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ORDINANCE NO. 2017-21

AN ORDINANCE BY THE CITY OF LARGO, FLORIDA AMENDING THE CITY OF COMPREHENSIVE DEVELOPMENT CODE BY AMENDING CHAPTERS 11 AND 20: ADOPTING FLOOD HAZARD MAPS. DESIGNATING **FLOODPLAIN** ADMINISTRATOR, ADOPTING PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES: PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 - Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the City of Largo and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

WHEREAS, the City of Largo was accepted for participation in the National Flood Insurance Program on May 28, 1971 and the City Commission desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Parts 59 and 60, necessary for such participation; and

WHEREAS, the City Commission adopted a requirement to have one foot of free board as additional elevation for buildings and structures in flood hazard areas prior to July 1, 2010 and, pursuant to section 553.73(5), F.S., is formatting that requirement to coordinate with the Florida Building Code:

WHEREAS, the City Commission adopted a requirement that sets a five (5) year reset that begins upon a cumulative substantial improvement and or damage for buildings and structures in flood hazard areas prior to July 1, 2010 and, pursuant to Section 553.73(5), F.S., is formatting that requirement to coordinate with the Florida Building Code;

WHEREAS, Chapter 553, Florida Statutes, was adopted by the Florida Legislature to provide a mechanism for the uniform adoption, updating, amendment, interpretation and enforcement of a state building code, called the Florida Building Code; and

WHEREAS, the City Commission has determined that it is in the public interest to adopt the proposed floodplain management regulations that are coordinated with the Florida Building Code.

4 5	amended to reads as Stormwater & Floodplain Management Standards.
6 7 8	SECTION 2. That the title of Section 11.1 of the Comprehensive Development of amended to read as Stormwater Management: Purpose and Authority
9 10	SECTION 3. That Sections 11.3, 11.4 and all of their subsections are repealed.
11 12	SECTION 4. That Section 11.5 shall be renumbered as Section 11.3.
13 14	SECTION 5. That Section 11.6 shall be renumbered as Section 11.4.
15 16 17	SECTION 6. That a new Section 11.5, with subsections, of the Comprehensi Code shall be created, which shall read as follows:
18 19	Section 11.5 Floodplain Management
20 21 22 23 24 25 26 27 28 29	11.5.1 Scope - The provisions of Section 11.5 through 11.20, including shall apply to all development that is wholly within or partially within any floincluding but not limited to the subdivision of land; filling, grading, improvements and utility installations; construction, alteration, remodelin improvement, replacement, repair, relocation or demolition of buildings, facilities that are exempt from the Florida Building Code; placement, replacement of manufactured homes and manufactured buildings; replacement of tanks; placement of recreational vehicles; installation of sand any other development.
30 31 32 33 34	11.5.2 Intent - The purposes of Sections 11.5 through 11.20, including and the flood load and flood resistant construction requirements of the Code are to establish minimum requirements to safeguard the public her general welfare and to minimize public and private losses due to fi regulation of development in flood hazard areas to:
35 36	 Minimize unnecessary disruption of commerce, access and public times of flooding;
37 38	 (2) Require the use of appropriate construction practices in order minimize future flood damage;
39 40 41	(3) Manage filling, grading, dredging, mining, paving, excavation, drift storage of equipment or materials, and other development which flood damage or erosion potential;
42 43 44	(4) Manage the alteration of flood hazard areas, watercourses, and minimize the impact of development on the natural and beneficial floodplain;
45	(5) Minimize damage to public and private facilities and utilities:
46 47	(6) Help maintain a stable tax base by providing for the sound use an of flood hazard areas;

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Large
SECTION 1. That the title of Chapter 11 of the Comprehensive Development Code shall be amended to reads as Stormwater & Floodplain Management Standards.
SECTION 2. That the title of Section 11.1 of the Comprehensive Development Code shall be amended to read as Stormwater Management: Purpose and Authority

ubsections, of the Comprehensive Development WS:

- on 11.5 through 11.20, including all subsections. lly within or partially within any flood hazard area. vision of land; filling, grading, and other site onstruction, alteration, remodeling, enlargement, ation or demolition of buildings, structures, and rida Building Code; placement, installation, or and manufactured buildings; installation or eational vehicles; installation of swimming pools;
- ns 11.5 through 11.20, including all subsections, onstruction requirements of the Florida Building nents to safeguard the public health, safety, and c and private losses due to flooding through d areas to:
 - of commerce, access and public service during
 - construction practices in order to prevent or
 - mining, paving, excavation, drilling operations, s, and other development which may increase
 - nazard areas, watercourses, and shorelines to ent on the natural and beneficial functions of the
 - ivate facilities and utilities:
 - y providing for the sound use and development

- (7) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
- (8) Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.
- <u>11.5.3 Coordination with the Florida Building Code</u> Sections 11.5 through 11.20, including all subsections, is intended to be administered and enforced in conjunction with the Florida Building Code. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the Florida Building Code.
- 11.5.4 Warning The degree of flood protection required by Sections 11.5 through 11.20, including all subsections, and the Florida Building Code, is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by manmade or natural causes. This section does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Parts 59 and 60 may be revised by the Federal Emergency Management Agency, requiring this City to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this section.
- 11.5.5 Disclaimer of Liability Sections 11.5 through 11.20, including all subsections, shall not create liability on the part of the City or by any officer or employee thereof for any flood damage that results from reliance on this ordinance or any administrative decision lawfully made thereunder.
- **SECTION 7.** That a new Section 11.6, with subsections of the Comprehensive Development Code shall be created, which shall read as follows:

SECTION 11.6 APPLICABILITY OF FLOODPLAIN MANAGEMENT REGULATIONS

- 11.6.1 General Where there is a conflict between a general requirement in Sections 11.5 through 11.20, including all subsections, and a specific requirement in this Sections 11.5 through 11.20, including all subsections, the specific requirement shall be applicable.
- 11.6.2 Areas to which this applies Sections 11.5 through 11.20, including all subsections, shall apply to all flood hazard areas within the City, as established in Section 11.6.3.
- 11.6.3 Basis for establishing flood hazard areas The Flood Insurance Study for Pinellas County, Florida and Incorporated Areas dated August 18, 2009, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of Sections 11.5 through 11.20, including all subsections, and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the Community Development Department in Largo City Hall located at 201 Highland Avenue, Largo, FL 33770.

- 11.6.4 Submission of additional data to establish flood hazard areas. To establish flood hazard areas and base flood elevations, pursuant to Section 11.9 the Floodplain Administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the City Engineer or his designee indicates that ground elevations:
 - A. Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as a flood hazard area and subject to the requirements of Sections 11.5 through 11.20, including all subsections, and, as applicable, the requirements of the Florida Building Code.
 - B. Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area, unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.
- 11.6.5 Other laws The provisions of Sections 11.5 through 11.20, including all subsections, shall not be deemed to nullify any provisions of local, state or federal law.
- 11.6.6 Abrogation and greater restrictions Sections 11.5 through 11.20, including all subsections, supersedes any ordinance in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing code provisions including but not limited to land development regulations, other than those set forth in Section 3 of Ordinance No. 2017-21, stormwater management regulations, or the Florida Building Code. In the event of a conflict between Sections 11.5 through 11.20, including all subsections, and any other regulation, the more restrictive shall govern. Sections 11.5 through 11.20, including all subsections, shall not impair any deed restriction, covenant or easement, but any land that is subject to such interests shall also be governed by this section.
- 11.6.7 Interpretation In the interpretation and application of Sections 11.5 through 11.20, including all subsections, all provisions shall be:
 - A. Considered as minimum requirements;
 - B. Liberally construed in favor of the City; and
 - C. Deemed neither to limit nor repeal any other powers granted to the City under state statutes.

SECTION 11.7 DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

- 11.7.1 Designation. The Building Official is designated as the Floodplain Administrator. The Floodplain Administrator may delegate performance of certain duties to other City employees.
- 11.7.2 General. The Floodplain Administrator is authorized and directed to administer and enforce the provisions of Sections 11.5 through 11.20, including all subsections. The Floodplain Administrator shall have the authority to render interpretations of Sections 11.5 through 11.20, including all subsections, consistent with the intent and purpose of Sections 11.5 through 11.20, including all subsections, and may establish policies and procedures in order to clarify the application of their provisions. Such interpretations, policies, and

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procedures shall not have the effect of waiving requirements specifically provided in Sections 11.5 through 11.20, including all subsections, without the granting of a variance pursuant to Section 11.11.

- 11.7.3 Applications and permits. The Floodplain Administrator, in coordination with other pertinent offices of the City, shall:
 - A. Review applications and plans to determine whether proposed new development will be located in flood hazard areas;
 - B. Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of Sections 11.5 through 11.20, including all subsections;
 - C. Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;
 - i. Provide available flood elevation and flood hazard information;
 - ii. Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;
 - iii. Review applications to determine whether proposed development will be reasonably safe from flooding:
 - iv. Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code, when compliance with this section is demonstrated, or disapprove the same in the event of noncompliance; and
 - v. Coordinate with and provide comments to the Building Official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of Sections 11.5 through 11.20, including all subsections.
- 11.7.4 Substantial improvement and substantial damage determinations. For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:
 - A. Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
 - B. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
 - C. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; the determination requires

1 2	evaluation of previous permits issued for improvements and repairs as specified in the definition of "substantial improvement"; and
3 4 5 6 7	D. Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the Florida Building Code and Sections 11.5 through 11.20, including all subsections, is required.
8 9 10 11 12 13 14 15 16 17	11.7.5 Modifications of the strict application of the requirements of the Florida Building Code. The Floodplain Administrator shall review requests submitted to the Building Official that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to Section 11.11. 11.7.6 Notices and orders. The Floodplain Administrator shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with Sections 11.5 through 11.20, including all subsections.
18 19 20 21 22	specified in Section 11.10 for development that is not subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. The Floodplain Administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of the appropriate permits.
23 24	11.7.8 Other duties of the Floodplain Administrator. The Floodplain Administrator shall have other duties, including but not limited to:
25 26 27	(1) Establish, in coordination with the Building Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 11.10;
28 29 30 31	(2) Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);
32 33 34 35 36	(3) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available;
37 38 39	(4) Review required design certifications and documentation of elevations specified by Sections 11.5 through 11.20, including all subsections, and the Florida Building Code to determine that such certifications and documentations are complete;
40 41	(5) Notify the Federal Emergency Management Agency when the corporate boundaries of the City are modified; and
42 43 44 45 46	(6) Advise applicants for new buildings and structures, including substantial improvements, that are located in any unit of the Coastal Barrier Resources System established by the Coastal Barrier Resources Act (Pub. L. 97-348) and the Coastal Barrier Improvement Act of 1990 (Pub. L. 101-591) that federal flood insurance is not available on such construction; areas subject to this limitation are
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47 48 49 identified on Flood Insurance Rate Maps as "Coastal Barrier Resource System Areas" and "Otherwise Protected Areas."

11.7.9 Floodplain management records. Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of Sections 11.5 through 11.20, including all subsections, and the flood resistant construction requirements of the Florida Building Code, including Flood Insurance Rate Maps; Letters of Map Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the Florida Building Code and Sections 11.5 through 11.20, including all subsections; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to Sections 11.5 through 11.20, including all subsections, and the flood resistant construction requirements of the Florida Building Code. These records shall be available for public inspection at the Community Development Department in Largo City Hall located at 201 Highland Avenue, Largo, FL 33770.

