

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

**ARTICLE VI. DEVELOPMENT ORDERS**

**Section 25.600 PLATTING.**

It is the purpose of this Section to establish a procedure for the division of unplatted property and the re-division or recombination of previously platted property to further the orderly layout of property proposed to be divided, redivided, or recombined and to ensure proper legal descriptions and monuments of platted property.

Further, it is the purpose of this Section to assure that the platting process is applied in a uniform manner to conventional divisions of property for individual lots owned in fee simple and to the division of property for the purpose of conveying ownership in a condominium form.

**Section 25.600.1 PROHIBITIONS ON TRANSFER OF LOTS IN UNAPPROVED SUBDIVISIONS.**

It shall be a violation of this Article for anyone who is the owner or agent of the owner of any land to transfer, sell, agree to sell, or negotiate to sell such land by reference to, exhibition of, or other use of a plat of a subdivision of such land without having the plat approved as required by this Article.

**Section 25.600.2 PLATTING REQUIRED.**

Except as specifically exempted below, the division of a tract or parcel of land into three (3) or more lots, building sites, or other divisions for the immediate or future purpose of sale, legacy, or building development, will require the filing of a plat; or the development of three (3) or more lots, blocks or parcels which elements bear no definable relationships to lot or parcel dimensional criteria of the applicable zoning district will require the filing of a replat, in accordance with the provisions of this Chapter.

(a) Exempted Activities:

- (1) Any division by inheritance (whether testate or intestate) or by partition or other order of court.
- (2) Acquisition of property for public purposes.
- (3) The division of air space into units within a building wherein said building is held in common, undivided ownership.
- (4) The City Council may, by resolution, allow building permits to be issued after plat approval and before recordation provided no certificate of occupancy is issued prior to recordation.
- (5) The combination of all or portions of previously exempted, platted, or recorded lots or parcels, where no new additional lots or parcels are created or residual lots or parcels result in lots or parcels of less area or width than any one of the original lots or parcels of record.
- (6) Divisions of land for purposes of conveyances, where such divisions were lawful under regulations in effect at the time such divisions were made and where vested rights have been acquired by the subdivider (developer) in reliance upon previous regulations.

(b) Determination of exemptions – Exemptions or vested rights under this Section shall be administratively determined by the Director. Any person aggrieved by the Director's determination may appeal such determination to the City Council.

*(Ord. No. 1076, 9-24-02)*

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**Section 25.600.3            OPTIONAL PRE-SUBMISSION CONFERENCE.**

(a)        The intent of this procedure is to provide an opportunity for the applicant and the City staff to confer regarding the concept and basic elements of the proposed subdivision plat. This procedure is intended to provide the foundation for a clear understanding and line of communication between the applicant and the City concerning the applicant’s proposal and the City’s platting procedures and improvement standards. This procedure is intended to facilitate the formal plat review and approval process by providing the applicant an early opportunity to seek the City’s input relative to the proposed plat.

            A specific purpose of this procedure is to provide the applicant with staff comments concerning flood prone areas in the proposed subdivision and to provide staff recommendations concerning those flood prone areas and the level of development considered to be acceptable by the development review committee.

(b)        The pre-submission conference will be conducted according to the following:

- (1)        The pre-submission conference will be scheduled with the Director and such other staff members as the Director may find appropriate.
- (2)        The applicant is encouraged to prepare such preliminary information and sketch plat as may be useful to establish a full understanding of the location, nature, and parameters of the proposed subdivision. There will be no fee for the review of any information or sketch plat which may be submitted.
- (3)        If requested by the applicant, or if determined necessary by the Director, the Department shall distribute copies of any pre-submission information to the Development Review Committee.
- (4)        All written comments from the Development Review Committee shall be maintained and filed in the Department of Community Services, along with the pre-submission information and any subsequent submissions. (*Ord. No. 1161, 2-21-06*)
- (5)        No formal action shall be taken on any pre-submission information since its purpose is informational only.

(c)        It is recommended that requests for pre-submission conferences be accompanied by the following information:

- (1)        Aerial photograph.
- (2)        Site boundaries.
- (3)        General site topography.
- (4)        Diagrammatic representation of proposed lot boundaries and dimensions.
- (5)        Existing and proposed street configuration, including existing and proposed pedestrian and bicycle ways.
- (6)        Proposed public or common open space and facilities.
- (7)        Generalized surface drainage pattern and proposed detention facilities.

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- (8) Identification of existing and proposed utility system features.
- (9) Site access points and adjoining/abutting roadway, bicycle way, and pedestrian way systems. (*Ord. No. 794, 11-19-91*)

**Section 25.600.4            OVERALL DEVELOPMENT PLAN REVIEW.**

Where the subdivision of a tract of land is to be carried out in two or more stages, a master plan of the tentative future lot layout and infrastructure system for the entire tract shall be submitted in conjunction with the preliminary plat submittal requirements of this Section.

**Section 25.605            PRELIMINARY PLAT REVIEW.**

(a) The preliminary plat review procedure is established to provide sufficient information regarding a proposed subdivision plat in order that the Department can evaluate the site development concept as it relates to the City's comprehensive plan in general, and for the property being subdivided in particular, and decide on the merits of the proposed subdivision before the applicant has invested substantial amounts of time and money in the detailed site and engineering design and plans.

(b) When required – A preliminary plat review is required where the tract of land is proposed to be subdivided into six (6) or more lots and requires the construction or opening of new streets, or the construction of water or sanitary sewer facilities.

(c) The preliminary plat review process shall be initiated upon submittal to the Department of the following:

- (1) Fifteen (15) copies of the preliminary plat.
- (2) Fifteen (15) copies of either a preliminary plat supplementary drawing or a preliminary site plan which incorporates the requisite content of the supplementary drawing.
- (3) The appropriate application fee.
- (4) A School Concurrency Application shall be submitted to the City in conjunction with the preliminary plat and reviewed per Section 25.940. (*Ord. No. 1227, 5-20-08*)
- (5) A Transportation Concurrency Application shall be submitted to the City in conjunction with the preliminary plat and reviewed and evaluated for accordance with Section 25.950, Multimodal Transportation Concurrency Management, and accompanying Traffic Circulation and Multimodal Transportation Concurrency Management Policies and Procedures Manual, in effect on the date review takes place. (*Ord. No. 1244, 3-17-09*)

The preliminary plat and preliminary plat supplemental drawing shall contain all of the information required below. Any property being platted that is also subject to the site plan review process of this article shall not be required to have submitted the preliminary plat supplementary drawing if a preliminary site plan displaying the required information of the supplementary drawing is submitted with the preliminary plat.

(d) Submittal requirements.

The preliminary plat shall be prepared by a surveyor or engineer; be drawn to scale not smaller than one inch equals one hundred (100) feet; and shall include the following:

- (1) Title under which the proposed plat is to be recorded.
- (2) Name, address, and telephone number of the applicant, property owner (if other than the applicant), and person preparing the plat.

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- (3) Identification clearly stating that the drawing is a preliminary plat.
  - (4) Legal description of the property; U.S. Survey section, township, and range lines.
  - (5) Existing and proposed rights-of-way, easements, and access points.
  - (6) Proposed street names.
  - (7) Names (appropriately positioned) of adjoining plats.
  - (8) Approximate (to the nearest foot) dimensions and area of:
    - a. The overall plat.
    - b. Each lot.
    - c. Street rights-of-way including radii of cul-de-sacs.
    - d. Common open space or other land to be dedicated for a public purpose.
  - (9) North arrow, scale and date.
- (e) Preliminary plat supplementary drawing.

The preliminary plat supplementary drawing shall be prepared by a surveyor or engineer; be drawn to the same scale as the preliminary plat; and shall include the following:

- (1) Title of the associated preliminary plat.
- (2) Name, address and telephone number of the applicant, property owner (if other than the applicant), and the person preparing the drawing.
- (3) Nearest arterial or collector roadway intersection, abutting roads and access points.
- (4) Buildings, watercourses, wetlands, tree masses, specimen trees, and other existing features within the area to be platted and similar facts regarding existing conditions on land immediately adjacent thereto.
- (5) Inventory of existing natural resources and/or environmentally sensitive areas on the site.
- (6) Existing sanitary and storm sewers, water mains, culverts, and other underground structures within the plat or immediately adjacent thereto, including the location and size of the nearest water and sewer lines.
- (7) Existing contour lines and proposed spot elevations.
- (8) Proposed use of each lot and existing and proposed zoning of all property within the plat.
- (9) Zoning district classification for adjoining property.
- (10) Location and designation of common open space, parks, bicycle ways, sidewalks, pedestrian ways, public transit stops and shelters, and other public or semi-public areas or facilities within or immediately adjacent to the property to be platted. (*Ord. No. 794, 11-19-91*)
- (11) Location and size of sanitary sewers or other sewage disposal facilities planned.

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- (12) Land to be dedicated to the public including street right-of-way by functional classification, and recreation land, recreational facilities and open space.
- (13) Preliminary site drainage system, including general surface drainage pattern (including proposed retention/detention areas), and floodplain definition and effect of applicable local, state or federal standards or elevations.

(f) Review.

Upon determination that all submission requirements have been met, the Department shall transmit the preliminary plat to the Development Review Committee. Within ten (10) working days after receiving the preliminary plat, the Development Review Committee shall review said preliminary plat and shall prepare a preliminary plat review report which will be presented to the applicant. The Development Review Committee shall review the preliminary plat for accuracy, content, and consistency with the requirements of the City's Comprehensive Plan and the design standards set forth in this Chapter. The Development Review Committee may, for the purpose of allowing the applicant an opportunity to address unresolved issues, continue consideration of the preliminary plat prior to formulating a decision to approve or disapprove.

(g) Appeal to the City Council.

Upon receipt of the Department's review report, the applicant may appeal any disapproval regarding the preliminary plat to the City Council.

(h) Lapse period.

The applicant shall file a final plat covering all or part of the approved preliminary plat within six (6) months from the date of the issuance of the report from the Development Review Committee or the City Council's decision in the case of an appeal, otherwise that preliminary plat approval shall be deemed withdrawn. An extension may be granted by the City Council for reasons beyond the control of the applicant.

**Section 25.605.1                    OPTIONAL TECHNICAL DESIGN CONFERENCE.**

(a) It is the intent of the optional technical design conference to provide an opportunity for the applicant to voluntarily review with the City Engineer and other appropriate City officials, the City's design and construction standards and levels of service as they affect the applicant's development objectives. This procedure should enable the applicant to receive the benefit of input from the City prior to the design of the subdivision construction plans and preparation of the final plat.

(b) Subsequent to preliminary plat approval, the applicant may submit a letter to the City Engineer requesting a technical design conference. It is the responsibility of the City Engineer to schedule a meeting with the applicant and appropriate City personnel in a timely manner.

(c) No formal action will be taken as a result of any technical design conference since its purpose is informational only. Written direction or confirmation of procedures and standards as may be requested in writing by the applicant shall be provided by the City Engineer.

**Section 25.605.2                    SUBDIVISION CONSTRUCTION PLAN REVIEW.**

(a) The subdivision construction plan review procedure is established to provide a technical review of the documents upon which improvements shall be based and construction contracts let by the applicant. The plans reviewed shall consist of working drawings and design specifications. The subdivision construction plans shall provide the City with complete design and construction information. This information is necessary for evaluation of the quality and completeness of the proposed engineering design, site and landscape planning, compliance with applicable regulations of the City, and the establishment of a construction schedule for the proposed improvements.

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(b) Following certification of the preliminary plat, the applicant shall submit a written request to the City Engineer for review and approval of the subdivision construction plans according to the following:

- (1) The applicant shall submit a minimum of seven (7) copies of complete subdivision construction plans for distribution by the City Engineer to other appropriate City departments for review.
- (2) The City Engineer shall supervise and coordinate the technical review by the various City departments and shall:
  - a. Determine the completeness of the plans and compliance with the approved preliminary plat for the subdivision.
  - b. Evaluate the degree of compliance with the technical requirements in the design standards of this Chapter and other applicable City regulations.
  - c. Identify any deficiencies or issues which require further attention and should be considered as conditions of approval.
- (3) The City Engineer shall, upon completion of the review, inform the applicant that the plans have been either approved, approved subject to conditions, or disapproved.
- (4) The City Engineer shall require all technical design details to be reviewed and authorized or conditioned by the department head responsible for overseeing the respective design or improvement.
- (5) If conditions have been placed upon approval of the subdivision construction plans, such conditions shall be resolved to the satisfaction of the City Engineer before a final plat is accepted for review.

(c) Submission requirements/subdivision construction plan documentation.

Requirements for submission shall be as follows:

- (1) Letter of transmittal. The following information shall be completed by the applicant and submitted to the Department:
  - a. Proposed name of plat.
  - b. Name, address and telephone number of applicant.
  - c. Proposed common open space and methods of meeting open space requirements.
  - d. Water supply, indication of the location and size of existing and proposed water lines, size of valves, and location of fire hydrants.
  - e. Indication of source of sanitary sewer service and size, location, and design of any extension thereof.
  - f. Such further information as the applicant wishes to bring to the attention of the City.

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- (2) Subdivision construction plan drawings. Subdivision construction plan drawings shall be signed and sealed by a professional engineer licensed to practice in the State and shall be drawn at a scale of one inch equals fifty (50) feet or larger, on a sheet size of twenty-four (24) by thirty-six (36) inches, except where a smaller scale may be determined appropriate by the City Engineer. The subdivision construction plans shall be identified by the name of the plat and shall include:
- a. Existing and proposed contours shown at intervals of not more than two (2) feet. Additional spot elevations may be required by the City Engineer. USGS data shall be used with benchmarks shown on the plans. Existing and proposed elevations shown at appropriate intervals shall be extended a minimum of one hundred (100) feet beyond the boundaries of the proposed plat.
  - b. Proposed site design including streets with proposed street names, lot lines, utility access and service easements, land use and land to be reserved or dedicated for public uses.
  - c. Data as may be required to determine compliance with the zoning requirements of this Chapter.
  - d. Natural features within and adjacent to the proposed plat including drainage channels, bodies of water, wetlands, the location of all protected trees four (4) inches or greater in diameter at breast height, significant wildlife habitat, and other significant features. On all watercourses leaving the tract, the direction of flow shall be indicated and for all watercourses entering the tract, the approximate drainage area and watershed name above the point of entry shall be noted.
  - e. Storm drainage analysis showing drainage data for all watercourses or drainageways entering and leaving the plat boundaries. The storm drainage design shall be prepared to comply with current City retention and drainage criteria.
  - f. Designation of any portion of property within the one hundred-year floodplain, based upon calculations recognized by the Federal Flood Insurance Administration as the most recent and accurate available of the City's floodplain overlay district as set forth in Article VII, "Design Standards and Regulations," whichever shall be the more restrictive.
  - g. Public facilities existing or to be located within the plat boundaries or within one hundred (100) feet surrounding the proposed plat including streets, bridges, culverts, bicycle ways, sidewalks, pedestrian ways, public transit stops and shelters, utility lines, pipelines, power transmission lines, all easements, park areas, structures, and other public structures and facilities. (*Ord. No. 794, 11-19-91*)
  - h. Exact boundary lines of the tract indicated by a heavy line giving dimensions and all bearings.
  - i. North arrow and graphic scale.
- (3) Required supporting technical information:
- a. Typical roadway cross-section and profiles. A typical roadway cross-section shall be provided which includes all information for construction of the street

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within the right-of-way. Also, roadway profiles shall be provided which display the existing and proposed elevation along the street center line. The stationing for the profiles shall be at appropriate intervals based upon the existing terrain and proposed underground construction, but in no case shall the intervals be less than fifty (50) feet.

