-261]

Sec. 27-262 ~~231.9~~. Scheduling of city council public hearings; notices.

[re-adopt 27-231.9 as 27-262]

Sec. 27-263 ~~231.10~~. Appeal from decision of the HPC.

[re-adopt 27-231.10 as 27-263]

Sec. 27-264 ~~231.11~~. Design standards.

[re-adopt 27-231.11 as 27-264]

Sec. 27-265 ~~231.12~~. Workplan.

[re-adopt 27-231.12 as 27-265]

Sec. 27-266 ~~231.13~~. Property maintenance required.

[re-adopt 27-231.13 as 27-266]

Sec. 27-267 ~~231.14~~. Interstate Historic Preservation Trust Fund.

[re-adopt 27-231.14 as 27-267]

Secs. 27-268 – 27-270. Reserved.

DIVISION 4. DESIGN STANDARDS ESTABLISHED

Sec. 27-271 ~~17.5-141~~. Authority to establish.

[re-adopt 17.5-141 as 27-271]

Sec. 27-272 ~~17.5-190~~. Tampa Heights Historic District Design Guidelines.

[re-adopt 17.5-190 as 27-272]

Sec. 27-273 ~~17.5-191~~. Seminole Heights Historic District Design Guidelines.

[re-adopt 17.5-191 as 27-273]

Sec. 27-274 ~~17.5-192~~. Hyde Park Historic District Design Guidelines.

[re-adopt 17.5-192 as 27-274]

Sec. 27-275 ~~17.5-193~~. Ybor City Historic District Design Guidelines.

[re-adopt 17.5-193 as 27-275]

Secs. 27-276 – 27-280. Reserved.

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ARTICLE VI. SUPPLEMENTAL REGULATIONS (*unchanged Article #*)

DIVISION 1. APPLICABILITY AND EFFECT

Section 27-281 ~~424~~. Applicability; effect.
[re-adopt 27-121 as 27-281]

DIVISION 2. REGULATIONS FOR SPECIFIED USES

Secs. 27-282 through -282.22
[re-adopt 27-123 – 27-125, -128, -131, -134.1, -136, -137, -137.3, -137.4, -137.6, 27-138 – 27-140, -143, -145, -150, -152, -153, -154, -155, -155.1, -155.2 as 27-282 – 27-282.22]

DIVISION 3. ACCESS, PARKING, AND LOADING

Secs. 27-283 – 27-283.14
[re-adopt 27-122 & 27-129 & 27-236 – 27-248 as 27-283 – 27-283.14]

Sec. 27-283.12 ~~246~~. Off-street parking space standards.
[re-adopt 27-246 as 27-283.12 with amendments]

**** (a) Table 10-2 – Reduce “Aisle width between stall lines” for 90 degree parking from 26’ to 24’.****

Secs. 27-284 – 27-285. Reserved.

DIVISION 4. NATURAL RESOURCES: BUFFERS, GENERAL TREE PLANTING AND LANDSCAPING, WETLANDS, AND UPLAND HABITAT

SUBDIVISION 1. BUFFERS AND SCREENING.

Sec. 27-~~286~~ 430. Buffers and screening.
[re-adopt 27-130 as 27-286 with amendments]

**** (2) b. (for “15’ buffer”) - Add option for solid PVC fence at 6’ height along with masonry wall.**

SUBDIVISION 2. GENERAL TREE PLANTING AND LANDSCAPING.

Sec. 27-287 ~~13-161~~. Landscape and tree planting requirements.
[re-adopt 13-161 as 27-287]

(e) *When minimum landscaped area is reduced by variance or rezoning, a contribution in the form of an in-lieu payment shall be made. Developments which do not provide the minimum amount of landscaped area as established above, and for which a variance or waiver is granted, shall contribute funds through the in-lieu payment process to an appropriate landscape area trust fund established by section 16-46 of this Code. All funds collected*

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through the in-lieu payment process shall be utilized for the express purpose of acquiring new park land, improving existing public park lands and/or public right-of-way by providing, enhancing or reestablishing green space within the boundaries of the district in which the funds are collected. Seven (7) Landscape Districts, as shown on Map 3.1, are established.