SECTION 9. That a new Section 11.8 with subsections of the Comprehensive Development Code shall be created, which shall read as follows:

Section 11.8 Permits

- 11.8.1 Permits required. Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope Sections 11.5 through 11.20, including all subsections, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of Sections 11.5 through 11.20, including all subsections and all other applicable codes and regulations has been satisfied.
- 11.8.2 Floodplain development permits or approvals. Floodplain development permits or approvals shall be issued pursuant to Sections 11.5 through 11.20, including all subsections, any development activities not subject to the requirements of the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.
- 11.8.3 Buildings, structures and facilities exempt from the Florida Building Code. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Parts 59 and 60), floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the Florida Building Code and any further exemptions provided by law, which are subject to the requirements of Sections 11.5 through 11.20, including all subsections:

1	A. Railroads and ancillary facilities associated with the railroad.
2	B. Nonresidential farm buildings on farms, as provided in Section 604.50, F.S.
3	C. Temporary buildings or sheds used exclusively for construction purposes.
4	D. Mobile or modular structures used as temporary offices.
5 6 7	E. Those structures or facilities of electric utilities, as defined in Section 366.02, F.S., which are directly involved in the generation, transmission, or distribution of electricity.
8 9 10 11 12	F. Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.
13 14 15	G. Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or ore-assembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
16 17	H. Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.
18 19 20 21	I. Structures identified in Section 553.73(10)(k), F.S., are not exempt from the Florida Building Code if such structures are located in flood hazard areas established on Flood Insurance Rate Maps.
22 23 24	11.8.4 Application for a permit or approval. To obtain a floodplain development permit or approval the applicant shall first file an application in writing on a form furnished by the Largo Building Department. The information provided shall:
25	A. Identify and describe the development to be covered by the permit or approval.
26 27 28	B. Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
29	C. Indicate the use and occupancy for which the proposed development is intended.
30 31	D. Be accompanied by a site plan or construction documents as specified in Section 11.9.
32	E. State the valuation of the proposed work.
33	F. Be signed by the applicant or the applicant's authorized agent.
34 35	G. Give such other data and information as required by the Floodplain Administrator.
36 37 38 39 40 41 42 43	11.8.5 Validity of permit or approval. The issuance of a floodplain development permit or approval pursuant to Sections 11.5 through 11.20, including all subsections, shall not be construed to be a permit for, or approval of, any violation of Sections 11.5 through 11.20, and including all subsections, the Florida Building Code, or any other portion of the Comprehensive Development Code or the Largo City Code. The issuance of permits based on submitted applications, construction documents, and other information shall not prevent the Floodplain Administrator from requiring the correction of errors and omissions.

1 2 3 4 5 6 7 8 9 10 11	11.8.6 Expiration. A floodplain development permit or approval shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions for periods of not more than 180 days each shall be requested in writing and justifiable cause shall be demonstrated. 11.8.7 Suspension or revocation. The Floodplain Administrator is authorized to suspend or revoke a floodplain development permit or approval if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of Sections 11.5 through 11.20, including all subsections, or any other provision of the Comprehensive Development Code or the Largo City Code.
13 14 15 16	11.8.8 Other permits required. Floodplain development permits and building permits shall include a condition that all other applicable state or federal permits be obtained before commencement of the permitted development, including but not limited to the following:
17	A. The Southwest Florida Water Management District; Section 373.036, F.S.
18 19	B. Florida Department of Health for on-site sewage treatment and disposal systems: Section 381.0065, F.S. and Chapter 64E-6, F.A.C.
20 21 22	C. Florida Department of Environmental Protection for construction, reconstruction, changes, or physical activities for shore protection or other activities seaward of the coastal construction control line; Section 161.141, F.S.
23 24	D. Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; Section 161.055, F.S.
25 26 27	E. Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.
28	F. Federal permits and approvals.
29 30 31 32	SECTION 10. That a new Section 11.9, with subsections, of the Comprehensive Development Code shall be created, which shall read as follows:
33	Section 11.9 Site Plans and Construction Documents
34 35 36 37 38	11.9.1 Information for development in flood hazard areas. The site plan or construction documents for any development subject to the requirements of Sections 11.5 through 11.20, including all subsections, shall be drawn to scale and shall include, as applicable to the proposed development:
39 40	A. Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed

C. Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and the base flood elevations are not included

B. Where base flood elevations or floodway data are not included on the FIRM or in the Flood insurance Study, they shall be established in accordance with Section

 development.

11.9.2(B) or (C) of this ordinance.

3 4 5	D. Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas, new buildings shall be located landward of the reach of mean high tide.
6 7	E. Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
8 9 10 11	F. Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
12 13	G. Delineation of the Coastal Construction Control Line or notation that the site is seaward of the coastal construction control line, if applicable.
14 15	H. Extent of any proposed alteration of sand dunes or mangrove stands, provided such alteration is approved by the Florida Department of Environmental Protection.
16 17	I. Existing and proposed alignment of any proposed alteration of a watercourse.
18 19 20 21 22 23	The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required in this section but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with Sections 11.5 through 11.20, including all subsections.
24 25 26	11.9.2 Information in flood hazard areas without base flood elevations (approximate Zone A). Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Floodplain Administrator shall:
27 28	A. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.
29 30 31 32	B. Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source.
33 34 35 36	C. Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:
37 38	 Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or
39 40 41 42	(2) Specify that the base flood elevation is two (2) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two (2) feet.
43 44	D. Where the base flood elevation data is to be used to support a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a Florida
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in accordance with Section 11.9.2(A).

on the FIRM or in the Flood Insurance Study, such elevations shall be established

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 licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

- 11.9.3 Additional analyses and certifications. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of Sections 11.5 through 11.20, including all subsections, the applicant shall have the following analyses signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents:
 - A. For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 11.9.4 and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
 - B. For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one (1) foot at any point within the City. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
 - C. For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in Section 11.9.4.
 - D. For activities that propose to alter sand dunes or mangrove stands in coastal high hazard areas (Zone V), an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage.
- 11.9.4 Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

SECTION 11. That a new Section 11.10, with subsections, of the Comprehensive Development Code shall be created, which shall read as follows:

Section 11.10 Inspections

- 11.10.1 General. Development for which a floodplain development permit or approval is required shall be subject to inspection.
- 11.10.2 Development other than buildings and structures. The Floodplain Administrator shall inspect all development to determine compliance with the requirements of Sections 11.5 through 11.20, including all subsections, and the conditions of issued floodplain development permits or approvals.
- 11.10.3 Buildings, structures and facilities exempt from the Florida Building Code. The Floodplain Administrator shall inspect buildings, structures and facilities exempt from the Florida Building Code to determine compliance with the requirements of Sections 11.5 through 11.20, including all subsections, and the conditions of issued floodplain development permits or approvals.
- 11.10.4 Buildings, structures and facilities exempt from the Florida Building Code, lowest floor inspection. Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the Florida Building Code, or the owner's authorized agent, shall submit to the Floodplain Administrator:
 - A. If a design flood elevation was used to determine the required elevation of the lowest floor, the certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor; or
 - B. If the elevation used to determine the required elevation of the lowest floor was determined in accordance with Section 11.9.2 C (2), the documentation of height of the lowest floor above highest adjacent grade, prepared by the owner or the owner's authorized agent.
- 11.10.5 Buildings, structures and facilities exempt from the Florida Building Code, final inspection. As part of the final inspection, the owner or owner's authorized agent shall submit to the Floodplain Administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in Section 11.10.4.
- 11.10.6 Manufactured homes. The Floodplain Administrator shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of Sections 11.5 through 11.20, including all subsections, and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted to the Floodplain Administrator.
- **SECTION 12.** That a new Section 11.11, with subsections, of the Comprehensive Development Code shall be created, which shall read as follows:

Section 11.11 Variances and Appeals

11.11.1 General. The Planning Board shall hear and decide requests for appeals and requests for hardship relief from the floodplain application. Pursuant to Section 553.73(5),

- F.S., the Planning Board shall hear and decide on requests for appeals and requests for variances from the floodplain application of the flood resistant construction requirements of the Florida Building Code. This section does not apply to Section 3109 of the Florida Building Code.
- 11.11.2 Appeals. The Planning Board shall hear and decide Level III appeals in accordance with Section 4.4 when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the administration and enforcement of the Floodplain Management standards.
- 11.11.3 Limitations on authority to grant variances. The Planning Board shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in Section 11.11.7, the conditions of issuance set forth in Section 11.11.8, and the comments and recommendations of the Floodplain Administrator and the Building Official. The Planning Board has the right to attach such conditions as it deems necessary to further the purposes and objectives of the Floodplain Management standards.
- 11.11.4 Restrictions in floodways. A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in Section 11.9.3.
- 11.11.5 Historic buildings. A variance may be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Building. Chapter 12 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the Florida Building Code.
- 11.11.6 Functionally dependent uses. A variance may be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in the Floodplain Management standards, provided the variance meets the requirements of Section 11.11.4, is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.
- 11.11.7 Considerations for issuance of variances. In reviewing requests for variances, the Planning Board shall consider all technical evaluations, all relevant factors, all other applicable provisions of the Florida Building Code, the Floodplain Management standards, and the following:
 - (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
 - (2) The danger to life and property due to flooding or erosion damage;
 - (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;

1 2	(4)	The importance of the services provided by the proposed development to the community;
3 4	(5)	The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;
5 6	(6)	The compatibility of the proposed development with existing and anticipated development:
7 8	(7)	The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
9 10	(8)	The safety of access to the property in times of flooding for ordinary and emergency vehicles:
11 12 13	(9)	The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
14 15 16 17	(10)	The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.
18	11.11.8	Conditions for issuance of variances. Variances shall be issued only upon:
19 20 21 22		Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of the Floodplain Management standards or the required elevation standards;
23	(2)	Determination by the Planning Board that:
24 25 26 27		(a) Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
28 29 30 31		(b) The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and
32 33		(c) The variance is the minimum necessary, considering the flood hazard, to afford relief;
34 35 36		Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Office of the Clerk of the Court in such a manner that it appears in the chain of title of the affected parcel of land; and
37 38 39 40 41 42 43 44		If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25 for \$100 of insurance coverage), and stating that construction below the base flood elevation increases

risks to life and property.

SECTION 13. That a new Section 11.12, with subsections, of the Comprehensive Development Code shall be created which shall read as follows:

SECTION 11.12 VIOLATIONS

11.12.1 Violations. Any development that is not within the scope of the Florida Building Code but that is regulated by the Floodplain Management standards that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with the Floodplain Management standards, shall be deemed a violation. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by Sections 11.5 through 11.20, including all subsections, or the Florida Building Code is presumed to be a violation until such time as that documentation is provided.

11.12.2 Authority. For development that is not within the scope of the Florida Building Code but that is regulated by Sections 11.5 through 11.20, including all subsections, and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

11.12.3 Unlawful continuance. Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

SECTION 14. That a new Section 11.13, with subsections, of the Comprehensive Development Code shall be created which shall read as follows:

SECTION 11.13 DEFINITIONS

11.13.1 Scope. Unless otherwise expressly stated, the words and terms used in Chapter 11 that are defined in Chapter 20 shall, have the meanings shown in Chapter 20.

11.13.2 Terms defined in the Florida Building Code. Terms that are not defined in Chapter 20 but are defined in the Florida Building Code, shall have the meanings ascribed to them in that code.

11.13.3 Terms not defined. Terms that are not defined in Chapter 20 shall have ordinarily accepted meanings such as the context implies.