- b. Floodplain analysis. Where a portion of a plat is known or suspected to be flood prone and a Federal Flood Insurance Administration report or City floodplain overlay district is not sufficiently definitive, an engineering analysis shall be required. Such analysis performed by a registered engineer for the applicant shall determine the one hundred-year floodplain line. Regardless of the method of determination, the one hundred-year floodplain line shall be clearly and legibly drawn on the grading and excavation plan.

- c. Erosion and stormwater runoff control plan.

Grading and excavation plan. The grading and excavation plan shall seek to minimize the amount of grading necessary, protect to the maximum extent possible the natural features and vegetation on the site, and minimize erosion resulting from the grading activities. It shall include, in addition to existing and proposed spot elevations of appropriate intervals, the estimated cubic yards of cut and fill.

Detailed storm drainage design plan. The detailed storm drainage plan shall incorporate proposed easement location and dimensions, typical sections, and construction details.

Erosion control plan. This shall include details of soil preparation, erosion control and vegetation or soil stabilization measures to be taken during construction including construction of berms, diversions or other barriers to siltation, temporary mulching, and landscape planting consistent with the requirements provided in the printed booklet entitled “Construction Specifications and Standard Drawings” available at the office of the City Engineer. Any erosion control measures to be utilized shall also be identified by location on the grading and excavation plan and storm drainage design plan.

- d. Utilities plan. This plan shall indicate public and private water and sewer facilities, lines, valves, pumps, fire hydrants, pump stations, and treatment which shall be designed to conform to the development standards for water and sewer services.

- (4) Trust indenture. A draft of any trust indenture proposed for the plat describing proposed covenants, restrictions and conditions applicable to a property shall be submitted for review at the time of construction improvement plan review. In the event the plat includes streets, open space or other facilities commonly usable and accessible to the residents of the development, said trust indenture shall provide for assessments to be levied against the property owners within the development to maintain, repair and replace said facilities or open space areas as necessary. Trust indenture shall include a statement that zoning applies unless covenants are more restrictive.

**Section 25.610 FINAL PLAT REVIEW.**

- (a) The intent of the final plat review and approval procedure is to establish a legal record of the plat in accordance with the provisions of this Article.

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- (b) The final plat review and filing process shall be conducted as follows:
- (1) Subsequent to submission and approval of the subdivision construction plans, the applicant shall submit fifteen (15) copies of the final plat to the City Engineer.
  - (2) The City Engineer shall circulate the copies of the final plat to appropriate members of the Development Review Committee to:

Determine the completeness of the final plat and compliance with the certified preliminary plat, and

Verify the accuracy of information provided, and

Evaluate the degree of compliance with the technical requirements in the design standards of this Chapter and other applicable City and State requirements. Those members reviewing the final plat shall, upon completion of their review, recommend to the City Engineer approval or disapproval of the final plat.

(c) Following review of the final plat by the Development Review Committee, and upon determination by the City Engineer that the final plat is complete, accurate and consistent with the preliminary plat and all conditions of approval, and that an acceptable financial guarantee has been provided for the satisfactory completion of all required site improvements or that the installation of all required improvements has been satisfactorily completed by the applicant in accordance with City specifications, the City Engineer shall forward the final plat to the City Council for approval.

(d) Following final approval by the City Council, the City Engineer shall coordinate final plat recording at the office of the Clerk of the Circuit Court.

(e) Any amendment of a final plat other than administrative or scriveners' corrections required by the office of the Clerk of the Circuit Court shall require a revised or amended final plat to be prepared by the applicant and reviewed consistent with the terms contained in this Section for final plat review. The City Engineer shall determine when a correction is administrative or substantive in nature.

(f) Submittal requirements. The final plat shall be suitable for recording at the office of the Clerk of the Circuit Court. It shall be prepared and sealed by a land surveyor registered by the State of Florida and shall conform with the requirements of Chapter 177, Florida Statutes, as the same may be amended from time to time, and the requirements of this subsection. It shall be drawn at a scale of one inch equals fifty (50) feet or other scale determined appropriate by the City Engineer. The overall sheet size of the plat shall be consistent with the standards established by the Clerk of the Circuit Court for recording. Each sheet shall be provided with a one-inch margin on each of three (3) sides and a three-inch margin on the left side of the plat for binding purposes.

- (g) Content. Information required on the final plat in a form satisfactory to the City shall include:
- (1) Name of plat.
  - (2) Location of the plat by U.S. Survey System and political subdivision, including section, township, range, county and state.
  - (3) Names of existing streets abutting or giving access to the proposed plat.
  - (4) All plat boundaries based on an accurate transverse, with all angular and linear dimensions shown. Error of enclosure of such boundary survey shall not exceed one foot for each ten thousand (10,000) feet of perimeter survey.

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- (5) All blocks, lots, streets, sidewalks, crosswalks, pedestrian ways, bicycle ways, public transit stops and shelters, easements and waterways within and adjacent to the plat, all of which shall have all angular and linear dimensions given and all radii, internal angles, bearings, points of curvature, tangents and lengths of all curves, so that no dimensions or data are missing which are required for the future location of any of the corners or boundaries of blocks, lots, or streets, as listed above. When any lot or portion of the plat is bounded by an irregular line, the major portion of that lot or plat shall be enclosed by a witness line showing complete data with distances along such lines extended beyond the enclosure to the irregular boundary shown with as much certainty as can be determined or as “more or less” if variable. All dimensions shall be given to the nearest hundredth of a foot. True angles and distances shall be drawn to the nearest established official monuments, not less than three (3) of which shall be accurately described on the plat. The intended use of all easements shall be clearly stated. (*Ord. No. 794, 11-19-91*)
- (6) Curvilinear lots shall show arc distances and radii, chord and chord bearing. Radial lines will be so designated. Direction of nonradial lines shall be so indicated.
- (7) Sufficient angles and bearing shall identify the direction of all lines and shall be shown to the nearest second.
- (8) All rights-of-way centerlines shall be shown with distances, angles, bearings or azimuth, points of curvature, arc distance, central angles, tangents, radii, chord, and chord bearing or azimuth or both.
- (9) All easements or rights-of-way provided for public services or utilities and any limitations of such easements.
- (10) All lot numbers and lines. Lot lines shall be marked with accurate dimensions in feet and hundredths of feet and bearings or angles to street lines.
- (11) Accurate descriptions of any area to be dedicated or reserved for public use with the purpose indicated thereon.
- (12) Title, date of survey, graphic scale of map, and north arrow. The bearing or azimuth reference shall be clearly stated on the face of the plat in the notes or legend.
- (13) Permanent reference monuments shall be placed in accordance with requirements of the County.
- (14) Each plat shall show a description of the lands platted and the description shall be the same in the title certification. The description shall be so complete that from it, without reference to the plat, the starting point and boundary can be determined.
- (15) The Clerk of the Circuit Court’s certificate and the land surveyor’s certificate and seal.
- (16) All section lines and quarter section lines occurring in the map or plat shall be indicated by lines drawn upon the map or plat with appropriate words and figures. If the description is by metes and bounds, the point of beginning shall be indicated together with all bearings and distances of the boundary lines. If the platted lands are in a land grant or are not included in the subdivision of government surveys, then the boundaries are to be defined by metes and bounds and courses. The point of beginning in the description shall be tied to the nearest government corner or other recorded and well-established corner.

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- (17) All contiguous properties shall be identified by plat title, plat book and page number, or as unplatted land. If the area platted is a replatting of a part of the whole of a previously recorded plat, sufficient ties shall be shown to controlling lines appearing on the earlier plat to permit an overlay to be made and reference to the replatting shall be stated as a subtitle following the name of the plat wherever it appears on the plat.
  - (18) All lots shall be numbered either by progressive numbers or, if in blocks, progressively numbered or lettered in each block, except that blocks in numbered additions bearing the same name may be numbered consecutively throughout the several additions.
  - (19) Park and recreation parcels shall be so designated.
  - (20) All interior excepted parcels shall be clearly indicated and labeled “Not a part of this plat.”
  - (21) The purpose and ownership of all areas dedicated must be clearly indicated or stated on the plat.
  - (22) When it is not possible to show curve detail information on the map, a tabular form may be used.
- (h) Documentation. The following documentation shall accompany the final plat:
- (1) A title opinion of an attorney licensed in the State of Florida or a certification by an abstractor or a title company stating that the public records identify that the title to the land as described and shown on the plat is in the name of the person, persons, or corporation executing the dedication. In addition, a document entitled “consent to platting of lands and partial release of mortgage” shall be filed together with the final plat for each person or corporation holding a mortgage on all land included on the plat where such person or corporation has not signed the final plat.
  - (2) Certification by a registered land surveyor that the plat represents a survey made by that individual and, further, that all the necessary survey monuments, lots sizes, and lot dimensions are correctly shown thereon. Impressed thereon, and affixed thereto, shall be the personal seal and signature of the registered land surveyor by whom or under whose authority and direction the plat was prepared.
  - (3) Certification that all real estate taxes have been paid.
  - (4) Every plat of a subdivision or condominium filed for record shall include any required dedication by the applicant. The dedication shall be executed by all owners having a record interest in the land being platted in the same manner in which deeds are required to be executed. All mortgagees having a record interest in the land platted shall execute, in the same manner in which deeds are required to be executed, either the dedication contained on the plat or in a separate instrument joining in the ratification of the plat and all dedication and reservations thereon in the form of a consent to plat from all mortgage interests acceptable to the City Attorney. When a tract or parcel of land has been platted, and a plat thereof bearing the dedication executed by the developer and approval of the City has been secured and recorded in compliance with this Chapter, all streets, alleys, easements, rights-of-way, and other public areas shown on such plat, unless otherwise stated, shall be determined to have been dedicated exclusively to the public for the uses and purposes stated thereon, notwithstanding any separate action by resolution of the City Council to formally accept such offers of dedication. However, acceptance of dedication by the City shall not be construed as creating an obligation upon the City to perform any act of construction or maintenance within the dedicated area unless the obligation is assumed voluntarily by the City.

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- (5) Pursuant to Section 25.940 a written report from the School District identifying a Finding of Available School Capacity. If the finding requires a Proportionate Share Mitigation Agreement for schools, an acceptable executed Mitigation Agreement shall accompany every final plat which is to be recorded to ensure the school capacity is available or planned within the first 3 years of the Work Program following the date of recording.
- (6) Pursuant to Section 25.950, a certificate of transportation concurrency or a conditional certificate of transportation concurrency issued by the City of Temple Terrace.
- (7) Any existing or proposed private restrictions and trusteeships and their periods of existence shall be filed as a separate instrument and reference to such instrument shall be noted on the final plat.
- (8) After a final plat has been approved, three (3) prints of as-built drawings showing the improvements that have been constructed according to the approved subdivision construction plans, and a copy of the financial guarantee for completion of required improvements shall be filed with the City Engineer before said plat shall be recorded. The subdivider shall be responsible for paying the recording fee.
- (9) Upon recording by the Clerk of the Circuit Court, the subdivider shall furnish the City one reproducible Mylar and two blue line prints of the recorded plat.  
*(Ord. No. 1227, 5-20-08, Ord. No. 1244, 3-17-09)*

(i) Financial guarantee. Unless all required improvements have been satisfactorily completed, an acceptable financial guarantee for required improvements shall accompany every plat which is to be recorded to ensure the actual satisfactory completion of construction of all required improvements within not more than two (2) years following the date of recording, or one year if sidewalks are the only required improvement to be completed following the date of recording. An acceptable financial guarantee for required improvements shall be in an amount not less than 110% of the estimated cost of the improvements, as approved by the City Engineer, but may be reduced by the City Engineer from time to time in proportion to the work completed, and may take one of the following forms, subject to the approval of the City Engineer and the City Attorney:

- (1) Cash, to be held in escrow by the City; or
- (2) An irrevocable letter of credit written by a bank chartered by the State of Florida, or the United States government, or any other state of the United States if the bank is authorized to do business in the State of Florida, and acceptable to the Finance Director. The letter of credit shall include, among other things, an expiration date not earlier than one year from the date of issuance; a provision requiring the issuer of the letter of credit to give at least thirty (30) days' written notice to the City prior to expiration or renewal of the letter; and a provision that the letter is automatically renewed for a period of time equaling its original term if the required notice is not given; or
- (3) A surety bond issued by a surety company authorized to do business in the State of Florida. The surety bond shall include, as a minimum, the provisions required above for letters of credit.

**Section 25.611 LOT SPLIT PROVISION.**

Notwithstanding the above requirements, the one-time division of a parcel of land into two lots of record may be permitted subject to the following requirements:

- (a) Prior to the subdivision of land occurring, a survey of the existing and proposed parcels shall be provided which provides sufficient information to ensure that both parcels meet any and all requirements of the

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zoning district in which the parcels are located. This includes but is not limited to structural setbacks, lot coverage, parcel size, shape, access to public rights-of-way, availability of utilities, or any other matters determined by the Director needed to ensure compliance with these regulations.

(b) A copy of the recorded deed transferring title to the newly created parcel shall be provided to the Community Services Department. (*Ord. No. 1161, 2-21-06*)

(c) If it is determined that a lot split has previously occurred subsequent to the adoption of subdivision regulations as established in this Code, this provision allowing for an additional lot split shall not apply and a final plat meeting the requirements of this Section and Chapter 177, Florida Statutes, shall be provided.  
(*Ord. No. 1076, 9-24-02*)

**Section 25.615 CONDOMINIUM PLATS.**

Before any condominium plat is filed of record in the office of the Clerk of the Circuit Court, a copy of the ground level survey drawing shall first be submitted to the City Engineer for determination that all requisite easements are properly delineated on the plat, all streets are properly named without duplication, and the plat comports with other engineering practices of the City.

**Section 25.620 VARIANCES.**

(a) **Application.** Any request for a variance from the regulations set forth in this Chapter shall be made in writing and submitted to the Department concurrently with the preliminary plat. Such written request shall state fully the grounds for the variance request and all facts relied upon by the applicant. The Department shall identify for the Development Review Committee the variance being sought at the time the committee considers the preliminary plat and for the City Council at the time the City Council considers the final plat.

(b) **Determination.** Variances may be granted by the City Council in approving a final plat upon determining that a hardship will result from the strict application of these platting regulations or that the purpose of these platting regulations may be served to a greater extent by an alternative proposal. In approving any variance, the City Council shall make a finding that:

- (1) The granting of the variance shall not be detrimental to the public safety, health, or general welfare or injurious to any other property or property owner.
- (2) The conditions upon which the variance request is based are unique to the property which is the subject of the variance and are not applicable generally to other properties.
- (3) Due to the particular physical surroundings, shape or topography of the property which is the subject of the variance, a particular hardship to the owner would result (as distinguished from a mere inconvenience) if the strict letter of these platting regulations are applied.
- (4) The variance will not conflict with the zoning district regulations or the land use plan.