- (1) The ~~director or designee~~ natural resources coordinator may consider an administrative variance of no more than ten (10) percent of the required landscape area provided the developer can show that practical hardships exist associated with the physical dimensions of the lot, the existence of grand or protected trees, wetlands, or other similar physical constraints. The increased residential density or nonresidential square footage intensity of the development shall not be included as a qualifying hardship.

Sec. 27-287.1 ~~13-162~~. Landscape and tree planting standards.

[re-adopt 13-162 as 27-287.1]

SUBDIVISION 3. WETLANDS.

Section 27-288 ~~13-163~~. Wetlands Protection and Buffer.

[re-adopt 13-163 as 27-288 with amendments]

- (d) *Applications for development and determination of buffer.* Any person proposing to conduct any of the following development within the landward twenty-five (25) feet of a wetland must first obtain approval by submitting an application for development within wetland buffer and determination of buffer to the P&D (department) for review:
- (e) *Protection of buffer area during development.* Adequate erosion control devices shall be in place and maintained at a line established by the P&D (department) as necessary to achieve the objectives and standards contained in subsections (a) and (b). In no event shall such line be less than fifteen (15) feet landward of the wetland boundary or less than the approved buffer line as determined by the appropriate regulatory agency. Natural vegetation within the wetland buffer shall remain intact and undisturbed. In cases of approved development within the wetland buffer, the natural vegetation shall remain intact until installation of the approved development begins.
- (f) *Finish grading.* Notice shall be provided the P&D (department) within twenty-four (24) hours of commencing any approved finish grading within the buffer area. Adequate erosion control measures will be implemented to protect the wetland during the finish grading process and until the area has re-vegetated. Graded areas shall be stabilized by sodding or the planting of landscape vegetation within three (3) days of the grading activity or, where seeding is intended, artificial stabilization shall be immediately implemented in conjunction with silt barriers.
- (g) *Performance security.* Any person may be required as a condition to any granted variance to the wetland buffer to submit security in an amount acceptable to the director and in the form of a performance bond, irrevocable letter of credit or escrow agreement to the director when necessary to guarantee and which guarantees for up to two (2) years after completion that the development or other activity will not cause erosion or sedimentation into or other detriment to the wetland and that the provisions of this subdivision and any rules and regulations promulgated hereunder will be followed. In drawing against the performance bond or letter of credit, the director shall consult with the county environmental protection

commission, the Southwest Florida Water Management District, the state department of environmental protection or other appropriate regulatory agency.

- (h) *Environmental consultants.* In reviewing an application to determine a buffer or to develop within a wetland buffer, the ~~director~~ P&D Department may hire up to two (2) environmental consultants to assist him in determining whether the proposed development or other activity will significantly affect the biological integrity or hydrology of the wetland. The reasonable fees and costs of such consultant(s) shall be paid by the applicant.
- (k) In addition to the requirements set forth in subsections (a) and (b) and submission of security in a form and amount acceptable to the ~~director~~ P&D Department, where applicable, any development for which a development order has been granted subject to conditions which more strictly limit allowable activities within the wetland buffer or the thirty-foot setback than those allowable under subsection (d) herein shall remain limited by the conditions of the development order approval.

SUBDIVISION 4. UPLAND HABITAT PROTECTION (*old 17.5-92 has been stricken*)

Sec. 27-289 ~~17.5-91~~. Purpose and legislative intent.

[re-adopt 17.5-91 as 27-289]

Sec. 27-289.1 ~~17.5-93~~. Administrative authority.

[re-adopt 17.5-93 as 27-289.1 with amendments]

The provisions of this article shall be administered and enforced by the ~~official~~ P&D Department. For purposes of administration of the provisions of this article, the ~~official's department's~~ designee shall be the ~~park department uplands habitat~~ natural resources coordinator, "coordinator".