SECTION 15. That a new Section 11.14, with subsections, of the Comprehensive Development Code shall be created, which shall read as follows:

SECTION 11.14 FLOOD RESISTANT DEVELOPMENT BUILDINGS AND STRUCTURES

11.14.1 Design and construction of buildings, structures and facilities exempt from the Florida Building Code. Pursuant to Section 11.8.3, buildings, structures, and facilities that are exempt from the Florida Building Code, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the Florida Building Code that are not walled and roofed buildings shall comply with the requirements of Section 11.20.

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11.14.2 Buildings and structures seaward of the coastal construction control line. If extending, in whole or in part, seaward of the coastal construction control line and also located, in whole or in part, in a flood hazard area:

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A. Buildings and structures shall be designed and constructed to comply with the more restrictive 14 applicable requirements of the Florida Building Code, Building Section 3109 and Section 1612 or 15 Florida Building Code, Residential Section R322. 16

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B. Minor structures and non-habitable major structures as defined in Section 161.54, F.S., shall be designed and constructed to comply with the intent and applicable provisions of the Floodplain Management standards and ASCE 24.

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SECTION 16. That a new Section 11.15, with subsections, of the Comprehensive Development Code shall be created which shall read as follows:

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SECTION 11.15 SUBDIVISIONS

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11.15.1 Minimum requirements. Subdivision proposals, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

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27 A. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;

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29 B. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and 30

31 32 33 C. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

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35 11.15.2 Subdivision plats. Where any portion of proposed subdivisions, including 36 manufactured home parks and subdivisions, lies within a flood hazard area, the following 37 shall be required:

38 A. Delineation of flood hazard areas, floodway boundaries and flood zones, and design flood 39 elevations, as appropriate, shall be shown on preliminary plats:

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B. Where the subdivision has more than 50 lots or is larger than 5 acres and base flood 41 elevations are not included on the FIRM, the base flood elevations determined in accordance

42 with Section 11.9.2(A); and

43 C. Compliance with the site improvement and utilities requirements of Section 11.16.

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45 SECTION 17. That a new Section 11.16, with subsections, of the Comprehensive Development Code shall be created, which shall read as follows:

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SECTION 11.16 SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS

11.16.1 Minimum requirements. All proposed new development shall be reviewed to determine that:

A. Such development is consistent with the need to minimize flood damage and will be reasonably safe from flooding:

B. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and

C. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

11.16.2 Sanitary sewage facilities. All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

11.16.3 Water supply facilities. All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.

11.16.4 Limitations on sites in regulatory floodways. No development, including but not limited to site improvements, and land disturbing activity involving fill or regrading, shall be authorized in the regulatory floodway unless the floodway encroachment analysis required in Section 11.9.3(A) demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.

11.16.5 Limitations on placement of fill. Subject to the limitations of Sections 11.5 through 11.20, including all subsections, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the Florida Building Code.

11.16.6 Limitations on sites in coastal high hazard areas (Zone V). In coastal high hazard areas, alteration of sand dunes and mangrove stands shall be permitted only if such alteration is approved by the Florida Department of Environmental Protection and only if the engineering analysis required by Section 11.9.3(D) demonstrates that the proposed alteration will not increase the potential for flood damage. Construction or restoration of dunes under or around elevated buildings and structures shall comply with Section 11.20.8(C).

SECTION 18. That a new Section 11.17, with subsections, of the Comprehensive Development Code shall be created, which shall read as follows:

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- SECTION 11.17 MANUFACTURED HOMES
- 11.17.1 General. All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to Section 320.8249, F.S., and shall comply with the requirements of Chapter 15C-1, F.A.C. and the requirements of the Floodplain Management standards. If located seaward of the coastal construction control line, all manufactured homes shall comply with the more restrictive of the applicable requirements.
- 11.17.2 Foundations. All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that:
- A. In flood hazard areas (Zone A) other than coastal high hazard areas, are designed in accordance with the foundation requirements of the Florida Building Code, Residential Section R322.2 and Sections 11.5 through 11.20, including all subsections. Foundations for manufactured homes subject to Section 11.17.6 are permitted to be reinforced piers or other foundation elements of at least equivalent strength.
- B. In coastal high hazard areas (Zone V), are designed in accordance with the foundation requirements of the Florida Building Code, Residential Section R322.3 and Sections 11.5 through 11.20, including all subsections.
 - 11.17.3 Anchoring. All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.
 - 11.17.4 Elevation. Manufactured homes that are placed, replaced, or substantially improved shall comply with Section 11.17.5 or 11.17.6, as applicable.
 - 11.17.5 General elevation requirement. Unless subject to the requirements of Section 11.17.6, all manufactured homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; or (d) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A) or Section R322.3 (Zone V).
 - 11.17.6 Elevation requirement for certain existing manufactured home parks and subdivisions. Manufactured homes that are not subject to Section 11.17.5, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:
- A. Bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A) or Section R322.3 (Zone V); or

1 2 3	B. Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 48 inches in height above grade.
4 5 6 7	11.17.7 Enclosures. Enclosed areas below elevated manufactured homes shall comply with the requirements of the Florida Building Code, Residential Section R322.2 or R322.3 for such enclosed areas, as applicable to the flood hazard area.
8 9 10 11	11.17.8 Utility equipment. Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the Florida Building Code, Residential Section R322, as applicable to the flood hazard area.
12 13 14 15	SECTION 19. That a new Section 11.18, with subsections, of the Comprehensive Development Code shall be created, which shall read as follows:
16 17	SECTION 11.18 RECREATIONAL VEHICLES AND PARK TRAILERS
18 19	11.18.1 Temporary placement. Recreational vehicles and park trailers placed temporarily in flood hazard areas shall:
20	(1) Be on the site for fewer than 180 consecutive days; or
21 22 23 24 25	(2) Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick- disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.
26 27 28 29	11.18.2 Permanent placement. Recreational vehicles and park trailers that do not meet the limitations in Section 11.18.1 for temporary placement must meet the requirements of Section 11.17 for manufactured homes.
30 31 32	SECTION 20. That a new Section 11.19, with subsections, of the Comprehensive Development Code shall be created, which shall read as follows:
33 34	SECTION 11.19 TANKS
35 36 37 38	11.19.1 Underground tanks. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.
39 40	11.19.2 Above-ground tanks, not elevated. Above-ground tanks that do not meet the elevation requirements of Section 11.19.3 shall:
41 42 43 44 45	A. Be permitted in flood hazard areas (Zone A) other than coastal high hazard areas, provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.

11.19.3 Above-ground tanks, elevated. Above-ground tanks in flood hazard areas shall

B. Not be permitted in coastal high hazard areas (Zone V).

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be attached to and elevated to or above the design flood elevation on a supporting 1 2 structure that is designed to prevent flotation, collapse or lateral movement during 3 conditions of the design flood. Tank-supporting structures shall meet the foundation 4 requirements of the applicable flood hazard area. 5 6 11.19.4 Tank inlets and vents. Tank inlets, fill openings, outlets and vents shall be: 7 A. At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and 8 9 B. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, 10 including the effects of buoyancy, during conditions of the design flood. 11 12 SECTION 21. That a new Section 11.20, with subsections, of the Comprehensive Development 13 Code shall be created which shall read as follows: 14 15 SECTION 11.20 OTHER DEVELOPMENT 16 17 11.20.1 General requirements for other development. All development, including man-18 made changes to improved or unimproved real estate for which specific provisions are not 19 specified in Sections 11.5 through 11.20, including all subsections, or the Florida Building 20 Code, shall: 21 A. Be located and constructed to minimize flood damage; 22 B. Meet the limitations of Section 11.16.4 if located in a regulated floodway: 23 C. Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, 24 including the effects of buoyancy, during conditions of the design flood: 25 D. Be constructed of flood damage-resistant materials; and 26 E. Have mechanical, plumbing, and electrical systems above the design flood elevation or meet 27 the requirements of ASCE 24, except that minimum electric service required to address life safety 28 and electric code requirements is permitted below the design flood elevation provided it conforms 29 to the provisions of the National Electrical Code of the Building Code for wet locations. 30 31 11.20.2 Fences in regulated floodways. Fences in regulated floodways that have the 32 potential to block the passage of floodwaters, such as stockade fences and wire mesh 33 fences, shall meet the requirements of Section 11.16.4. 34 35 11.20.3 Retaining walls, sidewalks and driveways in regulated floodways. Retaining 36 walls and sidewalks and driveways that involve the placement of fill in regulated floodways 37 shall meet the requirements of Section 11.16.4. 38 39 11.20.4 Roads and watercourse crossings in regulated floodways. Roads and 40 watercourse crossings, including roads, bridges, culverts, low-water crossings and similar 41 means for vehicles or pedestrians to travel from one side of a watercourse to the other 42 side, that encroach into regulated floodways shall meet the requirements of Section 43 11.16.4. Alteration of a watercourse that is part of a road or watercourse crossing shall 44 meet the requirements of Section 11.9.3(C).

- 11.20.5 Concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses in coastal high hazard areas (Zone V). In coastal high hazard areas, concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses are permitted beneath or adjacent to buildings and structures provided the concrete slabs are designed and constructed to be:
 - (1) Structurally independent of the foundation system of the building or structure;
 - (2) Frangible and not reinforced, so as to minimize debris during flooding that is capable of causing significant damage to any structure; and
 - (3) Have a maximum slab thickness of not more than four (4) inches.
- 12 1.20.6 Decks and patios in coastal high hazard areas (Zone V). In addition to the requirements of the Florida Building Code, in coastal high hazard areas decks and patios shall be located, designed, and constructed in compliance with the following:
- A. A deck that is structurally attached to a building or structure shall have the bottom of the lowest horizontal structural member at or above the design flood elevation and any supporting members that extend below the design flood elevation shall comply with the foundation requirements that apply to the building or structure, which shall be designed to accommodate any increased loads resulting from the attached deck.
- B. A deck or patio that is located below the design flood elevation shall be structurally independent from buildings or structures and their foundation systems, and shall be designed and constructed either to remain intact and in place during design flood conditions or to break apart into small pieces to minimize debris during flooding that is capable of causing structural damage to the building or structure or to adjacent buildings and structures.
- C. A deck or patio that has a vertical thickness of more than twelve (12) inches or that is
 constructed with more than the minimum amount of fill necessary for site drainage shall not be
 approved unless an analysis prepared by a qualified registered design professional demonstrates
 no harmful diversion of floodwaters or wave runup and wave reflection that would increase
 damage to the building or structure or to adjacent buildings and structures.
 - D. A deck or patio that has a vertical thickness of twelve (12) inches or less and that is at natural grade or on nonstructural fill material that is similar to and compatible with local soils and is the minimum amount necessary for site drainage may be approved without requiring analysis of the impact on diversion of floodwaters or wave runup and wave reflection.
 - 11.20.7 Other development in coastal high hazard areas (Zone V). In coastal high hazard areas, development activities other than buildings and structures shall be permitted only if also authorized by the appropriate federal, state or local authority; if located outside the footprint of, and not structurally attached to, buildings and structures; and if analyses prepared by qualified registered design professionals demonstrate no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures. Such other development activities include but are not limited to:
- 42 A. Bulkheads, seawalls, retaining walls, revetments, and similar erosion control structures;
- 43 <u>B. Solid fences and privacy walls, and fences prone to trapping debris, unless designed and</u>
 44 <u>constructed to fail under flood conditions less than the design flood or otherwise function to avoid</u>
- 45 obstruction of floodwaters; and

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46 C. On-site sewage treatment and disposal systems defined in 64E-6.002, F.A.C., as filled systems

3 11.20.8 Nonstructural fill in coastal high hazard areas (Zone V). In coastal high hazard areas:

A. Minor grading and the placement of minor quantities of nonstructural fill shall be permitted for landscaping and for drainage purposes under and around buildings.