(c) **Conditions.** In granting any variance, the City Council may impose such conditions and restrictions upon the property benefited by the variance as may be necessary to carry out the purposes of these platting regulations. Failure to comply with any such condition or restriction imposed by the City Council shall constitute a violation of this Chapter.

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**Section 25.625**

**VACATING, DISCONTINUING, ABANDONING, OR CLOSING STREETS,  
ALLEYS, ROADS, RIGHTS-OF-WAY AND EASEMENTS.**

(a) The intent of this Section is to establish procedures for closing, discontinuing, abandoning or vacating streets, alleys, roads, rights-of-way and easements.

(b) The City Council, upon the request of any person or persons, made in accordance with the requirements of this Section, may entertain and consider a petition to vacate, discontinue, close or abandon any street, road, alley, right-of-way, easement or any part or portion thereof.

Any such request shall be addressed to the City Council and shall petition the City to renounce, disclaim or release any right of the City in any recorded map or plat as a street, road, alley, right-of-way or easement, within the corporate limits of the City. Such petition shall be presented to the City Council in the following form:

- (1) **Form; oath.** The petition shall be typewritten and shall be sworn to by the petitioner(s) and acknowledged before a notary public.
- (2) **Contents.** The petition shall include the street address of the petitioner(s) and shall contain an accurate legal description of the street, road, alley, right-of-way, easement or any part or portion thereof petitioned to be closed, discontinued, vacated or abandoned.
- (3) **Abstract of title.** The petitioner(s) shall attach to said petition an ownership and encumbrance report or certificate from an abstract company, acceptable to the City, showing the name(s) and street addresses of all owners, encumbrancers, mortgage holders, lienors and lessees of all lands abutting any such street, road, alley, right-of-way or any part or portion thereof, or, in the case of an easement, the owners, encumbrancers, mortgage holders, lienors and lessees of any part or portion of the easement requested to be vacated, discontinued, closed or abandoned.
- (4) **Release and hold harmless agreement.** The petition shall state the reason why the petitioner(s) request the closing, discontinuing, vacation or abandonment of the street, road, alley, right-of-way, easement or any part or portion thereof and shall recite:

“The petitioner(s) herein named hereby waive, renounce, relinquish, absolve and discharge the City, its officers, employees, representatives and successors, of and from any and all claims, suits, actions, causes of action, responsibilities, duties and liabilities of any nature and kind whatsoever that such petitioner(s) may have, claim or demand, now or in the future, by reason of vacating, discontinuing, closing or abandoning of said street, road, alley, right-of-way, easement or any part or portion thereof and agree to indemnify and hold the City, its officers, employees, representatives and successors, harmless from and against any and all claims, suits, responsibilities, actions, causes of action, duties and liabilities of any nature and kind whatsoever that any third party may have, claim or assert against the City, its officers, employees, representatives and successors, by reason of the vacating, discontinuing, closing or abandoning of said street, road, alley, right-of-way, easement or any part or portion thereof.”

(c) **Hearing Notice.** Upon receipt of the petition, the City Clerk shall set a date for a public hearing on said petition. Notice of the hearing shall be published at least once, thirty (30) days prior to the hearing date, stating the time, date, place and purpose of the hearing. The City Clerk shall also cause said notice to be posted at either end of the street, road, alley, right-of-way, easement or any part or portion thereof which is to be vacated, discontinued, closed or abandoned.

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(d) **Recommendations of the City Manager and City Engineer.** Upon receipt of the petition, the City Clerk shall also forward a copy of the petition to the City Manager, City Engineer and City Attorney. The City Manager and City Engineer shall study said petition and make recommendations to the City Council prior to the public hearing.

(e) **Costs.** Filing fees for petitions to vacate shall be paid as follows:

- (1) Petitions to vacate, discontinue, close or abandon any street, road, alley, right-of-way, easement or any part or portion thereof within the City shall be submitted to the City Council with a receipt showing payment by the petitioner(s) to the City of the filing fee, in the amount of two hundred (\$200) dollars; (*Ord. No. 834, 4-20-93*)
- (2) No fee shall be required of a governmental agency;
- (3) No fee shall be refunded if the petition is withdrawn after the public hearing is ordered to be advertised. If the petition is withdrawn prior to the time the public hearing is ordered to be advertised, four-fifths (4/5) of the fees paid shall be refunded to the petitioner(s).

(f) **Vacation of public streets, alleys, ways, lands, and rights-of-way may be considered under the following conditions:**

- (1) The street, alley, way, land or right-of-way is unneeded for existing or future vehicular, bicycle, or pedestrian access, or other public purpose, is unimproved or dead-end; or (*Ord. No. 794, 11-19-91*)
- (2) Traffic on a minor street should be eliminated; or
- (3) The subject area has sufficiently changed since the area was dedicated and vacation or closing is warranted; or
- (4) The vacation or closing would be in accordance with the comprehensive plan for that area; and
- (5) The location of utilities or drainage patterns will not be adversely affected by the vacation or closing.

(g) **Traffic routing.** No collector street may be vacated or closed unless sufficient adequate provision is made to handle the affected traffic.

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**Section 25.630                    GENERAL SITE DEVELOPMENT PLANS.**

(a) For all property in the City in zoning districts other than single family residential zoning districts, but including uses requiring special approval and allowing planned developments in single family residential zoning districts, a general site development plan shall be required for any building permit application for new construction or for repair, addition, alteration or rehabilitation of existing construction when the Director determines any of the following are applicable:

- (1) The estimated cost of the proposed construction equals or exceeds twenty-five (25) percent of the total estimated cost of the existing structure; or
- (2) The proposed construction substantially alters the existing structure, in appearance or otherwise; or
- (3) More than twenty-five (25) percent of the total square feet of the existing structure will be affected by the proposed construction; or
- (4) The total number of square feet in the proposed structure varies twenty-five (25) percent from the existing structure; or
- (5) Traffic patterns, including but not limited to, ingress and egress from the site, will be modified.

(b) As to any building permit application, the applicant shall have the right to request in writing that the City Council waive the site plan submittal and review requirements on the grounds that the proposed building permit is not intended for construction which will substantially affect the property and, therefore, site plan review for said permit is not necessary to achieve the purpose of this Chapter. Any such appeal shall be filed within thirty (30) days after the Director has advised in writing that the applicant must submit a site plan and City Council shall consider and grant or deny a waiver within thirty (30) days after receipt of any such request. All time limits imposed by this Section shall be stayed during the pendency of a request for waiver.

(c) In no event shall a site plan be approved that does not comply with Section 25.905, Vested Development and Development Orders, or Section 25.940, Concurrency Management – Public Schools Facilities, regarding concurrency. (*Ord. No. 1227, 5-20-08, Ord. No. 1244, 3-17-09*)

(d) In no event shall a site plan be approved that does not comply with Section 25.905, Vested Development and Development Orders, or Section 25.950, Multimodal Transportation Concurrency Management, and accompanying Traffic Circulation and Multimodal Concurrency Management Policies and Procedures Manual, in effect on the date review takes place. (*Ord. No. 1244, 3-17-09*)

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**Section 25.635                    PRELIMINARY SITE PLANS.**

(a) A preliminary site development plan and twenty (20) copies shall be filed, along with the appropriate City review fees, with the Department. The preliminary site development plan shall be a dated, scaled plan (1" = 20'), on one or more sheets, 24" x 36" in size, depicting the proposed construction/development as it is to be situated on the zoning lot or tract of land and shall include all of the following information:

- (1) The project name, location, legal description, size and type of development;
- (2) The existing and proposed land uses by acreage;
- (3) A survey showing all existing man-made features and easements of record;
- (4) The general location and arrangement of all proposed and existing buildings and structures, including floor area, square footage, height, setbacks and building separation;
- (5) For multi-family residential developments, the number of dwelling units and dwelling units per acre, the number of units by bedrooms and square footage, and the average square footage per unit;
- (6) The layout and size of all existing and proposed off-street parking, loading and service areas, including traffic circulation plans and requirement calculations, bicycle circulation and parking plans, and pedestrian circulation plans; (*Ord. No. 794, 11-19-91*)
- (7) All existing and proposed access roads, driveway easements, rights-of-way, sidewalks, pedestrian ways, bicycle ways, points of ingress/egress located on the site and within 200 feet of the site perimeter; (*Ord. No. 794, 11-19-91*)
- (8) Aerial photograph;
- (9) Land uses and zoning of all abutting property and location of existing structures within 250 feet of the development;
- (10) Existing and preliminarily proposed topography, including lakes, marshes, swamps, watercourses and environmental jurisdictional designations;
- (11) Lot coverage calculations;

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- (12) Proposed location of all public use and open space;
- (13) Existing and proposed buffers;
- (14) Proposed method of providing for water, sanitary sewer, drainage and solid waste;
- (15) All areas proposed to be conveyed or dedicated;
- (16) Phasing plan showing stability and desirability of proposed phasing of project;
- (17) Flood plain designations where applicable;
- (18) The name, address and telephone number of the owner(s) and developer(s) of the property proposed for development, and where the owner(s) is not involved in the development, proof of authorization by owner for petitioner to proceed;
- (19) The name, address and telephone number, firm and titles of all person(s) responsible for preparation of the site development plan;
- (20) School Concurrency Application shall be submitted to the City in conjunction with the preliminary plan and reviewed per Section 25.940.
- (21) A Transportation Concurrency Application shall be submitted to the City in conjunction with the preliminary site plan and reviewed and evaluated for accordance with Section 25.950, Multimodal Transportation Concurrency Management, and accompanying Traffic Circulation and Multimodal Transportation Concurrency Management Policies and Procedures Manual, in effect on the date review takes place.
- (22) Such other information as the City Council or City staff may require to effectuate the intent and purposes of this Chapter.

*(Ord. No. 1227, 5-20-08, Ord. No. 1244, 3-17-09)*

(b) Within ten (10) working days after receipt of each completed application for a general site plan review, which is within any one or more of the categories set forth in Section 25.630, whether for initial construction or for expansion or modification to existing buildings or structures on the property, the Director and such department heads as he deems necessary to consider such application, shall meet to consider and discuss the proposed construction.

The Director shall provide the applicant with preliminary responses and concerns regarding the proposed construction within three (3) working days after the preliminary conference.

(c) The application, together with the preliminary site development plans and the preliminary staff responses to the plans, shall be submitted for City Council preliminary site plan review, as soon as possible after the preliminary conference and in accordance with the City Council's rules of order and procedure, or, at the written request of the applicant, the applicant may waive the City Council's preliminary site plan review and proceed as outlined in Section 25.640.

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**Section 25.640                   FINAL SITE PLANS.**

(a)       After the City Council’s preliminary site plan review or receipt of the applicant’s written waiver of such review, the applicant shall submit to the Department, eleven (11) copies of the final site development plan, which shall include all of the following information, together with an ownership and encumbrance report evidencing the ownership of the entire parcel to be developed:

- (1)       All preliminary site plan submittal requirements which have been modified as a result of the preliminary site plan review process;
- (2)       Tree survey and tree removal/replacement and compliance provisions;
- (3)       Landscape plan;
- (4)       External public or private lighting features/fixtures, pursuant to parking lot and area lighting illumination standards outlined in Section 25.745.75 of the Temple Terrace Code of Ordinances; (*Ord. No. 1045, 5-15-01*)
- (5)       Projected traffic generation rates and off-site traffic impact analysis, including trips assumed to be diverted to public transit, bicycle, and pedestrian modes; (*Ord. No. 794, 11-19-91*)
- (6)       Signage plans if development is a multi-tenant commercial project;
- (7)       Consultant certifications;
- (8)       Preliminary subdivision plat (if applicable);
- (9)       Renderings of all buildings;
- (10)      Preliminary engineering plans for all infrastructures;
- (11)      Covenants, conditions, restrictions, agreements associated with the site;
- (12)      Pursuant to Section 25.940 a written report from the School District identifying a Finding of Available School Capacity. If the finding requires a Proportionate Share Mitigation Agreement for schools, an acceptable executed Mitigation Agreement shall accompany every final site plan application to ensure the school capacity is available or planned within the first 3 years of the Work Program following the date of Council approval. (*Ord. No. 1227, 5-20-08*)
- (13)      Pursuant to Section 25.950, a certificate of transportation concurrency or a conditional certificate of transportation concurrency issued by the Public Works Department. (*Ord. No. 1244, 3-17-09*)
- (14)      Such other information as the City Council or City staff may require to effectuate the intent and purposes of this Chapter.

(*Ord. No. 1227, 5-20-08, Ord. No. 1244, 3-17-09*)

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(b) Upon certifying that the final site development plans meet the requirements set forth above, the Director shall transmit said plans to the appropriate City departments for their review and recommendations. Within thirty (30) days after receipt of said plans, each department shall return its recommendations, in accordance with the criteria set forth below, to the Director; provided, however, that on a showing of good cause, City Council may grant staff up to an additional sixty (60) days within which to complete its review of said plans. Upon receipt of the departmental review, the Director shall schedule a prehearing conference with designated department heads to discuss their recommendations.

(c) Following departmental review and any prehearing conference, the applicant may alter the general site development plan to conform to the departmental recommendations. The Director shall then determine whether those alterations necessitate further review by any department and if further review is necessary, the Director shall cause said review to be done.

(d) Departmental review of the final site development plans shall include the following criteria:

- (1) Compatibility with the specific regulations and standards for the appropriate zoning district;
- (2) Compatibility with the stated purpose and intent of the specific district regulations;
- (3) Compatibility with all existing development in the area surrounding the proposed development;
- (4) Harmony with the existing natural features in the area surrounding the proposed development and design and appropriateness of proposed use or structure for the size and configuration of the property;
- (5) Availability of public improvements, utilities and facilities, including access to public transit routes, stops, and shelters, sidewalks, crosswalks, pedestrian ways, and bicycle ways; (*Ord. No. 794, 11-19-91*)
- (6) Impact on traffic volumes and flow in the area surrounding the proposed development and ingress/egress, off-street parking, loading and service area patterns, encouragement of alternative modes by providing public transit bus stops, benches, shelters, bus bays, sidewalks, crosswalks, pedestrian ways, bicycle ways, preferential parking spaces and/or fees for carpools/vanpools; (*Ord. No. 794, 11-19-91*)
- (7) Impact on the condition and adequacy of the present abutting rights-of-way and known future City acquisition plans;
- (8) Availability of fire protection;
- (9) Compliance with adopted buffering, landscape, sign, open space and lighting regulations and standards;
- (10) Compatibility with the adopted purposes in the policy element and the land use classifications of the Comprehensive Plan applicable to the site and its surrounding area.

(e) The City Manager shall forward the final site development plans and departmental recommendations to the Mayor and City Council for review and action.

(f) The Mayor and City Council shall consider the final site development plans and departmental recommendations at the earliest council meeting possible, and in accordance with the City Council's rules of order and procedure.

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General site development plans submitted for uses requiring special approval shall require a public hearing with notice of said hearing published in a newspaper of general circulation in the City ten (10) days prior to the date of the hearing. In addition, notice of said hearing shall be posted on the subject property and mailed to the owners of all property lying within one hundred (100) feet of the perimeter of subject property ten (10) days prior to the date of the hearing.

