

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

ARTICLE V. ZONING

Section 25.500 PURPOSE.

For the purpose of this Article, the following classifications of zoning districts are hereby established for use within the City of Temple Terrace, Florida:

R-10	Single Family Residential
R-9	Single Family Residential
R-7.5	Single Family Residential
R-7	Single Family Residential
R-MF	Multi-Family Residential
R-MFA	Alternate Multi-Family Residential
PD-R	Planned Development Residential
E-I	Educational/Institutional
C-O	Commercial Office
C-G	Commercial General
PD	Planned Development
PROF	Planned Research Office Facilities

(Ord. No. 164, 7-19-66; Ord. No. 431, 2-16-82; Ord. No. 438, 5-3-82; Ord. No. 462, 1-4-83; Ord. No. 541, 3-29-85; Ord. No. 655, 5-17-88; Ord. No. 715, 1-23-90; Ord. No. 751, 9-4-90; Ord. No. 754, 9-17-90; Ord. No. 825, 1-19-93)

Section 25.505 ZONING MAP.

(a) The location and boundaries of zoning districts established within the City of Temple Terrace shall be shown on the map entitled “1991 Official Zoning Map of the City of Temple Terrace, Florida,” and as said map may be amended subsequent to the adoption thereof. Said map sections or portions thereof, together with all notations, dimensions, designations, references and other data shown thereon, are hereby adopted and made part of this Article to the same extent as if the information set forth in said map were fully described and incorporated herein.

(b) The official zoning map shall be identified by the signature of the Mayor, attested to by the City Clerk, and bearing the seal of the City under the following words:

“This is to certify that this is the 1991 Official Zoning Map referred to in Section 25.505 of the Code of Ordinances of the City of Temple Terrace, Florida.”

(c) Regardless of the existence of purported copies of the zoning map which may from time to time be made or published, the official certified zoning map, which shall be located at the office of the Community Services Director, shall be the final authority as to the current zoning status of lands, buildings, and structures within the City. *(Ord. No. 1161, 2-21-06)*

Section 25.510 INTERPRETATION OF ZONING DISTRICT BOUNDARIES.

The location of any zoning district boundaries shown on the zoning map shall be determined by the following rules:

(a) Zoning district boundary lines are intended to follow center lines of streets or alleys, street or railway right-of-way or watercourses or be parallel or perpendicular thereto, unless said zoning district boundary lines are fixed by dimensions as shown on the zoning map;

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(b) Where zoning district boundaries approximately follow platted lot lines on the zoning map, said limits shall be construed to be said boundaries;

(c) Where zoning district boundaries approximately follow City limits, said limits shall be construed to be said boundaries;

(d) On unsubdivided property, or where a zoning district boundary divides a lot, the location of any said boundary, unless the same is indicated by dimensions shown upon the zoning map, shall be determined by the use of the scale shown upon said map;

(e) If, after the application of the foregoing rules, uncertainty exists as to the exact location of a zoning district boundary, the City Council shall determine and fix the location of said boundary line following a public hearing. Notice of said public hearing shall be published at least thirty (30) days prior to the date of said hearing in a newspaper of general paid circulation in the municipality and shall contain the date, time, place and purpose of the hearing. (*Ord. No. 164, 7-19-66; Ord. No. 536, 3-19-85; Ord. No. 715, 1-23-90*)

Section 25.515 USES PERMITTED.

Only those uses specifically listed as being permitted within a zoning district shall be permitted in said zoning district, and only in accordance with any stipulated provisions. Unless otherwise stated herein, it is the intent of this Chapter that any use or class of use not specifically listed as permitted shall be expressly prohibited. (*Ord. No. 796, 12-3-91*)

Section 25.520 ONLY ONE PRINCIPAL BUILDING, STRUCTURE, OR USE UPON ANY ZONING LOT.

Each building, structure, or use erected or established shall be located upon a single-family residential zoning lot as herein defined and, except as herein may be provided, there shall be no more than one principal building, structure, or use upon any single-family residential zoning lot. (*Ord. No. 796, 12-3-91; Ord. No. 876, 8-2-94*)

Section 25.525 MANUFACTURED HOMES/MOBILE HOMES.

No manufactured homes, including mobile homes, shall be permitted within the corporate limits of the City, except in an approved mobile/manufactured home park in a R-MFA (Alternate Multi-Family Residential) or E-I (Educational-Institutional) zoning district. (*Ord. No. 877, 8-2-94*)

Section 25.530 ZONING REGULATIONS.

Section 25.530.1 R-10 SINGLE FAMILY RESIDENTIAL – ZONING REGULATIONS.

(a) **Purpose:** The purpose of the R-10 Single Family Residential zoning district shall be to designate and establish areas within the City of Temple Terrace which are deemed to be uniquely appropriate for the development and maintenance of low density residential neighborhoods with ample open space and outdoor living areas; to designate those uses and services deemed appropriate and proper for location and development within said zoning district; and to establish such development standards and provisions as are appropriate to ensure a proper and desirable low density residential environment.

(b) **Permitted use:** Land and buildings within a R-10 Single Family Residential zoning district shall be used only for the following purposes:

- (1) Dwelling, single family.

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- (2) Building or use owned or operated by the City of Temple Terrace, including schools, libraries, museums, art galleries, community buildings, parks, playgrounds, picnic areas, swimming pools or other recreational uses, or utility structures or stations owned or operated by the City of Temple Terrace, including transmission lines, poles, guywires, pipelines as are necessary for the installation and maintenance of utility service.

(c) **Use requiring special approval:** Land and buildings within a R-10 Single Family Residential zoning district may be used for the following purposes upon review and approval of the City Council and in accordance with Section 25.630, Temple Terrace Code of Ordinances:

- (1) Church, synagogue, other place of worship or church school.
- (2) College or university.
- (3) Golf course (regulation size) and related buildings, structures, recreation uses, and service uses.
- (4) Publicly owned or operated building or use, except buildings or uses owned or operated by the City of Temple Terrace, including schools, libraries, museums, art galleries, community buildings, parks, playgrounds, picnic areas, swimming pools or other public recreation uses.
- (5) Public utility structure or station, except any such structure or station owned or operated by the City of Temple Terrace, including transmission lines, poles, guywires, and pipelines as are necessary for the installation and maintenance of approved utility services.
- (6) School (private or parochial) offering a curriculum substantially equivalent to that of a public school with comparable grades and meeting the requirements of the State Department of Education.
- (7) Recreational use for youths and for adults, operated and maintained by a not-for-profit organization and open to the general public; provided, however, that recreational uses, owned, operated or maintained by the City of Temple Terrace shall not require special approval.

Section 25.530.2 R-9 SINGLE FAMILY RESIDENTIAL – ZONING REGULATIONS.

(a) **Purpose:** The purpose of the R-9 Single Family Residential zoning district shall be to designate and establish areas within the City of Temple Terrace which are deemed to be uniquely appropriate for the development and maintenance of a low density residential neighborhood with ample open space and outdoor living areas; to designate those uses and services deemed appropriate and proper for location and development within said zoning districts; to establish such development standards and provisions as are appropriate to ensure a proper and desirable low density residential environment; and to allow for development of areas which, because of their drainage problems, must be developed with lots of less than one hundred (100) feet at the property line.

(b) **Permitted use:** Land and buildings within a R-9 Single Family Residential zoning district shall be used only for the following purposes:

- (1) Dwelling, single family.

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- (2) Building or use owned or operated by the City of Temple Terrace, including schools, libraries, museums, art galleries, community buildings, parks, playgrounds, picnic areas, swimming pools or other recreational uses, or utility structures or stations owned or operated by the City of Temple Terrace, including transmission lines, poles, guywires, pipelines as are necessary for the installation and maintenance of utility service.

(c) **Uses requiring special approval:** In addition to those uses requiring special approval in the R-10 zoning district, pursuant to Section 25.530.1(c), golf driving ranges and non-regulation size golf courses are also permissible by special approval in the R-9 zoning district. Golf driving ranges are permitted, subject to the following additional standards:

Golf driving range: Each proposed golf driving range shall meet, in addition to applicable development standards found elsewhere in the Land Development Code, the following specific requirements:

- (1) Minimum lot size: 300,000 square feet.
- (2) Minimum parcel width at front property line: 400 feet.
- (3) Maximum light trespass on adjacent residential properties: .20 candle power at the property line.
- (4) Maximum height of luminaries: 35 feet.
- (5) Minimum parking standards: 1.5 spaces per driving lane.
- (6) Minimum distance from abutting single-family residentially zoned properties or closest public thoroughfare right-of-way (on the sides): 300 feet.
- (7) Fence or net height along range perimeter: 35 feet.
- (8) Operating hours: limited to 8:00 a.m. to 9:00 p.m.
- (9) Buffering requirements of Section 25.780.8(b) shall apply.
- (10) No loud speakers or other sound amplifying devices shall be permitted. (*Ord. No. 854, 12-7-93*)

Section 25.530.3 R-7.5 SINGLE FAMILY RESIDENTIAL – ZONING REGULATIONS.

(a) **Purpose:** The purpose of the R-7.5 Single Family Residential zoning district shall be to designate and establish areas within the City of Temple Terrace which are deemed to be uniquely appropriate for the development and maintenance of medium density residential neighborhoods with ample open space and outdoor living areas, to designate those uses and services deemed appropriate and proper for location and development within said zoning district, and to establish such development standards and provisions as are appropriate to ensure a proper and desirable medium density residential environment.

(b) **Permitted use:** Land and buildings within a R-7.5 Single Family Residential zoning district shall be used only for the following purposes:

- (1) Dwelling, single family.

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- (2) Building or use owned or operated by the City of Temple Terrace, including schools, libraries, museums, art galleries, community buildings, parks, playgrounds, picnic areas, swimming pools or other recreational uses; or utility structures or stations owned or operated by the City of Temple Terrace, including transmission lines, poles, guywires, pipelines as are necessary for the installation and maintenance of utility service.