Sec. 27-289.2 ~~17.5-94~~. Administrative guidelines.

[re-adopt 17.5-94 as 27-289.2]

Sec. 27-289.3 ~~17.5-95~~. Upland habitat overlay district established; applicability.

[re-adopt 17.5-95 as 27-289.3]

Sec. 27-289.4 ~~17.5-101~~. Upland habitat plan approval; requirements; exemptions.

[re-adopt 17.5-101 as 27-289.4]

Sec. 27-289.5 ~~17.5-102~~. Plan approval application; review; approval and denial; prerequisites; conditions.

[re-adopt 17.5-102 as 27-289.5]

Sec. 27-289.6 ~~17.5-103~~. Plan approval duration and extension.

[re-adopt 17.5-103 as 27-289.6]

Sec. 27-289.7 ~~17.5-104~~. - Plan approval transferability.

[re-adopt 17.5-104 as 27-289.7]

Sec. 27-289.8 ~~17.5-105~~. - Inspections.

[re-adopt 17.5-105 as 27-289.8]

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Sec. 27-289.9 ~~17.5-106~~. Plan approval fees—City council to establish.
[re-adopt 17.5-106 as 27-289.9]

~~**Secs. 17.5-107—17.5-112. Reserved.**~~

Sec. 27-289.10 ~~17.5-113~~. - Environmentally sensitive areas—Uplands providing significant and essential wildlife habitat; general provisions.
[re-adopt 17.5-113 as 27-289.10]

Sec. 27-289.11 ~~17.5-114~~. - Environmentally sensitive areas—Upland significant wildlife habitat.
[re-adopt 17.5-114 as 27-289.11]

Sec. 27-289.12 ~~17.5-115~~. - Environmentally sensitive areas—Upland essential wildlife habitat.
[re-adopt 17.5-115 as 27-289.12]

Sec. 27-289.13 ~~17.5-116~~. - Natural preserves.
[re-adopt 17.5-116 as 27-289.13]

Sec. 27-289.14 ~~17.5-117~~. - On-site preservation.
[re-adopt 17.5-117 as 27-289.14]

Sec. 27-289.15 ~~17.5-118~~. - Off-site preservation.
[re-adopt 17.5-118 as 27-89.15]

Sec. 27-289.16 ~~17.5-119~~. - Inventory.
[re-adopt 17.5-119 as 27-289.16 with amendments]

The coordinator shall forward documentation to the planning and management department division identifying all lands preserved under this article for purposes of maintaining an inventory and record of lands meeting the requirements prescribed those sections in regard to policies in the comprehensive plan.

Sec. 27-289.17 ~~17.5-120~~. - Penalty restoration fund.
[re-adopt 17.5-120 as 27-289.17]

Sec. 27-289.18 ~~17.5-121~~. - Technical standards may be established.
[re-adopt 17.5-121 as 27-289.18]

Sec. 27-289.19 ~~17.5-122~~. - Appendices adopted.
[re-adopt 17.5-122 as 27-289.19]

~~**Secs. 17.5-123—17.5-128. Reserved.**~~

Sec. 27-289.20 ~~17.5-129~~. - Failure to obtain plan approval.
[re-adopt 17.5-129 as 27-289.20]

Sec. 27-289.21 ~~17.5-130~~. - Stop work and emergency orders.
[re-adopt 17.5-130 as 27-289.21]

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Sec. 27-289.22 ~~17.5-131~~. - Violations; enforcement authority and remedies.
[re-adopt 17.5-131 as 27-289.22]

Sec. 27-289.23 ~~17.5-132~~. - Appeal (review) methods.
[re-adopt 17.5-132 as 27-289.23 with amendments]

~~Administrative appeals. Appeals~~ Review of ~~to review~~ any order, requirement, decision or determination made by the coordinator shall be ~~to~~ conducted by city council in accordance with the procedures established in section 27-373~~(a)(1)(3)~~.