(1) Nonstructural fill with finished slopes that are steeper than one unit vertical to five units horizontal shall be permitted only if an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures.

(2) Where authorized by the Florida Department of Environmental Protection or applicable local approval, sand dune construction and restoration of sand dunes under or around elevated buildings are permitted without additional engineering analysis or certification of the diversion of floodwater or wave runup and wave reflection if the scale and location of the dune work is consistent with local beach-dune morphology and the vertical clearance is maintained between the top of the sand dune and the lowest horizontal structural member of the building.

SECTION 22. Section 20.1 of the Comprehensive Development Code is amended to read as follows:

20.1 Definitions and Acronyms Use

Terms used in this CDC and not defined in this Section shall have the same meaning as given by the applicable highest authority for a given regulation, such as the Florida Statutes. All other terms shall have the generally accepted meaning in the English language. Terms included within Chapter 18 are specific to the Property Maintenance Code, and shall apply to the application of the standards and provision contained within that Section of this CDC. If conflicts in interpretation exist or a term is not defined, the DCO shall provide the intended meaning of a term as used in this CDC.

20.1.A

 (1) Abandon: To voluntarily surrender, relinquish, or cease property rights, title, claim, or possession. Vacating property with the intention of not returning.

 (2) Abut or Abutting: To physically touch or border upon; or to share a common property line or be separated from such a common border by a right-of-way, alley, or easement.

 (3) Accessory Dwelling Unit: A complete housekeeping unit with a separate entrance, kitchen, sleeping area, and full bathroom facilities, which is an attached or detached extension to an existing single-family structure.

(4) Accessory Structure: An incidental and subordinate structure to the principal building on the property which is physically detached from the principal building. Accessory structures must be on the same parcel as the building or use to which they are accessory.

(5) Accessory Use: A use of land or portion thereof customarily incidental and subordinate

 to the principal use of the land and located on the same parcel with the principal use.

- (6) Activity Center: Mixed-use areas that accommodate higher densities/intensities of housing, commercial services, employment and public space amenities in a well-designed and cohesive setting.
- (7) Activity Center, Major Activity Center: A highly visible, mixed-use and/or commercial area within the City identified by Largo's Strategic Plan. Specifically, the Plan references the Largo Mall area, the US 19 and Roosevelt intersection, as well as downtown Largo.
- (8) Activity Center, Neighborhood: Secondary type of activity center identified by Largo's Strategic Plan. Primarily, this category encompasses businesses that provide personal services and convenience goods for their immediate neighborhood. Neighborhood activity centers are usually located at the intersection of arterial roads and community streets within the City.
- (9) Addition (to a building): To an existing building, any walled or roofed expansion of a building in which the addition is connected by a common load-bearing wall other than a fire wall. In new construction, any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls.
- (10) Adult Entertainment Use: A use which meets one or more of the definitions describing adult businesses and activities specified in Chapter 7, Article II of the City Code of Ordinances.
- (11) Administrative Decision: Any decision made by the Development Controls Officer, or his/her designee.
- (12) Adverse Impact: Any potential or actual effect (impact) that is or may be harmful or injurious to human health, welfare, safety, or property, to biological productivity, diversity, or stability, or which unreasonably interferes with the reasonable use of property, including outdoor recreation. The term includes secondary and cumulative as well as direct effects or impacts.
- (13) Affordable Housing: Quality designed housing which is available to a household earning one hundred-twenty (120) percent or less of area median income (adjusted for family size), which can be rented or purchased in the market without spending more than thirty (30) percent of household income.
- (14) Affordable Housing Development (AHD): A residential development which incorporates market rate units with set-aside units. A single-family infill lot is also considered an AHD if it complies with the AHD criteria of this CDC.
- (15) Alley: A narrow street, passageway, or service way, which is usually a public right-of-way, located along the rear of abutting properties, and is not intended for general traffic circulation.
- (16) Alter or Alteration: To change, rearrange, enlarge, extend, or reduce any structure or part thereof on the same site.
- (17) Alteration of a watercourse: A dam, impoundment, channel relocation, change in

 channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

- (47 18) American Society of Consulting Arborists (ASCA): A professional organization that maintains a referral list of arborists who have passed the qualifications needed to attain Registered ASCA Consulting Arborist status.
- (18 19) Ancillary Use: A use which is established to support a primary use. Ancillary uses uses may include, but not be limited to the following: off-street parking, off-site drainage and retention areas, and open space buffer areas associated with allowable nonresidential uses.
- (49 20) American National Standards Institute (ANSI) A300 Standards: Generally accepted industry standards for tree care practices.
- (20 21) Antenna or Antenna Array: Any system of wires, poles, rods, reflecting discs, panels, or similar devices used for the transmission or reception of electromagnetic waves (see "satellite service reception antenna" and "communications tower").
- (21 <u>22</u>) Appeal: A request for a review by a higher authority of an action on an application, or an interpretation of the CDC.
- (22 23) Approved Arborist: An arborist who is currently recognized by the International Society of Arboriculture (ISA) as a Certified Arborist or by the American Society of Consulting Arborists (ASCA) as a Registered Consulting Arborist.(23) Approved Species List: A list of landscape species that can be used to meet planting requirements provided the site specific conditions match the requirements of the plant.
- (24 25) Arboriculture: The practice and study of the care of trees.
- (25 <u>26</u>) **Arborist**: An individual trained in arboriculture, forestry, landscape architecture, horticulture, or related fields and experienced in the conservation and preservation of native and ornamental trees.

(26 27) Arcade:

- a. In architecture, an arcade is a series of arches carried by columns or piers, a passageway between arches and a solid wall, or a covered walkway that provides access to adjacent shops.
- b. In land use, an arcade is a place or facility where pinball or other similar electronic games are played for amusement only. Arcades may not include any gambling devices prohibited by law.
- (27 28) Area: The dimension of a site as measured by multiplying the length times the width of the land to be developed and platted into one lot of record.
- (28 29) Assisted Living Facility (ALF): An entity, licensed under chapter 58A-5, Florida Administrative Code, which provides or arranges for housing, on-site monitoring, and personal care services and/or home care services (either directly or indirectly), to one or

 more adults who are not relatives of the owner or administrator in a home-like setting, for a period exceeding twenty four (24) hours.

(30) ASCE 24: A standard titled Flood Resistant Design and Construction that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

(29 31) Awning: See "canopy.

20.1.B

- (1) Base Flood: A flood having a one percent chance of being equaled or exceeded in any given year, also known as the regulatory base flood or the 100-year flood. A flood having a 1-percent chance of being equaled or exceeded in any given year. [Also defined in FBC, B, Section 202.] The base flood is commonly referred to as the "100-year flood" or the "1-percent-annual chance flood."
- (2) Base flood elevation: The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). [Also defined in FBC, B, Section 202.]
- (3)Basement: The portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section 202; see "Basement (for flood loads)".]
 - (2 4) Berm: A man-made earthwork contoured so as to form a mound above the general elevation of the adjacent ground or surface used to shield and buffer various land uses.
 - (3 5) Best Management Practices (BMP): Activities, prohibitions, practices, procedures, programs or other measures designed to reduce or minimize adverse impacts of development on an adjoining site's land, water or waterways, and waterbodies.
 - (4 <u>6</u>) Bingo Hall: A facility used primarily for bingo games, open to the public and not in a subsidiary nature to another use.
 - (5 7) Boarding House: See "Rooming House."
 - (6 8) Buffer: A land area between two uses of specified minimum width used to visibly separate one use from another. A buffer may contain landscaping and/or a barrier, such as a berm, wall, or fence, designed to provide screening from noise, lights, or other nuisances.
 - (7 <u>9</u>) Building: Any structure having a roof supported by columns or walls designed or built for the support, enclosure, shelter, or protection of persons, animals, chattels, or property of any kind.
 - (8 10) Building Frontage: The length of any side of a building which fronts on a public street, measured in a straight line parallel with the abutting street.
 - (9 11) Building Site: The part of a parcel of land designed to be occupied by the principal

building and such accessory buildings or uses customarily incidental to it.

(40 12) Build-To Line: The line at which construction of a building façade is to occur on a property. A build-to line runs parallel to, and is measured from, the front property line and is established to create a more or less even building façade line on a street.

20.1.C

- (1) Caliper: The standard nursery measurement for diameter in inches of a single stemmed tree trunk measured twelve (12) inches above grade for trees four (4) inches diameter at breast height (DBH) or greater and six (6) inches above grade for trees less than four (4) inches in DBH.
- (2) Canopy: In architecture a roof-like structure, regardless of material, generally located above a door, window, or extending across a building facade which is attached to and projects from a building wall.
- (3) Canopy Tree: A self-supporting, protected woody plant that normally grows to a minimum height of thirty five (35) feet and has a trunk that can be maintained with over eight (8) feet of clear wood.
- (4) Capacity-To-Serve Determination: An evaluation made by the City that sufficient capacity for public facilities and/or services is available to serve a proposed development.
- (5) Change Out: The replacement of an existing utility pole, communications tower, or other telecommunications or utility facility with a new structure similar in type, but different in height, bulk, or attachments.
- (6) City: The City of Largo, Florida.
- (7) Class II Use: See "Conditional Use."
- (8) CLR-CRD: The Clearwater-Largo Road Community Redevelopment District.
- (9) City Manager: The City Manager for the City of Largo, or any such person designated to act in his/her stead.
- √ (10) Coastal construction control line: The line established by the State of Florida pursuant to Section 161.053, F.S., and recorded in the official records of the community, which defines that portion of the beach-dune system subject to severe fluctuations based on a 100-year storm surge, storm waves or other predictable weather conditions.
- √ (10 11) Coastal High Hazard Area: The Area shown as Evacuation Level A in the most current Official Hurricane Guide for the Tampa Bay Area. A special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as "high hazard areas subject to high velocity wave action" or "V Zones" and are designated on Flood Insurance Rate Maps (FIRM) as Zone V1-V30, VE, or V.
 - (44 12) Commercial Campground: A place set aside and offered for temporary

accommodations, (i.e., no permanent installation of dwelling units on individual lots), for recreational purposes or travel by a person or public body, for remuneration of the owner, lessor, or operator of such place, including all appurtenances and associated facilities. (42 13) Communication Tower: A monopole, self-supporting lattice, or guyed structure situated on a site, the purpose of which is to serve as the support for one or more antennas or antenna arrays. This term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, and similar telecommunication structures excluding those used exclusively for dispatch communications (see "antenna or antenna array" and "satellite service reception antenna").