(c) **Uses requiring special approval:** In addition to those uses requiring special approval pursuant to Section 25.530.2(c), land and buildings within a R-7.5 Single Family Residential zoning district may be used for the following purpose upon review and approval of the City Council and in accordance with Section 25.630, Temple Terrace Code of Ordinances:

Child care facility (center): Each proposed child care facility (center) shall submit, together with its application for special approval of use, a site plan including the following information:

- (1) General location of principal structures and uses, including play areas, open spaces, paved areas and driveways, sidewalks, buffers and protective walls and fences;
- (2) Description of the location of fencing, identification signs and special landscaping;
- (3) Maximum number of children and age range;
- (4) Boundary lines of property, including dimensions; and
- (5) Evidence of compliance with applicable state regulations.

Section 25.530.4 R-7 SINGLE FAMILY RESIDENTIAL – ZONING REGULATIONS.

(a) **Purpose:** The purpose of the R-7 Single Family Residential zoning district shall be to designate and establish areas within the City which are deemed to be uniquely appropriate for the development and maintenance of medium density residential neighborhoods with ample open space and outdoor living areas, to designate those uses and services deemed appropriate and proper for location and development within said zoning district; and to establish such development standards and provisions as are appropriate to ensure a proper and desirable medium density residential environment.

(b) **Permitted use:** Land and buildings within a R-7 Single Family Residential zoning district shall be used only for the following purposes:

- (1) Dwelling, single family.
- (2) Building or use owned or operated by the City, including schools, libraries, museums, art galleries, community buildings, parks, playgrounds, picnic areas, swimming pools or other recreational uses; or utility structures or stations owned or operated by the City, including transmission lines, poles, guywires, pipelines as are necessary for the installation and maintenance of utility service.

(c) **Uses requiring special approval:** Land and buildings within a R-7 Single Family Residential zoning district may be used for those uses permitted pursuant to Section 25.530.2(c) and 25.530.3(c) upon review and approval of the City Council and in accordance with Section 25.630, Temple Terrace Code of Ordinances.

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Section 25.530.5 R-MF MULTI-FAMILY RESIDENTIAL – ZONING REGULATIONS.

(a) **Purpose:** The purpose of the R-MF Multi-Family Residential zoning district shall be to designate and establish areas within the City of Temple Terrace which are deemed to be uniquely appropriate for the development and maintenance of medium density residential neighborhoods properly served by adequate community facilities and commercial service areas; to designate those uses and services deemed appropriate and proper for location and development within said zoning district; and to establish such development standards and provisions as are appropriate to ensure a proper and desirable medium density residential environment.

(b) **Permitted use:** Land and buildings within a R-MF Multi-Family Residential zoning district shall be used for the following purposes:

- (1) Multi-family dwelling.
- (2) Publicly owned or operated building or use, including schools, libraries, museums, art galleries, community buildings, parks, playgrounds, picnic areas, swimming pools or other recreational uses.
- (3) Public utility structure or station, including transmission lines, poles, guywires, pipelines as are necessary for the installation and maintenance of utility service.
- (4) College or university.
- (5) Church, synagogue, other place of worship, or church school.
- (6) Nursery school or kindergarten.
- (7) School (private or parochial), offering a curriculum substantially equivalent to that of a public school with comparable grades and meeting the requirements of the State Department of Education.
- (8) Townhouses.
- (9) Recreational use for youths and for adults, operated and maintained by a not-for-profit organization and open to the general public.

Section 25.530.6 R-MFA ALTERNATE MULTI-FAMILY RESIDENTIAL ZONING REGULATIONS.

(a) **Purpose:** The purpose of the R-MFA Alternate Multi-Family Residential zoning district shall be to designate and establish areas within the City of Temple Terrace which are deemed to be uniquely appropriate for the development and maintenance of multi-family residential housing properly served by adequate community facilities, recreational amenities and commercial service areas and to provide additional flexibility in the development of said areas beyond that which is currently available in the R-MF, Multi-Family Residential zoning district; to designate those uses and services deemed appropriate and proper for location and development within said zoning district; and to establish such development standards and provisions as are appropriate to ensure a proper and desirable multi-family residential environment.

(b) **Permitted use:** In addition to those uses permitted pursuant to Section 25.530.5, land and buildings within a R-MFA Alternate Multi-Family Residential zoning district shall also be used for the following purposes:

- (1) Hotel or motel.

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- (2) Hotel/restaurant complex or motel/restaurant complex, subject to the following limitations and restrictions:

Such complexes, whether under single ownership or with separate ownership of the hotel or motel and the restaurant components, may be developed only pursuant to a single, unified general site development plan; provided, however, no restaurant may be approved as part of a hotel/restaurant complex or as part of a motel/restaurant complex unless said restaurant has a minimum of 2,500 square feet of service area, and is equipped to provide full table service of meals to a minimum of one hundred fifty (150) persons at tables at one time.

- (3) Mobile or manufactured home park. (*Ord. No. 877, 8-2-94*)

Section 25.530.7 PD-R PLANNED DEVELOPMENT RESIDENTIAL – ZONING REGULATIONS.

(a) **Purpose:** The purpose of the PD-R, Planned Development Residential, zoning district is to permit, at the discretion of City Council, the development of single family residential dwellings in appropriate infill areas of the City in conformance with the adopted Future of Hillsborough Comprehensive Plan for the City of Temple Terrace. No more than three (3) abutting single family residential dwellings may be requested by an applicant pursuant to this district's regulations.

(b) **Approval of the PD-R zoning district:** City Council shall consider any request for a PD-R zoning in accordance with the provisions provided in Section 25.550 of this Article. The drawings described herein, representations made by the applicant during the public hearing when the zoning is considered, and any conditions imposed on the development by City Council, shall become part of the zoning and shall run with the land. Development of the subject property shall be in strict compliance with the approval of the PD-R zoning. (*Ord. No. 754, 9-17-90, Scrivener's Error correction 11-22-06*)

Section 25.530.8 E-I EDUCATIONAL INSTITUTIONAL – ZONING REGULATIONS.

(a) **Purpose:** The purpose of the E-I, Educational Institutional, zoning district shall be to locate and designate areas within the City that are uniquely suited for the grouping and development of public and quasi-public educational and institutional uses to serve the residents of the City and surrounding areas; to designate such uses as appropriate for development within said zoning district; and to set forth such development standards and provisions as proper and necessary to ensure the proper development and functioning of uses within said zoning district.

(b) **Permitted use:** Land and buildings within an E-I, Educational Institutional, zoning district shall be used only for the following purposes:

- (1) Those uses permitted in Section 25.545 (b) herein.
- (2) Schools, including:
 - a. Public and private elementary, junior high, and high schools, including general education and vocational/technical schools, and related auxiliary and support facilities and uses, including but not limited to power plants, gymnasiums and other outdoor sports and recreational facilities.
 - b. Higher educational institutions, including junior colleges, colleges and universities, and related and support auxiliary facilities and uses, including but not limited to libraries, gymnasiums and other outdoor sports and recreational facilities, maintenance facilities, food and eating facilities, dormitories and other living quarters, including manufactured homes and/or mobile homes, and laundries. (*Ord. No. 877, 8-2-94*)

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- (3) Health services designed primarily for in-patient care, including:
 - a. Hospitals (but not animal hospitals) and related auxiliary and support facilities and uses, including but not limited to power plants and separate detached clinics.
 - b. Convalescent homes, nursing homes, or homes for the aged, and related auxiliary and support facilities and uses, including but not limited to separate detached recreational facilities, and in-house personal service facilities such as laundries, pharmacies, hair salons, etc. (*Ord. No. 825, 1-19-93*)

Section 25.530.9 C-O COMMERCIAL OFFICE – ZONING REGULATIONS.

(a) **Purpose:** The purpose of the C-O, Commercial Office, zoning district shall be to locate and designate areas within the City of Temple Terrace which are suited for the development of uses of an institutional or professional nature to serve the residents of the City and surrounding areas; to designate such uses as appropriate for development within said zoning district; and to set forth such development standards and provisions as proper and necessary to ensure the proper development and functioning of uses within said zoning district.

(b) **Permitted use:** Land and buildings within a C-O, Commercial Office, zoning district shall be used only for the following purposes:

- (1) Church, synagogue, other place of worship or church school.
- (2) Day care center.
- (3) Funeral home or undertaking establishment.
- (4) Medical or dental clinic.
- (5) Office, for administrative, business or professional use.
- (6) Portrait studio.
- (7) Publicly owned or operated building or use; including but not limited to schools, libraries, museums, art galleries, community buildings, parks, playgrounds, picnic areas, swimming pools or other public recreational uses.
- (8) Public utility structures or stations, including transmission lines, poles, guywires, and pipelines as are necessary for the installation and maintenance of approved utility service.
- (9) School (private or parochial), either offering a curriculum substantially equivalent to that of a public school with comparable grades and meeting the requirements of the State Department of Education or an educational facility or school offering a similar curriculum designed to remediate or supplement educational instruction.
- (10) Single family dwellings.

(c) **Conditional uses:** The following uses may also be permitted within the C-O, Commercial Office, zoning district, subject to the specific criteria for said uses outlined in Section 25.530.9(d) below.

Commercial activities legally in operation on the effective date of this Article, December 19, 1995, and which are identified as being subject to conditional use approval, shall be recognized as APPROVED conditional uses and further approvals by the City Council are NOT required.

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- (1) Bed and breakfast establishment.
 - (2) Conversion of a residential structure to a non-residential permitted use.
 - (3) Personal services, including but not limited to, barber shops, beauty salons, nail salons and tanning salons.
 - (4) Pharmacy.
 - (5) Residential use in conjunction with a non-residential permitted use.
 - (6) Veterinarian clinic. (*Ord. No. 972, 2-3-98*)
- (d) **Specific criteria for conditional uses in the C-O, Commercial Office, zoning district:**
- (1) **Bed and breakfast establishment:**
 - a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. The subject residence, accessory dwelling units and other accessory structures must comply with the regulations of the Land Development Code for a single family dwelling unit in the City's R-9 residential zoning district.
 - d. Parking in excess of that required for a single family dwelling shall not be located forward of the front building line and **may** not be required to be paved.
 - e. Bed and breakfast establishments shall be allowed no more than five (5) lodging units.
 - f. Signage shall be used for identity purposes only. Signage shall be limited to a maximum of four (4) square feet, and non-illuminated.
 - g. Activities which are customary and incidental to the function of the bed and breakfast may be permitted.
 - h. Must be owner occupied and operated and maintain an affiliation with a bed and breakfast industry registry.
 - i. Shall meet applicable state and local regulations.
 - j. Such uses shall only be provided in principal structures containing not less than 1,500 square feet of gross floor area.
 - k. Not more than fifty (50) percent of the gross square footage of the principal structure shall be utilized for the bed and breakfast use. For the purposes of calculating the area of the structure devoted to the bed and breakfast use, only the floor area of the bedroom and bathroom areas utilized by the bed and breakfast guests shall be considered in such calculations.