Sec. 27-289.24 ~~17.5-133~~. - Variances.
[re-adopt 17.5-133 as 27-289.24 with amendments]

Variances to the provisions and requirements of this article may only be approved by the city council in accordance with the same criteria and procedures set forth in ~~section 17.5-74, 17.5-75, 17.5-76 of the City Code~~ Article II, Division 3 of this chapter regarding variance applications to the variance review board.

~~Secs. 17.5-134 – 17.5-140. – Reserved.~~

DIVISION 5. SOLID WASTE

Section **27-290**. Solid waste.
[re-adopt 27-132 as 27-290]

DIVISION 6. SIGNS

Secs. **27-291 through 27-291.23**
[re-adopt 20.5-1 – 20.5-25 as 27-291 – 27-291.23]

Sec. **27-291.11** ~~20.5-13~~. - On-site signs; permit required.
[re-adopt 20.5-13 as 27-291.11 with amendments]

*****(c)(2)b.* – Allow 2SF per linear foot of building frontage within CBD only****

DIVISION 7. MISCELLANEOUS STANDARDS

Secs. **27-292 through -292.9**
[re-adopt 27-122, -126, -133, -134, -135, -137.5, -144, -146, -147, -148 as 27-292 – 27-292.9]

ARTICLE VII. NONCONFORMITIES

Secs. **27-293 through 27-306**
[re-adopt 27-291 – 27-304 as 27-293 – 27-306]

Secs. **27-307 – 27-310** Reserved.

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ARTICLE VIII. DEVELOPMENT OF REGIONAL IMPACT

Secs. **27-311** through **27-314**
[re-adopt 27-416 – 27-419 as 27-311 – 27-314]

Secs. **27-315** Reserved.

ARTICLE IX. ALCOHOLIC BEVERAGES

Sec. 27-316 ~~524~~. - Alcoholic beverage permit required.
[re-adopt 27-521 as 27-316]

Sec. 27-317 ~~522~~. - Specified districts with increased security requirements.
[re-adopt 27-522 as 27-27-317]

Sec. 27-318 ~~523~~. - Expiration, suspension, and revocation of approvals for alcoholic beverage sales; posting of notice for discontinuance of sales; evidence of resumption of sales.
[re-adopt 27-523 as 27-318 with amendments]

(c) *Revocation and suspension of sales for cause.*

(1) *Revocation and suspension of sales for cause.* The city council, after conducting a public hearing as provided for in section 27-523(c), is authorized to suspend or revoke the ability to sell alcoholic beverages from property which has previously been granted an approval. In order for city council to suspend or revoke, it must determine that the property owner, holder of the alcoholic beverage license, operator of the establishment, or any agent or employee thereof, have:

- a. Commission of an act, on or about the property, amounting to a felony under the laws of the state or the United States. For purposes of this section, the term 'on or about' shall include, but not be limited to, activities directly attributable to the approval to sell alcoholic beverages on the property, which occur on or about all adjacent sidewalks, rights-of-way and parking areas, both public and private, which patrons or employees may utilize to provide transportation to or from the property;
- b. The maintaining of a nuisance on the property (as said term is defined by this code or common law);
- c. Engaging in or permitting disorderly conduct on or about the property;
- d. Operation of the establishment in a manner that repeatedly, or on an ongoing basis, has negative secondary effects on surrounding property, including but not limited to violations of city code, ordinance or state law related to noise, parking, or trash and debris, after having received reasonable notice to terminate or correct any condition that is in violation of such code, ordinance or law;
- e. Failing to comply with any of the provisions of the fire prevention ordinance after having received reasonable notice to eliminate or correct any condition existing on the property that is in violation of such ordinance;
- f. Failing to comply with any of the provisions of the health and sanitation