- (43 14) Comprehensive Plan: The compilation of goals, objectives, policies, and maps for the physical, social, and economic development within the City of Largo, adopted by ordinance pursuant to Chapter 163, F.S., and containing all statutorily required elements.
- (14 15) Concurrency: The statutory requirement that public facilities and services be in place at the time of development.
- (45 16) Conditional Use: A use that, because of special requirements or characteristics, may be allowed in a particular land use designation or character district only upon completion of a conditional use review and subject to the limitations and conditions specified therein. All proposed development must meet the review criteria contained in this CDC. It shall be permitted only upon the approval of the Planning Board after due notice and public hearing.
- (46 17) Condominium: A building or group of buildings in which units are owned individually, and common areas and facilities are owned by all the unit owners on a proportional basis. A condominium is a legal form of ownership and not a specific building style.
- (47 18) Conforming: A lawful, existing, properly permitted use which conforms to the provisions, requirements and/or regulations of this CDC.
- (48 19) Contractor Yard: Storage yard operated by, or on behalf of, a contractor for storage of large equipment, vehicles, or other materials commonly used in the individual contractor's business type.
- (49 20) County: Pinellas County, Florida
- (20 21) Countywide Future Land Use Plan (FLUP), also known as Countywide Land Use Plan: Future Land Use Plan adopted as part of the Pinellas County Comprehensive Plan pursuant to Chapter 88-464, Florida Statutes. The accompanying "Rules Governing Administration of the Countywide Future Land Use Plan, As Amended" are included by reference.

The future land use map that designates general categories of land use by type and location to guide the future development pattern and use of land throughout the county, as adopted by the Pinellas Planning Council and Countywide Planning Authority. The Countywide Plan Map may consist of a single map or map series as approved by the PPC and CPA and filed with the Clerk of the Board of County Commissioners.

(24 22) Critical Root Zone: The greater area between the ground area within a tree's

dripline or an area equivalent to a radius from the tree trunk of nine (9) inches for each diameter inch of trunk measured at fifty four (54) inches above grade.

- (22 23) CRD: Community Redevelopment District.
- (23 24) Crown: All tree branch parts including all twigs and foliage.
- (24 25) Currently Available Revenue Sources: An existing source and amount of revenue presently available to the local government. It does not include a local government's present intent to increase the future level or amount of revenue source which is contingent upon ratification by public referendum.

20.1.D

- (1) **Dedication**: The legal transference of land, without sale, by the owner to a public agency.
- (2) Deed Restriction: A limitation upon the use of land recorded in the official records of Pinellas County.
- (3) De Minimis: A development impact that does not cause unacceptable degradation of a transportation facility's level of service.
- (4) Density, Gross: The total number of dwelling units in a development divided by the total site area in acres.
- (5) Density, Net: The total number of dwelling units divided by the total site area in acres, excluding submerged land, public rights-of-way, land dedicated to the public, and portions of the property with no allowable density based on the FLUM designation.
- (6) DEO: State Department of Economic Opportunity.
- (7) DEP: State Department of Environmental Protection.
- (8) Design flood: The flood associated with the greater of the following two areas: [Also defined in FBC, B, Section 202.]
 - a. Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or
 - b. Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.
- (9) Design flood elevation: The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not

- specified on the map, the depth number shall be taken as being equal to 2 feet. [Also defined in FBC, B, Section 202.]
- √ (8 10) Detention: The collection and storage of surface water for subsequent gradual discharge.
- (9 11) Developer: Any person, firm, partnership, association, corporation, company, or organization of any kind engaged in any type of man-made change or improvement to the land.
- (10 12) Development: Any man-made change to the land, including, but not limited to, improved or unimproved real estate, including but not limited to, buildings or other structures, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavating excavations, drilling operations, or storage of equipment or materials any other land disturbing activities. The term "development" may include activities described as "redevelopment."
- (11 13) Development Controls Officer (DCO): The Director of the Largo Community Development Department or his/her designee.
- (42 14) Development Order (DO): An order issued by the Development Controls Officer upon approval of an official board, commission, or administrative officer authorizing a specific use and development and further authorizing the subsequent issuance of necessary permits.
- (43 15) Development Permit (DP): Formal permission to erect, construct, alter, raze, move, remove, or otherwise develop land within the City of Largo, which must be obtained before initiating a use or development activity.
- (14 16) Development Right: A legal claim (authority) to convert a tract of land to a specific purpose by construction, installation, or alteration of a building, structure, or other improvements.
- (45 17) Diameter at Breast Height (DBH): Total tree trunk cross-section diameter, measured in inches and measured four and one-half feet above original grade. The DBH of a multi-stemmed understory tree species shall equal the sum total of the diameter of all stems measured at 4.5' above grade.
- (46 18) Disability, Person with a: Persons who have a physical or mental impairment which substantially limits one or more of such persons' major life activities; have a record of such impairment; or are regarded as having such an impairment.
- ¬○ (47 19) DO: Development Order.
- $\gamma \lambda$ (48 <u>20</u>) DP: Development Permit.
- (19 21) Drainage Feature: Existing natural and man-made drainageways and water bodies, and proposed drainageways and water bodies, that are part of the Pinellas County Master Drainage Plan, as subsequently refined through the individual Watershed Management Plans, that are shown in the Stormwater Management Element of the respective local government Comprehensive Plans, or that are part of an approved site

plan or other authorized development order action of the local government with jurisdiction.

- (49 22) Drainage Way: Any natural or artificial watercourse, trench, ditch, swale, or similar depression into which surface water flows.
- 15 (20 23) DRC: Development Review Committee.
- (24 24) Dripline: An imaginary perpendicular line that extends downward from the outermost tips of the tree branches to the ground.
 - (22 25) Dwelling Unit: A single housing unit providing complete, independent, living facilities for one housekeeping unit, including permanent provisions for living, sleeping, eating, cooking, and sanitation. This does not include hotels, motels, motor lodges, dormitories or other accommodations for the transient public.

(23 26) Dwelling Types:

- a. <u>Duplex</u>: A building, designed as a single structure, containing two (2) separate dwelling units on one lot, which is intended to be occupied by two families living independently of one another.
- <u>b. Manufactured Home</u>: One of several types of homes constructed entirely or partially in an off-site factory, transported over roadways, and then placed or assembled on a site-built foundation. After the home is in position, utilities (e.g., water, sewer, electric) are connected, ancillary components (e.g., siding, skirting) are installed, and the home is ready for habitation. Factory built homes include manufactured homes, modular homes, panelized homes, and pre-cut homes. Modular, panelized, and pre-cut homes must comply with the same state and local building codes, including all relevant regulations contained within this CDC, as site-built homes. Mobile homes must meet HUD regulations. The term "manufactured home" does not include "recreational vehicle."
- c. Mobile Home: A manufactured home that is built to the U.S. Department of Housing and Urban Development (HUD) standards. Mobile homes are transportable structures, built on a permanent chassis. A mobile home is usually installed on temporary foundations (concrete pads, dry-stacked blocks and tie-downs) but may also be designed with a permanent foundation when attached to the required utilities. The mobile home industry is regulated in Florida by the Department of Highway Safety and Motor Vehicles (DHSMV). Upon installation, a mobile home's wheels and axles may be removed, but the integral chassis must stay in place. To be acceptable in Florida, a mobile home must bear the HUD label and be installed by a mobile home installer licensed by DHSMV.
- <u>d. Modular Home</u>: A manufactured home that is designed, built, permitted and inspected to the Florida Building Code (FBC). A modular home must be installed on permanent foundation that is designed and built specifically for that home by a contractor licensed by the Department of Business & Professional Regulation (DBPR). To be acceptable in Florida, a modular home must bear the insignia of the Florida Department of Economic Opportunity (DEO) on the inside of the cover of the home's electrical panel. Modular homes must comply with the same State and local building codes, including all relevant regulations contained within this CDC, as site-built homes.

- e. Multifamily: A development with four (4) or more dwelling units contained within the same structure or grouping of four (4) or more dwelling units on one lot. Multifamily structures of fewer than three (3) stories (such as garden apartments) are generally considered to be low-rise, mid-rise when containing between three (3) and eight (8) stories, and high-rise when containing nine (9) or more stories.
- f. Single-Family Attached: A structure containing one (1) dwelling unit on one lot, but attached to another dwelling unit by means of a common wall.
- g. Single-Family Detached: A structure containing one (1) dwelling unit on one lot, and not attached to any other dwelling unit by any means.
- h. Triplex: A structure containing three (3) dwelling units on one lot.

20.1.E

- (1) Easement: A right of use under, over or across the property of another.
- (2) Effective Tree Removal: Any improper pruning or damage to a tree such as; flush cuts, mechanical damage to the trunk, damage to the roots by machinery, chemicals or excessive back fill (over three inches), over lifting, over thinning, lions tailing, topping, and the removal of a branch greater than twenty-five (25) percent of the trunk size at DBH.
- (3) Elevated Building: A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation, perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls.
- (4) Elevation Certificate: Administrative tool of the National Flood Insurance Program (NFIP) which is to be used to provide elevation information necessary to ensure compliance with community floodplain management ordinances, to determine the proper insurance premium rate, or support a request for a Letter of Map Amendment (LOMA).
- (5) Encroachment: For floodplain management purposes, the placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.
- (5 <u>6</u>) Environmental Audit: An engineering study of a site undertaken to determine whether hazardous materials have been produced, stored, dumped or otherwise deposited on a site.
- (6 7) Erect: To construct, build, raise, assemble, place, affix, attach, or create.
- (8) Existing building and existing structure: Any buildings and structures for which the "start of construction" commenced before May 28, 1971 [Also defined in FBC, B, Section 202.]
- (7 <u>9</u>) Existing Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is

completed before the effective date of the floodplain management regulations that are contained or referenced within this CDC May 28, 1971.

- (10) Expansion to an existing manufactured home park or subdivision: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- (8 11) Existing Use: The use of a lot, parcel, or structure at the time of the enactment of this CDC.

20.1.F

- (1) FAA: The Federal Aviation Administration.
- (2) F.A.C.: Florida Administrative Code.
- (3) Family: One or more individuals related by blood or marriage, and includes a single individual.
- (5) FCC: The Federal Communications Commission.
- (6) FDOT: Florida Department of Transportation.
- (7) FEMA: Federal Emergency Management Administration. The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.
 - (8) Fence: A man-made barrier of any material or combination of materials erected to enclose or screen areas of land.
 - (9) Field Grown Trees: Trees that have not been grown in containers, but have been grown in the ground and dug prior to shipment (see hardening off).
 - (10) Flag Lot: A lot that does not front or abut a public road and where access to the public road is by a narrow strip of land.
 - (11) Flea Market: A swap shop, or similar activity by whatever name, where the use involves the setting up of two or more booths, tables, platforms, racks, or similar display areas for the purpose of selling, buying, or trading merchandise, goods, materials, products or other items offered for sale outside an enclosed building.
 - (12) Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - a. The overflow of inland or tidal waters.
 - b. The unusual and rapid accumulation or runoff of surface waters from any source.
 - (13) Flood damage-resistant materials: Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage

that requires more than cosmetic repair. [Also defined in FBC, B, Section 202.]

- (14) Flood hazard area: The greater of the following two areas: [Also defined in FBC, B, Section 202.]
 - a. The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.
 - b. The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.
- (13 15) Flood Insurance Rate Map (FIRM): The official map of the community on which FEMA the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community. [Also defined in FBC, B, Section 202.]
- (16) Flood Insurance Study (FIS): The official report provided by the Federal Emergency Management Agency that contains the Flood Insurance Rate Map, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B, Section 202.]
- (17) Floodplain Administrator: The office or position designated and charged with the administration and enforcement of Chapter 11 of the Comprehensive Development Code (may be referred to as the Floodplain Manager).
- (18) Floodplain development permit or approval: An official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this ordinance.
- (14-19) Floodplain: Land which will be inundated by floods known to have occurred or reasonably characteristic of what can be expected to occur from the overflow of inland or tidal waters and the accumulation of runoff or surface waters from rainfall.
- (15) Flood Way: The channel of a natural stream or river and portions of the flood plain adjoining the channel, which are reasonably required to carry and discharge the floodwater or, in all size storms, flood flow of any natural stream or river.
- (20) Floodway: The channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot. [Also defined in FBC, B, Section 202.]
- (21) Floodway encroachment analysis: An engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a qualified Florida licensed engineer using standard engineering methods and models.
- (46 22) Floor Area, Gross: The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the center line of a wall separating two (2) buildings, but not including interior parking spaces, toading space for motor vehicles, or any space where the floor- to-ceiling height is less than six (6) feet.