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- (2) **Conversion of a residential structure to a non-residential permitted use, subject to the following provisions:**
- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. Compliance with all local, state, and federal regulations relevant to building and fire codes.
 - d. Additional parking requirements generated by conversion to non-residential uses may be provided with mulch parking areas rather than concrete or other impervious surface where practical from an engineering design standpoint.
 - e. A solid or wood fence buffer is required when the commercial conversion is adjacent to residentially zoned and/or used lands.
 - f. A maximum of two (2) commercial uses may occupy a residential structure converted to commercial usage.
- (3) **Personal services such as barber shops, beauty salons, nail salons and tanning salons, subject to the following provisions:**
- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
- (4) **Pharmacy, subject to the following provisions:**
- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
- (5) **Residential use in conjunction with a non-residential permitted use, subject to the following provisions:**
- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. Occupancy of residential use shall be limited to owner/operator of associated non-residential use.
 - d. Multi-family residential uses are prohibited.

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(6) Veterinarian Clinic, subject to the following conditions:

- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.
- b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
- c. All activities shall be carried out within soundproof, air conditioned buildings with no outdoor cages, runs or other outdoor facilities.
- d. There shall be no overnight boarding of animals unless said boarding is necessary in connection with treatment, recovery or for other medical reasons.
- e. Said use shall conform fully to those performance standards listed elsewhere in the Code related to noise and odors. (*Ord. No. 972, 2-3-98*)

(7) Funeral Home with accessory crematory (for incineration of human remains only, and only in association with services provided by a funeral home).

- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council is required.
- b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
- c. The crematory shall be limited to one incinerator unit.
- d. All cremation activities shall be carried out within the principal structure and may not take place inside any accessory building.
- e. Hours of operation of the crematory shall be limited to 7 a.m. to 7 p.m.
- f. The crematory incinerator stack shall be set back a minimum of 30 feet from any lot line adjoining residentially zoned property, and shall include a minimum 5 foot wide buffer area along the entire adjoining lot line to include at a minimum:
 - i. 6-foot masonry wall finished on all sides to match the principal structure, and
 - ii. Evergreen trees a minimum of 10 feet in height, planted not more than 20 feet apart, with additional evergreen shrubs, plants, and ground cover to form an 80 percent opaque screen at the time of planting.
- g. The crematory shall be fueled by natural gas if connection is available within 500 feet of the incinerator site. If such natural gas connection is not available, any fuel storage tank shall be screened with an opaque fence or wall or installed underground.
- h. Crematory operation shall meet all required minimum standards and permitting requirements of local, state, and federal agencies.
- i. Said use shall conform fully to those performance standards listed in Code Section 14.185, Public Nuisances, and elsewhere in Code related to smoke, noise and odors.
(*Ord. No. 1183, 9-5-06*)

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C-G COMMERCIAL GENERAL – ZONING REGULATIONS.

(a) **Purpose:** The purpose of the C-G, Commercial General, zoning district shall be to locate and designate areas within the City of Temple Terrace which are suited for the development and operation of general commercial service areas to serve the residents of the City and surrounding areas; to designate such uses as appropriate for development within said zoning district; and to set forth such development standards and provisions as proper and necessary to ensure the proper development and functioning of uses within said zoning district.

(b) **Permitted use:** Land and buildings within a C-G, Commercial General, zoning district shall be used only for the following purposes:

- (1) All uses, excluding single-family dwellings, permitted under Section 25.530.9, C-O, Commercial Office, zoning district.
- (2) Antique store.
- (3) Apparel and shoe store.
- (4) Appliance stores, including repair, carried on entirely within the building.
- (5) Art supply store.
- (6) Automotive supply store.
- (7) Bakery.
- (8) Bank or financial institution. (*Ord. No. 1104, 12-2-03*)
- (9) Barber/beauty salon.
- (10) Bicycle sales.
- (11) Book/stationery store, new and used.
- (12) Camera/photography store.
- (13) Candy store.
- (14) Car rental agencies. (*Ord. No. 1079, 10-15-02*)
- (15) Clothing store.
- (16) Clubs or lodges.
- (17) Convenience store.
- (18) Department and discount stores.
- (19) Drug store.
- (20) Dry cleaners.
- (21) Exterminator.

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- (22) Fitness center.
- (23) Florist shop.
- (24) Food catering service.
- (25) Food product store.
- (26) Furniture/home furnishing.
- (27) Gift shop.
- (28) Golf courses excluding driving ranges and/or lighting for night use. (*Ord. No. 980, 9-15-98*)
- (29) Hardware store.
- (30) Hobby/toy/craft store.
- (31) Home improvement store.
- (32) Hotel/motel.
- (33) Interior cleaning service.
- (34) Jewelry store, including repairs.
- (35) Lawn/garden/pool supply store.
- (36) Mail order pickup facilities.
- (37) Musical instrument/supply store.
- (38) Newsstand.
- (39) Novelty and souvenir shop.
- (40) Office equipment and supply store.
- (41) Optician/optical supplies.
- (42) Pet grooming and/or supply, not including sale of animals.
- (43) Pet store.
- (44) Pharmacy.
- (45) Quick copy and duplicating service.
- (46) Radio and TV sales.
- (47) Repair shops, other than automotive, provided work is carried out wholly within an enclosed building.

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- (48) Restaurants – subject to the following limitations:
 - a. Restaurant(s) may not comprise more than 25% of a retail/office center which contains 50,000 square feet or more of gross leasable space.
 - b. Outdoor seating shall constitute no more than 20% of the total enclosed seating capacity of the restaurant; shall be located immediately adjacent to the place of business where service is provided, and shall be subject to submission and approval of a site design/layout plan which may address such items including, but not limited to, buffering, accessibility, and maintenance.
 - c. On-premises consumption of alcoholic beverages shall meet all requirements and stipulations contained in Chapter 3, Alcoholic Beverages, Temple Terrace Code.
- (49) Schools – Art, business, dancing, music, dramatic, physical culture, gymnastic, secretarial, martial arts, and other similar type of schools.
- (50) Shoe store or shoe repair shop.
- (51) Sporting goods store.
- (52) Supermarket.
- (53) Theater (indoor).
- (54) Tobacco shop.

(c) **Conditional uses:** The following uses may also be permitted within the C-G, Commercial General, zoning district, subject to the specific criteria for said uses outlined in Section 25.530.10(d) below.

Commercial activities legally in operation on the date of adoption of this Article, December 19, 1995, and which are identified as being subject to conditional use approval, shall be recognized as APPROVED conditional uses and further approvals by the City Council are NOT required.

- (1) Automobile sales, service and leasing.
- (2) Automobile washing service, manual or mechanical, coin-operated or self-service facilities.
- (3) Bowling alley, billiard hall, or other similar recreation use or place of amusement, assembly or entertainment carried on wholly within an enclosed building.
- (4) Buildings with a maximum height in excess of fifty (50) feet.
- (5) Dry cleaning/laundry establishment, other than pick-up only.
- (6) Furniture refinishing, reupholstery.
- (7) Gas station, without automotive repair but including convenience sales.
- (8) High turnover retail automotive services.
- (9) Landscape nursery.

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- (10) Liquor store.
- (11) Lounge.
- (12) Restaurants which comprise more than 25% of a retail/office center of 50,000 square feet or more or which propose outdoor seating which shall constitute more than 20% of the total enclosed seating capacity of the restaurant(s).
- (13) Retail uses other than those delineated above which are determined by the Director of Community Services to be similar in nature and/or consistent with the general purpose and intent of the established permitted uses. (*Ord. No. 1161, 2-21-06*)
- (14) Service station, with or without convenience sales.
- (15) Veterinarian clinic.
- (16) Communication towers. (*Ord. No. 938, 12-17-96*)
- (17) Golf course driving ranges and/or golf course lighting for night use. (*Ord. No. 980, 9-15-98*)
- (18) Blood donor center, which is a business primarily engaging in the activity of receiving or taking whole blood, plasma or any component thereof from human donors for consideration. (*Ord. No. 1080, 11-5-02*)

(d) **Specific criteria for conditional uses in the C-G, Commercial General, zoning district:**

- (1) Automobile sales, service and leasing, subject to the following provisions:
 - a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. Minimum lot area of three (3) acres.
 - d. A landscape strip ten (10) feet in width containing a hedge three (3) feet in height, ground cover, and one tree per forty (40) linear feet, shall be maintained along rights-of-way.
 - e. All automotive repair activities shall be performed within a completely enclosed building.
 - f. All outdoor storage areas for vehicles being repaired shall be shielded by a solid buffer in accordance with the definition thereof contained in the City's Land Development Code.
 - g. All customer and employee parking and vehicle display areas shall be delineated on the site plan. Pavement signage or small signs on vertical posts stating "customer parking" or "employee parking" shall be constructed for each customer and employee parking space and shall be maintained by the owner or lessee. Vehicle display areas are not required to stripe individual parking spaces to allow flexibility in display. Vehicle display shall not encroach at any time into any customer or employee parking area, drive aisles, green space area, or visibility triangle.