(g) City Council may defer action on any such application for no more than thirty (30) days after considering the departmental recommendations and holding any public hearings that may be required with regard to the application. Council shall then approve with conditions or deny the application for the building permit and/or special approval. Implicit in any City Council approval shall be the requirement that the applicant shall comply with all statutory, City, regulatory, building or other codes unless the City Council specifically waives compliance with any such law, ordinance or regulation. In the event the City Council fails to act within the time limits set forth herein, the general site development plans shall be automatically denied; provided, however, that on the applicant's written request, an extension of thirty (30) days shall automatically be granted for consideration by City Council. At the end of said thirty (30) day extension, if Council has failed to act on the site development plans, they shall be automatically denied.

(h) Fees for the process of required general site development plans shall be established in accordance with City Code.

**Section 25.645 DEVIATION FROM SITE PLANS.**

(a) Building permits for construction on property subject to the general site development review process may be issued only for development that does not substantially deviate from the approved site plan.

(b) The building permit or special approval of use issued for the site shall be automatically revoked without further action by the City unless site clearing and substantial construction has been commenced within 180 calendar days after the date City Council approves the site plan; provided, however, City Council may grant one extension of up to 180 days within which site clearing and substantial construction must be commenced. The applicant must begin and substantially complete the development within two years from the time of final approval. If the development is to be constructed in stages, the applicant must begin and substantially complete the development of each stage within two years of the time provided for the start of construction of each stage in the development schedule.

If the applicant does not begin and substantially complete the development of any stage, within the time limits imposed by the preceding guidelines, the applicant may request an extension of time for completion. The City Manager shall forward the request for extension together with the departmental recommendations thereon to the Mayor and City Council for review and action at the earliest Council meeting possible, and in accordance with Council's rules of order and procedure.

City Council may defer action on any such request for extension for no more than one meeting and after consideration of said request and recommendation, shall approve an extension, revoke the approval, or amend the approval with conditions. If City Council fails timely to act on any such request for extension, it shall be automatically denied.

(c) In the event that proposed alterations, changes or amendments to the approved general site development plans constitute substantial deviations from the approved general site development plans as defined below, such proposed alterations, changes or amendments shall first be submitted to the Director. The Director shall distribute site plans detailing the proposed alterations, changes or amendments to those departments affected thereby.

(d) Each such department shall review said altered or amended site plans and return its recommendations to the Director.

(e) The City Manager shall then forward the revised general site development plans and the departmental recommendations with regard thereto to the Mayor and City Council for review and action at the earliest council meeting possible, and in accordance with the Council's rules of order and procedure.

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(f) City Council may defer action on any such proposed alterations, changes or amendments for no more than one meeting.

(g) City Council, after consideration of the departmental recommendations, shall approve, approve with conditions or deny the proposed alterations, changes or amendments. In the event that City Council fails to act within the time limits set forth herein, the alterations to the general site development plans shall be denied.

(h) Fees for the processing of proposed alterations, changes or amendments to the approved general site development plans shall be established in accordance with City Code.

(i) Any one of the following proposed alterations, changes or amendments shall constitute a substantial deviation, requiring initiation of the process described above:

- (1) A reduction or relocation of five (5) percent or more of the approved plan's open space;
- (2) An increase of more than five (5) percent of the site being occupied by buildings or structures;
- (3) An increase of more than five (5) percent of the approved total floor area;
- (4) An increase of more than five (5) percent in the height of any approved building or structure;
- (5) An increase of more than one (1) percent in the number of dwelling units, a modification in the original design concept, including, but not limited to, additional or changed proposed uses, substantial changes in traffic patterns, substantial dimensional or locational changes to points of ingress/egress; substantial dimensional or locational changes for off-street parking, loading or service areas;
- (6) Any change which would increase total traffic generation by ten (10) percent or more, which in the reasonable, professional judgment of the Director, substantially or materially alters the basis upon which any department or the City Council made its original recommendation or decision;
- (7) Any change or modification not specified above, which in the reasonable, professional judgment of the City Manager substantially or materially alters the basis upon which the departments or the City Council made their original recommendation or decision.

*(Ord. No. 532, 12-4-84; Ord. No. 608, 2-3-87; Ord. No. 669, 9-6-88; Ord. No. 731, 5-15-90)*

**Section 25.650 DEVELOPMENT PERMITS.**

**Section 25.650.1 DEFINITION.**

Development Permit: An official action of the City having the effect of permitting the development or redevelopment of land, including, but not limited to any building permit, site plan approval, subdivision approval, infrastructure permit, tree removal permit, sign permit, or any other permit required in this Chapter.

**Section 25.655 GENERAL PROVISIONS.**

(a) **Review of permits, license and use applications.** The Department of Community Services shall review all applications for building permits and land use permits to ensure their conformity with the provisions of this Chapter. *(Ord. No. 1161, 2-21-06)*

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(b) **Permits not to be issued:**

- (1) **Non-conforming buildings:** No building permit shall be issued for the erection, alteration or use of any building or structure or part thereof, or for the use of any land or water, which is not in conformity with all the provisions of this Chapter.
- (2) **Non-conforming uses:** No license or permit shall be issued by any building official or by any department, agency or official of the city for the use of any premises or the operation of any business, enterprise, occupation, trade, profession or activity which would involve, in any way, or constitute a violation of this Chapter.
- (3) **Architect approvals:** No permit shall be issued by the building official for the altering, remodeling or construction of any commercial building or structure, or for any multi-family dwelling or building to be used for public occupancy until the plans and specifications have been approved by an architect registered in the State of Florida.

(c) **Outstanding permits.** Where, at the effective date of this Chapter, or an amendment thereto, there are outstanding valid building permits authorizing the construction of buildings, structures, additions or alterations, the use or construction of which does not conform to the requirements of “zoning” or any amendment thereto, such permits shall be void unless actual construction work, excluding grading or excavating, is substantially underway within six (6) months of the date of issuance of said permit.

(d) **Buildings under construction.** Any building or structure for which a lawful building permit has been issued and the construction of which has been started prior to the effective date of this Chapter, or a subsequent amendment thereto, may be completed and used in accordance with the plans and specifications upon which said building permit was granted, provided said construction is completed within one (1) year after the effective date of this Chapter or any subsequent amendment thereto.

(e) **Uncompleted structures.** No building or structure not completed in substantial conformity with plans and specifications upon which the building permit for its construction was issued, shall be maintained, or be permitted to remain unfinished, for more than twelve (12) months after the construction of such building was begun, except under such conditions and for such period as may be determined as reasonable by the Director, based on conformity with, and promotion of, the spirit and purpose of this Chapter.

(f) **Plot plan.** Wherever an exterior wall, an increase in cubical content or height, or a new building is involved, all applications for building permits shall contain, or be accompanied by, a “plot plan” in duplicate drawn to scale, showing the actual dimensions of the “plot” involved in the application, the location of the use proposed and/or the building to be erected or altered, yards and setbacks, and all other uses and buildings on the “plot” as well as such other pertinent information as may be necessary for the enforcement of this Chapter.

(g) **Permits for new use of land.** No land heretofore vacant shall hereafter be put to use, or an existing use of land be hereafter changed to a new or different use, unless a building permit is first obtained for the new or different use.

(h) **Permits for new use of buildings.** No building or structure, or part thereof, shall be changed to, or occupied by, a use of a different kind, unless a certificate of occupancy is first obtained for the new or different use.

(i) **Permits required.** No building or structure, or part thereof, shall be hereafter erected, altered, moved or repaired unless a building permit shall have first been obtained for such work. The terms “altered” and “repaired” shall include any changes in structural parts, stairways, type of construction, kind or class of occupancy, light or ventilation, means of ingress or egress, or other changes affected or regulated by the building code of this Chapter, except for minor repairs or changes not involving any of the aforesaid features.

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(j) **Assignment of street names and numbers.** Assignment by the Department of a street name and/or street address number to a projected future building shall be a condition precedent to the issuance of a building permit for any such building.

(k) **Building setbacks.** Plans for all structures proposed to be built in the City shall depict the front, side and rear setbacks in relation to the property boundaries on which they are to be located.

**Section 25.660 SURVEYS – WHEN REQUIRED.**

(a) **Required.** Perimeter, foundation, and final surveys are required to support and document applications for building permits, construction activities, and applications for certificates of occupancy.

(b) **Submittal of surveys.**

- (1) A “perimeter” survey shall be submitted to the building official with each application for a building permit for new construction. If a previous survey is used as a drawing to satisfy “plot plan” or site plan requirements, a separate unaltered “perimeter” survey shall be provided.
- (2) A “foundation” survey shall be submitted to the building official immediately after the placement of the building slab for new construction. (To prevent encroachment into setbacks and other established control areas, the builder/developer should provide field notes, based on actual survey, to the building inspector at time of footing or foundation inspection prior to pouring the concrete. The subsequent receipt of the completed survey can be used to review and confirm the approved field notes.)
- (3) A “final” survey must be submitted to the building official with each application for a certificate of occupancy regarding new construction. “Final” surveys of structures previously completed must also be submitted to the building official with each application for a building permit for alterations, modifications, additions, or for any new construction on a developed property which changes existing lot or building coverage factors (percentages).
- (4) The building official may reject any survey at any time, and require a more current or a clearer survey or a survey under seal if, for any reason, he deems that the submitted survey is insufficient to meet the purposes and intent of this Section, including, but not limited to, age, clarity, accuracy, defect, or any other criteria.

*(Ord. No. 674, 11-1-88; Ord. No. 737, 5-15-90)*

**Section 25.665 CONSTRUCTION IN FLOOD HAZARD AREAS.**

(a) When building within areas of special flood hazard, a building permit issued by the building official or his designee in conformity with the provisions of the Design and Construction Standards Section 25.715, Flood Plain Protection, shall be secured prior to the erection, repairs, reconstruction or alteration of, or improvements to, any structure or portion thereof resulting in substantial improvement thereto, or other development, including, but not limited to, the placement of a mobile home, dredging, filling, grading, paving or clearing of land lying within areas identified as areas of special flood hazard or floodways, on the flood hazard boundary map.

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**Section 25.670                   GENERAL SITE DEVELOPMENT PLAN; REQUISITE TO PERMIT.**

(a) For all property in the City of Temple Terrace in zoning districts other than single-family residential zoning districts, but including uses requiring special approval and allowing planned developments in single-family residential zoning districts, a general site development plan shall be required for any building permit application for new construction. (Refer to Section 25.630 of this Chapter (Site Plans) for specific plan requirements.)

(b) Construction after site plan approval. **RESERVED.**

**Section 25.675                   SITE PLAN, PLAT AND SERVICE PLAN REVIEW.**

(a) Filing and review fees are required at the time of submittal of:

- (1) A preliminary site plan, or final site plan if preliminary site plan review is waived.
- (2) A preliminary plat.
- (3) An application for water and/or sewer service.
- (4) An application for review of infrastructure plans for new residential subdivisions.

(b) Filing and review fees are required immediately following initial contact regarding a project, or development, and before any extensive discussions or staff reviews take place.

(c) The owner, owner's agent, or developer of the property shall pay the filing fee and all applicable review charges.

(d) Services: In consideration of the filing fee and review charges, the applicant shall receive twenty-five (25) hours of City staff review. For all hours in excess of twenty-five (25) hours, the applicant shall reimburse the City for actual time spent, according to the review fee schedule outlined in Section 25.695.

(e) Payments: The City shall invoice the owner or developer for such additional review charges, and no building permit or certificate of occupancy shall be issued for any building or development until all City invoices have been paid.

**Section 25.680                   DEVELOPMENT PERMITS.**

(a) Prior to commencement of any land development activity, excluding activity related to the construction of a single family home, the owner or developer must first obtain all development permits applicable and pay the appropriate fees as outlined herein.

(b) Interpretation of standards and fees. The City Manager shall establish procedures for the review and issuance of permits and required inspections under this Section. In the event of a dispute as to the classification of a development activity, the method by which a permit fee is calculated, or the standard upon which inspections are based, the City Manager shall have the authority of final determination of the appropriate classification, cost or standard.

**Section 25.680.1               DEVELOPMENT AUTHORIZATION.**

An authorization to proceed with development in accordance with an approved site plan or subdivision plat outlining all of the agreements, conditions, and understandings pertinent to development approval is required. No on-site development activity shall commence prior to receiving a development authorization. The development authorization may be revoked or suspended by the City upon determination that conditions related to the development activity have been changed or have been altered by the developer from those which were prevailing at

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the time of development approval, or are not in compliance with the conditions of approval. Revocation of a development authorization shall immediately cause the cessation of all construction and work associated with the project. The development authorization shall supersede all other permits and revocation of same will result in all other permits associated with development on the site to be suspended. A suspended, withdrawn, or revoked development authorization may be reissued upon the satisfactory correction of the deficiencies.

The fee and charges for a development authorization are as indicated in Section 25.695 of this Chapter.

**Section 25.680.2            SITE PREPARATION PERMITS.**

(a)        Conservation Area Permit: Authorization to install and maintain barriers, buffers, silt screens, hay bales, etc., along the boundaries of established conservation areas to protect water quality and prevent contamination of wetlands in accordance with an approved site development plan.

(1)        Terms and Conditions of the Permit:

- a.        Pursuant to this Chapter, developer/contractor shall install and maintain barriers and buffers to protect the established conservation areas.
- b.        This permit is intended to retain the land and water areas of the conservation areas in predominately their natural, scenic, open or wooded condition; retaining the areas as suitable habitat for fish, plants, or wildlife; retaining the physical appearance of the sites; maintaining existing land uses, and protecting their environmental significance.
- c.        Developer/contractor shall install a line of hay bales along the upland sides of the conservation lines (Department of Environmental Regulation (DER) lines) to intercept and/or absorb sheet drainage flow when construction or land clearing activities are to be carried out.
- d.        Developer/contractor shall further identify the required buffer zone (extending landward from the DER line) by erecting a wire fence or several strands of wire with flagging markers so that construction will not encroach within the buffer zone.
- e.        The specific plan to prevent and/or mitigate erosion, control sedimentation, and/or prevent pollution shall be subject to approval of the City Engineer prior to the commencement of land clearing and tree removal operations.
- f.        Failure to obtain the City Engineer's approval as stated above prior to initiation of land clearing and tree removal operations shall be cause for immediate revocation of this permit, and development operations may not be restarted until a replacement permit has been issued. Permit fees shall not be refunded for revoked permits.
- g.        The following activities are prohibited within the conservation areas:
  1.        Construction or placing of buildings, roads, utilities or other structures on or above the ground.
  2.        Dumping or placing of soil or other substance or material as landfill or dumping or placing of trash, waste, or unsightly or offensive materials.

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3. Removal or destruction of trees, shrubs or other vegetation.
4. Excavation, dredging or removal of loam, peat, gravel, soil, rock or other material substance in such a manner as to affect the surface.
5. Surface use, except for purposes that permit the land or water area to remain predominately in its natural condition.
6. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation.
7. Acts or uses detrimental to such retention of land or water areas.
8. Acts or uses detrimental to the preservation of the physical appearance of the site or property of environmental significance.
9. Any other activities prohibited by Florida Statutes 704.06 (1987).

(b) Tree Removal Permit: Authorization to remove and/or relocate trees from or to a parcel of land in accordance with an approved site development plan, agreement, or letter of understanding, including those trees located within public rights-of-way abutting the developed parcel of land.