- (47 23) Floor Area Ratio (FAR): A mathematical expression of land use intensity calculated by dividing the gross floor area of a building by the net land area of the lot on which it is located, i.e., gross floor area /net land area of the lot = FAR
- (24) Florida Building Code: The family of codes adopted by the Florida Building Commission, including: Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.
- (18 25) FLUM: Future Land Use Map.
- (19 26) FLUP: Future Land Use Plan.
- (20 27) Foot-Candle: A photometric measurement equal to the illumination shed by one (1) candle on one (1) square foot at a distance of one (1) foot.
- (24 28) Freeboard: The distance from the top of the overflow structure to the lowest point of top of bank, back of curb, or edge of pavement at the first upstream catch basin, whichever is lowest.
- (22 29) Freestanding Retail Use: A building containing one or more commercial establishments selling retail goods or merchandise and rendering services incidental to the sale of such goods.
- (23 30) F.S.: Florida Statutes.
- (24) Functionally Dependent Facility: A facility which cannot be used for its intended purpose unless it is located or carried out proximate to a resource. For example, docking or port-facilities necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities require water in order to function. The term does not include long-term storage, manufacture, sales, or service facilities.
- (31) Functionally dependent use: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.
- (25 32) Future Land Use Map (FLUM): A graphic representation of the land use designation of all parcels in the City used as the regulatory map for implementation of the Comprehensive Plan and this CDC. It may also be known as the "Land Use Map."
- (26 33) Future Land Use Plan Element: The element of the adopted Largo Comprehensive Plan which includes the FLUM and contains goals, objectives, and policies of the City to guide the future location of uses within the City of Largo. This element may also be referred to as the "Land Use Plan."

20.1.H

(1) Halfway House/Rehabilitation Facility: A facility, which provides training, care,

supervision, treatment, or rehabilitation to the aged, disabled, those convicted of crimes or those suffering the effects of drugs or alcohol; this does not include day-care centers, family day-care homes, foster homes, schools, hospitals, jails, or prisons.

- (2) Hardened-Off: Plant tissue that is acclimated to cold temperatures or a new environment.
- (3) Hardship Relief: Permission to deviate from one or several standards of this CDC when the strict application of such a standard would render a parcel incapable of reasonable economic use. Deviation from specified provisions or development standards may be allowed when, because of the particular physical surroundings, shape, or topographical condition of the property, compliance would result in an undue hardship for the owner.
- (4) Hat Racking: Crown trimming of trees which effectively removes more than one-quarter (1/4) of the tree crown.
- (5) Hazardous Tree: A tree that in the opinion of the City, constitutes a hazard to life, or has a significant potential to cause injury to persons or damage to property as the tree is in imminent danger of falling, or is otherwise likely to create a hazard. A hazardous tree shall include but not be limited to dead, declining, diseased, broken, split, cracked, leaning, uprooted trees and trees judged to have serious structural defects. A hazardous tree shall also include a tree harboring communicable diseases or insects of a type that the City determines could infest and cause the decline of nearby trees.
- (6) Heavy Machinery: Mechanical land-clearing, earth-moving equipment with a gross weight in excess of five thousand (5,000) pounds. For the purpose of this definition, all machinery that utilizes steel tracks shall be considered to be heavy machinery.
- (7) Height: Regarding the built environment, height is the vertical distance of a structure measured from the average elevation of the finished grade to the highest elevation of the structure including any antennas or other attachments.
- (8) Highest adjacent grade: The highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.
 - (8 9) Historic Structure: Any structure that is:
 - a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;
 - c. Individually listed on a state inventory of historic places in states with historic reservation programs which have been approved by the Secretary of the Interior; or
 - d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by an approved state program.

- e. Any structure that is determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter 12 Historic Buildings.
- (9 10) Home Improvement Store: A commercial establishment primarily engaged in retailing a general line of home repair and improvement materials and supplies, such as lumber, plumbing goods, electrical goods, tools, housewares, hardware, and lawn and garden supplies, with no one merchandise line predominating.
- (10 11) Home Office of Convenience (HOC): A secondary use allowable in a residential dwelling unit only in strict compliance with the HOC standards of this CDC.
- (44 12) Hospital: An institution providing health services primarily for human inpatient or medical or surgical care for the sick or injured, and including the related facilities such as laboratories, outpatient departments, training facilities, central service facilities, and staff offices which are integral parts of the facilities.

20.1.L

- (1) Landscape Architect: An individual licensed and registered in the state of Florida to practice in the field of landscape architecture.
- (2) Landscaping: The planting of trees and other plant materials in accordance with a plan which often includes alteration of the contours of the land for proper drainage and aesthetic improvement.
- (3) Land Use Restriction Agreement: An agreement binding the parties to limit the use of property to a particular use(s) or to prohibit certain uses for the term of the agreement.
- (4) Legal Agent: One who agrees and is authorized to act on behalf of another, a principal, to legally bind an individual in particular business transactions with third parties pursuant to an agency relationship.
- (5) Letter of Map Change (LOMC): An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:
- (a) Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.
- (b) Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.
- (c) Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore,

- no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the City's Floodplain Management regulations in effect at the time the fill is permitted and placed.
- (d) Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.
- (5 6) Level-of-Service (LOS): An indicator of the extent or degree of service provided by, or proposed to be provided by a facility based on, and related to, the operational characteristics of the facility. LOS indicates the capacity of a facility per unit of demand.
- (7) Light-duty truck: As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:
- (a) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
- (b) Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
- (c) Available with special features enabling off-street or off-highway operation and use.
- (7 8) Light Machinery: Hand or mechanically operated equipment not meeting the definition of heavy machinery. Appropriate for use in the critical root zone of protected trees.
- (7 9) Littoral Shelf: A submerged area of land less than three (3) feet under water, constructed with a slope of 10:1 or less, and designed to support emergent vegetation.
- (8 10) Live/Work Unit: A single unit (e.g., studio, loft, or one bedroom) consisting of both a commercial/office and a residential component that is occupied by the same resident. The live/work unit shall be the primary dwelling of the occupant and no portion of the live/work unit may be rented or sold separately. Live/work units are allowed in the City Home Character District, where indicated by Table 6-2, Allowable Uses Within the Community Redevelopment Districts, subject to the provisions of Section 16.11 of this CDC.
- (9 11) Lot: One of several parcels of land into which property is divided through the process of platting. A parcel may also be platted into a single lot rather than subdivided into several lots of record.
- (40 12) Lot Line: The legal boundary line dividing one lot from another.
- (44 13) Lot of Record: A lot whose existence, location, and dimensions have been legally recorded on a plat.

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- (42 14) Lowest Floor: The lowest floor of the lowest enclosed area (including basement) of a building or structure, including a basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevated requirements of the Florida Building Code or ASCE 24. [Also defined in FBC, B, Section 202.]. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this CDC.
- (43 15) Low Impact Development (LID): Stormwater treatment methods that mimic the predevelopment site hydrology using site design techniques to store, infiltrate, evaporate, and detain runoff.

20.1.M

- (1) Major Arterial Roadway: Major arterial roadways provide an integrated, continuous road network through an area, delivering traffic from collector roads to freeways. It is also referred to as principal arterial, or primary arterial roadway.
- (2) Manufacturing Light Assembly (Class A) Use: A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, storage, sales, and distribution of such products. Exterior storage and processing of equipment or materials is not allowed.
- (3) Manufactured home: A structure, transportable in one or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1,0101, F.A.C.]
- (4) Manufactured home park or subdivision: A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- (3 5) Market Value: The estimated price of a property including all structures and land as determined by the value assigned by the Pinellas County Property Appraiser plus twenty-five (25) percent of the just value. The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in the Comprehensive Development Code, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.
- (4 6) Marquee: A decorative architectural design feature. A roof-like projection over an entrance, such as over a theater entrance. A sign placed upon a marquee is subject to compliance with wall sign standards.

- (5 <u>7</u>) Medical Clinic: An outpatient establishment where patients, who are not lodged overnight, are admitted for medical or dental treatment and examination by physicians, dentists, and similar personnel, the practice of which is lawful in the state of Florida.
- (6 8) Metes and Bounds: A method of describing the boundaries of land by compass bearings and distance from a known point of reference.
- (7 <u>9</u>) **Mixed Use Corridor**: Roadways within Largo that are bordered by land use categories that allow a wide range of transit-supportive use and include regulations that support a compact built form with variations in density and design criteria.
- (8 10) Multimodal Activity Center (MAC): A designated area that incorporates or is anchored by a Major Activity Center or Transit Station Area and is of sufficient scale to support mass transit or internal capture of trips within its boundaries.

20.1.N

- (1) Native Vegetation or Species: Flora recognized to be indigenous to Central Florida as they existed prior to the first European visitation.
- (2) Natural Resources: Natural resources include, but are not limited to, rivers; bays; lakes; wetlands, including estuarine marshes; air; flood plains; known sources of commercially valuable minerals; areas known by the local soil and water conservation district to have experienced soil erosion problems; fisheries; wildlife; marine habitats; and vegetative communities, including those known as endangered, threatened, or species of special concern.
- (3) Net Land Area: Net land area for the purposes of computing density/intensity shall be that total land area within the property boundaries of the subject parcel, specifically exclusive of any submerged land or public road right-of-way.
- (4) New Construction: Structures for which the start of construction commenced on or after the effective date of this CDC. Additionally, new construction means, for the purposes of determining insurance rates, structures for which the start of construction commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For flood plain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of flood plain management regulations adopted by the City, and includes any subsequent improvements to such structures. For the flood resistant construction requirements of the Florida Building Code, structures for which the "start of construction" commenced on or after May 28, 1971 and includes any subsequent improvements to such structures.
- (5) New manufactured home park or subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after May 28, 1971.
- (5 6) Nonconforming Use: A lawful existing use which does not conform to the provisions, requirements and/or regulations of this CDC but which complied with

applicable regulations at the time the use was established.

20.1.P

- (1) Parapet: A decorative architectural design feature placed above the existing facade to hide a flat roof and/or roof mounted equipment.
- (2) Parcel: A contiguous quantity of land in possession of, owned by, or recorded as property of the same person or entity.
- (3) Park trailer: A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. [Defined in section 320.01, F.S.]
- (3 <u>4</u>) Plat: A map of a specific tract of land showing the location, description, and boundaries of lots, streets, and easements.
- (4 <u>5</u>) **Primary Facade**: Any building elevation that is visible from a public street, excluding service alleys, which provides a primary customer entrance.
- (5 6) PPC: Pinellas Planning Council.
- (6 7) Principal Use: The primary or predominant use of any lot or parcel of land.
- (7 8) Prohibited Tree Pruning: Pruning, that does not conform with the ANSI A300 pruning standards, and is excessive (removal of more than twenty-five (25) percent of a tree's crown), or characterized by topping, lion-tailing, flush and stub cuts.
- (8 9) Property: Land, and generally whatever is erected or growing upon or affixed to land. For regulatory purposes, property shall also mean all of the continuous lots or parcels that comprise a unified development.
- (9-10) Property Line: See "lot line."
- (40 11) Protected Tree: Any tree species that is four (4) inches or greater in trunk diameter measured at four and one half (4.5) feet above grade.
- (44 12) Protective Barrier: A physical structure limiting access to an area.
- (42 13) PSTA: Pinellas Suncoast Transit Authority.
- (43 14) Public Hearing: A meeting announced and advertised in advance which is conducted by a City official or board and which is open to the public, with the public given an opportunity to speak and participate.
- (14 15) Public Notice: The legal advertisement given of an action or proposed action of a governing body or its designee.