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- b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. No building or portion of a building (i.e., unit in multi-unit center) utilized for said use shall be closer than two hundred (200) feet from any single residentially zoned or used property.
 - d. Serving of alcoholic beverages at such facilities shall be permitted solely in accordance with the provisions and restrictions of Chapter 3, Alcoholic Beverages, Temple Terrace Code of Ordinances.
 - e. Hours of operation for such use shall be limited to 8:00 a.m. to 12:30 a.m.
- (4) Buildings with a maximum height in excess of fifty (50) feet, subject to the following provisions:
- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. Must be located within a designated central business district, or on property designated with an Urban Level-2 (UL-2) Land Use category.
 - d. Must have a minimum setback from any single family residentially zoned or used property equal to the height of structure.
- (5) Dry cleaning/laundry establishment, other than pick up only, subject to the following conditions:
- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. Said establishment shall not exceed two thousand (2,000) square feet; and
 - d. The City shall be satisfied that the ventilation shall exist to assure the dispersion and removal of fumes; and
 - e. The City shall be satisfied that adequate provisions have been made for the removal of hazardous chemicals and fluids; and
 - f. A rooftop fume stack shall be required to assure dispersion of fumes and vapors away from adjoining facilities. Steam vent pipes protruding from building walls shall be a minimum of ten (10) feet above the building's first floor elevation; and
 - g. Any vent pipe shall be directed upward and shall include a suitable muffler system to eliminate noise emissions from any such pipe; and
 - h. Steam pipes located in the roof shall be clearly marked as dangerous; and

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- i. No such establishment shall be located closer than twenty-five (25) feet to any single family residentially zoned or developed property; and
 - j. Such establishment shall serve no more than two satellite facilities.
- (6) Furniture refinishing, reupholstery, subject to the following provisions:
- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. All activities must be performed within an enclosed building.
 - d. Fabrication or assembly of new products is prohibited.
 - e. Compliance with all local, state and federal laws relevant to the storage of hazardous materials.
- (7) Gas station, without automotive repair but including convenience sales, subject to the following provisions:
- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. Clearance required:

Gasoline pumps shall be located a minimum distance of twenty (20) feet from any street right-of-way line and a minimum distance of fifteen (15) feet from any property line.

No service station building or gasoline pump shall be located within twenty-five (25) feet of property within a residential zoning district.
 - d. Where a side or rear property line abuts a C-O, Commercial Office, zoning district, or property used and zoned for residential purposes, a solid buffer shall be provided along the entire length of the property line, except that no solid buffer shall be provided along a street right-of-way, except as may otherwise be required in this Chapter. Such solid buffer shall be continuous and unbroken, except in the areas of driveways, walkways, and a solid buffer adjacent to an alley may have a three (3) foot opening which shall be closed by a solid gate when the opening is not being used for access.
 - e. Display of merchandise: Display and storage of merchandise and accessory products including tires, batteries, oil, and similar products, shall be conducted wholly within an enclosed building; provided that customary accessory service products stored and/or displayed immediately adjacent to the building wall or upon gasoline pump islands during business hours shall be permitted.
 - f. All provisions of Section 25.760.9 (drive-thru) facilities.

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- g. Parking requirements for convenience sales element of this use shall be those listed for “retail” uses in Subsection 25.760.7(5)o. of the Land Development Code.
- (8) High turnover retail automotive services, subject to the following conditions:
- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. No service center building shall be located within one hundred twenty-five (125) feet of property with a residential zoning district.
 - d. Where a side or rear property line abuts a C-O, Commercial Office, zoning district, or property used and zoned for residential purposes, a solid buffer shall be provided along the entire length of the property line, except that no solid buffer shall be provided along a street right-of-way, except as may otherwise be required in this Chapter. Such solid buffer shall be continuous and unbroken, except that in the areas of driveways, walkways, and a solid buffer adjacent to an alley may have a three (3) foot opening which shall be closed by a solid gate when the opening is not being used for access.
 - e. Display and storage of merchandise and accessory products shall be conducted wholly within an enclosed building.
 - f. The service center shall comply with all provisions of Section 25.760.9 (drive-thru facilities).
- (9) Landscape nursery, subject to the following provisions:
- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. A minimum lot size of one (1) acre shall be required for this use.
 - d. “Greenhouse” structures erected in connection with this use shall have a minimum separation distance of fifteen (15) feet, and there shall be a minimum setback of twenty-five (25) feet from any property line.
 - e. Any mechanical equipment (tractors, sprayers, etc.) utilized in connection with this use shall be stored only in side or rear yards and shall be screened from view of public rights-of-way by a solid or landscape buffer.
- (10) Liquor store, subject to the following provisions:
- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.

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- b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. All requirements and stipulations contained in Chapter 3, Alcoholic Beverages, City of Temple Terrace Code of Ordinances.
 - d. Drive-thru facilities are prohibited.
- (11) Lounge, subject to the following provisions:
- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. All requirements and stipulations contained in Chapter 3, Alcoholic Beverages, Temple Terrace Code of Ordinances.
- (12) Restaurants which comprise more than 25% of a retail/office center of 50,000 square feet or more or which propose outdoor seating which shall constitute more than 20% of the total enclosed seating capacity of the restaurant(s).
- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. All requirements and stipulations contained in Chapter 3, Alcoholic Beverages, City of Temple Terrace Code of Ordinances.
- (13) Retail uses other than those listed above which are determined by the Director of Community Services to be similar in nature and/or consistent with the general purpose and intent of the established permitted uses. (*Ord. No. 1161, 2-21-06*)
- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by the City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. Determination by City Council that said use would result in no greater negative impacts on surrounding properties than would uses specifically listed as permitted.
 - d. Determination by City Council that said use is not more similar to a use permitted in a more intense district.
- (14) Service station, with or without convenience sales.
- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.

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- b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. Clearance required:

Gasoline pumps shall be located a minimum distance of twenty (20) feet from any street right-of-way line and a minimum distance of fifteen (15) feet from any property line.

No service station building or gasoline pump shall be located within twenty-five (25) feet of property within a residential zoning district.
 - d. Where a side or rear property line abuts a C-O, Commercial Office, zoning district or property used and zoned for residential purposes, a solid buffer shall be provided along the entire length of the property line, except that no solid buffer shall be provided along a street right-of-way, except as may otherwise be required in this Chapter. Such solid buffer shall be continuous and unbroken, except in the areas of driveways, walkways, and a solid buffer adjacent to an alley may have a three (3) foot opening which shall be closed by a solid gate when the opening is not being used for access.
 - e. All storage of vehicles awaiting needed parts shall be within the building or shall be completely screened from off site view in a rear or side yard.
 - f. All outdoor lighting shall be in conformance with those performance standards related to lighting and glare referenced in Section 25.760.11(h), directional in nature and shall not shine directly onto adjacent properties.
 - g. Major automotive repairs, including but not limited to, engine or transmission dismantling, painting, body, fender, and upholstery work shall not be permitted.
 - h. Display of merchandise: Display of storage of merchandise and accessory products including tires, batteries, oil and similar products, shall be conducted wholly within an enclosed building; provided that customary accessory service products stored and/or displayed immediately adjacent to the building wall or upon gasoline pump islands during business hours shall be permitted.
 - i. All provisions of Section 25.760.8 (drive-thru facilities).
- (15) Veterinarian Clinic, subject to the following conditions:
- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. All activities shall be carried out within soundproof, air conditioned buildings with no outdoor cages, runs or other outdoor facilities unless determined by City Council that such facilities are located and screened so as not to affect the use, enjoyment or value of surrounding residentially zoned or used properties.
 - d. There shall be no overnight boarding of animals unless said boarding is necessary in connection with treatment, recovery or for other medical reasons.

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- e. Said use shall conform fully to those performance standards listed elsewhere in the Code related to noise and odors. (*Ord. No. 905, 12-19-95*)
- (16) Communication towers.
- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. Compliance with the provisions of Section 25.750.6, Radio, TV Antennae, Satellite Dishes, and Communication Towers. (*Ord. No. 938, 12-17-96*)
- (17) Golf course driving ranges and/or golf course lighting for night use.
- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by the City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. A detailed lighting plan prepared by a qualified lighting professional shall be submitted which addresses the size, type, number, intensity and spillover effect of lighting fixtures needed to accomplish lighting objectives.
 - d. All lighting shall be directional in nature and shall not shine directly onto adjacent properties nor create glare when viewed from off-premises. (*Ord. No. 980, 9-15-98*)
- (18) Blood donor center.
- a. Pursuant to Section 25.630, General Site Development Plans, site plan review and approval by City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.
 - c. The blood donor center shall not be located within 1000 feet of any other blood donor center.
 - d. The blood donor center may not accept donations before 7:00 a.m. or after 9:00 p.m.
(*Ord. No. 1080, 11-5-02*)

Section 25.530.11

PD – PLANNED DEVELOPMENT – ZONING REGULATIONS.

- (a) **Purpose:** The purpose of the planned development zoning district is to provide an alternative method of land development not available within the framework of the other zoning districts of the City. This classification may be assigned to land which is to be developed as a whole or in a single development, or programmed series of development operations, utilizing innovative design techniques not possible through the structure of other zoning districts of the City, for the purpose of achieving one or more of the following development objectives:

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- (1) To preserve or be otherwise sensitive to significant environmental or topographical features which exist on the site.
- (2) To accommodate a mixture of uses on one or more parcels of land with single or multiple ownerships, zoned, approved, operated and developed as a single unit and made internally and externally compatible through use limitations, sign control, cross easements for access and utilities, coordinated building orientation, design, aesthetics and buffering, with principal and accessory structures substantially related to the character of the development and the context of the neighborhood of which they are a part.
- (3) To accommodate a comprehensively planned and phased redevelopment project involving multiple ownerships which provides for interrelated uses, circulation patterns (both vehicular and pedestrian), building orientation, parking areas, architectural motif, signs, open space, amenity areas and like features, which positively contribute to the area being redeveloped and the City.
- (4) To capture internally as many trips as possible within the boundaries of a single development by combining mixed residential, commercial, research, and office uses, and by reducing trip lengths thereby encouraging non-motorized travel. The intent of this provision is to reduce the impact of planned developments on vehicular traffic congestion. (*Ord. No. 795, 11-19-91*)

Planned developments shall be designed according to comprehensive plans which provide for interrelated uses, circulation patterns (both vehicular and pedestrian), streets, utilities, lots, building orientation, parking areas, architectural motif, signs, open space, amenity areas and like features with a program to provide for the maintenance and operation of all such areas. Planned developments must also provide improvements and facilities for the common use of all or some of the occupants of the development and a provision for the maintenance and operation of all necessary services which the City of Temple Terrace does not agree, in writing, to provide, maintain or operate.