- (1) A tree survey is required with every application for site plan or plat approval, and it shall include the following:
  - a. location of all accountable and protected trees having 5” diameter or more at breast height and identification as to type;
  - b. location of proposed structure(s) and other planned impervious areas;
  - c. identification and differentiation of trees to be retained and trees to be removed, including dead trees, and the percentage of canopy coverage being retained on the plot;
  - d. number of trees to be retained, removed and/or relocated; and
  - e. grade changes which might adversely affect or endanger retained trees, with details as to how trees will be protected.

Requested information above shall be field checked by the Director of Community Services or his designated representative, and his approval or disapproval of tree removal plans (with suggestions) shall be expressed in writing on the permit application. (*Ord. No. 1161, 2-21-06*)

- (2) Final approval: Final approval of any tree removal plan will be subject to the planting of new replacement trees, relocation of trees, or payment of equivalent value to the City, as required in Section 25.735 of this Chapter.

(c) Site Clearing, Grading, Filling Permit: Authorization to proceed with the clearing, grading, and/or filling of a parcel of land in accordance with an approved site development plan, approved plat, or approved subdivision infrastructure plans.

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- (1) Conditions of the permit:
- a. Land clearing operations shall not create a drainage problem for the adjacent lands or adjacent public rights-of-way. All storm waters shall be retained on site during clearing and after clearing until such time that storm waters can be handled in accordance with approved development plans.
  - b. Land clearing operations shall not create or cause a hazard to the health and safety of citizens.
    - 1. Open burning is prohibited within the City limits, except when using forced air systems, as approved by the City's Fire Chief.
    - 2. Cut trees, stumps and other debris will not be buried on site without specific approval of the City Engineer and Director.
    - 3. Routes of travel for equipment and trucks to and from the work site and disposal site, within the corporate limits, will be reviewed and approved by the Director of Public Works and Police Chief.
    - 4. Operations will be conducted in such a manner as to prevent dust from becoming a public nuisance. Water trucks will be immediately available on site during dry weather as requested by the City Engineer.
    - 5. Operations shall not result in any unattended excavation within fifteen (15) feet of any right-of-way, public or private.
  - c. Contractor agrees to comply with any and all reasonable requests of the City to eliminate hazards to the health and safety of citizens.
  - d. Tree removal is authorized pursuant to separate permit and letter of understanding. All trees not to be removed shall be protected from clearing activities permitted herein.
  - e. Work restrictions are in effect between 5:00 p.m. and 7:00 a.m. weekdays and Saturdays, and no work is permitted on Sundays.
  - f. The permit is valid for a period of sixty (60) consecutive days, unless work ceases, in which case the permit is revoked.
  - g. Should the City Manager, or his duly authorized representative, find that land clearing operations are being carried out in violation of any of the terms and conditions of the permit, he may give notice of violation, take appropriate steps to obtain compliance and/or take enforcement action as outlined in this Chapter.

**Section 25.680.3 INFRASTRUCTURE PERMITS.**

(a) Excavation Permits: It shall be unlawful for the owner, occupant or person in control of any lot, parcel or tract of land within the City to alter, excavate, fill or remove any of the land or its surface without first obtaining a permit to do so from the Department.

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- (1) Submission of plans for approval. Permits to alter, excavate, fill or remove land or its surface within the limits of the City shall not be issued by the Director without first obtaining the approval of the City Engineer. The City Engineer shall not be required to give his approval unless and until the applicant for such permit shall have submitted to the Director plans and specifications covering the project and a description of the intended result. The City Engineer shall have the right and privilege of disapproving the application or permit if, in his judgment, the work intended to be done shall cause a substantial difference in the appearance of the lands immediately adjacent thereto or shall create a drainage problem, or shall create or cause a hazard to the health and safety of the citizens.
  - (2) Refusal of permit, right of appeal. Should the Director or the City Engineer, or both, disapprove the application for a permit to alter, excavate, fill or remove land or its surface within the limits of the City, such applicant shall have a right of appeal to the City Manager. Appeal from decision of the City Manager may be made to the City Council.
  - (3) Excavation, filling. No person shall permit any excavation, made for the purpose of mining, quarrying, building or for other purposes, of more than ten square feet of superficial area and more than four (4) feet in depth, to remain open in the City on land belonging to such person for more than ninety days. Such owner shall cause such excavation to be filled with clean sand or dirt or covered over in such a manner and within such time as the City Engineer may direct.
  - (4) Sand, filling, etc., prejudicial to health. Any hole, low-lying ground, pit or excavation, likely to be or become prejudicial to the health of the community shall, upon order of the City, be filled, drained or otherwise placed in sanitary or salubrious condition by the owner thereof.
- (b) Public/Private Infrastructure Improvements and Inspections (Water, Sewer, Paving and Drainage).
- (1) City inspections shall be required to verify the quality or specifications of materials or installation for the following public and private infrastructure improvements:
    - a. Public and private streets and roadways and related markers and signs.
    - b. Public and private storm sewers, drainage systems and detention/retention ponds, including “building storm sewer” lines and parking lot drainage systems.
    - c. Public and private sidewalks and walkways.
    - d. Public and private sanitary sewer lift and/or pump stations, gravity and force main collection/transmission lines, including “building sewers.”
    - e. Public and private water mains and lines, including private “water service pipes” and fire lines for hydrants and sprinkler systems.
  - (2) All costs incurred by the City for inspections outlined in (1) above, shall be paid by the owner or developer. Owner or developer shall deposit with the City a sum equal to five (5) percent of the estimated construction cost (as prepared by the engineer of record), and the balance, if any, shall be paid prior to acceptance of said improvements or issuance of a building permit. Any excess funds shall be returned to the owner or developer. Inspection fees outlined under this Section shall include the cost of City inspection beginning with the pre-construction conference through final acceptance of the improvements or issuance of a building permit.

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- (3) In the event of a dispute as to the proper classification of infrastructure improvements, the estimated cost of said improvements, or cost of City inspections, the City Manager shall have the authority of final determination of the appropriate classification or cost.

(c) **Curb Cut Permit:** Authorization is required to construct or modify a driveway access point, curb cut, or driveway apron area located in the public right-of-way and joining the street surface with a vehicle accommodation area. Curb cuts involving state right-of-way require prior state approval.

- (d) **Parking Lot Construction Permit -** Authorization to construct or repair a private parking lot area:

Plan approval. Except for single or two-family residential uses, prior to the issuance of any permit for resurfacing or paving a parking lot under the provisions of this Section, a plot planting or landscaping plan shall be submitted to and approved by the Director of Community Services or his designee. The plan shall be drawn to scale showing the location and size of all buildings including all pertinent dimensions; and shall indicate clearly the existing and proposed parking spaces, other vehicular use areas, access aisles, driveways, hydrants, source of water supply for landscaping, the location and size of all landscape materials, the location of planting protective devices, and the identification of all plants by name. (*Ord. No. 1161, 2-21-06*)

**Section 25.680.4 BUILDING CONSTRUCTION PERMITS.**

Information regarding building construction permits is provided in Appendices to this Chapter, as follows:

<b>Building Permits – Appendix E</b>	(Building Code)
<b>Electrical Permits – Appendix A</b>	(Electrical Code)
<b>Gas Permits – Appendix B</b>	(Gas Code)
<b>Mechanical Permits – Appendix D</b>	(Mechanical Code)
<b>Plumbing Permits – Appendix C</b>	(Plumbing Code)

**Section 25.680.5 LANDSCAPING AND BUFFERING PERMIT.**

Authorization is required to install landscaping in conformance with Section 25.780 of this Chapter.

**Section 25.680.6 ACCESSORY STRUCTURE PERMITS.**

- (a) Sign Permits. See Section 25.765.
- (b) Swimming Pool Permits.
- (1) Definition.

As used in this Section, unless the context otherwise indicates, a swimming pool shall mean: structure designed to contain a body or bodies of fresh water for swimming, wading or other recreational purposes, not available for general public use or owned by social clubs.

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- (2) Permits; contents of applications.
- a. Applications. Before the erection, construction or alteration of any swimming pool is begun, there shall be submitted to the Director an application for permit on appropriate forms to be furnished by the City.
  - b. Statements. The application shall contain the full name of the owner of the premises upon which the swimming pool is to be erected or altered. The application shall be accompanied by adequate documentation to meet the survey requirements of this Chapter.
  - c. Plans and specifications. The application shall be accompanied by full and complete plans and specifications, in duplicate, for such proposed work and such detail structural drawings thereof as hereinafter specified. The plans of all swimming pools to be constructed in the City, that are governed by state laws, must have the standard approval of the department having jurisdiction before application is made for permit. Full and complete plans shall consist of the following:
    - 1. Drawings shall clearly show plan at not less than one-fourth inch per foot.
    - 2. Sections of all component parts at three-fourths inch per foot.
    - 3. Location or site plan at not less than one-sixteenth inch per foot.
    - 4. Complete mechanical and electrical layout specifying type and capacity of equipment to be used, including:
      - (a) source of water;
      - (b) mechanical equipment;
      - (c) filtration equipment;
      - (d) disposal of:
        - 1. pool water for emptying
        - 2. backwash water
        - 3. scum gutter drain
      - (e) all pool piping and valve arrangement, including main drain:
        - 1. inlets
        - 2. vacuum fittings
        - 3. scum gutter
  - d. Fencing or safety barrier:
    - 1. Any pool construction shall have a safety barrier as required by Section 25.755.9 of this Chapter, and appropriate permit shall be obtained for said fencing or safety barrier.
    - 2. It shall be within the discretion of the building inspector of the City to refuse approval of any barrier which, in his opinion, does not meet the safety requirements of this Section.
    - 3. The erection or construction of a safety barrier shall not apply to those pools which are less than thirty (30) inches in depth.

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- (c) Fences, Walls: **RESERVED.**

**Section 25.680.7 MISCELLANEOUS PERMITS.**

- (a) Retaining Walls: **RESERVED.**
- (b) Fire Alarms and Sprinkler Systems: **RESERVED.**
- (c) Fumigation.

No permit shall be required for fumigation services, however, the Fire Chief shall be notified, in writing, at least twenty-four (24) hours before any building or structure is to be closed in connection with the use of any toxic fumigant.

- (d) Temporary uses of buildings, structures or land.

Temporary uses of buildings, structures, or land in connection with land development, sales, or construction projects, may be established, erected or placed within any zoning district for occupancy or use other than as dwelling or lodging units. Any such use shall require a permit, specifying location, type of construction, maintenance requirements, buffering requirements, time period of operation, planned utilization of such building, structure, or land, and such other requirements as the Director may deem necessary. No permit shall be issued 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 Section.

- (e) Moving permits.
  - (1) Moving of buildings. No building or structure shall be moved from one lot or premises to another unless such building or structure shall thereupon be made to conform with all the provisions of this Chapter relative to buildings or structures herein permitted to be erected upon the lot or premises to which such building or structure shall have been moved.
  - (2) Code compliance bond. The owner of any real property within the City seeking to apply for a permit to move a ready-made building onto said property within the City's corporate limits, shall, together with his application, post a bond, with a surety acceptable to the Director, which shall guarantee that said building will be refinished, remodeled, and completed within ninety (90) days from the date of said bond in accordance with all requirements in the removal permit and this Chapter.
  - (3) For the purpose of this Section, "ready-made buildings" shall include any "building" or "structure," as defined in Article II of this Chapter.
  - (4) Upon the issuance of said moving permit, the house moving contractor shall notify the Fire Marshall, Chief of Police, utility companies and others whose property may be affected by the building move. All notices shall state the route that will be taken, start time, and approximate time of completion. All moving contractors shall comply with applicable rules and regulations of the State of Florida (Department of Transportation Building Moving Permit Regulations) and all other provisions of the City Code of Ordinances.

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- (f) Septic tanks.
- (1) Installation and use of septic tanks. Septic tanks or other similar equipment for sewage treatment may be installed and used within the City in areas where the City does not furnish sewer facilities, upon the approval of the City Manager, until such time as such service becomes available.
  - (2) Permit and final inspection.
    - a. Construction permit. Prior to application for a permit percolation tests shall be performed under the direction of either the Hillsborough County Health Department or the City, in the area where the absorption field is to be installed, and said tests shall have given satisfactory evidence that the intended drain field will function under normal conditions. No septic tank and/or drain field shall be constructed or installed until a permit for such construction or installation has been obtained from the Hillsborough County Health Department and the City.
    - b. Non-issuance of permit. A permit shall not be issued for an installation in an area determined to have unsuitable soil characteristics, a high water table during the wet test period of the year, inadequate drainage, or other influencing factors adversely affecting the operation to the extent that the system may not be expected to function satisfactorily as a temporary sewage treatment method.
    - c. Septic tank and drain fields shall not be installed within two hundred-fifty (250) feet of the Hillsborough River.
    - d. Final inspection. After the completion of construction or installation of a septic tank and drain field and before covering and putting into service, the installation shall be inspected by a representative of the Hillsborough County Health Department and the City. If installation meets all applicable requirements, a “final inspection certificate” will be issued. Permanent connection of City water will not be made to any dwelling or other building until final approval has been given to the installation.
    - e. Nothing herein is intended to exempt any person from full compliance with the provisions of the Temple Terrace Plumbing Code.
- (g) Privately owned wells:
- (1) Conditions for approval:

Within the City where City-owned water mains are adjacent to a parcel, privately owned wells may be drilled and used only for lawn sprinkling, irrigation, operation of air conditioning units, filling of swimming pools or other similar uses on that parcel. In areas within the City where public water mains are not available, privately owned wells may be drilled and used for domestic supply, provided that said wells and the water therefrom are in compliance with all applicable government requirements and regulations; that the water therefrom is analyzed as to suitability for drinking purposes by the local state laboratory of the State Division of Health and Rehabilitative Services, and subsequently approved by the County health officer; that the drilling of the well is permitted by the Southwest Florida Water Management District; and provided further that when City water service becomes available, connection shall be made in accordance with the City Code of Ordinances. No well may be drilled or used within the corporate limits of the City without a permit approved by the Director.

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- (2) Digging wells – permit required.

Within the City no person shall bore, dig or drill a well by mechanical power or otherwise unless an application has been made and a permit obtained from the Department of Community Services. The application shall include data concerning the proposed size and anticipated depth of the well, its location, intended use, etc. (*Ord. No. 1161, 2-21-06*)

- (3) Refusal of permit if detrimental to health.

A permit to bore, dig or drill a well shall be refused if, in the opinion of the County health officer, the character or location of the well is such that it is liable to be a menace or detrimental to health and safety.

- (4) Maintaining well detrimental to health.

It shall be unlawful for any person to maintain a well within the limits of the City if, in the opinion of the County health officer, its maintenance is a detriment to health.

- (5) Wells to be inspected and approved.

It shall be unlawful for any person to maintain a well within the corporate limits of the City unless the same has been reported to, inspected and approved, and a permit issued by the Department of Community Services, unless a permit has been previously issued by the Hillsborough County Health Department, the Southwest Florida Water Management District, or the City. (*Ord. No. 1161, 2-21-06*)

- (6) Sale of water from private wells.

It shall be unlawful for any person to connect or maintain pipes providing water for sale from private wells to other buildings or property.

- (7) Nothing herein shall exempt a person from satisfying all requirements of the Temple Terrace Plumbing Code.