1 2	20.1.R
3	(1) Real Property: See "Property."
4	
5	(2) Recreational Vehicle:
6 7 8 9	a. A vehicular-type, portable conveyance without permanent foundation, which can be towed, hauled, or driven, and is primarily designed as temporary living accommodation for recreation, camping, and travel use and including, but not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor homes.
10	b. For FEMA purposes, a recreational vehicle refers to a vehicle which is:
11	ì . Built on a single chassis;
12	ii. 400 square feet or less when measured at the largest horizontal projections;
13	iii. Designed to be self-propelled or permanently towable by a light duty truck; and
14 15 16	iv. Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use. A vehicle, including a park trailer, which is: (See section 320.01, F.S.)
17	a. Built on a single chassis;
18 19	 Four hundred (400) square feet or less when measured at the largest horizontal projection;
20	c. Designed to be self-propelled or permanently towable by a light-duty truck; and
21 22	 d. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
23	
24 25	(3) Recycling Center: A facility for the collection and temporary storage of recyclable materials.
26	
27 28	(4) Resources Recovery Facility: A facility that incinerates processable waste, which is used to produce steam, which in turn, is converted into electricity.
29	
30	(5) Redevelopment: See "Development."
31	
32	(6) Regulatory Flood: See "Base Flood."
33	
34 35 36	(7) Regulatory Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved to discharge the Base Flood without cumulatively increasing the water surface elevation more than a designated height.
37	
38 39	(8) Rehabilitation: The upgrading of a building previously in a dilapidated or substandard condition.

1 2 3	(9) Religious Institution: A site, premise, or location which is used principally, primarily, or exclusively for purposes of the exercise of religion as protected by the First Amendment of the U.S. Constitution.
4	
5 6 7	(10) Remove or Removal (of Tree): The actual removal, transplanting or causing the effective removal through damaging, poisoning, excessive pruning, topping, or other direct or indirect actions resulting in the death or severe decline of a tree.
8	
9 10	(11) Rent: To lease, to sublease, to let, and otherwise grant for a consideration the right to occupy premises not owned by the occupant.
11	
12 13	(12) Replacement Cost Depreciated (RCO): The value of a structure as determined in accordance with FEMA's Floodplain Management Requirements.
14	
15	(13) Reservation:
16 17	a. A provision in a deed or other real estate conveyance which preserves a right for the existing owner even if other property rights are transferred.
18 19	 b. A method of holding land for future public use by designating public areas on a plat, map, or site plan as a condition of approval.
20 21	(14) Residential Equivalency Standard: One (1) or more multipliers used to calculate the residential density equivalents for certain institutional or quasi-residential uses.
22 23	(15) Restrictive Covenant: A contract between two (2) or more parties usually specifying limitations or obligations relating to the use of a property.
24	
25 26	(16) Retention: The collection and storage of runoff without subsequent discharge to surface waters.
27	
28 29	(17) Right-of-Way: Land acquired and owned by a governmental agency or public utility and reserved for public use.
30	
31 32	(18) Rooming House: A building, other than a motel or hotel, where lodging or rooms, or both, are provided for compensation either directly or indirectly.
33	
34 35	(19) Root Pruning: The process of pre-digging a root ball of a tree to stimulate root regeneration and increase the density of root development within the final root ball.
36	
37 38 39	20.1.S ✓ (1) Sand Dunes: Naturally occurring accumulations of sand in ridges or mounds landward

of the beach.

- (4 <u>2</u>) Satellite Service Reception Antenna: A device used to receive satellite broadcast signals.
 - a. Mesh-type Satellite Dish Antenna: An antenna which is constructed of a screentype or perforated material that does not substantially impair visibility, and is designed to minimize wind resistance.
 - b. Roof-Mounted Satellite Dish Antenna: An antenna which is wholly located upon and permanently affixed to the roof of any structure.
 - c. Ground-Mounted Satellite Dish Antenna: An antenna which is installed upon or otherwise attached to a pole or other supporting structure embedded in the ground.
- (2 3) Sealed Materials: Any granular material such as concrete, asphalt, crushed stone, rock, gravel, or shell placed on an impervious base, such as plastic, tar paper, asphalt-sealed shell or similar material which interferes with the natural ground absorption of stormwater.
- (3 <u>4</u>) Service Provider or Carrier: An independent, nongovernmental telecommunications entity which markets communication services to retail customers.
- (4 <u>5</u>) Set-Aside: The total number of units in a subdivision or multifamily development that are made available for households earning one hundred-twenty (120) percent or less of area median income, adjusted for household size.
- (5 6) Setback: The distance between the lot line and the front, side, or rear edge of a building or any projection thereof, excluding uncovered steps and roof eaves.
- (6 7) SFHA: Special Flood Hazard Area
- (7 8) Shopping Center: A group of two (2) or more commercial establishments or functional units which are planned, built, and managed as one unified development.
- (8 9) Shopping Center, Regional: A shopping center having in excess of seven hundred fifty thousand (750,000) square feet of gross floor area.
- (9 10) Sight Triangle: See "Visibility Triangle."
- (40 11) Sign: Any object, device, display, structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, idea, slogan, or location by any means including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. Signs do not include works of art which in no way identify a product or service, seasonal/holiday decorations, merchandise incorporated in a window display, or scoreboards located on athletic fields.
 - <u>a. Abandoned Sign</u>: Any sign pertaining to or associated with an event, business, or purpose which is no longer ongoing and which has been inactive or out of business for a period of ninety (90) consecutive days or longer.

- <u>b. Aggregate Sign Area</u>: The maximum total sign area allowed for all signs for a project, including the major identification signs for the project, which consist of: freestanding signs; wall signs and window signs.
- c. Bandit Sign: See "Snipe Sign."
- d. Billboard Sign: A Sign which is regulated pursuant to the Development Outdoor Advertising/Billboard Agreements, adopted by City Commission on May 4, 2010, between CBS Outdoor, Inc. and ClearChannel Outdoor, Inc. and the City of Largo.
- e. Damaged Sign: Any sign which has been damaged or destroyed in excess of twenty-five (25) percent of its replacement value, by any means, method or event, or any sign that poses a risk of imminent collapse.
- e. Freestanding Sign: A sign directly attached to the ground by its own support structure and not attached to any part of buildings or other structures on a property. Signs attached to privacy fences/walls are also considered freestanding.
- f. Monument Sign: A sign that is supported by a solid pedestal affixed to the ground rather than by poles. The pedestal base shall be at least seventy-five (75) percent of the total width of the sign face and the distance between the bottom of the sign face and the ground below must not be more than three (3) feet.
- <u>q. Off-Site Sign</u>: Any sign which advertises goods, services, businesses, or facilities not sold or located on the property or contiguous properties under the same ownership and use on which the sign is located. An off-site sign includes, but is not limited to, Bench Signs, Billboards, and Poster Panels.
- h. Pole Sign: A Sign supported by one or more poles, posts, or other supports placed on or anchored to the ground.
- i. Political Sign: A temporary sign identifying a political candidate, issue, or party.
- j. Pylon Sign: See "Pole Sign."
- k. Wall Sign: A Sign painted on, carved in, or otherwise affixed to or mounted onto a building, including:
- (i) Canopy Sign: A Sign painted on, carved in, or otherwise affixed to or mounted upon an awning, canopy, marquee, or any other structure which projects away from the building; or
- (ii) Projecting Sign: A Sign affixed directly to the building where the sign face extends away from a building facade.
- I. Vacant Sign: Any Sign which currently:
 - (i) Does not give correct directions to, location of, description of an ongoing business, service or activity performed, or product sold; or

- (ii) Does not bear any message, sign or copy; or
- (iii) Identifies a business that has relocated; and
- (iv) Does not meet the definition of an abandoned or damaged sign.
- (44 12) Site Improvement: Any man-made alteration to a parcel of land for purposes of preparing the land for future construction, the actual construction of structures or paved surfaces, and/or the planting or installation of permanent landscaping.
- (12 13) Site Plan: A drawing which depicts the existing conditions and proposed improvements upon a parcel in accordance with the development standards set forth in this CDC.
- (43 14) Solar Energy System: A device used to capture the sun's radiation and transform it into usable heat, usually consisting of a solar collector, a transfer system, a storage system, and a control system.
- a. Active (or indirect) Solar Energy System: A system in which the collector and thermal storage components are separated and require a pump or fan to circulate the solar-heated fluid between them.
- b. Passive (or direct) Solar Energy System: A system where the collector and thermal storage components are integrated, requiring no transfer device for solar-heated fluid.
- (14 15) Special Flood Hazard Area: Land area covered by the floodwaters of the Base Flood is the Special Flood Hazard Area (SFHA) on the National Flood Insurance Program (NFIP) maps. The SFHA is the area where the NFIP's floodplain management regulations must be enforced and the area where the mandatory purchase of flood insurance applies. An area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. [Also defined in FBC, B Section 202.]
- (45 16) Stacking Lane: An area of stacking spaces and driving lane provided for vehicles waiting for drive-through service that is physically separated from other traffic and pedestrian circulation on the property being developed.
- (46 17) Standards: Measurements and regulations of the quantity or quality of development.

(47 18) Start of Construction, Regulatory:

- a. For regulatory purposes in areas that are not flood-prone, start of construction is the date the building permit was issued.
- b. In flood-prone areas other than those covered by the National Flood Insurance Program, start of construction includes the initiation of substantial improvement and begins the actual day of construction. The date of issuance of permits for new construction and substantial improvements, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first

placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns.

c. For FEMA purposes, start of construction (for other than new construction or substantial improvements under the Coastal Barrier Resources Act [Pub. L. 97-348]), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, 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 manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations, or the erection of temperary 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. For a substantial improvement, the actual start of construction means the first alteration of any wall, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

- (48 19) Stealth Telecommunication Facility: Any telecommunication facility which is designed to blend into the surrounding environment so that it is not noticeable to the casual observer. Examples of stealth facilities may include architecturally screened roof-mounted antennas, building-mounted antennas painted to match the existing structure, antennas integrated into architectural elements, or antenna and support structures designed as part of light or electric power poles.
- (49 20) Stormwater Retention/Detention: The holding back or storage of stormwater on a temporary or permanent basis (see "Retention" and "Detention").
- (20 21) Stormwater Run-Off: The portion of water which results from a rainfall that flows from the land surface of a site either naturally, in man-made ditches, or in a closed conduit system.
- (24 22) Stormwater Management System: The system, or combination of systems, designed to treat stormwater, or collect, convey, channel, hold, inhibit, or divert the movement of stormwater on, though, and from a site.
- (22 23) Street: Any vehicular and pedestrian traffic access way which: 1) is an existing federal, state, county, or municipal roadway; or 2) is shown upon a recorded plat; or 3) is approved by other official action.
- <u>a. Highway:</u> This class of street is devoted entirely to vehicular traffic movement with little or no land service function. Highways are generally multi-lane, divided roadways with limited access interchanges, and possibly at-grade intersections. They are designed to move large volumes of high speed vehicular traffic over relatively long distances.
- <u>b. Arterial (Major and Minor)</u>: This class of street brings vehicular traffic to and from highways and provide direct access to the principal traffic generators within a city, such as business offices and retail centers.