- (b) **Permitted area:** Planned developments of mixed commercial and residential uses, more than one residential use, or more than one commercial use are permitted within the following areas:
 - (1) Beginning at the northwest corner of the northeast $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 15, Township 28 South, Range 19 East, Hillsborough County, Florida, said point also being in the center of Fowler Avenue; thence, easterly along the center of Fowler Avenue and the north section line of Sections 15 and 14, to a point on the northerly projection of an easterly property line of RUSTIC VILLAGE; thence, southerly, easterly, and southerly along the east, north, and east lines of said RUSTIC VILLAGE, to the south line of the north $\frac{1}{2}$ of the northeast $\frac{1}{4}$ of Section 14, said point also being in the center of 113th Avenue; thence, westerly along the south line of the north $\frac{1}{2}$ of the northeast $\frac{1}{4}$ of Section 14 and along the south line of the north $\frac{1}{2}$ of the northeast $\frac{1}{4}$ of Section 15, to the northerly projection of the east line of Block 25 of TEMPLE TERRACE (Subdivision); thence southerly along the said east line of Block 25 of TEMPLE TERRACE (Subdivision), to the centerline of Whiteway Drive; thence westerly along said centerline of Whiteway Drive to a point on the northerly projection of the east line of Block "K" of A Replat of Blocks F, G and K and parts of Blocks C and J of TEMPLE VALLEY ESTATES Subdivision; thence, southerly and westerly along the east and south lines of said Block "K" to the center of 56th Street; then southerly along the center of 56th Street to a point on the easterly projection of Temple Heights Avenue, said point also being on the north line of the westerly projection of Lot 25 of TEMPLE TERRACES; thence easterly along said north line of Lot 25 to the northeast corner thereof; thence southerly along the west line of said Lot 25 to its intersection with the centerline of Flotto Avenue; thence easterly along said centerline of Flotto Avenue to the centerline of Ridgedale Road; thence southerly along the centerline of Ridgedale Road to its intersection with the westerly projection of a line parallel to and 30.2 feet south of the north line of Lot 1,

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Block C-2, TEMPLE TERRACE ESTATES; thence easterly along said line parallel to and 30.2 feet south of the north line of Lot 1, to the east line of said Lot 1; thence southwesterly along the east line of said Lot 1 to the northeast corner of Lot 23, Block C-2, TEMPLE TERRACE ESTATES; thence southeasterly along a north line of said Lot 23 to the center of Greenfield Avenue; thence, southerly along the center of Greenfield Avenue (and crossing Bullard Parkway) to its intersection with the easterly projection of the south line of Lots 21, 20, 19 and 18, Block C-3, TEMPLE TERRACE ESTATES; thence, westerly along said south line of Lots 21, 20, 19 and 18, to the center of Sunnyside Avenue; thence, southerly along the center of Sunnyside Avenue to the center of Shadow Lane; thence, westerly along the center of Shadow Lane to the center of Springdale Place; thence southerly along the center of Springdale Place to the center of Riverhills Drive; thence, southeasterly along the center of Riverhills Drive to the center of Sunnyside Road; thence southwesterly along the center of Sunnyside Road to the center of Riverhills Drive; thence northwesterly along the center of Riverhills Drive to its intersection with the northeasterly projection of the north line of Lot 1, RIVER TERRACE ESTATES; thence westerly along said north line of Lot 1 to the northwesterly corner thereof, said point also being on the northerly low water line of the Hillsborough River; thence northwesterly and westerly along the northerly low water line of the Hillsborough River, crossing 56th Street, to the southwest corner of Lot 2, RIVERHILLS PARK UNIT NO. 1; thence, northerly along the west side of said Lot 1, to the center of Riverhills Drive; thence, easterly along said center of Riverhills Drive to its intersection with the southerly projection of the west line of Lot 3, RIVERHILLS PARK UNIT NO. 1; thence, northerly along the west line of said Lot 3, to the center of Ridgeway Road; thence westerly along the center of Ridgeway Road to its intersection with the southerly projection of the west line of Lot 11, Block 2, GRANDVIEW ACRES UNIT NO. 1; thence, northwesterly, northeasterly, and easterly along the westerly, northwesterly and northeasterly lines of said Lot 11 to a northeasterly corner thereof, said point also being the southwesterly corner of Lot 2, Block 2, GRANDVIEW ACRES UNIT NO. 1; thence, northerly along the west line of said Lot 2, to the center of Beverly Drive; thence northwesterly and northerly along the center of Beverly Drive to the center of Grove Hill Road; thence, westerly along the center of Grove Hill Road and the westerly projection thereof to its intersection with the west line of the northeast ¼ of the southwest corner of Section 22; thence along the west ¼-¼-line of Sections 22 and 15 to the Place of Beginning.

- (2) All areas annexed into the City of Temple Terrace after January 1, 1983.
- (3) Those areas within an adopted Community Redevelopment Area pursuant to Part III, Chapter 163.330, Florida Statutes. (*Ord. No. 1039, 2-6-01*)

(c) **Application for planned development.** The proponents of a planned development shall make a written application in accordance with the provisions of this Chapter, to the Temple Terrace City Council for the approval of a planned development zoning classification.

(d) **Permitted uses:** All uses permitted in a planned development shall be consistent with the comprehensive land use plan designation for the subject site, including densities and intensities of use. Uses permitted in a planned development may include and shall be limited to:

- (1) Dwelling units in detached, semi-detached, attached or multi-family structures, or combinations thereof.
- (2) Non-residential uses such as commercial, religious, cultural, recreational, governmental, and other uses which are compatibly and harmoniously incorporated into a unitary design of the planned development.

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- (3) Combination of dwelling units and non-residential uses as described in (1) and (2) above.

(e) **Submission of plans and action thereon.** The development plan of the planned development shall meet the requirements of professional land planning services, promote public health, safety and general welfare; provide adequate light, air, privacy and convenience, conserve the values of surrounding property, and protect against fire, panic, explosion, noxious fumes, flooding along natural watercourses, and other hazards.

Development plans for all planned developments shall be submitted in accordance with City general site specific development plan requirements contained in Section 25.630 (site specific) of the Temple Terrace Code of Ordinances and, where applicable, in accordance with City subdivision regulations contained in Article VII of this Chapter.

Redevelopment plans for all planned development in the DMU-25 land use category shall include architectural renderings depicting the design features of all building façades, signage and streetscape features (such as landscaping and lighting) within the project site that address compliance with design guidelines and standards in Chapter 29 - Temple Terrace Downtown Community Redevelopment Plan Overlay Zoning District.

In addition to the submission requirements described above, the applicant shall submit a detailed textual statement containing all proposed uses within the planned development, including all restrictions, covenants, limitations, hours of operation, rules, regulations and such other data and information as the City shall require, which the applicant intends to place on the property. Upon approval by the City Council, this textual statement shall become a part of the City's zoning regulations for that planned development. After final approval of the planned development, including the textual statement, any amendment to the provisions of the textual statement must be made in accordance with this Section. (*Ord. No. 1159, 2-7-06*)

(f) **Public hearing and zoning action.**

- (1) Upon review of the final site plan by the Development Review Committee (DRC) a public hearing shall be held to obtain input on the proposed planned development rezoning, in accordance with the applicable Florida Statutes and City ordinances. (*Ord. No. 1138, 4-19-05*)
- (2) Following receipt of the recommendations of the City Manager and the Planning Commission, and upon consideration of public input obtained at the public hearing, and review of the planned development, the City Council shall, within sixty (60) days from the conclusion of the public hearing, adopt a resolution either denying the application or instructing the City Attorney to draft the appropriate ordinance to establish the planned development zoning classification on the specified parcel.

(g) **Time periods and extensions thereof.**

- (1) Construction shall begin within a period of two (2) years, beginning with the enactment date of the ordinance creating the planned development. Failure to begin construction within this two (2) year period shall automatically cause the ordinance establishing the planned development to be rescinded, unless a request for an extension of time is granted.
- (2) An application for an extension of the two (2) year period shall be made to the City Council of Temple Terrace and shall be accompanied by such evidence as shall be necessary to show substantial need and shall be made before the expiration of the two (2) year period. In its sole discretion, the City Council may, by resolution, grant the extension; provided, however, that the petitioner shall have no vested right to receive such an extension.

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- (3) After a planned development has been approved by the City Council, no substantial modification to the approved plan of development shall be made unless submitted to City Council and approved by the City Council.
- (4) If the City Council determines that (1) the plan is abandoned, or (2) if construction is terminated after the completion of any stage, or (3) if construction is abandoned or discontinued for a period of two years, or (4) if there is evidence that further development is not contemplated, City Council may rescind or modify the ordinance establishing the planned development.

(h) **Modifications of ordinances and codes.** The requirements of Chapter 25, including, but not limited to, off street parking, landscaping, lot coverage, building heights, setbacks, buffers and walls, of the zoning district most closely resembling the proposed use shall apply to the planned development. The City Council may waive or modify said requirements on finding that such modifications are not required in the interest of the planned development and that the modification is not inconsistent with the interest of the City and with the uniqueness of the planned development.

Section 25.530.12 PROF – PLANNED RESEARCH OFFICE FACILITIES – ZONING REGULATIONS.

(a) **Purpose:** The purpose of the PROF Planned Research Office Facilities zoning district is to provide the maximum of land and design development opportunities for planned research office facilities in harmony with reasonable area, building coverage, height, setback and service requirements and to provide a means of mixing such appropriate land uses as may not otherwise be permitted for planned research office facilities in any of the other established zoning districts. The PROF zoning district will be applied only upon specific petition therefor by persons proposing a unique type of planned development for planned research office facilities in keeping with the purpose of the district stated herein.

Within the PROF zoning district, it is intended that uses shall be arranged so that vehicular traffic and other commercial or industrial influences shall not disturb the privacy, tranquility and integrity of adjoining residential areas. Uses within the district shall be designed and constructed for maximum pedestrian accessibility and research facilities and related uses shall be located together as appropriate. It is further intended that the PROF zoning district shall be located within a park-like setting that is aesthetically pleasing and is not obnoxious or offensive and that the district shall create a minimal impact on the surrounding area and the environment. Facilities within a PROF zoning district shall provide maximum protection to preclude odor, liquids, fumes, smoke, gas, dust, litter, noise, vibration and similar objectionable hazards. Beyond that, the PROF zoning district shall be designed and located in accordance with established planning and zoning practices; shall be readily accessible to major transportation facilities and other municipal services; and shall include only those uses that are both internally and externally compatible with the site.