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ordinances of the city, the county or laws of the state after having received reasonable notice to eliminate or correct any condition existing on the property that is in violation of such ordinances or laws;

- g. Conviction for selling, giving, serving or permitting to be served alcoholic beverages to persons under twenty-one (21) years of age or permitting a person under twenty-one (21) years of age to consume alcoholic beverages on such property, in accordance with state law;
- h. Revocation of a license for the sale of alcoholic beverages by the state department of business and professional regulation, division of alcoholic beverages and tobacco;
- i. The inclusion of false information in applying for an approval to sell alcoholic beverages;
- j. Conviction or withholding of adjudication or finding of delinquency of any patron of the property for underage possession of any alcoholic beverage;
- k. Allowing the sale of alcoholic beverages at or from an establishment, while the license for the sale of alcoholic beverages is suspended by the state department of business and professional regulation, division of alcoholic beverages and tobacco.
- l. Been convicted of the exterior maximum sound levels as provided for in section 14-151, excessive noise.
- m. Violated any part of section 27-524; Records; annual reports; revocation of "R" classification zoning.
- n. Violated any section of chapter 3 or chapter 27—articles XI or XXIV, any condition, limitation or restriction imposed by city council or the zoning administrator at time of approval, or any other section of the City of Tampa Code relating to alcoholic beverages.

City council may suspend the ability to sell alcoholic beverages for up to thirty (30) days for the first (1st) violation, sixty (60) days for the second (2nd) violation, and ninety (90) days for the third (3rd) violation. Upon the fourth (4th) or subsequent violation, city council may consider revocation of the approval to sell alcoholic beverages. In determining whether to suspend or revoke an approval to sell alcoholic beverages, city council shall consider:

- a. The gravity of the violation; and,
- b. Any actions taken by the violator to correct the violation; and,
- c. Any previous violations committed by the violator.

Unless a public record is exempt from disclosure pursuant to F.S. Ch. 119, the owner of property shall be provided written notice of a violation by the city.

- (2) For purposes of section (b)(c), the terms "convicted" or "conviction" shall mean being found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a violation of a municipal or county ordinance or state or federal law, as provided herein. The terms "violation" or "violated" shall mean being found in non-compliance with any part of this ~~chapter Code~~ and shall include the terms "convicted" or "conviction," as determined by the reviewing city department. ~~In determining whether to suspend or revoke an approval to sell alcoholic beverages, city council shall consider:~~

- ~~a. The gravity of the violation; and,~~
- ~~b. Any actions taken by the violator to correct the violation; and,~~

~~c. Any previous violations committed by the violator.~~

~~Unless a public record is exempt from disclosure pursuant to F.S. Ch. 119, the owner of property shall be provided written notice of a violation by the city.~~

- (d) *Notice to owner and licensee of intention to revoke or suspend; public hearing.* Prior to revoking or suspending, city council shall hold a noticed public hearing. The city clerk shall notify the owner of the property and the holder of the alcoholic beverage license by certified mail ~~and newspaper publication~~ pertaining to the property of its intention to revoke or suspend the sale of alcoholic beverages from the subject property. City council shall grant the affected party a public hearing at a time and place to be specified in the notice and at a time not less than thirty (30) days from the date of the notice. If city council suspends or revokes the sale of alcoholic beverages from a property, the City shall cause the subject property to be posted with a notice of such suspension or revocation.

Sec. 27-319 524. - Records; annual reports; violation of "R" zoning, "R" special use permit, or "alcoholic beverage sales special restaurant" or "alcoholic beverage sales restaurant" special use permit requirements.

[re-adopt 27-524 as 27-319]

Sec. 27-320 3-20. - Hours of sale for consumption on and off premises.