**Section 25.685 CERTIFICATES OF OCCUPANCY.**

(a) A new building shall not be occupied, or a change made in occupancy of a commercial or office building (i.e., a new or different tenant), or a change in nature or use of a building (change in occupancy or group use category; i.e., assembly, business or mercantile, etc.) until after the building official has issued a certificate of occupancy. Said certificate shall not be issued until all required fire protection systems have been tested and approved.

(b) New certificates of occupancy shall not be issued for remodeled, altered or repaired buildings unless the building is: enlarged or expanded, remodeled or modified to accommodate a new tenant or a new use or category of tenant, or remodeled or modified so as to increase the number of persons for each floor, the total square footage, or the maximum load per square foot.

(c) Certificates of occupancy will not be issued merely to document completion of construction; however, a letter attesting to completion will be provided on request.

(d) A temporary certificate of occupancy may be issued by the building official for a portion or portions of a building which may safely be occupied prior to final completion of the building. Temporary certificates shall not be issued for a period in excess of six (6) months, and then only when the occupied area meets all requirements of codes.

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(e) A certificate of occupancy for any existing building may be obtained by applying to the building official and supplying the information and data necessary to determine compliance with building codes for the occupancy intended. Where necessary, in the opinion of the building official, two (2) sets of detailed drawings, or a general inspection, or both may be required. When, upon examination and inspection, it is found that the building conforms to the provisions of the Code for such occupancy, a certificate of occupancy may be issued. A fee shall be charged for all plan reviews and inspections performed pursuant to this Section.

(f) Certificates of occupancy for new single-family residences will be issued within five (5) working days of the completion of the final building inspection.

(g) Certificates of occupancy for commercial (mercantile), office, and/or institutional buildings and different departments will be issued within ten (10) working days of the completion of the final building inspection.

**Section 25.685.1 CERTIFICATES OF OCCUPANCY RELATIVE TO LAND.**

(a) No land, upon which a new or different use is established, shall be occupied or used until a certificate of occupancy shall have been issued therefor.

(b) Certificates for dwelling accessory buildings. Buildings or structures accessory to dwellings shall not require a separate certificate of occupancy but may be included in the certificate of occupancy for the dwelling when shown on the plot plan and when completed at the same time as such dwelling.

(c) Certificate for non-conforming uses. No non-conforming use shall be maintained, continued, renewed, extended or changed unless a certificate of occupancy therefor shall have been issued pursuant to this Chapter.

(d) A certificate of occupancy may be issued and a structure which encroaches no more than two and one-half (2-1/2) feet into any setback may be allowed to continue, but said encroachment shall not be expanded, extended or enlarged, provided that said structure had received a foundation inspection before the effective date of Ordinance No. 661, and provided further that said minimal encroachment was the result of a good faith error and no foundation survey was required to be submitted as to said structure by any other ordinance, statute or other law.

(e) Unlawful to occupy building pending final approval. It shall be unlawful in the case of a complete new installation for any person to occupy the building or structure until the tag showing final inspection and compliance has been attached to the meter box; and it shall be unlawful for any utility company to connect any premises, upon which a complete installation has been made, to its service lines until said utility company has received written notice from the chief electrical inspector that said work has had final inspection and been found to comply with the requirements of this Chapter.

**Section 25.690 PROCEDURES FOR PROCESSING WATER AND SEWER SERVICE APPLICATIONS FOR NEW DEVELOPMENTS IN THE TEMPLE TERRACE SERVICE AREA.**

**Section 25.690.1 APPLICATION.**

Before any water line or sewer line extension is made to the water and/or sewer system of the City, the owner of the tract or parcel of land to be served shall make application to the City for permission to make the extension, setting forth the following information:

(a) The full name and address of the owner or owners of the tract or parcel of land to be served, together with evidence of ownership thereof.

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(b) The legal description of the tract or parcel of land to be served, together with the recorded plat of all parts or portions thereof subdivided, and if any part or portion thereof has not been subdivided, a map or plot showing the proposed subdivision.

(c) The estimated number of consumers to be served by the City in such tract or parcel of land.

(d) If the proposed development in the tract or parcel of land to be served is for commercial, industrial or manufacturing purposes, the nature of such use and the probable water needs of each establishment, sewer discharge from each establishment and the character of such wastes.

(e) A statement that the applicant agrees that, at the discretion of the City, the water mains and all appurtenances thereto, when installed, shall be the property of the City and the same shall constitute a part of the water distribution system of the City and be subject to all rules and regulations relating to the operation of the water department of the City.

(f) A statement that applicant agrees that, at the discretion of the City, the sewers, house connections, lift stations, force mains and all appurtenances thereto, when installed, shall be the property of the City and that same shall constitute a part of the sewer system of the City and be subject to all rules and regulations relating to the operation of the sewer department of the City.

(g) The name and address of the applicant's consulting engineer.

(h) A preliminary layout of the proposed construction.

(i) If the proposed development is a part of a larger tract, a master plan for the development of the entire tract.

(j) Completion of a "Water Data Sheet" showing all proposed uses, fixtures and connections.

**Section 25.690.2 SUBMITTAL OF APPLICATION.**

(a) Applications for water and sewer service and the prevailing filing and review fees shall be sent to the Department. For filing and review fees, refer to Section 25.695 below.

(b) "Preliminary Application" Review Procedures:

(1) City staff will meet with developer to discuss preliminary development plans.

(2) City staff will evaluate the adequacy of the present water and sewer system to serve the proposed development.

(3) City staff will set up a meeting with the developer's engineers to discuss design and specification parameters.

(4) Staff will notify the developer of acceptability of his application or of required changes, and requirements for execution of Development Agreement with the City.

**Section 25.690.3 SUBMITTAL OF FINAL CONSTRUCTION PLANS AND SPECIFICATIONS.**

After acceptance of the application, five (5) sets of final construction plans and specifications must be submitted to the Department (Size 24" x 36" Scale 1" = 50') for final City Engineer approval.

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**Section 25.690.4 DEVELOPMENT AGREEMENT AND IMPROVEMENT FEES.**

Prior to construction and connection of the development or project to the City’s utility system, payment must be made of applicable water and sewer improvement fees in accordance with the terms of a Development Agreement. The Development Agreement shall contain provisions regarding improvement fees, construction, and conveyance and warranty of all “off-site” water and sewer infrastructure. The Development Agreement must be executed and submitted for City Council consideration.

**Section 25.690.5 FINAL PROCESSING.**

Upon compliance with the foregoing, the City staff shall further process the application. Final approval is contingent upon City Council approval and execution of the Development Agreement.

**Section 25.690.6 OTHER PERMITS.**

DER General Use Permits and other required permits may be transmitted to the City after construction plans are approved. The City will process the permits when the City Council approves the Development Agreement.

**Section 25.690.7 PRE-CONSTRUCTION MEETING.**

(a) The City staff will arrange a pre-construction meeting with the developer’s engineers and the project contractor.

(b) The City will give written authorization to proceed with construction after receiving an approved copy of the DHRS water construction application and DER sewer construction application.

**Section 25.690.8 POST CONSTRUCTION.**

The project will be submitted to the City Council for acceptance by the City of all off-site improvements after:

- (a) Receipt of the project engineer’s certification of completion.
- (b) Receipt of DHRS approval (water).
- (c) Receipt of EPC approval (sewer).
- (d) Receipt of the water bacteriological clearance.
- (e) Project inspection approval.
- (f) City Engineer’s approval.
- (g) Contractor’s Release of Lien.
- (h) Bill of Sale for conveyed improvements.
- (i) Bond or Letter of Credit guaranteeing improvements for one (1) year from date of acceptance.
- (j) One (1) sepia mylar and two (2) copies of the recorded plat (as appropriate).
- (k) One (1) sepia mylar and three (3) copies of As-Built plans.

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(l) All applicable charges have been collected and other considerations for the Development Agreement have been complied with.

**Section 25.690.9 SERVICE.**

Water and sewer service will be activated when all of the terms and conditions of the Development Agreement have been satisfied.

**Section 25.691 APPLICATION FOR EXTENSION TO SERVE FIRE SPRINKLER SYSTEMS.**

**Section 25.691.1 APPLICATION.**

Before any existing water main of the City shall be extended to serve any fire sprinkler system, application shall be made in writing, setting forth the following information:

- (a) The full name and address of the owner or owners of the tract or parcel of land to be served, together with evidence of their ownership thereof.
- (b) The legal description of the land to be served.
- (c) The general nature of the business or industry to be served and its respective fire sprinkler system water needs.
- (d) Size of water main required.
- (e) A statement wherein the applicant agrees to be bound by and comply with all the rules and regulations relating to the operation of the water department of the City.
- (f) A statement by the owner that, at the discretion of the City, the mains, when installed, will be the sole property of the City.

**Section 25.691.2 APPLICATION APPROVAL; PAYMENT OF COSTS.**

Such application will be checked by the City and estimated cost determined. The City will notify the applicant, in writing, of its determinations and the applicant shall thereupon pay to the City a sum of money equal to the cost, at current price, before work is begun.

**Section 25.691.3 APPLICATION FOR EXTENSION TO SERVE FIRE HYDRANTS ON PRIVATE PROPERTY.**

Before any existing water main of the City shall be extended to serve fire hydrants located on private property, application shall be made therefor in the same manner, and with similar payment made to the City as provided for in regard to fire sprinklers above. Such extensions shall be made to the exterior boundary only of the tract, parcel or plot of land in which such fire hydrants are to be located.

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**Section 25.695 DEVELOPMENT PERMITS – SCHEDULE OF FEES AND CHARGES.**

(a)	Site Development:	
	Site Plan Review	
	Less than 5 acres	750.00
	5 – 10 acres	1,500.00
	10+ acres	2,500.00
	Landscape/Parking (post development)	
	Less than 5 acres	250.00
	5 – 10 acres	500.00
	10+ acres	750.00
(b)	Conditional Use/Variances:	
	Residential	275.00*
	Sign variances	300.00*
	Conditional Use	(See Site Plan Review)
		*Plus Advertising Cost
(c)	Zoning Changes/Verification/Interpretation	
	Single Family Lot	250.00*
	Commercial	1,000.00*
	Verification Letter	100.00
	Interpretation Letter	100.00
		*Plus Advertising Cost
(d)	Comprehensive Plan Amendment:	
	Regular Amendment	1,000.00*
	Small Scale Amendment	500.00*
		*Plus Advertising Cost
(e)	Concurrency Permit:	
	Renewal (<10 acres/10+)	\$150.00/250.00
(f)	Subdivision Review:	
	Preliminary Subdivision Plan	
	Less than 50 lots	1,500.00
	50+ lots	3,000.00
	Final Plat (Does not include Engineering Review Fee per F.S.)	
	Less than 50 lots	1,000.00
	50+ lots	3,000.00
	Lot Split	
	Residential	250.00
	Commercial	500.00

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(g)	DRI (Development of Regional Impact)	
	DRI	5,000.00
	NOPC (Notice of Proposed Change)	1,000.00
	Substantial Deviation	2,500.00
	Development Agreement	500.00
	Annual Report Review	150.00
(h)	Engineering inspections infrastructure: (Deposit = 5% estimated construction cost)	
	City Engineer, per hour	50.00
	Engineering inspectors, per hour	25.00
(i)	Site clearing, grading, filling:	
	Per first acre, or fraction thereof	20.00
	Each additional acre, or fraction thereof	5.00
(j)	Tree removal/trimming:	
	Tree trimming, per tree	12.00
	\$5.00 per protected tree to be removed or relocated	5.00
(k)	Curb cut - \$100.00 per curb cut	100.00
(l)	Conservation area permit:	
	Up to 1,000 linear feet of conservation line	50.00
	Each additional 1,000 linear feet, or fraction thereof	50.00
(m)	Drilling, boring or digging wells:	
	Well	25.00
	Monitor wells, 4 or less	25.00
	Each additional well over 4	5.00
	Well pump installation	25.00
	Pumps <u>other than well construction</u>	25.00
(n)	Inspections relative to Certificates of Occupancy for <u>existing</u> buildings:	25.00
(o)	Building permit fee schedules. (See separate schedules in Section 25.697 [Residential] and 25.698 [Commercial] of this Chapter)	
(p)	Electrical permit fee schedules. (See Subsection 25.697.1 [Residential] and Subsection 25.698.1 [Commercial])	
(q)	Mechanical permit fee schedules. (See Subsection 25.697.2 [Residential] and Subsection 25.698.2 [Commercial])	
(r)	Plumbing permit fee schedules. (See Subsection 25.697.3 [Residential] and Subsection 25.698.3 [Commercial])	
(s)	Gas piping permit fee schedules. (See Subsection 25.697.4 [Residential] and Subsection 25.698.4 [Commercial])	
(t)	Sign permit fee schedules. (See Subsection 25.697.5 [Residential] and Subsection 25.698.5 [Commercial]).	

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- (u) Refunds. Policies regarding refunds are addressed in Section 25.697.10 [Residential] and 25.698.10 [Commercial]. Said policies also apply to permits covered herein. (*Ord. No. 781, 8-20-91*)
  
- (v) Permit processing fee; each permit 7.50  
  
(*Ord. No. 833, 4-20-93, Ord. No. 1137, 4-5-05*)

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**Section 25.696**

**INTERIM PROPRIETARY AND GENERAL SERVICE FEE.**

(a) Purpose. The purpose of the interim proprietary and general services fee is to defray the cost to the City of providing City services to newly improved property prior to the imposition of ad valorem taxes on such property. Said services provided by the City include, but are not limited to, police protection, fire protection, parks and recreational facilities, library facilities and services, building and grounds maintenance, and administrative services. The fee is not in any manner, directly or indirectly, intended as an ad valorem tax, nor is the amount of the fee established herein related in any way to the valuation of the property receiving said services.

(b) Fee levied for services to certain properties. The interim proprietary and general services fee shall apply to those properties for which a certificate of occupancy is issued, either permanent or temporary, for full or partial use of the premises, and shall be paid for each month or part thereof, between the date of “substantial completion,” as determined by the Director, and January 1 of the succeeding year.

(c) Payment of interim proprietary and general services fee. The interim proprietary and general services fee shall be paid in full upon the issuance of a certificate of occupancy, and the certificate of occupancy shall not be issued until such time as said fee has been paid. The interim proprietary and general services fee shall be thirty (\$30.00) dollars per unit per full or partial month. For the purpose of this Section, a “unit” shall be defined as:

- (1) single-family residence;
- (2) each living unit of a townhouse, duplex or multi-family dwelling;
- (3) each room of a hotel/motel.

If a building does not fall under any of the above definitions, a unit shall be equivalent to 5,250 square feet or part thereof.

(d) Fee revisions. The City Manager may revise the interim proprietary and general services fee rate at the beginning of each fiscal year, rounding the monthly rate to the nearest five (\$5.00) dollars. The calculation of the revised fee shall be based upon adopted general fund budgeted expenditures less anticipated franchise fees, utility taxes, fines and forfeitures, charges for services and other revenues from “user-based fees” as may be appropriate, divided by the estimated number of units defined herein, and prorated on a monthly basis; provided, however, that the fee may not be increased by more than twenty-five (25) percent from one year to the next except upon the adoption of a resolution by the City Council approving such increase.

(e) Exemptions. The interim proprietary and general services fee shall not be levied upon:

- (1) Any improvements which constitute general maintenance, remodeling or additions to units such as additional rooms, pools and fences.
- (2) Any improvements to property which is exempt from ad valorem taxation by Florida law, or which is used primarily by an organization the income of which is exempt from federal income taxation.