- (b) **Zoning district area requirements:** A PROF zoning district shall consist of:
Not less than twenty (20) contiguous acres under single, unified ownership and control; or
Contiguous acres adjacent to and added to an existing PROF zoning district.

(c) **Permitted uses:** Land and buildings within a PROF zoning district shall be used only for the following principal uses:

- (1) Administrative, business, professional office building or complex, which may include accessory uses for office workers such as a restaurant, coffee shop, newspaper or candy stand.

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- (2) Bank, savings and loan association, credit institution or stock brokerage; provided, however, that said use shall be permitted only if it is accessory and incidental to the primary planned research office facilities and further provided that any such use shall be oriented internally to the major development of the planned research office facilities, with no direct access to major arterials external to the project.
- (3) Building or use owned or operated by the City of Temple Terrace, including schools, libraries, museums, art galleries, community buildings, parks, playgrounds, picnic areas, swimming pools or other recreational uses, or utility structures or stations owned or operated by the City of Temple Terrace, including transmission lines, poles, guywires and pipelines as are necessary for the installation and maintenance of utility services.
- (4) Child care facilities or physical fitness centers designed for the primary use of office center employees; provided, however, that said use shall be permitted only as accessory and incidental to the primary planned research office facilities, and further provided that any such use shall be oriented internally to the major development of the planned research office facilities, with no direct access to major arterials external to the project.
- (5) Drugstore; provided, however, that said use shall be permitted only as accessory and incidental to the primary planned research office facilities and further provided that any such use shall be oriented internally to the major development of the planned research office facilities, with no direct access to major arterials external to the project.
- (6) Hotel/motel that may include accessory uses such as restaurant, coffee shop, meeting rooms and recreational facilities; provided, however, that any such hotel/motel shall be oriented internally to the major development of the planned research office facilities with no direct access to major arterials external to the project.
- (7) Light industrial manufacturing, assembling and servicing, including electronics, telecommunications, computer equipment, instruments and like and related uses and pharmaceutical and other health-related products.
- (8) Medical/dental research facilities and laboratories, medical/dental/surgical clinics, medical/dental/surgical offices, and medical educational uses are permitted. All such facilities shall be oriented internally to the major development of the planned research office facilities with no direct access to major arterials external to the project. (*Ord. No. 1020, 8-15-00; Ord. No. 1178, 6-20-06*)
- (9) Public utility structure or station, including transmission lines, poles, guywires, and pipelines as are necessary for the installation and maintenance of approved utility services.
- (10) Research and service center; provided, however, that research and service facilities shall be devoted almost exclusively to research and development activities which are not offensive or obnoxious and which are conducted wholly within enclosed buildings and provide no outdoor storage of materials, equipment or products. Research and service center facilities may contain offices, warehouses, and some light fabrication, provided that the principal and primary function is research and development.
- (11) Restaurant, cafeteria or other eating establishment engaged in the retail sale of prepared food and drink for consumption on the premises; provided, however, that said use shall be permitted only accessory and incidental to the primary planned research office facilities and further provided that any such use shall be oriented internally to the major development of the planned research office facilities, with no direct access to major arterials external to the project.

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- (12) Retail, commercial shop(s), such as travel agencies, card and gift shops, insurance agencies, office supply stores, clothing stores, dry cleaners, copy centers, book stores and postal facilities, either individually or harmoniously designed in a group of clustered structures providing for unitary design under single control; provided, however, that said use shall be permitted only as accessory and incidental to the primary planned research office facilities and further provided that any such use shall be oriented internally to the major development of the planned research office facilities, with no direct access to major arterials external to the project.

Section 25.530.13 LI-R - LIGHT INDUSTRIAL-RESTRICTED – ZONING REGULATIONS.

(a) **Purpose:** The purposes of the LI-R Light Industrial-Restricted zoning district are:

- (1) To permit the new development or substantial redevelopment of certain light industrial, intensive commercial, and related uses in areas of mixed existing and evolving uses, but which is located in close proximity to residential development or potential residential development. The regulations are designed to stabilize and protect the essential characteristics of the district, to enable a proper handling of traffic generated, and to provide standards of development and external effects compatible with adjacent residential districts; and
- (2) To incorporate existing uses as legally conforming uses as they are annexed and become part of the City of Temple Terrace.

(b) **Characteristics of Uses:** The characteristics of uses in this category include large or extremely large lots, often with a single user or single employer, where manufacturing, processing, assembling of material, storing, or distribution of goods, wholesaling, offices, research/corporate parks, and subordinate uses such as hotels, motels, restaurants, retail and recreational facilities occur. Buildings are typically one floor, but may cover large expanses of land. High levels of employment, two or three shifts per day, and potential negative impacts from truck traffic, rail, employee shift changes, and minimal impact to the surrounding environment, in terms of noise, vibration, dust and/or odor. These uses may also have substantial and significant outdoor storage and/or outdoor activity.

Land and buildings within an LI-R Light Industrial-Restricted zoning district will typically be used for the following purposes:

- (1) Light Industries, with related office and showrooms, which include manufacturing, processing, assembly, packaging, storage and distribution activities.
- (2) Printing, engraving, and related reproductive processes.
- (3) Professional/administrative offices, including contractors' offices.
- (4) Public utility sub-stations, pumping stations, lift stations, exchanges, central control facilities, and operations centers.
- (5) Radio or TV station, including studios, offices and broadcasting towers.
- (6) Research laboratories.
- (7) Schools for industrial or business training.

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- (8) Warehouses and wholesale distribution centers, including related showrooms and offices.
- (9) Transportation and trucking terminal.
- (10) Truck, vehicle, and heavy equipment sales, repairs, and storage.
- (11) Discount or big box retail.
- (12) Mini-warehouses.
- (13) Outdoor storage.
- (14) Shopping centers.
- (15) Business parks.
- (16) Funeral home with crematory.
- (17) Commercial recreation (including outdoor recreation such as miniature golf, golf driving ranges and similar uses).

(c) **Related, supporting uses:** Land and buildings within an LI-R Light Industrial-Restricted zoning district may include the following related, supporting uses:

- (1) Child care facilities.
- (2) Restaurants, with or without drive-in facilities.
- (3) Hotels/Motels.
- (4) Banks.

(d) **Conditional uses:** The following use may also be permitted within the LI-R Light Industrial-Restricted zoning district, subject to the specific criteria for said use, outlined in Section 25.535, Conditional Uses, of the Temple Terrace Code of Ordinances:

- (1) Radio and TV antennae, satellite dishes and communication towers, including radio and TV studios, offices and broadcasting towers:
 - a. Pursuant to Section 25.630 General Site Development Plans, site plan review and approval by City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535 Conditional Uses.
 - c. Compliance with the provisions of Section 25.750.6, Radio, TV antennae, Satellite Dishes and Communication Towers. (Ord. No. 938, 12-17-96)

(e) **Special requirements:** Each proposed use must demonstrate compliance with the following requirements:

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Note: Except as specified below, all new or substantially redeveloped uses are subject to the requirements of City Code Section 25.760, Vehicles: Use Areas, Facility Standards and Restrictions, and Section 25.780, Landscaping and Buffering. Buffering and screening requirements as part of a final site plan approval may be waived by City Council.

- (1) All lighting or illumination shall be arranged so as not to shine directly upon or cause glare upon adjacent residential property. Outdoor lighting shall be located so as to illuminate the project as necessary to provide safe passage within the development. The source of the light, such as the bulb or filament, of outdoor lighting fixtures shall not be directly visible from property outside the Zoning Lot on which it is located. Additionally, the maximum illumination permitted at the Zoning Lot line shall be 0.20 foot-candles.
- (2) A site plan and other drawings as are necessary to show the complete site development proposed including the type, location and size of all proposed structures, signs, off-street parking facilities, location and arrangement of access drives; and proposed landscaping and buffering shall be submitted for review and approval by the City Council in accordance with the district use schedules and site specific review requirements contained in Section 25.630, Temple Terrace Code of Ordinances.
- (3) Minimum off-street parking requirement for warehousing, manufacturing, storage uses: 1 space per 1,000 s.f. of floor space. All other uses shall provide spaces per City Code Section 25.760.7, Design and Construction Standards for Parking Lots. To the extent possible, site design shall place parking, including parking structures, to the rear or sides of buildings or interior of the block. A direct, lighted and well marked pedestrian route shall connect sidewalks exterior to the project and the interior parking area with the entrance to the principal structure. Approved uses with 500 or more parking spaces shall provide the maximum proportion of compact spaces (20%) and may provide up to 10% of total parking spaces along the perimeter of the project area on drought resistant sod with wheel stops and curbing where parking spaces are adjacent to perimeter landscaping. Parking structures shall be architecturally finished and landscaped with materials to match the principal structure, and shall be located inside of required perimeter buffers with access only from a roadway interior to the project.
- (4) Any side or rear lot line abutting property zoned for residential use or along a public street shall provide a 20' wide buffer area to contain a 8' masonry wall architecturally finished to match the principal structure and landscaping materials provided within the buffer area per City Code Section 25.780 requirements for a solid buffer.
- (5) Outside storage shall not be over 20% of enclosed square footage of the project. Preferred: Designed internal to project in an area that does not impede traffic circulation, screened by buildings, and having no stored items visible from off-site. Alternate: 8' masonry wall architecturally finished to match the principal structure shall enclose all portions of the outside storage area that are visible from offsite. Perimeter buffer requirements shall apply along any portions of the loading area that abut residentially zoned lands or public streets.
- (6) An 8' masonry wall architecturally finished to match the principal structures on the site shall screen all portions of the loading area that are visible from off-site. Perimeter buffer requirements shall apply along any portions of the outdoor storage area that abut residentially zoned lands or public streets.
- (7) Razor wire fencing shall not be permitted.

(Ord. No. 1239, 12-2-08)

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Section 25.530.14 A-U AGRICULTURAL URBAN – ZONING REGULATIONS.