[re-adopt 3-20 as 27-320 with amendments]

- (e) For purposes of this section, the terms "hotel"; "motel"; "retail stores selling convenience goods"; "retail stores selling shoppers' goods"; and, "classified use" shall have the following meaning:
- (1) *Hotel or motel:* A building or group of buildings containing in combination ten (10) or more lodging units intended primarily for rental or lease to transients, by the day or week, as distinguished from a roominghouse, in which occupancy is generally by residents rather than transients. Typically, accessory uses to a hotel or motel include such things as restaurant, bar/lounge, meeting rooms and outdoor recreational areas.
 - (2) *Retail stores selling convenience goods:* Commercial establishments that generally serve day-to-day commercial needs of a residential neighborhood, including but not limited to drugstores, tobacco shops, newsstands, bakeries, confectioneries, delicatessens, meat and produce markets, and food stores with less than ten thousand (10,000) square feet in floor area. Specifically excluded from this class of uses is retail sale of spirits and liquors, as well as sale of alcoholic beverages regardless of alcoholic content for consumption on premises.
 - (3) *Retail stores selling shoppers' goods:* Commercial establishments that, in addition to serving day-to-day commercial needs of a community, also supply the more durable and permanent needs of a whole community, including but not limited to supermarkets, department stores, discount stores, variety stores, hardware and garden supply stores, apparel and footwear stores, florists, gift shops, jewelry stores, book and stationary stores, specialty shops, sporting goods stores, furniture and home furnishing stores, automotive supply stores and appliance stores.
 - (4) *Tampa Convention Center:* Lands and structures owned and operated by the City of Tampa for tourism, entertainment, and convention-related business within the Central Business District. ~~Classified use:~~ The use prescribed under Table 4-1 of Chapter 27, City of Tampa Code.

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Sec. **27-321** 3-22. - Posting on premises of specific conditions relating to establishments that sell alcoholic beverages.

[re-adopt 3-22 as 27-321]

Secs. 27-322 – 27-325 Reserved.

ARTICLE X LEGAL STATUS AND ENFORCEMENT

DIVISION 1. ENFORCEMENT

Secs. 27-326 – 27-326.2

[re-adopt 27-501 – 27-503 as 27-326 – 27-326.2]

DIVISION 2. LEGAL STATUS

Secs. 27-327 – 27-327.1

[re-adopt 27-541 – 27-542 as 27-327 – 27-327.1]

Chapter 3 “Alcoholic Beverages”

****Reserve Chapter****

MOVE THE FOLLOWING TO CHAPTER 14 MISCELLANEOUS OFFENSES

Sec. 3-40. - Consumption and possession of open containers on streets, sidewalks, alleys and other public property.

Sec. 3-41. - Possession, consumption on property operated or supervised by the parks and recreation department; temporary alcoholic beverage special use permits granted for public area, facility, or property operated or supervised by the parks and recreation department.

Sec. 3-42. - Consumption on premises zoned for only off-premises consumption prohibited; exception for wine tastings.

Sec. 3-43. - Damaging signs prohibited.

Sec. 3-44. - Consumption of alcoholic beverages on premises within five hundred feet of property zoned for off premises consumption prohibited.

Sec. 3-45. - Right of entry.

Sec. 3-46. - Police reports.

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Chapter 5 "Building Code"

Sec. 5-102.9. ~~Words defined~~ Definitions.

Construction services division. Division within the Planning and Development Department of Growth Management and Development Services charged with enforcing the code.

Demolition. The act of razing, dismantling or removal of a building or structure, or portion thereof, to the ground level.

Department. The Planning and Development Department of Growth Management and Development Services (PDD or P&D GMDS).

Director. The director of the department of PDD GMDS.

Sec. 5-102.10. Words not defined.

5-102.10.1. Words not defined herein shall have the meaning stated in the Florida Building Code or other nationally recognized codes, or other documents, manuals or standards adopted elsewhere in this chapter. Words not defined in those documents shall have the meaning stated in the Webster's Ninth New Collegiate Dictionary, as revised.

