

**TEMPLE TERRACE CODE
CHAPTER 25 – LAND DEVELOPMENT**

ARTICLE 1. GENERAL PROVISIONS

Section 25.100 TITLE.

This Chapter shall be known as, cited as, and referred to as the City of Temple Terrace Land Development Code. In subsequent sections it may be referred to as the LDC.

Section 25.105 AUTHORITY.

The City of Temple Terrace Land Development Code is adopted pursuant to Chapter 163, Part II, Florida Statutes, (the Local Government Comprehensive Planning and Land Development Regulation Act), the City Charter, effective November 17, 1961, and the general powers in Chapter 166, Florida Statutes (City Government).

Section 25.110 FINDINGS.

The City Council of Temple Terrace finds that:

- (a) Chapter 163, Florida Statutes, requires each Florida local government to enact a unified Land Development Code which implements and is consistent with the Local Comprehensive Plan, and which contains all of the land development regulations for the City of Temple Terrace.
- (b) A single set of administrative procedures for making all land use decisions promotes efficiency, predictability, and citizen participation.
- (c) All development proposals must undergo a development review process to assure compliance with the requirements of this Code.
- (d) Mandatory concept review allows property owners to modify proposals in response to early staff comment.
- (e) All administrative decisions should be supported by a record with written findings to assure accountability and efficient appellate review.
- (f) A quick, efficient and non-political avenue of appeal should be available for all ministerial and administrative decisions.
- (g) Enforcement of development orders and the provisions of this Code should be through procedures that are efficient, effective and consistent with the code enforcement procedures established by State law.

Section 25.115 PURPOSE AND INTENT.

The primary purpose of the LDC is the implementation of the Comprehensive Plan for the City of Temple Terrace, as adopted pursuant to Chapter 163, Part II, Florida Statutes, and in accordance with Florida Administrative Code, 9J-5. The City Council deems it necessary to adopt the LDC for the following purposes:

- (a) Guiding and accomplishing coordinated, adjusted, and harmonious development in accordance with the existing and future needs of the City.
- (b) Protecting, promoting and improving the public health, safety, comfort, order, appearance, convenience, morals and general welfare.
- (c) Conserving the value of land, buildings and resources, and protecting landowners from adverse impacts of adjoining developments.

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- (d) Protecting the character and maintaining the stability of residential, agricultural, business, industrial, recreation and public areas.
- (e) Controlling and regulating the growth of the City, concentrating the more intense development in capability and limiting development in areas of low capability.
- (f) Directing and controlling, through the establishment of performance standards, the type, distribution and intensity of development.
- (g) Being equitable, in terms of consistency, with established regulation and procedures, respecting the rights of property owners while taking into consideration the interests of all the citizens of Temple Terrace.

Section 25.120 GENERAL RULES OF INTERPRETATION.

- (a) In the interpretation and application of the LDC, all standards, criteria and requirements shall be liberally construed in favor of the purposes and goals of the City, and deemed neither to limit nor repeal any other lawful regulatory powers of the City.
- (b) Wherein this Code conflicts with or overlaps other regulations, whichever imposes the more stringent restrictions shall prevail.
- (c) In the event that any question arises concerning the application of regulations, performance standards, definitions, development criteria, or any provision of this LDC, the City Manager or his designee shall be responsible for interpretation. Responsibility for interpretation by the City Manager or his designee shall be limited to standards, regulations, and requirements of this LDC; such responsibility shall not be construed to technical codes adopted by reference in the Appendices to this Chapter. Further, such responsibility shall not be construed to substitute for any rights or responsibilities specified to any commission, board or official named in other Sections or Articles of this LDC. The City Manager or his designee shall rely upon the policies adopted or amended in the Temple Terrace Comprehensive Plan in making any such interpretation.

Section 25.125 RULES REGARDING IMPLEMENTATION OF NEW STANDARDS.

The introduction of new development standards or changes in standards and criteria requires that rules be established regarding applicability to on-going development. To that end, the following pertain:

- (a) Site Plans, building plans, and plats.
 - (1) Site plans, building plans and plats in process shall be evaluated against those rules, regulations and standards in force on the date the site plan, building plan or plat is “accepted.” When a site plan, building plan or plat is submitted, it shall be assumed to be “accepted” if the submittal is not rejected by the City as incomplete, or otherwise unacceptable, within five (5) working days of receipt.
 - (2) Preliminary site plans shall be reviewed against existing standards and criteria and are valid for thirty (30) days from the date of City Council review. If a final site plan is not submitted within the thirty (30) day period, all new regulations and criteria adopted in the interim shall be applicable to new submittals.
 - (3) Final site plans are valid for six (6) months from date of approval. When approval lapses, the new submittal must meet rules, regulations, standards and criteria in force on the date of “acceptance.”

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- (4) Final plans, once approved by City Council, shall be recorded in the Public Records of Hillsborough County within six (6) months of Council approval. When approval lapses, the new submittal must meet rules, regulations, standards and criteria in force on the date of “acceptance.”
- (5) The applicability of “concurrency” to on-going development is specifically dealt with in Article IX, Section 25.910, of this Chapter. Nothing within this Section 25.125 shall be construed to expand the exemption from concurrency requirements found in Article IX, Section 25.910.

- (b) Phased developments.

Notwithstanding anything written above, the adoption of new rules, regulations and standards shall make the same applicable to all phases of development which have not yet received final site plan approval.

Section 25.130 ABROGATION.

This Land Development Code is not intended to repeal, abrogate or interfere with any existing public easements duly recorded in the Public Records of Hillsborough County. The Land Development Code is not intended to repeal any lawful approval by official City action of any planned development, planned unit development or subdivision, nor to negate any recorded agreement which the City has executed. (*Ord. No. 712, 1-23-90*)

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