(a) **Purpose:** The purpose of the A-U Agricultural Urban zoning district shall be to recognize existing agricultural uses as legally conforming uses, property rights established under Florida law, including, but not limited to, those set forth in Section 823.14, Florida Statutes (the Right to Farm Act), and allow the continuation of agricultural and other compatible land uses.

Agricultural uses are those related to the production, keeping, or maintenance, whether for sale or personal use, of plants and animals for food, forage, fiber, or ornamental purposes. Agricultural uses are characterized as predominantly outdoor activities, with structures covering a very small portion of the land. However, some specific production activities may require relatively large amounts of land coverage, such as dairy operations and greenhouses. Trip generation is very low; the number of employees per acre is very small. The uses within this category may include both domestic and exotic species, except as specifically prohibited by other regulations.

Rezoning of lands not currently in agricultural use to A-U Agricultural Urban shall be discouraged. This zoning district is intended to be a "holding district" for lands that are ultimately intended for urban development. In order to avoid premature or improper development, land should remain in this zone until public facilities and services are or will be adequate to serve urban uses.

(b) **Permitted uses:** Land and buildings within an A-U Agricultural Urban zoning district will be used for the following or substantially similar purposes:

- (1) Agriculture, silviculture, aquaculture; horticulture, crop production and general farming, including pasturage, forestry, livestock, milking parlors and dairies, agricultural manufacturing, beekeeping; citrus groves, stables, barns, pens, corrals, and veterinarian clinics with indoor kennels; plant nurseries, greenhouses, truck gardening, processing of agricultural products, fish hatcheries or fish pools, sheds, silos, agricultural stands for the sale of agricultural products produced on the property and such accessory facilities as may be necessary to the foregoing uses.
- (2) Single Family dwelling (including existing mobile homes).
- (3) Residential Support Uses including recreational uses such as parks, trails and boardwalks, playgrounds, athletic fields, golf courses and country clubs, and golf driving ranges.
- (4) Public or Private Utility Facilities; and public uses and buildings

(c) **Conditional Uses:** Land and buildings within an A-U Agricultural Urban zoning district may be used for the following purposes upon review and approval of the City Council and in accordance with Section 25.535, Temple Terrace Code of Ordinances:

- (1) Radio and TV antennae, satellite dishes and communication towers, including radio and TV studios, offices and broadcasting towers, subject to the provisions of Section 25.750.6, *Radio, TV Antennae, Satellite Dishes and Communication Towers*, Temple Terrace Code of Ordinances.
- (2) Plant Nursery.
- (3) Commercial Greenhouse.

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- (4) Cemetery, including mausoleum, subject to the following standards:
- a. A minimum lot size for the entire cemetery site shall be five (5) acres.
 - b. There shall be adequate space within the site for the parking and maneuvering of funeral corteges.
 - c. No interment shall take place within 30 feet of any adjoining lot line under separate ownership from that of the cemetery operator.
 - d. All structures shall be set back a minimum of 25 feet from any boundary line of the cemetery property.
 - e. All structures over 25 feet in height must be set back from any boundary line of the cemetery a minimum of 25 feet plus two feet for each one foot of height over 25 feet to a maximum setback of 50 feet.
- (5) Private School, subject to the following standards:
- a. With the exception of elementary schools, the site shall have direct access to a roadway shown on the current MPO Long Range Transportation Cost Affordable Plan at the time of Conditional Use application.
 - b. The location, arrangement and lighting of play fields and playgrounds shall be such as to avoid interference with the use of adjacent residential property, and lighting shall not shine directly onto an adjacent residential property.
- (6) Child Care facility, subject to general criteria listed for approval of conditional uses contained in Section 25.535 Conditional Uses and Section 25.630 General Site Development Plans.
- (7) Churches, Synagogues and other places of worship, subject to the following standards:
- a. The sanctuary or main place of worship (excluding all classrooms, administrative offices, and fellowship halls) may exceed 50 feet in height provided that the structure is set back an additional two feet for every one foot of structure height over 30 feet at all boundaries (added to yards or buffer areas required elsewhere).
 - b. If the church or synagogue has a seating capacity of more than 300 persons, the site shall have direct access to an arterial or collector street, as shown on the MPO Long Range Transportation Cost Affordable Plan.
- (8) Veterinarian Clinic with indoor kennel, subject to the following standards:
- a. Pursuant to Section 25.630. General Site Development Plans, site plan review and approval by City Council may be required.
 - b. Compliance with the general criteria listed for approval of conditional uses contained in Section 25.535, Conditional Uses.

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- c. All activities shall be carried out within soundproof, air conditioned buildings with no outdoor cages, runs or other outdoor facilities.
- d. There shall be no overnight boarding of animals unless said boarding is necessary in connection with treatment, recovery or for other medical reasons.
- e. Said use shall conform fully to those performance standards listed elsewhere in the Code related to noise and odors. (*Ord. No. 972, 2-3-98*)
- f. Accessory Uses - Retail sales and grooming services may be allowed as accessory uses so long as they do not include more than twenty-five percent (25%) of the total gross floor area of the principal use.

(Ord. No. 1239, 12-2-08)

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Section 25.535 CONDITIONAL USES.

(a) **Purpose.** The conditional use procedure is provided to allow for uses which are not listed as “permitted,” in a given zoning district, but which may be appropriate in said district provided certain standards are met.

(b) **Procedure.**

- (1) Conditional use approvals may be authorized by the City Council in accordance with the district use schedules and site specific review requirements contained in Section 25.630, General Site Development Plans.
- (2) Where a proposed conditional use would not require a site plan submittal under the criteria established in Section 25.630, the applicant for said conditional use approval shall, at a minimum, submit the following review material (13 copies of each):
 - a. Name, address and phone number of owner and operator of proposed use and, where the owner(s) is not involved in the development, proof of authorization by the owner for the petitioner to proceed.
 - b. Survey or plot plan showing all existing man-made features and, where located in a shopping center, the specific location of the proposed business/use within the shopping center.
 - c. Map or aerial photograph (to scale) showing existing uses of land within two hundred (200) feet of the proposed use.
 - d. Narrative description of the proposed use (i.e., hours of operation, number of tables, entertainment facilities, etc.).
 - e. Location and nature of any existing or proposed buffers (natural or man made) between the proposed use and surrounding uses.
 - f. Floor plan of the proposed use.
 - g. Such other information as the City Council or City staff may require to effectuate the intent and purposes of this Chapter.
- (3) Public hearings shall be held by the City Council after mailing a notice to all property owners within one hundred (100) feet of the site, and posting of the subject property. With the exception of notification to property owners within one hundred (100) feet rather than two hundred (200) feet, the public hearing process for conditional uses shall be the same as that stipulated in Section 25.555 of this Article for rezonings.
- (4) The City Council may establish when a conditional use is to begin, to be discontinued, or both.

(c) **Criteria.** In addition to the specific standards set forth hereinafter with regard to particular conditional uses, all such uses shall satisfy the following general standards:

- (1) The use shall be consistent with the Comprehensive Plan.
- (2) The establishment, maintenance, or operation of the use shall not be detrimental to or endanger the public health, safety, or general welfare.

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- (3) The use shall not impede the normal and orderly development and improvement of surrounding properties for uses permitted in the district, and shall be consistent with the character of the immediate neighborhood.
- (4) Adequate measures shall be taken for ingress, egress and parking in a manner consistent with traffic operations and safety.
- (5) The use shall not have a substantial adverse effect on any known archaeological, historical, or cultural resource located on or off the site.
- (6) The design shall minimize adverse effects of the use on adjacent property, including visual impacts.
- (7) Adequate provisions shall be made for buffers, landscaping, public open space, and other improvements necessitated by the use.
- (8) The use shall meet the lot and building requirements of the district in which it is located unless a variance is granted by the Temple Terrace City Council or Board of Adjustment. A special use shall meet all requirements established for the special use and no variance shall be granted from these requirements. However, no variance shall be granted from special conditions established during the conditional use approval process.
- (9) The use shall comply at all times with the approved site plan, and any conditions imposed for establishment and operation of the use.

(d) **Conditions of Approval.** Additional conditions for establishment and operation of the conditional use may be imposed, including but not limited to:

- (1) Hours of operation of the use.
- (2) Restraints to minimize environmental effects such as noise, vibration, air pollution, glare, and odor.
- (3) Special yard or other open space, lot area, or dimension requirements.
- (4) Height, size or location limitations on buildings or other structures.
- (5) Increase of the required amount of street dedication, roadway width, or improvements within the street right-of-way.
- (6) Regulation of the size, location, screening, drainage, surfacing, or other improvement of a parking or truck loading area, and control of traffic generation or circulation.
- (7) Regulation of the number, size, location, height, or lighting of signs.
- (8) Regulation of the location, intensity, and shielding of outdoor lighting.
- (9) Berming, screening, landscaping, or other measures to protect adjacent or nearby property, including standards for installation and maintenance.
- (10) Regulation of the size, height, location, or materials for a fence or wall.

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- (11) Regulations to protect existing trees, vegetation, water resources, wildlife habitat, or other significant natural resources.
- (12) Consideration of the size, style, history, and appearance of a structure to ensure architectural compatibility with other structures in the district.

(e) Effect of Approval.

- (1) Establishment of a conditional use must be in conformance with an approved site plan or, where a site plan is not required, with specific approval conditions stipulated by City Council.
- (2) Approval of the conditional use is subject to the site plan submitted.
- (3) If the conditional use is not established within six (6) months from the date of approval, then the approval shall be null and void, except that City Council may grant one (1) six (6) month extension to said approval. (*Ord. No. 905, 12-19-95*)

Section 25.540 TEMPORARY USES.

Temporary uses, buildings and structures in connection with land development, sales or construction projects may be established, erected, or placed within any zoning district for occupancy other than as dwelling or lodging units. Any such use, building, or structure shall require a permit from the Community Services Department; such permit is to specify location, type of construction, maintenance requirements, buffering requirements, time period of operation or utilization of any such use, building, or structure and such other requirements as the Director may deem necessary. No permit shall be for a period of more than six (6) months, subject to renewal upon approval of the Director. Failure to obtain a permit or violation of any condition or requirement specified as part of an issued permit shall be a violation of this Chapter. (*Ord. No. 409, 9-2-80; Ord. No. 419, 3-3-81; Ord. No. 715, 1-23-90; Ord. No. 1161, 2-21-06*)

Section 25.545 CONGREGATE LIVING FACILITIES/GROUP HOMES – RESERVED.