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**Section 25.697                      RESIDENTIAL BUILDING PERMIT FEE SCHEDULE.**

- (a) Fees for residential building permits shall be as follows:
- (1) Fees for building permits for any new building or structure or any alteration or addition to an existing building or structure shall be based on the following schedules. The dollar amount of such fees shall be as follows:
  - (2) Re-inspection Fees. When additional fees are necessary due to any of the following reasons a fee of fifty dollars (\$50.00) shall be charged to the permit holder and must be paid prior to any subsequent inspections being scheduled for the particular trade in violation.
    - a. Code violations
    - b. Repairs or corrections not made prior to inspection
    - c. Work not ready at time of inspection
    - d. Permit not posted at time of inspection
    - e. Approved plans not on site at time of inspection
    - f. Work not accessible
    - g. Wrong or unposted address
    - h. Notice of commencement not posted

(b) Fee Revisions. The City Manager may authorize revising building permit fees at the beginning of each fiscal year, rounding the fee to the nearest one (\$1.00). The calculation shall be based on Consumer Price Index rate differences from one year to another; however, that fee may not be increased or decreased by more than ten percent (10%) from one year to the next, except upon adoption of a resolution by the City Council approving such revision.

Residential Building Permit Fee Schedule:

Minimum Fee	\$40.00
New Construction	\$0.25 per gross square foot
Additions	\$0.30 per gross square foot
Renovations and Rehabilitations	\$0.30 per gross square foot
Painting	No permit required
Demolition	\$15.00 per 1000 square feet
Mobile/Modular Home Set-up	\$50.00 flat fee
Fences/Walls	
Wood/Chain link/Masonry	\$40.00 for first 250 linear feet or fraction thereof; \$0.15 for each additional linear foot
Roofing (Includes new, repairs and re-roofs)	\$.03 per sq. ft. for the first 2500 sq. ft. or fraction thereof, \$.01 per sq. ft. for each additional sq. ft. Maximum permit cost of \$150.00.

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Residential Building Permit Fees continued:

Siding/Stucco	\$0.20 per square foot
Aluminum Enclosures	\$75.00 flat fee
Swimming Pools/ Spas Does not include electric, mechanical or plumbing permits	\$95.00 flat fee
Patios, Drives, Decks (wood, concrete, brick)	\$40.00 for first 500 sq. ft. plus \$0.06 for each additional square foot
Gutters/ Downspouts (retrofit) Included in building fee for new construction	\$40.00 flat fee
Building Relocation Does not include electric, plumbing or mechanical permits	\$50.00 flat fee
Temporary Trailers	\$50.00 flat fee
Storm Shutters/Panels	\$60.00 per dwelling

Those fees not individually shown above shall be based on the valuation of the improvements to be constructed as established in the most recent Building Valuation Table of Cost published by the Southern Building Code Congress, Inc., and according to the following schedule.

<u>Valuation Schedule</u>	<u>Fee</u>
\$1.00 to \$1,000.00	\$0.00
\$1,001.00 to \$3,000.00	\$40.00
\$3,001.00 to \$10,000.00	\$25.00 per thousand
\$10,001.00 to \$25,000.00	\$150.00 plus \$5.00/thousand or fraction thereof
\$25,001.00 to \$500,000.00	\$375.00 plus \$3.00/thousand or fraction thereof
Over \$500,000.00	\$1,650.00 plus \$1.00/thousand or fraction thereof

(Ord. No. 781, 8-20-91, Ord. No. 1137, 4-5-05)

**Section 25.697.1 RESIDENTIAL ELECTRICAL PERMIT FEE SCHEDULE.**

Minimum Permit Fee \$40.00

New Construction	\$0.05 per sq. ft. of construction
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Residential Electrical Permit Fees continued:

Additions	\$0.10 per sq. ft. of construction
Renovations and Rehabilitation	\$0.12 per sq. ft. of new or improved area
Temporary Services	\$40.00 flat fee
Swimming Pools/Spas (free standing and self contained are exempt)	\$65.00
Signage	\$50.00 flat fee for each sign location
Mobile home installation	\$50.00
Fire Alarm Systems (horns, strobes, detectors)	\$40.00 for control panel, \$5.00 each for appurtenance
Service Upgrades	\$75.00 flat fee

Those fees not individually shown above shall be based on the valuation of the improvements to be constructed as established in the most recent Building Valuation Table of Cost published by the Southern Building Code Congress, Inc., and according to the following schedule.

<u>Valuation Schedule</u>	<u>Fee</u>
\$1.00 to \$1,000.00	\$0.00
\$1,001.00 to \$3,000.00	\$40.00
\$3,001.00 to \$10,000.00	\$25.00 per thousand or fraction thereof
\$10,001.00 to \$25,000.00	\$250.00 plus \$5.00/thousand or fraction thereof
\$25,001.00 to \$500,000.00	\$375.00 plus \$3.00/thousand or fraction thereof
Over \$500,000.00	\$1,650.00 plus \$1.00/thousand or fraction thereof

*(Ord. No. 781, 8-20-91, Ord. No. 1137, 4-5-05)*

**Section 25.697.2 RESIDENTIAL MECHANICAL PERMIT FEE SCHEDULE.**

Minimum Permit Fee \$40.00

New Construction	\$10.00 per ton of equipment plus \$3.00 per supply/return openings
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Residential Mechanical Permit Fees continued:

Renovations, Additions and Rehabilitation	\$10.00 per ton of equipment plus \$3.00 per supply/return openings
Package Air Condensing Units	\$40.00 each
Equipment Change out	\$40.00 flat fee
Solar Installations	\$40.00 flat fee
Boiler Installations	\$75.00 flat fee
Mobile Home Installation	\$40.00 flat fee

Those fees not individually shown above shall be based on the valuation of the improvements to be constructed as established in the most recent Building Valuation Table of Cost published by the Southern Building Code Congress, Inc., and according to the following schedule.

<u>Valuation Schedule</u>	<u>Fee</u>
\$1.00 to \$1,000.00	\$0.00
\$1,001.00 to \$3,000.00	\$40.00
\$3,001.00 to \$10,000.00	\$25.00 per thousand or fraction thereof
\$10,001.00 to \$25,000.00	\$250.00 plus \$5.00/thousand or fraction thereof
\$25,001.00 to \$500,000.00	\$375.00 plus \$3.00/thousand or fraction thereof
Over \$500,000.00	\$1,650.00 plus \$1.00/thousand or fraction thereof

(Ord. No. 781, 8-20-91, Ord. No. 1137, 4-5-05)

**Section 25.697.3 RESIDENTIAL PLUMBING PERMIT FEE SCHEDULE.**

Minimum Permit Fee \$40.00

New Construction	\$10.00 per wet fixture
Lavatories (single or double)	
Showers/ tubs	
Water heaters	
Dishwasher	
Laundry Tub	
Water closets	
Kitchen sink	

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Residential Plumbing Permit Fee Schedule continued:

Renovations, Additions and Rehabilitation	\$10.00 per wet fixture
Lavatories (single or double)	
Showers/ tubs	
Water heaters	
Dishwasher	
Laundry Tub	
Water closets	
Kitchen sink	
 Building Sanitary Connection (sewer lateral)	 \$40.00 per connection
 Building Water Connection	 \$40.00 per connection
 Petroleum Storage— Underground	 \$60.00 flat fee
Above ground	\$50.00 flat fee
 Roof Drains	 \$10.00 each
 Landscape Sprinklers	 \$40.00 per system
 Swimming Pools /Spas	 \$55.00 flat fee
(free standing and self contained systems are exempt)	
 Solar/Heat Recovery Systems	 \$60.00 flat fee

Those fees not individually shown above shall be based on the valuation of the improvements to be constructed as established in the most recent Building Valuation Table of Cost published by the Southern Building Code Congress, Inc., and according to the following schedule.

<u>Valuation Schedule</u>	<u>Fee</u>
\$1.00 to \$1,000.00	\$0.00
\$1,001.00 to \$3,000.00	\$40.00
\$3,001.00 to \$10,000.00	\$25.00 per thousand or fraction thereof
\$10,001.00 to \$25,000.00	\$250.00 plus \$5.00/thousand or fraction thereof
\$25,001.00 to \$500,000.00	\$375.00 plus \$3.00/thousand or fraction thereof
Over \$500,000.00	\$1,650.00 plus \$1.00/thousand or fraction thereof

(Ord. No. 781, 8-20-91, Ord. No. 1137, 4-5-05)

**Section 25.697.4           RESIDENTIAL GAS PIPING PERMIT FEE SCHEDULE.**

Minimum Permit Fee \$40.00

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Residential Gas Piping Permit Fee Schedule continued:

New Construction	\$50.00 Flat fee
Renovations, Additions and Rehabilitation	\$50.00 Flat fee
Above ground Propane Tanks	\$40.00 Flat fee
Below ground Propane Tanks	\$50.00 flat fee

Those fees not individually shown above shall be based on the valuation of the improvements to be constructed as established in the most recent Building Valuation Table of Cost published by the Southern Building Code Congress, Inc., and according to the following schedule.

<u>Valuation Schedule</u>	<u>Fee</u>
\$1.00 to \$1,000.00	\$0.00
\$1,001.00 to \$3000.00	\$40.00
\$3,001.00 to \$10,000.00	\$25.00 per thousand or fraction thereof
\$10,001.00 to \$25,000.00	\$250.00 plus \$5.00/thousand or fraction thereof
\$25,001.00 to \$500,000.00	\$375.00 plus \$3.00/thousand or fraction thereof
Over \$500,000.00	\$1,650.00 plus \$1.00/thousand or fraction thereof

*(Ord. No. 781, 8-20-91, Ord. No. 1137, 4-5-05)*

**Section 25.697.5 RESIDENTIAL SIGN PERMIT FEE SCHEDULE.**

RESERVED

*(Ord. No. 1137, 4-5-05)*

**Section 25.697.6 BUILDING CODE ADMINISTRATORS' AND INSPECTORS' FUND-RESIDENTIAL.**

(a) Effective October 1, 1993, there shall be established in the City of Temple Terrace, a BUILDING CODE ADMINISTRATORS' AND INSPECTORS' FUND.

(b) The BUILDING CODE ADMINISTRATORS' AND INSPECTORS' FUND shall consist of the following three (3) accounts; or similar accounting records as determined by the Director of Finance:

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- (1) Reserve for Building Code Enforcement Trust (reserve of fund balance).
- (2) Building Code Enforcement Surcharge (revenue).
- (3) Building Code Enforcement Surcharge (expenditures).

(c) The fund accounts shall be supported by an assessment of a surcharge of one-half cent per square foot of under-roof floor space permitted, including new construction, alterations, and additions, and all monies collected less 10% shall be remitted quarterly, beginning December 31, 1993, to the Florida Department of Professional Regulation.

(d) Ten (10) percent of all monies collected shall be deposited in the City's BUILDING CODE ADMINISTRATORS' AND INSPECTORS' TRUST FUND.

(e) Expenditures shall be made only to fund projects and activities intended to improve the quality of building code enforcement, and must be approved by the City Manager or his designee.

(f) All monies received will be budgeted and deposited into the revenue account while use of the funds will be budgeted and expended from the expenditures account. Any revenues in excess of expenditures will be reserved at the end of the year.

*(Ord. No. 846, 8-17-93, Ord. No. 1137, 4-5-05)*

**Section 25.697.7 RADON SURCHARGE – RESIDENTIAL.**

Pursuant to the provisions of Sections 468.631, 404.056 and 166.201, Florida Statutes, a surcharge shall be assessed at a rate of one-half cent (\$0.005) per gross square foot of under-roof space permitted for new construction. For additions, renovations and alterations to existing buildings, the square footage shall be computed on the basis of the gross square footage being added, altered or renovated. Five percent (5%) of collected fees shall be retained by the City to cover the costs associated with the collection and remittance of such remaining surcharge of ninety-five (95%) to the State of Florida in accordance with Sec. 404.056, Florida Statutes. *(Ord. No. 1137, 4-5-05)*

**Section 25.697.8 SURCHARGES – RESIDENTIAL.**

***Certification Maintenance Fee.*** In addition to permit fees, a training surcharge fee of one percent (1%) of each permit fee shall be assessed, with a minimum charge of one dollar (\$1.00) per permit and shall be reserved to fund the cost of educational materials, seminars, conferences and training of building personnel required to be certified in accordance with Chapter 468, Florida Statutes. *(Ord. No. 1137, 4-5-05)*

**Section 25.697.9 MISCELLANEOUS – RESIDENTIAL.**

Replacement permits	\$25.00 each
Renewed permits	\$25.00 each
Contractor changes requiring new permit	\$25.00 each

*(Ord. No. 1137, 4-5-05)*

**Section 25.697.10 RESIDENTIAL DOCUMENT REVIEW FEES.**

The following fees shall be charged for the review of construction documents. Said fees shall be based on the valuation of improvements on the structure as established in the most recent Building Valuation Table of Cost published by the Southern Building Code Congress, Inc., and according to the following schedule.

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Residential Document Review Fees continued:

<u>Valuation of Structures</u>	<u>Review Fee</u>
\$1,000.00 to \$50,000.00	\$ 55.00
\$50,001.00 to \$100,000.00	\$110.00
\$100,001.00 to \$150,000.00	\$165.00
\$150,001.00 to \$200,000.00	\$220.00
\$200,001.00 to \$300,000.00	\$275.00
\$300,001.00 and over	\$350.00

(a) When deemed necessary by the building official, construction documents accompanying an application for building permit for any new building or structure or any alteration or addition to any existing building or structure, may be forwarded to the Southern Building Code Congress International, Inc., for their review and comment. When such a review is necessary, the document review fee charge to the builder/owner shall be based on the actual cost incurred by the City for said review.

(b) Requirement for recording fees. Whenever any document, agreement etc., is required by the City pursuant to approval of a development action or order, and the same is to be recorded in the public records of Hillsborough County, the developer/owner or other party to the agreement, shall pay all recording fees and other associated fees.

(c) Refund Policy. Procedures for refunds of amounts paid for permits are as follows:

- (1) No person or entity shall be entitled to any refund on the amount paid for any permits issued by the City unless such refund is applied for in writing within six (6) months from the date of issuance of such permit, or within the extended time thereof if the same has been extended under proper authority.
- (2) Service charge. Before making any such refund, retain and deduct there from a sum equal to twenty percent (20%) of the amount originally paid for the permit, which sum shall constitute a service charge.

*(Ord. No. 1137, 4-5-05)*

**Section 25.697.11 RESIDENTIAL FIRE REVIEWS AND INSPECTIONS.**

New Construction, altered systems \$150.00  
*(Ord. No. 1137, 4-5-05)*

**Section 25.698 COMMERCIAL BUILDING PERMIT FEE SCHEDULE.**

(a) Fees for commercial building permits shall be as follows:

- (1) Fees for building permits for any new building or structure or any alteration or addition to an existing building or structure shall be based on the following schedules. The dollar amount of such fees shall be as follows:

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(2) Re-inspection Fees. When additional inspections are necessary due to any of the following reasons, a fee of fifty dollars (\$50.00) shall be charged to the permit holder and must be paid prior to any subsequent inspections being scheduled for the particular trade in violation.