- c. Collector (Major and Minor): This class of street serves traffic movement within subareas of a city, and are designed to funnel this traffic into the arterial system. Collectors do not handle long through-trips and are not necessarily continuous for any great length. However, in gridiron street patterns, a street of several miles in length may serve as a collector if its predominant function is to feed traffic onto an arterial.
- d. Local: Local streets provide access to adjacent land and are designed to feed traffic onto collector streets.
- (23 24) Street Furniture: Man-made items such as benches, kiosks, plants and planters, shelters, news paper stands or trash receptacles added to pedestrian or vehicular areas.
- (24 <u>25</u>) Streetscape: The combination of all elements of a pedestrian or vehicular area, including street furniture, landscaping, sidewalks, lights, signs, etc., and the relationship of these elements to adjacent buildings.
- (25 26) Story: The vertical distance from top to top of two successive tiers of beams or finished floor surfaces; and, for the topmost story, from the top of the floor finish to the top of the ceiling joists, or, where there is not a ceiling, to the top of the roof rafters.
 - (26 27) Structure: Something built and installed on, above, or below the surface of land or water. For flood plain management purposes, the term "structure" refers to a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. Structure for insurance coverage purposes, means a walled and roofed building, other than a gas or liquid storage tank, that is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.
 - (27 28) Subdivision: The legal division of land into two (2) or more lots of record.
 - a. Subdivision, Minor: a legal split of land into two (2) lots of record with direct access to an existing public or private street, not involving the opening, widening, or extension of any road.
 - <u>b. Subdivision, Major</u>: a legal division of land into three (3) or more lots of record and/or otherwise exceeds the requirements of a minor subdivision.
- (28 29) Substantial Improvement: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds on a cumulative basis fifty (50) percent of the replacement cost depreciated of the structure before the "start of construction" of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:
 - a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcementofficial and which are the minimum necessary to assure safe living conditions;

OF

b. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during a 5-year period, the cumulative cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the improvement or repair is started. For each building or structure, the 5-year period begins on the date of the first permit issued for improvement or repair of that building or structure subsequent to Ordinance 2009-49 that was adopted on October 20, 2009. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

- Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
- 2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

(29 30) Subsurface Drainage: The piping, grading, and other construction associated with the removal of ground water from under roadway or runway surfaces designed to maintain firm, stable, subgrades and structure foundations, reduce saturation of backfill behind retaining walls, etc.

(30 31) SWFWMD: Southwest Florida Water Management District.

20.1.W

- (1) Warehouse: A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, which is characterized by frequent heavy trucking activity and open storage of material.
- (2) Watercourse: A river, creek, stream, channel or other topographic feature in, on, though, or over which water flows at least periodically.
 - (2 3) Water Drainage Feature: Natural or artificial standing water bodies, wetlands, retention/ detention areas, streams, and ditches which receive and/or convey stormwater runoff.
 - (3 4) WBD-CRD: The West Bay Drive Community Redevelopment District.
 - (4 5) Wetland: Land that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does or would support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The term includes, but is not limited to, swamp hammocks, hardwood swamps, riverine cypress, cypress ponds, bayheads and bogs, wet prairies, freshwater marshes, tidal flats, salt marshes, mangrove swamps, and marine meadows.
 - (5 6) Wind Energy Conversion System: A device used to capture wind energy and

1	change it into another form of energy.
2 3 4 5 6	(6 7) Workforce Housing: Housing that is affordable to households of low, moderate and above moderate income in the range of sixty (60) percent to one hundred twenty (120) percent of the area median income.
7 8 9	SECTION 23. This ordinance shall be codified and make part of the Comprehensive Development Code and all existing section numbers in Chapters 11 and 20, together with any cross references thereto, may be revised to accomplish such codification.
11 12 13 14 15 16 17	SECTION 24. FISCAL IMPACT STATEMENT. In terms of design, plan application review, construction and inspection of buildings and structures, the cost impact as an overall average is negligible in regard to the local technical amendments because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program. In terms of lower potential for flood damage, there will be continued savings and benefits to consumers.
18 19 20 21 22 23	SECTION 25. APPLICABILITY. For the purposes of jurisdictional applicability, this ordinance shall apply in the City of Largo. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the effective date of this ordinance.
24 25 26 27	SECTION 26. SEVERABILITY. That it is the intention of City Commission that the provisions hereof be considered severable, and that the invalidity of any provision of this ordinance shall not affect the validity of any other provision of this ordinance.
28 29 30 31 32 33 34	SECTION 27. EFFECTIVE DATE. This ordinance shall become effective immediately upon its final passage and adoption.
35 36 37	APPROVED ON FIRST READING
38 39 40 41 42	PASSED AND ADOPTED ON SECOND AND FINAL READING
43 44 45 46	CITY OF LARGO, FLORIDA
47 48 49 50	Louis L. Brown, Mayor

1	REVIEWED AND APPROVED:	ATTEST:	
2	210		
4	GAM.		
5	Alan S. Zimmet Lity Attorney	Diane Bruner, City Clerk	
		,	



City of Largo Commission Memo Routing Slip

1	(Name & Date) MA-Review	6/12/12	Approve/Minor – go to CM/ACM Need Revision – Back to Dept Pull from Agenda – Back to Dept	City Clerk Rec'd?		
2	GW Review (If a	pplicable)				
			Approve/Minor go to CM/ACM _Need Revision Back to Dept _Pull from Agenda Back to Dept			
3	ACM Beylew	06/14/17	Approve/Minor – go to City Mgr Fundamental Changes – See ACM Need Revision – Back to Dept			
			Check if return after revision Pull from Agenda			
	CM Beview		Approve/Minor – go to Diane Need Revision – Back to Dept Check If return after revision Pull from Agenda			
))	CC/OMB Final R	leview	_ _Approve _Reject — Back to Dept			
					Response	
	Comments/Ques	stions				
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	Comments/Que	stions				
	Comments/Que	stions				
	Comments/Que	stions				
	Comments/Que	stions				
	Comments/Que	stions				



City of Largo

Form Revision Date: 03/02/16

Meeting Date

(🔻		Agenda Item)	06/20/17
CAL OF BH	OG PRESS	<u> </u>		<u> </u>
Presenter:	Teresa Brydon, Economic Developm	ent Mgr.	Department: CD - Com	munity Development
TITLE:		Γ		
1	CE NO. 2017-21 - SECOND READING - AM S 11 AND 20 TO ADOPT FLOODPLAIN MA			ENT CODE BY AMENDING
CHANGES	S FROM FIRST READING:			
No change	9S.			
PREVIOU	S ACTION:			
Approved	on first reading June 6, 2017 (7-0).			
Budgeted Amount:	\$0.00 Budget Page No(s).:	Available Amount:		penditure \$0.00
Additional Information				
Funding Source(s):	N/A Sufficient Funds Available:	Amend	ment Sour	ce: N/A
City Attorn Reviewed:	Recommendation:	● For Consi○ Against With:○ N/A		Comprehensive Plan
Potential Motion/ Direction	I MOVE TO ADOPT/DENY ORDINA	NCE NO. 2017-21 ON S	SECOND AND FINAL RE	ADING.

Requested:

Robert Hatton, Building Official Staff Contact:

x 7417

rhatton@largo.com

Attachments:

First Reading Memo, Ordinance No. 2017-21



City of Largo Agenda Item 7

Form Revision Date: 03/02/16

Meeting Date 06/20/17

Presenter: Te	resa Brydon, Economic Deve	elopment Mgr. (Department:	CD - Community Development		
TITLE:		_				
t .	IO. 2017-21 - SECOND READING AND 20 TO ADOPT FLOODPLA			EVELOPMENT CODE BY AME	NDING	
CHANGES F	ROM FIRST READING:					
No changes.						
PREVIOUS A	CTION:					
Approved on t	irst reading June 6, 2017 (7-0)					
	•					
Budgeted [Budget Page	. [Available	Evpanditure		
Amount: \$	0.00 No(s).:	I k I / A	Amount: \$0.00	Expenditure \$0.00		
Additional Bud Information:	lgetary N/A					
Funding N/A	Suffi Fund	cient	Budget (O			
Source(s):		lable: { O No	Required:	No Source:		
City Attorney	Yes Advisory Board	∫ ⊚ For) Yes		
Reviewed:	Recommendation	€ O Against	•) No Comprehensive I	Plan	
Datantial	O N/A	· O N/A) N/A		
Potential Motion/	I MOVE TO ADOPT/DENY OR	DINANCE NO. 201	7-21 ON SECOND AND) FINAL HEADING.	:	
Direction Requested:					:	
Staff Contact:	Robert Hatton, Building Official		x 7417	rhatton@largo.com		
Attachments:	First Reading Memo, Ordinance No. 2017-21					



City of Largo Agenda Item 21

Form Revision Date: 03/02/16

Meeting Date 06/06/17

OF PROGRE							
Presenter: Tere	esa Brydon, l	Economic Deve	lopment Mgr.	Depar	tment: CD - (Community Development	
TITLE:							
		RST READING - A OPT FLOODPLAI				MENT CODE BY AMENDING	
Rating System Comprehensive Following the V 2017 meeting. As mentioned in Flood Risk Mar	and Floods Developme Vork Session, The Planning in the Februa nagement Sta	olain program. nt Code (CDC) , staff then prese Board recomme	During that pregulations resented the new flended approvalum, an Executive cedures. These	presentation, stating to Flood oodplain ordina of the amendme Order was sign anew guideline	aff discussed plain due to not to the Plants to the Content of the	ation on the City's Communed an update to the City onew federal requirementanning Board at their April DC. ary 2015 establishing Federmented in October 2015 a	y's ts. 6, ral
Florida's Floody that all Florida of the ordinance of specifically Cha the rea the add	plain Manager Community Reso that the la pter's 11 and lignment of Flation of the ne d/or revised d	ment and CRS C ating System (Cf	Office has produ RS) communitie incorporated w Chapter 11 incormwater section ulations; and	ced an ordinand s are to adopt. ithin Largo's Co lude:	Staff has wo	ith the new Federal guidelin orked with the City Attorney e Development Code (CDt	on
Budgeted Amount: \$0.	00	Budget Page No(s).:	N/A	Available \$0.00)	Expenditure \$0.00	
Additional Budg Information:	etary N/A						
Funding Source(s):		Suffic Funds Availa	s { • Yes	Budget Amendment Required:	{ ○ Yes ● No	Source: N/A	
City Attorney Reviewed:		Advisory Board Recommendation	; { ● For	Consistent With:	Yes No N/A	Comprehensive Plan	
Potential Motion/ Direction Requested:	I MOVE TO A	PPROVE/DISAPP ADING AND PUBL	PROVE ORDINAN			EADING AND SCHEDULE A	
Staff Contact:	Robert Hattor	n, Building Official		x 7417	rhatto	on@largo.com	

page 2, Ordinance No. 2017-21

Attachments:

Page -2-

Modifications have also been made to Chapter 20, Definitions & Acronyms. There are 43 items that have either been added or modified to align with the Federal guidelines.

Adoption of this ordinance will provide the City the ability to earn extra CRS points because the CDC will now coordinate with the International Building Code in floodplain issues.