5-102.10.2. In case of a conflict in definitions or codes, the appropriate definition (or code) to be applied shall be the one (1) applicable to the trade in question. In case of a conflict between different parts of this chapter, conflicts within the same code, or conflicts between codes, the more stringent requirements shall be applicable.

5-102.10.3. All other terms, phrases, etc defined in Chapter 27.

Chapter 13 "Landscaping, Tree Removal and Site Clearing"

******Throughout Chapter – Update references to: "director" , "parks and recreation department" , and "city's urban forester" to "Natural Resources Coordinator" , "planning division" , and "planning and development department"******

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Chapter 17.5
**"Planning and Land Development Affordable Housing, Sustainability, and
Concurrency Management System"**

ARTICLE I. - AFFORDABLE HOUSING ADVISORY COMMITTEE - (unchanged)

ARTICLE II. ~~LAND DEVELOPMENT CODE~~ RESERVED

Sec. 17.5-16 – 17.5-40. - Reserved.

**ARTICLE III. - TAMPA COMPREHENSIVE PLAN AND CONCURRENCY MANAGEMENT SYSTEM –
(unchanged except 17.5-43 below)**

Sec. 17.5-43. Definitions.

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~For the purpose of this article, certain abbreviations, terms, phrases, words and their derivatives shall have the meanings as set forth in Chapter 27. **Strike all terms.**~~

ARTICLE IV. ~~LAND DEVELOPMENT VARIANCE REVIEW BOARD~~ – RESERVED

Sec. 17.5-71 – 17.5-90. - Reserved.

ARTICLE V. - ~~UPLAND HABITAT PROTECTION~~ – RESERVED

Division 1. - ~~General Provisions; Administrative Authority; Definitions.~~ Reserved.

~~Sec. 17.5-91. - Purpose and legislative intent.~~ Reserved.

~~Sec. 17.5-92. - Definitions.~~ Reserved.

~~Sec. 17.5-93. - Administrative authority.~~ Reserved.

~~Sec. 17.5-94. - Administrative guidelines.~~ Reserved.

~~Sec. 17.5-95. - Upland habitat overlay district established; applicability.~~ Reserved.

~~Secs. 17.5-96—17.5-100. - Reserved.~~

Division 2. - ~~Plans; Documents; Requirements; Etc.~~ Reserved.

~~Sec. 17.5-101. - Upland habitat plan approval; requirements; exemptions.~~ Reserved.

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- Sec. 17.5-102. - ~~Plan approval application; review; approval and denial; prerequisites; conditions.~~ Reserved.
- Sec. 17.5-103. - ~~Plan approval duration and extension.~~ Reserved.
- Sec. 17.5-104. - ~~Plan approval transferability.~~ Reserved.
- Sec. 17.5-105. - ~~Inspections.~~ Reserved.
- Sec. 17.5-106. - ~~Plan approval fees—City council to establish.~~ Reserved.
- Secs. 17.5-107—17.5-112. - Reserved.

Division 3. - ~~Specific Technical Requirements.~~ Reserved.

- Sec. 17.5-113. - ~~Environmentally sensitive areas—Uplands providing significant and essential wildlife habitat; general provisions.~~ Reserved.
- Sec. 17.5-114. - ~~Environmentally sensitive areas—Upland significant wildlife habitat.~~ Reserved.
- Sec. 17.5-115. - ~~Environmentally sensitive areas—Upland essential wildlife habitat.~~ Reserved.
- Sec. 17.5-116. - ~~Natural preserves.~~ Reserved.
- Sec. 17.5-117. - ~~On-site preservation.~~ Reserved.
- Sec. 17.5-118. - ~~Off-site preservation.~~ Reserved.
- Sec. 17.5-119. - ~~Inventory.~~ Reserved.
- Sec. 17.5-120. - ~~Penalty restoration fund.~~ Reserved.
- Sec. 17.5-121. - ~~Technical standards may be established.~~ Reserved.
- Sec. 17.5-122. - ~~Appendices adopted.~~ Reserved.
- Secs. 17.5-123—17.5-128. - Reserved. Reserved.