- a. Code violations
- b. Repairs or corrections not made prior to inspection
- c. Work not ready at time of inspection
- d. Permit not posted at time of inspection
- e. Approved plans not on site at time of inspection
- f. Work not accessible
- g. Wrong or un-posted building address
- h. Notice of commencement not posted
- i. No access to site to perform scheduled inspection

(b) Fee Revisions. The City Manager may authorize revising building permit fees at the beginning of each fiscal year, rounding the fee to the nearest one (\$1.00) dollar. The calculation shall be based on Consumer Price Index rate differences from one year to another; however, that fee may not be increased or decreased by more than ten percent (10) from one year to the next except upon adoption of a resolution by the City Council approving such revision.

Commercial Building Permit Fee Schedule:

Minimum Fee     \$55.00

New Construction and Additions	\$0.20 per gross square foot
Renovations, Rehabs	\$0.20 per gross square foot
Tenant Finish	\$0.15 per gross square foot
Painting	\$55.00
Demolition	\$15.00 per 1000 square feet
Mobile/Modular Home Set-up	\$50.00 flat fee
Fences/Walls	
Wood/Chain link/masonry	\$50.00 for first 250 linear feet, \$15.00 for each additional 100 linear feet or fraction thereof
Roofing (includes new, repairs and re-roofs) each	\$0.03 per sq. ft. for first 2500 sq. ft. or fraction thereof, \$.01 per sq. for each additional sq. ft. Maximum permit cost \$150.00.
Siding/Stucco	\$0.20 per square foot
Aluminum Enclosures	\$75.00 flat fee

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Commercial Building Permit Fee Schedule continued:

Swimming Pools/ Spas (Does not include electric, mechanical or plumbing permits)	\$125.00 flat fee
Patios, Decks, Drives (Wood, concrete, brick)	\$40.00 for first 500 sq. ft., \$.06 for each additional square foot
Gutters/ Downspouts (retrofit) Included in building fee for new construction	\$55.00 flat fee
Building Relocation (Does not include electric, plumbing or mechanical permits)	\$50.00 flat fee
Temporary Trailers	\$50.00 flat fee
Storm Shutters/Panels	\$55.00 per storefront

Those fees not individually shown above shall be based on the valuation of the improvements to be constructed as established in the most recent Building Valuation Table of Cost published by the Southern Building Code Congress, Inc., and according to the following schedule.

<u>Valuation Schedule</u>	<u>Fee</u>
\$1.00 to \$1,000.00	\$55.00
\$1,001.00 to \$3,000.00	\$75.00
\$3,001.00 to \$10,000.00	\$25.00 per thousand or fraction thereof
\$10,001.00 to \$25,000.00	\$250.00 plus \$5.00/thousand or fraction thereof
\$25,001.00 to \$500,000.00	\$375.00 plus \$3.00/thousand or fraction thereof
Over \$500,000.00	\$1,650.00 plus \$1.00/thousand or fraction thereof

(Ord. No. 781, 8-20-91, Ord. No. 1137, 4-5-05)

**Section 25.698.1 COMMERCIAL ELECTRICAL PERMIT FEE SCHEDULE.**

Minimum Permit Fee \$50.00

New Construction and Additions	\$0.05 per gross square foot of new or improved area
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7-15-2005

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Commercial Electrical Permit Fee Schedule continued:

Renovations and remodels	\$0.10 per gross square foot of new or improved area
Tenant Finish	\$0.05 per gross square foot of new or improved area
Temporary Electric Services	\$60.00 per site
Swimming Pools/Spas (free standing and self contained are exempt)	\$75.00 each
Signage	\$55.00 each sign
Fire Alarm Systems (horns, strobes, detectors)	\$0.80 per square foot of area
Service Upgrades	\$125.00

Those fees not individually shown above shall be based on the valuation of the improvements to be constructed as established in the most recent Building Valuation Table of Cost published by the Southern Building Code Congress, Inc., and according to the following schedule.

<u>Valuation Schedule</u>	<u>Fee</u>
\$1.00 to \$1,000.00	\$50.00
\$1,001.00 to \$3,000.00	\$75.00
\$3,001.00 to \$10,000.00	\$25.00 per thousand or fraction thereof
\$10,001.00 to \$25,000.00	\$250.00 plus \$5.00/thousand or fraction thereof
\$25,001.00 to \$500,000.00	\$375.00 plus \$3.00/thousand or fraction thereof
Over \$500,000.00	\$1,650.00 plus \$1.00/thousand or fraction thereof

(Ord. No. 781, 8-20-91, 4-5-05)

**Section 25.698.2 COMMERCIAL MECHANICAL PERMIT FEE SCHEDULE.**

Minimum Permit Fee \$50.00

New Construction and Additions	\$10.00 per ton of capacity plus \$3.00 per supply opening
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7-15-2005

**TEMPLE TERRACE CODE  
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Commercial Mechanical Permit Fee Schedule continued:

Renovations, Rehabs and Tenant Finish	\$10.00 per ton of capacity plus \$3.00 per supply opening
Package Air Condensing Units	\$50.00 each
Equipment Change out	\$50.00 flat fee
Solar Installations	\$60.00 flat fee
Boiler Installations	\$110.00 flat fee
Boiler Inspections	\$50.00 flat fee
Ansul Systems/Suppression systems	\$150.00 each system

Those fees not individually shown above shall be based on the valuation of the improvements to be constructed as established in the most recent Building Valuation Table of Cost published by the Southern Building Code Congress, Inc., and according to the following schedule.

<u>Valuation Schedule</u>	<u>Fee</u>
\$1.00 to \$1,000.00	\$50.00
\$1,001.00 to \$3,000.00	\$75.00
\$3,001.00 to \$10,000.00	\$25.00 per thousand or fraction thereof
\$10,001.00 to \$25,000.00	\$250.00 plus \$5.00/thousand or fraction thereof
\$25,001.00 to \$500,000.00	\$375.00 plus \$3.00/thousand or fraction thereof
Over \$500,000.00	\$1,650.00 plus \$1.00/thousand or fraction thereof

(Ord. No. 1137, 4-5-05)

**Section 25.698.3 COMMERCIAL PLUMBING PERMIT FEE SCHEDULE.**

Minimum Permit Fee \$50.00

New Construction and Additions	\$10.00 for each wet fixture
Lavatories (single or double)	
Showers/tubs	
Water heaters	
Dishwasher	
Laundry Tub	
Water closets	
Kitchen sink	
Floor Drains	
Renovations, Rehabs and Tenant Finish	\$10.00 for each wet fixture

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Commercial Plumbing Permit Fee Schedule continued:

Building Sanitary Connection (sewer lateral)	\$50.00 each
Building Water Connection	\$50.00 each
Petroleum Storage— Underground	\$60.00 flat fee
Above ground	\$50.00 flat fee
Roof Drains	\$10.00 each
Mobile Home Sewer connection	\$50.00 each
Landscape Sprinklers	\$50.00 per system
Swimming Pools /Spas (free standing and self contained systems are exempt)	\$55.00 each
Solar/Heat Recovery Systems	\$60.00 each system
Fire Sprinkler Systems	\$125.00 per storefront or address

Those fees not individually shown above shall be based on the valuation of the improvements to be constructed as established in the most recent Building Valuation Table of Cost published by the Southern Building Code Congress, Inc., and according to the following schedule.

<u>Valuation Schedule</u>	<u>Fee</u>
\$1.00 to \$1,000.00	\$50.00
\$1,001.00 to \$3,000.00	\$75.00
\$3,001.00 to \$10,000.00	\$25.00 per thousand or fraction thereof
\$10,001.00 to \$25,000.00	\$250.00 plus \$5.00/thousand or fraction thereof
\$25,001.00 to \$500,000.00	\$375.00 plus \$3.00/thousand or fraction thereof
Over \$500,000.00	\$1,650.00 plus \$1.00/thousand or fraction thereof

(Ord. No. 1137, 4-5-05)

**Section 25.698.4 COMMERCIAL GAS PIPING PERMIT FEE SCHEDULE.**

Minimum Permit Fee \$50.00

New Construction and Additions	\$30.00 plus \$10.00 per drop
Renovations, Rehabs and Tenant Finish	\$30.00 plus \$10.00 per drop

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Commercial Gas Piping Permit Fee Schedule continued:

Propane Tanks	
Below Grade	\$60.00 per installation
Above Grade	\$50.00 per installation

Those fees not individually shown above shall be based on the valuation of the improvements to be constructed as established in the most recent Building Valuation Table of Cost published by the Southern Building Code Congress, Inc., and according to the following schedule.

<u>Valuation Schedule</u>	<u>Fee</u>
\$1.00 to \$1,000.00	\$50.00
\$1,001.00 to \$3,000.00	\$75.00
\$3,001.00 to \$10,000.00	\$25.00 per thousand or fraction thereof
\$10,001.00 to \$25,000.00	\$250.00 plus \$5.00/thousand or fraction thereof
\$25,001.00 to \$500,000.00	\$375.00 plus \$3.00/thousand or fraction thereof
Over \$500,000.00	\$1,650.00 plus \$1.00/thousand or fraction thereof

(Ord. No. 1137, 4-5-05)

**Section 25.698.5      COMMERCIAL SIGN PERMIT FEE SCHEDULE.**  
(Does not include electrical applications.)

Minimum Permit Fee   \$50.00

Permanent Sign (Includes pylon, ground, free-standing, roof, clock and temperature, changeable copy, directory, wall, etc.)	\$125.00 each location and/or type
Temporary Signage	\$50.00 per location
Portable Signage	\$50.00 per location
Structural changes/ repairs to existing	\$50.00 each
Change of Panels	\$50.00 each set
Directory Panels	\$50.00 each location

Those fees not individually shown above shall be based on the valuation of the improvements to be constructed as established in the most recent Building Valuation Table of Cost published by the Southern Building Code Congress, Inc., and according to the following schedule.

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Commercial Sign Permit Fee Schedule continued:

<u>Valuation Schedule</u>	<u>Fee</u>
\$1.00 to \$1,000.00	\$50.00
\$1,001.00 to \$3,000.00	\$75.00
\$3,001.00 to \$10,000.00	\$25.00 per thousand or fraction thereof
\$10,001.00 to \$25,000.00	\$250.00 plus \$5.00/thousand or fraction thereof
\$25,001.00 to \$500,000.00	\$375.00 plus \$3.00/thousand or fraction thereof
Over \$500,000.00	\$1,650.00 plus \$1.00/thousand or fraction thereof

*(Ord. No. 1137, 4-5-05)*

**Section 25.698.6 BUILDING CODE ADMINISTRATORS' AND INSPECTORS' FUND-COMMERCIAL.**

(a) Effective October 1, 1993, there shall be established in the City of Temple Terrace, a BUILDING CODE ADMINISTRATORS' AND INSPECTORS' FUND.

(b) The BUILDING CODE ADMINISTRATORS' AND INSPECTORS' FUND shall consist of the following three (3) accounts; or similar accounting records as determined by the Director of Finance:

- (1) Reserve for Building Code Enforcement Trust (reserve of fund balance).
- (2) Building Code Enforcement Surcharge (revenue).
- (3) Building Code Enforcement Surcharge (expenditures).

(c) The fund accounts shall be supported by an assessment of a surcharge of one-half cent per square foot of under-roof floor space permitted, including new construction, alterations, and additions, and all monies collected less 10% shall be remitted quarterly, beginning December 31, 1993, to the Florida Department of Professional Regulation.

(d) Ten (10) percent of all monies collected shall be deposited in the City's BUILDING CODE ADMINISTRATORS' AND INSPECTORS' TRUST FUND.

(e) Expenditures shall be made only to fund projects and activities intended to improve the quality of building code enforcement, and must be approved by the City Manager or his designee.

(f) All monies received will be budgeted and deposited into the revenue account while use of the funds will be budgeted and expended from the expenditures account. Any revenues in excess of expenditures will be reserved at the end of the year.

*(Ord. No. 846, 8-17-93, Ord. No. 1137, 4-5-05)*

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7-15-2005

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**Section 25.698.7            RADON SURCHARGE – COMMERCIAL.**

Pursuant to the provisions of Sections 468.631, 404.056 and 166.201, Florida Statutes, a surcharge shall be assessed at a rate of one-half cent (\$0.005) per gross square foot of under-roof space permitted for new construction. For additions, renovations and alterations to existing buildings, the square footage shall be computed on the basis of the gross square footage being added, altered or renovated. Five percent (5%) of collected fees shall be retained by the City to cover the costs associated with the collection and remittance of such remaining surcharge of ninety-five (95%) to the State of Florida in accordance with Sec. 404.056, Florida Statutes. (*Ord. No. 1137, 4-5-05*)

**Section 25.698.8            SURCHARGES – COMMERCIAL.**

Certification Maintenance Fee. In addition to permit fees, a training surcharge of one percent (1%) of each permit fee shall be assessed, with a minimum charge of one dollar ( \$1.00) per permit and shall be reserved to fund the cost of educational materials, seminars, conferences and training of building personnel required to be certified in accordance with Chapter 468, Florida Statutes. (*Ord. No. 1137, 4-5-05*)

**Section 25.698.9            MISCELLANEOUS – COMMERCIAL.**

Replacement permits	\$25.00 each
Renewed permits	\$25.00 each
Contractor changes requiring new permit	\$25.00 each

(*Ord. No. 1137, 4-5-05*)

**Section 25.698.10          COMMERCIAL DOCUMENT REVIEW FEES.**

The following fees shall be charged for the review of construction documents. Said fees shall be based on the cost of improvements on the structure as established in the most recent Building Valuation Table of Cost published by the Southern Building Code Congress, Inc., and according to the following schedule.

Minimum Commercial Plan Review Fee	\$75.00
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All type occupancies:

<u>Gross Square Footage</u>	
0 to 20,000	\$0.05 per gross square foot of area
20,001 to 50,000	\$1,000.00 plus \$0.03 per square foot over 20,000
Over 50,000	\$1,500.00 plus \$0.01 per square foot over 50,000

(a) When deemed necessary by the building official, construction documents accompanying an application for building permit for any new building or structure or any alteration or addition to any existing building or structure, may be forwarded to the Southern Building Code Congress International, Inc., for their review and comment. When such a review is necessary, the document review fee charge to the builder/owner shall be based on the actual cost incurred by the City for said review.

(b) Requirement for recording fees. Whenever any document, agreement etc., is required by the City pursuant to approval of a development action or order, and the same is to be recorded in the public records of Hillsborough County, the developer/owner or other party to the agreement, shall pay all recording fees and other associated fees.

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- (c) Refund Policy. Procedures for refunds of amounts paid for permits are as follows:
- (1) No person or entity shall be entitled to any refund on the amount paid for any permits issued by the City unless such refund is applied for in writing within six (6) months from the date of issuance of such permit, or within the extended time thereof if the same has been extended under proper authority.
  - (2) Service charge. Before making any such refund, retain and deduct there from a sum equal to twenty percent (20%) of the amount originally paid for the permit, which sum shall constitute a service charge.

**Section 25.698.11            COMMERCIAL FIRE REVIEWS AND INSPECTIONS.**

New Construction	\$250.00
Commercial Renovations and Change of Occupancies	\$250.00

*(Ord. No. 1137, 4-5-05)*

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