Section 25.550 REZONING.

- (a) General conditions.

This Article, including the zoning map, may be amended by the Temple Terrace City Council on its own motion, on petition or on recommendation of the Planning Commission, but no amendment shall become effective unless it shall have been proposed by or shall first have been submitted to the Planning Commission for review and recommendation. The Planning Commission shall submit its report within thirty (30) days after receiving an amendment proposal from the City Council for review; otherwise said amendment shall be deemed to have been approved by said Planning Commission. Before enacting an amendment to these regulations, the City Council shall give public notice and hold hearings thereon as set forth in this Article. (*Ord. No. 164, 7-19-66; Ord. No. 715, 1-23-90*)

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(b) Application for amendment.

- (1) General: Applications for amendment may be in the form of proposals for amendment of the text of this Article or proposals for amendment of the zoning map; for the purposes of this Article, map amendments and text amendments shall be collectively referred to as zoning reclassifications. Applications for zoning reclassifications may be made only by a property owner, contract purchaser or person financially interested in the property to be reclassified, or by a governmental agency. Applications shall be filed in triplicate with the Director of Community Services; provided, however, that the City Council may, on its own motion, commence the procedure for a zoning reclassification without filing a formal application. (*Ord. No. 1161, 2-21-06*)

All nongovernmental zoning reclassification shall be accompanied by a filing fee of two hundred-fifty (\$250.00) dollars. No filing fee shall be refunded unless the application is withdrawn prior to the time it is ordered to be advertised. In no event shall more than four-fifths (4/5) of the filing fee be refunded.

- (2) Signature of applicant required: All applications for zoning reclassifications shall be signed and verified under oath by the applicant and shall state the applicant's name and address.
- (3) Application for text amendment: In the case of a text amendment, the application shall set forth the new text to be added and the existing text to be deleted.
- (4) Application for map amendment: An application for a map amendment shall include the following information:

The street address of the land proposed to be reclassified or if no street address exists, the location with respect to the nearest public roads in common use;

The legal description, by metes and bounds, bearings and distances or by reference to the lot, block and appropriate plat references;

The present zoning classification and the classification proposed for such land;

The name(s) and address (es) of all owners and occupants of the land to be reclassified;

The area of the land proposed to be reclassified, stated in square feet, if less than one (1) acre and in acres if one (1) acre or more; and

The application number, date of application, and action taken on all prior applications filed for the reclassification of the whole or any part of the land.

- (5) Posting of property: Within five (5) days after acceptance of an application for a map amendment, the City Clerk shall cause a sign to be erected on the land to be reclassified. Such sign shall be erected within ten (10) feet of the boundary of said land abutting the most heavily traveled public road; and, if no public road abuts thereon, then such sign shall be erected to face in such a manner as may be most readily seen by the public. The lower edge of the sign face shall not be less than two and one-half (2-1/2) feet above the ground. The minimum size of such sign shall be twelve (12) by eighteen (18) inches, shall state the application number, the present zoning classification, the proposed zoning classification, the scheduled date, time and place of the public hearing and the telephone number to call for further information.

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If the land sought to be reclassified lies within more than one (1) block, as shown on a plat recorded in the land records of Hillsborough County, a sign shall be erected on each such block.

The applicant shall maintain such sign at all times unless a decision on the application has been made by the City Council and for a period of twenty (20) days thereafter. The sign shall then be removed unless a petition for a reconsideration shall have been submitted, in which event such sign shall remain until after the City Council disposes of the petition for reconsideration. It shall be unlawful for any person to remove or tamper with such sign.

- (6) Review by Planning Commission: Within five (5) days after acceptance of any such application, the Director of Community Services shall transmit two (2) copies thereof to the City Clerk. Upon receipt of the application from the Director, the City Clerk shall transmit one (1) copy thereof to the City Attorney, who shall draft an ordinance for consideration by the City Council in conjunction with the application. (*Ord. No. 164, 7-19-66; Ord. No. 444, 6-8-82; Ord. No. 492, 10-18-83; Ord. No. 715, 1-23-90; Ord. No. 1002, 9-9-99; Ord. No. 1161, 2-21-06*)

(c) Hearing Procedure.

- (1) The City Clerk shall submit a copy of all zoning reclassification applications to the City Council. A date, time and place for a public hearing on the application shall be established and the City Clerk shall so notify the City Council, the Planning Commission and the applicant.

If the proposed zoning reclassification application pertains to a text or map amendment involving a permitted use change or rezoning of property, public hearings shall be held and notice given in accordance with applicable Florida Statutes.

The cost of the legal advertisements required shall be borne by the applicant and paid in accordance with procedures established by the City Manager.

No fee is required for applications submitted by a governmental agency.

Zoning reclassification applications for all other amendments to the text of this Article shall require a public hearing and notice of said hearing shall be published in a newspaper of general paid circulation in the municipality. It is the legislative intent that, whenever possible, the advertisement appears in a newspaper that is published at least five days a week unless the only newspaper in the community is published less than five days a week. Said notice shall appear at least thirty (30) days prior to the date of the hearing and shall contain the date, time and place of the hearing, together with a summary of the proposed amendment.

If the proposed zoning reclassification requires an amendment to the Comprehensive Land Use Plan or Map, public hearings shall be held and notice given in accordance with the applicable Florida Statutes. The City Clerk shall notify the applicant and the Planning Commission of said hearings. The cost of legal advertisements required shall be borne by the applicant and paid in accordance with procedures established by the City Manager.

No fee is required for applications for amendments to the Comprehensive Land Use Plan or Map submitted by a governmental agency and the City will not be responsible for advertising costs incurred by the Planning Commission.

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- (2) Conduct of hearing: Any interested person shall have the right to submit oral or written testimony at the public hearing. All testimony and exhibits admitted at the hearing, including the application shall promptly be incorporated by the City Clerk in the application file and shall be considered a part of the record on the application. The master plan for the area, with any subsequent amendments for the area within which lies the land proposed to be reclassified, shall be considered a part of the record on the application. Evidence which is immaterial, irrelevant or unduly repetitious may be excluded. The hearing may be adjourned from time to time to a date established by public announcement at the hearing. (*Ord. No. 164, 7-19-66; Ord. No. 492, 10-18-83; Ord. No. 715, 1-23-90*)
- (d) Action by the governing body.
- (1) All applications for amendment of map or text shall be decided on the basis of evidence of record.
- (2) An application for a map or text amendment shall be either approved, modified, or denied on the merits, or dismissed, or allowed to be withdrawn.
- (3) The City Council may dismiss any application if it finds that (1) the application does not conform to any procedural requirement of this Article, or (2) the application was filed within one hundred-eighty (180) days after a previous filing for a similar purpose as herein provided, or (3) the application is frivolous or filed for the purpose of harassment.
- (4) An applicant may withdraw its application for a map amendment (rezoning), provided the request for withdrawal is made prior to a vote by City Council to approve, modify or deny said application. No application for the reclassification of all or any part of the land which is the subject of the application shall be allowed for one hundred-eighty (180) days following the date of such withdrawal unless, by resolution, the City Council specifies that the one hundred-eighty (180) day limitation shall not apply.
- (5) If an application is not dismissed or allowed to be withdrawn as herein provided, it shall either be approved, modified, or denied on the merits, in which case no application for reclassification of all or any part of the land which is the subject of the application shall be accepted for filing within one hundred-eighty (180) days following the date of such approval or denial on the merits.
- (6) No application for a map amendment shall be approved conditionally for the erection on the land of a structure at a particular location, or within a particular time, or by a particular person, or of a particular type, or on any condition.
- (7) No application for a map amendment shall be approved for a greater area than that applied for, but the application may be approved for a smaller area if the reclassification of such smaller area is supported by the evidence of record and such smaller area is accurately delineated in the record.
- (8) The decision of the City Council approving, denying or dismissing any application for a map or text amendment shall be rendered within sixty (60) days after the public hearing is held thereon and shall be determined by a majority vote of City Council, except in case of protest.
- (9) All decisions of the governing body shall be made in open sessions and the ordinance or resolution embodying the decision approving, modifying, denying or dismissing any application for the map or text amendment shall not be valid unless it is incorporated into the minutes of the meeting at which such action was taken.

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- (10) Such ordinance or resolution embodying the decision of the City Council, approving, modifying, denying or dismissing any application for map or text amendment, shall be filed in the Office of the City Clerk and a copy shall be submitted by the City Clerk to the applicant, the Director of Community Services, the Planning Commission and the Board of Adjustment. (*Ord. No. 1161, 2-21-06*)
- (11) The decision of the City Council on any application for a map or text amendment shall be final except that a petition requesting reconsideration of the City Council's decision on any application may be filed with the Director by the original applicant or by any person who appeared at the public hearing held by the City Council on the original application, if accompanied by a receipt from the City showing payment of a filing fee of twenty-five (\$25.00) dollars, except in the case of a petition by a governmental agency when no such fee is required, and by affidavit, of the person requesting the reconsideration, that a copy of the petition has been served in person or by mail on all persons or their attorneys who appeared at the said hearing, naming them, as shown by the minutes of the said hearing.
- (12) No petition requesting reconsideration of the City Council's decision on any application for a map or text amendment may be filed later than twenty (20) calendar days following the decision except with the concurrence of the City Council.
- (13) The petition shall briefly state the alleged errors in the decision and the supporting arguments.
- (14) Following its review of the petition for reconsideration, the City Council may reaffirm or rescind its prior decision and the subject application thereafter may be approved, denied or dismissed by the City Council, with or without further hearings. Nothing herein shall prevent the City Council from reconsidering any decision on its own motion.

(Ord. No. 164, 7-19-66; Ord. No. 223, 1-6-70; Ord. No. 492, 10-18-83; Ord. No. 715, 1-23-90; Ord. No. 977, 4-21-98; Ord. No. 1090, 5-20-03; Ord. No. 1161, 2-21-06; Ord. No. 1178, 6-20-06; Ord. No. 1183, 9-5-06)

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