Division 4. - ~~Enforcement; Sanctions; Appeals.~~ Reserved.

- Sec. 17.5-129. - ~~Failure to obtain plan approval.~~ Reserved.
- Sec. 17.5-130. - ~~Stop work and emergency orders.~~ Reserved.
- Sec. 17.5-131. - ~~Violations; enforcement authority and remedies.~~ Reserved.
- Sec. 17.5-132. - ~~Appeal methods.~~ Reserved.
- Sec. 17.5-133. - ~~Variances.~~ Reserved.
- Secs. 17.5-134—17.5-140. - Reserved.

ARTICLE VI. CONCURRENCY MANAGEMENT PROCEDURES TECHNICAL MANUALS

Division 1. - Authority To Establish.

Division 2. - ~~Stormwater Technical Standards Manual For Private Development Adopted.~~ Reserved.

- Sec. 17.5-142. - ~~Technical standards may be established.~~ Reserved.
- Secs. 17.5-143—17.5-150. - Reserved.
- Sec. 17.5-151. ~~Stormwater Technical Standards Manual for Private Development adopted.~~ Reserved.
[re-adopt 17.5-151 as 21-116.1]
- Secs. 17.5-152—17.5-159. - Reserved.

Division 3. - ~~Technical Standards Manual For Sewer Adopted.~~ Reserved.

- Sec. 17.5-160. - ~~Technical Standards Manual for Sewer adopted.~~ Reserved.
[re-adopt 17.5-160 as 26-313]

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Sec. 17.5-161. - ~~Technical Standards Manual for Water adopted.~~ Reserved.

[re-adopt 17.5-161 as 26-314]

Sec. 17.5-162. - ~~Technical Standards Manual for Reclaimed Water adopted.~~ Reserved.

[re-adopt 17.5-162 as 26-315]

Secs. 17.5-163—17.5-169. - Reserved.

Division 4. - Reserved.

Division 5. - Concurrency Management Procedures Manual.

Division 6. - ~~Historic District And Landmark Design Guidelines.~~ Reserved.

Sec. 17.5-190. - ~~Tampa Heights Historic District Design Guidelines.~~ Reserved.

[re-adopt 17.5-190 as 27-272]

Sec. 17.5-191. - ~~Seminole Heights Historic District Design Guidelines.~~ Reserved.

[re-adopt 17.5-191 as 27-273]

Sec. 17.5-192. - ~~Hyde Park Historic District Design Guidelines.~~ Reserved.

[re-adopt 17.5-192 as 27-274]

Sec. 17.5-193. - ~~Ybor City Historic District Design Guidelines.~~ Reserved.

[re-adopt 17.5-193 as 27-275]

Secs. 17.5-194—17.5-200. - Reserved.

ARTICLE VII. THE CITY OF TAMPA SUSTAINABILITY ORDINANCE – (unchanged)

Chapter 20.5 "Signs"

****Delete Chapter****

Chapter 21 "Stormwater Management"

Sec. ~~21-116.1, 17.5-151.~~ Stormwater Technical Standards Manual for Private Development adopted.

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Chapter 26
"Utilities"

ARTICLE VIII. TECHNICAL MANUALS

Sec. 26-312. - Authority to establish.

The various chapters of the City Code provide the official with authority to establish and publish technical standards for use in implementing those land development regulations. Those technical standards are filed with the city clerk and available to the public pursuant to the provisions of each land development code.

Sec. 26-313 ~~17.5-160~~. - Technical Standards Manual for Sewer adopted.

[re-adopt 17.5-160 as 26-313]

Sec. 26-314 ~~17.5-161~~. - Technical Standards Manual for Water adopted.

[re-adopt 17.5-161 as 26-314]

Sec. 26-315 ~~17.5-162~~. - Technical Standards Manual for Reclaimed Water adopted.

[re-adopt 17.5-162 as 26-315]

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